



Council Chambers  
200 H Street  
Antioch, CA 94509

Closed Session - 6:00 P.M.  
Regular Meeting - 7:00 P.M.

# ANNOTATED AGENDA

for

## JANUARY 8, 2019

Antioch City Council  
Regular Meeting

Including the Antioch City Council  
acting as Successor Agency to the  
Antioch Development Agency

Sean Wright, Mayor  
Joyann Motts, Mayor Pro Tem  
Monica E. Wilson, Council Member  
Lamar Thorpe, Council Member  
Lori Ogorchock, Council Member

Arne Simonsen, CMC, City Clerk  
James D. Davis, City Treasurer

Ron Bernal, City Manager  
Derek Cole, Interim City Attorney

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### Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, during normal business hours for inspection and (for a fee) copying. Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the City Clerk's Office, who will refer you to the appropriate person.

### Notice of Opportunity to Address Council

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. See the Speakers' Rules on the inside cover of this Agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section.

**6:00 P.M. ROLL CALL – CLOSED SESSION – for Council Members – *All Present***

**PUBLIC COMMENTS** for Closed Sessions – *None*

#### **CLOSED SESSIONS:**

- 1) CONFERENCE WITH LEGAL COUNSEL** – Existing Litigation Pursuant to California Government Code §54956.9(d)(1): Zeka One Ranch, LLC et al. v City of Antioch et al., Contra Costa Superior Court Case Nos. N18-2228, N18-2229, N18-2231 and N18-2232.

***Direction provided to City Attorney, no reportable action was taken***

**SPECIAL MEETING/CLOSED SESSION ON DECEMBER 13, 2018** – City Attorney reported out that at the Special/Closed Session Meeting held on December 13, 2018, direction was given to the recruiter and staff on the closed session item discussed by the City Council.

***Direction was given to the Negotiators, no reportable action was taken***

**SPECIAL MEETING/CLOSED SESSION ON DECEMBER 27, 2018\*** – City Attorney reported out that at the Special/Closed Session Meeting held on December 27, 2018, direction was given to the recruiter and staff on the closed session item discussed by the City Council.

***Direction was given to the Negotiators, no reportable action was taken***

***\*City Attorney acknowledged that this Closed Session Meeting was held at and Adjourned at Smith's Landing Restaurant. The meeting was not closed out at the Council Chambers.***

**7:02 P.M. ROLL CALL – REGULAR MEETING – for City /City Council Members acting as Successor Agency to the Antioch Development Agency – *All Present***

#### **PLEDGE OF ALLEGIANCE**

#### **1. PROCLAMATION**

- Human Trafficking Awareness Month, January 2019

STAFF REPORT

***Approved, 5/0***

Recommended Action: It is recommended that the City Council approve the proclamation.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

**ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

- *BOARD OF ADMINISTRATIVE APPEALS*
- *POLICE CRIME PREVENTION COMMISSION*

**PUBLIC COMMENTS** – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

**CITY COUNCIL COMMITTEE REPORTS**

**MAYOR’S COMMENTS**

**2. CONSENT CALENDAR for City/ City Council Members as Successor Agency to the Antioch Development Agency**

**A. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 27, 2018**

***Approved, 4/0/1-Abstain (Motts)***

Recommended Action: It is recommended that the City Council approve the minutes.

STAFF REPORT

**B. APPROVAL OF COUNCIL MINUTES FOR DECEMBER 11, 2018**

***Approved, 5/0***

Recommended Action: It is recommended that the City Council approve the minutes.

STAFF REPORT

**C. APPROVAL OF SPECIAL MEETING/CLOSED SESSION MINUTES FOR DECEMBER 13, 2018**

***Continued, 5/0***

Recommended Action: It is recommended that the City Council continue the Special Meeting/Closed Session minutes to the next meeting.

STAFF REPORT

**D. APPROVAL OF SPECIAL MEETING/CLOSED SESSION MINUTES FOR DECEMBER 27, 2018**

***Continued, 5/0***

Recommended Action: It is recommended that the City Council continue the Special Meeting/Closed Session minutes to the next meeting.

STAFF REPORT

**E. APPROVAL OF COUNCIL WARRANTS**

***Approved, 5/0***

Recommended Action: It is recommended that the City Council approve the warrants.

STAFF REPORT

**CONSENT CALENDAR for City/ City Council Members as Successor Agency to the Antioch Development Agency – Continued**

- F.** SECOND READING – ADOPT THE ORDINANCE AMENDING THE ANTIOCH MUNICIPAL CODE SECTION 1-5.06 TO CHANGE THE CITATION AMOUNTS FOR VIOLATIONS AT COMMERCIAL PROPERTIES PURSUANT TO ASSEMBLY BILL (AB) 2598 (*Introduced on 12/11/18*)

**Ord. No. 2159-C-S adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the Ordinance to amend Section 1-5.06-*Fines: Amounts* of Antioch Municipal Code Title 1: General Provisions, Chapter 5: Citation Procedure.

STAFF REPORT

- G.** AUTHORIZATION TO AMEND CONSULTANT CONTRACT WITH LAND USE PLANNING SERVICE, INC. TO MARCH 31, 2019 AND INCREASE THE NOT TO EXCEED AMOUNT BY \$39,000 FOR A TOTAL OF \$116,250

**Reso. No. 2019/01 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to amend the consultant contract with Land Use Planning Service, Inc. to extend the expiration date of the contract to March 31, 2019 and increase the not to exceed amount by \$39,000 for a total of \$116,250.

STAFF REPORT

- H.** IMPLEMENTATION OF SALES TAX ORDINANCE (MEASURE W)

**Reso. No. 2019/02 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing limited individuals to examine confidential transaction (sales) and use tax records for the stated purposes.

STAFF REPORT

- I.** RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX

**Reso. No. 2019/03 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax.

STAFF REPORT

- J.** RESOLUTION ANNEXING ASSESSOR'S PARCEL NUMBER 052-140-002 (WILDFLOWER STATION) INTO CFD NO. 2018-02 (POLICE PROTECTION)

**Reso. No. 2019/04 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the resolution Annexing Assessor's Parcel Number (APN) 052-140-002 (Wildflower Station) into Community Facilities District (CFD) No. 2018-02 (Police Protection).

STAFF REPORT



**CONSENT CALENDAR for City/ City Council Members as Successor Agency to the Antioch Development Agency – Continued**

- K.** RESOLUTION APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR WILDFLOWER STATION SUBDIVISION 9427 (DENOVA HOMES) AND ANNEXING INTO HILLCREST STREET LIGHT AND LANDSCAPE MAINTENANCE DISTRICT 1 ZONE 1 (PW 460-4)

**Reso. No. 2019/05 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the resolution approving the final map and improvement plans for Wildflower Station Subdivision 9427 (DeNova Homes) and annexing into Hillcrest Street Light and Landscape Maintenance District 1 Zone 1 (PW 460-4).

STAFF REPORT

- L.** CONSIDERATION OF BIDS FOR THE MARINA BOAT LAUNCH FACILITY RESTROOM (P.W. 523-16R)

**Reso. No. 2019/06 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution to:

- 1) Amend the fiscal year 2018/2019 Capital Improvement Budget to include \$110,000 from the Marina Fund and a \$364,562 grant from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the Marina Boat Launch Facility Restroom.
- 2) Award the contract to the lowest, responsive bidder, McNabb Construction, Inc. in the amount of \$424,417.
- 3) Authorize the City Manager to execute an agreement with McNabb Construction, Inc. in the amount of \$424,417.

STAFF REPORT

- M.** LEAGUE OF CALIFORNIA CITIES:

- POLICY COMMITTEE MEETINGS
- MAYORS AND COUNCIL MEMBERS EXECUTIVE FORUM AND ADVANCED LEADERSHIP WORKSHOPS
- ANNUAL CONFERENCE

**Approved, 5/0**

Recommended Action: It is recommended that the City Council:

- 1) Approve participation and authorize associated expenditures for the League of California Cities Policy Committee Meetings held in Costa Mesa, California on March 28 through March 29, 2019; and held in Sacramento, California on June 13 through June 14, 2019.
- 2) Approve participation and authorize associated expenditures for the League of California Cities Mayors and Council Members Executive forum and Advanced Leadership Workshops held in Newport Beach on June 19 through June 21, 2019.
- 3) Approve participation and authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 16 through October 18, 2019.

STAFF REPORT

**CONSENT CALENDAR for City/ City Council Members as Successor Agency to the Antioch Development Agency – Continued**

**N. LEAGUE OF CALIFORNIA CITIES:**

- POLICY COMMITTEE MEETINGS,
- LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

**CITY CLERKS ASSOCIATION OF CALIFORNIA (CCAC):**

- CCAC ANNUAL CONFERENCE
- CCAC ADVANCED ACADEMY,
- CCAC ANNUAL MEETING AND CITY CLERKS WORKSHOP

**Approved, 5/0**

Recommended Action: It is recommended that the City Council:

- 1) Authorize associated expenditures for the League of California Cities Policy Committee Meetings in Sacramento, California on January 17 through January 18, 2019; Costa Mesa, California on March 28 through March 29, 2019; and held in Sacramento, California on June 13 through June 14, 2019.
  - 2) Authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 16 through October 18, 2019.
  - 3) Authorize associated expenditures for the City Clerks Association of California (CCAC) Annual Conference held in Anaheim, California on April 3 through April 5, 2019.
  - 4) Authorize associated expenditures for the CCAC Advanced Academy held in Anaheim, California on April 2, 2019.
- 5) Authorize associated expenditures for the CCAC Annual meeting and City Clerks Workshop held in Long Beach, California on October 16 through October 18, 2019.

STAFF REPORT

**City of Antioch Acting as Successor Agency to the Antioch Development Agency**

**O. RECOGNIZED OBLIGATION PAYMENT SCHEDULE (19-20) FOR THE SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY OF THE CITY OF ANTIOCH**

**SA Reso No. 2019/30 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the resolution approving the Recognized Obligation Payment Schedule for the period of July 2019 through June 2020 (ROPS 19-20).

STAFF REPORT

**PUBLIC HEARING**

3. PROPOSED FINANCING VILLA MEDANOS APARTMENTS THROUGH THE ISSUANCE OF BONDS BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY (CPFA)

**Reso. No. 2019/07 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the Resolution approving the issuance by the California Public Finance Authority (CalPFA) of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$31,000,000 for the purpose of financing or refinancing the acquisition and rehabilitation of Villa Medanos Apartments and certain other matters relating hereto. Notice of this Public Hearing was published in the East County Times on December 21, 2018.

STAFF REPORT

4. ARNOLD REZONE (Z-18-08)

**To 01/22/19 for adoption, 5/0**

Recommended Action: It is recommended that the City Council introduce the Ordinance for a zoning map amendment for the parcels located at 211 and 215 West 19<sup>th</sup> Street (APN's 067-264-011, 067-264-002) from Single Family Residential (R-6) to Convenience Commercial (C-1).

STAFF REPORT

5. ESTABLISHMENT OF FIREARMS RANGE USE FEE

**Reso. No. 2019/08 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution amending the Master Fee Schedule to establish a new Firearms Range Use fee.

STAFF REPORT

6. RESOLUTION RECOGNIZING THE AMENDMENTS MADE TO THE GENERAL PLAN IN LIGHT OF THE ADOPTION OF "THE RANCH" AND THE "LET ANTIOCH VOTERS DECIDE" INITIATIVES  
(Continued from 11/27/18)

**Continued to 02/05/19, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution recognizing the amendments made to the General Plan in light of the adoption of "The Ranch" and the "Let Antioch Voters Decide" Initiatives.

STAFF REPORT

**COUNCIL REGULAR AGENDA**

7. CONSIDERATION OF ONE-TIME REVENUE POLICY

**Reso. No. 2019/09 adopted, 4/1 (Ogorchock)  
With direction to staff to bring back  
policy prior to budget process**

Recommended Action: It is recommended that the City Council either:

- Affirm the current One-Time Revenue Policy; or
- Adopt a resolution amending the One-Time Revenue Policy.

**COUNCIL REGULAR AGENDA – Continued**

STAFF REPORT

8. CIVIC ENHANCEMENT GRANTS

**Reso. No. 2019/10 adopted, 4/0/1-Abstain (Motts)**  
**for "Celebrate Antioch Foundation"**

**Reso. No. 2019/11 adopted, 4/0/1-Abstain (Ogorchock)**  
**for "Rotary Club of the Delta" and**  
**"Delta Veteran's" – Upgrade Veterans Memorial Banners**

**Reso. No. 2019/12 adopted, 5/0**  
**for the following:**

- **Antioch Youth Sports Complex**
  - **Antioch Historical Society**
    - **Delta Blues Festival**
  - **Women's Club of Antioch**
    - **El Campanil Theatre**
- **Delta Veteran's – Softball Tournament of Heroes**
  - **The Drama Factory**
  - **Antioch Rotary Club**

Recommended Action: It is recommended that the City Council adopt a resolution approving the 2018-2019 Civic Enhancement Grants.

STAFF REPORT

9. BUILDING INSPECTION SERVICES AUGMENTATION OF \$150,000 FOR ONE BUILDING INSPECTOR I AND CONTRACT SERVICES

**Reso. No. 2019/13 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution approving a budget amendment in the amount of \$150,000 for both revenues and appropriations to augment Building Inspection Services by adding one Building Inspector I and contract services.

STAFF REPORT

10. RESOLUTION APPROVING PUBLIC WORKS INSPECTION AUGMENTATION OF \$372,000 FOR ONE (1) PUBLIC WORKS INSPECTOR POSITION AND CONTRACT SERVICES

**Reso. No. 2019/14 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution approving a budget amendment in the amount of \$372,000 to augment public works inspection services by adding one Public Works Inspector and contract services.

STAFF REPORT

11. STANDBY CITY COUNCIL MEMBERS

Recommended Action: It is recommended that the City Council appoint the following nominated Standby City Council Members:

**Approved, 5/0**

- Mayor Wright: **1) Clifton Mbanugo; 2) Matthew Hart; and 3) Lamont Francoise**
- Mayor Pro Tem Motts: **1) Kerry Motts; 2) Keith Archuleta; and 3) Robin Agopian**
- Council Member Wilson: **1) Donald P. Freitas; 2) Jacquelynn M. Bruckman; and**  
**3) Jennifer Victor**
- Council Member Thorpe: **1) Mark Jordan; 2) Ellie Householder; and 3) Josh Young**
- Council Member Ogorchock: **1) Tony Tiscareno; 2) Mary Rocha; and 3) Manuel Soliz, Jr.**

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS** – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

**ADJOURNMENT – 9:20 p.m.**



***HUMAN TRAFFICKING AWARENESS MONTH  
JANUARY 2019***

*WHEREAS, Human trafficking is a form of abuse in which force, fraud or coercion is used to control victims for the purpose of commercial sexual or labor exploitation; that occurs in every industry and affects individuals of all genders, ages and of all backgrounds; and*

*WHEREAS, Human trafficking is a lucrative industry and the fastest growing criminal industry in the world; and uses violent and exploitive tactics to target vulnerable members of our communities; and*

*WHEREAS, The crime of human trafficking violates an individual's privacy, dignity, security and humanity due to the systematic use of physical, emotional, sexual, psychological and economic exploitation, control and/or abuse; and*

*WHEREAS, The impact of human trafficking is wide-ranging, directly affecting foreign nationals as well as U.S. Citizens, and society as a whole; victims experience trauma, violence, manipulation, fraud and coercion at the hands of their traffickers. It is often the most vulnerable members of our communities who are affected by human trafficking; and*

*WHEREAS, as of June 2018, 5,147 human trafficking cases were reported nationally to the National Human Trafficking Resource Center; of those reports, the more than 14 percent were reported in California (760 cases). The City of Antioch is not immune to human trafficking. While underreported, over the last four years, the Contra Costa Human Trafficking Coalition and several partner agencies including Community Violence Solutions, STAND! for Families Free of Violence, Bay Area Legal Aid, Rainbow Community Center and Calli House, identified and served over 500 victims of human trafficking; and*

*WHEREAS, the City of Antioch is working to raise awareness so individuals will become more informed, identify ways their behavior contributes to a patriarchal culture that supports and tolerates the systemic abuse of vulnerable populations that include women and people of color; and take action to end human trafficking in their communities.*

***NOW, THEREFORE, I, SEAN WRIGHT, Mayor of the City of Antioch, do hereby proclaim January 2019 as HUMAN TRAFFICKING AWARENESS MONTH, and urge all residents to actively participate in the efforts to both raise awareness of, and end, all forms of human trafficking in our communities. Let us make it known that human trafficking has no place in our city.***

**JANUARY 8, 2019**

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**SEAN WRIGHT, Mayor**

**CITY COUNCIL MEETING  
INCLUDING THE ANTIOCH CITY COUNCIL  
ACTING AS HOUSING SUCCESSOR  
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Regular Meeting  
7:00 P.M.**

**November 27, 2018  
Council Chambers**

**6:00 P.M. - CLOSED SESSION**

1. **PUBLIC EMPLOYMENT – RECRUITMENT OF CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957.

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 PUBLIC EMPLOYMENT – RECRUITMENT OF CITY ATTORNEY**, direction given to Recruiter.

Mayor Wright called the meeting to order at 7:01 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Thorpe, Tiscareno, Ogorchock and Mayor Wright

**PLEDGE OF ALLEGIANCE**

Councilmember Tiscareno led the Council and audience in the Pledge of Allegiance.

**ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Director of Community Development Kaiser announced the Winter/Spring Recreation Guide was mailed to residents and there were many programming opportunities available for the public.

Erika Roulston, Employment Specialist for Swords to Plowshares, introduced herself and discussed programming and services available for homeless Veterans in Contra Costa County.

**ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) alternate vacancy; deadline date is December 21, 2018

He reported applications would be available online at the City's website and at the City Clerk's office.

**PUBLIC COMMENTS**

Curtis Corlew, Antioch resident, expressed concern for bicyclist safety along Lone Tree Way.

Tricia Campbell, Antioch resident, expressed concern for bicyclist and pedestrian safety throughout Antioch and suggested the City restripe surface streets to improve safety.

Mark Foley, Antioch resident, Director Elect for BART, introduced himself and stated he looked forward to working with the City to improve the integration of transit systems.

Mayor Wright congratulated Mr. Foley on his successful campaign.

## **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Thorpe announced that he would not be present for the next City Council meeting so he was taking this opportunity to express his appreciation to Councilmember Tiscareno for serving on the City Council. Speaking to Director Elect for BART Mark Foley, he encouraged him to focus on the construction of a parking garage for the Hillcrest BART station.

## **MAYOR'S COMMENTS**

Mayor Wright discussed recent vandalism in downtown and noted that the graffiti was disturbing and did not represent Antioch. He expressed his appreciation to the residents who made the community great and encouraged them to celebrate Antioch by participating in the Holiday Delites parade and festivities on December 1, 2018.

## **PRESENTATION**

*City Branding Update by Evviva Brands, LLC, presented by David Kippen*

City Manager Bernal introduced the Presentation.

Director of Economic Development Reed gave a brief history of the process and next steps in the city's branding process.

David Kippen, Evviva Brands, LLC, discussed the process moving forward for the City's branding effort. He introduced Ann Balboa to give the presentation.

Ann Balboa, President of Orange 22, Inc., discussed her professional history and gave a PowerPoint presentation of a City of Antioch Media Strategy Architecture.

Mayor Wright thanked Ms. Balboa for the presentation.

Councilmember Tiscareno discussed the importance of encouraging future development of the waterfront area.

Councilmember Ogorchock stated if Council decided to move forward she would support a higher level to get the best return on their investment.



Councilmember Wilson thanked Mr. Kippen for the presentation and discussed the possibility of marketing outside of California.

Mayor Wright stated that it was important for the community to understand that bringing businesses, increasing property value and job creation, added value to the City. He questioned when this item would be coming to Council for budget consideration.

City Manager Bernal announced that he would like to bring this item back in early January for consideration ahead of the budget so if it was Council's desire to get moving quickly they could begin the process.

1. **CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**
  - A. **APPROVAL OF COUNCIL MINUTES FOR OCTOBER 23, 2018**
  - B. **APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 13, 2018**
  - C. **APPROVAL OF COUNCIL WARRANTS**
  - D. **RESOLUTION NO. 2018/147 WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS (P.W. 246-29)**
  - E. **RESOLUTION NO. 2018/148 AUTHORIZE INCREASE OF THE HOURLY RATE SALARY SCHEDULE FOR EMPLOYEES WORKING IN A POLICE TRAINEE CLASSIFICATION**

**City of Antioch Acting as Successor Agency/Housing Successor to the Antioch Development Agency**

- F. **APPROVAL OF SUCCESSOR AGENCY WARRANTS**
- G. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council unanimously approved the Council Consent Calendar with the exception of Item D which was removed for further discussion.

**Item D** – City Manager Bernal introduced Item D. Director of Public Works/City Engineer Blank presented the staff report dated November 27, 2018 recommending the City Council adopt the resolution.

Councilmember Thorpe thanked Director of Public Works/City Engineer Blank for the detailed report.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously approved Item D.

## **PUBLIC HEARING**

### **2. RESOLUTION APPROVING OWNER PARTICIPATION (SALES TAX SHARING) AGREEMENT BETWEEN THE CITY OF ANTIOCH AND TRALEE, INC., ANTIOCH CHRYSLER JEEP DODGE, INC., AND WATERVILLE, INC. (COLLECTIVELY KNOWN AS "NOKES DEALERSHIPS") AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT**

City Manager Bernal introduced Public Hearing Item #2.

Director of Economic Development Reed presented the staff report dated November 27, 2018 recommending the City Council adopt a resolution authorizing the City Manager to enter into an Owner Participation Agreement between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (collectively known as "Nokes Dealerships").

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

Councilmember Tiscareno stated that he supported incentivizing businesses; however, he was concerned that this proposal included businesses that had already participated in the 2002 tax sharing agreement. He questioned what the benefit would be for the City of Antioch.

Director of Economic Development Reed responded that both tax sharing agreements were related to business development that removed blight and improved the area.

Councilmember Ogorchock discussed the previous tax sharing agreement and suggested that once construction was completed, tax sharing begin as soon as the first vehicle was sold at any of the dealerships.

Interim City Attorney Cole explained that there was a concern that if the money was filtered into the improvements to the Toyota or Nissan store, it may trigger prevailing wage requirements; so to address that issue, they were requiring a vehicle be sold from both dealerships to trigger the subsidy.

Tom Nokes explained that they could not sell a car until a dealership was completed. He reported that they were investing millions of dollars and they were the highest sales tax generator, and provided the highest paying jobs in Antioch. He clarified that there would be two pads constructed so another franchise would be added.

Councilmember Ogorchock reiterated her support for tax sharing to begin when the first vehicle was sold at any of the dealerships.

Councilmember Wilson spoke in support of bringing in a high end dealership to Antioch.

In response to Councilmember Wilson, City Manager Bernal explained that the return on the investment from the 2002 sales tax sharing agreement was significant.

Councilmember Wilson expressed concern with the City giving away \$3 million dollars in sales tax revenue.

Mayor Wright responded there was no risk on the City's behalf because there would be an \$8-12 million dollar investment from Mr. Nokes prior to him receiving a percentage of the sales tax increase.

Mr. Nokes reported there would also be approximately \$3 million dollars spent on rehabilitating the existing dealerships.

In response to Councilmember Thorpe, Mr. Nokes stated that a majority of his employees and approximately 50% of his customers were Antioch residents. He noted through advertising, they drew in a significant amount of people who spent money at other Antioch businesses and they may also draw businesses to Antioch with the elimination of a blighted area.

Councilmember Tiscareno thanked Mr. Nokes for bringing his business to Antioch. He reiterated that he could not support subsidizing businesses that had previously benefited from a tax sharing agreement.

Mayor Wright spoke in support of partnering with businesses for the betterment of the community.

A motion was made by Councilmember Ogorchock to adopt the resolution and amend the agreement to indicate that the tax sharing would occur when the first vehicle was sold at any of the Mr. Nokes' dealerships. The motion died for the lack of a second.

Speaking to the following motion, Councilmember Thorpe asked Mr. Nokes why existing businesses were included in the agreement.

Mr. Nokes explained that they would be spending approximately \$15 million to expand the business.

**RESOLUTION NO. 2018/149**

On motion by Councilmember Ogorchock, seconded by Mayor Wright, the City Council adopted a resolution authorizing the City Manager to enter into an Owner Participation Agreement between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (collectively known as "Nokes Dealerships"). The motion carried the following vote:

*Ayes: Ogorchock, Thorpe, Wright*

*Noes: Wilson, Tiscareno*

**3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH RECOGNIZING THE AMENDMENTS MADE TO THE GENERAL PLAN IN LIGHT OF THE ADOPTION OF “THE RANCH” AND THE “LET ANTIOCH VOTERS DECIDE” INITIATIVES**

City Manager Bernal introduced Public Hearing Item #3.

City Clerk Simonsen announced the City had received three letters regarding this item and copies were made available to Council, staff and for the public in Council Chambers this evening.

Interim City Attorney Cole recommended the City Council continue this item to January 8, 2019 to allow him sufficient time to review the comments received this evening and allow the stakeholders sufficient time to review the staff report.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Thorpe, seconded by Councilmember Wilson, the City Council unanimously continued the Public Hearing to January 8, 2019.

**4. DOWNTOWN SPECIFIC PLAN ZONING AMENDMENT**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs presented the staff report dated November 27, 2018 recommending the City Council introduce the Ordinance to rezone those parcels in the Downtown Specific Plan Focus Area and to modify the text accordingly.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously introduced the Ordinance amending the zoning map and zoning ordinance to conform to the Downtown Specific Plan.

**COUNCIL REGULAR AGENDA**

**5. APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2018 TO THE 2018/19 FISCAL YEAR BUDGET AND OTHER FISCAL YEAR 2018/19 BUDGET AMENDMENTS**

City Manager Bernal introduced Regular Agenda Item #5.

Finance Director Merchant presented the staff report dated November 27, 2018 recommending the City Council adopt the resolution appropriating expenditures for encumbrances and project budgets

outstanding to the 2018/19 fiscal year budget and approving other amendments to the 2018/19 fiscal year budget.

Councilmember Thorpe thanked staff for their hard work with the fees and providing an explanation on the City Wide Administration Fee. He stated he believed there was an opportunity to discuss funding for the city's branding efforts, as soon as possible.

Mayor Wright agreed with Councilmember Thorpe.

Finance Director Merchant explained the city's efforts to pay down the unfunded liabilities.

Councilmember Tiscareno and Mayor Wright thanked staff for the presentation and supported utilizing one-time revenue for the City's branding efforts. They requested this item come back to Council for discussion.

Councilmember Wilson thanked Finance Director Merchant for the report.

Finance Director Merchant explained the General Fund reserves and budget stabilization fund. She stated she would provide long term projections for budget study sessions.

In response to Councilmember Ogorchock, Finance Director Merchant explained that the City was pay-as-you-go on Medical After Retirements; however, with CALPERS, every two weeks a portion of the remittance paid the current benefit costs and a portion of the unfunded liability.

Councilmember Ogorchock discussed the importance of the City paying off at least one of the unfunded liabilities.

**RESOLUTION NO. 2018/150**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council adopted the resolution appropriating expenditures for encumbrances and project budgets outstanding to the 2018/19 fiscal year budget and approving other amendments to the 2018/19 fiscal year budget.

Mayor Wright directed staff to agendize discussions regarding the one-time monies with the concept of the City's marketing efforts as well as the City's one time revenue policy.

- 6. CONSIDERATION AND FINAL DETERMINATION OF BOARD OF ADMINISTRATIVE APPEALS DECISION REGARDING: ADMINISTRATIVE CITATION NO. 6037 APPEAL FILED BY SERGEI SAPOZHNIKOV FOR THE PROPERTY LOCATED AT 3224 MADRONE ST, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "BUSINESS LICENSE REQUIRED" [§3-1.103]**

City Manager Bernal presented the staff report dated November 27, 2018 recommending the City Council overturn the Board of Administrative Appeals decision regarding Administrative Citation No. 6037 issued to Sergei Sapozhnikov for violation of the Antioch Municipal Code.

Interim City Attorney Cole explained that his role was not to advocate as to whether the Council should affirm the Board of Appeals decision or accept staff's recommendation. He stated the Antioch Municipal Code stated that the fines were the maximum and Code Enforcement determined what they believed was appropriate and submitted it to the offending party. He noted due process had to provide the opportunity to allow someone to challenge the violation. He discussed the action taken by the Board of Administrative Appeals for this case and stated that it was his opinion that they had the authority to uphold the violation and reduce the fine. He requested Council provide direction as to whether they wanted to allow the Board of Administrative Appeals to engage in an analysis to reduce fines and if so, define mitigating circumstances that would justify a reduction. Additionally, if Council determined the fines to be excessive, he recommended that they amend the Antioch Municipal Code. He noted it was important to be consistent and this case would set precedent. He further noted property owners needed to know that the City stood firm on requiring taxes and business licenses to be paid.

Farideh Faraji, Member of the Board of Appeals, stated that she believed they had the authority to answer the appeal and questioned why the Board of Administrative Appeals existed if the City did not want them to reduce a fine. She noted they considered each case individually based on the appellant's circumstances. She stated that she had wanted to dismiss the entire \$500.00 fine because the appellant had come into compliance and he received the final citation on the last week because he had forgotten to inform the City of his address change. She further noted he paid to file the appeal, took time to come to the hearing, and she wanted to have compassion.

Ade Adeyemi, Vice Chair of the Board of Administrative Appeals, stated the Board of Administrative Appeals was formed to listen to people and be fair to citizens. He noted not everyone was treated the same way because their circumstances were different. He questioned why the appeal process existed if they were not able to make a decision or if Council was going to overturn their decisions. He noted \$250.00 in fines may be a lot of money for an appellant and the Board had been told the City wanted compliance, not the money. He urged Council to consider their decision carefully and commented that he was aware of the reason for the appeal this evening; however, the City Manager was not present during the hearing.

Finance Director Merchant reported the person filing the appeal had received information stating that they bear the burden to prove the citation was wrongfully issued. She stated the citation was issued for a valid reason and the Board of Administrative Appeals agreed; however, they had made an emotional decision that the fine was too heavy of a burden.

City Clerk Simonsen, Secretary to the Board of Administrative Appeals, clarified that the appellant received his property tax via email from the County, so he never changed his mailing address. He noted the finance department used County records to contact him; which the Board of Administrative Appeals took under consideration. He further noted the Board was very conscientiously, considered each case individually with the goal being to get people into compliance.

Sergei Sapozhnikov, submitted his telephone bill to verify that he had not contacted MuniServices on January 5, 2018. He stated his County records were not updated promptly because he believed he did not need to do so. He commented that he felt the \$800.00 in fees were not relevant.

In response to Mayor Wright, Interim City Attorney Cole clarified the decision before Council was whether to grant the appeal and go back to the \$500.00 fine or deny the appeal affirming the Board of Administrative Appeals decision to set the fine at \$250.00. He noted the policy argument was whether it was appropriate for the Board to engage in analysis and if so what were the parameters.

In response to Councilmember Tiscareno, City Manager Bernal stated that he believed the Board of Administrative Appeals operated outside the realm of what the Antioch Municipal Code gave them the authority to do, which was to approve or deny an appeal, and not reduce fines.

Interim City Attorney Cole stated that his position that the Board of Administrative Appeals ability to reduce fines was consistent with due process and the issue was the circumstances in which they should do so.

City Clerk Simonsen stated that this was not the first time a fine had been reduced.

In response to Councilmember Tiscareno, Interim City Attorney Cole stated the City had a general obligation to treat people equally and they could look at each case based on its facts; however, they needed to distill some principals. He stated the policy question was what level of responsibility Council wanted to place on people that would apply to all future decisions. He clarified that the Antioch Municipal Code stated that decisions of the Board could be appealed to the City Council by the property owner or at the request of the City Manager. He reiterated that his interpretation was that there was some flexibility to determine the amount of the fine and if staff advocated for the maximum fine, with due process, the appellant had the ability to present evidence, rebut the violation and challenge the severity of the punishment. He further noted the Board also had to have a valid reason as to why they were reducing a fine.

City Clerk Simonsen clarified that only the City Council and City Manager had the ability to appeal a decision of the Board of Administrative Appeals.

Councilmember Thorpe stated the Board of Administrative Appeals determined that the appellant was in violation and the issue was whether the fine was excessive and what circumstances led them to reduce the fine.

Farideh Faraji, Member of the Board of Appeals, responded that her reason for reducing the fine was that the appellant indicated he was uncomfortable paying the \$500.00 citation and he had paid all the fees, and fines to come into compliance. She noted in the past when she attempted to forgive the entire fine, she did not have the support of the Board, so in this case she chose to compromise. She further noted the City had a valid reason for issuing the citation; however, their job was to judge people. She stated if the Council overturned their decision, she felt it would be an insult to their service as volunteers and undermine the process.



Following discussion, the Council voiced their appreciation to all members of the Board of Administrative Appeals for volunteering to serve the community. They agreed that the appellant was in violation of the Antioch Municipal Code; however, they did not agree that there were mitigating circumstances identified to justify the reduction in the fine.

Councilmember Thorpe stated he believed the Board of Administrative Appeals had the discretion to reduce fines in instances where there were mitigating circumstances and the City could work with Interim City Attorney Cole to identify those circumstances.

Councilmember Tiscareno agreed and expressed concern that without an established policy, each decision in which the appellant did not agree would be appealed to the City Council.

Mayor Wright thanked the Board of Administrative Appeals for their service and noted having a decision overturned would not change the Council's appreciation of the difficult decisions that they made on behalf of the City.

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously overturned the Board of Administrative Appeals decision regarding Administrative Citation No. 6037 issued to Sergei Sapozhnikov for violation of the Antioch Municipal Code.

Interim City Attorney Cole stated the discussion this evening would guide the direction of the Board of Administrative Appeals in the future.

**7. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE TREATMENT PLANT EMPLOYEES ASSOCIATION FOR THE PERIOD OF OCTOBER 1, 2018 – SEPTEMBER 30, 2020**

City Manager Bernal introduced Regular Agenda Item #7.

Administrative Services Director Mastay presented the staff report dated November 27, 2018 recommending the City Council adopt a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association (TPEA); and 2) Authorizing the Finance Director to make any necessary adjustments to the FY2018/19 budget to implement the provisions of the Tentative Agreement.

**RESOLUTION NO. 2018/151**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council unanimously adopted a resolution: 1) Approving the Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association (TPEA); and 2) Authorizing the Finance Director to make any necessary adjustments to the FY2018/19 budget to implement the provisions of the Tentative Agreement.

**PUBLIC COMMENTS – None**



**STAFF COMMUNICATIONS**

City Manager Bernal reminded everyone that the Holiday Delites event and parade would be held on December 1, 2018.

**COUNCIL COMMUNICATIONS**

Councilmember Ogorchock requested staff agendize a discussion on the Ordinance regarding the Administrative Appeals fines.

Mayor Wright requested staff agendize a discussion on an open application period for cannabis businesses.

Councilmember Thorpe requested staff bring back a discussion on the formation of a Youth Task Force.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 10:15 P.M.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk

**CITY COUNCIL MEETING  
INCLUDING THE ANTIOCH CITY COUNCIL  
ACTING AS SUCCESSOR AGENCY/HOUSING SUCCESSOR  
TO THE ANTIOCH DEVELOPMENT AGENCY  
ANTIOCH PUBLIC FINANCING AUTHORITY**

**Special/Regular Meeting  
6:00 P.M.**

**December 11, 2018  
Council Chambers**

Mayor Wright called the meeting to order at 6:03 P.M., and City Clerk Simonsen called the roll.

Present: Council Members Wilson, Tiscareno, Ogorchock and Mayor Wright  
Absent: Council Member Thorpe

**PRESENTATION OF COLORS – Boy Scout Troop #153**

**PLEDGE OF ALLEGIANCE**

Boy Scout Troup #153 led the audience in the Pledge of Allegiance.

Mayor Wright thanked the Boy Scouts and parents for attending this evening. He congratulated the Eagle Scouts and wished those working on their Eagle, the best in reaching their goals.

**INVOCATION – Antioch Police Department Chaplain Greg Gersack**

Mayor Wright thanked Chaplain Gersack for his service and for the Invocation.

- 1. RESOLUTION CONFIRMING THE CANVASS BY THE COUNTY CLERK OF CONTRA COSTA COUNTY OF BALLOTS CAST AT THE GENERAL ELECTION HELD ON NOVEMBER 6, 2018**

**RESOLUTION NO. 2018/152**

On motion by Councilmember Tiscareno, seconded by Councilmember Ogorchock, the City Council Members present unanimously adopted the resolution confirming the certified results of the November 6, 2018 General Election.

**PRESENTATION to outgoing Council**

Councilmember Tiscareno discussed his participation in the Antioch Police Department Citizens' Academy and announced he would be graduating on December 12, 2018. He stated it was a pleasure to serve his community as an elected official, and he appreciated his fellow Councilmembers, and staff for their dedication to the City. He congratulated Joy Motts and Lori Ogorchock on running successful campaigns. He thanked the Antioch residents for allowing him to serve them.

The Council thanked Councilmember Tiscareno for his service and noted that it was a pleasure to have worked with him. Mayor Wright thanked Councilmember Tiscareno's family for allowing him to serve.

Councilmember Tiscareno acknowledged his mother and wife in attendance this evening. He stated he appreciated the sacrifices they had made by allowing him to serve on Council.

Representatives from Congressman McNERNEY, Assemblyman Frazier, Senator Glazer and Supervisor Burgis' offices presented Councilmember Tiscareno with certificates of recognition for his service on the Antioch City Council.

City Council presented Councilmember Tiscareno with his picture from City Hall.

### **OATHS OF OFFICE FOR NEWLY ELECTED COUNCIL**

Lori Ogorchock, Council Member – Administered by Chief Tammany Brooks  
Joyann Motts, Council Member – Administered by Rachel Elizabeth Motts

Antioch Women's Club presented Councilmember Ogorchock and Motts with flowers.

City Clerk Simonsen presented Councilmember Ogorchock and Motts with their Certificate of Election.

Mayor Wright congratulated Councilmembers Ogorchock and Motts.

### **ROLL CALL for New Council**

City Clerk Simonsen called the roll.

Present: Council Members Wilson, Motts, Ogorchock and Mayor Wright  
Absent: Council Member Thorpe

### **MAYOR AND COUNCIL COMMUNICATIONS / COMMENTS**

The newly elected officials gave introductory comments in the following order.

Councilmember Ogorchock  
Councilmember Motts

Councilmember Wilson and Mayor Wright congratulated and stated they looked forward to working with Councilmembers Ogorchock and Motts.

## **2. COUNCIL REORGANIZATION – MAYOR PRO TEMPORE APPOINTMENT**

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously appointed Joyann Motts, who received the highest number of votes at the General Election per Municipal Code Section § 2-1.401, as Mayor Pro Tempore.

### **PUBLIC COMMENT**

Allen Payton congratulated Councilmembers Motts and Ogorchock on their election to Council and stated he looked forward to working with them.

Mayor Wright declared a recess at 6:40 P.M.

Mayor Wright reconvened the meeting at 7:03 P.M. City Clerk Simonsen called the roll.

Present: Council Members Wilson, Motts, Ogorchock and Mayor Wright  
Absent: Council Member Thorpe

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Gianna Celli and Cassidy Maccallister, Girl Scout Troop 32573, provided Council with an overview of their Silver Award project for the Antioch Animal Shelter. They requested community support in form of donations and spreading the word about their project. They provided contact information for anyone wishing to get involved.

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

City Clerk Simonsen announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) alternate vacancy; deadline date is December 21, 2018

He reported applications would be available online at the City's website and at the City Clerk's and Deputy City Clerk's offices.

**PUBLIC COMMENTS** - None

### **COUNCIL SUBCOMMITTEE REPORTS**

Councilmember Wilson stated she would be attending a Tri Delta Transit meeting December 12, 2018.

### **MAYOR'S COMMENTS**

Mayor Wright reported he had visited Sister City Chichibu, Japan to discuss potential trade business opportunities. He announced an Antioch High School graduate won the State Championship for wrestling, for the second time, out of Chabot Junior College.

## **PRESENTATION**

*Antioch Chamber of Commerce: Somersville Economic Opportunity Plan*

City Manager Bernal introduced the Presentation.

Director of Economic Development Reed introduced Julie Neward Co-Chair of the Chamber of Commerce Economic Development Commission and Richard Pagano CEO of the Antioch Chamber of Commerce, to give the Somersville Economic Opportunity Plan presentation.

Julie Neward, General Manager of Somersville Towne Center and Board Member of Antioch Chamber of Commerce/Co-Chair of the Economic Development Committee, wished everyone a happy holiday and congratulated Councilmember Ogorchock and Councilmember Motts. She announced Dr. Hughes and Dr. Gallagher were present this evening, and available to answer any questions. She gave a brief personal and professional history. She stated that she supported establishing Antioch as a business hub and developing a strategy to bring this effort forward.

Richard Pagano and Julie Neward gave a PowerPoint presentation of the Somersville Economic Opportunity Plan. They presented a letter of support for the project from Supervisor Burgis.

Jackie Rednour-Bruckman Antioch Chamber of Commerce Economic Development Committee, Tim McCall, Economic Development Commissioner and Chamber of Commerce Economic Development Committee and Ed Del Beccaro voiced their support of the St. Mary's College project.

City Manager Bernal explained that this item was agendized to gather feedback from Council and determine if there was interest in bringing the project back in January, for further action.

In response to Council, Mr. Pagano and Ms. Neward reviewed the City's financial commitment for the project and the scope of services that would be provided by Saint Mary's College.

Ms. Neward introduced Dr Hughes, Dean of the School of Liberal Arts at Saint Mary's College and Dr. Gallagher Office of Research, at Saint Mary's College who presented project and budget details.

Following discussion, Council consensus supported bringing this item back for Council consideration with detailed financial information.

Mayor Wright stated he believed this program would be beneficial for the community and thanked Ms. Neward and Mr. Pagano for the presentation. He stated he supported the Economic Development Commission's recommendation to focus the efforts on the Somerville area.

Councilmember Ogorchock stated that she also supported the Somersville area being the focus for the initial study, with the possibility of expanding into other areas in the future.

Councilmember Motts stated if it was the same cost, she would like to consider adding other areas to the project.

3. **CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency/Antioch Public Financing Authority**
  - A. **APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 13, 2018**
  - B. **APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 27, 2018**
  - C. **APPROVAL OF COUNCIL WARRANTS**
  - D. **APPROVAL OF TREASURER'S REPORT FOR OCTOBER 2018**
  - E. **ORDINANCE NO. 2158-C-S SECOND READING – DOWNTOWN SPECIFIC PLAN ZONING AMENDMENT (Introduced on 11/27/18)**
  - F. **AB1600 DEVELOPMENT IMPACT FEE ANNUAL REPORT**
  - G. **RESOLUTION NO. 2018/153 CONSIDERATION OF BIDS FOR THE NORTHEAST ANTIOCH ANNEXATION WATER AND SEWER FACILITY INSTALLATION (P.W. 693)**
  - H. **RESOLUTION NO. 2018/154 ANNEXING CERTAIN PARCELS INTO CFD NO. 2018-01 (PUBLIC SERVICES)**
  - I. **REQUEST FOR TRAINING AND TRAVEL – LEAGUE OF CALIFORNIA CITIES CONFERENCE – NEW MAYORS AND COUNCIL MEMBERS ACADEMY**
  - J. **MASTER MUNICIPAL CLERK ACADEMY SERIES 401**

**City of Antioch Acting as Housing Successor to the Antioch Development Agency**

- K. **APPROVAL OF HOUSING SUCCESSOR WARRANTS**

A motion was made by Councilmember Ogorchock, seconded by Councilmember Wilson, to approve the Consent Calendar.

In response to Councilmember Motts, Interim City Attorney Cole explained that abstaining from a vote on the minutes was not legally required; however, it would be advisable.

Councilmember Motts pulled Consent Calendar Items A and B to abstain from the vote on the minutes since she was not on Council when the meetings were held.

Councilmember Ogorchock amended her motion and Councilmember Wilson accepted amended motion as follows: On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously approved the Council Consent Calendar with the exception of Items A and B, which were removed for further discussion.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously approved Consent Calendar Items A and B. The motion carried the following vote:

*Ayes: Wilson, Ogorchock, Wright*

*Absent: Thorpe*

*Abstain: Motts*

## **PUBLIC HEARING**

### **4. AMENDMENT TO THE ANTIOCH MUNICIPAL CODE, SECTION 1-5.06, TO CHANGE CITATION AMOUNTS**

City Manager Bernal introduced Public Hearing Item #4.

Director of Community Development Ebbs congratulated Councilmember Motts and Ogorchock on their recent election. He presented the staff report dated December 11, 2018 recommending the City Council introduce the ordinance amending Section 1-5.06-Fines: Amounts of Antioch Municipal Code Title 1: General Provisions, Chapter 5: Citation Procedure.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

In response to Councilmember Ogorchock, Director of Community Development Ebbs verified that the City was fining property owners the maximum amounts.

Councilmember Ogorchock stated she supported increasing the fine amounts.

In response to Councilmember Motts, Director of Community Development Ebbs explained that the state established the maximum fine amounts and the City set them as high as possible. He noted a majority of other cities were taking advantage of the maximum fines.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously introduced the ordinance amending Section 1-5.06-Fines: Amounts of Antioch Municipal Code Title 1: General Provisions, Chapter 5: Citation Procedure.

## **COUNCIL REGULAR AGENDA**

### **5. DISCUSSION OF SCHEDULED COUNCIL MEETING ON FEBRUARY 12, 2019 – LINCOLN’S BIRTHDAY HOLIDAY**

City Manager Bernal presented the staff report dated December 11, 2018 recommending the City Council discuss the scheduled City Council meeting that falls on Lincoln’s Birthday Holiday, February 12, 2019, and provide direction to staff.

Councilmember Wilson suggested scheduling the meeting for February 5, 2018.

On motion by Councilmember Wilson, seconded by Councilmember Ogorchock, the City Council unanimously directed staff to reschedule the February 12, 2018 City Council meeting for February 5, 2018.

### **6. CONSIDERATION OF ONE-TIME REVENUE POLICY**

City Manager Bernal introduced Public Hearing Item #6.

Finance Director Merchant presented the staff report dated December 11, 2018 recommending the City Council discuss and provide direction regarding the City’s one-time revenue policy.

Councilmembers Wilson and Ogorchock stated that they supported continuing the one-time revenue policy as written, to pay down some of the City’s unfunded liability.

Councilmember Wilson suggested Finance Director Merchant provide Council with details on all of the City’s unfunded liabilities.

In response to Councilmember Motts, Finance Director Merchant explained that the City allocated \$694,000 of one-time revenue to pay off the police supplementary plan; however, due to some actuarial changes and investment losses, \$145,000 of it came back.

Mayor Wright stated he was in favor of paying down the debt of the police supplementary plan; however, the next fund was at \$70M and paying that debt would not show an appreciable difference. Additionally, he noted when the actuarial changed, there would be no benefit. He reported that the City had other unfunded liabilities, which if funded, would show a benefit and improve the quality of life for Antioch residents. He requested Council support a change in the one-time revenue policy to allow for Council to discuss which of City’s unfunded liabilities they wanted to fund with one-time revenues.

Councilmember Motts recommended changing the one-time revenue policy temporarily until Council discussed this issue during the budget process.



Mayor Wright directed staff to bring this item back for further discussion in January 2019, when all Councilmembers would be present.

City Clerk Simonsen stated the recommended action was to discuss and provide direction. He noted staff could come back in January based on the discussion this evening.

Interim City Attorney Cole stated that due to the lack of a consensus to bring back the rewritten policy this evening, the full Council would receive an item in January and they would be able to reaffirm or amend the policy, at that time.

**7. APPROPRIATION OF EXPENDITURES RELATED TO THE CITY OF ANTIOCH'S REBRANDING EFFORTS FOR THE PURCHASE OF MEDIA PLACEMENT, THE CREATION OF MARKETING MATERIALS, AND THE AUTHORIZATION OF THE CITY MANAGER TO ENTER INTO A CONSULTANT SERVICES AGREEMENT WITH ORANGE22, INC. FOR MEDIA STRATEGY & PLANNING – PHASE 2, AND FOR THE ASSOCIATED GENERAL FUND BUDGET AMENDMENTS FOR FISCAL YEAR 2018/19 FOR AN AMOUNT UP TO \$391,200**

City Manager Bernal introduced Public Hearing Item #7.

Director of Economic Development Reed congratulated Councilmember Motts and Ogorchock on their recent election. He presented the staff report dated December 11, 2018 recommending the City Council adopt a resolution appropriating expenditures related to the City of Antioch's rebranding efforts for the purchase of media placement, the creation of marketing materials, and authorizing the City Manager to enter into a Consultant Services Agreement with Orange22, Inc., for Media Strategy & Planning – Phase 2, and for the associated General Fund budget amendments for fiscal year 2018/19 for an amount up to \$391,200.

Ann Balboa, Orange 22, discussed how they would utilize Key Performance Indicators to track, monitor and determine the success of their marketing efforts and media plan. She presented a comparison of funding Option 1 (#MoveUs) and Option 2 (Smart + BART).

For the record, Director of Economic Development Reed noted a letter had been submitted to the City regarding this item.

City Clerk Simonsen acknowledged that he had received a letter for this item from Michael Pohl on December 10, 2018, and copies were made available to Council, staff and the public.

Councilmember Motts thanked staff for the report.

In response to Councilmember Motts, Director of Economic Development Reed reviewed the current and future phases of the marketing campaign for Antioch, and explained that the next budget ask would include a 2-year budget for these efforts.

Councilmember Wilson thanked Director of Economic Development Reed and Ann Balboa for the presentation. She suggested moving forward as soon as possible. She requested that as part of the upcoming budget cycle, Council hold a Study Session on the City's long term marketing plan.

Following discussion, Councilmember Ogorchock stated that she believed the City should start their marketing campaign with social media platforms to observe the benchmarks. She expressed concern with allocating funding for Option 1 when other items needed to be addressed throughout the community.

Ann Balboa, explained that starting with social media would be low cost; however, it would be slow growth. She noted they would be able to amplify that by finding the targets and scaling them quickly. She offered to work closely with the social media people to share results that could inform decision on how to market.

Councilmember Motts stated that she would recommend that the City go forward with these efforts by utilizing one-time revenue.

Mayor Wright agreed that social media was important; however, he believed it was a different audience. He commented that paid advertising would be for potential businesses that could locate in Antioch.

Councilmember Wilson reiterated her request to discuss a long term marketing plan during the budget process.

Following discussion, the Council majority supported Option 2 to get the process moving forward.

Councilmember Ogorchock, speaking to the following motion, requested Council reconsider and begin with social media outreach and then go through the budget process to determine the appropriate level of funding for the City's branding efforts.

Director of Economic Development Reed responded that the money identified for social media outreach had been allocated so additional funding for those efforts would have to come back for Council consideration.

**RESOLUTION NO. 2018/155**

On motion by Councilmember Wilson, seconded by Councilmember Motts, the City Council adopted a resolution appropriating expenditures related to the City of Antioch's rebranding efforts for the purchase of media placement, the creation of marketing materials, and authorizing the City Manager to enter into a Consultant Services Agreement with Orange22, Inc., for Media Strategy & Planning – Phase 2, and for the associated General Fund budget amendments for Fiscal Year 2018/19 for an amount up to \$236,900. The motion carried the following vote:

*Ayes: Wilson, Motts, Wright*

*Absent: Thorpe*

*Noes: Ogorchock*

## **8. AUTHORIZE IMMEDIATE OVERSTAFF OF SWORN POLICE OFFICER POSITIONS**

City Manager Bernal introduced Public Hearing Item #8.

Chief Brooks congratulated Councilmember Motts and Ogorchock on their recent election. He presented the staff report dated December 11, 2018 recommending the City Council authorize the Police Chief to immediately overstaff up to six (6) sworn Police Officers above the current authorized allocated staffing level of 104 sworn.

In response to Councilmember Motts, City Manager Bernal clarified that staff was asking for authorization to make job offers up to 110 officers, which would be within the current 104 officer budget.

Chief Brooks added that due to the amount of salary savings through attrition they would be able to absorb the cost so he was not asking for an additional allocation during this fiscal year. He noted the actual authorized number could be determined at a budget study session.

Councilmember Ogorchock stated she supported the City budgeting for 115 police officers. She asked that if there was a need for additional funding for more officers, that Chief Brooks come back to Council with a request for a budget adjustment.

In response to Councilmember Wilson, Chief Brooks gave an overview of the Antioch Police Department's current staffing levels.

Councilmember Wilson stated she supported the recommended action this evening.

Mayor Wright thanked the Antioch Police Department for their service and congratulated them for receiving an award from the School District. He stated in the past, he supported budgeting additional officers to address attrition issues. He agreed with the staff recommendation and stated he looked forward to having a special celebration when the 104th officer was hired.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously authorized the Police Chief to immediately overstaff up to six (6) sworn Police Officers above the current authorized allocated staffing level of 104 sworn.

## **9. CITY COUNCIL APPOINTMENTS TO COUNCIL COMMITTEES AND OTHER ENTITIES**

Mayor Wright distributed to the Council Appointments December 2018 to December 2020 (Exhibit 1) to all Councilmembers. He explained that the Graffiti Committee was not meeting so it had been removed from the list.

Councilmember Wilson spoke in support of reestablishing the AUSD/City Committee.

Councilmembers Wilson and Ogorchock encouraged Councilmember Motts to participate in the League of California Cities.

City Clerk Simonsen gave a history of his participation at the League of California cities and encouraged Councilmember Motts to apply to policy committees.

Councilmember Motts stated she had interest and would be willing to serve on the transportation committees.

Mayor Wright responded that committee assignments changed every election year and there would be an opportunity in two years to serve on other committees.

Councilmember Ogorchock offered to take Councilmember Motts to dinners for the East County League of California Cities to familiarize herself with the process.

Councilmember Motts thanked Councilmember Ogorchock. She reiterated the need for the AUSD/City committee and spoke in support of reestablishing the Waterfront Committee.

Mayor Wright commented that during the City's visioning workshop, there would be an opportunity to focus the vision and create additional committees.

On motion by Councilmember Ogorchock, seconded by Councilmember Wilson, the City Council members present unanimously approved all appointments for Mayor Wright and Councilmembers Motts, Wilson, Thorpe and Ogorchock as follows:

- ABAG – Mayor Wright, (Alternate) Councilmember Motts
- Chamber of Commerce Liaison - Councilmember Wilson
- Community Advisory Board – SF Bay Water Emergency Transit Authority – Councilmember Motts
- Community Facilities District 89-1 (Mello Roos) – Councilmembers Ogorchock and Wilson
- Delta Diablo – Mayor Wright, (Alternate) Councilmember Thorpe
- East Bay Division (League of California Cities) Councilmember Ogorchock
- CDBG Committee (Community Development Block Grant) – Councilmembers Motts and Ogorchock
- TRANSPLAN – Mayor Wright, (Alternate) Councilmember Wilson
- East Contra Costa Regional Fee and Financing Authority (ECCRFA) – Mayor Wright, (Alternate) Councilmember Wilson
- State Route 4 By-Pass Authority – Mayor Wright, (Alternate) Councilmember Wilson
- East County Water Management Association – Councilmember Thorpe
- Tri-Delta Board of Directors Eastern Contra Costa Transit Authority – Councilmembers Wilson and Thorpe

- Northeast Antioch Annexation – Councilmember Ogorchock
- Lone Tree Golf Course Committee – Mayor Wright and Councilmember Motts
- Mayor’s Conference – Mayor Wright and Councilmember Motts

**PUBLIC COMMENTS** – None

**STAFF COMMUNICATIONS**

City Manager Bernal congratulated Councilmembers Ogorchock and Motts for their election to City Council. He announced the next City Council meeting would be held on January 8, 2019 so there would not be a second meeting in December. He wished Council a Merry Christmas.

City Clerk Simonsen announced a Special City Council meeting/Closed Session at 8:00 A.M. on December 13, 2018, to interview City Attorney candidates.

**COUNCIL COMMUNICATIONS**

Councilmember Motts requested staff agendize a discussion on a restaurant incentive program.

In response to Councilmember Wilson, Mayor Wright commented that the Antioch Unified School District and Waterfront committees were on the list for items of discussion.

Councilmember Ogorchock requested staff agendize a discussion regarding the City hiring a independent contractor for grant writing.

In response to Councilmember Ogorchock, Councilmember Wilson stated the Quality of Life adhoc committee needed to come back to Council for renewal.

Councilmember Ogorchock requested a policy for the process for selecting the Mayor Pro Tem be agendized for discussion.

Mayor Wright wished everyone a Merry Christmas.

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 10:05 P.M.

Respectfully submitted:

*Kitty Eiden*  
KITTY EIDEN, Minutes Clerk



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Christina Garcia, CMC, Deputy City Clerk *Cg*

**APPROVED BY:** Nickie Mastay, Administrative Services Director *NM*

**SUBJECT:** City Council Special Meeting/Closed Session Minutes of December 13, 2018

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Special Meeting/Closed Session Minutes of December 13, 2018 to the next meeting.

### **STRATEGIC PURPOSE**

N/A

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Christina Garcia, CMC, Deputy City Clerk *Cg*

**APPROVED BY:** Nickie Mastay, Administrative Services Director *NM*

**SUBJECT:** City Council Special Meeting/Closed Session Minutes of December 27, 2018

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Special Meeting/Closed Session Minutes of December 27, 2018 to the next meeting.

### **STRATEGIC PURPOSE**

N/A

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.

CITY OF ANTIOCH  
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**100 General Fund**

**Non Departmental**

378406 HARRIS AND ASSOCIATES INC	PROMENADE PLAN REVIEW	2,926.50
378438 PMT	CHECK REPLACEMENT	30.00
378456 TERMINIX INTERNATIONAL	CHECK REPLACEMENT	80.00
378568 YANK, KYUNG SOOK	SB1186 STATE FEE REFUND	4.00
378607 CONTRA COSTA COUNTY	FY19 MAYORS CONFERENCE	2,748.00
378623 FRESCHI AIR SYSTEMS	CBSC FEE REFUND	2.23
378624 GAGNE BROTHERS ENTERPRISES	CBSC FEE REFUND	1.50
378707 BEST PROPERTY MANAGEMENT	SB1186 STATE FEE REFUND	8.00
378760 LORIO, DORYS	CBSC FEE REFUND	1.78
378785 ROSSA, RONNIE DEL	SB1186 STATE FEE REFUND	3.00
378800 SUNRUN	CBSC FEE REFUND	13.08
378811 WATER HEATERS EXPRESS	DEPOSIT REFUND	1.50
933163 ZUMWALT ENGINEERING GROUP INC	PROFESSIONAL SERVICES	2,228.33

**City Council**

378379 BAGEL STREET CAFE	CLOSED SESSION EXPENSE	159.50
378579 BAGEL STREET CAFE	CLOSED SESSION EXPENSE	160.50
378607 CONTRA COSTA COUNTY	FY19 MAYORS CONFERENCE	2,748.00
378770 OFFICE MAX INC	OFFICE SUPPLIES	33.90

**City Attorney**

378384 COTA COLE ATTORNEYS LLP	PROFESSIONAL SERVICES	20,378.92
378481 COTA COLE ATTORNEYS LLP	LEGAL SERVICES RENDERED	3,339.81
378506 GOLDFARB AND LIPMAN LLP	LEGAL SERVICES RENDERED	1,803.00
378547 SHRED IT INC	SHRED SERVICES	128.53
378646 OFFICE MAX INC	OFFICE SUPPLIES	23.94
378686 WESTAMERICA BANK	COPIER LEASE	90.26
378712 COTA COLE ATTORNEYS LLP	LEGAL SERVICES RENDERED	45,768.64
378770 OFFICE MAX INC	OFFICE SUPPLIES	32.61

**City Manager**

378500 FEDERAL ADVOCATES INC	CONSULTING SERVICES	4,166.67
378580 BANK OF AMERICA	EQUIPMENT	834.12
378581 BANK OF AMERICA	MEETING EXPENSE	92.25
378586 BERNAL JR, ROWLAND	EXPENSE REIMBURSEMENT	42.38
378587 BEST BEST AND KRIEGER LLP	CONSULTING SERVICES	556.18
378622 FEDEX	SHIPPING	28.54
378646 OFFICE MAX INC	OFFICE SUPPLIES	133.59



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378682 VERIZON WIRELESS	DATA SERVICES	38.01
378686 WESTAMERICA BANK	COPIER LEASE	90.26
378729 DAVID, MARIA E	EXPENSE REIMBURSEMENT	95.52

**City Clerk**

378448 SIMONSEN, ARNE	EXPENSE REIMBURSEMENT	807.95
378474 BAY AREA NEWS GROUP	LEGAL AD	162.00
378496 EIDEN, KITTY J	PROFESSIONAL SERVICES	2,974.00
378521 MARTIN AND CHAPMAN	ELECTION SUPPLIES	465.64
378529 OFFICE MAX INC	OFFICE SUPPLIES	124.92
378686 WESTAMERICA BANK	COPIER LEASE	270.80
378739 GARCIA, CHRISTINA L	EXPENSE REIMBURSEMENT	562.31
378775 PHOTOGRAPHY BY TISH	COUNCIL MEMBER LOBBY PORTR	533.88

**City Treasurer**

378503 GARDA CL WEST INC	ARMORED CAR PICKUP	284.47
378740 GARDA CL WEST INC	ARMORED CAR PICKUP	26.57

**Human Resources**

378430 OFFICE MAX INC	OFFICE SUPPLIES	267.60
378501 FEDEX	SHIPPING	27.79
378547 SHRED IT INC	SHRED SERVICES	128.54
378686 WESTAMERICA BANK	COPIER LEASE	270.80
933159 SUPERION LLC	BENEFIT CALCULATION	160.00

**Economic Development**

378466 AMERICAN TROPHIES AWARDS	COMMISSIONER BADGES	129.41
378526 MUNICIPAL RESOURCE GROUP	PROFESSIONAL SERVICES	3,236.00
378580 BANK OF AMERICA	MEETING EXPENSE	180.21
378581 BANK OF AMERICA	FACEBOOK FEES	142.57
378682 VERIZON WIRELESS	DATA SERVICES	53.51
378686 WESTAMERICA BANK	COPIER LEASE	90.28
378790 SIERRA DISPLAY INC	BANNERS	6,860.51
933132 EVVIVA BRANDS LLC	CONSULTING SERVICES	5,950.00
933152 KARSTE CONSULTING INC	CONSULTING SERVICES	1,035.00
933167 EVVIVA BRANDS LLC	CONSULTING SERVICES	5,500.00

**Finance Administration**

378529 OFFICE MAX INC	OFFICE SUPPLIES	347.36
378686 WESTAMERICA BANK	COPIER LEASE	342.57

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378690 BANK OF AMERICA	ANNUAL GAAP UPDATE	277.57
<b>Finance Accounting</b>		
378529 OFFICE MAX INC	OFFICE SUPPLIES	494.43
378547 SHRED IT INC	SHRED SERVICES	128.53
378646 OFFICE MAX INC	OFFICE SUPPLIES	134.79
933164 ALTURA COMMUNICATION SOLUTION	EXECUTIME SET UP	5,425.00
<b>Finance Operations</b>		
378488 CONTRA COSTA COUNTY CLERK	FILING FEES	218.00
378529 OFFICE MAX INC	OFFICE SUPPLIES	51.87
378560 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	19.50
378690 BANK OF AMERICA	TYPEWRITER	184.86
379690 BANK OF AMERICA	LODGING - ARGENAL	243.80
378806 UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	16.50
<b>Non Departmental</b>		
378437 PLATINUM ROOFING INC	CITY HALL ROOF REPLACEMENT	127,214.00
378525 MUNICIPAL POOLING AUTHORITY	UNMET LIABILITY DEDUCTIBLE	10,611.21
378568 YANK, KYUNG SOOK	APPLICATION REFUND	287.50
378707 BEST PROPERTY MANAGEMENT	APPLICATION FEES	550.00
378785 ROSSA, RONNIE DEL	APPLICATION FEE	2,580.00
378798 STRICTLY HAIR 925	CHECK REPLACEMENT	30.00
933155 MUNISERVICES LLC	DISCOVERY SERVICES	250.00
<b>Public Works Maintenance Administration</b>		
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378686 WESTAMERICA BANK	COPIER LEASE	299.06
<b>Public Works General Maintenance Services</b>		
378784 ROBINS LOCK AND KEY	PROFESSIONAL SERVICES	105.00
<b>Public Works Street Maintenance</b>		
378420 LOWES COMPANIES INC	SUPPLIES	77.35
378429 CROP PRODUCTION SERVICES	SUPPLIES	6,158.45
378527 NEXTEL SPRINT	CELL PHONE	57.58
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378799 SUBURBAN PROPANE	PROPANE	65.00
933137 RED WING SHOE STORE	SAFETY SHOES - POWELL	270.54

CITY OF ANTIOCH  
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**Public Works-Signal/Street Lights**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	7,552.58
378577	AT AND T MCI	PHONE	751.86
378648	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	72.34
933135	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	3,337.22
933149	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	4,991.05
933168	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	5,506.00

**Public Works-Striping/Signing**

378376	ACE HARDWARE, ANTIOCH	SUPPLIES	13.68
378416	KELLY MOORE PAINT CO	SUPPLIES	53.92
378420	LOWES COMPANIES INC	SUPPLIES	58.73
378511	INTERSTATE SALES	PARTS	1,141.88
378527	NEXTEL SPRINT	CELL PHONE	57.58
378544	ROYAL BRASS INC	PARTS	7.58
378572	ACE HARDWARE, ANTIOCH	PARTS	124.37
378649	PACIFIC PRODUCTS AND SERVICES	UNISTRUT	2,984.19
378682	VERIZON WIRELESS	DATA SERVICES	38.01
378689	ZAP MANUFACTURING INC	SIGN	904.13
378734	EAST BAY WELDING SUPPLY	SUPPLIES	19.03
378762	MANERI SIGN COMPANY	PARTS	3,096.67
378779	PRINT CLUB	SUPPLIES	1,033.13
933137	RED WING SHOE STORE	SAFETY SHOES - NORTHAM	93.98

**Public Works-Facilities Maintenance**

378391	CONTRA COSTA COUNTY TAX COLLECT.	PROPERTY TAX	2,572.08
378420	LOWES COMPANIES INC	SUPPLIES	1,293.77
378430	OFFICE MAX INC	OFFICE SUPPLIES	73.91
378432	P AND L MARKETING INC	PESTICIDE COURSE	250.00
378463	ACME SECURITY SYSTEMS	SERVICE CALL	295.00
378475	BAY CITIES PYROTECTOR	INSPECTION SERVICES	1,110.00
378494	DEPARTMENT OF INDUSTRIAL RELAT.	INSPECTION SERVICES	675.00
378527	NEXTEL SPRINT	CELL PHONE	57.58
378528	OAKLEYS PEST CONTROL	PEST CONTROL	530.00
378534	PACIFIC GAS AND ELECTRIC CO	GAS	10,190.96
378538	REAL PROTECTION INC	REPAIR SERVICE	855.00
378539	REAL PROTECTION INC	REPAIR SERVICE	270.00
378542	ROBINS LOCK AND KEY	PROFESSIONAL SERVICES	176.75
378572	ACE HARDWARE, ANTIOCH	SUPPLIES	6.83
378577	AT AND T MCI	PHONE	60.88

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378592 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	9,701.12
378653 REAL PROTECTION INC	MAINTENANCE SERVICES	360.23
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	750.00
933125 CONSOLIDATED ELECTRICAL DIST I	SUPPLIES	356.19
933126 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	5,907.65
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	3,611.85

**Public Works-Parks Maint**

378376 ACE HARDWARE, ANTIOCH	SUPPLIES	21.12
378391 CONTRA COSTA COUNTY TAX COLLECT.	PROPERTY TAXES	7,291.22
378430 OFFICE MAX INC	OFFICE SUPPLIES	57.14
378465 AMERICAN PLUMBING INC	PLUMBING SERVICE	827.19
378492 DEL CONTES LANDSCAPING INC	LANDSCAPE SERVICES	53,640.92
378493 DELTA FENCE CO	REPAIR SERVICES	9,637.00
378515 KAY PARK AND REC CORP	PARK BENCH	736.00
378524 MIRACLE PLAY SYSTEMS INC	PARTS	1,699.90
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,278.80
378537 POLYMENDERS	REPAIR SERVICES	1,070.00
378565 WESCO RECEIVABLES CORP	LIGHTING MATERIALS	137.58
378577 AT AND T MCI	PHONE	104.20
378675 STEWARTS TREE SERVICE INC	TREE REMOVAL	650.00
378685 WESCO RECEIVABLES CORP	SUPPLIES	129.15
933139 JOHN DEERE LANDSCAPES	PARTS	1,194.25
933149 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	894.12
933158 JOHN DEERE LANDSCAPES PACHECO	VALVE COVERS	2,633.08

**Public Works-Median/General Land**

378369 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	3,586.20
378376 ACE HARDWARE, ANTIOCH	SUPPLIES	24.99
378447 SILVA LANDSCAPE	LANDSCAPE SERVICES	2,869.44
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,772.29
378571 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	6,673.60
378577 AT AND T MCI	PHONE	228.71
378648 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	26.85
378675 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	3,200.00
378676 TARGET SPECIALTY PRODUCTS	HERBICIDE	1,121.48
378692 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	5,978.00
378790 SIERRA DISPLAY INC	BANNERS	3,000.00
378797 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	650.00

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933135 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	221.59
933149 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	5,313.56

**Public Works-Work Alternative**

378527 NEXTEL SPRINT	CELL PHONE	50.79
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**Police Administration**

378381 BROGDON, CASEY AMON	EXPENSE REIMBURSEMENT	70.00
378389 CONCORD UNIFORMS LLC	UNIFORMS	3,986.19
378393 CRUMP INVESTIGATIONS	BACKGROUND INVESTIGATION	1,824.35
378398 FIRST VANGUARD RENTALS	TRAFFIC CONES	1,667.33
378400 GALLS INC	EQUIPMENT	652.43
378408 HEWLETT PACKARD COMPANY	COMPUTER EQUIPMENT	140.29
378409 HOLIDAY INN	LODGING - T BROOKS	371.27
378410 HOLIDAY INN	LODGING - A MOREFIELD	371.27
378411 HOLIDAY INN	LODGING - T SCHNITZIUS	371.27
378412 HOLIDAY INN	LODGING - T MENDES	371.27
378421 MARTIN, RICHARD B	EXPENSE REIMBURSEMENT	72.00
378422 MEALS, CLINTON B	PER DIEM TRAINING	320.00
378423 NISSEN, TARRA L	EXPENSE REIMBURSEMENT	117.00
378428 NET TRANSCRIPTS	TRANSCRIPTION SERVICES	143.34
378430 OFFICE MAX INC	OFFICE SUPPLIES	691.41
378449 SIMPSON INVESTIGATIVE SERVICES	BACKGROUND FEE	1,349.50
378459 UNIVERSITY OF SAN FRANCISCO	TRAINING - T BROOKS	400.00
378460 UNIVERSITY OF SAN FRANCISCO	TRAINING - A MOREFIELD	400.00
378461 UNIVERSITY OF SAN FRANCISCO	TRAINING - T SCHNITZIUS	400.00
378462 UNIVERSITY OF SAN FRANCISCO	TRAINING - T MENDES	400.00
378479 CALIFORNIA SURVEYING AND DRAFT	SUPPLIES	419.85
378485 CONCORD UNIFORMS LLC	ACADEMY UNIFORMS	401.29
378489 CONTRA COSTA FIRE EQUIPMENT	INSPECTION SERVICES	372.94
378490 CRIME SCENE CLEANERS INC	PROFESSIONAL SERVICES	70.00
378501 FEDEX	SHIPPING	30.07
378502 GALLS INC	SUPPLIES	85.53
378510 WILCO SUPPLY	SUPPLIES	778.34
378529 OFFICE MAX INC	OFFICE SUPPLIES	846.54
378545 SAFESTORE INC	OFF-SITE EVIDENCE STORAGE	2,057.05
378570 ADAMSON POLICE PRODUCTS	EQUIPMENT	271.88
378601 CONCORD UNIFORMS LLC	UNIFORMS	2,654.05
378608 CREATIVE SUPPORTS INC	OFFICE SUPPLIES	656.57
378609 CRIME SCENE CLEANERS INC	CRIME SCENE CLEANUP	500.00

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378613	DOUBLETREE BY HILTON ONTARIO A	LODGING - A DUFFY	540.40
378614	DOUBLETREE BY HILTON ONTARIO A	LODGING - D HARRIS	540.40
378615	EAN SERVICES LLC	RENTAL CAR - T MENDES	178.23
378618	EMBASSY SUITES	LODGING - S COLE	936.85
378619	EMBASSY SUITES	LODGING - J RAMIREZ	936.85
378620	EMBASSY SUITES	LODGING - J HAMILTON	936.85
378622	FEDEX	SHIPPING	83.09
378633	JOHNSEN, ERIC Y	PER DIEM TRAINING	142.00
378644	MUSCLE MECHANICS	SWAT TEAM TRAINING	400.00
378646	OFFICE MAX INC	OFFICE SUPPLIES	37.69
378660	SHERATON GARDEN GROVE ANAHEIM	LODGING - R SMITH 1/10/19	422.70
378661	SHERATON GARDEN GROVE ANAHEIM	LODGING - R SMITH 2/7/19	422.70
378662	SHERATON GARDEN GROVE ANAHEIM	LODGING - R SMITH 4/4/19	422.70
378663	SHERATON GARDEN GROVE ANAHEIM	LODGING - R SMITH 5/1/19	422.70
378664	SHERATON GATEWAY LOS ANGELES H	LODGING - R SMITH 3/6/19	416.48
378666	SMITH JR, RICHARD A	EXPENSE REIMBURSEMENT	101.35
378667	SMITH JR, RICHARD A	PER DIEM TRAINING	198.00
378668	SOLARI JR, ROBERT L	TRAINING PER DIEM	142.00
378670	STATE OF CALIFORNIA	DOJ FEES	471.00
378685	WESCO RECEIVABLES CORP	LIGHTS	344.52
378691	ADAMSON POLICE PRODUCTS	UNIFORMS	56.54
378700	ANTIOCH ROTARY CLUB	MEMBERSHIP DUES	250.00
378704	BANK OF AMERICA	MEMBERSHIP DUES	2,771.93
378705	BANK OF AMERICA	BUSINESS EXPENSES	638.55
378705	BANK OF AMERICA	LODGING - VARIOUS STAFF	2,915.30
378705	BANK OF AMERICA	TRAINING COURSE	250.00
378705	BANK OF AMERICA	TRAINING MATERIALS	23.70
378705	BANK OF AMERICA	SUPPLIES	338.38
378726	CROWNE PLAZA	LODGING - R HOFFMAN	217.08
378727	CROWNE PLAZA	LODGING - J MAGANA	217.08
378750	HOFFMAN, RICK D	TRAINING PER DIEM	132.00
378761	MAGANA, JOSEPH J	TRAINING PER DIEM	132.00
378764	MEADS, KORINA M	MEAL ALLOWANCE	115.00
378765	MEALS, CLINTON B	EXPENSE REIMBURSEMENT	108.00
378770	OFFICE MAX INC	OFFICE SUPPLIES	294.44
378777	PORAC	PORAC DUES	10.00
378778	PORAC LEGAL DEFENSE FUND	LDF DUES	27.00
378780	REACH PROJECT INC	PROGRAM SERVICES	17,083.00
378782	RGH GROUP, THE	RECRUITING SERVICES	6,500.00
378794	SPARTAN PRECISION RIFLES	REPAIR SERVICES	4,982.45

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933124 COMPUTERLAND	COMPUTER EQUIPMENT	345.35
933136 MOBILE MINI LLC	EVIDENCE STORAGE	267.76
933151 IMAGE SALES INC	ID CARDS	107.84
933154 MOBILE MINI LLC	EVIDENCE STORAGE	115.39
933157 PRO FORCE LAW ENFORCEMENT	SUPPLIES	5,516.35

**Police Reserves**

378389 CONCORD UNIFORMS LLC	UNIFORMS	199.67
378699 ANTIOCH POLICE EXPLORERS	UNIFORM REIMBURSEMENT	634.89

**Police Community Policing**

378378 ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	171.68
378383 CLEMENTI, MARK A	PRE- EMPLOYMENT SERVICES	685.00
378420 LOWES COMPANIES INC	SUPPLIES	147.70
378509 HUNT AND SONS INC	FUEL	66.26
378549 SP PLUS CORPORATION	PARKING ENFORCEMENT	13,261.25
378702 ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	57.30
378766 MOORE K9 SERVICES	K9 TRAINING	3,500.00
378793 SOLARI JR, ROBERT L	EXPENSE REIMBURSEMENT	95.00

**Police Investigations**

378424 RETIREE	ADVANCED DISABILITY PENSION	3,270.33
378435 PEN LINK	TRAINING - A GONZALEZ	1,750.00
378454 T MOBILE USA INC	ANALYSIS	153.00
378486 CONTRA COSTA COUNTY	CRIME LAB FEES	20,122.50
378553 T MOBILE USA INC	DISCOVERY SERVICES	3,866.00
378567 WISECARVER, JIMMY R	EXPENSE REIMBURSEMENT	105.89
378704 BANK OF AMERICA	DISCOVERY SERVICES	135.00
378725 CRITICAL REACH	FLYERS	685.00
378732 DS WATERS OF AMERICA	WATER DISPENSER	108.14
378743 GONZALEZ, ADRIAN E	TRAINING PER DIEM	198.00
378746 HAMPTON INN	LODGING - T BROOKS	279.11
378747 HAMPTON INN	LODGING - R BERNAL	279.11
378749 HILTON	LODGING - A GONZALEZ	650.88
378757 LEXISNEXIS	LEGAL SERVICES	252.50
378774 PFEIFFER, DEAN A	EXPENSE REIMBURSEMENT	45.00
378803 TRANSUNION RISK AND ALTERNATIV	LEGAL SERVICES	42.10

**Police Special Operations Unit**

378557 TOYOTA FINANCIAL SERVICES	VEHICLE LEASE	564.37
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378578 AUTO WORLD INC	VEHICLE LEASE	546.25
378678 TOYOTA FINANCIAL SERVICES	VEHICLE LEASE	597.97

**Police Communications**

378388 COMCAST	CONNECTION SERVICES	1,029.56
378470 AT AND T MCI	PHONE	55.03
378504 GLOBALSTAR	SATELLITE PHONE	174.38
378562 VERIZON WIRELESS	DATA SERVICES	2,335.81
378577 AT AND T MCI	PHONE	1,489.76
378599 COMCAST	CONNECTION SERVICES	1,029.56
378808 VERIZON WIRELESS	DATA SERVICES	2,318.61
933164 ALTURA COMMUNICATION SOLUTIONS	PROFESSIONAL SERVICES	1,925.00

**Office Of Emergency Management**

378577 AT AND T MCI	PHONE	317.26
378652 PREPARATIVE CONSULTING	EXECUTIVE COURSE	4,500.00

**Police Community Volunteers**

378389 CONCORD UNIFORMS LLC	UNIFORMS	54.27
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**Police Facilities Maintenance**

378391 CONTRA COSTA COUNTY TAX COLLECT.	PROPERTY TAXES	428.68
378420 LOWES COMPANIES INC	SUPPLIES	20.99
378534 PACIFIC GAS AND ELECTRIC CO	GAS	16,331.21
378577 AT AND T MCI	PHONE	308.06
378602 CONCRETE STAINS AND COATINGS	EPOXY FLOOR COVERING	7,645.00
378653 REAL PROTECTION INC	MAINTENANCE SERVICES	311.38
378685 WESCO RECEIVABLES CORP	LIGHTS	487.32
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	120.00
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	4,000.20

**P & R Administration**

378482 COLE SUPPLY CO INC	SUPPLIES	6,763.27
378582 BANK OF AMERICA	EVENT SUPPLIES	21.61

**Community Development Land Planning Services**

378414 ICF JONES AND STOKES INC	CONSULTING SERVICES	90,500.71
378474 BAY AREA NEWS GROUP	LEGAL AD	594.00
378475 BAY CITIES PYROTECTOR	INSPECTION SERVICES	56.00
378501 FEDEX	SHIPPING	63.02



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378583 BANK OF AMERICA	LODGING - F EBBS	1,071.86
378623 FRESCHI AIR SYSTEMS	GP MAINT. FEE REFUND	12.65
378624 GAGNE BROTHERS ENTERPRISES INC	GP MAINT FEE REFUND	6.60
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378800 SUNRUN	GP MAINT. FEE REFUND	46.48
378811 WATER HEATERS EXPRESS	MAINTENANCE FEE REFUND	6.60

**CD Code Enforcement**

378420 LOWES COMPANIES INC	SUPPLIES	40.79
378527 NEXTEL SPRINT	CELL PHONE	252.30
378583 BANK OF AMERICA	UNIFORMS	1,163.45
378591 BRIDGEHEAD SELF STORAGE	STORAGE	230.00
378604 CONTRA COSTA COUNTY	RECORDING FEES	184.00
378682 VERIZON WIRELESS	DATA SERVICES	152.04
378710 BRIDGEHEAD SELF STORAGE	STORAGE	240.00
378718 CONTRA COSTA COUNTY CLERK RECO	RECORDING FEES	415.00

**PW Engineer Land Development**

378513 JN ENGINEERING	INSPECTION SERVICES	400.00
378518 KOLLER, JESSICA CECILIA	MILEAGE REIMBURSEMENT	78.70
378527 NEXTEL SPRINT	CELL PHONE	170.67
378577 AT AND T MCI	PHONE	40.04
378646 OFFICE MAX INC	OFFICE SUPPLIES	379.11
378682 VERIZON WIRELESS	DATA SERVICES	76.02
378787 SALABER ASSOCIATES INC	INSPECTION SERVICES	11,780.00
933137 RED WING SHOE STORE	SAFETY SHOES - TRAVELS	250.00

**Community Development Building Inspection**

378527 NEXTEL SPRINT	CELL PHONE	120.39
378529 OFFICE MAX INC	OFFICE SUPPLIES	26.93
378583 BANK OF AMERICA	SUPPLIES	18.93
378623 FRESCHI AIR SYSTEMS	BLDG PERMIT FEE REFUND	263.08
378624 GAGNE BROTHERS ENTERPRISES INC	BLDG PERMIT FEE REFUND	110.88
378646 OFFICE MAX INC	OFFICE SUPPLIES	45.66
378760 LORIO, DORYS	PLAN CHECK FEE REFUND	325.29
378770 OFFICE MAX INC	OFFICE SUPPLIES	227.30
378800 SUNRUN	BLDG PERMIT FEE REFUND	277.34
378811 WATER HEATERS EXPRESS	BUILDING PERMIT REFUND	137.28

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**Capital Imp. Administration**

378682 VERIZON WIRELESS	DATA SERVICES	38.01
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**Community Development Engineering Services**

378527 NEXTEL SPRINT	CELL PHONE	130.16
378529 OFFICE MAX INC	OFFICE SUPPLIES	106.67
378556 TOPE, TRACY ANNE	MILEAGE REIMBURSEMENT	78.70

**212 CDBG Fund**

**CDBG**

378639 MEALS ON WHEELS AND SENIOR OUT	CDBG SERVICES	4,960.45
378706 BAY AREA LEGAL AID	CDBG SERVICES	4,144.75
378717 CONTRA COSTA CHILD CARE COUNCI	CDBG SERVICES	2,550.53
378722 CONTRA COSTA SENIOR LEGAL SERV	CDBG SERVICES	4,325.11
378724 COURT APPOINTED SPECIAL ADVOCA	CDBG SERVICES	1,114.76
378735 ECHO HOUSING	CDBG SERVICES	5,382.07
378758 LIONS CENTER FOR THE VISUALLY	CDBG SERVICES	2,701.76
378759 LOAVES AND FISHED OF CONTRA CO	CDBG SERVICES	1,249.97
378771 OMBUDSMAN SERVICES OF CCC	CDBG SERVICES	2,110.80
378772 OPPORTUNITY JUNCTION	CDBG SERVICES	12,499.88
933148 HOUSE, TERI	CONSULTING SERVICES	10,790.00

**213 Gas Tax Fund**

**Streets**

378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	31,411.42
378648 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	106.32

**214 Animal Control Fund**

**Animal Control**

378529 OFFICE MAX INC	OFFICE SUPPLIES	62.40
378534 PACIFIC GAS AND ELECTRIC CO	GAS	859.54
378550 STARLINE SUPPLY COMPANY	SUPPLIES	125.72
378554 ALLIANCE WELDING	SUPPLIES	142.72
378569 ZOETIS LLC	SUPPLIES	202.67
378617 EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	493.23
378627 HILLS PET NUTRITION	ANIMAL FOOD	377.65
378645 MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	638.96
378695 ANIMAL CLINIC OF ANTIOCH	VETERINARY SERVICES	435.40
378715 CONCORD FEED AND FUEL INC	SUPPLIES	399.50
378733 EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	2,695.13

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378748 HILLS PET NUTRITION	SUPPLIES	316.75
378755 KOEFRAN SERVICES INC	DISPOSAL SERVICES	5,740.00
378768 MWI VETERINARY SUPPLY CO	SUPPLIES	386.75
378796 STARLINE SUPPLY COMPANY	SUPPLIES	481.28
378802 ALLIANCE WELDING	OXYGEN	44.78
378805 UC DAVIS VETERINARY MEDICINE	VETERINARY SERVICES	520.75
378812 WEDGEWOOD PHARMACY	SUPPLIES	54.93
933136 MOBILE MINI LLC	STORAGE	113.60
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	579.80

**215 Civic Arts Fund**

**Civic Arts**

378653 REAL PROTECTION INC	MAINTENANCE SERVICES	67.60
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**219 Recreation Fund**

**Non Departmental**

378395 DYSL TOPSOCCER	FACILITY DEPOSIT REFUND	500.00
378407 HARRIS, RICK	FACILITY DEPOSIT REFUND	1,000.00
378487 CONTRA COSTA COUNTY BEHAVIORAL	FACILITY DEPOSIT REFUND	500.00
378507 GURULE, JAZMEN	FACILITY DEPOSIT REFUND	500.00
378508 HUB INTERNATIONAL OF CA INSURA	EVENT INSURANCE	640.20
378791 SILENT PARTNER PRIVATE SECURIT	EVENT SECURITY	5,725.00

**Recreation Admin**

378482 COLE SUPPLY CO INC	SUPPLIES	132.70
378534 PACIFIC GAS AND ELECTRIC CO	GAS	1,319.76
378653 REAL PROTECTION INC	MAINTENANCE SERVICES	94.64
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	315.00
378713 COLE SUPPLY CO INC	SUPPLIES	147.75

**Senior Programs**

378396 FAST SIGNS	SIGN	183.47
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	879.82
378577 AT AND T MCI	PHONE	196.79
378703 AT AND T MCI	LONG DISTANCE LINE	940.38
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	388.00

**Recreation Sports Programs**

378385 COLLINS, TRAVIS	CLASS REFUND	103.00
378392 COSTCO	CONCESSIONS SUPPLIES	670.11

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378420	LOWES COMPANIES INC	SUPPLIES	692.09
378476	BIG SKY LOGOS AND EMBROIDERY	ADULT FALL SOFTBALL AWARDS	942.10
378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	4,947.12
378577	AT AND T MCI	PHONE	20.84

**Recreation-Comm Center**

378388	COMCAST	CONNECTION SERVICES	50.01
378392	COSTCO	PRESCHOOL SUPPLIES	187.66
378397	FERGUSON, ROBERT	CONTRACTOR PAYMENT	75.00
378418	KOVALICK, LUANNE	CONTRACTOR PAYMENT	648.00
378420	LOWES COMPANIES INC	SUPPLIES	83.40
378442	RIDLEY, DEXTER	CONTRACTOR PAYMENT	388.80
378457	TORRES, ESTHER	CONTRACTOR PAYMENT	365.70
378458	UNIQUE PEST CONTROL	PEST CONTROL	400.00
378475	BAY CITIES PYROTECTOR	INSPECTION SERVICES	1,480.00
378482	COLE SUPPLY CO INC	SUPPLIES	576.48
378492	DEL CONTES LANDSCAPING INC	LANDSCAPE SERVICES	3,821.75
378495	DUGAND, KARINA	CONTRACTOR PAYMENT	1,680.00
378503	GARDA CL WEST INC	ARMORED CAR PICKUP	189.13
378512	JENNIFER HINES DESIGN	GUIDE DESIGN	4,561.63
378516	KENDRICK, LAWANDA	CLASS REFUND	160.00
378529	OFFICE MAX INC	OFFICE SUPPLIES	142.58
378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	7,739.24
378540	REVENUE AND COST SPECIALIST LLC	COST ALLOCATION	1,587.55
378576	AT AND T MCI	PHONE	66.66
378577	AT AND T MCI	PHONE	23.31
378582	BANK OF AMERICA	LODGING	761.00
378599	COMCAST	CONNECTION SERVICES	50.01
378634	JUMP BUNCH	CONTRACTOR PAYMENT	638.40
378641	MUIR, ROXANNE	CONTRACTOR PAYMENT	163.80
378648	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	6,022.72
378653	REAL PROTECTION INC	MAINTENANCE SERVICES	405.00
378659	SAFETY DRIVERS ED LLC	CONTRACTOR PAYMENT	93.60
378682	VERIZON WIRELESS	DATA SERVICES	38.01
378694	AMERICAN TROPHIES AWARDS	TEEN TROPHIES	152.72
378713	COLE SUPPLY CO INC	SUPPLIES	276.34
378741	GEDDES MUSIC BRENTWOOD	CONTRACTOR PAYMENT	171.00
378763	MAX MARTIAL ARTS LLC	CONTRACTOR PAYMENT	712.80
378767	MUIR, ROXANNE	CONTRACTOR PAYMENT	330.60
378783	RIDLEY, DEXTER	CONTRACTOR PAYMENT	126.00

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933133 GRAINGER INC	SUPPLIES	1,067.06
933143 WESCO GRAPHICS INC	GUIDE PRINTING	4,562.87
933165 CONSOLIDATED ELECTRICAL DIST I	SUPPLIES	371.87

**222 Measure C/J Fund**  
**Non Departmental**

**Streets**

378631 INTERMOUNTAIN SLURRY SEAL INC	PAVEMENT PROJECT	909,605.00
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**226 Solid Waste Reduction Fund**

**Solid Waste**

378709 BRETT MR ECO EDWARDS	SCHOOL PERFORMANCES	900.00
378744 HAAS-WAJDOWICZ, JULIE A	EXPENSE REIMBURSEMENT	74.76

**229 Pollution Elimination Fund**

**Channel Maintenance Operation**

378420 LOWES COMPANIES INC	SUPPLIES	36.11
378440 RAMIREZ, ROSALIE E	EXPENSE REIMBURSEMENT	85.00
378441 RAMOS, GONZALO	EXPENSE REIMBURSEMENT	140.00
378444 ROMANO, THEODORE CONRAD	EXPENSE REIMBURSEMENT	30.00
378455 TARGET SPECIALTY PRODUCTS	SUPPLIES	1,756.78
378527 NEXTEL SPRINT	CELL PHONE	50.79
378532 PACIFIC COAST LANDSCAPE MGMT I	LANDSCAPE SERVICES	6,498.49
378612 DEPT OF FISH AND GAME	MAINTENANCE PERMITS	1,157.00
378676 TARGET SPECIALTY PRODUCTS	CHEMICALS	1,410.83
378720 CONTRA COSTA HEALTH SERVICES	INSPECTION	348.00
378773 PACIFIC COAST LANDSCAPE MGMT I	LANDSCAPE SERVICES	1,690.08

**Storm Drain Administration**

378551 STATE WATER RESOURCES CONTROL	NPDES ANNUAL PERMIT FEE	2,268.00
378744 HAAS-WAJDOWICZ, JULIE A	EXPENSE REIMBURSEMENT	22.95

**251 Lone Tree SLLMD Fund**

**Lonetree Maintenance Zone 1**

378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	780.90
378555 TERRACARE ASSOCIATES	TURF MOWING	136.60
378571 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	1,195.60
378577 AT AND T MCI	PHONE	83.36
378675 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	150.00

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378677 TERRACARE ASSOCIATES	TURF MOWING	273.20
378792 SILVA LANDSCAPE	LANDSCAPE SERVICES	4,401.00
<b>Lonetree Maintenance Zone 2</b>		
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	769.28
378552 STEWARTS TREE SERVICE INC	TREE REMOVAL	1,300.00
378577 AT AND T MCI	PHONE	142.59
<b>Lonetree Maintenance Zone 3</b>		
378577 AT AND T MCI	PHONE	62.52
<b>Lonetree Maintenance Zone 4</b>		
378555 TERRACARE ASSOCIATES	TURF MOWING	218.56
378677 TERRACARE ASSOCIATES	TURF MOWING	437.12
378797 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	3,575.00
<b>252 Downtown SLLMD Fund</b>		
<b>Downtown Maintenance</b>		
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	375.38
378555 TERRACARE ASSOCIATES	TURF MOWING	136.60
378677 TERRACARE ASSOCIATES	TURF MOWING	273.20
<b>253 Almondridge SLLMD Fund</b>		
<b>Almondridge Maintenance</b>		
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	215.22
378675 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	150.00
<b>254 Hillcrest SLLMD Fund</b>		
<b>Hillcrest Maintenance Zone 1</b>		
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	720.36
378555 TERRACARE ASSOCIATES	TURF MOWING	355.16
378577 AT AND T MCI	PHONE	41.68
378677 TERRACARE ASSOCIATES	TURF MOWING	710.32
<b>Hillcrest Maintenance Zone 2</b>		
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	750.27
378555 TERRACARE ASSOCIATES	TURF MOWING	486.30
378577 AT AND T MCI	PHONE	145.88
378677 TERRACARE ASSOCIATES	TURF MOWING	972.60

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**Hillcrest Maintenance Zone 4**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	670.27
378555	TERRACARE ASSOCIATES	TURF MOWING	273.20
378577	AT AND T MCI	PHONE	123.40
378665	SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
378677	TERRACARE ASSOCIATES	TURF MOWING	546.40

**255 Park 1A Maintenance District Fund**

**Park 1A Maintenance District**

378420	LOWES COMPANIES INC	SUPPLIES	2,396.79
378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	207.11
378555	TERRACARE ASSOCIATES	TURF MOWING	355.16
378592	BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	7,515.60
378677	TERRACARE ASSOCIATES	TURF MOWING	710.32

**256 Citywide 2A Maintenance District Fund**

**Citywide 2A Maintenance Zone 3**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	79.14
378555	TERRACARE ASSOCIATES	TURF MOWING	5.46
378677	TERRACARE ASSOCIATES	TURF MOWING	10.92

**Citywide 2A Maintenance Zone 4**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	319.87
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**Citywide 2A Maintenance Zone 5**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	416.51
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**Citywide 2A Maintenance Zone 6**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	232.19
378555	TERRACARE ASSOCIATES	TURF MOWING	327.84
378677	TERRACARE ASSOCIATES	TURF MOWING	655.68

**Citywide 2A Maintenance Zone 8**

378677	TERRACARE ASSOCIATES	TURF MOWING	54.64
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**Citywide 2A Maintenance Zone 9**

378534	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	492.04
378555	TERRACARE ASSOCIATES	TURF MOWING	109.28
378577	AT AND T MCI	PHONE	83.36
378677	TERRACARE ASSOCIATES	TURF MOWING	163.92

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378692 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	3,586.80
378792 SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
<b>Citywide 2A Maintenance Zone10</b>		
378368 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	2,152.08
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	149.77
378571 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	2,869.44
<b>257 SLLMD Administration Fund</b>		
<b>SLLMD Administration</b>		
378527 NEXTEL SPRINT	CELL PHONE	171.06
378555 TERRACARE ASSOCIATES	TURF MOWING	327.84
378677 TERRACARE ASSOCIATES	TURF MOWING	655.68
378682 VERIZON WIRELESS	DATA SERVICES	76.02
933137 RED WING SHOE STORE	SAFETY SHOES - TORRES	300.00
<b>259 East Lone Tree SLLMD Fund</b>		
<b>Zone 1-District 10</b>		
378447 SILVA LANDSCAPE	LANDSCAPE SERVICES	2,412.00
378548 SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
<b>282 CFD 2018-02 Police Protection Fund</b>		
<b>Police Community Policing</b>		
378474 BAY AREA NEWS GROUP	LEGAL AD	275.40
<b>311 Capital Improvement Fund</b>		
<b>Non Departmental</b>		
<b>Parks &amp; Open Space</b>		
378394 DMZ BUILDERS	W ANTIOCH CREEK PROJECT	123,450.00
378731 DMZ BUILDERS	W ANTIOCH CREEK PROJECT	8,622.60
<b>Streets</b>		
378372 ANCHOR CONCRETE CONSTRUCTION	SIDEWALK REPAIR PROJECT	70,174.74
<b>Energy Efficiency</b>		
378709 BRETT MR ECO EDWARDS	SCHOOL PERFORMANCES	900.00
378744 HAAS-WAJDOWICZ, JULIE A	EXPENSE REIMBURSEMENT	6.55



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**Northeast Annexation**

378474 BAY AREA NEWS GROUP	LEGAL AD	441.00
378478 BKF ENGINEERS INC	PROFESSIONAL SERVICES	24,090.72
378590 BPXPRESS	PW 693 PLANS	232.95

**312 Prewett Family Park Fund**

**Parks & Open Space**

378446 SHADE STRUCTURES	SHADE STRUCTURES	1,268.73
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**416 Honeywell Capital Lease Fund**

**Non Departmental**

378380 BANK OF AMERICA	DEBT SERVICE PYMT	45,427.96
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**570 Equipment Maintenance Fund**

**Non Departmental**

378413 HUNT AND SONS INC	FUEL	229.87
378628 HUNT AND SONS INC	FUEL	10,495.16
378751 HUNT AND SONS INC	FUEL	60.18

**Equipment Maintenance**

378371 ALL CAL GOLF AND INDUSTRIAL	PARTS	146.65
378377 ANTIOCH GLASS	GLASS	380.56
378401 GOLDEN GATE TRUCK CENTER	PARTS	13.71
378405 HARLEY DAVIDSON	SUPPLIES	54.02
378425 MSI FUEL MANAGEMENT INC	PARTS	247.01
378426 MUNICIPAL MAINT EQUIPMENT INC	PARTS	674.34
378430 OFFICE MAX INC	OFFICE SUPPLIES	1,010.26
378431 OREILLY AUTO PARTS	PARTS	150.35
378436 PETERSON	REPAIR SERVICES	17,811.76
378445 SGS TESTCOM	INSPECTION	3.99
378452 LEHR AUTO ELECTRIC	PARTS	1,097.73
378468 ANTIOCH AUTO PARTS	AUTO PARTS	937.81
378472 BAY AREA AIR QUALITY MANAGEMENT	PERMITS	360.00
378505 GOLDEN GATE TRUCK CENTER	PARTS	155.34
378522 MAVRON INC	PARTS	1,455.00
378530 OREILLY AUTO PARTS	PARTS	934.01
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	561.47
378546 SHIELDS HARPER AND CO	PARTS	40.67
378558 TRED SHED, THE	TIRES	6,321.63
378564 WALNUT CREEK FORD	AUTO PARTS	178.12

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378566 WINTER CHEVROLET CO	PARTS	206.26
378573 ANTIOCH AUTO PARTS	PARTS	468.19
378588 BILL BRANDT FORD	MAINTENANCE SERVICES	382.46
378596 CHUCKS BRAKE AND WHEEL SERVICE	PARTS	514.71
378616 EAST BAY TIRE CO	TIRES	3,737.10
378626 HARLEY DAVIDSON	VEHICLE REPAIRS	2,765.53
378629 IN USE SOLUTIONS	SMOKE OPACITY TEST	75.00
378640 MSI FUEL MANAGEMENT INC	FUELMaster MAINTENANCE	2,467.50
378642 MUNICIPAL MAINT EQUIPMENT INC	PARTS	201.65
378647 OREILLY AUTO PARTS	PARTS	173.98
378651 PETERSON	MAINTENANCE SERVICES	2,884.37
378654 REINHOLDT ENGINEERING CONSTR	PROFESSIONAL SERVICES	2,983.04
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378683 WALNUT CREEK FORD	AUTO PARTS	259.27
378687 WINTER CHEVROLET CO	REPAIR PARTS	493.89
378708 BILL BRANDT FORD	AUTO PARTS	116.96
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	120.00
378742 GENOS AUTO BODY	EMERGENCY REPAIR	17,529.16
933122 BIG SKY ENTERPRISES INC	DISPOSAL SERVICES	511.25
933137 RED WING SHOE STORE	SAFETY SHOES - ALVAREZ	829.76
933141 UNLIMITED GRAPHIC AND SIGN NET	PARTS	579.13
933161 UNLIMITED GRAPHIC AND SIGN NET	PARTS	777.55

**573 Information Services Fund**

**Non Departmental**

378690 BANK OF AMERICA	COMPUTER PURCHASE - MALSOM	2,016.79
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**Information Services**

378562 VERIZON WIRELESS	DATA SERVICES	381.58
378577 AT AND T MCI	PHONE	76.77

**Network Support & PCs**

378387 COMCAST	CONNECTION SERVICES	222.35
378388 COMCAST	CONNECTION SERVICES	1,648.22
378484 COMCAST	CONNECTION SERVICES	161.89
378577 AT AND T MCI	PHONE	86.17
378599 COMCAST	CONNECTION SERVICES	1,648.22
933123 CDW GOVERNMENT INC	COMPUTER EQUIPMENT	48.45
933131 DIGITAL SERVICES	WEBSITE MAINTENANCE	3,150.00

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**Telephone System**

378471 AT AND T MCI	LONG DISTANCE	16.42
378575 AT AND T MCI	PHONE	20.92
378576 AT AND T MCI	PHONE	431.72
378577 AT AND T MCI	PHONE	2,213.78
378693 AMERICAN MESSAGING	PAGER SERVICE	43.24

**579 Post Retirement Medical-Mgmt Fund**

**Non Departmental**

933170 RETIREE	MEDICAL AFTER RETIREMENT	634.50
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**611 Water Fund**

**Non Departmental**

378420 LOWES COMPANIES INC	SUPPLIES	153.86
378464 ALL PRO PRINTING SOLUTIONS	PRINTING SERVICES	789.15
378468 ANTIOCH AUTO PARTS	SUPPLIES	1,215.23
378473 BAY AREA BARRICADE	SUPPLIES	378.45
378477 BISHOP CO	SUPPLIES	156.93
378482 COLE SUPPLY CO INC	JANITORIAL SUPPLIES	1,104.66
378497 FASTENAL CO	INDUSTRIAL SUPPLIES	309.71
378584 BAY AREA BARRICADE	SUPPLIES	456.75
378589 BISHOP CO	SUPPLIES	612.09
378598 COLE SUPPLY CO INC	SUPPLIES	573.71
378611 DELTA DIABLO	SRF LOAN PAYMENT	252,026.18
378621 FASTENAL CO	INDUSTRIAL SUPPLIES	655.02
378635 KENNERLY, CEARA	CHECK REPLACEMENT	43.00
378646 OFFICE MAX INC	OFFICE SUPPLIES	1,678.65
378656 ROBERTS AND BRUNE CO	SUPPLIES	1,484.03
378673 STATE WATER RESOURCES CONTROL	SWRCB P & I DUES	66,111.02
378728 CRYSTAL CLEAR LOGOS INC	UNIFORMS	223.16
933133 GRAINGER INC	SUPPLIES	768.14
933134 HAMMONS SUPPLY COMPANY	SUPPLIES	46.17
933146 GRAINGER INC	SUPPLIES	1,511.53
933147 HAMMONS SUPPLY COMPANY	SUPPLIES	3,395.57

**Water Supervision**

378527 NEXTEL SPRINT	CELL PHONE	164.24
378673 STATE WATER RESOURCES CONTROL	SWRCB P & I DUES	5,089.19
378682 VERIZON WIRELESS	DATA SERVICES	152.04

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**Water Production**

378370 ALAMEDA ELECTRICAL DISTRIBUTOR	PARTS	2,007.53
378375 ANIMAL DAMAGE MANAGEMENT	PROFESSIONAL SERVICES	425.00
378376 ACE HARDWARE, ANTIOCH	SUPPLIES	7.31
378399 FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	411.48
378402 GRAPHIC CONTROLS LLC	SUPPLIES	662.22
378403 GUALCO GROUP INC, THE	GOVERNMENT RELATION SERVICE	6,001.40
378404 HACH CO	LAB SUPPLIES	596.42
378416 KELLY MOORE PAINT CO	SUPPLIES	199.51
378417 KIRK WELDING	EQUIPMENT	793.84
378420 LOWES COMPANIES INC	SUPPLIES	225.59
378451 STATE WATER RESOURCES CONTROL	NOTICE OF DETERMINATION	229.20
378453 SWAN ANALYTICAL INSTRUMENTS US	ONLINE TURBIDIMETERS	8,108.85
378467 ACE HARDWARE, ANTIOCH	SUPPLIES	177.26
378469 ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	75.90
378480 CITY OF BRENTWOOD	GROUNDWATER SUPPORT	6,040.20
378514 KARL NEEDHAM ENTERPRISES INC	CENTRIFUGE RENTAL	24,999.55
378519 LAW OFFICE OF MATTHEW EMRICK	DWR LITIGATION/WATER RIGHTS	7,936.50
378527 NEXTEL SPRINT	CELL PHONE	45.11
378534 PACIFIC GAS AND ELECTRIC CO	GAS	118,341.25
378536 POLYDYNE INC	CENTRIFUGE POLYMER	2,737.69
378560 UNITED PARCEL SERVICE	SHIPPING	67.51
378561 UNIVAR USA INC	CAUSTIC	15,833.61
378563 VLAMING AND ASSOCIATES	CONSULTING SERVICES	3,485.00
378574 ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	48.64
378576 AT AND T MCI	PHONE	133.32
378577 AT AND T MCI	PHONE	1,114.97
378581 BANK OF AMERICA	MEETING EXPENSE	50.03
378597 CITY OF BRENTWOOD	GROUNDWATER SUPPORT	2,299.93
378610 CRYSTAL CLEAR LOGOS INC	UNIFORMS	739.85
378625 HACH CO	LAB SUPPLIES	163.61
378636 KIRK WELDING	SUPPLIES	939.07
378638 MCCROMETER INC	PARTS	2,817.34
378648 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	226.60
378656 ROBERTS AND BRUNE CO	SUPPLIES	228.38
378674 STATE WATER RESOURCES CONTROL	ANNUAL PERMIT FEE	12,259.00
378680 UNIVAR USA INC	CAUSTIC	8,092.85
378681 US BANK	COPIER RENTAL	78.94
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378696 ANIMAL DAMAGE MANAGEMENT	PEST CONTROL	425.00

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378697 ACE HARDWARE, ANTIOCH	SUPPLIES	52.79
378701 ARAMARK UNIFORM SERVICES	PROFESSIONAL SERVICES	48.64
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	360.00
378716 CONNELLY, BRIAN K	EXPENSE REIMBURSEMENT	149.99
378723 CONTRA COSTA WATER DISTRICT	RAW WATER	416,059.34
378736 ENVIRONMENTAL RESOURCE ASSOC I	TESTING	1,607.47
378737 EXPONENT INC	CONSULTING SERVICES	2,498.00
378738 FISHER SCIENTIFIC COMPANY	LAB SUPPLIES	154.06
378745 HACH CO	SUPPLIES	140.71
378753 JEFFCO PAINTING AND COATING INC	REPAIR SERVICES	4,400.00
378754 JOHNSON, GAVIN LEE	EXPENSE REIMBURSEMENT	140.00
378770 OFFICE MAX INC	OFFICE SUPPLIES	80.03
378807 UNIVAR USA INC	CHEMICALS	7,795.99
378809 VLAMING AND ASSOCIATES	CONSULTING SERVICES	1,631.94
378810 WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	4,575.00
378813 YSI INCORPORATED	EQUIPMENT	1,345.20
933127 TRANSDYN INC	ELECTRONICS SERVICES	22,970.00
933128 AIRGAS SPECIALTY PRODUCTS	AMMONIA	2,346.00
933129 CHEMTRADE CHEMICALS US LLC	ALUM	5,839.40
933130 CONSOLIDATED ELECTRICAL DIST	SUPPLIES	188.95
933133 GRAINGER INC	COMPRESSOR MOTOR	1,051.11
933135 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	9,797.13
933137 RED WING SHOE STORE	SAFETY SHOES - NG	250.00
933140 THATCHER COMPANY OF CALIFORNIA	CHLORINE	115.80
933142 VINCENT ELECTRIC MOTOR CO	EQUIPMENT PARTS	2,936.59
933144 CHEMTRADE CHEMICALS US LLC	ALUM	9,017.80
933145 EUROFINS EATON ANALYTICAL INC	TESTING	1,240.00
933149 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	2,762.65
933150 IDEXX LABORATORIES INC	LAB SUPPLIES	2,526.28
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	338.00
933160 THATCHER COMPANY OF CALIFORNIA	CHLORINE	11,688.60
933166 EUROFINS EATON ANALYTICAL INC	TESTING	75.00

**Water Distribution**

378382 C AND J FAVALORA TRUCKING INC	HAULING SERVICES	15,932.75
378388 COMCAST	CONNECTION SERVICES	1,029.56
378420 LOWES COMPANIES INC	SUPPLIES	401.79
378430 OFFICE MAX INC	OFFICE SUPPLIES	51.53
378433 PAC MACHINE CO INC	EQUIPMENT	1,089.23
378468 ANTIOCH AUTO PARTS	SUPPLIES	173.99

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378497 FASTENAL CO	SUPPLIES	393.69
378498 FASTLANE TEK INC	PROFESSIONAL SERVICES	1,331.25
378499 FASTLANE TEK INC	PROFESSIONAL SERVICES	1,608.75
378527 NEXTEL SPRINT	CELL PHONE	1,711.32
378541 ROBERTS AND BRUNE CO	SUPPLIES	4,298.67
378559 TRENCH PLATE RENTAL CO INC	EQUIPMENT RENTAL	1,132.85
378572 ACE HARDWARE, ANTIOCH	SUPPLIES	188.11
378577 AT AND T MCI	PHONE	20.84
378593 C AND J FAVALORA TRUCKING INC	HAULING SERVICES	3,518.75
378599 COMCAST	CONNECTION SERVICES	1,029.56
378616 EAST BAY TIRE CO	TIRES	3,737.09
378630 INFOSEND INC	POSTAGE COSTS	5,269.96
378656 ROBERTS AND BRUNE CO	SUPPLIES	9,574.17
378658 SAFETY CENTER INC	TRAINING COURSE	497.15
378679 TYLER TECHNOLOGIES	MONTHLY INSITE FEES	340.00
378682 VERIZON WIRELESS	DATA SERVICES	380.10
378697 ACE HARDWARE, ANTIOCH	SUPPLIES	86.77
378698 ANTIOCH AUTO PARTS	PARTS	32.56
378730 DELTA DIABLO	RECYCLED WATER	8,143.26
378752 INFOSEND INC	POSTAGE FEES	917.43
378786 RT LAWRENCE CORP	LOCKBOX PROCESSING	1,426.25
378788 SEAMAN, JOHN M	COURSE FEE REIMBURSEMENT	167.53
378801 SYAR INDUSTRIES INC	ASPHALT	2,072.02
378804 TRENCH PLATE RENTAL CO INC	EQUIPMENT RENTAL	855.10
933137 RED WING SHOE STORE	SAFETY SHOES - NALENZY	300.00
933146 GRAINGER INC	SUPPLIES	28.99
933149 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,106.03

**Water Meter Reading**

378427 NATIONAL METER & AUTOMATION INC	WATER METERS	24,473.37
378468 ANTIOCH AUTO PARTS	SUPPLIES	269.86
378527 NEXTEL SPRINT	CELL PHONE	62.14
378531 PACE SUPPLY CORP	BACKFLOW	8,056.20
378541 ROBERTS AND BRUNE CO	SUPPLIES	12,464.38
378594 CANVAS FACTORY	SUPPLIES	378.88
378656 ROBERTS AND BRUNE CO	SUPPLIES	609.00
378682 VERIZON WIRELESS	DATA SERVICES	38.01
378769 NATIONAL METER & AUTOMATION INC	METER REGISTERS	68,410.21

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**Public Buildings & Facilities**

378373	ANDERSON PACIFIC ENGINEERING	WTP PROJECT	284,919.29
378474	BAY AREA NEWS GROUP	LEGAL AD	198.00
378523	MCMILLEN JACOBS ASSOCIATES	RESERVOIR PROJECT	684.00
378595	CAMP DRESSER AND MCKEE INC	CONSULTING SERVICES	6,077.97
378688	WOODARD AND CURRAN	PROFESSIONAL SERVICES	7,189.95
933131	DIGITAL SERVICES	WEBSITE MAINTENANCE	1,055.00

**Warehouse & Central Stores**

378391	CONTRA COSTA COUNTY TAX COLLECT.	PROPERTY TAXES	857.36
378527	NEXTEL SPRINT	CELL PHONE	65.51
378560	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	19.50
378711	BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	240.00
378806	UNITED PARCEL SERVICE	WEEKLY PRINTER SERVICE FEE	16.50

**612 Water System Improvement Fund**

**Non Departmental**

**Water Systems**

378443	RJ GORDON CONSTRUCTION INC	FAWN HILL PROJECT	205,101.84
378513	JN ENGINEERING	INSPECTION SERVICES	1,200.00
378655	RJ GORDON CONSTRUCTION INC	WATER MAIN PROJECT	127,225.00
378787	SALABER ASSOCIATES INC	INSPECTION SERVICES	10,656.25

**621 Sewer Fund**

**Sewer-Wastewater Supervision**

378682	VERIZON WIRELESS	DATA SERVICES	76.02
378786	RT LAWRENCE CORP	LOCKBOX PROCESSING	1,426.25

**Sewer-Wastewater Collection**

378382	C AND J FAVALORA TRUCKING INC	HAULING SERVICES	15,932.75
378388	COMCAST	CONNECTION SERVICES	1,029.55
378430	OFFICE MAX INC	OFFICE SUPPLIES	64.75
378440	RAMIREZ, ROSALIE E	EXPENSE REIMBURSEMENT	75.00
378491	CWEA SFBS	RENEWAL	275.00
378498	FASTLANE TEK INC	PROFESSIONAL SERVICES	1,331.25
378499	FASTLANE TEK INC	PROFESSIONAL SERVICES	1,608.75
378527	NEXTEL SPRINT	CELL PHONE	462.56
378543	ROOTX	SUPPLIES	1,075.72

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378572 ACE HARDWARE, ANTIOCH	SUPPLIES	38.73
378577 AT AND T MCI	PHONE	45.27
378593 C AND J FAVALORA TRUCKING INC	HAULING SERVICES	3,518.75
378599 COMCAST	CONNECTION SERVICES	1,029.55
378616 EAST BAY TIRE CO	TIRES	3,737.10
378630 INFOSEND INC	POSTAGE COSTS	5,269.94
378632 JACK DOHENY SUPPLIES INC	PARTS	3,050.91
378657 ROYAL BRASS INC	EQUIPMENT	984.17
378658 SAFETY CENTER INC	TRAINING COURSE	497.13
378679 TYLER TECHNOLOGIES	MONTHLY INSITE FEES	340.00
378682 VERIZON WIRELESS	DATA SERVICES	228.06
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	600.00
378752 INFOSEND INC	POSTAGE FEES	917.43
378776 PONDER ENVIRONMENTAL SERVICES	HAULING SERVICES	3,557.10
378801 SYAR INDUSTRIES INC	ASPHALT	2,072.04
933134 HAMMONS SUPPLY COMPANY	SUPPLIES	230.86
933137 RED WING SHOE STORE	SAFETY SHOES DEJANVIER	550.00
933138 SCOTTO, CHARLES W AND DONNA F	ANNUAL LEASE ADJUSTMENT	402.06
933149 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,106.03
933169 SCOTTO, CHARLES W AND DONNA F	BUILDING LEASE	4,750.00

**631 Marina Fund**

**Marina Administration**

378413 HUNT AND SONS INC	FUEL	22,519.19
378483 COMCAST	CONNECTION SERVICES	441.92
378520 LOG, THE	ADVERTISING	975.00
378527 NEXTEL SPRINT	CELL PHONE	57.58
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	4,241.25
378592 BRIGHT SECURITY INTEGRATIONS	SUPPLIES	235.94
378653 REAL PROTECTION INC	MAINTENANCE SERVICES	65.62
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	120.00
378714 COMCAST	CONNECTION SERVICES	441.92
378781 RECREATION PUBLICATIONS	ADVERTISING	1,019.00

**Marina Maintenance**

378420 LOWES COMPANIES INC	SUPPLIES	98.44
933153 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,375.00

**Marina Boat Launch**

378420 LOWES COMPANIES INC	SUPPLIES	19.56
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**641 Prewett Water Park Fund**

**Non Departmental**

378508 HUB INTERNATIONAL OF CA INSURA	EVENT INSURANCE	256.08
378535 PAYUMO, LINO	RENTAL DEPOSIT REFUND	500.00
378791 SILENT PARTNER PRIVATE SECURIT	EVENT SECURITY	125.00

**Recreation Water Park**

378415 WILCO SUPPLY	PARTS	1,962.91
378420 LOWES COMPANIES INC	SUPPLIES	297.99
378439 PRECISION LEAK DETECTION INC	REPAIR SERVICES	840.00
378475 BAY CITIES PYROTECTOR	INSPECTION SERVICES	370.00
378492 DEL CONTES LANDSCAPING INC	LANDSCAPE SERVICES	2,649.00
378517 KNORR SYSTEMS INC	POOL CONTROLLER	19,904.84
378527 NEXTEL SPRINT	CELL PHONE	33.19
378534 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	8,237.34
378577 AT AND T MCI	PHONE	120.16
378582 BANK OF AMERICA	SUPPLIES	668.82
378585 BERENDSEN, CAROL ANN	EXPENSE REIMBURSEMENT	152.97
378600 COMMERCIAL POOL SYSTEMS INC	POOL CHEMICALS	1,121.44
378603 CONSTANT CONTACT	DIGITAL MARKETING	378.00
378653 REAL PROTECTION INC	MAINTENANCE SERVICES	196.87
378711 BRIGHT SECURITY INTEGRATIONS	ALARM MONITORING	690.00
378756 LESLIES POOL SUPPLIES	POOL CHEMICALS	269.13
378770 OFFICE MAX INC	OFFICE SUPPLIES	117.36
933133 GRAINGER INC	SUPPLIES	744.77
933143 WESCO GRAPHICS INC	PRINTING SERVICES	4,562.89

**721 Employee Benefits Fund**

**Non Departmental**

378374 EMPLOYEE	CHECK REPLACEMENT	9.70
378386 COLONIAL LIFE	PAYROLL DEDUCTIONS	610.59
378390 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
378434 PARS	PAYROLL DEDUCTIONS	2,751.10
378450 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
378605 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
378606 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
378637 LINA	PAYROLL DEDUCTIONS	3,307.63
378643 MUNICIPAL POOLING AUTHORITY	PAYROLL DEDUCTIONS	1,844.13
378650 PARS	PAYROLL DEDUCTIONS	3,658.19
378669 STANDARD LIFE INSURANCE	PAYROLL DEDUCTIONS	49.00

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378671 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
378672 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	53.41
378684 EMPLOYEE	CHECK REPLACEMENT	76.88
933156 NATIONWIDE RETIREMENT SOLUTION	PAYROLL DEDUCTIONS	41,230.27
933162 VANTAGEPOINT TRANSFER AGENTS 3	PAYROLL DEDUCTIONS	3,318.47



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Forrest Ebbs, Community Development Director *FE*

**SUBJECT:** Amendment to the Antioch Municipal Code, Section 1-5.06, to Change Citation Amounts – Second Reading of Ordinance

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt the Ordinance to amend Section 1-5.06-*Fines: Amounts* of Antioch Municipal Code Title 1: General Provisions, Chapter 5: Citation Procedure.

### **STRATEGIC PURPOSE**

This action addresses the Strategic Plan as follows:

- Strategy D-2: Create a multifaceted team of resources that can assemble to address areas that habitually experience any combination of criminal, illegal, blighting and nuisance activities and/or conditions.
- Strategy D-3, Short Term Objective: Research and implement best practices and stay up to date on newest laws and trends as well as effective programs offered by other jurisdictions.
- Long Term Goal E: Building Safety: Provide uniform enforcement of the Building, Housing, Municipal codes and state laws in the City of Antioch with an emphasis on eliminating illegal or substandard housing conditions.

### **FISCAL IMPACT**

The proposed amendment would improve cost recovery efforts related to Code Enforcement activities.

### **DISCUSSION**

The proposed amendment was presented to the City Council on December 11, 2018 where the Ordinance was introduced on a vote of 4-0. The purpose of this amendment is to increase the fine amounts for citations in accordance with recent changes to State law.

The Ordinance will become effective 30 days after its adoption.

### **ATTACHMENTS**

A: Ordinance

# ATTACHMENT "A"

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING SECTION 1-5.06 REGARDING FINES FOR MUNICIPAL CODE VIOLATIONS

The City Council of the City of Antioch does ordain as follows:

### **SECTION 1:**

1. On December 11, 2018, the City Council found that the proposed project is exempt from the California Environmental Quality Act (CEQA), per Section 15321, Enforcement Actions by Regulatory Agencies, as the proposed amendments will better enable enforcement of the Antioch Municipal Code.
2. The enforcement of the Antioch Municipal Code is enabled by Title 1, General Provisions, which prescribes set procedures and for the enforcement of the Code, including penalties and citations.
3. The proposed amendment would more effectively enable full enforcement of the Antioch Municipal Code.
4. Enforcement of the Antioch Municipal Code improves public safety, general welfare and the wellbeing of Antioch's residents and eliminates blight and other public nuisances.

**SECTION 2:** Section 1-5.06, "Fines; Amounts," of the Antioch Municipal Code is amended to read as follows:

### **§ 1-5.06 FINES; AMOUNTS.**

(C) Notwithstanding the above, a violation of the local building and safety codes determined to be an infraction is punishable by a fine not exceeding \$130 for a first violation; a fine not exceeding \$700 for a second violation of the same ordinance within one year; a fine not exceeding \$1,300 for each additional violation of the same ordinance within one year of the first violation.

(1) A fine not exceeding two thousand five hundred dollars (\$2,500) for each additional violation of the same ordinance within two years of the first violation if the property is a commercial property that has an existing building at the time of the violation and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.

### **SECTION 3: CEQA.**

This action is categorically exempt under the California Environmental Quality Act (CEQA) under Section 15321, Enforcement Actions by Regulatory Agencies, as it will contribute to improved enforcement of existing regulations by the City of Antioch.

**SECTION 4: Publication; Effective Date.**

This Ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.

**SECTION 5: Severability.**

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

\* \* \* \* \*

I **HEREBY CERTIFY** that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Antioch held on the 11<sup>th</sup> day of December, 2018 and passed and adopted at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Sean Wright, Mayor of the City of Antioch**

**ATTEST:**

\_\_\_\_\_  
**Arne Simonsen CMC**  
**City Clerk for the City of Antioch**



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Forrest Ebbs, Community Development Director *FE*

**SUBJECT:** Authorization to Amend Consultant Contract with Land Use Planning Service, Inc. to March 31, 2019 and Increase the Not to Exceed Amount by \$39,000 for a total of \$116,250.

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### RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution authorizing the City Manager to amend the consultant contract with Land Use Planning Service, Inc. to extend the expiration date of the contract to March 31, 2019 and increase the not to exceed amount by \$39,000 for a total of \$116,250.

### STRATEGIC PURPOSE

This action further Strategy H-2, Update long range planning documents, as it will allow for further development of the Habitat Conservation Plan / Natural Community Conservation Plan.

### FISCAL IMPACT

The funds for this work and for this contract extension are eligible for reimbursement through the City's ongoing Section 6 Grant through the California Department of Fish and Wildlife. However, the invoices for this work may come due prior to reimbursement, in which case the City will be required to temporarily commit the funds.

### DISCUSSION

The City of Antioch of Antioch is currently pursuing development of a Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP) through a Section 6 planning grant that is funded by the U.S. Fish and Wildlife Service and administered through the California Department of Fish and Wildlife. The draft of the HCP/NCCP and its accompanying EIR are nearing completion and the City of Antioch is reaching the end of its first Section 6 grant. This effort will be completed no later than March 31, 2019 when the reimbursable period of the grant ends.

Ken Schreiber of Land Use Planning Service, Inc. has extensive experience managing large-scale HCP/NCCP projects and has been serving as a contract Project Manager for the Antioch HCP/NCCP since its beginning. The most recent LUPS contract began on

July 10, 2017 and will expire January 1, 2019. This extension will secure Mr. Schreiber's services through the end of the grant period – March 31, 2019. During this period, Mr. Schreiber will assist with completion of the existing documents and will work towards securing additional grant funding for the next phase of the project.

**ATTACHMENTS**

- A: Resolution
- B: Scope of Work

# ATTACHMENT "A"

## RESOLUTION NO. 2019/\*\*

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AUTHORIZING THE CITY MANAGER TO AMEND THE CONSULTANT CONTRACT WITH LAND USE  
PLANNING SERVICES, INC. TO EXTEND THE EXPIRATION DATE OF THE CONTRACT TO MARCH  
31, 2019 AND INCREASE THE NOT TO EXCEED AMOUNT BY \$39,000 FOR A TOTAL OF \$116,250**

**WHEREAS**, on July 10, 2017, the City of Antioch and Land Use Planning Services, Inc. entered into an Agreement to provide Consultant services related to the Habitat Conservation Plan / Natural Community Conservation Plan efforts; and

**WHEREAS**, the City desires to retain the Consultant services through the end of the Section 6 grant period; and

**WHEREAS**, the City of Antioch desires to extend the Agreement with Land Use Planning Services, Inc. through March 31, 2019; and

**WHEREAS**, this amendment allows the City to continue its ongoing efforts to develop a Habitat Conservation Plan / Natural Community Conservation Plan; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch authorizes the City Manager to amend the Code Enforcement Consultant contract with Land Use Planning Services, Inc. to extend the expiration date of the contract to March 31, 2019 and increase the contract amount by \$39,000 for a total amount not to exceed One Hundred Sixteen Thousand Two Hundred and Fifty dollars (\$116,250), in a form approved by the City Attorney.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing Resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**



# ATTACHMENT "B"

## Land Use Planning Services, Inc.

Kenneth R. Schreiber, *President*  
31 Ludina Way, Redwood City, CA 94061  
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November 2, 2018

Antioch HCP/NCCP

Contract Extension: January 1 through March 31, 2019

Amended Exhibit A  
Scope of Work and Compensation

The following Scope of Work is intended to be an addition to the July 10, 2017 Contract between the City of Antioch and Land Use Planning Services, Inc.

The Contract's Rate Schedule (page 7 of the Contracts Exhibit A) remain the same as the 2017 Contract

### **Amended Scope of Work**

Task 2 (Assist in Development and Processing Planning Agreement), Task 3 (Public Involvement) and Task 4 (Science Advisory Process) are or will be completed by December 31, 2018 and are not part of the January 1 through March 31, 2019 Scope of Work.

### **Work Assumptions:**

- ICF will produce by the end of January a First Administrative Draft HCP/NCCP, a First Administrative Draft EIR and Draft text needed for assembly of a First Administrative Draft EIS.
- Phase I will be followed by a shut down period sufficiently long (i.e., 12 or more months) to require an organized effort to start Phase II.
- Phase I work should facilitate Phase II work by providing guides to topics and issues that are either unresolved or needing updates during Phase II.
- Ken Schreiber will retire after March 2019.

### **January 1 through March 31, 2019 Scope of Work**

#### **Task 1: Project Management**

Task 1 includes both ongoing management of the project, record keeping and preparation of specific work products.

January 1 through March 31 Major work elements:

- Facilitate coordination between the City, Conservancy, consultants and State and federal Wildlife Agencies;
- Oversight and regular reporting to the City and Conservancy on project budget and work schedule;
- Oversight of ICF work and contract compliance;

- Review consultant invoices and, when satisfied, provide recommendations to the City for payment;
- Prepare required Quarterly Reports to the CDFW and FWS;
  - Quarterly Report (October-December)
  - Quarterly Report (January through March 15, 2019)
- Prepare invoices for City request of reimbursement from the CDFW to the City;
  - Invoice (October-December)
  - Invoice (January through March 15, 2019)
- Prepare a draft 2018/19 Section 6 Grant Application;
  - Prepare either a final application and related City Council Draft staff report if Fish and Wildlife Service's Grant Application submittal period is opened or draft final application for City to use when the Grant Application submittal period happens.
- Facilitate timing and agendas and, as requested, participate in meetings of the City and Conservancy including meetings with:
  - City and Conservancy staff;
  - Wildlife Agencies;
  - City Planning Commission and City Council;
  - ECCCHC Public Advisory Committee and Board; and
  - Other meetings with members of the public as directed by the City, and
- Maintain and provide files and project records.
  - Coordinate with ICF on file/records organization/content, and
  - Organize office and electronic files for use in Phase II

Deliverables:

- Monthly work and budget status reports;
- Quarterly Reports to the Wildlife Agencies;
- Draft and final invoices for reimbursement to the City from CDFW; and
- Prepare either a final 2018/19 Section 6 Grant application and related City Council Draft staff report if Fish and Wildlife Service's Grant Application submittal period is opened or draft final application for City to use when the Grant Application submittal period happens.

Time: 125 Hours

Cost: \$18,750

**Task 5: HCP/NCCP Development and Research**

Task 5 is focused on support of ICF in their development of Phase 1 work products for Antioch Habitat Plan, facilitation of review of these products by the City, Conservancy, the Wildlife Agencies and when appropriate the public. ICF's

Phase 1 work products include both technical work (e.g., Update species accounts, Update land use and confirm covered activities, conservation strategy) and preparing a First Administrative Draft HCP/NCCP.

January 1 through March 31 Major work elements:

- Review and comment on Draft work products;
  - Review Draft Chapter 9 (Funding) and related cost model and documents
  - Review appendices
- Review and comment on First Administrative Draft HCP/NCCP; and
  - Review complete Draft HCP/NCCP for internal consistency and identification of issues/work tasks to be addressed in Phase II
  - Coordination with ICF on creation of a memo that serves as a guide to Phase II HCP/NCCP work issues

Deliverables:

- Track change comments on draft Chapter 9, Funding;
- E-mails and memos highlighting issues that parties should review and needed coordination;
- Creation of work summaries for inclusion in Quarterly Reports required by the Wildlife Agencies; and
- A memo that serves as a guide to Phase II HCP/NCCP work issues

Time: 40 Hours

Cost: \$6,000

#### **Task 6: EIR/EIS Preparation and Review**

ICF, via a team that is separate from the staff working on the Habitat Plan, is preparing the environmental documents. The Antioch Habitat Plan will require a State EIR and federal EIS or EA. In order to satisfy the City's Section 6 Planning Grant, Phase I will prepare the information needed for an EIS. The decision on preparing an EIS or EA will be made in Phase II.

January 1 through March 31 Major work elements:

- Review and comment on First Administrative Draft EIR and NEPA-related work products.
  - Complete review of Draft text (work elements arriving between the last week in December and mid-January): Hydrology, Land Use Planning, Final Biological Resources, Air Quality, Noise, NEPA Components)
  - Review full First DEIR and NEPA text for (note that First Administrative DEIR is projected to exceed 500 pages) for:
    - Internal consistency,

- Identification of issues/work tasks to be addressed in Phase II, and
- Coordination with ICF to create a guide to environmental review issues that will need to be addressed in Phase II work

Deliverables:

- Track change comments on draft EIR/EIS work products.
- A memo that serves as a guide to environmental review issues that will need to be addressed in Phase II work.

Time: 60 hours

Cost: \$9,000

**January 1 through March 31 Contingency:**

There are a variety of unknowns or unexpected events that could occur during the January-March 2019 period. The chief items are if actions by Richland Communities might change Phase II and the recently filed Sand Creek Focus Area litigation. Use of the Contingency would only occur if authorized by the City's Community Development Director.

Maximum Time if authorized: 35 Hours

Maximum Cost if authorized: \$5,250

**Reimbursements:**

Mileage, travel time, parking and tolls, copying and meals. Rate Schedule remains unchanged from 2017 Contract.

Cost: \$900

**Cost Summary Table: January 1 through March 31, 2019**

TASKS	COST
Task 1: Project Management	\$18,750
Task 2: Assist in Development and Processing Planning Agreement	0
Task 3: Public Involvement	0
Task 4: Science Advisory Process	0
Task 5: HCP/NCCP Development and Research	6,000
Task 6: EIR/EIS Preparation and Review	9,000
Reimbursable Costs	900
SUBTOTAL	\$33,750
Contingency	5,250
TOTAL COSTS	\$39,000

B4



and how it is spent will be provided to the City Council, Oversight Committee and the public, how much is generated by specific businesses will not be a public record pursuant to State law.

**ATTACHMENT**

A. Resolution

## RESOLUTION NO. 2019/

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS**

**WHEREAS**, pursuant to Resolution *[TO BE FILLED IN AFTER APPROVAL]* of the City of Antioch, hereinafter called District, and Section 7270 of the Revenue and Taxation Code, the District entered into a contract with the California Department of Tax and Fee Administration (CDTFA) to perform all functions incident to the administration and operation of the Transactions and Use Tax Ordinance; and

**WHEREAS**, the District deems it desirable and necessary for authorized representatives of the District to examine confidential transactions and use tax records of the California Department of Tax and Fee Administration pertaining to transactions and use taxes collected by the Board for the District pursuant to that contract; and

**WHEREAS**, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of California Department of Tax and Fee Administration records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from, the transactions and use tax records of the Board; and

**NOW, THEREFORE IT IS RESOLVED AND ORDERED AS FOLLOWS:**

**Section 1.** That the Finance Director, or other officer or employee of District designated in writing by the Finance Director to the California Department of Tax and Fee Administration (hereafter referred to as CDTFA) is hereby appointed to represent the District with authority to examine transactions and use tax records of the CDTFA pertaining to transactions and use taxes collected for the District by the CDTFA pursuant to the contract between the District and the CDTFA. The information obtained by examination of CDTFA records shall be used only for purposes related to the collection of the District's transactions and use taxes by the CDTFA pursuant to the contract.

**Section 2.** That the Finance Director, or other officer or employee of the District designated in writing by the Finance Director to the California Department of Tax and Fee Administration, is hereby appointed to represent the District with the authority to examine those transactions and use tax records of the Board for purposes related to the following governmental functions of City:

- a) tracking and economic development
- b) forecasting and budget related functions
- c) detection of misallocations and deficiencies

The information obtained by examination of Board records shall be used only for those governmental functions of the District listed above.

**Section 3.** That MuniServices, LLC is hereby designated to examine the transactions and use tax records of the California Department of Tax and Fee Administration pertaining to transactions and use taxes collected for the District by the Board. The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with the District to examine those transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from those transactions and use tax records only to an officer or employee authorized under Section 1 (or Section 2) of this resolution to examine the information;
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in, or derived from those transactions and use tax records after that contract has expired.

**BE IT FURTHER RESOLVED** that the information obtained by examination of Board records shall be used only for purposes related to the collection of District's transactions and use taxes by the Board pursuant to the contracts between the District and the Board.

**Section 4.** That this resolution supersedes all prior transactions and use tax resolutions of the City of Antioch adopted pursuant to subdivision (b) of Revenue and Taxation Code Section 7056.

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8th day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**






## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Derek Cole, Interim City Attorney 

**SUBJECT:** Resolution of the City Council of the City of Antioch Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a Resolution of The City Council of the City of Antioch Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax

### **STRATEGIC PURPOSE**

This action falls under Strategic Plan Long Term Goal O: Achieve and maintain financial stability and transparency.

### **FISCAL IMPACT**

The agreements approved by the resolution will authorize the California Department of Tax and Fee Administration to continue to be reimbursed for its expenses in administering collecting the City's transaction and use tax. (The Department is currently reimbursed for its expenses in collecting the City's Measure C taxes.)

### **DISCUSSION**

Measure W was enacted by Antioch voters in the November 2018 General Election. The measure increases the City's local transaction and use tax from one-half cent to one cent and extends the tax for 20 years from its effective date (April 1, 2019).

The California Department of Tax and Fee Administration collects and remits the sales and transactions taxes that California cities impose. As part of its collection efforts, the Department requires cities to enter into two agreements. One is a "Preparatory" Agreement, which will compensate the Department for developing procedures, programming for data processing, developing regulations, designing forms, developing instructions, and other tasks associated with Measure W administration. The other is an "Administration" Agreement that will authorize the Department to administer the City's tax and compensate the Department for the costs of administration.

Entry into both agreements is required to secure the Department's collection of Measure W taxes.

**ATTACHMENTS**

- A. Resolution
- B. "Preparatory" Agreement
- C. "Administration" Agreement

**RESOLUTION NO. 2019/****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX**

**WHEREAS**, on August 9, 2018, the City Council approved Ordinance No. 2148-C-S amending the Antioch Municipal Code to continue providing for a local transactions and use tax; and

**WHEREAS**, at the General Election on November 6, 2018, the voters of the City of Antioch approved Measure W, which increased the City's transaction and use tax from one-half cent to one cent, for a period of twenty years from the effective date of the tax.

**WHEREAS**, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

**WHEREAS**, the Department will be responsible to administer and collect the transactions and use tax for the City; and

**WHEREAS**, the Department requires that the City enter into a "Preparatory Agreement" and an "Administration Agreement" prior to implementation of said taxes, and

**WHEREAS**, the Department requires that the City Council authorize the agreements;

**NOW, THEREFORE IT IS RESOLVED** by the City Council of the City of Antioch that the "Preparatory Agreement" attached as Exhibit A and the "Administrative Agreement" attached as Exhibit B are hereby approved and the City Manager is hereby authorized to execute each agreement.

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8th day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

---

**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE  
CITY'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a Transactions and Use Tax Ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the City of Antioch, hereinafter called *City*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the City and whose ordinance has been adopted by the City.

2. City agrees to pay to the Department, at the times and in the amounts hereinafter specified, all of the Department's costs for preparatory work necessary to administer the City's Transactions and Use Tax Ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the City.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. City shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by City for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration  
P.O. Box 942879 MIC: 27  
Sacramento, California 94279-0027

Attention: Supervisor  
Local Revenue Branch

Communications and notices to be sent to City shall be addressed to:

City of Antioch  
Attention: City Manager  
P.O. Box 5007  
Antioch, CA 94531-5007

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer City's transactions and use tax ordinance has been completed and the Department has received all payments due from City under the terms of this agreement.

CITY OF ANTIOCH

CALIFORNIA DEPARTMENT OF TAX  
AND FEE ADMINISTRATION

By \_\_\_\_\_

By \_\_\_\_\_

Administrator

\_\_\_\_\_  
Rowland Bernal, Jr., City Manager

**AGREEMENT FOR STATE ADMINISTRATION  
OF THE CITY OF ANTIOCH'S TRANSACTIONS AND USE TAXES**

The City Council of the City of Antioch has adopted, and the voters of the City of Antioch (hereafter called "City") have amended and approved by the required majority vote, the City of Antioch's Transactions and Use Tax Ordinance (hereafter called "Ordinance"), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California State Department of Tax and Fee Administration, (hereinafter called the "Department") and the City do agree as follows:

**ARTICLE I  
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "City taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section 7285.9, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "City Ordinance" shall mean the City's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No. 2068-C-S, as amended by Ordinance No. 2148-C-S, and as may further be amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II  
ADMINISTRATION AND COLLECTION  
OF CITY TAXES**

**A. Administration.** The Department and City agree that the Department shall perform exclusively all functions incident to the administration and operation of the City Ordinance.

**B. Other Applicable Laws.** City agrees that all provisions of law applicable to the administration and operation of the Department Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the City Ordinance. City agrees that money collected pursuant to the City Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to City the amount to which City is entitled.

**C. Transmittal of money.**

1. For the period during which the tax is in effect, and except as otherwise provided herein, all City taxes collected under the provisions of the City Ordinance shall be transmitted to City periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax whether by City's self-imposed limits or by final judgment of any court of the State of California holding that City's ordinance is invalid or void, all City taxes collected under the provisions of the City Ordinance shall be transmitted to City not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the City designated and authorized by the City. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

**D. Rules.** The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the City Ordinance and the distribution of the City taxes collected thereunder.

**E. Preference.** Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and City transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts as their interests appear.

**F. Security.** The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of City for City taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it, and City shall not participate in any security now held by the Department.

**G. Records of the Department.** When requested by resolution of the legislative body of the City under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the City to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the City, pertaining to the ascertainment of transactions and use taxes collected for the City. Information obtained by the City from examination of the Department's records shall be used by the City only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

**H. Annexation.** City agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing City transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended City boundary. In the event the City shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the City showing the area annexed and the location address of the property nearest to the extended City boundary on each side of every street or road crossing the boundary.

### **ARTICLE III**

#### **ALLOCATION OF TAX**

**A. Allocation.** In the administration of the Department's contracts with all cities that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:



1. Any payment not identified as being in payment of liability owing to a designated city may be apportioned among the cities as their interest appear, or, in the discretion of the Department, to all cities with which the Department has contracted using ratios reflected by the distribution of City taxes collected from all taxpayers.

2. All City taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective cities in the same ratio as the taxpayer's self-declared City taxes for the period for which the determination, billing, refund or credit applies.

**B. Vehicles, Vessels, and Aircraft.** For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

#### **ARTICLE IV** COMPENSATION

The City agrees to pay to the Department as the State's cost of administering the City Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the City.

#### **ARTICLE V** MISCELLANEOUS PROVISIONS

**A. Communications.** Communications and notices may be sent by first class United States mail to the addresses listed below, or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.

Communications and notices to be sent to the Department shall be addressed to:

California State Department of Tax and Fee Administration  
P.O. Box 942879  
Sacramento, California 94279-0027

Attention: Administrator

Local Revenue Branch

Communications and notices to be sent to the City shall be addressed to:

City of Antioch  
Attention: City Manager  
P.O. Box 5007  
Antioch, CA 94531-5007

**Unless otherwise directed, transmittals of payment of City transactions and use taxes will be sent to the address above.**

**B. Term.** The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on April 1, 2019. This Agreement shall continue until December 31 next following the expiration date of the City Ordinance and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the City Ordinance and has received and disbursed all payments due under that Ordinance.

**C. Notice of Repeal of Ordinance.** City shall give the Department written notice of the repeal of the City Ordinance not less than 110 days prior to the operative date of the repeal.

## **ARTICLE VI**

### **ADMINISTRATION OF TAXES IF THE ORDINANCE IS CHALLENGED AS BEING INVALID**

#### **A. Impoundment of funds.**

1. When a legal action is begun challenging the validity of the imposition of the tax, the City shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the City shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within

ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

**B. Costs of administration.** Should a final judgment be entered in any court of the State of California, holding that City's Ordinance is invalid or void, and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by City to Department to prepare to administer the City Ordinance.

2. City will pay to Department and allow Department to retain Department's cost of administering the City Ordinance in the amounts set forth in Article IV of this Agreement.

3. City will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. City will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by City.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding City's Ordinance invalid or void becomes final. Thereafter Department shall bill City on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. City shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

CITY OF ANTIOCH

CALIFORNIA STATE DEPARTMENT OF  
TAX AND FEE ADMINISTRATION

By \_\_\_\_\_

By \_\_\_\_\_  
Administrator

\_\_\_\_\_  
Rowland Bernal, Jr., City Manager



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Phil Hoffmeister, Administrative Analyst II *PH*

**APPROVED BY:** Jon Blank, Public Works Director/City Engineer *JB*

**SUBJECT:** Resolution Annexing Assessor's Parcel Number 052-140-002 (Wildflower Station) into CFD No. 2018-02 (Police Protection)

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt the attached Resolution Annexing Assessor's Parcel Number (APN) 052-140-002 (Wildflower Station) into Community Facilities District (CFD) No. 2018-02 (Police Protection).

### **STRATEGIC PURPOSE**

This item supports Strategy F-3: Grow Antioch's economy through additional annexation, as well as Long Term Goal A: Crime Reduction.

### **FISCAL IMPACT**

There is no immediately projected financial impact. Long term, the property owners in this subdivision will contribute to police services through CFD No. 2018-02 (Police Protection).

### **DISCUSSION**

DeNova Homes was conditioned to annex APN 052-140-002 into a CFD as part of the tentative map approval for the Wildflower Station project, located north of the intersection of Hillcrest Avenue and Wildflower Drive. Resolution No. 2018/113 adopted by the City Council on September 11, 2018 authorizes the City to annex properties into CFD No. 2018-02, and assess them for eligible Police Protection without further public hearings or formal elections upon receipt of written consent from the owner(s).

The Boundary Map (Attachment C) shows the location of the following property to be added as Annexation No. 1 to CFD No. 2018-02 for Police Protection: APN 052-140-002 Civic Wildflower, LLC.

The owner has given consent and approval that APN 052-140-002 be annexed to CFD No. 2018-02 (Attachment B). The owner has agreed and intends that such consent and approval constitutes election to annex to CFD No. 2018-02 and approval of the authorization for the levy of the Special Tax within the property.

It is recommended that the City Council adopt the attached resolution (Attachment A) certifying and adding the above property to CFD No. 2018-02 (Police Protection).

If approved by the City Council, an Amended Boundary Map and an Amendment of Notice of Special Tax Lien for CFD 2018-02 (Police Protection) shall be filed with the Contra Costa County Recorder's Office within fifteen (15) days of the resolution to annex.

**ATTACHMENTS**

- A: Resolution
- B: Consent and Election to Annex with Notary Acknowledgement
- C: Boundary Map of Annexation No. 1 to CFD No. 2018-02 (Police Protection)
- D: Amended Notice of Special Tax Lien

**ATTACHMENT "A"**

**RESOLUTION NO. 2018/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
ANNEXING ASSESSOR'S PARCEL NUMBER 052-140-002  
(WILDFLOWER STATION) INTO CFD NO. 2018-02 (POLICE PROTECTION)**

**WHEREAS**, Civic Wildflower, LLC has given its written consent and approval to have the APN 052-140-002 annexed into CFD No. 2018-02 (Police Protection); and

**WHEREAS**, Civic Wildflower, LLC intends that such consent and approval constitutes election to annex into CFD No. 2018-02 (Police Protection), and approval of the authorization for the levy of the Special Tax within the property, respectively.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Antioch that APN 052-140-002 is hereby annexed into the CFD No. 2018-02 (Police Protection).

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

---

**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**



ATTACHMENT "B"

CONSENT AND ELECTION TO ANNEX REAL PROPERTY TO AN EXISTING  
COMMUNITY FACILITIES DISTRICT

CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT NO. 2018-02  
(POLICE PROTECTION)

TO: CITY COUNCIL OF THE CITY OF ANTIOCH IN ITS CAPACITY AS THE LEGISLATIVE BODY OF  
THE ABOVE ENTITLED COMMUNITY FACILITIES DISTRICT:

1. The undersigned is the owner (the "Owner"), or the duly authorized representative of the Owner, of the real property as described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and in such capacity, possesses all legal authority necessary to execute this Consent and Election as and on behalf of the Owner in connection with the annexation of the Property to the District (as defined below).

The Owner is:

\_\_\_\_\_  
DAVE SANSON  
\_\_\_\_\_

\_\_\_\_\_  
(Type or print the Full Name of the Owner or Owners of the Property in the above spaces.)

2. The Owner is aware of and understands the following:
  - A. The City of Antioch has conducted proceedings pursuant to the "Mello-Roos Community Facilities Act of 1982", (Government Code Section 53311 and following) (the "Act") to form a community facilities district known and designated as COMMUNITY FACILITIES DISTRICT NO. 2018-02 (POLICE PROTECTION) (the "District") to finance the increased demand for Police Protection (the "Services") resulting from new development within the District. The services to be financed by the CFD comprise services ("Services") authorized to be financed pursuant to Section 53313 and 53313.5 of the Government Code. CFD 2018-02 shall finance Services only to the extent they are in addition to those provided in the territory of CFD 2018-02 before the CFD was created and such Services may not supplant services already available within CFD 2018-02 when the CFD was created.  
  
For a full and complete description of the Police Protection, reference is made to the final CFD Report, a copy of which is on file in the Office of the City Clerk. For all particulars, reference is made to said CFD Report.
  - B. The City has also undertaken proceedings pursuant to Article 3.5 of the Act to provide for the future annexation of certain territory, including the Property, to the



District. On October 23, 2018, the City held a public hearing as required by the Act, to consider the future annexation of such territory, including the Property, to the District. Notice of such hearing was given in the form and manner as required by law. A protest to such future annexation was not received from 50% or more of the registered voters, or six (6) registered voters, whichever is more, residing in the territory proposed to be annexed in the future or the owners of one-half or more of the area of land in the territory proposed to be annexed in the future. At the conclusion of such public hearing, the legislative body of the City did approve and provide for the annexation in the future upon the unanimous approval of the owner or owners of each parcel or parcels at the time that such parcel or parcels are annexed, without additional hearings.

**THE UNDERSIGNED DOES HEREBY CERTIFY UNDER PENALTY OF PERJURY AS FOLLOWS:**

3. The Owner consents and elects to and expressly approves annexation of the Property to the District and the authorization for the levy of the Special Tax within the Property without further public hearing and without an election conducted pursuant to the provisions of Government Code Section 53339.7 and Article 2 of the Act and the Elections Code of the State of California. Owner agrees and intends that such consent and approval constitutes Owner's election to annex the Property to the District and to approve the authorization for the levy of the Special Tax within the Property.
4. The Owner waives any right, which the Owner may have to make any protest or complaint or undertake any legal action challenging the validity of the proceedings of the City or the District to authorize the future annexation of the Property to the District or the authorization for the levy of the Special Tax within the Property, any necessity, requirement, right or entitlement for further public hearing or election pertaining to the annexation of the Property to the District and the levy of the Special Tax within the Property.
5. The Owner specifically authorizes the levy of the Special Tax on the Property pursuant to the rate and method of apportionment set forth in Exhibit B to pay for the authorized Police Protection.

EXECUTED this 20 day of November, 2018, in Concord,  
California



DAVE SANSON

(Signature)



(Signature)

Type or print name of signor

DAVE SANSON

Type or print name of signor

Note:

1. Signatures of property owner(s) or representatives must be notarized.
2. Proof of Authorization to sign is required for Corporations, Partnerships, Limited Liability Companies, Trusts, etc.

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Contra Costa )

On 11/26/18 before me, Jessica Moraes, Notary Public  
(insert name and title of the officer)

personally appeared Dave Sanson  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)



EXHIBIT "A"

OPERATING AGREEMENT  
FOR  
CIVIC WILDFLOWER, LLC

THIS OPERATING AGREEMENT is made and entered into as of June 19, 2018, by and between Civic Wildflower, LLC, a California limited liability company (the "Company") and Civic Property Group, Inc., a California corporation (the "Member"), with reference to the following facts:

- A. On or about June 19, 2018, Articles of Organization for Civic Wildflower, LLC, a limited liability company under the laws of the State of California, were filed with the California Secretary of State.
- B. The Member desires to adopt and approve an operating agreement for the Company.

NOW, THEREFORE, the parties by this Amendment set forth the operating agreement for the Company under the California Revised Uniform Limited Liability Company Act (the "Act") or successor statute upon the terms and subject to the conditions of this Agreement.

AGREEMENT

- 1. **Name.** The name of the Company shall be "Civic Wildflower, LLC." The business of the Company may be conducted under that name or, upon compliance with applicable laws, any other name approved by the Member.
- 2. **Term.** The Company's existence commenced as of the date of the filing of the Articles and shall continue until dissolved and liquidated pursuant to the provisions of this Agreement.
- 3. **Office and Agent.** The Company shall continuously maintain an office and registered agent in the State of California as required by the Act. The principal office of the Company shall be at 1500 Willow Pass Court, Concord, CA, 94520, or such other location as the Member may determine. The registered agent shall be as stated in the Articles or as otherwise determined by the Member.
- 4. **Address of Member.** The mailing address of the Member is 1500 Willow Pass Court, Concord, CA, 94520.
- 5. **Purpose of Company.** The purpose of the Company is to engage in any lawful activity for which a limited liability company may be organized under the Act. Notwithstanding the foregoing, it is the intent of the Member that the Company shall not engage in any business other than the following:
  - A. In the business of acquiring, owning, developing and holding that certain real property located in the City of Antioch, County of Contra Costa, California,



referenced as the Wildflower Project, APN 052-140-002-8, for investment purposes; and,

**B.** Such other activities directly related to the foregoing business as may be necessary, advisable, or appropriate, in the reasonable opinion of the Member to further the foregoing business.

**6. Capital Contributions.** As its initial Capital Contribution, the Member shall contribute its entire interest in the Property. The Member shall receive a credit to its Capital Account in the amount of the agreed net fair market value of the Property. In no event shall the member be required to make any additional contributions to the capital of the Company.

**7. Capital Accounts.** The Company shall establish an individual capital account ("Capital Account") for the Member. The Company shall determine and maintain each Capital Account in accordance with Section 1.704-1(b)(2)(iv) of the Regulations. If the Member transfers his or her Membership Interest (as defined in Section 17001(z) of the California Corporations Code) in accordance with this Agreement, such Member's Capital Account shall carry over to the new owner of such Membership Interest pursuant to Section 1.704-1(b)(2)(iv)(1) of the Regulations.

**8. Limited Liability.** Except as required under the Act or as expressly set forth in this Agreement, the Member shall not be personally liable for any debt, obligation, or liability of the Company, whether that liability or obligation arises in contract, tort, or otherwise.

**9. Management and Powers.** Management of the Company shall be vested in the Member. The Member shall have full, complete and exclusive authority, power, and discretion to manage and control the business, property and affairs of the Company, to make all decisions regarding those matters and to perform any and all other acts or activities customary or incident to the management of the Company's business, property and affairs. The Member has full power and authority to bind the Company.

**10. Competing Activities.** The Member and his or her affiliate may engage or invest in any activity, including without limitation those that might be in direct or indirect competition with the Company. The Company shall have no right in or to such other ventures or activities or to the income or proceeds derived therefrom.

**11. Current Distributions.** Subject to applicable law and any limitations contained elsewhere in this Agreement, distributions of cash shall be made to the Member at the times and in the amounts determined by the Member.

**12. Tax Matters.** For Federal and relevant state income and/or franchise tax purposes and for no other purposes whatsoever, the Company shall be disregarded as an entity separate from the Member, as provided in Section 301.7701-3(a) of the Federal income tax regulations and any comparable provisions of relevant state income or franchise tax law, regulation or administrative pronouncement. The Member and the Company shall take any and all actions necessary or appropriate to accomplish the foregoing, and neither the member nor the Company shall at any time take any action this is or might be inconsistent with the foregoing. Consistent with such treatment for Federal and relevant state income or franchise tax purposes, each of the assets and each of the liabilities of the Company shall be treated as an asset or a

liability (as appropriate) of the Member (and not of the Company) for Federal and relevant state income and/or franchise tax purposes and for no other purpose whatsoever, and each item of income, gain, loss, deduction and credit recognized by the Company shall be treated as having been recognized by the Member (and not by the Company) for Federal and relevant state income and/or franchise tax purposes and for no other purpose whatsoever.

**13. Dissolution.** The Company shall not dissolve upon the death, bankruptcy, or dissolution of the Member. The Company shall be dissolved, its assets shall be disposed of, and its affairs wound up only upon the first to occur of the following:

**A.** Upon the entry of a decree of judicial dissolution pursuant to Section 17351 of the Corporations Code; or

**B.** Upon the determination of the Member that the Company should be dissolved.

Upon the dissolution of the Company, its assets shall be disposed of, and its affairs wound up, and after determining that all the known debts and liabilities of the Company have been paid or adequately provided for, the remaining assets shall be distributed to the Member.

**14. Indemnification.** The Company shall indemnify the Member for all costs, losses, liabilities, and damages paid or accrued by the Member (either as Member or as agent) in connection with the business of the Company or because such person is a member of the Company to the fullest extent provided or allowed by the law of the State of California.

**15. Complete Agreement; Amendment.** This Agreement and the Articles constitute the complete and exclusive statement of agreement between the Member and the Company with respect to the subject matter herein. To the extent that any provision of the Articles conflict with any provision of this Agreement, the Articles shall control. All amendments to this Agreement must be in writing and signed by the Member.

**16. Binding Effect.** This Agreement will be binding upon and inure to the benefit of the Member, and his or her successors and assigns.

**17. Third Parties.** Nothing in this Agreement shall confer any rights or remedies under or by reason of this Agreement on any persons other than the Member and his or her successors and assigns.

**18. Governing Law.** This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of California, excluding conflicts of law principles.

**19. Interpretation.** All pronouns and all variations thereof shall be deemed to refer to the masculine, feminine, or neuter, singular or plural, as the context in which they are used may require. Numbered or lettered articles and sections herein contained refer to articles and sections of this Agreement unless otherwise expressly stated. All headings herein are instead only for convenience and ease of reference and are not to be considered in the construction or interpretation of any provision of this Agreement.



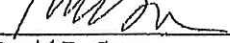
20. **Severability.** If any provision of this Agreement or the application of such provision to any person or circumstance shall be held invalid, the remainder of this Agreement or the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement, effective as of the date written above.

**COMPANY:**

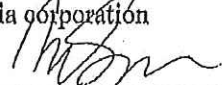
**Civic Wildflower, LLC,**  
a California limited liability company

By: Civic Property Group, Inc.,  
a California corporation

By:   
\_\_\_\_\_  
David B. Sanson  
President

**MEMBER:**

**Civic Property Group, Inc.,**  
a California corporation

By:   
\_\_\_\_\_  
David B. Sanson  
President

ANNEXATION MAP NO. 1 OF  
CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT NO. 2018-02  
(POLICE PROTECTION)  
COUNTY OF CONTRA COSTA  
STATE OF CALIFORNIA

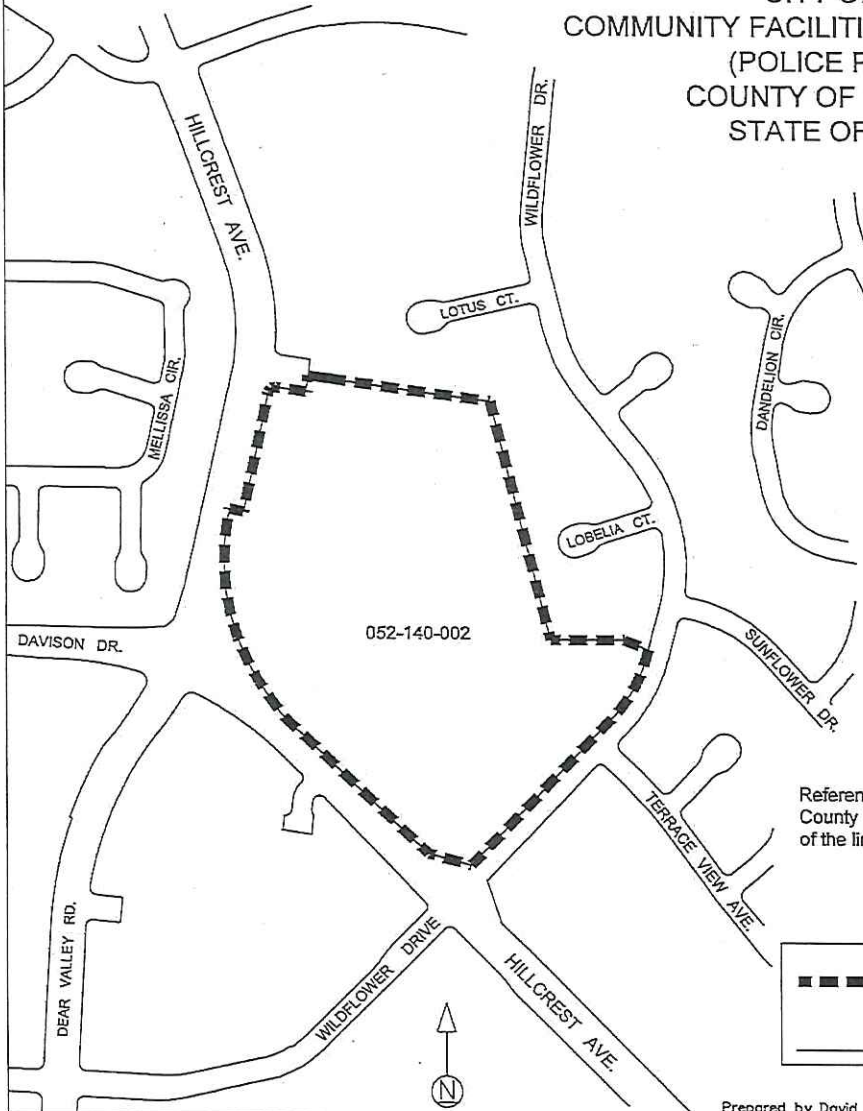
Assessor Parcel Number within  
the Boundaries of Annexation  
Map No. 1 of City of Antioch  
Community Facilities District No.  
2018-02 (Police Protection):  
052-140-002

Reference is hereby made to that certain map  
entitled "Proposed Boundaries of City of  
Antioch Community Facilities District No.  
2018-02 (Police Protection), County of Contra  
Costa, State of California," recorded on  
September 27, 2018, under Document No.  
2018-0514332-00, in Book 87, Page 19 of  
Maps of Assessment and Community Facilities  
Districts, in the office of the County Recorder  
of the County of Contra Costa, State of  
California, which this Annexation Map affects.

Reference is hereby made to the Assessor maps of the  
County of Contra Costa, State of California, for a description  
of the lines and dimensions of each lot and parcel.

LEGEND

- ■ ■ ■ ■ Boundaries of Annexation Map No. 1 of  
City of Antioch Community Facilities District  
No. 2018-02 (Police Protection), Contra  
Costa County, California
- Assessor Parcel Line



- (1) Filed in the office of the Clerk of the City of Antioch this \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Ame Simonsen, Clerk of the City of Antioch,  
California

- (2) I hereby certify that the within map showing the proposed boundaries of Annexation Map No. 1 of City of Antioch Community Facilities District No. 2018-02 (Police Protection), City of Antioch, County of Contra Costa, State of California, was approved by the City Council of the City of Antioch at a regular meeting thereof, held on the \_\_\_ day of \_\_\_\_\_, 2019, by its Resolution No. \_\_\_\_\_.

\_\_\_\_\_  
Ame Simonsen, Clerk of the City of Antioch,  
California

- (3) Contra Costa County Recorder's Certificate

This map has been filed under Document Number \_\_\_\_\_, this \_\_\_ day of \_\_\_\_\_, 2019, at \_\_\_\_\_ m., in Book \_\_\_\_\_ of Maps of Assessment and Community Facilities Districts at page \_\_\_\_\_, in the office of the county recorder in the County of Contra Costa, State of California, at the request of the City of Antioch in the amount of \$ \_\_\_\_\_.

Joseph E. Canciamilla  
County Clerk-Recorder

By: \_\_\_\_\_

Deputy Recorder

ATTACHMENT "C"



**ATTACHMENT "D"**

**RECORDED AT REQUEST OF:**

**City of Antioch  
Public Works Department  
Engineering & Development Services Division  
Attn: Phil Hoffmeister  
200 "H" Street  
P.O. Box 5007  
Antioch, CA 94531-5007**

**THIS SPACE FOR RECORDERS**

**USE ONLY**

(No fee for recording pursuant to Government Code §27383)

**Amendment to the Notice of Special Tax Lien  
(Notice of Annexation)  
Annexation No. 1  
City of Antioch  
Community Facilities District No. 2018-02  
(Police Protection)**

**APN 052-140-002**

**City of Antioch  
County of Contra Costa  
State of California**

**January 2019**

**AMENDMENT TO THE NOTICE OF SPECIAL TAX LIEN  
(NOTICE OF ANNEXATION)**

**ANNEXATION NO. 1**

**CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT NO. 2018-02  
(POLICE PROTECTION)**

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code and Section 53339.8 of the Government Code, the undersigned City Clerk of the City of Antioch, acting for and on behalf of the legislative body of the CITY OF ANTIOCH, COMMUNITY FACILITIES DISTRICT NO. 2018-02 (Police Protection), COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, HEREBY GIVES NOTICE that a lien is hereby imposed to secure payment of a special tax which the City Council of the City of Antioch, County of Contra Costa, State of California, acting in its capacity as the legislative body of such Community Facilities District is authorized to annually levy for the following purpose:

To finance increased demand for Police Protection resulting from new development within the District

The special tax is authorized to be levied on the property described in "Exhibit A" attached hereto (the "Annexed Property") which has been annexed to the District, which has now been officially formed, and the lien of the special tax is a continuing lien, which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied and cancelled in accordance with law or until the special tax ceases to be levied and an notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special tax is as shown on the attached, referenced and incorporated Exhibit "B", and the special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, as applicable, the legislative body of the District may, by resolution, establish and adopt an alternative or supplemental collection procedure as necessary.

Notice is further given that upon the recording of this notice in the office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon the Annexed Property in accordance with Section 3115.5 of the Streets and Highways Code.

The names of the owners of the Annexed Property as they appear on the last secured assessment roll as of the date of recording of this Notice and Assessor's tax parcels numbers of all parcels or any portion thereof which are included within the

Annexed Property are as set forth on the attached, referenced and incorporated Exhibit "C".

Reference is made to the following:

1. "Proposed Boundaries of City of Antioch Community Facilities District No. 2018-02 (Police Protection), County of Contra Costa, State of California", recorded on September 27, 2018 under Document No. 2018-0154332, in Book 87, Page 19 of Maps of Assessment and Community Facilities Districts, in the Office of the County Recorder of the County of Contra Costa, State of California.
2. "City of Antioch Community Facilities District No. 2018-02 (Police Protection), Rate and Method of Apportionment of Special Tax" attached as **Exhibit B** to Resolution No. 2018/113 adopted by the City of Antioch City Council on September 11, 2018
3. "Notice of Special Tax Lien, City of Antioch, Community Facilities District No. 2018-02 (Police Protection) (County of Contra Costa)", recorded on November 07, 2018 under Document No. 2018-0181159, in the Office of the County Recorder of the County of Contra Costa, State of California.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

Dated: \_\_\_\_\_

CITY CLERK, CMC  
City Clerk of the City of Antioch  
STATE OF CALIFORNIA

EXHIBIT A

CONSENT AND ELECTION TO ANNEX REAL PROPERTY TO AN EXISTING  
COMMUNITY FACILITIES DISTRICT

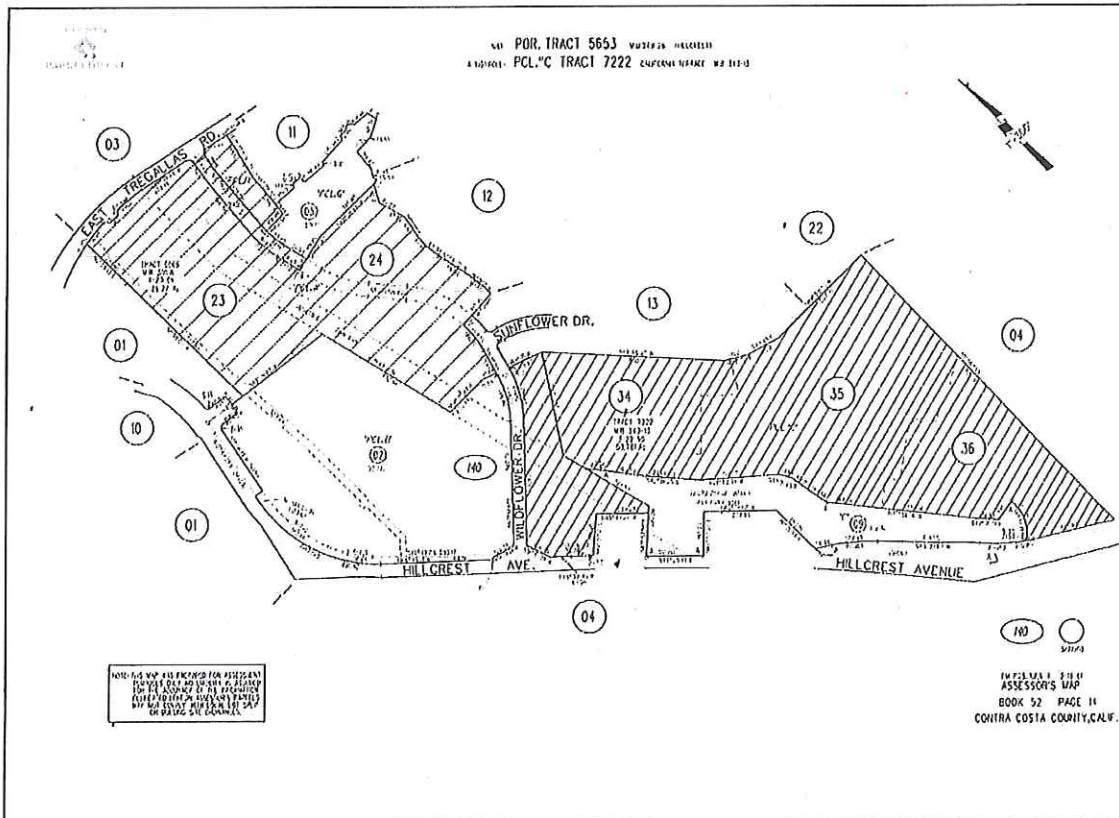
CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT No. 2018-02  
(POLICE PROTECTION)

ANNEXATION No. 1

052-140-002

ASSESSOR'S PARCEL NUMBER(S)

CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT No. 2018-02  
(POLICE PROTECTION)





**EXHIBIT "B"**

**CITY OF ANTIOCH  
COMMUNITY FACILITIES DISTRICT NO. 2018-02  
(POLICE PROTECTION)**

**RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX**

A Special Tax as hereinafter defined shall be levied on all Assessor's Parcels of Taxable Property in City of Antioch Community Facilities District No. 2018-02 (Police Protection) (County of Contra Costa) ("CFD No. 2018-02") and collected each Fiscal Year commencing in Fiscal Year 2018-19, in an amount determined by the Council through the application of the appropriate Special Tax for "Developed Property," as described below. All of the real property in CFD No. 2018-02, unless exempted by law or by the provisions hereof, shall be taxed for these purposes, to the extent and in the manner herein provided.

**A. DEFINITIONS**

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2018-02: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2018-02, or any designee thereof of complying with CFD No. 2018-02 or obligated persons disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2018-02, or any designee thereof related to an appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2018-02 for any other administrative purposes of CFD No. 2018-02, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

**“Age-Restricted Residential Property”** means all Assessor’s Parcels of Developed Property which are identified and designated as Active Adult Senior Housing pursuant to City Municipal Code Section 9-5.203

**“Assessor’s Parcel”** means a lot or parcel shown on an Assessor’s Parcel Map with an assigned Assessor’s Parcel number.

**“Assessor’s Parcel Map”** means an official map of the Assessor of the County designating parcels by Assessor’s Parcel number.

**“Authorized Services”** means those services eligible to be funded by CFD No. 2018-02, as defined in the Resolution of Formation and authorized to be financed by CFD No. 2018-02 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2018-02 shall finance Authorized Services only to the extent that they are in addition to those provided in the territory of CFD No. 2018-02 before the CFD was created and such Authorized Services may not supplant services already available within CFD No. 2018-02 when the CFD was created.

**“CFD Administrator”** means an official of the City or CFD No. 2018-02, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

**“CFD No. 2018-02”** means City of Antioch Community Facilities District No. 2018-02 (Police Protection) (County of Contra Costa).

**“City”** means the City of Antioch.

**“City Manager”** means the City Manager of the City of Antioch.

**“Council”** means the City Council of the City of Antioch, acting as the legislative body of CFD No. 2018-02.

**“County”** means the County of Contra Costa.

**“Developed Property”** means, for each Fiscal Year, all Assessor’s Parcels for which a Building Permit was issued after January 1, 2018 and on or before May 1 of the Fiscal Year preceding the Fiscal Year for which the Special Taxes are being levied.

**“Dwelling Unit”** means a building or portion thereof designed for and occupied in whole or part as a residence or sleeping place, either permanently or temporarily, by one (1) family and its guests, with sanitary facilities and one (1) kitchen provided within the unit. Boarding or lodging houses, dormitories, and hotels shall not be defined as Dwelling Units unless the land use permit specifies a residential use.

**“Fiscal Year”** means the period starting July 1 and ending on the following June 30.



**“Land Use Class”** means any of the classes listed in Table 1.

**“Maximum Special Tax”** means, for each Fiscal Year, the maximum Special Tax, determined in accordance with Section C, below, that can be levied on any Assessor’s Parcel.

**“Multi-Family Residential Property”** means, all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing a residential structure consisting of more than two (2) Dwelling Units, including, but not limited to, triplexes, condominiums, and apartment units.

**“Property Owner Association Property”** means, for each Fiscal Year, any Assessor’s Parcel within the boundaries of CFD No. 2018-02 that is owned by or irrevocably offered for dedication to a property owner association, including any master or sub-association, not including any such property that is located directly under a residential or non-residential structure.

**“Proportionately”** means that the ratio of the actual annual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property.

**“Public Property”** means, for each Fiscal Year, (i) any property within the boundaries of CFD No. 2018-02 that is owned by or irrevocably offered for dedication to the federal government, the State, the City, or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2018-02 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

**“Rate and Method of Apportionment”** or **“RMA”** means this Rate and Method of Apportionment of Special Tax.

**“Residential Property”** means, for each Fiscal Year, all Assessor’s Parcels of Developed Property for which a Building Permit was issued after January 1, 2018 and on or before May 1 of the Fiscal Year preceding the Fiscal Year for which the Special Taxes are being levied, for purposes of constructing one (1) or more residential Dwelling Units.

**“Resolution of Formation”** means the resolution adopted by the Council pursuant to Section 53325.1 of the Act, establishing CFD No. 2018-02.

**“San Francisco Urban Consumer Price Index”** means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the San Francisco – Oakland – San Jose Area, measured as of the month of December in the calendar year that ends in the previous Fiscal Year. In the event this index ceases to be published, the Consumer Price Index shall be another index as determined by the CFD

Administrator that is reasonably comparable to the Consumer Price Index for the San Francisco – Oakland – San Jose Area.

“**Services**” means those services authorized to be financed by CFD No. 2018-02 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2018-02 shall finance Services only to the extent that they are in addition to those provided in the territory of CFD No. 2018-02 before such CFD was created and such Services may not supplant services already available within CFD No. 2018-02 when such CFD was created.

“**Single Family Residential Property**” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one single-family residential Dwelling Unit.

“**Special Tax**” or “**Special Taxes**” means the special tax to be levied in each Fiscal Year on each Assessor’s Parcel of Developed Property to fund the Special Tax Requirement.

“**Special Tax Requirement**” means that amount to be collected in any Fiscal Year for CFD No. 2018-02 to pay for certain costs as required to meet the needs of CFD No. 2018-02 in that Fiscal Year. The costs to be covered shall be the direct costs for (i) Authorized Services, and (ii) Administrative Expenses; less (iii) a credit for funds available to reduce the annual Special Tax levy, if any, as determined by the CFD Administrator. Under no circumstances shall the Special Tax Requirement include debt service payments for debt financings by CFD No. 2018-02.

“**State**” means the State of California.

“**Taxable Property**” means all of the Assessor’s Parcels within the boundaries of CFD No. 2018-02 which are not exempt from the Special Tax pursuant to law or Section E below.

“**Undeveloped Property**” means, for each Fiscal Year, all property not classified as Developed Property, Property Owner Association Property, or Public Property.

**B. ASSIGNMENT TO LAND USE CATEGORIES**

Each Fiscal Year, all Assessor’s Parcels, as applicable within CFD No. 2018-02, shall be classified by the CFD Administrator as Developed Property, Undeveloped Property, Property Owner Association Property, or Public Property, and shall be subject to annual Special Taxes in accordance with this Rate and Method of Apportionment as determined by the CFD Administrator pursuant to Sections C and D below. The CFD Administrator’s allocation of property to each type of Land Use Class shall be conclusive and binding. However, only Developed Property shall be subject to annual Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below. All Developed Property shall be assigned to Land Use Classes 1, 2, or 3 as listed in Table 1.



**C. MAXIMUM SPECIAL TAX RATE**

**1. Developed Property**

a. Maximum Special Tax

The Maximum Special Tax for Fiscal Year 2018-19 for Developed Property is shown below. Under no circumstances shall a Special Tax be levied on additions to Dwelling Units which have been categorized in prior Fiscal Years as Developed Property.

**TABLE 1**

**Maximum Special Taxes for Developed Property  
For Fiscal Year 2018-19  
Community Facilities District No. 2018-02**

<b>Table 1: Residential Property</b>		
<b>Land Use Class</b>	<b>Police Protection Services Special Tax</b>	<b>FY 2018-2019 Maximum Tax</b>
1	Single Family Residential Property	\$473.93
2	Multi-Family Residential Property	\$300.16
3	Age-Restricted Residential Property	\$236.97

b. Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2019, the Maximum Special Tax for Developed Property shall be increased annually by the greater of the change in the San Francisco Urban Consumer Price Index (during the twelve (12) months prior to December of the previous Fiscal Year) or two percent (2.00%), with a maximum annual increase of four (4.00%) percent for any given Fiscal Year.

**2. Undeveloped Property**

No Special Taxes shall be levied on Undeveloped Property.

**3. Prepayment of Special Tax**

No prepayment of the Special Tax shall be permitted in CFD No. 2018-02.

**D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX**

Commencing with Fiscal Year 2018-19 and for each following Fiscal Year, the Council shall levy the annual Special Tax Proportionately for each Assessor's Parcel of Developed Property at up to 100% of the applicable Maximum Special Tax, until the amount of Special Taxes equals the Special Tax Requirement.

**E. EXEMPTIONS**

In addition to Undeveloped Property being exempt from annual Special Taxes, no Special Tax shall be levied on Public Property or Property Owner Association Property. However, should an Assessor's Parcel no longer be classified as Public Property or Property Owner Association Property, such Assessor's Parcel shall, upon each reclassification, no longer be exempt from Special Taxes.

**F. APPEALS AND INTERPRETATIONS**

Any landowner or resident may file a written appeal of the Special Tax on his/her property with the CFD Administrator, provided that the appellant is current in his/her payments of Special Taxes. During the pendency of an appeal, all Special Taxes previously levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination. If the CFD Administrator agrees with the appellant, the CFD Administrator shall eliminate or reduce the Special Tax on the appellant's property and/or provide a refund to the appellant. If the CFD Administrator disagrees with the appellant and the appellant is dissatisfied with the determination, the appellant then has thirty (30) days in which to appeal to the City Council by filing a written notice of appeal with the clerk of the City, provided that the appellant is current in his/her payments of Special Taxes. The second appeal must specify the reasons for the appellant's disagreement with the CFD Administrator's determination. The CFD Administrator may charge the appellant a reasonable fee for processing the appeal.

The City may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner or resident appeals. Any decision of the City will be final and binding as to all persons.

**G. MANNER OF COLLECTION**

The annual Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that CFD No. 2018-02 may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary to meet its financial obligations, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

**H. FUTURE ANNEXATIONS**

It is anticipated that additional properties will be annexed to CFD No. 2018-02 from time to time. As each annexation is proposed, an analysis may be prepared to determine the annual cost for providing Authorized Services to such parcels. Based on this analysis, any parcels to be annexed, pursuant to California Government Code Section 53339 *et seq.* will be assigned the approximate Maximum Special Tax rates when annexed.

**I. TERM OF SPECIAL TAX**

The Special Tax shall be levied in perpetuity as necessary to meet the Special Tax Requirement, unless no longer required to pay for Authorized Services as determined at the sole discretion of the Council.

**EXHIBIT C**

**Property in City of Antioch  
Community Facilities District No. 2018-02  
(Police Protection)**

**Annexation No. 1**

The property in the City of Antioch Community Facilities District No. 2018-02 (Police Protection) Annexation No. 1 (County of Contra Costa) (State of California) is owned and identified as shown below:

**Owner**

Civic Wildflower, LLC

**Assessor's Parcel Numbers**

052-140-002





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Ken R. Warren, Project Manager *KRW*

**APPROVED BY:** Jon Blank, Public Works Director/City Engineer *JB*

**SUBJECT:** Resolution Approving the Final Map and Improvement Plans for Wildflower Station Subdivision 9427 (DeNova Homes) and Annexing into Hillcrest Street Light and Landscape Maintenance District 1 Zone 1 (PW 460-4)

---

### **RECOMMENDED ACTION**

It is recommended that the City Council adopt the attached resolution approving the final map and improvement plans for Wildflower Station Subdivision 9427 (DeNova Homes) and annexing into Hillcrest Street Light and Landscape Maintenance District 1 Zone 1 (PW 460-4).

### **STRATEGIC PURPOSE**

This item supports Long Term Goal G: Economic Development within the Strategic Management Plan; it takes advantage of the current economic upswing and leverages the opening of the Hillcrest BART station and the widening of Highway 4 to grow Antioch's economy, improve its quality of life, create more local jobs, and increase the city's revenues in order to provide adequate municipal services. Additionally, this item supports Strategy H-5: Grow Antioch's economy through residential and commercial development by working with developers to create more homes, jobs, stores, services and necessary infrastructure. Finally, this item supports Strategy K-1: Ensure well maintained public facilities and rights-of-way; and Strategy K-4: Prioritize infrastructure improvements to coincide with economic development goals in priority development areas through key commercial development opportunities.

### **FISCAL IMPACT**

There is no projected financial impact. The developer has paid all required fees and is responsible for all costs of construction and maintenance until the City Council accepts the improvements.

### **DISCUSSION**

At DeNova Homes' request, the City Council adopted Resolution No. 2018/20 on February 13, 2018, approving a Vesting Tentative Map/Final Development Plan, Use Permit, and Design Review to subdivide the approximately 23-acre Wildflower Station project site (APN 051-140-002) in 5 parcels for 9 commercial buildings, 98 multi-family/condominiums and 22 single family home lots. The site is located north of the

intersection of Hillcrest Avenue and Wildflower Drive and is approximately ¼ mile south of Highway 4 and the new Hillcrest BART station.

The subject final map is in substantial conformance with the Vesting Tentative Map and is consistent with the Antioch General Plan.

**ATTACHMENTS**

A: Resolution

B: Vicinity Map

C: Street Light and Landscape Maintenance Districts Map

**ATTACHMENT "A"**

**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING THE FINAL MAP AND IMPROVEMENT PLANS FOR  
WILDFLOWER STATION SUBDIVISION 9427 (DENOVA HOMES) AND  
ANNEXING INTO HILLCREST STREET LIGHT AND LANDSCAPE  
MAINTENANCE DISTRICT 1 ZONE 1 (PW 460-4)**

**WHEREAS**, DeNova Homes has filed with the City Engineer a final map entitled "Subdivision 9427 Wildflower Station" and has requested approval of said final map; and

**WHEREAS**, on February 13, 2018 the City Council adopted Resolution No. 2018/20 approving a Vesting Tentative Map/Final Development Plan, Use Permit, and Design Review for the Wildflower Station subdivision project; and

**WHEREAS**, this City Council has specifically found that the final map is in complete compliance with the provisions of the Antioch General Plan; and

**WHEREAS**, this City Council has specifically found that the site of this final map is specifically suitable for the type of development proposed; and

**WHEREAS**, this City Council has specifically found that the design of this subdivision will not likely cause substantial environmental damage and is not likely to substantially and avoidably injure fish or wildlife or their habitats; and

**WHEREAS**, this City Council has specifically found that the design of this subdivision will not likely cause serious public health problems; and

**WHEREAS**, this City Council has specifically found that the design of the subdivision will not conflict with easements acquired by the public at large for access through or use of property within this proposed subdivision; and

**WHEREAS**, the Subdivider has paid all the necessary fees, made all deposits required to date, and submitted a Subdivision Agreement and the required bonds; and

**WHEREAS**, the City of Antioch has formed the Hillcrest Street Light and Landscape Maintenance District 1 Zone 1 pursuant to Streets and Highways Code §225000 et seq.; and

**WHEREAS**, DeNova Homes has given its written consent to have Wildflower Station Subdivision 9427 annexed into the Hillcrest Street Light and Landscape Maintenance District 1 Zone 1; and



**RESOLUTION NO. 2019/\*\***

January 8, 2019

Page 2

**WHEREAS**, Streets and Highways Code §22608.1 allows a territory to be annexed to an existing assessment district without notice or hearing, or the filing of an engineer's report, if the owners give written permission to such annexation;

**NOW THEREFORE BE IT RESOLVED** that the final map for Wildflower Station Subdivision 9427, and improvement plans relating thereto, are hereby approved;

**BE IT FURTHER RESOLVED** by the City Council of the City of Antioch that Wildflower Station Subdivision 9427 is hereby annexed to the Hillcrest Street Light and Landscape Maintenance District 1 Zone 1; and

**BE IT FURTHER RESOLVED** that all street and public easements offered for dedication on said final map are hereby accepted; and

**BE IT FURTHER RESOLVED** that the City Manager of the City of Antioch is hereby authorized to sign the Subdivision Agreement.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**





ATTACHMENT "B"

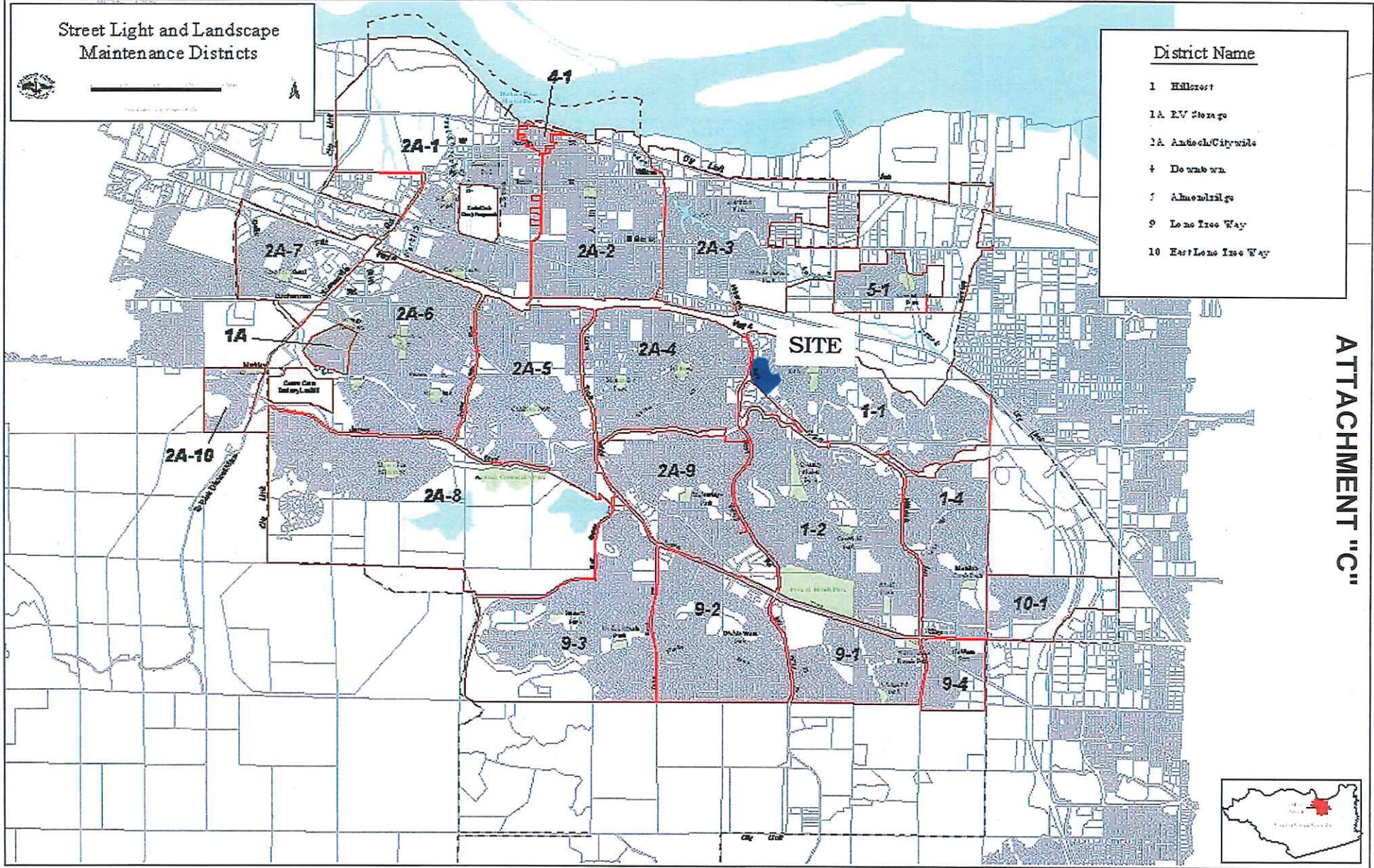


Street Light and Landscape  
Maintenance Districts



District Name

- 1 Hillcrest
- 1A EV Storage
- 2A Antioch/Citywide
- 4 Deane area
- 5 Alameda/Elgin
- 9 Levee Area
- 10 East Levee Area



ATTACHMENT "C"





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Tracy Tope, Assistant Engineer *TT*

**REVIEWED BY:** Scott Buenting, Project Manager *SB*

**APPROVED BY:** Jon Blank, Public Works Director/City Engineer *JB*

**SUBJECT:** Consideration of Bids for the Marina Boat Launch Facility Restroom, P.W. 523-16R

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution to:

1. Amend the fiscal year 2018/2019 Capital Improvement Budget to include \$110,000 from the Marina Fund and a \$364,562 grant from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the Marina Boat Launch Facility Restroom.
2. Award the contract to the lowest, responsive bidder, McNabb Construction, Inc. in the amount of \$424,417.
3. Authorize the City Manager to execute an agreement with McNabb Construction, Inc. in the amount of \$424,417.

### **STRATEGIC PURPOSE**

This item supports Strategy K-1 in the Strategic Plan by ensuring public facilities are constructed in accordance with the appropriate standards and reducing the need for future maintenance.

### **FISCAL IMPACT**

Adoption of this resolution will amend the 2018/19 Capital Improvement Budget to include \$110,000 from the Marina Fund and a \$364,562 grant from the State of California, Department of Parks and Recreation, Division of Boating and Waterways; \$339,932 for the cost of the construction contract and \$24,630 for engineering, inspection, testing and contract administration. The Engineer's estimate for the construction of this project was \$350,000.

### **DISCUSSION**

On December 18, 2018, five bids were received and opened as shown on the attached tabulation. The low bid was submitted by McNabb Construction, Inc. of Lafayette in the

amount of \$424,417. The bids have been checked and found to be without any errors or omissions.

This project will consist of furnishing and installing a restroom building at the Marina Boat Launch Facility. Additional work includes reconstructing concrete sidewalk, revising the existing electrical system, installing a sanitary sewer lateral and a new water service.

**ATTACHMENTS**

A: Resolution

B: Tabulation of Bids

**ATTACHMENT "A"**

**RESOLUTION NO. 2018/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AUTHORIZING AN AMENDMENT INCREASING THE CAPITAL IMPROVEMENT  
BUDGET; AWARDING THE CONTRACT AND AUTHORIZING THE CITY MANAGER  
TO EXECUTE AN AGREEMENT WITH MCNABB CONSTRUCTION, INC. FOR THE  
MARINA BOAT LAUNCH FACILITY RESTROOM  
P.W. 523-16R**

**WHEREAS**, an amendment increasing the 2018/2019 fiscal year Capital Improvement Budget to include \$110,000 from the Marina Fund and a \$364,562 grant from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the Marina Boat Launch Facility Restroom has been considered by City Council; and

**WHEREAS**, the City Council has considered awarding the Marina Boat Launch Facility Restroom contract to the lowest, responsive and responsible bidder, McNabb Construction, Inc. in the amount of \$424,417; and

**WHEREAS**, the City desires to execute a construction agreement with McNabb Construction, Inc. in the amount of \$424,417 for the Marina Boat Launch Facility Restroom.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby approves amending the 2018/2019 fiscal year Capital Improvement Budget to include \$110,000 from the Marina Fund and a \$364,562 grant from the State of California, Department of Parks and Recreation, Division of Boating and Waterways for the Marina Boat Launch Facility Restroom; award the construction contract to the lowest, responsive and responsible bidder, McNabb Construction, Inc. and authorizes the City Manager to execute a construction agreement with McNabb Construction, Inc. in the amount of \$424,417, in a form approved by the City Attorney.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

---

**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**

**CITY OF ANTIOCH  
TABULATION OF BIDS**

**JOB TITLE:** Marina Boat Launch Facility Restroom  
(P.W. 523-16R)

**BIDS OPENED:** December 18, 2018 ~ 2:00 p.m.  
City Council Chambers

	Engineer's Estimate	McNabb Construction, Inc. Rocklin	Sposeto Engineering, Inc. Livermore	Alta Engineering Group, Inc. San Francisco	Kerex Engineering, Inc. Pleasant Hill	T. Amaral's Done Right Construction Brentwood
<b>TOTAL BID PRICE</b>	\$350,000.00	\$424,417.00	\$525,865.00	\$532,600.00	\$534,850.00	\$597,500.00

<i>McNabb Construction, Inc.</i>	<i>Sposeto Engineering, Inc.</i>	<i>Alta Engineering Group, Inc.</i>	<i>Kerex Engineering, Inc.</i>	<i>T. Amaral's Done Right Construction</i>
None	<u>Striping &amp; Signage</u> Sierra Traffic Markings, Inc. <u>Rebar</u> Camblin Steel Services, Inc. <u>Restroom Building</u> Public Restroom Company <u>Electrical</u> Skyhawk Electric <u>Plumbing</u> Iron Valley Plumbing	<u>Electrical</u> 4B Electric <u>Pre-Fab Building</u> Public Restroom Company <u>Striping &amp; Signage</u> Sierra Traffic Markings, Inc. <u>Rebar</u> Camblin Steel Services, Inc.	<u>Electrical</u> 4B Electric <u>Striping</u> Chrisp Company	<u>Restroom Building</u> Public Restroom Company <u>Striping</u> Sierra Traffic Markings, Inc. <u>Electrical</u> 4B Electric <u>Sitework</u> Ella <u>Rebar</u> Camblin Steel Services, Inc. <u>Plumbing</u> Iron Valley Plumbing






## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Nickie Mastay, Administrative Services Director 

**SUBJECT:** League of California Cities:

- Policy Committee Meetings
- Mayors and Council Members Executive Forum and Advanced Leadership Workshop
- Annual Conference

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### **RECOMMENDED ACTION**

It is recommended that the City Council:

- 1) Approve participation and authorize associated expenditures for the League of California Cities Policy Committee Meetings held in Costa Mesa, California on March 28 through March 29, 2019; and held in Sacramento, California on June 13 through June 14, 2019.
- 2) Approve participation and authorize associated expenditures for the League of California Cities Mayors and Council Members Executive forum and Advanced Leadership Workshops held in Newport Beach on June 19 through June 21, 2019.
- 3) Approve participation and authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 16 through October 18, 2019.

### **STRATEGIC PURPOSE**

**Strategy L-1:** Improve community communications and trust in City government and keep the community well informed as to the activities of the City departments.

### **FISCAL IMPACT**

Currently there is \$7,043 remaining in the City Council budget line for Conference/Dues for the FY2018-19 Budget.

### **Policy Committee Meeting**

For the League of California Cities Policy Committee Meetings held in Sacramento and Costa Mesa, California, for calendar year 2018 the City Council participants were Council Member Ogorchock on the Governance, Transparency & Labor Relations

Committee and Council Member Wilson on the Housing, Community and Economic Development Committee. Currently, there is no information on the League of California Cities website for preferred hotel and travel. Please note: The New Mayors & Council Members Academy is scheduled for January 16 – 18, 2019, this overlaps the January dates for January Policy Committee meetings, and the preferred hotel is the Hyatt Regency \$186 per night and \$20 per day for self-parking. The estimated cost for Sacramento, California based upon the rates for Hyatt (2 nights \$206/night), meals and incidental expense based on IRS publication 1542 (\$49.50/first and last day and \$66/day) is \$577 per participant. The estimated cost for Costa Mesa, California based on IRS publication 1542 approved per diem rates for hotel (2 nights \$180/night), meals and incidental expense (\$49.50/first and last day and \$66/day), travel (flight, parking and shuttle \$250) is \$775 per participant. Total estimated cost for two participants to attend policy committee meetings for March 28 – 29, 2019 and June 13-14, 2019 is \$2,704. The excerpts from IRS Publication 1542 are attached to this report as Attachment A.

Mayors and Council Members Executive Forum and Advanced Leadership Workshop

The estimated cost of this conference is \$395 per attendee and \$180 per attendee for the workshop, plus hotel and meal expenses. Currently, there is no information on the California League of Cities website for the cost of this year's conference, workshop, and hotel. Once final conference costs are known, if the Mayor and all Council Members attend this conference, there is the potential to exceed the remaining budget.

Annual Conference

The estimated cost of this conference is \$575 per attendee and \$195 per attendee for the workshop, plus hotel, meal, and travel (airfare, parking and shuttle) expenses. Currently, there is no information on the California League of Cities website for the cost of this year's annual conference and hotel. Although the FY2019-20 budget has not been prepared or adopted, the cost of this annual conference will be included in the proposed budget.

**DISCUSSION**

The City of Antioch Travel and Expense Policy for Elected and Appointed (non-employee) Officials is attached as Attachment B. Contained therein, the Authorization Process states: "Overnight travel by Elected Official shall be pre-approved by placing the item on the City Council Consent Calendar."

**ATTACHMENTS**

- A. Estimated cost based upon IRS Publication 1542
- B. Travel and Expense Policy
- C. 2019 Policy Committee Schedule





# FY 2019 Per Diem Rates for California

Max lodging by month (excluding taxes.)

PrimaryDestination	County	2018Oct	Nov	Dec	2019Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
<b>Standard Rate</b>	<b>Applies for all locations without specified rates</b>	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94
<b>Antioch / Brentwood / Concord</b>	<b>Contra Costa</b>	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158
<b>Bakersfield / Ridgecrest</b>	<b>Kern</b>	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105
<b>Barstow / Ontario / Victorville</b>	<b>San Bernardino</b>	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102
<b>Death Valley</b>	<b>Inyo</b>	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118
<b>Eureka / Arcata / McKinleyville</b>	<b>Humboldt</b>	\$103	\$103	\$103	\$103	\$103	\$103	\$103	\$103	\$135	\$135	\$135	\$103
<b>Fresno</b>	<b>Fresno</b>	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105
<b>Los Angeles</b>	<b>Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica</b>	\$180	\$161	\$161	\$180	\$180	\$180	\$180	\$180	\$180	\$180	\$180	\$180
<b>Mammoth Lakes</b>	<b>Mono</b>	\$101	\$101	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$135	\$135	\$101
<b>Mill Valley / San Rafael / Novato</b>	<b>Marin</b>	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161
<b>Monterey</b>	<b>Monterey</b>	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$206	\$206	\$154
<b>Napa</b>	<b>Napa</b>	\$214	\$164	\$164	\$164	\$164	\$164	\$164	\$214	\$214	\$214	\$214	\$214
<b>Oakhurst</b>	<b>Madera</b>	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$139	\$139	\$139	\$107
<b>Oakland</b>	<b>Alameda</b>	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175
<b>Palm Springs</b>	<b>Riverside</b>	\$137	\$137	\$137	\$137	\$137	\$137	\$137	\$106	\$106	\$106	\$106	\$106
<b>Point Arena / Gualala</b>	<b>Mendocino</b>	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121
<b>Sacramento</b>	<b>Sacramento</b>	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135
<b>San Diego</b>	<b>San Diego</b>	\$160	\$160	\$160	\$174	\$174	\$174	\$174	\$174	\$174	\$174	\$160	\$160

PrimaryDestination	County	2018Oct	Nov	Dec	2019Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
San Francisco	San Francisco	\$299	\$247	\$247	\$270	\$270	\$270	\$270	\$270	\$270	\$270	\$270	\$299
San Luis Obispo	San Luis Obispo	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123
San Mateo / Foster City / Belmont	San Mateo	\$211	\$196	\$196	\$211	\$211	\$211	\$211	\$211	\$211	\$211	\$211	\$211
Santa Barbara	Santa Barbara	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$223	\$223	\$168
Santa Cruz	Santa Cruz	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$160	\$160	\$160	\$126
Santa Monica	City limits of Santa Monica	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$299	\$299	\$247
Santa Rosa	Sonoma	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158
South Lake Tahoe	El Dorado	\$119	\$119	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$159	\$159	\$119
Stockton	San Joaquin	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116
Sunnyvale / Palo Alto / San Jose	Santa Clara	\$229	\$229	\$229	\$239	\$239	\$239	\$229	\$229	\$229	\$229	\$229	\$229
Tahoe City	Placer	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113
Truckee	Nevada	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126
Visalia	Tulare	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106
West Sacramento / Davis	Yolo	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125
Yosemite National Park	Mariposa	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$139	\$139	\$139	\$120



# FY 2019 Per Diem Rates for California

## Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
<b>Standard Rate</b>	<b>Applies for all locations without specified rates</b>	\$55	\$13	\$14	\$23	\$5	\$41.25
<b>Antioch / Brentwood / Concord</b>	<b>Contra Costa</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Bakersfield / Ridgecrest</b>	<b>Kern</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Barstow / Ontario / Victorville</b>	<b>San Bernardino</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Death Valley</b>	<b>Inyo</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Eureka / Arcata / McKinleyville</b>	<b>Humboldt</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Fresno</b>	<b>Fresno</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Los Angeles</b>	<b>Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Mammoth Lakes</b>	<b>Mono</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Mill Valley / San Rafael / Novato</b>	<b>Marin</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Monterey</b>	<b>Monterey</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Napa</b>	<b>Napa</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Oakhurst</b>	<b>Madera</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Oakland</b>	<b>Alameda</b>	\$66	\$16	\$17	\$28	\$5	\$49.50

<b>Primary Destination</b>	<b>County</b>	<b>M&amp;IE Total</b>	<b>Continental Breakfast/Breakfast</b>	<b>Lunch</b>	<b>Dinner</b>	<b>Incidental Expenses</b>	<b>First &amp; Last Day of Travel</b>
<b>Palm Springs</b>	<b>Riverside</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Point Arena / Gualala</b>	<b>Mendocino</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Sacramento</b>	<b>Sacramento</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>San Diego</b>	<b>San Diego</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>San Francisco</b>	<b>San Francisco</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>San Luis Obispo</b>	<b>San Luis Obispo</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>San Mateo / Foster City / Belmont</b>	<b>San Mateo</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Santa Barbara</b>	<b>Santa Barbara</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Santa Cruz</b>	<b>Santa Cruz</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Santa Monica</b>	<b>City limits of Santa Monica</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Santa Rosa</b>	<b>Sonoma</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>South Lake Tahoe</b>	<b>El Dorado</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Stockton</b>	<b>San Joaquin</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Sunnyvale / Palo Alto / San Jose</b>	<b>Santa Clara</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Tahoe City</b>	<b>Placer</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Truckee</b>	<b>Nevada</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Visalia</b>	<b>Tulare</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>West Sacramento / Davis</b>	<b>Yolo</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Yosemite National Park</b>	<b>Mariposa</b>	\$76	\$18	\$19	\$34	\$5	\$57.00

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

**PURPOSE**

This document establishes the expense and reimbursement policy for all Elected and Appointed (non-employee) Officials of the City of Antioch. As Elected Officials, individuals may incur expenses related to the execution of their duties and responsibilities. These expenses may include the following: personal vehicle use, communication needs (cell phones, internet, and personal phone lines, newspaper subscriptions), and conferences and meetings related to the City's interests. As to Appointed Officials on the Administrative Appeals Board, Design Review Board, Economic Development Commission, Parks and Recreation Commission, Planning Commission, Police Crime Prevention Commission and Investment Committee, there may be opportunities for individuals to attend educational seminars or meetings related to the City's interests as approved by the City Council. Therefore, this policy establishes procedures for requesting and receiving payment for expenses incurred while representing the City on official business.

**ADOPTION AND IMPLEMENTATION**

The Council is responsible for adopting the expense and reimbursement policy for Elected and Appointed Officials and for approving any subsequent policy revisions.

**EXCEPTIONS**

The City Council may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.

**I. PERSONAL VEHICLE USE**

In recognition of the fact that Elected Officials may use their private vehicles while performing their duties, a monthly vehicle allowance will be provided, as allowed pursuant to California Government Code section 1223. In addition to expenses associated with direct use of a private vehicle, this allowance shall also cover related expenses such as bridge tolls and routine parking fees. In order to be eligible for the reimbursement allowance, Elected Officials shall annually provide proof of liability insurance to the City Clerk. The monthly cap on reimbursement of automobile expenses for personal vehicle usage shall be as follows: Mayor: \$450; Council Members: \$350; City Clerk: \$350; City Treasurer: \$350.

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

**II. COMMUNICATION EQUIPMENT AND SERVICES**

In recognition of the fact that City Council members have a significant responsibility to stay in touch with their constituents and City management employees, reimbursement of communication equipment shall be allowed for cell phone service and equipment, internet service and equipment, local and long distance telephone and fax line service and equipment. Individual council members will be responsible for establishing their own communication service providers and all bills for such service will be paid by the individual. Expense reports shall be submitted on the City's form within 30 days of an expense being incurred. The monthly cap on reimbursement of communication equipment and services shall be as follows: Mayor \$100; Council Members \$50. Any communication service expenditures beyond that amount will be borne by the individual elected official.

**III. MEMBERSHIPS**

The City Council shall decide which groups to join as an entity, such as the League of California Cities or the Antioch Chamber of Commerce, through City Council action including the budget process. Individual memberships in groups by Elected or Appointed Officials shall be the personal expense of those individuals unless otherwise approved in advance by the City Council.

**IV. LOCAL CITY EVENTS**

Elected City Officials may be reimbursed for the cost of attending local events related to the City's business upon completion of an expense report and documentation of expenses. City funds shall not be used to purchase alcohol or reimburse Elected Officials for alcohol related costs, unless as part of a set price for the event that happens to include alcohol. If a guest accompanies an Elected Official, only the cost of the Elected Official will be reimbursed.

**V. TRAVEL**

In recognition of the fact that Elected Officials may need to represent the City at conferences and meetings and may incur expenses in the course of their travel, this policy establishes procedures for requesting and receiving payment for travel and travel-related expenditures. Appointed Officials must be specifically authorized by the City Council to attend educational seminars or other meetings in order to seek reimbursement.



**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

**(A) PROCEDURE**

The key document in the administrative process is the Travel Authorization/Warrant Request (TA/WR). Besides ensuring that travel by Elected and Appointed Officials is conducted within this policy, the TA/WR summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances, vendor payments and credit card purchases. General instructions for completing and processing this form are provided in a separate document.

**(B) AUTHORIZATION PROCESS**

All travel by an Appointed Official shall be pre-approved by having the item placed on the City Council Consent Calendar. Overnight travel by an Elected Official, shall be pre-approved by having the item placed on the City Council Consent Calendar.

After travel, the Travel Authorization report must be finalized. Finance will review for receipts and policy compliance.

**(C) METHODS OF REIMBURSEMENT**

There are three ways to request and receive payment for travel and travel-related expenditures: (1) advance payment, (2) reimbursement for actual expenditures, and (3) credit card usage.

(1) Advance payments: Elected Officials may request a cash advance for meals. The advance will be within the IRS approved per diem rates for meals and incidental expenses (M&IE) for the location/area visited as listed in Publication 1542. The value of meals provided at conferences, training, or other travel programs will be deducted from the cash advance at the following rate:

Breakfast - 20%      Lunch - 30%      Dinner - 50%

Other items, such as conference registration, lodging, and air fare may be paid directly to the vendor in advance of travel.

Upon return from travel, all cash advances must be documented with original itemized receipts.

(2) Reimbursement: Elected and Appointed Officials shall be reimbursed for all eligible expenditures upon return from travel for items that have original receipts. A Travel Authorization/Warrant Request with original receipts will be paid by Finance within the regular accounts payable time

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

schedule. Reimbursement claims should be submitted within 30 days from the return from travel, and no reimbursements may be made that cross over fiscal years.

(3) Credit Card Usage: Elected and Appointed Officials may use personal credit cards to pay for travel expenses. Original receipts must be included with the Travel Authorization/Warrant Request to be eligible for reimbursement.

**(D) ELIGIBLE EXPENDITURES**

**Meals and Incidental Expenses (M & IE)**

- **Meals:** City funds shall not be used to purchase alcohol or reimburse Elected or Appointed Officials for alcohol related costs. Meal costs will be reimbursed as supported by original itemized receipts.

- **Personal Meals:** All expenditures must be documented and reimbursement will not exceed the meal schedule listed above.

- **Business Meals:** To qualify as a business meal, the identity of the participants and the business purpose of the discussion must be substantiated.

- **Incidental Expenses:** Those related to City business will be reimbursed at cost as supported by original receipts (e.g., tolls and taxi cabs).

In no event shall the reimbursement for meals and incidental expenses exceed the IRS approved per diem rates for the location visited as listed in Publication 1542.

- **Lodging:** The City will pay lodging expenses for Elected or Appointed Officials during official travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the Elected or Appointed Official would have to travel at unreasonably early or late hours to reach his or her destination.

Elected or Appointed Officials shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will pay only for standard single rooms for individual Elected Officials. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor. If conference rates are not available, government rates must be requested. A

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

list of hotels offering government rates in different areas of the country is available in the Finance Department. Lodging rates that are equal to or less than the government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

If a double room is requested by an Elected or Appointed Official because he or she is accompanied by a spouse or other person, the difference between the single and double room rate shall be considered the Elected or Appointed Official's personal expense.

Elected or Appointed Officials shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the Elected or Appointed Official's personal expense unless failure to cancel the reservation was due to circumstances beyond the Elected Official's control.

- **Personal Entertainment:** No reimbursement will be made for personal entertainment.

- **Guests:** If a guest accompanies an Elected or Appointed Official, only the cost of the Elected or Appointed Official will be reimbursed. All costs above a single person will be borne by the Elected or Appointed Official.

- **Discounts:** If offered early registrations should be obtained whenever possible.

- **Telephone/Internet:** The City will pay for all City-related business telephone calls or internet use by an Elected or Appointed Official while traveling on authorized City business. If approved prior to travel, the City may pay for personal internet use up to \$5.00 per day for authorized overnight business travel within California and up to \$10.00 per day for all other authorized overnight business travel.

- **Transportation:** All travel will be made by the method most cost effective for the City. Considerations such as time, distance traveled and cost of transportation should be factors in arriving at the lowest cost. Elected and Appointed Officials shall endeavor to book air travel to take advantage of discounts and nonrefundable ticket fares where practical. All flights shall be booked at coach class or equivalent level. Any additional costs incurred due to personal travel added on before or after the trip will be paid by the Elected or Appointed Official.

Elected and Appointed Officials are encouraged to use their personal vehicles as transportation to and from airports. The cost of traveling from home to the

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

airport will be paid for from monthly stipend. If a personal vehicle is left at the airport for more than one day, parking will be reimbursed per day based on long term parking rates or other transportation to and from the airport, whichever is less. Parking will not be reimbursed at the short term parking rate.

The use of rental vehicles is discouraged and shall be authorized only when no other mode of transportation is available or when alternate transportation would be more expensive or impractical. Elected or Appointed Officials must understand that the City's vehicle insurance coverage does not cover the individual driver of a rental car. Therefore, the City Official shall confirm personal coverage under their personal insurance or purchase additional insurance from the rental agency at their own expense. Rental vehicles shall be driven only by Elected or Appointed Officials included on the car rental agreement. Elected or Appointed Officials shall be reimbursed for reasonable taxi fare, airport van, or other public transportation in order to travel from their destination airport to their hotel.

**VI. REPORTING OF EXPENDITURES**

If the City reimburses an Elected or Appointed Official for attending a "meeting" as defined under the Brown Act<sup>1</sup>, the Official shall provide a brief written or oral report regarding the "meeting" at the next regular meeting of the Council or applicable commission, board or committee to which the Official belongs. For other educational seminars or events for which expenses were reimbursed by the City, the Official may provide a brief written or oral report at the next regularly scheduled meeting of the Council or applicable commission, board or committee to which the Official belongs.

**VII. ACKNOWLEDGEMENT**

After being sworn in, Elected or Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

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<sup>1</sup> The Brown Act (California Government Code section 54952.2) defines a meeting as including "any congregation of majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."



## **2019 POLICY COMMITTEE SCHEDULE**

Meetings begin at 10:00 a.m. and end by 3:00 p.m.

### **January 17 & 18**

Sacramento Convention Center, 1400 J Street, Sacramento  
\*Committee meeting at League Office, 1400 K Street, Sacramento

#### **Thursday, January 17**

Environmental Quality <sup>1</sup>  
Housing, Community & Economic Dev.  
Public Safety

#### **Friday, January 18**

\*Community Services  
Governance, Transparency & Labor  
Revenue and Taxation  
Transp., Comm. & Public Works

### **March 28 & 29**

Hilton Orange County/Costa Mesa  
3050 Bristol Street, Costa Mesa, California

#### **Thursday, March 28**

Environmental Quality  
Housing, Community & Economic Dev.  
Public Safety

#### **Friday, March 29**

\*Community Services  
Governance, Transparency & Labor  
Revenue and Taxation  
Transp., Comm. & Public Works

### **June 13 & 14**

Sacramento Convention Center, 1400 J Street, Sacramento 95814  
\*Committee meeting at League Office, 1400 K Street, Sacramento 95814

#### **Thursday, June 13**

Environmental Quality  
Housing, Community & Economic Dev.  
Public Safety

#### **Friday, June 14**

\*Community Services  
Governance, Transparency & Labor  
Revenue and Taxation  
Transp., Comm. & Public Works

### **Deadline for Submitting Annual Conference Resolutions**

Midnight on Saturday, August 17, 2019 – E-mail, regular mail, or fax

## **ANNUAL CONFERENCE**

**October 16 – 18, 2019, Long Beach, California**

*NOTE: Policy committee members should be aware that lunch is usually served at these meetings. The state's Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials' statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). The League has been persistent, but unsuccessful, in attempting to change the FPPC's mind about this interpretation. As such, we feel we need to let you know about the issue so you can determine your course of action.*

*If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you can reimburse the League. The lunches tend to run in the \$30 to \$45 range.*

<sup>1</sup> Due to heavy attendance over the last two years at the League's Environmental Quality Committee, the members of the committee have repeatedly raised concerns that the League's conference room is unable to adequately accommodate the committee. For those reasons, we have switched this committee to Thursday so it can meet at the convention center in a larger space.



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Arne Simonsen, CMC, City Clerk *AS*

**REVIEWED BY:** Nickie Mastay, Administrative Services Director *NM*

**SUBJECT:** League of California Cities:

- Policy Committee Meetings,
- League of California Cities Annual Conference

City Clerks Association of California (CCAC):

- CCAC Annual Conference
- CCAC Advanced Academy,
- CCAC Annual meeting and City Clerks Workshop.

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### **RECOMMENDED ACTION**

It is recommended that the City Council:

- 1) Authorize associated expenditures for the League of California Cities Policy Committee Meetings in Sacramento, California on January 17 through January 18, 2019; Costa Mesa, California on March 28 through March 29, 2019; and held in Sacramento, California on June 13 through June 14, 2019.
- 2) Authorize associated expenditures for the League of California Cities Annual Conference held in Long Beach, California on October 16 through October 18, 2019.
- 3) Authorize associated expenditures for the City Clerks Association of California (CCAC) Annual Conference held in Anaheim, California on April 3 through April 5, 2019.
- 4) Authorize associated expenditures for the CCAC Advanced Academy held in Anaheim, California on April 2, 2019.
- 5) Authorize associated expenditures for the CCAC Annual meeting and City Clerks Workshop held in Long Beach, California on October 16 through October 18, 2019.



## **STRATEGIC PURPOSE**

The recommended action supports the following strategic priorities that are duties of the City Clerk's office:

**Strategy L-1:** Improve community communications and trust in City government and keep the community well informed as to the activities of the City Departments.

**Strategy L-5:** Effectively and efficiently manage City Council agenda preparation, noticing and records.

**Strategy L-7:** Manage the City's Component of Municipal Elections.

**Strategy L-8:** Coordinate City Boards and Commissions administrative requirements.

## **FISCAL IMPACT**

Currently there is \$4,473 remaining in the Clerk's budget line for Conference/Dues for the FY2018-19 Budget. The City Clerk's budget allocated funding for the City Clerk to attend the League policy committee meetings, CCAC Advanced Academy, CCAC Annual Conference, and the League of California Cities Annual Conference.

## **DISCUSSION**

- League of California Cities Policy Committees

The City Clerk is a 2019 Presidential appointee to two League of California Cities Policy Committees: Housing, Community & Economic Development (HCED); and Governance, Transparency and Labor Relations (GTLR). (Attachments A, B and C). The IIMC has approved 1 MMC Advanced Education Point for participation in each committee. Currently, there is no information on the League of California Cities website for preferred hotel and travel. Please note: The New Mayors & Council Members Academy is scheduled for January 16 – 18, 2019, this overlaps the January dates for January Policy Committee meetings, and the preferred hotel is the Hyatt Regency \$186 per night and \$20 per day for self-parking. The estimated cost for Sacramento, California based upon the rates for Hyatt (2 nights \$206/night), meals and incidental expense based on IRS publication 1542 (\$49.50/first and last day and \$66/day) is \$577 per participant. The estimated cost for Costa Mesa, California based on IRS publication 1542 approved per diem rates for hotel (2 nights \$180/night), meals and incidental expense (\$49.50/first and last day and \$66/day), travel (flight, parking and shuttle \$250) is \$775 per participant. Total estimated cost to attend policy committee meetings for January 17 – 18, 2019; March 28 – 29, 2019 and June 13-14, 2019 is \$1,929. The excerpts from IRS Publication 1542 are attached to this report as Attachment A.

- City Clerks Advanced Academy

The City Clerks Advanced Academy takes place the day before the CCAC Annual Conference on April 2<sup>nd</sup>. This 7-hour academy has been approved by the IIMC for 3 MMC Advanced Educations Points.

- City Clerks Association of California Annual Conference

The CCAC Annual Conference takes place April 3-5, 2019. Attendees are scanned in to every session. The IIMC has approved 4.13 MMC Advanced Education points for attending all sessions of the conference.

Currently, there is no information on the League of CCAC website for preferred hotel and travel. The estimated cost of the City Clerks Advanced Academy and the CCAC Annual Conference is \$660. The estimated cost for Anaheim, California based on IRS publication 1542 approved per diem rates for hotel (4 nights \$180/night), meals and incidental expense (\$49.50/first and last day and \$66/day), travel (flight, parking and shuttle \$250) is \$1,930 per participant. The excerpts from IRS Publication 1542 are attached to this report as Attachment A.

- League of California Cities Annual Conference/CCAC Annual Meeting/City Clerks Workshop

The League of California Cities Annual Conference takes place October 16-18 preceded by the City Clerks Annual meeting and City Clerks Workshop. The IIMC has approved 3 MMC Advanced Education points for attending the League Conference and 1 MMC Advanced Education point for the City Clerks' Workshop.

The estimated cost of this conference is \$575 per attendee and \$195 per attendee for the workshop, plus hotel, meal, and travel (airfare, parking and shuttle) expenses. Currently, there is no information on the California League of Cities website for the cost of this year's annual conference and hotel. Although the FY2019-20 budget has not been prepared or adopted, the cost of this annual conference will be included in the proposed budget.

The City of Antioch Travel and Expense Policy for Elected and Appointed (non-employee) Officials is attached as Attachment D. contained therein, the Authorization Process states: "Overnight travel by Elected Official shall be pre-approved by placing the item on the City Council Consent Calendar."

## **ATTACHMENTS**

- A. Appointment to the 2019 HCED Policy Committee
- B. Appointment to the 2019 GTLR Policy Committee
- C. League of California Cities 2019 Policy Committee Schedule
- D. Travel and Expense Policy
- E. Estimated cost based upon IRS Publication 1542

**Simonsen, Arne**

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**From:** Meg Desmond <mdesmond@cacities.org>  
**Sent:** Tuesday, November 27, 2018 10:05 AM  
**To:** Simonsen, Arne; arne\_simonsen@att.net  
**Subject:** Presidential Appointment to League Policy Committee  
**Attachments:** 10 Recommended Practices for PC.doc; 2019 PC Schedule.pdf; How League Policy Committees Work.pdf; LobbyingTips.pdf; Policy Committee Voting Process.pdf

Dear Mr. Simonsen:

On behalf of the Board of Directors and all of the members of the League, I am happy to appoint you to a one-year term on the **Housing, Community & Economic Development** Policy Committee. Your term is effective immediately and will end at the conclusion of the 2019 Annual Conference.

Active membership and participation will afford you an opportunity to be involved in the development of League policy. Your counsel and leadership in policy development is essential to the success of League advocacy efforts.

Your acceptance of this appointment implies a strong commitment to regularly attend policy committee meetings. As the committees meet only three to four times a year, each meeting is important. If you find that you are unable to fulfill this commitment, I would appreciate the opportunity to appoint someone who is able to attend and participate.

As I am sure you understand, League presidential and other similar appointments are also subject to any conditions or requirements imposed by your city.

**Policy committee meetings begin at 10 a.m. and conclude by 3 p.m.** Please see the attached 2019 Policy Committee schedule for dates and locations. An agenda packet with background material is *emailed* approximately one week prior to the meeting.

Thank you for your commitment to the League. I look forward to working with you.

Sincerely,



Jan Arbuckle Council Member, Grass Valley  
President, League of California Cities

**Simonsen, Arne**

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**From:** Meg Desmond <mdesmond@cacities.org>  
**Sent:** Tuesday, November 27, 2018 9:38 AM  
**To:** Simonsen, Arne; arne\_simonsen@att.net  
**Subject:** Presidential Appointment to League Policy Committee  
**Attachments:** 10 Recommended Practices for PC.doc; 2019 PC Schedule.pdf; How League Policy Committees Work.pdf; LobbyingTips.pdf; Policy Committee Voting Process.pdf

Dear Mr. Simonsen:

On behalf of the Board of Directors and all of the members of the League, I am happy to appoint you to a one-year term on the **Governance, Transparency & Labor Relations** Policy Committee. Your term is effective immediately and will end at the conclusion of the 2019 Annual Conference.

Active membership and participation will afford you an opportunity to be involved in the development of League policy. Your counsel and leadership in policy development is essential to the success of League advocacy efforts.

Your acceptance of this appointment implies a strong commitment to regularly attend policy committee meetings. As the committees meet only three to four times a year, each meeting is important. If you find that you are unable to fulfill this commitment, I would appreciate the opportunity to appoint someone who is able to attend and participate.

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Thank you for your commitment to the League. I look forward to working with you.

Sincerely,



Jan Arbuckle Council Member, Grass Valley  
President, League of California Cities



## 2019 POLICY COMMITTEE SCHEDULE

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Environmental Quality <sup>1</sup>  
 Housing, Community & Economic Dev.  
 Public Safety

#### Friday, January 18

\*Community Services  
 Governance, Transparency & Labor  
 Revenue and Taxation  
 Transp., Comm. & Public Works

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 3050 Bristol Street, Costa Mesa, California

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 Housing, Community & Economic Dev.  
 Public Safety

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 Governance, Transparency & Labor  
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### **Deadline for Submitting Annual Conference Resolutions**

Midnight on Saturday, August 17, 2019 – E-mail, regular mail, or fax

## **ANNUAL CONFERENCE**

**October 16 – 18, 2019, Long Beach, California**

**NOTE:** Policy committee members should be aware that lunch is usually served at these meetings. The state's Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials' statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). The League has been persistent, but unsuccessful, in attempting to change the FPCC's mind about this interpretation. As such, we feel we need to let you know about the issue so you can determine your course of action.

If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you can reimburse the League. The lunches tend to run in the \$30 to \$45 range.

<sup>1</sup> Due to heavy attendance over the last two years at the League's Environmental Quality Committee, the members of the committee have repeatedly raised concerns that the League's conference room is unable to adequately accommodate the committee. For those reasons, we have switched this committee to Thursday so it can meet at the convention center in a larger space.

**CITY OF ANTIOCH  
TRAVEL AND EXPENSE POLICY  
ELECTED AND APPOINTED OFFICIALS**

**PURPOSE**

This document establishes the expense and reimbursement policy for all Elected and Appointed (non-employee) Officials of the City of Antioch. As Elected Officials, individuals may incur expenses related to the execution of their duties and responsibilities. These expenses may include the following: personal vehicle use, communication needs (cell phones, internet, and personal phone lines, newspaper subscriptions), and conferences and meetings related to the City's interests. As to Appointed Officials on the Administrative Appeals Board, Design Review Board, Economic Development Commission, Parks and Recreation Commission, Planning Commission, Police Crime Prevention Commission and Investment Committee, there may be opportunities for individuals to attend educational seminars or meetings related to the City's interests as approved by the City Council. Therefore, this policy establishes procedures for requesting and receiving payment for expenses incurred while representing the City on official business.

**ADOPTION AND IMPLEMENTATION**

The Council is responsible for adopting the expense and reimbursement policy for Elected and Appointed Officials and for approving any subsequent policy revisions.

**EXCEPTIONS**

The City Council may approve exceptions to this policy on a case-by-case basis for special or unique circumstances.

**I. PERSONAL VEHICLE USE**

In recognition of the fact that Elected Officials may use their private vehicles while performing their duties, a monthly vehicle allowance will be provided, as allowed pursuant to California Government Code section 1223. In addition to expenses associated with direct use of a private vehicle, this allowance shall also cover related expenses such as bridge tolls and routine parking fees. In order to be eligible for the reimbursement allowance, Elected Officials shall annually provide proof of liability insurance to the City Clerk. The monthly cap on reimbursement of automobile expenses for personal vehicle usage shall be as follows: Mayor: \$450; Council Members: \$350; City Clerk: \$350; City Treasurer: \$350.

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**II. COMMUNICATION EQUIPMENT AND SERVICES**

In recognition of the fact that City Council members have a significant responsibility to stay in touch with their constituents and City management employees, reimbursement of communication equipment shall be allowed for cell phone service and equipment, internet service and equipment, local and long distance telephone and fax line service and equipment. Individual council members will be responsible for establishing their own communication service providers and all bills for such service will be paid by the individual. Expense reports shall be submitted on the City's form within 30 days of an expense being incurred. The monthly cap on reimbursement of communication equipment and services shall be as follows: Mayor \$100; Council Members \$50. Any communication service expenditures beyond that amount will be borne by the individual elected official.

**III. MEMBERSHIPS**

The City Council shall decide which groups to join as an entity, such as the League of California Cities or the Antioch Chamber of Commerce, through City Council action including the budget process. Individual memberships in groups by Elected or Appointed Officials shall be the personal expense of those individuals unless otherwise approved in advance by the City Council.

**IV. LOCAL CITY EVENTS**

Elected City Officials may be reimbursed for the cost of attending local events related to the City's business upon completion of an expense report and documentation of expenses. City funds shall not be used to purchase alcohol or reimburse Elected Officials for alcohol related costs, unless as part of a set price for the event that happens to include alcohol. If a guest accompanies an Elected Official, only the cost of the Elected Official will be reimbursed.

**V. TRAVEL**

In recognition of the fact that Elected Officials may need to represent the City at conferences and meetings and may incur expenses in the course of their travel, this policy establishes procedures for requesting and receiving payment for travel and travel-related expenditures. Appointed Officials must be specifically authorized by the City Council to attend educational seminars or other meetings in order to seek reimbursement.



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**(A) PROCEDURE**

The key document in the administrative process is the Travel Authorization/Warrant Request (TAWR). Besides ensuring that travel by Elected and Appointed Officials is conducted within this policy, the TAWR summarizes the total cost of attending conferences, meetings, and seminars and provides documentation for cash advances, vendor payments and credit card purchases. General instructions for completing and processing this form are provided in a separate document.

**(B) AUTHORIZATION PROCESS**

All travel by an Appointed Official shall be pre-approved by having the item placed on the City Council Consent Calendar. Overnight travel by an Elected Official, shall be pre-approved by having the item placed on the City Council Consent Calendar.

After travel, the Travel Authorization report must be finalized. Finance will review for receipts and policy compliance.

**(C) METHODS OF REIMBURSEMENT**

There are three ways to request and receive payment for travel and travel-related expenditures: (1) advance payment, (2) reimbursement for actual expenditures, and (3) credit card usage.

(1) Advance payments: Elected Officials may request a cash advance for meals. The advance will be within the IRS approved per diem rates for meals and incidental expenses (**M&IE**) for the location/area visited as listed in Publication 1542. The value of meals provided at conferences, training, or other travel programs will be deducted from the cash advance at the following rate:

Breakfast - 20%      Lunch - 30%      Dinner - 50%

Other items, such as conference registration, lodging, and air fare may be paid directly to the vendor in advance of travel.

Upon return from travel, all cash advances must be documented with original itemized receipts.

(2) Reimbursement: Elected and Appointed Officials shall be reimbursed for all eligible expenditures upon return from travel for items that have original receipts. A Travel Authorization/Warrant Request with original receipts will be paid by Finance within the regular accounts payable time

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schedule. Reimbursement claims should be submitted within 30 days from the return from travel, and no reimbursements may be made that cross over fiscal years.

(3) Credit Card Usage: Elected and Appointed Officials may use personal credit cards to pay for travel expenses. Original receipts must be included with the Travel Authorization Warrant Request to be eligible for reimbursement.

**(D) ELIGIBLE EXPENDITURES**

**Meals and Incidental Expenses (M & IE)**

- **Meals**: City funds shall not be used to purchase alcohol or reimburse Elected or Appointed Officials for alcohol related costs. Meal costs will be reimbursed as supported by original itemized receipts.

- **Personal Meals**: All expenditures must be documented and reimbursement will not exceed the meal schedule listed above.

- **Business Meals**: To qualify as a business meal, the identity of the participants and the business purpose of the discussion must be substantiated.

- **Incidental Expenses**: Those related to City business will be reimbursed at cost as supported by original receipts (e.g., tolls and taxi cabs).

In no event shall the reimbursement for meals and incidental expenses exceed the IRS approved per diem rates for the location visited as listed in Publication 1542.

- **Lodging**: The City will pay lodging expenses for Elected or Appointed Officials during official travel requiring one or more overnight stays. The City will pay for lodging for the evening preceding or subsequent to a meeting or business event when the Elected or Appointed Official would have to travel at unreasonably early or late hours to reach his or her destination.

Elected or Appointed Officials shall make an effort to obtain lodging at or near the facility where official City business is to take place to minimize travel time and transportation costs. The City will pay only for standard single rooms for individual Elected Officials. If lodging is in connection with a conference, lodging expenses must not exceed the group rate published by the conference sponsor. If conference rates are not available, government rates must be requested. A

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list of hotels offering government rates in different areas of the country is available in the Finance Department. Lodging rates that are equal to or less than the government rates are presumed to be reasonable and hence reimbursable for purposes of this policy.

If a double room is requested by an Elected or Appointed Official because he or she is accompanied by a spouse or other person, the difference between the single and double room rate shall be considered the Elected or Appointed Official's personal expense.

Elected or Appointed Officials shall cancel any reservations for lodging they will not use. Any charge for an unused reservation shall be considered the Elected or Appointed Official's personal expense unless failure to cancel the reservation was due to circumstances beyond the Elected Official's control.

- **Personal Entertainment:** No reimbursement will be made for personal entertainment.

- **Guests:** If a guest accompanies an Elected or Appointed Official, only the cost of the Elected or Appointed Official will be reimbursed. All costs above a single person will be borne by the Elected or Appointed Official.

- **Discounts:** If offered early registrations should be obtained whenever possible.

- **Telephone/Internet:** The City will pay for all City-related business telephone calls or internet use by an Elected or Appointed Official while traveling on authorized City business. If approved prior to travel, the City may pay for personal internet use up to \$5.00 per day for authorized overnight business travel within California and up to \$10.00 per day for all other authorized overnight business travel.

- **Transportation:** All travel will be made by the method most cost effective for the City. Considerations such as time, distance traveled and cost of transportation should be factors in arriving at the lowest cost.

Elected and Appointed Officials shall endeavor to book air travel to take advantage of discounts and nonrefundable ticket fares where practical. All flights shall be booked at coach class or equivalent level. Any additional costs incurred due to personal travel added on before or after the trip will be paid by the Elected or Appointed Official.

Elected and Appointed Officials are encouraged to use their personal vehicles as transportation to and from airports. The cost of traveling from home to the

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airport will be paid for from monthly stipend. If a personal vehicle is left at the airport for more than one day, parking will be reimbursed per day based on long term parking rates or other transportation to and from the airport, whichever is less. Parking will not be reimbursed at the short term parking rate.

The use of rental vehicles is discouraged and shall be authorized only when no other mode of transportation is available or when alternate transportation would be more expensive or impractical. Elected or Appointed Officials must understand that the City's vehicle insurance coverage does not cover the individual driver of a rental car. Therefore, the City Official shall confirm personal coverage under their personal insurance or purchase additional insurance from the rental agency at their own expense. Rental vehicles shall be driven only by Elected or Appointed Officials included on the car rental agreement. Elected or Appointed Officials shall be reimbursed for reasonable taxi fare, airport van, or other public transportation in order to travel from their destination airport to their hotel.

**VI. REPORTING OF EXPENDITURES**

If the City reimburses an Elected or Appointed Official for attending a "meeting" as defined under the Brown Act <sup>1</sup>, the Official shall provide a brief written or oral report regarding the "meeting" at the next regular meeting of the Council or applicable commission, board or committee to which the Official belongs. For other educational seminars or events for which expenses were reimbursed by the City, the Official may provide a brief written or oral report at the next regularly scheduled meeting of the Council or applicable commission, board or committee to which the Official belongs.

**VII. ACKNOWLEDGEMENT**

After being sworn in, Elected or Appointed Officials will be required to sign a statement formally acknowledging receipt and acceptance of this policy.

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<sup>1</sup>The Brown Act (California Government Code section 54952.2) defines a meeting as including "any congregation of majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."



# FY 2019 Per Diem Rates for California

Max lodging by month (excluding taxes.)

PrimaryDestination	County	2018Oct	Nov	Dec	2019Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
<b>Standard Rate</b>	<b>Applies for all locations without specified rates</b>	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94	\$94
<b>Antioch / Brentwood / Concord</b>	<b>Contra Costa</b>	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158
<b>Bakersfield / Ridgecrest</b>	<b>Kern</b>	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105
<b>Barstow / Ontario / Victorville</b>	<b>San Bernardino</b>	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102	\$102
<b>Death Valley</b>	<b>Inyo</b>	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118	\$118
<b>Eureka / Arcata / McKinleyville</b>	<b>Humboldt</b>	\$103	\$103	\$103	\$103	\$103	\$103	\$103	\$103	\$135	\$135	\$135	\$103
<b>Fresno</b>	<b>Fresno</b>	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105	\$105
<b>Los Angeles</b>	<b>Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica</b>	\$180	\$161	\$161	\$180	\$180	\$180	\$180	\$180	\$180	\$180	\$180	\$180
<b>Mammoth Lakes</b>	<b>Mono</b>	\$101	\$101	\$122	\$122	\$122	\$122	\$122	\$122	\$122	\$135	\$135	\$101
<b>Mill Valley / San Rafael / Novato</b>	<b>Marin</b>	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161	\$161
<b>Monterey</b>	<b>Monterey</b>	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$154	\$206	\$206	\$154
<b>Napa</b>	<b>Napa</b>	\$214	\$164	\$164	\$164	\$164	\$164	\$164	\$214	\$214	\$214	\$214	\$214
<b>Oakhurst</b>	<b>Madera</b>	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$107	\$139	\$139	\$139	\$107
<b>Oakland</b>	<b>Alameda</b>	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175	\$175
<b>Palm Springs</b>	<b>Riverside</b>	\$137	\$137	\$137	\$137	\$137	\$137	\$137	\$106	\$106	\$106	\$106	\$106
<b>Point Arena / Gualala</b>	<b>Mendocino</b>	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121	\$121
<b>Sacramento</b>	<b>Sacramento</b>	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135	\$135
<b>San Diego</b>	<b>San Diego</b>	\$160	\$160	\$160	\$174	\$174	\$174	\$174	\$174	\$174	\$174	\$160	\$160

PrimaryDestination	County	2018Oct	Nov	Dec	2019Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
San Francisco	San Francisco	\$299	\$247	\$247	\$270	\$270	\$270	\$270	\$270	\$270	\$270	\$270	\$299
San Luis Obispo	San Luis Obispo	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123	\$123
San Mateo / Foster City / Belmont	San Mateo	\$211	\$196	\$196	\$211	\$211	\$211	\$211	\$211	\$211	\$211	\$211	\$211
Santa Barbara	Santa Barbara	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$168	\$223	\$223	\$168
Santa Cruz	Santa Cruz	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$160	\$160	\$160	\$126
Santa Monica	City limits of Santa Monica	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$247	\$299	\$299	\$247
Santa Rosa	Sonoma	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158	\$158
South Lake Tahoe	El Dorado	\$119	\$119	\$128	\$128	\$128	\$128	\$128	\$128	\$128	\$159	\$159	\$119
Stockton	San Joaquin	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116	\$116
Sunnyvale / Palo Alto / San Jose	Santa Clara	\$229	\$229	\$229	\$239	\$239	\$239	\$229	\$229	\$229	\$229	\$229	\$229
Tahoe City	Placer	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113	\$113
Truckee	Nevada	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126	\$126
Visalia	Tulare	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106	\$106
West Sacramento / Davis	Yolo	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125	\$125
Yosemite National Park	Mariposa	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$120	\$139	\$139	\$139	\$120



# FY 2019 Per Diem Rates for California

## Meals & Incidentals (M&IE) Breakdown

Primary Destination	County	M&IE Total	Continental Breakfast/Breakfast	Lunch	Dinner	Incidental Expenses	First & Last Day of Travel
<b>Standard Rate</b>	<b>Applies for all locations without specified rates</b>	\$55	\$13	\$14	\$23	\$5	\$41.25
<b>Antioch / Brentwood / Concord</b>	<b>Contra Costa</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Bakersfield / Ridgecrest</b>	<b>Kern</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Barstow / Ontario / Victorville</b>	<b>San Bernardino</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Death Valley</b>	<b>Inyo</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Eureka / Arcata / McKinleyville</b>	<b>Humboldt</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Fresno</b>	<b>Fresno</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Los Angeles</b>	<b>Los Angeles / Orange / Ventura / Edwards AFB less the city of Santa Monica</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Mammoth Lakes</b>	<b>Mono</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Mill Valley / San Rafael / Novato</b>	<b>Marin</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Monterey</b>	<b>Monterey</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Napa</b>	<b>Napa</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Oakhurst</b>	<b>Madera</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Oakland</b>	<b>Alameda</b>	\$66	\$16	\$17	\$28	\$5	\$49.50



<b>Primary Destination</b>	<b>County</b>	<b>M&amp;IE Total</b>	<b>Continental Breakfast/Breakfast</b>	<b>Lunch</b>	<b>Dinner</b>	<b>Incidental Expenses</b>	<b>First &amp; Last Day of Travel</b>
<b>Palm Springs</b>	<b>Riverside</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Point Arena / Gualala</b>	<b>Mendocino</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Sacramento</b>	<b>Sacramento</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>San Diego</b>	<b>San Diego</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>San Francisco</b>	<b>San Francisco</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>San Luis Obispo</b>	<b>San Luis Obispo</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>San Mateo / Foster City / Belmont</b>	<b>San Mateo</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Santa Barbara</b>	<b>Santa Barbara</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Santa Cruz</b>	<b>Santa Cruz</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Santa Monica</b>	<b>City limits of Santa Monica</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Santa Rosa</b>	<b>Sonoma</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>South Lake Tahoe</b>	<b>El Dorado</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Stockton</b>	<b>San Joaquin</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Sunnyvale / Palo Alto / San Jose</b>	<b>Santa Clara</b>	\$66	\$16	\$17	\$28	\$5	\$49.50
<b>Tahoe City</b>	<b>Placer</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>Truckee</b>	<b>Nevada</b>	\$76	\$18	\$19	\$34	\$5	\$57.00
<b>Visalia</b>	<b>Tulare</b>	\$61	\$14	\$16	\$26	\$5	\$45.75
<b>West Sacramento / Davis</b>	<b>Yolo</b>	\$71	\$17	\$18	\$31	\$5	\$53.25
<b>Yosemite National Park</b>	<b>Mariposa</b>	\$76	\$18	\$19	\$34	\$5	\$57.00



certification by the County Auditor Controller, approval of the State Controller, State Department of Finance and the Oversight Board. The Oversight Board is scheduled to review this ROPS on January 28th. Once approved, the City as Successor Agency will then only be able to pay those obligations listed on the approved ROPS.

Attached for consideration and approval are a resolution and ROPS 19-20 (Attachment A), detailing the continuing obligations of the former Antioch Development Agency.

The ROPS is segregated into four pages, with the first page providing a summary of funding requested. The second page details all obligations of the Successor Agency to be reimbursed from the Redevelopment Property Tax Trust Fund established at the County level. The third page provides cash balance totals (which outlines any funds retained, being set aside for future approved obligations or unspent from the prior period ROPS distribution). The fourth page provides notes to the obligations listed that the Agency wants to provide further clarification for.

#### **ATTACHMENTS**

- A.** Resolution Approving the Recognized Obligation Payment Schedule for the Period of July 2019 through June 2020 (ROPS 19-20).
  - 1)** Recognized Obligation Payment Schedule for the Period of July 2019 through June 2020 (ROPS 19-20)

SA RESOLUTION NO. 2019/

**RESOLUTION OF THE SUCCESSOR AGENCY TO THE ANTIOCH DEVELOPMENT AGENCY OF THE CITY OF ANTIOCH APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE SUCCESSOR AGENCY FOR THE PERIOD OF JULY 2019 THROUGH JUNE 2020 (ROPS 19-20)**

**Whereas**, pursuant to the Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*), on July 15, 1975, the City Council of the City of Antioch (“City”) adopted the Antioch Community Redevelopment Plan (as amended) , which set forth the Redevelopment Plan of the Antioch Community Redevelopment Project Area to be implemented by the Antioch Development Agency (“Agency”); and

**Whereas**, in June 2011, as part of the 2011-2012 State budget bill, the California State Legislature enacted, and the Governor signed, Assembly Bill 1X 26 to dissolve redevelopment agencies; and

**Whereas**, given the State-mandated dissolution of the Antioch Development Agency on February 1, 2012 pursuant to Assembly Bill 1x 26, the City Council adopted a resolution confirming its intention to serve as the Successor Agency to the Antioch Development Agency (“Successor Agency”) and as Housing Successor (“Housing Successor”), pursuant to California Health and Safety Code section 34173(d); and

**Whereas**, Health and Safety Code section 34177(l)(1) provides that Successor Agencies are required to prepare a Recognized Obligation Payment Schedule (“ROPS”) before each annual fiscal period identifying enforceable obligations and sources of payment; and

**NOW THEREFORE BE IT RESOLVED THAT** the Successor Agency to the Antioch Development Agency of the City of Antioch hereby approves the attached Recognized Obligation Payment Schedule of the City of Antioch as Successor Agency for the period of July 2019 through June 2020 (ROPS 19-20).

\* \* \* \* \*

The foregoing resolution was passed and adopted by the Successor Agency to the Antioch Development Agency of the City of Antioch at a regular meeting thereof, held on the 8th day of January, 2019 by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**

\_\_\_\_\_  
ARNE SIMONSEN, CMC,  
RECORDING SECRETARY

**Recognized Obligation Payment Schedule (ROPS 19-20) - Summary  
Filed for the July 1, 2019 through June 30, 2020 Period**

**Successor Agency:** Antioch  
**County:** Contra Costa

<b>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</b>		<b>19-20A Total (July - December)</b>	<b>19-20B Total (January - June)</b>	<b>ROPS 19-20 Total</b>
<b>A</b>	<b>Enforceable Obligations Funded as Follows (B+C+D):</b>	<b>\$ 178,655</b>	<b>\$ -</b>	<b>\$ 178,655</b>
B	Bond Proceeds	-	-	-
C	Reserve Balance	178,655	-	178,655
D	Other Funds	-	-	-
<b>E</b>	<b>Redevelopment Property Tax Trust Fund (RPTTF) (F+G):</b>	<b>\$ 2,203,983</b>	<b>\$ 1,150,950</b>	<b>\$ 3,354,933</b>
F	RPTTF	2,153,983	1,100,950	3,254,933
G	Administrative RPTTF	50,000	50,000	100,000
<b>H</b>	<b>Current Period Enforceable Obligations (A+E):</b>	<b>\$ 2,382,638</b>	<b>\$ 1,150,950</b>	<b>\$ 3,533,588</b>

Certification of Oversight Board Chairman:  
Pursuant to Section 34-177 (o) of the Health and Safety code, I  
hereby certify that the above is a true and accurate Recognized  
Obligation Payment Schedule for the above named successor  
agency.

\_\_\_\_\_  
Name Title  
/s/ \_\_\_\_\_  
Signature Date



**Antioch Recognized Obligation Payment Schedule (ROPS 19-20) - Report of Cash Balances**  
**July 1, 2016 through June 30, 2017**  
**(Report Amounts in Whole Dollars)**

funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see Cash Balance Tips Sheet.

A	B	C	D	E	F	G	H			
								Fund Sources		
								Bond Proceeds	Reserve Balance	Other Funds
	<b>ROPS 16-17 Cash Balances</b> (07/01/16 - 06/30/17)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, Grants, Interest, etc.	Non-Admin and Admin	<b>Comments</b>			
<b>1</b>	<b>Beginning Available Cash Balance (Actual 07/01/16)</b> RPTTF amount should exclude "A" period distribution amount	146,089	185	129,658	30,998	0				
<b>2</b>	<b>Revenue/Income (Actual 06/30/17)</b> RPTTF amount should tie to the ROPS 16-17 total distribution from the County Auditor-Controller	70	151		(4,672)	3,602,214				
<b>3</b>	<b>Expenditures for ROPS 16-17 Enforceable Obligations</b> (Actual 06/30/17)	0	230		9,184	3,569,249				
<b>4</b>	<b>Retention of Available Cash Balance (Actual 06/30/17)</b> RPTTF amount retained should only include the amounts distributed as reserve for future period(s)	146,159		129,658	17,142		The \$129,658 reserve balance was applied to the ROPS 18-19 housing fund deferred set-aside obligation/\$17,142 part of other funds being used in ROPS 17-18			
<b>5</b>	<b>ROPS 16-17 RPTTF Prior Period Adjustment</b> RPTTF amount should tie to the Agency's ROPS 16-17 PPA form submitted to the CAC	No entry required				32,965	Being applied to 19-20A housing fund deferred set-aside obligation			
<b>6</b>	<b>Ending Actual Available Cash Balance (06/30/17)</b> C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$ 0 \$	106 \$	0 \$	0 \$	0 \$	0			



**Antioch Recognized Obligation Payment Schedule (ROPS 19-20) - Notes July 1, 2019 through June 30, 2020**

Item #	Notes/Comments
6	Amount reported each six month period is estimate of amount to be paid
12	Amount reported each six month period is estimate of amount to be paid
15	Amount paid from reserves is from 16/17 PPA
18	The amount listed as paid from reserves is the calculated RPTTF balance remaining at 6.30.18. This amount has not been required to be reported as a PPA yet and does not yet appear on a cash balance worksheet.
20	Amount includes 19/20 loan payment due as well as 18/19 loan payment that was denied by DOF in 18/19 ROPS



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Teri House, CDBG/Housing Consultant *TH*

**APPROVED BY:** Forrest Ebbs, Community Development Director *FE*

**SUBJECT:** Proposed Financing Villa Medanos Apartments through the Issuance of Bonds by the California Public Finance Authority (CPFA)

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### RECOMMENDED ACTION

It is recommended that the City Council adopt the Resolution approving the issuance by the California Public Finance Authority (CalPFA) of multifamily housing revenue bonds in an aggregate principal amount not to exceed \$31,000,000 for the purpose of financing or refinancing the acquisition and rehabilitation of Villa Medanos Apartments and certain other matters relating hereto. Notice of this Public Hearing was published in the East County Times on December 21, 2018.

### STRATEGIC PURPOSE

D-1: Improve existing community partnerships and realize new partnerships to help improve neighborhoods and reduce blight.

### FISCAL IMPACT

This action has no fiscal impact to the City of Antioch, as the developer is not requesting City subsidy for the project.

### DISCUSSION

This Public Hearing is a required component of the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982. A TEFRA Public Hearing, held by the governmental unit having jurisdiction over the area in which the facility to be financed is located, is mandated by the IRS before the Governor can approve the issuance of tax-exempt debt. The purpose of this TEFRA hearing is to provide a reasonable opportunity for interested residents of Antioch to express their views, either orally or in writing, on the issuance of bonds for the project outlined in this report.

These bonds will not be issued by the City of Antioch. The Reliant Group, Inc. has submitted to CalPFA an application to adopt a plan of financing providing for the issuance of one or more series of revenue bonds issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, in an aggregate principal amount not to exceed \$31,000,000 (the "Bonds") for the acquisition,

rehabilitation, improvement and equipping of a 112-unit multifamily rental housing project located at 2811 Cadiz Lane, Antioch, California, generally known as Villa Medanos Apartments (the "Project") and operated by Reliant Property Management.

The authority is a political subdivision of the State of California established under the Joint Exercise of Powers Act for the purpose of issuing tax-exempt and taxable conduit bonds for public and private entities throughout California. CalPFA is authorized to issue bonds for standalone or multi-jurisdictional projects throughout California. The use of tax-exempt bonds to finance a project and possible economies of scale may provide a lower interest rate and reduce the borrower's finance costs.

Pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the Authority must be approved by the City of Antioch (the "City") because the Project is located within the territorial limits of the City. The Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement. In order to initiate such a financing, the member participant of the Authority in which the proposed facilities will be located must conduct a public hearing and approve the Authority's issuance of indebtedness. Therefore, although the Authority will be the issuer of the tax-exempt revenue obligations for the Applicant, the financing cannot proceed without the City's approval of the financings.

The proposed project will provide additional affordable housing in the City, and will allow for upgrades and enhancements to be made on existing units.

### Proposed Project

The Reliant Group, Inc. is proposing the acquisition, rehabilitation, improvement and equipping of a 112-unit multifamily rental housing project located at 2811 Cadiz Lane, Antioch, California, generally known as Villa Medanos Apartments and operated by Reliant Property Management. This is an affordable multi-family apartment community originally built in 1987. The site is located on 4.79 acres in a commercial town center and residential neighborhood. It consists of ten two-story buildings and one leasing office, providing 112 units of affordable family housing. Of these, 40 are one-bedroom, 32 are two-bedroom, with one bathroom, 40 are two-bedroom, with two bathrooms. The ten two-story buildings have no elevators and there are currently no handicap units on site. The Borrower intends to convert 10% of the units to be accessible per TCAC Code.

These apartments will be exclusively for residents earning 60% or less of the area median income, with 10% to be affordable for those earning 50% or less of the area median income. Villa Medanos will be an important addition to the City's affordable housing stock for lower income families.

The properties will undergo an extensive interior and exterior renovation ranging between \$30,000 to \$40,000 per unit in hard costs and between \$38,000 to \$52,000 in total construction costs. The renovation work is expected to take eight months to complete

and will be done with tenants in-place. The renovation scopes are currently being developed and will focus on curing all deferred maintenance, updating unit interiors, improving curb appeal, reducing operating and utility costs, and ensuring the longevity of the assets well beyond the 15-year tax credit compliance period. The renovation is anticipated to include the following major components at each property, as necessary:

Exterior / Common Areas:

- New roofs on all buildings as needed
- New energy efficient windows and sliding glass doors as needed
- Upgraded, energy efficient lighting fixtures throughout
- Wood repair / siding replacement and full exterior paint
- Extensive landscaping upgrades, including drought tolerant plants and irrigation retrofit
- Upgraded pool areas and installation of barbecue space
- New fitness centers
- New building and monument signs
- Parking lot repairs, slurry seal and striping
- Redecorated and improved community buildings

Unit Interiors:

- New cabinets and countertops in kitchens and baths
- New energy efficient appliances in all units
- Low Flow Toilets and showerheads throughout
- Energy efficient lighting and new fixtures throughout
- New vinyl plank flooring in kitchen, hallways, and baths
- Microwaves and ceiling fans
- Washers and dryers in-unit where feasible

Developer

The Reliant Group Inc. is a California-based real estate company that acquires and manages assets throughout the United States. The Company's current portfolio contains 51 properties.

**ATTACHMENT**

A. Resolution

# ATTACHMENT "A"

## RESOLUTION 2019/\*\*

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE ISSUANCE BY THE CALIFORNIA PUBLIC FINANCE AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$31,000,000 FOR THE PURPOSE OF FINANCING OR REFINANCING THE ACQUISITION AND REHABILITATION OF VILLA MEDANOS APARTMENTS AND CERTAIN OTHER MATTERS RELATING THERETO

**WHEREAS**, an entity to be formed by The Reliant Group, Inc. (the "Borrower"), has requested that the California Public Finance Authority (the "Authority") adopt a plan of financing providing for the issuance of one or more series of revenue bonds issued from time to time, including bonds issued to refund such revenue bonds in one or more series from time to time, in an aggregate principal amount not to exceed \$31,000,000 (the "Bonds") for the acquisition, rehabilitation, improvement and equipping of a 112-unit multifamily rental housing project located at 2811 Cadiz Lane, Antioch, California, generally known as Villa Medanos Apartments (the "Project") and operated by Reliant Property Management; and

**WHEREAS**, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), the issuance of the Bonds by the Authority must be approved by the City of Antioch (the "City") because the Project is located within the territorial limits of the City; and

**WHEREAS**, the City Council of the City (the "City Council") is the elected legislative body of the City and is the applicable elected representative under Section 147(f) of the Code; and

**WHEREAS**, the Authority has requested that the City Council approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirement of Section 147(f) of the Code and the requirements of Section 12 of the Joint Exercise of Powers Agreement Relating to the California Public Finance Authority, dated as of May 12, 2015 (the "Agreement"), among certain local agencies, including the City; and

**WHEREAS**, pursuant to Section 147(f) of the Code, the City Council has, following notice duly given, held a public hearing regarding the issuance of the Bonds, and now desires to approve the issuance of the Bonds by the Authority; and

**WHEREAS**, the City Council understands that its actions in holding this public hearing and in approving this Resolution do not obligate the City in any manner for payment of the principal, interest, fees or any other costs associated with the issuance of the Bonds, and said City Council expressly conditions its approval of this Resolution on that understanding.

**RESOLUTION NO. 2019/\*\***

January 8, 2019

Page 2

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Antioch as follows:

Section 1. The City Council hereby approves the issuance of the Bonds by the Authority for the purposes of financing the Project. It is the purpose and intent of the City Council that this Resolution constitute approval of the issuance of the Bonds by the Authority, for the purposes of (a) Section 147(f) of the Code by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f) and (b) Section 12 of the Agreement.

Section 2. The officers of the City Council are hereby authorized and directed, jointly and severally, to do any and all things and execute and deliver any and all documents, certificates and other instruments which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby. Any actions heretofore taken by such officers are hereby ratified and approved.

Section 3. The City Council expressly conditions its approval of this Resolution on its understanding that the City shall have no obligation whatsoever to pay any principal, interest, fees or any other costs associated with the Authority's issuance of the Loan for the financing of the Project.

Section 4. This Resolution shall take effect from and after its passage and approval.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

AZ





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Kevin Scudero, Associate Planner *KS*

**APPROVED BY:** Forrest Ebbs, Community Development Director *FE*

**SUBJECT:** Arnold Rezone (Z-18-08)

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### **RECOMMENDED ACTION**

It is recommended that the City Council introduce the Ordinance for a zoning map amendment for the parcels located at 211 and 215 West 19<sup>th</sup> Street (APN's 067-264-011, 067-264-002) from Single Family Residential (R-6) to Convenience Commercial (C-1). The proposed Ordinance is included as Attachment "A" to this staff report.

### **STRATEGIC PURPOSE**

This action will forward Long Term Goal G: Planning, Entitlements, and Permitting, by providing consistent and efficient entitlement, permitting, and development services to the public.

### **FISCAL IMPACT**

The rezone of the site would not directly impact the City budget. The site is currently a vacant commercial space that is not generating any sales tax or business license revenue for the City. While the applicant has not provided any sales tax estimate, an occupied commercial center at the site would increase the amount of sales tax and business license revenue the site currently generates.

### **DISCUSSION**

#### **Requested Approvals**

The applicant, Lloyd Arnold, is requesting that the City Council approve the rezone of his properties at 211 and 215 West 19<sup>th</sup> Street (APN's 067-264-011, 067-264-002) from Single Family Residential (R-6) to Convenience Commercial (C-1).

#### **Environmental**

The proposed project is considered exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15301-Existing Facilities.



### Project Background & Overview

The current owner, Lloyd Arnold, has owned the properties since 1978. The building at 211 West 19<sup>th</sup> Street contained three commercial units and he operated his plumbing business, Arnold's Plumbing Supplies, in one of the units until 2012 when he retired. He also leased out the two smaller units at the site for retail operations. The property is currently zoned Single Family Residential (R-6) which does not allow commercial uses per AMC § 9-5.3803 – Table of Land Use Regulations. The site has long operated as a commercial center under a legal non-conforming status which, per Article 30 of the Antioch Municipal Code, allows the continuation of non-conforming uses provided that they have not been abandoned for a period of greater than 180 days. The last valid business license for a commercial use at the site expired in 2012; therefore, a rezone of the site to Convenience Commercial (C-1) is necessary in order for commercial uses to resume operation at the site. Had the commercial use at the site been in continuous operation, no zoning action would be required and the site would have been allowed to continue as a legal non-conforming commercial use. The rezone of the site to Convenience Commercial (C-1) would allow commercial uses to operate at the site subject to the requirements of AMC § 9-5.3803 – Table of Land Use Regulations. The site at 215 West 19<sup>th</sup> Street is an undeveloped 5,000 square foot parcel.

At the Planning Commission meeting on December 5, 2018 the Planning Commission voted 6-0 to recommend approval to the City Council that the site be rezoned from Single Family Residential (R-6) to Convenience Commercial (C-1).

### General Plan Consistency

The current General Plan designation of the site is Medium-Low Density Residential (MLDR). Section 4.4.1.2 of the General Plan describes Convenience Commercial areas as typically ranging about 10,000 to 40,000 square feet in size with uses that are generally neighborhood serving. In many older residential areas of Antioch, there are small freestanding commercial uses that were developed prior to the current General Plan. The General Plan acknowledges the existence of these types of sites and allows for the small freestanding commercial uses to be rezoned to Convenience Commercial (C-1) and states that "such a rezoning would be considered to be consistent with the General Plan, and not require a General Plan Amendment." Therefore, a General Plan amendment is not necessary and the rezone of the site to Convenience Commercial (C-1) would be consistent with the general plan.

### Site Analysis

The site at 211 West 19<sup>th</sup> Street was developed as a commercial center and it would be very difficult and unlikely for the site to be redeveloped with single family homes to conform to the current single family residential zoning. Rezoning the site to convenience commercial would allow commercial activities to be resumed at the site with commercial tenants who have a vested interest in the upkeep and maintenance of the site. Without

a rezoned site would likely remain vacant and the potential for blight and other issues associated with vacant commercial properties would greatly increase.

The site at 215 West 19<sup>th</sup> Street is an undeveloped 5,000 square foot parcel that is bounded on the eastern and western sides by commercial uses. The proximity to the commercial uses on both sides make the development of this site with a single family home unlikely. Given that this parcel is adjacent to 211 West 19<sup>th</sup> Street, and under the same ownership, the most likely future use of this property would be as ancillary space for use by a future commercial tenant at 211 West 19<sup>th</sup> Street.

### **ATTACHMENTS**

- A: Ordinance
- B: Vicinity Map

# ATTACHMENT "A"

ORDINANCE NO. \_\_\_\_\_

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE THE PROPERTIES AT 211 WEST 19TH STREET (APN 067-264-011) AND 215 WEST 19TH STREET (APN 067-264-002) TO CONVENIENCE COMMERCIAL (C-1) DISTRICT

The City Council of the City of Antioch does ordain as follows:

### SECTION 1:

The City Council determined on January 8, 2019 that, pursuant to Section 15301 of the Guidelines of the California Environmental Quality Act, that the project is exempt from environmental review.

### SECTION 2:

At its regular meeting of December 5, 2018, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject properties to Convenience Commercial (C-1).

### SECTION 3:

The real properties described in Exhibit A, attached hereto, are hereby rezoned to Convenience Commercial (C-1), and the zoning map is hereby amended accordingly.

### SECTION 4:

At its regular meeting of January 8, 2019 the City Council found that the proposed zone reclassification will allow uses more suitable for the site than the present classification; that the subject properties are suitable to the use permitted in the proposed zone change; that said permitted uses are not detrimental to the public or surrounding properties; and that the proposed zone change is in conformance with Antioch General Plan Section 4.4.1.2.

### SECTION 5:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the 8<sup>th</sup> of January, 2019, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ day of \_\_\_\_\_, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Sean Wright, Mayor of the City of Antioch**

**ATTEST:**

\_\_\_\_\_  
**Arne Simonsen CMC**  
**City Clerk for the City of Antioch**

EXHIBIT A  
LEGAL DESCRIPTIONS

The land referred to is situated in the County of Contra Costa, City of Antioch, State of California, and is described as follows:

Lot 4, Block C, Map of Subdivision of Lot 9, Wills Addition, filed July 22, 1926, Map Book 20, Page 513, Contra Costa County Records..

APN 067-264-002

The land referred to is situated in the County of Contra Costa, City of Antioch, State of California, and is described as follows:

Lots 1, 2, and 3, in Block C, as shown on the Map of Subdivision of Lot 9, Willis Addition, filed July 22, 1926, in Book 20 of Maps, Page 513, Contra Costa County Records.

Excepting Therefrom that portion of Lot 1, in Block C, as described in the Deed to the City of Antioch, a municipal corporation recorded August 1, 1978, in Book 8948 at Page 365, in Recorder's Serial Number 1978-105191, Contra Costa County Records.

APN: 067-264-011

A5



ATTACHMENT "B"



Source: Esri,

City of Antioch GIS




## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Trevor Schnitzius, Police Lieutenant

**APPROVED BY:** Tammany Brooks, Chief of Police 

**SUBJECT:** Establishment of Firearms Range Use Fee

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution amending the Master Fee Schedule to establish a new Firearms Range Use fee.

### **STRATEGIC PURPOSE**

This item promotes **Strategy A-2**, strategically deploy police resources and implement community policing strategies. The proposed action would introduce a new firearms range fee for the use of the Police Department firearms facility by sworn personnel of outside law enforcement agencies. The fee would correspond to the projected impact on City Staff to operate and maintain the facility during use.

### **FISCAL IMPACT**

The proposed action would introduce a new Firearms Range Use fee. This fee is set at a rate that would recover staff and maintenance costs.

### **DISCUSSION**

In February 2018, the City of Antioch completed a firearms range modernization upgrade. With limited facilities and consistent scheduling conflicts, Antioch Police have received several requests from law enforcement agencies for official use of our facility. Additionally, the Antioch Police indoor range facility allows for year round training and varied situational opportunities other facilities cannot offer due to weather or natural lighting concerns. The Antioch Police firearms range offers a fully automated system with the ability to generate custom training scenarios that are not available at other facilities.

Law enforcement agencies typically work collectively and often share resources and honor assistance requests when capable. The MOU has been drafted as to protect the interests of the City while allowing for the usage of the facility by sworn law enforcement personnel in a training setting. The proposed hourly fee would be used to defray the costs of staffing and maintaining the firearms range. The firearms range would be



offered for use only to qualifying law enforcement agencies and is not available to the general public for rent or use.

These fees are shown in the following table:

Firearms Range	
Hourly with Operator*	\$100.00
*APD Operator always required for use of the Range	

Other city/county facilities impose fees related to firearm range use on a per hour or half/full day (based on an eight-hour day) basis. These fees vary widely from approximately 50% up to the full amount proposed (when the number of persons the Antioch Police range facility can accommodate is taken into account). The fees (as proposed) are an estimation of services based on similarly established fees charged by other bay area cities and counties.

The new range use fee shall be used to defray the costs of staffing and maintenance of the firearms range. This fee, as proposed above, is both reasonable for law enforcement agencies and commensurate with the projected impact on City Staff.

**ATTACHMENTS**

- A: Resolution Amending the Master Fee Schedule
- B: Antioch Police Firearms Range Use MOU.

**ATTACHMENT "A"**

**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AMENDING THE MASTER FEE SCHEDULE RELATED TO ESTABLISH FIREARMS  
RANGE FEES**

**WHEREAS**, the Antioch Police range facility offers state of the art firearms training opportunities not easily accessible by other law enforcement agencies; and

**WHEREAS**, the City wants to work cooperatively with other law enforcement agencies to offer affordable training opportunities, share resources with other local law enforcement agencies; and

**WHEREAS**, the Council considered this item at a regularly scheduled public hearing on January 8, 2019.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, as follows:

- 1. Effective January 8, 2019, the Master Fee Schedule is hereby amended to include the following fees:

Firearms Range	
Hourly with Operator*	\$100.00
*APD Operator always required for use of the Range	

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**

## ATTACHMENT "B"

### AGREEMENT FOR USE OF THE FIREARMS TRAINING FACILITY BETWEEN THE CITY OF ANTIOCH AND \_\_\_\_\_

THIS AGREEMENT is made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, by and between the CITY OF ANTIOCH, a public body, and municipal corporation ("CITY"), and \_\_\_\_\_ Police Department/City ("USER").

WHEREAS, the CITY operates the Antioch Police Department Range, located at 300 L Street (hereafter the "Range"); and

WHEREAS, USER desires to use the Range under the terms and conditions hereafter set forth;

NOW, THEREFORE, the parties hereby agree as follows:

1. The CITY agrees to allow USER to use the Range for official training or qualification. CITY and USER will cooperate to establish the exact times that USER will use the Range, and the CITY will maintain this schedule in a master calendar. The CITY has final authority to approve USER's schedule and the master calendar. The Range is to be used for law enforcement only. No private use of the Range is permitted.
2. Prior to using the Range, USER must pay the CITY the fee designated in Exhibit "A," which is hereby referenced and incorporated into this agreement. The CITY may adjust this fee at any time, upon thirty (30) days written notice.
3. USER may elect to cancel its reservation for a full refund by notifying the CITY in writing no less than seven (7) calendar days prior to the assigned reservation date. If USER cancels its reservation date less than seven (7) days before the assigned reservation date, USER will be billed for the time reserved and shall not receive a refund.
4. If USER prematurely terminates or otherwise fails to use the total allotted time during the USER's assigned reservation, USER shall not be credited or refunded for such time unless CITY granted USER a modification to its scheduled reservation at least seven days prior to the originally reserved date.
5. If USER requests to extend its assigned reservation time on the day of the booking, such an extension will be at the discretion of Antioch Police Department on-site personnel and subject to availability. Additional hours will be billed according to the hourly rate in effect on the date of the booking.
6. At all times during use of the Range, USER shall provide a POST-Certified Firearms Instructor ("Firearm Instructor") for the purpose of firearms training and

## ATTACHMENT "B"

qualification for all USER personnel. Prior to use of the Range, USER shall provide the CITY with a copy of the certifications of any Firearm Instructor who will be on site during any use of the Range. All use of the Range shall be in accordance with POST and CITY Police Department policies.

7. USER acknowledges and understands that Antioch Police Department Operators will not and shall not be requested to provide firearms instruction or training. USER agrees that the operator's sole purpose is to manage facility equipment and to act as a general safety officer only.
8. USER agrees that only sworn peace officers, as defined in California Penal Code section 830.1, are allowed access to and use of the Range.
9. USER shall supply its personnel with all targets, ammunition, weapons, and other equipment necessary to use the Range for firearms qualification and training.
10. After use of the Range, USER personnel shall leave the Range in the same condition it was in before use including, but not limited to, removal of shell casings and all other debris. If the Range is not adequately restored to the same condition it was in before use, the CITY reserves the right to charge USER for the costs the CITY incurs in restoring the Range to its prior condition.
11. The term of this Agreement shall be for twelve (12) months from the effective date of this Agreement, unless sooner terminated by either party, upon thirty (30) days written notice, when notice has been properly sent as required herein.
12. CITY shall submit monthly invoices to:

\_\_\_\_\_ Police Department/City  
Address:

Tel:  
Fax:  
Attn:

13. Less than thirty (30) days from the date of the invoice, USER shall submit payment to the CITY at the following address:

City of Antioch  
Antioch Police Department  
300 L Street  
Antioch, CA 94509

Tel: 925-779-6973  
Fax: 925-779-6905  
Attn: Lieutenant Trevor Schnitzius

## ATTACHMENT "B"

14. All notices or other communications herein provided to be given or which may be given by either party to the other shall be deemed to have been fully given when made in writing and deposited with the United States Postal Service, registered or certified, postage prepaid and addressed as follows:

Chief Tammany Brooks  
Antioch Police Department  
300 L Street  
Antioch, California 94509

15. USER shall indemnify and hold harmless CITY, its officers, agents, and employees against any and all claims, causes of action, damages, suits, judgments, attorney's fees and liability of every description, including death or injury to any person or damage to or destruction of any property arising out of or occurring in connection with any act or omission of USER, its officers, agents, employees, or representatives during use of the Range.
16. USER may make an appointment with the CITY to inspect the Range prior to use. USER recognizes and accepts that the Range may not be suited for firearms training or qualification of any kind and accepts the Range with all defects, latent or patent. USER hereby assumes the risk of and releases CITY from any and all liability of any kind whatsoever that may arise out of use of the Range by USER, including, but not limited to, any defect, latent or patent, or any act or omission of CITY, its officers, agents, or employees related to this Agreement or the Range.
17. USER shall maintain in full force and effect, at all times during use of the Range, Commercial General Liability Insurance coverage including, but not limited to, Premises-Operations, Contractual Liability Insurance (specifically concerning the indemnity provisions of this contract), Broad Form Property Damage, and Personal Injury for liability arising out of this Agreement with the CITY. This policy shall have minimum limits for Bodily Injury Liability and Property Damage Liability of \$1,000,000 for each occurrence and \$2,000,000 aggregate. An additional insured endorsement (CG 20 10 11 85) to the Commercial General Liability insurance policy shall name the CITY and its officers, agents, volunteers, and employees as additional insureds. Insurance coverage in the minimum amounts set forth herein shall not be construed to relieve USER from liability in excess of such coverage, nor shall it preclude the CITY from taking such other actions as are available to it under any other provision of this Agreement or otherwise in law.

If USER is self-insured for liability, it may submit a certification of self-insurance and additional insured endorsement to the CITY's Risk Manager, providing for the same level of insurance coverage listed above. Upon acceptance of that



## ATTACHMENT "B"

written commitment by the City Risk Manager, the requirements of this paragraph shall be satisfied.

18. USER shall submit a certificate of insurance or equivalent written proof that it is insured against liability for worker's compensation in accordance with the provisions of Section 3700 of the Labor Code. In signing this Agreement, USER makes the following certification, required by Section 1861 of the Labor Code:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract."

19. The provisions of this Agreement shall be binding upon and, subject to any prescribed limitations on the right of assignment, shall insure to the benefit of the parties hereto and their respective heirs, successors, assigns and legal representatives. No party shall assign or transfer by operation of law or otherwise any or all of its rights or obligations under this Agreement without the prior written consent of the other party.
20. This document contains the entire agreement between the parties relating to the services, rights, obligations, and covenants contained herein and assumed by the parties respectively. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto and no oral understanding or agreements not incorporated herein shall be binding on any of the parties hereto.
21. If any party initiates an action to enforce the terms of this Agreement or declare rights hereunder, the parties agree that the venue thereof shall be the City of Antioch, State of California.
22. Each person executing this Agreement on behalf of USER represents and warrants that he or she is duly authorized to execute and deliver this Agreement on behalf of USER and that this Agreement is binding on USER in accordance with its terms.

**ATTACHMENT "B"**

IN WITNESS WHEREOF, the parties have caused this agreement to be executed, the day and year first above written.

\_\_\_\_\_ Police Department

CITY OF ANTIOCH, a Municipal Corporation

By \_\_\_\_\_

By \_\_\_\_\_


Ron Bernal  
City Manager



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Derek P. Cole, Interim City Attorney 

**SUBJECT:** Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives

### **STRATEGIC PURPOSE**

The proposed action is consistent with Strategy N-1, Effectively and efficiently provide legal services in support of the City’s policies, procedures and initiatives.

### **FISCAL IMPACT**

None.

### **DISCUSSION**

This matter was continued to this meeting after initially being placed on the November 27, 2018 agenda.

The “Let Antioch Voters Decide” or “LAVD” and “The Ranch” initiatives made numerous changes to a number of elements of the Antioch General Plan. Although each initiative made several changes to policies and text that the other did not, some policies and text were amended by both initiatives. To ensure the public, property owners, and other interested parties can have a single, clear document identifying all the changes to the General Plan in light of the adoption of both initiatives, this Office has prepared a summary of all the changes in a sequential format. This summary, attached as Exhibit A to the enclosed resolution, identifies all new text in underline font and all deleted text in strike-through font. A color code is also used to identify whether the changed text is made by the Ranch or LAVD Initiative, or by both. A key is provided in the summary to identify the color code utilized.

Since this matter was continued on November 27, 2018, this Office has consulted with representatives of the sponsors of the two initiatives, Richland Communities and Save Mount Diablo. In light of that consultation, additional and minor changes have been made

to the General Plan text summary. The changes from the previous draft are shown in redline to the version attached to the proposed resolution. This Office understands that the two initiative sponsors agree that, with these insubstantial changes, they agree that the General Plan text summary accurately reflects the changes both initiatives have made to the text of the General Plan.

This Office notes that correspondence was received for the November 27, 2018 meeting from representatives of the Zeka Ranch and Oak Hill parties that are presently challenging the initiatives in Court. In this correspondence, both parties assert that it is premature for the City Council to consider adoption of the General Plan text summary in light of their lawsuits. This Office disagrees, and believes that the City has a ministerial duty to codify amendments to legislative texts (e.g., the general plan and City ordinances) that are amended by City Council action or initiative. Should challenges to such texts be made, the texts are not presumed to be inoperative just because some parties have chosen to file legal challenges. The opposite is in fact true: absent the granting of a preliminary injunction, the texts are presumed to be valid during the pendency of the challenge.

In addition, one of the property owners challenging the initiatives believes some text from the initiatives has not been included in the General Plan text summary. This Office is not aware of any such omitted text and notes that the challenger has not specified which text it believes has been excluded.

#### **ATTACHMENTS**

- A. Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives (with Exhibit A, Amended Text of Antioch General Plan)
- B. Copy of “Initiative to Change General Plan Designations within the Sand Creek Focus Area and Permanently Require Voter Approval of Amendments to Urban Limit Line” (the “Let Antioch Voters Decide” Initiative)
- C. Copy of Initiative to Restrict Development in Portions of the Sand Creek Area, Approve a Development Agreement for “The Ranch” Project in That Area, and Allow Amendment of the Urban Limit Line by Voter Approval Only (“The Ranch Initiative”)

**ATTACHMENT A**

**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH RECOGNIZING THE AMENDMENTS MADE TO THE GENERAL PLAN IN LIGHT OF THE ADOPTION OF "THE RANCH" AND THE "LET ANTIOCH VOTERS DECIDE" INITIATIVES**

**WHEREAS**, in accordance with California Elections Code section 9215(a), the City Council on July 24, 2018 enacted the Initiative to Restrict Development in Portions of the Sand Creek Area, Approve a Development Agreement for "The Ranch" Project in That Area, and Allow Amendment of the Urban Limit Line by Voter Approval Only ("The Ranch Initiative");

**WHEREAS**, in accordance with California Elections Code section 9215(a), the City Council on August 28, 2018 enacted the "Initiative to Change General Plan Designations within the Sand Creek Focus Area and Permanently Require Voter Approval of Amendments to Urban Limit Line" (the "Let Antioch Voters Decide," or "LAVD" Initiative);

**WHEREAS**, the Ranch and LAVD Initiatives make several changes to the Antioch General Plan concerning, among other things, development and the use of land in the Sand Creek Focus Area, some of which changes overlap and affect the same policies of portions of the General Plan; and

**WHEREAS**, the City Council believes it would be helpful to the public, property owners, and other interested parties to have a single document that reflects the changes the Ranch and LAVD Initiatives have made to the General Plan.

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby recognizes that the changes made to the General Plan by the Ranch and LAVD initiative are as set forth in Exhibit A, and that City Staff and the City Clerk are directed to take such actions as are necessary to ensure these changes are reflected in an updated printing and any future printings of the General Plan, whether in electronic or paper form.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8th day of January, 2019 by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

**Key: Text highlights indicate which initiative is the source of the amendment.**

West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative amendments (“The Ranch” Initiative)

Sand Creek Area Protection Initiative amendments (“Let Antioch Voters Decide Initiative”)

Amendments contained in both Initiatives

Edit, clarification, or necessary change to grammar or punctuation

## GENERAL PLAN AMENDMENTS.

### A. AMENDMENTS TO INTRODUCTION.

#### 1.0 Introduction

Antioch is a community preparing for change. Currently known as a bedroom community connected to distant employment centers in the Bay Area, Antioch is in the process of:

- expanding its employment base to provide a balance between local jobs and housing;
- managing residential growth to provide an appropriate range of housing opportunities **within the voter-approved Urban Limit Line (ULL)**, including executive housing, traditional single family neighborhoods, middle to upper end attached housing products, **and affordable housing, and age-restricted housing for seniors, and to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated;**
- resolving ongoing traffic congestion **and safety** problems; and
- re-establishing the Rivertown area and waterfront as a distinctive part of the City’s identity.

The Antioch General Plan represents a comprehensive effort to achieve these and other community goals, and to enhance the quality of life of existing and future residents, **in part by ensuring that future growth and development will occur only within the**

**ULL**. The General Plan defines what makes Antioch a special place, delineates a vision for its future, and sets forth action-oriented programs to achieve that future. In accomplishing these tasks, the General Plan defines “quality of life” issues, including:

- enhancing family-oriented activities by reducing commute times to work and providing a broad range of recreational lands and activities within the community;
- facilitating mobility via public transit, automobile, bicycle, and pedestrian modes of transportation; and
- working with local school districts to provide high quality educational facilities and services.

The General Plan serves as the City’s lead policy document as to how Antioch will manage its future, and is the City’s official policy statement identifying the manner in which Antioch expects to coordinate its activities with those of other agencies, as they will affect the community in the future.

Antioch’s growth pattern over the past 20 years has been the result of planning efforts derived from previously adopted policy documents (including the preceding 1988 General Plan), specific plans, past development approvals, and infrastructure financing mechanisms. Since 1988, considerable changes have occurred in Bay Area housing and employment patterns, as well as transportation systems. Furthermore, the passage of ~~two~~ **three** voter-approved growth initiatives, Antioch’s **Measure K and its** advisory Measure U<sup>1</sup>, and the County’s Measure C, has increased the need for careful management of growth. **In addition, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative reaffirms and strengthens the City’s ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**



Over the past 30 years, sustained employment growth without corresponding housing development in certain portions of the Bay Area has forced workers in those locations -- traditionally in San Francisco, San Mateo, and Santa Clara Counties, but more recently, Walnut Creek, Concord, Livermore, and Pleasanton - to seek housing in eastern Contra Costa County. This combination of conditions produced rapid residential growth in Antioch. Between 1990 and 1999, the City added over 6,300 housing units and the population grew by nearly 20,000, an increase of more than 30 percent. The existing disparity in the location of employment growth and population growth in the Bay Area has led to the traffic congestion Antioch residents experience along State Route 4. To create a more equitable jobs/housing balance (and reduce commute times), Antioch has sought to expand and diversify its employment base and provide a greater variety of housing types **within the ULL** than are currently offered.

<sup>1</sup> A discussion of these two voter-approved measures is contained in Section 5.1 of the General Plan.

#### **1.1.4 The Comprehensive Nature of the General Plan**

To be effective as a decision-making tool, the various elements of the Antioch General Plan integrate the management of the community's future physical, social, environmental, and economic environments.

**Identification of Issues.** The General Plan not only addresses the issues that the State requires be included in a General Plan, but also responds to the current and future issues that Antioch faces. Key community issues that the General Plan addresses include:

- achieving and maintaining a vibrant community in which all residents enjoy a wide range of employment, shopping, and recreational opportunities;
- achieving a balance between local jobs and housing by increasing Antioch's attractiveness for the establishment of office-based and clean industrial businesses; revitalizing the community's downtown and re-establishing the Rivertown area and waterfront as a distinctive part of the City's identity;
- providing regional and local mobility and reducing ongoing traffic congestion problems through a combination of regional highway, local roadway, and transit improvements (e.g., bus, rail, BART, e-BART), transit-

oriented development, and enhancement of bicycle and pedestrian modes of transportation;

- establishing clear performance objectives for area infrastructure and services, thereby ensuring that the provision of public services and facilities supports the community's determination of desirable land uses, intensity, character, and rate of growth, **all within the ULL**;
- improving the design quality of lands and development at key interchanges along State Route 4, and along the roadway corridors leading to the Rivertown area; and
- managing the rate of residential growth and achieving an appropriate range of housing opportunities **within the ULL**, including executive and upper end housing, as well as housing for workers, seniors, and young adults who are first starting their careers and forming families.

## 1.2 EXISTING AND EMERGING TRENDS AFFECTING ANTIOCH'S FUTURE

The primary purpose of planning and preparing the General Plan is to provide the means for Antioch to manage future growth and change **within the ULL**. However, merely projecting what exists today into the future, thereby assuming that the future will resemble the present will not provide an accurate picture of what the future will be. An array of existing and emerging social, technological, and economic trends will change the way residents perceive their communities, define "quality of life," and live their lives. The following is intended to provide a descriptive evaluation of the ways in which existing and emerging social, technological, environmental, and economic trends may interact with existing and future conditions to provide a context for planning Antioch's future within a society that may be very different from today. These trends include the following:

- *A growing statewide **and local** population.* Population increases will continue within California as a result of natural increases. Areas, such as Antioch and eastern Contra Costa County will **also** continue to grow **and must be prepared to provide new housing opportunities within the ULL**.
- *An evolving housing market.* As lower and middle income households are continued to be priced out of the market, and the senior population grows, upper end housing, condominiums, age-restricted housing, and multi-family development **within the ULL** will become more popular **and important** in Antioch.

- *Technological advances and a changing economy significantly altering patterns of employment.* Traditional industrial development will decrease in importance, as service jobs and off-based employment grows. As a result, there will be a need for office-based and retail service development.
- *A growing regional imbalance of jobs and housing.* ABAG's projections of a worsening imbalance between jobs and housing will result in an increased difficulty to attract workers to increasingly congested employment centers within the inner Bay Area, along with an increased willingness for businesses to locate in presently outlying areas near their workers.
- *Increases in personal travel.* Non-peak hour travel will increase in relation to peak hour traffic. The "peak hour" of traffic will lengthen over several hours.
- *Increasing acceptance of public transit and other alternatives to automobile travel.* As traffic congestion increases, public transit will gain parity in terms of commute times during peak hours, and become more popular, even if it involves changing modes of transit (e.g., rail ore-BART to BART or other rail connection). As a result, there will be a need for transit centers within Antioch. In addition, as higher density transit-oriented development gains popularity, pedestrian and bicycle travel will increase both as a form of recreation and as a form of transportation. The result will be an increasing need for safe pedestrian and bicycle routes between residential areas and schools, shopping, recreation, and places of employment.
- *Changes in freight transportation and goods movement.* Rail traffic will increase over time, increasing congestion where arterials cross rail lines at-grade. There will be an increasing need for multi-modal facilities to transfer containers from rail to truck.
- *Changes in shopping and the new consumer.* Existing shopping facilities will become obsolete, and need to be remodeled to meet changing shopping patterns in the future. There will be a growing demand and support for up-scale shopping in Antioch.

**B. AMENDMENTS TO COMMUNITY VISION ELEMENT.**

**2.3 GENERAL PLAN THEMES**

The General Plan represents a detailed statement for achieving community vision and managing growth and change in the years ahead. This vision, and the means that will be employed to achieve

it are embodied in the following themes that are reflected throughout the General Plan.

1. *New growth and development **within the voter-approved Urban Limit Line (ULL)** can and will be directed toward meeting community objectives and needs.*

Antioch can grow and still remain a healthy and vibrant community, if this growth is managed, and occurs in the areas that can best accommodate it, **particularly within the ULL, such as selected portions of the Sand Creek Focus Area that have long been planned to accommodate Antioch's future growth.** Targeting of the type, intensity, and location of new growth **within the ULL**, along with managing the rate of new residential development, will facilitate achievement of community objectives, such as:

- a. Balancing the provision of diverse housing options **within the ULL** with local employment opportunities;
- b. Creating an exciting urban core within the Rivertown area with diverse economic, housing, cultural, and entertainment opportunities;
- c. Promoting a diverse economic base that serves Antioch residents through an expanded local employment base and entrepreneurial opportunities; maintaining sufficient municipal revenues to cover the cost of high quality municipal services and facilities; enhancing opportunities for cultural, scientific, corporate, entertainment, and educational institutions; and meeting the challenges of economic competition;
- d. Enhancing mobility for the movement of people and goods within the community and region through well-designed, balanced transportation systems that provides feasible alternatives to personal automobile travel (pedestrian, bicycle, and transit), and by maintaining a pattern of land uses that supports use of these alternative modes of transportation;
- e. Maintaining a match between the expansion of the City and its service and infrastructure systems **within the ULL**, including transportation systems; parks, fire, sanitary sewer, water, and flood control facilities; and other essential municipal services;
- f. Facilitating the provision of high quality education within the community by providing for the construction of new school facilities;

- g. Providing adequate support for businesses and institutions that serve the needs of the community, including **high-quality new housing in master-planned communities within the ULL;** schools; quality medical care facilities, including a full service hospital with acute/emergency care and local medical clinics and services; child and adult day care centers; libraries, shelters, public auditoriums; social clubs and recreation centers; and places of worship; and
  - h. Protecting the character of established residential neighborhoods.
2. *Economic vitality will be promoted to provide local employment and entrepreneurial opportunities, diverse shopping and commercial services, and adequate municipal revenues.*

Many residents commute to distant employment destinations because their job skills do not match existing local employment opportunities. These long commutes have resulted in congested highways, and are a significant constraint on residents' quality of life. To reduce congestion and enhance residents' quality of life, Antioch will expand its employment base, and work toward a balance between local jobs and housing. Although it is recognized that not all residents will choose to work within Antioch, and not all workers will live locally, Antioch's vision is that the majority of its working population will be employed locally. Such a choice will be made possible by providing as close a match between the range of local employment-generating uses and housing types as can be achieved **within the ULL**.

Antioch's quality of life also depends, in part, on the services provided by the City. Antioch's vision encompasses high quality public safety services, along with a wide array of other community amenities and public recreational activities. To afford the provision of such services, the City will support a vigorous business community and an economic climate wherein existing businesses desire to remain and expand, and new businesses want to locate. Such a business community will meet the needs of residents and other businesses by providing desired commercial and professional services and a broad array of convenience, specialty, and "big ticket," retail goods, as well as leisure-oriented and entertainment uses. Providing such an array of retail and commercial service uses represents much more than just

municipal income for the City; providing the full range of retail and commercial services desired by Antioch residents will also be an important factor in enhancing community identity and pride.

3. *Antioch will be a healthy, family-oriented community.*

The well-being of Antioch's children, families, and seniors is critical to the community's own well-being. Antioch is, and will continue to be largely comprised of single-family dwellings and neighborhoods designed for families. Although not directly provided by the City, high quality educational services are critical to community success. Thus, Antioch will maintain a close partnership with the Antioch Unified School District to facilitate the provision of superior school facilities, including shared school/park facilities, and to maintain a focus on what is best for the community's youth. As Antioch's population grows, the City will work with Los Medanos College to expand its programs, and will work CSU Hayward to establish a satellite campus within the City.

An array of high quality neighborhood-oriented and community-wide parks and recreational facilities will be maintained, along with community gathering places along the riverfront, as a means of enhancing Antioch's desirability for families. Antioch also recognizes existing demographic trends, and the desirability of retaining local residents in the community for their retirement years. Thus, **new housing in areas long planned for future growth within the ULL**, facilities, and services for seniors will be provided within the community. Antioch will thus assist in meeting the needs of public, private, and voluntary organizations and institutions that provide important community support services by maintaining an adequate inventory of lands **within the ULL** for such uses.

The City recognizes that land use patterns directly affect the quality of lives of families. Long commutes between Antioch and distant employment centers create stress for residents, and detracts from family life. **In turn, long commutes between Antioch employers such as Kaiser Permanente and distant housing opportunities in other communities creates similar stress for employees.** The availability of services in nearby locations, including health care, education, recreation, day care, and shopping is not just a convenience, but is a key component of people's quality of life.

The City also recognizes the changing nature of the family, including single parent households and a growing number of singles who may band together to form households within the community. As a result, programs for children, undertaken in conjunction with local school districts, will become more important over time as a means of providing a full range of services, and maintaining a high quality of life for local residents.

4. *Antioch will be a mobile community, providing options in addition to the single-occupant automobile.*

The freedom provided by the private automobile has dominated the form of modern urban America over the past several decades. Although the automobile and modern highway systems have given workers the freedom to move into distant suburban locations in search of newer and higher quality housing than they could otherwise afford closer to their places of employment, the resulting long commutes have also been a source of growing frustration. As a result, there is an increasing demand for extending mass transit systems further into suburban locations, and for enhancing alternative modes of transportation (e.g., bicycle and pedestrian) for local travel.

Antioch and other communities are also rethinking how energy conservation, air quality management, and transportation planning goals should be met, along with how future land use patterns need to be modified to support achievement of these goals. Thus, principles of transit-oriented development and pedestrian-oriented development<sup>1</sup> will be implemented to provide residents and workers alternatives to travel by automobile, by facilitating transit, pedestrian, and bicycle travel. The General Plan seeks to maximize residents' and visitors' freedom of movement within Antioch, providing them with viable choices as to the mode of transportation they use (e.g. automobile, transit, pedestrian, bicycle). The design, configuration, and mix of uses in strategic locations **within the ULL**, such as Rivertown, the Hillcrest interchange, Sand Creek and East Lone Tree Focused Planning Areas, and the "A" Street interchange will provide an alternative to traditional suburban development by emphasizing a pedestrian-oriented environment, and reinforcing residents' ability to use bicycles and public transportation.



<sup>1</sup> “Transit-oriented” developments are typically mixed use neighborhoods or projects, within a quarter mile of a transit stop, predominantly light rail or bus transfer stations. Pedestrian-oriented developments give priority to and respond to the needs of the pedestrian as a higher priority than automobile travel. By providing a compact form of development, both transit-oriented and pedestrian-oriented development also facilitate bicycle travel.

5. *The resolution of community and regional issues needs to be equitable.*

In pursuing solutions to expansion and financing of infrastructure, including transportation facilities, and in managing future growth **within the ULL**, the City of Antioch will emphasize the concept of equity. It is Antioch’s vision that the financing of regional transportation improvements will recognize that the existing regional imbalance of jobs and housing is the principal cause of the congestion faced by eastern Contra Costa County residents in their work commutes. Thus, the employment growth in existing employment centers is as much the cause of regional traffic congestion problems as it is the result of housing growth in existing suburban locations. An equitable solution to regional traffic congestion would place equal responsibility for financing new transportation facilities on jobs-rich communities that expand their employment bases and on housing-rich communities that expand their residential sectors. Equity will also be maintained in the financing of new public services and facilities and their long-term maintenance between existing and developing portions of the City **within the ULL**. Thus, the costs associated with providing expanded infrastructure to newly developing areas will be internalized within those areas. Affordable housing will be provided within Antioch in a manner that integrates such housing into the fabric of the community, and does not isolate lower-income households from community amenities and activities. Finally, the notion of equity will be extended to the City’s growth management system, which will provide opportunities **within the ULL** for both large- scale and smaller housing developers to build and market their products within the community.

## **C. GROWTH MANAGEMENT ELEMENT AMENDMENTS.**

### **3.1 INTRODUCTION AND PURPOSE**

The premise of growth management in the City of Antioch has long been to ensure that development paid its own way, and that sufficient public services and facilities were available to support new development. The City defined the desired pattern of land uses, and proactively assisted in setting up funding mechanisms for expansion of infrastructure designed to ensure that the costs of capital facilities needed to support growth were paid for by new development. As individual development came forward, the emphasis was on mitigating the impacts of proposed growth. Today, one of the key themes of the Antioch General Plan is that new growth and development be directed **within the voter-approved Urban Limit Line (ULL) and** toward the achievement of the community vision set forth in the General Plan. New development **within the ULL** needs to make a positive contribution to the community, and not just avoid or mitigate its impacts.

Antioch will face a number of difficult growth management challenges over the next 20 years as it moves from a bedroom suburb to a full service city. Key among these challenges is the need to effectively address nagging traffic congestion problems in the East County region in the face of rapid residential growth forecasts. In response, Antioch has committed to expand local employment opportunities and reduce the need for Antioch residents to commute long distances to work. The desire to revitalize Antioch's Rivertown area, its riverfront, and its older areas; to enhance municipal income streams through expanded retail opportunities, and the need to expand both upper end and affordable housing opportunities **within the ULL** also need to be factored into the community's growth management strategy.

New growth and development within Antioch **within the ULL** will increase the demand for infrastructure and services provided by the City and other agencies. In addition, future land use and development decisions will have an effect on municipal costs and revenues. As long as Antioch continues to grow in population and expand its economic base, the City's operating and capital budgets will have to respond to increased demands for services and facilities. Since the fiscal burden of providing expanded infrastructure is beyond the normal capacity of municipal revenues, it is imperative that the expansion of the City's residential and non-residential sectors occur such that a burden is not placed on the community's resources.

As discussed in Section 3.1.2, Antioch voters passed an advisory growth control measure. Measure U calls for the City to not only enforce public services and facilities performance standards during

the review of individual development proposals, but also to phase the rate of new development to ensure the continuing adequacy of those services and facilities. Managing the rate of growth adds a new challenge. To implement annual growth limits in addition to the public services and facilities performance standards that the City has been implementing, along with large-scale assessment districts to provide up-front financing of infrastructure, requires that care be taken to ensure the viability of such infrastructure financing mechanisms.

It is the purpose of this Element of the General Plan to bring together those portions of the General Plan that address various aspects of growth management, and thereby set forth a comprehensive strategy to manage the location and rate of future growth and **within the ULL**. It is also the purpose of the Growth Management Element to implement the provisions of countywide Measure J and the City's Measures **U, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, and the Sand Creek Area Protection Initiative** (see Sections 3.1.1, and 3.1.2, and 3.1.3 below). The Growth Management Element thus sets forth performance standards for key community services and facilities **within the ULL**, thereby establishing a clear linkage between future growth **within the ULL** and the adequacy of community services and facilities.

### **3.1.1 Contra Costa County Measure J Requirements**

- One purpose of the Growth Management Element is to comply with the requirements of the Measure J Growth Management Program (GMP), adopted by the voters of Contra Costa County in November 2004. The GMP requires each local jurisdiction to meet the six following requirements: Adopt a development mitigation program;
- Address housing options;
- Participate in an ongoing cooperative, multi-jurisdictional planning process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and,
- Adopt a transportation systems management (TSM) ordinance or resolution.

Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.

Both programs include ½ percent transportation and retail transactions and use tax intended to address existing major regional transportation problems. The Growth Management component is intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

Compliance with the GMP is linked to receipt of Local Street Maintenance and Improvement Funds and Transportation for Livable Community funds from the Transportation Authority. The Growth Management Program defined by the original Ordinance 88-01 continues in effect along with its linkage to Local Street maintenance and improvement funds through March 31, 2009. Beginning on April 1, 2009, the Measure J CMP requirements take effect.

Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL, **which the voters approved via Measure K in 2005 and reaffirmed and strengthened in 2018 to ensure in the future that only the voters in Antioch may change the ULL and that urban development occurs only in appropriate areas within the ULL, and to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.**

### 3.1.2 Antioch’s Advisory Measure U

In November 1998, Measure U was approved by a large majority of Antioch voters (69 percent). Measure U was an advisory measure calling for the City to phase the rate of new development to:

“Provide adequate schools, street improvements, and Highway 4 improvements for a sustained high quality of life, by making new growth pay its own way through maximizing fees, assessment districts, matching fund programs, and any other means effective to expedite the construction of needed infrastructure.”

A series of community workshops were conducted during early 1999, leading to an interim ordinance.

The interim ordinance was subsequently replaced by a permanent ordinance that is consistent with the provisions of the General Plan Element. **In addition, Measure K furthered the intent of Measure U by ensuring that the rate of new residential development is phased so that traffic improvements may be constructed to**

**accommodate existing and future Antioch residents within the ULL.**

**3.2 GOALS OF THE GROWTH MANAGEMENT ELEMENT**

To provide for a sustained high quality of life and ensure that new development occurs **only within the ULL** in a logical, orderly, and efficient manner, it is the goal of the Growth Management Element to accomplish the following:

- *Maintain a clear linkage between growth and development within the City and expansion of its service and infrastructure systems, including transportation systems; parks, fire, police, sanitary sewer, water, and flood control facilities; schools; and other essential municipal services, so as to ensure the continuing adequacy of these service facilities.*

This goal is cornerstone of the Growth Management Element. The quantified public services and facilities performance standards delineated in this Element set a benchmark for quantifying the impacts of new development **within the ULL**, and also represent the measuring tool by which mitigation of those impacts will be required by the City. Implementation of these performance standards is thus designed to mitigate the impacts of growth, and ensure that new development **within the ULL** pays its own way in terms of the capital costs associated with needed expansion of public services and facilities. The provisions of the Growth Management Element are also intended to address efficiency in the provision of public services and facilities. By moderating the rate of new residential growth **within the ULL**, consistent with the ability of the City and service agencies to keep pace, the cost of providing public services can be maintained at reasonable rates.

“Efficiency” in the provision of public services and facilities often also means constructing large-scale capital facilities at the initial phase of new development **within the ULL** to avoid interim periods of inadequate service. The City of Antioch recognizes that that it is sometimes necessary to construct large-scale infrastructure ahead of development, possibly making financing difficult for individual developments. Where financing required large-scale capital facilities is needed, but beyond the ability of individual developments, many communities permit the construction of interim facilities. However, maintenance of such interim facilities is often costly, and in the end more expensive than constructing the ultimate facilities up front. As a result, Antioch strives to avoid the use of interim facilities, and supports

the establishment of land-based financing mechanisms in the form of assessment districts to facilitate the financing of large-scale capital facilities. Policies related to interim facilities and financing of capital facilities is contained in the Public Services and Facilities Element.

- *Maintain a moderate rate of residential growth **within the ULL** to ensure that the expansion of public services and facilities keeps pace.*

This goal recognizes that there is a limit to the rate at which public services and facilities can reasonably be expanded **within the ULL**. Because of long lead times for the construction of regional highway improvements, schools, and large-scale flood control facilities, the provision of some critical facilities can fall behind rapid residential growth, even if new development does ultimately pay its own way. By moderating residential growth rates, potential lag times between project approvals and housing occupancy can be minimized or eliminated.

- *Recognize the ultimate buildout of future development within the City of Antioch and its Planning Area, **and the ULL** that is established in the General Plan Land Use Element.*

The land use map and policies **and the ULL** contained in the Land Use Element define the City's future land use pattern, along with maximum appropriate development intensities throughout the Antioch Planning Area **and ULL**. As a result, the General Plan Land Use Element **and ULL** establishes **establish** an ultimate buildout for the General Plan.

The policies of the Growth Management Element are intended to recognize that build out of the General Plan **within the ULL** will occur as the result of numerous individual development decisions and numerous incremental improvements to the public services and facilities serving Antioch. In setting forth public services and facilities and defining the responsibility of individual developments **within the ULL** to mitigate impacts and pay their own way, the Growth Management Element is intended to provide a system for the expansion of infrastructure that will support build out of the General Plan as expressed by the ultimate buildout **within the ULL** established in the Land Use Element.

- *Manage the City's growth in a way that balances the provision of diverse housing options with local employment opportunities and provides sufficient municipal revenues to cover the cost of high quality municipal services and facilities.*



Achievement of a balance between local jobs and housing was a key factor in the implementation of the City's advisory Measure U, and a key component of Antioch's vision as expressed in Chapter 2, Community Vision, of the General Plan. The General Plan recognizes sustaining a high quality of life for Antioch residents necessarily involves reducing the need for long commutes to work, and that "balancing" jobs and housing means much more than just having an appropriate number of employment and housing opportunities within the community. "Balancing" jobs and housing means providing a range of housing types **within the ULL** appropriate for the types of employment opportunities found in Antioch. Conversely, "balancing" jobs and housing means providing the employment-generating lands that will provide the employment opportunities appropriate to Antioch residents. This Element is intended to assist in the financing of infrastructure needed to develop job-producing uses. It accomplishes this purpose by establishing achievable performance standards and considering the feasibility financing infrastructure expansion.

- *Improve regional cooperation in relation to mitigating the regional impacts of new development.*

Some of the services and facilities (e.g., fire protection, schools, and sewage treatment) provided to Antioch residents and businesses are provided by special districts, and not by the City. Effective management of growth **within the ULL**, including mitigation of impacts and expansion of services and facilities to support future growth requires the cooperation of the City and outside agencies providing local services. The provisions of the Growth Management Element, along with the provisions of the Public Services and Facilities Element, are intended to provide for such coordination.

For many issues (e.g., transportation, air quality, and economic development), a cooperative regional approach to problem solving is the only effective means. Traffic congestion resulting from home-to-work trips is primarily a regional problem resulting from regional imbalances of employment and housing, and can only be solved by concerted efforts at both ends of existing problematic commutes.

The impacts of new development are not always restricted to the municipal boundaries of the jurisdiction approving the development. Often, developments approved by one community impact other communities. In the case of development projects that will exacerbate regional jobs-housing imbalances, the traffic, noise, and air quality impacts of such developments can manifest themselves at some distance away from the development itself. "Equitable"



mitigation involves not only that projects pay their own way within the jurisdiction where they are approved, but may also mean mitigating impacts in other jurisdictions.

The Growth Management Element seeks to establish a basis for communities to jointly provide mitigation for impacts occurring in other jurisdictions, as well as a basis for regional cooperation to address regional issues. Antioch recognizes that the effectiveness of its Growth Management Element ultimately relies on the extent to which active partnerships with other jurisdictions can be formed and maintained to address the regional aspects of mitigating development impacts.

### 3.3.1 Growth Management Provisions in the General Plan

**[Editor's Note: The changes indicated below to this Section do not take effect until January 1, 2021. Prior to that date, the section will read as it is currently written, without the changes indicated below.]**

Antioch's growth strategy is to undertake a comprehensive program to accommodate planned economic and population growth **within the ULL** in a manner consistent with community values and the lifestyles of existing and future residents. Thus, growth management is central to the General Plan, and "growth management" provisions appear throughout the General Plan. In effect, the various elements of the General Plan each address specific aspects of managing growth within Antioch, and are intended to work together to function as a comprehensive growth management program. The specific growth management roles of individual General Plan elements are described below.

- The *Growth Management Element* implements the provisions of countywide Measure C, and provides supporting policies for implementation of Antioch's advisory Measure U. This Element establishes a quantified annual cap on residential growth, and sets forth roadway and highway level of service standards, as well as public services and facilities performance standards. This Element also implements the provisions of **Measure Measures J, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative** by providing general policy direction for achieving a balance between local jobs and housing, as well as for City participation in regional transportation planning efforts **and ensuring that future urban development will occur only within the ULL.**

- The *Land Use Element* defines acceptable locations and the appropriate intensity for new development **within the ULL**, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at “build out” of the Antioch Planning Area **and ULL**. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities’ mutual boundary<sup>1</sup>.

This element also addresses the effect of the urban limit line established by **the Voter-Approved Urban Limit Line Measure K and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative** (Figure 4.12) and directs new development to occur **only** within the Voter-Approved Urban Limit Line, thereby achieving a compact form of community **and preserving and protecting agricultural, natural resource, and open space uses on lands outside the ULL**.

The Land Use Element specifically delineates lands set aside for the development of employment-generating uses, and defines the types of employment-generating uses appropriate for each area so designated. Overall, the land use pattern defined in this element, along with the aggressive economic development program called for in the General Plan, is designed to achieve a balance between local housing and employment, **all within the ULL**. Overall, the Land Use Element sets for smart growth concepts, including providing for a close relationship between land use and transportation facilities (e.g., public transit, bicycle and pedestrian transportation, higher density development nodes at transportation centers).

<sup>1</sup> The provisions of the boundary agreement permit either city to terminate the agreement upon notice to the other city.

- The *Circulation and Transportation Element* directly addresses the provision of the new and expanded transportation facilities that are needed to support development of the land uses delineated in the Land Use Element **and located within the ULL**, consistent with the level of service standards set forth in the Growth Management Element. This Element defines the specific

improvements that will be made over time to the City's roadway and highway systems in order to maintain the level of service standards set forth in the Growth Management Element.

- The *Public Services and Facilities Element* directly addresses the provision of the new and expanded public services and facilities that are needed to maintain the performance standards set forth in the Growth Management Element. This Element defines the responsibilities of new development projects **within the ULL** for the provision of expanded services and facilities, and provides policy direction for the manner in which expansion of public services and facilities **within the ULL** will be financed. This element also addresses avoidance of interim facilities and the financing of large-scale facilities needed to maintain the performance standards set forth in the Growth Management Element.
- The *Resource Management Element* provides policy direction for the management of open space, hillside development, biological resources, water resources and quality, cultural and historical resources, and energy resources in relation to new growth and development.
- The *Environmental Hazards Element* addresses the constraints on growth presented by natural and man-made hazards.
- A *Development Review Program* is included as part of the General Plan implementation programs. The Development Review Program is a compilation of General Plan policies affecting the review of individual development projects **within the ULL**. This portion of the General Plan presents a comprehensive definition of the General Plan performance standards that will be used to review new development proposals in order to implement the policies of the General Plan. Thus, the Development Review Program sets for the specific criteria that will be used to determine the consistency of proposed new developments within the General Plan.

In addition to the Development Review Program, General Plan implementation programs include Follow-up Studies, Intergovernmental Coordination, and General Plan Maintenance. These sections set forth requirements for monitoring and coordination of the City's Growth Management Element, including motoring of compliance with stated performance standards and coordination with the City's Capital Improvement Program.

The Housing Element delineates the specific programs that the City of Antioch will implement to ensure housing opportunities **within the ULL** for all economic segments of the economy. The Housing Element, unlike the balance of the General Plan, is intended by state law to be short-term, setting forth a five-year program. As a result, the Housing Element is required to be updated every five years. This Element sets forth specific policies and programs designed to ensure opportunities for development of upper end housing, and for housing for service workers who could not otherwise afford for-sale housing within Antioch. State law requires that the California Department of Housing and Community Development review local Housing Elements to determine whether they meet the applicable legal requirements.

The Measure J Growth Management Program requires jurisdictions to report on their progress towards Housing Element compliance. The City must prepare a biennial report of the implementation of actions outlined in the City's Housing Element, for submittal to CCTA as part of the biennial GMP Compliance Checklist. The report will demonstrate reasonable progress using one of the following options:

- a. Comparing the number of housing units approved, constructed or occupied within the City over the preceding five years with the number of units needed on average every year to meet the housing objectives established in the City's Housing Element; or,
- b. Illustrating how the City has adequately planned to meet the existing and projected housing needs **within the ULL** through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or,
- c. Illustrating how the City's General Plan and zoning regulations facilitate the improvement and development of sufficient housing **within the ULL** to meet those objectives.

### **3.4 SERVICE STANDARDS FOR TRANSPORTATION FACILITIES**

This portion of the Growth Management Element sets level of service<sup>1</sup> standards for roadways within the City of Antioch Planning Area **and the ULL**, along with policies to ensure that these standards are maintained. These standards form the basis for the City's circulation policies, and for the ways in which land use and circulation

will be correlated with each other. Roadways are grouped into two categories: “Routes of Regional Significance” and “Basic Routes.”

Policies and programs to define the responsibilities of new development projects **within the ULL** for the provision of expanded roadway facilities are provided in Chapter 7.0 of the General Plan (Circulation Element). Policy direction addressing the manner in which expansion of roadways and other public services and facilities **within the ULL** will be financed is provided in Section 8.13 (Public Services and Facilities Element).

<sup>1</sup> Traffic levels of service (LOS) are expressed in terms of volume-to-capacity ratios to estimate the delay experienced by drives at intersections. They are expressed as the letters A-F with A representing free flow (volumes less than 60% of capacity, and F representing gridlock (volumes greater than 100% of capacity).

#### **3.4.1.1 Performance Standards for Routes of Regional Significance.**

Discretionary projects **within the ULL** that impact Routes of Regional Significance shall comply with the requirements of the adopted Action Plans. The improvements proposed for each of these routes are described in the Circulation Element.

#### **3.4.4 Transportation Facilities Policies**

- a. Place ultimate responsibility for mitigating the impacts of future growth and development **within the ULL**, including construction of new and widened roadways with individual development projects. The City’s Capital Improvements Program will be used primarily to address the impacts of existing development, and to facilitate adopted economic development programs.
- b. Continue to develop and implement action plans for routes of regional significance (see Circulation Element requirements).
- c. Ensure that development projects **within the ULL** pay applicable regional traffic mitigation fees and provide appropriate participation in relation to improvements for routes of regional significance (see also Circulation Element Policy 5.3.1f).
- d. Consider level of service standards along basic routes to be met if 20-year projections based on the City’s accepted traffic model indicate that conditions at the intersections that will be impacted by the project will be equivalent to or better than those specified in the standard, or that the proposed project has been required to pay its fair share of the improvement costs needed to bring

operations at impacted intersections into conformance with the applicable performance standard.

- e. The policy set forth in Paragraph d, above, is based on projected, with project traffic conditions and is a more stringent standard than that required by Measure J, which does not require jurisdictions to adopt local LOS standards. In cases where the standard set forth in paragraph d, above, is not met in the no project condition (i.e., projected traffic will not meet the applicable standard, even if the proposed project is not built), General Plan traffic standards for Basic Routes will be considered to be met if (1) the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard and actual physical improvements will be provided by the project so as to not result in a further degradation of projected level of service at affected intersections.

### **3.5 Service Standards for Other Community Services**

This section of the Growth Management Element sets forth performance standards for public services and facilities **within the ULL** other than the transportation network. **Consistent with the purposes of the ULL, the City will not extend and will not support the extension of the urban facilities described in this section beyond the ULL as established by the City's voters in Measure K in 2005 and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative in 2018.**

Descriptions of current facilities serving Antioch and its Planning Area, as well as plans and programs for expansion of facilities maintained by the City and the special districts serving the City are described in the Public Services and Facilities Element.

Standards are presented for services and facilities provided by the City of Antioch, as well as those provided by Special Districts other than the City, including fire protection services provided by the Contra Costa County Fire Protection District, school facilities provided by the Antioch Unified School District<sup>1</sup>, and sewage treatment facilities provided by the Delta Diablo Sanitation District. In addition to the fire, police, water, sanitary sewer, flood control, and park performance standards that are set forth in the Growth Management Element, standards are also provided for community centers, schools, and general public services and facilities. The inclusion of these additional standards recognizes the crucial role

that community centers, schools and other governmental facilities will play in ensuring a high quality of life for Antioch residents.

Policies and programs to define the responsibilities of new development projects **within the ULL** for the provision of expanded public services and facilities needed to meet the performance objectives and stated that follow are provided in the Public Services and Facilities Element of the General Plan. Policy direction addressing the manner in which expansion of roadways and other public services and facilities **within the ULL** will be financed is provided in Section 8.13 (Public Services and Facilities Element).

<sup>1</sup> A small portion of the Antioch Planning Area is located within the boundaries of the Brentwood School District and the Liberty Union High School District. Standards and policies for schools will apply to each school district serving the Planning Area.

### **3.5.1 Community Centers<sup>1</sup>**

**3.5.1.1 Performance Objective.** Ensure that community centers provide sufficient space to conduct civic meetings, recreational programs, and social activities to meet the needs of Antioch residents.

**3.5.1.2 Performance Standard.** Maintain a minimum of 750 square feet of community center space per 1,000 population.

<sup>1</sup> Community centers consist of buildings, other than City Hall, designed for community meetings, indoor recreational and instructional programs, and social activities. Included in the definition of community centers are such specialized facilities as senior centers, youth centers, and gymnasiums. Existing facilities include the Nick Rodriguez Community Center, Prewitt Family Park Center, and the Antioch Senior Center.

### **3.5.2 Fire Protection Facilities**

**3.5.2.1 Performance Objective.** Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property.

**3.5.2.2 Performance Standard.** Prior to approval of discretionary development projects **within the ULL**, require written verification from the Contra Costa County Fire Protection District that a five minute response time (including three minute running time) can be maintained for 80 percent of emergency fire, medical, and hazardous materials calls on a citywide response area basis.

### **3.5.3 Police Service**



**3.5.3.1 Performance Objective.** Maintain an active police force, while developing programs and police facilities that are designed to enhance public safety and protect the citizens of Antioch by providing an average response time to emergency calls of between seven and eight minutes from the time the call is received to the time an officer arrives.

**3.5.3.1 Performance Standard.** Maintain a force level within a range of 1.2 to 1.5 officers, including community service officers assigned to community policing and prisoner custody details, per 1,000 population. The ratio of community service officers assigned to community policing and prisoner custody details to sworn officers shall not exceed 20 percent of the total number of sworn officers.

### **3.5.4 Water Storage and Distribution<sup>2</sup>**

**3.5.4.1 Performance Objective.** Maintain a water system that is capable of meeting the daily and peak demands of Antioch residents and businesses, including the provision of adequate fire flows and storage for drought and emergency conditions.

**3.5.4.2 Performance Standard.** Adequate fire flow as established by the Contra Costa County Fire Protection District, along with sufficient storage for emergency and drought situations and to maintain adequate service pressures.

<sup>2</sup> The performance objectives and standards for water storage and distribution relate to the provision of capital facilities **within the ULL**. Policies related to water conservation and the use of reclaimed wastewater are contained in the Open Space/ Conservation Element.

### **3.5.5 Sanitary Sewer Collection and Treatment Facilities**

**3.5.5.1 Performance Objective.** A wastewater collection, treatment, and disposal system that is capable of meeting the daily and peak demands of Antioch residents and businesses.

#### **3.5.5.2 Performance Standards.**

- a. Sanitary sewers (except for force mains) will exhibit unrestricted flow in normal and peak flows.
- b. Prior to approval of discretionary development projects **within the ULL**, require written verification from the Delta Diablo Sanitation District that the proposed project will not cause the rated capacity of treatment facilities to be exceeded during normal or peak flows.

### **3.5.6 Flood Control**

**3.5.6.1 Performance Objective.** Ensure adequate facilities to protect Antioch residents and businesses from damaging flood conditions.

**3.5.6.2 Performance Standard.** Provide sufficient facilities development to protect structures for human occupancy and roadways identified as evacuation routes from inundation during the 100-year flood event.

### **3.5.7 Parks and Recreational Facilities**

**3.5.7.1 Performance Objective.** A system of park, recreational, and open space lands of sufficient size and in the appropriate locations, including provision of a range of recreational facilities, to serve the needs of Antioch residents of all ages.

**3.5.7.2 Performance Standard.** Provide five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 population, including appropriate recreational facilities.

### **3.5.8 Schools**

Recognizing that provision of school facilities is the responsibility of the school district, as set forth in State law (SB50). The intent of the General Plan in setting forth objectives and a performance standard for school facilities to require the maximum mitigation allowable by law.

**3.5.8.1 Performance Objective.** Provision of schools in locations **within the ULL** that are readily accessible to student populations, along with sufficient facilities to provide educational services without overcrowding.

**3.5.8.2 Performance Standard.** Require new development **within the ULL** to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities, as determined by the responsible school district.

### **3.5.9 Entitlement Process and Capital Improvements Program**

**3.5.9.1 Entitlement Process and Capital Improvements Program Objective.** To ensure the attainment of public services and facilities standards through the City's development review process, Capital Improvements Program, and a variety of funding mechanisms.

#### **3.5.9.2 Entitlement Process and Capital Improvements Program Policies**

- a. Ensure that discretionary development projects **within the ULL** comply with the City's performance standards, by approving such projects only after making one or more of the following findings.
  - The City's adopted performance standards will be maintained following project occupancy; or
  - Project-specific mitigation measures or conditions of approval have been incorporated into the project.
- b. Require new development **within the ULL** to fund public facilities and infrastructure, either directly or through participation in a land-based financing district, as necessary to mitigate the impacts of new development on public services and facilities.
- c. Levy mitigation requirements in proportion to each development's anticipated impacts. Where infrastructure is required to be installed in excess of a development's proportional mitigation requirement, utilize benefit districts over the area to be benefited by the infrastructure or provide reimbursement to the development for excess cost.
- d. Maintain a Five-Year Capital Improvement Program, designed, in part, to ensure that traffic and other public service performance standards are met and/or maintained, and to address the needs of existing development. Update capital improvement plans as part of the annual budget process.

### **3.6.1 Rate of Growth Objectives**

- a. Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities **within the ULL** for all economic segments of the community as required by State Housing Element law, and that facilitates the ability of public services and facilities provided by the City and outside agencies to expand **within the ULL** at a commensurate rate.
- b. **Manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage, and other such services.**
- c. **If land is developed within the ULL west of Deer Valley Road, a substantial portion of this land shall be retained for open space, parks, and recreational uses.**
- d. Encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public

services, stabilize older residential neighborhoods, and revitalize the Rivertown area.

### 3.6.2 Rate of Growth Policies

**[Editor's Note: The changes indicated below to this Section do not take effect until January 1, 2021. Prior to that date, the section will read as it is currently written, without the changes indicated below.]**

- a. Prohibit the granting of new residential development allocations for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, limit the issuance of development allocations to a maximum annual average of 600, recognizing that the actual rate of growth will vary from year to year. Thus, unused development allocations issued after December 31, 2010 may be reallocated in subsequent years, and development allocations may be moved forward from future years, provided that the annual average of 600 development allocations may not be exceeded during any given five-year period (i.e., no more than 3,000 development allocations may be issued for any given five-year period).
- b. To move development allocations forward from future years, the following finding must be made:

The constraints posed by needed infrastructure phasing or capital facilities financing require that development allocations be moved forward from future years to avoid jeopardizing the feasibility of existing infrastructure financing mechanisms or the financing of infrastructure for the development allocations that would otherwise be granted during the calendar year.
- c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple-family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single-family dwelling and an allocation for age-restricted housing and multiple-family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.
- d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be

granted to age-restricted senior housing, single family detached housing, and multifamily housing.

- e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.
- f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.
  - (1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with “density bonus” dwelling units approved pursuant to the provisions of the Housing Element and the City’s Density Bonus ordinance.
  - (2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to meet the Housing Element’s quantified objectives for housing of special needs groups.
  - (3) Dwelling units within development projects having vested rights through a valid (unexpired<sup>1</sup>) development agreement or vesting map.
  - (4) Construction of a single dwelling unit by or for the owner of the lot of record on which the dwelling unit is to be constructed.
  - (5) Construction of a second dwelling unit on a lot of record.
  - (6) Development of a project of four or fewer dwelling units.
  - (7) Development projects within the Rivertown Focused Planning Area **and Sand Creek Focus Area**.

- (8) Smart growth, transit-oriented development projects.
- (9) Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.

<sup>1</sup> The majority of existing development agreements expired on December 31, 2002.

### **3.7 REGIONAL COOPERATION**

#### **3.7.1 Regional Cooperation Objectives**

- a. Resolution of regional and multi-jurisdictional transportation issues for the maintenance of regional mobility as required by Measure J Growth Management Program and the Contra Costa Congestion Management Program.
- b. A regional approach to regional issues that recognizes and respects Antioch's local interests.
- c. Establishment of a system of development review within Antioch and surrounding communities based on the principle that the impacts of new development must be mitigated or offset by project-related benefits within each of the jurisdictions in which the impacts will be experienced.

#### **3.7.2 Regional Cooperation Policies**

- a. Continue participation in regional transportation planning efforts, including the Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority (Tri-Delta Transit), and TRANSPLAN.
- b. As part of the evaluation of individual development projects **within the ULL**, address and provide appropriate mitigation for impacts on regional and local transportation facilities.
- c. Maintain ongoing communications with agencies whose activities affect and are affected by the activities of the City of Antioch (e.g., cities of Brentwood, Oakley and Pittsburg; Contra Costa County; Antioch Unified School District; Contra Costa County Fire Protection District; Delta Diablo Sanitation District). The primary objective of this communication will be to:

- (1) Identify opportunities for joint programs to further common interests in a cost efficient manner;
  - (2) Assist outside agencies and the City of Antioch to understand each other's interests, needs, and concerns; and
  - (3) Resolve differences in these interests, needs, and concerns between Antioch and other agencies in a mutually beneficial manner.
- d. Support and promote inter-jurisdictional programs to integrate and coordinate the land use and circulation plans of area municipalities and the County, and to establish an ongoing inter-jurisdictional process for reviewing development proposals and mitigating their inter-jurisdictional impacts based on the principle that it is not appropriate for a jurisdiction, in approving a development project **within the ULL** to *internalize* its benefits and *externalize* its impacts.
- e. Continue to refer major planning and land use proposals **for new development within the ULL** to all affected jurisdictions for review, comment, and recommendation.

### **3.8 BALANCING EMPLOYMENT AND HOUSING OPPORTUNITIES**

#### **3.8.1 Employment and Housing Balance Objective**

Achievement of a balance between housing and employment opportunities within **Antioch's ULL**, providing the opportunity for households of all income levels to both live and work in Antioch.

#### **3.8.2 Employment and Housing Balance Policies**

- a. Maintain an inventory of employment-generating lands **within the ULL**, providing for a variety of office-based, industrial, and commercial (retail and service) employment opportunities.<sup>1</sup>
- b. Maintain an inventory of residential lands **within the ULL** that provides for a broad range of housing types including executive housing in both urban and rural settings, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, **and age-restricted housing for seniors**<sup>2</sup>.
  - (1) Provide a balance between the types and extent of employment-generating lands planned within the City of Antioch **ULL** with the types and intensity of lands planned for residential development.



(2) Encourage businesses to locate and expand within Antioch through an aggressive economic development program that provides essential information to prospective developers and businesses, along with tangible incentive programs for new and expanding businesses.

<sup>1</sup> This inventory, including identification of locations for employment-generating uses **within the ULL** and the types and intensity of development appropriate for each location, is provided in the Land Use Element.

<sup>2</sup> The Land Use Element delineates the inventory of residential lands **within the ULL**, and defines appropriate housing types and development intensities. One of the primary objectives of the Land Use Element is to increase opportunities for local employment for existing and future residents. Specific plans and programs to accomplish this objective are set forth in that Element. The primary objective of the Housing Element is to provide housing opportunities at all income levels.

#### D. LAND USE ELEMENT AMENDMENTS.

##### 4.1 INTRODUCTION AND PURPOSE

The Land Use Element is the cornerstone of the General Plan, setting forth Antioch's fundamental land use philosophy and directing development to the most suitable locations, **particularly within certain areas such as the Sand Creek Focus Area east of Deer Valley Road, and in the Limited Development Area west of Deer Valley Road on flatter land appropriate for future development within the existing limits of the voter-approved Urban Limit Line (ULL), which has long been planned to accommodate anticipated future City growth,** while maintaining the economic, social, physical, environmental health and vitality of the community. The Land Use Element, required by law since 1955, has the broadest scope of the seven mandatory General Plan elements, synthesizing all General Plan land use issues.

This Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values, to achieve Antioch's vision for its future. Of primary concern are the type, intensity, location, and character of land uses that will be permitted in the future. It is the purpose of this General Plan Element to provide appropriate land **within the ULL** for each of the variety of activities associated with successful urban areas, and to guide the manner in which this land is developed and used. In so doing, the Land Use Element intends

to create and regulate compatible and functional interrelationships between the various land uses in the City. Thus, the Land Use Element establishes City policy as to the appropriate use and development intensity for each parcel of land within the **City City's ULL**, including the City's view of appropriate land uses and development intensity for lands outside of the **City City's ULL**, but within the General Plan study area.

A key consideration in defining the type, intensity, location, and mix of future land uses **within the ULL** is achieving a balance between local employment and housing. The Antioch General Plan seeks to achieve such a balance as a means of addressing issues of traffic congestion, air quality, and energy conservation. This balance, along with providing adequate land area **within the ULL** for the commercial uses needed by local residents and businesses, will help achieve sufficient municipal income to pay for the services and facilities discussed in the Growth Management and Public Services and Facilities elements. The ability to commute only a few short miles to and from work on roadways that resemble the open road more than they do parking lots is an important component of the quality of life Antioch seeks for its residents. As more residents throughout the Bay Area are able to live and work in the same or nearby communities **and within the ULL**, congestion can be eased, travel speeds increased, substantial amounts of fuel conserved, regional air quality improved. The Land Use Element also seeks to ease congestion and improve regional air quality by providing patterns of land use **within the ULL** that support the use of transit. Such "transit-oriented" development consists of high density, mixed use development adjacent to transit nodes. Such transit nodes are proposed within Rivertown (adjacent to the Amtrak platform), at Hillcrest Avenue (surrounding the BART station), and east of the SR-4 Bypass, south of the Laurel Avenue interchange (surrounding the BART station)<sup>1</sup>.

<sup>1</sup> This transit oriented development node is one of three "test sites" for smart growth sponsored by ABAG. It is part of the countywide "Shaping our Future" program.

#### **4.1.1 Existing Land Use**

Despite substantial development in the past, Antioch has a great deal of land **within the ULL** available for future development. Much of the land within the City and within the unincorporated portion of the General Plan study area (22,391 acres) is vacant. Additional land is in agricultural use, and, may be available for future development, depending upon its land use designation **and so long as such land**

**is appropriate for development and it is within and not outside the ULL.** Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

Within the developed portion of the City, single-family residential uses cover the largest area (4,963 acres, 26.5%). Industrial uses account for 1,373 acres (7.3% of the land within the study area). Currently, industrial uses are concentrated in the northern portion of the Study Area to the west and east of Rivertown. Existing commercial uses are limited in extent, encompassing 456 acres (2.7% of the land within the Study Area. Commercial use is concentrated within Rivertown, and along major roadway corridors, such as Somersville Road/Auto Center Drive, Hillcrest Avenue, and “A” Street/Lone Tree Avenue.

#### **4.1.2 Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)**

In 1990, the voters of Contra Costa County approved Measure C-1990. This Measure states that urban development within the County is to be limited to no more than 35 percent of the land within Contra Costa County. At least 65 percent of all land in the County is to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. To ensure the enforcement of the “65/35” standard, the County has established an Urban Limit Line (ULL), which is incorporated into the County’s General Plan Open Space and Conservation Element **and is intended to ensure that new urban development shall occur only on land appropriate for development within the ULL and may not occur outside the ULL.** Hence, there shall be a clear distinction between non- urban and urban use areas. The criteria set by the County for determining lands that should be located outside the ULL includes:

- Prime agricultural lands (U.S. Soil Conservation Service Class I and Class II)
- Open space, parks and other recreation areas
- Lands with slopes in excess of 25 percent
- Wetland areas
- Other areas not appropriate for urban growth because of physical unsuitability for development

Measure C-1990 requires that there be no changes made to the ULL that would violate the 65/35 standard. The ULL can be changed by a 4/5 vote of the Board of Supervisors after holding a public hearing and making one or more of the following findings based on substantial evidence in the record:

- A natural or man-made disaster or public emergency has occurred that warrants the provision of housing and/or other community needs within land located outside the ULL.
- An objective study has determined that the ULL is preventing the County from providing its fair share of affordable or regional housing, as required by state law. The Board of Supervisors must find that a change to the ULL is necessary and the only feasible means to enable the County to meet these requirements.
- A majority of the cities are party to a preservation agreement, and the County has approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement.
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries.
- A five-year periodic review of the ULL has determined that, based on the criteria for establishing the ULL, new information is available or circumstances have occurred, warranting a change to the ULL.
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation related environmental or community impacts, or (ii) further the County's aviation related needs.
- A change is required to conform to applicable to California or Federal law.

Although the direct land use effects of the Urban Limit Line are limited to unincorporated areas of the County, the Contra Costa Local Agency Formation Commission (LAFCO) has consented to support the County's 65/35 Preservation Standard, Urban Limit Line, and Growth Management Standards in the review of proposed city spheres of influence and annexations. Thus, LAFCO has stated that it would not approve annexation of lands outside of the ULL to a city. Measure 1990-C states that the County is to review the location of the ULL every five years. **The County voters approved Measure L in 2006, extending** the provisions of **Measure C-1990 will remain in effect the ULL** until December 31, **2010 2026**.

In 2000, the County moved its Urban Limit Line in ~~the East County area~~ **Antioch over the objections of the City Council**. Within the Antioch area, the Urban Limit Line was moved to coincide with the southern boundary of the City, placing lands in the unincorporated area outside the ULL. This move shifted approximately 1,922 acres out of the ULL within the Antioch area.

In 2005, **Antioch** voters approved Measure K to **create the City's own ULL and to** include Roddy Ranch and a portion of the Ginocchio Property within the City ULL and the ~~city~~ **City** limits. **The ULL is intended to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated. As approved by Antioch voters, the entirety of the Sand Creek Focus Area is within the City ULL and the City limits and certain portions of the Sand Creek Focus Area are thus an appropriate location for future urban development.**

**In 2017, the County conducted its 5-year review of the ULL. According to the County's review, Antioch is anticipated to need approximately more than 4,000 new residential housing units between the years 2015 and 2040. Antioch's ability to meet this anticipated future residential growth will depend on long-planned development in appropriate locations within the existing boundaries of the City's ULL.**

**In 2018, ~~Antioch voters~~ the Antioch City Council adopted the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative to reaffirm and strengthen the ULL and to ensure that future urban development in Antioch occurs only in appropriate locations within the ULL. The Initiative Initiatives also ensured that City's ULL cannot be changed, except by a vote of the people of Antioch.**

#### 4.2 GOALS OF THE LAND USE ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs **within the ULL** in a logical, orderly, and efficient manner, it is the goal of the Land Use Element to accomplish the following:

- *Maintain a pattern of land uses that minimizes conflicts between various land uses, and promotes rational utilization of presently undeveloped and underdeveloped land **within the ULL**, and supports the achievement of Antioch's vision for its future.*

Defining the appropriate uses of land within the General Plan study area in a manner supportive of achieving the vision Antioch has established for its future is at the crux of the Land Use Element. The Land Use Element is responsive to the City's vision because it:

- Promotes expansion of the local employment base and achievement of a balance between local employment and housing. The Land Use Element provides for a wide variety of office-based and industrial employment, including heavier industrial uses along the San Joaquin River, rail-served industries, light industrial uses, commercial services, and retail businesses, and mixed use business and office parks.
- Opens up additional choices of living environment for families. The Land Use Element provides for executive housing in planned community settings, traditional single-family subdivisions, amenity-rich middle to upper end attached housing **and age-restricted housing for seniors**, high-density housing in transit-oriented, downtown, and mixed-use settings.
- Provides for the revitalization of the Downtown area and waterfront, integrating General Plan policies with revitalization planning efforts undertaken by the City.
- Provides opportunities for achieving quality design and avoiding the relentless sameness present in many suburban communities.
- Aids in stimulating economic revitalization in areas that are having difficulty competing with larger and more diversified development sites in Antioch and other communities.
- Stimulates new options for development at key entry points into the community.

In defining appropriate uses **within the ULL**, the Land Use Element addresses the future uses of lands that are currently undeveloped, and also sets forth desired changes in existing land uses and development intensities. In most cases, the Land Use Element recognizes existing land uses and development densities, and may recommend urban design improvements. In some cases, such as along the "A" Street corridor north of the SR4 freeway, the Land Use Element proposes changes in basic land use types. In other cases, such as existing residential areas within Downtown, the Land Use Element recommends increases in the overall development intensity of existing land uses. Each

of the recommendations contained in the Land Use Element are intended to result in a harmonious pattern of land uses directed toward meeting community objectives and needs.

- *Establish a land use mix which serves to develop Antioch into a balance community in which people can live, work, shop, and have recreation without needing to leave the City.*

The Land Use Element designates lands **within the ULL** for a broad range of residential, commercial, employment-generating, public/institutional, and open space and recreational lands. Residential and employment-generating land use designations are intended to include lands providing housing and employment opportunities for executives, managers, and professionals; highly skilled, semi-skilled, and unskilled workers; and retail and service workers. Residential land use designations are intended to provide housing opportunities for all economic segments of the community, **including seniors**, as well as for the special needs groups identified in the Housing Element. The Land Use Element seeks an array of shopping and commercial service opportunities to meet the needs of Antioch residents and businesses, including daily convenience shopping along with large-scale commercial centers for community and regional markets. The Land Use Element aims to provide a sufficient inventory of lands **within the ULL** for public, institutional, and recreation uses, and seeks to preserve needed open space areas.

- *Establish an overall design statement for the City of Antioch.*

As important as is defining the pattern of future land uses **within the ULL** is maintaining and enhancing Antioch's character and providing a pleasing visual experience to residents and visitors. Thus, Antioch's Land Use Element incorporates "urban design" concepts aimed at ensuring that the built environment is a physical expression of desired community character.

#### **4.3 COMMUNITY STRUCTURE**

Throughout much of the General Plan study area, Antioch's land use pattern is well established, and is not intended to change over time. Future growth in the central and northern portions of the City will primarily consist of infill development, existing approved but undeveloped projects, and the expansion of existing uses. As **long-planned** development **in appropriate locations within the ULL** expands into the southern portion of the City and its General Plan study area, Antioch will face significant challenges **and be presented with significant opportunities**.



#### 4.3.1 Community Structure Objective

Provide adequate land **within the ULL** for present and future urban and economic development needs, while retaining a compact, rather than a scattered, development pattern.

#### 4.3.2 Community Structure Policies

- a. As part of General Plan implementation – including development review, capital improvement planning, and preparation of Specific Plans – foster close land use/transportation relationships to promote use of alternative transportation system modes and minimize travel by single occupant automobiles.
- b. Give priority to new development **within the ULL**, utilizing existing and financially committed infrastructure systems over development needing financing and construction of new infrastructure systems.
- c. Encourage high-density residential development (both freestanding and in mixed use projects) within one-quarter mile of existing and planned heavy and/or light rail transit stops as illustrated in the Circulation Element.
- d. Concentrate large-scale industrial uses along the waterfront east of Rodgers Point and within areas designated for industrial use along existing rail lines. Limit employment-generating uses adjacent to residential areas and within mixed-use planned communities to business parks and office uses.
- e. Concentrate future regional commercial uses along Lone Tree Way, SR4 and SR160 and along the SR-4 bypass.
- f. Recognize the Voter-Approved Urban Limit Line (Figure 4.12) that encompasses up to 1,050 acres of land within the Roddy Ranch and Ginochio Property Focus Areas that were included **in within** the Urban Limit Line as it was **twice** adopted by the voters, **first** in 1990, and **again** in ~~the Voter-Approved Urban Limit Line 2005~~ as a means of phasing urban and suburban development, preserving open space and maintaining a compact urban form. **The ULL was then reaffirmed and strengthened by the voters, in 2018, in the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative**
  - Maintain rural land uses (residential densities less than one dwelling unit per five acres (0.2 du/ac) and compatible open space/recreational uses which do not require urban levels of

public services and facilities ~~through 2020~~ in areas outside **the existing boundaries** of the Voter-Approved Urban Limit Line.

- Limit future urban development within Roddy Ranch and the Ginochio Property ~~through 2020~~ to a total of approximately 1,050 acres (approximately 850 acres within Roddy Ranch and 200 acres within the Ginochio Property) that were within the **City** urban limit line as it was **first** adopted by the voters in 1990 and that are also within in the Voter-Approved Urban Limit Line **City voters approved again in 2005 and reaffirmed and strengthened in 2018.**

#### 4.4.1.1 Residential Land Use Designations.

~~Six~~ **Seven** residential land use designations are set forth to provide for development of a full range of housing types, in conjunction with residential development within General Plan Focus Areas **within the ULL**. Permitted maximum land use and anticipated population densities are described for each designation. Densities are stated as the maximum permissible number of dwelling units per net acre that exists within the project site prior to any new dedication requirements. Density is assumed to accrue only to lands that are “developable.” Developable acres are those **lands within the boundaries of the ULL** that are not encumbered by prior dedications of easements or rights-of-way, and are not so steep (generally over 25%), unstable, floodprone or subject to other hazards as to be unable to support new development. Achievement of the maximum allowable density is neither guaranteed nor implied by the General Plan. The final density of any particular residential development type is dependent upon development design; any physical, geological, or environmental constraints that might be present within the site; available infrastructure and services; and other factors. The development standards that are established in the Antioch zoning ordinance might also limit attainment of maximum allowable densities.

Second units on a residential lot and home occupations are permitted by local regulation. Provision of density bonuses as allowed by State law and City ordinance may result in development densities in excess of the nominal maximum density for any land use designation.

**Estate Residential.** Estate Residential land uses are planned as a transition between urban and rural areas, and for areas that are not suited for a more intensive form of development because of topography, geologic conditions, or urban service limitations. Estate Residential areas will also serve to provide “executive” housing on

large lots, thereby expanding the community's range of housing types.

On designated lands where topography is not limiting, the representative form of development would be single-family homes on lots that average one acre in size. For properties so designated that are situated in steeper hillside settings, clustering of units and utilization of other hillside development techniques are anticipated and encouraged. The final approved and built density on lands in the Estate Residential land use designation should reflect the location of these lands as low-density residential transition areas between the urbanized Antioch and the undeveloped Mount Diablo Range of hills.

Since this designation is planned at the urban/non-urban interface, the type and level of development may require different construction standards, such as narrower street widths with parking along only one side of the street or no on-street parking, greater setbacks, limited sidewalk areas, etc. Development may require a different level of services than that required for strictly urban land uses. Projects that minimize the demand for urban services and provide major funding for construction of needed service facilities would be appropriate.

Environmental constraints such as steep slopes, riparian habitats, unstable soil conditions, sensitive flora and fauna, and visual prominence are often found on lands with the Estate Residential designation. These constraints may make development of these areas extremely sensitive, and could require creative and imaginative site planning in all projects. The steepness of the slopes and the visual prominence of these areas make many of these resources important public amenities to be preserved for all of the citizens of Antioch. Finally, as these areas will serve as a buffer between the urbanized City of Antioch and the undeveloped open space to the southwest, development must be at a level, which serves as an appropriate transition between urban and non-urban environments.

Development in this category is generally limited to a maximum of one (1) unit per gross developable acre, unless a density of two (2) units per developable acre is specified on the General Plan land use map or in Focus Area policies. Overall, residential developments within the Estate Residential land use category should provide large lots, and project a semi-rural character.

Neighborhood entry signage is encouraged to create a sense of community, and define Estate Residential neighborhoods as special

places. Within hillside areas, dwelling units should be clustered on land that is relatively flat, and no development should occur on slopes exceeding 20 percent. Due to the unique nature of these areas, a clustering of units may be needed to accommodate the unit yield and still maintain the topographic uniqueness of the area. Developments in these areas should be oriented around a major amenity that increases public exposure to the more hilly terrain. Examples of such amenities include golf courses and equestrian centers.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: One dwelling unit per developable acre (1 du/ac) or two dwelling units per developable acre (2 du/ac)
- Anticipated Population per Acre: Four (4) to eight (8) persons per acre

**Rural Residential, Agriculture, Open Space.** This designation allows single-family rural residential development in the Restricted Development Area as provided by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative<sup>1</sup> and by the Sand Creek Area Protection Initiative. This designation, typically involving large parcels, protects agriculture, grasslands, and open space, as well as permitting housing in rural areas. The maximum house size with accessory buildings is 6,000 square feet. The minimum legal parcel size shall be 80 acres.<sup>2</sup>

The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Restricted Development Area, provided however that all use and development must comply with the provisions of the General Plan and with other City plans and ordinances:<sup>3</sup>

- (a) One single family dwelling unit on a parcel, secondary dwelling units required by state law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;
- (b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;
- (c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;

**(d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Restricted Development Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;**

**(e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Restricted Development Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;**

**(f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d) of this Rural Residential, Agriculture, Open Space land use designation, provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;**

**(g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses, firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural**

**environment and not contribute significantly to pollution, noise, or other environmental harm;**

**(h) Institutional and other non-profit uses that predominantly serve permitted uses in the Restricted Development Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;**

**(i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Restricted Development Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside the Restricted Development Area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if similar private uses and development would be allowed;**

**(j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.**

**<sup>1</sup> Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.**

**<sup>2</sup> The City shall not grant a certificate or conditional certificate of compliance regarding any division of land in the Restricted Development Area except as required by State law. All permissible restrictive conditions shall be imposed on a certificate. The owner or**

subsequent transferees of property shall be held to strict compliance with those conditions. A certificate of compliance creates no right to develop, nor diminishes in any respect the City's authority to control development. .

<sup>3</sup> (a) Parcels, structures, uses, or surface alterations in the Restricted Development Area to the extent that they existed legally at the time the Sand Creek Area Protection Initiative became effective remain valid, except if their authorized time limit expires they may not be reestablished to the extent inconsistent with the Sand Creek Area Protection Initiative, they are eliminated voluntarily or abandoned, or a use is contrary to this Section 4.4.1.1. Parcels, structures, surface alterations or uses in the Restricted Development Area may not be changed or expanded to the extent they would cause a violation of any provision of the Sand Creek Area Protection Initiative, or would augment or make more serious what would have been a violation if created or done after the Sand Creek Area Protection Initiative became effective

(b) The Sand Creek Area Protection Initiative shall be applied in the Restricted Development Area to proposed parcels, development and uses that have not received all required City discretionary approvals and authorizations prior to the Sand Creek Area Protection Initiative's effective date, except to the degree application would be contrary to State law. The Sand Creek Area Protection Initiative applies to the City and to its agencies, officials and properties, as well as to all other persons and entities.

**Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space**

(a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands"



**are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by federal or state law.**

**(b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.**

**(c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch (Marsh Creek) State Park, as shown in Figure 8 (Proposed Habitat Linkages) in the Framework for Resource Management in Appendix A to this Plan.**

**(d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.**

**(e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on**

the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

**Development Envelopes on Lands Designated Rural Residential, Agriculture, Open Space**

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage, or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals ~~under Section 10(f)~~ in the Rural Residential, Agriculture, Open Space land use designation, outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

**Maximum Floor Areas on Lands Designated Rural Residential, Agriculture, Open Space**

(a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.

(b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses, government or public utility use, or short-term events.

**Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space**

(a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and

other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative became effective or the Sand Creek Area Protection Initiative became effective (whichever date is earlier). To the extent practicable, consistent with other provisions of the General Plan, structures shall be located, including by setbacks from parcel boundaries, on the part of a parcel that minimizes visibility from roads, trails, and other public places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.

(b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.

(c) Visibility of development from roads, parks, and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this Rural Residential, Agriculture, Open Space land use designation.

***Covenants on Lands Designated Rural Residential, Agriculture, Open Space***

**Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development, or use on the parcel that would not be permitted under the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative or the Sand Creek Area Protection Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the Contra Costa County Clerk Recorder's Office.**

- ***Appropriate Land Use Types: See Table 4.A***
- ***Maximum Allowable Density: Typically less than one single-family dwelling unit per 80 acres (<1 du/ac)***
- ***Anticipated Population per Acre: Typically less than one (1) person per acre***

**Low Density Residential.** These areas are generally characterized by single-family homes in traditional subdivisions. Areas designated Low Density Residential are typically located on gently rolling terrain with no or few geological or environmental constraints. The residential neighborhoods of southeast Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Four dwelling units per gross developable acre (4 du/ac)
- Anticipated Population per Acre: Twelve (12) to Fourteen (14) persons per acre

**Medium Low Density.** These areas are generally characterized by single-family homes in typical subdivision development, as well as

other detached housing such as zero lot line units and patio homes. Duplex development would generally fall into this development density. Areas designated Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. Older subdivisions within the northern portion of Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Six dwelling units per gross developable acre (6 du/ac)
- Anticipated Population per Acre: Fourteen (14) to Eighteen (18) persons per acre

**Medium Density Residential.** A wide range of living accommodations, including conventional single-family dwellings, small lot single-family detached dwellings, mobile homes, townhouses, and garden apartments, characterizes the Medium Density land use designation. Development in these areas can be expected to be a maximum of two (2) stories, and include generous amounts of public or open space for active and passive recreational uses. Lands adjacent to parks, commercial uses, transit routes and rail stations, and arterial roadways would be appropriate for the upper end of the allowable development intensity for this category. Other lands would serve as a buffer or transition between lower density residential areas and higher density residential and commercial areas, as well as areas exhibiting greater traffic and noise levels. At the higher end of the density range for this category, multi-family townhouse and apartment development is expected to be predominant. Where the Medium Density land use designation serves as a transition or buffer, lower density townhouse and small lot, single-family development would be the predominant uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Ten dwelling units per gross developable acre (10 du/ac)
- Anticipated Population per Acre: Twenty (20) to Twenty-five (25) persons per acre

**High Density Residential.** High Density Residential densities may range up to twenty (20) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space would be possible. This

designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to shopping districts and public parks. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Twenty dwelling units per gross developable acre (20 du/ac) and up to a Floor Area Ratio<sup>1</sup> of 1.25 within areas designed for mixed use or transit-oriented development.
- Anticipated Population per Acre: Forty (40) persons per acre. Within transit-oriented development, up to forty-five to sixty (45-60) persons per acre

<sup>1</sup> Floor Area Ratio (FAR) represents the ratio between allowable floor area on a site and the size of the site. For example, an FAR of 1.0 permits one square foot of building floor area (excluding garages and parking) for each square foot of land within the development site, while an FAR of 0.5 permits ½ square foot of building area for each square foot of land within the development site.

**Residential TOD.** This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the BART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet of commercial space such

as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and offices are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Free parking in surface parking lots is not permitted as a primary use.

- Minimum housing density: 20 acres per gross acre
- Maximum housing density: 40 units per gross acre

The provisions of subsection 4.4.1 may be amended by the City Council without a public vote under the following circumstances:

- The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowners' property;
- The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element; or
- Upon application by a landowner or representative of a landowner authorized to apply for such amendment, if the City Council makes a finding, supported by substantial evidence, that such amendment would promote the health, safety, and welfare of the City.

**4.4.6.7 Sand Creek.** The Sand Creek Focus Area encompasses approximately 2,712 acres in the southern portion of the City of Antioch (Figure 4.8).

This Focus Area is **within the boundaries of the voter-approved ULL and** bounded by existing residential neighborhoods to the north, Black Diamond Mines Regional Preserve to the west, the city limits **and ULL** to the south, and the City of Brentwood to the east. Empire Mine Road and Deer Valley Road run in a general north-south direction through the Focus Area, dividing it roughly into thirds.

**According to Contra Costa County's 2017 review of the ULL, Antioch is expected to grow within the boundaries of the ULL by more than 4,000 housing units between 2015 and 2040.**



**Long-planned residential development in the Sand Creek Focus Area, within the ULL, will be essential for the City to provide adequate new housing to satisfy anticipated future demand.**

**a. Purpose and Primary Issues.** The Sand Creek Focus Area combines two existing policy and planning areas **within the ULL** identified in the previous General Plan: the southern portion of “Focused Policy Area 18” and the entirety of Future Urban Area 1.” Previous General Plan policy tied the timing of development within this Focus Area to progressive build out of the land immediately to the north (the area generally known as Southeast Antioch), and to agreement on an alignment for the SR-4 bypass.

Through the 1990s, build out of Southeast Antioch was largely completed, an alignment for the SR-4 bypass was selected, and financing for construction of the bypass was developed. As a result, the City stepped up its planning efforts for the Sand Creek Focus Area with area landowners. Because of the multiple ownerships within the Sand Creek Focus Area, detailed coordination of access and infrastructure, along with the establishment of workable financing mechanisms was necessary in addition to land use planning.

**Portions of** Sand Creek, **as well such** as natural hillsides and canyons within the Sand Creek Focus Area, contain habitats for sensitive plant and animal species, as well as habitat linkages and movement corridors. Overall, the **western westernmost** portion of the Focus Area is more environmentally sensitive than the eastern portion in terms of steep topography, biological habitats and linkages, the existence of abandoned coal mines, and proximity to public open space at Black Diamond Mines Regional Preserve. The west end of the Sand Creek Focus Area serves as a linkage between two regionally significant blocks of grassland. Decades of urban and agricultural use have greatly reduced the width of this linkage, substantially increasing the ecological importance of the remaining linkage within the Sand Creek Focus Area. Land has been preserved in regional parks and permanent open space, primarily in extensive grassland to the immediate west and northwest, as well as south of the Sand Creek Focus Area. These preserves represent a significant investment of public resources, and are a valued public asset.

Stream and riparian communities occupy a small portion of the Focus Area, but are widely distributed. Because of their high biotic value,

stream and riparian communities within the Focus Area are considered to be a sensitive resource. The Focus Area also includes an oak woodland and savanna community, which, because of its high wildlife value, is considered to be a sensitive resource.

**b. Policy Direction.** The environmental sensitivity of portions of the Sand Creek Focus Area was recognized in the City's previous General Plan; however, policy direction was very general. As an example, the previous General Plan did not provide any indication of the maximum allowable development intensity for Future Urban Area 1. The previous General Plan also stated that while the area between Contra Loma Boulevard and Empire Mine Road was designated Estate Residential, "the actual density should be based on a development plan that ensures that the special characteristics of the area, including steep slopes, riparian habitat, and other environmental constraints, are accommodated.

**As described in more detail below, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative provided more precise direction regarding approximately 1,852 acres of land west of Deer Valley Road by preserving nearly 1,250 acres of environmentally-sensitive land, consisting of more than 65% of West Sand Creek, for open space, hillside preservation, low-density rural residential, and other similar uses.**

The following policy discussion and policies for the Sand Creek Focus Area are intended to provide clear direction for the future development and environmental management of the area.

The Sand Creek Focus Area is **generally** intended to function as a large-scale planned community, providing needed housing and employment opportunities. ~~This Focus Area is also~~ **In particular, the land east of Deer Valley Road is** intended to provide housing and substantial employment opportunities. Up to approximately 280 acres ~~are to~~ **may** be devoted to retail and employment-generating uses, which will result in the creation of up to 6,500 jobs at build out.

**In recognition of the importance of environmentally-sensitive lands in large parts of West Sand Creek, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative designated hillier and more environmentally-sensitive lands west of Deer Valley Road as a Restricted Development Area and flatter and less**

**environmentally-sensitive lands west of Deer Valley Road as a Limited Development Area. These areas shall constitute, and function as, overlay land use designations applicable to West Sand Creek.**

**Land in the Restricted Development Area provides opportunities for low-density rural residential housing and preserves agriculture, grasslands, and open space. The “Rural Residential, Agriculture, Open Space” base land use designation applies to the Restricted Development Area.**

Residential development within the Sand Creek Focus **Limited Development** Area<sup>1</sup> will provide for a range of **single-family** housing types, including **upper income executive** estate housing, **golf course-oriented**, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, **and multifamily development as well as commercial uses, public and quasi-public uses, and substantial open space. Subject to the anticipated maximum General Plan build out in Antioch, as set forth in Table 4.B, the following base land use designations shall apply to the Limited Development Area: “Estate Residential;” “Low Density Residential;” “Medium Low Density Residential;” “Medium Density Residential;” “Convenience Commercial;” “Mixed Use;” “Public/Quasi Public;” and “Open Space.” Residential development west of Deer Valley Road in the Restricted Development Area will be low-density, rural single-family detached houses. The Sand Creek stream corridor, hilltops, ridgelines and sensitive biological resources will be protected throughout the Focus Area.**

**1 Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.**

The following policies apply to development within the Sand Creek Focus Area.

- a. **Prior to or concurrent with approvals of any development applications other than major employment-generating uses (including, but not limited to a medical facility on the Kaiser property), a specific plan or alternative planning process as determined by the City Council, shall be prepared and approved**

~~for the Sand Creek Focus Area. Such specific plan or alternative planning process shall identify and provide for project for project-related land uses, financing of required public services and facilities, open space preservation, community design, recreational amenities, and community improvements within the area proposed for development.~~

**ba.** Sand Creek Focus Area development ~~shall~~ **can** make a substantial commitment to employment-generating uses. Up to 280 ~~180~~ acres ~~are to~~ **may** be devoted to employment-generating uses within the areas shown for Business Park and Commercial/Open Space, in addition to the area shown as Mixed Use Medical Facility. Appropriate primary land uses within employment-generating areas include:

- Administrative and Professional Offices
- Research and Development
- Light Manufacturing and Assembly
- Hospital and related medical uses

**cb.** Secondary, support and ancillary uses within employment-generating areas include:

- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Health Clubs and Spas
- Lodging and Visitor Services
- Storage and Distribution – Light
- Civic Administration
- Cultural Facilities
- Day Care Centers

**cc.** The maximum development intensity for employment-generating lands shall be an overall FAR of 0.5.

**ed.** A maximum of 95 acres of retail commercial uses designed to service the local community may be developed within the areas shown for Commercial/Open Space, with a maximum overall development intensity of a 0.3 FAR.

**fe.** Up to 1.24 million square feet of retail commercial uses may be constructed. Within areas designated for retail use (areas shown for Commercial/Open Space), office development may be developed at a maximum FAR of 0.5.

**gf.** Appropriate uses within the retail portions of this Focus Area include:

- Administrative and Professional Offices
- Automotive Uses
- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Food and Beverage Sales
- General Merchandise
- Health Clubs and Spas
- Personal Services
- Personal Instruction
- Theaters
- Civic Administration
- Cultural Facilities
- Day Care Centers
- Residential development as part of a mixed-use **medical facility development**

**hg.** Commercial areas shall be designed as cohesive centers, and not in narrow corridors or commercial strips.

- ih. Each commercial center shall establish an identifiable architectural theme, including buildings, signage and landscaping.
- ji. Commercial and employment-generating developments shall be designed to accommodate public transit and non-motorized forms of transportation.
- ki. A maximum of 4,000 dwelling units may be constructed within the Sand Creek Focus Area. Appropriate density bonuses may be granted ~~for development of age-restricted housing for seniors; however, such density bonuses may not exceed the total maximum of 4,000 dwelling units for the Sand Creek Focus Area,~~ **subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative**
- lk. It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 dwelling unit maximum, **subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative,** the actual development yield is not guaranteed by the General Plan, and could be substantially lower. The actual residential development yield of the Sand Creek Focus Area will depend on the nature and severity of biological, geologic, and other environmental constraints present within the Focus Area, including, but not limited to constraints posed by slopes and abandoned mines present within portions of the Focus Area; on appropriate design responses to such constraints, and on General Plan policies. Such policies include, and but are not limited to, identification of appropriate residential development types, public services and facilities performance standards, environmental policies aimed at protection of natural topography, **substantial open space** and environmental resources, policies intended to protect public health and safety, and implementation of the Resource Management Plan called for in Policy “u,” below.
- mi. As a means of expanding the range of housing choices available within Antioch, ~~three~~ **two** types of “upscale” housing ~~are to~~ **may** be provided, including Hillside Estate Housing, **east of Deer Valley Road and** Executive Estate Housing **east of Deer Valley Road and in the Limited Development Area west of Deer Valley Road,** and Golf Course-Oriented Housing.

Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area **east of Deer Valley Road** that are designated for residential development. Appropriate land use types include Large Lot Residential. Within these areas, typical flat land roadway standards may be modified (e.g., narrower street sections, slower design speeds) to minimize required grading. Mass grading would not be permitted within this residential type. Rough grading would be limited to streets and building pad areas. Residential densities within Hillside Estate Areas are to be limited to one dwelling unit per gross developable acre (1 du/ac), with typical lot sizes ranging upward from 20,000 square feet. The anticipated population density for this land use type is up to four persons per developed acre. Included in this category is custom home development, wherein semi-improved lots are sold to individuals for construction of custom homes. Approximately 20 percent of Hillside Estate Housing **should could** be devoted to custom home sites.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area. Appropriate land use types include Large Lot Residential. Densities of Executive Housing areas would typically be 2 du/ac, with lot sizes ranging upward from 12,000 square feet. The anticipated population density for this land use type is up to eight persons per developed acre.

~~Golf Course Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family detached for lots fronting on the golf course. Maximum densities for golf course-oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000 square feet for lots actually fronting on the golf course. Given the significant environmental topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight~~



~~to twelve persons per acre developed with residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

**am.** Single-Family Detached housing within suburban-style subdivisions with lot sizes ranging from 7,000 square feet to 10,000 square feet may also be developed within the Sand Creek Focus Area **east of Deer Valley Road** within areas shown as Residential and Low Density Residential in Figure 4.8. **Single-Family Detached housing within suburban-style subdivisions with minimum lot sizes ranging from approximately 5,000 square feet to 10,000 square feet may be developed within the Limited Development Area.** The anticipated population density for this land use type is up to eight to **twelve eighteen** persons per acre developed with residential uses.

**an.** Small Lot Single Family Detached housing at the Aviano planned development and at the Vineyards at Sand Creek planned development with lots smaller than 7,000 square feet may be developed in the Sand Creek Focus Area **east of Deer Valley Road** within areas shown as Medium Low Density Residential and Low Density Residential in Figure 4.8. **Small Lot Single Family Detached housing on the land known as The Ranch with minimum lot sizes from approximately 4,000 square feet may be developed within the Limited Development Area.** The anticipated population density for this land use type is fourteen to eighteen persons per acre developed with residential uses.

**ao.** A total of 25 to 35 acres is to be reserved for multi-family housing to a maximum density of 20 du/ac. Areas devoted to multi-family housing should be located adjacent to the main transportation routes within the Focus Area, and in close proximity to retail commercial areas. The anticipated population density for this land use type is up to forty persons per acre developed with residential uses.

**ap.** Age-restricted senior housing should be developed within the Focus Area as a means of expanding the range of housing choice within Antioch, while reducing the Focus Area's overall traffic and

school impacts. Such senior housing may consist of Single Family Detached, Small Lot Single Family Detached, or Multi-Family Attached Housing, and may be developed **in any of the residential areas of the Sand Creek Focus Area east of Deer Valley Road.** Within areas identified in Figure 4.8 specifically for senior housing, limited areas of non-senior housing may be permitted where environmental or topographic constraints would limit development densities to a range more compatible with estate housing than with senior housing.

**rg.** Areas identified as Public/Quasi Public and School in Figure 4.8, **and areas within the Limited Development Area,** are intended to identify locations for new public and institutional uses to serve the future development of the Sand Creek Focus Area. Development within these areas is to be consistent with the provisions of the Public/Institutional land use category described in Section 4.4.1.4 of the Land Use Element.

**sr.** Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, a minimum of 25 percent of the Sand Creek Focus Area **east of Deer Valley Road** shall be preserved in open space, ~~exclusive of lands developed for golf course use.~~ **A minimum of 65 percent of the Sand Creek Focus Area west of Deer Valley Road shall be within the Restricted Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative**

**ts.** Adequate buffer areas adjacent to the top of banks along Sand Creek to protect sensitive plant and amphibian habitats and water quality shall be provided. Adequate buffer areas shall also be provided along the edge of existing areas of permanently preserved open space adjacent to the Sand Creek Focus Area, including but not limited to the Black Diamond Mines Regional Park. Buffers established adjacent to existing open space areas shall be of an adequate width to minimize light/glare, noise, fire safety, and public safety, habitat, and public access impacts within the existing open space areas, consistent with the provisions of Section 10.5, Open Space Transitions and Buffers Policies of the General Plan.

**ut.** Because of the sensitivity of the habitat areas within the Sand Creek Focus Area, and to provide for mitigation of biological

resources impacts on lands in natural open space, as well as for the long-term management of natural open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to **development of issuance of the first building permit for** the Sand Creek Focus Area properties.

**vu.** A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained **in the Restricted Development Area** using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge. The primary goal of preserving such a corridor is to allow for wildlife movement between Black Diamond Mines Regional Preserve and Cowell Ranch State Park. Completion of such a corridor is contingent upon the cooperation with the City of Brentwood and Contra Costa County, each of whom may have land use jurisdiction over portions of this corridor.

~~To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project level environmental review processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project-level development plan stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not cause the "Open Space" area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as "Hillside and Estate Residential" shall not count towards meeting this 65 percent minimum "Open Space" requirement.~~

~~All areas designated as “Open Space” within the Focus Area may be utilized for mitigation for loss of grassland and other project-level impacts by projects within the Focus Area.~~

~~Due to the varied and complex topography west of Empire Mine Road the exact boundary between the “Hillside Estate” residential area and “Estate” residential area shall be determined as part of the project-level entitlement process.~~

~~It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.~~

~~In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated “Hillside and Estate Residential” in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.~~

**wv.** The construction of facilities necessary to ensure adequate public access across Sand Creek west of Empire Mine Road, including the bridging of Sand Creek, an appropriately sized parking lot and staging area, and any trails needed to ensure public access to Black Diamond Mines Regional Park shall be implemented as an infrastructure component of development in the Focus Area.

**xw.** To mitigate the impacts of habitat that will be lost to future development within the Focus Area, an appropriate amount of habitat shall be preserved on- or off-site per the compensatory provisions of the Framework Resource Management Plan prepared for the Sand Creek Focus Area (attached as Appendix A of the General Plan) **or other applicable Resource Management Plan.**

**yx.** Ponds, wetlands, and alkali grassland associated with upper Horse Creek shall be retained in natural open space, along with an appropriate buffer area to protect sensitive plant and amphibian habitats and water quality. If impacts on the Horse Creek stream and riparian downstream are unavoidable to accommodate

infrastructure, appropriate compensatory mitigation shall be required off-site per the provisions of the Resource Management Plan attached as Appendix A to this General Plan **or other applicable Resource Management Plan**.

**zy.** Chaparral, scrub, and rock outcrop community within the **western westernmost** portion of the Focus Area (west of Empire Mine Road), as well as adjacent grassland community that is suitable habitat for the Alameda whipsnake (*masticophis lateralis euryxanthus*) shall be retained in natural open space. Within other portions of the Focus Area, the chaparral, scrub, and rock outcrop shall be retained in natural open space contiguous to the required grassland linkage to function as a buffer and protect the grassland linkage south of the chaparral, scrub, and outcrop community.

**aa.** Within the **western westernmost** portion of the Focus Area (west of Empire Mine Road), the oak woodland and savanna community shall be preserved in natural open space. Within other portions of the Focus Area, the oak woodland and savanna community shall be preserved in natural open space where it overlaps the rock outcrop community.

**baa.** As appropriate and necessary to protect public health and safety, abandoned mines shall be included within required natural open space areas, along with appropriate buffer areas and measures to prevent unauthorized entry.

**ebb.** Mass grading within the steeper portions of the Focus Area (generally exceeding 25 percent slopes) is **to be avoided prohibited**.

**ccc.** Impacts of residential development on the Antioch Unified School District and Brentwood school districts will be mitigated, **which may include pursuant to** a developer agreement with the District **or other acceptable means of mitigation**.

**edd.** Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of the Sand Creek Focus Area as an identifiable “community” distinct from Southeast Antioch.

**fee.** The Sand Creek Focus Area is intended to be “transit-friendly,” including appropriate provisions for public transit and non-motorized forms of transportation.

~~gg.~~ subject to its financial feasibility (see Policy “m”), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.

~~The golf course shall be designed to retain the existing trail within Sand Creek.~~

~~The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).~~

~~As part of the golf course clubhouse, banquet and conference facilities shall be provided.~~

**hff.** A park program, providing active and passive recreational opportunities is to be provided. In addition to ~~a golf course and~~ preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City’s established park standards. **In the Restricted Development Area, parks shall also comply with the policies set forth in paragraphs (g) and (i) of the “Rural Residential, Agriculture, Open Space” use designation (governing low-intensity outdoor recreation and government and public utility uses), as well as the policies for “Areas of Special Concern” and “Visual Safeguards” set forth for this land use designation.** A sports complex ~~is to~~ **may** be developed.

~~A sports complex is to be developed.~~ The sports complex ~~is intended to~~ **would** be located within the Flood Control District’s detention basin.

Neighborhood park facilities **for the exclusive use of project residents may will** be privately maintained ~~for the exclusive use of project residents.~~ **Public parks for the use of the general public will be publicly maintained.** The sports complex within the Sand Creek Detention Basin ~~will~~ **is anticipated to** be maintained by the City.

**igg.** Development of an appropriate level of pedestrian and bicycle circulation throughout the community ~~is to~~ **will** be provided, including pathways connecting the residential neighborhoods, as well as non-residential and recreational components of the

community. Sand Creek Focus Area development **should will** also provide recreational trail systems for jogging and bicycling, including areas for hiking and mountain biking. Trails along Sand Creek and Horse Valley Creek shall be designed so as to avoid impacting sensitive plant and amphibian habitats, as well as water quality.

**hh. Transferable development credits of residential land use densities are hereby allocated to the property owners of record of land designated Limited Residential Development by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**

**Transferable residential development credits shall run with the land.**

**Upon the application of an owner of record of land or his or her authorized representative, residential land use densities may be transferred with other residentially-designated land in the Limited Development Area, with the approval of the Director of the Community Development Department or his or her designee, if such transfer (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove a density transfer unless it makes written findings, based on a preponderance of evidence in the record, that the proposed transfer would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without disapproving the proposed transfer.**

**ii. Proponents of new residential development within the Limited Development Area are strongly encouraged to provide extraordinary public benefits to the community, including financial contributions to the Antioch Unified School District for local high school sports facilities and performing arts facilities.**





#### 4.4.7 Voter-Approved Urban Limit Line



**[Editor's Note: The changes indicated below to this Section do not take effect until January 1, 2021. Prior to that date, the section will read as it is currently written, without the changes indicated below.]**

Pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative **(Measure K)**, the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginocchio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. **The ULL thus preserves and protects agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.** ~~Until December 31, 2020,~~ **Pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative**, the location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City. The City shall oppose any annexation to the City of any land outside of the Voter-Approved Urban Limit Line.

**Table 4.A Appropriate Land Use Types**

	<u>Rural, Residential, Agriculture, Open Space</u>
<p><b>Large Lot Residential.</b> This residential type typically consists of single-family detached units on lots of 0.5 acre or more. Residential developments of this type shall be designed as large suburban parcels within subdivisions within the Urban Limit Line and as rural residential uses <b>in the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative</b> and outside of the Urban Limit Line.</p>	
<p><b>Residential Care Facilities.</b> ...</p>	
<p><b>Outdoor Recreational Facilities.</b> ...</p>	
<p><b>Recreational Vehicle Park.</b> ...</p>	

Open Space, Schools. ...	√
Religious Assembly. ...	√1
Public and Private. ...	√1

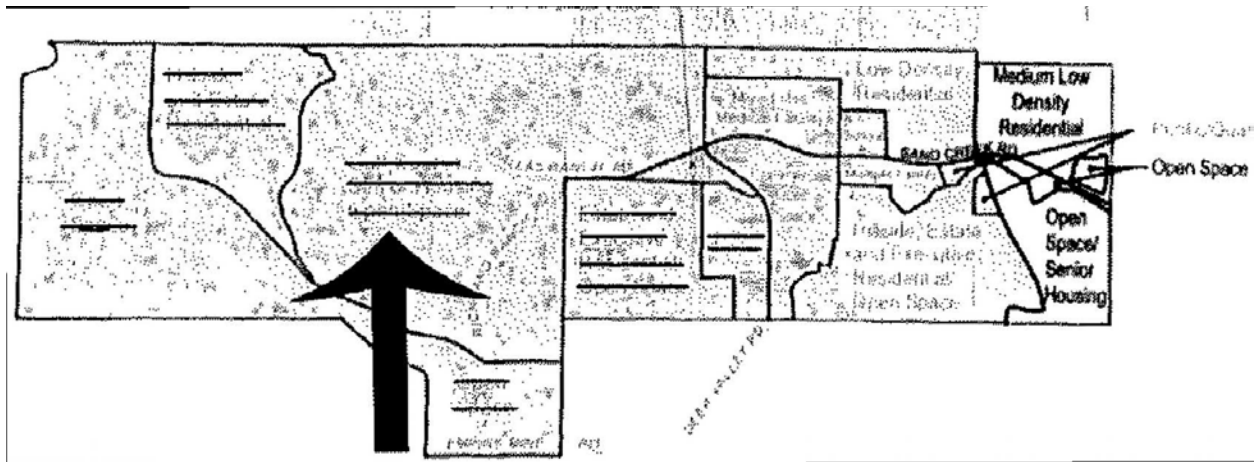
**Table 4.B Anticipated Maximum General Plan Build Out in the City of Antioch**

	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)
<b>Focus Area<sup>1</sup></b>		
Sand Creek Focus Area	<del>3,537</del> 1,938	<del>433</del> 162
<b>Subtotal</b>	<del>6,439</del> 4,839	<del>5,570</del> 4,941
<b>TOTAL</b>	<del>35,462</del> 33,862	<del>11,012</del> 11,284

**Table 4.D Anticipated Maximum General Plan Build Out in the General Plan Study Area**

	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)
<b>Focus Area<sup>1</sup></b>		
Sand Creek Focus Area	<del>3,537</del> 1,938	<del>433</del> 162
<b>Subtotal</b>	<del>6,439</del> 5,239	<del>5,570</del> 4,941
<b>TOTAL</b>	<del>35,462</del> 34,262	<del>11,012</del> 11,284

**Figure 4.8**



**Rural Residential, Agriculture, Open Space**

**E. COMMUNITY IMAGE AND DESIGN ELEMENT AMENDMENTS.**

**5.1 FUNCTION AND PURPOSE**

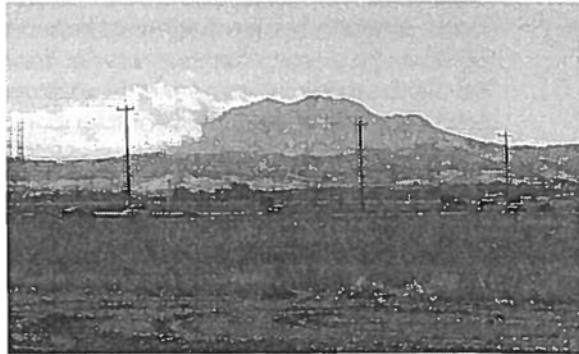
Underlying the livability and economic vitality of a community is its perceived image. Community design quality is not just an aesthetic matter, but has distinct functional dimensions. Persistent attention to the details in the design of the built environment is an investment in the quality of the community. It pays dividends in residents' perception of their quality of life and the perceptions that prospective employers and retailers will have regarding the desirability of Antioch as a location for their businesses.

With rapid growth, the City's appearance has become an increasingly important issue for Antioch's residents. The Community Image and Design Element addresses the visual quality and character of Antioch's built environment, and a continuing process to shape the community's physical form and create a more efficient, attractive, and, at times, dramatic urban environment. As Antioch continues to grow **within the existing boundaries of the voter-approved Urban Limit Line (ULL)**, this Element, along with the Land Use Element, will provide guidance for more detailed design guidelines and standards contained in specific plans and planned community documents, design guideline handouts provided by the City, provisions of the sign ordinance, and other provisions of the zoning ordinance.

**5.2 EXISTING COMMUNITY DESIGN**

Antioch extends in a roughly square pattern from Pittsburg on the west to the Antioch Bridge on the east, and from the foothills of Mt.

Diablo on the south to the San Joaquin River on the north. The City is bisected by State Route 4 (SR 4), an east-west-oriented four-lane freeway. The Southern Pacific Railroad line runs east-west just north of SR 4; the Burlington Northern Santa Fe Railroad line runs east-west along the San Joaquin River waterfront. The Contra Costa Canal is located south of SR 4, and traverses the Planning Area in an east-west direction.



On the north side of SR 4, older residential areas and the historic Downtown area are organized in a traditional grid street pattern. Small lots of vacant, undeveloped land are situated between homes, such as the lots at the intersection of J and Third Streets. There are few large undeveloped parcels, such as the Hickmott site and the land adjacent to Beede Lumber on 2nd Street. Many of these vacant parcels are small or irregular in shape.

South of SR 4, the suburban street patterns of newer residential areas reflect their development as a series of separate subdivisions. Some vacant or underutilized parcels exist within the subdivisions. The hill and valley areas south of the Contra Costa Canal have grown most recently. In general, growth over the past 30 years has solidified the City's current role as a bedroom community for the San Francisco Bay Area.



South of SR 4, minor ridgelines occur northeast of the Contra Loma Boulevard/James Donlon Boulevard intersection, east and west of Hillcrest Avenue, and in the area separating Lone Tree Way from Lone Tree Valley. Major ridgelines associated with the foothills of Mt. Diablo occur along the entire southwest boundary of the Planning Area **within the ULL**, from Somersville Road to the City's southeastern boundary adjacent to the City of Brentwood. Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately-owned ranch land **that is, some portions of which are** planned for development **within the ULL**.

North of SR 4, the majority of the San Joaquin River shoreline is in park or open space uses. North of Downtown, the Antioch Riverfront Promenade, a 1/3-mile urban walkway and linear park, runs adjacent to the River, connecting the Marina and the Barbara Price Marina Park to G Street. To the west of Downtown and bordering Pittsburg, the Dow Wetland Preserve forms part of the City's shoreline. To the east of Downtown, the Antioch Dunes National Wildlife Refuge and other open areas occupy the City's shoreline. The Contra Costa County Fairgrounds and Lake Alhambra are upland open areas among higher-density residential uses north of SR 4.

The City also maintains 31 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. The Delta De Anza Regional Trail, operated by the EBRPD, is a linear open space element that begins at the City of Antioch Community Park, and travels east along the Contra Costa Canal.



**5.2.1.2 Residential Districts South of the Route 4 Freeway**



**Residential Existing residential** districts south of SR 4 were built mainly from the 1950s to the present. These newer residential areas tend to be defined by subdivision, each with common architecture and landscaping themes. Single-family housing is the most common type, with a density of approximately five housing units per net acre, which is a typical suburban housing density. Some condominium developments and apartments (such as Flores Apartments, Hudson Townhouse Manor, and Delta View) are located south of SR 4.

### **5.3 GOALS OF THE COMMUNITY DESIGN ELEMENT**

To provide for a sustained high quality of life and ensure that new development occurs in a logical and orderly manner, it is the goal of the Community Image and Design Element to accomplish the following.

- *Create a community design theme and a visual identity for Antioch, recognizing its local as “Gateway to the Delta.”*

The design quality of a community and its design expectations reflect a critical philosophy regarding community development, whether the community is committed not only to defining the right mix and location of land uses, but to their exceptional quality as well. Community design must reflect Antioch’s commitment to the concept that new development **within the ULL** needs to make a positive contribution to the community. Thus, the Community Image and Design Element aims to:

- Sustain Antioch’s identity as “Gateway to the Delta” and provide the visual character of a unique, desirable living environment;
- Contribute to the City’s economic development objectives and assist in achieving a local balance between jobs and housing by appealing to investors who value municipal commitments to quality development that will protect private sector investments in their projects;
- Offer incentives for new residential, commercial, office, business park, and industrial developments **within the ULL**

to achieve excellence and make a positive contribution to the community because the quality of the project will be matched or exceeded by subsequent projects **within the ULL**;

- Stimulate development of pedestrian-friendly, appealing enclaves, and provide accessibility for bicyclists;
- Provide a vehicle for reinforcing Antioch's heritage through compatible design and preservation/reuse of historic resources;
- Enhance the quality of existing developed areas as they mature over time, eliminating perceived differences in the quality of newer and older portions of the community;
- Stimulate ongoing pride in Antioch by its citizens and those who work in the community; and
- Help to communicate to others what kind of community Antioch believes itself to be.

#### **5.4.2 General Design Policies**

- a. Base the City's review of public and private projects **within the ULL** on the following general design principles.
  - Innovative design, regardless of its style, is more important to the achievement of "quality" than the use of predetermined themes.
  - "High quality" comes from the explicit consideration of all aspects of development design. It is in design details that "quality" is ultimately manifested.
  - Designers need to respect community goals and needs, as well as address their client's economic objectives.
  - Individual buildings and developments **within the ULL** are not isolated entities, but are part of a larger district and community into which they must fit. While innovation and individual expression are sought, compatibility of design elements is also important.
  - Standardized design solutions, "corporate architecture," and "off the shelf models" cannot always be depended upon. What worked before or was accepted elsewhere may not work or be acceptable in the proposed application in Antioch.
  - Architectural styles, landscaping, and project amenities should complement surrounding development, and convey a sense of purpose, not expediency.



- All building elevations visible to the public should be given equal attention and detail.
  - The same design solution, no matter how well done, when repeated too often or over too large an area, can become boring, lose its effectiveness, and no longer communicate “quality.”
- b. Incorporate Antioch’s “Gateway to the Delta” theme and reminders of its community heritage into the design of new residential, commercial, employment-generating, and recreational development **within the ULL**, as well as into public facilities.
- Incorporate nautical/waterway, gateway/entry, industrial or ranching themes into the design details of new developments and community facilities, such as building architecture, signage, lighting standards, site paving and landscaping, street furniture (e.g., benches, trash enclosures and receptacles), fencing, and placement of murals and sculpture in public locations.
  - Maintain a consistent design theme throughout each development project. Each individual development project and area within the project should portray an identifiable design theme.
  - Select tree species that are appropriate to their specific applications (e.g., providing shade, framing long-distance views of the San Joaquin River or Mt. Diablo, or framing short-distance views of new development).
- c. Maintain view corridors from public spaces to natural ridgelines and landmarks, such as Mount Diablo and distant hills, local ridgelines, the San Joaquin River, and other water bodies.
- Recognizing that new development **within the ULL** will inevitably result in some loss of existing views, as part of the City’s review of development and commercial and industrial landscape plans, minimize the loss of views from public spaces.
  - Important view corridors to be protected include Somersville Road, Lone Tree Way, Hillcrest Avenue, SR 4, SR 160, James Donlon Boulevard, Deer Valley Road, and Empire Mine Road.
- d. Strengthen and emphasize community focal points, visual landmarks, and features contributing to Antioch’s identity using

design concepts and standards implemented through the zoning ordinance, design guidelines and design review process, and specific plan and planned community documents.

- e. Create a framework of public spaces at the neighborhood, community, and regional scale.
  - Provide for new open space opportunities throughout the City, especially in neighborhoods having minimal access to open space. This includes exploring the potential for creek corridors, bicycle and pedestrian paths, and new small open space and conservation areas.
  - Provide an open space network **within the ULL** linked by pedestrian and bicycle paths, which preserves and enhances Antioch's significant visual and natural resources.
  - Provide sitting areas within parks and along pedestrian and bicycle paths **within the ULL**.
  - Restore the San Joaquin Riverfront as a linear park and multi-use rail from the westerly City limits to Rodger's Point/Fulton Shipyard.
  - Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths, **consistent with Section 11(b) of the Sand Creek Initiative the Rural Residential, Agriculture, Open Space land use designation**.
  - Views along utility corridors should be retained and enhanced through the use of planting materials to frame and focus views and to provide a sense of orientation.
- f. Provide for consistent use of street trees to identify City streets, residential neighborhoods, commercial and employment districts, and entry points to the City.
  - Select species that enhance the pedestrian character of, and convey a distinctive and high quality visual image for the City's streets; are drought-tolerant, fire-and pest-resistant; and complement existing street trees.
  - Use changes in tree species, scale, color and spacing to differentiate the roadway types identified in the Circulation Element.
  - Use a consistent palette of street trees to distinguish Antioch from other communities, and to distinguish individual areas

within the community (e.g., Rivertown, East Lone Tree, “A” Street Corridor) from each other.

- Street trees should relate to the scale, function, and visual importance of the area in which they are located, establishing a hierarchy of street trees for entry locations, intersections, and activity centers.
  - Major accent trees are to be located at City and community entry locations, key intersections, and major activity centers (e.g., County East Mall, Prewett Family Park).
  - Street Trees should be selected as a common tree for street frontages. A single species may be selected for all residential neighborhoods or different species to distinguish different neighborhoods from each other. Within residential neighborhoods, street trees should be full, providing shade and color. In commercial districts, the trees should provide shade but be more transparent at the motorist and pedestrian levels to promote views of stores fronts and visual interaction of pedestrians. Within employment districts street trees should provide shade and screening, and be used to frame views of buildings and building entries.
- g. Maintain common community design elements throughout the City.
- Provide a system of well-designed directional signage, facilitating way-finding to community features such as shopping areas, marinas, parks, and civic buildings.
  - Incorporate common design elements in community features such as roadway landscaping, streetlights, street signs, traffic lights, and community directional signage.
  - Use design variations in landscaping, street light standards, and street signs as a means of defining special design districts (e.g., Rivertown, Somersville Road and “A” Street corridors).
- h. Wherever feasible, existing above-ground utility lines should be placed underground.
- i. Preserve and strengthen Rivertown as a vital and attractive place.
- Promote activity along Rivertown streets through attractive building designs with street level activity and facade windows, public art, and other landscaping elements that are pedestrian-friendly.

- Maintain views of the San Joaquin River from buildings within Rivertown, where they are available, by placing windows rather than solid walls along the river side of buildings.
  - Avoid blank parking garage building frontages.
  - Orient buildings along the first street inland from the San Joaquin River toward the river to enhance pedestrian and bicycle activity.
  - Utilize murals to enhance the design quality of existing large blank walls (e.g., Campanile Theater).
  - Seek opportunities for small public spaces throughout Rivertown to provide for the comfort of pedestrians and bicyclists, enhance street level activity, and provide sitting areas and protection from the sun and rain. Small left over spaces between buildings, at street corners, at the edges of parking lots, or along the edges of sidewalks can thus become attractive and lively additions to the street scene.
- j. Within multi-family, commercial, office and business parks, and industrial **within the ULL**, screen enclosures, loading areas, mechanical equipment, and outdoor storage areas from view from public streets, and, as appropriate, from other public views.
- Ground mounted equipment incidental to multi-family, commercial, office, and business park development **within the ULL** shall be appropriately screened with solid walls, trellises, and/or landscaping. Equipment location should be away from the front of the building, and screening must be similar to adjacent architecture and materials.
  - Refuse collection areas are to be large enough to accommodate storage of recyclable materials, and be screened with a solid perimeter wall using materials and colors compatible with those of the adjacent structures. Refuse collection areas should be located on an interior building side yard, and are to be roofed if the contents of the area are visible from a freeway.
  - Loading docks and areas, as well as trash enclosure areas shall be screened from public view areas. When there is adjacent residential development, loading and trash enclosure areas shall be physically separated and screened from adjacent residential structures.

- Service areas, including storage, special equipment, outdoor work areas, and loading areas, should be screened from public view with landscaping and architectural elements.
  - Screen utility equipment and communication devices so that the project will appear free of all such devices.
- k. Prohibit roof-mounted equipment (with the exception of small satellite dishes and solar panels) for single-family residential development consistent with FCC regulations.
- New residential uses should be pre-wired so as to allow for the placement of satellite dishes in a manner that is integrated with the building design, and avoids placement of dishes on chimneys or above the roof line.
  - Where required for commercial, office, and industrial development, screen roof mounted equipment and cellular antennas completely from public view on all sides. Particular attention shall be given to the sides visible from freeways, with the intent of minimizing the need for screening devices to the greatest extent possible.
- l. Screening of roof-mounted equipment and cellular antennas, where provided, should be an integral part of the building design and not appear as a tacked-on afterthought. Ground-mounted mechanical equipment (with appropriate wall or landscape screening) is encouraged as an alternative to roof mounting.
- m. All roof screens must be solid and continuous. Continuous grills or louvers must cover equipment. Roof screens will be sheathed in a matching or complementary material to the exterior building material.
- n. Utilize street lights in commercial, office, and business park areas that are pedestrian-oriented, attractively designed, compatible in design with other street furniture, and provide adequate visibility and security.
- o. Design onsite lighting to improve the visual identification of adjacent structures.
- Within commercial areas, lighting should also help create a festive atmosphere by encouraging evening use of areas by pedestrians.
  - Within commercial and industrial development **within the ULL**, provide design features such as screened walls, landscaping, setbacks, and lighting restrictions between the

boundaries of adjacent residential land use designations to reduce the impacts of light and glare.

- In all projects, lighting fixtures should be attractively designed and of a low profile to complement the overall design theme of the project within which they are located.
  - On-site lighting shall create a safe environment adhering to established crime prevention standards, but shall not result in nuisance levels of light or glare on adjacent properties. Limit sources of lighting to the minimum required to ensure safe circulation and visibility.
- p. Lighting should accommodate night use of streets and promote security while complying with the provision of a dark night sky. Streetscape areas that are used by pedestrians at night should be well lit. Within rural and open space areas, limit street lighting to intersections and other locations that are needed to maintain safe access (e.g., sharp curves).
- q. The design of new developments **within the ULL** shall protect residents' privacy by avoiding placement of windows directly opposite each other and avoiding windows overlooking the yard areas of adjacent residences to the maximum feasible extent.
- r. New multi-family, commercial, office, and business park developments **within the ULL** shall emphasize pedestrian level activities by utilizing the following techniques.
- design projects so as to have a central plaza or main visual focus which is oriented toward pedestrians;
  - incorporate plaza areas which can be used as informal gathering places;
  - install "street furniture" (benches, bus shelters, planters, bike racks, trash receptacles, newspaper racks, water fountains, and bollards) to create and enhance small plazas and similar open spaces within urban areas; and
  - within commercial, office, business park, and industrial developments **within the ULL**, encourage architectural styles that provide covered verandas and other similar pedestrian-oriented shade features.
- s. Where needed, undertake active programs to minimize or prohibit through traffic from using neighborhood collectors and local streets. Visual deterrents to through traffic will be emphasized, using physical deterrents only as a last resort.

#### 5.4.12 Development Transitions and Buffering Policies<sup>1</sup>

- a. Minimize the number and extent of locations where non-residential land use designations abut residential land use designations. Where such land use relationships cannot be avoided, strive to use roadways to separate the residential and non-residential uses<sup>2</sup>.

<sup>1</sup> These policies are focused on protecting existing and planned residential uses from the effects of adjacent land uses. Policies to provide similar buffers between existing and proposed developments **within the ULL** and existing open space and agricultural areas are set forth in Section 10.5 of the Resource Management Element.

<sup>2</sup> It is recognized that residential and non-residential properties will sometimes abut along a common property line (such as between neighborhood shopping centers and adjacent neighborhoods).

- b. Ensure that the design of new development proposed **within the ULL** along a boundary between residential and non-residential uses provides sufficient protection and buffering for the residential use, while maintaining the development feasibility of the non-residential use. The burden to provide buffers and transitions to achieve compatibility should **generally** be on the second use to be developed. Where there is bare ground to start from, both uses should participate in providing buffers along the boundary between them.
- c. Provide appropriate buffering to separate residential and non-residential uses **within the ULL**, using one or more of the following techniques as appropriate.
  - Increase setbacks along roadways and common property lines between residential/non-residential uses.
  - Provide a heavily landscaped screen along the roadway or common property line separating residential and non-residential use.
  - Locate noise-generating activities such as parking areas; loading docks; and service, outdoor storage, and trash collection areas as far from residential uses as possible.
  - Where a multifamily residential use is located adjacent along a common property line with a non-residential use, locate the noise-generating activities of both uses (e.g., parking areas; loading docks; and service, outdoor storage, and trash collection areas) along the common property line.



- Design the residential area with cul-de-sacs running perpendicular to and ending at the non-residential use, facilitating greater separation of residential and non-residential structures than would be possible if residential streets ran parallel to the boundary of the non-residential use.
- d. Where a difference in residential density is indicated on the General Plan land use map, the size of parcels and character of development facing each other across a street or along a common property line should be similar, creating a transition between the densities in each area.
  - e. Where multi-family development is located adjacent to a single-family neighborhood **within the ULL**, appropriate buffering **is to shall** be provided.
    - Increase setbacks for multi-family development along common property lines with single family development.
    - Provide a heavy landscaped screen along the property line of the multifamily use.
    - Locate noise-generating activities such as parking and trash collection areas as far from the single family neighborhood area as possible.
  - f. The transition from lower to higher residential density **within the ULL** should occur within the higher density area.
  - g. Uninterrupted fences and walls are to be avoided, unless they are needed for a specific screening, safety, or sound attenuation purpose.
  - h. Where they are needed, fences or walls should relate to both the site being developed and surrounding developments, open spaces, streets, and pedestrian ways.
  - i. Fencing and walls should respect existing view corridors to the greatest extent possible.
  - j. Fencing and walls should incorporate landscape elements or changes in materials, color, or texture in order to prevent graffiti, undue glare, heat, or reflecting, or aesthetic inconsistencies.

#### **5.4.14 Hillside Design Policies**

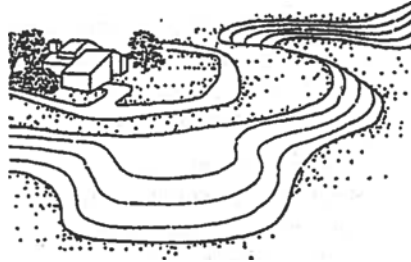
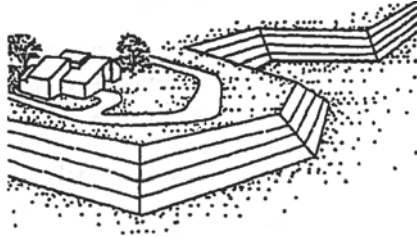
- a. Design hillside development **within the ULL** to be sensitive to existing terrain, views, and significant natural landforms and features.

- b. Projects within hillside areas **within the ULL** shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines.
- Slopes less than 25%:  
Redistribution of earth over large areas may be permitted.
  - Slopes between 25% and 35%:  
Some grading may occur, but landforms need to retain their natural character. Split-level designs and clustering are encouraged as a means of avoiding the need for large padded building areas.
  - Slopes between 35% and 50%:  
Development and limited grading **within the ULL** can occur only if it can be clearly demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Structures shall blend with the natural environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations. Encouraged is the use of larger lots, variable setbacks and variable building structural techniques such as stepped or post and beam foundations are required.
  - Slopes greater than 50%:  
Except in small, isolated locations, development in areas with slopes greater than 50% should be avoided.
- c. Manufactured slopes in excess of five vertical feet (5') shall be landform graded. "Landform grading" is a contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural terrain. Grading plans shall identify which slopes are to be landform graded and which are to be conventionally graded.
- d. The overall project design/layout of hillside development **within the ULL** shall adapt to the natural hillside topography and maximize view opportunities to, as well as from the development.
- e. Grading of ridgelines **within the ULL** is to be avoided wherever feasible, siting structures sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent

construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized through construction techniques and design, and landscaping shall be provided to soften the impact of the new structure.

- f. Hillside site design should maintain an informal character with the prime determinant being the natural terrain. This can be accomplished by:
  - utilizing variable setbacks and structure heights, innovative building techniques, and retaining walls to blend structures into the terrain, and
  - allowing for different lot shapes and sizes.
- g. Buildings should be located to preserve existing views and to allow new dwellings access to views similar to those enjoyed from existing dwellings.
- h. Streets should follow the natural contours of the hillside to minimize cut and fill, permitting streets to be split into two one-way streets in steeper areas to minimize grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On-street parking and sidewalks may be eliminated, subject to City approval, to reduce required grading.
- i. Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, dwelling units are grouped in the more level portions of the site, while steeper areas are preserved in a natural state.
- j. Project design should maximize public access to canyons, overlooks, and open space areas by:
  - providing open space easements between lots or near the end of streets or cul-de-sacs; and
  - designating public pathways to scenic vistas.
- k. Permit the use of small retaining structures when such structures can reduce grading, provided that these structures are located and limited in height so as not to be a dominant visual feature of the parcel.
  - Where retaining walls face public streets, they should be faced with materials that help blend the wall into the natural character of the terrain.

- Large retaining walls in a uniform plane should be avoided. Break retaining walls into elements and terraces, and use landscaping to screen them from view.



Unacceptable

Acceptable

- I. Lot lines shall be placed at the top of slopes to facilitate maintenance by the down slope owner, who has the greater “stake” in ensuring the continued integrity of the slope.
- m. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.
  - The overall height of a building is an important aspect of how well it fits into the existing character of the neighborhood and its hillside environment. Houses should not be excessively tall so as to dominate their surroundings or create a crowded appearance in areas of small lots. Structures should generally be stepped down hillsides and contained within a limited envelope parallel to the natural grade, rather than “hutting out” over natural slopes.
  - Building forms should be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.
  - Building facades should change plane or use overhands as a means to create changing shadow lines to further break up massive forms.

- Wall surfaces facing towards viewshed areas should be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.
- n. Collective mass rooflines and elements should reflect the naturally occurring ridgeline silhouettes and topographical variation, or create an overall variety, that blends with the hillside.
  - o. Based upon the graphic principle that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.
  - p. Architectural style, including materials and colors, should be compatible with the natural setting. The use of colors, textures, materials and forms that will attract attention by contrasting or closing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
  - q. The interface between development areas **within the ULL** and open space is critical and shall be given special attention. Slope plantings should create a gradual transition from developed slope areas into natural areas. By extending fingers of planting into existing and sculptured slopes, the new landscape should blend in with the natural vegetation.
  - r. Planting along the slope side of a development should be designed to allow controlled views out, yet partially screen and soften the architecture. In general, 50 percent screening with plan materials should be accomplished.
    - Trees should be arranged in informal masses and be placed selectively to reduce the scale of long, steep slopes.
    - Shrubs should be randomly spaced in masses.
    - Skyline planting should be used along recontoured secondary ridgelines to recreate the linear silhouette and to act as a backdrop for structures. Trees should be planted to create a continuous linear silhouette since gaps in the planting will not give the desired effect.
    - Trees that grow close to the height of structures should be planted between buildings to eliminate the open gap and blend the roof lines into one continuous silhouette.
    - For fire prevention purposes, a fuel modification zone shall be provided between natural open space and development.

- s. New development within hillside areas **within the ULL** shall be conditioned upon:
- the preparation and recordation of a declaration of covenants, conditions and restrictions providing for the development and maintenance of manufactured slopes;
  - in the case of a parcel map or subdivision, the subdivider's supplying a program and/or staff for preventive maintenance of major manufactured slope areas. Such program must be approved prior to approval of a final map, and shall include homeowner slope maintenance requirements and guidelines to be incorporated into the declaration of covenants, conditions and restrictions.

**t. Sections 11(e) and 14 of the Sand Creek Initiative Subsection (e) of "Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space" and each subsection of "Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space" apply to Hillside Design in the Restricted Development Area to the extent they impose greater restrictions or requirements on development than the policies in this Section 5.4.14.**

## F. ECONOMIC DEVELOPMENT ELEMENT AMENDMENTS.

### 6.2 GOALS AND STRATEGIES OF THE ECONOMIC DEVELOPMENT ELEMENT

To provide for a sustained high quality of life, it is the goal of the Economic Development Element to accomplish the following:

- *Create a sound local economy that attracts investment, increases the local tax base, and generates sufficient public revenues to support desired municipal services and facilities.*

A strong economy not only provides local workers with adequate income to afford a high quality of life, but it also provides local government with sufficient public revenues to provide high levels of municipal services and facilities. To achieve such a local economy requires implementation of an economic development strategy, which includes:

- preparing specialized business marketing materials;
- utilizing appropriate distribution channels to reach the widest market;
- targeting key industries; maintaining a high web site with key economic and site availability information;

- improving relationships with existing local employers; maintaining a business friendly reputation;
  - providing appropriate incentives to attract new businesses and facilitate expansion of existing businesses;
  - maintaining partnerships with local and regional business organizations;
  - expanding the local retail market to maintain a fiscally strong City;
  - building adequate infrastructure to maintain an inventory of ready-to-build sites for new and expanding businesses; and
  - providing a mix of housing in a quality environment, **including high-quality new housing on lands within the Urban Limit Line (ULL)**, to attract a strong labor force.
- *Promote a diverse range of jobs, businesses, and industries, providing high paying employment and entrepreneurial opportunities, balanced with and well-suited to Antioch's population.*

This goal reflects Antioch's commitment to increase the quality of life of its residents. Increasing the number and types of local employment opportunities in relation to the area's labor force is the first and most important step toward economic self-reliance. Currently, East Contra Costa's low jobs/housing ratio and the small number of locally available professional positions make it necessary for 60 percent of the area's residents to commute long distances - often more than 100 miles round trip-to job centers in Pleasanton, San Ramon, Walnut Creek, Oakland, San Francisco, and the Silicon Valley. By increasing local employment opportunities and balance between the number and types of local jobs and residents in the labor force, Antioch residents will be better able to work close to home, spending more time with their families, and in leisure pursuits, while helping to reduce the traffic congestion and air pollution inherent in those commutes.

- *Maintain a balance of new development with revitalization of existing retail locations.*

#### **6.3.4 Commercial, ~~and~~ Industrial, **and Residential** Land Availability Objective**

Provide adequate land **within the ULL** to accommodate planned development, with office, business park, industrial, and commercial areas complementing **high-quality new** residential and public



development in location, access, mix of uses, attractiveness, and design quality.

### **6.3.5 Commercial, and Industrial, and Residential Land Availability Policies**

- a. Maintain a mix of uses on the General Plan land use map (Figure 4.1) for land within the ULL, providing a balance of housing types, commercial development, and employment-generating uses.
- b. Work toward redevelopment of existing heavy industrial areas along Wilbur Road and Fourth Street to increase their overall employment density.
- c. Promote the establishment of workplace alternatives, including home occupations and telecommuting.
  - Continue to permit home occupations in all residential districts.
  - In defined residential mixed-use districts, expand the definition of home occupations, where appropriate, to permit hiring of workers who are not residents of the household.
  - Promote the provision of high-speed telecommunications cabling in new residential development within the ULL.
  - Encourage businesses to provide part-time as well as full-time opportunities to accommodate families looking for second income opportunities.
- d. Maintain an inventory of turnkey sites within the ULL for commercial and employment-generating development, complete with appropriate zoning, in-place infrastructure, and environmental clearances.
  - Promote the preparation of Specific Plans with associated environmental documentation to facilitate the development of specific local areas within the ULL, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plant
    - Chevron property (along with annexation of the site)
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)

- Hillcrest Station Area Focus Area
- “A” Street Interchange Focus Area
- Implement assessment districts or other financing mechanisms to facilitate the development of infrastructure for specific local areas **within the ULL**, including, but not necessarily limited to, the following:
  - Business Park areas west of Rivertown
  - Rodgers Point area, including the former City water treatment plan
  - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
  - Hillcrest Station Area Focus Area
- e. Require the provision of fiber optic networks and other advanced telecommunications in new employment-generating developments **within the ULL**.
- f. Maintain space in business parks for distribution and research uses. Attract a wide range of industries, which serve local and regional needs and contribute to the community’s economic vitality, and at the same time protect the local environment and quality of life.
- g. Seek innovative ways to reduce the cost of infrastructure provision for employment-generating and commercial development (e.g., providing incentives for the provision of infrastructure serving employment-generating and commercial development areas **within the ULL** as part of the residential development allocation system).

**G. CIRCULATION ELEMENT AMENDMENTS.**

**7.1.1 Existing Roadway Network**

State Route (SR) 4 and SR 160 provide direct access to Antioch. SR 4 runs east-west connecting Antioch with Oakley, Brentwood, Pittsburg, 1-680, Martinez, Pinole, and 1-80. SR 4 is a divided freeway from 1-680 east through Concord, Pittsburg, and Antioch, and is currently a two-lane roadway through Oakley and Brentwood. SR 4 has been one of the more congested freeways in Contra Costa, in particular, the segments between Lone Tree Way and Railroad Avenue in the morning and Bailey Road to Lone Tree Way in the afternoon, and is in the process of being widened. On- and off-ramps between SR 4 and Antioch’s local street network occur at East

Eighteenth Street, Hillcrest Avenue A Street/Lone Tree Way, G Street, L Street/Contra Loma Boulevard and Somersville Road.

SR 160 begins at the East Eighteenth Street/SR 4 junction, and continues north over the San Joaquin River via the Antioch Bridge to Rio Vista and Sacramento. Access to and from SR 160 and Antioch's local street network occurs at Wilbur Avenue south of the Antioch Bridge.

Primary arterials provide access to Pittsburg to the west, Oakley and Brentwood to the east, and rural Contra Costa County to the south. The major thoroughfares in Antioch are identified in Table IV.D-1. Each major arterial is briefly described below.

*A Street/Lone Tree Way.* A Street runs between downtown Antioch and SR 4 providing direct access to the Rivertown District. South of SR 4, A Street becomes Lone Tree Way, and continues southeast into Brentwood.

*Deer Valley Road.* Deer Valley Road runs north-south beginning in the north at the Hillcrest Avenue/Davison Drive junction and ending in the south at Marsh Creek Road south of the City's boundary in Contra Costa County.

*Hillcrest Avenue.* Hillcrest Avenue is located in eastern Antioch on both sides of SR 4 linking the area north of East Eighteenth Street to Prewett Ranch Road.

*L Street/Contra Loma Boulevard.* L Street runs north-south in northern Antioch between SR 4 and West Tenth Street. Contra Loma Boulevard runs north-south in southern Antioch between SR 4 and James Donlon Boulevard.

*Somersville Road.* Somersville Road runs north-south in western Antioch on both sides of SR 4 providing access to the Pittsburg-Antioch Highway and Buchanan Road.

*Eighteenth Street.* Eighteenth Street is located north of SR 4 and runs parallel to SR 4. Eighteenth Street acts as a major arterial between A Street and the SR 4/SR 160 junction.

*James Donlon Boulevard.* James Donlon Boulevard connects Lone Tree Way and Somersville Road, and provides east-west access through the southwest quadrant of Antioch.

*West Fourth Street/A Street Extension.* West Fourth Street and West Sixth Street and the A Street Extension provide east-west access in Downtown Antioch. West Fourth Street is the main arterial between Somersville Road and G Street. The A Street extension is the main

connector between the eastern portion of the downtown area and the SR 4 freeway.

*West Tenth Street.* West Tenth Street provides east-west access in downtown Antioch between Somersville Road and A Street. West of Somersville Road, West Tenth Street becomes the Pittsburg/Antioch Highway, serving industrial uses and providing a regional roadway connection to the west of Antioch.

*Wilbur Avenue.* Wilbur Avenue provides east-west access in northeastern Antioch, and becomes a major arterial between A Street and SR 160.

*Dallas Ranch Road.* Dallas Ranch Road provides north-south access between Lone Tree Way and the Sand Creek Specific Plan Focus Area. Dallas Ranch Road will **connect to the future extension of Sand Creek Road and** serve as one of the primary routes into the Sand Creek Focus Area **and to the Kaiser Permanente Antioch Medical Center.**

*Buchanan Road.* Buchanan Road runs east-west between Contra Lorna Boulevard and the westerly City limit. Buchanan Road serves as one of the primary routes to the west of Antioch.

*Davison Drive.* Davison Drive is located south of Hwy 4 and serves as an east-west connection between Lone Tree Way and Hillcrest Avenue.

**Table 7.A – Primary Arterials in Antioch**

<b>Arterial</b>	<b>Activity Centers Served</b>
<b>North/South Direction</b>	
A Street/Lone Tree Way	Antioch City Park, SR 4, Sutter Delta Medical Center, Prewett Park
Deer Valley Road	Prewett Park
Hillcrest Avenue	Hillcrest Park & Ride lot, SR4
L Street/Contra Loma Blvd.	Contra Costa County Fairgrounds
Somersville Road	County East Mall, Black Diamond Mines Regional Preserve

Dallas Ranch Road	Sand Creek <b>Specific Plan Focus Area</b> , including <b>proposed golf course residential</b> and employment-generating areas, <b>and Kaiser Permanente Antioch Medical Center</b>
<b>East/West Direction</b>	
Eighteenth Street	Employment Development Department, County Library, Oak View Memorial Park, SR 4
James Donion Blvd.	Antioch Community Park
West Fourth Street/A Street extension	Downtown
West Tenth Street	Downtown
Wilbur Avenue	SR 160
Davidson Drive	Commercial uses along Lone Tree Way and Hillcrest Avenue
Buchanan Road	Regional connection to the west of Antioch

**7.2 GOALS OF THE CIRCULATION ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Circulation Element to achieve and maintain a balanced, safe, problem-free transportation system that:

- *improves present traffic flows, and provides easy and convenient access to all areas of the community, and completes long-planned circulation improvements such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road;*
- *is safe for all modes of motorized and non-motorized transportation;*
- *reduces dependence on single occupant automobile travel by providing a high level of pedestrian, bicycle, and public transit travel opportunities; and*

- *preserves a sense of comfort and well-being throughout the community by reducing the intrusiveness of commercial, business park, and industrial traffic, rail traffic, and regional traffic on neighborhood streets and residents' quality of life.*

Antioch recognizes that even by constantly expanding the local roadway network and providing an ongoing sequence of programmed street improvements, problems of traffic congestion will continue. Providing a real solution to traffic congestion requires a balanced approach to future transportation improvements. An efficient transportation system needs to offer Antioch area residents not only efficient automobile traffic distribution, but also viable alternatives to automobile travel. The General Plan aims to increase the balance between various modes of transportation by increasing the desirability of transit, walking, and bicycling. The General Plan also coordinates land use, transportation, and air quality concepts and strategies. General Plan objectives are designed to improve traffic flow, local air quality, and energy conservation. To achieve this of balance, the City of Antioch will:

- provide for the efficient movement of vehicles by designing, constructing, and maintaining a roadway circulation network, which will function at an acceptable level of service (LOS), as set forth in the Growth Management Element.
- expand the existing roadway system where it is feasible to do so, **such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road**, increasing its carrying capacity and eliminating congestion;
- regulate the intensity of future development **within the ULL** in relation to the carrying capacity of Antioch roadways as part of ensuring that the performance standards of the Growth Management Element are met;
- provide a mix of land uses **within the ULL** that realistically balances growth in the local employment and housing, increasing local employment opportunities and reducing the need for long commutes to work;
- ensure that each new development **within the ULL** that would cumulatively contribute to the need for improvements provides appropriate mitigation;

- provide a system of bicycle routes and pedestrian links such that pedestrian and bicycle travel become safer and more useful for everyday tasks such as travel to shopping, work, and recreational facilities;
- achieve and maintain an organization of land uses which integrates places of residence, retail commerce, daily service needs, work, education, and recreation, thereby reducing the number and length of vehicular trips;
- require site plans for individual development projects **within the ULL** to minimize or eliminate through traffic within residential neighborhoods;
- to the degree feasible, encourage mixed-use developments **within the ULL** to reduce vehicle trips;
- improve the relationship of roadways with land uses, including regulating driveway access and development intensity where needed;
- improve the carrying capacity of existing roadways through implementation of transportation systems management concepts;
- participate in developing regional circulation improvement measures in cooperation with surrounding cities and Contra Costa County. Such measures may include, but are not limited to, the development of reciprocal traffic improvement fee programs; and
- implement the provisions of the Contra Costa County Congestion Management Program by requiring development projects **within the ULL** to analyze and provide mitigation for traffic impacts on regional circulation facilities.

It is Antioch's intent to require new developments **within the ULL** to mitigate their traffic impacts, either through construction of new roadways or participation in land-based financing mechanisms.

### **7.3.2 Vehicle Circulation Policies**

- a. Facilitate meeting the roadway performance standards set forth in the Growth Management Element and improving traffic flow on arterial roadways.



Work with the UP and BNSF railroads to construct grade separations along the tracks at Somersville Road, Hillcrest Avenue, "A" Street, the proposed Viera Road extension, and the proposed Phillips Lane extension.

- Promote the design of roadways to optimize safe traffic flow within established roadway configurations by minimizing driveways and intersections, uncontrolled access to adjacent parcels, on-street parking, and frequent stops to the extent consistent with the character of adjacent land uses.
  - Provide adequate capacity at intersections to accommodate future traffic volumes by installing intersection traffic improvements and traffic control devices, as needed, as development occurs.
  - Facilitate the synchronization of traffic signals.
  - Where needed, provide acceleration and deceleration lanes for commercial access drives.
  - Provide for reciprocal access and parking agreements between adjacent land uses, thereby facilitating off-street vehicular movement between adjacent commercial and other non-residential uses.
  - Encourage regional goods movement to remain on area freeways and other appropriate routes.
- b. Design and reconfigure collector and local roadways to improve circulation within and connections to residential and commercial areas.
- Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas.
  - Implement roadway patterns that limit through traffic on local residential streets.
- c. Require the design of new developments **within the ULL** to focus through traffic onto arterial streets.
- d. Where feasible, design arterial roadways, including routes of regional significance, to provide better service than the minimum standards set forth in Measure C and the Growth Management Element. Thus, where feasible, the City will strive to maintain a

“High D” level of service (v/c -0.85-0.89) within regional commercial areas and at intersections within 1,000 feet of a freeway interchange. The City will also strive where feasible to maintain Low-range “D” (v/c = 0.80-0.84) in all other areas of the City, including freeway interchanges.

- e. Establish Assessment Districts in areas that will require major roadway infrastructure improvements that will benefit only that area of the City, and thereby facilitate the up-front construction of needed roadways.
- f. Design street intersections to ensure the safe passage of through traffic and accommodate anticipated turning movements. Implement intersection improvements consistent with the following lane geometries, unless traffic analyses indicate the need for additional turn lanes.

Number of Through Lanes on Route	Intersection Turn Lanes	
	Left	Right
	Intersections with 4-Lane Arterials	
6 or 8	1	1
4	1	1
2 (Collector)	1	NA
2 (Local)	NA	NA
	Intersections with Collectors	
6 or 8	1	1
4	1	NA
2 (Collector)	1	NA
2 (Local)	NA	NA

- g. Where uses such as commercial centers that generate heavy traffic volumes are located along arterial roadways, provide acceleration and deceleration lanes as needed to maintain the carrying capacity of through traffic lanes.
- h. Require traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or

more at any intersection of Circulation Element roadways. The purpose of these studies is to demonstrate that:

- the existing roadway system, along with roads to be improved by the proposed project, can meet the performance standards set forth in Sections 3.4.1 and 3.4.2 of the Growth Management Element, and
  - required findings of consistency with the provisions of the Growth Management Element can be made.
- i. Require the preparation of a traffic management plan for special event uses to serve major events (e.g. fairs, festivals, sporting events), where traffic volumes that are generated less than 45 times per year would exceed the roadway performance standards set forth in the Growth Management Element. Such special event venues shall be required to provide sufficient manual traffic control as to maintain consistency with Growth Management Element roadway performance standards. Evaluate the traffic impacts of special event uses based on factors specifically related to the special event, rather than those of a typical development (e.g., traffic patterns, hourly flow, and presence of manual traffic controls).
  - j. Require that existing driveways that are unnecessary or substandard be removed or upgraded, wherever feasible, in conjunction with any on-site development or any adjacent street construction.
  - k. Where single family residences have no feasible alternative but to front on collector or arterial roadways, require, wherever possible, that circular driveways or on-site turnarounds be provided to eliminate the need for residents to back onto the street.
  - l. Locate driveways on comer parcels as far away from the intersection as is possible.
  - m. Avoid locating driveways within passenger waiting areas of bus stops or within bus bays. Locate driveways so that drivers will be able to see around bus stop improvements.
  - n. Use raised medians as a method for achieving one or more of the following objectives: access control, separation of opposing traffic flows, left turn storage, aesthetic improvement, and/or pedestrian refuge.
  - o. Where medians are constructed, provide openings at the maximum feasible intervals, typically no less than 1/8 mile.

- p. Where a series of traffic signals are provided along a route, facilitate the coordination of traffic signals to optimize traffic progression on a given route. Traffic signalization should emphasize facilitating access from neighborhood areas onto the City's primary roadway network, and should work to discourage through traffic from using local streets.
- q. Demand-actuated traffic signals should include push buttons to signal the need for pedestrians to cross, and include audible signals and countdown signs to assist the disabled in crossing streets. Demand-actuated traffic signals corresponding with bicycle routes should include bicycle sensitive loop detectors or push buttons adjacent to the curb.
- r. Avoid offset intersections along arterials and collectors. Intersections along local and minor residential collector streets may be offset within the subdivision as a means of discouraging through traffic.
- s. Expand intersections to include additional turning and through lanes at intersections where needed to relieve congestion and improve intersection operation, so long as the intersection can continue to accommodate pedestrians and bicyclists. Avoid traffic system improvements that facilitate vehicular turning and bus movements, but that also discourage pedestrian or bicycle movements. This can be accomplished on wide streets by providing safe stopping places for pedestrian crossing the street.
- t. Maintain the first priority for public streets of providing safe and efficient travel for the public with parking as a second priority.
- u. Generally, permit parking on collector streets, with restrictions as needed to accommodate transit stops, on-street bicycle lanes, added lanes at intersections, or other operational requirements.
- v. Private streets, where permitted, shall provide for adequate circulation and emergency vehicle access. Private streets that will accommodate more than 50 vehicles per hour in the peak hour or that are designed for on-street parking shall be designed to public street standards. The design of other private streets shall be subject to the review and approval of the City Engineer. Private streets shall be improved to public street standards prior to acceptance of dedications to the City.
- w. Provide arterial and collector roadways within hillside areas with added rights-of-way as needed for roadway slopes, and no on-street parking in order to provide extra safety.

- x. Require new development **within the ULL** to construct all on-site roadways, including Circulation Element routes, and provide a fair share contribution for needed offsite improvements needed to maintain the roadway performance standards set forth in the Growth Management Element Contributions for offsite improvements may be in the form of fees and/or physical improvements, as determined by the City Engineer. Costs associated with mitigating off-site traffic impacts should be allocated on the basis of trip generation, and should have provisions for lower rates for income-restricted lower income housing projects needed to meet the quantified objectives of the General Plan Housing Element.
- y. Where feasible, require permitted General Plan land uses that generate high volumes of traffic to be located along major transportation corridors and near transit facilities to minimize vehicular use, congestion, and traffic delays.
- z. Provide direct access between industrial areas and freeways, with truck routes avoiding residential areas to the extent possible.
- aa. Design street systems serving industrial areas, including the primary routes accessing these areas to accommodate the movement of trucks.
- bb. Pursue construction of public parking facilities within the downtown area to serve projected parking demand and facilitate mixed-use development without the need to meet off-street parking standards on each individual parcel.

#### **7.4.2 Non-Motorized Transportation Policies**

- a. Design new residential neighborhoods **within the ULL** to provide safe pedestrian and bicycle access to schools, parks and neighborhood commercial facilities.
- b. Design intersections for the safe passage of pedestrians and bicycles through the intersection.
- c. Provide street lighting that is attractive, functional, and appropriate to the character and scale of the neighborhood or area, and that contributes to vehicular, pedestrian, and bicycle safety.
- d. Maintain roadway designs that maintain mobility and accessibility for bicyclists and pedestrians.
- e. Integrate multi-use paths into creek corridors, railroad rights-of-way, utility corridors, and park facilities.

- f. Provide, as appropriate, bicycle lanes (Class II) or parallel bicycle/pedestrian paths (Class I) along all arterial streets and high volume collector streets, as well as along major access routes to schools and parks.
- g. Design new roadway bridges to meet Caltrans standards for bridges involving State highways, including bicycle lanes on all new bridges along Circulation Element roadways. Where provision of bicycle lanes is not feasible, undertake measures to provide alternative routes and to prohibit bicycle riding on bridge walkways.
- h. Require the provision of bicycle parking and other support facilities (e.g., racks or lockers) as part of new office and retail developments and public facilities,
- i. Where shopping facilities are located adjacent to residential areas, provide direct access between residential and commercial uses without requiring pedestrians and bicyclists to travel completely around the commercial development.
- j. Permit the sharing or parallel development of pedestrian walkways with bicycle paths, where this can be safely accomplished, in order to maximize the use of public rights-of-way.
- k. Orient site design in non-residential areas to allow for safe and convenient pedestrian access from sidewalks, transit and bus stops, and other pedestrian facilities, in addition to access through required parking facilities.
- l. Require the construction of attractive walkways in new residential, commercial, office, and industrial developments **within the ULL**, including provision of shading for pedestrian paths.
- m. Maximize visibility and access for pedestrians, and encourage the removal of barriers for safe and convenient movement of pedestrians.
- n. Ensure that the site design of new developments **within the ULL** provides for pedestrian access to existing and future transit routes and transit centers.
- o. Pave walks and pedestrian pathways with a hard, all-weather surface that is easy to walk on. Walks and curbs should accommodate pedestrians with disabilities. Walks within open space areas should have specially paved surfaces that blend with the surrounding environment.

- p. In general, design walks to provide a direct route for short to medium distance pedestrian trips, and to facilitate the movement of large numbers of pedestrians. Meandering sidewalks are appropriate in areas where the natural topography or low-density land uses lend themselves to informal landscapes.

## H. PUBLIC SERVICES AND FACILITIES ELEMENT AMENDMENTS.

### 8.1 INTRODUCTION

The purpose of the Public Services and Facilities Element is to define the types of levels of public services and facilities Antioch desires for its local taxpayers, and to set forth a well-conceived plan to manage the expansion of these services for a growing population and business community. The focus of this Element is providing the means to ensure that the capital facilities and public services needed to support build out of the land uses identified in the Land Use Element, **within the voter-approved Urban Limit Line (ULL)**, while maintaining the service standards set forth in the Growth Management Element of the Antioch General Plan.

### 8.2 GOALS OF THE PUBLIC SERVICES AND FACILITIES ELEMENT

To provide for a sustained high quality of life, it is the goal of the Public Services and Facilities Element to accomplish the following:

- *Provide for the timely expansion of high quality public services and infrastructure to serve existing and future residents businesses, recreational facilities, and other facilities within the City of Antioch **within the ULL**, consistent with the service levels set forth in the Growth Management Element.*

Antioch recognizes that it must find a balance between the high quality and level of services desired by the community and the financial ability of the City and other service agencies to provide these services and infrastructure. Thus, Antioch cannot provide all the services and facilities other agencies have found they cannot afford to provide, nor can the City spend more on the provision of services and facilities than it receives in revenues. Recognizing that the City cannot and should not “go it alone,” the delivery of public services and facilities within the Antioch Planning Area occurs in one of three methods:

- **Direct Service.** Certain public services and facilities are most appropriately provided directly by the City, or by contractors who provide services pursuant to standards and requirements set by the City Council. The include services provided directly by the City within its boundaries **and within the ULL**, such as



police protection, parks and recreation, water service (provided directly by the City), and maintenance of local sewer lines and streets. Solid waste collection and street construction are examples of contracted direct services.

- **Partnerships.** Certain functions are performed in partnership with other organizations. In these cases, Antioch's collaborative role is performed via financial support, technical assistance, coordination, or the creation of new organizations. Examples of such functions and partnerships include the provision of joint school/park sites, the Contra Costa County Transportation Commission, Metropolitan Transportation Authority, Association of Bay Area Governments (ABAG), East Contra Costa Regional Fee and Financing Authority, Slate Route 4 Bypass Authority, and the East Contra Costa Transportation Authority (Tri-Delta Transit).
- **Supporting the Community Agenda.** In addition to services provided directly by the City and those provided in partnership with other agencies, important public services are provided to the community by special districts and other outside agencies. Examples of these services include schools, fire protection, sewage treatment, flood control, and solid waste disposal. The City's role in the provision of these services is coordinating land development activities **within the ULL** with the expansion of services and facilities by the outside agencies providing the services. Although Antioch does not have the final say in the provision of Services provided by outside agencies, in its role as the planning agency for the City, Antioch's policies and actions have substantial capacity to assist in the provision of services to the community.

The availability of adequate public services and facilities **within the ULL**, including meeting the performance standards established in the Growth Management Element, is integral to permitting new development. As a result, if Antioch is to meet community goals such as maintaining a high quality of life, achieving a balance between local housing and employment opportunities, and providing of a wide range of shopping and recreational opportunities, it is critical that services and facilities be expanded in a timely manner. The most direct way of ensuring the timely expansion of services and facilities is for the City to control the provision of the public services and facilities needed to support community goals. Where

such direct control is economically or administratively infeasible, a high level of coordination with the outside agencies provided needed and services is necessary.

#### **8.4.1 Water Facilities Objective**

Ensure a water system capable of providing high quality water to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch **within the ULL**, during peak use conditions, with sufficient water in storage reservoirs for emergency and fire protection needs.

#### **8.4.2 Water Facilities Policies**

- a. As part of the design of water systems, provide adequate pumping and storage capacity for both drought and emergency conditions, as well as the ability to provide fire flows required by the Contra Costa County Fire Protection District.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy or new development **within the ULL**, such that (1) new development will not negatively impact the performance of water facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of water facilities.
- d. Maintain existing levels of water service by protecting and improving infrastructure, replacing water mains and pumping facilities as necessary, and improving the efficiency of water transmission facilities.
- e. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- f. Periodically evaluate local water consumption patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- g. Incorporate expected reductions in the need for water facilities resulting from water conservation programs only after several years of experience with the implementation of such programs.
- h. Provide the Contra Costa Water District with timely information on development proposals and projected levels of future growth **within the ULL** so that it can maintain appropriate long-term

master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.

#### **8.5.1 Wastewater Management Objective**

Ensure a wastewater collection, treatment, and disposal system capable of providing sewer services to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch and its ULL during peak use conditions.

#### **8.5.2 Wastewater Management Policies**

- a. As part of the design of sewer systems, provide adequate capacity for average and peak conditions.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy of new development within the ULL, such that new development will (1) not negatively impact the performance of sewer facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of sewer facilities.
- d. Continue to facilitate economically feasible water conservation programs as a means of reducing sewage generation and the need for expanding sewage treatment capacity.
- e. Work with Delta Diablo Sanitation District to explore and develop uses for treated wastewater. Where reclaimed wastewater can be economically delivered, require the installation of dual water systems permitting the use of reclaimed water supplies for irrigation purposes and industrial purposes.
- f. Incorporate expected reductions in sewage flow projections and the need for sewage treatment capacity resulting from water conservation programs only after several years of experience with the implementation of such programs.
- g. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- h. Periodically evaluate local sewage generation patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.

- i. Provide the Delta Diablo Sanitary District with timely information on development proposals and projected levels of future growth so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- j. Work cooperatively with affected agencies to ensure that capacity allocations are adjusted among the agencies swerved by Delta Diablo Sanitation District to optimize plant utilization, avoid unnecessary expansions, and facilitate needed expansions.

#### **8.6.2 Solid Waste Management Policies**

- a. Continue contracting for garbage and recycling collection services.
- b. Require provision of attractive, convenient recycling bins and trash enclosures in new residential and non-residential development **within the ULL**.
- c. Provide and promote opportunities to reduce solid waste generation at home and in businesses and public facilities, making possible the safe disposal of hazardous materials.
- d. Require builders to incorporate interior and exterior storage areas for recyclables into new commercial, industrial, and public buildings **within the ULL**.
- e. Consider the use of co-generation at appropriate facilities.
- f. Support the identification and selection of new landfill sites in remote locations of the County outside of and not requiring access through the Antioch Planning Area, where such sites would not impact existing or proposed parks or water storage facilities.
- g. Limit the location of solid waste transfer stations to areas where heavy industrial uses would be appropriate, avoiding traffic, odor, and other environmental impacts on the community.
- h. The City of Antioch shall follow State regulations in implementing the goals, policies, and programs in order to achieve and maintain a 50 percent reduction in solid waste disposal through source reduction, reuse, recycling, and composting.
- i. In accordance with State regulations, Antioch shall prepare an annual progress report to determine the City's progress toward meeting its diversion goals and objectives.

- j. The City shall require all development projects **within the ULL** to coordinate with appropriate departments and/or agencies to ensure that there is adequate waste disposal capacity to meet the waste disposal requirements of the project, and the City shall recommend that all development projects incorporate measures to promote waste reduction, reuse, recycling, and composting.

### **8.7.2 Storm Drainage and Flood Control Policies**

- a. Continue working with the Contra Costa County Flood Control District to ensure that runoff from new development **within the ULL** is adequately handled.
- b. Require adequate infrastructure to be in place and operational prior to occupancy of new development **within the ULL**, such that:
  - new development will not negatively impact the performance of storm drain facilities serving existing developed areas and
  - the performance standards set forth in the Growth Management Element will continue to be met.
- c. Design flood control within existing creek areas to maximize protection of existing natural settings and habitat.
- d. Provide retention basins in recreation areas where feasible to reduce increases in the amount of runoff resulting from new development **within the ULL**.
- e. Require new developments **within the ULL** to provide erosion and sedimentation control measures to maintain the capacity of area storm drains and protect water quality.
- f. Require implementation of Best Management Practices in the design of drainage systems to reduce discharge of non-point source pollutants originating in streets, parking lots, paved industrial work areas, and open spaces involved with pesticide applications.

### **8.8.2 School Facilities Policies**

- a. Maintain clear, ongoing communications with area school districts on all matters related to the need for and provision of school sites and other administrative, educational, and recreational facilities.
- b. Coordinate the planning efforts of the City and local school districts by:

- locating school facilities to facilitate the primary educational purpose of the facility and allow for safe pedestrian, bicycle, and vehicular access, including the provision of traffic calming measures, where appropriate, in the vicinity of schools;
  - maximizing the joint use of facilities by the City and local school district (including, joint school/park sites and, where feasible, joint use of athletic fields, community meeting facilities, and provision of child and senior care facilities) by developing joint funding for such facilities through a combination of school district and City sources, provided that City contributions to joint facilities are consistent with the availability of such joint facilities to meet non-school recreational and other community needs;
  - designing attractive facilities that can also serve as neighborhood and community gathering places, and contribute to neighborhood identity and pride;
  - requiring reasonable reservation of appropriate locations for development of new schools as part of new development **within the ULL**;
  - regularly exchanging information on (1) the status of development review and construction, (2) the capacity of area schools, (3) the status of site acquisitions by the districts, and (4) applicable student generation factors by type of development.
- c. Require new development **within the ULL** to pay all legally established fees or participate in land-based financing districts established by local school districts for the acquisition and development of school sites with adequate, permanent classroom space, as required by the local school district.
- d. Maintain land development regulations permitting the development of public and private educational facilities **within the ULL** at appropriate locations within the Planning Area.
- e. Provide incentives in the City's residential growth management program for the provision of developer assistance to local school districts beyond nominally required mitigation fees. The objective of such incentives is that the combination of required fees and incentives provide a full contribution proportional to the needs of the proposed development for all school-related facilities to serve the proposed project.

- f. Work with Los Medanos College to further accessibility to and the quality of local community college education.
- g. Work with public and private universities (e.g., CSU Hayward, University of Phoenix) to create satellite campuses within Antioch.
- h. Work with trade schools (e.g., DeVry Institute, ITT Technical Institute, Bryman College) to locate new facilities in Antioch.

#### **8.10.2 Fire Protection Policies**

- a. Work with the Contra Costa County Fire Protection District to provide high quality fire protection services to area residents and businesses. The City's role should include, but not be limited to:
  - Determining the appropriateness of station location sites **within the ULL and, in particular, the Sand Creek Focus Area**;
  - Enforcement of building codes to reduce fire hazards;
  - Collection of mitigation fees established by the fire district to construct needed additional stations within the Antioch Planning Area.
  - Support the District in providing funding for personnel costs to staff stations within the City;
  - Support the District in establishing fees that are adequate to mitigate the impacts of new development **within the ULL** and income to support operation of new stations whose construction is financed with development fees; and
  - Requiring reasonable reservation of appropriate sites **within the ULL and in, particular, the Sand Creek Focus Area** for new fire stations as part of new development.
- b. In cooperation with the Contra Costa County Fire Protection District, conduct an annual assessment of the adequacy of facilities and services serving Antioch, personnel and staffing needs, and capital needs, based on anticipated growth **within the ULL** and the level of service standard set forth in the Growth Management Element. This assessment should be undertaken as part of the annual review of proposed capital projects required by the California Government code (see Chapter 12, Implementation, Section 12.4b).



- c. Provide the Contra Costa County Fire Protection District with timely information on development proposals and projected levels of future growth **within the ULL** so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- d. Involve the Fire Protection District in the development review process by referring development requests **within the ULL** to the Fire District for review and comment.

#### **8.11.2 Police Services Policies**

- a. Provide an adequate police force meeting the performance standards for police services set forth the Growth Management Element.
  - As part of the annual budget and capital improvements program, assess crime prevention and law enforcement services, and evaluate the adequacy of Antioch's facilities and services, personnel and staffing needs, and capital needs, based on anticipated growth **within the ULL** and the level of service standard set forth in the Growth Management Element.
- b. Provide sufficient facilities **within the ULL** and staffing to ensure the safety of the citizens of Antioch by:
  - Providing expedient response to emergency calls.
  - Maintaining an efficient well-trained and adequately equipped force of police personnel.
  - Providing neighborhood watch and crime prevention programs, and attempting to improve the participation of individual neighborhoods and businesses.
  - Continuing to provide a variety of programs within the Police Department (e.g., traffic crime prevention, REACH, narcotics, investigations) to meet the needs of an active community.
- c. Provide basic requirements and incentives for the provision of design features in new development **within the ULL** to reduce the potential for crime.
  - Provide well-lighted and visible streets and street names, entrances, addresses, recreation areas, and parking areas.

- Limit access into and between buildings to reduce escape routes and undetected entry is made difficult.
  - Provide landscaping which permits surveillance of open areas and entryways, and does not create places for concealment.
  - Within multi-family and non-residential developments **within the ULL**, design access systems to allow emergency vehicle access around buildings to the greatest extent possible.
  - Within multi-family and non-residential developments **within the ULL**, eliminate the potential for access to roofs by pallets, flag poles, etc.
- d. Involve the Antioch Police Department in the development review process by referring development requests **for projects proposed within the ULL** to the Police Department for review and comment.
- e. Promote community involvement in crime prevention.
- Promote the establishment and operation of neighborhood watch, park watch, and business watch programs.
  - Work with area schools to maintain educational programs aimed at preventing gang and drug-related activities.

### **8.13 FINANCING EXPANSION OF PUBLIC SERVICES AND FACILITIES**

Provision of the services and facilities required by new development **within the ULL** in a manner that will not impact services and facilities enjoyed by existing residents and businesses is a key to the success of the Antioch General Plan. Several basic approaches to financing the expansion of public facilities **within the ULL** are available. The basic financing methods include having (1) having developers build infrastructure and also provide facilities, (2) financing facilities and infrastructure through development impact fees, and (3) use of assessment districts.

Developer financing of infrastructure is common for on-site improvements within the development itself. In some cases, however, large-scale facilities are needed that will be shared by more than one development, sometimes involving large portions of the City. When such facilities are needed, it may be difficult or impossible to have one developer construct or provide up-front financing on their own. In response, the City can offer “reimbursement agreements” to promote equity and offset the cost

to individual developers of upsizing infrastructure or providing facilities that would serve other developments **within the ULL**. Pursuant to these reimbursement agreements, developers who provide up-front infrastructure or facilities that would be shared with other, future, development projects **within the ULL** would be reimbursed for this increased up-front expense by subsequent developments.

Many communities rely on development impact fees to fund such large-scale or “backbone” facilities. Development fees work well at equitably spreading the cost of new facilities among those who create the need. However, development fee systems generally result in gaps between the time that facilities are needed and the time that sufficient money has been collected to pay for them.

Development fee programs also require regular maintenance to ensure that the fees being charged are reasonably related to the impacts of individual development projects, and that they are sufficient to actually build the infrastructure and facilities they are intended for.

Where multiple ownerships or developments **within the ULL** need to share major infrastructure, and where no individual ownership or development could reasonably afford to provide such major infrastructure on its own, assessment districts provide an attractive means of financing. Antioch has successfully used large-scale assessment districts in the past, and, as a result, has not suffered from infrastructure deficiencies to the extent that other communities have. However, the use of assessment districts can lead to situations where newer portions of the City receive a higher level of facilities than do older areas by virtue of paying higher taxes (in the form of assessments) than other portions of the City.

### **8.13.1 Financing Expansion of Public Services and Facilities Objective**

Ensure that the expansion of public facilities occurs in an equitable manner such that new development **within the ULL** pays for all of the infrastructure and public facilities required to support the development without impacting levels of service provided to existing residents and businesses.

### **8.13.2 Financing Expansion of Public Services and Facilities Policies**

- a. Place the ultimate responsibility on the sponsor of proposed development projects **within the ULL** for ensuring that the services and facilities needed to support the project and maintains applicable performance standards in the Growth Management Element are available at the time they are needed.

- b. Require that new development **within the ULL**:
  - Participate in a land-based financing district, construct and/or pay for the new onsite capital improvements required to meet the applicable performance standards of the Growth Management Element;
  - Be phased so as to ensure the services and capital facilities used by the new development **within the ULL** meet the applicable performance standards of the Growth Management Element;
  - Ensure that, in the event public services or off-site capital facilities **for new development within the ULL** do not meet the applicable performance standards of the Growth Management Element prior to approval of the project, the level of service provided to existing development will not be further impacted by new development.
- c. Continue to use special assessments as a means of financing infrastructure for future development **within the ULL** where the establishment of land-based financing would equitably spread infrastructure costs.
- d. Where permitted by law, require that special assessments for single-family residential development be paid off at the time of the initial sale of homes to individuals.
- e. Continue to apply existing policies and regulations precluding City financial assistance for any on-site capital improvements required by new development **within the ULL**.
- f. As part of new development proposals **within the ULL**, determine whether any service level deficiencies might result, and place needed conditions on the proposed development to ensure that:
  - Service level standards will continue to be met, and
  - New development **within the ULL** will not result in any substantial, short- or long-term reduction in the level of municipal services provided by the City to existing developed areas.
- g. Encourage infill development **within the ULL** which utilizes existing infrastructure, as well as the planning and development

of large scale, self-sufficient, mixed use communities **within the ULL** with integrated phasing and financing of public facilities.

**I. HOUSING ELEMENT AMENDMENTS.**

<p><b>2.1.4 Executive Housing:</b> Facilitate the development of housing appropriate for executives of businesses seeking to expand within or relocate to Antioch to meet the need for providing above-moderate income housing. Where appropriate, provide requirements in outlying focus areas for the development of executive and upper end housing with appropriate amenities.</p>	<p>The City <b>has previously</b> approved the construction of 50 homes in Sierra Vista, an executive housing development by Suncrest Homes <b>but none of the units are under construction; however, in 2016, Suncrest Homes donated 50 acres of undeveloped land in the Sierra Vista development to the Regional Parks Foundation. Thus, the executive housing will not be built.</b> Plans for development of another 574 estate-style homes at Roddy Ranch were dropped after the property was sold to the East Bay Regional Park District in June 2013. <b>No other executive housing developments are likely to be developed in the immediate future due to current market conditions. The Ranch, a proposed master-planned community within the Sand Creek Focus Area west of Deer Valley Road, may include up to approximately 100 units of executive housing.</b></p>
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**J. RESOURCE MANAGEMENT ELEMENT AMENDMENTS.**

**10.1 INTRODUCTION**

The focus of the Resource Management Element is on conservation and use of environmental resources and open space issues throughout the General Plan Planning Area. While the majority of the privately owned land within the present City limits has been developed or committed to development of urban uses **within the voter-approved Urban Limit Line (ULL)**, significant environmental and open space resources remain. The portion of the Planning Area outside of Antioch’s present city boundaries **and ULL** is largely undeveloped, and also contains significant environmental and open

space resources. As Antioch expands to the south **within the ULL** and its population grows, as future industrial and employment-generating development occurs in the northern portion of the Planning Area, as Rodgers Point and a shoreline trail are developed along the San Joaquin River, the need to wisely manage natural resources will become more acute. This will entail balancing such competing objectives as the need for:

- Conservation of resources;
- Open space preservation,
- Adequate water and energy resources to support future populations:
- Providing public access to open space areas;
- Expanding existing roadway and highway systems;
- Ensuring housing for all economic segments of the community; and
- Ensuring economic development in a manner that protects Antioch's beautiful setting and enhances the quality of life of its residents.

The Resource Management Element addresses the use, management, and protection of environmental resources, including open space, biological resources, air quality, water resources, cultural resources, and energy resources. Combined, these topics cover all major aspects of Antioch's natural setting, and encompass state requirements for preparation of General Plan Open Space and Conservation Elements. In many cases, there are overlaps in the issues addressed here with other elements of the General Plan. For example, hillside open space issues are addressed in the Community Image and Design Element (Section 5.4.14). Achieving a local balance between jobs and housing, as discussed in the Land Use and Economic Development Elements, and eliminating traffic congestion in the community are key components of maintaining good local air quality. Open space for the protection of public health and safety is addressed in the Hazards Element, while open space for public recreation is addressed in the Public Services and Facilities Element.

## **10.2 GOALS OF THE RESOURCE MANAGEMENT ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Resource Management Element to accomplish the following:

- *Conserve and enhance the unique natural beauty of Antioch's physical setting, and control the expansion of urban development by protecting open space where it is important to preserve natural environmental processes and areas of cultural and historical value, **including lands within the ULL in the Sand Creek Focus Area west of Deer Valley Road.***

Open space provides a variety of community benefits, including recreation use, visual enjoyment, protection of habitat areas, and hazard protection. In Antioch, this means protecting the San Joaquin and natural creeks, as well as their adjoining natural beaches and shorelines. It also means opening up views of the River, and preserving views of Mt. Diablo and its foothills to protect the beauty of the physical setting of the City.

Inherent in Antioch's open space goal is provision of a wide range of recreational lands and facilities, including parks for active and passive recreation, special purpose and multi-use trails, and preservation of the natural environment for the enjoyment of area residents.

Protection of certain types of open space is required by law. The provisions of the state and federal endangered species acts, the federal Clean Water Act, and state requirements for stream alteration agreements all require mitigation of impacts on natural habitats. The provisions of the California Environmental Quality Act also require analysis and provision of mitigation for physical impacts on habitats and cultural resources. The City of Antioch recognizes its responsibility to act as a responsible steward for the natural environment, and to strike an appropriate balance between preserving that environment and providing lands **within the ULL** for the housing, employment, and shopping needs of an expanding population.

- *Minimize the use of water and energy resources so as to ensure a sustainable long-term supply.*

The history of settlement in California -- from prehistoric native villages to modern urban development -- is largely tied to the availability of water. Throughout the state, groundwater resources are being overdrawn, while demands on large-scale water projects to continue supplying urban growth increase.



Presently, every major urban area of the state requires the importation of water from distant sources. Without major statewide investment in costly water transport facilities, growth in some urban areas may eventually need to be curtailed for lack of dependable water supplies. During major droughts in the past, public awareness of the need for water conservation grew. This awareness slacked off during wet periods. Water resource projects for the state indicate that the need for significant, permanent water conservation will affect large areas of the State by 2020. Although the Contra Costa Water District indicates that it has sufficient water supplies committed through 2040, the City's desire to achieve a balance between local jobs and housing means that local employment growth must occur in the future at a faster rate than has previously been projected. Thus, water conservation will need to become part of Antioch's overall vision and its economic development program.

The availability of reliable, cheap electrical and natural gas supplies was routinely taken for granted until the summer of 2000, when costs soared and rolling blackouts hit portions of the state. Crisis was averted with the construction of new power generating facilities and higher energy costs. As the immediacy of energy shortages fades, so has the public's willingness to reduce its energy consumption. However, electricity and natural gas demands of a growing statewide population will eventually outstrip the capacity of existing energy-generating facilities, and could plunge the state into another energy crisis. Thus, energy conservation also needs to become part of Antioch's overall vision.

### **10.3 OPEN SPACE OBJECTIVES AND POLICIES**

As discussed in the Land Use Element, a great deal of open land remains in the Antioch Planning Area **and within the ULL**. Approximately 38 percent of the land within the City (6,383 acres) and nearly 46 percent of the land within the unincorporated portion of the General Plan Planning Area (2,240 acres) are undeveloped in open space use. Additional land (928 acres in the City and 381 acres in unincorporated areas) is in agricultural use. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the City, and over 60 percent of the unincorporated land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

*Active Recreation Lands.* City residents have access to a variety of local parks, recreational facilities, regional parks, and open space areas. The City oversees the local parks and recreational facilities, while the East Bay Regional Park District (EBRPD) oversees the regional facilities. The following description of open space and recreation facilities within the City of Antioch is divided into four sections: parks and recreation facilities; recreation programs; special use facilities; and regional facilities and trails.

The City owns and administers 28 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. Over 400 acres of parks and open space areas are located within the City, 200 acres of which are developed. The remaining 200 acres consist of acreage awaiting development or are areas managed exclusively as open space.

The East Bay Regional Park District operates three facilities in the Antioch area, the largest of which is Black Diamond Mines Regional Preserve, a 5,984-acre open space area accessed by multiple use trails (i.e., pedestrian, bike, and equestrian trails). The Preserve offers naturalist programs, and visitors can tour the underground mining museum and a historic cemetery. Picnic areas and horse staging areas are also available. Two wilderness group camps are located in the southern portion of the park. Additional open space preserves are located to the southeast of Antioch adjacent to the Los Vaqueros reservoir and within the Cowell Ranch, which has recently become a State Park.

Contra Loma Regional Park, adjacent to the Lone Tree Golf Course on the southern edge of the City, is 775 acres in size. The park surrounds the Contra Loma Reservoir, and offers multiple use trails for hiking, biking, and horseback riding. The reservoir is available for fishing, boating, sailboarding, and swimming (in a separate swim lagoon). The Park also provides picnic areas, horseshoe pits, and a food concession stand. EBRPD also maintains the Antioch Regional Shoreline, which consists of 7 acres fronting the San Joaquin River, north of downtown Antioch. The Shoreline has a 550-foot long fishing pier, a small beach, picnic tables and barbecues, and a 4.5-acre meadow. Swimming is not allowed at the Antioch Regional Shoreline Park.

The EBRPD also oversees the Delta DeAnza Regional Trail, which originates at Bay Point in the West Pittsburg area, and runs east to a connection with the Marsh Creek Trail in Oakley, with a connection to the Iron Horse Trail through the Concord Naval Weapons Station along the Contra Costa Canal Right of Way. The Trail crosses

Antioch from its western boundary with Pittsburg at approximately Somersville Road, parallels the Contra Costa Canal to Wild Horse Road at Hillcrest Avenue, and runs to the Union Pacific Railroad tracks at Neroly Road in Oakley. An agreement with the railroad to permit a trail crossing is preventing the trail from being opened. When opened, the Delta de Anza Trail will extend from the Marsh Creek Trail in Brentwood to the Iron Horse Trail in Concord. The segment through Antioch is also part of the De Anza National Historic Trail.

*Agriculture.* Antioch is located in an area of Contra Costa County that has traditionally contained areas of land used for grazing, orchards, field and row crops. The City has approximately 5,600 acres of grazing and former agricultural lands.

*Passive Open Space.* Passive open space in and near the City of Antioch consists of hillsides, vacant lands, and the San Joaquin River. Views of natural features both within the City and of the surrounding topography are a valuable resource for many of the City's residents. Natural features that can be viewed from the City include Mt. Diablo, the surrounding ridgelines, and the San Joaquin River. These views contribute a feeling of community identity, as well as visual enjoyment.

The City is located on the southern bank of the San Joaquin River, near its confluence with the Sacramento River. The confluence of these rivers is located in the Sacramento-San Joaquin Delta, an area that is largely level, with views to the north and east. To preserve open space and views along the River, and to attract residents down to the area, the City has developed projects such as the Municipal Public Marina (built in 1988) and the Antioch Riverfront Promenade.

In 1981, the City enacted the Hillside Planned Development (HPD) Ordinance to protect hillsides, ridges, and ridgelines within the City. The Ordinance was revised and adopted in 1994 as part of the Zoning Ordinance and applies to those hillside areas in which one or more of the following apply:

- A predominant portion of the area has slopes in excess of 10 percent;
- A significant area of slopes of 25 percent or greater; or
- A significant ridgeline, hilltop, or exposed slope is located in the area.

The purpose of the Ordinance is to promote a more harmonious visual and functional relationship between the natural and built

environments. The HPD Districts are reserved for residential uses that are clustered in a manner that will preserve significant features of hillside areas, such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings, and native vegetation.

As of 1998, the City had three HPD Districts located in the south and southwest portions of the City. This land could be developed or redeveloped at any time with uses as specified in the General Plan or Zoning Ordinance. Areas designated, currently or in the future, as HPD Districts will be developed and should not be considered permanent passive open space. However, these areas will be developed in a manner which preserves valued open space characteristics.

### **10.3.1 Open Space Objective**

Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving **existing** natural, scenic, and other open space resources **outside the ULL**.

### **10.3.2 Open Space Policies**

- a. Establish a comprehensive system of open space that is available to the public, including facilities for organized recreation; active informal play; recreational travel along formal, natural, and riverfront trails; passive recreation; and enjoyment of the natural environment.
- b. Implement the design standards of the Community Image and Design Element so as to maintain views of the San Joaquin River, Mount Diablo and its foothills, Black Diamond Mines Regional Preserve and other scenic features, and protect the natural character of Antioch's hillside areas as set forth in the Community Image and Design Element<sup>1</sup>.

<sup>1</sup> Policies related to viewshed protection are set forth in Section 5.4.2, General Design Policies. Hillside design polices are found in Section 5.4.14.

- c. Maintain the shoreline of the San Joaquin River as an integrated system of natural (wetlands) and recreational (trails and viewpoints) open space as set forth in the Land Use Element and Public Services and Facilities Element.
- d. Where significant natural features are present (e.g., ridgelines, natural creeks and other significant habitat areas, rock outcrops, and other significant or unusual landscape features), require new development **within the ULL** to incorporate natural open space

areas into project design. Require dedication to a public agency or dedication of a conservation easement, preparation of maintenance plans, and provision of appropriate long-term management and maintenance of such open space areas.

- e. Require proposed development projects **within the ULL** containing significant natural resources (e.g. sensitive or unusual habitats, special-status species, habitat linkages, steep slopes, cultural resources, wildland fire hazards, etc.) to prepare Resource Management Plans to provide for their protection or preservation consistent with the provisions of the Antioch General Plan, other local requirements, and the provisions of State and Federal law. The purpose of the Resource Management Plan is to look beyond the legal status of species at the time the plan is prepared, and provide a long-term plan for conservation and management of the natural communities found onsite. Resource Management Plans shall accomplish the following.
- Determine the significance of the resources that are found onsite and their relationship to resources in the surrounding area, including protected open space areas, habitat linkages and wildlife movement corridors;
  - Define areas that are to be maintained in long-term open space based on the significance of onsite resources and their relationship to resources in the surrounding area, and
  - Establish mechanisms to ensure the long term protection and management of lands retained in open space.
- f. Encourage public access to creek corridors through the establishment of trails adjacent to riparian resources, while maintaining adequate buffers between creeks and trails to protect sensitive habitats, special-status species and water quality to the maximum extent feasible. **However, trails shall not impair appreciably the quantity or quality of water or native vegetation in a stream corridor.**
- g. Where feasible, incorporate preserve and protect significant existing natural features as part of the design of new development projects **within the ULL** rather than removing them. Where preservation of natural features is not feasible, introduce natural elements into project design, impacts to significant natural features that cannot be preserved or reintroduced into the project design on-site shall be mitigated off-site.

**h. In the Restricted Development Area, trails shall not impair appreciably the quantity or quality of water or native**

**vegetation in a stream corridor as defined in Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space.**

#### **10.4 BIOLOGICAL RESOURCES OBJECTIVES AND POLICIES**

Although it is largely urbanized, portions of remaining undeveloped lands **within the ULL that have long been planned for development** contain vegetation and habitat types the California Department of Fish and Game considers rare and worthy of consideration in the California Natural Diversity Database:

- Native grasslands
- Vernal pools
- Stabilized interior dunes
- Seasonal wetlands
- Freshwater seeps
- Freshwater marshes
- Coastal brackish marshes
- Alkaline floodplains
- Alkali seeps
- Valley oak woodlands
- Riparian woodland

**Grassland.** Native grasslands have been reduced to 90 percent of their former area in California. Native grassland in the Antioch Planning Area would be dominated by purple needlegrass (*Nassella puchra*). A variety of spring wildflowers are also found in native grasslands. Because of the rarity of this once abundant vegetation type, the California Department of Fish and Game may request mitigation for projects that impact native grasslands. Additionally, special-status plants are more likely to be found in undisturbed native vegetation. Native grasslands are most likely to be found scattered in the southern part of the Antioch Planning Area. A number of special-status species has been identified in certain native and non-native grassland habitats within and adjacent to Antioch, including San Joaquin kit fox (*Vulpes macrotis*), California tiger salamander (*Ambystoma californiense*), American badger (*Taxidea taxus*), western burrowing owl (*Athene cunicularia hypugea*), and golden eagle (*Aquila chryseatos*).

**Vernal Pools.** Vernal pools are seasonal wetlands typically occurring in depressions in grasslands. These depressions collect water during the winter and spring rains, and dry once the rains cease. As the ponds dry in the spring, a succession of different plant species bloom around the edges of the pool. A high-quality vernal pool will display concentric rings of different colors of flowers in bloom in mid-spring. Because vernal pools tend to be isolated from each other, they may possess a unique flora that includes special-status, federally protected plants and special-status animals. Vernal pools are most likely to be found in the southern portion of the Antioch Planning Area. Special-status plants and invertebrates are often found within this habitat type.

**Stabilized Interior Dunes.** The Antioch Dunes along the banks of the San Joaquin River contain a unique assemblage of plant and animal species, several of which are found nowhere else in the world. Scattered grasses and forbs, some of which reach shrub size, form the ground cover. The federally endangered Antioch Dunes evening-primrose (*Oenothera deltoides* ssp. *howellii*) and Contra Costa wallflower (*Erysimum capitatum* ssp. *angustatum*) are found here amongst more common species. A number of special-status animals occur in this habitat, the most sensitive of which are the insects, including the federally endangered Lange's metalmark butterfly.

**Wetlands.** Seasonal wetlands and ponds hold water for only part of the year, and can be found in any part of the Antioch Planning Area, but are more common along the San Joaquin River and seasonal streams in the southern portion of the Planning Area. Coastal brackish marshes are wet year round and are found along the banks of the San Joaquin River. If pickleweed (*Salicornia* sp.) is present, coastal brackish marshes may contain suitable habitat for the State and Federally endangered salt marsh harvest mouse. Other listed species associated with the coastal brackish marsh in the Antioch Planning Area include California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*).

Alkaline floodplains exist along the banks of the San Joaquin River. These may appear barren because of the difficulty of growing in highly alkaline, frequently disturbed soil. If unprotected, such barren lands tend to attract people seeking recreation in four-wheel drive vehicles, which reduces the vegetation ever further. Stands of pickleweed and saltgrass growing within alkaline floodplains can be habitat for the State and federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*).



**Open Water.** This category includes the San Joaquin River and permanent waterbodies, such as natural or man-made lakes, ponds, and reservoirs. Although open water does not provide habitat for many plant species, it is important for wildlife and fish. The San Joaquin River is used as a movement corridor, foraging, and breeding habitat for a variety of native and non-native fish including steelhead (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), delta smelt (*Hypomesus transpacificus*), striped bass (*Morone saxatilis*), and many others. Water birds and waterfowls use the lakes and rivers for foraging and breeding and stopovers during migration.

**Oak Woodland.** Oak woodlands are important habitat for numerous common and special-status wildlife species. Blue oak woodland is found on north-facing slopes and in shady ravines in the Mt. Diablo foothills. Valley oak woodlands once dominated the edges of the Central Valley in vast park-like stands. Valley oaks are the largest and longest-lived of the California oaks. This habitat type has been much reduced by conversion of land to agriculture and because modern grazing patterns prevent the regeneration of young oaks. Valley oak stands are still found in Antioch in Contra Loma Regional Park and other southern portions of the Antioch Planning Area.

**Riparian.** Riparian vegetation refers to the native scrub or forest occurring along streams and riverbanks. In riparian areas, the roots of trees and other vegetation can easily reach the water table. Such areas are prone to frequent flooding. Riparian vegetation used to be found along most perennial and intermittent streams in the Antioch Planning Area and along the San Joaquin River. This vegetation type has become rare due to disturbance by cattle, riverfront development, and the filling or channelizing of small streams in urban areas. Riparian areas provide important breeding and foraging habitat for many species of birds, mammals, reptiles, and amphibians. The federally-listed California red-legged frog (*Rana aurora draytonii*) occurs along creeks in the Planning Area and the state-listed Swainson's hawk will nest in large trees such as cottonwoods that grow along creeks.

**Special-Status Species.** Special-status species are defined as:

- Species that are listed, **proposed for listing**, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, **proposed for listing**, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;

- Plant species on **List 1A, List 1B, List 2, and List 3 with a Rare Plant Rank of 1A, 1B, 2 or 3** in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California;
- **Plants listed as rare under the California Native Plant Protection Act;**
- Wildlife **and invertebrate** species listed by the California Department of Fish and **Game Wildlife** as species of special concern or fully protected species **under California Fish and Game Code Sections 3511, 4700, 5050, and 5515;**
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Section 15380 **and 15125(c)** of CEQA<sup>1</sup>); and
- **Considered Species considered** to be a taxon of special concern by local agencies; **and**
- **Species considered sufficiently rare by the scientific community to warrant special consideration.**

<sup>1</sup> This section of CEQA Guidelines states that any species not included on any formal list, can nevertheless be considered rare or endangered if the species can be shown to meet the criteria for listing.

#### 10.4.2 Biological Resources Policies

- a. **Wetlands shall be protected on lands designated Rural Residential, Agriculture, Open Space in accordance with the policies governing wetlands in "Areas of Special Environmental Concern."** Where preservation in place is found not to be feasible (such as where a road crossing cannot be avoided, or where shore stabilization or creation of shoreline trails must encroach into riparian habitats), require 1) on-site replacement of wetland areas, 2) off-site replacement, or 3) restoration of degraded wetland areas at a minimum ratio of one acre of replacement/restoration for each acre of impacted onsite habitat, such that the value of impacted habitat is replaced.
- b. Preserve in place and restore existing wetlands and riparian resources along the San Joaquin River and other natural streams in the Planning Area, except where a need for structural flood protection is unavoidable.
- c. **For new development within the ULL, require** Require appropriate setbacks adjacent to natural streams to provide adequate buffer areas ensuring the protection of biological

resources, including sensitive natural habitat, special-status species habitats and water quality protection.

- d. Through the project approval and environmental review processes, require new development projects **within the ULL** to protect sensitive habitat areas, including, but not limited to, oak woodlands, riparian woodland, vernal pools, and native grasslands. Ensure the preservation in place of habitat areas found to be occupied by state and federally protected species. **The “Wildlife” policies for Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space may impose more protections for special-status species within this land use designation.**
- If impacts to sensitive habitat areas are unavoidable, appropriate compensatory mitigation shall be required off-site within eastern Contra Costa County. Such compensatory mitigation shall be implemented through the provisions of a Resource Management Plan (“RMP”) as described in Policy 10.3.2.e, except where, in the discretion of the Community Development Director, an RMP is not necessary or appropriate due to certain characteristics of the site and the project. Among the factors that are relevant to determining whether an RMP is necessary or appropriate for a given project are the size of the project and the project site, the location of the project (e.g., proximity to existing urban development or open space), the number and sensitivity of biological resources and habitats on the project site, and the nature of the project (e.g., density and intensity of development).
- Where preserved habitat areas occupy areas that would otherwise be graded as part of a development project **within the ULL**, facilitate the transfer of allowable density to other, non-sensitive portions of the site.
- e. Limit uses within preserve and wilderness areas to resource-dependent activities and other uses compatible with the protection of natural habitats (e.g., passive recreation and public trails).
- f. Through the project review process **for new development within the ULL**, review, permit the removal of healthy, mature oak trees on a case-by-case basis only where it is necessary to do so.
- g. Preserve heritage trees throughout the Planning Area.
- h. Within areas adjacent to preserve habitats, require the incorporation of native vegetation and avoid the introduction of

invasive species in the landscape plans for new development **within the ULL**.

- i. Design drainage within urban areas so as to avoid creating perennial flows within intermittent streams to prevent fish and bullfrogs from becoming established within a currently intermittent stream.
- j. Whenever a biological resources survey is undertaken to determine the presence or absence of a threatened or endangered species, or of a species of special concern identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game, require the survey to follow established protocols for the species in question prior to any final determination that the species is absent from the site.

## **10.5 OPEN SPACE TRANSITIONS AND BUFFERS OBJECTIVE AND POLICIES**

Transition and buffering policies set forth in the Community Image and Design Element focus on protecting existing and planned residential uses from the effects of adjacent land uses. Similar provisions are needed to address the urban edge, where development **within the ULL** will lie adjacent to open space, and provide buffers between existing and proposed developments and existing open space; agricultural areas; lands in public open space; lands subject to conservation easement areas; and land set aside as mitigation from the effects of development **within the ULL**. These buffering policies are intended to avoid creation of significant impacts from adjacent development on preserved open space lands and conservation areas in terms of aesthetics, light and glare, noise, fire safety, habitat management, and the public's quiet enjoyment of protected areas.

1. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.1, entitled "Open Space Transitions and Buffers Objective." That subsection is amended as follows:

### **10.5.1 Open Space Transitions and Buffers Objective**

Minimize the impacts of development **within the ULL** located adjacent to natural areas, preserved in open space, and protected environmental resources.

### **10.5.2 Open Space Transitions and Buffers Policies**

- a. Minimize the number and extent of locations where residential, commercial, industrial, and public facilities land use designations abut lands designated for open space and protected resource

areas (e.g., lands with conservation easements or set aside as mitigation for development impacts). Where such land use relationships cannot be avoided, use buffers and compatible uses to buffer and protect open space and protected resources from the adverse effects of residential, commercial, industrial and public facilities development **within the ULL**.

- b. Ensure that the design of development proposed along a boundary with open space or protected resources provides sufficient protection and buffering for the open space and protected resources. The provision of buffers and transitions to achieve compatibility shall occur as part of the proposed development.
- c. In designing buffer areas, the following criteria shall be considered and provided for (when applicable) within the buffer areas to avoid or mitigate significant impacts
  - Aesthetics: How will development **of land within the ULL** affect views from adjacent open space areas? What are the sensitive land uses and resources within open space areas and how might they be affected by changes in the visual environment?
  - Light and Glare: Will a proposed development result in increased light or glare in open space areas that would impact open space uses or wildlife habitats within that open space?
  - Noise: Will noise generated by the proposed development affect the public's quiet enjoyment of public open space? What are the sensitive noise receptors in open space areas and how can impacts on those sensitive receptors be avoided or mitigated? Can noise-generating uses be located away from noise-sensitive areas?
  - Fire Safety: How will development affect the risk of fire on adjacent open space and resource areas? How would development affect or be affected by existing fire abatement practices on adjacent open space and resource areas, including livestock grazing, prescribed fire, plant pest management, mowing, disking, ecological restoration and other practices?
  - Public Safety: How will development **of land within the ULL** adjacent to open space or resource areas increase the risk of vandalism, trespass, and theft in adjacent open space and resource areas?

- Habitat Management: How will proposed development **of land within the ULL** affect habitat values on adjacent open space and resource areas? How will development prevent the spread of introduced animals and plant pests into adjacent open space and resource areas? How will proposed development affect wildlife migration corridors between or within open space and/or resource areas?
- Public Access Management: How will development **of land within the ULL** adjacent to public open space and resource areas affect the maintenance of existing public facilities, such as roads, trails, fences, gates and restrooms? How might development adjacent to open space or resource areas facilitate illegal public access?
- Buffer Management: How can appropriate management of lands that are set aside as buffers between development **of land within the ULL** and open space or resource areas be ensured?

## 10.6.2 Air Quality Policies

### *Construction Emissions*

- a. Require development projects **within the ULL** to minimize the generation of particulate emissions during construction through implementation of the dust abatement actions outlined in the CEQA Handbook of the Bay Area Air Quality Management District.

### *Mobile Emissions*

- b. Require developers of large residential and non-residential projects **within the ULL** to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions. Examples of such efforts may include, but are not limited to the following.
  - Development of mixed use projects, facilitating pedestrian and bicycle transportation and permitting consolidation of vehicular trips.
  - Installation of transit improvements and amenities, including dedicated bus turnouts and sufficient rights-of-way for transit movement, bus shelters, and pedestrian easy access to transit.
  - Provision of bicycle and pedestrian facilities, including bicycle lanes and pedestrian walkways connecting residential areas

with neighborhood commercial centers, recreational facilities, schools, and other public areas.

- Contributions for off-site mitigation for transit use.
  - Provision of charging stations for electric vehicles within large employment-generating and retail developments.
- c. Budget for purchase of clean fuel vehicles, including electrical and hybrid vehicles where appropriate, and, if feasible, purchasing natural gas vehicles as diesel powered vehicles are replaced.
- d. Support and facilitate employer-based trip reduction programs by recognizing such programs in environmental mitigation measures for traffic and air quality impacts where their ongoing implementation can be ensured, and their effectiveness can be monitored.

#### *Stationary Source Emissions*

- e. As part of the development review process for non-residential development, require the incorporation of best available technologies to mitigate air quality impacts.
- f. Provide physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).
- g. Require new wood burning stoves and fireplaces to comply with EPA and BAAQMD approved standards.

#### **10.7.1 Water Resources Objective**

Ensure that an adequate supply of water is available to serve existing and future needs of the City, **including land long planned for development within the ULL.**

#### **10.7.2 Water Resources Policies**

##### *Water Supply*

- a. As part of the implementing the City's residential growth management program and its development review process for non-residential development, ensure that adequate long-term water supplies are available to serve the development being granted new allocations, including consideration of peak drought and peak fire fighting needs.
- b. Require new development **within the ULL** to be equipped with drought tolerant landscaping and water conservation devices.



- c. Work with Delta Diablo Sanitation District to make reclaimed wastewater available for irrigation use. Where reclaimed wastewater can be made available at a reasonable cost, require the installation of dual water systems in development projects and public facilities, using reclaimed wastewater for irrigation.
- d. Protect, where possible, groundwater recharge areas, including protection of stream sides from urban encroachment.
- e. Oppose proposals with the potential to increase the salinity of the Delta and/or endanger the City's rights to divert water from the San Joaquin River.

#### *Water Quality*

- f. Participate in the Contra Costa Clean Water program to reduce storm water pollution and protect the water quality of the City's waterways.
- g. Require public and private development projects to be in compliance with applicable National Pollution Discharge Elimination System (NPDES) permit requirements, and require the implementation of best management practices to minimize erosion and sedimentation resulting from new development.
- h. Participate in regional watershed planning efforts to enhance area water quality.
- i. Design drainage within urban areas **within the ULL** to avoid runoff from landscaped areas and impervious surfaces from carrying pesticides, fertilizers, and urban and other contaminants into natural streams.

#### **10.8.1 Energy Resources Objective**

Reduce reliance on nonrenewable energy sources in existing and new commercial, industrial, and public structures **within the ULL**<sup>4</sup>.

- 4 See also Objective 7.4.1, which addresses reducing the use of nonrenewable energy resources by encouraging non-motorized transportation.

#### **10.9.2 Cultural Policies**

- a. Require new development **within the ULL** to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources. Require surveys for projects having the potential to impact archaeological, paleontological, or historic resources. If significant resources are found to be present, provide mitigation in accordance with

applicable CEQA guidelines and provisions of the California Public Resources Code.

- b. If avoidance and/or preservation in the location of any potentially significant cultural resource is not possible, the following measures shall be initiated for each impacted site:
- A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.
  - Prior to the issuance of a grading permit for the project, the project proponent shall develop a test-level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either Register. The research design shall be submitted to the City of Antioch for review and comment. For sites determined, through the Testing Program, to be ineligible for listing on either the California or National Register, execution of the Testing Program will suffice as mitigation of project impacts to this resource.
  - After approval of the research design and prior to the issuance of a grading permit, the project proponent shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the City's outline for Archaeological Testing. The Test Level Report shall be submitted to the City for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test-level investigations will have depleted the scientific value of the sites and the project can proceed.
  - If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites

under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the City for review and comment.

- After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. Typically, a Treatment Program involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report shall be developed. This data recovery report shall be submitted to the City for review and comment.
- c. When existing information indicates that a site proposed for development **within the ULL** may contain paleontological resources, a paleontologist shall monitor site grading activities with the authority to halt grading to collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the Community Development Department documenting any paleontological resources found during site grading.
- d. As a standard condition of approval for new development projects **within the ULL**, require that if unanticipated cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.
- e. Preserve historic structures and ensure that alterations to historic buildings and their immediate settings are compatible with the character of the structure and the surrounding neighborhood.

**K. ENVIRONMENTAL HAZARDS ELEMENT AMENDMENTS.**

**11.2 GOALS OF THE ENVIRONMENTAL HAZARDS ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Environmental Hazards Element to accomplish the following:

- *Minimize the potential for loss of life injury, property damage, and economic and social disruption resulting from natural and manmade hazards in the community.*

One of Antioch's fundamental values is that people's lives and properties will be safe from natural and manmade hazards. While there is a practical limit to the level of protection that can be provided in a community, Antioch is committed to minimizing the community's

vulnerability to natural and manmade hazards. In accomplishing this goal, the City seeks to offer assurance to those who wish to invest in Antioch, whether as a resident business owner, that their protection and that of their properties has a high priority in the City. This priority is encompassed in the Safety element by:

- incorporating safety considerations into the land use planning and development review process **regarding new development within the voter-approved Urban Limit Line (ULL)**;
- Identifying and mitigating hazards faced by existing and new development **within the ULL**;
- Facilitating the strengthening of existing codes, project review, and permitting processes; and
- Strengthening disaster planning and post-disaster response policies.

### **11.3.2 Geology and Seismicity Policies**

#### *Seismicity*

- a. Require geologic and soils reports to be prepared for proposed development sites **within the ULL**, and incorporate the findings and recommendations of these studies into project development requirements. As determined by the City of Antioch Building Division, a site-specific assessment shall be prepared to ascertain potential ground shaking impacts on new development. The site-specific ground shaking assessment shall incorporate up-to-date data from government and non-government sources and may be included as part of any site-specific geotechnical investigation. The site-specific ground shaking assessment shall include specific measures to reduce the significance of potential ground shaking hazards. This site-specific ground shaking assessment shall be prepared by a licensed geologist and shall be submitted to the City of Antioch Building Division for review and approval prior to the issuance of building permits. For purposes of this policy, “development” applies to new structures and existing structures or facilities that undergo expansion, remodeling, renovation, refurbishment or other modification. This policy does not apply to second units or accessory buildings.
- b. Provide information and establish incentives for property owners to rehabilitate existing buildings using updated construction techniques to protect against seismic hazards.
- c. Encourage the purchase of earthquake insurance by residents and businesses.

- d. Encourage continued investigation by State agencies of geologic conditions within the Bay Area to update knowledge of seismic hazards and promote public awareness.
- e. Provide expedited review of any seismic-related revisions to the Uniform Building Code proposed by the State.
- f. Work with PG&E, pipeline companies, and industrial uses to implement measures to safeguard the public from seismic hazards associated with high voltage transmission lines, caustic and toxic gas and fuel lines, and flammable storage facilities.
- g. Require that engineered slopes be designed to resist seismically-induced failure.
- h. Require that parcels overlying both cut and fill areas within a grading operation be over-excavated to mitigate the potential for seismically-induced differential settlement.

*Other Geologic Conditions*

- i. Limit development in those areas, which, due to adverse geological conditions, will be hazardous to the overall community and those who will inhabit the area.
- j. Require evaluations of potential slope stability for developments proposed within hillside areas, and incorporate the recommendations of these studies into project development requirements.
- k. Require specialized soils reports in areas suspected of having problems with potential bearing strength, expansion, settlement, or subsidence, including implementation of the recommendations of these reports into the project development, such that structures designed for human occupancy are not in danger of collapse or significant structural damage with corresponding hazards to human occupants. Where structural damage can be mitigated through structural design, ensure that potential soils hazards do not pose risks of human injury or loss of life in outdoor areas of a development site.
- l. Where development is proposed within an identified or potential liquefaction hazard area (as determined by the City), adequate and appropriate measures such as (but not limited to) designing foundations in a manner that limits the effects of liquefaction, the placement of an engineered fill with low liquefaction potential, and the alternative siting of structures in areas with a lower liquefaction risk, shall be implemented to reduce potential liquefaction hazards. Any such measures shall be submitted to

the City of Antioch Building Division for review prior to the approval of the building permits.

#### *Historic Mineral Extraction*

- m. As appropriate and necessary to protect public health and safety, abandoned mines shall be placed in natural open space areas, with appropriate buffer areas to prevent unauthorized entry.
- n. Within areas of known historic mining activities, site-specific investigations shall be undertaken prior to approval of development to determine the location of any remaining mine openings, the potential for subsidence or collapse, and necessary measures to protect public health and safety, and prevent the collapse or structural damage to structures intended for human occupancy due to mine-related ground failure or subsidence. Such measures shall be incorporated into project approvals.
- o. All identified mine openings shall be effectively sealed.
- p. Construction of structures for human occupancy shall be prohibited within areas found to have a high probability of surface collapse or subsidence, unless foundations are designed that would not be affected by such surface collapse or subsidence, as determined by site-specific investigations and engineered structural design.
- q. The locations of all oil or gas wells on proposed development sites shall be identified in development plans. Project sponsors of development containing existing or former oil or gas wells shall submit documentation demonstrating that all abandoned wells have been properly abandoned pursuant to the requirements of the California Department of Conservation Oil, Gas, and Geothermal Resources.

#### **11.4.2 Flood Protection Policies**

- a. Prohibit all development within the 100-year floodplain, unless mitigation measures consistent with the National Flood Insurance Program are provided.
- b. Minimize encroachment of development adjacent to the floodway in order to convey flood flows without property damage and risk to public safety. Require such development to be capable of withstanding flooding and to minimize the use of fill.
- c. Prohibit alteration of floodways and channelization of natural creeks if alternative methods of flood control are technically and financially feasible. The intent of this policy is to balance the need

for protection devices with land use solutions, recreation needs, and habitat preservation.

- d. Require new development **within the ULL** to prepare drainage studies to assess storm runoff impacts on the local and regional storm drain and flood contra! system, along with implementation of appropriate detention and drainage facilities to ensure that the community's storm drainage system capacity will be maintained and peak flow limitations will not be exceeded.
- e. Where construction of a retention basin is needed to support new development **within the ULL**, require the development to provide for the perpetual funding and ongoing maintenance of the basin.
- f. Eliminate hazards caused by local flooding through improvements to the area's storm drain system or creek corridors as resources allow.

#### **11.5.2 Fire Hazard Policies**

- a. Where new development **within the ULL** borders wildland areas, require appropriate fuel modification and use of fire retardant building materials per the requirements of the Contra Costa County Fire Protection District. Fuel modification may be permitted to extend beyond the boundaries of the site for which wildland fire protection is being provided only if the adjacent owner provides written permission, the proposed fuel modification is consistent with the management practices of the agency controlling such land (if it is in permanent open space), and the off-site fuel modification activity will not significantly impact sensitive habitat areas.
- b. Require that adequate fire protection be available at initial project occupancy, whenever feasible. Thus, stations should be constructed and manned at the outset of new development. If the Contra Costa Fire Protection District finds that a lag time between initial occupancy and operation of new stations cannot be avoided, the City may consider requiring sprinklers in new homes as an alternative.

#### **11.6.2 Noise Policies**

##### *Noise Compatible Land Use and Circulation Patterns*

- a. Implementation of the noise objective contained in Section 11.6.1 and the policies contained in Section 11.6.2 of the Environmental Hazards Element shall be based on noise data contained in Section 4.9 of the General Plan EIR, unless a noise analysis conducted pursuant to the City's development and environmental



review process **for new development within the ULL** provides more up-to-date and accurate noise projections, as determined by the City.

- b. Maintain a pattern of land uses that separates noise-sensitive land uses from major noise sources to the extent possible, and guide noise-tolerant land uses into the noisier portions of the Planning Area.
- c. Minimize motor vehicle noise in residential areas through proper route location and sensitive roadway design.
  - Provide planned industrial areas with truck access routes separated from residential areas to the maximum feasible extent.
  - Where needed, provide traffic calming devices to slow traffic speed within residential neighborhoods.

#### *Noise Analysis and Mitigation*

- d. Where new development **within the ULL** (including construction and improvement of roadways) is proposed in areas exceeding the noise levels identified in the General Plan Noise Objective, or where the development of proposed uses could result in a significant increase in noise, require a detailed noise attenuation study to be prepared by a qualified acoustical engineer to determine appropriate mitigation and ways to incorporate such mitigation into project design and implementation.
- e. When new development **within the ULL** incorporating a potentially significant noise generator is proposed, require noise analyses to be prepared by a qualified acoustical engineer. Require the implementation of appropriate noise mitigation when the proposed project will cause new exceedences of General Plan noise objectives, or an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- f. In reviewing noise impacts **of new development within the ULL**, utilize site design and architectural design features to the extent feasible to mitigate impacts on residential neighborhoods and other uses that are sensitive to noise, in addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:
  - Increased building setbacks to increase the distance between the noise source and sensitive receptor.

- Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
  - Orient delivery, loading docks, and outdoor work areas away from noise-sensitive uses.
  - Place noise tolerant use, such as parking areas, and noise tolerant structures, such as garages, between the noise source and sensitive receptor.
  - Cluster office, commercial, or multi-family residential structures to reduce noise levels within interior open space areas.
  - Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.
- g. Where feasible, require the use of noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts.
- Noise barriers must have sufficient mass to reduce noise transmission and high enough to shield the receptor from the noise source.
  - To be effective, the barrier needs to be constructed without cracks or openings.
  - The barrier must interrupt the line of sight between the noise source and noise receptor.
  - The effects of noise “flanking” the noise barrier should be minimized by bending the end of the barrier back from the noise source.
  - Require appropriate landscaping treatment to be provided in conjunction with noise barriers to mitigate their potential aesthetic impacts.
- h. Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administrative Code).

*Temporary Construction*

- i. Ensure that construction activities are regulated as to hours of operation in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.
- j. Require proposed development **within the ULL** adjacent to occupied noise sensitive land uses to implement a construction-related noise mitigation plan. This plan would depict the location of construction equipment storage and maintenance areas, and

document methods to be employed to minimize noise impacts on adjacent noise sensitive land uses.

- k. Require that all construction equipment utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- m. Prior to the issuance of any grading plans **for new development within the ULL**, the City shall condition approval of subdivisions and non-residential development adjacent to any developed/occupied noise-sensitive land uses by requiring applicants to submit a construction-related noise mitigation plan to the City for review and approval. The plan should depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as:
  - The construction contractor shall use temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses.
  - During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- n. The construction-related noise mitigation plan required shall also specify that haul truck deliveries be subject to the same hours specified for construction equipment. Additionally, the plan shall denote any construction traffic haul routes where heavy trucks would exceed 100 daily trips (counting those both to and from the construction site). To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential

dwellings. Lastly, the construction-related noise mitigation plan shall incorporate any other restrictions imposed by the City.

**L. IMPLEMENTATION ELEMENT AMENDMENTS.**

**12.2 FOLLOW-UP STUDIES AND ACTIONS**

**a. Zoning Ordinance**

As a result of updating the Antioch General Plan, a number of modifications to previous General Plan land use designations are proposed. These modifications to proposed land uses are primarily located within General Plan Focus Areas. As a result of these modifications, not all lands will have zoning consistent with the General Plan, in addition, the General Plan contains provisions calling for modifications of zoning standards.

California Government Code Section 65860 requires that a city's zoning be consistent with its General Plan<sup>1</sup>. Where a city has undertaken a comprehensive update of its General Plan, case law permits the city a reasonable period of time to change its zoning ordinance (zoning map and text) to achieve consistency with its updated General Plan.

<sup>1</sup> This requirement extends to general law cities, such as Antioch. Exceptions are made for charter cities.

The following implementation programs will be undertaken in relation to the City's zoning ordinance.

1. Revise the zoning map to reflect the land use categories of the adopted General Plan, including zoning of lands within focus areas.
2. Prepare a matrix defining the zoning classifications that are considered to be consistent with each General Plan designation.
3. Revise the text of the zoning ordinance to reflect the provisions of the adopted General Plan in relation to the following issues.
  - Modify permitted uses within zoning designations to reflect the delineation of appropriate uses set forth in the Land Use Element.
  - Establish development standards for mixed-use buildings within the downtown area and within transit-oriented development nodes. Typically, a mixed-use building would consist of residential dwelling units placed on the upper floors of buildings having commercial or office uses on the ground floor.

- Modify zoning standards to reflect appropriate locations for churches and schools as set forth in the Land Use Element.
- Add requirements for the provision of charging stations for electric vehicles in major commercial and employment-generating developments.
- Establish standards for boat storage yards, including standards for stackable storage.
- Establish density bonuses for senior housing projects.
- Establish standards for the development of residential care facilities.
- Modify zoning standards to incorporate standards for open space transitions and buffers.

**b. Development Review Process**

Antioch’s development review process involved examining proposed development projects for their conformance with the following.

- policies set forth in the General Plan;
- **the voter-approved Urban Limit Line (ULL);**
- development standards set forth in the zoning ordinance and (where applicable) subdivision ordinance;
- the provisions of any applicable specific plan;
- for residential projects, the provisions of Antioch’s residential growth management program;
- and the provisions of the City’s economic development strategy.

**General Plan Consistency Review.** New development projects **within the ULL** that require discretionary actions by the City will be reviewed for consistency with the provisions of the General Plan, including the General Plan land use and circulation maps and all applicable General Plan goals, objectives, and policies. The City will not approve any development project found to be inconsistent with the provisions of the General Plan **or of the ULL.**<sup>1</sup>

<sup>1</sup> See also “Resolution of Competing Objectives” under Section 12.4d.

**Zoning Review.** The City’s zoning ordinance sets for a description of specific permitted uses and development standards needed to implement the General Plan. All proposed development **within the ULL** will be reviewed to ensure that the requirements and standards of the City’s zoning ordinance are met.

**Subdivision Review.** Whenever a proposed development **within the ULL** requires division of land into separate parcels, such development shall be subject to the provisions of the City's subdivision ordinance. This ordinance sets forth both procedural and substantive requirements for the division of land within the City, implementing both the Antioch General Plan and the California Subdivision Map Act. All divisions of land within the City shall be required to meet the provisions of the City's subdivision ordinance and the Map Act.

**Environmental Review.** The provisions of the California Environmental Quality Act (CEQA) require public agencies to review the potential environmental impacts of discretionary actions they proposed to undertake prior to actually undertaking those actions, including review of proposed development projects. The City will maintain review guidelines in accordance with CEQA and State guidelines to implement CEQA. Environmental review of individual projects (public and private) **within the ULL** will entail preparation of sufficient technical data to determine consistency with General Plan policies related to the physical environment, including, but not limited to, traffic, noise, air quality, biological and cultural resources, public services and facilities, availability of energy and water resources, visual impacts, and flooding and geotechnical hazards.

As part of the environmental review process, mitigation measures needed to achieve consistency with the provisions of the General Plan will be applied to proposed projects.

### **c. Maintain Adequate Municipal Services and Facilities**

On an annual basis, coinciding with the Fiscal Year, as part of the General Plan review, the City will conduct an assessment of the municipal services and facilities being provided to Antioch residents and businesses. The assessment will determine whether the performance level of municipal services and facilities meet the performance objectives outlined in the Growth Management Element. This review will also include an evaluation of the adequacy of city facilities and equipment; personnel staffing and program needs; and five-year equipment, facility, and staffing needs based on anticipated growth **within the ULL** and desired levels of service.

Where the performance objectives contained in the Growth Management Element are not being met, the following procedures will be implemented:

- The City will determine the nature and geographic extent of the deficiency.

- Upon the nature and geographic extent of the deficiency, the City Council will direct the City Manager to prepare a program for Council adoption to ensure that the performance objectives will be met at the earliest possible date.
- As part of the program to cure the identified deficiency, appropriate limitations on new development **within the ULL** will be established within the improvement area so to facilitate elimination of the deficiency. These limitations will remain in effect until the deficiency is eliminated.
- New development **within the ULL and** within the improvement area will be required to provide such facilities as are necessary to ensure that the services and facilities provided to the new development meet established performance standards, and that the services and facilities provided to existing development will not be further degraded.

**d. Urban Limit Line**

- ~~Prior to the County's review of the Urban Limit Line, request modification of the County's Urban Limit Line to include approximately 1,000 acres within the Roddy Ranch (approximately 850 acres) and Ginochio Property (approximately 150 acres) Focus Areas that were within the Urban Limit Line as it was approved by the voters in 1990 within County's present Urban Limit Line.~~ **The West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**

**e. Actions to Implement Focus Area Policies**



The General Plan Land Use Element sets forth policies specific to individual Focus Areas within the City. To implement these Focus Area policies, the following actions will be undertaken.

- Update plans for the San Joaquin River waterfront, including such issues as appropriate development design; location and design of the proposed waterfront trail and park amenities, and means for providing improved all-weather access to Rodgers Point
- Consider renaming “L” Street to Marina Boulevard and “A” Street to Rivertown Boulevard as a means of increasing the visibility of the waterfront, marina, and downtown area.
- Prepare a design plan and implement design improvements for Somersville Road from its entrance to Rivertown at Fourth Street to the south end of County East Mall.
- Develop zoning overlays, modifying permitted uses within Focus Areas for which a Specific Plan has not been adopted to reflect the identification of appropriate uses set forth within the Land Use Element for each Focus Area.
- Undertake an engineering analysis to determine the feasibility of providing an all-weather vehicular access connection between Rivertown and the Rodgers Point area between Second and Sixth streets, including a grade-separated crossing of the existing railroad line.
- Work with the City of Pittsburg to create a roadway connection from Century Boulevard to Buchanan Road along the western city limits.
- Prepare a Specific Plan for the “A” Street Focus Area.
- Investigate the feasibility of creating a redevelopment project area for the “A” Street Interchange Focus Area, including the feasibility of relocating residents as part of planned conversion of lands within the Focus Area from residential to commercial use.
- Undertake a review of the East Lone Tree (FUA 2) Specific Plan to determine whether its assumed residential buildout is feasible given the area’s topography.

**f. Community Design: Streetscapes**

The Community Image and Design Element contains guidelines and policies to improve the visual quality of roadways throughout the City. To implement these policies, the City will undertake the following actions.

- Prepare a landscape manual for roadway rights-of-way, delineating specific street trees to be used to accomplish the purposes outlined in Policy 5.4.2e of the Community Image and Design Element:
  - Differentiate the roadway types outlined in the Circulation Element.
  - Define the hierarchy of entry locations, intersections, and activity centers.
  - Incorporate a full palette of plants, including annual color, to the streetscape.
  - Emphasize drought-resistant landscaping.
- Prepare a plan for utilizing different types of street light within the various Focus Areas of the City to assist in creating a unique character for each of the areas.
- Establish a program for banners on lighting standards to provide visual interest and to announce community events.

**g. Community Design: Community Activity Areas**

The City will establish a program of signage and kiosks throughout the community identifying locations of and directions to important community features and activity areas (e.g., major shopping areas, Rivertown, City marina, Rodgers Point), as well as identifying pedestrian and bicycle paths and trails.

**h. Community Entries and Gateways**

Prepare specific designs for and install gateway improvements at the key locations within Antioch identified in Policy 5.4.3 of the Community Image and Design Element and Policy 6.3.21 of the Economic Development Element.

**i. Screening along State Route 4**

Undertake a joint program with Caltrans to design screening of residential areas along the Route 4 freeway, as set forth in Policy 5.4.5a.

**j. Commercial Lighting**

Develop specific standards for the screening of light sources within commercial developments to avoid spillover of light into adjacent residential areas. Such standards could include height limits for lighting Standards, requirements for use of cut-offs, and performance standards defining the maximum amount of light (expressed in foot-

candles) that would be permitted on adjacent properties from a commercial lighting source.

#### **k. Transportation Improvements**

- Require development projects **within the ULL** to dedicate and construct roadways indicated on the Circulation map, as well as local roadways, as needed to maintain the performance standards set forth in the Growth Management Element.
- Work with the Contra Costa County Congestion Management Agency to prepare Action Plans and have Eighteenth Street, Wilbur Avenue, Sunset Avenue, Oakley Avenue, and the Pittsburg-Antioch Highway designated as Routes of Regional Significance.
- Undertake design studies and pursue construction of couplets in the Rivertown area for Ninth and Tenth streets and for Second and Fourth streets.
- Undertake annual traffic counts on the Antioch roadways identified on the Circulation Element map (Figure 7.1). For best results, counts should be taken in the spring or fall.
- Support regional efforts to determine the feasibility of and implement (if feasible) waterborne transit.
- Maintain current street standards to be applied to all public streets prior to dedication to the City, as well as to private roadways accommodating more than 50 vehicles per hour.
- Review roadway development standards to ensure that bicycle lanes are included in standard roadway sections.

#### **l. ABAG Housing and Employment Projections**

Work with the cities of Pittsburg, Oakley, and Brentwood to lobby ABAG to modify regional plans and projections to reflect a more balanced relationship of jobs and housing in eastern Contra Costa County. Such a regional policy would be intended to better reflect the jobs/housing balance policies of these cities' General Plans, recognizing the traffic and air quality imperatives for achieving such a balance.

#### **m. Review of Annexations**

- Annexation proponents shall demonstrate that facilities, services, and infrastructure **within the ULL** are adequate to serve the proposed annexation area in accordance with the performance standards set forth in the General Plan Growth Management

Element, or that provision has been made to upgrade deficient facilities, services, or infrastructure.

- Small, piecemeal annexations should be avoided. Lands annexed to the City **must be within the ULL and** should encompass entire neighborhoods or development areas.

**n. Water and Sewer Infrastructure**

- Maintain current master plans for water facilities and sewage collection facilities that are consistent with Federal, State and regional standards.
- On a five-year basis, evaluate local water consumption patterns to determine whether the City's water supplies are adequate to support buildout of the General Plan **within the ULL**.
- In cooperation with the Delta Diablo Sanitation District and other potential purveyors, undertake an analysis to determine the feasibility of developing a system to use reclaimed wastewater and/or raw (untreated) water, along with creating a market for its use for irrigation and industrial purposes within the community.

**o. Public Safety**

- In cooperation with the Contra Costa County Fire Protection District, and coordinated with the City's annual budget cycle, conduct an annual assessment of the adequacy of facilities and services serving Antioch. This assessment would address personnel and staffing needs, and capital needs, based on anticipated growth and the level of service standard set forth in the Growth Management Element.
- On a five-year basis, have POST undertake an analysis of the Antioch Police Department's staffing needs.

**p. Monitor New Technologies**

The General Plan includes techniques to improve water quality, reduce water consumption and solid waste generation, and conserve energy. However, research is continually being done, which expands our understanding of these issues and suggests new technologies to address the problems. To ensure that the General Plan implementation programs reflect the most current understanding of the issues, it is essential that new technologies be reviewed, and that the General Plan implementation programs be updated to incorporate current technologies. Of particular interest is maintaining an understanding of the commercial viability of new technologies, and when their incorporation into new public and private development projects **within the ULL** should be encouraged

or required. For example, the first year's review should review such new technologies as fiber optic cabling and support of internet broadband services in new developments. Review of solar and photovoltaic cell technologies should, for example, also be examined. As part of the City's annual budget process, accommodation for such monitoring should be included, with results and recommendations placed in the General Plan annual report.

**q. Promote Energy Conservation by Example**

It is the intention of the City of Antioch to set an example for energy conservation by reducing energy consumption in City operations. Techniques for energy conservation include, but are not limited to:

- emphasizing fuel efficiency in the purchase and use of City-owned vehicles;
- periodically reviewing energy use by City operations and implementing programs to conserve energy;
- encouraging the use of bicycles by providing bicycle parking facilities at all City facilities; and
- achieving adopted solid waste source reduction and recycling goals in municipal operations.

**r. Maintain Disaster Preparedness; Upgrade Existing Plan**

- The City will maintain a Multi-Hazard Functional Plan to coordinate disaster recovery activities within the City of Antioch. As part of this effort, the City will actively solicit the input of local disaster preparedness agencies, including, but not limited to, fire, Sheriff and Highway Patrol, and the American Red Cross. The City's existing plan will be expanded to address issues of domestic terrorism, including incident prevention and response.
- On a five-year basis, the City will undertake an analysis of Antioch's Multi-Hazard Functional Plan, emergency response facilities, staffing and capabilities.
- The City will maintain information on emergency and disaster response on its web site, and at least once during each fiscal year, provide information emergency and disaster response information in a City mailing.

**ANTIOCH MUNICIPAL CODE AMENDMENTS.**

**A. AMENDMENTS TO SUBDIVISION REGULATIONS.**

**§ 9-4.312 COMMISSION ACTION.**

The Commission shall consider the tentative map at a duly noticed public hearing within 50 days, unless such time is extended by the mutual consent of the subdivider and the Commission, and the Commission shall make a written report with recommendations to the Council concerning the approval, conditional approval, or disapproval of the map, or any other conditions precedent thereto, and such improvements as may be required. Any application for exceptions, as provided for in § 9-4.311 of this article, shall accompany the tentative map, and the recommendations of the Commission on the tentative map shall include the recommendations on any exception requested. Following the adoption of the recommendations on the tentative map, the map and recommendations shall be transmitted to the Council for action. **The applicant, property owners and occupants, and stakeholders who reside in or own property within 300 feet of the subject site within the Limited Development Area shall be eligible to appeal the Action of the Commission to the City Council.**

**§ 9-4.1701 ENVIRONMENTAL IMPACT REPORTS. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE.**

No parcel or tentative map filed shall be approved ~~until an environmental impact report is prepared, processed, and considered in accordance with the provisions of~~ **without environmental compliance pursuant to** the **California** Environmental Quality Act of 1970 (Cal. Pub. Res. Code §§ 21000 et seq. **and 14 Cal. Code Regs. § 15000 et. seq.) (collectively, “CEQA”**). The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of **appropriate** environmental review documents **if any, for purposes of CEQA compliance.**

**§ 9-4.1801 GENERAL PLAN CONFORMANCE; TIME FOR OR WAIVERS OF REPORTS.**

- (A) The environmental impact report **negative declaration, addendum, or other appropriate environmental review document, if any, required for purposes of CEQA compliance,** shall contain a statement as to the proposed division of territory conforming to the General Plan, which is required pursuant to Cal. Gov't Code § 65402 as the result of a proposed division of land, which may be included as part of and at the same time as the action taken by the Advisory Agency on such division of land.

- (B) Such report **or other appropriate CEQA compliance document or determination** shall not be required for a proposed subdivision which involves:
- (1) The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
  - (2) Acquisitions, dispositions, or abandonments for street widening; or
  - (3) Alignment projects provided the Advisory Agency expressly finds that any such disposition for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

**B. AMENDMENTS TO ZONING CODE.**

**§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.**

(A) *RE Rural Estate Residential District.*

- (1) This district is consistent with the General Plan Designation of Estate Residential, allowing up to one dwelling units per gross developable acre according to divisions (a) through (c), as well as within any Focused Planning Area designated by the General Plan that permits residential development allowing up to one dwelling unit per gross developable acre.
  - (a) A gross developable acre equals 43,560 square feet, exclusive of public and private rights-of-way existing at the time a development application for the subject property is deemed complete.
  - (b) New public or private rights-of-way to be created as part of the proposed development are counted as part of the gross developable acreage of the site.
  - (c) Where a park or school site is to be dedicated as part of a proposed application, the land subject to such dedication may be counted as part of the gross developable acreage of the site, and subsequently yield development density to the proposed project, only if there is no further compensation for the site.
- (2) This district establishes areas for single-family homes on lots that average one-half acre or larger on land that is relatively uneven and constrained by geologic formations, a lack of urban services and unique environmental constraints. Where natural features dictate, clustering of units is appropriate.



- (B) *RR Rural Residential District.* This district is consistent with the General Plan Designation of Estate Residential allowing up to one dwelling units per gross developable acre, as well as with any Focused Planning Area designated by the General Plan that permits residential development, allowing up to one unit per gross developable acre, allowing large custom-built homes on large lots. Typical lot sizes should conform to a minimum of one unit per half acre lot. Lot size and dimensions will depend on topography and surrounding land uses. The district provides areas in close proximity to urban services which may incorporate many characteristics of residential development on the urban fringe including deep front yards, maintenance of existing grade and vegetation.
- (C) *R-4, R-6 Single-Family Residential Districts.* These districts are the standard single-family zones allowing a maximum of four (R-4 District) or six (R-6 District) dwelling units per gross acre respectively. The districts are consistent with the Low Density Residential General Plan Designation, of two to four dwelling units per gross developable acre, and with the Medium-Low Density Residential General Plan Designation of four to six dwelling units per gross developable acre. The R-4 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to four dwelling units per gross developable acre. The R-6 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to six dwelling units per gross developable acre.
- (D) *R-10 Medium Density Residential District.* This district allows residential densities for attached single-family and multiple-family units. This district is consistent with the Medium Density Residential General Plan Designation which allows six to 10 dwelling units per gross developable acre. Typical development would include attached and/or cluster-type, ownership, oriented units including some with private yards and common recreation areas.
- (E) *R-20 Medium Density Residential District.* These districts allow multiple-family densities of 11 to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 20 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to

moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.

- (F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low or moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 30 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (H) *C-0 Professional Office District.* This district allows development of business office centers and institutional or professional buildings. This district is consistent with the Office, Neighborhood/Community Commercial, Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting professional office uses.
- (I) *C-1 Convenience Commercial District.* This district usually occupies one to four acres of area and contains a mix of retail uses that provide goods and services to the immediate residential neighborhood area. These uses typically have a service area of a one mile radius or less.
- (J) *C-2 Neighborhood/Community Commercial District.* This district allows limited commercial offices, retail stores and service

establishments which are compatible with, and dependent upon residential developments. The neighborhood district may typically occupy four to 10 acres of area and be located at appropriate arterial and/or collector street intersections. The primary purpose of the Neighborhood Commercial District is to provide for the sale of convenience goods, food, drugs, sundries and personal necessities. It meets the daily needs of the neighborhood area of a one to three mile radius. Usually one supermarket is the primary anchor. The Community Commercial District provides for both neighborhood uses and adds a junior department store, large variety store, or discount store as an anchor. This district may occupy 10 acres or more and serves residents within three to five miles. This district is consistent with the Neighborhood/Community Commercial and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting commercial land use types.

- (K) *C-3 Regional Commercial District.* This district provides for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores with a typical minimum of 75,000 square feet of floor area. Regional commercial uses typically serve a population residing within an eight to 20-mile radius and occupy 30 to 50 acres or more. This district also provides for highway or travel-oriented functions along freeways, major thoroughfares, and major roadways. This district is consistent with the Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Somersville Road Corridor Focused Planning Area and other Focused Planning Areas permitting the types of commercial uses intended for this district.
- (L) *M-1 Light Industrial District.* This district allows light industrial uses and excludes those heavy industrial uses with potentially hazardous or negative effects. This district is consistent with the Business Park, Light Industrial, and Rail-Served Industrial General Plan Designations, as well as with the Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas. Uses include the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials typically within an enclosed building.
- (M) *M-2 Heavy Industrial District.* This district allows heavy industrial uses which may generate adverse impacts on health or safety. This zone applies primarily to existing heavy industrial uses. The district is consistent with the General and Rail-Served Industrial

General Plan Designations. Uses include production of and extraction of metals or chemical products from raw materials, steel works and finishing mills, chemical or fertilizer plants, petroleum and gas refiners, paper mills, lumber mills, asphalt, concrete and hot mix batch plants, power generation plants, glassworks, textile mills, concrete products manufacturing and similar uses.

- (N) *PBC Planned Business Center*. This district provides sites in landscaped settings for office centers, research and development facilities, limited industrial activities (including production and assembly, but no raw materials processing or bulk handling), limited warehouse type retail and commercial activities, and small-scale warehousing distribution. Individual business centers would have a common architectural and landscape treatment, while architectural variation is encouraged between centers. The district is consistent with the Business Park and Light Industrial General Plan Designations, as well as with the Somersville Road Corridor, Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas.
- (O) *T Manufactured Housing Combining District*. This combining zone provides a district designation which shall be applied to land uses such as manufactured housing or trailer park uses, establish rules and regulations by which the city may regulate standards of lot, yard, and park area, landscaping, walls or enclosures, signs, access, and vehicle parking in relation to mobile home or trailer parks pursuant to the powers granted to the city under the California Health and Safety Code, and name the Commission as its agent for executing the provisions of this section. The provisions of this section shall apply to travel trailer parks, recreational trailer parks, and temporary trailer parks or tent camps, unless specifically exempted by Cal. Health and Safety Code Part 2 of Division 13 or by the provisions of this chapter. This combining zone is consistent with all principal zones to which it is attached.
- (P) *P-D Planned Development District*. This district accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses which are appropriately a part of a planned development. This district is intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the

relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighbor-hoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be three contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be one contiguous acre of land.

- (Q) *HPD Hillside Planned Development District.* This district is similar to the Planned Development District. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and land forms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.
- (R) *OS Open Space/Public Use District.* This district allows undeveloped public open space and areas for public use where shown on the General Plan and in Specific Plans. This zone also can apply to public utility easements for electrical lines, gas lines and canals to prevent encroachment by urban development. This district is consistent with the Public/Institutional and Open Space General Plan Designations, as well as within Focused Planning Areas.
- (S) *MCR Mixed Commercial/Residential District.* This district allows retail, office, and residential uses to exist in a compatible manner through the use of special design standards. The intent is to allow uses that do not contribute to the furthering of a commercial strip pattern. This district is compatible with the Transit-Oriented Development, General Plan Designation, as well as with Focused Planning Areas that permit mixed use development.
- (T) *RT Rivertown District.* This district applies Planned Development Standards specifically to the downtown area identified in the General Plan as the Rivertown Focused Planning Area. This district allows uses which are supportive of a village setting. Mixes of commercial, retail, employment-generating and residential uses are encouraged. The following four districts are subareas of the Rivertown District.
  - (1) *RTC Rivertown Retail District.* This district creates a vital core area of retail businesses, restaurants, personal and

professional services, and offices. While retail and restaurant uses are strongly encouraged for the core area, compatible service oriented and office uses are permitted. The intent is to create an area of pedestrian oriented uses and activities that are mutually supportive.

(2) *RTR Rivertown Residential Districts.*

(a) *RTR-10 Rivertown Low Medium Density Residential.* This district recognizes and enhances the existing lot patterns and parcel sizes and encourages the preservation and rehabilitation of established lower density, predominantly single-family residential areas. This district also recognizes the potential for medium density residential development to provide new ownership opportunities, better land utilization, and a more urban character close to the downtown area. New development shall occur at densities of from six to ten dwelling units per gross developable acre. Typical development would include both detached and attached and/or clustered, ownership oriented units with private yards and common recreation areas.

(b) *RTR-20 Rivertown High Density Residential.* This district encourages the assembly of under-utilized parcels and the redevelopment of properties for higher density residential use close to the downtown/waterfront. Development shall occur at densities of from 11 to 20 dwelling units per gross developable acre. These higher density areas should provide significant on-site amenities or integrate public areas into the development so as to create a feeling of continuity within the Rivertown area.

(U) *WF Urban Waterfront District.* This district applies specifically to the Rivertown/Urban Waterfront and Eastern Employment Area Focused Planning Areas shown on the General Plan. Uses could include a mix of commercial and industrial uses generally restricted to those which are thematically compatible with a waterfront setting. Water related uses include marinas, and boat sales, and maintenance in conjunction with a marina and compatible public uses. This district is consistent with the Urban Waterfront General Plan Designation Retail uses could include restaurants commercial, recreation, and other water oriented uses. Public open space, walkways and other elements are also allowed to provide access to the river.

(V) *H Hospital/Medical Center Overlay District.* This overlay district is intended to protect the Delta Memorial Medical Center area of

influence from potentially incompatible land uses to and allow for the expansion of medical services. Compatible uses include medical offices, medical supply and retail sales, laboratories and medical related housing (short and long term care). This overlay zone is consistent with the Delta Memorial Medical Center General Plan Overlay Designation.

(W) *MUMF Mixed Use Medical Facility District.* This district accommodates medical office buildings, hospitals/acute care facilities, ancillary medical and other complementary uses including professional office, retail (as support to the medical facilities, such as restaurants, convenience shops, and the like) residential (including congregate or convalescent care), parking structures and helicopter pads. Non-medical uses are not permitted unless they are compatible with medical uses, but are otherwise not required with medical uses. The minimum area required for the establishment of a Mixed Use Medical Facility District shall be one contiguous acre of land.

(X) *SH Senior Housing Overlay District.*

(1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units. See the project calculation example incorporated herein by reference.

(2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.

(Y) *S Study District.* This district is intended as an interim designation which is utilized until all necessary detailed land use studies are completed for a given area. This district is most appropriately applied to properties at the time that they are rezoned prior to annexation by the city.

(Z) *SP Specific Plan District.* This district is intended to provide a base designation to further implement the goals, objectives, and policies of the General Plan with respect to specific areas and uses which, because of their unique character, require a more comprehensive and intense evaluation and planning effort. This district will apply to individual parcel(s) only after the adoption of a specific plan by the City Council, pursuant to Government Code § 65450 et seq. Within the SP zoning district, permitted uses and

development standards shall be as specified in the adopted Specific Plan.

(AA) *TOD Transit-Oriented Development District.* This district is intended to provide for a mix of high-density uses that are oriented toward rail or bus transit stations within and adjacent to the city. This district thus accommodates development of an integrated mix of residential, commercial, and employment-generating uses as appropriate in both horizontal mixed-use (different types of uses located in adjacent buildings) and vertical mixed-use (different types of uses within the same building) patterns.

(BB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this article, so as to promote its most appropriate use in the context of Roddy Ranch's unique natural qualities and existing recreational uses.

(CC) *P Exclusive Parking District.* This district designates parcels that are to be used exclusively for parking purposes in the Rivertown area.

(DD) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of emergency shelters. It allows emergency shelters by right when they are developed in accordance with a set of standards and requirements. The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.

**(EE) West Sand Creek Planned Development District (WSC District or West Sand Creek District). The West Sand Creek District is consistent with the Limited Development Area overlay land use designation within the Sand Creek Focus Area west of Deer Valley Road, as established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative. This district is consistent with the "Estate Residential," "Low**



**Density Residential,” “Medium Low Density Residential,”  
“Medium Density Residential,” “Convenience Commercial,”  
“Mixed Use;” “Public/Quasi Public;” and “Open Space”  
General Plan base land use designations. Consistent with  
the Initiative, this district allows a range of single-family  
housing types, including executive estate housing, age-  
restricted housing for seniors, suburban single-family  
detached housing for families or for seniors, as well as  
commercial uses, public and quasi-public uses, and  
substantial open space.**

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CITY OF ANTIOCH  
CITY CLERK

Let Antioch Voters Decide: The Sand Creek Area Protection Initiative

The people of the City of Antioch do ordain as follows:

Section 1: Purposes

The principle purposes of this Ordinance are to protect public security and wellbeing, and to preserve agriculture, nature, and open space in Antioch.

The Ordinance:

- restricts the extent and amount of development in Antioch;
- maintains the existing urban limit line;
- preserves nature, open spaces, and historic qualities;
- maintains agriculture;
- protects the Sand Creek stream corridor;
- limits traffic congestion in Antioch;
- requires voter approval to change these safeguards.

Section 2: Findings

The people of Antioch do find and declare:

(a) Protection of Agriculture and the Natural Environment: The area protected by this Initiative is undeveloped land in the Sand Creek area of south Antioch. It includes agricultural lands, hills, streams, and wildlife habitat. Historically, the area has been used for mining and ranching. It is a beautiful, natural contrast to urban development in Antioch and neighboring cities.

(b) Development in Antioch: There has been a large amount of residential development in Antioch in the last thirty years. This has created a serious housing/jobs imbalance, with many more houses than jobs. Antioch's population has more than doubled to 115,000. As a consequence, many of the desirable natural, open space and historic qualities of the city have been lost; much of what remains is in near-term jeopardy.

(c) Development in the Initiative Area: Large-scale subdivisions have been proposed in the area covered by the Initiative. Substantial additional development would destroy agriculture, stream qualities, grasslands and scenic views. Habitat for wildlife would be lost. Development would make traffic congestion worse on city streets and Highway 4, and would increase air pollution and greenhouse gas emissions in Antioch. Sprawl would be costly, to extend public facilities and services to new residential areas. Now is the time to protect these lands before they are permanently developed.

(d) **Agriculture:** Farmland is an irreplaceable natural resource, essential for food security. It is being lost steadily to development in the San Francisco Bay Area. More than 1,500 acres of land covered by this Initiative are classified as Farmland of Local Importance by the State Department of Conservation, over 650 acres as Prime Soils by the United States Department of Agriculture.

(e) **Wildlife Habitat:** A number of plant and animal species at risk of extinction exist in the Initiative Area. Land use must be carefully regulated to avoid ruining species habitats or obstructing migratory corridors.

(f) **Watercourses:** Sand Creek and its tributaries flow through the area covered by the Initiative. Development can have an adverse effect on the quality and quantity of that water, and on riparian wildlife. Residential development increases pollution by putting chemicals and automobile related effluents into runoff, and by reducing the area available for filtration. Flood and erosion control are often adverse to preservation of the natural qualities of streams.

(g) **Scenic Beauty:** The Sand Creek area is a scenic gateway to the City and contains the majority of Antioch's untrammelled hills. It serves as a prominent vista for residents and visitors. Development must be controlled in order to avoid spoiling these views and marring a major natural asset.

(h) **Current Development Regulation:** Antioch's existing General Plan does not provide adequate, secure protection for the Initiative Area. The General Plan permits large-scale development on these lands that are a vital part of the city's remaining open space. Further conversion to urban uses will occur unless a firm commitment is made now to preservation of agriculture and nature.

(i) **Housing:** The Initiative does not affect the City's ability to provide for housing required by State law. It maintains all sites that have been designated to meet Antioch's Regional Housing Needs Allocations.

(j) **Burden of Proof:** For purposes of California Evidence Code Section 669.5(c)(3), this Initiative is designed to protect agricultural use as defined in Government Code Section 51201(b), and open space land as defined in Government Code Section 65560(b).

(k) **Federal and State Law:** This Initiative is subject to Federal and State Law, which are not always clear and change. The Initiative provides explicitly that it does not apply, notwithstanding its terms or literal meaning, to the extent that its application would be contrary to Federal or State Law. This explicit limitation on applicability is to make certain that the provisions of the Initiative do not violate the law in any respect, infringe any person's legal rights or privileges, or subject the City to legal liability.

(l) **Preservation of the Urban Limit Line:** In 2005, Antioch voters adopted Measure K establishing an Urban Limit Line. Under that measure, through December 31, 2020, only the voters may change the location of the Line. After that date, voter approval is not required. Maintaining voter approval beyond 2020 is in the best interests of Antioch residents.

### Section 3: Title

The title of this Initiative is “Let Antioch Voters Decide: The Sand Creek Area Protection Initiative.” It may be referred to in this General Plan and otherwise as the “Sand Creek Area Protection Initiative” or the “Sand Creek Initiative.” It is designated in the text interchangeably as the “Initiative,” “Measure,” or “Ordinance.”

### Section 4: Amendment of Antioch General Plan

Sections 3 through 21 of this Initiative are added to the Antioch General Plan. They shall be located in the Plan where City officials deem appropriate. They shall be identified distinctly in the Plan and in subsequent plans and revisions as enacted by initiative.

### Section 5: Initiative Area

This Initiative applies to land in the parcels listed in Section 20(h). (The map in Appendix 1 depicts approximately the area covered; in general, the land bounded by Black Diamond Mines Regional Preserve on the west, East Bay Regional Park District lands and the city border on the south, Deer Valley Road, and existing residential development on the north. The map is illustrative only. It is not enacted by the Initiative.)

The Initiative Area shall be designated “Rural Residential, Agriculture, Open Space” in this Plan, including its maps, figures, and tables.

### Section 6: Compliance with Law

(a) Notwithstanding their terms or literal meaning, the provisions of this Ordinance are not applicable to the extent that courts decide that if they were applied they would violate the Federal or State Constitution or law.

(b) To the extent that a provision of this Ordinance does not apply because of subsection (a), the City may permit only that minimum parcel creation, development, or use required by Federal or State Constitution or law that most fully carries out the provisions and purposes of this Ordinance.

### Section 7: State Housing Requirements

Nothing in this Ordinance, including in this Section, shall be applied to preclude City compliance with housing requirements imposed by the State. The City shall comply fully with State housing mandates in a way that is most consistent with the provisions and purposes of this Ordinance.

To the maximum extent practicable, the City shall meet State housing requirements outside the Initiative Area. If required housing must be located in the Initiative Area, no more land may be used than is necessary to meet State requirements. Minimum parcel size and

maximum development envelopes and floor areas in this Ordinance shall not apply to that land for State required housing.

**Section 8: Minimum Parcel Size**

The minimum parcel size is 80 acres, except for parcels that are legal under Section 17.

**Section 9: Certificates of Compliance**

The City shall not grant a certificate or conditional certificate of compliance regarding any division of land except as required by State law. All permissible restrictive conditions shall be imposed on a certificate. The owner or subsequent transferees of property shall be held to strict compliance with those conditions. A certificate of compliance creates no right to develop, nor diminishes in any respect the City's authority to control development.

**Section 10: Permissible Uses**

The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Initiative Area, provided however that all use and development must comply with the provisions of this Plan and with other City plans and ordinances:

(a) One single family dwelling unit on a parcel, secondary units required by State law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;

(b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;

(c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;

(d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Initiative Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;

(e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Initiative Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;

(f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d), provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;

(g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses, firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural environment and not contribute significantly to pollution, noise, or other environmental harm;

(h) Institutional and other non-profit uses that predominantly serve permitted uses in the Initiative Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;

(i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Initiative Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside that area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if like private uses and development would be allowed;

(j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.

#### Section 11: Areas of Special Environmental Concern

(a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands" are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by Federal or State law.

(b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.

(c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell

Ranch (Marsh Creek) State Park, as shown in Figure 8 (Proposed Habitat Linkages) in the Framework for Resource Management in Appendix A to this Plan.

(d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.

(e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

#### Section 12: Development Envelopes

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals under Section 10(f), outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

#### Section 13: Maximum Floor Areas

(a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.

(b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses, government or public utility use, or short-term events.

#### Section 14: Visual Safeguards

(a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date this Ordinance became effective. To the extent practicable, consistent with other provisions of this Plan, structures shall be located, including by setbacks from parcel boundaries, on that part of a parcel which minimizes visibility from roads, trails and other public

places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.

(b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.

(c) Visibility of development from roads, parks and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this Section.

#### Section 15: Covenants

Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development or use on the parcel that would not be permitted under this Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or Trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the County land records.

#### Section 16: Transferable Development Credits

The City shall study and evaluate a transferable development credits program as a means of transferring permissible development from the Initiative Area to other locations.

#### Section 17: Applicability

(a) Parcels, structures, uses, or surface alterations to the extent that they existed legally at the time this Ordinance became effective remain valid, except if their authorized time limit expires they may not be reestablished to the extent inconsistent with this Ordinance, they are eliminated voluntarily or abandoned, or a use is contrary to Section 11. Parcels, structures, surface alterations or uses may not be changed or expanded to the extent that would cause a violation of any provision of this Ordinance, or would augment or make more serious what would have been a violation if created or done after the Ordinance became effective.

(b) This Ordinance shall be applied to proposed parcels, development and uses that have not received all required City discretionary approvals and authorizations prior to the Ordinance's effective date, except to the degree application would be contrary to State law.



(c) This Ordinance applies to the City and to its agencies, officials and properties, as well as to all other persons and entities.

Section 18: Inconsistent City Plans, Ordinances and Actions

(a) Except as provided in Section 25, any provision of this General Plan, whether adopted before or after this Initiative became effective, is nullified to the extent that it is inconsistent with the Initiative, unless voters approved the provision after approval of the Initiative.

(b) Application of any specific or other City plan, or any ordinance, resolution or regulation is barred to the extent in conflict with this Initiative.

(c) To the extent inconsistent with this Initiative, no subdivision or parcel map, development agreement, permit, variance or other action may be approved, permitted or taken by the City, its agencies or officials (including approval or permission by law because of inaction), or is valid legally, unless mandated by State law.

(d) Provisions of this Plan and other City plans, ordinances, resolutions, regulations, and actions, whether adopted or taken before or after this Initiative became effective, are not inconsistent with the Initiative because they impose prohibitions, restrictions, regulations, conditions, requirements or remedies with respect to parcels, development, or use greater than or in addition to those imposed by the Initiative. The Initiative establishes only minimum prohibitions, restrictions, regulations, conditions, requirements and remedies which the City may augment or supplement without creating any conflict or inconsistency, provided that it does not permit parcels, development, or use barred by the Initiative.

Section 19: Implementation and Enforcement

(a) The Council, City agencies and officials shall enforce the provisions of this Measure diligently and effectually. They shall review uses and the location, nature, amount, visibility, and environmental effects of proposed developments and parcels to ensure compliance with the Measure. They shall use the most effective means at their disposal, subject to official discretion mandated by State law, to avoid, prevent, abate and remedy violations. Violations are public nuisances and, as provided by statute, misdemeanors.

(b) Residents, organizations with members in the City, and others with standing may enforce this Measure, and the covenants required under Section 15, by judicial proceedings against any government agency, person, group, or entity that is in violation of the Measure or a covenant, or to prevent violations.

(c) The City may, in its discretion, particularize and implement this Measure by appropriate legislation and actions, in all cases in full consistency with the substantive content and purposes of the Measure.

## Section 20: Definitions

For purposes of this Ordinance, unless the text or context compels a different meaning:

- (a) “Appreciably” means measurably or perceivably and “appreciable” means measurable or perceivable, but not minute;
- (b) “Basements” and “cellars” are the lowest stories of buildings, but only if at least 80% of the story’s cubic area is below both the adjacent land level and the natural grade;
- (c) “Building” is any structure under a roof supported by one or more walls, columns, poles, or other means, including greenhouses, hoop houses and covered arenas;
- (d) “City” is the City of Antioch, and “Council” is the City Council of Antioch;
- (e) “Development” is the construction, erection, placement or appreciable alteration of a structure, including mobile dwelling units; it also means appreciable land alteration, including grading, surfacing, excavation, or deposition of material;
- (f) “Floor Area” means the area of all floors, regardless of composition including soil, under roof, in or connected to buildings, including porches, decks, carports, and attic floors to the extent that the height of the ceiling is five feet or more above the floor;
- (g) “Including” or “includes” means includes but is not limited to the items listed, consistent with the text and purposes of the Ordinance;
- (h) “Initiative Area” means the land designated on January 1, 2018, by Assessor’s Parcel Numbers 057-010-001, 057-010-002, 057-010-003, 057-010-004, 057-021-003, 057-041-001, 057-041-002, 057-041-003, 057-041-004, 057-041-005, 057-041-006, 057-041-007, 057-041-009, 057-041-013, 057-041-015, 057-041-016, 057-041-018, 057-041-019, 057-041-020, 057-041-021, 057-041-022, 057-041-023, 057-041-024, 057-060-006, 075-132-009, 075-132-010, 075-132-011, 075-132-012, 075-132-013, 075-132-014, 075-132-015, and 075-132-016;
- (i) “Practicable” means capable of being done or put into effect;
- (j) “Small-scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms, or nurseries” are those that are commonly classified or regarded as small in their respective lines of activity (the City Council can particularize these definitions in accordance with Section 19(c));
- (k) “Special status species” are species listed, proposed for listing, or candidates for listing as rare (plants), threatened or endangered under the Federal or California Endangered Species Acts, plant species with a Rare Plant Rank of 1A, 1B, 2 or 3 in the California Native Plant Society’s *Inventory of Rare and Endangered Vascular Plants of California*, plants listed as rare under the California Native Plant Protection Act, wildlife and invertebrate species listed by the California Department of Fish and Wildlife as species of special concern or fully protected species under California Fish and Game Code Sections 3511, 4700, 5050, and 5515, species that meet the

definition of rare or endangered under the California Environmental Quality Act (Sections 15380 and 15125(c)), species considered to be a taxon of special concern by local agencies, and species considered sufficiently rare by the scientific community to warrant special consideration;

(l) "Structure" includes any building, tower, utility line, tank, pole or other object constructed, erected or placed on a parcel, the existence and use of which requires location on the ground or attachment to some thing located directly or indirectly on the ground.

Section 21: Amendments

This Initiative may be repealed or amended only by the voters of Antioch, except the Council may make amendments that are fully consistent with the substantive content and purposes of the Initiative.

Section 22: Urban Limit Line

The location of the Urban Limit Line enacted in Antioch Measure K on November 8, 2005, may be changed only by the voters.

Section 23: Effective Date

This Initiative shall become effective on the date provided by statute, except if all the General Plan amendments permitted by law in the year in which the Initiative is approved have been made, the Initiative shall become effective at the beginning of January of the following year, as the first amendment of that year.

Section 24: Severability

If one or more than one section, subsection, paragraph, sentence, clause, term or application of this Measure is adjudicated to be invalid or inapplicable, that shall not cause any other part or application to be invalid or inapplicable unless the clear effect of holding that other part or application valid or applicable would be to defeat, on balance, the objectives of the Measure. Each part of this Measure would have been enacted as it is irrespective of the fact that one or more other parts are held invalid or inapplicable, except to the extent that enactment would have defeated, on balance, the purposes of the Measure.

Section 25: Conflicting Ballot Measures

If there were one or more other General Plan amendments on the same ballot as this Initiative, dealing with the same subject matter, that were approved by the voters, this Initiative shall be effective unless the other amendment or amendments received more votes and except to the extent that they constitute a complete regulatory scheme for an area or subject covered by this Initiative or are in specific, definite, irreconcilable conflict with this Initiative. Provisions in a measure purporting to nullify provisions of this Initiative on any other basis are ineffective.

Section 26: Changes in the General Plan for Consistency

(a) The General Plan is amended as follows to make it and this Ordinance consistent. Material in the Plan deleted is in strikeout type. Material added is underlined. Material unchanged is omitted, even within a paragraph or sentence, unless deemed necessary to understand an amendment.

(b) Notwithstanding Section 21 of this Ordinance, provisions in this Section may be amended by the City, provided that amendments are consistent with the substantive content of the other provisions of this Ordinance.

P. 4-6: **4.4 Intensity and Distribution of Land Use**

...Table 4.A...identifies which land use types are appropriate within which land use designations.

PP. 4-9 through 4-14:

**Table 4.A – Appropriate Land Use Types**

**Rural Residential,  
Agriculture, Open Space**

<b>Large Lot Residential.</b> ... Residential developments of this type shall be designed as large suburban parcels within subdivisions within the Urban Limit Line and as rural residential uses <u>in the Sand Creek Initiative Area and outside of the Urban Limit Line.</u>	✓
...	
<b>Residential Care Facilities.</b>	✓
...	
<b>Outdoor Recreational Facilities.</b>	✓
...	
<b>Recreational Vehicle Park.</b>	✓/
...	
<b>Open Space.</b>	✓
<b>Religious Assembly.</b>	✓/1
<b>Schools, Public and Private.</b>	✓/1

P. 4-15: **Table 4.B – Anticipated Maximum General Plan Build Out in the City of Antioch**

	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)
<b>Focus Areas<sup>1</sup></b>		
Sand Creek Focus Area	3,537 <u>1,938</u>	433 <u>162</u>
<b>Subtotal</b>	<del>6,439</del> <b>4,839</b>	<del>5,570</del> <b>4,941</b>
<b>TOTAL</b>	<del>35,462</del> <b>33,862</b>	<del>11,912</del> <b>11,284</b>

P. 4-17: **Table 4.D – Anticipated Maximum General Plan Build Out in the General Plan Study Area**

Focus Areas <sup>1</sup>	Single-Family ( Dwelling Units)		Multi-Family ( Dwelling Units)	
	Sand Creek Focus Area	3,537	1,938	433
<b>Subtotal</b>	<b>6,839</b>	<b>5,239</b>	<b>5,570</b>	<b>4,941</b>
<b>TOTAL</b>	<b>35,862</b>	<b>34,262</b>	<b>11,912</b>	<b>11,284</b>

P. 4-18: **4.4.1.1 Residential Land Use Designations**

~~Six~~ Seven residential land use designations are set forth ....

**Rural Residential, Agriculture, Open Space.** This designation allows single-family rural residential development as provided by the Sand Creek Area Protection Initiative. This designation, typically involving large parcels, protects agriculture, grasslands, and open space as well as permitting housing in rural areas. Maximum house size with accessory buildings is 6,000 square feet. Dwelling unit densities are less than one per acre. Population densities typically will be less than one person per acre.

PP. 4-38 through 4-44: **4.4.6.7 Sand Creek, b. Policy Direction**

~~The Sand Creek Focus Area is intended to function as a large-scale planned community providing needed housing and employment opportunities. This Focus Area is also intended to provide substantial employment opportunities. West of Deer Valley Road, the Sand Creek Focus Area, under the Sand Creek Initiative, provides rural residential housing and preserves agriculture, grasslands, and open space. East of Deer Valley Road, it provides primarily housing and employment opportunities. Up to approximately 280 acres are to be devoted to retail and employment generating uses east of Deer Valley Road, which will result in the creation of up to 6,500 jobs at build out. Residential development within the Sand Creek Focus Area east of Deer Valley Road will provide for a range of housing types, including upper income estate housing, golf-course-oriented age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, and multifamily development. Residential development west of Deer Valley Road will be low-density, rural single-family detached houses. The Sand Creek stream corridor, hilltops, ridgelines, hillsides and sensitive biological resources will be protected throughout the Focus Area.~~

- k. A maximum of 4,000 2,100 dwelling units may be constructed within the Sand Creek Focus Area. ....density bonuses may not exceed the total maximum of 4,000 2,100 dwelling units for the Sand Creek Focus Area.
- l. It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 2,100 dwelling unit maximum, the actual development yield is not guaranteed by the General Plan, and could be substantially lower.
- m. As a means of expanding the range of housing choices available within Antioch, ~~three~~ several types of “upscale” housing ~~are to~~ may be provided, including Hillside Estate Housing and Executive Estate Housing, ~~and Golf Course Oriented Housing.~~

Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area east of Deer Valley Road that are designated for residential development.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area east of Deer Valley Road.

~~Golf Course Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family detached for lots fronting on the golf course. Maximum densities for golf course oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000 square feet for lots actually fronting the golf course. Given the significant environmental topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight to twelve persons per acre developed for residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

- q. Age-restricted senior housing... may be developed in any of the residential areas of the Sand Creek Focus Area east of Deer Valley Road, or on parcel 057-041-012, west of Deer Valley Road, which is not included in the Sand Creek Initiative Area.
- s. Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, ~~a minimum of 25~~ more than 80 percent of the Sand Creek Focus Area shall west of Deer Valley Road will be preserved in open space, with large lot sizes, restrictions on use, and limitations on development envelopes and building floor areas, and other regulations exclusive of lands developed for golf course use.
- v. A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge.

~~--To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project level environmental review~~

processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A; (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project level development stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not cause the "Open Space" area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as "Hillside and Estate Residential" shall not count towards meeting this 65 percent minimum "Open Space" requirement.

-Due to the varied and complex topography west of Empire Mine Road the exact boundary between the "Hillside Estate" residential area and "Estate" residential area shall be determined as part of the project level entitlement process.

-It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.

-In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated "Hillside and Estate Residential" in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.

- gg. subject to its financial feasibility (see Policy "m"), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.

The golf course shall be designed to retain the existing trail within Sand Creek.

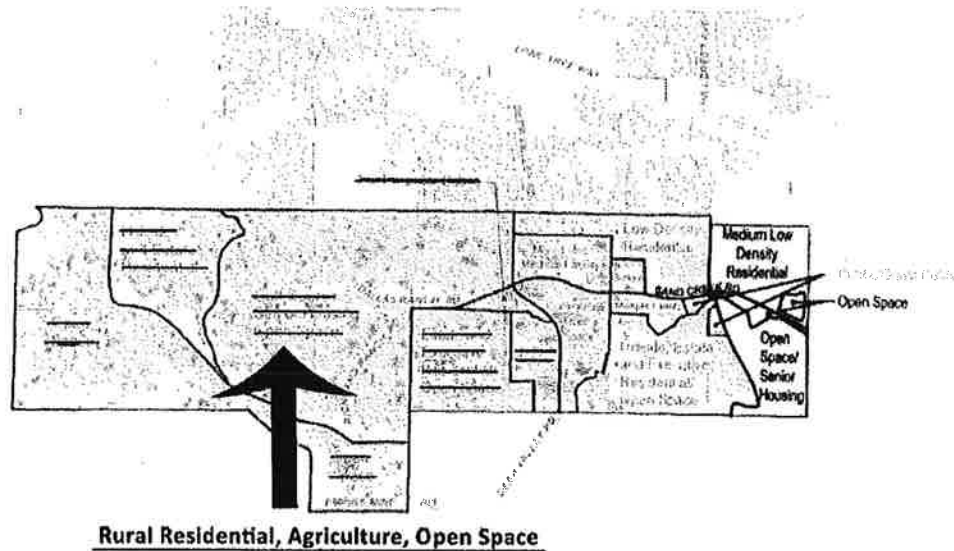
The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).

As part of the golf course clubhouse, banquet and conference facilities shall be provided.

- hh gg. A park program, providing active and passive recreational opportunities is to be provided. In addition to a golf course and preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City's established park standards. In the Sand Creek Initiative Area parks shall also comply with Sections 10(g), 10 (i), 11 and 14 of the Initiative.

**P. 4-45: Figure 4.8, Sand Creek Focus Area**

Figure 4.8 is hereby amended to designate the Sand Creek Area Protection Initiative Area “Rural Residential, Agriculture, Open Space.” The designations Golf Course, Senior Housing, Open Space, Hillside and Estate Residential, Estate and Executive Residential, and Low Density Residential are eliminated from the Initiative Area.



**FIGURE 4.8**  
(REVISED BY CBC, 11/09/15)

**P. 4-57: 4.4.7. Voter-Approved Urban Limit Line**

~~Until December 31, 2020,~~ The location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City.

**P. 5-2: 5.2 Existing Community Design, first paragraph**

...Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately-owned ranch land that is some portions of which are planned for development.

**P. 5-10: 5.4.2.e General Design Policies**

- Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths, consistent with Section 11(b) of the Sand Creek Initiative.



**P. 5-24: 5.4.14 Hillside Design Policies**

t. Sections 11(e) and 14 of the Sand Creek Initiative apply to Hillside Design in the Initiative Area to the extent that they impose greater restrictions or requirements on development than the policies in this Section 5.4.14.

**P. 7-2: Table 7.A – Primary Arterials in Antioch**

**Under Arterial Activity Centers Served**

Dallas Ranch Road Sand Creek ~~Specific Plan, including proposed golf course and Focus Area~~ employment-generating areas.

**P. 10-5: 10.3.2 Open Space Policies**

f. In the Sand Creek Initiative Area, trails shall not impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, as defined by Section 11(b) of the Initiative.

**P. 10-7: Special Status Species**

Special-status species are defined as:

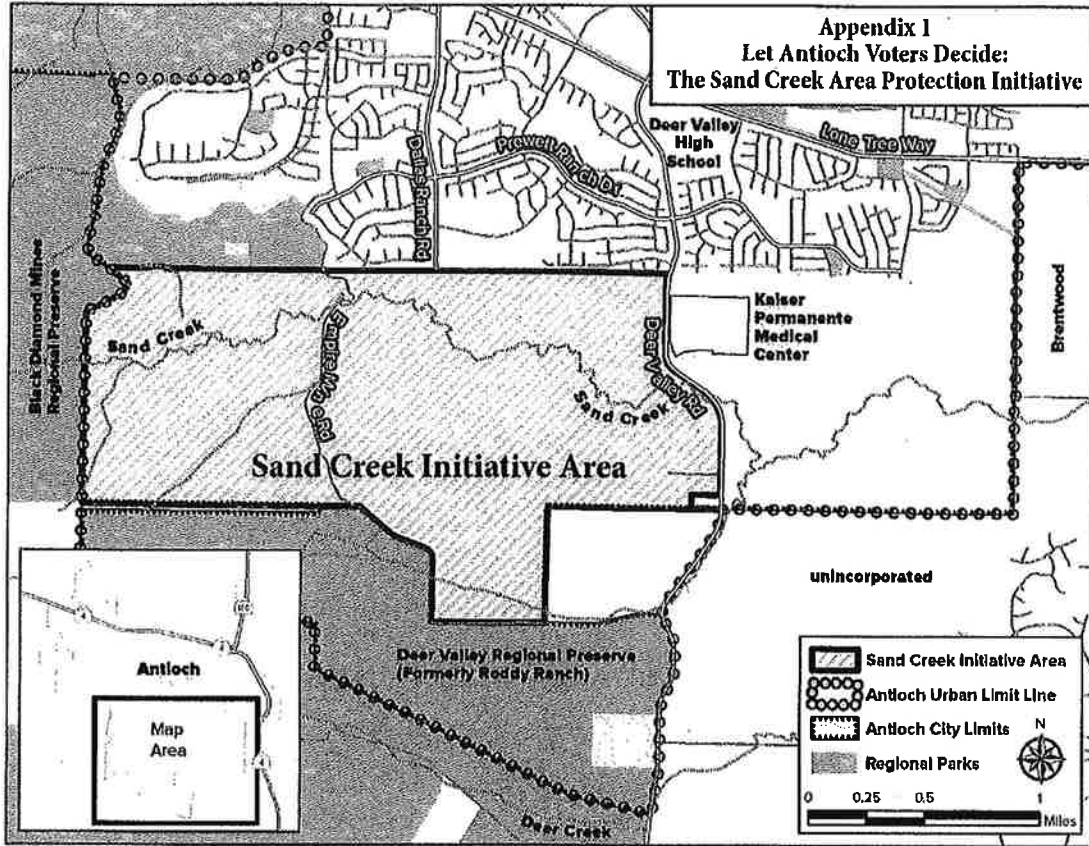
- Species that are listed, proposed for listing, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, proposed for listing, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;
- ~~Plant species on List 1A, List 1B, List 2, and List 3~~ with a Rare Plant Rank of 1A, 1B, 2 or 3 in the California Native Plant Society's *Inventory of Rare and Endangered Vascular Plants of California*;
- Plants listed as rare under the California Native Plant Protection Act;
- Wildlife and invertebrate species listed by the California Department of Fish and Game Wildlife as species of special concern or fully protected species under California Fish and Game Code Sections 3511, 4700, 5050, and 5515;
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Sections 15380 and 15125(c) of CEQA<sup>1</sup>); ~~and~~
- Species considered to be a taxon of special concern by local agencies; and
- Species considered sufficiently rare by the scientific community to warrant special consideration.

**10.4.2 Biological Resources Policies**

a. Wetlands shall be protected in the Sand Creek Initiative Area in accordance with Section 11(a) of the Initiative.

d. – Section 11(d) of the Sand Creek Initiative may impose more protections for special-status species in the Initiative Area.

Appendix 1



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CITY OF ANTIOCH  
CITY CLERKINITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS  
OF THE CITY OF ANTIOCH

The people of the City of Antioch do ordain as follows:

## SECTION 1: TITLE.

The title of this Initiative is "West Sand Creek Tree, Hillside, and Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative." It may be referred to in the General Plan and otherwise as "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative." It is designated interchangeably in the text herein as the "Initiative," "Measure," or "Ordinance."

## SECTION 2: INITIATIVE AREA.

This Initiative applies to approximately 1,852 acres of land bounded by Black Diamond Mines Regional Preserve to the west, East Bay Regional Park District lands and the City border to the south, Deer Valley Road to the east, and existing residential development to the north ("Initiative Area" or "West Sand Creek"), as shown in Exhibit A ("Initiative Area Property Map") and described in Exhibit B ("Initiative Area Legal Description"). The Initiative Area is comprised of lands within the voter-approved Urban Limit Line ("ULL") that are appropriate only for restricted development ("Restricted Development Area"), as shown in Exhibit C ("Restricted Development Area Property Map") and described in Exhibit D ("Restricted Development Area Legal Description"), and lands that are appropriate for limited development ("Limited Development Area"), as shown in Exhibit E ("Limited Development Area Property Map") and described in Exhibit F ("Limited Development Area Legal Description").

## SECTION 3: PURPOSES AND FINDINGS.

## A. Purposes. The purposes of this Initiative are as follows:

The Initiative was circulated and enacted in part to preserve and protect trees, ridgelines, hillsides, and open space areas throughout the Sand Creek Focus Area west of Deer Valley Road. The Initiative was also circulated and enacted to (1) protect, reaffirm, and strengthen the existing boundaries of the ULL by ensuring in perpetuity that the ULL may only be changed by a vote of the people of Antioch; (2) preserve agriculture, grasslands, and open space within the ULL; (3) preserve and protect the Sand Creek corridor as permanent open space; (4) allow for the development of the flatter portion of the land commonly known "The Ranch" as a master planned residential community that thoughtfully balances future development with respect for the site's substantial natural features and provides extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, public access with perimeter trails within The Ranch, substantial funding for local high school sports and performing arts facilities, creation of new housing and retail choices, improved public safety (fire and police) facilities and services, and infrastructure improvements to improve traffic circulation and traffic safety and allow quicker access to Antioch hospitals. The Initiative accomplishes these objectives by amending provisions of the City of Antioch General Plan ("General Plan") applicable to the Initiative Area to establish two overlay land use designations, consisting of the "Restricted Development Area," which applies to the hillier and more environmentally-sensitive lands west of Deer Valley Road (approximately 1,244 acres), and the "Limited Development Area," which applies to the flatter and less environmentally-sensitive lands west of Deer Valley Road (approximately 608 acres). The Initiative would thus directly protect nearly 70% of the land in the Sand Creek Focus Area west of Deer Valley Road. The Restricted Development Area provides low-density rural residential housing and preserves agriculture, grasslands, and open space in the vast majority of West Sand Creek. The Limited Development Area allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.

## B. Findings. The people of the City of Antioch find and declare:

This Initiative will protect and enhance the Antioch's unique character and quality of life by:

1. Preserving and protecting trees, hillsides, and open space areas in the Initiative Area.
2. Prohibiting development on all ridgelines in the Initiative Area.
3. Preserving and protecting the Sand Creek corridor as permanent open space accessible to the public.
4. Requiring developers to donate a site for a future fire station at Deer Valley Road and Sand Creek Road to service southeast Antioch.
5. Requiring the developer of The Ranch to donate at least \$1,000,000 in additional funding to the Antioch Unified School District ("District") for local high school sports facilities and performing arts facilities at Deer Valley High School through the payment by the developer of \$1,000 per unit of new residential development within the Limited Development Area to be paid prior to the issuance of each certificate of occupancy.
6. Providing road widening and improvements to promote and increase safety on Deer Valley Road.
7. Providing road improvements to allow quicker access to Antioch hospitals for emergency vehicles and residents.
8. Requiring developers to provide substantial community amenities including parks, trails, road improvements, and public safety facilities and services.
9. Protecting, reaffirming, and strengthening the City's ULL by ensuring that the ULL may only be changed by a vote of the people of Antioch.
10. Preserving and protecting long-planned housing opportunities on flatter land within the ULL responsive to the existing and future needs of Antioch to serve a range of family incomes and household types for all

economic segments of the population by ensuring that the City's growth occur only in areas appropriate for development within the ULL.

11. Ensuring that such responsible development is compatible with the surrounding area, protects sensitive habitat and resources, and contributes a fair share towards public safety and the resolution of regional traffic circulation issues.
12. Providing a pedestrian-friendly, amenity rich community that focuses on open space, parks, and trails to facilitate resident and visitor access to natural and historical experiences both on- and off-site in the East Bay Regional Park District system.
13. Providing a Village Center adjacent to Deer Valley Road and across from the Kaiser Permanente Antioch Medical Center.
14. Providing significant economic development in Antioch through the creation of hundreds of new construction and permanent jobs.
15. Providing extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, creation of new housing and retail choices, improved public safety, and needed traffic and other infrastructure improvements.
16. Amending the City of Antioch General Plan and Municipal Code and adopting a Development Agreement to allow development of a portion of The Ranch, located within the ULL on the land commonly known as The Ranch property ("Property"), upon the issuance of future non-legislative approvals by the City. The Ranch (collectively, "Project") would include:
  - approximately 1,177 new homes including a mix of low-density and medium-density single-family and age-restricted active-adult;
  - a mixed-use retail village across from Kaiser Permanente Antioch Medical Center;
  - land for a new fire station adjacent to the new retail village;
  - developer-funded contributions to a Community Services District to fund additional police, public safety, and code enforcement;
  - approximately twenty-two (22) acres of new public parks and six (6) miles of publicly-accessible trails;
  - Transportation improvements, including the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road, with no use of City funds;
  - protection of approximately 44% of the site as parks, open space, and trails;
  - protection of all on-site ridgelines; and
  - protection of approximately 98% of all on-site trees.
17. Amending the General Plan Land Use Element (map and text) to change the base land use designations of the Restricted Development Area from "Golf Course Community/Senior Housing/Open Space," "Hillside and Estate Residential," "Estate and Executive Residential/Open Space," and "Open Space" to "Rural Residential, Agriculture, Open Space" and of the Limited Development Area from "Golf Course Community/Senior Housing/Open Space" and "Hillside and Estate Residential" to "Estate Residential," "Low Density Residential," "Medium Low Density Residential," "Medium Density Residential," "Convenience Commercial," "Mixed Use," "Public/Quasi Public," and "Open Space."
18. Amending the General Plan Circulation Element (map and text) to reflect the proposed alignment of Sand Creek Road and its connection between Dallas Ranch Road to the north and Deer Valley Road to the southeast.
19. Amending the Zoning Code (text and map) to rezone the Limited Development Area from Study District (S) to Planned Development (P-D). The P-D zoning would include special development standards for development within the Limited Development Area.
20. Approving a Development Agreement, consistent with California law, to bring certainty and establish, for the next twenty (20) to thirty (30) years, the land use planning and zoning requirements applicable to the Property and assure the applicant of vested rights to develop the Project.
21. This Initiative is consistent with (and shall at all times be interpreted to be consistent with) the objectives and policies of the General Plan as amended by this Initiative, and would affirmatively promote the objectives and policies of the General Plan.
22. This Initiative specifically promotes and implements numerous General Plan provisions, including all of the following, among others:
  - Objective 3.5.2.1 Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property.
  - Objective 3.5.3.1 Maintain an active police force, while developing programs and police facilities that are designed to enhance public safety and protect the citizens of Antioch by providing an average response time to emergency calls of between seven and eight minutes from the time the call is received to the time an officer arrives.

- Objective 3.5.7.1 A system of park, recreational, and open space lands of sufficient size and in the appropriate locations, including provision of a range of recreational facilities, to serve the needs of Antioch residents of all ages.
  - Objective 8.9.1 Maintain a system of parks, specialized recreational facilities, and natural open spaces of sufficient size and variety and in the appropriate locations to serve the needs of Antioch residents of all ages.
  - Objective 8.10.1 Provision of an adequate number of fire stations, along with fire fighting personnel and equipment to protect Antioch residents and businesses.
  - Objective 8.11.1 Reduce the risk of crime and provide security to Antioch residents and businesses through maintenance of an adequate force of police personnel, physical planning strategies, and a high level of public awareness and support for crime prevention.
  - Objective 8.13.1 Ensure that the expansion of public facilities occurs in an equitable manner such that new development pays for all of the infrastructure and public facilities required to support the development without impacting levels of service provided to existing residents and businesses.
  - Objective 10.3.1 Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving natural, scenic, and other open space resources.
  - Objective 10.5.1 Minimize the impacts of development located adjacent to natural areas, preserved in open space, and protected environmental resources.
23. The Zoning Code amendments adopted through this Initiative are consistent with the General Plan as amended by this Initiative.
24. The Development Agreement implements, promotes, and is consistent with the General Plan's goals, objectives, policies, and programs. It does so in the same manner as the General Plan Amendments (as defined below). In addition, the Development Agreement confirms the extraordinary public benefits provided for in the General Plan Amendments, which include substantial open space and trails, parks, a fire station site, a new four-lane arterial roadway (Sand Creek Road) to connect the existing terminus of Dallas Ranch Road to the existing terminus of Sand Creek Road at Deer Valley Road immediately south of the Kaiser Permanente Antioch Medical Center, and at least \$1,000,000 in donations from the developer of The Ranch to the District for high school sports facilities and performing arts facilities.
25. Development of The Ranch would be subject to the California Environmental Quality Act (Cal. Pub. Res. Code § 21000 *et seq.* and 14 Cal. Code Regs. § 15000 *et seq.*) (collectively, "CEQA") and any mitigation measures developed pursuant to CEQA ensure full mitigation of any significant environmental impacts of the Project.
26. For all of the foregoing reasons, this Initiative serves the public health, safety, and general welfare of the City and the citizens of Antioch.

**SECTION 4: DEFINITIONS AND CONVENTIONS.**

A. As used in this Initiative:

"Development Agreement" means the Development Agreement enacted as part of this Initiative pursuant to the authority of Government Code sections 65864 *et seq.*, including section 65867.5 specifying that a development agreement is a legislative act that shall be approved by ordinance ("DA"), and attached as Exhibit G.

"Development Agreement Area" means The Ranch Property that is subject to the vested rights granted in the Development Agreement and depicted in DA Exhibit 1.

"Effective Date" means the date this Initiative takes effect, which shall be on the earliest date legally possible. Notwithstanding anything contained in this Initiative to the contrary and subject to the requirements of Measure K (defined below), the provisions set forth in Sections 5(C)(5), 5(C)(11), 5(C)(13), 5(D)(4), 5(D)(8), 5(D)(15), and 5(L)(1) of this Initiative are amended, effective January 1, 2021, upon the expiration of Measure K.

"Filing Date" means the date the Notice of Intent to Circulate Petition for this Initiative was presented to the City.

"General Plan" means the City of Antioch General Plan in effect on the Filing Date.

"General Plan Amendments" means the amendments to the General Plan enacted by Section 5 of this Initiative.

"Initiative" means the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, an initiative measure sponsored by the citizens of the City of Antioch.

"Initiative Area" means the approximately 1,852 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit A and enacted as part of this Initiative.

"Limited Development Area" means the approximately 608 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit C and enacted as part of this Initiative.

"Measure K" means the "City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development General Plan Reduction Initiative" approved by the voters on November 8, 2005.

"Municipal Code" means the Antioch Municipal Code, including Title 9 thereto, entitled "Planning and Zoning."

"Project" means the comprehensive master-planned community generally described in Section 1 of this Initiative and in the Development Agreement.

"Property" means "The Ranch Property", which consists of approximately 551.5 acres of land located in the southeastern portion of the City of Antioch, within the Sand Creek Focus Area of the General Plan west of Deer Valley Road and within the ULL, in eastern Contra Costa County, California, as shown in Exhibit H ("The Ranch Property Map") and described in Exhibit I ("The Ranch Legal Description").

"Restricted Development Area" means the approximately 1,244 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit E and enacted as part of this Initiative.

"Subdivision Regulations" means Chapter 4 of Title 9 of the Municipal Code, entitled "Subdivisions."

"ULL" means the Urban Limit Line the voters of the City of Antioch approved via Measure K in November 2005, which overrode the County's 2000 urban limit line and established the City ULL in the location shown in Exhibit J, which is provided in this Initiative for information and context only.

"West Sand Creek Master Plan District" means the Planned Development zoning district enacted as part of this Initiative for the Limited Development Area and attached as Exhibit K.

"Zoning Code" means Title 9 of the Municipal Code, entitled "Planning and Zoning."

"Zoning Code Amendment" means the amendments to the Zoning Code enacted by this Initiative.

"Zoning Map Amendment" means the amendments to the Zoning Map enacted by this Initiative.

## SECTION 5: CITY OF ANTIOCH GENERAL PLAN AMENDMENTS.

The General Plan is hereby amended as follows. Text to be inserted into the General Plan is indicated in **bold underlined type**. Text to be deleted from the General Plan is indicated in ~~strikethrough type~~. Text in standard, bold, or *italic* type that currently appears in that fashion in the General Plan on the Filing Date remains unchanged by this Initiative and is shown for reference purposes only.

### A. AMENDMENTS TO INTRODUCTION.

1. Chapter 1.0 of the General Plan, entitled "Introduction," contains a section 1.0, entitled "Introduction." That section is amended as follows:

#### 1.0 Introduction

Antioch is a community preparing for change. Currently known as a bedroom community connected to distant employment centers in the Bay Area, Antioch is in the process of:

- expanding its employment base to provide a balance between local jobs and housing;
- managing residential growth to provide an appropriate range of housing opportunities **within the voter-approved Urban Limit Line (ULL)**, including executive housing, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, **and age-restricted housing for seniors, and to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.**
- resolving ongoing traffic congestion **and safety** problems; and
- re-establishing the Rivertown area and waterfront as a distinctive part of the City's identity.

The Antioch General Plan represents a comprehensive effort to achieve these and other community goals, and to enhance the quality of life of existing and future residents, **in part by ensuring that future growth and development will occur only within the ULL.** The General Plan defines what makes Antioch a special place, delineates a vision for its future, and sets forth action-oriented programs to achieve that future. In accomplishing these tasks, the General Plan defines "quality of life" issues, including:

- enhancing family-oriented activities by reducing commute times to work and providing a broad range of recreational lands and activities within the community;
- facilitating mobility via public transit, automobile, bicycle, and pedestrian modes of transportation; and
- working with local school districts to provide high quality educational facilities and services.

The General Plan serves as the City's lead policy document as to how Antioch will manage its future, and is the City's official policy statement identifying the manner in which Antioch expects to coordinate its activities with those of other agencies, as they will affect the community in the future.

Antioch's growth pattern over the past 20 years has been the result of planning efforts derived from previously adopted policy documents (including the preceding 1988 General Plan), specific plans, past development approvals, and infrastructure financing mechanisms. Since 1988, considerable changes have occurred in Bay Area housing and employment patterns, as well as transportation systems.

Furthermore, the passage of two three voter-approved growth initiatives, Antioch's Measure K and its advisory Measure U<sup>1</sup>, and the County's Measure C, has increased the need for careful management of growth. In addition, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.

Over the past 30 years, sustained employment growth without corresponding housing development in certain portions of the Bay Area has forced workers in those locations - traditionally in San Francisco, San Mateo, and Santa Clara Counties, but more recently, Walnut Creek, Concord, Livermore, and Pleasanton - to seek housing in eastern Contra Costa County. This combination of conditions produced rapid residential growth in Antioch. Between 1990 and 1999, the City added over 6,300 housing units and the population grew by nearly 20,000, an increase of more than 30 percent. The existing disparity in the location of employment growth and population growth in the Bay Area has led to the traffic congestion Antioch residents experience along State Route 4. To create a more equitable jobs/housing balance (and reduce commute times), Antioch has sought to expand and diversify its employment base and provide a greater variety of housing types within the ULL than are currently offered.

<sup>1</sup> A discussion of these two voter-approved measures is contained in Section 5.1 of the General Plan.

2. Chapter 1.0 of the General Plan, entitled "Introduction," contains a subsection 1.1.4, entitled "The Comprehensive Nature of the General Plan," and a subsection entitled, "Identification of Issues. That subsection is amended as follows:

#### 1.1.4 The Comprehensive Nature of the General Plan

To be effective as a decision-making tool, the various elements of the Antioch General Plan integrate the management of the community's future physical, social, environmental, and economic environments.

**Identification of Issues.** The General Plan not only addresses the issues that the State requires be included in a General Plan, but also responds to the current and future issues that Antioch faces. Key community issues that the General Plan addresses include:

- achieving and maintaining a vibrant community in which all residents enjoy a wide range of employment, shopping, and recreational opportunities;
- achieving a balance between local jobs and housing by increasing Antioch's attractiveness for the establishment of office-based and clean industrial businesses; revitalizing the community's downtown and re-establishing the Rivertown area and waterfront as a distinctive part of the City's identity;
- providing regional and local mobility and reducing ongoing traffic congestion problems through a combination of regional highway, local roadway, and transit improvements (e.g., bus, rail, BART, e-BART), transit-oriented development, and enhancement of bicycle and pedestrian modes of transportation;
- establishing clear performance objectives for area infrastructure and services, thereby ensuring that the provision of public services and facilities supports the community's determination of desirable land uses, intensity, character, and rate of growth, all within the ULL;
- improving the design quality of lands and development at key interchanges along State Route 4, and along the roadway corridors leading to the Rivertown area; and
- managing the rate of residential growth and achieving an appropriate range of housing opportunities within the ULL, including executive and upper end housing, as well as housing for workers, seniors, and young adults who are first starting their careers and forming families.

3. Chapter 1.0 of the General Plan, entitled "Introduction," contains a section 1.2, entitled "Existing and Emerging Trends Affecting Antioch's Future." That section is amended as follows:

#### 1.2 EXISTING AND EMERGING TRENDS AFFECTING ANTIOCH'S FUTURE

The primary purpose of planning and preparing the General Plan is to provide the means for Antioch to manage future growth and change within the ULL. However, merely projecting what exists today into the future, thereby assuming that the future will resemble the present will not provide an accurate picture of what the future will be. An array of existing and emerging social, technological, and economic trends will change the way residents perceive their communities, define "quality of life," and live their lives. The following is intended to provide a descriptive evaluation of the ways in which existing and emerging social, technological, environmental, and economic trends may interact with existing and future conditions to provide a context for planning Antioch's future within a society that may be very different from today. These trends include the following:

- A growing statewide and local population. Population increases will continue within California as a result of natural increases. Areas, such as Antioch and eastern Contra Costa County will also continue to grow and must be prepared to provide new housing opportunities within the ULL.

- *An evolving housing market.* As lower and middle income households are continued to be priced out of the market, and the senior population grows, upper end housing, condominiums, age-restricted housing, and multi-family development within the ULL will become more popular and important in Antioch.
- *Technological advances and a changing economy significantly altering patterns of employment.* Traditional industrial development will decrease in importance, as service jobs and off-based employment grows. As a result, there will be a need for office-based and retail service development.
- *A growing regional imbalance of jobs and housing.* ABAG's projections of a worsening imbalance between jobs and housing will result in an increased difficulty to attract workers to increasingly congested employment centers within the inner Bay Area, along with an increased willingness for businesses to locate in presently outlying areas near their workers.
- *Increases in personal travel.* Non-peak hour travel will increase in relation to peak hour traffic. The "peak hour" of traffic will lengthen over several hours.
- *Increasing acceptance of public transit and other alternatives to automobile travel.* As traffic congestion increases, public transit will gain party in terms of commute times during peak hours, and become more popular, even if it involves changing modes of transit (e.g., rail ore-BART to BART or other rail connection). As a result, there will be a need for transit centers within Antioch. In addition, as higher density transit-oriented development gains popularity, pedestrian and bicycle travel will increase both as a form of recreation and as a form of transportation. The result will be an increasing need for safe pedestrian and bicycle routes between residential areas and schools, shopping, recreation, and places of employment.
- *Changes in freight transportation and goods movement.* Rail traffic will increase over time, increasing congestion where arterials cross rail lines at-grade. There will be an increasing need for multi-modal facilities to transfer containers from rail to truck.
- *Changes in shopping and the new consumer.* Existing shopping facilities will become obsolete, and need to be remodeled to meet changing shopping patterns in the future. There will be a growing demand and support for up-scale shopping in Antioch.

**B. AMENDMENTS TO COMMUNITY VISION ELEMENT.**

1. Chapter 2.0 of the General Plan, entitled "Community Vision," contains a section 2.3, entitled "General Plan Themes." That section is amended as follows:

**2.3 GENERAL PLAN THEMES**

The General Plan represents a detailed statement for achieving community vision and managing growth and change in the years ahead. This vision, and the means that will be employed to achieve it are embodied in the following themes that are reflected throughout the General Plan.

1. *New growth and development within the voter-approved Urban Limit Line (ULL) can and will be directed toward meeting community objectives and needs.*

Antioch can grow and still remain a healthy and vibrant community, if this growth is managed, and occurs in the areas that can best accommodate it, particularly within the ULL, such as selected portions of the Sand Creek Focus Area that have long been planned to accommodate Antioch's future growth. Targeting of the type, intensity, and location of new growth within the ULL, along with managing the rate of new residential development, will facilitate achievement of community objectives, such as:

- a. Balancing the provision of diverse housing options within the ULL with local employment opportunities;
- b. Creating an exciting urban core within the Rivertown area with diverse economic, housing, cultural, and entertainment opportunities;
- c. Promoting a diverse economic base that serves Antioch residents through an expanded local employment base and entrepreneurial opportunities; maintaining sufficient municipal revenues to cover the cost of high quality municipal services and facilities; enhancing opportunities for cultural, scientific, corporate, entertainment, and educational institutions; and meeting the challenges of economic competition;
- d. Enhancing mobility for the movement of people and goods within the community and region through well-designed, balanced transportation systems that provides feasible alternatives to personal automobile travel (pedestrian, bicycle, and transit), and by maintaining a pattern of land uses that supports use of these alternative modes of transportation;
- e. Maintaining a match between the expansion of the City and its service and infrastructure systems within the ULL, including transportation systems; parks, fire, sanitary sewer, water, and flood control facilities; and other essential municipal services;
- f. Facilitating the provision of high quality education within the community by providing for the construction of new school facilities;
- g. Providing adequate support for businesses and institutions that serve the needs of the community, including high-quality new housing in master-planned communities within the ULL; schools; quality medical care facilities, including a full service hospital with



acute/emergency care and local medical clinics and services; child and adult day care centers; libraries, shelters, public auditoriums; social clubs and recreation centers; and places of worship; and

h. Protecting the character of established residential neighborhoods.

2. *Economic vitality will be promoted to provide local employment and entrepreneurial opportunities, diverse shopping and commercial services, and adequate municipal revenues.*

Many residents commute to distant employment destinations because their job skills do not match existing local employment opportunities. These long commutes have resulted in congested highways, and are a significant constraint on residents' quality of life. To reduce congestion and enhance residents' quality of life, Antioch will expand its employment base, and work toward a balance between local jobs and housing. Although it is recognized that not all residents will choose to work within Antioch, and not all workers will live locally, Antioch's vision is that the majority of its working population will be employed locally. Such a choice will be made possible by providing as close a match between the range of local employment-generating uses and housing types as can be achieved within the ULL.

Antioch's quality of life also depends, in part, on the services provided by the City. Antioch's vision encompasses high quality public safety services, along with a wide array of other community amenities and public recreational activities. To afford the provision of such services, the City will support a vigorous business community and an economic climate wherein existing businesses desire to remain and expand, and new businesses want to locate. Such a business community will meet the needs of residents and other businesses by providing desired commercial and professional services and a broad array of convenience, specialty, and "big ticket," retail goods, as well as leisure-oriented and entertainment uses. Providing such an array of retail and commercial service uses represents much more than just municipal income for the City; providing the full range of retail and commercial services desired by Antioch residents will also be an important factor in enhancing community identity and pride.

3. *Antioch will be a healthy, family-oriented community.*

The well-being of Antioch's children, families, and seniors is critical to the community's own well-being. Antioch is, and will continue to be largely comprised of single-family dwellings and neighborhoods designed for families. Although not directly provided by the City, high quality educational services are critical to community success. Thus, Antioch will maintain a close partnership with the Antioch Unified School District to facilitate the provision of superior school facilities, including shared school/park facilities, and to maintain a focus on what is best for the community's youth. As Antioch's population grows, the City will work with Los Medanos College to expand its programs, and will work CSU Hayward to establish a satellite campus within the City.

An array of high quality neighborhood oriented and community-wide parks and recreational facilities will be maintained, along with community gathering places along the riverfront, as a means of enhancing Antioch's desirability for families. Antioch also recognizes existing demographic trends, and the desirability of retaining local residents in the community for their retirement years. Thus, new housing in areas long planned for future growth within the ULL, facilities, and services for seniors will be provided within the community. Antioch will thus assist in meeting the needs of public, private, and voluntary organizations and institutions that provide important community support services by maintaining an adequate inventory of lands within the ULL for such uses.

The City recognizes that land use patterns directly affect the quality of lives of families. Long commutes between Antioch and distant employment centers create stress for residents, and detracts from family life. In turn, long commutes between Antioch employers such as Kaiser Permanente and distant housing opportunities in other communities creates similar stress for employees. The availability of services in nearby locations, including health care, education, recreation, day care, and shopping is not just a convenience, but is a key component of people's quality of life.

The City also recognizes the changing nature of the family, including single parent households and a growing number of singles who may band together to form households within the community. As a result, programs for children, undertaken in conjunction with local school districts, will become more important over time as a means of providing a full range of services, and maintaining a high quality of life for local residents.

4. *Antioch will be a mobile community, providing options in addition to the single occupant automobile.*

The freedom provided by the private automobile has dominated the form of modern urban America over the past several decades. Although the automobile and modern highway systems have given workers the freedom to move into distant suburban locations in search of newer and higher quality housing than they could otherwise afford closer to their places of employment, the resulting long commutes have also been a source of growing frustration. As a result, there is an increasing demand for extending mass transit systems further into suburban locations, and for enhancing alternative modes of transportation (e.g., bicycle and pedestrian) for local travel.

Antioch and other communities are also rethinking how energy conservation, air quality management, and transportation planning goals should be met, along with how future land use patterns need to be modified to support achievement of these goals. Thus, principles of transit-oriented development and pedestrian-oriented development<sup>1</sup> will be implemented to provide residents and workers alternatives to travel by automobile, by facilitating transit, pedestrian, and bicycle travel. The General Plan seeks to maximize residents' and visitors' freedom of movement within Antioch, providing them with viable choices as to the mode of

transportation they use (e.g. automobile, transit, pedestrian, bicycle). The design, configuration, and mix of uses in strategic locations within the ULL, such as Rivertown, the Hillcrest interchange, Sand Creek and East Lone Tree Focused Planning Areas, and the "A" Street interchange will provide an alternative to traditional suburban development by emphasizing a pedestrian-oriented environment, and reinforcing residents' ability to use bicycles and public transportation.

<sup>1</sup> "Transit-oriented" developments are typically mixed use neighborhoods or projects, within a quarter mile of a transit stop, predominantly light rail or bus transfer stations. Pedestrian-oriented developments give priority to and respond to the needs of the pedestrian as a higher priority than automobile travel. By providing a compact form of development, both transit-oriented and pedestrian-oriented development also facilitate bicycle travel.

5. *The resolution of community and regional issues needs to be equitable.*

In pursuing solutions to expansion and financing of infrastructure, including transportation facilities, and in managing future growth within the ULL, the City of Antioch will emphasize the concept of equity. It is Antioch's vision that the financing of regional transportation improvements will recognize that the existing regional imbalance of jobs and housing is the principal cause of the congestion faced by eastern Contra Costa County residents in their work commutes. Thus, the employment growth in existing employment centers is as much the cause of regional traffic congestion problems as it is the result of housing growth in existing suburban locations. An equitable solution to regional traffic congestion would place equal responsibility for financing new transportation facilities on jobs-rich communities that expand their employment bases and on housing-rich communities that expand their residential sectors. Equity will also be maintained in the financing of new public services and facilities and their long-term maintenance between existing and developing portions of the City within the ULL. Thus, the costs associated with providing expanded infrastructure to newly developing areas will be internalized within those areas. Affordable housing will be provided within Antioch in a manner that integrates such housing into the fabric of the community, and does not isolate lower-income households from community amenities and activities. Finally, the notion of equity will be extended to the City's growth management system, which will provide opportunities within the ULL for both large-scale and smaller housing developers to build and market their products within the community.

C. GROWTH MANAGEMENT ELEMENT AMENDMENTS.

1. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.1, entitled "Introduction and Purpose." That section is amended as follows:

3.1 INTRODUCTION AND PURPOSE

The premise of growth management in the City of Antioch has long been to ensure that development paid its own way, and that sufficient public services and facilities were available to support new development. The City defined the desired pattern of land uses, and proactively assisted in setting up funding mechanisms for expansion of infrastructure designed to ensure that the costs of capital facilities needed to support growth were paid for by new development. As individual development came forward, the emphasis was on mitigating the impacts of proposed growth. Today, one of the key themes of the Antioch General Plan is that new growth and development be directed within the voter-approved Urban Limit Line (ULL) and toward the achievement of the community vision set forth in the General Plan. New development within the ULL needs to make a positive contribution to the community, and not just avoid or mitigate its impacts.

Antioch will face a number of difficult growth management challenges over the next 20 years as it moves from a bedroom suburb to a full service city. Key among these challenges is the need to effectively address nagging traffic congestion problems in the East County region in the face of rapid residential growth forecasts. In response, Antioch has committed to expand local employment opportunities and reduce the need for Antioch residents to commute long distances to work. The desire to revitalize Antioch's Rivertown area, its riverfront, and its older areas; to enhance municipal income streams through expanded retail opportunities, and the need to expand both upper end and affordable housing opportunities within the ULL also need to be factored into the community's growth management strategy.

New growth and development within Antioch within the ULL will increase the demand for infrastructure and services provided by the City and other agencies. In addition, future land use and development decisions will have an effect on municipal costs and revenues. As long as Antioch continues to grow in population and expand its economic base, the City's operating and capital budgets will have to respond to increased demands for services and facilities. Since the fiscal burden of providing expanded infrastructure is beyond the normal capacity of municipal revenues, it is imperative that the expansion of the City's residential and non residential sectors occur such that a burden is not placed on the community's resources.

As discussed in Section 3.1.2, Antioch voters passed an advisory growth control measure. Measure U calls for the City to not only enforce public services and facilities performance standards during the review of individual development proposals, but also to phase the rate of new development to ensure the continuing adequacy of those services and facilities. Managing the rate of growth adds a new challenge. To implement annual growth limits in addition to the public services and facilities performance standards that the City has been implementing, along with large-scale assessment districts to provide up-front financing of infrastructure, requires that care be taken to ensure the viability of such infrastructure financing mechanisms.

It is the purpose of this Element of the General Plan to bring together those portions of the General Plan that address various aspects of growth management, and thereby set forth a comprehensive strategy to manage the location and rate of future growth and within the ULL. It is also the purpose of the Growth Management Element to implement the provisions of countywide Measure J and the City's Measures U, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and

**Development Restriction Initiative** (see Sections 3.1.1, and 3.1.2, and 3.1.3 below). The Growth Management Element thus sets forth performance standards for key community services and facilities within the ULL, thereby establishing a clear linkage between future growth within the ULL and the adequacy of community services and facilities.

2. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.1.1, entitled "Contra Costa County Measure J Requirements." That subsection is amended as follows:

### 3.1.1 Contra Costa County Measure J Requirements

- One purpose of the Growth Management Element is to comply with the requirements of the Measure J Growth Management Program (GMP), adopted by the voters of Contra Costa County in November 2004. The GMP requires each local jurisdiction to meet the six following requirements: Adopt a development mitigation program;
- Address housing options;
- Participate in an ongoing cooperative, multi-jurisdictional planning process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and,
- Adopt a transportation systems management (TSM) ordinance or resolution.

Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.

Both programs include ½ percent transportation and retail transactions and use tax intended to address existing major regional transportation problems. The Growth Management component is intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

Compliance with the GMP is linked to receipt of Local Street Maintenance and Improvement Funds and Transportation for Livable Community funds from the Transportation Authority. The Growth Management Program defined by the original Ordinance 88-01 continues in effect along with its linkage to Local Street maintenance and improvement funds through March 31, 2009. Beginning on April 1, 2009, the Measure J CMP requirements take effect.

Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL, which the voters approved via Measure K in 2005 and reaffirmed and strengthened in 2018 to ensure future that only the voters in Antioch may change the ULL, urban development occurs only in appropriate areas within the ULL, and preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.

3. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.1.2, entitled "Antioch's Advisory Measure U." That subsection is amended as follows:

In November 1998, Measure U was approved by a large majority of Antioch voters (69 percent). Measure U was an advisory measure calling for the City to phase the rate of new development to:

*"Provide adequate schools, street improvements, and Highway 4 improvements for a sustained high quality of life, by making new growth pay its own way through maximizing fees, assessment districts, matching fund programs, and any other means effective to expedite the construction of needed infrastructure."*

A series of community workshops were conducted during early 1999, leading to an interim ordinance.

The interim ordinance was subsequently replaced by a permanent ordinance that is consistent with the provisions of the General Plan Element. In addition, Measure K furthered the intent of Measure U by ensuring that the rate of new residential development is phased so that traffic improvements may be constructed to accommodate existing and future Antioch residents within the ULL.

4. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.2, entitled "Goals of the Growth Management Element." That section is amended as follows:

### 3.2 GOALS OF THE GROWTH MANAGEMENT ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs only within the ULL in a logical, orderly, and efficient manner, it is the goal of the Growth Management Element to accomplish the following:

- *Maintain a clear linkage between growth and development within the City and expansion of its service and infrastructure systems, including transportation systems; parks, fire, police, sanitary sewer, water, and flood control facilities; schools; and other essential municipal services, so as to ensure the continuing adequacy of these service facilities.*

This goal is cornerstone of the Growth Management Element. The quantified public services and facilities performance standards delineated in this Element set a benchmark for quantifying the impacts of new development within the ULL, and also represent the measuring tool by which

mitigation of those impacts will be required by the City. Implementation of these performance standards is thus designed to mitigate the impacts of growth, and ensure that new development within the ULL pays its own way in terms of the capital costs associated with needed expansion of public services and facilities. The provisions of the Growth Management Element are also intended to address efficiency in the provision of public services and facilities. By moderating the rate of new residential growth within the ULL, consistent with the ability of the City and service agencies to keep pace, the cost of providing public services can be maintained at reasonable rates.

"Efficiency" in the provision of public services and facilities often also means constructing large-scale capital facilities at the initial phase of new development within the ULL to avoid interim periods of inadequate service. The City of Antioch recognizes that that it is sometimes necessary to construct large-scale infrastructure ahead of development, possibly making financing difficult for individual developments. Where financing required large-scale capital facilities is needed, but beyond the ability of individual developments, many communities permit the construction of interim facilities. However, maintenance of such interim facilities is often costly, and in the end more expensive than constructing the ultimate facilities up front. As a result, Antioch strives to avoid the use of interim facilities, and supports the establishment of land-based financing mechanisms in the form of assessment districts to facilitate the financing of large scale capital facilities. Policies related to interim facilities and financing of capital facilities is contained in the Public Services and Facilities Element.

- *Maintain a moderate rate of residential growth within the ULL to ensure that the expansion of public services and facilities keeps pace.*

This goal recognizes that there is a limit to the rate at which public services and facilities can reasonably be expanded within the ULL. Because of long lead times for the construction of regional highway improvements, schools, and large-scale flood control facilities, the provision of some critical facilities can fall behind rapid residential growth, even if new development does ultimately pay its own way. By moderating residential growth rates, potential lag times between project approvals and housing occupancy can be minimized or eliminated.

- *Recognize the ultimate buildout of future development within the City of Antioch and its Planning Area, and the ULL that is established in the General Plan Land Use Element.*

The land use map and policies and the ULL contained in the Land Use Element define the City's future land use pattern, along with maximum appropriate development intensities throughout the Antioch Planning Area and ULL. As a result, the General Plan Land Use Element and ULL establishes establish an ultimate buildout for the General Plan.

The policies of the Growth Management Element are intended to recognize that build out of the General Plan within the ULL will occur as the result of numerous individual development decisions and numerous incremental improvements to the public services and facilities serving Antioch. In setting forth public services and facilities and defining the responsibility of individual developments within the ULL to mitigate impacts and pay their own way, the Growth Management Element is intended to provide a system for the expansion of infrastructure that will support build out of the General Plan as expressed by the ultimate buildout within the ULL established in the Land Use Element.

- *Manage the City's growth in a way that balances the provision of diverse housing options with local employment opportunities and provides sufficient municipal revenues to cover the cost of high quality municipal services and facilities.*

Achievement of a balance between local jobs and housing was a key factor in the implementation of the City's advisory Measure U, and a key component of Antioch's vision as expressed in Chapter 2, Community Vision, of the General Plan. The General Plan recognizes sustaining a high quality of life for Antioch residents necessarily involves reducing the need for long commutes to work, and that "balancing" jobs and housing means much more than just having an appropriate number of employment and housing opportunities within the community. "Balancing" jobs and housing means providing a range of housing types within the ULL appropriate for the types of employment opportunities found in Antioch. Conversely, "balancing" jobs and housing means providing the employment-generating lands that will provide the employment opportunities appropriate to Antioch residents. This Element is intended to assist in the financing of infrastructure needed to develop job producing uses. It accomplishes this purpose by establishing achievable performance standards and considering the feasibility financing infrastructure expansion.

- *Improve regional cooperation in relation to mitigating the regional impacts of new development.*

Some of the services and facilities (e.g., fire protection, schools, and sewage treatment) provided to Antioch residents and businesses are provided by special districts, and not by the City. Effective management of growth within the ULL, including mitigation of impacts and expansion of services and facilities to support future growth requires the cooperation of the City and outside agencies providing local services. The provisions of the Growth Management Element, along with the provisions of the Public Services and Facilities Element, are intended to provide for such coordination.

For many issues (e.g., transportation, air quality, and economic development), a cooperative regional approach to problem solving is the only effective means. Traffic congestion resulting from home-to-work trips is primarily a regional problem resulting from regional imbalances of employment and housing, and can only be solved by concerted efforts at both ends of existing problematic commutes.

The impacts of new development are not always restricted to the municipal boundaries of the jurisdiction approving the development. Often, developments approved by one community impact other communities. In the case of development projects that will exacerbate regional jobs housing imbalances, the traffic, noise, and air quality impacts of such developments can manifest themselves at some distance away from the development itself. "Equitable" mitigation involves not only that projects pay their own way within the jurisdiction where they are approved, but may also mean mitigating impacts in other jurisdictions.

The Growth Management Element seeks to establish a basis for communities to jointly provide mitigation for impacts occurring in other jurisdictions, as well as a basis for regional cooperation to address regional issues. Antioch recognizes that the effectiveness of its Growth Management Element ultimately relies on the extent to which active partnerships with other jurisdictions can be formed and maintained to address the regional aspects of mitigating development impacts.

5. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.3.1, entitled "Growth Management Provisions in the General Plan." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

### 3.3.1 Growth Management Provisions in the General Plan

Antioch's growth strategy is to undertake a comprehensive program to accommodate planned economic and population growth within the ULL in a manner consistent with community values and the lifestyles of existing and future residents. Thus, growth management is central to the General Plan, and "growth management" provisions appear throughout the General Plan. In effect, the various elements of the General Plan each address specific aspects of managing growth within Antioch, and are intended to work together to function as a comprehensive growth management program. The specific growth management roles of individual General Plan elements are described below.

- The *Growth Management Element* implements the provisions of countywide Measure C, and provides supporting policies for implementation of Antioch's advisory Measure U. This Element establishes a quantified annual cap on residential growth, and sets forth roadway and highway level of service standards, as well as public services and facilities performance standards. This Element also implements the provisions of Measure Measures J, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative by providing general policy direction for achieving a balance between local jobs and housing, as well as for City participation in regional transportation planning efforts and ensuring that future urban development will occur only within the ULL.
- The *Land Use Element* defines acceptable locations and the appropriate intensity for new development within the ULL, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at "build out" of the Antioch Planning Area and ULL. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities' mutual boundary<sup>1</sup>.

This element also addresses the effect of the urban limit line established by the Voter-Approved Urban Limit Line Measure K and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative (Figure 4.12) and directs new development to occur only within the Voter-Approved Urban Limit Line, thereby achieving a compact form of community and preserving and protecting agricultural, natural resource, and open space uses on lands outside the ULL.

The Land Use Element specifically delineates lands set aside for the development of employment-generating uses, and defines the types of employment-generating uses appropriate for each area so designated. Overall, the land use pattern defined in this element, along with the aggressive economic development program called for in the General Plan, is designed to achieve a balance between local housing and employment, all within the ULL. Overall, the Land Use Element sets for smart growth concepts, including providing for a close relationship between land use and transportation facilities (e.g., public transit, bicycle and pedestrian transportation, higher density development nodes at transportation centers).

<sup>1</sup> The provisions of the boundary agreement permit either city to terminate the agreement upon notice to the other city.

- The *Circulation and Transportation Element* directly addresses the provision of the new and expanded transportation facilities that are needed to support development of the land uses delineated in the Land Use Element and located within the ULL, consistent with the level of service standards set forth in the Growth Management Element. This Element defines the specific improvements that will be made over time to the City's roadway and highway systems in order to maintain the level of service standards set forth in the Growth Management Element.
- The *Public Services and Facilities Element* directly addresses the provision of the new and expanded public services and facilities that are needed to maintain the performance standards set forth in the Growth Management Element. This Element defines the responsibilities of new development projects within the ULL for the provision of expanded services and facilities, and provides policy direction for the manner in which expansion of public services and facilities within the ULL will be financed. This element also addresses avoidance of interim facilities and the financing of large-scale facilities needed to maintain the performance standards set forth in the Growth Management Element.
- The *Resource Management Element* provides policy direction for the management of open space, hillside development, biological resources, water resources and quality, cultural and historical resources, and energy resources in relation to new growth and development.
- The *Environmental Hazards Element* addresses the constraints on growth presented by natural and man-made hazards.
- A *Development Review Program* is included as part of the General Plan implementation programs. The Development Review Program is a compilation of General Plan policies affecting the review of individual development projects within the ULL. This portion of the General Plan presents a comprehensive definition of the General Plan performance standards that will be used to review new

development proposals in order to implement the policies of the General Plan. Thus, the Development Review Program sets for the specific criteria that will be used to determine the consistency of proposed new developments within the General Plan.

In addition to the Development Review Program, General Plan implementation programs include Follow-up Studies, Intergovernmental Coordination, and General Plan Maintenance. These sections set forth requirements for monitoring and coordination of the City's Growth Management Element, including monitoring of compliance with stated performance standards and coordination with the City's Capital Improvement Program.

The Housing Element delineates the specific programs that the City of Antioch will implement to ensure housing opportunities within the ULL for all economic segments of the economy. The Housing Element, unlike the balance of the General Plan, is intended by state law to be short-term, setting forth a five-year program. As a result, the Housing Element is required to be updated every five years. This Element sets forth specific policies and programs designed to ensure opportunities for development of upper end housing, and for housing for service workers who could not otherwise afford for-sale housing within Antioch. State law requires that the California Department of Housing and Community Development review local Housing Elements to determine whether they meet the applicable legal requirements.

The Measure J Growth Management Program requires jurisdictions to report on their progress towards Housing Element compliance. The City must prepare a biennial report of the implementation of actions outlined in the City's Housing Element, for submittal to CCTA as part of the biennial GMP Compliance Checklist. The report will demonstrate reasonable progress using one of the following options:

- a. Comparing the number of housing units approved, constructed or occupied within the City over the preceding five years with the number of units needed on average every year to meet the housing objectives established in the City's Housing Element, or,
  - b. Illustrating how the City has adequately planned to meet the existing and projected housing needs within the ULL through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or,
  - c. Illustrating how the City's General Plan and zoning regulations facilitate the improvement and development of sufficient housing within the ULL to meet those objectives.
6. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.4, entitled "Service Standards for Transportation Facilities." That section is amended as follows:

#### 3.4 SERVICE STANDARDS FOR TRANSPORTATION FACILITIES

This portion of the Growth Management Element sets level of service<sup>1</sup> standards for roadways within the City of Antioch Planning Area and the ULL, along with policies to ensure that these standards are maintained. These standards form the basis for the City's circulation policies, and for the ways in which land use and circulation will be correlated with each other. Roadways are grouped into two categories: "Routes of Regional Significance" and "Basic Routes."

Policies and programs to define the responsibilities of new development projects within the ULL for the provision of expanded roadway facilities are provided in Chapter 7.0 of the General Plan (Circulation Element). Policy direction addressing the manner in which expansion of roadways and other public services and facilities within the ULL will be financed is provided in Section 8.13 (Public Services and Facilities Element).

<sup>1</sup> Traffic levels of service (LOS) are expressed in terms of volume-to-capacity ratios to estimate the delay experienced by drivers at intersections. They are expressed as the letters A-F with A representing free flow (volumes less than 60% of capacity, and F representing gridlock (volumes greater than 100% of capacity).

7. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.4.1.1, entitled "Performance Standards for Routes of Regional Significance." That subsection is amended as follows:

##### 3.4.1.1 Performance Standards for Routes of Regional Significance.

Discretionary projects within the ULL that impact Routes of Regional Significance shall comply with the requirements of the adopted Action Plans. The improvements proposed for each of these routes are described in the Circulation Element.

8. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.4.4, entitled "Transportation Facilities Policies." That subsection is amended as follows:

#### 3.4.4 Transportation Facilities Policies

- a. Place ultimate responsibility for mitigating the impacts of future growth and development within the ULL, including construction of new and widened roadways with individual development projects. The City's Capital Improvements Program will be used primarily to address the impacts of existing development, and to facilitate adopted economic development programs.
- b. Continue to develop and implement action plans for routes of regional significance (see Circulation Element requirements).
- c. Ensure that development projects within the ULL pay applicable regional traffic mitigation fees and provide appropriate participation in relation to improvements for routes of regional significance (see also Circulation Element Policy 5.3.1f).



- d. Consider level of service standards along basic routes to be met if 20-year projections based on the City's accepted traffic model indicate that conditions at the intersections that will be impacted by the project will be equivalent to or better than those specified in the standard, or that the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard.
  - e. The policy set forth in Paragraph d, above, is based on projected, with project traffic conditions and is a more stringent standard than that required by Measure J, which does not require jurisdictions to adopt local LOS standards. In cases where the standard set forth in paragraph d, above, is not met in the no project condition (i.e., projected traffic will not meet the applicable standard, even if the proposed project is not built), General Plan traffic standards for Basic Routes will be considered to be met if (1) the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard and actual physical improvements will be provided by the project so as to not result in a further degradation of projected level of service at affected Intersections.
9. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.5, entitled "Service Standards for Other Community Services." That section is amended as follows:

### 3.5 Service Standards for Other Community Services

This section of the Growth Management Element sets forth performance standards for public services and facilities within the ULL other than the transportation network. Consistent with the purposes of the ULL, the City will not extend and will not support the extension of the urban facilities described in this section beyond the ULL as established by the City's voters in Measure K in 2005 and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative in 2018.

Descriptions of current facilities serving Antioch and its Planning Area, as well as plans and programs for expansion of facilities maintained by the City and the special districts serving the City are described in the Public Services and Facilities Element.

Standards are presented for services and facilities provided by the City of Antioch, as well as those provided by Special Districts other than the City, including fire protection services provided by the Contra Costa County Fire Protection District, school facilities provided by the Antioch Unified School District<sup>1</sup>, and sewage treatment facilities provided by the Delta Diablo Sanitation District. In addition to the fire, police, water, sanitary sewer, flood control, and park performance standards that are set forth in the Growth Management Element, standards are also provided for community centers, schools, and general public services and facilities. The inclusion of these additional standards recognizes the crucial role that community centers, schools and other governmental facilities will play in ensuring a high quality of life for Antioch residents.

Policies and programs to define the responsibilities of new development projects within the ULL for the provision of expanded public services and facilities needed to meet the performance objectives and stated that follow are provided in the Public Services and Facilities Element of the General Plan. Policy direction addressing the manner in which expansion of roadways and other public services and facilities within the ULL will be financed is provided in Section 8.13 (Public Services and Facilities Element).

<sup>1</sup> A small portion of the Antioch Planning Area is located within the boundaries of the Brentwood School District and the Liberty Union High School District. Standards and policies for schools will apply to each school district serving the Planning Area.

#### 3.5.1 Community Centers<sup>1</sup>

**3.5.1.1 Performance Objective.** Ensure that community centers provide sufficient space to conduct civic meetings, recreational programs, and social activities to meet the needs of Antioch residents.

**3.5.1.2 Performance Standard.** Maintain a minimum of 750 square feet of community center space per 1,000 population.

<sup>1</sup> Community centers consist of buildings, other than City Hall, designed for community meetings, indoor recreational and instructional programs, and social activities. Included in the definition of community centers are such specialized facilities as senior centers, youth centers, and gymnasiums. Existing facilities include the Nick Rodriguez Community Center, Prewitt Family Park Center, and the Antioch Senior Center.

#### 3.5.2 Fire Protection Facilities

**3.5.2.1 Performance Objective.** Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property.

**3.5.2.2 Performance Standard.** Prior to approval of discretionary development projects within the ULL, require written verification from the Contra Costa County Fire Protection District that a five minute response time (including three minute running time) can be maintained for 80 percent of emergency fire, medical, and hazardous materials calls on a citywide response area basis.

#### 3.5.3 Police Service

**3.5.3.1 Performance Objective.** Maintain an active police force, while developing programs and police facilities that are designed to enhance public safety and protect the citizens of Antioch by providing an average response time to emergency calls of between seven and eight minutes from the time the call is received to the time an officer arrives.

**3.5.3.1 Performance Standard.** Maintain a force level within a range of 1.2 to 1.5 officers, including community service officers assigned to community policing and prisoner custody details, per 1,000 population. The ratio of community service officers assigned to community policing and prisoner custody details to sworn officers shall not exceed 20 percent of the total number of sworn officers.

#### **3.5.4 Water Storage and Distribution<sup>2</sup>**

**3.5.4.1 Performance Objective.** Maintain a water system that is capable of meeting the daily and peak demands of Antioch residents and businesses, including the provision of adequate fire flows and storage for drought and emergency conditions.

**3.5.4.2 Performance Standard.** Adequate fire flow as established by the Contra Costa County Fire Protection District, along with sufficient storage for emergency and drought situations and to maintain adequate service pressures.

<sup>2</sup> The performance objectives and standards for water storage and distribution relate to the provision of capital facilities within the ULL. Policies related to water conservation and the use of reclaimed wastewater are contained in the Open Space/ Conservation Element.

#### **3.5.5 Sanitary Sewer Collection and Treatment Facilities**

**3.5.5.1 Performance Objective.** A wastewater collection, treatment, and disposal system that is capable of meeting the daily and peak demands of Antioch residents and businesses.

##### **3.5.5.2 Performance Standards.**

- a. Sanitary sewers (except for force mains) will exhibit unrestricted flow in normal and peak flows.
- b. Prior to approval of discretionary development projects within the ULL, require written verification from the Delta Diablo Sanitation District that the proposed project will not cause the rated capacity of treatment facilities to be exceeded during normal or peak flows.

#### **3.5.6 Flood Control**

**3.5.6.1 Performance Objective.** Ensure adequate facilities to protect Antioch residents and businesses from damaging flood conditions.

**3.5.6.2 Performance Standard.** Provide sufficient facilities development to protect structures for human occupancy and roadways identified as evacuation routes from inundation during the 100-year flood event.

#### **3.5.7 Parks and Recreational Facilities**

**3.5.7.1 Performance Objective.** A system of park, recreational, and open space lands of sufficient size and in the appropriate locations, including provision of a range of recreational facilities, to serve the needs of Antioch residents of all ages.

**3.5.7.2 Performance Standard.** Provide five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 population, including appropriate recreational facilities.

#### **3.5.8 Schools**

Recognizing that provision of school facilities is the responsibility of the school district, as set forth in State law (SB50). The intent of the General Plan in setting forth objectives and a performance standard for school facilities to require the maximum mitigation allowable by law.

**3.5.8.1 Performance Objective.** Provision of schools in locations within the ULL that are readily accessible to student populations, along with sufficient facilities to provide educational services without overcrowding.

**3.5.8.2 Performance Standard.** Require new development within the ULL to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities, as determined by the responsible school district.

#### **3.5.9 Entitlement Process and Capital Improvements Program**

**3.5.9.1 Entitlement Process and Capital Improvements Program Objective.** To ensure the attainment of public services and facilities standards through the City's development review process, Capital Improvements Program, and a variety of funding mechanisms.

##### **3.5.9.2 Entitlement Process and Capital Improvements Program Policies**

- a. Ensure that discretionary development projects within the ULL comply with the City's performance standards, by approving such projects only after making one or more of the following findings.
  - The City's adopted performance standards will be maintained following project occupancy; or
  - Project-specific mitigation measures or conditions of approval have been incorporated into the project.



- b. Require new development within the ULL, to fund public facilities and infrastructure, either directly or through participation in a land-based financing district, as necessary to mitigate the impacts of new development on public services and facilities.
  - c. Levy mitigation requirements in proportion to each development's anticipated impacts. Where infrastructure is required to be installed in excess of a development's proportional mitigation requirement, utilize benefit districts over the area to be benefited by the infrastructure or provide reimbursement to the development for excess cost.
  - d. Maintain a Five-Year Capital Improvement Program, designed, in part, to ensure that traffic and other public service performance standards are met and/or maintained, and to address the needs of existing development. Update capital improvement plans as part of the annual budget process.
10. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.6.1, entitled "Rate of Growth Objectives." That subsection is amended as follows:
- 3.6.1 Rate of Growth Objectives**
- a. Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities within the ULL for all economic segments of the community as required by State Housing Element law, and that facilitates the ability of public services and facilities provided by the City and outside agencies to expand within the ULL at a commensurate rate.
  - b. Manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage, and other such services.
  - c. If land is developed within the ULL west of Deer Valley Road, a substantial portion of this land shall be retained for open space, parks, and recreational uses.
  - d. Encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older residential neighborhoods, and revitalize the Rivertown area.
11. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.6.2, entitled "Rate of Growth Policies." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:
- 3.6.2 Rate of Growth Policies**
- a. Prohibit the granting of new residential development allocations for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, limit the issuance of development allocations to a maximum annual average of 600, recognizing that the actual rate of growth will vary from year to year. Thus, unused development allocations issued after December 31, 2010 may be reallocated in subsequent years, and development allocations may be moved forward from future years, provided that the annual average of 600 development allocations may not be exceeded during any given five-year period (i.e., no more than 3,000 development allocations may be issued for any given five-year period).
  - b. To move development allocations forward from future years, the following finding must be made:
 

The constraints posed by needed infrastructure phasing or capital facilities financing require that development allocations be moved forward from future years to avoid jeopardizing the feasibility of existing infrastructure financing mechanisms or the financing of infrastructure for the development allocations that would otherwise be granted during the calendar year.
  - c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple-family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single-family dwelling and an allocation for age restricted housing and multiple-family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.
  - d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be granted to age-restricted senior housing, single family detached housing, and multifamily housing.
  - e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.
  - f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.
    - (1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with "density bonus" dwelling units

approved pursuant to the provisions of the Housing Element and the City's Density Bonus ordinance.

- (2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to meet the Housing Element's quantified objectives for housing of special needs groups.
- (3) Dwelling units within development projects having vested rights through a valid (unexpired<sup>1</sup>) development agreement or vesting map.
- (4) Construction of a single dwelling unit by or for the owner of the lot of record on which the dwelling unit is to be constructed.
- (5) Construction of a second dwelling unit on a lot of record.
- (6) Development of a project of four or fewer dwelling units.
- (7) Development projects within the Rivertown Focused Planning Area and Sand Creek Focus Area.
- (8) Smart growth, transit-oriented development projects.
- (9) Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.

<sup>1</sup> The majority of existing development agreements expired on December 31, 2002.

12. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.7, entitled "Regional Cooperation." That section is amended as follows:

### **3.7 REGIONAL COOPERATION**

#### **3.7.1 Regional Cooperation Objectives**

- a. Resolution of regional and multi jurisdictional transportation issues for the maintenance of regional mobility as required by Measure J Growth Management Program and the Contra Costa Congestion Management Program.
- b. A regional approach to regional issues that recognizes and respects Antioch's local interests.
- c. Establishment of a system of development review within Antioch and surrounding communities based on the principle that the impacts of new development must be mitigated or offset by project-related benefits within each of the jurisdictions in which the impacts will be experienced.

#### **3.7.2 Regional Cooperation Policies**

- a. Continue participation in regional transportation planning efforts, including the Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority (Tri-Delta Transit), and TRANSPAN.
- b. As part of the evaluation of individual development projects within the ULL, address and provide appropriate mitigation for impacts on regional and local transportation facilities.
- c. Maintain ongoing communications with agencies whose activities affect and are affected by the activities of the City of Antioch (e.g., cities of Brentwood, Oakley and Pittsburg; Contra Costa County; Antioch Unified School District; Contra Costa County Fire Protection District; Delta Diablo Sanitation District). The primary objective of this communication will be to:
  - (1) Identify opportunities for joint programs to further common interests in a cost efficient manner;
  - (2) Assist outside agencies and the City of Antioch to understand each other's interests, needs, and concerns; and
  - (3) Resolve differences in these interests, needs, and concerns between Antioch and other agencies in a mutually beneficial manner.
- d. Support and promote inter-jurisdictional programs to integrate and coordinate the land use and circulation plans of area municipalities and the County, and to establish an ongoing inter-jurisdictional process for reviewing development proposals and mitigating their inter jurisdictional impacts based on the principle that it is not appropriate for a jurisdiction, in approving a development project within the ULL to *internalize* its benefits and *externalize* its impacts.
- e. Continue to refer major planning and land use proposals for new development within the ULL to all affected jurisdictions for review, comment, and recommendation.

13. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.8, entitled "Balancing Employment and Housing Opportunities." That section is amended as follows:

### 3.8 BALANCING EMPLOYMENT AND HOUSING OPPORTUNITIES

#### 3.8.1 Employment and Housing Balance Objective

Achievement of a balance between housing and employment opportunities within Antioch's ULL, providing the opportunity for households of all income levels to both live and work in Antioch.

#### 3.8.2 Employment and Housing Balance Policies

- a. Maintain an inventory of employment generating lands within the ULL, providing for a variety of office-based, industrial, and commercial (retail and service) employment opportunities.<sup>1</sup>
- b. Maintain an inventory of residential lands within the ULL that provides for a broad range of housing types including executive housing in both urban and rural settings, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, and age-restricted housing for seniors.<sup>2</sup>
  - (1) Provide a balance between the types and extent of employment-generating lands planned within the City of Antioch ULL with the types and intensity of lands planned for residential development.
  - (2) Encourage businesses to locate and expand within Antioch through an aggressive economic development program that provides essential information to prospective developers and businesses, along with tangible incentive programs for new and expanding businesses.

<sup>1</sup> This inventory, including identification of locations for employment-generating uses within the ULL and the types and intensity of development appropriate for each location, is provided in the Land Use Element.

<sup>2</sup> The Land Use Element delineates the inventory of residential lands within the ULL, and defines appropriate housing types and development intensities. One of the primary objectives of the Land Use Element is to increase opportunities for local employment for existing and future residents. Specific plans and programs to accomplish this objective are set forth in that Element. The primary objective of the Housing Element is to provide housing opportunities at all income levels.

#### D. LAND USE ELEMENT AMENDMENTS.

1. The "General Plan Land Use Map," included in the Land Use Element as Figure 4.1, is hereby amended as shown on attached Exhibit L in order to establish the land use overlay designations for the Initiative Area. For reference purposes, the existing General Plan Land Use Map is attached to this Initiative as Exhibit M.
2. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.1, entitled "Introduction and Purpose." That section is amended as follows:

#### 4.1 INTRODUCTION AND PURPOSE

The Land Use Element is the cornerstone of the General Plan, setting forth Antioch's fundamental land use philosophy and directing development to the most suitable locations, particularly within certain areas such as the Sand Creek Focus Area east of Deer Valley Road, and in the Limited Development Area west of Deer Valley Road on flatter land appropriate for future development within the existing limits of the voter-approved Urban Limit Line (ULL), which has long been planned to accommodate anticipated future City growth, while maintaining the economic, social, physical, environmental health and vitality of the community. The Land Use Element, required by law since 1955, has the broadest scope of the seven mandatory General Plan elements, synthesizing all General Plan land use issues.

This Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values, to achieve Antioch's vision for its future. Of primary concern are the type, intensity, location, and character of land uses that will be permitted in the future. It is the purpose of this General Plan Element to provide appropriate land within the ULL for each of the variety of activities associated with successful urban areas, and to guide the manner in which this land is developed and used. In so doing, the Land Use Element intends to create and regulate compatible and functional interrelationships between the various land uses in the City. Thus, the Land Use Element establishes City policy as to the appropriate use and development intensity for each parcel of land within the City City's ULL, including the City's view of appropriate land uses and development intensity for lands outside of the City City's ULL, but within the General Plan study area.

A key consideration in defining the type, intensity, location, and mix of future land uses within the ULL is achieving a balance between local employment and housing. The Antioch General Plan seeks to achieve such a balance as a means of addressing issues of traffic congestion, air quality, and energy conservation. This balance, along with providing adequate land area within the ULL for the commercial uses needed by local residents and businesses, will help achieve sufficient municipal income to pay for the services and facilities discussed in the Growth Management and Public Services and Facilities elements. The ability to commute only a few short miles to and from work on roadways that resemble the open road more than they do parking lots is an important component of the quality of life Antioch seeks for its residents. As more residents throughout the Bay Area are able to live and work in the same or nearby communities and within the ULL, congestion can be eased, travel speeds increased, substantial amounts of fuel conserved, regional air quality improved. The Land Use Element also seeks to ease congestion and improve regional air quality by providing patterns of land use within the ULL that support the use of transit. Such "transit-oriented" development consists of high density, mixed use development

adjacent to transit nodes. Such transit nodes are proposed within Rivertown (adjacent to the Amtrak platform), at Hillcrest Avenue (surrounding the BART station), and east of the SR-4 Bypass, south of the Laurel Avenue interchange (surrounding the BART station)<sup>1</sup>.

<sup>1</sup> This transit oriented development node is one of three "test sites" for smart growth sponsored by ABAG. It is part of the countywide "Shaping our Future" program.

3. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.1.1, entitled "Existing Land Use." That subsection is amended as follows:

#### 4.1.1 Existing Land Use

Despite substantial development in the past, Antioch has a great deal of land within the ULL available for future development. Much of the land within the City and within the unincorporated portion of the General Plan study area (22,391 acres) is vacant. Additional land is in agricultural use, and, may be available for future development, depending upon its land use designation and so long as such land is appropriate for development and it is within and not outside the ULL. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

Within the developed portion of the City, single-family residential uses cover the largest area (4,963 acres, 26.5%). Industrial uses account for 1,373 acres (7.3% of the land within the study area). Currently, industrial uses are concentrated in the northern portion of the Study Area to the west and east of Rivertown. Existing commercial uses are limited in extent, encompassing 456 acres (2.7% of the land within the Study Area. Commercial use is concentrated within Rivertown, and along major roadway corridors, such as Somersville Road/Auto Center Drive, Hillcrest Avenue, and "A" Street/Lone Tree Avenue.

4. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.1.2, entitled "Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

#### 4.1.2 Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)

In 1990, the voters of Contra Costa County approved Measure C-1990. This Measure states that urban development within the County is to be limited to no more than 35 percent of the land within Contra Costa County. At least 65 percent of all land in the County is to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. To ensure the enforcement of the "65/35" standard, the County has established an Urban Limit Line (ULL), which is incorporated into the County's General Plan Open Space and Conservation Element and is intended to ensure that new urban development shall occur only on land appropriate for development within the ULL and may not occur outside the ULL. Hence, there shall be a clear distinction between non-urban and urban use areas. The criteria set by the County for determining lands that should be located outside the ULL includes:

- Prime agricultural lands (U.S. Soil Conservation Service Class I and Class II)
- Open space, parks and other recreation areas
- Lands with slopes in excess of 25 percent
- Wetland areas
- Other areas not appropriate for urban growth because of physical unsuitability for development

Measure C-1990 requires that there be no changes made to the ULL that would violate the 65/35 standard. The ULL can be changed by a 4/5 vote of the Board of Supervisors after holding a public hearing and making one or more of the following findings based on substantial evidence in the record:

- A natural or man-made disaster or public emergency has occurred that warrants the provision of housing and/or other community needs within land located outside the ULL.
- An objective study has determined that the ULL is preventing the County from providing its fair share of affordable or regional housing, as required by state law. The Board of Supervisors must find that a change to the ULL is necessary and the only feasible means to enable the County to meet these requirements.
- A majority of the cities are party to a preservation agreement, and the County has approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement.
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries.
- A five-year periodic review of the ULL has determined that, based on the criteria for establishing the ULL, new information is available or circumstances have occurred, warranting a change to the ULL.
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation related environmental or community impacts, or (ii) further the County's aviation related needs.
- A change is required to conform to applicable California or Federal law.

Although the direct land use effects of the Urban Limit Line are limited to unincorporated areas of the County, the Contra Costa Local Agency Formation Commission (LAFCO) has consented to support the County's 65/35 Preservation Standard, Urban Limit Line, and Growth Management Standards in the review of proposed city spheres of influence and annexations. Thus, LAFCO has stated that it would not approve annexation of lands outside of the ULL to a city. Measure 1990-C states that the County is to review the location of the ULL every five years. The County voters approved Measure L in 2006, extending the provisions of Measure C-1990 will remain in effect the ULL until December 31, 2040 2026.

In 2000, the County moved its Urban Limit Line in the East County area Antioch over the objections of the City Council. Within the Antioch area, the Urban Limit Line was moved to coincide with the southern boundary of the City, placing lands in the unincorporated area outside the ULL. This move shifted approximately 1,922 acres out of the ULL within the Antioch area.

In 2005, Antioch voters approved Measure K to create the City's own ULL and to include Roddy Ranch and a portion of the Ginocchio Property within the City ULL and the city City limits. The ULL is intended to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated. As approved by Antioch voters, the entirety of the Sand Creek Focus Area is within the City ULL and the City limits and certain portions of the Sand Creek Focus Area are thus an appropriate location for future urban development.

In 2017, the County conducted its 5-year review of the ULL. According to the County's review, Antioch is anticipated to need approximately more than 4,000 new residential housing units between the years 2015 and 2040. Antioch's ability to meet this anticipated future residential growth will depend on long-planned development in appropriate locations within the existing boundaries of the City's ULL.

In 2018, Antioch voters adopted the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative to reaffirm and strengthen the ULL and to ensure that future urban development in Antioch occurs only in appropriate locations within the ULL. The Initiative also ensured that City's ULL cannot be changed, except by a vote of the people of Antioch.

5. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.2, entitled "Goals of the Land Use Element." That section is amended as follows:

#### 4.2 GOALS OF THE LAND USE ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs within the ULL in a logical, orderly, and efficient manner, it is the goal of the Land Use Element to accomplish the following:

- *Maintain a pattern of land uses that minimizes conflicts between various land uses, and promotes rational utilization of presently undeveloped and underdeveloped land within the ULL, and supports the achievement of Antioch's vision for its future.*

Defining the appropriate uses of land within the General Plan study area in a manner supportive of achieving the vision Antioch has established for its future is at the crux of the Land Use Element. The Land Use Element is responsive to the City's vision because it:

- Promotes expansion of the local employment base and achievement of a balance between local employment and housing. The Land Use Element provides for a wide variety of office-based and industrial employment, including heavier industrial uses along the San Joaquin River, rail-served industries, light industrial uses, commercial services, and retail businesses, and mixed use business and office parks.
- Opens up additional choices of living environment for families. The Land Use Element provides for executive housing in planned community settings, traditional single-family subdivisions, amenity-rich middle to upper end attached housing and age-restricted housing for seniors, high-density housing in transit-oriented, downtown, and mixed-use settings.
- Provides for the revitalization of the Downtown area and waterfront, integrating General Plan policies with revitalization planning efforts undertaken by the City.
- Provides opportunities for achieving quality design and avoiding the relentless sameness present in many suburban communities.
- Aids in stimulating economic revitalization in areas that are having difficulty competing with larger and more diversified development sites in Antioch and other communities.
- Stimulates new options for development at key entry points into the community.

In defining appropriate uses within the ULL, the Land Use Element addresses the future uses of lands that are currently undeveloped, and also sets forth desired changes in existing land uses and development intensities. In most cases, the Land Use Element recognizes existing land uses and development densities, and may recommend urban design improvements. In some cases, such as along the "A" Street corridor north of the SR4 freeway, the Land Use Element proposes changes in basic land use types. In other cases, such as existing residential areas within Downtown, the Land Use Element recommends increases in the overall development intensity of existing land uses. Each of the recommendations contained in the Land Use Element are intended to result in a harmonious pattern of land uses directed toward meeting community objectives and needs.

- Establish a land use mix which serves to develop Antioch into a balance community in which people can live, work, shop, and have recreation without needing to leave the City.

The Land Use Element designates lands within the ULL for a broad range of residential, commercial, employment-generating, public/institutional, and open space and recreational lands. Residential and employment-generating land use designations are intended to include lands providing housing and employment opportunities for executives, managers, and professionals; highly skilled, semi-skilled, and unskilled workers; and retail and service workers. Residential land use designations are intended to provide housing opportunities for all economic segments of the community, including seniors, as well as for the special needs groups identified in the Housing Element. The Land Use Element seeks an array of shopping and commercial service opportunities to meet the needs of Antioch residents and businesses, including daily convenience shopping along with large-scale commercial centers for community and regional markets. The Land Use Element aims to provide a sufficient inventory of lands within the ULL for public, institutional, and recreation uses, and seeks to preserve needed open space areas.

- Establish an overall design statement for the City of Antioch.

As important as is defining the pattern of future land uses within the ULL is maintaining and enhancing Antioch's character and providing a pleasing visual experience to residents and visitors. Thus, Antioch's Land Use Element incorporates "urban design" concepts aimed at ensuring that the built environment is a physical expression of desired community character.

6. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.3, entitled "Community Structure." That section is amended as follows:

#### 4.3 COMMUNITY STRUCTURE

Throughout much of the General Plan study area, Antioch's land use pattern is well established, and is not intended to change over time. Future growth in the central and northern portions of the City will primarily consist of infill development, existing approved but undeveloped projects, and the expansion of existing uses. As long-planned development in appropriate locations within the ULL expands into the southern portion of the City and its General Plan study area, Antioch will face significant challenges and be presented with significant opportunities.

7. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.3.1, entitled "Community Structure Objective." That subsection is amended as follows:

##### 4.3.1 Community Structure Objective

Provide adequate land within the ULL for present and future urban and economic development needs, while retaining a compact, rather than a scattered, development pattern.

8. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.3.2, entitled "Community Structure Policies." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

##### 4.3.2 Community Structure Policies

- a. As part of General Plan implementation – including development review, capital improvement planning, and preparation of Specific Plans – foster close land use/transportation relationships to promote use of alternative transportation system modes and minimize travel by single occupant automobiles.
- b. Give priority to new development within the ULL, utilizing existing and financially committed infrastructure systems over development needing financing and construction of new infrastructure systems.
- c. Encourage high-density residential development (both freestanding and in mixed use projects) within one-quarter mile of existing and planned heavy and/or light rail transit stops as illustrated in the Circulation Element.
- d. Concentrate large-scale industrial uses along the waterfront east of Rodgers Point and within areas designated for industrial use along existing rail lines. Limit employment-generating uses adjacent to residential areas and within mixed-use planned communities to business parks and office uses.
- e. Concentrate future regional commercial uses along Lone Tree Way, SR4 and SR160 and along the SR-4 bypass.
- f. Recognize the Voter-Approved Urban Limit Line (Figure 4.12) that encompasses up to 1,050 acres of land within the Roddy Ranch and Ginochio Property Focus Areas that were included in within the Urban Limit Line as it was twice adopted by the voters, first in 1990, and again in the Voter-Approved Urban Limit Line 2005 as a means of phasing urban and suburban development, preserving open space and maintaining a compact urban form. The ULL was then reaffirmed and strengthened by the voters, in 2018, in the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.
  - i. Maintain rural land uses (residential densities less than one dwelling unit per five acres (0.2 du/ac) and compatible open space/recreational uses which do not require urban levels of public services and facilities through 2020 in areas outside the existing boundaries of the Voter-Approved Urban Limit Line.
  - i. Limit future urban development within Roddy Ranch and the Ginochio Property through 2020 to a total of approximately 1,050 acres (approximately 850 acres within Roddy Ranch and 200 acres

within the Ginocchio Property) that were within the City urban limit line as it was first adopted by the voters in 1990 and that are also within the Voter-Approved Urban Limit Line City voters approved again in 2005 and reaffirmed and strengthened in 2018.

9. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.A, entitled "Appropriate Land Use Types." That table is amended as shown on attached Exhibit N.
10. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.B, entitled "Anticipated Maximum General Plan Build Out in the City of Antioch." That table is restated, reaffirmed, readopted, and amended as shown on attached Exhibit O.
11. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.D, entitled "Anticipated Maximum General Plan Build Out in the General Plan Study Area." That table is restated, reaffirmed, readopted, and amended as shown on attached Exhibit P.
12. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.1, entitled "Land Use Designations." That subsection is amended as follows:

#### 4.4.1.1 Residential Land Use Designations.

~~Six~~ Seven residential land use designations are set forth to provide for development of a full range of housing types, in conjunction with residential development within General Plan Focus Areas within the ULL. Permitted maximum land use and anticipated population densities are described for each designation. Densities are stated as the maximum permissible number of dwelling units per net acre that exists within the project site prior to any new dedication requirements. Density is assumed to accrue only to lands that are "developable." Developable acres are those lands within the boundaries of the ULL that are not encumbered by prior dedications of easements or rights-of-way, and are not so steep (generally over 25%), unstable, floodprone or subject to other hazards as to be unable to support new development. Achievement of the maximum allowable density is neither guaranteed nor implied by the General Plan. The final density of any particular residential development type is dependent upon development design; any physical, geological, or environmental constraints that might be present within the site; available infrastructure and services; and other factors. The development standards that are established in the Antioch zoning ordinance might also limit attainment of maximum allowable densities.

Second units on a residential lot and home occupations are permitted by local regulation. Provision of density bonuses as allowed by State law and City ordinance may result in development densities in excess of the nominal maximum density for any land use designation.

**Estate Residential.** Estate Residential land uses are planned as a transition between urban and rural areas, and for areas that are not suited for a more intensive form of development because of topography, geologic conditions, or urban service limitations. Estate Residential areas will also serve to provide "executive" housing on large lots, thereby expanding the community's range of housing types.

On designated lands where topography is not limiting, the representative form of development would be single-family homes on lots that average one acre in size. For properties so designated that are situated in steeper hillside settings, clustering of units and utilization of other hillside development techniques are anticipated and encouraged. The final approved and built density on lands in the Estate Residential land use designation should reflect the location of these lands as low-density residential transition areas between the urbanized Antioch and the undeveloped Mount Diablo Range of hills.

Since this designation is planned at the urban/non-urban interface, the type and level of development may require different construction standards, such as narrower street widths with parking along only one side of the street or no on-street parking, greater setbacks, limited sidewalk areas, etc. Development may require a different level of services than that required for strictly urban land uses. Projects that minimize the demand for urban services and provide major funding for construction of needed service facilities would be appropriate.

Environmental constraints such as steep slopes, riparian habitats, unstable soil conditions, sensitive flora and fauna, and visual prominence are often found on lands with the Estate Residential designation. These constraints may make development of these areas extremely sensitive, and could require creative and imaginative site planning in all projects. The steepness of the slopes and the visual prominence of these areas make many of these resources important public amenities to be preserved for all of the citizens of Antioch. Finally, as these areas will serve as a buffer between the urbanized City of Antioch and the undeveloped open space to the southwest, development must be at a level, which serves as an appropriate transition between urban and non-urban environments.

Development in this category is generally limited to a maximum of one (1) unit per gross developable acre, unless a density of two (2) units per developable acre is specified on the General Plan land use map or in Focus Area policies. Overall, residential developments within the Estate Residential land use category should provide large lots, and project a semi-rural character.

Neighborhood entry signage is encouraged to create a sense of community, and define Estate Residential neighborhoods as special places. Within hillside areas, dwelling units should be clustered on land that is relatively flat, and no development should occur on slopes exceeding 20 percent. Due to the unique nature of these areas, a clustering of units may be needed to accommodate the unit yield and still maintain the topographic uniqueness of the area. Developments in these areas should be oriented around a major amenity that increases public exposure to the more hilly terrain. Examples of such amenities include golf courses and equestrian centers.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: One dwelling unit per developable acre (1 du/ac) or two dwelling units per developable acre (2 du/ac)



- Anticipated Population per Acre: Four (4) to eight (8) persons per acre

Rural Residential, Agriculture, Open Space. This designation allows single-family rural residential development in the Restricted Development Area as provided by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative. This designation, typically involving large parcels, protects agriculture, grasslands, and open space, as well as permitting housing in rural areas. The maximum house size with accessory buildings is 6,000 square feet. The minimum legal parcel size shall be 80 acres

The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Restricted Development Area, provided however that all use and development must comply with the provisions of the General Plan and with other City plans and ordinances:

- (a) One single family dwelling unit on a parcel, secondary dwelling units required by state law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;
- (b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;
- (c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;
- (d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Restricted Development Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;
- (e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Restricted Development Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;
- (f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d), provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;
- (g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses, firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural environment and not contribute significantly to pollution, noise, or other environmental harm;
- (h) Institutional and other non-profit uses that predominantly serve permitted uses in the Restricted Development Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;
- (i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Restricted Development Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside the Restricted Development Area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if similar private uses and development would be allowed;
- (j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.

<sup>1</sup> Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.



Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space

- (a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands" are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by federal or state law.
- (b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.
- (c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch (Marsh Creek) State Park.
- (d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.
- (e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

Development Envelopes on Lands Designated Rural Residential, Agriculture, Open Space

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage, or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals under Section 10(f), outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

Maximum Floor Areas on Lands Designated Rural Residential, Agriculture, Open Space

- (a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.
- (b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses, government or public utility use, or short-term events.

Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space

- (a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date this Ordinance became effective. To the extent practicable, consistent with other provisions of the General Plan, structures shall be located, including by setbacks from parcel boundaries, on the part of a parcel that minimizes visibility from roads, trails, and other public places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.
- (b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of

development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.

- (c) Visibility of development from roads, parks, and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this Rural Residential, Agriculture, Open Space land use designation.

**Covenants on Lands Designated Rural Residential, Agriculture, Open Space**

Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development, or use on the parcel that would not be permitted under this Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the Contra Costa County Clerk Recorder's Office.

- **Appropriate Land Use Types:** See Table 4.A
- **Maximum Allowable Density:** Typically less than one single-family dwelling unit per 80 acres (<1 du/ac)
- **Anticipated Population per Acre:** Typically less than one (1) person per acre

**Low Density Residential.** These areas are generally characterized by single-family homes in traditional subdivisions. Areas designated Low Density Residential are typically located on gently rolling terrain with no or few geological or environmental constraints. The residential neighborhoods of southeast Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Four dwelling units per gross developable acre (4 du/ac)
- Anticipated Population per Acre: Twelve (12) to Fourteen (14) persons per acre

**Medium Low Density.** These areas are generally characterized by single-family homes in typical subdivision development, as well as other detached housing such as zero lot line units and patio homes. Duplex development would generally fall into this development density. Areas designated Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. Older subdivisions within the northern portion of Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Six dwelling units per gross developable acre (6 du/ac)
- Anticipated Population per Acre: Fourteen (14) to Eighteen (18) persons per acre

**Medium Density Residential.** A wide range of living accommodations, including conventional single-family dwellings, small lot single-family detached dwellings, mobile homes, townhouses, and garden apartments, characterizes the Medium Density land use designation. Development in these areas can be expected to be a maximum of two (2) stories, and include generous amounts of public or open space for active and passive recreational uses. Lands adjacent to parks, commercial uses, transit routes and rail stations, and arterial roadways would be appropriate for the upper end of the allowable development intensity for this category. Other lands would serve as a buffer or transition between lower density residential areas and higher density residential and commercial areas, as well as areas exhibiting greater traffic and noise levels. At the higher end of the density range for this category, multi-family townhouse and apartment development is expected to be predominant. Where the Medium Density land use designation serves as a transition or buffer, lower density townhouse and small lot, single-family development would be the predominant uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Ten dwelling units per gross developable acre (10 du/ac)
- Anticipated Population per Acre: Twenty (20) to Twenty-five (25) persons per acre

**High Density Residential.** High Density Residential densities may range up to twenty (20) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space would be possible. This designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to

shopping districts and public parks. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Twenty dwelling units per gross developable acre (20 du/ac) and up to a Floor Area Ratio<sup>1</sup> of 1.25 within areas designed for mixed use or transit-oriented development.
- Anticipated Population per Acre: Forty (40) persons per acre. Within transit-oriented development, up to forty-five to sixty (45- 60) persons per acre

<sup>1</sup> Floor Area Ratio (FAR) represents the ratio between allowable floor area on a site and the size of the site. For example, an FAR of 1.0 permits one square foot of building floor area (excluding garages and parking) for each square foot of land within the development site, while an FAR of 0.5 permits ½ square foot of building area for each square foot of land within the development site.

**Residential TOD.** This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the BART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet of commercial space such as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and offices are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Free parking in surface parking lots is not permitted as a primary use.

- Minimum housing density: 20 units per gross acre
- Maximum housing density: 40 units per gross acre

The provisions of subsection 4.4.1 may be amended by the City Council without a public vote under the following circumstances:

- The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowners' property;
- The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element; or
- Upon application by a landowner or representative of a landowner authorized to apply for such amendment, if the City Council makes a finding, supported by substantial evidence, that such amendment would promote the health, safety, and welfare of the City.

13. The "Sand Creek Focus Area Map," included in the Land Use Element as Figure 4.8, is hereby amended as shown on attached Exhibit Q to establish the base land use designations for the Sand Creek Focus Area west of Deer Valley Road. For reference purposes, the existing Sand Creek Focus Area Map is attached to this Initiative as Exhibit R.

14. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.6.7, entitled "Sand Creek." That subsection is amended as follows:

**4.4.6.7 Sand Creek.** The Sand Creek Focus Area encompasses approximately 2,712 acres in the southern portion of the City of Antioch (Figure 4.8).

This Focus Area is within the boundaries of the voter-approved ULL and bounded by existing residential neighborhoods to the north, Black Diamond Mines Regional Preserve to the west, the City limits and ULL to the south, and the City of Brentwood to the east. Empire Mine Road and Deer Valley Road run in a general north-south direction through the Focus Area, dividing it roughly into thirds.

According to Contra Costa County's 2017 review of the ULL, Antioch is expected to grow within the boundaries of the ULL by more than 4,000 housing units between 2015 and 2040. Long-planned residential development in the Sand Creek Focus Area, within the ULL, will be essential for the City to provide adequate new housing to satisfy anticipated future demand.

**a. Purpose and Primary Issues.** The Sand Creek Focus Area combines two existing policy and planning areas within the ULL identified in the previous General Plan: the southern portion of "Focused Policy Area 18" and the entirety of Future Urban Area 1." Previous General Plan policy tied the timing of development within this Focus Area to progressive build out of the land immediately to the north (the area generally known as Southeast Antioch), and to agreement on an alignment for the SR-4 bypass.

Through the 1990s, build out of Southeast Antioch was largely completed, an alignment for the SR-4 bypass was selected, and financing for construction of the bypass was developed. As a result, the City stepped up its planning efforts for the Sand Creek Focus Area with area landowners. Because of the multiple ownerships within the Sand Creek Focus Area, detailed coordination of access and infrastructure, along with the establishment of workable financing mechanisms was necessary in addition to land use planning.

**Portions of Sand Creek, as well as such as natural hillsides and canyons within the Sand Creek Focus Area, contain habitats for sensitive plant and animal species, as well as habitat linkages and movement corridors. Overall, the westernmost portion of the Focus Area is more environmentally sensitive than the eastern portion in terms of steep topography, biological habitats and linkages, the existence of abandoned coal mines, and proximity to public open space at Black Diamond Mines Regional Preserve. The west end of the Sand Creek Focus Area serves as a linkage between two regionally significant blocks of grassland. Decades of urban and agricultural use have greatly reduced the width of this linkage, substantially increasing the ecological importance of the remaining linkage within the Sand Creek Focus Area. Land has been preserved in regional parks and permanent open space, primarily in extensive grassland to the immediate west and northwest, as well as south of the Sand Creek Focus Area. These preserves represent a significant investment of public resources, and are a valued public asset.**

Stream and riparian communities occupy a small portion of the Focus Area, but are widely distributed. Because of their high biotic value, stream and riparian communities within the Focus Area are considered to be a sensitive resource. The Focus Area also includes an oak woodland and savanna community, which, because of its high wildlife value, is considered to be a sensitive resource.

b. Policy Direction. The environmental sensitivity of portions of the Sand Creek Focus Area was recognized in the City's previous General Plan; however, policy direction was very general. As an example, the previous General Plan did not provide any indication of the maximum allowable development intensity for Future Urban Area 1. The previous General Plan also stated that while the area between Contra Loma Boulevard and Empire Mine Road was designated Estate Residential, "the actual density should be based on a development plan that ensures that the special characteristics of the area, including steep slopes, riparian habitat, and other environmental constraints, are accommodated."

**As described in more detail below, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative provided more precise direction regarding approximately 1,852 acres of land west of Deer Valley Road by preserving nearly 1,250 acres of environmentally-sensitive land, consisting of more than 65% of West Sand Creek, for open space, hillside preservation, low-density rural residential, and other similar uses.**

The following policy discussion and policies for the Sand Creek Focus Area are intended to provide clear direction for the future development and environmental management of the area.

The Sand Creek Focus Area is generally intended to function as a large-scale planned community, providing needed housing and employment opportunities. This Focus Area is also in particular, the land east of Deer Valley Road is intended to provide housing and substantial employment opportunities. Up to approximately 280 acres are to may be devoted to retail and employment-generating uses, which will result in the creation of up to 6,500 jobs at build out.

**In recognition of the importance of environmentally-sensitive lands in large parts of West Sand Creek, the Initiative designated hillier and more environmentally-sensitive lands west of Deer Valley Road as a Restricted Development Area and flatter and less environmentally-sensitive lands west of Deer Valley Road as a Limited Development Area. These areas shall constitute, and function as, overlay land use designations applicable to West Sand Creek.**

**Land in the Restricted Development Area provides opportunities for low-density rural residential housing and preserves agriculture, grasslands, and open space. The "Rural Residential, Agriculture, Open Space" base land use designation applies to the Restricted Development Area.**

Residential development within the Sand Creek Focus Limited Development Area<sup>1</sup> will provide for a range of single-family housing types, including upper-income executive estate housing, golf-course-oriented, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, and multifamily development as well as commercial uses, public and quasi-public uses, and substantial open space. Subject to the anticipated maximum General Plan build out in Antioch, as set forth in Table 4.B, the following base land use designations shall apply to the Limited Development Area: "Estate Residential;" "Low Density Residential;" "Medium Low Density Residential;" "Medium Density Residential;" "Convenience Commercial;" "Mixed Use;" "Public/Quasi Public;" and "Open Space."

**1 Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.**

The following policies apply to development within the Sand Creek Focus Area.

a. Prior to or concurrent with approvals of any development applications other than major employment-generating uses (including, but not limited to a medical facility on the Kaiser property), a specific plan or alternative planning process as determined by the City Council, shall be prepared and approved for the Sand Creek Focus Area. Such specific plan or alternative planning process shall identify and provide for project-related land uses, financing of required public services and facilities, open space preservation, community design, recreational amenities, and community improvements within the area proposed for development.

ba. Sand Creek Focus Area development shall can make a substantial commitment to employment-generating uses. Up to 280 480 acres are to may be devoted to employment-generating uses within the areas shown for Business Park and Commercial/Open Space, in addition to the area shown as Mixed Use Medical Facility. Appropriate primary land uses within employment-generating areas include:

- Administrative and Professional Offices
- Research and Development

- Light Manufacturing and Assembly
- Hospital and related medical uses

**eb.** Secondary, support and ancillary uses within employment-generating areas include:

- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Health Clubs and Spas
- Lodging and Visitor Services
- Storage and Distribution – Light
- Civic Administration
- Cultural Facilities
- Day Care Centers

**ec.** The maximum development intensity for employment-generating lands shall be an overall FAR of 0.5.

**ed.** A maximum of 95 acres of retail commercial uses designed to service the local community may be developed within the areas shown for Commercial/Open Space, with a maximum overall development intensity of a 0.3 FAR.

**ef.** Up to 1.24 million square feet of retail commercial uses may be constructed. Within areas designated for retail use (areas shown for Commercial/Open Space), office development may be developed at a maximum FAR of 0.5.

**eg.** Appropriate uses within the retail portions of this Focus Area include:

- Administrative and Professional Offices
- Automotive Uses
- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Food and Beverage Sales
- General Merchandise
- Health Clubs and Spas
- Personal Services
- Personal Instruction
- Theaters
- Civic Administration
- Cultural Facilities
- Day Care Centers
- Residential development as part of a mixed-use medical facility development

**eh.** Commercial areas shall be designed as cohesive centers, and not in narrow corridors or commercial strips.

**ei.** Each commercial center shall establish an identifiable architectural theme, including buildings, signage and landscaping.

**ej.** Commercial and employment-generating developments shall be designed to accommodate public transit and non-motorized forms of transportation.

**ek.** A maximum of 4,000 dwelling units may be constructed within the Sand Creek Focus Area. Appropriate density bonuses may be granted for development of age-restricted housing for seniors; however, such density bonuses may not exceed the total maximum of 4,000 dwelling units for the

Sand Creek Focus Area, subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

- ik. It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 dwelling unit maximum, subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, the actual development yield is not guaranteed by the General Plan, and could be substantially lower. The actual residential development yield of the Sand Creek Focus Area will depend on the nature and severity of biological, geologic, and other environmental constraints present within the Focus Area, including, but not limited to constraints posed by slopes and abandoned mines present within portions of the Focus Area; on appropriate design responses to such constraints, and on General Plan policies. Such policies include, and but are not limited to, identification of appropriate residential development types, public services and facilities performance standards, environmental policies aimed at protection of natural topography, substantial open space and environmental resources, policies intended to protect public health and safety, and implementation of the Resource Management Plan called for in Policy "u," below.
- ml. As a means of expanding the range of housing choices available within Antioch, three two types of "upscale" housing are to may be provided, including Hillside Estate Housing; east of Deer Valley Road and Executive Estate Housing east of Deer Valley Road and in the Limited Development Area west of Deer Valley Road; and Golf Course Oriented Housing.

Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area east of Deer Valley Road that are designated for residential development. Appropriate land use types include Large Lot Residential. Within these areas, typical flat land roadway standards may be modified (e.g., narrower street sections, slower design speeds) to minimize required grading. Mass grading would not be permitted within this residential type. Rough grading would be limited to streets and building pad areas. Residential densities within Hillside Estate Areas are to be limited to one dwelling unit per gross developable acre (1 du/ac), with typical lot sizes ranging upward from 20,000 square feet. The anticipated population density for this land use type is up to four persons per developed acre. Included in this category is custom home development, wherein semi-improved lots are sold to individuals for construction of custom homes. Approximately 20 percent of Hillside Estate Housing ~~should~~ could be devoted to custom home sites.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area. Appropriate land use types include Large Lot Residential. Densities of Executive Housing areas would typically be 2 du/ac, with lot sizes ranging upward from 12,000 square feet. The anticipated population density for this land use type is up to eight persons per developed acre.

~~Golf Course Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family Detached for lots fronting on the golf course. Maximum densities for golf course-oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000 square feet for lots actually fronting on the golf course. Given the significant environmental/topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight to twelve persons per acre developed with residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

- mm. Single-Family Detached housing within suburban-style subdivisions with lot sizes ranging from 7,000 square feet to 10,000 square feet may also be developed within the Sand Creek Focus Area east of Deer Valley Road within areas shown as Residential and Low Density Residential in Figure 4.8. Single-Family Detached housing within suburban-style subdivisions with minimum lot sizes ranging from approximately 5,000 square feet to 10,000 square feet may be developed within the Limited Development Area. The anticipated population density for this land use type is up to eight to twelve eighteen persons per acre developed with residential uses.
- nn. Small Lot Single Family Detached housing at the Aviano planned development and at the Vineyards at Sand Creek planned development with lots smaller than 7,000 square feet may be developed in the Sand Creek Focus Area east of Deer Valley Road within areas shown as Medium Low Density Residential and Low Density Residential in Figure 4.8. Small Lot Single Family Detached housing on the land known as The Ranch with minimum lot sizes from approximately 4,000 square feet may be developed within the Limited Development Area. The anticipated population density for this land use type is fourteen to eighteen persons per acre developed with residential uses.
- oo. A total of 25 to 35 acres is to be reserved for multi-family housing to a maximum density of 20 du/ac. Areas devoted to multi-family housing should be located adjacent to the main transportation routes within the Focus Area, and in close proximity to retail commercial areas. The anticipated population density for this land use type is up to forty persons per acre developed with residential uses.
- pp. Age-restricted senior housing should be developed within the Focus Area as a means of expanding the range of housing choice within Antioch, while reducing the Focus Area's overall traffic and school impacts. Such senior housing may consist of Single Family Detached, Small Lot Single Family Detached, of Multi-Family Attached Housing, and may be developed in any of the residential areas of the Sand Creek Focus Area, including the Limited Development Area. Within areas identified in Figure 4.8 specifically for senior housing, limited areas of non-senior housing may be permitted where environmental or topographic constraints would limit development densities to a range more compatible with estate housing than with senior housing.



- fg. Areas identified as Public/Quasi Public and School in Figure 4.8, and areas within the Limited Development Area, are intended to identify locations for new public and institutional uses to serve the future development of the Sand Creek Focus Area. Development within these areas is to be consistent with the provisions of the Public/Institutional land use category described in Section 4.4.1.4 of the Land Use Element.
- 5f. Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, a minimum of 25 percent of the Sand Creek Focus Area east of Deer Valley Road shall be preserved in open space, ~~exclusive of lands developed for golf course use~~. A minimum of 65 percent of the Sand Creek Focus Area west of Deer Valley Road shall be within the Restricted Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.
- tg. Adequate buffer areas adjacent to the top of banks along Sand Creek to protect sensitive plant and amphibian habitats and water quality shall be provided. Adequate buffer areas shall also be provided along the edge of existing areas of permanently preserved open space adjacent to the Sand Creek Focus Area, including but not limited to the Black Diamond Mines Regional Park. Buffers established adjacent to existing open space areas shall be of an adequate width to minimize light/glare, noise, fire safety, and public safety, habitat, and public access impacts within the existing open space areas, consistent with the provisions of Section 10.5, Open Space Transitions and Buffers Policies of the General Plan.
- 4t. Because of the sensitivity of the habitat areas within the Sand Creek Focus Area, and to provide for mitigation of biological resources impacts on lands in natural open space, as well as for the long-term management of natural open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to ~~development of~~ issuance of the first building permit for the Sand Creek Focus Area properties.
- vu. A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained in the Restricted Development Area using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge. The primary goal of preserving such a corridor is to allow for wildlife movement between Black Diamond Mines Regional Preserve and Cowell Ranch State Park. Completion of such a corridor is contingent upon the cooperation with the City of Brentwood and Contra Costa County, each of whom may have land use jurisdiction over portions of this corridor.
- ~~—To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project-level environmental review processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A; (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project-level development plan stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not cause the "Open Space" area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as "Hillside and Estate Residential" shall not count towards meeting this 65 percent minimum "Open Space" requirement.~~
- ~~—All areas designated as "Open Space" within the Focus Area may be utilized for mitigation for loss of grassland and other project-level impacts by projects within the Focus Area.~~
- ~~—Due to the varied and complex topography west of Empire Mine Road the exact boundary between the "Hillside Estate" residential area and "Estate" residential area shall be determined as part of the project-level entitlement process.~~
- ~~—It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.~~
- ~~—In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated "Hillside and Estate Residential" in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.~~
- wy. The construction of facilities necessary to ensure adequate public access across Sand Creek west of Empire Mine Road, including the bridging of Sand Creek, an appropriately sized parking lot and staging area, and any trails needed to ensure public access to Black Diamond Mines Regional Park shall be implemented as an infrastructure component of development in the Focus Area.
- xv. To mitigate the impacts of habitat that will be lost to future development within the Focus Area, an appropriate amount of habitat shall be preserved on- or off-site per the compensatory provisions of the Framework Resource Management Plan prepared for the Sand Creek Focus Area (attached as Appendix A of the General Plan) or other applicable Resource Management Plan.
- yx. Ponds, wetlands, and alkali grassland associated with upper Horse Creek shall be retained in natural open space, along with an appropriate buffer area to protect sensitive plant and amphibian habitats and water quality. If impacts on the Horse Creek stream and riparian downstream are unavoidable to accommodate infrastructure, appropriate compensatory mitigation shall be required off-site per the provisions of the Resource Management Plan attached as Appendix A to this General Plan or other applicable Resource Management Plan.

- ey. Chaparral, scrub, and rock outcrop community within the ~~western~~ westernmost portion of the Focus Area (west of Empire Mine Road), as well as adjacent grassland community that is suitable habitat for the Alameda whipsnake (*masticophis lateralis euryxanthus*) shall be retained in natural open space. Within other portions of the Focus Area, the chaparral, scrub, and rock outcrop shall be retained in natural open space contiguous to the required grassland linkage to function as a buffer and protect the grassland linkage south of the chaparral, scrub, and outcrop community.
- aez. Within the western westernmost portion of the Focus Area (west of Empire Mine Road), the oak woodland and savanna community shall be preserved in natural open space. Within other portions of the Focus Area, the oak woodland and savanna community shall be preserved in natural open space where it overlaps the rock outcrop community.
- bbaa. As appropriate and necessary to protect public health and safety, abandoned mines shall be included within required natural open space areas, along with appropriate buffer areas and measures to prevent unauthorized entry.
- eebb. Mass grading within the steeper portions of the Focus Area (generally exceeding 25 percent slopes) is ~~to be avoided~~ prohibited.
- decc. Impacts of residential development on the Antioch Unified School District and Brentwood school districts will be mitigated, which may include ~~pursuant to a developer agreement with the District~~ or other acceptable means of mitigation.
- eedd. Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of the Sand Creek Focus Area as an identifiable "community" distinct from Southeast Antioch.
- ffee. The Sand Creek Focus Area is intended to be "transit-friendly," including appropriate provisions for public transit and non-motorized forms of transportation.
- ~~ggg. subject to its financial feasibility (see Policy "m"), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.~~
- ~~The golf course shall be designed to retain the existing trail within Sand Creek.~~
- ~~The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).~~
- ~~As part of the golf course clubhouse, banquet and conference facilities shall be provided.~~
- hhff. A park program, providing active and passive recreational opportunities is to be provided. In addition to a ~~golf course~~ and preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City's established park standards. A sports complex is to may be developed.
- ~~A sports complex is to be developed. The sports complex is intended to would be located within the Flood Control District's detention basin.~~
- ~~Neighborhood park facilities for the exclusive use of project residents may will be privately maintained for the exclusive use of project residents. Public parks for the use of the general public will be publicly maintained. The sports complex within the Sand Creek Detention Basin will is anticipated to be maintained by the City.~~
- ii. Development of an appropriate level of pedestrian and bicycle circulation throughout the community is to will be provided, including pathways connecting the residential neighborhoods, as well as non-residential and recreational components of the community. Sand Creek Focus Area development ~~should~~ will also provide recreational trail systems for jogging and bicycling, including areas for hiking and mountain biking. Trails along Sand Creek and Horse Valley Creek shall be designed so as to avoid impacting sensitive plant and amphibian habitats, as well as water quality.
- hh. Transferable development credits of residential land use densities are hereby allocated to the property owners of record of land designated Limited Residential Development by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.
- Transferable residential development credits shall run with the land.
- Upon the application of an owner of record of land or his or her authorized representative, residential land use densities may be transferred with other residentially-designated land in the Limited Development Area, with the approval of the Director of the Community Development Department or his or her designee, if such transfer (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove a density transfer unless it makes written findings, based on a preponderance of evidence in the record, that the proposed transfer would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without disapproving the proposed transfer.
- ii. Proponents of new residential development within the Limited Development Area are strongly encouraged to provide extraordinary public benefits to the community, including



financial contributions to the Antioch Unified School District for local high school sports facilities and performing arts facilities.

15. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.7, entitled "Voter-Approved Urban Limit Line." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

Pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative (Measure K), the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginochio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. The ULL thus preserves and protects agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated. Until December 31, 2020, Pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, the location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City. The City shall oppose any annexation to the City of any land outside of the Voter-Approved Urban Limit Line.

E. COMMUNITY IMAGE AND DESIGN ELEMENT AMENDMENTS.

1. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.1, entitled "Function and Purpose." That section is amended as follows:

5.1 FUNCTION AND PURPOSE

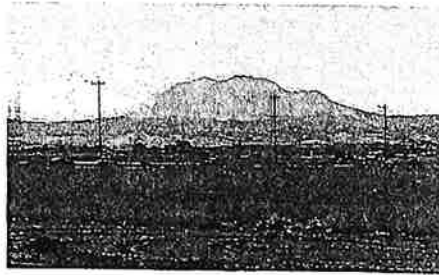
Underlying the livability and economic vitality of a community is its perceived image. Community design quality is not just an aesthetic matter, but has distinct functional dimensions. Persistent attention to the details in the design of the built environment is an investment in the quality of the community. It pays dividends in residents' perception of their quality of life and the perceptions that prospective employers and retailers will have regarding the desirability of Antioch as a location for their businesses.

With rapid growth, the City's appearance has become an increasingly important issue for Antioch's residents. The Community Image and Design Element addresses the visual quality and character of Antioch's built environment, and a continuing process to shape the community's physical form and create a more efficient, attractive, and, at times, dramatic urban environment. As Antioch continues to grow within the existing boundaries of the voter-approved Urban Limit Line (ULL), this Element, along with the Land Use Element, will provide guidance for more detailed design guidelines and standards contained in specific plans and planned community documents, design guideline handouts provided by the City, provisions of the sign ordinance, and other provisions of the zoning ordinance.

2. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.2, entitled "Existing Community Design." That section is amended as follows:

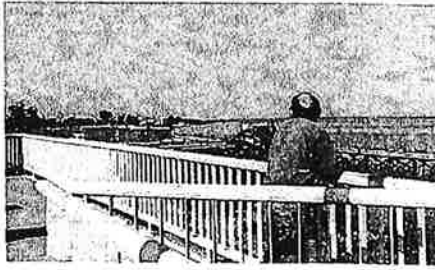
5.2 EXISTING COMMUNITY DESIGN

Antioch extends in a roughly square pattern from Pittsburg on the west to the Antioch Bridge on the east, and from the foothills of Mt. Diablo on the south to the San Joaquin River on the north. The City is bisected by State Route 4 (SR 4), an east-west-oriented four-lane freeway. The Southern Pacific Railroad line runs east-west just north of SR 4; the Burlington Northern Santa Fe Railroad line runs east-west along the San Joaquin River waterfront. The Contra Costa Canal is located south of SR 4, and traverses the Planning Area in an east-west direction.



On the north side of SR 4, older residential areas and the historic Downtown area are organized in a traditional grid street pattern. Small lots of vacant, undeveloped land are situated between homes, such as the lots at the intersection of J and Third Streets. There are few large undeveloped parcels, such as the Hickmott site and the land adjacent to Beede Lumber on 2nd Street. Many of these vacant parcels are small or irregular in shape.

South of SR 4, the suburban street patterns of newer residential areas reflect their development as a series of separate subdivisions. Some vacant or underutilized parcels exist within the subdivisions. The hill and valley areas south of the Contra Costa Canal have grown most recently. In general, growth over the past 30 years has solidified the City's current role as a bedroom community for the San Francisco Bay Area.



South of SR 4, minor ridgelines occur northeast of the Contra Loma Boulevard/James Donlon Boulevard intersection, east and west of Hillcrest Avenue; and in the area separating Lone Tree Way from Lone Tree Valley. Major ridgelines associated with the foothills of Mt. Diablo occur along the entire southwest boundary of the Planning Area within the ULL, from Somersville Road to the City's southeastern boundary adjacent to the City of Brentwood. Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately owned ranch land that is planned for development within the ULL.

North of SR 4, the majority of the San Joaquin River shoreline is in park or open space uses. North of Downtown, the Antioch Riverfront Promenade, a 1/3-mile urban walkway and linear park, runs adjacent to the River, connecting the Marina and the Barbara Price Marina Park to G Street. To the west of Downtown and bordering Pittsburg, the Dow Wetland Preserve forms part of the City's shoreline. To the east of Downtown, the Antioch Dunes National Wildlife Refuge and other open areas occupy the City's shoreline. The Contra Costa County Fairgrounds and Lake Alhambra are upland open areas among higher-density residential uses north of SR 4.

The City also maintains 31 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. The Delta De Anza Regional Trail, operated by the EBRPD, is a linear open space element that begins at the City of Antioch Community Park, and travels east along the Contra Costa Canal.



3. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.2.1.2, entitled "Residential Districts South of the Route 4 Freeway." That subsection is amended as follows:

#### 5.2.1.2 Residential Districts South of the Route 4 Freeway



**Residential Existing residential** districts south of SR 4 were built mainly from the 1950s to the present. These newer residential areas tend to be defined by subdivision, each with common architecture and landscaping themes. Single-family housing is the most common type, with a density of approximately five housing units per net acre, which is a typical suburban housing density. Some condominium developments and apartments (such as Flores Apartments, Hudson Townhouse Manor, and Delta View) are located south of SR 4.

4. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.3, entitled "Existing Community Design." That section is amended as follows:

#### 5.3 GOALS OF THE COMMUNITY DESIGN ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs in a logical and orderly manner, it is the goal of the Community Image and Design Element to accomplish the following.

- **Create a community design theme and a visual identity for Antioch, recognizing its local as "Gateway to the Delta."**

The design quality of a community and its design expectations reflect a critical philosophy regarding community development, whether the community is committed not only to defining the right mix and location of land uses, but to their exceptional quality as well. Community design must reflect Antioch's commitment to the concept that new development within the ULL needs to make a positive contribution to the community. Thus, the Community Image and Design Element aims to:

- Sustain Antioch's identity as "Gateway to the Delta" and provide the visual character of a unique, desirable living environment;
- Contribute to the City's economic development objectives and assist in achieving a local balance between jobs and housing by appealing to investors who value municipal commitments to quality development that will protect private sector investments in their projects;
- Offer incentives for new residential, commercial, office, business park, and industrial developments within the ULL to achieve excellence and make a positive contribution to the community because the quality of the project will be matched or exceeded by subsequent projects within the ULL;
- Stimulate development of pedestrian friendly, appealing enclaves, and provide accessibility for bicyclists;
- Provide a vehicle for reinforcing Antioch's heritage through compatible design and preservation/reuse of historic resources;
- Enhance the quality of existing developed areas as they mature over time, eliminating perceived differences in the quality of newer and older portions of the community;
- Stimulate ongoing pride in Antioch by its citizens and those who work in the community; and
- Help to communicate to others what kind of community Antioch believes itself to be.

5. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.2, entitled "General Design Policies." That subsection is amended as follows:

#### 5.4.2 General Design Policies

- a. Base the City's review of public and private projects within the ULL on the following general design principles.
- Innovative design, regardless of its style, is more important to the achievement of "quality" than the use of predetermined themes.
  - "High quality" comes from the explicit consideration of all aspects of development design. It is in design details that "quality" is ultimately manifested.
  - Designers need to respect community goals and needs, as well as address their client's economic objectives.
  - Individual buildings and developments within the ULL are not isolated entities, but are part of a larger district and community into which they must fit. While innovation and individual expression are sought, compatibility of design elements is also important.
  - Standardized design solutions, "corporate architecture," and "off the shelf models" cannot always be depended upon. What worked before or was accepted elsewhere may not work or be acceptable in the proposed application in Antioch.
  - Architectural styles, landscaping, and project amenities should complement surrounding development, and convey a sense of purpose, not expediency.
  - All building elevations visible to the public should be given equal attention and detail.
  - The same design solution, no matter how well done, when repeated too often or over too large an area, can become boring, lose its effectiveness, and no longer communicate "quality."
- b. Incorporate Antioch's "Gateway to the Delta" theme and reminders of its community heritage into the design of new residential, commercial, employment generating, and recreational development within the ULL, as well as into public facilities.
- Incorporate nautical/waterway, gateway/entry, industrial or ranching themes into the design details of new developments and community facilities, such as building architecture, signage, lighting standards, site paving and landscaping, street furniture (e.g., benches, trash enclosures and receptacles), fencing, and placement of murals and sculpture in public locations.
  - Maintain a consistent design theme throughout each development project. Each individual development project and area within the project should portray an identifiable design theme.

- Select tree species that are appropriate to their specific applications (e.g., providing shade, framing long-distance views of the San Joaquin River or Mt. Diablo, or framing short-distance views of new development.
- c. Maintain view corridors from public spaces to natural ridgelines and landmarks, such as Mount Diablo and distant hills, local ridgelines, the San Joaquin River, and other water bodies.
- Recognizing that new development within the ULL will inevitably result in some loss of existing views, as part of the City's review of development and commercial and industrial landscape plans, minimize the loss of views from public spaces.
  - Important view corridors to be protected include Somersville Road, Lone Tree Way, Hillcrest Avenue, SR 4, SR 160, James Donlon Boulevard, Deer Valley Road, and Empire Mine Road.
- d. Strengthen and emphasize community focal points, visual landmarks, and features contributing to Antioch's identity using design concepts and standards implemented through the zoning ordinance, design guidelines and design review process, and specific plan and planned community documents.
- e. Create a framework of public spaces at the neighborhood, community, and regional scale.
- Provide for new open space opportunities throughout the City, especially in neighborhoods having minimal access to open space. This includes exploring the potential for creek corridors, bicycle and pedestrian paths, and new small open space and conservation areas.
  - Provide an open space network within the ULL linked by pedestrian and bicycle paths, which preserves and enhances Antioch's significant visual and natural resources.
  - Provide sitting areas within parks and along pedestrian and bicycle paths within the ULL.
  - Restore the San Joaquin Riverfront as a linear park and multi-use trail from the westerly City limits to Rodger's Point/Fulton Shipyard.
  - Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths.
  - Views along utility corridors should be retained and enhanced through the use of planting materials to frame and focus views and to provide a sense of orientation.
- f. Provide for consistent use of street trees to identify City streets, residential neighborhoods, commercial and employment districts, and entry points to the City.
- Select species that enhance the pedestrian character of, and convey a distinctive and high quality visual image for the City's streets; are drought-tolerant, fire- and pest resistant; and complement existing street trees.
  - Use changes in tree species, scale, color and spacing to differentiate the roadway types identified in the Circulation Element.
  - Use a consistent palette of street trees to distinguish Antioch from other communities, and to distinguish individual areas within the community (e.g., Rivertown, East Lone Tree, "A" Street Corridor) from each other.
  - Street trees should relate to the scale, function, and visual importance of the area in which they are located, establishing a hierarchy of street trees for entry locations, intersections, and activity centers.
  - Major accent trees are to be located at City and community entry locations, key intersections, and major activity centers (e.g., County East Mall, Prewett Family Park).
  - Street Trees should be selected as a common tree for street frontages. A single species may be selected for all residential neighborhoods or different species to distinguish different neighborhoods from each other. Within residential neighborhoods, street trees should be full, providing shade and color. In commercial districts, the trees should provide shade but be more transparent at the motorist and pedestrian levels to promote views of store fronts and visual interaction of pedestrians. Within employment districts street trees should provide shade and screening, and be used to frame views of buildings and building entries.
- g. Maintain common community design elements throughout the City.
- Provide a system of well-designed directional signage, facilitating way finding to community features such as shopping areas, marinas, parks, and civic buildings.
  - Incorporate common design elements in community features such as roadway landscaping, streetlights, street signs, traffic lights, and community directional signage.
  - Use design variations in landscaping, street light standards, and street signs as a means of defining special design districts (e.g., Rivertown, Somersville Road and "A" Street corridors).
- h. Wherever feasible, existing above-ground utility lines should be placed underground.
- i. Preserve and strengthen Rivertown as a vital and attractive place.

- Promote activity along Rivertown streets through attractive building designs with street level activity and facade windows, public art, and other landscaping elements that are pedestrian-friendly.
  - Maintain views of the San Joaquin River from buildings within Rivertown, where they are available, by placing windows rather than solid walls along the river side of buildings.
  - Avoid blank parking garage building frontages.
  - Orient buildings along the first street inland from the San Joaquin River toward the river to enhance pedestrian and bicycle activity.
  - Utilize murals to enhance the design quality of existing large blank walls (e.g., Campanile Theater).
  - Seek opportunities for small public spaces throughout Rivertown to provide for the comfort of pedestrians and bicyclists, enhance street level activity, and provide sitting areas and protection from the sun and rain. Small left over spaces between buildings, at street corners, at the edges of parking lots, or along the edges of sidewalks can thus become attractive and lively additions to the street scene.
- j. Within multi-family, commercial, office and business parks, and industrial within the ULL, screen enclosures, loading areas, mechanical equipment, and outdoor storage areas from view from public streets, and, as appropriate, from other public views.
- Ground mounted equipment incidental to multi-family, commercial, office, and business park development within the ULL shall be appropriately screened with solid walls, trellises, and/or landscaping. Equipment location should be away from the front of the building, and screening must be similar to adjacent architecture and materials.
  - Refuse collection areas are to be large enough to accommodate storage of recyclable materials, and be screened with a solid perimeter wall using materials and colors compatible with those of the adjacent structures. Refuse collection areas should be located on an interior building side yard, and are to be roofed if the contents of the area are visible from a freeway.
  - Loading docks and areas, as well as trash enclosure areas shall be screened from public view areas. When there is adjacent residential development, loading and trash enclosure areas shall be physically separated and screened from adjacent residential structures.
  - Service areas, including storage, special equipment, outdoor work areas, and loading areas, should be screened from public view with landscaping and architectural elements.
  - Screen utility equipment and communication devices so that the project will appear free of all such devices.
- k. Prohibit roof-mounted equipment (with the exception of small satellite dishes and solar panels) for single-family residential development consistent with FCC regulations.
- New residential uses should be pre wired so as to allow for the placement of satellite dishes in a manner that is integrated with the building design, and avoids placement of dishes on chimneys or above the roof line.
  - Where required for commercial, office, and industrial development, screen roof mounted equipment and cellular antennas completely from public view on all sides. Particular attention shall be given to the sides visible from freeways, with the intent of minimizing the need for screening devices to the greatest extent possible.
- l. Screening of roof-mounted equipment and cellular antennas, where provided, should be an integral part of the building design and not appear as a tacked-on afterthought. Ground-mounted mechanical equipment (with appropriate wall or landscape screening) is encouraged as an alternative to roof mounting.
- m. All roof screens must be solid and continuous. Continuous grills or louvers must cover equipment. Roof screens will be sheathed in a matching or complementary material to the exterior building material.
- n. Utilize street lights in commercial, office, and business park areas that are pedestrian-oriented, attractively designed, compatible in design with other street furniture, and provide adequate visibility and security.
- o. Design onsite lighting to improve the visual identification of adjacent structures.
- Within commercial areas, lighting should also help create a festive atmosphere by encouraging evening use of areas by pedestrians.
  - Within commercial and industrial development within the ULL, provide design features such as screened walls, landscaping, setbacks, and lighting restrictions between the boundaries of adjacent residential land use designations to reduce the impacts of light and glare.
  - In all projects, lighting fixtures should be attractively designed and of a low profile to complement the overall design theme of the project within which they are located.

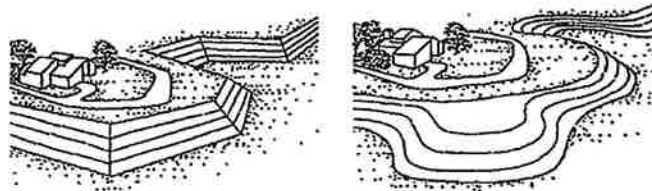
- On-site lighting shall create a safe environment adhering to established crime prevention standards, but shall not result in nuisance levels of light or glare on adjacent properties. Limit sources of lighting to the minimum required to ensure safe circulation and visibility.
  - p. Lighting should accommodate night use of streets and promote security while complying with the provision of a dark night sky. Streetscape areas that are used by pedestrians at night should be well lit. Within rural and open space areas, limit street lighting to intersections and other locations that are needed to maintain safe access (e.g., sharp curves).
  - q. The design of new developments within the ULL shall protect residents' privacy by avoiding placement of windows directly opposite each other and avoiding windows overlooking the yard areas of adjacent residences to the maximum feasible extent.
  - r. New multi-family, commercial, office, and business park developments within the ULL shall emphasize pedestrian level activities by utilizing the following techniques.
    - design projects so as to have a central plaza or main visual focus which is oriented toward pedestrians;
    - incorporate plaza areas which can be used as informal gathering places;
    - install "street furniture" (benches, bus shelters, planters, bike racks, trash receptacles, newspaper racks, water fountains, and bollards) to create and enhance small plazas and similar open spaces within urban areas; and
    - within commercial, office, business park, and industrial developments within the ULL, encourage architectural styles that provide covered verandas and other similar pedestrian-oriented shade features.
  - s. Where needed, undertake active programs to minimize or prohibit through traffic from using neighborhood collectors and local streets. Visual deterrents to through traffic will be emphasized, using physical deterrents only as a last resort.
6. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.12, entitled "Development Transitions and Buffering Policies." That subsection is amended as follows:
- 5.4.12 Development Transitions and Buffering Policies<sup>1</sup>**
- a. Minimize the number and extent of locations where non-residential land use designations abut residential land use designations. Where such land use relationships cannot be avoided, strive to use roadways to separate the residential and non-residential uses<sup>2</sup>.
- <sup>1</sup> These policies are focused on protecting existing and planned residential uses from the effects of adjacent land uses. Policies to provide similar buffers between existing and proposed developments within the ULL and existing open space and agricultural areas are set forth in Section 10.5 of the Resource Management Element.
- <sup>2</sup> It is recognized that residential and non residential properties will sometimes abut along a common property line (such as between neighborhood shopping centers and adjacent neighborhoods).
- b. Ensure that the design of new development proposed within the ULL along a boundary between residential and non-residential uses provides sufficient protection and buffering for the residential use, while maintaining the development feasibility of the non-residential use. The burden to provide buffers and transitions to achieve compatibility should generally be on the second use to be developed. Where there is bare ground to start from, both uses should participate in providing buffers along the boundary between them.
  - c. Provide appropriate buffering to separate residential and non-residential uses within the ULL, using one or more of the following techniques as appropriate.
    - Increase setbacks along roadways and common property lines between residential/non-residential uses.
    - Provide a heavily landscaped screen along the roadway or common property line separating residential and non-residential use.
    - Locate noise-generating activities such as parking areas; loading docks; and service, outdoor storage, and trash collection areas as far from residential uses as possible.
    - Where a multifamily residential use is located adjacent along a common property line with a non-residential use, locate the noise-generating activities of both uses (e.g., parking areas; loading docks; and service, outdoor storage, and trash collection areas) along the common property line.
    - Design the residential area with cul-de-sacs running perpendicular to and ending at the non-residential use, facilitating greater separation of residential and non-residential structures than would be possible if residential streets ran parallel to the boundary of the non-residential use.
  - d. Where a difference in residential density is indicated on the General Plan land use map, the size of parcels and character of development facing each other across a street or along a common property line should be similar, creating a transition between the densities in each area.

- e. Where multi-family development is located adjacent to a single-family neighborhood within the ULL, appropriate buffering is to shall be provided.
    - Increase setbacks for multi-family development along common property lines with single family development.
    - Provide a heavy landscaped screen along the property line of the multifamily use.
    - Locate noise-generating activities such as parking and trash collection areas as far from the single family neighborhood area as possible.
  - f. The transition from lower to higher residential density within the ULL should occur within the higher density area.
  - g. Uninterrupted fences and walls are to be avoided, unless they are needed for a specific screening, safety, or sound attenuation purpose.
  - h. Where they are needed, fences or walls should relate to both the site being developed and surrounding developments, open spaces, streets, and pedestrian ways.
  - i. Fencing and walls should respect existing view corridors to the greatest extent possible.
  - j. Fencing and walls should incorporate landscape elements or changes in materials, color, or texture in order to prevent graffiti, undue glare, heat, or reflecting, or aesthetic inconsistencies.
7. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.14, entitled "Hillside Design Policies." That subsection is amended as follows:

#### 5.4.14 Hillside Design Policies

- a. Design hillside development within the ULL to be sensitive to existing terrain, views, and significant natural landforms and features.
- b. Projects within hillside areas within the ULL shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines.
  - Slopes less than 25%:  
Redistribution of earth over large areas may be permitted.
  - Slopes between 25% and 35%:  
Some grading may occur, but landforms need to retain their natural character. Split-level designs and clustering are encouraged as a means of avoiding the need for large padded building areas.
  - Slopes between 35% and 50%:  
Development and limited grading within the ULL can occur only if it can be clearly demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Structures shall blend with the natural environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations. Encouraged is the use of larger lots, variable setbacks and variable building structural techniques such as stepped or post and beam foundations are required.
  - Slopes greater than 50%:  
Except in small, isolated locations, development in areas with slopes greater than 50% should be avoided.
- c. Manufactured slopes in excess of five vertical feet (5') shall be landform graded. "Landform grading" is a contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural terrain. Grading plans shall identify which slopes are to be landform graded and which are to be conventionally graded.
- d. The overall project design/layout of hillside development within the ULL shall adapt to the natural hillside topography and maximize view opportunities to, as well as from the development.
- e. Grading of ridgelines within the ULL is to be avoided wherever feasible, siting structures sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized through construction techniques and design, and landscaping shall be provided to soften the impact of the new structure.
- f. Hillside site design should maintain an informal character with the prime determinant being the natural terrain. This can be accomplished by:
  - utilizing variable setbacks and structure heights, innovative building techniques, and retaining walls to blend structures into the terrain, and

- allowing for different lot shapes and sizes.
- g. Buildings should be located to preserve existing views and to allow new dwellings access to views similar to those enjoyed from existing dwellings.
- h. Streets should follow the natural contours of the hillside to minimize cut and fill, permitting streets to be split into two one-way streets in steeper areas to minimize grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On-street parking and sidewalks may be eliminated, subject to City approval, to reduce required grading.
- i. Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, dwelling units are grouped in the more level portions of the site, while steeper areas are preserved in a natural state.
- j. Project design should maximize public access to canyons, overlooks, and open space areas by:
  - providing open space easements between lots or near the end of streets or cul-de-sacs; and
  - designating public pathways to scenic vistas.
- k. Permit the use of small retaining structures when such structures can reduce grading, provided that these structures are located and limited in height so as not to be a dominant visual feature of the parcel.
  - Where retaining walls face public streets, they should be faced with materials that help blend the wall into the natural character of the terrain.
  - Large retaining walls in a uniform plane should be avoided. Break retaining walls into elements and terraces, and use landscaping to screen them from view.



Unacceptable

Acceptable

- l. Lot lines shall be placed at the top of slopes to facilitate maintenance by the down slope owner, who has the greater "stake" in ensuring the continued integrity of the slope.
- m. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.
  - The overall height of a building is an important aspect of how well it fits into the existing character of the neighborhood and its hillside environment. Houses should not be excessively tall so as to dominate their surroundings or create a crowded appearance in areas of small lots. Structures should generally be stepped down hillsides and contained within a limited envelope parallel to the natural grade, rather than "hutting out" over natural slopes.
  - Building forms should be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.
  - Building facades should change plane or use overhands as a means to create changing shadow lines to further break up massive forms.
  - Wall surfaces facing towards viewshed areas should be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.
- n. Collective mass rooflines and elements should reflect the naturally occurring ridgeline silhouettes and topographical variation, or create an overall variety, that blends with the hillside.
- o. Based upon the graphic principle that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.
- p. Architectural style, including materials and colors, should be compatible with the natural setting. The use of colors, textures, materials and forms that will attract attention by contrasting or closing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
- q. The interface between development areas within the ULL and open space is critical and shall be given special attention. Slope plantings should create a gradual transition from developed slope areas into natural areas. By extending fingers of planting into existing and sculptured slopes, the new landscape should blend in with the natural vegetation.



- r. **Planting along the slope side of a development should be designed to allow controlled views out, yet partially screen and soften the architecture. In general, 50 percent screening with plan materials should be accomplished.**
  - **Trees should be arranged in informal masses and be placed selectively to reduce the scale of long, steep slopes.**
  - **Shrubs should be randomly spaced in masses.**
  - **Skyline planting should be used along recontoured secondary ridgelines to recreate the linear silhouette and to act as a backdrop for structures. Trees should be planted to create a continuous linear silhouette since gaps in the planting will not give the desired effect.**
  - **Trees that grow close to the height of structures should be planted between buildings to eliminate the open gap and blend the roof lines into one continuous silhouette.**
  - **For fire prevention purposes, a fuel modification zone shall be provided between natural open space and development.**
- s. **New development within hillside areas within the ULL shall be conditioned upon:**
  - **the preparation and recordation of a declaration of covenants, conditions and restrictions providing for the development and maintenance of manufactured slopes;**
  - **in the case of a parcel map or subdivision, the subdivider's supplying a program and/or staff for preventive maintenance of major manufactured slope areas. Such program must be approved prior to approval of a final map, and shall include homeowner slope maintenance requirements and guidelines to be incorporated into the declaration of covenants, conditions and restrictions.**

**F. ECONOMIC DEVELOPMENT ELEMENT AMENDMENTS.**

1. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a section 6.2, entitled "Goals and Strategies of the Economic Development Element." That section is amended as follows:

**6.2 GOALS AND STRATEGIES OF THE ECONOMIC DEVELOPMENT ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Economic Development Element to accomplish the following:

- ***Create a sound local economy that attracts investment, increases the local tax base, and generates sufficient public revenues to support desired municipal services and facilities.***

A strong economy not only provides local workers with adequate income to afford a high quality of life, but it also provides local government with sufficient public revenues to provide high levels of municipal services and facilities. To achieve such a local economy requires implementation of an economic development strategy, which includes:

- preparing specialized business marketing materials;
- utilizing appropriate distribution channels to reach the widest market;
- **targeting** key industries; maintaining a high web site with key economic and site availability information;
- **improving** relationships with existing local employers; maintaining a business friendly reputation;
- **providing** appropriate incentives to attract new businesses and facilitate expansion of existing businesses;
- maintaining partnerships with local and regional business organizations;
- expanding the local retail market to maintain a fiscally strong City;
- building adequate infrastructure to maintain an inventory of ready-to-build sites for new and expanding businesses; and
- **providing a mix of housing in a quality environment, including high-quality new housing on lands within the Urban Limit Line (ULL), to attract a strong labor force.**
- ***Promote a diverse range of jobs, businesses, and industries, providing high paying employment and entrepreneurial opportunities, balanced with and well-suited to Antioch's population.***

This goal reflects Antioch's commitment to increase the quality of life of its residents. Increasing the number and types of local employment opportunities in relation to the area's labor force is the first and most important step toward economic self reliance. Currently, East Contra Costa's low jobs/housing ratio and the small number of locally available professional positions make it necessary for 60 percent of the area's residents to commute long distances - often more than 100 miles round trip-to job centers in Pleasanton, San Ramon, Walnut Creek, Oakland, San Francisco, and the Silicon Valley. By increasing local employment opportunities and balance between the number and types of local jobs and residents in the labor force, Antioch residents will be better able to work

close to home, spending more time with their families, and in leisure pursuits, while helping to reduce the traffic congestion and air pollution inherent in those commutes.

- Maintain a balance of new development with revitalization of existing retail locations.

2. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a subsection 6.3.4, entitled "Commercial and Industrial Land Availability Objective." That subsection is amended as follows:

#### 6.3.4 Commercial, and Industrial, and Residential Land Availability Objective

Provide adequate land within the ULL to accommodate planned development, with office, business park, industrial, and commercial areas complementing high-quality new residential and public development in location, access, mix of uses, attractiveness, and design quality.

3. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a subsection 6.3.5, entitled "Commercial and Industrial Land Availability Policies." That subsection is amended as follows:

#### 6.3.5 Commercial, and Industrial, and Residential Land Availability Policies

- a. Maintain a mix of uses on the General Plan land use map (Figure 4.1) for land within the ULL, providing a balance of housing types, commercial development, and employment-generating uses.
- b. Work toward redevelopment of existing heavy industrial areas along Wilbur Road and Fourth Street to increase their overall employment density.
- c. Promote the establishment of workplace alternatives, including home occupations and telecommuting.
  - Continue to permit home occupations in all residential districts.
  - In defined residential mixed-use districts, expand the definition of home occupations, where appropriate, to permit hiring of workers who are not residents of the household.
  - Promote the provision of high-speed telecommunications cabling in new residential development within the ULL.
  - Encourage businesses to provide part-time as well as full-time opportunities to accommodate families looking for second income opportunities.
- d. Maintain an inventory of turnkey sites within the ULL for commercial and employment-generating development, complete with appropriate zoning, in-place infrastructure, and environmental clearances.
  - Promote the preparation of Specific Plans with associated environmental documentation to facilitate the development of specific local areas within the ULL, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plant
    - Chevron property (along with annexation of the site)
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
    - Hillcrest Station Area Focus Area
    - "A" Street Interchange Focus Area
  - Implement assessment districts or other financing mechanisms to facilitate the development of infrastructure for specific local areas within the ULL, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plan
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
    - Hillcrest Station Area Focus Area
- e. Require the provision of fiber optic networks and other advanced telecommunications in new employment-generating developments within the ULL.
- f. Maintain space in business parks for distribution and research uses. Attract a wide range of industries, which serve local and regional needs and contribute to the community's economic vitality, and at the same time protect the local environment and quality of life.

- g. Seek innovative ways to reduce the cost of infrastructure provision for employment-generating and commercial development (e.g., providing incentives for the provision of infrastructure serving employment-generating and commercial development areas within the ULL as part of the residential development allocation system).

G. CIRCULATION ELEMENT AMENDMENTS.

1. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.1.1, entitled "Existing Roadway Network." That subsection is amended as follows:

7.1.1 Existing Roadway Network

State Route (SR) 4 and SR 160 provide direct access to Antioch. SR 4 runs east-west connecting Antioch with Oakley, Brentwood, Pittsburg, 1-680, Martinez, Pinole, and 1-80. SR 4 is a divided freeway from 1-680 east through Concord, Pittsburg, and Antioch, and is currently a two-lane roadway through Oakley and Brentwood. SR 4 has been one of the more congested freeways in Contra Costa, in particular, the segments between Lone Tree Way and Railroad Avenue in the morning and Bailey Road to Lone Tree Way in the afternoon, and is in the process of being widened. On- and off-ramps between SR 4 and Antioch's local street network occur at East Eighteenth Street, Hillcrest Avenue A Street/Lone Tree Way, G Street, L Street/Contra Loma Boulevard and Somersville Road.

SR 160 begins at the East Eighteenth Street/SR 4 junction, and continues north over the San Joaquin River via the Antioch Bridge to Rio Vista and Sacramento. Access to and from SR 160 and Antioch's local street network occurs at Wilbur Avenue south of the Antioch Bridge.

Primary arterials provide access to Pittsburg to the west, Oakley and Brentwood to the east, and rural Contra Costa County to the south. The major thoroughfares in Antioch are identified in Table IV.D-1. Each major arterial is briefly described below.

*A Street/Lone Tree Way.* A Street runs between downtown Antioch and SR 4 providing direct access to the Rivertown District. South of SR 4, A Street becomes Lone Tree Way, and continues southeast into Brentwood.

*Deer Valley Road.* Deer Valley Road runs north-south beginning in the north at the Hillcrest Avenue/Davison Drive junction and ending in the south at Marsh Creek Road south of the City's boundary in Contra Costa County.

*Hillcrest Avenue.* Hillcrest Avenue is located in eastern Antioch on both sides of SR 4 linking the area north of East Eighteenth Street to Prewett Ranch Road.

*L Street/Contra Loma Boulevard.* L Street runs north-south in northern Antioch between SR 4 and West Tenth Street. Contra Loma Boulevard runs north-south in southern Antioch between SR 4 and James Donlon Boulevard.

*Somersville Road.* Somersville Road runs north-south in western Antioch on both sides of SR 4 providing access to the Pittsburg-Antioch Highway and Buchanan Road.

*Eighteenth Street.* Eighteenth Street is located north of SR 4 and runs parallel to SR 4. Eighteenth Street acts as a major arterial between A Street and the SR 4/SR 160 junction.

*James Donlon Boulevard.* James Donlon Boulevard connects Lone Tree Way and Somersville Road, and provides east-west access through the southwest quadrant of Antioch.

*West Fourth Street/A Street Extension.* West Fourth Street and West Sixth Street and the A Street Extension provide east-west access in Downtown Antioch. West Fourth Street is the main arterial between Somersville Road and G Street. The A Street extension is the main connector between the eastern portion of the downtown area and the SR 4 freeway.

*West Tenth Street.* West Tenth Street provides east-west access in downtown Antioch between Somersville Road and A Street. West of Somersville Road, West Tenth Street becomes the Pittsburg/Antioch Highway, serving industrial uses and providing a regional roadway connection to the west of Antioch.

*Wilbur Avenue.* Wilbur Avenue provides east-west access in northeastern Antioch, and becomes a major arterial between A Street and SR 160.

*Dallas Ranch Road.* Dallas Ranch Road provides north-south access between Lone Tree Way and the Sand Creek Specific Plan Focus Area. Dallas Ranch Road will connect to the future extension of Sand Creek Road and serve as one of the primary routes into the Sand Creek Focus Area and to the Kaiser Permanente Antioch Medical Center.

*Buchanan Road.* Buchanan Road runs east-west between Contra Loma Boulevard and the westerly City limit. Buchanan Road serves as one of the primary routes to the west of Antioch.

*Davison Drive.* Davison Drive is located south of Hwy 4 and serves as an east-west connection between Lone Tree Way and Hillcrest Avenue.

Chapter 7.0 of the General Plan, entitled "Circulation," contains a Table 7.A, entitled "Primary Arterials in Antioch." That table is amended as follows:

**Table 7.A – Primary Arterials in Antioch**

Arterial	Activity Centers Served
<b>North/South Direction</b>	
A Street/Lone Tree Way	Antioch City Park, SR 4, Sutter Delta Medical Center, Prewett Park
Deer Valley Road	Prewett Park
Hillcrest Avenue	Hillcrest Park & Ride lot, SR4
L Street/Contra Loma Blvd.	Contra Costa County Fairgrounds
Somersville Road	County East Mall, Black Diamond Mines Regional Preserve
Dallas Ranch Road	<b>Sand Creek Specific Plan Focus Area, including proposed golf course residential and employment-generating areas, and Kaiser Permanente Antioch Medical Center</b>
<b>East/West Direction</b>	
Eighteenth Street	Employment Development Department, County Library, Oak View Memorial Park, SR 4
James Donion Blvd.	Antioch Community Park
West Fourth Street/A Street extension	Downtown
West Tenth Street	Downtown
Wilbur Avenue	SR 160
Davidson Drive	Commercial uses along Lone Tree Way and Hillcrest Avenue
Buchanan Road	Regional connection to the west of Antioch

2. Chapter 7.0 of the General Plan, entitled "Circulation," contains a section 7.2, entitled "Goals of the Circulation Element." That section is amended as follows:

**7.2 GOALS OF THE CIRCULATION ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Circulation Element to achieve and maintain a balanced, safe, problem-free transportation system that:

- *improves present traffic flows, and provides easy and convenient access to all areas of the community, and completes long-planned circulation improvements such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road;*
- *is safe for all modes of motorized and non-motorized transportation;*
- *reduces dependence on single occupant automobile travel by providing a high level of pedestrian, bicycle, and public transit travel opportunities; and*
- *preserves a sense of comfort and well-being throughout the community by reducing the intrusiveness of commercial, business park, and industrial traffic, rail traffic, and regional traffic on neighborhood streets and residents' quality of life.*

Antioch recognizes that even by constantly expanding the local roadway network and providing an ongoing sequence of programmed street improvements, problems of traffic congestion will continue. Providing a real solution to traffic congestion requires a balanced approach to future transportation improvements. An efficient transportation system needs to offer Antioch area residents not only efficient automobile traffic distribution, but also viable alternatives to automobile travel. The General Plan aims to increase the balance between various modes of transportation by increasing the desirability of transit, walking, and bicycling. The General Plan also coordinates land use, transportation, and air quality concepts and strategies. General Plan objectives are designed to improve traffic flow, local air quality, and energy conservation. To achieve this of balance, the City of Antioch will:

- provide for the efficient movement of vehicles by designing, constructing, and maintaining a roadway circulation network, which will function at an acceptable level of service (LOS), as set forth in the Growth Management Element.
- expand the existing roadway system where it is feasible to do so, **such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road**, increasing its carrying capacity and eliminating congestion;
- regulate the intensity of future development **within the ULL** in relation to the carrying capacity of Antioch roadways as part of ensuring that the performance standards of the Growth Management Element are met;

- provide a mix of land uses within the ULL that realistically balances growth in the local employment and housing, increasing local employment opportunities and reducing the need for long commutes to work;
- ensure that each new development within the ULL, that would cumulatively contribute to the need for improvements provides appropriate mitigation;
- provide a system of bicycle routes and pedestrian links such that pedestrian and bicycle travel become safer and more useful for everyday tasks such as travel to shopping, work, and recreational facilities;
- achieve and maintain an organization of land uses which integrates places of residence, retail commerce, daily service needs, work, education, and recreation, thereby reducing the number and length of vehicular trips;
- require site plans for individual development projects within the ULL to minimize or eliminate through traffic within residential neighborhoods;
- to the degree feasible, encourage mixed-use developments within the ULL to reduce vehicle trips;
- improve the relationship of roadways with land uses, including regulating driveway access and development intensity where needed;
- improve the carrying capacity of existing roadways through implementation of transportation systems management concepts;
- participate in developing regional circulation improvement measures in cooperation with surrounding cities and Contra Costa County. Such measures may include, but are not limited to, the development of reciprocal traffic improvement fee programs; and
- implement the provisions of the Contra Costa County Congestion Management Program by requiring development projects within the ULL to analyze and provide mitigation for traffic impacts on regional circulation facilities.

It is Antioch's intent to require new developments within the ULL to mitigate their traffic impacts, either through construction of new roadways or participation in land-based financing mechanisms.

3. Chapter 7.0 of the General Plan, entitled "Circulation," contains a Figure 7.1, entitled "Circulation." Figure 7.1 is hereby amended as shown on the attached Exhibit T. For reference purposes and context only the existing Figure 7.1 is attached to this Initiative as Exhibit U.

4. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.3.2, entitled "Vehicle Circulation Policies." That subsection is amended as follows:

#### 7.3.2 Vehicle Circulation Policies

a. Facilitate meeting the roadway performance standards set forth in the Growth Management Element and improving traffic flow on arterial roadways.

Work with the UP and BNSF railroads to construct grade separations along the tracks at Somersville Road, Hillcrest Avenue, "A" Street, the proposed Viera Road extension, and the proposed Phillips Lane extension.

- Promote the design of roadways to optimize safe traffic flow within established roadway configurations by minimizing driveways and intersections, uncontrolled access to adjacent parcels, on-street parking, and frequent stops to the extent consistent with the character of adjacent land uses.
- Provide adequate capacity at intersections to accommodate future traffic volumes by installing intersection traffic improvements and traffic control devices, as needed, as development occurs.
- Facilitate the synchronization of traffic signals.
- Where needed, provide acceleration and deceleration lanes for commercial access drives.
- Provide for reciprocal access and parking agreements between adjacent land uses, thereby facilitating off-street vehicular movement between adjacent commercial and other non-residential uses.
- Encourage regional goods movement to remain on area freeways and other appropriate routes.

b. Design and reconfigure collector and local roadways to improve circulation within and connections to residential and commercial areas.

- Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas.
- Implement roadway patterns that limit through traffic on local residential streets.

- c. Require the design of new developments within the ULL to focus through traffic onto arterial streets.
- d. Where feasible, design arterial roadways, including routes of regional significance, to provide better service than the minimum standards set forth in Measure C and the Growth Management Element. Thus, where feasible, the City will strive to maintain a "High D" level of service (v/c 0.85-0.89) within regional commercial areas and at intersections within 1,000 feet of a freeway interchange. The City will also strive where feasible to maintain Low-range "D" (v/c = 0.80-0.84) in all other areas of the City, including freeway interchanges.
- e. Establish Assessment Districts in areas that will require major roadway infrastructure improvements that will benefit only that area of the City, and thereby facilitate the up-front construction of needed roadways.
- f. Design street intersections to ensure the safe passage of through traffic and accommodate anticipated turning movements. Implement intersection improvements consistent with the following lane geometries, unless traffic analyses indicate the need for additional turn lanes.

Number of Through Lanes on Route	Intersection Turn Lanes	
	Left	Right
	Intersections with 4-Lane Arterials	
6 or 8	1	1
4	1	1
2 (Collector)	1	NA
2 (Local)	NA	NA
	Intersections with Collectors	
6 or 8	1	1
4	1	NA
2 (Collector)	1	NA
2 (Local)	NA	NA

- g. Where uses such as commercial centers that generate heavy traffic volumes are located along arterial roadways, provide acceleration and deceleration lanes as needed to maintain the carrying capacity of through traffic lanes.
- h. Require traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or more at any intersection of Circulation Element roadways. The purpose of these studies is to demonstrate that:
  - the existing roadway system, along with roads to be improved by the proposed project, can meet the performance standards set forth in Sections 3.4.1 and 3.4.2 of the Growth Management Element, and
  - required findings of consistency with the provisions of the Growth Management Element can be made.
- i. Require the preparation of a traffic management plan for special event uses to serve major events (e.g. fairs, festivals, sporting events), where traffic volumes that are generated less than 45 times per year would exceed the roadway performance standards set forth in the Growth Management Element. Such special event venues shall be required to provide sufficient manual traffic control as to maintain consistency with Growth Management Element roadway performance standards. Evaluate the traffic impacts of special event uses based on factors specifically related to the special event, rather than those of a typical development (e.g., traffic patterns, hourly flow, and presence of manual traffic controls).
- j. Require that existing driveways that are unnecessary or substandard be removed or upgraded, wherever feasible, in conjunction with any on-site development or any adjacent street construction.
- k. Where single family residences have no feasible alternative but to front on collector or arterial roadways, require, wherever possible, that circular driveways or on-site turnarounds be provided to eliminate the need for residents to back onto the street.
- l. Locate driveways on corner parcels as far away from the intersection as is possible.
- m. Avoid locating driveways within passenger waiting areas of bus stops or within bus bays. Locate driveways so that drivers will be able to see around bus stop improvements.
- n. Use raised medians as a method for achieving one or more of the following objectives: access control, separation of opposing traffic flows, left turn storage, aesthetic improvement, and/or pedestrian refuge.
- o. Where medians are constructed, provide openings at the maximum feasible intervals, typically no less than 1/8 mile.
- p. Where a series of traffic signals are provided along a route, facilitate the coordination of traffic signals to optimize traffic progression on a given route. Traffic signalization should emphasize

facilitating access from neighborhood areas onto the City's primary roadway network, and should work to discourage through traffic from using local streets.

- q. Demand-actuated traffic signals should include push buttons to signal the need for pedestrians to cross, and include audible signals and countdown signs to assist the disabled in crossing streets. Demand-actuated traffic signals corresponding with bicycle routes should include bicycle sensitive loop detectors or push buttons adjacent to the curb.
  - r. Avoid offset intersections along arterials and collectors. Intersections along local and minor residential collector streets may be offset within the subdivision as a means of discouraging through traffic.
  - s. Expand intersections to include additional turning and through lanes at intersections where needed to relieve congestion and improve intersection operation, so long as the intersection can continue to accommodate pedestrians and bicyclists. Avoid traffic system improvements that facilitate vehicular turning and bus movements, but that also discourage pedestrian or bicycle movements. This can be accomplished on wide streets by providing safe stopping places for pedestrian crossing the street.
  - t. Maintain the first priority for public streets of providing safe and efficient travel for the public with parking as a second priority.
  - u. Generally, permit parking on collector streets, with restrictions as needed to accommodate transit stops, on-street bicycle lanes, added lanes at intersections, or other operational requirements.
  - v. Private streets, where permitted, shall provide for adequate circulation and emergency vehicle access. Private streets that will accommodate more than 50 vehicles per hour in the peak hour or that are designed for on-street parking shall be designed to public street standards. The design of other private streets shall be subject to the review and approval of the City Engineer. Private streets shall be improved to public street standards prior to acceptance of dedications to the City.
  - w. Provide arterial and collector roadways within hillside areas with added rights-of-way as needed for roadway slopes, and no on-street parking in order to provide extra safety.
  - x. Require new development within the ULL to construct all on-site roadways, including Circulation Element routes, and provide a fair share contribution for needed offsite improvements needed to maintain the roadway performance standards set forth in the Growth Management Element Contributions for offsite improvements may be in the form of fees and/or physical improvements, as determined by the City Engineer. Costs associated with mitigating off-site traffic impacts should be allocated on the basis of trip generation, and should have provisions for lower rates for income-restricted lower income housing projects needed to meet the quantified objectives of the General Plan Housing Element.
  - y. Where feasible, require permitted General Plan land uses that generate high volumes of traffic to be located along major transportation corridors and near transit facilities to minimize vehicular use, congestion, and traffic delays.
  - z. Provide direct access between Industrial areas and freeways, with truck routes avoiding residential areas to the extent possible.
  - aa. Design street systems serving industrial areas, including the primary routes accessing these areas to accommodate the movement of trucks.
  - bb. Pursue construction of public parking facilities within the downtown area to serve projected parking demand and facilitate mixed-use development without the need to meet off-street parking standards on each individual parcel.
5. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.4.2, entitled "Non-Motorized Transportation Policies." That subsection is hereby amended as follows:

#### 7.4.2 Non-Motorized Transportation Policies

- a. Design new residential neighborhoods within the ULL to provide safe pedestrian and bicycle access to schools, parks and neighborhood commercial facilities.
- b. Design intersections for the safe passage of pedestrians and bicycles through the intersection.
- c. Provide street lighting that is attractive, functional, and appropriate to the character and scale of the neighborhood or area, and that contributes to vehicular, pedestrian, and bicycle safety.
- d. Maintain roadway designs that maintain mobility and accessibility for bicyclists and pedestrians.
- e. Integrate multi-use paths into creek corridors, railroad rights-of-way, utility corridors, and park facilities.
- f. Provide, as appropriate, bicycle lanes (Class II) or parallel bicycle/pedestrian paths (Class I) along all arterial streets and high volume collector streets, as well as along major access routes to schools and parks.
- g. Design new roadway bridges to meet Caltrans standards for bridges involving State highways, including bicycle lanes on all new bridges along Circulation Element roadways. Where provision of bicycle lanes is not feasible, undertake measures to provide alternative routes and to prohibit bicycle riding on bridge walkways.

- h. Require the provision of bicycle parking and other support facilities (e.g., racks or lockers) as part of new office and retail developments and public facilities,
- i. Where shopping facilities are located adjacent to residential areas, provide direct access between residential and commercial uses without requiring pedestrians and bicyclists to travel completely around the commercial development.
- j. Permit the sharing or parallel development of pedestrian walkways with bicycle paths, where this can be safely accomplished, in order to maximize the use of public rights-of-way.
- k. Orient site design in non-residential areas to allow for safe and convenient pedestrian access from sidewalks, transit and bus stops, and other pedestrian facilities, in addition to access through required parking facilities.
- l. Require the construction of attractive walkways in new residential, commercial, office, and industrial developments within the ULL, including provision of shading for pedestrian paths.
- m. Maximize visibility and access for pedestrians, and encourage the removal of barriers for safe and convenient movement of pedestrians.
- n. Ensure that the site design of new developments within the ULL provides for pedestrian access to existing and future transit routes and transit centers.
- o. Pave walks and pedestrian pathways with a hard, all-weather surface that is easy to walk on. Walks and curbs should accommodate pedestrians with disabilities. Walks within open space areas should have specially paved surfaces that blend with the surrounding environment.
- p. In general, design walks to provide a direct route for short to medium distance pedestrian trips, and to facilitate the movement of large numbers of pedestrians. Meandering sidewalks are appropriate in areas where the natural topography or low-density land uses lend themselves to informal landscapes.

H. PUBLIC SERVICES AND FACILITIES ELEMENT AMENDMENTS.

1. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.1, entitled "Introduction." That section is amended as follows:

8.1 INTRODUCTION

The purpose of the Public Services and Facilities Element is to define the types of levels of public services and facilities Antioch desires for its local taxpayers, and to set forth a well-conceived plan to manage the expansion of these services for a growing population and business community. The focus of this Element is providing the means to ensure that the capital facilities and public services needed to support build out of the land uses identified in the Land Use Element, within the voter-approved Urban Limit Line (ULL), while maintaining the service standards set forth in the Growth Management Element of the Antioch General Plan.

2. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.2, entitled "Goals of the Public Services and Facilities Element." That section is amended as follows:

8.2 GOALS OF THE PUBLIC SERVICES AND FACILITIES ELEMENT

To provide for a sustained high quality of life, it is the goal of the Public Services and Facilities Element to accomplish the following:

- *Provide for the timely expansion of high quality public services and infrastructure to serve existing and future residents businesses, recreational facilities, and other facilities within the City of Antioch within the ULL, consistent with the service levels set forth in the Growth Management Element.*

Antioch recognizes that it must find a balance between the high quality and level of services desired by the community and the financial ability of the City and other service agencies to provide these services and infrastructure. Thus, Antioch cannot provide all the services and facilities other agencies have found they cannot afford to provide, nor can the City spend more on the provision of services and facilities than it receives in revenues. Recognizing that the City cannot and should not "go it alone," the delivery of public services and facilities within the Antioch Planning Area occurs in one of three methods:

- **Direct Service.** Certain public services and facilities are most appropriately provided directly by the City, or by contractors who provide services pursuant to standards and requirements set by the City Council. The include services provided directly by the City within its boundaries and within the ULL, such as police protection, parks and recreation, water service (provided directly by the City), and maintenance of local sewer lines and streets. Solid waste collection and street construction are examples of contracted direct services.
- **Partnerships.** Certain functions are performed in partnership with other organizations. In these cases, Antioch's collaborative role is performed via financial support, technical assistance, coordination, or the creation of new organizations. Examples of such functions and partnerships include the provision of joint school/park sites, the Contra Costa County Transportation Commission, Metropolitan Transportation Authority, Association of Bay Area Governments (ABAG), East Contra Costa Regional Fee and Financing Authority, State Route 4 Bypass Authority, and the East Contra Costa Transportation Authority (Tri-Delta Transit).
- **Supporting the Community Agenda.** In addition to services provided directly by the City and those provided in partnership with other agencies, important public services are provided to the



community by special districts and other outside agencies. Examples of these services include schools, fire protection, sewage treatment, flood control, and solid waste disposal. The City's role in the provision of these services is coordinating land development activities within the ULL with the expansion of services and facilities by the outside agencies providing the services. Although Antioch does not have the final say in the provision of Services provided by outside agencies, in its role as the planning agency for the City, Antioch's policies and actions have substantial capacity to assist in the provision of services to the community.

The availability of adequate public services and facilities within the ULL, including meeting the performance standards established in the Growth Management Element, is integral to permitting new development. As a result, if Antioch is to meet community goals such as maintaining a high quality of life, achieving a balance between local housing and employment opportunities, and providing of a wide range of shopping and recreational opportunities, it is critical that services and facilities be expanded in a timely manner. The most direct way of ensuring the timely expansion of services and facilities is for the City to control the provision of the public services and facilities needed to support community goals. Where such direct control is economically or administratively infeasible, a high level of coordination with the outside agencies provided needed and services is necessary.

3. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.4.1, entitled "Water Facilities Objective." That subsection is amended as follows:

#### 8.4.1 Water Facilities Objective

Ensure a water system capable of providing high quality water to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch within the ULL, during peak use conditions, with sufficient water in storage reservoirs for emergency and fire protection needs.

4. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.4.2, entitled "Water Facilities Policies." That subsection is amended as follows:

#### 8.4.2 Water Facilities Policies

- a. As part of the design of water systems, provide adequate pumping and storage capacity for both drought and emergency conditions, as well as the ability to provide fire flows required by the Contra Costa County Fire Protection District.
  - b. Ensure that adequate infrastructure is in place and operational prior to occupancy or new development within the ULL, such that (1) new development will not negatively impact the performance of water facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
  - c. Maintain an up-to-date master plan of water facilities.
  - d. Maintain existing levels of water service by protecting and improving infrastructure, replacing water mains and pumping facilities as necessary, and improving the efficiency of water transmission facilities.
  - e. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
  - f. Periodically evaluate local water consumption patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
  - g. Incorporate expected reductions in the need for water facilities resulting from water conservation programs only after several years of experience with the implementation of such programs.
  - h. Provide the Contra Costa Water District with timely information on development proposals and projected levels of future growth within the ULL so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
5. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.5.1, entitled "Wastewater Management Objective." That subsection is amended as follows:

#### 8.5.1 Wastewater Management Objective

Ensure a wastewater collection, treatment, and disposal system capable of providing sewer services to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch and its ULL during peak use conditions.

6. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.5.2, entitled "Wastewater Management Policies." That subsection is amended as follows:

**8.5.2 Wastewater Management Policies**

- a. As part of the design of sewer systems, provide adequate capacity for average and peak conditions.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy of new development within the ULL, such that new development will (1) not negatively impact the performance of sewer facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of sewer facilities.
- d. Continue to facilitate economically feasible water conservation programs as a means of reducing sewage generation and the need for expanding sewage treatment capacity.
- e. Work with Delta Diablo Sanitation District to explore and develop uses for treated wastewater. Where reclaimed wastewater can be economically delivered, require the installation of dual water systems permitting the use of reclaimed water supplies for irrigation purposes and industrial purposes.
- f. Incorporate expected reductions in sewage flow projections and the need for sewage treatment capacity resulting from water conservation programs only after several years of experience with the implementation of such programs.
- g. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- h. Periodically evaluate local sewage generation patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- i. Provide the Delta Diablo Sanitary District with timely information on development proposals and projected levels of future growth so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- j. Work cooperatively with affected agencies to ensure that capacity allocations are adjusted among the agencies swerved by Delta Diablo Sanitation District to optimize plant utilization, avoid unnecessary expansions, and facilitate needed expansions.

7. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.6.2, entitled "Solid Waste Management Policies." That subsection is amended as follows:

**8.6.2 Solid Waste Management Policies**

- a. Continue contracting for garbage and recycling collection services.
- b. Require provision of attractive, convenient recycling bins and trash enclosures in new residential and non-residential development within the ULL.
- c. Provide and promote opportunities to reduce solid waste generation at home and in businesses and public facilities, making possible the safe disposal of hazardous materials.
- d. Require builders to incorporate interior and exterior storage areas for recyclables into new commercial, industrial, and public buildings within the ULL.
- e. Consider the use of co-generation at appropriate facilities.
- f. Support the identification and selection of new landfill sites in remote locations of the County outside of and not requiring access through the Antioch Planning Area, where such sites would not impact existing or proposed parks or water storage facilities.
- g. Limit the location of solid waste transfer stations to areas where heavy industrial uses would be appropriate, avoiding traffic, odor, and other environmental impacts on the community.
- h. The City of Antioch shall follow State regulations in implementing the goals, policies, and programs in order to achieve and maintain a 50 percent reduction in solid waste disposal through source reduction, reuse, recycling, and composting.
- i. In accordance with State regulations, Antioch shall prepare an annual progress report to determine the City's progress toward meeting its diversion goals and objectives.
- j. The City shall require all development projects within the ULL to coordinate with appropriate departments and/or agencies to ensure that there is adequate waste disposal capacity to meet the waste disposal requirements of the project, and the City shall recommend that all development projects incorporate measures to promote waste reduction, reuse, recycling, and composting.

8. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.7.2, entitled "Storm Drainage and Flood Control Policies." That subsection is amended as follows:

**8.7.2 Storm Drainage and Flood Control Policies**

- a. Continue working with the Contra Costa County Flood Control District to ensure that runoff from new development within the ULL is adequately handled.
- b. Require adequate infrastructure to be in place and operational prior to occupancy of new development within the ULL, such that:
  - new development will not negatively impact the performance of storm drain facilities serving existing developed areas and
  - the performance standards set forth in the Growth Management Element will continue to be met.
- c. Design flood control within existing creek areas to maximize protection of existing natural settings and habitat.
- d. Provide retention basins in recreation areas where feasible to reduce increases in the amount of runoff resulting from new development within the ULL.
- e. Require new developments within the ULL to provide erosion and sedimentation control measures to maintain the capacity of area storm drains and protect water quality.
- f. Require implementation of Best Management Practices in the design of drainage systems to reduce discharge of non-point source pollutants originating in streets, parking lots, paved industrial work areas, and open spaces involved with pesticide applications.

9. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.8.2, entitled "School Facilities Policies." That subsection is amended as follows:

**8.8.2 School Facilities Policies**

- a. Maintain clear, ongoing communications with area school districts on all matters related to the need for and provision of school sites and other administrative, educational, and recreational facilities.
- b. Coordinate the planning efforts of the City and local school districts by:
  - locating school facilities to facilitate the primary educational purpose of the facility and allow for safe pedestrian, bicycle, and vehicular access, including the provision of traffic calming measures, where appropriate, in the vicinity of schools;
  - maximizing the joint use of facilities by the City and local school district (including, joint school/park sites and, where feasible, joint use of athletic fields, community meeting facilities, and provision of child and senior care facilities) by developing joint funding for such facilities through a combination of school district and City sources, provided that City contributions to joint facilities are consistent with the availability of such joint facilities to meet non-school recreational and other community needs;
  - designing attractive facilities that can also serve as neighborhood and community gathering places, and contribute to neighborhood identity and pride;
  - requiring reasonable reservation of appropriate locations for development of new schools as part of new development within the ULL;
  - regularly exchanging information on (1) the status of development review and construction, (2) the capacity of area schools, (3) the status of site acquisitions by the districts, and (4) applicable student generation factors by type of development.
- c. Require new development within the ULL to pay all legally established fees or participate in land-based financing districts established by local school districts for the acquisition and development of school sites with adequate, permanent classroom space, as required by the local school district.
- d. Maintain land development regulations permitting the development of public and private educational facilities within the ULL at appropriate locations within the Planning Area.
- e. Provide incentives in the City's residential growth management program for the provision of developer assistance to local school districts beyond nominally required mitigation fees. The objective of such incentives is that the combination of required fees and incentives provide a full contribution proportional to the needs of the proposed development for all school-related facilities to serve the proposed project.
- f. Work with Los Medanos College to further accessibility to and the quality of local community college education.
- g. Work with public and private universities (e.g., CSU Hayward, University of Phoenix) to create satellite campuses within Antioch.
- h. Work with trade schools (e.g., DeVry Institute, ITT Technical Institute, Bryman College) to locate new facilities in Antioch.

10. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.10.2, entitled "Fire Protection Policies." That subsection is amended as follows:

**8.10.2 Fire Protection Policies**

- a. Work with the Contra Costa County Fire Protection District to provide high quality fire protection services to area residents and businesses. The City's role should include, but not be limited to:
- Determining the appropriateness of station location sites within the ULL and, in particular, the Sand Creek Focus Area;
  - Enforcement of building codes to reduce fire hazards;
  - Collection of mitigation fees established by the fire district to construct needed additional stations within the Antioch Planning Area.
  - Support the District in providing funding for personnel costs to staff stations within the City;
  - Support the District in establishing fees that are adequate to mitigate the impacts of new development within the ULL and income to support operation of new stations whose construction is financed with development fees; and
  - Requiring reasonable reservation of appropriate sites within the ULL and in particular, the Sand Creek Focus Area for new fire stations as part of new development.
- b. In cooperation with the Contra Costa County Fire Protection District, conduct an annual assessment of the adequacy of facilities and services serving Antioch, personnel and staffing needs, and capital needs, based on anticipated growth within the ULL and the level of service standard set forth in the Growth Management Element. This assessment should be undertaken as part of the annual review of proposed capital projects required by the California Government code (see Chapter 12, Implementation, Section 12.4b).
- c. Provide the Contra Costa County Fire Protection District with timely information on development proposals and projected levels of future growth within the ULL so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- d. Involve the Fire Protection District in the development review process by referring development requests within the ULL to the Fire District for review and comment.

11. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.11.2, entitled "Police Services Policies." That subsection is amended as follows:

**8.11.2 Police Services Policies**

- a. Provide an adequate police force meeting the performance standards for police services set forth in the Growth Management Element.
- As part of the annual budget and capital improvements program, assess crime prevention and law enforcement services, and evaluate the adequacy of Antioch's facilities and services, personnel and staffing needs, and capital needs, based on anticipated growth within the ULL and the level of service standard set forth in the Growth Management Element.
- b. Provide sufficient facilities within the ULL and staffing to ensure the safety of the citizens of Antioch by:
- Providing expedient response to emergency calls.
  - Maintaining an efficient well-trained and adequately equipped force of police personnel.
  - Providing neighborhood watch and crime prevention programs, and attempting to improve the participation of individual neighborhoods and businesses.
  - Continuing to provide a variety of programs within the Police Department (e.g., traffic crime prevention, REACH, narcotics, investigations) to meet the needs of an active community.
- c. Provide basic requirements and incentives for the provision of design features in new development within the ULL to reduce the potential for crime.
- Provide well-lighted and visible streets and street names, entrances, addresses, recreation areas, and parking areas.
  - Limit access into and between buildings to reduce escape routes and undetected entry is made difficult.
  - Provide landscaping which permits surveillance of open areas and entryways, and does not create places for concealment.
  - Within multi-family and non-residential developments within the ULL, design access systems to allow emergency vehicle access around buildings to the greatest extent possible.

- Within multi-family and non-residential developments within the ULL, eliminate the potential for access to roofs by pallets, flag poles, etc.
- d. Involve the Antioch Police Department in the development review process by referring development requests for projects proposed within the ULL to the Police Department for review and comment.
- e. Promote community involvement in crime prevention.
  - Promote the establishment and operation of neighborhood watch, park watch, and business watch programs.
  - Work with area schools to maintain educational programs aimed at preventing gang and drug-related activities.

12. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.13, entitled "Financing Expansion of Public Services and Facilities." That section is amended as follows:

**8.13 FINANCING EXPANSION OF PUBLIC SERVICES AND FACILITIES**

Provision of the services and facilities required by new development within the ULL in a manner that will not impact services and facilities enjoyed by existing residents and businesses is a key to the success of the Antioch General Plan. Several basic approaches to financing the expansion of public facilities within the ULL are available. The basic financing methods include having (1) having developers build infrastructure and also provide facilities, (2) financing facilities and infrastructure through development impact fees, and (3) use of assessment districts.

Developer financing of infrastructure is common for on-site improvements within the development itself. In some cases, however, large-scale facilities are needed that will be shared by more than one development, sometimes involving large portions of the City. When such facilities are needed, it may be difficult or impossible to have one developer construct or provide up-front financing on their own. In response, the City can offer "reimbursement agreements" to promote equity and offset the cost to individual developers of upsizing infrastructure or providing facilities that would serve other developments within the ULL. Pursuant to these reimbursement agreements, developers who provide up-front infrastructure or facilities that would be shared with other, future, development projects within the ULL would be reimbursed for this increased up-front expense by subsequent developments.

Many communities rely on development impact fees to fund such large-scale or "backbone" facilities. Development fees work well at equitably spreading the cost of new facilities among those who create the need. However, development fee systems generally result in gaps between the time that facilities are needed and the time that sufficient money has been collected to pay for them.

Development fee programs also require regular maintenance to ensure that the fees being charged are reasonably related to the impacts of individual development projects, and that they are sufficient to actually build the infrastructure and facilities they are intended for.

Where multiple ownerships or developments within the ULL need to share major infrastructure, and where no individual ownership or development could reasonably afford to provide such major infrastructure on its own, assessment districts provide an attractive means of financing. Antioch has successfully used large-scale assessment districts in the past, and, as a result, has not suffered from infrastructure deficiencies to the extent that other communities have. However, the use of assessment districts can lead to situations where newer portions of the City receive a higher level of facilities than do older areas by virtue of paying higher taxes (in the form of assessments) than other portions of the City.

13. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.13.1, entitled "Financing Expansion of Public Services and Facilities Objective." That subsection is amended as follows:

**8.13.1 Financing Expansion of Public Services and Facilities Objective**

Ensure that the expansion of public facilities occurs in an equitable manner such that new development within the ULL pays for all of the infrastructure and public facilities required to support the development without impacting levels of service provided to existing residents and businesses.

14. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.13.2, entitled "Financing Expansion of Public Services and Facilities Policies." That subsection is amended as follows:

**8.13.2 Financing Expansion of Public Services and Facilities Policies**

- a. Place the ultimate responsibility on the sponsor of proposed development projects within the ULL for ensuring that the services and facilities needed to support the project and maintains applicable performance standards in the Growth Management Element are available at the time they are needed.
- b. Require that new development within the ULL:
  - Participate in a land-based financing district, construct and/or pay for the new onsite capital improvements required to meet the applicable performance standards of the Growth Management Element;
  - Be phased so as to ensure the services and capital facilities used by the new development within the ULL meet the applicable performance standards of the Growth Management Element;
  - Ensure that, in the event public services or off-site capital facilities for new development within the ULL do not meet the applicable performance standards of the Growth Management

Element prior to approval of the project, the level of service provided to existing development will not be further impacted by new development.

- c. Continue to use special assessments as a means of financing infrastructure for future development within the ULL where the establishment of land-based financing would equitably spread infrastructure costs.
- d. Where permitted by law, require that special assessments for single-family residential development be paid off at the time of the initial sale of homes to individuals.
- e. Continue to apply existing policies and regulations precluding City financial assistance for any on-site capital improvements required by new development within the ULL.
- f. As part of new development proposals within the ULL, determine whether any service level deficiencies might result, and place needed conditions on the proposed development to ensure that:
  - Service level standards will continue to be met, and
  - New development within the ULL will not result in any substantial, short- or long-term reduction in the level of municipal services provided by the City to existing developed areas.
- g. Encourage infill development within the ULL which utilizes existing infrastructure, as well as the planning and development of large scale, self-sufficient, mixed use communities within the ULL with integrated phasing and financing of public facilities.

I. HOUSING ELEMENT AMENDMENTS.

- 1. Chapter 9.0 of the General Plan, entitled "City of Antioch Housing Element 2015-2023," contains an Action 2.1.4, entitled "Executive Housing." That Action is amended as follows:

<p><b>2.1.4 Executive Housing:</b> Facilitate the development of housing appropriate for executives of businesses seeking to expand within or relocate to Antioch to meet the need for providing above-moderate income housing. Where appropriate, provide requirements in outlying focus areas for the development of executive and upper end housing with appropriate amenities.</p>	<p>The City has <u>previously</u> approved the construction of 50 homes in Sierra Vista, an executive housing development by Suncrest Homes <u>but none of the units are under construction; however, in 2016, Suncrest Homes donated 50 acres of undeveloped land in the Sierra Vista development to the Regional Parks Foundation. Thus, the executive housing will not be built.</u> Plans for development of another 574 estate-style homes at Roddy Ranch were dropped after the property was sold to the East Bay Regional Park District in June 2013. <u>No other executive housing developments are likely to be developed in the immediate future due to current market conditions. The Ranch, a proposed master-planned community within the Sand Creek Focus Area west of Deer Valley Road, may include up to approximately 100 units of executive housing.</u></p>
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J. RESOURCE MANAGEMENT ELEMENT AMENDMENTS.

- 1. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.1, entitled "Introduction." That section is amended as follows:

10.1 INTRODUCTION

The focus of the Resource Management Element is on conservation and use of environmental resources and open space issues throughout the General Plan Planning Area. While the majority of the privately owned land within the present City limits has been developed or committed to development of urban uses within the voter-approved Urban Limit Line (ULL), significant environmental and open space resources remain. The portion of the Planning Area outside of Antioch's present city boundaries and ULL is largely undeveloped, and also contains significant environmental and open space resources. As Antioch expands to the south within the ULL and its population grows, as future industrial and employment-generating development occurs in the northern portion of the Planning Area, as Rodgers Point and a shoreline trail are developed along the San Joaquin River, the need to wisely manage natural resources will become more acute. This will entail balancing such competing objectives as the need for:

- Conservation of resources;
- Open space preservation,
- Adequate water and energy resources to support future populations;
- Providing public access to open space areas;
- Expanding existing roadway and highway systems;
- Ensuring housing for all economic segments of the community; and
- Ensuring economic development in a manner that protects Antioch's beautiful setting and enhances the quality of life of its residents.

The Resource Management Element addresses the use, management, and protection of environmental resources, including open space, biological resources, air quality, water resources, cultural resources, and energy resources. Combined, these topics cover all major aspects of Antioch's natural setting, and encompass state requirements for preparation of General Plan Open Space and Conservation Elements. In many cases, there are overlaps in the issues addressed here with other elements of the General Plan.

For example, hillside open space issues are addressed in the Community Image and Design Element (Section 5.4.14). Achieving a local balance between jobs and housing, as discussed in the Land Use and Economic Development Elements, and eliminating traffic congestion in the community are key components of maintaining good local air quality. Open space for the protection of public health and safety is addressed in the Hazards Element, while open space for public recreation is addressed in the Public Services and Facilities Element.

2. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.2, entitled "Goals of the Resource Management Element." That section is amended as follows:

### 10.2 GOALS OF THE RESOURCE MANAGEMENT ELEMENT

To provide for a sustained high quality of life, it is the goal of the Resource Management Element to accomplish the following:

- *Conserve and enhance the unique natural beauty of Antioch's physical setting, and control the expansion of urban development by protecting open space where it is important to preserve natural environmental processes and areas of cultural and historical value, including lands within the ULL in the Sand Creek Focus Area west of Deer Valley Road.*

Open space provides a variety of community benefits, including recreation use, visual enjoyment, protection of habitat areas, and hazard protection. In Antioch, this means protecting the San Joaquin and natural creeks, as well as their adjoining natural beaches and shorelines. It also means opening up views of the River, and preserving views of Mt. Diablo and its foothills to protect the beauty of the physical setting of the City.

Inherent in Antioch's open space goal is provision of a wide range of recreational lands and facilities, including parks for active and passive recreation, special purpose and multi-use trails, and preservation of the natural environment for the enjoyment of area residents.

Protection of certain types of open space is required by law. The provisions of the state and federal endangered species acts, the federal Clean Water Act, and state requirements for stream alteration agreements all require mitigation of impacts on natural habitats. The provisions of the California Environmental Quality Act also require analysis and provision of mitigation for physical impacts on habitats and cultural resources. The City of Antioch recognizes its responsibility to act as a responsible steward for the natural environment, and to strike an appropriate balance between preserving that environment and providing lands within the ULL for the housing, employment, and shopping needs of an expanding population.

- *Minimize the use of water and energy resources so as to ensure a sustainable long-term supply.*

The history of settlement in California -- from prehistoric native villages to modern urban development -- is largely tied to the availability of water. Throughout the state, groundwater resources are being overdrawn, while demands on large-scale water projects to continue supplying urban growth increase. Presently, every major urban area of the state requires the importation of water from distant sources. Without major statewide investment in costly water transport facilities, growth in some urban areas may eventually need to be curtailed for lack of dependable water supplies. During major droughts in the past, public awareness of the need for water conservation grew. This awareness slackened off during wet periods. Water resource projects for the state indicate that the need for significant, permanent water conservation will affect large areas of the State by 2020. Although the Contra Costa Water District indicates that it has sufficient water supplies committed through 2040, the City's desire to achieve a balance between local jobs and housing means that local employment growth must occur in the future at a faster rate than has previously been projected. Thus, water conservation will need to become part of Antioch's overall vision and its economic development program.

The availability of reliable, cheap electrical and natural gas supplies was routinely taken for granted until the summer of 2000, when costs soared and rolling blackouts hit portions of the state. Crisis was averted with the construction of new power generating facilities and higher energy costs. As the immediacy of energy shortages fades, so has the public's willingness to reduce its energy consumption. However, electricity and natural gas demands of a growing statewide population will eventually outstrip the capacity of existing energy-generating facilities, and could plunge the state into another energy crisis. Thus, energy conservation also needs to become part of Antioch's overall vision.

3. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.3, entitled "Open Space Objectives and Policies." That section is amended as follows:

### 10.3 OPEN SPACE OBJECTIVES AND POLICIES

As discussed in the Land Use Element, a great deal of open land remains in the Antioch Planning Area and within the ULL. Approximately 38 percent of the land within the City (6,383 acres) and nearly 46 percent of the land within the unincorporated portion of the General Plan Planning Area (2,240 acres) are undeveloped in open space use. Additional land (928 acres in the City and 381 acres in unincorporated areas) is in agricultural use. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the City, and over 60 percent of the unincorporated land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

*Active Recreation Lands.* City residents have access to a variety of local parks, recreational facilities, regional parks, and open space areas. The City oversees the local parks and recreational facilities, while the East Bay Regional Park District (EBRPD) oversees the regional facilities. The following description of open space and recreation facilities within the City of Antioch is divided into four sections: parks and recreation facilities; recreation programs; special use facilities; and regional facilities and trails.

The City owns and administers 28 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. Over 400 acres of parks and open space areas are located within the City, 200 acres of which are developed. The remaining 200 acres consist of acreage awaiting development or are areas managed exclusively as open space.

The East Bay Regional Park District operates three facilities in the Antioch area, the largest of which is Black Diamond Mines Regional Preserve, a 5,984-acre open space area accessed by multiple use trails (i.e., pedestrian, bike, and equestrian trails). The Preserve offers naturalist programs, and visitors can tour the underground mining museum and a historic cemetery. Picnic areas and horse staging areas are also available. Two wilderness group camps are located in the southern portion of the park. Additional open space preserves are located to the southeast of Antioch adjacent to the Los Vaqueros reservoir and within the Cowell Ranch, which has recently become a State Park.

Contra Loma Regional Park, adjacent to the Lone Tree Golf Course on the southern edge of the City, is 775 acres in size. The park surrounds the Contra Loma Reservoir, and offers multiple use trails for hiking, biking, and horseback riding. The reservoir is available for fishing, boating, sailboarding, and swimming (in a separate swim lagoon). The Park also provides picnic areas, horseshoe pits, and a food concession stand. EBRPD also maintains the Antioch Regional Shoreline, which consists of 7 acres fronting the San Joaquin River, north of downtown Antioch. The Shoreline has a 550-foot long fishing pier, a small beach, picnic tables and barbecues, and a 4.5-acre meadow. Swimming is not allowed at the Antioch Regional Shoreline Park.

The EBRPD also oversees the Delta DeAnza Regional Trail, which originates at Bay Point in the West Pittsburg area, and runs east to a connection with the Marsh Creek Trail in Oakley, with a connection to the Iron Horse Trail through the Concord Naval Weapons Station along the Contra Costa Canal Right of Way. The Trail crosses Antioch from its western boundary with Pittsburg at approximately Somersville Road, parallels the Contra Costa Canal to Wild Horse Road at Hillcrest Avenue, and runs to the Union Pacific Railroad tracks at Neroly Road in Oakley. An agreement with the railroad to permit a trail crossing is preventing the trail from being opened. When opened, the Delta de Anza Trail will extend from the Marsh Creek Trail in Brentwood to the Iron Horse Trail in Concord. The segment through Antioch is also part of the De Anza National Historic Trail.

*Agriculture.* Antioch is located in an area of Contra Costa County that has traditionally contained areas of land used for grazing, orchards, field and row crops. The City has approximately 5,600 acres of grazing and former agricultural lands.

*Passive Open Space.* Passive open space in and near the City of Antioch consists of hillsides, vacant lands, and the San Joaquin River. Views of natural features both within the City and of the surrounding topography are a valuable resource for many of the City's residents. Natural features that can be viewed from the City include Mt. Diablo, the surrounding ridgelines, and the San Joaquin River. These views contribute a feeling of community identity, as well as visual enjoyment.

The City is located on the southern bank of the San Joaquin River, near its confluence with the Sacramento River. The confluence of these rivers is located in the Sacramento-San Joaquin Delta, an area that is largely level, with views to the north and east. To preserve open space and views along the River, and to attract residents down to the area, the City has developed projects such as the Municipal Public Marina (built in 1988) and the Antioch Riverfront Promenade.

In 1981, the City enacted the Hillside Planned Development (HPD) Ordinance to protect hillsides, ridges, and ridgelines within the City. The Ordinance was revised and adopted in 1994 as part of the Zoning Ordinance and applies to those hillside areas in which one or more of the following apply:

- A predominant portion of the area has slopes in excess of 10 percent;
- A significant area of slopes of 25 percent or greater; or
- A significant ridgeline, hilltop, or exposed slope is located in the area.

The purpose of the Ordinance is to promote a more harmonious visual and functional relationship between the natural and built environments. The HPD Districts are reserved for residential uses that are clustered in a manner that will preserve significant features of hillside areas, such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings, and native vegetation.

As of 1998, the City had three HPD Districts located in the south and southwest portions of the City. This land could be developed or redeveloped at any time with uses as specified in the General Plan or Zoning Ordinance. Areas designated, currently or in the future, as HPD Districts will be developed and should not be considered permanent passive open space. However, these areas will be developed in a manner which preserves valued open space characteristics.

4. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.3.1, entitled "Open Space Objective." That subsection is amended as follows:

#### 10.3.1 Open Space Objective

Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving existing natural, scenic, and other open space resources outside the ULL.



5. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.3.2, entitled "Open Space Policies." That subsection is amended as follows:

#### 10.3.2 Open Space Policies

- a. Establish a comprehensive system of open space that is available to the public, including facilities for organized recreation; active informal play; recreational travel along formal, natural, and riverfront trails; passive recreation; and enjoyment of the natural environment.
- b. Implement the design standards of the Community Image and Design Element so as to maintain views of the San Joaquin River, Mount Diablo and its foothills, Black Diamond Mines Regional Preserve and other scenic features, and protect the natural character of Antioch's hillside areas as set forth in the Community Image and Design Element<sup>1</sup>.

<sup>1</sup> Policies related to viewshed protection are set forth in Section 5.4.2, General Design Policies. Hillside design policies are found in Section 5.4.14.

- c. Maintain the shoreline of the San Joaquin River as an integrated system of natural (wetlands) and recreational (trails and viewpoints) open space as set forth in the Land Use Element and Public Services and Facilities Element.
- d. Where significant natural features are present (e.g., ridgelines, natural creeks and other significant habitat areas, rock outcrops, and other significant or unusual landscape features), require new development within the ULL to incorporate natural open space areas into project design. Require dedication to a public agency or dedication of a conservation easement, preparation of maintenance plans, and provision of appropriate long-term management and maintenance of such open space areas.
- e. Require proposed development projects within the ULL containing significant natural resources (e.g. sensitive or unusual habitats, special-status species, habitat linkages, steep slopes, cultural resources, wildland fire hazards, etc.) to prepare Resource Management Plans to provide for their protection or preservation consistent with the provisions of the Antioch General Plan, other local requirements, and the provisions of State and Federal law. The purpose of the Resource Management Plan is to look beyond the legal status of species at the time the plan is prepared, and provide a long-term plan for conservation and management of the natural communities found onsite. Resource Management Plans shall accomplish the following.
  - Determine the significance of the resources that are found onsite and their relationship to resources in the surrounding area, including protected open space areas, habitat linkages and wildlife movement corridors;
  - Define areas that are to be maintained in long-term open space based on the significance of onsite resources and their relationship to resources in the surrounding area, and
  - Establish mechanisms to ensure the long term protection and management of lands retained in open space.
- f. Encourage public access to creek corridors through the establishment of trails adjacent to riparian resources, while maintaining adequate buffers between creeks and trails to protect sensitive habitats, special-status species and water quality to the maximum extent feasible. However, trails shall not impair appreciably the quantity or quality of water or native vegetation in a stream corridor.
- g. Where feasible, incorporate preserve and protect significant existing natural features as part of the design of new development projects within the ULL, rather than removing them. Where preservation of natural features is not feasible, introduce natural elements into project design. Impacts to significant natural features that cannot be preserved or reintroduced into the project design on-site shall be mitigated off-site.

6. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.4, entitled "Biological Resources Objectives and Policies." That section is amended as follows:

#### 10.4 BIOLOGICAL RESOURCES OBJECTIVES AND POLICIES

Although it is largely urbanized, portions of remaining undeveloped lands within the ULL that have long been planned for development contain vegetation and habitat types the California Department of Fish and Game considers rare and worthy of consideration in the California Natural Diversity Database:

- Native grasslands
- Vernal pools
- Stabilized interior dunes
- Seasonal wetlands
- Freshwater seeps
- Freshwater marshes
- Coastal brackish marshes
- Alkaline floodplains

- Alkali seeps
- Valley oak woodlands
- Riparian woodland

**Grassland.** Native grasslands have been reduced to 90 percent of their former area in California. Native grassland in the Antioch Planning Area would be dominated by purple needlegrass (*Nassella pulchra*). A variety of spring wildflowers are also found in native grasslands. Because of the rarity of this once abundant vegetation type, the California Department of Fish and Game may request mitigation for projects that impact native grasslands. Additionally, special-status plants are more likely to be found in undisturbed native vegetation. Native grasslands are most likely to be found scattered in the southern part of the Antioch Planning Area. A number of special-status species has been identified in certain native and non-native grassland habitats within and adjacent to Antioch, including San Joaquin kit fox (*Vulpes macrotis*), California tiger salamander (*Ambystoma californiense*), American badger (*Taxidea taxus*), western burrowing owl (*Athene cunicularia hypugae*), and golden eagle (*Aquila chrysaetos*).

**Vernal Pools.** Vernal pools are seasonal wetlands typically occurring in depressions in grasslands. These depressions collect water during the winter and spring rains, and dry once the rains cease. As the ponds dry in the spring, a succession of different plant species bloom around the edges of the pool. A high-quality vernal pool will display concentric rings of different colors of flowers in bloom in mid-spring. Because vernal pools tend to be isolated from each other, they may possess a unique flora that includes special-status, federally protected plants and special-status animals. Vernal pools are most likely to be found in the southern portion of the Antioch Planning Area. Special-status plants and invertebrates are often found within this habitat type.

**Stabilized Interior Dunes.** The Antioch Dunes along the banks of the San Joaquin River contain a unique assemblage of plant and animal species, several of which are found nowhere else in the world. Scattered grasses and forbs, some of which reach shrub size, form the ground cover. The federally endangered Antioch Dunes evening-primrose (*Oenothera deltooides* ssp. *howellii*) and Contra Costa wallflower (*Erysimum capitatum* ssp. *angustatum*) are found here amongst more common species. A number of special-status animals occur in this habitat, the most sensitive of which are the insects, including the federally endangered Lange's metalmark butterfly.

**Wetlands.** Seasonal wetlands and ponds hold water for only part of the year, and can be found in any part of the Antioch Planning Area, but are more common along the San Joaquin River and seasonal streams in the southern portion of the Planning Area. Coastal brackish marshes are wet year round and are found along the banks of the San Joaquin River. If pickleweed (*Salicornia* sp.) is present, coastal brackish marshes may contain suitable habitat for the State and Federally endangered salt marsh harvest mouse. Other listed species associated with the coastal brackish marsh in the Antioch Planning Area include California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*).

Alkaline floodplains exist along the banks of the San Joaquin River. These may appear barren because of the difficulty of growing in highly alkaline, frequently disturbed soil. If unprotected, such barren lands tend to attract people seeking recreation in four-wheel drive vehicles, which reduces the vegetation ever further. Stands of pickleweed and saltgrass growing within alkaline floodplains can be habitat for the State and federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*).

**Open Water.** This category includes the San Joaquin River and permanent waterbodies, such as natural or man-made lakes, ponds, and reservoirs. Although open water does not provide habitat for many plant species, it is important for wildlife and fish. The San Joaquin River is used as a movement corridor, foraging, and breeding habitat for a variety of native and non-native fish including steelhead (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), delta smelt (*Hypomesus transpacificus*), striped bass (*Morone saxatilis*), and many others. Water birds and waterfowl use the lakes and rivers for foraging and breeding and stopovers during migration.

**Oak Woodland.** Oak woodlands are important habitat for numerous common and special-status wildlife species. Blue oak woodland is found on north-facing slopes and in shady ravines in the Mt. Diablo foothills. Valley oak woodlands once dominated the edges of the Central Valley in vast park-like stands. Valley oaks are the largest and longest-lived of the California oaks. This habitat type has been much reduced by conversion of land to agriculture and because modern grazing patterns prevent the regeneration of young oaks. Valley oak stands are still found in Antioch in Contra Loma Regional Park and other southern portions of the Antioch Planning Area.

**Riparian.** Riparian vegetation refers to the native scrub or forest occurring along streams and riverbanks. In riparian areas, the roots of trees and other vegetation can easily reach the water table. Such areas are prone to frequent flooding. Riparian vegetation used to be found along most perennial and intermittent streams in the Antioch Planning Area and along the San Joaquin River. This vegetation type has become rare due to disturbance by cattle, riverfront development, and the filling or channelizing of small streams in urban areas. Riparian areas provide important breeding and foraging habitat for many species of birds, mammals, reptiles, and amphibians. The federally-listed California red-legged frog (*Rana aurora draytonii*) occurs along creeks in the Planning Area and the state-listed Swainson's hawk will nest in large trees such as cottonwoods that grow along creeks.

**Special-Status Species.** Special-status species are defined as:

- Species that are listed, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;
- Plant species on List 1A, List 1B, List 2, and List 3 in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California;

- Wildlife species listed by the California Department of Fish and Game as species of special concern or fully protected species;
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Section 15380 of CEQA<sup>1</sup>); and
- Considered to be a taxon of special concern by local agencies.

<sup>1</sup> This section of CEQA Guidelines states that any species not included on any formal list, can nevertheless be considered rare or endangered if the species can be shown to meet the criteria for listing.

7. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.4.2, entitled "Biological Resources Policies." That subsection is amended as follows:

**10.4.2 Biological Resources Policies**

- a. Comply with the Federal policy of no net loss of wetlands through avoidance and clustered development. Where preservation in place is found not to be feasible (such as where a road crossing cannot be avoided, or where shore stabilization or creation of shoreline trails must encroach into riparian habitats), require 1) on-site replacement of wetland areas, 2) off-site replacement, or 3) restoration of degraded wetland areas at a minimum ratio of one acre of replacement/restoration for each acre of impacted onsite habitat, such that the value of impacted habitat is replaced.
- b. Preserve in place and restore existing wetlands and riparian resources along the San Joaquin River and other natural streams in the Planning Area, except where a need for structural flood protection is unavoidable.
- c. For new development within the ULL, require Require appropriate setbacks adjacent to natural streams to provide adequate buffer areas ensuring the protection of biological resources, including sensitive natural habitat, special-status species habitats and water quality protection.
- d. Through the project approval and environmental review processes, require new development projects within the ULL to protect sensitive habitat areas, including, but not limited to, oak woodlands, riparian woodland, vernal pools, and native grasslands. Ensure the preservation in place of habitat areas found to be occupied by state and federally protected species.
- If impacts to sensitive habitat areas are unavoidable, appropriate compensatory mitigation shall be required off-site within eastern Contra Costa County. Such compensatory mitigation shall be implemented through the provisions of a Resource Management Plan ("RMP") as described in Policy 10.3.2.e, except where, in the discretion of the Community Development Director, an RMP is not necessary or appropriate due to certain characteristics of the site and the project. Among the factors that are relevant to determining whether an RMP is necessary or appropriate for a given project are the size of the project and the project site, the location of the project (e.g., proximity to existing urban development or open space), the number and sensitivity of biological resources and habitats on the project site, and the nature of the project (e.g., density and intensity of development).
- Where preserved habitat areas occupy areas that would otherwise be graded as part of a development project within the ULL, facilitate the transfer of allowable density to other, non-sensitive portions of the site.
- e. Limit uses within preserve and wilderness areas to resource-dependent activities and other uses compatible with the protection of natural habitats (e.g., passive recreation and public trails).
- f. Through the project review process for new development within the ULL, review, permit the removal of healthy, mature oak trees on a case-by-case basis only where it is necessary to do so.
- g. Preserve heritage trees throughout the Planning Area.
- h. Within areas adjacent to preserve habitats, require the incorporation of native vegetation and avoid the introduction of invasive species in the landscape plans for new development within the ULL.
- i. Design drainage within urban areas so as to avoid creating perennial flows within intermittent streams to prevent fish and bullfrogs from becoming established within a currently intermittent stream.
- j. Whenever a biological resources survey is undertaken to determine the presence or absence of a threatened or endangered species, or of a species of special concern identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game, require the survey to follow established protocols for the species in question prior to any final determination that the species is absent from the site.

8. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.5, entitled "Open Space Transitions and Buffers Objective and Policies." That section is amended as follows:

**10.5 OPEN SPACE TRANSITIONS AND BUFFERS OBJECTIVE AND POLICIES**

Transition and buffering policies set forth in the Community Image and Design Element focus on protecting existing and planned residential uses from the effects of adjacent land uses. Similar provisions are needed to address the urban edge, where development within the ULL will lie adjacent to open space, and provide buffers between existing and proposed developments and existing open space; agricultural areas; lands in public open space; lands subject to conservation easement areas; and land set aside as mitigation from the effects of development within the ULL. These buffering policies are intended to avoid creation of significant impacts from adjacent development on preserved open space

lands and conservation areas in terms of aesthetics, light and glare, noise, fire safety, habitat management, and the public's quiet enjoyment of protected areas.

9. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.1, entitled "Open Space Transitions and Buffers Objective." That subsection is amended as follows:

**10.5.1 Open Space Transitions and Buffers Objective**

Minimize the impacts of development within the ULL located adjacent to natural areas, preserved in open space, and protected environmental resources.

10. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.2, entitled "Open Space Transitions and Buffers Policies." That subsection is amended as follows:

**10.5.2 Open Space Transitions and Buffers Policies**

a. Minimize the number and extent of locations where residential, commercial, industrial, and public facilities land use designations abut lands designated for open space and protected resource areas (e.g., lands with conservation easements or set aside as mitigation for development impacts). Where such land use relationships cannot be avoided, use buffers and compatible uses to buffer and protect open space and protected resources from the adverse effects of residential, commercial, industrial and public facilities development within the ULL.

b. Ensure that the design of development proposed along a boundary with open space or protected resources provides sufficient protection and buffering for the open space and protected resources. The provision of buffers and transitions to achieve compatibility shall occur as part of the proposed development.

c. In designing buffer areas, the following criteria shall be considered and provided for (when applicable) within the buffer areas to avoid or mitigate significant impacts

- **Aesthetics:** How will development of land within the ULL affect views from adjacent open space areas? What are the sensitive land uses and resources within open space areas and how might they be affected by changes in the visual environment?
- **Light and Glare:** Will a proposed development result in increased light or glare in open space areas that would impact open space uses or wildlife habitats within that open space?
- **Noise:** Will noise generated by the proposed development affect the public's quiet enjoyment of public open space? What are the sensitive noise receptors in open space areas and how can impacts on those sensitive receptors be avoided or mitigated? Can noise-generating uses be located away from noise-sensitive areas?
- **Fire Safety:** How will development affect the risk of fire on adjacent open space and resource areas? How would development affect or be affected by existing fire abatement practices on adjacent open space and resource areas, including livestock grazing, prescribed fire, plant pest management, mowing, disking, ecological restoration and other practices?
- **Public Safety:** How will development of land within the ULL adjacent to open space or resource areas increase the risk of vandalism, trespass, and theft in adjacent open space and resource areas?
- **Habitat Management:** How will proposed development of land within the ULL affect habitat values on adjacent open space and resource areas? How will development prevent the spread of introduced animals and plant pests into adjacent open space and resource areas? How will proposed development affect wildlife migration corridors between or within open space and/or resource areas?
- **Public Access Management:** How will development of land within the ULL adjacent to public open space and resource areas affect the maintenance of existing public facilities, such as roads, trails, fences, gates and restrooms? How might development adjacent to open space or resource areas facilitate illegal public access?
- **Buffer Management:** How can appropriate management of lands that are set aside as buffers between development of land within the ULL and open space or resource areas be ensured?

11. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.6.2, entitled "Air Quality Policies." That subsection is amended as follows:

**10.6.2 Air Quality Policies**

*Construction Emissions*

a. Require development projects within the ULL to minimize the generation of particulate emissions during construction through implementation of the dust abatement actions outlined in the CEQA Handbook of the Bay Area Air Quality Management District.

*Mobile Emissions*

b. Require developers of large residential and non-residential projects within the ULL to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions. Examples of such efforts may include, but are not limited to the following.

- Development of mixed use projects, facilitating pedestrian and bicycle transportation and permitting consolidation of vehicular trips.
  - Installation of transit improvements and amenities, including dedicated bus turnouts and sufficient rights-of-way for transit movement, bus shelters, and pedestrian easy access to transit.
  - Provision of bicycle and pedestrian facilities, including bicycle lanes and pedestrian walkways connecting residential areas with neighborhood commercial centers, recreational facilities, schools, and other public areas.
  - Contributions for off-site mitigation for transit use.
  - Provision of charging stations for electric vehicles within large employment-generating and retail developments.
- c. Budget for purchase of clean fuel vehicles, including electrical and hybrid vehicles where appropriate, and, if feasible, purchasing natural gas vehicles as diesel powered vehicles are replaced.
- d. Support and facilitate employer-based trip reduction programs by recognizing such programs in environmental mitigation measures for traffic and air quality impacts where their ongoing implementation can be ensured, and their effectiveness can be monitored.

*Stationary Source Emissions*

- e. As part of the development review process for non-residential development, require the incorporation of best available technologies to mitigate air quality impacts.
  - f. Provide physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).
  - g. Require new wood burning stoves and fireplaces to comply with EPA and BAAQMD approved standards.
12. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.7.1, entitled "Water Resources Objective." That subsection is amended as follows:

**10.7.1 Water Resources Objective**

Ensure that an adequate supply of water is available to serve existing and future needs of the City, including land long planned for development within the ULL.

13. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.7.2, entitled "Water Resources Policies." That subsection is amended as follows:

**10.7.2 Water Resources Policies**

*Water Supply*

- a. As part of the implementing the City's residential growth management program and its development review process for non-residential development, ensure that adequate long-term water supplies are available to serve the development being granted new allocations, including consideration of peak drought and peak fire fighting needs.
- b. Require new development within the ULL to be equipped with drought tolerant landscaping and water conservation devices.
- c. Work with Delta Diablo Sanitation District to make reclaimed wastewater available for irrigation use. Where reclaimed wastewater can be made available at a reasonable cost, require the installation of dual water systems in development projects and public facilities, using reclaimed wastewater for irrigation.
- d. Protect, where possible, groundwater recharge areas, including protection of stream sides from urban encroachment.
- e. Oppose proposals with the potential to increase the salinity of the Delta and/or endanger the City's rights to divert water from the San Joaquin River.

*Water Quality*

- f. Participate in the Contra Costa Clean Water program to reduce storm water pollution and protect the water quality of the City's waterways.
- g. Require public and private development projects to be in compliance with applicable National Pollution Discharge Elimination System (NPDES) permit requirements, and require the implementation of best management practices to minimize erosion and sedimentation resulting from new development.
- h. Participate in regional watershed planning efforts to enhance area water quality.

- i. Design drainage within urban areas within the ULL to avoid runoff from landscaped areas and impervious surfaces from carrying pesticides, fertilizers, and urban and other contaminants into natural streams.
14. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.8.1, entitled "Energy Resources Objective." That subsection is amended as follows:

**10.8.1 Energy Resources Objective**

Reduce reliance on nonrenewable energy sources in existing and new commercial, industrial, and public structures within the ULL<sup>4</sup>.

<sup>4</sup> See also Objective 7.4.1, which addresses reducing the use of nonrenewable energy resources by encouraging non-motorized transportation.

15. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.9.2, entitled "Cultural Policies." That subsection is amended as follows:

**10.9.2 Cultural Policies**

a. Require new development within the ULL to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources. Require surveys for projects having the potential to impact archaeological, paleontological, or historic resources. If significant resources are found to be present, provide mitigation in accordance with applicable CEQA guidelines and provisions of the California Public Resources Code.

b. If avoidance and/or preservation in the location of any potentially significant cultural resource is not possible, the following measures shall be initiated for each impacted site:

- A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.

- Prior to the issuance of a grading permit for the project, the project proponent shall develop a test-level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either Register. The research design shall be submitted to the City of Antioch for review and comment. For sites determined, through the Testing Program, to be ineligible for listing on either the California or National Register, execution of the Testing Program will suffice as mitigation of project impacts to this resource.

- After approval of the research design and prior to the issuance of a grading permit, the project proponent shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the City's outline for Archaeological Testing. The Test Level Report shall be submitted to the City for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test-level investigations will have depleted the scientific value of the sites and the project can proceed.

- If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the City for review and comment.

- After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. Typically, a Treatment Program involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report shall be developed. This data recovery report shall be submitted to the City for review and comment.

c. When existing information indicates that a site proposed for development within the ULL may contain paleontological resources, a paleontologist shall monitor site grading activities with the authority to halt grading to collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the Community Development Department documenting any paleontological resources found during site grading.

d. As a standard condition of approval for new development projects within the ULL, require that if unanticipated cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

e. Preserve historic structures and ensure that alterations to historic buildings and their immediate settings are compatible with the character of the structure and the surrounding neighborhood.

K. ENVIRONMENTAL HAZARDS ELEMENT AMENDMENTS.

1. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a section 11.2, entitled "Goals of the Environmental Hazards Element." That section is amended as follows:

11.2 GOALS OF THE ENVIRONMENTAL HAZARDS ELEMENT

To provide for a sustained high quality of life, it is the goal of the Environmental Hazards Element to accomplish the following:

- *Minimize the potential for loss of life injury, property damage, and economic and social disruption resulting from natural and manmade hazards in the community.*

One of Antioch's fundamental values is that people's lives and properties will be safe from natural and manmade hazards. While there is a practical limit to the level of protection that can be provided in a community, Antioch is committed to minimizing the community's vulnerability to natural and manmade hazards. In accomplishing this goal, the City seeks to offer assurance to those who wish to invest in Antioch, whether as a resident business owner, that their protection and that of their properties has a high priority in the City. This priority is encompassed in the Safety element by:

- incorporating safety considerations into the land use planning and development review process regarding new development within the voter-approved Urban Limit Line (ULL).
- Identifying and mitigating hazards faced by existing and new development within the ULL;
- Facilitating the strengthening of existing codes, project review, and permitting processes; and
- Strengthening disaster planning and post-disaster response policies.

2. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.3.2, entitled "Geology and Seismicity Policies." That subsection is amended as follows:

11.3.2 Geology and Seismicity Policies

*Seismicity*

- a. Require geologic and soils reports to be prepared for proposed development sites within the ULL, and incorporate the findings and recommendations of these studies into project development requirements. As determined by the City of Antioch Building Division, a site-specific assessment shall be prepared to ascertain potential ground shaking impacts on new development. The site-specific ground shaking assessment shall incorporate up-to-date data from government and non-government sources and may be included as part of any site-specific geotechnical investigation. The site-specific ground shaking assessment shall include specific measures to reduce the significance of potential ground shaking hazards. This site-specific ground shaking assessment shall be prepared by a licensed geologist and shall be submitted to the City of Antioch Building Division for review and approval prior to the issuance of building permits. For purposes of this policy, "development" applies to new structures and existing structures or facilities that undergo expansion, remodeling, renovation, refurbishment or other modification. This policy does not apply to second units or accessory buildings.
- b. Provide information and establish incentives for property owners to rehabilitate existing buildings using updated construction techniques to protect against seismic hazards.
- c. Encourage the purchase of earthquake insurance by residents and businesses.
- d. Encourage continued investigation by State agencies of geologic conditions within the Bay Area to update knowledge of seismic hazards and promote public awareness.
- e. Provide expedited review of any seismic-related revisions to the Uniform Building Code proposed by the State.
- f. Work with PG&E, pipeline companies, and industrial uses to implement measures to safeguard the public from seismic hazards associated with high voltage transmission lines, caustic and toxic gas and fuel lines, and flammable storage facilities.
- g. Require that engineered slopes be designed to resist seismically-induced failure.
- h. Require that parcels overlying both cut and fill areas within a grading operation be over-excavated to mitigate the potential for seismically-induced differential settlement.

*Other Geologic Conditions*

- i. Limit development in those areas, which, due to adverse geological conditions, will be hazardous to the overall community and those who will inhabit the area.
- j. Require evaluations of potential slope stability for developments proposed within hillside areas, and incorporate the recommendations of these studies into project development requirements.
- k. Require specialized soils reports in areas suspected of having problems with potential bearing strength, expansion, settlement, or subsidence, including implementation of the recommendations of these reports into the project development, such that structures designed for human occupancy are not in danger of collapse or significant structural damage with corresponding hazards to human



occupants. Where structural damage can be mitigated through structural design, ensure that potential soils hazards do not pose risks of human injury or loss of life in outdoor areas of a development site.

- i. Where development is proposed within an identified or potential liquefaction hazard area (as determined by the City), adequate and appropriate measures such as (but not limited to) designing foundations in a manner that limits the effects of liquefaction, the placement of an engineered fill with low liquefaction potential, and the alternative siting of structures in areas with a lower liquefaction risk, shall be implemented to reduce potential liquefaction hazards. Any such measures shall be submitted to the City of Antioch Building Division for review prior to the approval of the building permits.

#### *Historic Mineral Extraction*

- m. As appropriate and necessary to protect public health and safety, abandoned mines shall be placed in natural open space areas, with appropriate buffer areas to prevent unauthorized entry.
  - n. Within areas of known historic mining activities, site-specific investigations shall be undertaken prior to approval of development to determine the location of any remaining mine openings, the potential for subsidence or collapse, and necessary measures to protect public health and safety, and prevent the collapse or structural damage to structures intended for human occupancy due to mine-related ground failure or subsidence. Such measures shall be incorporated into project approvals.
  - o. All identified mine openings shall be effectively sealed.
  - p. Construction of structures for human occupancy shall be prohibited within areas found to have a high probability of surface collapse or subsidence, unless foundations are designed that would not be affected by such surface collapse or subsidence, as determined by site-specific investigations and engineered structural design.
  - q. The locations of all oil or gas wells on proposed development sites shall be identified in development plans. Project sponsors of development containing existing or former oil or gas wells shall submit documentation demonstrating that all abandoned wells have been properly abandoned pursuant to the requirements of the California Department of Conservation Oil, Gas, and Geothermal Resources.
3. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.4.2, entitled "Flood Protection Policies." That subsection is amended as follows:

#### **11.4.2 Flood Protection Policies**

- a. Prohibit all development within the 100-year floodplain, unless mitigation measures consistent with the National Flood Insurance Program are provided.
- b. Minimize encroachment of development adjacent to the floodway in order to convey flood flows without property damage and risk to public safety. Require such development to be capable of withstanding flooding and to minimize the use of fill.
- c. Prohibit alteration of floodways and channelization of natural creeks if alternative methods of flood control are technically and financially feasible. The intent of this policy is to balance the need for protection devices with land use solutions, recreation needs, and habitat preservation.
- d. Require new development within the ULL to prepare drainage studies to assess storm runoff impacts on the local and regional storm drain and flood control system, along with implementation of appropriate detention and drainage facilities to ensure that the community's storm drainage system capacity will be maintained and peak flow limitations will not be exceeded.
- e. Where construction of a retention basin is needed to support new development within the ULL, require the development to provide for the perpetual funding and ongoing maintenance of the basin.
- f. Eliminate hazards caused by local flooding through improvements to the area's storm drain system or creek corridors as resources allow.

4. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a "Flood Hazard Map," described in section 11.4 of Chapter 11 as "Figure 11." For reference purposes and context only, the existing Figure 11 is attached to this Initiative as Exhibit V.

5. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.5.2, entitled "Fire Hazard Policies." That subsection is amended as follows:

#### **11.5.2 Fire Hazard Policies**

- a. Where new development within the ULL borders wildland areas, require appropriate fuel modification and use of fire retardant building materials per the requirements of the Contra Costa County Fire Protection District. Fuel modification may be permitted to extend beyond the boundaries of the site for which wildland fire protection is being provided only if the adjacent owner provides written permission, the proposed fuel modification is consistent with the management practices of the agency controlling such land (if it is in permanent open space), and the off-site fuel modification activity will not significantly impact sensitive habitat areas.
- b. Require that adequate fire protection be available at initial project occupancy, whenever feasible. Thus, stations should be constructed and manned at the outset of new development. If the Contra Costa Fire Protection District finds that a lag time between initial occupancy and operation of new



stations cannot be avoided, the City may consider requiring sprinklers in new homes as an alternative.

6. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.6.2, entitled "Noise Policies." That subsection is amended as follows:

#### 11.6.2 Noise Policies

##### *Noise Compatible Land Use and Circulation Patterns*

- a. Implementation of the noise objective contained in Section 11.6.1 and the policies contained in Section 11.6.2 of the Environmental Hazards Element shall be based on noise data contained in Section 4.9 of the General Plan EIR, unless a noise analysis conducted pursuant to the City's development and environmental review process for new development within the ULL provides more up-to-date and accurate noise projections, as determined by the City.
- b. Maintain a pattern of land uses that separates noise-sensitive land uses from major noise sources to the extent possible, and guide noise-tolerant land uses into the noisier portions of the Planning Area.
- c. Minimize motor vehicle noise in residential areas through proper route location and sensitive roadway design.
  - Provide planned industrial areas with truck access routes separated from residential areas to the maximum feasible extent.
  - Where needed, provide traffic calming devices to slow traffic speed within residential neighborhoods.

##### *Noise Analysis and Mitigation*

- d. Where new development within the ULL (including construction and improvement of roadways) is proposed in areas exceeding the noise levels identified in the General Plan Noise Objective, or where the development of proposed uses could result in a significant increase in noise, require a detailed noise attenuation study to be prepared by a qualified acoustical engineer to determine appropriate mitigation and ways to incorporate such mitigation into project design and implementation.
- e. When new development within the ULL incorporating a potentially significant noise generator is proposed, require noise analyses to be prepared by a qualified acoustical engineer. Require the implementation of appropriate noise mitigation when the proposed project will cause new exceedences of General Plan noise objectives, or an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- f. In reviewing noise impacts of new development within the ULL, utilize site design and architectural design features to the extent feasible to mitigate impacts on residential neighborhoods and other uses that are sensitive to noise, in addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:
  - Increased building setbacks to increase the distance between the noise source and sensitive receptor.
  - Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
  - Orient delivery, loading docks, and outdoor work areas away from noise-sensitive uses.
  - Place noise tolerant use, such as parking areas, and noise tolerant structures, such as garages, between the noise source and sensitive receptor.
  - Cluster office, commercial, or multi-family residential structures to reduce noise levels within interior open space areas.
  - Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.
- g. Where feasible, require the use of noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts.
  - Noise barriers must have sufficient mass to reduce noise transmission and high enough to shield the receptor from the noise source.
  - To be effective, the barrier needs to be constructed without cracks or openings.
  - The barrier must interrupt the line of sight between the noise source and noise receptor.
  - The effects of noise "flanking" the noise barrier should be minimized by bending the end of the barrier back from the noise source.
  - Require appropriate landscaping treatment to be provided in conjunction with noise barriers to mitigate their potential aesthetic impacts.
- h. Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administrative Code).

*Temporary Construction*

- i. Ensure that construction activities are regulated as to hours of operation in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.
- j. Require proposed development within the ULL adjacent to occupied noise sensitive land uses to implement a construction-related noise mitigation plan. This plan would depict the location of construction equipment storage and maintenance areas, and document methods to be employed to minimize noise impacts on adjacent noise sensitive land uses.
- k. Require that all construction equipment utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- m. Prior to the issuance of any grading plans for new development within the ULL, the City shall condition approval of subdivisions and non-residential development adjacent to any developed/occupied noise-sensitive land uses by requiring applicants to submit a construction-related noise mitigation plan to the City for review and approval. The plan should depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as:
  - The construction contractor shall use temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses.
  - During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- n. The construction-related noise mitigation plan required shall also specify that haul truck deliveries be subject to the same hours specified for construction equipment. Additionally, the plan shall denote any construction traffic haul routes where heavy trucks would exceed 100 daily trips (counting those both to and from the construction site). To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings. Lastly, the construction-related noise mitigation plan shall incorporate any other restrictions imposed by the City.

**L. IMPLEMENTATION ELEMENT AMENDMENTS.**

1. Chapter 12.0 of the General Plan, entitled "Implementation," contains a section 12.2, entitled "Follow-Up Studies and Actions." That section is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

**12.2 FOLLOW-UP STUDIES AND ACTIONS**

**a. Zoning Ordinance**

As a result of updating the Antioch General Plan, a number of modifications to previous General Plan land use designations are proposed. These modifications to proposed land uses are primarily located within General Plan Focus Areas. As a result of these modifications, not all lands will have zoning consistent with the General Plan, in addition, the General Plan contains provisions calling for modifications of zoning standards.

California Government Code Section 65960 requires that a city's zoning be consistent with its General Plan<sup>1</sup>. Where a city has undertaken a comprehensive update of its General Plan, case law permits the city a reasonable period of time to change its zoning ordinance (zoning map and text) to achieve consistency with its updated General Plan.

<sup>1</sup> This requirement extends to general law cities, such as Antioch. Exceptions are made for charter cities.

The following implementation programs will be undertaken in relation to the City's zoning ordinance.

1. Revise the zoning map to reflect the land use categories of the adopted General Plan, including zoning of lands within focus areas.
2. Prepare a matrix defining the zoning classifications that are considered to be consistent with each General Plan designation.
3. Revise the text of the zoning ordinance to reflect the provisions of the adopted General Plan in relation to the following issues.
  - Modify permitted uses within zoning designations to reflect the delineation of appropriate uses set forth in the Land Use Element.
  - Establish development standards for mixed-use buildings within the downtown area and within transit-oriented development nodes. Typically, a mixed-use building would consist of

residential dwelling units placed on the upper floors of buildings having commercial or office uses on the ground floor.

- Modify zoning standards to reflect appropriate locations for churches and schools as set forth in the Land Use Element.
- Add requirements for the provision of charging stations for electric vehicles in major commercial and employment-generating developments.
- Establish standards for boat storage yards, including standards for stackable storage.
- Establish density bonuses for senior housing projects.
- Establish standards for the development of residential care facilities.
- Modify zoning standards to incorporate standards for open space transitions and buffers.

**b. Development Review Process**

Antioch's development review process involved examining proposed development projects for their conformance with the following.

- policies set forth in the General Plan;
- **the voter-approved Urban Limit Line (ULL);**
- development standards set forth in the zoning ordinance and (where applicable) subdivision ordinance;
- the provisions of any applicable specific plan;
- for residential projects, the provisions of Antioch's residential growth management program;
- and the provisions of the City's economic development strategy.

**General Plan Consistency Review.** New development projects within the ULL that require discretionary actions by the City will be reviewed for consistency with the provisions of the General Plan, including the General Plan land use and circulation maps and all applicable General Plan goals, objectives, and policies. The City will not approve any development project found to be inconsistent with the provisions of the General Plan or of the ULL.<sup>1</sup>

<sup>1</sup> See also "Resolution of Competing Objectives" under Section 12.4d.

**Zoning Review.** The City's zoning ordinance sets for a description of specific permitted uses and development standards needed to implement the General Plan. All proposed development within the ULL will be reviewed to ensure that the requirements and standards of the City's zoning ordinance are met.

**Subdivision Review.** Whenever a proposed development within the ULL requires division of land into separate parcels, such development shall be subject to the provisions of the City's subdivision ordinance. This ordinance sets forth both procedural and substantive requirements for the division of land within the City, implementing both the Antioch General Plan and the California Subdivision Map Act. All divisions of land within the City shall be required to meet the provisions of the City's subdivision ordinance and the Map Act.

**Environmental Review.** The provisions of the California Environmental Quality Act (CEQA) require public agencies to review the potential environmental impacts of discretionary actions they proposed to undertake prior to actually undertaking those actions, including review of proposed development projects. The City will maintain review guidelines in accordance with CEQA and State guidelines to implement CEQA. Environmental review of individual projects (public and private) within the ULL will entail preparation of sufficient technical data to determine consistency with General Plan policies related to the physical environment, including, but not limited to, traffic, noise, air quality, biological and cultural resources, public services and facilities, availability of energy and water resources, visual impacts, and flooding and geotechnical hazards.

As part of the environmental review process, mitigation measures needed to achieve consistency with the provisions of the General Plan will be applied to proposed projects.

**c. Maintain Adequate Municipal Services and Facilities**

On an annual basis, coinciding with the Fiscal Year, as part of the General Plan review, the City will conduct an assessment of the municipal services and facilities being provided to Antioch residents and businesses. The assessment will determine whether the performance level of municipal services and facilities meet the performance objectives outlined in the Growth Management Element. This review will also include an evaluation of the adequacy of city facilities and equipment; personnel staffing and program needs; and five-year equipment, facility, and staffing needs based on anticipated growth within the ULL and desired levels of service.

Where the performance objectives contained in the Growth Management Element are not being met, the following procedures will be implemented:

- The City will determine the nature and geographic extent of the deficiency.

- Upon the nature and geographic extent of the deficiency, the City Council will direct the City Manager to prepare a program for Council adoption to ensure that the performance objectives will be met at the earliest possible date.
- As part of the program to cure the identified deficiency, appropriate limitations on new development within the ULL will be established within the improvement area so to facilitate elimination of the deficiency. These limitations will remain in effect until the deficiency is eliminated.
- New development within the ULL and within the improvement area will be required to provide such facilities as are necessary to ensure that the services and facilities provided to the new development meet established performance standards, and that the services and facilities provided to existing development will not be further degraded.

d. Urban Limit Line

- Prior to the County's review of the Urban Limit Line, request modification of the County's Urban Limit Line to include approximately 1,000 acres within the Roddy Ranch (approximately 850 acres) and Ginochio Property (approximately 150 acres) Focus Areas that were within the Urban Limit Line as it was approved by the voters in 1990 within County's present Urban Limit Line. The West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.

e. Actions to Implement Focus Area Policies

The General Plan Land Use Element sets forth policies specific to individual Focus Areas within the City. To implement these Focus Area policies, the following actions will be undertaken.

- Update plans for the San Joaquin River waterfront, including such issues as appropriate development design; location and design of the proposed waterfront trail and park amenities, and means for providing improved all-weather access to Rodgers Point
- Consider renaming "L" Street to Marina Boulevard and "A" Street to Rivertown Boulevard as a means of increasing the visibility of the waterfront, marina, and downtown area.
- Prepare a design plan and implement design improvements for Somersville Road from its entrance to Rivertown at Fourth Street to the south end of County East Mall.
- Develop zoning overlays, modifying permitted uses within Focus Areas for which a Specific Plan has not been adopted to reflect the identification of appropriate uses set forth within the Land Use Element for each Focus Area.
- Undertake an engineering analysis to determine the feasibility of providing an all-weather vehicular access connection between Rivertown and the Rodgers Point area between Second and Sixth streets, including a grade-separated crossing of the existing railroad line.
- Work with the City of Pittsburg to create a roadway connection from Century Boulevard to Buchanan Road along the western city limits.
- Prepare a Specific Plan for the "A" Street Focus Area.
- Investigate the feasibility of creating a redevelopment project area for the "A" Street Interchange Focus Area, including the feasibility of relocating residents as part of planned conversion of lands within the Focus Area from residential to commercial use.
- Undertake a review of the East Lone Tree (FUA 2) Specific Plan to determine whether its assumed residential buildout is feasible given the area's topography.

f. Community Design: Streetscapes

The Community Image and Design Element contains guidelines and policies to improve the visual quality of roadways throughout the City. To implement these policies, the City will undertake the following actions.

- Prepare a landscape manual for roadway rights-of-way, delineating specific street trees to be used to accomplish the purposes outlined in Policy 5.4.2e of the Community Image and Design Element:
  - Differentiate the roadway types outlined in the Circulation Element.
  - Define the hierarchy of entry locations, intersections, and activity centers.
  - Incorporate a full palette of plants, including annual color, to the streetscape.
  - Emphasize drought-resistant landscaping.

- Prepare a plan for utilizing different types of street light within the various Focus Areas of the City to assist in creating a unique character for each of the areas.
- Establish a program for banners on lighting standards to provide visual interest and to announce community events.

**g. Community Design: Community Activity Areas**

The City will establish a program of signage and kiosks throughout the community identifying locations of and directions to important community features and activity areas (e.g., major shopping areas, Rivertown, City marina, Rodgers Point), as well as identifying pedestrian and bicycle paths and trails.

**h. Community Entries and Gateways**

Prepare specific designs for and install gateway improvements at the key locations within Antioch identified in Policy 5.4.3 of the Community Image and Design Element and Policy 6.3.21 of the Economic Development Element.

**i. Screening along State Route 4**

Undertake a joint program with Caltrans to design screening of residential areas along the Route 4 freeway, as set forth in Policy 5.4.5a.

**j. Commercial Lighting**

Develop specific standards for the screening of light sources within commercial developments to avoid spillover of light into adjacent residential areas. Such standards could include height limits for lighting Standards, requirements for use of cut-offs, and performance standards defining the maximum amount of light (expressed in foot-candles) that would be permitted on adjacent properties from a commercial lighting source.

**k. Transportation Improvements**

- Require development projects within the ULL to dedicate and construct roadways indicated on the Circulation map, as well as local roadways, as needed to maintain the performance standards set forth in the Growth Management Element.
- Work with the Contra Costa County Congestion Management Agency to prepare Action Plans and have Eighteenth Street, Wilbur Avenue, Sunset Avenue, Oakley Avenue, and the Pittsburg-Antioch Highway designated as Routes of Regional Significance.
- Undertake design studies and pursue construction of couplets in the Rivertown area for Ninth and Tenth streets and for Second and Fourth streets.
- Undertake annual traffic counts on the Antioch roadways identified on the Circulation Element map (Figure 7.1). For best results, counts should be taken in the spring or fall.
- Support regional efforts to determine the feasibility of and implement (if feasible) waterborne transit.
- Maintain current street standards to be applied to all public streets prior to dedication to the City, as well as to private roadways accommodating more than 50 vehicles per hour.
- Review roadway development standards to ensure that bicycle lanes are included in standard roadway sections.

**l. ABAG Housing and Employment Projections**

Work with the cities of Pittsburg, Oakley, and Brentwood to lobby ABAG to modify regional plans and projections to reflect a more balanced relationship of jobs and housing in eastern Contra Costa County. Such a regional policy would be intended to better reflect the jobs/housing balance policies of these cities' General Plans, recognizing the traffic and air quality imperatives for achieving such a balance.

**m. Review of Annexations**

- Annexation proponents shall demonstrate that facilities, services, and infrastructure within the ULL are adequate to serve the proposed annexation area in accordance with the performance standards set forth in the General Plan Growth Management Element, or that provision has been made to upgrade deficient facilities, services, or infrastructure.
- Small, piecemeal annexations should be avoided. Lands annexed to the City must be within the ULL and should encompass entire neighborhoods or development areas.

**n. Water and Sewer Infrastructure**

- Maintain current master plans for water facilities and sewage collection facilities that are consistent with Federal, State and regional standards.
- On a five-year basis, evaluate local water consumption patterns to determine whether the City's water supplies are adequate to support buildout of the General Plan within the ULL.

- In cooperation with the Delta Diablo Sanitation District and other potential purveyors, undertake an analysis to determine the feasibility of developing a system to use reclaimed wastewater and/or raw (untreated) water, along with creating a market for its use for irrigation and industrial purposes within the community.

**o. Public Safety**

- In cooperation with the Contra Costa County Fire Protection District, and coordinated with the City's annual budget cycle, conduct an annual assessment of the adequacy of facilities and services serving Antioch. This assessment would address personnel and staffing needs, and capital needs, based on anticipated growth and the level of service standard set forth in the Growth Management Element.
- On a five-year basis, have POST undertake an analysis of the Antioch Police Department's staffing needs.

**p. Monitor New Technologies**

The General Plan includes techniques to improve water quality, reduce water consumption and solid waste generation, and conserve energy. However, research is continually being done, which expands our understanding of these issues and suggests new technologies to address the problems. To ensure that the General Plan implementation programs reflect the most current understanding of the issues, it is essential that new technologies be reviewed, and that the General Plan implementation programs be updated to incorporate current technologies. Of particular interest is maintaining an understanding of the commercial viability of new technologies, and when their incorporation into new public and private development projects within the ULL should be encouraged or required. For example, the first year's review should review such new technologies as fiber optic cabling and support of Internet broadband services in new developments. Review of solar and photovoltaic cell technologies should, for example, also be examined. As part of the City's annual budget process, accommodation for such monitoring should be included, with results and recommendations placed in the General Plan annual report.

**q. Promote Energy Conservation by Example**

It is the intention of the City of Antioch to set an example for energy conservation by reducing energy consumption in City operations. Techniques for energy conservation include, but are not limited to:

- emphasizing fuel efficiency in the purchase and use of City-owned vehicles;
- periodically reviewing energy use by City operations and implementing programs to conserve energy;
- encouraging the use of bicycles by providing bicycle parking facilities at all City facilities; and
- achieving adopted solid waste source reduction and recycling goals in municipal operations.

**r. Maintain Disaster Preparedness; Upgrade Existing Plan**

- The City will maintain a Multi-Hazard Functional Plan to coordinate disaster recovery activities within the City of Antioch. As part of this effort, the City will actively solicit the input of local disaster preparedness agencies, including, but not limited to, fire, Sheriff and Highway Patrol, and the American Red Cross. The City's existing plan will be expanded to address issues of domestic terrorism, including incident prevention and response.
- On a five-year basis, the City will undertake an analysis of Antioch's Multi-Hazard Functional Plan, emergency response facilities, staffing and capabilities.
- The City will maintain information on emergency and disaster response on its web site, and at least once during each fiscal year, provide information emergency and disaster response information in a City mailing.

**SECTION 6: ANTIOCH MUNICIPAL CODE AMENDMENTS.**

The Municipal Code is hereby amended as follows. Text to be inserted into the Municipal Code is indicated in **bold underlined** type. Text to be deleted from the Municipal Code is indicated in ~~strikethrough~~ type. Text in standard, bold, or *italic* type that currently appears in that fashion in the Municipal Code on the Filing Date remains unchanged by this Initiative and is shown for reference purposes only.

**A. AMENDMENTS TO SUBDIVISION REGULATIONS.**

1. Article 3 of the Subdivision Regulations, entitled "Tentative Maps," contains a section 9-4.312, entitled "Commission Action." That section is amended as follows:

**§ 9-4.312 COMMISSION ACTION.**

The Commission shall consider the tentative map at a duly noticed public hearing within 50 days, unless such time is extended by the mutual consent of the subdivider and the Commission, and the Commission shall make a written report with recommendations to the Council concerning the approval, conditional approval, or disapproval of the map, or any other conditions precedent thereto, and such improvements as may be required. Any application for exceptions, as provided for in § 9-4.311 of this article, shall accompany the tentative map, and the recommendations of the Commission on the tentative map shall include the recommendations on any exception requested. Following the adoption of the recommendations on the tentative map, the map and recommendations shall be transmitted to the Council for action. The applicant, property owners and occupants, and stakeholders who reside in

or own property within 300 feet of the subject site within the Limited Development Area shall be eligible to appeal the Action of the Commission to the City Council.

2. Article 17 of the Subdivision Regulations, entitled "Environmental Impact and General Plan Compliance," contains a section 9-4.1701, entitled "Environmental Impact Reports." That section is amended as follows:

**§ 9-4.1701 ENVIRONMENTAL-IMPACT-REPORTS; CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE.**

No parcel or tentative map filed shall be approved ~~until an environmental impact report is prepared, processed, and considered in accordance with the provisions of~~ without environmental compliance pursuant to the California Environmental Quality Act of 1970 (Cal. Pub. Res. Code §§ 21000 et seq. and 14 Cal. Code Regs. § 15000 et. seq.) (collectively, "CEQA"). The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of appropriate environmental review documents if any, for purposes of CEQA compliance.

3. Article 17 of the Subdivision Regulations, entitled "Environmental Impact and General Plan Compliance," contains a section 9-4.1801, entitled "General Plan Conformance; Time for or Waiver of Reports." That section is amended as follows:

**§ 9-4.1801 GENERAL PLAN CONFORMANCE; TIME FOR OR WAIVERS OF REPORTS.**

- (A) The environmental impact report negative declaration, addendum, or other appropriate environmental review document, if any, required for purposes of CEQA compliance, shall contain a statement as to the proposed division of territory conforming to the General Plan, which is required pursuant to Cal. Gov't Code § 65402 as the result of a proposed division of land, which may be included as part of and at the same time as the action taken by the Advisory Agency on such division of land.
- (B) Such report or other appropriate CEQA compliance document or determination shall not be required for a proposed subdivision which involves:
- (1) The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
  - (2) Acquisitions, dispositions, or abandonments for street widening; or
  - (3) Alignment projects provided the Advisory Agency expressly finds that any such disposition for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

**B. AMENDMENTS TO ZONING CODE.**

1. Article 3 of the Zoning Code, entitled "Establishment of Districts," contains a section 9-3.301, entitled "Districts Established and Defined." That section is amended as follows:

**§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.**

(A) *RE Rural Estate Residential District.*

- (1) This district is consistent with the General Plan Designation of Estate Residential, allowing up to one dwelling units per gross developable acre according to divisions (a) through (c), as well as within any Focused Planning Area designated by the General Plan that permits residential development allowing up to one dwelling unit per gross developable acre.
  - (a) A gross developable acre equals 43,560 square feet, exclusive of public and private rights-of-way existing at the time a development application for the subject property is deemed complete.
  - (b) New public or private rights-of-way to be created as part of the proposed development are counted as part of the gross developable acreage of the site.
  - (c) Where a park or school site is to be dedicated as part of a proposed application, the land subject to such dedication may be counted as part of the gross developable acreage of the site, and subsequently yield development density to the proposed project, only if there is no further compensation for the site.
- (2) This district establishes areas for single-family homes on lots that average one-half acre or larger on land that is relatively uneven and constrained by geologic formations, a lack of urban services and unique environmental constraints. Where natural features dictate, clustering of units is appropriate.

- (B) *RR Rural Residential District.* This district is consistent with the General Plan Designation of Estate Residential allowing up to one dwelling units per gross developable acre, as well as with any Focused Planning Area designated by the General Plan that permits residential development, allowing up to one unit per gross developable acre, allowing large custom-built homes on large lots. Typical lot sizes should conform to a minimum of one unit per half acre lot. Lot size and dimensions will depend on topography and surrounding land uses. The district provides areas in close proximity to urban services which may incorporate many characteristics of residential development on the urban fringe including deep front yards, maintenance of existing grade and vegetation.

- (C) *R-4, R-6 Single-Family Residential Districts.* These districts are the standard single-family zones allowing a maximum of four (R-4 District) or six (R-6 District) dwelling units per gross acre respectively. The districts are consistent with the Low Density Residential General Plan Designation, of two to four dwelling units per gross developable acre, and with the Medium-Low Density Residential General Plan Designation of four to six dwelling units per gross developable acre. The R-4 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to four dwelling units per gross developable acre. The R-6 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to six dwelling units per gross developable acre.
- (D) *R-10 Medium Density Residential District.* This district allows residential densities for attached single-family and multiple-family units. This district is consistent with the Medium Density Residential General Plan Designation which allows six to 10 dwelling units per gross developable acre. Typical development would include attached and/or cluster-type, ownership, oriented units including some with private yards and common recreation areas.
- (E) *R-20 Medium Density Residential District.* These districts allow multiple-family densities of 11 to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 20 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.
- (F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 30 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (H) *C-0 Professional Office District.* This district allows development of business office centers and institutional or professional buildings. This district is consistent with the Office, Neighborhood/Community Commercial, Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting professional office uses.
- (I) *C-1 Convenience Commercial District.* This district usually occupies one to four acres of area and contains a mix of retail uses that provide goods and services to the immediate residential neighborhood area. These uses typically have a service area of a one mile radius or less.
- (J) *C-2 Neighborhood/Community Commercial District.* This district allows limited commercial offices, retail stores and service establishments which are compatible with, and dependent upon residential developments. The neighborhood district may typically occupy four to 10 acres of area and be located at appropriate arterial and/or collector street intersections. The primary purpose of the Neighborhood Commercial District is to provide for the sale of convenience goods, food, drugs, sundries and personal necessities. It meets the daily needs of the neighborhood area of a one to three mile radius. Usually one supermarket is the primary anchor. The Community Commercial District provides for both neighborhood uses and adds a junior department store, large variety store, or discount store as an anchor. This district may occupy 10 acres or more and serves residents within three to five miles. This district is consistent with the Neighborhood/Community Commercial and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting commercial land use types.
- (K) *C-3 Regional Commercial District.* This district provides for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores with a typical minimum of 75,000 square feet of floor area. Regional commercial uses typically serve a population residing within an eight to 20-mile radius and occupy 30 to 50 acres or more. This district also provides for highway or travel-oriented functions along freeways, major thoroughfares, and major roadways. This district is consistent with the Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Somersville Road Corridor Focused Planning Area and other Focused Planning Areas permitting the types of commercial uses intended for this district.
- (L) *M-1 Light Industrial District.* This district allows light industrial uses and excludes those heavy industrial uses with potentially hazardous or negative effects. This district is consistent with the Business Park, Light Industrial, and Rail-Served Industrial General Plan Designations, as well as with the Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas. Uses include the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials typically within an enclosed building.



- (M) *M-2 Heavy Industrial District.* This district allows heavy industrial uses which may generate adverse impacts on health or safety. This zone applies primarily to existing heavy industrial uses. The district is consistent with the General and Rail-Served Industrial General Plan Designations. Uses include production of and extraction of metals or chemical products from raw materials, steel works and finishing mills, chemical or fertilizer plants, petroleum and gas refiners, paper mills, lumber mills, asphalt, concrete and hot mix batch plants, power generation plants, glassworks, textile mills, concrete products manufacturing and similar uses.
- (N) *PBC Planned Business Center.* This district provides sites in landscaped settings for office centers, research and development facilities, limited industrial activities (including production and assembly, but no raw materials processing or bulk handling), limited warehouse type retail and commercial activities, and small-scale warehousing distribution. Individual business centers would have a common architectural and landscape treatment, while architectural variation is encouraged between centers. The district is consistent with the Business Park and Light Industrial General Plan Designations, as well as with the Somersville Road Corridor, Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas.
- (O) *T Manufactured Housing Combining District.* This combining zone provides a district designation which shall be applied to land uses such as manufactured housing or trailer park uses, establish rules and regulations by which the city may regulate standards of lot, yard, and park area, landscaping, walls or enclosures, signs, access, and vehicle parking in relation to mobile home or trailer parks pursuant to the powers granted to the city under the California Health and Safety Code, and name the Commission as its agent for executing the provisions of this section. The provisions of this section shall apply to travel trailer parks, recreational trailer parks, and temporary trailer parks or tent camps, unless specifically exempted by Cal. Health and Safety Code Part 2 of Division 13 or by the provisions of this chapter. This combining zone is consistent with all principal zones to which it is attached.
- (P) *P-D Planned Development District.* This district accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses which are appropriately a part of a planned development. This district is intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be three contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be one contiguous acre of land.
- (Q) *HPD Hillside Planned Development District.* This district is similar to the Planned Development District. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and land forms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.
- (R) *OS Open Space/Public Use District.* This district allows undeveloped public open space and areas for public use where shown on the General Plan and in Specific Plans. This zone also can apply to public utility easements for electrical lines, gas lines and canals to prevent encroachment by urban development. This district is consistent with the Public/Institutional and Open Space General Plan Designations, as well as within Focused Planning Areas.
- (S) *MCR Mixed Commercial/Residential District.* This district allows retail, office, and residential uses to exist in a compatible manner through the use of special design standards. The intent is to allow uses that do not contribute to the furthering of a commercial strip pattern. This district is compatible with the Transit-Oriented Development, General Plan Designation, as well as with Focused Planning Areas that permit mixed use development.
- (T) *RT Rivertown District.* This district applies Planned Development Standards specifically to the downtown area identified in the General Plan as the Rivertown Focused Planning Area. This district allows uses which are supportive of a village setting. Mixes of commercial, retail, employment-generating and residential uses are encouraged. The following four districts are subareas of the Rivertown District.
- (1) *RTC Rivertown Retail District.* This district creates a vital core area of retail businesses, restaurants, personal and professional services, and offices. While retail and restaurant uses are strongly encouraged for the core area, compatible service oriented and office uses are permitted. The intent is to create an area of pedestrian oriented uses and activities that are mutually supportive.
- (2) *RTR Rivertown Residential Districts.*
- (a) *RTR-10 Rivertown Low Medium Density Residential.* This district recognizes and enhances the existing lot patterns and parcel sizes and encourages the preservation and rehabilitation of established lower density, predominantly single-family residential areas. This district also recognizes the potential for medium density residential development to provide new ownership opportunities, better land utilization, and a more urban character close to the downtown area. New development shall occur at densities of from six to ten dwelling units per gross developable acre. Typical development would include both detached and attached and/or clustered, ownership oriented units with private yards and common recreation areas.
- (b) *RTR-20 Rivertown High Density Residential.* This district encourages the assembly of under-utilized parcels and the redevelopment of properties for higher density residential use close to the downtown/waterfront. Development shall occur at densities of from 11 to 20

dwelling units per gross developable acre. These higher density areas should provide significant on-site amenities or integrate public areas into the development so as to create a feeling of continuity within the Rivertown area.

- (U) *WF Urban Waterfront District.* This district applies specifically to the Rivertown/Urban Waterfront and Eastern Employment Area Focused Planning Areas shown on the General Plan. Uses could include a mix of commercial and industrial uses generally restricted to those which are thematically compatible with a waterfront setting. Water related uses include marinas, and boat sales, and maintenance in conjunction with a marina and compatible public uses. This district is consistent with the Urban Waterfront General Plan Designation. Retail uses could include restaurants commercial, recreation, and other water oriented uses. Public open space, walkways and other elements are also allowed to provide access to the river.
- (V) *H Hospital/Medical Center Overlay District.* This overlay district is intended to protect the Delta Memorial Medical Center area of influence from potentially incompatible land uses to and allow for the expansion of medical services. Compatible uses include medical offices, medical supply and retail sales, laboratories and medical related housing (short and long term care). This overlay zone is consistent with the Delta Memorial Medical Center General Plan Overlay Designation.
- (W) *MUMF Mixed Use Medical Facility District.* This district accommodates medical office buildings, hospitals/acute care facilities, ancillary medical and other complementary uses including professional office, retail (as support to the medical facilities, such as restaurants, convenience shops, and the like) residential (including congregate or convalescent care), parking structures and helicopter pads. Non-medical uses are not permitted unless they are compatible with medical uses, but are otherwise not required with medical uses. The minimum area required for the establishment of a Mixed Use Medical Facility District shall be one contiguous acre of land.
- (X) *SH Senior Housing Overlay District.*
  - (1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units. See the project calculation example incorporated herein by reference.
  - (2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.
- (Y) *S Study District.* This district is intended as an interim designation which is utilized until all necessary detailed land use studies are completed for a given area. This district is most appropriately applied to properties at the time that they are rezoned prior to annexation by the city.
- (Z) *SP Specific Plan District.* This district is intended to provide a base designation to further implement the goals, objectives, and policies of the General Plan with respect to specific areas and uses which, because of their unique character, require a more comprehensive and intense evaluation and planning effort. This district will apply to individual parcel(s) only after the adoption of a specific plan by the City Council, pursuant to Government Code § 65450 et seq. Within the SP zoning district, permitted uses and development standards shall be as specified in the adopted Specific Plan.
- (AA) *TOD Transit-Oriented Development District.* This district is intended to provide for a mix of high-density uses that are oriented toward rail or bus transit stations within and adjacent to the city. This district thus accommodates development of an integrated mix of residential, commercial, and employment-generating uses as appropriate in both horizontal mixed-use (different types of uses located in adjacent buildings) and vertical mixed-use (different types of uses within the same building) patterns.
- (BB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this article, so as to promote its most appropriate use in the context of Roddy Ranch's unique natural qualities and existing recreational uses.
- (CC) *P Exclusive Parking District.* This district designates parcels that are to be used exclusively for parking purposes in the Rivertown area.
- (DD) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of emergency shelters. It allows emergency shelters by right when they are developed in accordance with a set of standards and requirements. The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.
- (EE) West Sand Creek Planned Development District (WSC District or West Sand Creek District).** **The West Sand Creek District is consistent with the Limited Development Area overlay land use designation within the Sand Creek Focus Area west of Deer Valley Road, as established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative. This district is consistent with the "Estate Residential," "Low Density Residential," "Medium Low Density Residential," "Medium Density Residential," "Convenience Commercial," "Mixed Use," "Public/Quasi Public," and "Open Space" General Plan base land use designations. Consistent with the Initiative, this district allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.**

2. Article 28 of the Zoning Code, entitled "Amendments," contains a section 9-5.2801, entitled "Authorized." That section is amended as follows:

**§ 9-5.2801 AUTHORIZED.**

This chapter may be amended by changing the zoning map or land use regulations. Notwithstanding any provision of the Municipal Code to the contrary, however, this Article shall not apply to any of the land within the Initiative Area of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

3. Article 27 of the Zoning Code, entitled "Design Review, Use Permits, Administrative Use Permits and Variances," contains a section 9-5.2706, entitled "Appeals; Design Review Board." That section is amended as follows:

**§ 9-5.2706 APPEALS; DESIGN REVIEW BOARD.**

In the event the applicant or other person is not satisfied with the architectural design criteria established by the Design Review Board, they may, within five days after such decision, appeal in writing to the Council in the same manner as an appeal for a use permit or variance, except that the appeal to the Council shall not be a public hearing. Notwithstanding the foregoing and any other provision of the Municipal Code to the contrary, the applicant, property owners and occupants, and stakeholders who reside in or own property within 300 feet of the subject site within the Limited Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall be eligible to appeal pursuant to this section.

**C. ESTABLISHMENT OF WEST SAND CREEK PLANNED DEVELOPMENT DISTRICT.**

Attached as Exhibit L is a new Article 42 (including sections 9-5.4201 through 9-5.4205) to be known as the "West Sand Creek Planned Development District" ("WSC District" or "West Sand Creek District") and inserted into the Antioch Municipal Code immediately following existing Article 41 of the Municipal Code.

**SECTION 7: DEVELOPMENT AGREEMENT.**

Attached as Exhibit G is a Development Agreement between the City of Antioch and the holders of legal or equitable interests in the real property shown in DA Exhibit 1 and described in DA Exhibit 2 to the Development Agreement. To implement the provisions of this Initiative, and pursuant to the authority of Government Code sections 65864 *et seq.*, including section 65867.5 specifying that a development agreement is a legislative act that shall be approved by ordinance, the Development Agreement is hereby adopted as an ordinance of the City of Antioch and approved. Not later than ten (10) days following the Effective Date of this Initiative, the City shall complete the intentionally omitted information in the introductory paragraph of the Development Agreement and shall have the Development Agreement recorded with the County Clerk-Recorder.

**SECTION 8: MITIGATION MEASURES.**

To the maximum extent allowed by law, the citizens intend that the development of The Ranch within the Limited Development Area established pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall comply with the California Environmental Quality Act, Cal. Code Pub. Res. section 21000 *et seq.* and 14 Cal. Code Pub. Res. section 15000 *et seq.* (collectively, "CEQA") and any mitigation measures that may be adopted pursuant to CEQA to ensure full mitigation of any significant environmental impacts of the Project.

**SECTION 9: EXEMPTIONS.**

- A. This Initiative shall not apply to any of the following:
1. Any law that, under federal or state law, is beyond the power of the local voters to enact by the power of initiative reserved to the people of California under the state constitution; and
  2. Any property that, as of the Effective Date, has a vested right under state or local law.
- B. In addition to the foregoing, this Initiative shall not apply to the extent, but only to the extent, that it would violate the constitution or laws of the United States or the State of California, as set forth below:
1. If a property owner contends that any provision of this Initiative effects an unconstitutional taking of that owner's property, the City shall grant an exception to the application of that provision if the City finds, based on substantial evidence, that (a) application of the subject provision would constitute an unconstitutional taking of that owner's property, and (b) that any exception granted will allow additional development only to the minimum extent necessary to avoid such a taking.
  2. This takings subsection is intended to prevent this Initiative from unconstitutionally interfering with property rights and to avoid the potential fiscal impacts to the City of claims for just compensation based on allegations of such interference. This subsection is therefore intended to avoid a taking of property, not to provide a remedy for such a taking.

**SECTION 10: PRE-ELECTION CHALLENGE.**

We, the undersigned, registered, and qualified voters of the City of Antioch, County of Contra Costa, and signatories to the Notice of Intent to Circulate Petition, propose this Initiative to amend the City of Antioch General Plan and Municipal Code with respect to the land within the Initiative Area and to adopt a Development Agreement for a portion of the Limited Development Area commonly known as "The Ranch Property." The Limited Development Area within the flatter lands that comprise The Ranch Property would be developed with a comprehensive master-planned community that thoughtfully balances future development with respect for the site's important natural features, and that includes numerous extraordinary public benefits. We petition that this Initiative be submitted to

the City Council for adoption, without change, or for submission to the voters of Antioch. If a pre-election challenge is filed regarding this Initiative, we request that the severance clause set forth in section 15 of the Initiative be applied to this entire petition, and we declare that we would have signed this petition, and each word of it, irrespective of the fact that any other word, condition, or application to any situation be held invalid.

**SECTION 11: CONFLICT WITH OTHER MEASURES.**

- A. In approving this Initiative, it is the citizens' intent to create a complete regulatory scheme to govern the future use and development of the Initiative Area. To ensure this intent is not frustrated, this Initiative is presented to the citizens as an alternative to, and with the express intent that it will compete with, any and all citizen initiatives or measures adopted by the City Council at the same public hearing or placed on the same ballot as this Initiative and that would, if approved, limit the use or development or otherwise regulate in any way any part of the Initiative Area in any manner whatsoever (each, a "Conflicting Initiative").
- B. In the event this Initiative and one or more Conflicting Initiatives are adopted by the City Council at the same public hearing or by the voters at the same election, then it is the citizens' intent that the measure that receives the greatest vote of the City Council or the greatest number of affirmative votes by Antioch voters shall control in its entirety and any such other measure or measures shall be rendered void in its entirety and without any legal effect. It is also the citizens' intent that, if the City Council adopts this Initiative and one or more Conflicting Initiatives at the same public meeting or hearing and each measure receives the same vote, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall control and take effect on all of the lands that comprise the Initiative Area to the maximum extent legally possible.
- C. In no event shall this Initiative be interpreted in a manner that would allow its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the City Council at the same public hearing or the voters at the same election, and such Conflicting Initiative is later held invalid for any reason, this Initiative shall be self-executing and given full force of law.

**SECTION 12: IMPLEMENTATION.**

- A. Upon the Effective Date, the City is directed to promptly take all appropriate administrative and clerical actions needed to implement this Initiative. Subject to the exceptions set forth in Section 4 and Section 12(B), below, this Initiative is considered adopted and effective upon the earliest date legally possible after the City Council adopts this Initiative or the Elections Official certifies the vote on the Initiative by the voters of the City of Antioch.
- B. Upon the Effective Date, the provisions of Section 5 are hereby inserted into the General Plan; except that if the four amendments of the General Plan allowed by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan Amendments set forth here shall be the first amendments inserted into the General Plan on January 1 of the next year. At such time as the General Plan Amendments are inserted in the General Plan, any provisions of City law inconsistent with those General Plan Amendments shall be void and unenforceable to the extent of such inconsistency. Notwithstanding anything contained in this Initiative to the contrary and subject to the requirements of Measure K, the provisions set forth in Sections 5(C)(5), 5(C)(11), 5(C)(13), 5(D)(4), 5(D)(8), 5(D)(15), and 5(L)(1) of this Initiative are amended, effective January 1, 2021, upon the expiration of Measure K.
- C. Upon the Effective Date, the provisions of section 6 of this Initiative are hereby inserted into the Municipal Code, and any provision of the Municipal Code that is inconsistent with the General Plan Amendments adopted by this Initiative shall not be enforced. However, in no event shall the Municipal Code amendments set forth in this Initiative become effective prior to the effectiveness of the General Plan Amendments, as may be applicable. Notwithstanding the foregoing, the Municipal Code amendments set forth in this Initiative are not dependent on the General Plan Amendments that take effect January 1, 2021, upon the expiration of Measure K.
- D. The General Plan in effect on the date of filing of the Notice of Intent to Circulate Petition ("Filing Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of land use goals and policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of goals and policies for the City, any provision of the General Plan that is adopted between the Filing Date and the Effective Date of the General Plan amendments adopted by this Initiative, or that is invalidated by a court of competent jurisdiction at any time following the Filing Date, shall, to the extent that such interim-enacted or judicially-invalidated provision is inconsistent with the General Plan Amendments adopted by this Initiative, be amended as soon as possible, and in the manner and time required by state law, to ensure consistency between the provisions adopted by the Initiative and other elements of the General Plan.
- E. Upon the Effective Date, the Mayor is authorized and directed to sign the Development Agreement on behalf of the City and the City is directed to promptly take all appropriate and required actions pursuant to the Development Agreement.
- F. Upon the Effective Date, City staff are directed to take promptly such administrative and clerical steps as may be required to implement this Initiative. City staff are further directed to reorganize, reorder, and renumber the General Plan and Municipal Code if and as necessary to further the purposes of this Initiative.
- G. The City Council shall take all steps necessary to defend vigorously any challenge to the validity or constitutionality of this Initiative in any pre-election or post-election legal proceeding.
- H. Upon the Effective Date, the City may not take any action, including approving tentative subdivision maps, that is inconsistent with this Initiative. Furthermore, the City is directed to expeditiously and diligently process, in accordance with applicable federal, state, and local law, all subsequent actions to implement the purposes of this Initiative, including but not limited to subdivision maps and issuance of grading and building permits.
- I. To the extent allowed by law, the voters of Antioch hereby authorize and direct City staff and officials to amend any elements or provisions of the General Plan and Municipal Code, including all exhibits and figures and implementation programs or policies, as soon as possible, to implement this Initiative and to ensure consistency and correlation between this Initiative and other elements of the General Plan and Municipal Code. The preceding sentence shall be interpreted broadly pursuant to *Pala Band of Mission Indians v. Board of Supervisors*, 54 Cal.App.4th 565 (1997), to promote the requirements that a general plan constitute an integrated and consistent document.

- J. Upon the Effective Date, any provision of the Municipal Code that is inconsistent with the General Plan Amendments enacted by this Initiative shall be deemed null and void and shall not be enforced.

**SECTION 13: AMENDMENT.**

- A. With the specific exceptions set forth in this Section 13, this Initiative may only be amended or repealed, pursuant to California Elections Code section 9217, by majority of the voters in the City voting in an election held in accordance with state law:
1. The Development Agreement may be amended as provided in Government Code section 65868.
  2. The matters adopted in Sections 5 and 6 of this Initiative may be renumbered, without a vote of the people, so long as doing so effects no substantive change to the contents of this Initiative. Clerical changes to reproduce or relocate any text or diagram of this Initiative may be made, without a vote of the people, so long as doing so effects no substantive change. Text and the portions of diagrams that are included in this Initiative for reference or context purposes only may be amended, supplemented, or repealed according to the same procedures that would apply if this Initiative had not been enacted, without a vote of the people, provided that doing so does not result in any provisions inconsistent with the remainder of this Initiative. Corrections may be made to fix any typographical or clerical errors in this Initiative, without a vote of the people, provided that doing so effects no substantive change.
  3. Provisions of the General Plan amended by this Initiative, and of the West Sand Creek Planned Development District adopted by this Initiative, may be amended without a public vote only under one of the following specific circumstances:
    - (a) The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowner's property;
    - (b) The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element or other state housing laws; or
    - (c) Upon application by any person having a legal or equitable interest in real property located within the Limited Development Area established by the Initiative, for the development of property within the Limited Development Area, or representative of any person authorized to apply for such amendment, with the approval of the City Council, if the proposed amendment (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove an amendment to the General Plan and/or the West Sand Creek Planned Development District unless it makes written findings, based on a preponderance of evidence in the record, that the proposed amendment would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without denying the amendment.

**SECTION 14: INTERPRETATION.**

- A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or a portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters of Antioch declare that this Initiative, each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.
- B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the people of Antioch indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion; and (ii) the City implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with the intent of this Initiative.
- C. This Initiative must be broadly construed and implemented in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted and implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative. To ensure that the voters' intent prevails, words in this Initiative shall be interpreted according to the intent expressed in this Initiative, and shall be applied according to their plain meaning. In the event the plain meaning is not clear, we the people of Antioch declare our intent that this Initiative be interpreted in light of the ballot materials and campaign materials offered in favor of this Initiative. We also declare that we adopt our findings based upon our general knowledge of Antioch geography, planning, development, community needs and desires, and upon those campaign materials that are offered to the public in favor of this Initiative.
- D. Any titles of the sections or subsections of this Initiative are inserted for convenience of reference only and shall be disregarded in interpreting, applying or implementing any part of the provisions of this Initiative.

**SECTION 15: SEVERABILITY.**

If any word or words of this Initiative, or its application to any situation, are held invalid or unenforceable, in a final judgment that is no longer subject to rehearing, review, or appeal by a court of competent jurisdiction, then the word or words are severed, and the remaining parts of this Initiative, and the application of any part of this Initiative to other situations, shall continue in full force and effect to the maximum extent legally possible consistent with the purposes stated herein. We, the people of Antioch, declare that we would have adopted this Initiative, and each word of it, irrespective of the fact that any other word, condition, or application to any situation, be held invalid for any reason. It is our intent that any portion of this Initiative that can lawfully be implemented be implemented, even

if doing so would otherwise appear trivial or inconsequential, and even if the valid portion appears intertwined with the invalidated portion. It is also our intent that if severance is being considered, each enactment (General Plan, Municipal Code, and Development Agreement), each section, each paragraph, each phrase, and each word of this Initiative be interpreted to be complete in itself and functionally and grammatically separate from each other word.

**SECTION 16: STATUTE OF LIMITATIONS.**

Unless a shorter statute is enacted by the state legislature, all provisions of this Initiative shall be deemed subject to Government Code section 65009(c), and no action or proceeding challenging all or any part of this Initiative shall be maintained unless commenced and served within 90 days of the City Council's decision. We intend the date of the City Council's decision to be the date at which the City Council adopts the Initiative, or of the date the City Council declares the vote on this Initiative. If such date cannot lawfully be deemed the date of the City Council's decision, then we intend the date of the City Council's decision to be the earliest possible lawful date.

**SECTION 17: INCORPORATION OF EXHIBITS.**

The following exhibits are incorporated by reference and comprise part of this Initiative for all purposes.

Exhibit A: Initiative Area Property Map.

Exhibit B: Initiative Area Legal Description.

Exhibit C: Restricted Development Area Property Map.

Exhibit D: Restricted Development Area Legal Description.

Exhibit E: Limited Development Area Property Map.

Exhibit F: Limited Development Area Legal Description.

Exhibit G: Development Agreement.

Exhibit H: The Ranch Property Map.

Exhibit I: The Ranch Legal Description.

Exhibit J: Existing Figure 4.12 (Voter Approved Urban Limit Line).

Exhibit K: West Sand Creek Planned Development District.

Exhibit L: Amended General Plan Land Use Map.

Exhibit M: Existing General Plan Land Use Map.

Exhibit N: Table 4.A (Appropriate Land Use Types).

Exhibit O: Table 4.B (Anticipated Maximum General Plan Build Out in the City of Antioch).

Exhibit P: Table 4.D (Anticipated Maximum General Plan Build Out in the General Plan Study Area).

Exhibit Q: Amended Figure 4.8 (Sand Creek Focus Area).

Exhibit R: Existing Figure 4.8 (Sand Creek Focus Area).

Exhibit S: Amended Figure 7.1 (Circulation).

Exhibit T: Existing Figure 7.1 (Circulation).

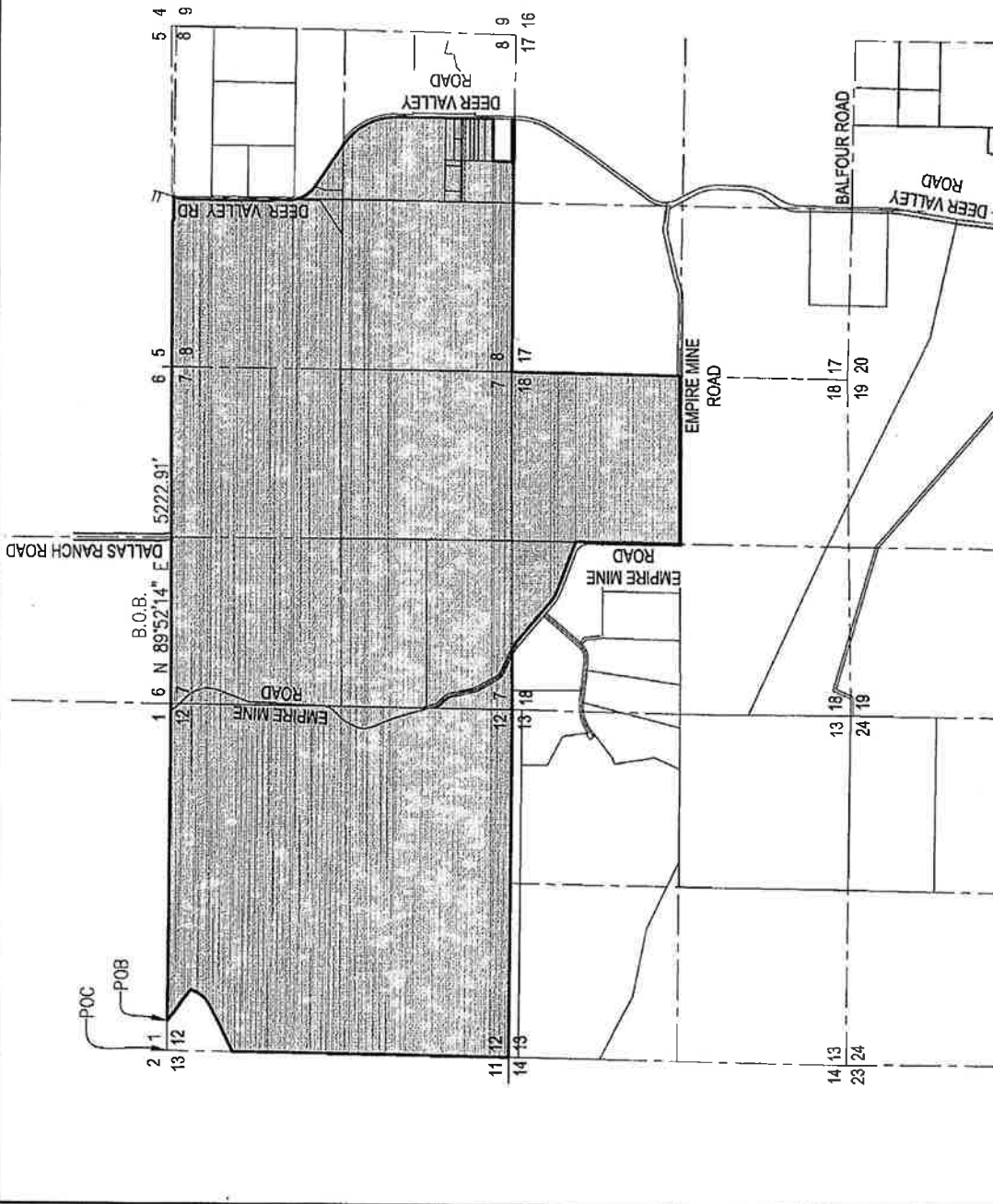
Exhibit U: Existing Flood Hazard Map.

# LEGEND

- INITIATIVE AREA BOUNDARY
- PROPERTY LINE
- SECTION LINE
- INITIATIVE AREA
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS

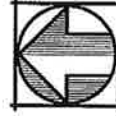


DEER VALLEY ROAD  
17  
P.O.C.  
P.O.B.  
B.O.B.



## EXHIBIT A INITIATIVE AREA PROPERTY

CITY OF ANTIPOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 2000'



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APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'B'**  
**LEGAL DESCRIPTION**  
**INITIATIVE AREA**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.91 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,



- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, THE FOLLOWING NINE (9) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,
- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 191.77 FEET,
- 5) ALONG THE ARC OF A NON-TANGENT 519.99 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 89°58'37" EAST, THROUGH A CENTRAL ANGLE OF 57°40'46", AN ARC DISTANCE OF 523.47 FEET,
- 6) SOUTH 56°07'16" EAST 752.74 FEET,
- 7) ALONG THE ARC OF A NON-TANGENT 975.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 33°50'04" WEST, THROUGH A CENTRAL ANGLE OF 56°48'13", AN ARC DISTANCE OF 966.62 FEET,
- 8) SOUTH 89°21'44" EAST 5.00 FEET,
- 9) SOUTH 00°38'16" WEST 1500.85 FEET, TO THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO NUNN RECORDED SEPTEMBER 29, 2017, AS DOCUMENT NO. 2017-0179324, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°35'54" WEST 659.94 FEET,
- 2) SOUTH 00°38'16" EAST 297.00 FEET,
- 3) SOUTH 89°35'54" EAST 659.99 FEET, TO SAID WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, SOUTH 00°38'16" EAST 33.00 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID WESTERLY LINE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 1,302.44 FEET,
- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZEKA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZEKA RANCH (183 PM 13), NORTH 00°43'32" EAST

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4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET,
- 2) NORTH 62°07'16" EAST 340.60 FEET,
- 3) NORTH 56°34'57" EAST 92.76 FEET,
- 4) NORTH 45°36'25" EAST 71.10 FEET,
- 5) NORTH 36°40'00" EAST 76.07 FEET,
- 6) NORTH 26°34'38" EAST 54.04 FEET,
- 7) NORTH 24°25'18" EAST 79.38 FEET,
- 8) NORTH 53°05'23" WEST 226.60 FEET,
- 9) NORTH 54°45'32" WEST 134.81 FEET,
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1,848.19 ACRES OF LAND, MORE OR LESS.



END OF DESCRIPTION

*Joela Garcia*  
\_\_\_\_\_  
J G CIA, P.L.S.  
L.S. NO. 5285

04-26-2018

# LEGEND

INITIATIVE AREA

PROPERTY LINE

SECTION LINE

RESTRICTED DEV. AREA

STREET NAME

SECTION NUMBER

POINT OF COMMENCEMENT

POINT OF BEGINNING

BASIS OF BEARINGS



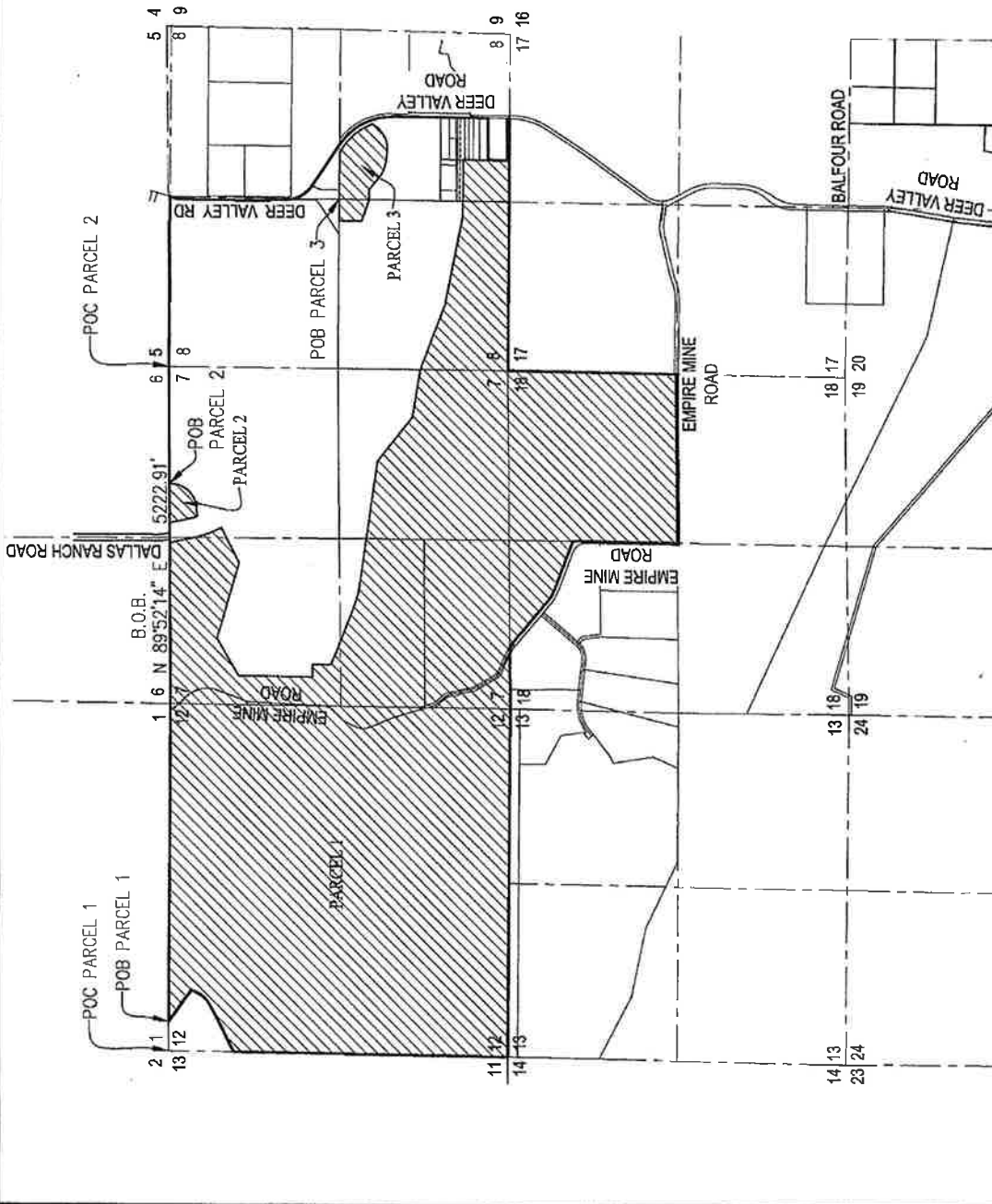
DEER VALLEY ROAD

17

POC

POB

B.O.B.



## EXHIBIT C RESTRICTED DEVELOPMENT AREA

CITY OF ANTIPOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1"=2000'

DEER VALLEY ROAD

EMPIRE MINE ROAD

BAL-FOUR ROAD

POC PARCEL 1

POB PARCEL 1

PARCEL 1

PARCEL 2

POB PARCEL 2

PARCEL 3

DEER VALLEY ROAD

EMPIRE MINE ROAD

BAL-FOUR ROAD

DEER VALLEY ROAD



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SUS 035 1977



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4/26/2018 1:54 PM

APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'D'**  
**LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, CONSISTING OF THREE (3) PARCELS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1**

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 2,499.30 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, ALONG THE ARC OF A NON-TANGENT 1,600.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°17'13" EAST, THROUGH A CENTRAL ANGLE OF 02°09'38", AN ARC DISTANCE OF 60.33 FEET;

THENCE, SOUTH 11°52'25" EAST 300.00 FEET;

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PAGE 2 OF 6

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THENCE, ALONG THE ARC OF A TANGENT 1,666.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°28'09", AN ARC DISTANCE OF 478.88 FEET;

THENCE, SOUTH 63°23'31" WEST 617.60 FEET;

THENCE, NORTH 73°25'57" WEST 1217.14 FEET;

THENCE, SOUTH 60°01'12" WEST 668.76 FEET;

THENCE, SOUTH 00°38'09" WEST 1,148.91 FEET;

THENCE, SOUTH 89°21'51" EAST 190.98 FEET;

THENCE, SOUTH 00°38'09" WEST 284.64 FEET;

THENCE, SOUTH 66°10'27" EAST 183.59 FEET;

THENCE, SOUTH 68°21'23" EAST 778.33 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,756.73 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°44'39", AN ARC DISTANCE OF 390.74 FEET;

THENCE, SOUTH 81°39'41" EAST 1,908.17 FEET;

THENCE, SOUTH 51°01'25" EAST 877.98 FEET;

THENCE, SOUTH 80°27'52" EAST 746.69 FEET;

THENCE, SOUTH 69°04'06" EAST 1,100.07 FEET;

THENCE, SOUTH 78°46'42" EAST 1,408.31 FEET;

THENCE, SOUTH 89°38'59" EAST 850.00 FEET, TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS 'PARCEL THREE' IN THE GRANT DEED TO GRANDIN, RECORDED FEBRUARY 11, 2008, AS DOCUMENT NO. 2008-0028801, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EASTERLY LINE AND THE EASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL TWO IN THE GRANT DEED TO LEUNG RECORDED MARCH 18, 1999, AS DOCUMENT NO. 1999-0074017, IN SAID OFFICE OF THE COUNTY RECORDER, SOUTH 00°38'59" WEST 712.69 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 642.44 FEET,

- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZEKA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZEKA RANCH (183 PM 13), NORTH 00°43'32" EAST 4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET;
- 2) NORTH 62°07'16" EAST 340.60 FEET;
- 3) NORTH 56°34'57" EAST 92.76 FEET;
- 4) NORTH 45°36'25" EAST 71.10 FEET;
- 5) NORTH 36°40'10" EAST 76.07 FEET;
- 6) NORTH 26°34'38" EAST 54.04 FEET;
- 7) NORTH 24°25'18" EAST 79.20 FEET;
- 8) NORTH 53°05'23" WEST 226.89 FEET;
- 9) NORTH 54°45'32" WEST 134.81 FEET;
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING OR 1,221.14 ACRES OF LAND, MORE OR LESS.

**PARCEL 2**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE CERTIFICATE OF APPROVAL RECORDED JULY 13, 1999, AS DOCUMENT NO. 1999-0183479, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 7, SOUTH 89°52'14" WEST 1814.88 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE ARC OF A NON-TANGENT 388.51 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 85°46'30" WEST, THROUGH A CENTRAL ANGLE OF 91°07'39", AN ARC DISTANCE OF 617.91 FEET;

THENCE, SOUTH 83°42'39" WEST 139.64 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,366.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 72°06'16"



LEGAL DESCRIPTION  
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EAST, THROUGH A CENTRAL ANGLE OF  $06^{\circ}01'19''$ , AN ARC DISTANCE OF 143.57 FEET;

THENCE, NORTH  $11^{\circ}52'25''$  WEST 298.19 FEET;

THENCE, NORTH  $89^{\circ}52'14''$  EAST 603.48 FEET TO SAID POINT OF BEGINNING.

CONTAINING 4.64 ACRES OF LAND, MORE OR LESS.

PARCEL 3

BEGINNING AT THE CENTER CORNER OF SAID SECTION 8, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE OFFICIAL MAP OF MINOR SUBDIVISION 55-83 (MS 55-83), FILED FOR RECORD MAY 14, 1985, IN BOOK 116 OF PARCEL MAPS, AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE CENTER SECTION LINE SOUTH  $89^{\circ}26'48''$  EAST 715.42 FEET;

THENCE, LEAVING SAID CENTER SECTION LINE, ALONG THE ARC OF A NON-TANGENT 908.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $26^{\circ}21'01''$  WEST, THROUGH A CENTRAL ANGLE OF  $44^{\circ}39'43''$ , AN ARC DISTANCE OF 707.79 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 440.94 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $62^{\circ}09'27''$  WEST, THROUGH A CENTRAL ANGLE OF  $66^{\circ}51'38''$ , AN ARC DISTANCE OF 514.54 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 1,411.26 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $04^{\circ}42'11''$  EAST, THROUGH A CENTRAL ANGLE OF  $08^{\circ}07'12''$ , AN ARC DISTANCE OF 200.01 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 486.99 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $12^{\circ}49'23''$  EAST, THROUGH A CENTRAL ANGLE OF  $26^{\circ}27'57''$ , AN ARC DISTANCE OF 224.95 FEET;

THENCE, NORTH  $50^{\circ}42'40''$  WEST 251.03 FEET;

THENCE, WEST 160.00 FEET;

THENCE, NORTH  $70^{\circ}12'29''$  WEST 348.29 FEET;

THENCE, NORTH  $00^{\circ}33'12''$  EAST 356.59 FEET TO SAID CENTER SECTION LINE;

THENCE, ALONG SAID CENTER SECTION LINE, SOUTH  $89^{\circ}26'48''$  EAST 331.46 FEET, TO SAID POINT OF BEGINNING;

LEGAL DESCRIPTION  
PAGE 6 OF 6

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CONTAINING 18.55 ACRES OF LAND, MORE OR LESS.

TOTAL RESTRICTED AREA 1,244.33 ACRES

END OF DESCRIPTION



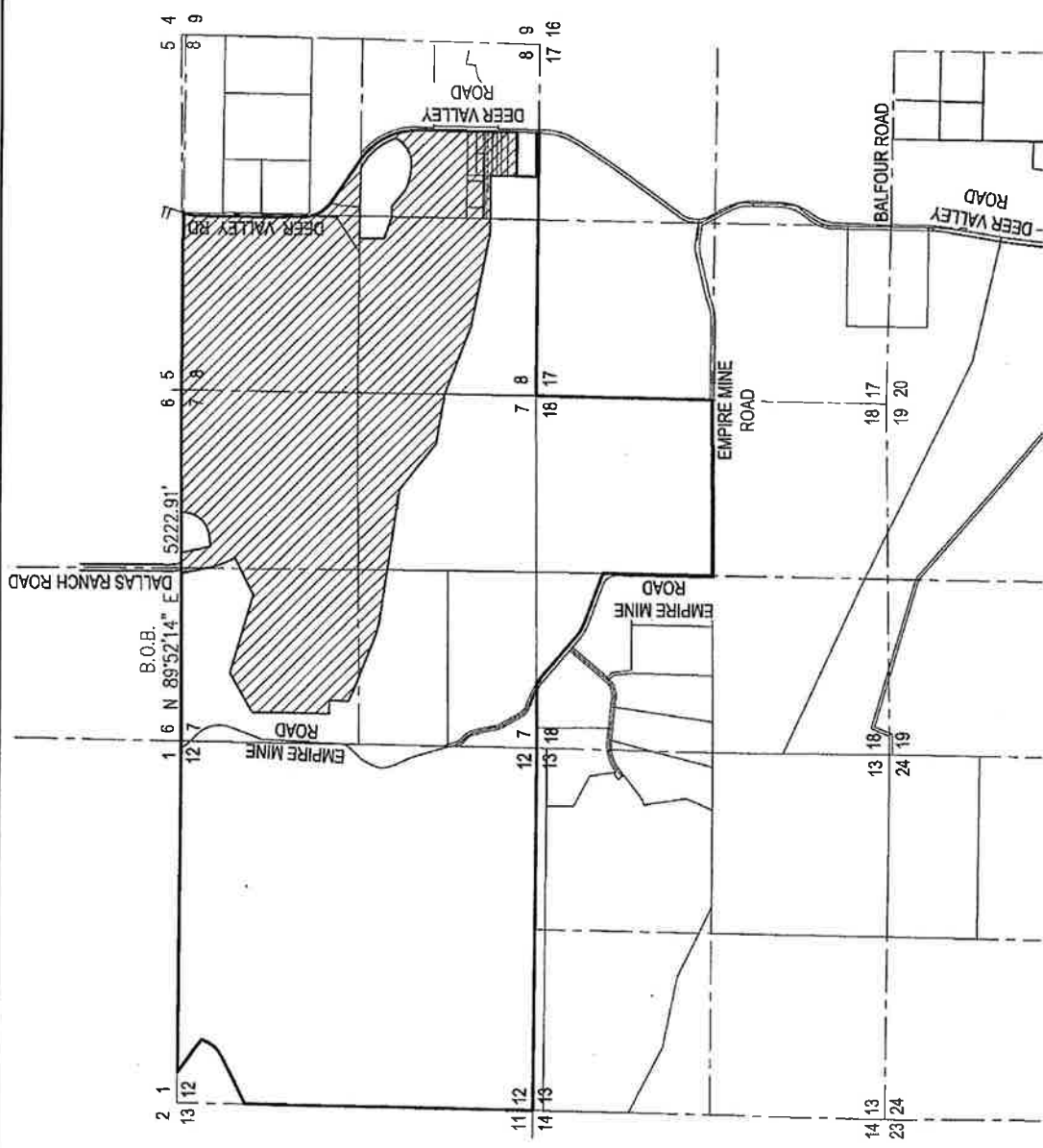
*Joel A. Garcia*  
E G CIA, P.L.S.  
.S. NO. 5285  
*04-26-2018*

### LEGEND

- INITIATIVE AREA
- PROPERTY LINE
- SECTION LINE
- LIMITED DEVELOPMENT AREA
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS



17  
POC  
POB  
B.O.B.



## EXHIBIT E LIMITED DEVELOPMENT AREA

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 200'

Carlson, Barbee & Gibson, Inc.  
CIVIL ENGINEERS - PROFESSIONALS  
SAN RAMON, CALIFORNIA  
BLOOMINGDALE, CALIFORNIA

925.866.0322  
925.832.1977



APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'F'**  
**LEGAL DESCRIPTION**  
**LIMITED DEVELOPMENT AREA**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.91 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,

- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, THE FOLLOWING NINE (9) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,
- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 191.77 FEET,
- 5) ALONG THE ARC OF A NON-TANGENT 519.99 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 89°58'37" EAST, THROUGH A CENTRAL ANGLE OF 57°40'46", AN ARC DISTANCE OF 523.47 FEET,
- 6) SOUTH 56°07'16" EAST 752.74 FEET,
- 7) ALONG THE ARC OF A NON-TANGENT 975.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 33°50'04" WEST, THROUGH A CENTRAL ANGLE OF 56°48'13", AN ARC DISTANCE OF 966.62 FEET,
- 8) SOUTH 89°21'44" EAST 5.00 FEET,
- 9) SOUTH 00°38'16" WEST 1500.85 FEET, TO THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO NUNN RECORDED SEPTEMBER 29, 2017, AS DOCUMENT NO. 2017-0179324, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°35'54" WEST 659.94 FEET,
- 2) SOUTH 00°38'16" EAST 297.00 FEET,
- 3) SOUTH 89°35'54" EAST 659.99 FEET, TO SAID WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, SOUTH 00°38'16" EAST 33.00 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID WESTERLY LINE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 1,302.44 FEET,
- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZECA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZECA RANCH (183 PM 13), NORTH 00°43'32" EAST

4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET,
- 2) NORTH 62°07'16" EAST 340.60 FEET,
- 3) NORTH 56°34'57" EAST 92.76 FEET,
- 4) NORTH 45°36'25" EAST 71.10 FEET,
- 5) NORTH 36°40'00" EAST 76.07 FEET,
- 6) NORTH 26°34'38" EAST 54.04 FEET,
- 7) NORTH 24°25'18" EAST 79.38 FEET,
- 8) NORTH 53°05'23" WEST 226.60 FEET,
- 9) NORTH 54°45'32" WEST 134.81 FEET,
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1,848.19 ACRES OF LAND, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING THREE (3) DESCRIBED PARCELS OF LAND:

PARCEL 1

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH' FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO

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SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 2,499.30 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, ALONG THE ARC OF A NON-TANGENT 1,600.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°17'13" EAST, THROUGH A CENTRAL ANGLE OF 02°09'38", AN ARC DISTANCE OF 60.33 FEET;

THENCE, SOUTH 11°52'25" EAST 300.00 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,666.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°28'09", AN ARC DISTANCE OF 478.88 FEET;

THENCE, SOUTH 63°23'31" WEST 617.60 FEET;

THENCE, NORTH 73°25'57" WEST 1217.14 FEET;

THENCE, SOUTH 60°01'12" WEST 668.76 FEET;

THENCE, SOUTH 00°38'09" WEST 1,148.91 FEET;

THENCE, SOUTH 89°21'51" EAST 190.98 FEET;

THENCE, SOUTH 00°38'09" WEST 284.64 FEET;

THENCE, SOUTH 66°10'27" EAST 183.59 FEET;

THENCE, SOUTH 68°21'23" EAST 778.33 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,756.73 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°44'39", AN ARC DISTANCE OF 390.74 FEET;

THENCE, SOUTH 81°39'41" EAST 1,908.17 FEET;

THENCE, SOUTH 51°01'25" EAST 877.98 FEET;

THENCE, SOUTH 80°27'52" EAST 746.69 FEET;

THENCE, SOUTH 69°04'06" EAST 1,100.07 FEET;

THENCE, SOUTH 78°46'42" EAST 1,408.31 FEET;



THENCE, SOUTH 89°38'59" EAST 850.00 FEET, TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS 'PARCEL THREE' IN THE GRANT DEED TO GRANDIN, RECORDED FEBRUARY 11, 2008, AS DOCUMENT NO. 2008-0028801, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EASTERLY LINE AND THE EASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL TWO IN THE GRANT DEED TO LEUNG RECORDED MARCH 18, 1999, AS DOCUMENT NO. 1999-0074017, IN SAID OFFICE OF THE COUNTY RECORDER, SOUTH 00°38'59" WEST 712.69 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 642.44 FEET,
- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZEKA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZEKA RANCH (183 PM 13), NORTH 00°43'32" EAST 4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET;
- 2) NORTH 62°07'16" EAST 340.60 FEET;
- 3) NORTH 56°34'57" EAST 92.76 FEET;
- 4) NORTH 45°36'25" EAST 71.10 FEET;
- 5) NORTH 36°40'10" EAST 76.07 FEET;
- 6) NORTH 26°34'38" EAST 54.04 FEET;
- 7) NORTH 24°25'18" EAST 79.20 FEET;
- 8) NORTH 53°05'23" WEST 226.89 FEET;
- 9) NORTH 54°45'32" WEST 134.81 FEET;
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID POINT OF BEGINNING.

CONTAINING OR 1,221.14 ACRES OF LAND, MORE OR LESS.

**PARCEL 2**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE CERTIFICATE OF APPROVAL RECORDED JULY 13, 1999, AS DOCUMENT NO. 1999-0183479, IN SAID OFFICE OF THE COUNTY RECORDER;

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THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 7, SOUTH 89°52'14" WEST 1814.88 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE ARC OF A NON-TANGENT 388.51 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 85°46'30" WEST, THROUGH A CENTRAL ANGLE OF 91°07'39", AN ARC DISTANCE OF 617.91 FEET;

THENCE, SOUTH 83°42'39" WEST 139.64 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,366.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 72°06'16" EAST, THROUGH A CENTRAL ANGLE OF 06°01'19", AN ARC DISTANCE OF 143.57 FEET;

THENCE, NORTH 11°52'25" WEST 298.19 FEET;

THENCE, NORTH 89°52'14" EAST 603.48 FEET TO SAID POINT OF BEGINNING.

CONTAINING 4.64 ACRES OF LAND, MORE OR LESS.

PARCEL 3

BEGINNING AT THE CENTER CORNER OF SAID SECTION 8, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE OFFICIAL MAP OF MINOR SUBDIVISION 55-83 (MS 55-83), FILED FOR RECORD MAY 14, 1985, IN BOOK 116 OF PARCEL MAPS, AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE CENTER SECTION LINE SOUTH 89°26'48" EAST 715.42 FEET;

THENCE, LEAVING SAID CENTER SECTION LINE, ALONG THE ARC OF A NON-TANGENT 908.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°21'01" WEST, THROUGH A CENTRAL ANGLE OF 44°39'43", AN ARC DISTANCE OF 707.79 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 440.94 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 62°09'27" WEST, THROUGH A CENTRAL ANGLE OF 66°51'38", AN ARC DISTANCE OF 514.54 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 1,411.26 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 04°42'11" EAST, THROUGH A CENTRAL ANGLE OF 08°07'12", AN ARC DISTANCE OF 200.01 FEET;

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THENCE, ALONG THE ARC OF A COMPOUND 486.99 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 12°49'23" EAST, THROUGH A CENTRAL ANGLE OF 26°27'57", AN ARC DISTANCE OF 224.95 FEET;

THENCE, NORTH 50°42'40" WEST 251.03 FEET;

THENCE, WEST 160.00 FEET;

THENCE, NORTH 70°12'29" WEST 348.29 FEET;

THENCE, NORTH 00°33'12" EAST 356.59 FEET TO SAID CENTER SECTION LINE;

THENCE, ALONG SAID CENTER SECTION LINE, SOUTH 89°26'48" EAST 331.46 FEET, TO SAID POINT OF BEGINNING;

TOTAL INITIATIVE AREA - 1,848.19 ACRES

TOTAL RESTRICTED DEVELOPMENT AREA - 1,244.33 ACRES

TOTAL LIMITED DEVELOPMENT AREA - 603.86 ACRES

END OF DESCRIPTION



*Joel A. Garcia*  
JOEL GARCIA, P.L.S.  
L.S. NO. 5285  
04-26-2018

**EXHIBIT G**

REQUESTED BY  
AND WHEN RECORDED MAIL TO:

City of Antioch  
200 H Street  
Antioch, CA 94509  
Attention: City Clerk

---

(Space Above This Line Reserved For Recorder's Use)

**DEVELOPMENT AGREEMENT**

**ADOPTED BY**

**A CITIZEN'S INITIATIVE KNOWN AS THE**

**WEST SAND CREEK OPEN SPACE PROTECTION, PUBLIC SAFETY ENHANCEMENT,  
AND DEVELOPMENT RESTRICTION INITIATIVE**

**FOR PROPERTY IN THE SAND CREEK FOCUS AREA WEST OF DEER VALLEY ROAD IN  
THE CITY OF ANTIOCH**

#### PREAMBLE

The City of Antioch, a California municipal corporation ("**City**"), has determined to vest the local land use laws applicable to an approximately 551.5-acre portion of the Sand Creek Focus Area in the City within the voter-approved Urban Limit Line ("**ULL**") in the holder of a legal or equitable interest therein ("**Landowner**") pursuant to the authority of Division I, Chapter 4, Article 2.5, sections 65864 *et seq.* of the Government Code ("**Development Agreement Statute**") under the following terms and conditions. The laws will vest, and the following terms and conditions will become a development agreement, under the Development Agreement Statute, between the City and Landowner ("**Development Agreement**") if Landowner provides to City its written notice of acceptance of this Development Agreement, in recordable form, and containing the name(s) and address(es) and electronic mail addresses to which notices or communications to Landowner shall be given pursuant to Article IX below, within 10 days of the date this Development Agreement is approved by the voters or adopted by the City Council pursuant to Elections Code section 9214. The City and Landowner may each be referred to herein as a "**Party**" and collectively as the "**Parties.**"

#### RECITALS

- A. To strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic risk of development, the California State Legislature enacted the Development Agreement Statute, which authorizes the City to enter into a development agreement with any person having a legal or equitable interest in real property regarding the development of such property.
- B. Landowner has a legal or equitable interest in approximately 551.5 acres of certain real property located in the City of Antioch, Contra Costa County, more particularly depicted in DA Exhibit 1 and described in DA Exhibit 2 (collectively, "**Subject Property**"). The Subject Property is located within the Sand Creek Focus Area in Antioch and within the voter-approved Urban Limit Line ("**ULL**") in an area the City has long-planned to accommodate future City growth.
- C. A citizen's initiative entitled the "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative" ("**Initiative**") was circulated and enacted in part to: preserve and protect trees, ridgelines, hillsides, and open space areas in an approximately 1,852-acre portion of the Sand Creek Focus Area located west of Deer Valley Road. The Initiative protects, reaffirms, and strengthens the existing boundaries of the ULL by ensuring that the ULL may only be changed by the people of Antioch; preserves agriculture, grasslands, and open space within the ULL; preserves and protects the Sand Creek corridor as permanent open space; and allows for the development of a portion of the land commonly known "The Ranch" as a master planned residential community that thoughtfully balances future development with respect for the site's natural features with the elements included in the Proposed Development (as defined below). The Ranch provides extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, public access with perimeter trails within The Ranch, substantial funding for local high school sports, creation of new housing and retail choices, improved public safety, and needed traffic and other infrastructure improvements. The Initiative accomplished these objectives by amending provisions of the City of Antioch General Plan ("**General Plan**") applicable to the Sand Creek Focus Area west of Deer Valley Road and within the City limits and ULL ("**Initiative Area**") to establish two overlay land use designations, consisting of a "**Restricted Development Area**" that applies to the hillier more environmentally-sensitive lands west of Deer Valley Road (approximately 1,244 acres) and a "**Limited Development Area**" that applies to the flatter and less environmentally-sensitive lands west of Deer Valley Road (approximately 608 acres). The Restricted Development Area provides low-density rural residential housing and preserves agriculture, grasslands, and open space. The Limited Development Area allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.
- D. The Initiative implements its purposes by and through the following complimentary mechanisms (collectively, "**Legislative Approvals**");

1. an amendment to the General Plan to ensure that only the citizens of Antioch may amend the existing voter-approved ULL, establish the Restricted Development Area and Limited Development Area land use designation overlays, and allow for the development of The Ranch in a portion of the Limited Development Area;
  2. zoning map and text amendments to Title 9 of the Antioch Municipal Code ("**Zoning Code**") to rezone the Subject Property from Study Area ("**S**") to Planned Development ("**P-D**"); and
  3. adoption of this Development Agreement.
- E. Consistent with the Initiative and the Legislative Approvals, the City anticipates that during the Term of this Development Agreement (as defined below) and subsequent to the Effective Date (as defined below), Landowner will seek from City certain other implementing approvals, entitlements, and permits that are necessary or desirable for the Proposed Development (as defined below) (collectively, "**Subsequent Approvals**"). The Subsequent Approvals are any approvals that may be necessary or desirable to develop the Proposed Development and may include, but are not limited to, subdivision maps, design review approval, tree removal permits, acceptance or vacation of rights-of-way, lot line adjustments, demolition permits, encroachment permits, site development permits, building permits, certificates of occupancy, and any amendments to the foregoing.
- F. This Development Agreement is consistent with the General Plan and the Antioch Municipal Code ("**Municipal Code**"), as amended by the Initiative. The terms and conditions of this Development Agreement are in conformity with public convenience, general welfare, and good land use practice. The terms of this Development Agreement will not be detrimental to the public health, safety, or general welfare, nor will they adversely affect the orderly development of property or the preservation of property values.
- G. Landowner will be required by this Development Agreement to provide the public benefits to the City as described herein, together with the other public benefits that will result from the development of the Proposed Development. Landowner will receive by this Development Agreement assurance that it may proceed with the development of the Subject Property in accordance with the Applicable Law (as defined below).

NOW, THEREFORE, in consideration of the promises covenants, and provisions set forth herein, the receipt and adequacy of which consideration is acknowledged, and provided Landowner provides to City its written notice of acceptance of this Development Agreement, City and Landowner agree as follows.

#### AGREEMENT

##### **Article I. Term and Applicable Law**

**Section 1.1. Description of Subject Property.** This Development Agreement vests laws applicable to the development of the Subject Property. The Subject Property contains approximately 551.5 acres of land within the Sand Creek Focus Area, west of Deer Valley Road, and voter-approved ULL.

**Section 1.2. Proposed Development.** The Landowner may develop up to 1,177 new homes, including a mix of low-density, medium-density, and age-restricted active adult units, as well as an approximately five (5)-acre mixed-use retail village center with a maximum floor area ratio ("**FAR**") of 0.30 across from Kaiser Permanente Antioch Medical Center, on the Limited Development Area of the Subject Property (collectively, "**Proposed Development**"), consistent with the Initiative and the West Sand Creek Planned Development District set forth in Exhibit L to the Initiative, so long as it provides the following extraordinary community benefits:

- Donation of approximately two (2) acres of land adjacent to the mixed-use retail village center, within the Subject Property, for a new fire station, prior to the issuance of the first certificate of occupancy;

- Creation of a new Community Facilities District to fund additional police and public safety services for Antioch residents at the City's ratio of 1.35 officers per 1,000 residents, prior to the issuance of the first certificate of occupancy;
- Approximately 22 acres of new public parks and six (6) miles of publicly-accessible trails within and throughout the Proposed Development on the Subject Property;
- Dedication of approximately 1.5 acres of land for an East Bay Regional Parks District ("EBRPD") trail staging area and parking lot, prior to the first certificate of occupancy;
- Connecting Sand Creek Road from Dallas Ranch Road to Deer Valley Road, with no use of City funds;
- Permanent protection of approximately 44% of the site as parks, open space, and trails;
- Permanent protection of all on-site ridgelines and hillsides;
- Permanent protection of 98% of all on-site trees; and
- Donation of at least \$1,000,000 to the Antioch Unified School District ("District") for local high school sports facilities and performing arts facilities at Deer Valley High School through payment of \$1,000 per unit of new residential development, prior to the issuance of each certificate of occupancy ("High School Enhancement Fee"). The High School Enhancement Fee shall only be used for the "hard costs" of construction of high school athletic facilities and performing arts facilities and shall not be used for any other purpose. The High School Enhancement Fee collected shall first be used to convert the existing grass sports infield at Deer Valley High School to a synthetic turf athletic field ("Flagship Project"). Upon completion of the Flagship, all other High School Enhancement Fee funds collected may be used throughout the District for use on other sports facilities and/or performing arts facilities at any District school.

**Section 1.3. Effective Date.** The rights, duties, and obligations hereunder shall be effective and the Term (as defined below) shall commence on the "Effective Date," which shall be the earlier of: (a) the date the Antioch City Council adopts the Initiative, including this Development Agreement, pursuant to Elections Code section 9215; or (b) the date the election results on the Initiative approving this Development Agreement are certified by the City Council in the manner provided in the Elections Code.

**Section 1.4. Term.** The term of this Development Agreement shall commence on the effective date and extend twenty (20) years thereafter unless sooner terminated or extended as provided herein. The term shall automatically be extended by: (a) any period of Enforced Delay (as defined below); (b) any period of time during which a lawsuit brought by a third party challenging any aspect of the Proposed Development (including but not limited to any aspect of the Initiative) is pending or otherwise delays development of the Proposed Development; and/or (b) any period of time during which the filing of a referendum petition or initiative petition delays development of the Proposed Development. All such original and extended periods are referred to as the "Term." Upon issuance of the 500th certificate of occupancy for residential development and the issuance of certificates of occupancy for at least 50,000 square feet of commercial development, the Term shall automatically be extended by an additional ten (10) years. Pursuant to California Government Code section 66452.6(a), the term of any parcel map or tentative subdivision map shall automatically be extended for the Term unless a longer time period is permitted under other applicable law. All other Subsequent Approvals shall remain in effect for the Term unless a longer time period is permitted under other applicable law.

**Article II. Standards, Laws, and Procedures Governing the Proposed Development.**

**Section 2.1. Vested Right to Develop.** Landowner shall have the right to pursue the Proposed Development in accordance with the Applicable Law (including the Legislative Approvals) and Subsequent Approvals (once they are granted), and the provisions of this Development Agreement, including, without limitation, Landowner's vested right to develop the Proposed Development on the



Subject Property. Notwithstanding the foregoing, City may apply to any development on the Subject Property, at any time during the Term, the then-current Uniform Building Code and other uniform construction codes or standards, to the extent that such code or standard has been adopted by City and is in effect on a City-wide basis. In the event of any conflict or inconsistency between this Development Agreement and the Applicable Law or between this Development Agreement and any Subsequent Approvals, this Development Agreement shall prevail and control to the fullest extent legally possible.

Section 2.2. Development Standards. The permitted uses of the Subject Property; the density and intensity of uses; the maximum height, bulk, and size of the of the Proposed Development; provisions for reservation or dedication of land for public purposes and the location of public improvements; the general location of public utilities; and other terms and conditions of development applicable to the Proposed Development shall be as set forth in the Applicable Law and Subsequent Approvals.

Section 2.3. Applicable Law. "Applicable Law" consists of the laws, rules, regulations, and official policies applicable to the Proposed Development in force and effect on the Effective Date, including the Initiative, and Subsequent Approvals once they are approved, and new or modified laws, rules, regulations, or official policies that comply with Section 2.4, all except as otherwise provided in this Development Agreement; and provided that Landowner agrees to pay the amount of any applicable impact fees, connection fees, processing fees, or any other fees, taxes, or assessments in effect at the time of any Subsequent Approval.

Section 2.4. No Conflicting Enactments. City may adopt new or modified rules, regulations, or official policies after the Effective Date, and such new or modified rules, regulations, or official policies shall be included within the Applicable Law; provided, however, such new or modified rules, regulations, or official policies (whether adopted by action of City Council or other body or personnel, by initiative, by referendum, or otherwise) shall be applicable to the Proposed Development, and/or to any development or redevelopment on the Subject Property, only to the extent that such application does not modify the Proposed Development, does not prevent or impede development of the Proposed Development, does not conflict with or impede development or redevelopment of any portion of the Subject Property pursuant to Applicable Law, and does not conflict with this Development Agreement. Any new or modified rule, regulation, or official policy shall be deemed to conflict with this Development Agreement if it seeks to accomplish any one or more of the following results, either with specific reference to the Proposed Development or to any development of the Subject Property, or as part of a general enactment that would otherwise apply to the Subject Property:

- (a) Reduce the density or intensity of the Proposed Development as allowed by the Applicable Law;
- (b) Reduce the density or intensity of development allowed on the Subject Property under the Applicable Law;
- (c) Change any land use designation or permitted use of the Subject Property as described in the Applicable Law;
- (d) Require, for any work necessary to develop the Proposed Development on the Subject Property, the issuance of permits, approvals, or entitlements by City other than those required by Applicable Law; or
- (e) Materially limit the processing of, the procuring of applications for, or approval of Subsequent Approvals.

Notwithstanding the foregoing, City shall not be precluded from applying any new or modified rule, regulation, or official policy to the Proposed Development or the Subject Property where the new or modified rule, regulation, or official policy is: (a) specifically mandated by changes in federal or state laws or regulations adopted after the Effective Date as provided in Government Code section 65869.5; (b) specifically mandated by a court of competent jurisdiction; (c) changes to the California Building Code and similar health and safety regulations that may change from time to time; or (d) required as a result of facts, events, or circumstances presently unknown or unforeseeable that would otherwise have an immediate adverse risk on the health or safety of the surrounding community.

**Section 2.5. Conflict of City and State or Federal Laws.** In the event that federal or state laws or regulations enacted after the Effective Date prevent or preclude compliance with one or more provisions of this Development Agreement, each party shall provide the other party with written notice of such federal or state law or regulation, a copy of such law or regulation, and a statement concerning the conflict with the provisions of this Development Agreement. The parties shall, within thirty (30) days, meet and confer in good faith in a reasonable attempt to modify this Development Agreement so as to comply with such federal or state law or regulation. City, without the obligation to incur costs or liability, shall reasonably cooperate with Landowner in securing of any permits, approvals, or entitlements that may be required as a result of modifications or suspensions made pursuant to this Section 2.05.

**Section 2.6. Life of Legislative Approvals and Subsequent Approvals.** The term of any Legislative Approval and any Subsequent Approval shall be automatically extended for the longer of the Term of this Development Agreement or the term otherwise applicable to such Legislative Approval or Subsequent Approval.

**Section 2.7. Timing of Construction and Completion.** The parties acknowledge that Landowner cannot at this time predict when or the rate at which the Proposed Development will be constructed. The parties agree that there is no requirement that Landowner initiate or complete construction of the Proposed Development within any particular period of time, or at all, and City shall not impose such a requirement on Landowner, the Subject Property, or any Subsequent Approval. In light of the foregoing, the parties agree that Landowner may construct the Proposed Development at the rate and time Landowner deems appropriate within the exercise of its reasonable business judgment, subject to Applicable Law. Further, Landowner may implement the Proposed Development in phases, from east to west, and from north to south, in Landowner's reasonable discretion.

**Section 2.8. Processing Subsequent Approvals.** The Subsequent Approvals shall be deemed mechanisms to implement those final policy decisions reflected by the Legislative Approvals and other provisions of Applicable Law. Upon submission by Landowner of any application for a Subsequent Approval, City shall cooperate and diligently work to promptly process, consider, and approve such application, and shall apply only Applicable Law and any applicable federal or state laws. City shall retain its discretionary authority in its consideration of any and all Subsequent Approvals that involve discretionary decisions; provided, however, such consideration shall be regulated solely by the Applicable Law, any applicable federal or state law, and this Development Agreement.

### **Article III. Obligations of Landowner.**

**Section 3.1. Benefits and Requirements.** Landowner agrees to, waives any right to protest or challenge, and shall comply with the policies, actions, and requirements of the General Plan, as enacted by the Initiative. Landowner's compliance with these measures is part of the consideration for this Development Agreement.

**Section 3.2. Bodily Injury and Property Damage Insurance.** Prior to the commencement of construction of any Proposed Development, Landowner shall furnish, or cause to be furnished, to City duplicate originals or appropriate certificates of bodily injury and property damage insurance policies in the amount of at least One Million Dollars (\$1,000,000) for any person, One Million Dollars (\$1,000,000) for any occurrence, and One Million Dollars (\$1,000,000) for property damage, naming City as an additional insured. Such insurance policies shall contain such other and further endorsements, terms, conditions, and coverages as may be reasonably deemed necessary by City. Such insurance policies shall be maintained and kept in force until construction is completed.

### **Article IV. Amendments.**

**Section 4.1. Amendment of this Development Agreement.** This Development Agreement may be amended from time to time, in whole or in part, by mutual written consent of the Parties or their successors in interest, as follows:

4.1.1 **Administrative Amendments.** The City Manager and City Attorney are authorized on behalf of the City to enter into any amendments to this Development Agreement other than amendments that substantially affect (i) the term of this Agreement (excluding any extensions of time for performance of a particular act), (ii) permitted uses of the Subject Property, (iii) provisions for the reservation or dedication of land, (iv) the density or

intensity of use of the Subject Property or the maximum height or size of proposed buildings, or (v) monetary payments by Landowner. Such amendments ("**Administrative Development Agreement Amendment**") shall, except to the extent otherwise required by law, become effective without notice or public hearing.

4.1.2 Non-Administrative Amendments. Any request of Landowner for an amendment or modification to this Development Agreement that is determined not to be an Administrative Development Agreement Amendment as set forth above shall be subject to review, consideration, and action pursuant to the Applicable Law and this Agreement.

Section 4.2. Amendments of Legislative Approvals or Subsequent Approvals. To the extent permitted by federal and state, any Legislative Approval or Subsequent Approval (collectively, "**Approval**") may, from time to time, be amended or modified in the following manner:

4.2.1 Administrative Proposed Development Amendments. Upon the written request of Landowner for an amendment or modification to an Approval, the Director of Community Development, or his/her designee (collectively, "**Authorized Official**") shall determine: (i) whether the requested amendment or modification is minor when considered in light of the Approvals as a whole; and (ii) whether the requested amendment or modification is substantially consistent with Applicable Law. If the Authorized Official finds that the proposed amendment or modification is minor, substantially consistent with Applicable Law, and will result in no new significant environmental impacts, the amendment shall be determined to be an "**Administrative Proposed Development Amendment**" and the Authorized Official may, except to the extent otherwise required by law, approve the Administrative Project Amendment, following consultation with other relevant City staff, without notice and public hearing. Without limiting the generality of the foregoing, lot line adjustments, non-substantial reductions in the density, intensity, scale or scope of the Proposed Development, minor alterations in vehicle circulation patterns or vehicle access points, substitutions of comparable landscaping for any landscaping shown on any final development plan or landscape plan, variations in the design and location of structures that do not substantially alter the design concepts of the Proposed Development, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Approvals, and minor adjustments to the Property diagram or Property legal description shall be treated as Administrative Project Amendments.

4.2.2 Non-Administrative Amendments. Any request of Landowner for an amendment or modification to an Approval that is determined not to be an Administrative Project Amendment as set forth above shall be subject to review, consideration, and action pursuant to the Applicable Law and this Development Agreement.

4.2.3 Amendment Exemptions. Amendment of an Approval requested by Landowner shall not require an amendment to this Agreement. Instead, the amendment automatically shall be deemed to be incorporated into the Approvals and vested under this Development Agreement.

## **Article V. Defaults; Periodic Review.**

Section 5.1. Default. Any failure by either party to perform any term or provision of this Development Agreement, which failure continues uncured for a period of ninety (90) days following written notice of such failure from the other party (unless such period is extended by written mutual consent), shall constitute a default under this Development Agreement. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which such failure may be cured. If the nature of the alleged failure is such that it cannot reasonably be cured within such 90-day period, then the commencement of the cure within such time period, and the diligent prosecution to complete the cure thereafter, shall be deemed to be a cure within such 90-day period. Upon the occurrence of a default under this Development Agreement, the non-defaulting party may institute legal proceedings to enforce the terms and provisions of this Development Agreement (including, without limitation, seeking injunctive relief) or, in the event of a material default, terminate this Development Agreement. If the default is cured, then no default shall exist and the noticing party shall take no further action.

**Section 5.2. Termination.** If City elects to consider terminating this Development Agreement due to a material default by Landowner, then City shall give a notice of intent to terminate this Development Agreement and the matter shall be scheduled for consideration and review by the City Council in the manner set forth in the Development Agreement Statute. If the City Council determines that a material default has occurred and elects to terminate this Development Agreement, City shall give written notice of termination of this Development Agreement to Landowner by certified mail and this Development Agreement shall be terminated thereby; provided, however, that Landowner reserves any and all rights it may have to challenge in court City's termination of this Development Agreement and the basis therefor.

**Section 5.3. Periodic Review.** Landowner and City's Director of Community Development or his or her designee shall meet and review this Development Agreement annually to ascertain the good faith compliance by Landowner with its terms pursuant to the Development Agreement Statute.

**Section 5.4. Excusable Delay; Extension of Time of Performance.** Neither party shall be deemed to be in default of its obligations under this Development Agreement if a delay or default is due to an act of God, natural disaster, accident, breakage or failure of equipment, third party litigation, strikes, lockouts or other labor disturbances or disputes of any character, interruption of services by suppliers thereof, unavailability of materials or labor, rationing or restrictions on the use of utilities or public transportation, whether due to energy shortages or other causes, war, civil disturbance, riot, or any other severe occurrence that is beyond the reasonable control of that party (collectively, "Enforced Delay"). Performance by a party of its obligations under this Development Agreement shall be excused during, and extended for a period of time equal to, the period (on a day-for-day basis) for which the cause of such Enforced Delay is in effect.

**Section 5.5. Legal Action.** Either party may, in addition to any other rights or remedies, institute legal action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation hereof, enforce by specific performance the obligations and rights of the parties hereto, or obtain any other remedy consistent with this Development Agreement. Prior to instituting litigation, the parties shall attempt in good faith to submit any disputes to mediation through a mediator mutually agreed upon by the Parties.

**Section 5.6. Attorneys' Fees.** In any legal action or other proceeding brought by either party to enforce or interpret a provision of this Development Agreement, the prevailing party is entitled to reasonable attorneys' fees and any other costs incurred in that action or proceeding in addition to any other relief to which it is entitled.

**Section 5.7. Notice of Compliance.** Within thirty (30) days following any written request that Landowner may make from time to time, City shall execute and deliver to Landowner a written "Notice of Compliance" in recordable form, duly executed and acknowledged by City, which certifies:

- (a) This Development Agreement is unmodified and in full force and effect, or if there have been modifications hereto, that this Development Agreement is in full force and effect as modified and stating the date and nature of such modifications;
- (b) There are no known current uncured defaults under this Development Agreement or, in the alternative, specifying the dates and nature of any such default;
- (c) Any other information reasonably requested by Landowner.

The failure to deliver such a statement within such time shall constitute a conclusive presumption against City that this Development Agreement is in full force and effect without modification (except as may be represented by Landowner) and that there are no uncured defaults in the performance of Landowner. Landowner may record the Notice of Compliance.

## **Article VI. Indemnity.**

Landowner agrees to, and shall indemnify, defend, and hold City, its elected and appointed boards, commissions, officers, agents, and employees harmless from any liability or loss for damage or claims for damage for personal injury, including death, as well as from claims for property damage of any nature that may arise from the activities of Landowner or Landowner's contractors, subcontractors, agents, or employees related to development of the Proposed

Development or otherwise arising from the performance of this Development Agreement. Landowner agrees to and shall defend City and its elected and appointed boards, commissions, officers, agents, and employees from any suits or actions at law or in equity for liability or damage caused, or alleged to have been caused, by reason of any of the aforesaid activities.

**Article VII. No Agency, No Joint Venture or Partnership.**

The Proposed Development is a private undertaking. No party is acting as the agent of the other in any respect hereunder. Each party is an independent contracting entity with respect to the terms and provisions contained in this Development Agreement. None of the terms or provisions of this Development Agreement shall be deemed to create a partnership between or among the parties in the businesses of Landowner, or the affairs of City, nor shall they cause City and Landowner to be considered joint venturers or members of any joint enterprise.

**Article VIII. Assignment and Transfer.**

Landowner shall have the right to sell, assign, or transfer this Development Agreement, and all of its rights, duties, and obligations hereunder, to any person or entity at any time during the Term, subject to the prior written approval of the Director of Community Development or his or her designee, which consent shall not be unreasonably withheld. Such approval shall be granted where the buyer, assignee, or transferee has demonstrated the experience, qualifications, and financial resources to complete and operate the Proposed Development, or applicable portions thereof, to the reasonable satisfaction of the Director of Community Development or his or her designee.

**Article IX. Notices.**

Any notice or communication hereunder between City and Landowner shall be in writing and may be given either personally, by facsimile (with original forwarded by regular U.S. Mail), by registered or certified mail (return receipt requested), or by a reputable courier promising overnight delivery to the respective addresses specified by each party.

Such notices or communications shall be given to the City as follows:

City of Antioch  
Community Development Department  
City Hall  
200 H Street  
Antioch, CA 94509  
Telephone: (925) 779-7035  
Facsimile: (925) 779-7034

With copies to:

City of Antioch  
Office of City Attorney  
City Hall  
200 H Street  
Antioch, CA 94509  
Telephone: (925) 779-7015  
Facsimile: (925) 779-7003

Such notices or communications shall be given to Landowner using the name(s) and address(es) and facsimile number(s) reflected in the notice Landowner provided to City of Landowner's acceptance of this Development Agreement.

Any party may at any time, by giving ten (10) days' written notice to the other party, designate any other address or facsimile in substitution of the address or facsimile number to which such notice or communication shall be given.

**Article X. Miscellaneous.**

Section 10.1. No Third Party Beneficiary Rights. This Development Agreement is not intended nor shall it be construed to create any third party beneficiary rights in any person who is not expressly made a party and signatory to this Development Agreement.



Section 10.2. Governing Law, Interpretation of Development Agreement. This Development Agreement shall be governed by and interpreted in accordance with the laws of the State of California applicable to contracts entered into and to be performed in California. Any action to enforce or interpret this Development Agreement shall be brought in a court of competent jurisdiction in Contra Costa County or, in the case of any federal claims, in federal court for the Northern District of California.

Section 10.3. Severability. If any word of this Development Agreement, or its application to any situation, is held invalid or unenforceable, in a final judgment that is no longer subject to rehearing, review, or appeal by a court of competent jurisdiction, then the invalid word is severed, and/or the invalid words are severed, and the remaining parts of this Development Agreement, and the application of any part of this Development Agreement to other situations, shall continue in full force and effect. It is the intent of the voters in adopting the Initiative that includes this Development Agreement, and of the Landowner in consenting to this Development Agreement, that any portion of this Development Agreement that can lawfully be implemented be implemented, even if doing so would not permit implementation of the Proposed Development contemplated herein, even if doing so would otherwise appear trivial or inconsequential, and even if the valid portion appears intertwined with the invalidated portion. It is the intent of the parties that if severance is considered, each section, paragraph, phrase, and word of this Development Agreement be interpreted to be complete in itself, and functionally and grammatically separate from each other word.

Section 10.4. Covenants Running with the Land. All of the terms and provisions contained in this Development Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns (including any person or entity acquiring an interest in any portion of the Subject Property or Proposed Development). All of the terms and provisions contained in this Development Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code section 1468.

Section 10.5. Further Acts. Each party shall execute and deliver any and all additional documents and instruments, and perform such further acts, as may be reasonably necessary or proper to achieve the purposes of this Development Agreement.

Section 10.6. Counterparts. This Development Agreement and any and all amendments and supplements to it may be executed in counterparts, each counterpart shall be deemed to be an original document, and all counterparts together shall be construed as one document. This Development Agreement may be executed by signatures transmitted by facsimile, adobe acrobat or other electronic image files and these signatures shall be valid, binding and admissible as though they were ink originals.

Section 10.7. Execution and Recordation of Development Agreement. Not later than ten (10) days after the later of (a) the Effective Date or (b) the date Landowner provides to City its written notice of acceptance of this Development Agreement, City, by and through its Mayor, shall execute and acknowledge this Development Agreement. Provided Landowner has provided to City its written notice of acceptance of this Development Agreement, in recordable form, the City Clerk shall, within five (5) days of the Mayor's execution of this Development Agreement, cause this Development Agreement to be recorded in the Official Records of Contra Costa County. Landowner shall reimburse City for the costs and disbursements associated with its recordation of this Development Agreement.

Section 10.8. Cooperation in the Event of Legal Challenge. In the event of any legal or equitable action or proceeding instituted by a third party challenging the validity of any provision of this Development Agreement or the procedures leading to its adoption or the issuance of any or all of the Legislative Approvals or Subsequent Approvals, the parties agree to cooperate in defending said action or proceeding. Landowner shall diligently defend any such action or proceeding and shall bear the litigation expenses of defense, including attorneys' fees. City shall retain the sole option to employ independent defense counsel at Landowner's expense. Landowner further agrees to hold City harmless from all claims for recovery of the third party's litigation expenses, including attorneys' fees.

Section 10.9. Other Necessary Acts. Each party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out the Legislative Approvals, Subsequent Approvals, or this Agreement and to provide and secure to the other party the full and complete enjoyment of its rights and privileges under this Development Agreement.

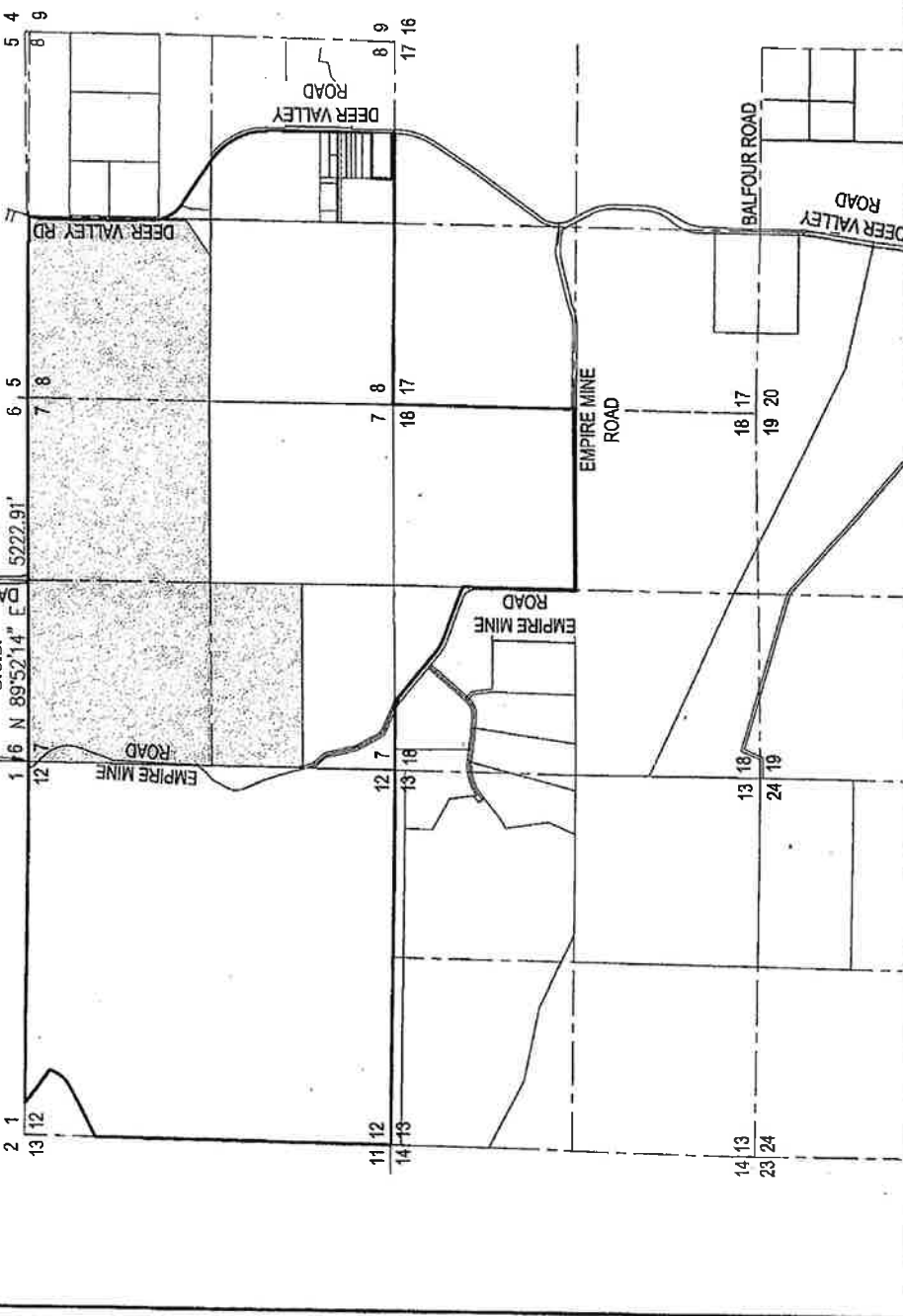
Section 10.09. Entire Agreement and Exhibits. This Development Agreement constitutes in full, the final and exclusive understanding and agreement of the parties and supersedes all negotiations or previous agreements of the parties with respect to all or any part of the subject matter of this Development Agreement. No oral statements or prior written matter not specifically incorporated in this Development Agreement shall be of any force and effect. No amendment of, supplement to, or waiver of any obligations under this Development Agreement will be enforceable or admissible unless set forth in a writing approved by the City and Landowner. The following exhibits are attached to this Development Agreement and incorporated as though set forth in full for all purposes: The following exhibits are attached to this Development Agreement and incorporated herein as though set forth in full for all purposes:

DA Exhibit 1 (Map of the Subject Property)

DA Exhibit 2 (Legal Description of the Subject Property)

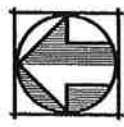
# LEGEND

- INITIATIVE AREA BOUNDARY
- PROPERTY LINE
- SECTION LINE
- THE RANCH PROPERTY AREA
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS



## DA EXHIBIT 1 THE RANCH PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 200'



**Carson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS - SURVEYORS - PLANNERS  
www.cbginc.com

**CBG**

SAU RAMON, CALIFORNIA  
BACRAMENTO, CALIFORNIA

REG. NO. 0123  
PFI 120-1477

GS11330ACAD1133-0200ACAD/EXHIBITS/INITIATIVE EXHIBITSH - 1133-20\_THE RANCH PROPERTY AREA.DWG



APRIL 26, 2018  
JOB NO.: 1133-020

DA EXHIBIT 2  
LEGAL DESCRIPTION  
THE RANCH (10982 OR 441)  
ANTIOCH, CALIFORNIA

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PROPERTY DESCRIBED IN THE GRANT DEED TO THE LEONARDA A. COWAN TRUST OF 1982, RECORDED OCTOBER 26, 1982, IN BOOK 10982 OF OFFICIAL RECORDS AT PAGE 441, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.90 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,
- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, AND THE WESTERLY LINE OF SNODGRASS LANE, THE FOLLOWING FOUR (4) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,

- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 688.21 FEET, TO THE SOUTHERLY LINE OF SAID COWAN TRUST PARCEL (10982 OR 441);

THENCE, ALONG SAID SOUTHERLY LINE, AND THE WESTERLY LINE OF SAID COWAN TRUST PARCEL THE FOLLOWING SIX (6) COURSES:

- 1) SOUTH 56°17'50" WEST 625.56 FEET,
- 2) NORTH 89°26'41" WEST 2092.30 FEET,
- 3) NORTH 89°35'26" WEST 2628.97 FEET,
- 4) SOUTH 00°11'22" WEST 1326.34 FEET,
- 5) SOUTH 89°38'55" WEST 2608.11 FEET,
- 6) NORTH 00°38'08" EAST 3794.62 FEET, TO SAID POINT OF BEGINNING.

CONTAINING 550.46 ACRES OF LAND, MORE OR LESS.

END OF DESCRIPTION



*Joel Garcia*  
JOEL GARCIA, P.L.S.  
L.S. NO. 5285  
04-26-2018

# LEGEND

- INITIATIVE AREA BOUNDARY
- PROPERTY LINE
- SECTION LINE
- THE RANCH PROPERTY AREA
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS

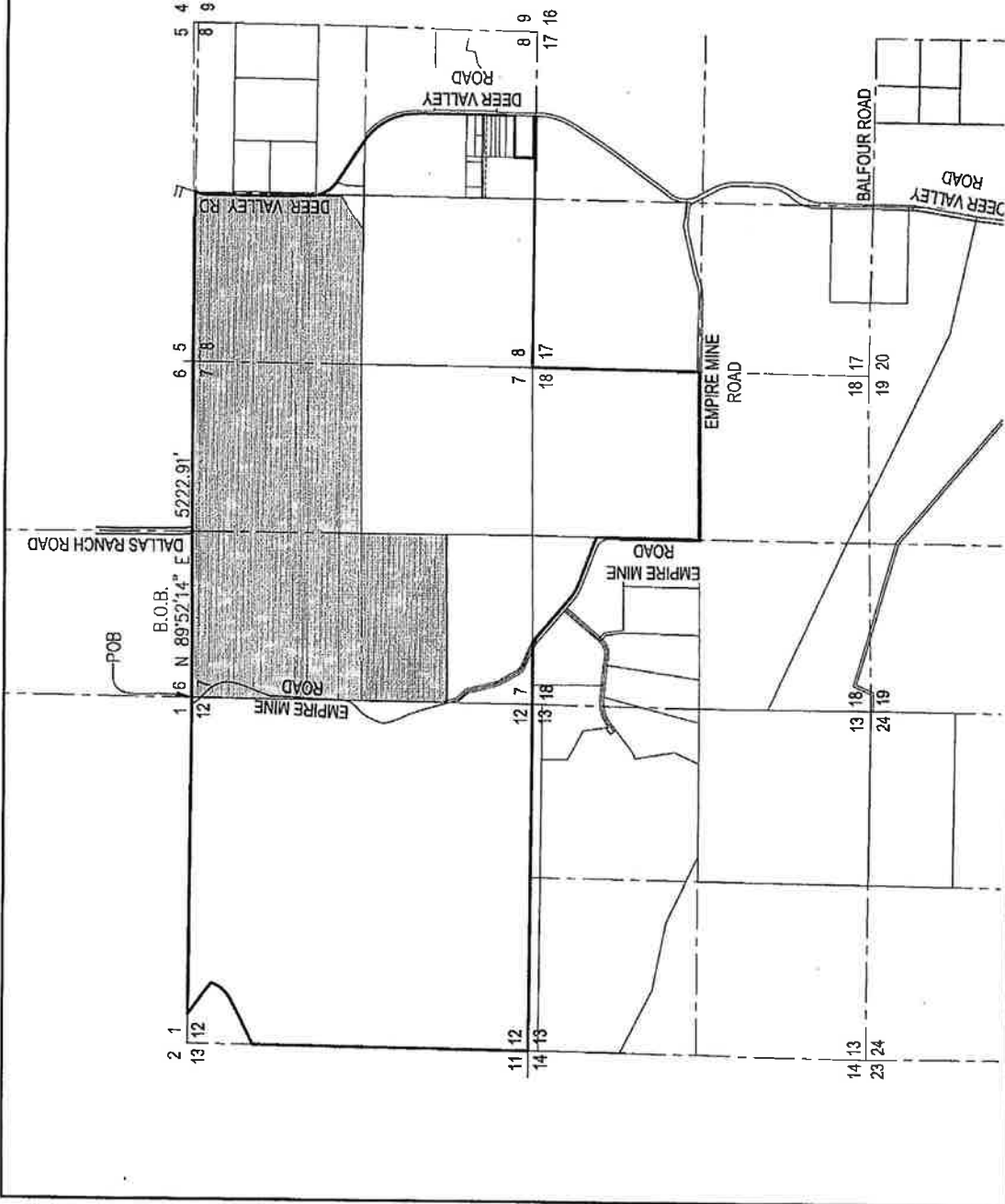
DEER VALLEY ROAD

17

POC

POB

B.O.B.



## EXHIBIT H THE RANCH PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 24, 2018 SCALE: 1" = 200'

Carison, Barbee & Gibson, Inc.  
CIVIL ENGINEERS & SURVEYORS - PLANNERS  
www.cbgi.com

145 HANLEY, COLTONVILLE, SACRAMENTO, CALIFORNIA  
95608-0072  
916.735.1071



APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'I'**  
**LEGAL DESCRIPTION**  
**THE RANCH (10982 OR 441)**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PROPERTY DESCRIBED IN THE GRANT DEED TO THE LEONARDA A. COWAN TRUST OF 1982, RECORDED OCTOBER 26, 1982, IN BOOK 10982 OF OFFICIAL RECORDS AT PAGE 441, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.90 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,
- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, AND THE WESTERLY LINE OF SNODGRASS LANE, THE FOLLOWING FOUR (4) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,


- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 688.21 FEET, TO THE SOUTHERLY LINE OF SAID COWAN TRUST PARCEL (10982 OR 441);

THENCE, ALONG SAID SOUTHERLY LINE, AND THE WESTERLY LINE OF SAID COWAN TRUST PARCEL THE FOLLOWING SIX (6) COURSES:

- 1) SOUTH 56°17'50" WEST 625.56 FEET,
- 2) NORTH 89°26'41" WEST 2092.30 FEET,
- 3) NORTH 89°35'26" WEST 2628.97 FEET,
- 4) SOUTH 00°11'22" WEST 1326.34 FEET,
- 5) SOUTH 89°38'55" WEST 2608.11 FEET,
- 6) NORTH 00°38'08" EAST 3794.62 FEET, TO SAID POINT OF BEGINNING.

CONTAINING 550.46 ACRES OF LAND, MORE OR LESS.

END OF DESCRIPTION

  
EL GARCIA, P.L.S.  
L.S. NO. 5285

04-26-2018

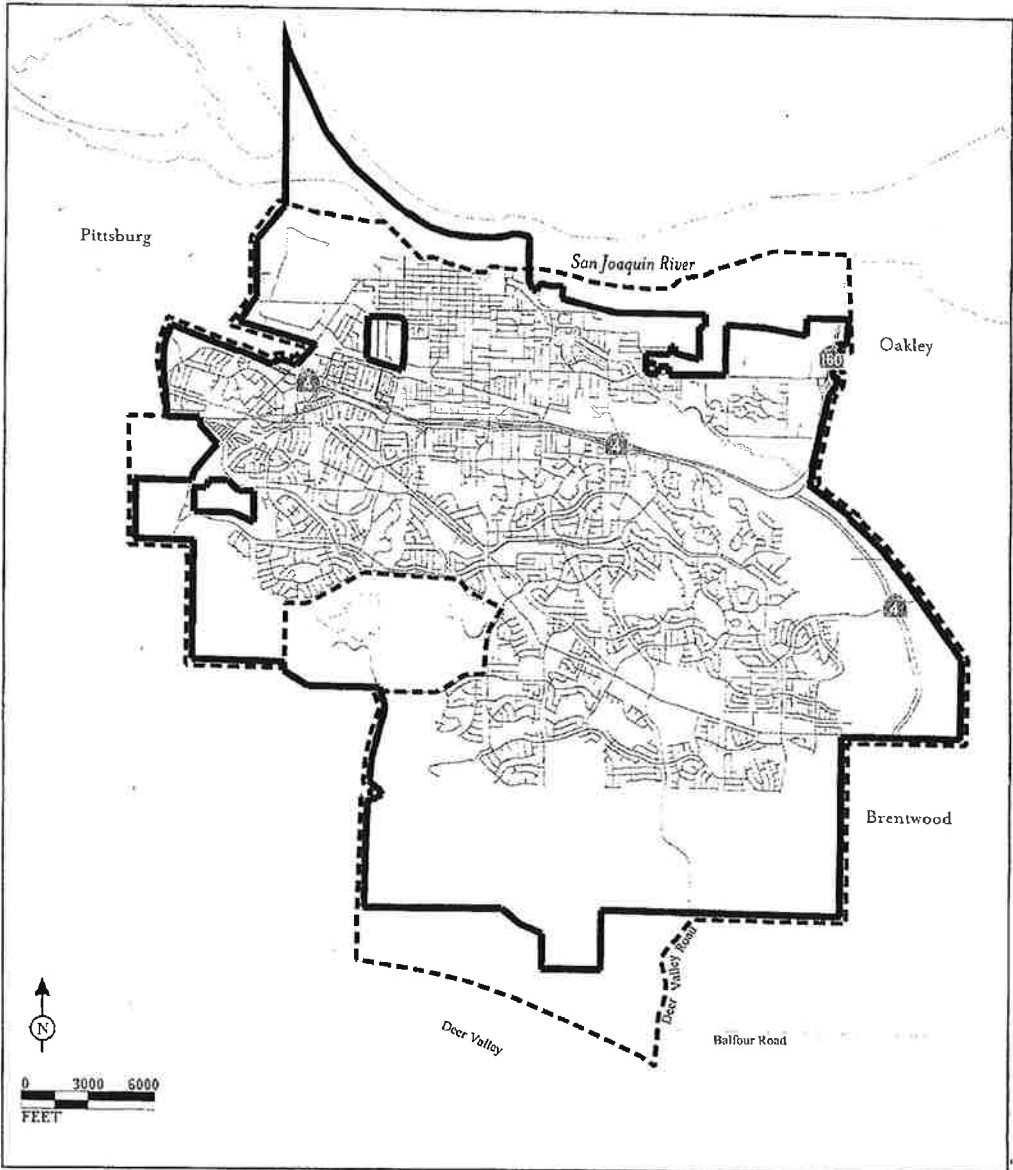







Figure 4.12

-  ROADS
-  CITY BOUNDARY
-  VOTER APPROVED URBAN LIMIT LINE
-  WATER BODIES

Voter Approved Urban Limit Line

EXHIBIT J  
 FIGURE 4.12  
 VOTER APPROVED  
 URBAN LIMIT LINE

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
 DATE: APRIL 26, 2018

	<b>Carlson, Barbee &amp; Gibson, Inc.</b> CIVIL ENGINEERS • SURVEYORS • PLANNERS <a href="http://www.cbgs.com">www.cbgs.com</a>
	SACRAMENTO, CALIFORNIA (916) 486-1372 (916) 375-1377

4/26/2018 11:42 AM

## EXHIBIT K

### ARTICLE 42: WEST SAND CREEK PLANNED DEVELOPMENT DISTRICT

#### § 9-5.4201 Purpose.

- A. The West Sand Creek Master Plan District ("West Sand Creek" or "WSC District") was enacted by the "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative" to implement the General Plan's stated vision for the development of the land in the Sand Creek Focus Area west of Deer Valley Road inside the existing boundaries of the voter-approved Urban Limit Line ("ULL"). In particular, the West Sand Creek District zoning standards apply to the Limited Development Area established by the Initiative.
- B. The West Sand Creek District provides flexible development standards designed to ensure the development of the District as a master planned community. The WSC District shall be defined principally by single-family residential of various lot sizes on flatter areas on either side of Sand Creek, within the Limited Development Area, along with natural and recreational open spaces. The development standards applicable to the WSC District are provided below.
- C. Notwithstanding any other provision of the Antioch Municipal Code ("Municipal Code"), and to ensure that development within the WSC District is subject to express, objective standards that cannot be changed through subsequent discretionary actions or interpretations without the consent of the landowner pursuant to the provisions of the Initiative, the West Sand Creek District shall be and is deemed a new zoning district that exists independent of other zoning requirements, including the balance of Title 9. Land regulated by the WSC District shall not be subject to any other provision of the Municipal Code that purports to regulate or guide land use or zoning, except those contained in this Article 42.
- D. No development shall occur within the West Sand Creek District unless it is consistent with the Initiative and this Article 42. If an application is presented for development that is consistent with the Initiative, this Article 42, and objective grading and building standards of Title 8 of the Municipal Code that are applicable to all development in the City of Antioch, then the application shall be ministerially granted. Certificates of occupancy shall also issue ministerially provided only that construction conforms to City-wide building and grading requirements for issuance of such certificates, and to the regulations of WSC District. With the exception of subdivision maps and architectural design review, no additional approvals or entitlements, including but not limited to departmental review approval, conditional use permit, land use permit, minor use permit, any approval of requirement of the growth management ordinance, development plan, planned development, variance, zoning clearance, minor use permit, or any other review or entitlement purporting to regulate or guide land use or zoning shall be required by the City to develop the project described in such application unless otherwise specified in the tables of permitted uses below.

#### § 9-5.4202 Residential Uses

##### A. Single-Family Low-Density

###### 1. Purpose and application

- (a) LD-1 Single-family Executive Lot Type 1

This designation is for low-density large lots with a minimum lot size of 8,000 s.f., on a combination of graded, partially graded, or sloping lots.

## EXHIBIT K

(b) LD-2 Single-Family Conventional Lot Type 2

This designation is for low-density lots, with an average lot size of 7,000 s.f. and minimum lot size of 5,000 s.f.

(c) LD-3 Single-Family Conventional Lot Type 3

This designation is for low-density conventional lots, with an average lot size of 7,000 s.f. and minimum lot size of 5,000 s.f. A row of a minimum 8,000 s.f. lots is required on land that abuts single-family development that exists to the north of the Initiative Area as of the Effective Date of the Initiative.

### 2. Property development standards

	LD-1 Executive Lot Type 1	LD-2 Conventional Lot Type 2	LD-3 Conventional Lot Type 3
Minimum lot area in s.f.	8,000	5,000	5,000/8,000 <sup>1</sup>
Average net lot area in s.f.	10,000	7,000	7,000
Maximum lot coverage (1/2 story) <sup>4</sup>	55/45%	55/50%	55/50%
<b>MINIMUM LOT DIMENSIONS</b>			
Lot width (interior/corner)	65'/70'	50'/55'	50'/55'
Lot depth	100'	90'	90'/130' <sup>2</sup>
<b>MINIMUM SETBACKS FROM PROPERTY LINE<sup>5</sup></b>			
Living area at front	15'	15'	15'
Porch at front	10'	10'	10'
Porch at alley/private drive	n/a	n/a	n/a
Garages at front	18'	18'	18'
Side-on garage at front	12'	12'	n/a
Garage at alley/rear (max)	n/a	n/a	n/a
Interior side yard/corner	5'/10'	5'/10'	5'/10'
Rear	20'	20'	20'/35' <sup>3</sup>
<b>MAXIMUM BUILDING HEIGHTS</b>			
Main building	40'	35'	35'
Detached garage	24'	24'	24'

Footnotes:

1. Lots that abut the north property line in LD-3 shall be a minimum of 8,000 s.f. in lot area.
2. Lots that abut the north property line in LD-3 shall have a minimum lot depth of 130', except in a side-on lot condition.
3. Lots that abut the north property line in LD-3 shall have a rear yard setback of 35'.
4. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
5. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.



**EXHIBIT K**

**3. Permitted uses**

	Single-family LD 1, 2, 3
Day care (§9-5.3817 and 9-5.3818)	P
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
School, public or private	U
Open space	P
Parks and park facilities, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**B. Single-Family Medium-Density**

**1. Purpose and application**

- (a) MD-1 Single-family Standard Lot Type 1

This designation is for medium-density lots in a standard configuration, i.e.; house entry and garage accessed from street in the front. Average lot size is approximately 4,500 s.f.

- (b) MD-2 Single-family Greencourt Lot Type 2

This designation is for medium-density lots in a courtyard configuration, i.e.; house entry is located from a greencourt common area in the front and the garage is accessed from alley in the rear. Average lot size is approximately 4,200 s.f.

- (c) MD-3 Single-family Motor-court Lot Type 3

This designation is for medium-density lots in a clustered motor-court configuration, i.e.; house entry and garage accessed from a private street in the shape of the letter "T". Average lot size is approximately 4,200 s.f.

- (d) MD-4 Single-family Private Lane Lot Type 4

## EXHIBIT K

This designation is for medium-density lots in a cluster configuration around a private lane. The unit entry and garages are oriented to the front of the lot. Average lot size is approximately 4,200 s.f.

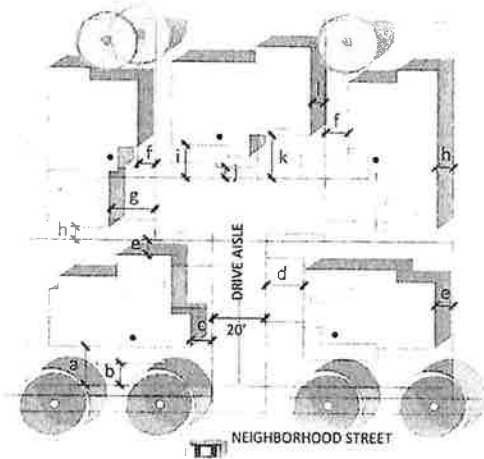
### 2. Property development standards

	MD-1 Standard Lot Type 1	MD-2 Greencourt Lot Type 2	MD-3 T-Court Lot Type 3	MD-4 Private Lane Type 4
Minimum lot area in s.f. <sup>1</sup>	4,000	4,000	4,000	4,000
Average lot area in s.f.	4,500	4,200	4,200	4,200
Maximum lot coverage <sup>2</sup>	55%	55%	55%	55%
<b>MINIMUM LOT DIMENSIONS</b>				
Lot width (interior/corner)	45'/50'	40'/45'	See Figure 1	See Figure 2
Lot depth	90'	90'		
<b>MINIMUM SETBACKS FROM PROPERTY LINE<sup>3</sup></b>				
Living area at front	15'	10'	See Figure 1	See Figure 2
Porch at front	10'	5'		
Porch at alley/private drive	n/a	5'		
Garages at front	18'	n/a		
Side-on garage at front	n/a	n/a		
Garage at alley/rear (max)	n/a	4'		
Interior/corner side yard	4'/8'	4'/8'		
Rear	15'	10'		
<b>MAXIMUM BUILDING HEIGHTS</b>				
Main building	35'	35'	35'	35'
Detached garage	n/a	24'	n/a	n/a

**Footnotes:**

1. Lot Area is defined as the total area of a fee simple residential lot for a single-family dwelling unit and may include easements for common area access.
2. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
3. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.

EXHIBIT K

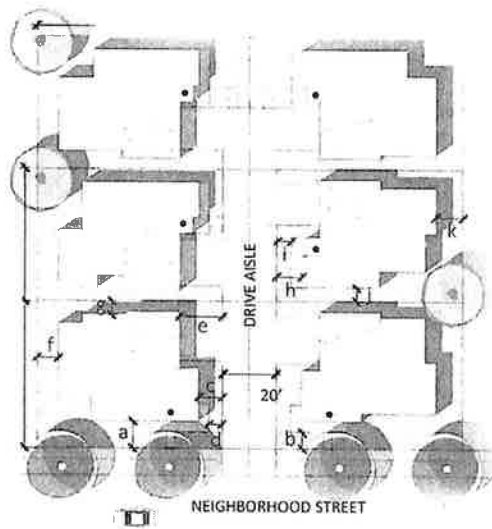


\*Setback distance measured from the edge of the drive aisle.

Figure 1: MD-3 Motor-court Lot Standards

\*Setback distance measured from the edge of the drive aisle.

MD-3 Motor-court Lots Development Standards	
<b>LOT DIMENSIONS</b>	
Refer to Figure 1 for minimum lot dimensions	
<b>SETBACKS</b>	
<b>Streetside Lots</b>	
(a) Front, living space	12' min.
(b) Front, porch	8' min.
(c) Drive aisle side, living space*	5' min.
(d) Drive aisle side, garage*	18' min.
(e) Side/rear	5'/10' min.
<b>Rear Corner Lots</b>	
(f) Front, living space & porch	8' min.
(g) Front, garage	18' min.
(h) Side/rear	5'/10' min.
<b>Rear Center Lot</b>	
(i) Front, living space*	8' min.
(j) Front, porch*	5' min.
(k) Front, garage*	16' min.
(l) Side/rear	6' min.
<b>HEIGHT</b>	35' max.



MD-4 Private Lane Lots Development Standards	
<b>LOT DIMENSIONS</b>	
Refer to Figure 2 for minimum lot dimensions	
<b>SETBACKS</b>	
<b>Streetside Lots</b>	
(a) Front, living space	10' min.
(b) Front, porch	5' min.
(c) Drive aisle side, living space*	6' min.
(d) Drive aisle side, porch*	5' min.
(e) Drive aisle side, garage*	18' min.
(f) Side	10' min.
(g) Rear	5' min.
<b>Internal lots</b>	
(h) Front, living space*	5' min.
(i) Front, porch*	5' min.
(j) Side	5' min.
(k) Rear	10' min.
<b>HEIGHT</b>	35' max.

**EXHIBIT K**

**3. Permitted uses**

	Single Family MD 1,2, 3,4
Day care (§9-5.3817 and 9-5.3818)	P
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
School, public or private	U
Open space	P
Parks and park facilities, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**C. Age Restricted**

**1. Purpose and application**

(a) AR Single-family Age-Restricted Lot Type

This designation is for lots ranging in size from approximately 4,500 to 5,000 s.f. in a neighborhood that is restricted to residents age 55 and older.

## EXHIBIT K

### 2. Property development standards

	AR Age-Restricted
Minimum lot area in s.f.	4,500
Average net lot area in s.f.	5,000
Maximum lot coverage (1/2 story) <sup>1</sup>	60/55%
<b>MINIMUM LOT DIMENSIONS</b>	
Lot width (interior/corner)	45'/50'
Lot depth	90'
<b>MINIMUM SETBACKS FROM PROPERTY LINE<sup>2</sup></b>	
Living area at front	15'
Porch at front	10'
Porch at private drive	5'
Garages at front	18'
Side-on garage at front	n/a
Garage at private drive (short apron/full arpon) <sup>3</sup>	5'/18'
Interior side yard/corner	4'/8'
Rear	15'
<b>MAXIMUM BUILDING HEIGHTS</b>	
Main building	28'
Detached garage	n/a

Footnotes:

1. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
2. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.
3. Parking is allowed in driveways with full aprons only with a minimum depth of 18' depth. Parking is prohibited on driveways with short aprons (less than 18').

**EXHIBIT K**

**3. Permitted uses**

	<b>Active Adult AA</b>
Day care (§9-5.3817 and 9-5.3818)	U
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
Open space	P
Parks, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**EXHIBIT K**

**§ 9-5.4203 Village Center Uses**

**A. Commercial Zone Village Center (VC)**

**1. Purpose and application**

The Village Center is intended to be located on the land within the Limited Development Area of The Ranch Property to serve primarily the neighborhood and the immediate community, providing retail goods, food/drug, eating establishments, professional services for daily needs, and other similar commercial uses.

**2. Property development standards**

	<b>VC Village Center</b>
<b>Maximum floor area ratio (FAR) <sup>1</sup></b>	0.35
<b>MINIMUM BUILDING SETBACKS</b>	
From Deer Valley Road	10'
From Sand Creek Road	15'
From local street	10'
Interior	0'
<b>MAXIMUM BUILDING HEIGHTS</b>	
Main building	35'
Towers/feature structure	50'
<b>PARKING</b>	
General commercial uses	1 space/285 s.f.
Banks, professional or medical offices	1 space/250 s.f.
General restaurant/lounge or bar including any outdoor seating	1 space/3 seats
Take out only/no seating	1 space per employee on largest shift

Footnote:

1. The maximum non-residential intensity allowed in the Village Center Commercial zone is defined as the floor area ratio (FAR), which is the ratio of total net floor area of a building to the total lot area.

**3. Permitted uses**

	<b>Village Center VC</b>
<b>Day care (§9-5.3817 and 9-5.3818)</b>	U
<b>Public safety facility</b>	U
<b>Public use—Fire, police, library, other civic building</b>	P
<b>Satellite antenna</b>	A
<b>School, public or private</b>	U
<b>Open space</b>	P
<b>Trail/Trailhead facilities</b>	P
<b>Community Garden</b>	P
<b>Storm Drainage facilities</b>	P
<b>Resource protection / restoration</b>	P
<b>Art/Antique/Artisan store</b>	P
<b>Bakeries—retail</b>	P

**EXHIBIT K**

Bank and financial services	P
Bar (§ 9-5.3831)	U
Barber & beauty shop	P
Catering services	P
Clothing store	P
Communication facility	P
Confectionary store	P
Day care facility	U
Drive-up window (all uses)	U
Drug store/pharmacy	P
Dry cleaner/laundry- self serve and pick-up	P
Florist shop	P
Convenience store	U
Neighborhood food market	P
Furniture, furnishings and appliance store	P
Gift shop	P
Hardware store	P
Health club/fitness center	P
Hotel/motel	U
Jewelry store	P
Parking lot (commercial) (§ 9-5.3837)	A
Offices- business and professional	P
Offices- medical/dental	P
Pet store, animal grooming, sales	P
Restaurant- general	P
Restaurant- fast food	U
Restaurant- with outdoor food service and seating	P
Restaurant- takeout and delivery	P
Restaurant- with bar and live entertainment	U
Retail- general and specialty	P
Studios- dance/martial arts/yoga	P
Theater	P
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A
Outdoor display of merchandise (in conjunction with a non-residential use)	A
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A
Christmas tree and pumpkin sale lots (§ 9-5.3829)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required



**EXHIBIT K**

**§ 9-5.4204 Public Uses**

**A. Public Use Zone (PQ)**

**1. Purpose and application**

This zone is to provide for the establishment of public and quasi-public uses, such as safety facilities, utilities, local government offices/facilities and other similar uses. The intent of this zone is to identify appropriate locations for these uses without impacting, disrupting, or otherwise removing other lands for residential or other uses.

(a) PQ-Fire Station

This designation is to accommodate a future fire station to serve The Ranch and surrounding neighborhoods, in coordination with the Antioch Fire Department.

(b) PQ-Trail Staging Area

This designation is to accommodate a parking lot and regional trail staging area to serve the greater Antioch community.

**2. Property development standards**

N/A

**3. Permitted uses**

	<b>Public Use PQ</b>
Public safety facility and other civic building	P
Satellite antenna	A
School, public or private	A
Open space	P
Parks, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Parking lot (commercial) (§ 9-5.3837)	U
Removal of earth (§§9-5.3822)	A
Temporary construction building and uses (§§ 9-5.3821)	A
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A
Christmas tree and pumpkin sale lots (§ 9-5.3829)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**EXHIBIT K**

**§ 9-5.4205 Open Space Uses**

**A. Open Space/Recreation Zones**

**1. Purpose and application**

This category is to provide for the establishment of open space areas to protect natural resources, provide stormwater drainage, to create parks for recreation and community gathering and key landscape areas to provide community enhancement and connectivity.

(a) P-Park

This zone is intended to provide locations for parks. Parks of varying sizes and shapes are provided to meet neighborhood recreation needs, such as informal playing or gathering, strolling, and engaging in active sports. Facilities for private recreation are also provided within the park for the age-restricted community.

(b) OS-Open Space

Open space zoning is applied to the natural resources within the project area, including Sand Creek and its associated seasonal wetlands, swales, marshes, grasslands and other areas of natural vegetation. Stormwater drainage facilities, including detention basins, also occur in the OS zone.

(c) Landscape

This zone is intended to reserve key areas for major landscape corridors to enhance the Project along Deer Valley Road and provide internal connectivity between neighborhoods and parks.

(d) Trails

This zone is intended to provide trails throughout the community to enhance overall mobility and recreation by linking residents to parks, community amenities, and natural open space.

**2. Property development standards**

N/A

**3. Permitted uses**

	Open Space OS
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Open space	P
Trail/Trailhead facilities	P
Storm Drainage facilities	P
Resource protection / restoration	P
Removal of earth (§§9-5.3822)	A
Temporary construction building and uses (§§ 9-5.3821)	A
Christmas tree and pumpkin sale lots (§ 9-5.3829)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

Figure 4.1 - General Plan Land Use Map

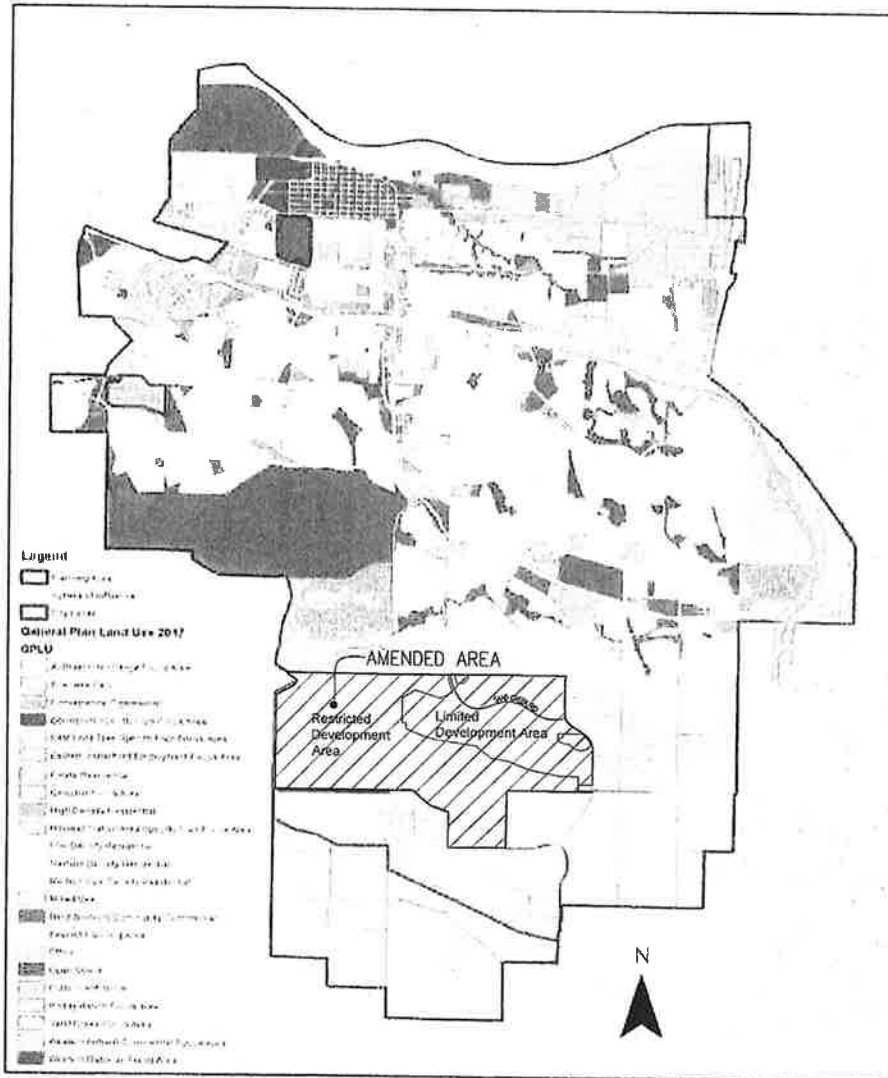


EXHIBIT L  
 AMENDED GENERAL PLAN  
 LAND USE MAP

CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
 DATE: APRIL 26, 2018

**cbg** Carlson, Barbee & Gibson, Inc.  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 www.cbgi.com

SAN RAMON, CALIFORNIA    (925) 885-1022  
 SACRAMENTO, CALIFORNIA    (916) 275-1877

4/27/2018 9:23 AM







Table 4.A - Appropriate Land Use Types

Exhibit N

Land Use Type	Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Residential	Commercial Neighborhood/Community Comm.	Regional Commercial	Somersville Road Commercial	SR-4/SR-160 Forage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Medical Facility	Office	Business Park	Eastern Watfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lane Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>Amusement Centers/Acades.</b> Any structure (or portion thereof) in which four or more amusement devices (either coin- or card-operated) are installed such as photography machines, video games, muscle testers, fortune telling machines, laser tag, electronic or "County fair" style games, jids or similar uses, and other games of skill or science, but not including games of chance or other similar devices. Included is any place open to the public, whether or not the primary use of the premises is devoted to operation of such devices. Sales of prepared foods and beverages is also included as an ancillary use of the site.								✓	✓	✓		✓	✓	✓	✓		✓2	✓4	✓4			✓							
<b>Automotive Uses.</b> Activities typically include, but are not limited to the, sales and servicing of motor vehicles, recreational vehicles, boats, and trailers.							✓2	✓	✓	✓	✓	✓	✓	✓	✓		✓2	✓4	✓4			✓							
<b>Banks and Financial Services.</b> Activities typically include, but are not limited to banks and credit unions, home mortgage, and other personal financial services.							✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓			✓							
<b>Business Support Services.</b> Activities typically include, but are not limited to, services and goods generally provided to support other businesses.							✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓			✓							
<b>Eating and Drinking Establishments.</b> Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on-premises or off-premises consumption.							✓3	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓5			✓							
<b>Food and Beverage Sales.</b> Activities typically include, but are not limited to retail sale from the premises of food and beverages for off-premises final preparation and consumption.							✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓5			✓							
<b>Funeral Services.</b> Activities typically include services involving the care, preparation, or disposition of human dead.							✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓	✓			✓							

Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Residential	Neighborhood/Community Comm.	Regional Commercial	Somerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space							
General Merchandise. Activities typically include, but are not limited to, the retail sales from premises, including incidental retail and repair services.																																				
Health Clubs and Spas. Activities typically include, but are not limited to, sport and health-related activities performed either indoors or outdoors.																																				
Lodging and Visitor Services. Activities typically include, but are not limited to, providing overnight accommodations and related banquet and conference facilities.																																				
Indoor Recreational Facilities. Activities typically include, but are not limited to, commercial recreation uses conducted within enclosed buildings, such as bowling alleys, skating facilities, racquet clubs, and indoor shooting and archery ranges.																																				
Outdoor Recreational Facilities. Activities typically include, but are not limited to, commercial recreation activities conducted outside of enclosed buildings, such as miniature golf, batting cages, tennis clubs, etc.																																				
Personal Services. Activities typically include establishments primarily engaged in the provision of services for the enhancement of personal appearance, cleaning, alteration of garments, and similar non-business or non-professional services.																																				
Personal Instruction. Activities typically include instruction in artistic, academic, athletic or recreational pursuits within an enclosed structure.																																				
Recreational Vehicle Park. Activities typically include, but are not limited to, providing overnight accommodations for visitors in recreational vehicles.																																				



Table 4.A - Appropriate Land Use Types

Exhibit N

Land Use Type	Appropriate	Conditional	Not Appropriate
Open Space			
Public/Institutional			
Community Retail			
Use			
Town Center Mixed			
Office TOD			
Residential TOD			
Employment-Generating			
E. Lone Tree Em-			
General Industrial			
Industrial			
Rail-Served			
Light Industrial			
Business Park			
Eastern Waterfront			
Business Park			
Office			
Medical Facility			
Mixed Use			
Mixed Use			
Commercial/Office			
A' Street			
Commercial			
Riverfront			
Services			
Marina/Support			
Frontage Comm.			
SR-4/SR-160			
Commercial			
Somersville Road			
Commercial			
Regional			
Community Comm.			
Neighborhood/			
Commercial			
Convenience			
Residential			
High Density			
Residential			
Medium Density			
Residential			
Medium Low Density			
Residential			
Low Density			
Open Space			
Rural Residential,			
Architecture, and			
Residential			
Estate			
Theaters. Includes structures where the primary use is the exhibition of live or prerecorded theatrical, musical, comedic or other performances. Sale of prepared foods and beverages is permitted ancillary to the primary use.			
Light Manufacturing and Assembly. Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substances into new products, including manufacture of products, assembly of component parts (including required packaging for retail sale), and treatment and fabrication operations. Light manufacturing is conducted wholly within an enclosed building. Light manufacturing activities do not produce odors, noise, vibration, or particulates, which would adversely affect uses within the same structure or on the same site. Also included are watchman's quarters.			
General Manufacturing and Assembly. Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substance into new products, including manufacture of products; assembly of component parts (including required packaging for retail sale); blending of materials such as lubricating oils, plastics, and resins; and treatment and fabrication operations. Uses requiring massive structures outside of buildings such as cranes or conveyor systems, or open-air storage of large quantities of raw or semi-refined materials are also included within this land use type. Also included are watchman's quarters.			

Table 4.A - Appropriate Land Use Types

Exhibit N

Land Use Type	Research and Development	Operable Vehicle Storage	Personal Storage	Storage and Distribution - Light
estate				
Rural Residential				
Agriculture, and Open Space				
Low Density Residential				
Medium Low Density Residential				
Medium Density Residential				
High Density Residential				
Convence Commercial				
Neighborhood/Community Comm.				
Regional Commercial				
Somerville Road Commercial				
SR-4/SR-160 Frontage Comm. Services		✓		
Marina/Support Services				
RiverTown Commercial				
'A' Street Commercial/Office				
Mixed Use Commercial/Office	✓			✓
Medical Facility				
Office				
Business Park	✓			✓
Eastern Waterfront Business Park	✓			✓
Light Industrial	✓		✓	✓
Rail-Served Industrial	✓			✓
General Industrial	✓	✓	✓	✓
E. Lone Tree Employment-Generating	✓			✓
Residential TOD				
Office TOD				
Town Center Mixed Use				
Community Retail				
Public/Institutional				
Open Space				

Table 4.A - Appropriate Land Use Types

Land Use Type	Residential	Rural Residential	Artistic, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Conventional Residential	Commercial Neighborhood/Community Comm.	Regional Community Comm.	Commercial	Somerville Road Commercial	Frontage Comm. SR-4/SR-160	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use Commercial	Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>Storage and Distribution - General.</b> Activities typically include, but are not limited to, warehousing, storage, freight handling, shipping, trucking services; storage and wholesaling from the premises of unfinished, raw, semi-refined products requiring further processing, fabrication, or manufacturing. Outdoor storage is permitted subject to applicable screening requirements. Also included are watchman's quarters as an ancillary use.																															
<b>Building Contractor's Offices and Yards.</b> Activities typically include, but are not necessarily limited to, offices and storage of equipment, materials, and vehicles for contractors in the trades involving construction activities. Storage yard uses may include, but should not be limited to, the maintenance and outdoor storage of large construction equipment such as earthmoving equipment, and screened outdoor storage of building materials.																															
<b>Boating and Related Activities.</b> Activities typically include, but are not limited to, establishments and facilities engaged in the provision of sales or services directly related to the commercial or recreational use of waterways. Included in this category are construction, repair, and maintenance of boats; boat sales; anchorage and docking facilities, including temporary slip rentals; services for commercial boating and fishing, including retail fish sales, but not including fish processing; sale of marine equipment; and harbor-related services, such as indoor and outdoor dry boat storage, bait sales, fuel docks, and yacht clubs.																															
<b>Civic Administration.</b> Activities typically include, but are not limited to, management administration, clerical, and other services performed by public and quasi-public agencies.																															

Exhibit N

Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Residential	Neighborhood/Community Comm.	Regional Commercial	Commercial Somersville Road	SR-4/SR-160 Frontage Comm. Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
	✓																											
Cultural Facilities. Activities typically include, but are not limited to, those performed by public and private museums and art galleries, public and private libraries and observatories.																												
Day Care Centers. Day care centers consist of facilities defined in California Health and Safety Code Section 1596.76, providing day care and supervision for more than 12 children less than 18 years of age for periods of less than 24 hours per day. Also included are facilities for the care and supervision of seniors for periods of less than 24 hours per day.																												
Open Space. Activities typically include, but are not limited to, preservation of lands in their natural condition to protect environmental resources or the public health and safety, agriculture, and active or passive recreation. Recreation areas may include recreational structures such as play equipment, but do not generally include structures for human occupancy.		✓																										
Religious Assembly. Activities typically include religious services and assembly such as customarily occurs in churches, synagogues, and temples.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Schools, Public and Private. Typical activities include educational facilities for K-8 students provided by public agencies or private institutions.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Notes to Table 4.A:

1. Permitted subject to the provisions of Land Use Element policy 4.4.2.b.
2. Automotive sales are not permitted within areas designated Convenience Commercial, Regional Commercial, or Business Park, except that Automotive sales may be allowed within areas designed Business Park that also have frontage on Auto Center Drive.

**Table 4.A - Appropriate Land Use Types**

**Exhibit N**

3. Bars not permitted within areas designated Convenience Commercial.
  4. Automotive uses are limited to sites adjacent to a freeway interchange. Auto sales are not permitted within areas designated Light Industrial or Eastern Waterfront Business Park.
  5. Eating and drinking establishments, as well as Lodging and Visitor Service uses, within the Light Industrial and Eastern Waterfront Business Park designations are limited to sites adjacent to a freeway interchange.
  6. Multi-Family uses are permitted within the Rivertown Commercial designation above the ground floor only.
  7. Administrative and Professional Office and Personal Instruction uses are permitted within the Rivertown Commercial designation above the ground floor only, except along Fourth Street and the area between Fourth Street and Fifth Street, where they may occupy ground floor space.
  8. Funeral Services within the Rivertown Commercial designation are limited to "J" Street, Fourth Street and the area between Fourth Street and Fifth Street.
  9. Auto sales within the Hillcrest Station Focus Area are limited to sites adjacent to the SR-4 and SR-160 freeways.
  10. Limited to locations that are compatible with resource protection needs.
-

**EXHIBIT O**

Table 4.B – Anticipated Maximum General Plan Build Out in the City of Antioch

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
<b>Residential</b>				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential	-	4,817	-	-
<b>Subtotal</b>	<b>29,023</b>	<b>6,064</b>	-	-
<b>Commercial</b>				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial	-	-	4,563,853	-
Office	-	-	2,154,679	-
<b>Subtotal</b>	-	-	<b>7,059,981</b>	-
<b>Industrial</b>				
Business Park	-	-	-	8,647,651
<b>Special</b>				
Mixed Use	-	279	606,885	-
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
<b>Subtotal</b>	-	<b>279</b>	<b>606,885</b>	<b>5,968,350</b>
<b>Focus Areas<sup>1</sup></b>				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	268,051	13,688,023
Ginochio Property Focus Area	-	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Focus Plan	-	2,500	2,500,000	-
Sand Creek Focus Area <sup>2</sup>	3,537	433	1,240,000	-
Western Antioch Commercial Focus Area	-	-	8,67,751	4,195,114
Western Gateway Focus Area	-	460	215,216	-
<b>Subtotal</b>	<b>6,439</b>	<b>5,570</b>	<b>20,845,130</b>	<b>15,922,342</b>
<b>TOTAL</b>	<b>35,462</b>	<b>11,912</b>	<b>28,511,966</b>	<b>30,538,343</b>
<b>Population</b>		<b>150,175</b>		
<b>Employed Population</b>		<b>84,098</b>		
<b>Total Jobs</b>		<b>107,378</b>		
<b>Retail Jobs</b>		<b>21,476</b>		
<b>Non-Retail Jobs</b>		<b>85,902</b>		
<b>Jobs/Population Ratio</b>		<b>0.72</b>		

<sup>1</sup> Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

<sup>2</sup> As amended in 2018 by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

**EXHIBIT P**

Table 4.D – Anticipated Maximum General Plan Build Out in the General Plan Study Area

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
<b>Residential</b>				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential	-	4,817	-	-
<b>Subtotal</b>	<b>29,023</b>	<b>6,064</b>	-	-
<b>Commercial</b>				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial	-	-	4,563,853	-
Office	-	-	7,059,981	-
<b>Subtotal</b>	-	-	<b>11,965,283</b>	-
<b>Industrial</b>				
Business Park	-	-	-	8,647,651
<b>Subtotal</b>	-	-	-	-
<b>Special</b>				
Mixed Use	-	279	606,885	-
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
<b>Subtotal</b>	-	<b>279</b>	<b>606,885</b>	<b>10,655,350</b>
<b>Focus Areas<sup>1</sup></b>				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	25,000	16,486,808
Ginochio Property Focus Area	400	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Specific Plan Focus Area	-	2,500	2,500,000	-
Sand Creek Focus Area <sup>2</sup>	3,357	433	1,240,000	-
Western Antioch Commercial Focus Area	-	358	9,224,280	-
Western Gateway Focus Area	-	460	215,216	-
<b>Subtotal</b>	<b>6,839</b>	<b>5,570</b>	<b>20,845,130</b>	<b>41,984,779</b>
<b>TOTAL</b>	<b>35,862</b>	<b>11,912</b>	<b>33,417,298</b>	<b>41,984,779</b>

Population	<b>151,443</b>
Employed Population	<b>84,808</b>
Total Jobs	<b>150,804</b>
Retail Jobs	<b>30,161</b>
Non-Retail Jobs	<b>120,643</b>
Jobs/Population Ratio	<b>1.00</b>

<sup>1</sup> Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

<sup>2</sup> As amended in 2018 by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

**AMENDED LAND USES WEST OF DEER VALLEY ROAD**

RESTRICTED DEVELOPMENT AREA:	1,244 AC
LIMITED DEVELOPMENT AREA:	604 AC
<b>TOTAL:</b>	<b>1,848 AC</b>

**NOTES:**

- "LIMITED DEVELOPMENT AREA" OVERLAY LAND USE DESIGNATION HAS THE FOLLOWING BASE LAND USE DESIGNATIONS: "ESTATE RESIDENTIAL", "LOW DENSITY RESIDENTIAL", "MEDIUM LOW DENSITY RESIDENTIAL", "MEDIUM DENSITY RESIDENTIAL", "CONVENIENCE COMMERCIAL", "MIXED USE", "PUBLIC/QUASI PUBLIC", AND "OPEN SPACE".
- "RESTRICTED DEVELOPMENT AREA" OVERLAY LAND USE DESIGNATION HAS THE FOLLOWING BASE LAND USE DESIGNATIONS: "RURAL RESIDENTIAL, AGRICULTURAL, OPEN SPACE".

**EXHIBIT Q  
AMENDED FIGURE 4.8  
SAND CREEK FOCUS AREA**

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018

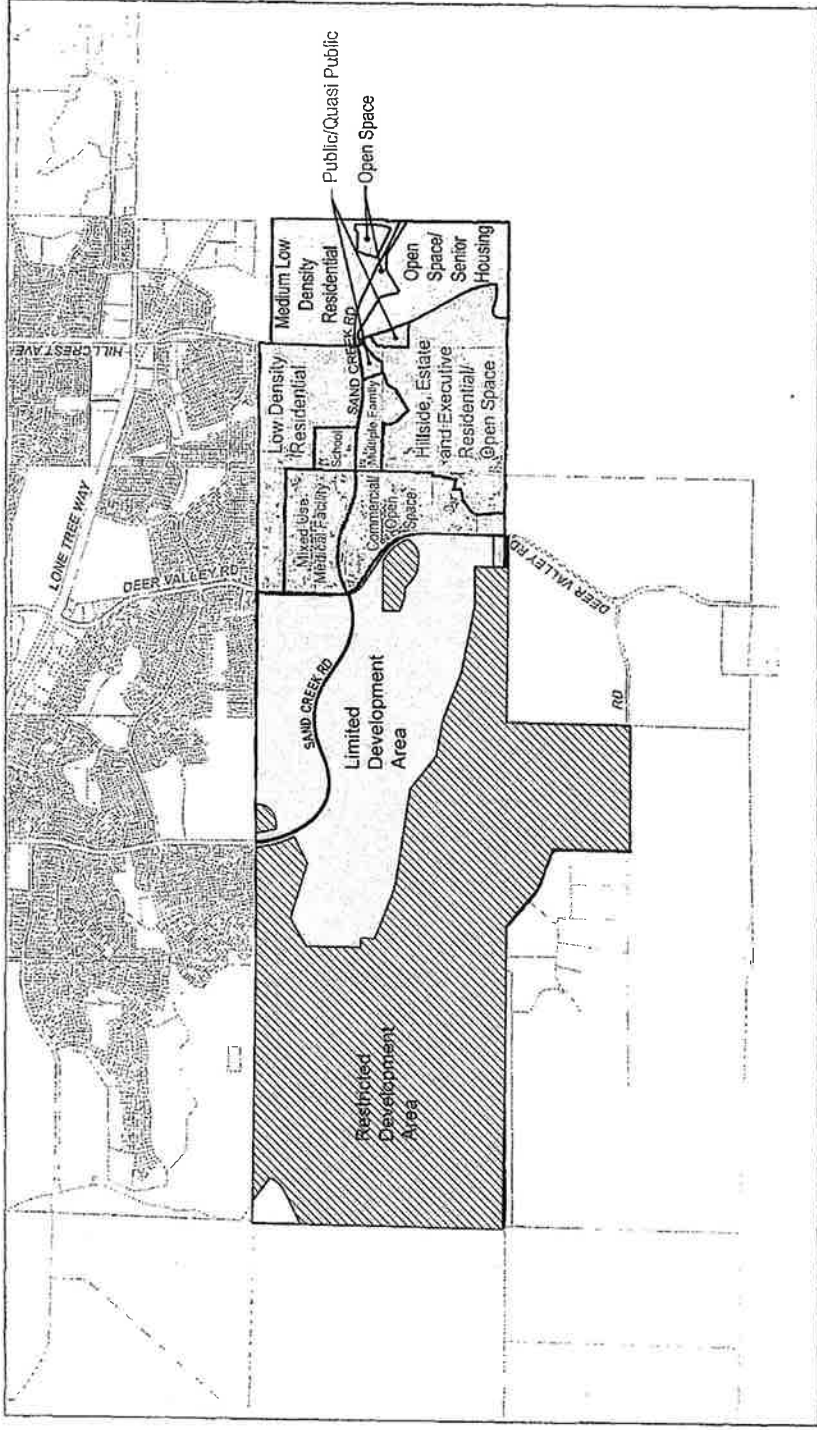
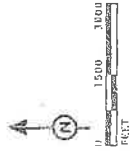



FIGURE 4.8

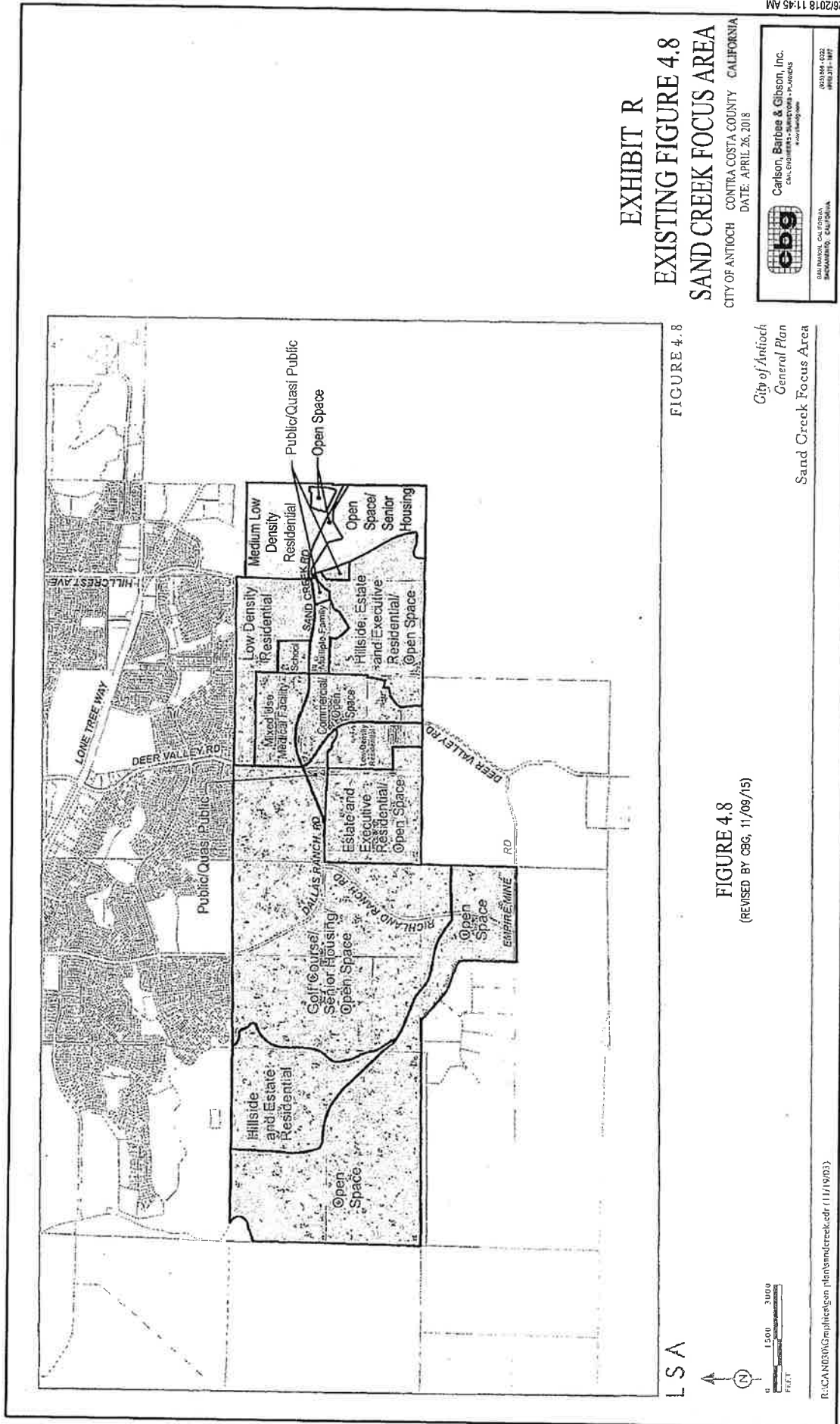
**FIGURE 4.8**  
(REVISED BY CBG, 4/26/18)

City of Antioch  
General Plan  
Sand Creek Focus Area

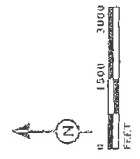
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L S A



**FIGURE 4.8**  
(REVISED BY CBG, 11/08/15)

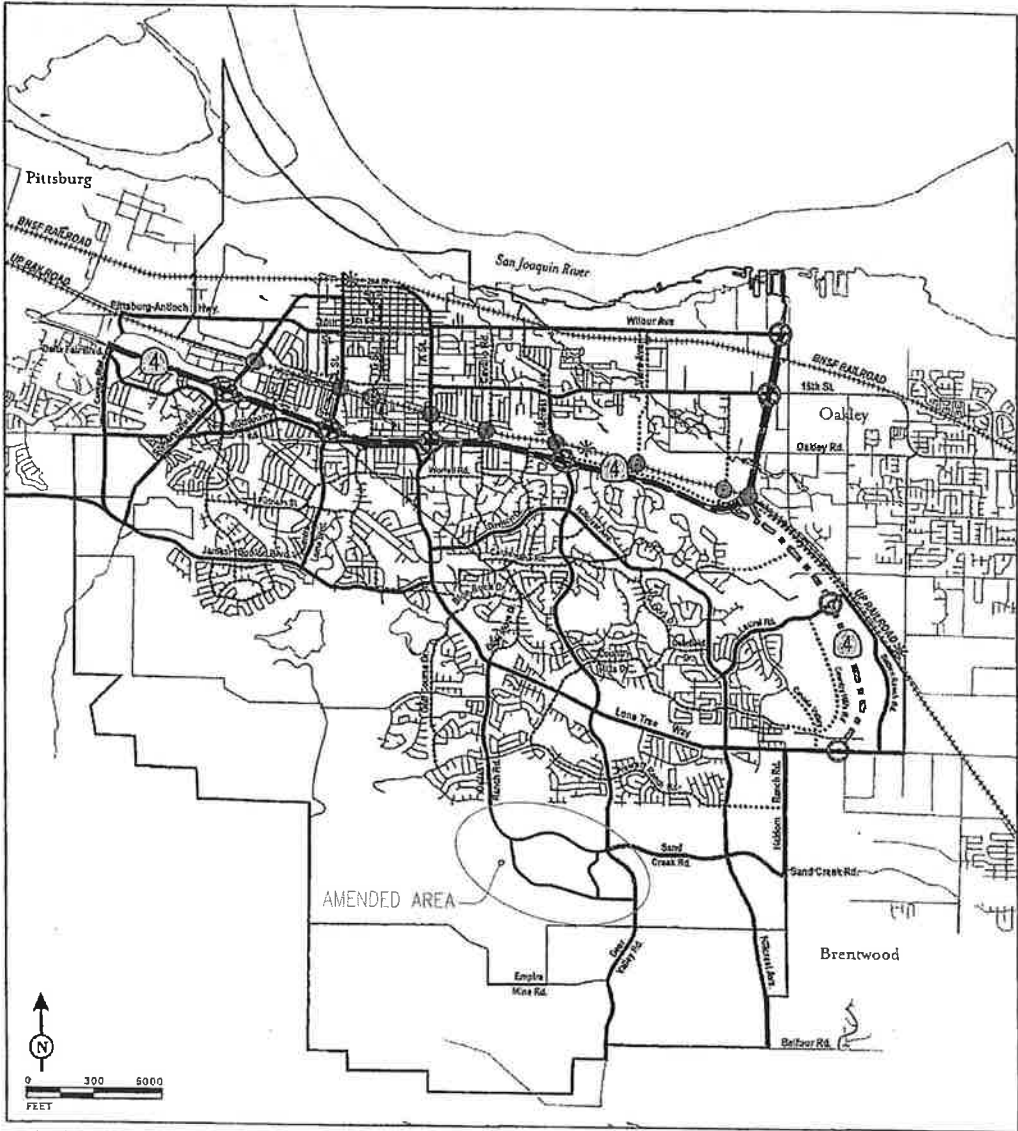
FIGURE 4.8

**EXHIBIT R**  
**EXISTING FIGURE 4.8**  
**SAND CREEK FOCUS AREA**

CITY OF ANTIPOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018

	<b>Carlson, Barbee &amp; Gibson, Inc.</b> CIVIL ENGINEERS - SURVEYORS - PLANNERS 4000 Skyway Drive SAN JOSE, CALIFORNIA 95128 (408) 261-1177
	DRAWN BY: J. GIBSON CHECKED BY: J. GIBSON DATE: 04/26/18

City of Antioch  
General Plan  
Sand Creek Focus Area



LSA

- CITY OF ANTIOCH
- PLANNING AREA BOUNDARY

- FREEWAYS
- ARTERIALS
- ARTERIAL (COUPLET)
- MAJOR COLLECTOR
- MAJOR COLLECTOR (COUPLET)

- RAIL
- PROPOSED FREEWAY
- RAILROAD GRADE SEPARATION
- RAIL TRANSIT STATION
- FREEWAY INTERCHANGE

FIGURE 7.1

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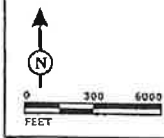
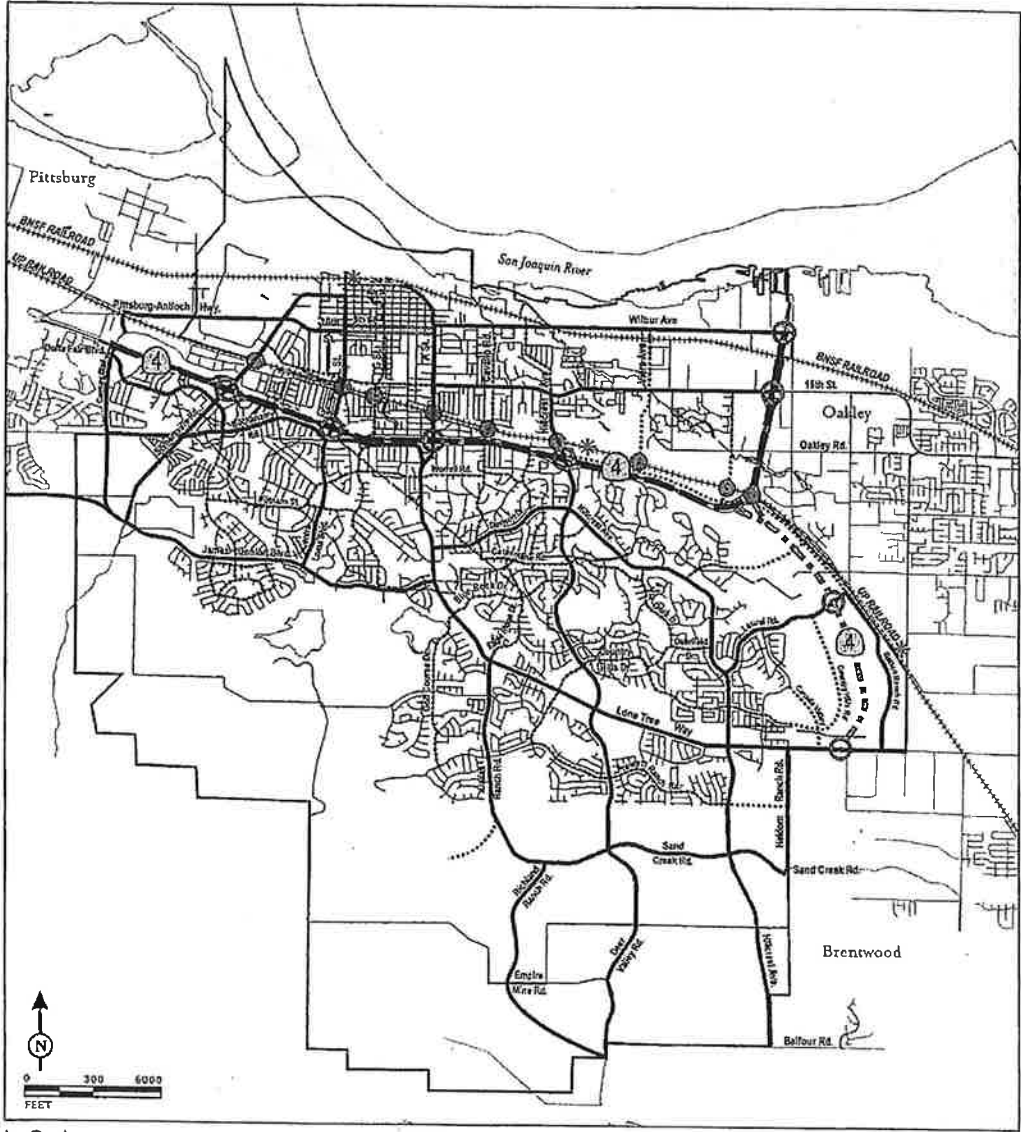
City of Antioch  
General Plan  
Circulation

## EXHIBIT S AMENDED FIGURE 7.1 CIRCULATION

CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: APRIL 26, 2018

**Carlson, Barbee & Gibson, Inc.**  
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SACRAMENTO, CALIFORNIA    95811-8668    916.441.1000



- LSA**
- CITY OF ANTIOCH
  - PLANNING AREA BOUNDARY

- FREEWAYS
- ARTERIALS
- ARTERIAL (COUPLET)
- MAJOR COLLECTOR (COUPLET)
- RAIL
- PROPOSED FREEWAY
- RAILROAD GRADE SEPARATION
- RAIL TRANSIT STATION
- FREEWAY INTERCHANGE

FIGURE 7.1

*City of Antioch  
General Plan  
Circulation*

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## EXHIBIT T EXISTING FIGURE 7.1 CIRCULATION

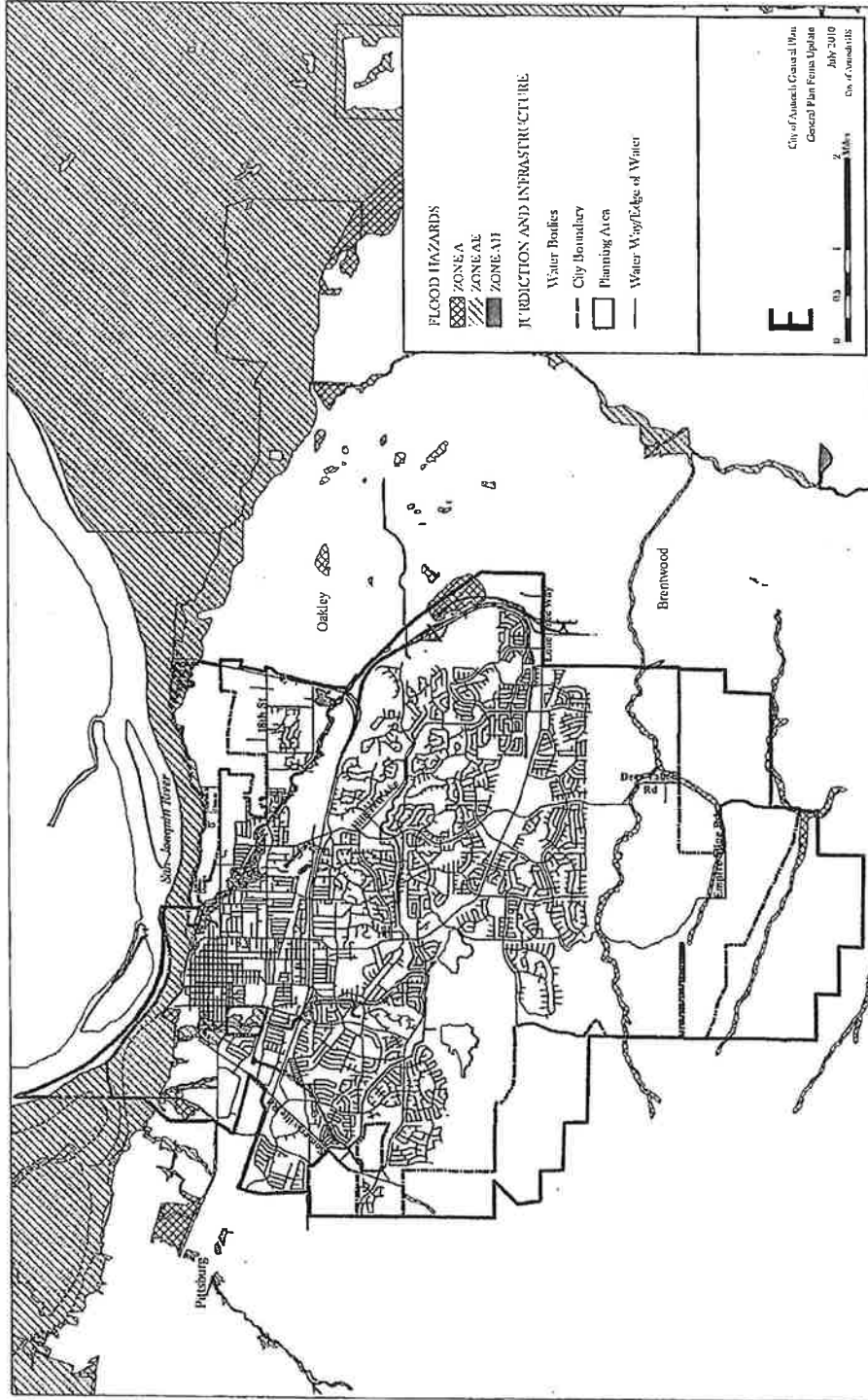
CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: APRIL 26, 2018

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4/26/2018 11:52 AM

EXHIBIT U





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Dawn Merchant, Finance Director *DM*

**REVIEWED BY:** Ron Bernal, City Manager

**SUBJECT:** Consideration of One-Time Revenue Policy

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### **RECOMMENDED ACTION**

It is recommended that the City Council either:

- Affirm the current One-Time Revenue Policy; or
- Adopt a resolution amending the One-Time Revenue Policy

### **STRATEGIC PURPOSE**

This action falls under Strategic Plan Long Term Goal O: Achieve and maintain financial stability and transparency.

### **FISCAL IMPACT**

There is no direct fiscal impact of consideration of this policy, however, changes to this policy will affect how one-time monies are spent in the budget.

### **DISCUSSION**

On December 11, 2018, City Council discussed potential changes to the City's One-Time Revenue Policy (see Attachment A for staff report). A Council majority consensus could not be reached with members present being split, and therefore this item was requested to be brought back once all Council members were in attendance.

Based on discussion that took place on December 11<sup>th</sup>, staff is recommending that the Council either affirm the City's current policy or make modifications to that policy. The attached resolution (Attachment B) modifies the existing policy to remove the mandate of applying a minimum of 50% of one-time revenues to unfunded pension and/or OPEB liabilities. If adopted, the policy would then read:

- One-time revenue is defined as unrestricted money to the General Fund that results from a one-time occurrence and includes any General Fund annual salary savings as of June 30<sup>th</sup>, not including the Police Department; and

- Provided the General Fund reserve is projected to end the fiscal year at 20% or higher, monies will be spent on one-time projects and not spent on ongoing operating costs; and
- In determining one-time projects spending, Council will consider putting a portion of the one-time revenues towards unfunded pension and OPEB liabilities.

Although this revised wording removes the mandate of splitting funds towards unfunded liabilities, a bullet point has been added so that unfunded liabilities will always be part of the discussion on how to spend the funds.

### **ATTACHMENTS**

- A.** Staff Report
- B.** Resolution



**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of December 11, 2018  
**TO:** Honorable Mayor and Members of the City Council  
**SUBMITTED BY:** Dawn Merchant, Finance Director *DM*  
**REVIEWED BY:** Ron Bernal, City Manager  
**SUBJECT:** Consideration of One-Time Revenue Policy

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**RECOMMENDED ACTION**

It is recommended that the City Council discuss and provide direction regarding the City's one-time revenue policy.

**STRATEGIC PURPOSE**

This action falls under Strategic Plan Long Term Goal O: Achieve and maintain financial stability and transparency.

**FISCAL IMPACT**

There is no direct fiscal impact of consideration of this policy, however, changes to this policy will affect how one-time monies are spent in the budget.

**DISCUSSION**

In FY2015/16, City Council approved the following policy for use of one-time revenues:

- One-time revenue is defined as unrestricted money to the General Fund that results from a one-time occurrence and includes any General Fund annual salary savings as of June 30<sup>th</sup>, not including the Police Department; and
- Provided the General Fund reserve is projected to end the fiscal year at 20% or higher, then a minimum of 50% of such one-time revenue shall be set aside to retire unfunded liabilities and the remaining 50% shall be put either towards unfunded liabilities or one-time projects and not spent on ongoing operating costs

As a result of implementation of this policy, the City has been able to allocate a total of \$1,462,623 towards unfunded liabilities (specifically the Police Supplementary Retirement Plan) and \$1,179,312 towards one time projects. A table of the one-time sources and projects funded is below:

<b>One-Time Revenue Source</b>	<b>Amount</b>	<b>Allocated to Projects</b>	<b>Allocated to Unfunded Liabilities</b>
Pre-2004 State Mandated reimbursements (received FY16)	\$ 883,175	\$ 441,587	\$ 441,588
FY16 Salary savings (non-Police)	566,620	- (a)	283,310
FY17 Salary savings (non-Police)	1,389,250	694,625	694,625
FY18 Salary savings (non-Police)	563,335	- (b)	-
Franchise agreements one time payments (received FY18)	86,200	43,100	43,100
	<u>\$ 3,488,580</u>	<u>\$ 1,179,312</u>	<u>\$ 1,462,623</u>

(a) no amount was allocated to projects as at time of allocation to unfunded, budget was showing just in balance

(b) unfunded liability/project allocation pending to be discussed by Council

<b>Project</b>	<b>Budget Allocated</b>
Replace Senior Center kitchen counter linoleum	\$ 14,000
Replace NRCC Kitchen: counters, cabinets, appliances	18,000
Paint outside on NRCC and Senior Center	20,000
Replace ASC lobby carpeting	25,000
Replace ASC toilets; upgrade plumbing	25,000
Water Cooler/drinking fountain NRCC/ASC	2,000
Floor maintenance/cleaning equip for Recreation	8,000
NRCC & ASC maintenance & repairs needed	20,000
Tri-Delta youth pass subsidy	10,000
Recreation fun & fitness program	3,000
Hillcrest & Deer Valley median improvements	49,000
Animal Services HVAC updates	125,000
Downtown lights & other improvements	38,725
Mobile vehicle for Recreation	25,000
Youth scholarships	10,000
Youth programs staffing	40,000
Mobile Recreation programs	50,000
Supplies & services for Recreation programs	15,000
License plate readers for two vehicles	40,000
Prewett concrete repairs	200,000
Habitat Conservation Plan	229,377
Historical Society fire truck restoration	20,000
Sister City activities	500
Deer Valley High School After School Library program	4,300
Redevelopment lawsuit (keep in GF litigation reserves)	187,410
	<u>\$ 1,179,312</u>

The \$563,335 in salary savings from FY18 was included in the budget amendments taken to Council on November 27<sup>th</sup> to include 50% to unfunded liabilities and 50% to be brought back for project allocation. Council requested the one-time revenue policy be brought back to consider updating the policy on how the funds are allocated; therefore 50% of the



\$563,335 (\$284,688) is not reflected in the table above as of yet as being applied to unfunded liabilities.

This matter is now before Council for discussion and direction to staff regarding the policy. If any policy changes are directed by the Council majority, then a resolution to memorialize the updates will be brought back for Council adoption at the next regularly scheduled Council meeting.

**RESOLUTION NO. 2019/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING THE ONE-TIME REVENUE POLICY**

**WHEREAS**, in fiscal year 2015/16 City Council approved a One-Time Revenue Policy; and

**WHEREAS**, the City Council desires to amend such policy; and

**WHEREAS**, on January 8, 2019, the City Council discussed such amendments; and

**THEREFORE, BE IT RESOLVED** that the City's One-Time Revenue Policy is hereby amended to read as follows:

- One-time revenue is defined as unrestricted money to the General Fund that results from a one-time occurrence and includes any General Fund annual salary savings as of June 30<sup>th</sup>, not including the Police Department; and
- Provided the General Fund reserve is projected to end the fiscal year at 20% or higher, monies will be spent on one-time projects and not spent on ongoing operating costs; and
- In determining one-time projects spending, Council will consider putting a portion of the one-time revenues towards unfunded pension and OPEB liabilities.

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8th day of January 2019, by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Nancy Kaiser, Parks and Recreation Director

**SUBJECT:** Civic Enhancement Grants

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution approving the 2018-2019 Civic Enhancement Grants.

### **STRATEGIC PURPOSE**

**Strategy F-1:** Improve the City's Business Processes  
Improve customer services

**Strategy J-1:** Increase Use of City's facilities and programs  
Build awareness of programs, services and community events

Special events and grass-roots community projects remind us of Antioch's rich heritage. They strengthen civic pride and support the mission of many nonprofit businesses and organizations. It is the City's goal to assist nonprofit organizations by creating and implementing a grant program to fund civic events and enhancement projects in an objective and efficient manner.

### **FISCAL IMPACT**

During Mid-Year Budget Review on March 13, 2018 the City Council approved \$50,000 each year for Fiscal Year 17-18 and Fiscal Year 18-19 from the General Fund to support the grant program. General Fund monies in the amount of \$30,000 were carried forward from Fiscal Year 17-18 for a total allocation of \$80,000 in Fiscal Year 18-19.

### **DISCUSSION**

Antioch's community nonprofit organizations play an important role in the vibrancy of the community and on June 12, 2018 the City Council approved the Civic Enhancement Grant program to provide an open application process for funding nonprofits, an objective process for reviewing requests, and a timeline that was clear and easy to follow.

City Council requested that staff administer the grant program for Fiscal Year 18-19 and directed the Parks and Recreation Commission to review the applications and provide a recommendation to City Council for final approval.

The Grant application period opened late July 2018 and applications were due September 28, 2018. The Parks and Recreation Commission appointed an Ad-Hoc Committee to complete the initial review of applications and provide a priority ranking to the Commission. The Committee met on October 11, 2018 to review and rank the applications.

The City received twenty applications for grant funding to support projects and/or programs in 2019 (funded in Fiscal Year 18-19). The total amount of funding requested exceeded \$200,000. On November 15, 2018 the Park and Recreation Commission approved a recommendation to City Council to fund eleven applications including the recurring application for fireworks and holiday events.

<b>Name of Applicant</b>	<b>Committee Ranking</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>	<b>Project Summary</b>
Celebrate Antioch Foundation	1	\$30,000	\$30,000	July 4 <sup>th</sup> Fireworks and Winter Holiday
Antioch Youth Sports Complex	2	\$5,000	\$5,000	Renovation of Restrooms
Antioch Historical Society	3	\$3,000	\$3,000	Directional Signage – needs City approval for location
Delta Blues Festival	4	\$5,000	\$5,000	Benefit Concerts
Women's Club of Antioch	5	\$20,000	\$10,000	Beautification & Property Improvement
Rotary Club of the Delta	6	\$3,000	\$3,000	Low income/At-risk family home improvements
El Campanil Theatre	7	\$10,000	\$10,000	Children's Theatre Program
Delta Veteran's	8	\$5,000	\$5,000	Upgrade Veterans Memorial Banners
Delta Veteran's	9	\$2,500	\$2,500	Softball Tournament of Heroes
The Drama Factory	10	\$3,150	\$3,150	Production Fees
Antioch Rotary Club	11	\$2,500	\$2,500	Empowerment Project

The complete list of applicants including the grant requests not recommended for funding, is identified and available for review in Attachment B. Following the approval of grant awards staff will proceed with disbursement of grant agreements and grant funding.

## **ATTACHMENTS**

- A. Resolution
- B. Complete List of 2019 Grant Applications



**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING CIVIC ENHANCEMENT GRANTS TO {INSERT NAME OF RECIPIENTS  
AFTER APPROVAL} FOR FISCAL YEAR 2018-2019**

**WHEREAS**, it is the City's goal to assist nonprofit organizations by creating and implementing a grant program to fund civic events and enhancement projects in an objective and efficient manner; and

**WHEREAS**, the Fiscal Year 2018-2019 Budget authorized funding for a community grant program; and

**WHEREAS**, the City conducted an open process to accept grant applications and encouraged all community organizations to submit applications; and

**WHEREAS**, the Parks and Recreation Commission reviewed all applications and recommends approval and funding for eleven programs and projects that support the community.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby approves the 2018-2019 Civic Enhancement Grant awards to {insert name of recipients after approval}.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby authorizes the City Manager to execute grant agreements and disburse funds.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019 by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

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**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**

City of Antioch  
 2019 Civic Enhancement Grant Applications  
 Summary & Ranking

**ATTACHMENT B**

<b>Name of Applicant</b>	<b>Committee Ranking</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>	<b>Project Summary</b>
Celebrate Antioch Foundation	1	\$30,000	\$30,000	July 4 <sup>th</sup> Fireworks and Winter Holiday
Antioch Youth Sports Complex	2	\$5,000	\$5,000	Renovation of Restrooms
Antioch Historical Society	3	\$3,000	\$3,000	Directional Signage – needs City approval for location
Delta Blues Festival	4	\$5,000	\$5,000	Benefit Concerts
Women's Club of Antioch	5	\$20,000	\$10,000	Beautification & Property Improvement
Rotary Club of the Delta	6	\$3,000	\$3,000	Low income/At-risk family home improvements
El Campanil Theatre	7	\$10,000	\$10,000	Children's Theatre Program
Delta Veteran's	8	\$5,000	\$5,000	Upgrade Veterans Memorial Banners
Delta Veteran's	9	\$2,500	\$2,500	Softball Tournament of Heroes
The Drama Factory	10	\$3,150	\$3,150	Production Fees
Antioch Rotary Club	11	\$2,500	\$2,500	Empowerment Project
			<b>\$79,150</b>	

<b>Name of Applicant</b>	<b>Committee Comments</b>	<b>Amount Requested</b>	<b>Project Summary</b>
Antioch Youth Sports Complex	Would require City approval	\$1,000	Commercial mower to mow disc golf course
DesiRoot.org	Application needs more detailed information	\$5,000-\$7,000	Multi-Cultural Event
Rotary Club of the Delta	Requires City approval and coordination	\$4,000	Prewett Ranch Deer Valley retaining wall beautification start up project
Delta Veteran's Group	Regional Focus beyond Antioch	\$5,000	Stand Down on the Delta
Antioch Middle School	AUSD should be the lead	\$15,000	Upgrade school fields
Antioch High School	AUSD should be the lead	\$10,000	Upgrade Beede Auditorium Seats
Antioch High School	AUSD should be the lead	\$50,000	Upgrade sound & lighting in Beede Auditorium
MPDDCA Mission Possible	Beyond scope of grant	\$50,000	Remodel Rivertown Resource Center
Brentwood Community Chorus	Focus beyond Antioch	\$10,000	Purchase risers





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Forrest Ebbs, Community Development Director *FE*

**SUBJECT:** Building Inspection Services Augmentation of \$150,000 for One Building Inspector I and Contract Services

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### RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution approving a budget amendment in the amount of \$150,000 for both revenues and appropriations to augment Building Inspection Services by adding one Building Inspector I and contract services.

### STRATEGIC PURPOSE

**Long Term Goal L: City Administration:** Provide exemplary City administration.

**Strategy L-1:** Improve community communications and trust in City government and keep the community well informed as to the activities of the City departments.

**Strategy L-10:** Effective and efficient management of all aspects of human resource management, including employer/employee relations, labor negotiations, classification and compensation, recruitment and selection, benefits administration, and staff development.

**Strategy L-11: Short Term Objective:** Continue focused, timely, and targeted recruitment efforts specific to the position and department needs.

### FISCAL IMPACT

The Community Development Department is requesting a budget allocation of \$150,000. The annual cost range of funding one full-time Building Inspector I is (Step A – Step E) \$109,646 - \$127,809 with benefits. The FY2018/19 estimated cost for a Building Inspector I for three months is \$31,953. The FY2018/19 cost of \$150,000 to the General Fund will be offset by revised budget revenue projections for the Building Inspection Services and no new net cost is anticipated.

### DISCUSSION

The Building Inspection Services Division currently consists of one Building Inspection Services Manager, one Building Inspector II, one Senior Building Inspector, and one Development Services Technician. The manager and two inspectors conduct all plan checks and inspections and the technician provides counter service and administrative services.

As the economy continues to recover, the pace of construction has rapidly increased in the City of Antioch, nearly exceeding the capacity of the existing staff. The following major projects are currently underway in the City of Antioch:

- Heidorn Village
- Promenade – Vineyards at Sand Creek
- Wildflower Station
- Park Ridge by Davidon
- Aviano

In addition to these major projects, the Building Inspection Services Division provides complete plan check and building inspection services for routine construction projects throughout the City including residential remodels and additions, commercial tenant improvements, reroofs, and similar efforts. These projects have also increased in number.

If construction activity continues at this level or continues to grow as expected, the current staff will not have capacity to serve these projects in a timely manner. The result may be delays in permit issuance and inspections, which would slow or temporarily halt construction in some cases. These delays are very costly to the construction industry and do not reflect the high level of customer service that the Community Development Department strives to provide.

In addition, the Community Development Department is initiating a succession plan to minimize disruption through two anticipated retirements over the coming years. By hiring an additional Building Inspector, the City would be better equipped to provide continuous service through this transition. Without an additional Building Inspector, the three-person inspection team might be reduced to one Building Inspector, which would effectively eliminate the entire function and prohibit the City from providing this service, which is required by law.

As a solution, staff is asking for a budget allocation of \$150,000 to be used to initiate the hiring of a Building Inspector and to be used for contract building inspection services for the remainder of FY 18/19. The contract staff would provide an immediate response to the inspection demands, as needed, while the Building Inspector position is listed, recruited for, and filled. This process generally takes 3-6 months. Staff would then retain the inspection services contract in case of extreme demand or extended employee absence, illness, or retirement.

On August 16, 2018 City staff met with Operating Engineers Union Local No. 3. The Union was in support of developing a list of vendors for building inspection services and they were in support of the hiring of a full-time Building Inspector.

Staff has contacted multiple firms and believes that the amount of \$150,000 would be adequate for the vendor list to help with part-time building inspections contract services through the end of FY 18/19. As the City begins to initiate the next two-year budget (FY



19/20-20/21) development cycle, staff will look at continuing projections and will evaluate future needs.

**ATTACHMENTS**

- A: Resolution
- B: Building Inspector I Class Specification

**ATTACHMENT "A"**

**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING A BUDGET AMENDMENT IN THE AMOUNT OF \$150,000 FOR BOTH REVENUES AND APPROPRIATIONS TO AUGMENT BUILDING INSPECTION SERVICES BY ADDING ONE BUILDING INSPECTOR I AND CONTRACT SERVICES.**

**WHEREAS**, the construction industry continues to expand, increasing the demand for building inspection and plan check services; and

**WHEREAS**, City staffing does not have excessive capacity to meet this increased demand; and,

**WHEREAS**, City staff met and conferred with representatives of Operating Engineers Union Local No. 3 on August 16, 2018; and,

**WHEREAS**, it is in the public interest to ensure efficient and adequate building inspection and plan check services.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Antioch as follows:

**Section 1.** Approve an allocation in the amount of \$150,000 to be used for one (1) Building Inspector I position and contract services.

**Section 2.** That one (1) Building Inspector I position is hereby approved in the fiscal year 2018/19 budget.

**Section 4.** The Finance Director is authorized to make the necessary adjustments to the fiscal year 2018/19 budget to effectuate this change.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

# ATTACHMENT "B"

CITY OF ANTIOCH

## BUILDING INSPECTOR I BUILDING INSPECTOR II

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.*

### **SUMMARY DESCRIPTION**

Under supervision (Building Inspector I) or general supervision (Building Inspector II), performs a variety of building inspection duties at various stages of construction, alteration and repair for conformance with approved plans, specifications, applicable codes, ordinances and laws; and performs related work as required.

### **DISTINGUISHING CHARACTERISTICS**

**Building Inspector I** - This is the entry level class in the Building Inspector series. This class is distinguished from the Building Inspector II by the performance of the more routine tasks and duties assigned to employees within the series. Since this class is typically used as a training class, employees may have only limited or no directly related work experience. Advancement to the "II" level is based on demonstrated proficiency in performing the full range of assigned duties, possession of required certifications, and is at the discretion of higher level supervisory or management staff.

**Building Inspector II** - This is the full journey level class in the Building Inspector series. Employees within this class are distinguished from the Building Inspector I by the performance of the full range of duties as assigned, including combination inspections (building, electrical, plumbing and mechanical) of a variety of residential, commercial, and industrial buildings. Employees at this level receive only occasional instruction or assistance as new or unusual situations arise, and are fully aware of the operating procedures and policies of the work unit. Positions in this class series are flexibly staffed and are generally filled by advancement from the "I" level, or when filled from the outside, require prior experience. Advancement to the "II" level is based on management judgment and/or certification or testing that validates the performance of the full range of job duties.

### **REPRESENTATIVE DUTIES**

*The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.*

1. Review plans and specifications for conformity with applicable codes and regulations.
2. Issue permits; calculate permit fees; perform final inspections; issue certificates of occupancy.
3. Perform field inspections of building construction, plumbing, mechanical and electrical installations in residential, commercial and industrial buildings to ensure compliance with project plans and applicable codes and regulations.
4. Inspect existing buildings and structures for hazardous conditions or need for repair.
5. Check quality of materials and methods of construction to ensure safety.

**CITY OF ANTIOCH  
BUILDING INSPECTOR I/II (CONTINUED)**

6. Coordinate inspection activities with other divisions and departments; develop a team-oriented approach to implementing neighborhood revitalization.
7. Coordinate compliance with storm water protection programs among project developers and contractors.
8. Request, collect, review, and interpret documentation required for each project.
9. Respond to inquiries from the public relating to building regulations.
10. Keep current on new codes, ordinances, laws and amendments.
11. Utilize computer-based permit tracking system.
12. Perform related duties as required.

**QUALIFICATIONS**

*The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.*

**Knowledge of:**

- Operations, services, and activities of a building inspection program.
- Approved building construction methods, materials and proper inspection methods.
- Principles of structural design, engineering mathematics and soil engineering.
- Occupational hazards and standard safety practices.
- Pertinent federal, state, and local laws, codes, and regulations, especially those related to building and construction.

**Ability to:**

- Apply technical knowledge and follow proper inspection techniques to examine workmanship and materials and detect deviation from plans, regulations and standard construction practices.
- Read and interpret building plans and specifications.
- Analyze, interpret and check complex plans, specifications and calculations.
- Utilize computer-based permit tracking system.
- Interpret, explain, and enforce department policies and procedures.
- Interpret and apply related laws, rules and regulations.
- Work independently in the absence of supervision.
- Understand and follow oral and written instructions.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.

**Education and Experience Guidelines**

**Building Inspector I**

**Education/Training:**

Equivalent to the completion of the twelfth grade.

**Experience:**

Three years of recent experience at the journey level in a skilled trade relating to

residential or commercial construction.

**License or Certificate:**

Possession of an appropriate, valid driver's license.

Possession of an International Code Council (ICC) Building Inspector Certificate or Combination Inspector Certificate within one year of employment. Certified Access Specialist (CASp) certification is highly desirable.

**Building Inspector II**

**Education/Training:**

Equivalent to the completion of the twelfth grade.

**Experience:**

Three years of experience comparable to that of a Building Inspector I with the City of Antioch.

**License or Certificate:**

Possession of an appropriate, valid driver's license.

Possession of an International Code Council (ICC) Building Inspector Certificate or Combination Inspector Certificate. Certified Access Specialist (CASp) certification is highly desirable.

**PHYSICAL DEMANDS AND WORKING ENVIRONMENT**

*The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.*

**Environment:** Work is performed in a standard office setting and a field construction site environment; work and/or walk on various types of surfaces including slippery or uneven surfaces and rough terrain; work on ladders and in high, confined, hazardous spaces.

**Physical:** Primary functions require sufficient physical ability and mobility to work in an office and construction site setting; to stand or sit for prolonged periods of time; to occasionally stoop, bend, kneel, crouch, reach, and twist; to lift, carry, push, and/or pull light to moderate amounts of weight; to operate office equipment requiring repetitive hand movement and fine coordination including use of a computer keyboard; and to verbally communicate to exchange information.

FLSA: Non-Exempt

Revised: August 1999; June 2014

This class specification identifies the essential functions typically assigned to positions in this class. Other duties not described may be assigned to employees in order to meet changing business needs or staffing levels but will be reasonably related to an employee's position and qualifications. Other duties outside of an individual's skill level may also be assigned on a short term basis in order to provide job enrichment opportunities or to address emergency situations.



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of January 8, 2019

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Jon Blank, Public Works Director/City Engineer  
Nickie Mastay, Administrative Services Director *JB*

**SUBJECT:** Resolution Approving Public Works Inspection Augmentation of \$372,000 for One (1) Public Works Inspector Position and Contract Services

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### RECOMMENDED ACTION

It is recommended that the City Council adopt a resolution approving a budget amendment in the amount of \$372,000 to augment public works inspection services by adding one Public Works Inspector and contract services.

### STRATEGIC PURPOSE

**Long Term Goal L: City Administration.** Provide exemplary City administration.

**Strategy L-1:** Improve community communications and trust in City government and keep the community well informed as to the activities of the City departments.

**Strategy L-10:** Effective and efficient management of all aspects of human resource management, including employer/employee relations, labor negotiations, classification and compensation, recruitment and selection, benefits administration, and staff development.

**Strategy L-11: Short Term Objective:** Continue focused, timely, and targeted recruitment efforts specific to the position and department needs.

### FISCAL IMPACT

The Public Works Department is requesting a budget allocation of \$372,000. For contract services, the amount is estimated at \$300,000. The annual cost range of funding one full-time Public Works Inspector in the Public Works Department is (Step A – Step E) \$109,018 - \$127,086 with benefits. The FY2018/19 cost to the General Fund Public Works Administration division is estimated to be \$32,000 for the Public Works Inspector and the remaining estimated \$40,000 is for a vehicle and associated office costs. The majority of these costs, and ongoing fiscal year costs will be funded by developer fees and capital improvement project funds.

### DISCUSSION

There are two public works inspector positions in the Public Works Department. In addition, three consultant inspectors are currently providing inspection services: JN Engineering, Salaber and Associates, and Coastland. Staff anticipates that an additional

City Inspector is sustainable with new Gas Tax revenue, accelerated water distribution projects, and development impact fees (parks and traffic signals).

Additional funding in the amount of \$300,000 is being requested to continue consultant services for Salaber and Associates and Coastland while initiating the hiring of a Public Works Inspector for public works inspection services for the remainder of FY2018/19. The contract staff will provide an immediate response to the public works' inspection demands, as needed, while a Public Works Inspector position is listed, recruited for, and filled. This process generally takes 3-6 months. Staff would then retain the public works inspection services contracts in case of extreme demand or extended employee absence, illness or retirement. Once approved, only a portion of this funding may be needed; depending on the impacts of future development projects currently under review.

The following major projects are underway and the workload for inspection services has increased:

- Heidorn Village
- Vineyards at Sand Creek
- Wildflower Station
- Park Ridge
- Aviano

On August 16, 2018 City Staff met with Operating Engineers Local Union No. 3. The Union was in support of increasing and extending the time of the JN Engineering Contract for consultant inspection services. JN Engineering will no longer be providing services due to a reduction in staff.

#### **ATTACHMENTS**

- A. Resolution approving one (1) Public Works Inspector position and authorizing the appropriate budget adjustment
- B. Public Works Inspector Class Specification



**ATTACHMENT "A"**

**RESOLUTION NO. 2019/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING  
PUBLIC WORKS INSPECTION AUGMENTATION OF \$372,000 FOR ONE (1)  
PUBLIC WORKS INSPECTOR POSITION AND CONTRACT SERVICES**

**WHEREAS**, on September 26, 2018, Salaber Associates, Inc. and Coastland entered into a Consultant Services Agreement for on-call inspection services in the amount of \$50,000 each; and

**WHEREAS**, on December 12, 2018, the City increased the compensation for Salaber Associates, Inc. and Coastland in the amount of \$12,500 bringing the total compensation to an amount not to exceed \$62,500 each for on-call inspection services; and

**WHEREAS**, the City has an interest in the effective and efficient management of the classification plan; and

**WHEREAS**, the City would like continued focused, timely, and targeted recruitment efforts specific to the position and department needs; and

**WHEREAS**, to provide consistent and equitable position assignment based on the level of complexity of duties and responsibilities that need to be performed.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Antioch as follows:

**Section 1.** Approve an allocation of up to \$372,000 to be used for one (1) Public Works Inspector position and contract services.

**Section 2.** Authorize the City Manager to execute amendments to the consultant services agreements with Salaber and Associates Inc. and Coastland for on-call inspection services in the amount not to exceed \$300,000.

**Section 3.** That one additional (1) Public Works Inspector position is hereby approved in the fiscal year 2018/19 budget.

**Section 4.** The Finance Director is authorized to make the necessary adjustments to the fiscal year 2018/19 budget to effectuate this change.

\* \* \* \* \*



**RESOLUTION NO. 2019/\*\***

January 8, 2019

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**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 8<sup>th</sup> day of January, 2019, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

**PUBLIC WORKS INSPECTOR**

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are not intended to reflect all duties performed within the job.*

**SUMMARY DESCRIPTION**

Under general supervision, performs a variety of technical field and office engineering work involved in inspecting construction activities on assigned public works projects; ensures conformance with approved plans, specifications, and City standards; and maintains records and prepares reports on projects inspected.

**REPRESENTATIVE DUTIES**

*The following duties are typical for this classification. Incumbents may not perform all of the listed duties and/or may be required to perform additional or different duties from those set forth below to address business needs and changing business practices.*

1. Inspect the construction, repair, and/or alteration work on assigned public works projects including streets, parks, gutters, curbs, sidewalks, parking lots, water and sewer systems, storm drains, underground improvements, street lighting systems, landscaping, landscaping irrigation systems, facilities, and other City capital projects; inspect materials, methods, and procedures for conformance with plans and specifications; enforce and observe testing of materials; review test reports; perform final inspection upon completion of project.
2. Meet with representatives of utility companies, contractors, engineers and other public agencies regarding construction plans and specifications; investigate and attempt to resolve citizen complaints.
3. Answer questions, provide information, and confer with property owners regarding project schedule, hazards, and inconvenience; schedule service interruptions with the least interference and least inconvenience to property owners; coordinate work with other City departments and utilities to resolve interferences and conflicts.
4. Prepare and process progress payments for contractors; negotiate contract change orders and revisions to reimbursement agreements.
5. Compile detailed data on construction progress and inspection results; issue notification letters to contractors; maintain a variety of records and files; prepare various reports and logs on daily operations and activities.
6. Review plans, specifications, contract documents, and other technical data to ensure conformance with City standards; recommend and/or make changes as necessary.
7. Enforce and document adherence to various environmental requirements.
8. Respond to public inquiries at the front counter and over the phone in a courteous manner; provide information within the area of assignment; resolve complaints in an efficient and timely manner.
9. Attend and participate in seminars, training sessions, and other meetings; maintain awareness of new trends and developments in construction methods and materials; incorporate new developments as appropriate.

**CITY OF ANTIOCH  
PUBLIC WORKS INSPECTOR (CONTINUED)**

10. Address public safety in construction zones; advise contractors of issues related to public safety; assist in detour planning, sign placement, and other traffic control measures.
11. Perform civil defense duties as assigned.
12. Perform related duties as required.

**QUALIFICATIONS**

*The following generally describes the knowledge and ability required to enter the job and/or be learned within a short period of time in order to successfully perform the assigned duties.*

**Knowledge of:**

- Operations, services, and activities of a public works inspection program.
- Methods and techniques used in the inspection of public works construction projects.
- Basic principles and practices of civil engineering as applied to the planning, design, construction, and maintenance of public works and building projects.
- Methods and techniques of engineering principles, construction plans, and specification review for compliance with established construction standards.
- Methods used in property location, topographic, and construction survey work.
- Principles, methods, materials, equipment, and safety hazards of construction.
- Real property description and practices.
- Mathematics principles and practices.
- Occupational hazards and standard safety precautions.
- Principles and procedures of record keeping and filing.
- Technical report writing and preparation of correspondence.
- Drafting and mapping.
- Pertinent federal, state, and local codes, laws, and regulations.

**Ability to:**

- Perform inspections on a variety of public works projects.
- Understand and interpret maps, engineering plans and specifications.
- Interpret and apply laws, regulations, codes, ordinances, and policies governing the construction of public works projects.
- Perform various mathematical calculations.
- Prepare and maintain records, drawings, and reports related to construction activities.
- Take coaching, instruction, and feedback with a cooperative and positive attitude.
- Make complete and accurate field notes and prepare clear and concise reports.
- Safely operate a variety of tools, equipment, and assigned vehicle.
- Understand engineering principles and apply to construction projects.
- Inspect and analyze construction procedures and interpret code violations.
- Assist with the work of a survey party.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.



**Education and Experience Guidelines**

**Education/Training:**

Equivalent to the completion of the twelfth grade supplemented by specialized training in public works inspection, civil engineering, or a related field.

**Experience:**

Three years of increasingly responsible construction, inspection, or public works maintenance experience.

**License or Certificate:**

Possession of an appropriate, valid driver's license.

**PHYSICAL DEMANDS AND WORKING ENVIRONMENT**

*The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.*

**Environment:** Indoor and outdoor environments; travel from site to site; some exposure to noise, dust, grease, smoke, fumes, gases, and inclement weather conditions; work around heavy construction equipment; work or inspect in confined spaces; work and/or walk on various types of surfaces including slippery or uneven surfaces and rough terrain; regular interaction with City staff, general public and other organizations; occasionally deal with dissatisfied individuals.

**Physical:** Primary functions require sufficient physical ability and mobility to work in an office and field environment; to walk, stand, and sit for prolonged periods of time; to frequently stoop, bend, kneel, crouch, crawl, climb, reach, twist, grasp, and make repetitive hand movement in the performance of daily duties; to climb unusual heights on ladders; to lift, carry, push, and/or pull moderate to heavy amounts of weight; to operate assigned equipment and vehicles; and to verbally communicate to exchange information.


FLSA: Non-Exempt

September 1975  
Revised: June 2014

This class specification identifies the essential functions typically assigned to positions in this class. Other duties not described may be assigned to employees in order to meet changing business needs or staffing levels but will be reasonably related to an employee's position and qualifications. Other duties outside of an individual's skill level may also be assigned on a short term basis in order to provide job enrichment opportunities or to address emergency situations.



**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of January 8, 2019  
**TO:** Honorable Mayor and Members of the City Council  
**SUBMITTED BY:** Nickie Mastay, Administrative Services Director   
**SUBJECT:** Standby City Council Members

**RECOMMENDED ACTION**

It is recommended that the City Council appoint the following nominated Standby City Council Members:

- Mayor Wright: 1) ; 2) ; 3)
- Mayor Pro Tem Motts: 1) ; 2) ; 3)
- Council Member Wilson: 1) ; 2) ; 3)
- Council Member Thorpe: 1) ; 2) ; 3)
- Council Member Ogorchock: 1) ; 2) ; 3)

**STRATEGIC PURPOSE**

The recommended supports **Long Term Goal L:** City Administration. Provide exemplary City administration.

**FISCAL IMPACT**

No fiscal impact is anticipated as there is no compensation for Standby Council Members.

**DISCUSSION**

Pursuant to State Law (Government Code Sections 8636-8644), Article 6 of Title 2 of the Antioch Municipal Code provides for the appointment of Standby City Council Members “In the event of a declaration of emergency and a Council Member is unavailable due to being killed, missing or having an incapacitating injury.” The provision for Standby Council Members allows for the continuity of government in the event of a catastrophic emergency. Standby Council Members are not activated in the event of a “regular” vacancy in a council seat.

**ATTACHMENTS**

None.