

4

CONSTRAINTS

New housing development can be constrained by economic forces in the private market as well as regulations and policies imposed by public agencies. These constraints can limit the production of housing and/or increase its cost and can also affect the maintenance and/or improvement of existing housing. Governmental and non-governmental constraints that can affect the housing market and stock in Antioch are discussed below. [Chapter 6.5, Adequate Sites Resources](#) will identify ways, where feasible, to reduce or overcome constraints to the maintenance, improvement, and development of housing for all income levels.

A. GOVERNMENTAL CONSTRAINTS

Governmental regulations, while intentionally regulating the quality and safety of development in the community, can also unintentionally increase the cost of development and housing or make it difficult to meet the demand, especially for affordable housing. Governmental constraints typically include policies, standards, requirements, or actions imposed by the various levels of government upon land use and development such as zoning and subdivision regulations, growth management measures, building codes, fees, processing and permit procedures, and other exactions that developers must satisfy.

The City has limited influence over [state-State](#) and federal requirements that may constrain housing, but the State affords local agencies considerable flexibility in establishing land use policies and regulations. Therefore, the discussion in this section is generally limited to the policies, standards, requirements, and actions at the local level.

Land use controls may limit the amount of density of development, thus increasing the cost per unit. Required improvements and/or off-site mitigation also increase the cost of development. Processing procedures [and permitting requirements](#), including review by multiple agencies ~~and permitting requirements~~, may delay the approval process and increase the cost of development.

4. CONSTRAINTS

1. FEDERAL AND STATE

Federal and State programs and agencies play a role in the imposition of non-local governmental constraints. Federal and State requirements are generally beyond the influence of local government and therefore cannot be effectively addressed in this document.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) was developed to protect the quality of the environment and the health and safety of persons from adverse environmental effects. Discretionary projects are required to be reviewed ~~for consistent~~consistency with the requirements of CEQA to determine if there is potential for the project to cause a significant adverse effect on the environment. Depending on the type of project and its potential effects, technical traffic, noise, air quality, biological resources and geotechnical reports may be needed. If potential adverse effects can be mitigated, a Mitigated Negative Declaration (MND) is required. If potentially adverse effects cannot be mitigated, an Environmental Impact Report (EIR) is required. These documents have mandated content requirements and public review times. Preparation of CEQA documents can be costly, and despite maximum time limits set forth in the Public Resources Code, can extend the processing time of a project by a year or longer.

LABOR COSTS

Labor costs are not a governmental constraint; however, they do influence production costs associated with housing. Additionally, public works projects and affordable housing financed through the use of public funds are required to pay prevailing wages, which create a significant cost impact on the construction or rehabilitation of affordable housing units for low- or moderate-income persons and the infrastructure to support such housing. Labor costs have risen since the Great Recession in 2008, especially in expensive, metropolitan areas like the Bay Area. During the Recession and the recovery period that followed, many individuals in the construction industry left the field. This continues to impact the availability of workers today. Labor costs continue to rise given the shortage of skilled labor.

2. LOCAL

LAND USE CONTROLS

Land use controls are minimum standards included in the General Plan and implemented through the Zoning and Subdivision Ordinances. General Plan land use designations are a means of ensuring that the land uses in the community are properly situated in relation to one another and providing adequate space for each type of development. Zoning regulations are designed to implement the intentions of the General Plan land use designations. They also control such features such as the height and bulk of buildings, lot area, yard setbacks, population density and building use. If zoning standards are significantly more rigid than private sector design standards and do not follow sufficient land use flexibility, development costs could increase, and housing production may decrease.

General Plan

Each ~~city-City~~ and ~~county-County~~ is required by State law to have a General Plan, which establishes policy guidelines for development. The General Plan is the foundation of all land use controls in a jurisdiction. The Land Use Element of the General Plan identifies the location, distribution, intensity, and density of the land uses within the city. General Plan residential densities are expressed as dwelling units per acre

(du/acre). The Antioch General Plan identifies five residential land use designations, as shown in Table 4-1. Densities range from as low as 1 unit per acre in the Estate Residential designation to 35 ~~units per acre~~ du/acre in the High-Density Residential designation. In addition, there are also some mixed-use designations such as Transit Oriented Development (TOD) and certain Planned Development Districts that allow residential uses as well.

TABLE 4-1 GENERAL PLAN – RESIDENTIAL USE LAND CATEGORIES

Designation	Description	Density Range
Estate Residential	Primarily single-family detached units	1-2 du/ac
Low-Density Residential	Primarily single-family detached units	4 du/ac maximum
Medium Low-Density Residential	Single-family detached; small lot single-family detached; duplex	6 du/ac maximum
Medium-Density Residential	Single-family detached; small lot single-family detached; multi-family attached; mobile homes; townhouses; garden apartments	10 du/ac maximum
High-Density Residential	Multi-family attached; group residential; Residential Care Facilities	Up to 35 du/ac; Density bonus for senior housing projects
<u>Residential TOD</u>	<u>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</u>	<u>Between 20 and 40 du/acre</u>

Source: City of Antioch, General Plan, Land Use Element, 2003.

To make a housing project economically feasible based on land costs and economies of scale, certain densities are necessary. Housing ~~elements~~ Elements are required to demonstrate how adopted densities accommodate the regional housing need for lower-income households. To do this, local governments are given the option of utilizing the “default” density standard that is deemed appropriate to accommodate housing for lower-income households. The default density option was adopted by the ~~City~~ City in 2003 by consensus with local government representatives, builders, planners, and advocates. For metropolitan jurisdictions such as Antioch, a minimum density of 30 ~~units per acre~~ du/acre has been established for the very-low- and low-income categories. As a result of amendments to the General Plan that the City Council approved in June 2014, densities up to 35 ~~units per acre~~ du/acre are now allowed in areas designated high-density residential. This change made it possible for the ~~City~~ City Council to ~~also~~ establish a new high-density residential district as discussed below.

Zoning Code

The ~~Zoning~~ zoning Code code is the primary tool for implementing the General Plan. It is designed to protect and promote public health, safety, and welfare. Pursuant to Government Code Section 65940.1(a)(1)(B) the City of Antioch’s Zoning Code and related development regulations are publicly available online via the eCity’s website.

Table 4-2 summarizes the requirements for establishing residential uses in residential and mixed-use zones in Antioch. Single-family residential zones include RE, RR, R-4, R-6, R-10, R-20, R-25, R-35, and MCR. Single-family dwelling units are permitted by-right in ~~all of all~~ the single-family residential zones, except for R-10 and MCR where a ~~use~~ Use permit Permit is required. ~~In order to~~ To preserve land resources for higher-density development, in R-20, R-25, and R-35, no new single-family development is permitted but existing single-family dwellings are permitted to remain and may be replaced. The multi-family residential zones are R-10, R-20, R-25, R-35, ~~and~~ MCR, ~~and~~ CIH.

4. CONSTRAINTS

As a result of revisions to the Zoning Ordinance enacted in June 2014, the maximum density for multi-family development was increased through the creation of a new R-35 High-Density Residential District. The ordinance was also amended to allow multi-family residential development at 20 ~~units-per acre/du/acre~~ permitted by-right in the R-35 zone as well as in the new R-25 zone. Multi-family development continues to be subject to a use permit in the R-10, R-20, MCR and RTR-20 zones. The ordinance also ~~requires~~ ~~required~~ a use permit to allow multi-family projects with more than 20 ~~units-per acre/du/acre~~ in the Medium-Density, High-Density, and Mixed-Use districts.

TABLE 4-2 PRIMARY USES – RESIDENTIAL ZONES

Zone	Single-Family	Multiple-Family	Two-Family (Duplex)	Residential Care Facility
RE – Rural Estate Residential District	P	--	--	--
RR – Rural Residential District	P	--	--	--
R-4 – Single-Family Low-Density Residential District	P	--	--	--
R-6 – Single-Family Low-Density Residential District	P	--	--	--
R-10 – Medium-Density Residential District	U	UP	P	U
R-20 – Medium-Density Residential District	P ^a	UP	P	U
R-25 – High-Density Residential District	P ^a	P, U ^b	P	U
R-35 – High-Density Residential District	P ^a	P, U ^b	P	U
CIH – Commercial Infill Housing Overlay District	--	P ^{c,d}	--	--
MCR – Mixed Commercial/Residential District	U	U	U	U

Notes: P = Permitted by Right U = Use Permit Required

^a Single-family dwellings existing prior to the effective date of the ~~Zoning-zoning Code code~~ or ~~Amendment-amendment~~ to the ~~Zoning-zoning Code code~~ are permitted uses, conforming to the R-20, R-25, and R-35 zones. However, development of new single-family dwelling units, other than replacement of existing single-family dwellings, are prohibited within the R-20, R-25, and R-35 zones.

^b ~~Up to 20 units/acre~~ ~~P~~ Permitted by-right subject to compliance with all other applicable standards ~~and Design Review pursuant to Article 26 and 27.~~

^c ~~Up to 35 units/acre and building height of four stories or 45 feet permitted by right subject to compliance with all other applicable standards.~~

^d ~~35 to 50 units/acre and building height above 45 feet permitted with approval of a use permit.~~

Source: City of Antioch, Zoning Code.

~~In April 2022, the City of Antioch adopted amendments to their General Plan and Zoning Code to create a new Commercial Infill Housing (Commercial Infill Housing (CIH)) Overlay District. This district, which requires a rezone, allows for the development of mixed-use multi-family housing at a minimum of 12 dwelling units per acre/du/acre. Additionally, the CIH overlay allows for the by-right, streamlined review and permitting of multi-family uses up to 35 dwelling units per acre/du/acre, and 45 feet in height, when consistent with the City’s CIH Objective Design Standards (ODS). Development between 35 and 50 du/acre and greater than 45 feet in height is permitted with approval of a Use Permit.~~

~~As part of the 6th eCycle update, various updates are proposed to the City’s procedural requirements related to multi-family development. These revisions include the removal of the Use Permit requirement for multi-family housing developments in the R-10, R-20, R-25, R-35, and MCR zoning districts. Multi-family residential uses will therefore be a permitted use within these zoning districts.~~

~~The design for new multi-family developments and additions to existing multi-family developments will be subject to the City’s design review process. Accordingly, as part of the 6th eCycle update, the City’s~~

~~Zoning Code, including Articles 26 and 27 related to the design review process, will be amended to reference new Multi-Family Objective Design Standards (ODS) which are to be adopted alongside the updated Housing Element, and associated rezonings prior to January 31, 2023. Accordingly, design review of multi-family housing sites in the R-10, R-20, R-25, R-35, and MCR zoning districts will consist of staff and planning commission review of development applications for consistency with only the new multi-family ODS. These ODS will expedite staff and planning commission review of multi-family housing developments and consolidate design standards related to multi-family housing development throughout the city.~~

~~Revisions also include:~~

- ~~▪ Amending the City's R-35 zoning district to allow between 25 and 35 dwelling units per acre as shown in Table 4-3 below; and~~
- ~~▪ Minor clean-up items related to the City's procedural requirements; this includes a discrepancy in the R-35 Zoning District that needs to be addressed which permits development at 20 du/acre by-right. Due to the R-35 District's established a minimum allowable density of 30-25 du/acre,¹ units per acre, and the City not permitting projects below the densities allowed by the district, but also allows multi-family projects with 20 units per acre by-right. The City has not allowed projects less than 30 units per acre and the Housing Element includes a program is included to amend the code and remove this provision. See Program 4-1-04.1.10, R-35 Zone in Chapter 7, Housing Goals, Policies, and Programs in the R-35 District.~~

~~In addition to amending the Zoning Ordinance to increase the maximum residential density from 20 to 35 units per du/acre, the City also established new multi-family residential standards. The standards, which comprise Chapter 5, Article 7 of the Antioch Municipal Code, are intended to facilitate the approval of multi-family projects by establishing clear requirements for a variety of issues such as setbacks from adjacent single-family homes and building articulation that were previously addressed during design review. Article 7 also establishes a procedure for modifying the new dimensional requirements without approving a variance. The approval of reduced setbacks for multi-family development on arterials will reduce another obstacle to residential development. As part of the 6th eCycle update, text amendments to the City's Zoning Ordinance are being adopted alongside the Housing Element to repeal the previously established multi-family residential standards and reference the new Multi-Family Objective Design Standards ODS which are being developed and adopted alongside the Housing Element update.~~

~~In all districts the maximum density may, of course, be exceeded if a project is entitled to a Density Bonus under the State Density Bonus Law (Government Code Section 65915). Article 35 of Antioch's Municipal Code details the provisions for the City's Density Bonus Program. Since the densities are permitted by-right and do not require zoning approval or review under CEQA, the establishment of the R-25 zone also removes another constraint to housing production due to the time and cost associated with the environmental review process.~~

~~In addition to the residential and mixed-use base districts listed in Table 4-2, the City of Antioch also has residential zones that accommodate various types of development. Table 4-3 shows the development standards for each of these zones. These residential zones are as follows:~~

¹ ~~The City's R-35 Zoning District is being amended as part of zoning amendments associated with the Housing Element update to allow between 25 and 35 du/acre whereas prior to the 6th eCycle update it allowed between 30 and 35 du/acre.~~

4. CONSTRAINTS

TABLE 4-3 RESIDENTIAL DEVELOPMENT STANDARDS

Zone	Maximum Height (ft) ^a	Minimum Building Site (ft ²)	Minimum Lot Width (ft)		Maximum Lot Coverage	Minimum-Density Required ^b	Maximum-Density Allowed ^c	Front Yard Minimum [^]	Minimum Side Yard Required (ft) ^d		Minimum Rear Yard Required (ft)
			Corner	Interior					Corner	Interior	
RE			<i>To be determined by City Council through planned development process</i>								
RR			<i>To be determined by City Council through planned development process</i>								
R-4	35	6,000	65	60	40%	n/a	4 du/acre	*	*	5	20
R-6	35	6,000	65	60	40%	n/a	6 du/acre	*	*	5	20
R-10	45	6,000	65	60	40%	n/a	10 du/acre	*	*	5	10
R-20	45	20,000	70	70	40%	n/a	20 du/acre	*	*	5	10
R-25	45	20,000	70	70	50%	20 du/acre	25 du/acre	*	*	5	10 [^]
R-35	45	20,000	70	70	50%	30-25 du/acre	35 du/acre	*	*	5	10 [^]
PD			<i>To be determined by City Council through planned development process</i>								
HPD			<i>To be determined by City Council through planned development process</i>								
MCR	45	6,500	65	60	50%	n/a	20 du/acre	*	*	5	10
TOD			<i>To be determined by City Council through planned development process</i>								

^a Height shall be the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Some Exceptions to exceptions to the specified height limitations shall include the spires, belfries, cupolas and domes of churches, monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, excluding wireless communications facilities subject to Sec. 9-5.3846, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter, are detailed in the Zoning Ordinance.

^b In units per gross developable acre.

^c In units per gross developable acre; See see Zoning Ordinance for definition of maximum developable gross acreage.

^d For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10-foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than 3 feet.

* Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:

Non-residential uses:

Arterial street: Minimum 30-foot setback with 30-foot landscaping on all frontages

Collector street: Minimum 25-foot setback with 25-foot landscaping

Local street: Minimum 20-foot setback with 20-foot landscaping

Single-family detached and two-family dwelling uses:

Arterial street: Minimum 30-foot setback with 30-foot landscaping on all frontages

Collector street: Minimum 25-foot setback and landscaping for front yard and 10-foot street side yard setback with landscaping

Local street: Minimum 20-foot front yard setback with 20-foot of landscaping and 10-foot street side yard with landscaping

Multi-family dwelling uses:

Arterial street: Minimum 15-foot setback with 15-foot landscaping on all frontages

Collector street: Minimum 15-foot setback with 15-foot landscaping

Local street: Minimum 10-foot setback with 10-foot landscaping

[^] Where a multi-family dwelling abuts a lot that is zoned RR, RE, R4 or R6, a minimum rear yard of 20 feet shall be provided.

Source: City of Antioch, Zoning Code.

Planned Development District (P-D)

The Planned Development District (P-D) is a floating district that can be established on parcels containing at least 3 acres. This district is intended to encourage flexibility in the design and development of land so as to promote its most appropriate and compatible development use as proposed. This district also ~~A P-D~~ provides greater flexibility when needed to accommodate a variety of types of development, such as neighborhood and district shopping centers, multiple-family housing developments, single-family residential developments, commercial service centers, industrial parks, or any other use or combination of uses.

All site and building requirements, including yard, building height, lot coverage, and landscaping are determined by the City Council during the planned development process. As mentioned above, the minimum area required for the establishment of a P-D District is three3 contiguous acres of land except for areas covered by a Specific Plan. There are specific types of P-Ds dependent on a site's location in the city. See below.

Hillside Planned Development District (HPD)

~~This is~~ The Hillside Planned Development District (HPD) is an overlay district applicable to hillside areas ~~where slopes of 10 percent or more predominate with slopes primarily 10 percent or more that that are~~ are not covered by an approved tentative map or final development plan. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and ~~land forms~~ landforms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.

Transit-Oriented Development District (TOD)

~~This~~ The Transit-Oriented Development District (TOD) is a type of Planned Development District 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 and vertical mixed-use.

~~Table 4-3 shows the development standards for each zone designed for residential uses within Antioch.~~

*Specific Plans for Future Residential Growth**Downtown Antioch Specific Plan*

The Planning Area boundaries of Downtown Antioch are generally the San Joaquin River to the north, Fulton Shipyard Road to the east, 10th Street to the south, and Auto Center Drive to the west. This area is approximately 1.5 miles wide and 0.5-mile deep, with a total area of 0.75 square miles. The Planning Area boundaries generally reflect the traditional grid that was developed during the 19th and early 20th centuries.

- The Downtown Area contains a variety of Land Use Districts with unique histories, building forms, land use compositions, and influences. Land use designations incorporating residential uses include the ~~the~~ Mixed-Use District (MU), Neighborhood Commercial District (C-N), and the Downtown Residential Districts (MDR & HDR).
- Base densities for residential range from 12-28 unitsdu/acre.

4. CONSTRAINTS

- Each of the districts have their own standards for building height, floor area ratio, and setbacks. Heights for residential uses range from ~~2-two~~ to ~~four~~ 4-stories, depending on location and incentive standards. Parking is required only for new construction/additions or by Use Permit. Existing buildings are exempt.

East 18th Street Specific Plan

The Antioch General Plan identifies the area on the north side of East 18th Street, and westerly of Drive-In Way as the East 18th Street Specific Plan. Since 1999, this plan ~~gave-gives~~ direction ~~to-work-with-for~~ collaboration between area landowners and business interests to resolve the current circulation, utility service, and related development constraints; maximizes opportunities for development of employment and revenue producing uses in a clean, attractive business park setting; incorporates sufficient incentives and flexibility to stimulate economic development; and provides a program-level set of entitlements to address all major policy issues and further incentivize development in the area.

East Lone Tree

The East Lone Tree Area is comprised of roughly 800 acres bounded by Lone Tree Way on the south; Empire Ave and the SP railroad on the east; the Contra Costa Canal on the north; and existing residential subdivisions to the west. Land use is almost entirely agricultural, ~~with a few~~ with several farm residences. Lands to the west and north are within the Antioch city limits. The western border is abutted by residential subdivisions, consisting of detached homes on lots averaging 5 ~~du/units per~~ acre. Lands to the south and east are unincorporated and subject to the County General Plan. The remaining segment of the eastern border adjoins lands designated for low (1.0-2.9 ~~du/units per~~ acre) to high (5.0-7.2 ~~units per~~ du/acre) density single-family residences.

Hillcrest Station Area

The Hillcrest Station area is a unique 375-acre site in East County, offering large land acreage with freeway visibility at a strategic location—the juncture of State Route 4 (~~SR-4~~) and State Route 160. This area is also (SR-160) and nearby the Antioch Bay Area Rapid Transit (BART) station ~~that which~~ opened in 2018. The area is a major opportunity site for transit-oriented development, presenting—an opportunity to take advantage of the major public investment in transit infrastructure and to create a compact area with both jobs and housing.

Parking Requirements

Chapter 5.17 of the Zoning Ordinance establishes parking standards for type of use in each zone, as shown in Table 4-4. Parking requirements do not constrain the development of housing directly, but compliance may result in a reduction in the number of housing units that can be developed on a given site, which can reduce a project's economic feasibility. A review of parking requirements in nearby jurisdictions that was conducted in conjunction with 2014 zoning updates concluded that Antioch's parking requirements compared favorably with those imposed by peer communities in Contra Costa County.

The City Council did, however, revise the process for modifying parking requirements in June 2014. to ~~clarify the procedure.~~ These changes ~~approved in June 2014~~ allow the Zoning Administrator or the Planning Commission to reduce or modify parking requirements for Senior Housing, Shared Parking Facilities or those near public parking, residential and mixed-use projects within 0.5 mile of a major transit stop or incorporating stop, incorporating transportation demand management measures, projects located on infill sites, or reusing historic structures the following types of residential projects: as described below.

TABLE 4-4 RESIDENTIAL PARKING REQUIREMENTS

Use Classification	Required Parking Spaces
Single-Family Residential (Attached)	2 spaces per unit, one of which must be covered, plus 1 space per 5 units for guest parking
Single-Family Residential (Detached)	2 spaces per unit in a garage, plus one guest parking space on the street within close proximity to the unit served
Multi-Family Residential	1.5 spaces per unit up to 2 bedrooms; one space to be covered 2 spaces per unit for 3 bedrooms; one space to be covered plus 1 space per 5 units for guest parking
Elderly Residential (Senior Housing Overlay)	0.75 covered space per unit, plus guest parking as determined during project review
Convalescent Facilities	1 space per 2 residents

Source: City of Antioch, Zoning Code.

~~The following types of residential projects may be considered for reduced parking requirements:~~

- **Senior Housing.** The required parking for a senior housing development may be reduced below the normally required 0.75 space per dwelling unit for projects anticipated to generate lower parking demand due to vehicle ownership patterns of the residents and/or characteristics of the project (e.g., proximity to commercial services, proximity to public transportation systems).
- **Transit-Supportive Development.** Residential or mixed-use projects that contain no more than 50 dwelling units and are located within 0.5 miles of a major transit stop.
- **Infill Sites.** Residential or mixed-use projects that contain no more than 30 dwelling units and are located on infill sites.
- **Historic Structures.** Projects for which allowing a reduction in the number of required spaces (and/or modifications to dimensional requirements for parking areas) will facilitate the re-use of an existing building that is a historic resource as defined by the State Public Resources Code or is a designated Historic building.

Planned Development (P-D) District

~~Although not specifically intended to encourage housing production, the P-D approach can be used to produce residential development that is a better fit with surrounding development. The P-D allows for more economical provisions of streets and utilities, preserves the natural and scenic qualities of open space, offers greater recreational opportunities convenient to residents, enhances the appearance of neighborhoods through the preservation of natural green spaces, and counteracts the effects of urban congestion and monotony. This approach can address some of the concerns that are often raised regarding the introduction of higher density and infill development.~~

~~All site and building requirements, including yard, building height, lot coverage, and landscaping are determined by the City Council during the planned development process. As mentioned above, the minimum area required for the establishment of a P-D District is three contiguous acres of land except for areas covered by a Specific Plan.~~

Zoning for Diverse Housing Types

Provisions of the Zoning Ordinance and State law facilitate development of affordable housing and diverse housing types, such as Accessory Dwelling Units (ADUs), residential hotels, senior housing, emergency shelters, transitional housing, residential hotels, and housing for persons with disabilities. City regulations

4. CONSTRAINTS

related to these housing types are consistent with State law, and where there are inconsistencies, programs have been identified in the Housing Element to bring City policies into compliance. See *Chapter 5, Resources*, for more information on the different housing typologies allowed under the City's regulations.

Housing for Persons with Disabilities

Fair Housing Law prohibits local governments from making housing opportunities unavailable to people with disabilities through discriminatory land use and zoning rules or other policies and procedures. Persons with disabilities are significantly more likely than other people to live with unrelated people in group housing, and therefore the definition of "family" can be a constraint to housing for persons with disabilities. The Antioch Zoning Ordinance (Section 9-5.203) defines a family as "one or more persons occupying a premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, or sorority house. Also referred to as a household." The City defines a dwelling unit as a room or suite of rooms used for sleeping, eating, cooking, and sanitation for no more than one family. The Zoning Ordinance does not distinguish between related and unrelated persons and does not impose a numerical limitation on the number of people that can constitute a family. Therefore, neither the definition of family nor the definition of dwelling unit is a constraint to supportive or group housing for persons with disabilities in Antioch.

The siting of group homes is another common constraint to housing for persons with disabilities. The Antioch Zoning Ordinance defines residential care facilities as facilities licensed by the State and providing permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance sustaining the activities of daily living. Consistent with State law, residential care facilities that provide care for up to six patients are treated as residential uses and subject only to the same requirements as other permitted residential use of the same housing type in the same district. Residential care facilities for seven or more are allowed with a ~~use-Use permit~~ Permit in the following zones: R-10, R-20, R-25, R-35, C-0, C-1, and MCR. Programs contained within Chapter 7 of this Element proposes to establish eligible supportive and transitional housing projects as permitted by-right where multi-family and mixed uses are permitted, consistent with AB 2162. The implementation program will result in a revision to the Zoning Ordinance to bring it into consistency with State law and would remove a potential governmental constraint to housing persons with disabilities.

Reasonable Accommodation

A reasonable accommodation is a change, exception, or adjustment to a rule, policy, practice, or service. The Fair Housing Act makes it unlawful to refuse to make reasonable accommodations ~~to rules, policies, practices, or services~~ when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use and enjoy a dwelling and public and common use areas. In addition, the Fair Housing Act prohibits a housing provider from refusing to permit, at the expense of the person with a disability, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises.

Article 39 of the City's Zoning Ordinance details outlines the City of Antioch's reasonable accommodations procedure. The City allows any person who requires reasonable accommodation, in the application of a zoning law which may be acting as a barrier to fair housing opportunities, to request as such on a form to an adjustment of a zoning development standard to be provided by the Zoning Administrator. If the applicant's project also requires some other planning permit or approval, then the applicant must file the request for reasonable accommodation together with the application for such a

permit or approval. ~~The City's reasonable accommodations form requires applicants to provide the following information:~~

- ~~▪ Applicant's name, address, and telephone number;~~
- ~~▪ Address of the property for which the request is being made;~~
- ~~▪ The current actual use of the property;~~
- ~~▪ The zoning code provision, regulation, or policy from which accommodation is being requested; and~~
- ~~▪ The bases for the claim that the individual is considered disabled under the Fair Housing Act and why the accommodation is necessary to make the specific housing available to the individual. ~~the formal process for requesting reasonable accommodation. Per Article 39, under~~~~

~~Applications for reasonable accommodations are then reviewed by the City Zoning Administrator who shall provide a written determination within 30 days of receipt of a completed application. Determinations on requests must consider the following:~~

- ~~▪ The housing which is the subject of the request for reasonable accommodation will be used by an individual protected under the federal Fair Housing Act (FHA) and the California Fair Employment and Housing Act (FEHA);~~
- ~~▪ The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the FHA and FEHA;~~
- ~~▪ The requested reasonable accommodation will not impose an undue financial or administrative burden on the eCity; and~~
- ~~▪ The requested accommodation will not require fundamental alteration of the zoning or building laws, policies, and/or procedures of the eCity.~~

~~Per Article 39 (Reasonable Accommodation) of the City's municipal code, any person ~~The The City's~~ current reasonable accommodation process is to have applicants to submit a request to the City for approval by the Zoning Administrator. If the project also requires some other planning permit or approval, then the applicant must file the request for reasonable accommodation together with the application for such a permit or approval. Article 39 of the City's Zoning Ordinance details the formal process for requesting reasonable accommodation.~~

Building Codes and Enforcement

Building and safety codes are adopted to preserve public health and safety and ensure the construction of safe housing. ~~The Citycity has adopted the 2019 California Building Code.~~ The California Building Code, ~~adopted in 2019, has establisheds~~ construction standards for all residential buildings, which provide minimum standards necessary to protect the health, safety, and welfare of Antioch's residents. ~~The City of Antioch has not adopted any local amendments to the State Building Code.~~

The ~~CityeCity~~ also requires that all new residential construction complies with Title 24 of the California Building Code, which addresses accessibility requirements for certain types of buildings. The City's building inspectors and code enforcement officers are responsible for investigating and abating complaints of violations of building codes, zoning requirements, sign regulations, and public nuisance ordinances.

Site Improvements

Site improvements vary depending on the location and existing infrastructure of a specific site. Dedication and construction of streets, alleys, and other public easements and improvements may be required to

4. CONSTRAINTS

maintain public safety and convenience. The City's standards and requirements for streets, sidewalks, parkway trees and other site improvements are found in the Municipal Code and are available to the public on the City's website.

The City of Antioch has adopted the following design standards for residential subdivisions:

- Alleys – Alleys shall not be less than 20 feet in width.
- Intersections – All streets shall intersect as nearly as possible at right angles.
- Center lines – Streets entering upon opposite sides of any given street shall have their center lines directly opposite each other, or such center lines shall be offset by at least 200 feet.
- Distance between certain streets – The minimum distance between streets entering a thoroughfare shall be 800 feet where feasible.
- Planting areas and parks – Where a subdivider proposes the creation of planting areas, parks, parked streets, or other parcels of land to be used for subdivision owners or for the public, the approval of such areas shall be conditioned upon adequate provisions for the maintenance of such areas until such time as the maintenance is assumed by a public agency.
- Rights-of-way and similar facilities – If a subdivision borders on or contains a railroad right-of-way, a limited access freeway, or similar type of facility, the [Planning](#) Commission may require the street plan be considered in its relation to the probability of grade separation.

Other

The City of Antioch has a voter-approved advisory measure, Measure U, that was approved by 69 percent of voters in 1998. Measure U calls 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.”

In addition to Measure U, the ~~City~~City is subject to the Measure J Growth Management Program (GMP) adopted by Contra Costa County voters in 2004. Measure J (2004) is a 25-year extension of the previous GMP (Measure C) approved by voters in 1988. The GMP requires local jurisdictions to meet the following six requirements:

- Adopt a development mitigation program.
- Address housing options.
- Participate in an ongoing cooperative, multi-jurisdictional planning process.
- Adopt an Urban Limit Line.
- Develop a five-year capital improvement program.
- Adopt a transportation systems management ordinance or resolution.

The City of Antioch General Plan's Growth Management Element implements Measure U and Measure J. The Growth Management Element includes rate of growth policies that set residential development allocations. The policy limits the issuance of development allocations to a maximum annual average of 600 development allocations with the ability to carry over unused allocations provided that the annual average of 600 is not exceeded during any five-year period (i.e., no more than 3,000 development allocations may be issued for any given ~~five~~5-year period). To facilitate the development of special needs groups and ensure consistency with the Housing Element, the General Plan exempts income-restricted affordable housing and special needs housing ~~gg~~—whether in single-family or multi-family buildings—~~—~~from counting towards the maximum development allocation. It also provides exemptions for the following scenarios: dwelling units with vested rights, construction of a single dwelling by or for the owner of the

lot of records, ADUs, projects with four or fewer dwelling units, projects in the Rivertown Planning Area (now superseded by the Downtown Specific Plan), and transit-oriented development.

On October 9, 2019, Governor Gavin Newsom signed Senate Bill (SB) 330, known as the “Housing Crisis Act of 2019. SB 330 prohibits ~~cities-Cities~~ and ~~counties-Counties~~ from implementing certain limits on the number of residential permits issued or enforcing population caps through January 1, 2025. SB 330, and SB 8, which extended the sunset date of SB 330 to January 1, 2030, precludes the City’s ability to implement Measure U and Measure J until 2030 (unless it is extended again). Consistent with State law, the ~~CityeCity~~ has suspended enforcement of the development allocations system. If State law is not extended again, local growth management measures could potentially be a constraint to housing production starting in 2030. Growth management ordinances are a unique constraint given local political realities. Measure U would require Antioch citizens to eliminate the measure by a vote. Electoral policies set limitations that can not only constrain housing production but can also create inconsistencies with local policies and State and regional housing goals. State legislation has addressed this constraint for the majority of the current ~~housing-Housing element-Element~~ cycle and City staff report that the development allocation system did not previously put a constraint on housing production when it was enforced. However, growth management measures could be a potential housing constraint in the future. The ~~CityeCity~~ can continue to exempt affordable housing, ADUs, and other housing typologies that serve low-income households and populations with disproportionate housing needs from growth management allocations in order to facilitate housing production that is the most needed in Antioch and ensure consistency across the General Plan.

Analysis of Potential Constraints

~~As part of the 6th eCycle update the City of Antioch analyzed residential development standards contained within the eCity’s Zoning Ordinance, and Table 4-3 below above, for their potential to constrain development of housing throughout the city. This analysis included an evaluation of recent housing development proposals received by the city, as discussed within Chapter 6, Sites, of this element, as well as stakeholder interviews as discussed in Chapter 8, Participation, of this element.~~

~~Residential developers consulted included AMCAL Multi-Housing Inc., the developers of a 394-unit multi-family housing development being constructed within the city under construction at 3560 East 18th Street. Of these 394 units, 91 will be affordable to very low-income households, 299 will be affordable to low-income households, and 4-four4 will be affordable to above moderate-income households. Developers consulted also included CityVentures, a residential developer in northern and southern California which buildsdevelops townhomes, condominiums, lofts, live-work, and single-family detached homes. The results of this analysis determined that the City’s existing residential development standards do not serve as a constraint to the development of multi-family development. These development standards are contained within Table 4-3 below above, and discussed below.~~

Lot Coverage

~~The City’s development standards allow residential development in the R-10 and R-20 Zoning Districts to provide a maximum lot coverage of 40 percent, whereas development in the R-25, R-35 and MCR districts are allowed a maximum lot coverage of 50 percent. These maximums facilitate development which reserves site area for the open space, and parking/circulation uses necessary in a more suburban community such as Antioch. Lot coverage requirements contained within the city’s Zoning Ordinance will not serve as a constraint to residential development as they are similar to lot coverage requirements of neighboring communities, which share similar land development patterns and transit level of service as Antioch; and have been satisfied by recent development projects. Most recently, the AMCAL multi-family development was constructed in Antioch, and includes 394 units, 299 of which are affordable to low-~~

4. CONSTRAINTS

income households, 91 of which are affordable to very-low-income households. This project was developed with a total building lot coverage of 22 percent with an additional 34 percent provided for road and parking coverage.

Residential development which seeks to exceed the 50 percent maximum lot coverage requirement provided in the R-25, R-35, and MCR districts may locate within the City's Commercial Infill Housing Overlay which allows a maximum lot coverage of up to 80 percent. Development may also exceed these requirements within the City's TOD Overlay, with approval of a Planned Development Permit, or through utilization of State Density Bonus Law which allows for developer concessions and waivers of certain development standards to facilitate the development of affordable housing.

Permitted Density

The city's development standards related to the permitted density of residential development is included above in Table 4-3. As part of the Housing Element Update, the city's R-35 zoning district is being amended to lower the minimum density permitted within the zone from 30 du/acre to 25 du/acre. Accordingly, the allowable density within the R-35 zoning district will be between 25 and 35 du/acre. This amendment allows for a greater range of density to be developed within the R-35 district, consistent with the city's "default density" as established by HCD as appropriate to accommodate lower-income housing development.

Additionally, residential developments may request additional density consistent with California State Density Bonus (Government Code Section 65915). Article 35 of Antioch's Municipal Code details the provisions for the city's compliance with State Density Bonus Law, which permits projects by-right and exempts them from zoning or CEQA review if they meet specific affordability requirements.

Building Height

The City's development standards within the R-10, R-20, and R-35 zoning districts allow for the development of multi-family housing at a maximum height of 45 feet, which allows for the development of multi-family housing between 3 to 4 stories. Recent development applications for multi-family residential developments within the city, inclusive of the affordable AMCAL development, have ranged between three and four stories in height. Based on developer feedback, due to market conditions in eastern Contra Costa County related to variables such as land values and incomes, multi-family development above three to four stories tall is not considered financially viable from a developer perspective.

Residential development more than 4 stories (or 45 feet) in height is permitted in Antioch within the City's Transit-Oriented Development (TOD) overlay planned development zoning district, as discussed below, and the City's Commercial Infill Housing (CIH) overlay district, as discussed below:

- **TOD District:** Intended to provide for a mix of high-density uses, between 20 and 40 du/acre, that are oriented toward rail or bus transit stations within and adjacent to the city. The TOD zoning district requires the City's Planned Development (P-D) process and allows for flexibility in site design, which wouldn't be possible through strict adherence to the City's Zoning Code. Accordingly, requests for development within a TOD district are reviewed and approved by both the Planning Commission and City Council.
- **CIH Overlay District:** Intended to provide for the development of high-quality medium- and high-density residential mixed-use projects on infill sites in commercial areas of the city. Within the CIH overlay, multi-family development up to four stories or 45 feet shall be permitted by-right, while additional height above 45 feet may be approved via a Use Permit.

Parking

Chapter 5.17 of the eCity's Zoning Ordinance establishes parking standards by proposed use; these requirements for residential housing typologies are contained below in Table 4-4 above. Parking requirements do not constrain the development of housing directly, but compliance may result in a reduction in the number of housing units that can be developed on a given site, which can reduce a project's economic feasibility.

Based on feedback received from developers, the City's parking requirements do not serve as a constraint to development of multi-family housing. While the City of Antioch does include a Bay Area Rapid Transit (BART) station, this is an end of the route station which primarily serves commuters. Additionally, the frequency of bus transit service throughout the city apart from BART, primarily includes service headways at or above 30 minutes which require many residents to rely on automobiles for transportation needs. Accordingly, many residential developments in the city choose to provide the number of parking spaces required by the Zoning Code as reliable and; frequent transit service isn't is not available throughout all parts of the city. This is true even for recent affordable housing developments in the city, such as the 394-unit AMCAL project discussed within Chapter 6. Where the City's Zoning Code required the project to provide 512 parking spaces, the project chose to provide 591 spaces.

As discussed below above, the City of Antioch did amend their zoning ordinance in 2014 to allow the Zoning Administrator and Planning Commission to reduce or modify parking requirements for Senior Housing; Shared Parking Facilities or those near public parking; residential and mixed-use projects located within 0.5 –miles of a major transit stop, or those that incorporating transportation demand management measures (TDM); projects located on infill sites; or projects that reusing historic structures. This allows for flexibility in parking requirements for certain housing types, without request of a formal variance.

-This hHousing eElement also includes Program 4.1.6.a. Review and Revise Residential Parking Requirements, which includes future amendments to the City's parking requirements to include reductions or modifications in parking requirements for studio- and one-bedroom multi-family developments. This is intended to reduce the costs of housing production related to providing required parking; to further encourage the development of affordable by-design studio and one-bedroom units. This hHousing Element also includes Program 4.1.6.b. Eliminate Parking Requirements Near Major Transit which ensures the eCity's compliance with AB 2097 (2022), which prohibits a public agency from imposing or enforcing a minimum automobile parking requirement on residential, commercial, or other development if the parcel is located within one-half 0.5 miles of a major transit stop.

Cumulative Effects

Based on the above analysis, as informed by developer feedback received from the AMCAL development team and CityVentures, a residential developer in northern and southern California which develops multi- and single- family homes, the city's development standards do not serve as a constraint to the development of affordable housing within the city. Additionally, policies such as the eCity's Planned Development process, and State Density Bonus Law provide for flexibility in design standards to facilitate development of affordable housing.

Development Fees

Various development and permit fees are charged by the City and other agencies to cover administrative processing costs and increases in public facilities and services associated with development. These fees

4. CONSTRAINTS

ensure quality development and the provision of adequate public services. [A list of development impact fees associated with residential and non-residential development in Antioch can be accessed online at https://www.antiochca.gov/finance-department/master-fee-schedules/](https://www.antiochca.gov/finance-department/master-fee-schedules/). Fees are calculated based on the type, size, and potential impacts on various services and infrastructures. However, because these fees are often passed down to renters and homeowners in the rent/purchase price of the unit, they may affect the affordability of housing. One method of determining whether fees are excessive and represent barriers to affordable housing is by comparing fees to jurisdictions in the region.

Table 4-5 illustrates the total typical development fees for single-family and multi-family applications in Antioch. The County Costa County Planning Collaborative performed an analysis in April 2022 comparing entitlement fees, building fees, and impact fees across all Contra Costa County jurisdictions. Table 4-6 shows the total development fees (inclusive of planning permit/entitlement fees, building fees, and impact fees) for three development scenarios: a 3,100-square-foot single-family home, a 10-unit multi-family project, and a 100-unit multi-family project. The analysis found that Antioch's development fees are the least in the county for single-family homes and the second least after San Pablo for both small (10-unit) and large (100-unit) multi-family projects. Antioch's total development fees for a single-family home cost approximately ~~\$2242,150,080~~ per unit, compared to the countywide average of approximately ~~\$59,376.27. 58,330.~~ Antioch's total development fees for 10-unit and 100-unit multi-family projects ~~of are \$103,950502,118.20 and \$813,9103,323.782, respectively.~~ Compared to impact fees of other jurisdictions in the County, as depicted below in Table 4-6, Antioch's impact fees for smaller multi-family developments is above that of many other jurisdictions, while the City's impact fees for larger multi-family developments are similar to many other jurisdictions in the County. are well under the countywide averages of \$290,880 for a 10-unit project and \$2.6 million for a 100-unit project. Finally, Antioch's fees per unit are not substantially more burdensome for multi-family projects. On a per unit basis, The the impact fees per unit for a single-family home in Antioch total approximately \$2242,150,080.68, which is greater than the total per unit fees of a larger multi-family developments (approximately \$3310,395 237.82) but less than the per unit total for a small multi-family project and (\$8,14050,211.82) per unit for a large multi-family project. This indicates that it may cost developers less impact fees per unit to develop a single-family single-family housing products than to develop a small multi-family housing development. To address this, and to encourage the development of a range of housing types throughout the city, the Housing Element includes Program 2.1.1.1. Missing Middle Housing, within Chapter 7, Housing Goals, Policies, and Programs, which includes consideration of financial incentives to encourage the development of a variety of housing typologies.

The Housing Element also includes Program 4.1.8. Monitor Effects of Regional Fees related to the City's participation in the Eastern Contra Costa County Regional Transportation Impact Fee Program. This fee, depicted in Table 4-5 below is levied by the East Contra Costa County Regional Fee and Financing Authority (ECCCRFFA), a Joint Powers Authority (JPA) that operates through the TRANSPLAN Committee. The TRANSPLAN Committee is a regional group which coordinates the transportation interests of the County, the City of Antioch is represented on the Committee by a City Council and Planning Commission member. Accordingly, Program 4.1.8 is included within Chapter 7 of the Element to continue the City's participation in the ECCCRFFA JPA, and monitoring of the regional transportation impact fee's effects on housing production.

TABLE 4-5 TYPICAL DEVELOPMENT FEES – CITY OF ANTIOCH

	Single-Family ^a			Single-Family Subdivision ^b			Multi-Family – Large			Multi-Family – Small		
	Unit S.F.	3,100	Unit SF	3,100	Unit S.F.	800	Unit S.F.	800				
	# of Units	1	# of Units	220	# of Units	100	# of Units	10				
Site Information	Valuation	\$372,358	Valuation	\$66,119,460	Valuation	\$11,602,641.60	Valuation	\$5,801,320.80				
Fee Classification	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost	Multiplier	Per	Cost
Entitlement Fees^c												
Preliminary Development Plan	N/A	N/A	N/A	\$2,000	Dep	\$2,000	\$2,000	Dep	\$2,000	\$2,000	Dep	\$2,000
Use Permit / Design Review	N/A	N/A	N/A	\$11,570	Set	\$11,570	\$8,510	Set	\$8,510	\$7,659	Set	\$7,659
Plan Review	N/A	N/A	N/A	\$262	Set	\$262	\$262	Set	\$262	\$262	Set	\$262
Total Entitlement Fees			\$0			\$13,832			\$10,772			\$9,921
Building Fees												
Building Permit Fee	Based on Valuation		\$3,049.51	Based on Valuation		\$561,000	Based on Valuation		\$48,861.57	Based on Valuation		\$25,656.28
Building Plan Check Fee	65% of Permit Fee		\$1,982.18	65% of Permit Fee		\$364,650	65% of Permit Fee		\$31,760.02	65% of Permit Fee		\$16,676.58
Green Building Fee	18% of Permit Fee		\$548.91	18% of Permit Fee		\$100,980	18% of Permit Fee		\$8,795.08	18% of Permit Fee		\$4,618.13
Technology Fee	6% of Permit Fee		\$182.97	6% of Permit Fee		\$33,660	6% of Permit Fee		\$2,931.69	6% of Permit Fee		\$1,539.38
Energy Inspection Fee	2% of Permit Fee		\$60.99	2% of Permit Fee		\$11,220	2% of Permit Fee		\$977.23	2% of Permit Fee		\$513.13
Fire Protection Fee	\$951	Unit	\$951	\$951	Unit	\$209,220	\$451	Unit	\$45,100	\$451	Unit	\$4,510
General Plan Maintenance Fee	N/A		N/A	Based on Permit Fee		\$28,050	Based on Permit Fee		\$12,443.08	Based on Permit Fee		\$11,282.81
Total Building Fees			\$6,775.56			\$1,309,780			\$150,868.67			\$64,796.31
Impact Fees												
School District Fee	\$3.79	SF	\$9,854	\$3.79	SF	\$2,584,780	\$3.79	SF	\$303,200	\$3.79	SF	\$303,200
East Contra Costa County Regional Transportation Demand Impact Mitigation (RTDIM) Fee^d	<u>\$26,710</u>	<u>Unit</u>	<u>\$26,710</u>	<u>\$26,710</u>	<u>Unit</u>	<u>\$5,876,200</u>	\$26,710	Unit	\$2,671,000	\$16,396	Unit	\$163,960
General Admin	\$460	Unit	\$460	\$460.0	Unit	\$101,200	\$292	Unit	\$29,200	\$292	Unit	\$2,920
Public Works	\$445	Unit	\$445	\$445	Unit	\$97,900	\$282	Unit	\$28,200	\$282	Unit	\$2,820
Police	\$1,190	Unit	\$1,190	\$1,190	Unit	\$261,800	\$755	Unit	\$75,500	\$755	Unit	\$7,550
Parks and Recreation	\$3,261	Unit	\$3,261	\$3,261	Unit	\$717,420	\$2,065	Unit	\$206,500	\$2,065	Unit	\$20,650
Administrative Fee	3% of City Impact Fees		\$160.68	3% of City Impact Fees		\$112,893	3% of City Impact Fees		\$10,182	3% of City Impact Fees		\$1,018.20

4. CONSTRAINTS

TABLE 4-5 TYPICAL DEVELOPMENT FEES – CITY OF ANTIOCH

	Single-Family ^a	Single-Family Subdivision ^b	Multi-Family – Large	Multi-Family – Small
Total Impact Fees	\$15,370.68 \$42,080.68	\$3,875,9939,752,193 \$26,710.00	\$652,7823,323,782 \$33,237.82	\$338,458.20 \$50,211.82
Total Impact Fees Per Unit	\$42,080.68	\$26,710.00	\$33,237.82	\$50,211.82

^a Individual single-family residential developments do not require entitlement applications.

^b Entitlement and Building Permit fee data is calculated using the city of Antioch’s 2021 Master Fee Schedule as well as fee data from recent residential development projects of similar type and size.

^c City of Antioch entitlement applications include an initial deposit, dictated as “dep” in the above table, which is supplemented by the actual total cost of staff hours billed to review the application “set.” The staff time and therefore the fees vary depending on the complexity and completeness of each application.

^d [Contra Costa County Public Works Department Traffic Fee Schedule as of November 12, 2022, as adopted via Chapter 9 of the City of Antioch’s Municipal Code. The East Contra Costa County Regional Transportation Demand Impact Mitigation Fee is a uniform regional development fee program established by the East Contra Costa County Regional Fee and Financing Authority, a Joint Powers Agency comprised of the cities of Antioch, Brentwood, and Pittsburg together with the County of Contra Costa.](#)

Source: MIG, 2022; Urban Planning Partners, 2022 and City of Antioch, 2022.

TABLE 4-6 CONTRA COSTA COUNTY FEE COMPARISON

Jurisdiction	Total Development Fees		
	Single-Family Home	Multi-Family – Small	Multi-Family – Large
Antioch	\$22,146.24 42,080.68	\$103,950.44 502,118.20	\$813,910.78 3,323,782.00
Danville	\$62,489.24	\$347,075.68	\$3,336,919.50
Lafayette	\$68,946.25	\$370,969.49	\$3,132,049.61
Hercules	\$64,064.99	\$316,813.89	\$2,967,385.44
Clayton	\$39,160.00	\$249,136.00	\$1,669,246.00
Pinole	\$56,665.77	\$216,977.21	\$2,277,370.79
Brentwood	\$113,158.84	\$494,143.76	\$4,766,295.73
Concord	\$47,248.07	\$237,264.81	\$1,765,845.76
El Cerrito	\$57,356.24	\$440,729.35	\$2,927,768.15
Moraga	\$85,109.56	\$434,941.60	\$4,101,720.20
Martinez	\$58,701.86	\$271,214.92	\$2,468,768.76
Oakley	\$70,088.22	\$328,874.26	\$3,572,169.38
Orinda	\$64,627.76	\$376,137.59	\$3,347,953.50
Pittsburg	\$60,830.46	\$331,402.52	\$3,198,202.86
Pleasant Hill	\$30,927.67	\$177,477.61	\$1,670,408.38
Richmond	\$45,694.42	\$238,344.58	\$2,301,117.22
San Pablo	\$29,498.69	\$82,452.38	\$674,051.76
San Ramon	\$100,495.59	\$340,120.27	\$3,318,772.28
Walnut Creek	\$31,004.88	\$168,649.32	\$1,507,627.70
Countywide Average	\$58,327.0 959,376.27	\$290,877.67 311,833.87	\$2,621,978.09 2,754,076.58

Note: Analysis assumed construction of a 3,100-square foot single-family home, a 10-unit multi-family building with 800 square feet per unit, and a 100-unit multi-family home with 800 square feet per unit.

Source: MIG, 2022.

LOCAL PROCESSING AND PERMIT PROCEDURES

Applications for entitlement review are filed with the [City's](#) Community Development Department. Depending on the type of entitlement required, a development application may be subject to various levels of review, such as public hearings and environmental review. Actual processing time varies according to the size and scope of the project, as well as the time taken by the developer to prepare plans and other project related documents. All residential projects are subject to review by City staff, the Planning Commission, and/or City Council. Single-family residential units, residential additions, and manufactured/modular housing are reviewed by staff and then proceed to plan check for building permit issuance. ADU ordinances have been modified to be in accordance with State law, which has led to an increase in ADU permits. ADUs are now reviewed ministerially without discretionary review or a hearing and are allowed in all single-family or multi-family districts. Other projects requiring a [use-Use](#)

4. CONSTRAINTS

~~permit~~Permit, parcel map, tract map, and/or tentative map are subject to review by the Planning Commission and/or City Council.

Like many California jurisdictions, the City is subject to SB 35 and eligible projects that dedicate at least 50 percent of their units to be affordable to lower-income households are subject to a streamlined, ministerial review process. There have not been any SB 35 project proposed in Antioch. *Program 4.1.1. Maintain a Streamlined, Affordable Application Process* of the Housing Element is included to maintain the City's commitment to streamlined approvals for SB 35 projects.

Design Review

~~Development projects proposed within the city of Antioch which are consistent with relevant General Plan and zoning regulations are required to pursue design review approval consistent with Article 26 and 27 of the eCity's zoning regulations.~~ The purpose of ~~the~~ design review ~~process~~ is to promote orderly and harmonious development ~~in-throughout~~ the city, ~~consistent with the eCity's General Plan.~~ ~~Accordingly,~~ ~~Design-design~~ review ~~plans-are-required~~ ~~is required~~ for all new development and additions to existing structures, unless the Zoning Administrator finds that the addition is non-controversial, minor, and does not involve a substantial alteration to the existing structure. ~~Design review is not required for the construction or alteration of a single-family residence unless within a planned development which includes development standards that regulating-regulate~~ the architectural style of the dwelling.

~~The design review process is conducted administratively by city staff as well as by the Planning Commission, which serves as the eCity's Design Review Board. Accordingly, it does not include required findings, per Section 9-5.2703(3) of the eCity's zoning regulations. Typically, it takes a project 8-12 weeks from the time an application is deemed to be complete for a project to be scheduled for a hearing (sSee Table 4-7).~~

~~As part of the 6th eCycle update, the eCity's Zoning Code, including Articles 26 and 27 related to the design review process, will be amended to reference new Mmulti-Family Objective Design Standards (ODS) being developed by the eCity of Antioch to be adopted alongside the updated hHousing eElement, and associated rezonings prior to January 31, 2023. Accordingly, design review of multi-family housing sites in the R-10, R-20, R-25, R-35 and MCR zoning districts will consist of staff and planning commission review of development applications for consistency with only the new multi-family ODS. These ODS will expedite staff and planning commission review of multi-family housing developments and consolidate objective design standards related to multi-family housing development throughout the city.~~

Use Permits

~~Development projects in areas with which include land use classifications having which typically hav e unique site development or operating characteristics that may require special considerations to ensure compatibility with adjoining land uses; in these cases, a Use Permit is required. may require Use Permit in the city of Antioch.~~ Use Permits are reviewed administratively by staff as well as by the Planning Commission at one public hearing. Per Section 9-5.2703 of the eCity's zoning regulations state the require findings for approval of uUse pPermits include:

- ~~(a) That the granting of such use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.~~
- ~~That the use applied for at the location indicated is properly one for which a use permit is authorized.~~
- ~~That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to~~

~~deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications; and~~

- ~~That the granting of such variance will not adversely affect the comprehensive General Plan.~~

As part of the Housing Element Update, the city is adopting Zoning Code text amendments which will remove the Use Permit requirement for multi-family housing developments in multi-family zoning districts to better encourage and facilitate the development of multifamily development.

TABLE 4-7 PROCESSING TIME FOR RESIDENTIAL PROJECT APPROVAL

Process	Permit Required	Approving Body	Time Frame
Design Review	Design Approval	Planning Commission	8-12 weeks
Single-family Residential	Building Permit	Staff	8-12 weeks
Single-family Addition	Building Permit	Staff	8-12 weeks
Second Dwelling Unit	Administrative Use Permit, Building Permit	Staff	8-12 weeks
Minor Subdivision	Use Permit, Parcel Map	Planning Commission	8-12 weeks
Major Subdivision	Use Permit, Tract Map	City Council	6-12 months
Multi-family Apartments	Use Permit, Building Permit	Planning Commission	6-10 months
Multi-family Condominiums	Use Permit, Tentative Map, Building Permit	Planning Commission	6-10 months
Manufactured/ Modular Housing	Building Permit	Staff	8-12 weeks
Mobile Home Park	Use Permit, Building Permit	Planning Commission	6-10 months
Residential Congregate Care Facility	Use Permit, Building Permit	Planning Commission	6-10 months
Care Facilities	Use Permit, Building Permit	Planning Commission	6-10 months
Family Care Home	Use Permit, Building Permit	Planning Commission	6-10 months
Senior Group Home	Use Permit, Building Permit	Planning Commission	6-10 months

Source: City of Antioch, Community Development Department.

~~(b) that the use applied for at the location indicated is properly one for which a use permit is authorized;~~

~~(c) that because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning provisions is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under the identical zone classifications; and~~

~~(d) that the granting of such variance will not adversely affect the comprehensive General Plan.~~

Typically, it takes a project 6-10 months to complete the Use Permit review process (See Table 4-7).

Developers have suggested that the city could improve the permitting experience through the use of online applicant platforms. This could allow applicants to have a clear understanding of where they're they are at within the permit process. Additionally, the permitting process could be improved by assigning a case manager for each project. This manager would be the primary point of contact for the applicant regarding questions about their project. This manager would also be responsible for pulling together information across departments to ensure the timely completion of the project. The city is developing an

4. CONSTRAINTS

online permitting software and will launch online permitting in 2023. This is included in *Program 4.1.1. Maintain a Streamlined, Affordable Application Process in Chapter 7, Housing Goals, Policies, and Programs*. Table 4-7 outlines the estimated time for development review.

Length of Time Between Application Approval and Building Permit Application

Housing elements are now required to provide an evaluation of the length of time between receiving approval from the ~~city~~ City and applying for a building permit. Once a project is approved by the ~~city~~ City, ~~such as the Planning Commission or City Council~~, it is the applicant's responsibility to ~~submit an application~~ apply for a building permit. The time it takes can vary and is largely determined by the applicant. Factors include the ~~time it takes to prepare the~~ preparation of the construction drawings and any necessary technical studies, ~~the~~ quality and thoroughness of the plans, ~~the~~ preparation and recording of subdivision maps (if necessary), retaining contractors, and securing financing. Table 4-8 provides some examples of recent projects and the ~~time it took~~ duration of time between application approval and building permits or master home models. The time varies from 42 days to just over 4 years.

TABLE 4-8 LENGTH OF TIME BETWEEN APPLICATION APPROVAL AND BUILDING PERMIT APPLICATION, EXAMPLES

Project	Length of Time
AMCAL Multi-Family	42 Days: 5-14-2019 to 6-25-2019
Almond Knolls Multi-Family	150 Days: 7-25-2017 to 12-22-2017
Oakley Knolls Single-Family	4 Years (1,491 Days): 4-10-2017 to 10-5-2021 *Submitted for site grading 4-13-2021, 1464 days after entitlement.
Quail Cove Single-Family	400 Days: 10-09-2018 to 11-13-2019 *Submitted for site grading 2-27-2019, days after entitlement.
Heidorn Village Single-Family	2 Years (734 Days): 1-26-2016 to 1-29-2018 *Submitted for site grading 5-03-2017, 463 days after entitlement. *The developer who entitled this project was not the developer who built it.

Source: City of Antioch, Community Development Department.

3. OTHER LOCAL CONSTRAINTS

The Residential Development Allocation Ordinance (Article 40 of the Antioch Zoning Ordinance) was adopted by the City Council in May 2002. The ordinance required that allocations for residential units be obtained prior to receiving residential development entitlements and building permits. This growth limitation measure was in place for a decade before the City allowed it to sunset in May 2012; it was not reenacted. The Residential Development Allocation Ordinance was replaced in March of 2014 with a new Ordinance to meter residential growth. The Ordinance that was developed has a trigger put in place at the 500th building permit at which point the City is to develop guidelines for a metering process to be put in place by the issuance of the 600th building permit.

FUNDING

Contra Costa County and the ~~cities~~ Cities of Antioch, Concord, Pittsburg, and Walnut Creek joined together to form the CDBG and HOME Consortium for purposes of developing consistent training, application, and monitoring processes and for participation in the CDBG and HOME programs. In general, lack of funding for affordable housing is a constraint.

Specifically, there is a constraint in the form of funding for affordable housing because Contra Costa County does not have an adequate vehicle for a local match, such as an affordable housing bond or other local resources that can provide a local match for each dollar of HOME funds spent on affordable housing.

Additional constraints include Antioch's grant and loan program requires that a lien be placed on a home for two years for grants over \$15,000. Antioch is the only city-City in the surrounding area that requires filing a lien in-order-to-to issue a grant for homeowner repairs. The lien requirement, and the time it takes to issue the grant, may discourage homeowners from participating.

INFRASTRUCTURE CONSTRAINTS

In order to support growth, it is critical that public infrastructure is able to accommodate new development. The City of Antioch does not anticipate that the provision of public services, such as water, sewer, and storm drains, will be a constraint on the production of new housing.

Sufficient infrastructure is available to accommodate new housing development for the 6th Cycle Housing Element. As part of the 6th eCycle Housing Element Update process, the eCity commissioned Sherwood Engineers to conduct a wet utility analysis of the city's water, sewer, and stormwater systems. This analysis is contained within an Infrastructure Report from Sherwood Engineers dated May 2022 which evaluated the city's wet system utilities against the City's 6th eCycle RHNA obligations. The Infrastructure Report determined that there is sufficient utility capacity to accommodate the City's RHNA obligations. It was determined that any required infrastructure upgrades or improvements that may be required in specific areas of the city to allow for housing site development would include lateral and mainline extensions which are typical requirements of the development process and provided by developers.

Water

The City has sufficient water capacity to accommodate anticipated development for the 6th Cycle Housing Element. The City of Antioch operates a water treatment, storage and distribution system serving the entire city, as well as unincorporated areas within the city's sphere of influence. Water, diverted from the San Joaquin River and purchased from the Contra Costa Water District, is stored in a municipal reservoir and treated at the Antioch Water Treatment Plant. After treatment, water is then distributed throughout the city. The City also owns and operates 12 storage reservoirs with a combined storage capacity of 22 million gallons, ~~six-6~~ treated water booster stations, and ~~three-3~~ raw water pump stations. Additionally, the City has five intertie connections with neighboring water agencies (one with Contra Costa Water District, three with Diablo Water, and one with Pittsburg).

Sewer

The City has sufficient sewer capacity to accommodate anticipated development under the 6th Cycle Housing Element. The City maintains the sewer lines within Antioch. The ~~City~~city has approximately 300 miles of sanitary sewer system and 28,252 residential and commercial sewer lateral connections. The Delta Diablo Sanitation District (DDSD) provides sewer treatment service to the city, as well as to Pittsburg and Bay Point. The DDSD is responsible for conveyance of wastewater from city pipelines to the Bridgehead and Antioch Pump Stations. The wastewater is then treated at the DDSD Wastewater Treatment Plant, located near the border of Antioch and Pittsburg.

4. CONSTRAINTS

Storm Drains

Stormwater collection and flood control within the city are predominantly operated by the Contra Costa County Flood Control and Water Conservation District (CCCFCWCD). The city has over 110 miles of trunk lines to collect stormwater, independent from the area's wastewater collection system. The stormwater trunk lines discharge to channels owned and maintained by both the City of Antioch and the CCCFCWCD. The City typically works with the CCCFCWCD to ensure that runoff from new development is adequately handled. In addition, the City requires that new development [projects](#) implement best management practices and provide erosion and sedimentation control measures.

B. NON-GOVERNMENTAL CONSTRAINTS

A number of market and non-governmental factors contribute to the feasibility and cost of housing, such as environmental constraints and the costs of land and construction.

1. LAND PRICES

The cost of land directly influences the cost of housing. Land prices are determined by a number of factors, most important of which are land availability and permitted development density. As land becomes scarcer, the price of land increases. In terms of development, land prices have a positive correlation with the number of units permitted on each lot.

Land costs in the San Francisco Bay Area are relatively high as compared with the rest of the nation. The cost of land in Antioch is less than most areas in the San Francisco Bay Area, though higher than property in the Central Valley. Current residential land listings in Antioch and the immediate vicinity range from around \$275,000 to \$400,00 per acre.

2. CONSTRUCTION COSTS

Construction costs can be strongly influenced by a variety of factors and have a direct correlation with the cost of housing. Construction costs are primarily determined by the cost of materials and labor. The cost of construction depends on the type of unit being built. Additionally, some sites have added costs, such as former industrial sites that must deal with remediation, and sites in close proximity to freeways that need to mitigate air quality impacts.

Table 4-9 provides a summary of estimated construction costs in Antioch.

TABLE 4-9 CONSTRUCTION COST ESTIMATES

Development Type	Cost per Square Foot
Single-Family Residential	\$125-150
Townhomes/Condominiums	\$175-190
Multi-Family	\$180-235

Source: BAE Economics, 2022; PlaceWorks, 2022; MIG, 2022; Urban Planning Partners, 2022 and City of Antioch, 2022.

3. FINANCING

Mortgage interest rates have a large influence over the affordability of housing. Higher interest rates increase a homebuyer’s monthly payment and decrease the range of housing that a household can afford. Lower interest rates result in a lower cost and lower payments for the homebuyer. Typically, when interest rates rise, the market compensates by decreasing housing prices. Similarly, when interest rates decrease, housing prices begin to rise. Oftentimes there is a lag in the market, so when interest rates rise housing prices continue to stay high until the market can catch up. It is this period when it is the most difficult for lower-income households to purchase a home. As shown in Table 4-10, the percentage of persons denied a home loan increased as the income decreased. Approximately 27.4 percent of very low-income households were denied a loan, ~~which while~~ only 7.9 percent of above moderate-income households were denied.

TABLE 4-10 DISPOSITION OF APPLICATIONS BY INCOME, RACE, AND ETHNICITY OF APPLICANT, 2020

Income Group	Total Applications	Loans Originated	Applications Denied	Percentage Denied
<50% MFI	17,024	7,546	4,665	27.4%
50-79% MFI	36,964	23,153	5,117	13.8%
80-99% MFI	14,805	9,834	1,576	10.6%
100-119% MFI	45,461	31,503	4,087	9.0%
>120% MFI	144,802	99,527	11,384	7.9%
Total	259,056	171,563	26,829	10.4%

Note: MSA/MD: 36084 – San Jose-San Francisco-Oakland, CA.
 Source: Federal Financial Institutions Examination Council, HMDA Data, 2020.

Figure 4-1 shows the average interest rates between January 2019 and January 2022. During this time, interest rates have been at historic lows and are not likely a significant constraint on constructing or purchasing housing. However, even with the lower interest rates, lower-income households still face significant obstacles to purchasing a home due to the high home prices in the ~~Bay Area~~ and difficulty meeting down payment requirements.

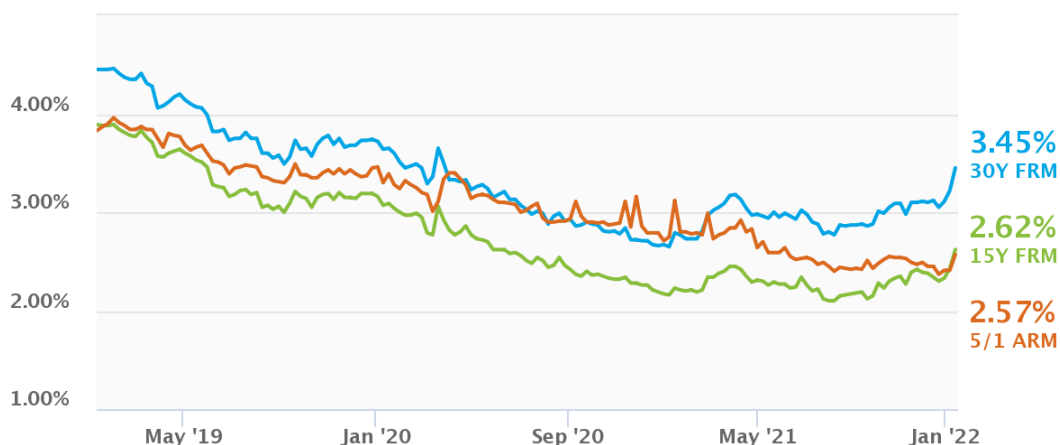


Figure 4-1 U.S. Average Interest Rates: January 2019 – January 2022

4. CONSTRAINTS

Source: Freddie Mac Primary Mortgage Market Survey, January 2022.

4. ENVIRONMENTAL CONSTRAINTS

The City of Antioch has identified areas where land development should be carefully controlled to ensure public health and safety. The following hazards may impact future development of residential units in Antioch. **As part of the Environmental Impact report (EIR) prepared for the Housing Element Update numerous policies and programs included within the city's General Plan were identified as addressing site-specific constraints to residential development on sites or concerns related to the compatibility of residential development on sites.**

SEISMIC HAZARDS

Antioch, like other cities in the San Francisco Bay Area, is located in a region of frequent seismic activity. Although the ~~City-city~~ is located in the vicinity of active faults, no active faults or Alquist-Priolo Special Study Zones are located within its General Plan planning area. Major active fault zones located in the vicinity of the city include the Hayward, Calaveras, Concord-Green Valley, and Marsh Creek-Greenville faults. The largest regional fault is the San Andreas fault, which is located 45 miles west of Antioch.

The City of Antioch may be subject to ground shaking in the event of a nearby earthquake. The amount of ground shaking would depend on the proximity of the area to the fault, the depth, the location of the epicenter, the magnitude of the earthquake and soil type in the area.

Liquefaction is caused by a shock or strain from an earthquake and involves the sudden loss of soil strength and cohesion and the temporary transformation of soil into a fluid mass. The areas directly adjacent to the San Joaquin River have a high to very high potential for liquefaction. Upland areas away from the river have a very low to moderate potential for liquefaction.

FLOODING

Portions of the city are located within the 100-year and 500-year flood hazard zones as mapped by the Federal Emergency Management Agency (FEMA) and are defined as "flood prone." Areas subject to flooding are found mainly along the San Joaquin River and tributary creeks. According to USGS data presented by the San Francisco Bay Conservation and Development Commission, it is these same areas that are most vulnerable to potential sea level rise. FEMA defines the majority of Antioch as being subject to minimal or no flooding.

To protect the residents and property in Antioch, the City has adopted six Flood Protection Policies. These policies, found in Chapter 11.0 (Environmental Hazards) of the General Plan, attempt to minimize the potential loss of life, physical injury, property damage, and social disruption resulting from flooding.

FIRE HAZARDS

The risk of both urban and wildland fire exists within Antioch. Fire hazards within the city may be a result of many factors, including type and amount of vegetation and groundcover, combustibility of building materials, adequacy of access for firefighting equipment and personnel, water supply and pressure, and weather conditions. The most common source of urban fires is from home heating systems and electrical appliances. Fire service in Antioch is provided by the Contra Costa County Fire Protection District.

NOISE

Residential areas are the most sensitive to noise in Antioch. Principal noise sources in the city are ~~transportation noise sources including~~ related to transportation, such as SR State Route 4, and State Route R 160 freeways, rail lines, and major arterial roadways. Given that the General Plan proposes additional housing Downtown, in close proximity to the rail lines, and along State Route R 4 and State Route R 160, noise could be an issue for future developments in these areas. Other potential noise sources include industrial development in the northern portion of the city, commercial development and construction activities.

AIR QUALITY

Exposure to emissions from freeways is becoming of an increasing concern and will pose a constraint to the development of housing ~~in some areas~~ unless the city requires incorporation of measures to mitigate. One such measure, proposed in other cities, is the requirement to have ~~that has been proposed in other cities~~ is requiring an air filtration systems for residential developments within 500 feet of a freeway.

BIOLOGY

There are numerous special-status plant and animal specials that are either known or are likely to occur in the planning area, including in or around sites identified within the Housing Sites Inventory-Sites. However, the potential for special-status species to serve as a constraint to the development of sites within the Inventory is relatively low. While there remains a varying potential for future development of sites contained within the inventory to precipitate loss or disruption to special-status species remaining in the project area due to conversion of areas of natural habitat, removal of trees and other vegetation, increases in light and noise, and other modifications and disturbances associated with future development; the city will employ further review of development proposals for compliance with relevant State laws and the findings of the Environmental Impact report (EIR) prepared for the Housing Element Update. This review includes the implementation of adequate development controls as required by the General Plan Resource Management Element, including preparation of a Resource Management Plan (RMP) to identify and avoid impacts to biological resources. Additionally, tThe realistic capacity of sites contained within the Inventory is based on the minimum development density permitted within each site's proposed for the zoning district. Accordingly, capacity assumption allows for flexibility in future site design and development to implement required development controls and avoid impacts to special-status plant and animal species.

5. REQUESTS FOR DEVELOPMENT AT LESSER DENSITIES

Developer requests to develop properties within the City of Antioch's Site Inventory below that identified within the Inventory represents another potential constraint to housing development. However, this should not be a constrain to development of the City's Site Inventory based on an analysis of the Site Inventory's conservative capacity calculations, recent local development trends, and programs included within Chapter 7 which are intended to encourage housing development in accordance with the Site Inventory.

Based on an evaluation of local development trends it is anticipated that the City of Antioch will continue to receive applications for multi-family developments that propose multi-family development at a range of densities and affordability levels as identified by the Site Inventory. This is indicated by the City's recent review and approval of the AMCAL affordable housing development proposal in 2019 which proposed

4. CONSTRAINTS

394 multi-family units at 3560 E. 18th Street, in the northeastern portions of the city. This development includes 90 very low-income units, 299 low-income units, and 4 above moderate-income units. The project is a State Density Bonus project and proposed development at 26.5 dwelling units per acre and is currently under construction with certificate of occupancy anticipated after June 2022.

To ensure development trends similar to the AMCAL project continue throughout the city, this Element includes various programs intended to promote development of more dense, affordable housing options as identified by the Site Inventory. This includes:

- *Programs 4.1.14 Rezoning and Specific Plan and General Plan Amendments*, which refers to a series of General Plan, Specific Plan, and Zoning Code Amendments which facilitate development as identified by the Housing Site Inventory. This includes amending the General Plan land use designation of 154 sites to the “High Density Residential” land use designation and the upzoning of approximately 46 parcels in the inventory to the R-35 zoning district which allows for between 25 and 35 dwelling units per acre. Any development requests received by the city, which do not meet the minimum density requirements of a site’s zoning district or General Plan land use designation, would be required to apply for a rezoning or General Plan Amendment through the City, as applicable. As discussed below, the City’s review and approval of such a rezoning request would require compliance with the State’s No Net Loss provisions which require jurisdictions to maintain adequate capacity to accommodate their RHNA obligations.
- *Program 2.1.2 Adequate Sites for Housing: No Net Loss*, which outlines local compliance with the State’s no net loss regulations related to the Site Inventory. These regulations as defined by Government Code Section 65863 and limit the downzoning of sites included within the Site Inventory unless there is a no net loss in realistic capacity to accommodate a jurisdiction’s RHNA. Accordingly, while the City may receive development requests for lesser densities than that identified by the Inventory, the City would be required to ensure no such development proposals result in a net loss of Site Inventory realistic capacity to accommodate the city’s RHNA obligation.

Additionally, as discussed within *Chapter 6 Adequate Sites*, the city’s Site Inventory intentionally assumes the minimum density permitted by each zoning district in the calculation of realistic capacity, conservatively estimating the Inventory’s capacity to accommodate housing. This conservative estimate is intended to ensure the city has a more than adequate RHNA buffer, should requests for densities below that identified by the Inventory are requested. As discussed above the city would be required to review such requests consistent with the State’s No Net Loss laws.