

## 3.10 - Land Use and Planning

### 3.10.1 - Introduction

This section describes existing conditions related to land use and planning as well as the relevant regulatory framework. This section also evaluates the possible impacts related to land use and planning that could result from implementation of the proposed project. Information included in this section is based, in part, on review of applicable land use policies and regulations, including the City of Antioch General Plan and City of Antioch Zoning Ordinance.

No public comments were received during the Environmental Impact Report (EIR) scoping period related to land use and planning.

### 3.10.2 - Environmental Setting

#### City of Antioch

The southern area of the City of Antioch is largely known as the Sand Creek Focus Area and includes a diverse mix of land uses, including open space, residential, general commercial, retail, office, medical, recreation, school, and public uses. All parcels surrounding the project site are within the voter-approved Urban Limit Line (ULL).

#### Project Site Vicinity

Exhibits 3.10-1 and 3.10-2 depict the existing land use designations and zoning for surrounding properties, as described below.

##### ***To the West***

Land uses to the west of the project site consist of undeveloped land, and open space, including the Black Diamond Mines Regional Park. The City of Antioch General Plan designates the surrounding area west of the project site, within the Sand Creek Focus Area, as Open Space and Hillside and Estate Residential. The City of Antioch Zoning Code zones the surrounding area west of the project site as Study District.

##### ***To the North***

Land uses to the north of the project site consist of existing single-family residential development. The City of Antioch General Plan designates the surrounding area north of the project site as Medium Low Density Residential (MLDR). The City of Antioch Zoning Code zones the surrounding area north of the project site as Planned Development District (PD).

##### ***To the East***

Land uses to the east of the project site consist of Kaiser Permanente Antioch Medical Center and undeveloped land. The City of Antioch General Plan designates the surrounding area east of the project site as Mixed Use Medical Facility (MUMF), Low Density Residential (LDR), MLDR, Public/Institutional, Public/Quasi Public, Open Space Multiple Family, Hillside, Estate, and Residential/Executive Open Space,

and Commercial/Open Space. The City of Antioch Zoning Code zones the surrounding area east of the project site as PD, Mixed Use Medical Facility District, and Study District.

### ***To the South***

Land uses to the south of the project site include rural residential and undeveloped land within the Sand Creek Focus Area of the General Plan. The City of Antioch General Plan designates the surrounding area south of the project site, within the Sand Creek Focus Area, as Open Space, Hillside and Estate Residential, Estate and Executive Residential/Open Space, and Public/Quasi Public. The City of Antioch Zoning Code zones the surrounding area south of the project site as Study District.

### **Project Site**

The 551.50-acre project site consists of three Assessor's parcels, as shown in Exhibit 2-3 and listed in Table 3.10-1. The project site is bound by Empire Mine Road to the west, existing residential development to the north, Deer Valley Road and Kaiser Permanente Antioch Medical Center to the east, and undeveloped land to the south.

**Table 3.10-1: Project Site Assessor's Parcel Numbers**

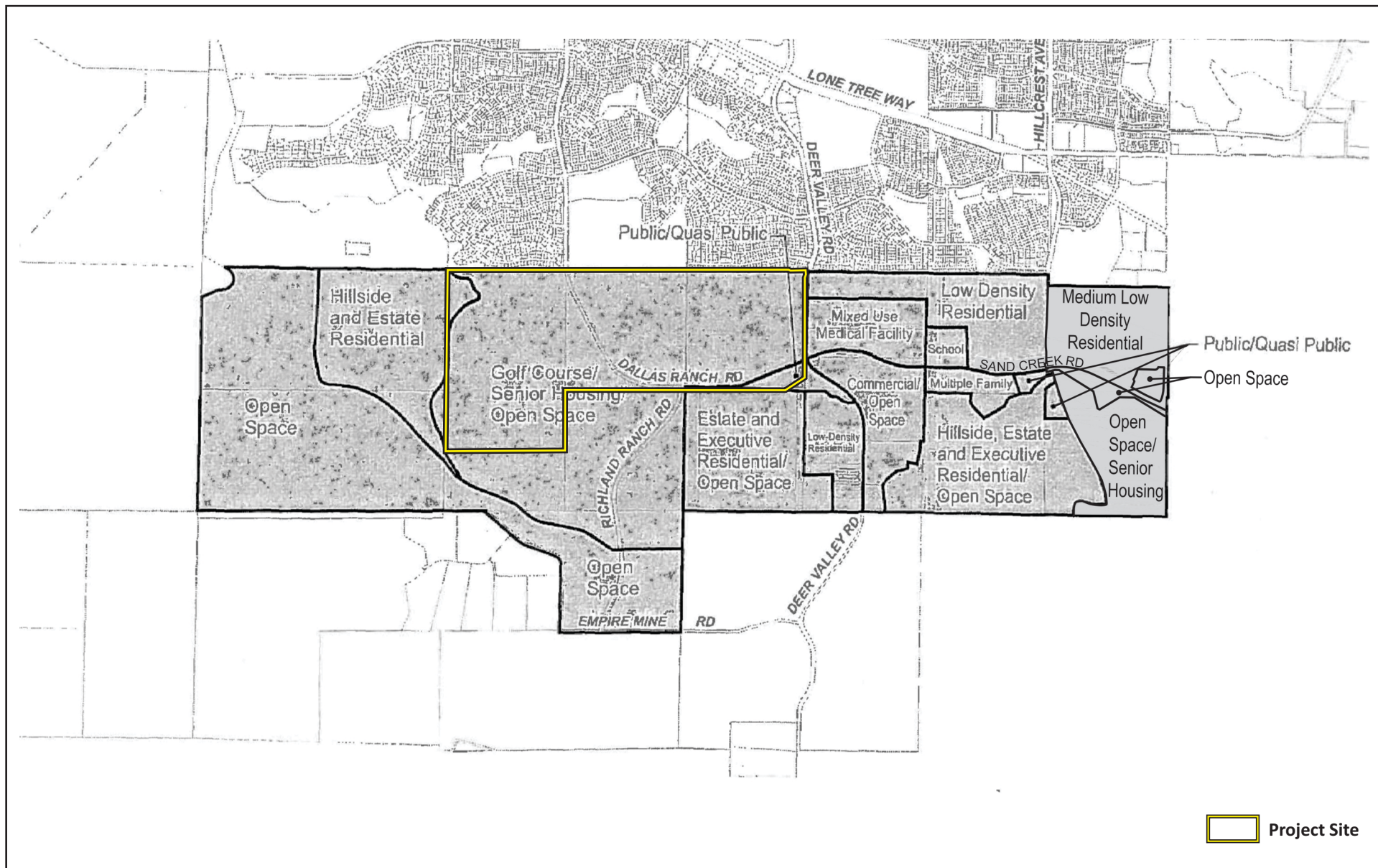
| Assessor's Parcel Numbers   | Acreage | Addresses                            | Ownership                                      |
|---|---------|--------------------------------------|--|
| 057-010-002   | 236.00  | Antioch, CA                          | American Superior Land LLC & EPC Holdings, LLC |
| 057-010-003   | 160.00  | Antioch, CA                          | American Superior Land LLC & EPC Holdings, LLC |
| 057-021-003   | 157.48  | 6275 Deer Valley Road<br>Antioch, CA | American Superior Land LLC & EPC Holdings, LLC |
| <p>Note:<br/>Acreage listed in this table was taken from the Contra Costa County Assessor's Parcel Map for the project site, which totals 553.48 acres. The project site encompasses approximately 551.50 acres of these three parcels.<br/>Source: City of Antioch 2019.</p> |         |                                      |  |

Sand Creek flows easterly through the center of the project site. The project site is relatively flat with rolling hills in the western and southern portions that extend approximately 200 feet above the valley floor. Additionally, slopes adjacent to the creek area vary in height between 5 and 40 feet, and can be as steep as 1:1 (horizontal: vertical). The project site is currently occupied by a cattle-grazing operation, a single-family residence, and a number of barns and outbuildings located on the eastern portion of the site.

### **General Plan Land Use Designations and Zoning of Project Site**

#### ***Existing General Plan Land Use Designations***

The project site is located within the Sand Creek Focus Area in the General Plan and is currently designated as "Golf Course Community/Senior Housing/Open Space," "Hillside and Estate Residential," and "Public/Quasi Public."

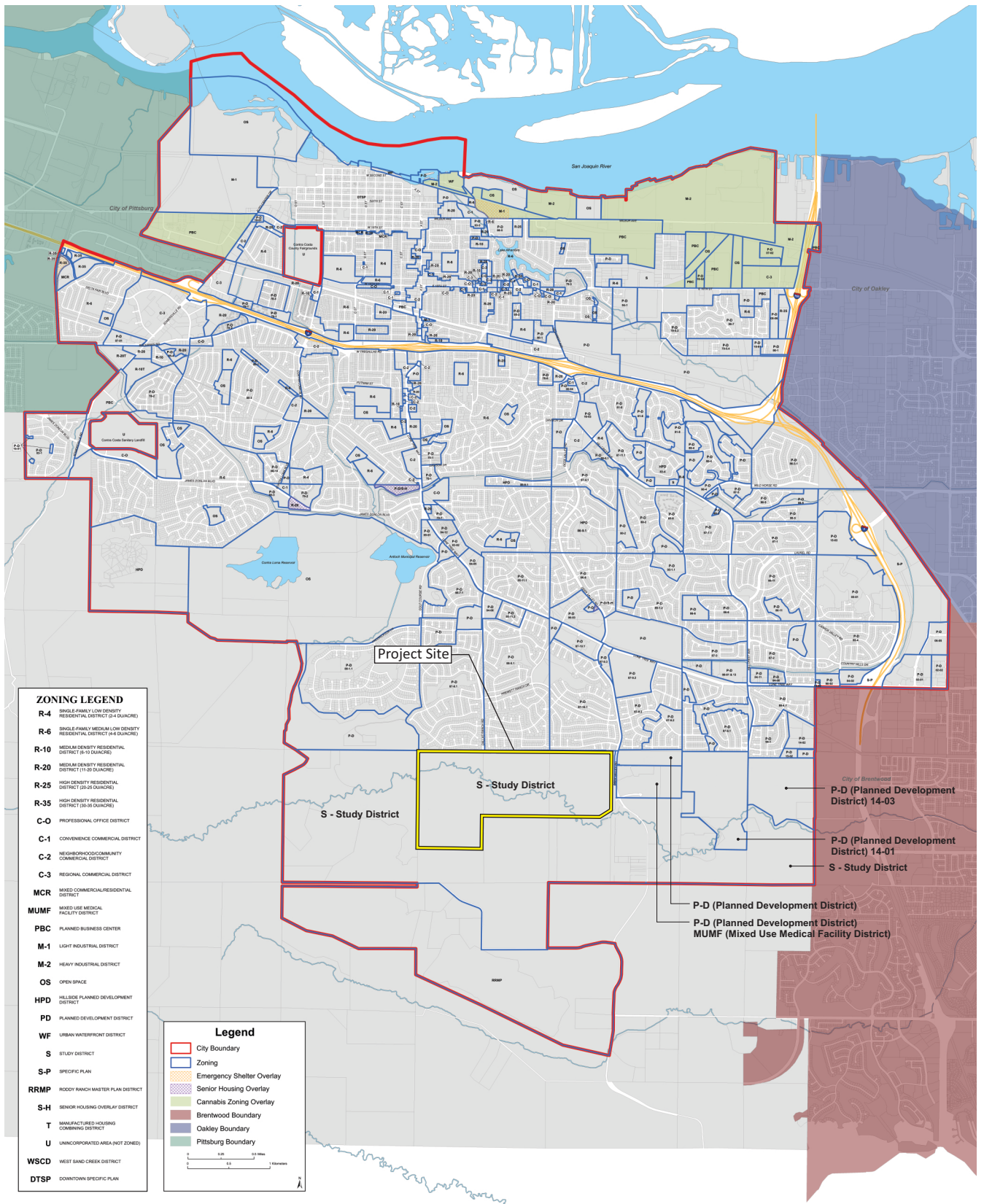


Source: LSA, November 19, 2003, Revised by CBG Civil Engineers, November 9, 2015.



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Source: City of Antioch, February 2019.



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The Golf Course/Senior Housing/Open Space designation is intended to accommodate “Golf Course-Oriented Housing,” consisting of residential units fronting on a golf course to be constructed at a later point in time. The General Plan identifies single-family detached homes as appropriate uses for lots fronting future golf course areas, with lot sizes as small as 5,000 square feet and maximum densities of approximately four dwelling units per acre (du/ac).

Age-restricted senior housing within the Sand Creek Focus Area is intended as a means of expanding the range of housing choice within Antioch, while reducing the Sand Creek 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. Areas identified specifically for senior housing may include limited areas of non-senior housing where environmental or topographic constraints would limit development densities to a range more compatible with estate housing than with senior housing.

The Hillside and Estate Residential land use designation is intended to accommodate residential development within the hilly portions of the Sand Creek Focus Area located west of Empire Mine Road. Appropriate land use types include large-lot residential developments. Residential densities within the Hillside and Estate Residential designated areas are to be limited to one du/ac, with typical lot sizes of 20,000 square feet or larger. Approximately 20 percent of the hillside estate housing area is to be devoted to custom home sites.

The Public/Quasi Public land use designation is used to designate public land and institutional uses, including public and private schools and colleges, public corporation yards, libraries, fire stations, police stations, water treatment facilities, animal shelters, public and private museums churches, and governmental offices. The Public/Quasi Public land use designation has a maximum allowable floor area ratio (FAR) of 0.5.

### ***Proposed General Plan Land Use Designations***

The proposed project would amend the City of Antioch General Plan to redesignate the project site with Restricted Development Area and Limited Development Area land use designations, as shown in Exhibit 3.10-3. The Restricted Development Area designation would allow for the following land uses: Rural Residential, Agriculture, and Open Space. The Limited Development Area designation would allow the following land uses: Estate Residential, Low Density Residential, Medium Low Density Residential, Medium Density Residential, Convenience Commercial, Mixed Use, Public/Quasi Public, and Open Space.

### ***Existing Zoning Designation***

The project site is currently zoned “Study Area” (See Exhibit 3.10-2). This zoning is an interim zone which the City’s General Plan directs be updated or revised either by one or more specific plans or master development plans when a site within the Sand Creek Focus Area proposes development.

### ***Proposed Zoning Designation***

The project proposes to amend the zoning code for the project site as required to add a Master Development Plan/Planned Development (PD) district to allow for the following land uses (shown in Exhibit 3.10-4):

- Single-Family Low Density (LD-1 LD-2, and LD-3);

- Single-Family Medium Density (MD-1, MD-2, MD-3 and MD-4);
- Age-Restricted (AR);
- Village Center (VC);
- Rural Residential (RR);
- Agriculture (A);
- Public/Quasi Public (PQP);
- Parks (P);
- Landscape (L); and
- Open Space (OS)

A copy of the proposed PD is included in Appendix B. A Conceptual Site Plan is shown in Exhibit 2-6.

### 3.10.3 - Regulatory Framework

#### Federal

No specific federal plans, policies, regulations, or laws related to land use and planning are applicable to the proposed project.

#### State

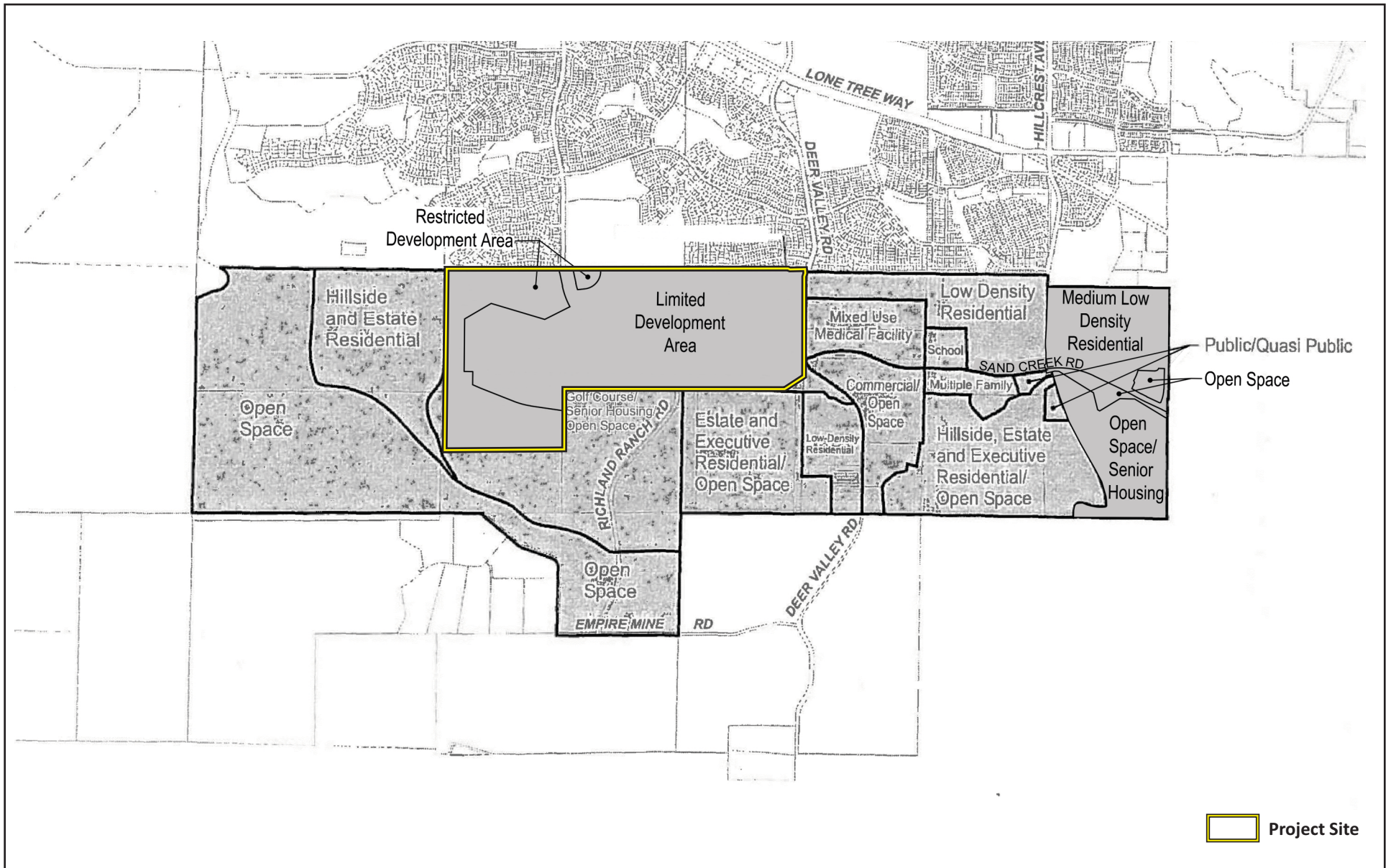
##### ***Housing Crisis Act of 2019***

Senate Bill 330 (SB 330), entitled the Housing Crisis Act of 2019, took effect on January 1, 2020, and adopts new permitting regulations for housing that limit public agencies' ability to deny housing developments. The Act will sunset January 1, 2025, unless extended by the Legislature.

The primary purpose of the law is to expedite construction of new housing. The Legislature has declared that California needs an estimated 180,000 additional homes annually to keep up with population growth and that the Governor has called for 3.5 million new homes to be built over the next 7 years (500,000 new homes annually). This substantially exceeds recent housing development in California, which has averaged less than 80,000 homes annually over the last 10 years. The consequences of providing inadequate housing has resulted in a lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, air quality deterioration, and increasing greenhouse gas (GHG) emissions from longer commutes to affordable homes far from growing job centers. (Gov. Code, § 65589.5; California Department of Housing and Community Development [HCD] Final Statewide Housing Assessment.)

To accomplish the goal of expediting housing development, SB 330 creates a number of new procedures and legislative limitations on municipalities. Where housing is an allowable use, the City is prohibited from enacting a law that would have the effect of "imposing a moratorium or similar restriction or limitation on housing development" except to protect against an imminent threat to the health and safety of persons in the area. SB 330 also precludes amending development regulations to a less intensive residential use in comparison to those in place on January 1, 2018. SB 330 also prohibits enactment of a law "establishing or implementing any provision that: (i) limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within all or a portion of the ... city," (ii) "acts as a cap on the number of housing units that can be approved or constructed either annually or for some other time period," or (iii) limits the population of the affected city. (Gov. Code, § 66300(b)(1)(D).)



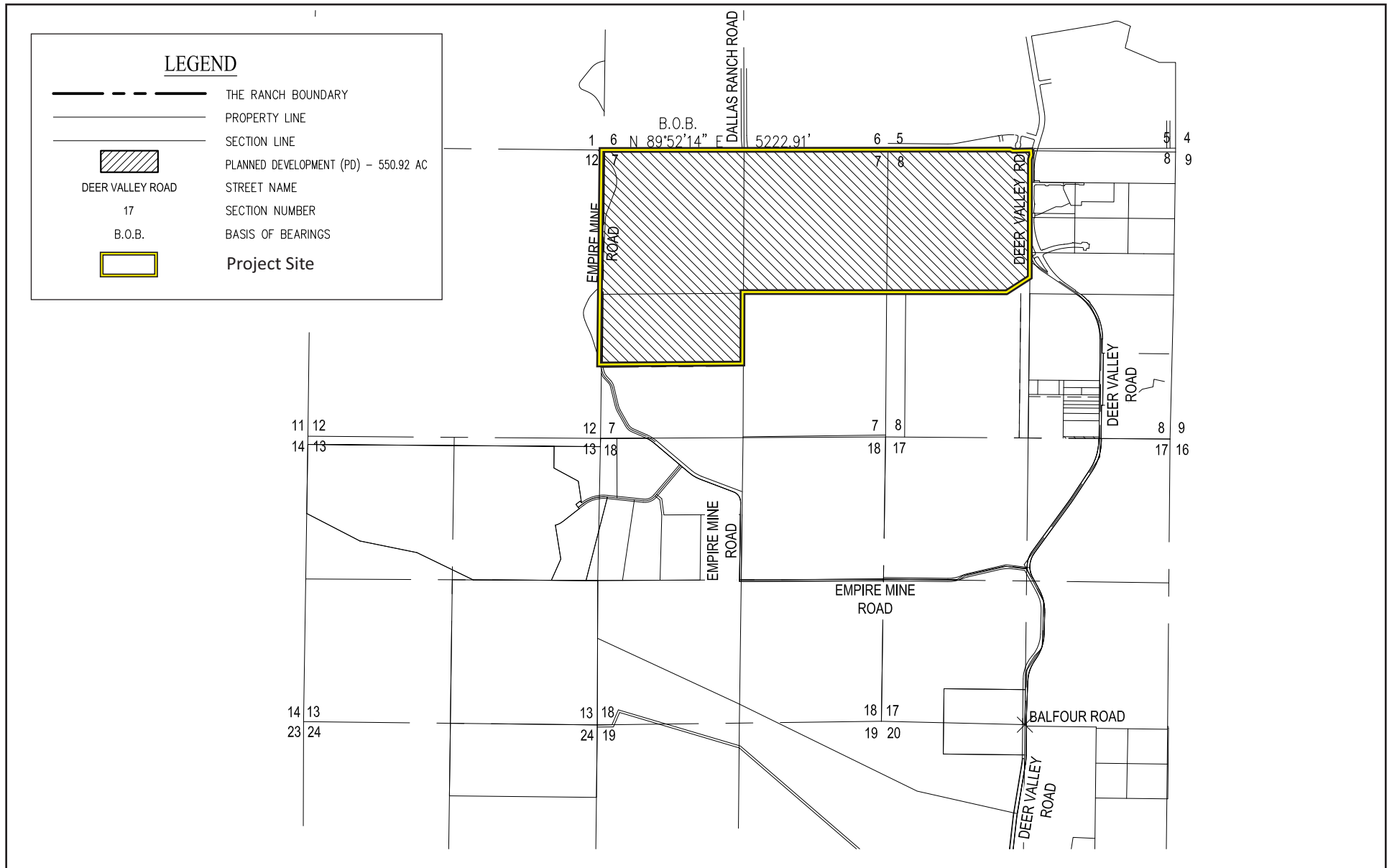


Source: LSA, November 19, 2003, Revised by CBG Civil Engineers, January 21, 2020.





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Source: CBG Civil Engineers, March 2, 2020.

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## Exhibit 3.10-4 Proposed Zoning Designations

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## Regional

### ***Plan Bay Area***

Plan Bay Area, published by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), is a long-range integrated transportation and land use/housing strategy through 2040 for the Bay Area. Plan Bay Area functions as the sustainable communities' strategy mandated by SB 375. As a regional land use plan, Plan Bay Area aims to reduce per-capita greenhouse gas emissions through the promotion of more compact, mixed-use residential and commercial neighborhoods located near transit. Plan Bay Area is built on Priority Development Areas selected and approved by city and county governments with planning grants, technical assistance, and prioritization for regional and State transportation and affordable housing funds. Plan Bay Area is a limited and focused update that builds upon a growth pattern and strategies developed in the original Plan Bay Area (adopted by the MTC in 2013) but with updated planning assumptions that incorporate key economic, demographic, and financial trends from the last 4 years.

### ***Regional Housing Needs Plan***

In December 2013, the ABAG projected regional housing needs in its Regional Housing Needs Plan for the San Francisco Bay Area: 2015–2023.<sup>1</sup> According to this Plan, the City of Antioch's projected housing need from 2015 to 2023 is 1,148 residential units, consisting of:

- 349 units within the very-low-income level (0–50 percent of area median income);
- 205 units within the low-income level (51–80 percent of area median income);
- 214 units within the moderate-income level (81–120 percent of area median income); and
- 680 units within the above-moderate-income level (more than 120 percent of area median income).<sup>2</sup>

## Local

### ***City of Antioch General Plan***

The City of Antioch General Plan provides for the day-to-day physical development decisions that shape the social, economic, and environmental character of the City's approximate 22,391-acre Planning Area within the City limits. The City of Antioch General Plan policies guide new development and land use activities that occur within City limits.

The following goal and policies from the 2003 General Plan are relevant to land use and planning:

#### *Land Use Element*

- **Policy 4.4.6.7b.b:** Sand Creek Focus Area development shall make a substantial commitment to employment-generating uses. Up to 280 acres may be devoted to employment-generating uses within the areas shown for Commercial/Open Space, in addition to the area shown as

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<sup>1</sup> ABAG conducts the RHNA process every 8 years as required by State law. ABAG's work on the RHNA for 2022-2030 began in 2019 with the formation of the RHNA Housing Methodology Committee. A draft plan is anticipated in January 2021.

<sup>2</sup> Association of Bay Area Governments (ABAG). Final Regional Housing Need Allocation, 2015-2023. Website: [https://abag.ca.gov/planning/housingneeds/pdfs/2015-2023\\_RHNA\\_Allocations.pdf](https://abag.ca.gov/planning/housingneeds/pdfs/2015-2023_RHNA_Allocations.pdf), at page 22. Accessed July 9, 2019.

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
- **Policy 4.4.6.7b.k:** A maximum of 4,000 dwelling units may be constructed within the Sand Creek Focus Area.
  - **Policy 4.4.6.7b.l:** It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 dwelling unit maximum, the actual 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, and environmental resources, policies intended to protect public health and safety, and implementation of the Resource Management Plan called for in Policy “u,” below.
  - **Policy 4.4.6.7b.m:** As a means of expanding the range of housing choices available within Antioch, two types of “upscale” housing may be provided, including Hillside Estate Housing, 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. 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 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.

- **Policy 4.4.6.7b.n:** 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 within areas shown as Residential and Low Density Residential in Figure 4.8 of the General Plan. The anticipated population density for this land use type is up to fourteen to eighteen persons per acre developed with residential uses.
- **Policy 4.4.6.7b.q:** 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. Within areas identified in Figure 4.8 of the General Plan 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.
- **Policy 4.4.6.7b.s:** 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 shall be preserved in open space, exclusive of lands developed for golf course use.
- **Policy 4.4.6.7b.t:** 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, public safety, habitat, 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.
- **Policy 4.4.6.7b.u:** 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 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 issuance of the first building permit for the Sand Creek Focus Area.

- **Policy 4.4.6.7b.x:** 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).
- **Policy 4.4.6.7b.z:** Chaparral, scrub, and rock outcrop community within the 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.
- **Policy 4.4.6.7b.aa:** Within the 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.
- **Policy 4.4.6.7b.bb:** 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.
- **Policy 4.4.6.7b.cc:** Mass grading within the steeper portions of the Focus Area (generally exceeding 25 percent slopes) is prohibited.
- **Policy 4.4.6.7b.dd:** 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.
- **Policy 4.4.6.7b.ee:** 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.
- **Policy 4.4.6.7b.ff:** The Sand Creek Focus Area is intended to be “transit-friendly,” including appropriate provisions for public transit and non-motorized forms of transportation.
- **Policy 4.4.6.7b.hh:** A park program, providing active and passive recreational opportunities is to be provided. In addition to 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 may be developed.
  - The sports complex would be located within the Flood Control District’s detention basin.
  - Neighborhood park facilities for the exclusive use of project residents will be privately maintained. Public parks for the use of the general public will be publicly maintained. The sports complex within the Sand Creek Detention Basin is anticipated to be maintained by the City.
- **Policy 4.4.6.7b.ii:** Development of an appropriate level of pedestrian and bicycle circulation throughout the community 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 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.

*Community Image and Design Element*

Goals and policies set forth in the Community Image and Design Element that are applicable to the proposed project include:

- **Policy 5.4.12a:** 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.
- **Policy 5.4.12b:** 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 nonresidential use. The burden to provide buffers and transitions to achieve compatibility should 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.
- **Policy 5.4.14a:** Design hillside development to be sensitive to existing terrain, views, and significant natural landforms and features.
- **Policy 5.4.14b:** Projects within hillside areas 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 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.
- **Policy 5.4.14c:** 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.
- **Policy 5.4.14d:** The overall project design/layout of hillside development shall adapt to the natural hillside topography and maximize view opportunities *to*, as well as *from* the development.
- **Policy 5.4.14e:** Grading of ridgelines 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.

- **Policy 5.4.14f:** 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.
- **Policy 5.4.14g:** Buildings should be located to preserve existing views and to allow new dwellings access to views similar to those enjoyed from existing dwellings.
- **Policy 5.4.14h:** 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.
- **Policy 5.4.14i:** 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.
- **Policy 5.4.14j:** 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.
- **Policy 5.4.14k:** 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.
- **Policy 5.4.14l:** 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.

### ***Proposed General Plan Amendments***

Appendix B contains the entirety of the General Plan Amendments required for the proposed project. In summary, they include the following general revisions:

- The project would revise the General Plan land use map to indicate the Limited and Restricted Development Area designations.
- The project would revise the City’s Land Use element to remove hillside development, further protect hillside viewsheds, bolster setbacks and protections of Sand Creek, and expand open space areas west of Deer Valley Road.

- The project would amend the circulation map to improve circulation and emergency response and reduce the number of Sand Creek crossings to identify a roadway connection (Sand Creek Road) through the project site from the terminus of Dallas Ranch Road to the existing Deer Valley Road.

### **Antioch Zoning Code**

Title 9, Article 23, Chapter 5 of the City’s Code of Ordinances defines the PD District as follows. PD Districts are intended to accommodate a wide range of residential, commercial and industrial land uses which are mutually supportive and compatible with existing and proposed development on surrounding properties. PD Districts shall encourage the use of flexible development standards designed to appropriately integrate a project into its natural and/or man-made setting and shall provide for a mix of land uses to serve identified community needs. In addition, PD Districts shall orient pedestrian and bicycle facilities to encourage non-automobile-oriented circulation within the development. The Zoning Code allows for Mixed Use PD Districts, which include residential and commercial uses within the same or adjacent buildings and requires that development standards (i.e., setbacks, lots sizes, building heights, etc.), be proposed for the PD.

### **Proposed Planned Development District**

Because the project site is located in the Sand Creek Focus Area, a Master Development Plan/Planned Development rezone process is required to update the zoning of the site from Study District to PD to allow for all the proposed uses.

Given the depth and extent of the new PD, it has been included in Appendix B of this Draft EIR. The PD outlines the types of land uses allowed (i.e., low-density, age-restricted, village commercial), and provides development standards for the permitted uses (i.e., setbacks, lot coverage, lot size, etc.). The Master Development Plan illustrates where each proposed land use is allowed.

## **3.10.4 - Impacts and Mitigation Measures**

### **Significance Criteria**

According to 2019 California Environmental Quality Act (CEQA) Guidelines Appendix G, to determine whether impacts related to land use and planning are significant environmental effects, the following questions are analyzed and evaluated. Would the proposed project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

### **Approach to Analysis**

The analysis in this section focuses on whether implementing the proposed project would physically divide an established community and whether the proposed project would conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Conflicts and inconsistencies with a land use policy, in and of themselves, do not constitute significant environmental impacts, unless such conflicts or inconsistencies result in direct physical



environmental impacts. The physical impacts of the proposed project are discussed throughout Chapter 3 of this Draft EIR. Conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect are discussed below. Specifically, the City of Antioch General Plan and the Zoning Ordinance were reviewed to identify applicable policies and provisions that pertain to the proposed project.

## **Impact Evaluation**

### ***Divide an Established Community***

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**Impact LAND-1:      The proposed project would not physically divide an established community.**

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#### ***Construction/Operation***

The physical division of an established community would occur if the proposed project would involve construction of a large linear feature such as a railroad or interstate highway or if it would involve removal of access that would impact mobility such as removal of a bridge. To the contrary, the proposed project involves development of a master planned residential community on a largely undeveloped site within the Sand Creek Focus Area of the City of Antioch General Plan. The project does not propose the type of large linear construction that would impact mobility within an existing community and the surrounding area. The proposed project consists primarily of residential and associated commercial/retail development, and would be consistent with the existing single-family residential development to the north of the project site. Existing areas to the west, south, and east of the site are not developed or considered established communities. With the exception of the existing residential development to the north, existing development in the project vicinity includes the Kaiser Permanente Medical Center to the east of the site. The proposed project would include internal vehicular circulation and pedestrian focused elements such as sidewalks that would thus improve connectivity and mobility within the community. For instance, consistent with the Circulation Element of the City of Antioch General Plan, the proposed project would provide the long-planned extension of Dallas Ranch Road through the project site to Deer Valley Road, which will allow better and more fluid access to the Kaiser Medical Center on Deer Valley Road, across from the project site. Thus, the proposed project would not physically divide an established community. Therefore, there would be no impact related to division of an established community.

#### ***Level of Significance***

No Impact

### ***Conflict with Applicable Plans, Policies, or Regulations***

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**Impact LAND-2:      The proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**

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Development of the proposed project would result in a significant impact if it would conflict with applicable land use plans and policies of the City of Antioch General Plan or the Zoning Code that were adopted for the purpose of avoiding or mitigating an environmental effect. A policy inconsistency may be considered a significant adverse impact if the inconsistency would result in a significant adverse physical impact based on the established significance criterion. Consistency of the

proposed project with applicable land use plans and policies is evaluated below. Consistency with the City's adopted land use compatibility standards specifically with respect to biological resources (Section 3.4), hazards (Section 3.8), noise (Section 3.11), public services (Section 3.13), and transportation (Section 3.14) are evaluated in the topic-specific EIR sections.

### **Construction**

Impacts related to consistency with applicable land use plans and policies are largely limited to operational impacts. However, consistency with Antioch Municipal Code policies related to tree protection are evaluated in Section 3.4, Biological Resources, and conditions of approval would ensure adherence to the City's tree preservation guidelines. Similarly, impacts related to noise and land use compatibility are evaluated in Section 3.11, Noise, and found to be less than significant with adherence to the noise reduction policies during construction outlined in the General Plan. Otherwise, there are no other adopted land use regulations or standards regarding construction that serve the purpose of avoiding or mitigating an environmental effect.

### **Operation**

#### *City of Antioch General Plan Consistency*

According to the City of Antioch General Plan, the project site is located within the Sand Creek Focus Area and is designated by the City of Antioch General Plan for "Golf Course Community/Senior Housing/Open Space," "Hillside and Estate Residential," and "Public/Quasi Public." The project site is zoned as a Study District, an interim designation that is utilized until all necessary detailed land use studies are completed for a given area.

The project Applicant proposes amendments to the City of Antioch General Plan and Zoning Code for the project site essentially identical to those the City Council unanimously adopted the West Sand Creek Tree, Hillside, and Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative on July 24, 2018. In particular the project Applicant seeks to amend the City of Antioch General Plan to add a land use designation referred to as the "Restricted Development Area" to the General Plan to protect approximately 149.04 acres of the project site from future urban development and prohibit such development on ridges and major hills throughout the project site and along Sand Creek as well as an open space corridor of up to approximately 250 feet in width along Sand Creek. The project Applicant also seeks to amend the City of Antioch General Plan to add a land use designation referred to as the "Limited Development Area" to allow limited urban development on approximately 401.88 acres of the project site for the various land uses discussed below.

The Restricted Development Area would provide opportunities for low-density rural residential housing and preserve agriculture, grasslands, and open space with the following allowed land uses: Rural Residential, Agriculture, and Open Space. The Limited Development Area would allow 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 through the allowed land uses: Estate Residential, Low Density Residential, Medium Low Density Residential, Medium Density Residential,

Convenience Commercial, Mixed Use, Public/Quasi Public, and Open Space. The proposed project comprises a multi-generational plan, which would include a wide range of housing, including age-restricted housing. The proposed project includes development standards and design guidelines consistent with the proposed low density and medium density land use designations. Development standards for the Low Density designation would allow “4 single-family units per gross developable acre.” Additionally, development standards for the Medium Density land use designation would allow for 10 dwelling units for each gross developable acre. Average lot sizes would range from 7,000 to 10,000 square feet for single-family detached housing and from 4,000 to 7,000 square feet for small lot single-family detached housing.

Because the trial court invalidated the West Sand Creek Initiative, the proposed project would require a general plan amendment. With the amendment, the proposed project would be consistent with existing and planned residential development within the Sand Creek Focus Area, including the planned development of a maximum of 4,000 residential units in the Sand Creek Focus Area. The proposed project would avoid hillside development through the preservation of open space, and would provide a 250-foot corridor along Sand Creek as a buffer area for sensitive species and habitats. Additionally, as required in the General Plan, the proposed project would develop a Resource Management Plan (RMP) to outline mitigation of biological resources impacts within the project site. Therefore, the proposed project would be consistent with the City of Antioch General Plan. Impacts related to General Plan consistency would be less than significant.

#### *City of Antioch Municipal Code—Zoning Code Consistency*

The project proposes to amend the Zoning Code from Study District to The Ranch Planned Development District, which would include low and medium residential, age-restricted, village commercial, rural residential, agriculture, public and open space uses. The PD would include development standards outlining maximum density and units, minimum lot sizes, landscape requirements, open space requirements, architectural guidelines, and maximum building heights and lot coverage.

As required by the City’s Zoning Code, the project Applicant submitted a master development plan, which will be reviewed by the Planning Commission and City Council. As noted previously, the proposed project would mirror the previously-adopted West Sand Creek Initiative as it pertained to the project site, and would implement all proposed development standards and guidelines. Based on the foregoing, the proposed project would be consistent with the City of Antioch Zoning Code. Therefore, impacts related to Zoning Code consistency would be less than significant.

Overall, the proposed project would not conflict the applicable land uses plans, policies, or regulations of the City of Antioch 2003 General Plan or Antioch Zoning Code adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts on land use policies and plans would be less than significant.

#### ***Level of Significance***

Less Than Significant

### 3.10.5 - Cumulative Impacts

#### **Divide a Community**

The proposed project in conjunction with the cumulative projects listed in Table 3-1 consist of residential and commercial land uses. Development within the City of Antioch is governed by the City of Antioch General Plan and City of Antioch Municipal Code, which ensure logical and orderly land use development and require discretionary review to ensure that projects do not result in environmental impacts due to inconsistency with the general plan and other land use planning regulations. Consistency with the City of Antioch General Plan and City of Antioch Municipal Code would minimize cumulative land use impacts related to division of an established community. In addition, the project would include connections to future development to the south and west of the project site. As such, in conjunction with other cumulative projects, there would be a less than significant cumulative impact with respect to dividing an existing community.

Land use consistency and compatibility is generally discussed in the project-specific context because land use effects related to general plan policy consistency and land use compatibility are generally localized and would not combine with similar effects in other jurisdictions. While the conversion of a large portion of unimproved land to development uses could result in cumulative impacts related to air quality, biological resources, and other environmental effects, the cumulative impacts related to those issue areas are discussed in their respective sections in this Draft EIR. Cumulative impacts with respect to general plan consistency would not differ from those identified for the project.

#### **Conflict with Land Use Plan, Policy, or Regulation**

Land use decisions for both the proposed project and for the other cumulative projects listed in Table 3-1 are site-specific, and thus, made at the respective City level and mitigated on a project-by-project basis. Based on the discussion above, the proposed project would be consistent with the City's General Plan and Zoning Code provisions. Other Development in the City of Brentwood would be required to demonstrate consistency with the City of Brentwood General Plan and applicable codes, ordinances, and policies. Development in the City of Oakley would be required to demonstrate consistency with the City of Oakley General Plan and applicable codes, ordinances, and policies. This would ensure that these cumulative projects comply with applicable planning regulations. Given the above information, there would be a less than significant cumulative impact with respect to conflicting with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

As such, the project would not result in significant cumulative impacts related to the division of an established community, or land use and planning. Development of the project site would be part of implementing the planned vision for this area of the City, and as such, would not contribute to any significant cumulative land use impacts.

#### **Level of Cumulative Significance**

Less Than Significant

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