

**PLANNING COMMISSION  
RESOLUTION # 2023-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH  
RECOMMENDING THE CITY COUNCIL CERTIFY THE HOUSING ELEMENT EIR AND  
ADOPT CEQA FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A  
MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, the California Environmental Quality Act (“CEQA”), in conjunction with the State CEQA Guidelines, requires that certain projects be reviewed for environmental impacts;

**WHEREAS**, before the Planning Commission may consider recommendations on approval of any or all of the Housing Element activities it must first consider that the EIR has been prepared in compliance with CEQA and pursuant to requirements of CEQA Guidelines section 15090;

**WHEREAS**, on November 8, 2021, pursuant to the California Environmental Quality Act (“CEQA”) and California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”), the City prepared a Notice of Preparation of a Draft Environmental Impact Report (“EIR”) for the City of Antioch 6th Cycle Housing Element (“Housing Element” or “Project”);

**WHEREAS**, the Notice of Preparation was circulated to and available for comment by local, state, and federal agencies and other interested parties between November 8, 2021 and December 8, 2021;

**WHEREAS**, the City held a public scoping meeting on the Draft EIR on November 17, 2021;

**WHEREAS**, on September 2, 2022, the City prepared and circulated for public comment the Draft EIR for the Housing Element;

**WHEREAS**, the public review period on the Draft EIR ran from September 2, 2022 to October 17, 2022, for a total of 45 days of review;

**WHEREAS**, pursuant to CEQA Guidelines sections 15088 and 15089, the City, as lead agency under CEQA, has completed the Final EIR for the Housing Element,

**WHEREAS**, the City prepared written responses to the comments received during the comment period, which together with revisions to the DEIR and the Mitigation Monitoring and Reporting Program and the DEIR constitutes the Final EIR (“FEIR”);

**WHEREAS**, this document contains the City’s certification of the EIR, its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR. The Final EIR is State Clearinghouse No. 2021110146;

**WHEREAS**, all of the documents referenced in the recitals above are incorporated by reference and can be found on the City of Antioch’s web site at

<https://www.antiochca.gov/community-development-department/planning-division/housing-element-docs/>;

**WHEREAS**, on December 23, 2022, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 for the Planning Commission on January 4, 2023;

**WHEREAS**, the Planning Commission held a public hearing on January 4, 2023, considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, as follows:

1. The above recitals are true and correct and together with the staff report and the application materials, including without limitation the FEIR, and all other documents, reports, studies, memoranda, maps, oral and written testimony, and materials in the City's file for the applications and the Project, and all adopted City planning documents relating to the Project and all associated approved and certified environmental documents, have together served as an adequate and appropriate evidentiary basis for the findings and actions set forth in this Resolution.

2. The City of Antioch is the lead agency under CEQA for preparing the FEIR, and is the entity with final decision-making authority, as defined in Section 15356 of the CEQA Guidelines, with regard to approval of the Project

3. The Planning Commission finds that the FEIR for the project was presented to the Planning Commission, that the FEIR was prepared, published, circulated, reviewed and completed in full compliance with State law and CEQA Guidelines, that there was adequate public review of the DEIR, that it has considered all comments on the DEIR and responses to comments, that the FEIR adequately discusses all significant environmental issues, and that the FEIR reflects the independent judgment and analysis of the Planning Commission. The Planning Commission further certifies that it has reviewed and considered the information in the FEIR.

4. The Planning Commission finds that the information added in the FEIR does not constitute significant new information requiring recirculation, but rather that additional information clarifies or amplifies an adequate EIR.

5. The Planning Commission recommends the City Council of the City of Antioch (the "City Council") certify that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following findings.

6. Pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090) the Planning Commission recommends the City Council certify that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and that the City Council certify the Final EIR for the Project as described above.

7. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15091, and in support of its recommendation of approval of the Project, the Planning Commission has reviewed and considered the CEQA Findings of Fact and Statement of Overriding Considerations for the Project, attached hereto as Exhibit A incorporated herein by reference,

finds that such Findings of Fact are supported by substantial evidence and recommends that the City Council adopt the Findings of Fact and Statement of Overriding Considerations.

8. Pursuant to CEQA Section 21081.6 and CEQA Guidelines section 15091 and in support of its approval of the Project the Planning Commission has reviewed and considered the Mitigation Monitoring and Reporting Program (MMRP) that requires all mitigation measures described in the FEIR be implemented by means of Project conditions, agreements or other measures, as set forth in the MMRP, attached hereto as Exhibit B and incorporated herein by reference. The Planning Commission recommend that the City Council adopt the MMRP.

9. The record of proceedings is available for review by responsible agencies and interested members of the public during normal business hours at 200 H St, Antioch, CA 94509. The custodian of these documents is the City of Antioch's City Clerk.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby recommend to the City Council **APPROVAL** of the Statement of Overriding Considerations (Exhibit A) and the Mitigation Monitoring and Reporting Program (MMRP) (Exhibit B).

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 4th day of January 2023, by the following vote:

**AYES:** Gutilla, Hills, Riley, Schneiderman

**NOES:**

**ABSENT:** Lutz, Martin, Motts

**ABSTAIN:**



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**FORREST EBBS,**  
**Secretary to the Planning Commission**

**EXHIBIT A**

**FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS**

# STATEMENT OF FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND STATEMENT OF OVERRIDING CONSIDERATIONS

The following findings of fact and statement of overriding considerations have been prepared pursuant to the California Environmental Quality Act (Pub. Res. Code section 21000 et seq; "CEQA") and the CEQA Guidelines (Cal. Code Regs. title 14, section 15000 et seq.) by Urban Planning Partners for the City of Antioch in connection with the Environmental Impact Report (EIR) prepared for the Housing, Environmental Hazards, and Environmental Justice Elements (the Project), SCH #2021110146. These CEQA findings are attached and incorporated by reference into each and every staff report, resolution and ordinance associated with approval the project. These findings are based on substantial evidence in the entire administrative record and references to specific reports and specific pages of documents are not intended to identify those sources as the exclusive basis for the findings.

## A. BACKGROUND

The Project is being proposed by the City of Antioch (City) to comply with California Government Code Section 65580-65589.8, which requires local jurisdictions to update the Housing Element of their General Plans every eight years to adequately plan for the regional housing needs of residents of all income groups. The Project includes the following components:

- **Housing Element.** Adoption and implementation of the City's 6th Cycle Housing Element Update (2023-2031), including the adoption and implementation of rezoning and General Plan amendments to accommodate the City's Regional Housing Needs Allocation (RHNA).
- **Environmental Hazards Element.** Adoption and implementation of related updates to the City's Environmental Hazards Element.
- **Environmental Justice (EJ) Element.** Adoption and implementation of associated EJ General Plan policies per Senate Bill (SB) 1000.

These three actions are together considered a "Project" under CEQA regulations.

The Draft EIR analyzed the development of up to 4,575 housing units, a scenario slightly different from what is currently proposed. As a result of comments received on the DEIR during the public comment review period, as well as the city's ongoing planning efforts which necessitate project

updates, the revised project numbers increase the maximum housing units by 306 units to 4,881 units.

The revisions to the Project were considered in this Final EIR and found that none of the proposed revisions have the potential to modify the Draft EIR findings relative to significant impacts and mitigation measures for any of the topics considered in the Draft EIR. Additionally, none of the proposed revisions would trigger the need for new or different mitigation. As such, the project revisions are not "significant new information" triggering recirculation under CEQA Guidelines Section 15088.5.

Pursuant to CEQA and the CEQA Guidelines, the city circulated a Notice of Preparation (NOP) that briefly described the Project and the environmental topics that would be evaluated in the EIR. The NOP was published on November 8, 2021, and the public comment period for the scope of the EIR lasted from November 8, 2021, to December 8, 2021. The NOP was also sent to responsible and trustee agencies, organizations, and interested individuals. Additionally, the NOP was sent to the State Clearinghouse. One public scoping session was held for the project in conjunction with the Planning Commission meeting on November 17, 2021. Comments received by the city on the NOP at the public scoping meeting were taken into account during the preparation of the EIR. Comments received included comments encouraging infill development in Antioch and to use applicable state regulations related to transportation and tribal consultation. The NOP and the written public review comments are included in Appendix A of the Draft EIR.

The Final EIR analyzes the project's potential environmental impacts to land use and planning; transportation; air quality; greenhouse gas emissions; energy; cultural and tribal resources; aesthetics; biological resources; geology and soils; hazards and hazardous materials; hydrology and water quality; noise; population and housing; public services and recreation; utilities and service systems; wildfire; and agricultural and forestry resources. The environmental topics not warranting detailed evaluation included mineral resources and is considered under Effects Found Not to be Significant in the Draft EIR.

The Draft EIR was made available for public review on September 2, 2022 and distributed to applicable local and State agencies. Copies of the Notice of Availability of the Draft EIR (NOA) were mailed to all individuals previously requesting to be notified of the Draft EIR, in addition to those agencies and individuals who received a copy of the NOP. Copies of the Draft EIR were also distributed to appropriate state and local agencies and made available for public review at City Hall and on the City's website.

The public comment period for the Draft EIR ended on October 17, 2022. Only three local/State agencies provided comments on the Draft EIR during the public review period.

With this background in mind, the City Council of the City of Antioch (Council) makes the following findings concerning the environmental impacts of the project, the feasibility of the project alternatives, and the benefits of the project that override the significant and unavoidable impacts of the project.

## **B. FINDINGS CONCERNING SIGNIFICANT ENVIRONMENTAL EFFECTS**

The Final EIR identifies certain potentially significant effects that could result from the Project. The Final EIR analyzes the Project's potential environmental impacts to land use and planning; transportation; air quality; greenhouse gas emissions; energy; cultural and tribal resources; aesthetics; biological resources; geology and soils; hazards and hazardous materials; hydrology and water quality; noise; population and housing; public services and recreation; utilities and service systems; wildfire; and agricultural and forestry resources. The Final EIR identified significant environmental effects in the areas of air quality and transportation.

These topics are discussed below. The mitigation measures described below will be imposed as conditions of approval on the Project. The City finds that the inclusion of these mitigation measures as part of project approval could reduce impacts on air quality to levels that are less than significant, but not transportation impacts.

As described in greater detail below, after implementation of all feasible mitigation measures, the Project could result in the following significant and unavoidable impacts, which will be overridden by the specific considerations that are described in this document's conclusion in Section D of this document:

- **Impact TRANS-1:** Implementation of the Project would generate home-based VMT per resident that is greater than 85 percent of the citywide average home-based VMT per resident. (S)Construction-generated noise would create a substantial temporary increase in the noise environments at surrounding uses including public and residential uses (Impact TRANS-1).

While **Impact TRANS-1** could be reduced to a less-than-significant level, the effectiveness of the above associated mitigation measures in reducing an individual project's VMT impact to a less-than-significant level cannot be determined in this analysis. Therefore, the impact for projects which do not screen out from VMT impact analysis would conservatively remain significant and unavoidable with mitigation.

## 1. Air Quality

### a. Project-Level Construction Emissions

**Impact AIR-1:** Construction of residential projects with more than 114 single-family units or 240 multi-family units has the potential to result in criteria air pollutant and precursor emissions above the Bay Area Air Quality Management District's (BAAQMD's) recommended thresholds of significance for construction. (S)

**Mitigation Measure AIR-1: Residential Construction Controls for Criteria Air Pollutants.**

For construction of residential projects with more than 114 single-family units or 240 multi-family units, the project applicant shall retain a qualified air quality consultant to identify measures to reduce the project's criteria air pollutant and precursor emissions below the Bay Area Air Quality Management District's (BAAQMD's) recommended thresholds of significance. Emission reduction measures may include, but are not limited to, the use of off-road equipment with engines that meet the Environmental Protection Agency's Tier 4 emission standards or engines retrofitted with the most effective Verified Diesel Emissions Control Strategy (VDECS) certified by the California Air Resources Board (CARB). Quantified emissions and identified reduction measures shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits and the approved criteria air pollutant reduction measures shall be implemented during construction. (LTS)

### b. Project-Level Operation Emissions

**Impact AIR-2:** Operation of residential projects with more than 325 single-family units or 451 multi-family units has the potential to result in criteria air pollutant and precursor emissions above the Bay Area Air Quality Management District's (BAAQMD's) recommended thresholds of significance for operations. (S)

**Mitigation Measure AIR-2: Residential Operation Controls for Criteria Air Pollutants.** For operation of residential projects with more than 325 single-family units or 451 multi-family units, the project applicant shall retain a qualified air quality consultant to identify measures to reduce the project's criteria air pollutant and precursor emissions below the BAAQMD's recommended thresholds of significance. Emission reduction measures may include, but are not limited to, implementation of a transportation design management plan, compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, or excluding natural gas appliances or natural gas plumbing in the building design. Quantified emissions and identified reduction measures shall be submitted to the City (and BAAQMD if specifically requested) for review and approval prior to the issuance of building permits. (LTS)



### **c. Exposure to Sensitive Receptors to Toxic Air Contaminants during Construction**

**Impact AIR-3:** Future residential development within the city has the potential to generate TACs and PM<sub>2.5</sub> emissions from vehicle trips and emergency generators (if required), which could substantially contribute to the existing poor air quality in the city and expose sensitive receptors to substantial pollutant concentrations. (S)

**Mitigation Measure AIR-3a: Residential Construction Controls for Diesel Particulate Matter.** For construction of residential projects with a construction duration greater than 6 months that are located in an area defined as needing “Best Practices” or “Further Study” on the BAAQMD’s Planning Healthy Places Map (<https://www.baaqmd.gov/plans-and-climate/planning-healthy-places>), the project applicant shall apply one of the following two measures:

The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the Office of Environmental Health Hazard Assessment to determine the health risks to sensitive receptors exposed to diesel particulate matter (DPM) from project construction emissions. The HRA shall be submitted to the City (and BAAQMD if specifically requested) for review and approval. If the HRA concludes that the health risks are at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risks exceed acceptable levels, DPM reduction measures shall be identified to reduce the health risks to acceptable levels. Identified DPM reduction measures shall be submitted to the City for review and approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction.

OR

All off-road diesel equipment shall be equipped with the most effective VDECS available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.

**Mitigation Measure AIR-3b: Residential Emergency Generators.** Require all emergency generators for new residential development projects (if required) to use best available control technology for air pollutant emissions, such as using engines that meet the Environmental Protection Agency’s Tier 4 Final emission standards or are battery powered. (LTS)

## 2. Transportation

### a. VMT Analysis

**Impact TRANS-1:** Implementation of the Project would generate home-based VMT per resident that is greater than 85 percent of the citywide average home-based VMT per resident. (S)

**Mitigation Measure TRANS-1: Implement VMT Reduction Measures.** Individual housing project development proposals that do not screen out from VMT impact analysis shall provide a quantitative VMT analysis using the methods applied in this EIR, with modifications if appropriate based on future changes to City of Antioch practices and CCTA VMT analysis methodology guidelines. Projects which result in a significant impact shall include travel demand management measures and physical measures to reduce VMT to a less-than-significant level. Measures may include, but are not limited to, those described below, which have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity.<sup>17</sup> Potential VMT reduction estimates are included below, but detailed requirements, calculation steps, and limitations are described in the CAPCOA Handbook. In addition, application of one or more measures is generally expected to result in a net VMT reduction of 10 percent or less for development projects in suburban settings such as Antioch.

- Unbundle parking costs (i.e., sell or lease parking separately from the housing unit). Effectiveness: up to 15.7 percent reduction in GHG from VMT per the CAPCOA Handbook.
- Provide car-sharing, bike sharing, or scooter sharing programs. Effectiveness: 0.15 to 0.18 percent reduction in GHG from VMT for car share, 0.02 to– 0.06 percent for bike share, and 0.07 percent for scooter share, per the CAPCOA Handbook. The higher car share and bike share values are for electric car and bike share programs.
- Subsidize transit passes for residents of affordable housing. Effectiveness: up to 5.5 percent reduction in GHG from VMT per the CAPCOA Handbook.

In addition to the on-site measures noted above, individual housing projects that are above the VMT threshold could potentially contribute to future VMT mitigation fee programs, banks, or exchanges. No regional VMT mitigation programs currently exist; however, the CCTA is currently evaluating different mitigation program frameworks which may lead to a Countywide or sub-regional VMT mitigation program. Should such a program be implemented, development projects could potentially pay into a fee program or purchase mitigation credits to achieve needed VMT mitigation instead of, or in addition to, on-site TDM measures. (LTS)

## C. ALTERNATIVES TO THIS PROJECT

For purposes of this EIR, these three actions are together considered a “Project” under CEQA regulations.

The three Project alternatives analyzed in the EIR include:

- The No Project/No Build Alternative, which assumes the continuation of existing conditions within the City;
- The Reduced VMT Alternative, which would eliminate moderate and above moderate sites with home-based vehicle miles traveled (VMT) above the significance threshold from the Housing Sites Inventory (Sites Inventory). All sites located in TAZs with home-based VMT below the significance threshold would be retained; and
- The Reduced RHNA Buffer Alternative, which would reduce the buffer to 25.0 percent, which is within the 15- to 30-percent buffer recommended by the California Department of Housing and Community Development (HCD) to ensure that jurisdictions remain in compliance with the State Housing Law and the No Net Loss Requirements Law (Government Code Section 65863).

While both the Reduced VMT Alternative and Reduced RHNA Buffer Alternative would reduce the impacts under most environmental resources, there is substantial evidence that the alternatives identified in the EIR would not avoid or substantially lessen the significant unavoidable impacts of the Project and/or would not meet the Project objectives. The EIR includes detailed analysis on the potential impacts of each alternative by environmental topic. After reviewing the EIR and other relevant information in the administrative record, the Council determines that the three alternatives are infeasible. The reasons for rejecting each alternative are discussed in this section. The reasons for rejecting each alternative are independent and each reason alone is sufficient to support a determination that the alternative is infeasible.

### 1. Alternative 1: No Project/No Build Alternative

#### a. Description

Under this alternative, the city would continue to implement the adopted 2015-2023 Housing Element and Environmental Hazards Element adopted with the 2003 General Plan, and the proposed 2023-2031 Housing Element and Environmental Hazards Element would not be adopted. In addition, the proposed Environmental Justice Policies would not be adopted.

## **b. Comparison to Project**

This alternative would partially achieve the other goals of the Project, but not to the same degree, including the following:

- Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for existing Antioch residents.
- Facilitate the development of special purpose housing to meet the needs of the elderly, persons with disabilities, large families, and the unhoused.
- Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.
- Provide equal housing opportunities for all existing and future Antioch residents.

## **c. Findings**

Implementation of the No Project alternative would require that future housing development would be developed in accordance with the 2015-2023 Housing Element and would continue to have a development potential of 1,448 units. This alternative would result in a total net reduction in development potential by 3,433 units when compared to the Project and a 1,568-unit shortfall of the City's RHNA obligation.

Based on the foregoing findings, and even though the No Project/No Build alternative is the environmentally superior alternative, the Council rejects Alternative 1.

## **2. Alternative 2: Reduced VMT Alternative**

### **a. Description**

Under this alternative, housing sites which are not targeted for very-low or low-income housing and located in Traffic Analysis Zones (TAZs) with home-based vehicle miles traveled (VMT) above the significance threshold would be eliminated from the Housing Sites Inventory (Sites Inventory). All sites located in TAZs with home-based VMT below the significance threshold would be retained.

### **b. Comparison to Project**

The Reduced VMT Alternative would achieve many of the Project objectives, including those related to:

- Facilitate the development of a broad array of housing types to meet the City's fair share of regional housing needs and accommodate new and current Antioch residents of diverse ages and socioeconomic backgrounds.
- Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for existing Antioch residents.
- Facilitate the development of special purpose housing to meet the needs of the elderly, persons with disabilities, large families, and the unhoused.
- Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.
- Provide equal housing opportunities for all existing and future Antioch residents.

Most importantly, this alternative would allow the city to meet its 6th-cycle RHNA obligations, though with less margin for development of some sites at lower than maximum densities.

### **c. Findings**

Based on the Sites Inventory, this alternative would result in a total net reduction in development potential by 774 units when compared to the Project and would continue to exceed the City's RHNA obligation by 1,091 units.

Based on the foregoing findings, and even though the Reduced VMT alternative would reduce Project impacts associated with transportation, the Council rejects Alternative 2.

## **3. Alternative 3: Reduced RHNA Buffer Alternative**

### **a. Description**

This alternative would reduce the buffer above the City's RHNA obligation in comparison with the Project, which provides a buffer of 1,865 units beyond the City's RHNA obligation of 3,016 units, providing an overall buffer of 62.0 percent. Under this alternative, the overall RHNA buffer would be reduced to 25.0 percent, which is within the 15- to 30-percent buffer recommended by the California Department of Housing and Community Development (HCD) to ensure that jurisdictions remain in compliance with the State Housing Law and the No Net Loss Requirements Law (Government Code Section 65863). A 25-percent buffer was applied to the number of the City's RHNA unit obligation in each income category, as well as to the total unit count.

## **b. Comparison to Project**

The Reduced RHNA Buffer Alternative would achieve many of the Project objectives, including those related to:

- Facilitate the development of a broad array of housing types to meet the City’s fair share of regional housing needs and accommodate new and current Antioch residents of diverse ages and socioeconomic backgrounds.
- Conserve and improve the existing housing supply to provide adequate, safe, and decent housing for existing Antioch residents.
- Facilitate the development of special purpose housing to meet the needs of the elderly, persons with disabilities, large families, and the unhoused.
- Remove governmental constraints inhibiting the development of housing required to meet identified needs in Antioch.
- Provide equal housing opportunities for all existing and future Antioch residents.

Most importantly, this alternative would allow the city to meet its 6th-cycle RHNA obligations, though with less margin for development of some sites at lower than maximum densities.

## **c. Findings**

This alternative would result in 3,770 developable units in total, which would be a total net reduction in 1,111 units when compared to the Project but would continue to exceed the City’s RHNA obligation by 754 units.

Based on the foregoing findings, and even though the Reduced VMT alternative would allow the city to meet its 6<sup>th</sup> Cycle RHNA obligations, the Council rejects Alternative 3.

## **D. STATEMENT OF OVERRIDING CONSIDERATIONS**

### **1. Overriding Considerations**

The Council has considered the Project’s significant and unavoidable impacts set forth above and measured the benefits of the Project against the unavoidable environmental impacts identified in the EIR. The Council finds that the Project’s benefits and economic, social, environmental, legal and other considerations outweigh and make acceptable the potentially unavoidable impact. Therefore, the Council adopts this statement of overriding considerations.

The Council also finds that the Project's significant unavoidable impacts would occur from any significant increase in the amount of residential development across the city. An increase in residential VMT would inevitably occur because of residential development. The Council finds that the benefits of the Project outweigh the benefits of other examined alternatives, including those deemed infeasible in Section D above.

## **2. Benefits of the Project**

*The expected benefits of the Project are:*

### **a. The Project will improve and conserve existing housing stock.**

The Project will provide adequate, safe, and decent housing for existing Antioch residents. Through the implementation of Housing Element programs, existing affordable housing stock will be retained, involvement in local housing assistance programs will become more accessible, displacement will be prevented, and infrastructure improvements will be made.

### **b. The Project will facilitate housing production and provide Antioch Residents with a variety of housing options.**

The Project would provide a variety of housing options for Antioch residents across all income groups. The Project accommodates for the potential future development of up to 4,881 residential units, including 882 units affordable for very low-income households, 760 for low-income, 845 for moderate-income, and 2,394 for above moderate-income.

### **c. The Project will redevelop under-utilized and vacant sites.**

Buildout of the 6<sup>th</sup> Cycle Housing Element would occur on underutilized sites. Currently, underutilized sites disrupt the area's land use pattern and is not providing any benefit to the community or region. Rezoning underutilized sites to allow for higher density residential development will generate more variety in housing typologies throughout the City and enable small infill and missing-middle projects.

### **d. The Project will mitigate natural and human-caused hazards, thereby improving public safety and resiliency.**

Implementation of Environmental Hazards Element project objectives will the potential for loss of life, injury, property damage, and economic and social disruption resulting from natural and human-caused hazards in the community. The City will be more equipped to deal with issues

brought on by climate change and other hazards such as fires, floods, droughts, earthquakes, and landslides.

**e. The Project will ensure that all residents have equal protection from environmental hazards.**

The goals, policies, and programs advanced under the Environmental Justice Element will reduce pollution exposure and other compounding health risks; promote public facilities, food access, safe and sanitary homes, physical activity, and civic engagement; and prioritize the needs of disadvantaged communities in Antioch.

**E. CUSTODIAN OF DOCUMENTS**

The City Clerk is designated as the custodian of the documents and record of proceedings on which this decision is based. The City Clerk's office is located at City Hall. The address of City Hall is 200 H St, Antioch, CA 94509.



**EXHIBIT B**

**MITIGATION, MONITORING AND REPORTING PROGRAM**

## **MITIGATION MONITORING AND REPORTING PROGRAM**

This Mitigation Monitoring and Reporting Program (MMRP) (see Table IV-1 below) has been prepared to comply with the requirements of State law (Public Resources Code Section 21081.6). State law requires the adoption of a mitigation monitoring program when mitigation measures are required to avoid significant impacts. The monitoring program is intended to ensure compliance during implementation of the project.

This MMRP has been formulated based upon the findings of the Project's Draft Environmental Impact Report (EIR) and the comments received on this document and addressed herein. This MMRP identifies mitigation measures recommended in the Project's Draft EIR to avoid or reduce identified impacts and specifies the agencies/parties responsible for implementation and monitoring of the measure.

The first column identifies the mitigation measure. The second column, entitled "Party Responsible for Ensuring Implementation," refers to the person(s) who will undertake the mitigation measures. The third column, entitled "Party Responsible for Monitoring," refers to the person/agency responsible for ensuring that the mitigation measure has been implemented and recorded. The fourth column, entitled "Monitoring Timing," identifies when and/or for how long the monitoring shall occur.

**TABLE IV-1 MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Party Responsible for Ensuring Implementation	Party Responsible for Monitoring	Monitoring Timing	Compliance Verification		
				Initial	Date	Project/ Comments
<b>B. Transportation</b>						
<p><b>TRANS-1: Implement VMT Reduction Measures.</b> Individual housing project development proposals that do not screen out from VMT impact analysis shall provide a quantitative VMT analysis using the methods applied in this EIR, with modifications if appropriate based on future changes to City of Antioch practices and CCTA VMT analysis methodology guidelines. Projects which result in a significant impact shall include travel demand management measures and physical measures to reduce VMT to a less-than-significant level. Measures may include, but are not limited to, those described below, which have been identified as potentially VMT reducing in the California Air Pollution Control Officers Association (CAPCOA) Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity. Potential VMT reduction estimates are included below, but detailed requirements, calculation steps, and limitations are described in the CAPCOA Handbook. In addition, application of one or more measures is generally expected to result in a net VMT reduction of 10 percent or less for development projects in suburban settings such as Antioch.</p> <ul style="list-style-type: none"> <li>▪ Unbundle parking costs (i.e., sell or lease parking separately from the housing unit). Effectiveness: up to 15.7 percent reduction in GHG from VMT per the CAPCOA Handbook.</li> <li>▪ Provide car-sharing, bike sharing, or scooter sharing programs. Effectiveness: 0.15 to 0.18 percent reduction in GHG from VMT for car share, 0.02 to 0.06 percent for bike share, and 0.07 percent for scooter share, per the CAPCOA Handbook. The higher car share and bike share values are for electric car and bike share programs.</li> <li>▪ Subsidize transit passes for residents of affordable housing. Effectiveness: up to 5.5 percent reduction in GHG from VMT per the CAPCOA Handbook.</li> </ul>	<p>Project Applicant:</p> <ul style="list-style-type: none"> <li>▪ Select a qualified transportation consultant to prepare and provide a VMT analysis per guidelines.</li> <li>▪ If necessary, based on the VMT assessment, prepare, and provide a Transportation Demand Management (TDM) Plan for the project which demonstrates a VMT reduction in accordance with requirements and threshold.</li> <li>▪ Conduct on-going monitoring of development VMT in accordance with TDM plan requirements to verify trip reduction goals are achieved.</li> </ul>	<p>City of Antioch Community and Development Department, Planning Division:</p> <ul style="list-style-type: none"> <li>▪ Review and approve VMT analysis.</li> <li>▪ Review and approve TDM plan.</li> <li>▪ Review and approve TDM plan monitoring and achievement of trip reduction goals.</li> </ul>	<p>Prior to Construction</p>			
<b>C. Air Quality</b>						
<p><b>AIR-1: Residential Construction Controls for Criteria Air Pollutants.</b> For construction of residential projects with more than 114 single-</p>	<p>Project Applicant:</p>	<p>City of Antioch Community and</p>	<p>Prior to issuance of building permit</p>			

Mitigation Measure	Party Responsible for Ensuring Implementation	Party Responsible for Monitoring	Monitoring Timing	Compliance Verification		
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<p>family units or 240 multi-family units, the project applicant shall retain a qualified air quality consultant to identify measures to reduce the project’s criteria air pollutant and precursor emissions below the Bay Area Air Quality Management District’s (BAAQMD’s) recommended thresholds of significance. Emission reduction measures may include, but are not limited to, the use of off-road equipment with engines that meet the Environmental Protection Agency’s Tier 4 emission standards or engines retrofitted with the most effective Verified Diesel Emissions Control Strategy (VDECS) certified by the California Air Resources Board (CARB). Quantified emissions and identified reduction measures shall be submitted to the City (and the Air District if specifically requested) for review and approval prior to the issuance of building permits and the approved criteria air pollutant reduction measures shall be implemented during construction.</p> <p>In addition, the project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified criteria air pollutant reduction measures (if any). The Emissions Plan shall be submitted to the City (and BAAQMD if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <ul style="list-style-type: none"> <li>▪ An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</li> <li>▪ A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Retain a qualified air quality consultant to identify measures to reduce emissions.</li> <li>▪ Prepare a Construction Emissions Minimization Plan (Emissions Plan).</li> </ul>	<p>Development Department, Planning Division:</p> <ul style="list-style-type: none"> <li>▪ Review and approve air quality analysis and associated reduction measures.</li> <li>▪ Review and approve Emissions Plan.</li> </ul> <p>(if necessary) Bay Area Air Quality Management District (BAAQMD):</p> <ul style="list-style-type: none"> <li>▪ Review and approve air quality analysis and associated reduction measures.</li> <li>▪ Review and approve Emissions Plan.</li> </ul>				
<p><b>AIR-2: Residential Operation Controls for Criteria Air Pollutants.</b> For operation of residential projects with more than 325 single-family</p>	Project Applicant:	City of Antioch Community and	Prior to issuance of building permit			

Mitigation Measure	Party Responsible for Ensuring Implementation	Party Responsible for Monitoring	Monitoring Timing	Compliance Verification		
				Initial	Date	Project/ Comments
<p>units or 451 multi-family units, the project applicant shall retain a qualified air quality consultant to identify measures to reduce the project’s criteria air pollutant and precursor emissions below the BAAQMD’s recommended thresholds of significance. Emission reduction measures may include, but are not limited to, implementation of a transportation design management plan, compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2, or excluding natural gas appliances or natural gas plumbing in the building design. Quantified emissions and identified reduction measures shall be submitted to the City (and BAAQMD if specifically requested) for review and approval prior to the issuance of building permits.</p>	<ul style="list-style-type: none"> <li>Retain a qualified air quality consultant to identify measures to reduce emissions.</li> </ul>	<p>Development Department, Planning Division:</p> <ul style="list-style-type: none"> <li>Review and approve air quality analysis and associated reduction measures.</li> </ul> <p>(if necessary) Bay Area Air Quality Management District (BAAQMD):</p> <ul style="list-style-type: none"> <li>Review and approve air quality analysis and associated reduction measures.</li> </ul>				
<p><b>AIR-3a: Residential Construction Controls for Diesel Particulate Matter.</b> For construction of residential projects with a construction duration greater than 6 months that are located in an area defined as needing “Best Practices” or “Further Study” on the BAAQMD’s Planning Healthy Places Map (<a href="https://www.baaqmd.gov/plans-and-climate/planning-healthy-places">https://www.baaqmd.gov/plans-and-climate/planning-healthy-places</a>), the project applicant shall apply <u>one</u> of the following two measures:</p> <p>1. The project applicant shall retain a qualified air quality consultant to prepare a Health Risk Assessment (HRA) in accordance with current guidance from the Office of Environmental Health Hazard Assessment to determine the health risks to sensitive receptors exposed to diesel particulate matter (DPM) from project construction emissions. The HRA shall be submitted to the City (and BAAQMD if specifically requested) for review and approval. If the HRA concludes that the health risks are at or below acceptable levels, then DPM reduction measures are not required. If the HRA concludes that the health risks exceed acceptable levels, DPM reduction measures shall be identified to reduce the health risks to acceptable levels. Identified DPM reduction measures shall be submitted to the City for review and</p>	<p>Project Applicant:</p> <ul style="list-style-type: none"> <li>Retain a qualified air quality consultant to prepare HRA.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Ensure all construction-related equipment is equipped with the most effective VDECS available as certified by CARB.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>Prepare an Emissions Plan.</li> </ul>	<p>City of Antioch Community and Development Department, Planning Division:</p> <ul style="list-style-type: none"> <li>Review and approve HRA.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Review and approve construction equipment list for most effective VDECS.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>Review and approve Emissions Plan.</li> </ul> <p>(if necessary) Bay Area Air Quality Management District (BAAQMD):</p>	<p>Prior to issuance of building permit</p>			

Mitigation Measure	Party Responsible for Ensuring Implementation	Party Responsible for Monitoring	Monitoring Timing	Compliance Verification		
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<p>approval prior to the issuance of building permits and the approved DPM reduction measures shall be implemented during construction.</p> <p>OR</p> <p>2. All off-road diesel equipment shall be equipped with the most effective VDECS available for the engine type (Tier 4 engines automatically meet this requirement) as certified by CARB. The equipment shall be properly maintained and tuned in accordance with manufacturer specifications.</p> <p>In addition, the project applicant shall prepare a Construction Emissions Minimization Plan (Emissions Plan) for all identified DPM reduction measures (if any). The Emissions Plan shall be submitted to the City (and BAAQMD if specifically requested) for review and approval prior to the issuance of building permits. The Emissions Plan shall include the following:</p> <ul style="list-style-type: none"> <li>▪ An equipment inventory summarizing the type of off-road equipment required for each phase of construction, including the equipment manufacturer, equipment identification number, engine model year, engine certification (tier rating), horsepower, and engine serial number. For all VDECS, the equipment inventory shall also include the technology type, serial number, make, model, manufacturer, CARB verification number level, and installation date.</li> <li>▪ A Certification Statement that the Contractor agrees to comply fully with the Emissions Plan and acknowledges that a significant violation of the Emissions Plan shall constitute a material breach of contract.</li> </ul>						<ul style="list-style-type: none"> <li>▪ Review and approve HRA.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>▪ Review and approve construction equipment list for most effective VDECS.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>▪ Review and approve Emissions Plan.</li> </ul>
<p><b>AIR-3b: Residential Emergency Generators.</b> Require all emergency generators for new residential development projects (if required) to use best available control technology for air pollutant emissions, such as using engines that meet the Environmental Protection Agency’s Tier 4 Final emission standards or are battery powered.</p>	<p>Project Applicant:</p> <ul style="list-style-type: none"> <li>▪ Provide list of emergency generators planned for usage.</li> </ul>	<p>City of Antioch Community and Development Department, Planning Division:</p> <ul style="list-style-type: none"> <li>▪ Review and approve list of emergency</li> </ul>	<p>Prior to issuance of building permit</p>			

Mitigation Measure	Party Responsible for Ensuring Implementation	Party Responsible for Monitoring	Monitoring Timing	Compliance Verification		
				Initial	Date	Project/ Comments
		generators to ensure that engines meet EPA Tier 4 Final emissions standards or are battery powered.				

