

AGENDA¹
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & "H" STREETS

WEDNESDAY, FEBRUARY 1, 2012

6:30 P.M.

NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **THURSDAY, FEBRUARY 8, 2012.**

ROLL CALL

6:30 P.M.

Commissioners	Westerman, Chair
	Baatrup, Vice Chair
	Langford
	Azevedo
	Travers
	Douglas-Bowers
	Bouslog

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. APPROVAL OF MINUTES: December 7, 2011

* * * END OF CONSENT CALENDAR * * *

CONTINUED PUBLIC HEARING

2. **AR-11-07, V-11-05** – Tim Jones of Burk Properties, requests the design review approval of a 6,276 s.f. building and landscaping, as well as a variance from the required 30' setback on L Street. The site is located on the southwest corner of the intersection of L Street and Sycamore Drive (**APN: 074-343-034**).

NEW ITEM

3. The City of Antioch requests that the Planning Commission consider the Antioch Housing Element Implementation Program, Issues and Options Report and provide direction for drafting amendments that would revise the City Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5) and zoning map (GP-10-01).

ORAL COMMUNICATIONS

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT

Notice of Availability of Reports

This agenda is a summary of the actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department located on the 2nd floor of City Hall, 3rd and H Streets, Antioch, California, 94509, between the hours of 8:00 a.m. and 11:30 a.m. or by appointment only between 1:00 p.m. and 5:00 p.m. Monday through Thursday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

**Regular Meeting
6:30 p.m.**

**December 7, 2011
City Council Chambers**

CALL TO ORDER

Chairman Westerman called the meeting to order at 6:30 p.m. on Wednesday, December 7, 2011, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Thursday, December 15, 2011.

ROLL CALL

Present: Commissioners Langford, Travers, Azevedo, Bouslog, Douglas-Bowers,
Chairman Westerman and Vice Chair Baatrup
Absent: None
Staff: Senior Planner, Mindy Gentry
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

Chairman Westerman recognized the two new Planning Commissioners, Danielle Douglas-Bowers and Tim Bouslog, welcomed them and wished them well on their tour with the Commission.

Chairman Westerman made a presentation to Martin Johnson for his service on the Planning Commission for four years, thanked him for his service, presented him with a street sign and wished him the best of luck.

Martin Johnson said that his experiences with the Planning Commission were good, that he appreciated the support of staff and his fellow Commissioners, that it was an honor to serve on the Planning Commission and that he learned a lot which will serve him in his newest endeavor as a law student at JFK.

CONSENT CALENDAR

1. **Approval of Minutes:** **September 21, 2011**

On motion by Commissioner Azevedo, and seconded by Commissioner Travers, the Planning Commission approved the Minutes of September 21, 2011.

AYES: *Baatrup, Langford, Travers and Azevedo*
NOES: *None*
ABSTAIN: *Westerman, Bouslog, Douglas-Bowers*
ABSENT: *None*

END OF CONSENT CALENDAR

NEW PUBLIC HEARING

2. **UP-11-12 – Avis Budget Car Rental** requests the approval of a car rental facility, with ten marked parking spaces. The project is located at 2600 Somersville Road, within the Somersville Towne Center (**APN: 074-121-026**).

Senior Planner Gentry provided a summary of the staff report dated December 1, 2011.

Commissioner Azevedo questioned staff as to how big the second pad would be in order to maintain 4.5 parking ratio to which SP Gentry stated that it depends on where they place the pad, that overall it is only 10 parking spaces and that this may be a reduction of approximately 1,000 sf.

Commissioner Langford asked staff if the Towne Center management was aware that this project will change the building space to which SP Gentry said that they are aware, that they have no existing tenant interested at this point and that there are no problems.

Commissioner Bouslog expressed a concern about the proximity of the 10 parking spaces being so close to the entrance to the store concerning foot traffic.

SP Gentry said that this could be broken up and perhaps applicant may want to consider revising.

OPENED PUBLIC HEARING

Applicant, Don Pierce, development manager for Avis stated that Avis has been in Antioch for a number of years, has moved out of their spot and that Avis has signed a national agreement with Sears to be placed into Sears. He went on to say that he felt this was a good thing for Sears and that this can bring more people to the mall.

Commissioner Azevedo asked applicant if given the national agreement with Sears, if Avis have an agreement with the property manager that Avis has to renew a lease over time, or is it agreed that Avis can stay as long as they want. He also asked what would happen if the mall wanted to build the pad and did not want to reduce it 1,000 sf.

Applicant responded that the agreement is through Sears and that the mall is more than happy to have someone in there. He said that he would be happy if the mall affected those 10 spaces.

Commissioner Azevedo asked applicant what the plan for washing and detailing the cars would be to which applicant responded that all cleaning would be performed off the premises at a car wash.

Commissioner Travers stated that there is a car wash across the street which would create more business for them as well. He questioned applicant about who would maintain the parking spaces to which applicant stated that Avis would put up signage but that Sears would maintain the parking spots.

Commissioner Langford questioned applicant as to how those parking spaces were picked to which applicant said that these spaces provide easy access to customers coming in and out. Commissioner Langford stated his concern that during busy times of the year when the cars may all be out that people may park there to which applicant said he didn't see this to be a huge problem and that people will see the signage.

Vice Chair Baatrup asked applicant how many of these operations are now in the Bay Area to which applicant said that there is a large one with over 25 parking spaces in Concord, that there was one in Cupertino and that there are approximately 75 nationwide. Vice Chair Baatrup asked applicant about times when the cars are not rented and would remain in their spots if they had any experience with vandals or with theft to which applicant said that although they have an occasional vandal, they have not experienced theft and that there would not be more frequent call outs for police.

Chairman Westerman confirmed with applicant that they had read and agreed to all standard conditions and project specific conditions.

CLOSED PUBLIC HEARING

Commissioner Travers stated that the addition of further traffic would be beneficial, that the mall has 24 hour security, that the area is well lit and that he was in favor of the project.

Commissioner Langford clarified with staff that staff would take care of approving the signage, that the signage is based on footage and that the total signage Sears presently has will be deducted so as to not exceed the overall square footage.

Commissioner Langford expressed concern with the parking spaces right at the crosswalk area at the main entrance to the store, said that hopefully this was not relocating handicapped spaces and felt that the spaces could be moved over a couple of rows.

Commissioners Avevedo, Douglas-Bowers, Bouslog and Vice Chair Baatrup had no comments.

Chairman Westerman stated that this was a straight forward proposal, that he had no problems with it, and that he concurred with applicant and recommended approval.

RESOLUTION NO. 2011-**

On Motion by Commissioner Azevedo and seconded by Vice Chair Baatrup, the Planning Commission approved UP-11-12, subject to all conditions.

AYES: *Westerman, Baatrup, Langford, Travers, Azevedo, Bouslog and Douglas-Bowers*
NOES: *None*
ABSTAIN: *None*
ABSENT: *None*

ORAL COMMUNICATIONS

City Attorney Nerland informed the Planning Commission that Tabora Gardens by Satellite Housing was heard by the City Council and the project was approved pursuant to a modified roof design. She said that on the Walmart appeal, the Court decided against the City so unless Walmart appeals, the Court has ordered to rescind approvals for design review expansion. CA Nerland reminded the Commissioners about the ethics training which has to be repeated every two years.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Commissioner Azevedo said that he was unable to attend the last Transplan meeting and that he is unsure if there was a meeting tomorrow night as no agenda or packets are on the internet.

Chairman Westerman confirmed with staff that there would be no meetings until after the new year with the next one tentatively scheduled for January 18th.

City Attorney Nerland said that with City closures, there would not be a meeting on January 4th and the earliest date would be January 18th.

Commissioner Azevedo welcomed the two new members and said that although it sounds like the Planning Commission isn't doing a lot due to the economy and staffing issues, that there will be times to come when significant decisions will need to be made.

ADJOURNMENT

Chairman Westerman adjourned the Planning Commission at 7:00 p.m. to the next regularly scheduled meeting on December 21, 2011.

Respectfully Submitted,
Cheryl Hammers

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 1, 2012**

Prepared by: Mindy Gentry, Senior Planner *MG*
Date: January 26, 2012
Subject: AR-11-07, V-11-05 – 2100 L Street

REQUEST

The applicant, Tim Jones of Burk Properties, has requested the design review approval of a 6,276 s.f. building and landscaping, as well as a variance from the required 30' setback on L Street. The site is located on the southwest corner of the intersection of L Street and Sycamore Drive (APN: 074-343-034) (Attachment A).

RECOMMENDATION

It is recommended that the Planning Commission approve the architecture and landscaping, as well as the variance from the required 30' setback on L Street, subject to the conditions contained in the attached resolution.

BACKGROUND

The subject site has been vacant for over 20 years and was once occupied by a Chevron gas station, which was demolished in 1990.

On July 14, 2004, the Design Review Board heard a request to approve the architecture and landscaping for an 8,860 s.f. building on the subject site. The building was rectangular shaped with approximately seven tenant spaces. The building's main elevation faced L Street with a flat roof with projecting, raised parapets on the corners of the front elevation. The corner spaces featured a "shot blast" concrete masonry wainscot, approximately two feet high and topped with a projecting metal parapet cap. The project was never constructed and subsequently the approvals expired (Attachment B).

On July 29, 2004, the Zoning Administrator heard a request for approval of two variances 1) for the minimum setback requirements on both on L Street and Sycamore Drive and 2) the minimum parking requirements for an 8,860 s.f. building (Attachment C). The Zoning Administrator approved the request; however, the project was never built and the approval expired.

The currently proposed building was 6,860 s.f. but refinements were made to comply with the development standards and code requirements and the building is now

proposed as 6,276 s.f. The square footage was reduced by the elimination of the second story to meet parking requirements of the municipal code.

ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to section 15332 - In-fill Development Projects. This section of CEQA exempts projects that are consistent with the General Plan and zoning designation, occur within the City limits and is less than five acres, substantially surrounded by urban uses, occur on a site with no habitat value for endangered, rare, or threatened species, would not result in any significant environmental effects relating to traffic, noise, air quality, or water quality, and is located on a site that can be adequately served by all required utilities and public services.

ANALYSIS

Issue #1: Project Overview

The project is located on the southwestern corner of L Street and Sycamore Drive. The site is approximately 0.77 acres in size or 33,706 s.f. and is currently vacant. Access to the site is proposed off of both Sycamore Drive and L Street. The building is proposed at the middle of the site, close to the northern property line, and is 6,276 s.f. with 34 parking spaces. The architecture consists of a rectangular building with two tower elements facing L Street with a parapet around the remainder of the building.

Issue #2: General Plan, Zoning, and Land Use

The General Plan designation for the site is Convenience Commercial and the zoning designation is C-1, Convenience Commercial. The uses allowed to occupy the building would be dictated in the zoning code for C-1. Uses that are not permitted for this building will not be allowed or will be subject to a use permit as outlined by the Table of Land Use Regulations (Attachment D).

The surrounding land use designations are as noted below:

North:	Condominiums (PD)
South:	Contra Loma Reservoir and Antioch Community Park (OS)
East:	Single family homes (R-6)
West:	Apartment complex (PD)

Issue #3: Architecture and Landscaping

Two sets of plans have been provided to the Planning Commission for clarity and comparison. The plans dated May 5, 2011 are the originally submitted plans. These plans contain the 6,860 s.f. building and were the plans on which the architectural peer reviewer provided comments. The plans dated January 11, 2012 are the applicant's

response to the peer review comments. There is only one landscape plan and that is located in the original set of plans. Staff's comments and recommendations in the staff report narrative that are not related to the peer reviewer's comments are based on the revised set of plans; however, some conditions of approval have been added to ensure the proposed changes are memorialized in the resolution.

The applicant is proposing a single story building 18' in height with two tower elements. The tower elements reach a height of 27' and have concrete tile roofing on the pavilion style roofs. Between the two tower elements on the east and west elevations, the parapet height has been increased 3.5' to provide variation in the roofline. The building is proposed to be finished with stucco, cultured stone veneer, aluminum store fronts and windows with black awnings. The building is to be painted a tan stucco for the main portion of the body with a reddish pink on the tower elements. A light gray is proposed for the metal coping at the top of the parapet and a cultured stone veneer is proposed for the wainscot.

The project was peer reviewed by an outside architecture firm, which came back with some concerns regarding the design (Attachment E). Some of concerns have been addressed as shown on the revised site plan and in a memo from the applicant (Attachment F). The main concerns that the applicant did not address are as follows:

- The site currently does not show a loading zone and the applicant has indicated that two parking stalls in front of the rear doors will be painted yellow with no parking. The applicant is over-parked by two parking spaces; however, with other site modifications that are required, it may decrease the amount of parking below the code requirements. The code states that an occupied loading zone shall not prevent access to a required off-street parking space. The Planning Commission also has the ability to determine if providing a loading area is appropriate based on the building size and use. Staff believes that due to the small square footage of the building and uses a loading area is not necessary. The size of vehicles that will be making deliveries will not exceed that of a small delivery truck.
- The landscape plan needs to be modified to be compliant with AB 1881, the State's water efficiency requirements. A condition of approval has been added to address this issue.
- Miscellaneous comments and recommendations on the landscaping were provided and staff concurs with the recommendations by the peer reviewer. A detailed discussion regarding landscaping is provided below. A condition of approval requiring the final landscape plan to be reviewed and approved by staff has been added.
- The peer reviewer commented on the lack of articulation and recommended adding a bump up in the parapet walls, which the applicant added to the revised elevations. Staff also agrees with the peer reviewer to add cornices to top the walls. Furthermore, staff would like to see variation in the horizontal plane by having the windows recessed. A condition was added regarding adding these elements.

- The peer reviewer indicated that the landscaping shall be spaced to cover 2/3 of the wall surfaces and the project does not currently comply. A condition requiring vines has been added to address this issue.
- The peer review noted the west and north elevations have large expanses of blank walls and referred the applicant to the design guidelines for techniques. The applicant added a short overhang on the west elevation; however, removed the windows on the south elevation. The south elevation is now a mirror image of the north elevation without the windows on what was originally the second story. Staff recommends the overhang be extended to a minimum of 24". In addition, there are still long blank walls therefore; staff is recommending adding appropriately sized trellises with vines to the west, north, and south elevations to help break up the large blank walls adjacent to the windows and storefront.

Staff has other recommendations and conditions of approval regarding the architectural elements of the building beyond the recommendations of the peer review. The stone veneer should extend a minimum of four feet in height, except on the tower elements where it should be carried to the bottom of the awning and wrap around to the location of first window. The wainscot shall also have a rounded stucco cap that protrudes slightly from the cultured stone veneer. The Citywide Design Guidelines also recommend screening the parking by landscaping. Staff has conditioned the project to provide a berm not to exceed three feet in height along L Street and wrapping around to Sycamore Drive, if it does not interfere with the stormwater control facilities. Lastly, staff would like to see a greater color contrast on the building by replacing the tan stucco with a different color and replacing the pink reddish color with a color that blends better into the surrounding neighborhood. Staff is looking for direction from the Planning Commission on what type of colors the building should reflect. The colors would be subject to staff review and approval.

London Plane and Canary Island Pine trees are proposed for the interior of the project site; however, they are large trees and should be replaced with smaller accent trees such as Podocarpus and Crape Myrtle trees. These trees are smaller accent trees with the Podocarpus being evergreen and Crape Myrtle providing color. The Hedera Helix, Hahn's Ivy, shall also be replaced with more colorful groundcover such as Rosemary, Sprenger Asparagus, or Homestead Purple Verbena.

Issue #4: Site Layout, Parking, and Traffic

The site has two points of ingress and egress, one on Sycamore Drive and the other on L Street. L Street is an arterial roadway; therefore, the project has been conditioned to provide signage indicating right turn only for the egress onto L Street from the project's driveway. The building is placed in the middle of the site towards the north property line with the parking along the perimeter. The proposed setback on Sycamore Drive is a minimum of 20', which meets the code requirements; however, the setback on L Street is at a minimum of 13' 4" which does not meet the setback requirements of 30' for an arterial street. This will be discussed further in the variance section of the staff report.

The parking spaces are located around the perimeter of the site on three sides, the east, west, and south. The applicant is proposing 34 parking spaces onsite which exceeds the code requirements for shopping centers by two parking spaces. One area of concern for parking is the southwest corner, which does not have the appropriate backup distance. This issue can be addressed by adding a landscaping finger parallel to the parking space, which will require moving three parking spaces to the south or the removal of a parking space. As stated earlier, the project is over-parked by two parking spaces, so there is room to modify the site plan appropriately to meet this requirement. The project has been conditioned to provide adequate backup distance for all parking spaces as approved by staff. The added project specific conditions of approval address the issues with the internal circulation and result in a site plan sufficient to maneuver and park.

A trip generation study was performed for the proposed project. The traffic engineering firm concluded the project would produce 29 AM peak hour and 22 PM peak hour, which is well below the General Plan threshold of 50 peak hour trips; therefore, a traffic study was not required.

Bicycle parking is shown onsite and per the AMC, one parking space is required for every 25 parking spaces. The project will be required to have a minimum of two bicycle parking spaces.

Issue #5: Variance

The applicant is also seeking a variance from the requirement of a 30' landscape setback on an arterial street. L Street is an arterial street that runs in the north/south direction from downtown Antioch across Highway 4 where it turns into Contra Loma Boulevard. To approve a variance, four findings must be made (Antioch Municipal Code Section 9-5.2703). If an application can meet all four of the findings, then the variance can be granted. Conversely, if any one of the findings cannot be made, the variance should be denied.

The four findings and their applicability to the variance requests are as follows:

- 1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.**

The applicant is proposing a 6,276 s.f. building on a 33,706 s.f. site that was previously a gas station. The property is limited to its size by the previous development of the gas station, which has since been demolished, and cannot be expanded due to it being surrounded on all sides by existing development. The project is proposing to meet all other current development standards.

2. **The granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.**

The granting of this variance for a reduction in the landscape setback will not be materially detrimental to the public health or welfare or injurious to the property. The subject site is currently vacant and the project will provide a use for the vacant parcel therefore eliminating blight. The proposed use of this parcel will improve the property and actually improve the public health by eliminating blight.

3. **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.**

Due to the previous development, the gas station on the subject property as well as the property being surrounded by development and the widening of L Street from two to four lanes has limited the size of the parcel without the possibility of acquiring additional land to be compliant with the landscape setback. Furthermore, the commercial development directly to the north of the subject project has an approximate front setback on L Street of 12 feet.

4. **That the granting of such variance will not adversely affect the comprehensive General Plan.**

The applicant's request would not adversely affect the comprehensive General Plan. The granting of this variance for landscape setbacks will not change the allowed uses of the site and adversely affect the General Plan.

Issue #6: Other Issues

Masonry Wall: An 8' masonry wall with columns currently runs along the west property line and then turns to the east following the southern property line, which divides the subject property and the adjacent residential uses. The masonry wall along the south property line only extends approximately 65' and the remainder is a 6' wooden fence. The applicant is proposing a living wall on the southern property line to replace the six foot wooden fence; however, the code states that walls between residential and non-residential uses shall be of masonry construction. A condition of approval has been added that a masonry wall shall replace the six foot wooden fence and shall match in height, design, and color.

Trash Enclosure: The trash enclosure is proposed to be located on the south property line and not incorporated into the building. The applicant has stated the preference is not to have the trash enclosure integrated into the building due to odor and cleanliness concerns. The Design Guidelines call for the trash enclosures to be located in the least

conspicuous location on the site. The first preference is to have them architecturally integrated into the building or at the rear and be located away from sensitive residential uses. The Planning Commission may want to consider adding a condition of approval to have the applicant relocate the trash enclosure integrated, at least architecturally, into the building and away from residential areas. This condition of approval would satisfy the recommendations that are outlined in the Design Guidelines; however, the applicant prefers to keep the proposed location that is inconspicuous and located far back into the property.

The trash enclosure is also required to be plumbed to the sanitary sewer and to have a roof. The applicant's drawings do not specify proposed materials; however, the Design Guidelines call for the enclosure to be constructed of masonry block, metal doors, and be compatible architecturally with the project. The peer review comments recommend a hipped roof to match the building. A condition of approval has been added addressing these issues.

Lighting: The applicant is proposing a typical parking lot light fixture that you see in newer developments (Attachment G). The light fixture is a rectangular prism with rounded corners. The applicant did not specify the finish; however, the aluminum storefronts are to be a dark bronze so the light fixtures should match.

The applicant is also proposing two headed floodlights with a motion sensor. This type of light is not acceptable to commercial development due to the tendency of these fixtures to spill light over the property line. Residential uses are adjacent to the project so a replacement fixture should be selected with review and approval by staff.

Lastly, a contemporary wall light that has a white finish with a matte white acrylic diffuser is proposed as wall mounted lighting. The light is constructed of plastic. Given the heavy use that commercial developments tend to receive, staff is recommending a different light fixture be selected. The recommendation is for a fixture that is made of more durable materials and is compatible with the proposed architecture. A condition of approval has been added addressing the above issues.

ATTACHMENTS

- A. Aerial Photo
- B. Staff Report and Minutes from the July 14, 2004 Design Review Board Hearing
- C. Staff Report and Minutes from the July 29, 2004 Zoning Administrator Hearing
- D. Table of Land Use Regulations
- E. Architectural Peer Review
- F. Applicant's Response to the Architectural Peer Review
- G. Lighting Cut Sheets

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2012-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
APPROVING THE DESIGN, LANDSCAPING, AND A VARIANCE FOR 6,276 S.F.
BUILDING LOCATED AT 2100 L STREET**

WHEREAS, the Planning Commission of the City of Antioch did receive a request from Tim Jones of Burk Properties for the design approval of a 6,276 s.f. building and landscaping, as well as a variance from the required 30' setback on L Street. The site is located on the southwest corner of the intersection of L Street and Sycamore Drive (**APN: 074-343-034**);

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15332 – In-fill Development Projects; and

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law; and,

WHEREAS, the Planning Commission on February 1, 2012, duly held a hearing, received and considered evidence, both oral and documentary;

WHEREAS, the Planning Commission can make the following required findings for approval of a variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

The applicant is proposing a 6,276 s.f. building on a 33,706 s.f. site that was previously a gas station. The property is limited to its size by the previous development of the gas station, which has since been demolished, and cannot be expanded due to it being surrounded on all sides by existing development. The project is proposing to meet all other current development standards.

2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The granting of this variance for a reduction in the landscape setback will not be materially detrimental to the public health or welfare or injurious to the property. The subject site is currently vacant and the project will provide a use for the vacant parcel therefore eliminating blight. The

proposed use of this parcel will improve the property and actually improve the public health by eliminating blight.

3. 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.

Due to the previous development, the gas station on the subject property as well as the property being surrounded by development and the widening of L Street from two to four lanes has limited the size of the parcel without the possibility of acquiring additional land to be compliant with the landscape setback. Furthermore, the commercial development directly to the north of the subject project has an approximate front setback on L Street of 12 feet.

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

The applicant's request would not adversely affect the comprehensive General Plan. The granting of this variance for landscape setbacks will not change the allowed uses of the site and adversely affect the General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** AR-11-07, V-11-05, subject to the following conditions:

STANDARD CONDITIONS

1. The City of Antioch Municipal Code shall be complied with.
2. Conditions required by the Planning Commission, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.

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3. This approval expires two years from the date of approval (Expires February 1, 2014), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.
4. City staff shall inspect the site for compliance with the conditions of approval prior to final building inspection.
5. Any revisions to the building exterior materials, paint colors, and/or overall color scheme shall require a new application and shall be subject to Design Review approval.
6. Any required easements or rights-of-way for off-site improvements shall be obtained by the developer, at no cost to the City of Antioch.
7. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.
8. This approval supersedes previous approvals that have been granted for this site.
9. Any deviation from the proposed project shall be brought back to the Planning Commission for review and approval.
10. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.
11. The use of construction equipment shall be restricted to weekdays between the hours of 8:00 am to 5:00 pm or as approved by the City Manager or his designee.
12. The project shall be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and demolition debris recycling.
13. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement and shall enter into an agreement to effectuate this condition of approval as required by the City.

Site Maintenance

14. A parking lot sweeping program shall be implemented which provides for sweeping, at minimum, immediately prior to and once during storm season.

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15. No illegal signs, pennants, banners, balloons, flags, or streamers shall be used on this site at any time.
16. No signs shall be installed on this site without prior City approval.
17. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
18. Standard dust control methods shall be used to stabilize the dust generated by construction activities.

Fees:

19. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and any other payments that are due.
20. The developer shall pay all fees required by the City Council at the time of building permit issuance.
21. The developer shall pay any required East Contra Costa Regional Traffic Mitigation fees prior to receiving a building permit for structures within this development.
22. The developer shall pay any required Drainage Area fees prior to the issuance of any building permits for this project.
23. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.
24. The developer shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of permit issuance.

Fire Requirements

25. All requirements of the Contra Costa County Fire Protection District shall be met.
 - a. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 2,250 GPM. Required flow must be delivered from not more than two (2) hydrants flow simultaneously for a duration of 120 minutes while maintaining 20-pounds of residual pressure in the main. (507.1), (B105) CFC
 - b. The developer shall provide one (1) hydrant of the East Bay type. (C103.1) CFC
 - c. The developer shall submit three (3) copies of site improvement plans indicating proposed hydrant location and fire apparatus access for review and

approval prior to obtaining a building permit. Final hydrant placement will be determined by the Contra Costa County Fire Protection District office during the review process. (501.3) CFC

- d. The hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC
- e. The developer shall submit three (3) complete sets of building plans and specifications of the subject project to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal (105.4.1) CFC, (107) CBC

Landscaping

- 26. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.
- 27. Landscaping and signage shall not create a sight distance problem.
- 28. A minimum of five (5) feet shall be kept clear between any proposed trees and any concrete or asphalt paving within the City right-of-way. Trees closer than ten (10) feet to such concrete or asphalt paving shall use approved root guards.
- 29. That detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for this building.

Site Design

- 30. Asphalt paving shall have a minimum slope of 2%, concrete paving shall have a minimum slope of 0.75%, and asphalt paving for identified accessible parking stalls and access routes may have a minimum slope of 1.5% and a maximum 2% slope, or as approved by the City Engineer.
- 31. All on site curbs, gutters, and sidewalks shall be constructed of Portland cement concrete.
- 32. All mechanical and roof equipment shall be screened from public view.
- 33. All parking lot dimensions and striping shall meet City standards.
- 34. Any cracked or broken sidewalks shall be replaced as required by the City Engineer.

35. All parking and access shall meet the ADA/Title 24 requirements as determined by the Chief Building Official using Checklist #1, Parking, CA Title 24, Sections 1129B.1 and 1130B. The location of such spaces shall provide safe and convenient access to the building as determined by the Chief Building Official.
36. A photometric plan shall be submitted to staff for review and approval prior to the issuance of building permits. The plan shall show the light onsite and beyond the property. All lighting shall be installed on site in accordance with approved plans, and prior to the issuance of certificates of occupancy for this site.
37. The City Engineer shall determine if it is necessary to engage in soils and structural engineers as well as any other professionals deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City, this may be extended to include field inspections by such professional to verify implementation of the plans. Cost of these services shall be borne by the developer.

Utilities

38. All storm water flows shall be collected on site and discharged into an approved public storm drain system.
39. The developer shall provide adequate water pressure and volume to serve this development, as approved by the City Engineer.
40. All existing and proposed public utilities (e.g. transformers) shall be placed underground or screened from public view, in accordance with the Antioch Municipal Code.
41. A reduced backflow prevention device shall be installed on all City water meter services.
42. Street lighting shall be provided in accordance with the Antioch Municipal Code.
43. The sewer collection system shall be constructed to function as a gravity system.
44. Improvements and fees that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.

Conservation/NPDES

45. Water conservation measures, including low volume toilets and the use of drought tolerant landscaping shall be used.

46. The project shall comply with all Federal, State and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well as run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
47. That the following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) be complied with, or as required by the City Engineer:
- a. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
 - b. That an application for a State of California "General Construction Activity Storm Water Permit" be submitted to the Regional Resources Control Board, and a copy of the Notice of Intent be submitted to the City, prior to any construction activity on this site.
 - c. Limiting construction access routes and stabilizing access points.
 - d. Stabilizing areas denuded due to construction (prior to the wet season, October 1 through May 1) by using suitable practices including, but not limited to temporary or permanent seeding, mulching, sod stabilization, vegetative buffer strips, protection of trees, plastic covering, application of ground base on areas to be paved:
 - e. Protecting adjacent properties by appropriate use of vegetative buffer strips, sediment barriers or filters, dikes or mulching, or by a combination of these measures and other appropriate measures.
 - f. Delineating clearing limits, easements, setbacks, sensitive or critical areas and their buffers, trees and drainage courses by marking them in the field.

- g. Stabilizing and preventing erosion from temporary conveyance channels and outlets.
- h. Using sediment controls and filtration to remove sediment from water generated by dewatering.
- i. Using proper construction material and construction waste storage, handling and disposal practices.
- j. Using proper vehicle and equipment cleaning, fueling and maintenance practices.
- k. Controlling and preventing discharge of all potential pollutants, including, but not limited to, pesticides, petroleum products, nutrients, solid wastes, and construction chemicals, that occur on site during construction.
- l. Preparing a contingency plan in the event of unexpected rain or BMP failure including, but not limited to, an immediate response plan, storing extra or alternative control materials on-site (stakes, fences, hay bales), notifying the local agency, etc.
- m. Education and Training - For developments with no property owner association or community association, practical information materials on good housekeeping of hazardous products, proper use and disposal for hazardous products, and prohibited discharge practices and materials must be provided, initially by the developer, to the first residents/occupants/tenants, and thereafter by the City public education program.
- n. Labeling Storm Drain Facilities - The phrase "No Dumping - Drains to River" must be embossed/stamped on a new storm drain inlets to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Watercourses should be similarly labeled by posting signs.
- o. Runoff Control - to the extent practicable, maintain post-development peak runoff rate and average volume of runoff at levels that are similar to pre-development levels. The developer must design the proposed project accordingly.

PROJECT SPECIFIC CONDITIONS

48. The driveways shall have a minimum width of 26' and conform to the City standard CD-25A.

49. The driveway on L Street shall be moved to the south as directed by the City Engineer.
50. Signage shall be placed at the driveway exit onto L Street and in the median of L Street to reflect a right-out only.
51. All parking spaces shall have an appropriate space for a backup maneuver as directed by the City Engineer.
52. The parking spaces in the southwest corner shall be moved to the south to accommodate a five foot planter adjacent to the westerly masonry wall, as approved by the City Engineer.
53. All walks shall be a minimum of four feet in width and six feet in width if a parking space is proposed at 18 feet in length with a two foot overhang.
54. The sewer lateral shall be connected to the sewer main at right angles and per the City standard or connect to the existing sewer lateral as approved by the City Engineer.
55. The existing water meter shall be moved to behind the sidewalk and a separate connection shall be constructed for fire protection with a City standard backflow protection for both domestic and fire protection as approved by the City Engineer.
56. Water meters and backflows shall be encompassed in an easement in favor of the City at no cost to the City as approved by the City Engineer.
57. Final landscape and irrigation plans shall be reviewed and approved by staff prior to obtaining a building permit. The landscape plan shall be compliant with the State's water efficiency requirements.
58. Vines shall be added to the landscape plan, with corresponding necessary irrigation, on the north, south, and west elevations to provide coverage on the large expanses of blank walls. Vines shall also be added to the east elevation of the trash enclosure to provide coverage to the blank wall.
59. Trellises shall be added to the north, south, and west elevations with review and approval by staff.
60. Cornices shall be provided on the building and shall not be less than 18" in height.
61. The west and east elevations shall have a parapet with a minimum height of 3.5' in the middle of the elevations as shown on the plans dated January 11, 2012.
62. All windows shall be recessed to provide variation on the horizontal plane.

63. The overhang on the west elevation shall be at least 24".
64. The stone veneer wainscot shall be at least four feet in height around the perimeter of the building. The stone veneer on the tower elements on the east elevation shall be extended to the bottom of the awning and wrap around to the north and south elevations to the first windows.
65. The wainscot shall have a rounded stucco cap that protrudes slightly from the stone veneer with review and approval by staff.
66. A berm, not to exceed three feet in height, shall be added along the L Street frontage and wrapping around Sycamore Drive to the edge of the building, if the berm does not interfere with stormwater control facilities.
67. The color palette shall blend in with the neighborhood and shall be subject to review and approval by staff.
68. A minimum of two bicycle parking spaces shall be provided with the location to be reviewed and approved by staff.
69. A masonry wall shall replace the existing wooden fence. The masonry wall shall match the existing in terms of height, design, and color. The wall shall not encroach into the front setback unless it is 36" or lower.
70. The trash enclosure shall be plumbed to the sanitary sewer and shall be large enough to accommodate recycling. The roof shall be a hip roof to match the architectural style. The enclosure shall be constructed of decorative masonry, heavy gauge metal doors, and shall be architecturally compatible with the building.
71. The applicant shall provide wall mounted light fixtures. The fixtures shall be durable and architecturally compatible with the building, with review and approval by staff.
72. The parking lot light fixture housing color shall match the storefronts.
73. All exposed metal surfaces shall be powder coated, galvanized steel, or anodized aluminum.
74. All trees shall be planted with 24" box.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 1st day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TINA WEHRMEISTER, Secretary to the
Planning Commission

ATTACHMENT "A"



AERIAL PHOTO



ATTACHMENT "B"

#3
7/14/04

STAFF REPORT TO THE CITY OF ANTIOCH DESIGN REVIEW BOARD FOR CONSIDERATION AT THE MEETING OF JULY 14, 2004

Prepared by: Alexis Morris, Associate Planner 
Approved by: Victor Carniglia, Deputy Director of Community Development 
Date: July 9, 2004
Subject: AR-04-12 Juliet Plaza 2100 L Street

RECOMMENDATION

Staff recommends approval of AR-04-12 subject to conditions in the attached resolution.

REQUEST

The applicant, 2100 Holdings, LLC, requests approval of architecture and landscaping for a new 8,860 s.f. retail building located at the southwest corner of L Street and Sycamore Drive.

BACKGROUND

The subject property is a former gas station which was demolished in 1990. The applicant is also applying for a variance from minimum parking requirements and minimum landscape setback requirements. The Zoning Administrator is scheduled to review the variance requests on July 29, 2004. The General Plan designation for the subject property is Neighborhood/Community Commercial. A Use Permit is not required for this application.

ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to section 15332 – In-fill Development Projects. This section of CEQA exempts projects that are consistent with the General Plan and zoning designation, occur within City limits on a site no larger than five acres substantially surrounded by urban uses, occur on a site with no habitat value for endangered, rare, or threatened species, would not result in any significant environmental effect, and that is located on a site that can be adequately served by all required utilities and public services. This project meets all of the above criteria for exemption.

ANALYSIS

Issue #1: Building Architecture

The applicant proposes building a rectangular-shaped, 8,860 s.f. retail building with approximately seven tenant spaces. The building's main elevation faces L Street. The elevations submitted by the applicant depict a flat-roofed building with projecting, raised parapets on the corners of the front elevation. The corner spaces will feature a "shot blasted" concrete masonry wainscot, approximately two-feet high and will be topped with a projecting metal parapet cap.

The building elevations feature little detail with the exception of wall sconces between each tenant space and metal awnings over the windows on the corner spaces and fabric awnings over the central tenant spaces. Staff recommends adding a metal awning over the window on the Sycamore St. side of the corner space, identical to the metal awning proposed on the L St. elevation of the same space.

The applicant proposes a color palette primarily made up of warm earth tones and grey tones. The corner elements will be painted Autumn Oak, a brown color, and the recessed central spaces will be painted Peach Butter, a cream color. The fabric awnings will be Charcoal Tweed Sunbrella fabric and the awnings, storefront and light fixtures will be unpainted aluminum. The masonry wainscot is beige with grey and brown flecks.

The walls on the L Street elevation will be constructed from cement plaster and the walls of the south elevation and west elevation (the rear of the building) will be painted T-111 plywood. Staff recommends that the entire exterior be constructed from cement plaster which is a more durable and appropriate material for commercial construction.

A color and materials board will be available at the meeting.

Issue #2: Parking and Circulation

The proposed parking lot includes an entrance from Sycamore Drive and an entrance from L Street. The Zoning Ordinance specifies that compact parking spaces in commercial developments can only comprise ten percent of the total number of parking spaces. Twenty percent of the spaces in the proposed site plan are compact spaces. Staff has included a condition that no more than ten percent of the total parking spaces should be compact spaces.

The compact spaces shown on the proposed site plan are 14-feet long, with a two foot overhang into the planting area. The Ordinance requires that compact spaces be 16-feet long; only standard parking spaces are allowed to overhang landscaped areas by two feet (§ 9-5.1716 (F)). Staff has included a condition that all parking spaces meet the City's dimensional requirements.

Issue #3: Landscape Plan

The preliminary landscape plan submitted by the applicant is satisfactory to staff. However, staff recommends that Palm trees be removed from the planting list. The applicant is proposing to landscape the L Street setback primarily with trees and lawn and the Sycamore Drive setback primarily with trees, shrubs, perennials and groundcover. The Board may want to consider requiring the applicant to include more water efficient shrubs and flowering plants in the L Street setback to add variety. The applicant also proposes a thirty-inch berm in the L Street setback. Staff recommends a thirty-six inch berm instead; this is consistent with other recently approved shopping centers.

The conceptual landscape plan submitted by the applicant does not include the required tree well or tree well fingers every 10 parking spaces as required by the Zoning Ordinance. Staff has included a condition requiring the applicant to modify the site plan and landscape plan to include the required tree wells or fingers.

Issue #3: Other IssuesFences and Walls

The applicant proposes retaining the existing stucco wall and wood fence along the southern and western property lines. Staff recommends that the applicant replace the existing wood fence on the south side of the property with a six-foot high masonry wall, which is the standard for commercial developments adjacent to residential areas. Staff also recommends that the masonry wall step down to three feet in height directly adjacent to the parking area to provide a better transition between this property and the adjacent residential property. The elevations submitted by the applicant show a gate across the walkway behind the building on the north and south elevations. The plans do not provide details of the proposed gate or the materials that will be used. Staff has included a condition that details of the gate and materials be included with the final building permit submittal.

Trash Enclosure

The applicant proposes constructing a masonry trash enclosure with a chain link gate. The plans submitted by the applicant do not indicate the color of the trash enclosure; however, the colored rendering submitted by the applicant indicate that the color will be peach butter to match the color of the recessed walls. Staff has included conditions that the trash enclosure feature solid heavy gauge metal gates, not chain link, and be covered with a metal roof.

Signage

The applicant would like to bring a sign program to the Board for review and approval at a later date.

ATTACHMENTS

Attachment A: Vicinity Map

**ANTIOCH CITY DESIGN REVIEW BOARD
RESOLUTION NO. 2004-30**

WHEREAS, the Design Review Board of the City of Antioch did receive a request from 2100 Holdings, LLC for design review approval of architecture and landscaping for a new 8,860 s.f. retail building located at 2100 L Street (APN 074-343-034); and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15332 – In-fill Development Projects; and

WHEREAS, the Design Review Board on July 14, 2004 duly held a hearing, received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Design Review Board of the City of Antioch does hereby **APPROVE** AR-04-12 subject to the following conditions:

STANDARD CONDITIONS

1. That the City of Antioch Municipal Code be complied with.
2. That City staff inspect the site for compliance with conditions of approval prior to the issuance of certificates of occupancy.
3. That conditions required by the Design Review Board, which call for a modification or any change to the site plan submitted, be corrected to show those conditions and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permits will be issued unless the site plan meets the requirements stipulated by the Design Review Board and standards of the City.
4. Any revisions to the building exterior materials, paint colors, and/or overall color scheme shall require a new application and shall be subject to Design Review approval.
5. That this approval expires two years from the date of approval (Expires July 14, 2006), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of the Design Review Board approval. No more than one, one year extension shall be granted.
6. That any deviation from the proposed project will be brought back to the Design Review Board for review and approval.

7. That no illegal signs, a-frame signs, pennants, banners, balloons, flags, or streamers are to be used on this site or building at any time.
8. That the developer obtains an encroachment permit for all work to be done within the public right-of-way or easement.
9. That the developer pay all required City fees at the time of building permit issuance.
10. That landscaping and signing not create a sight distance problem.
11. That there be a minimum of five (5) feet clear between any proposed trees and any concrete or asphalt paving. Trees closer than ten (10) feet to such concrete or asphalt paving shall use approved root guards.
12. That detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for this building.
13. That all landscaping shall be permanently maintained. This includes watering, weeding, pruning, insect and pest control, and replacement of plant materials, and irrigation equipment as needed to preserve the health and appearance of plant materials.
14. That asphalt paving shall have a minimum slope of 2%, and concrete paving have a minimum slope of 0.75%.
15. That all on site curbs, gutters, and sidewalks be constructed of Portland cement concrete.
16. That all mechanical and roof equipment be screened from public view.
17. That all parking lot dimensions and striping meet City standards.
18. That all parking and access meet the ADA/Title 24 requirements as determined by the Chief Building Official using Checklist #1, Parking, CA Title 24, Sections 1129B.1 and 1130B. The location of such spaces shall provide safe and convenient access to the building as determined by the Chief Building Official.
19. That any cracked or broken sidewalks be replaced as required by the City Engineer.
20. That access roadways with all-weather driving surfaces of not less than 20 feet of unobstructed width, and not less than 13 feet 6 inches of vertical distance, be provided to within 150 feet of travel distance to all portions of the exterior wall of every building, or as approved by the Fire District. Access roads shall not exceed 16% grade, shall have a minimum outside turning radius of 42 feet and must be capable of supporting the imposed loads of the fire apparatus (31 tons).

21. That a lighting plan be submitted to staff for review and approval prior to the issuance of building permits. All lighting shall be installed on site in accordance with approved plans, and prior to the issuance of certificates of occupancy for this building.
22. That the developer shall submit two complete sets of plans and specifications of the subject project, including required built-in fire protection systems, for review and approval prior to construction to insure compliance with minimum requirements related to fire and safety. Plan review fees will be assessed at that time. Submit plans to the Contra Costa Fire District, 2010 Geary Road, Pleasant Hill, CA 94523. To schedule field inspections and tests call (925)930-5515.
23. That the applicant shall comply with all requirements of the Contra Costa Fire Protection District. Fire hydrant types and locations are to be provided as required by the City Engineer, and shall be furnished and installed prior to combustible construction.
24. That the applicant shall provide an adequate and reliable water supply for fire protection as set forth by the Uniform Fire Code.
25. That the developer pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of permit issuance.
26. That water conservation measures, including low volume toilets and the use of drought tolerant landscaping be used.
27. That the requirements of the Federally mandated NPDES program be complied with, as required by the City Engineer.
28. That all requirements of the Contra Costa County Health Department shall be met.
29. That the project be in compliance with and supply all the necessary documentation for AMC6-3.2: Construction and Demolition Debris Recycling.
30. That all mechanical and roof equipment be screened from public view.
31. That all improvements (water meters, sewer cleanouts, driveway curb cuts, etc.) shall be contained within the parcel and the projection of its sidelines or as approved by the City Engineer.
32. That the building pad and all slopes drain to approved drainage facilities as approved by the City Engineer.
33. That the phrase "No Dumping – Drains to River" be labeled on new storm drain inlets (as directed by City Engineer) to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain.

34. That the structure features rain gutters and downspouts with the downspouts and runoff of water adjacent to the foundation collected into an underground conduit and discharged facilities as approved by the City Engineer.
35. That all sewerage flow by gravity to intersecting streets or as approved by the City Engineer.

PROJECT SPECIFIC CONDITIONS

36. That building permits shall be secured for all signs prior to installation.
37. That no more than ten percent of the total parking spaces shall be compact spaces.
38. That lighting shall be limited to the minimum levels required for public safety and in general shall range from 0.5 to 1.5 foot candles in public areas.
39. That details of the proposed gates and materials shall be included with the final building permit submittal.
40. That the landscaped setbacks adjacent to L Street be bermed to a height of thirty inches.
41. Deleted
42. Deleted
43. That all trees be a minimum 15-gallon size and that all shrubs be a minimum 5-gallon size, with the exception that trees along the frontage of the project site may be larger than 15 gallons if determined necessary by Staff.
44. That the sign program for the project shall be subject to Design Review Board approval.
45. That a metal awning shall be included over the window on the Sycamore St. elevation, identical to the metal awnings proposed on the L St. elevation.
46. That the trash enclosure shall be constructed of solid masonry material with a stucco finish, shall be at least six feet in height, shall have solid heavy gauge metal gates, and shall be painted to match the building.
47. That the trash enclosure shall be covered with a metal roof and that it be painted to match the main building.

48. That the trash enclosure shall be landscaped with a combination of shrubs and vines that will effectively screen the enclosure.
49. That the trash enclosure shall be sized to accommodate a trash bin of adequate size for the facility and recycling bins and shall be plumbed to the sanitary sewer.
50. That the walls on the "L" Street elevation will be constructed from cement plaster, the walls of the south elevation and west elevation (the rear of the building) will be painted, T-111 5/8 inch plywood.
51. That the applicant shall replace the existing wood fence on the south side of the property with a six-foot high masonry wall. The masonry wall shall terminate 25-feet from the property line and shall step down to three feet in height directly adjacent to the parking area.
52. That the applicant shall obtain or provide evidence of County Health Department and Regional Water Quality Control Board approval of underground storage tank removal and environmental remediation efforts on the subject property prior to issuance of building permits.
53. That the fabric awnings, should they become damaged, shall be replaced within 30 days.

* * * * *

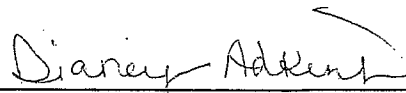
I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Design Review Board of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Design Review Board held on the 14th day of July by the following vote:

AYES: Chairperson Golightly, Vice Chairperson Holliday, Board Members Miller, Michael

NOES: Board Member Devine

ABSENT:

ABSTAIN:



Diancy Adkins, Secretary to the
Design Review Board

Ayes: Golightly, Devine, Holliday
Abstain: Michael

Board Member Miller returned to the dais.

3. **AR-04-12** - The applicant, 2100 Holdings, LLC, requests approval of architecture and landscaping for a new 8,860 s.f. retail building located at the southwest corner of L Street and Sycamore Drive.

Resolution No. 2004-30

Associate Planner Morris presented the staff report dated July 9, 2004 recommending that the Design Review Board approve AR-04-12 subject to conditions contained in the staff reports attached resolution.

Chairperson Golightly opened the floor to public comment.

Tim Jones applicant for the project thanked the Planning Department and reported he met with Deputy Director of Community Development Carniglia prior to purchasing the property. He requested the berm height be left at the proposed 30 feet due to fact that they do not want any on or off hauling of dirt on the property. He noted the berm at 30 feet creates a boulevard effect and pleasing approach. He further requested that they be allowed to use 5/8 inch - T-111 plywood as proposed due to the fact that it is in a location that will not be seen, it is highly durable and it will be properly maintained.

In response to Board Member Holliday, Mr. Jones stated the T-111 plywood is economical, goes up quickly and is easily maintained.

Mr. Jones stated that they show 7 tenant profiles although they may only have 6 depending on the market demand however they will be keeping the building at 8860 square feet. He stated the doors and awnings would diminish by 1 if they only have 6 tenants. He requested the typographical errors in standard conditions #18 and 21 be corrected and amending project specific condition #43 to eliminate "with the exception that trees along the frontage of the project site may be larger than 15 gallons if determined necessary by Staff".

Chairperson Golightly thanked the applicant for the complete materials board.

In response to Mr. Jones, Chairperson Golightly clarified that project specific condition #52 is a condition of the project that needs to remain regardless of the fact that he has already satisfied the requirement.

Chairperson Golightly closed the floor to public comment.

Board Member Michael stated the project has clean lines and she feels it may inspire improvement in this area of town.

Board Member Miller stated he feels it is a good project and supported the landscaping plan as presented this evening.

Board Member Holliday expressed concern that the T-111 can show minor warping and imperfections, which will cheapen the appearance of the building.

Mr. Jones clarified they would be using the thicker grade T-111 and it will be attached to a 2x6 wall frame which will be structurally solid. He noted they would be using galvanized nails, which will be painted over and re-caulked as a finish. He reintegrated that the side of the building with the T-111 will not be seen.

Board Member Devine stated that he likes the project and it will be a nice addition to the area, although he can not support the use of T-111 siding noting that it is difficult to maintain. He noted that he supports staff's recommendation for cement plaster on the entire exterior of the building.

Mr. Jones stated he has demonstrated that he maintains his properties and they are strengthening what is required in the city code by providing 3/8 inch T-111. He noted that the additional cost would negatively impact the cost of the project.

Board Member Devine expressed concern that the building could be sold and it is possible that the new owners would not properly maintain the property.

Board Member Michael stated that she could support the use of T-111 on the rear of the building due to the fact that it is not visible.

Board Member Holliday stated that he could support the use of T-111 and discussed the importance of proper maintenance.

Chairperson Golightly stated that due to the fact that this project is an infill development and the applicant has a history of maintaining his buildings she can support the use of T-111 on the rear elevations.

On motion by Board Member Miller, seconded by Board Member Michael the Design Review Board approved AR-04-12 with standard conditions #1-17, 19, 20, 22-35 as written, standard conditions #18 and 21 amended to correct the typographical errors of "save" to "safe" and "t" to "to", project specific conditions #36-39, 43-45, 47-49, 51 and 52 as written, project specific conditions #40, 46, 50 revised to read:

#40 That the landscaped setbacks adjacent to L Street shall be bermed to a height of thirty inches.

- #46 That the trash enclosure shall be constructed of solid masonry material with a stucco finish, shall be at least 6 feet in height, shall have solid heavy gauge metal gates, and shall be painted to match the building.
- #50 That walls on the "L" Street elevation will be constructed from cement plaster the walls of the south elevation and west elevation (the rear of the building) will be painted, T-111 5/8 inch plywood.

The addition of project specific condition #53 to read:

- #53 That the fabric awnings should they become damaged shall be replaced within 30 days.

The deletion of project specific conditions #41 and 42.

The motion carried the following vote:

Ayes: Golightly, Miller, Holliday, Michael
Noes: Devine

ORAL COMMUNICATIONS

Board Member Miller questioned where the lack of communication was with regards to the majority of the Design Review Board and Planning Commission approving the Wildflower/Hillcrest project and the City Council denying the project.

Chairperson Golightly stated that the project was presented as mostly office space and they enhanced it through the Design Review Board process. She reported she has a meeting planned with some members of the City Council to determine what their direction and parameters are. She noted she has been unsuccessful in her attempts to get a meeting with the Planning Commission, Design Review Board and City Council.

Following discussion, Board Member Michael suggested that the Antioch High School government classes could write letters to officials to have the Post Office landscaping maintenance addressed.

Chairperson Golightly requested Associate Planner Morris notify staff that the following properties need to be addressed;

- Sporting Edge – temporary signage removed
- Lyons – landscaping replaced
- Safeway Shopping Center – removal of the space for lease
- Shell Station on Hillcrest – removal of the flags and pennants

ATTACHMENT "C"

STAFF REPORT TO THE CITY OF ANTIOCH ZONING ADMINISTRATOR FOR CONSIDERATION AT THE MEETING OF JULY 29, 2004

Prepared by: Alexis Morris, Assistant Planner

Approved by: Victor Carniglia, Deputy Director of Community Development

Date: July 23, 2004

Subject: V-04-09 Juliet Plaza 2100 L Street

RECOMMENDATION

It is recommended that the Zoning Administrator APPROVE V-04-09 subject to conditions in the attached resolution.

REQUEST

The applicant, 2100 Holdings, LLC, requests a variance from the following two development standards:

- The minimum 20 foot setback from Sycamore Dr. and the 30 foot landscape setback from L Street. The project provides landscape setbacks ranging from 5-feet to 30-feet on Sycamore Dr. and 26-feet on L St.
- The minimum parking requirements of five parking spaces per 1,000 s.f. of gross floor area. The site plan provides 39 parking spaces; 44 parking spaces are required.

BACKGROUND

The subject property is a former gas station which was demolished in 1990. The General Plan designation for the subject property is Neighborhood/Community Commercial. A Use Permit is not required for this application. The Design Review Board approved architecture and landscaping for the project on July 14, 2004.

ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to section 15332 – In-fill Development Projects. This section of CEQA exempts projects that are consistent with the General Plan and zoning designation, occur within City limits on a site no larger than five acres substantially surrounded by urban uses, occur on a site with no habitat value for endangered, rare, or threatened species, would not result in any significant environmental effect, and that is located on a site that can be adequately served by all required utilities and public services. This project meets all of the above criteria for exemption.

CI

ANALYSIS

To approve a variance, four findings must be made (Antioch Municipal Code Section 9-5.2703). If an application can meet all four of the findings, then the variance can be granted. Conversely, if any one of the findings cannot be made, the variance should be denied. The applicant provided a letter stating that all four required findings for a variance can be met (Attachment "B").

The four findings and their applicability to the variance requests are as follows:

- 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.**

The proposed project is providing five fewer parking spaces than required by the Ordinance. However, the project is located in a relatively high density residential area and is in close proximity to the High School. Therefore, this project will likely experience more walk-in business than a similar project in another vicinity and may require fewer parking spaces than a similar project. Staff has included a condition that the applicant provide bike racks on the site as required by the Zoning Ordinance. Bicycle parking should provide additional parking options for customers and encourage the use of alternative transportation to the site.

- 2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.**

Providing fewer parking spaces than required would not be materially detrimental or injurious to the property or the proposed project. The project is an infill project that develops a parcel that has been vacant for over ten years.

- 3. 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.**

The strict application of the setback requirements would deprive the subject property of privileges enjoyed by other properties in the vicinity. Specifically, the shopping center directly across Sycamore Dr. from the subject property has setbacks that do not conform to code requirements. Furthermore, conforming to the setback requirements would further reduce the number of parking spaces on site.

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

The applicant's request would not adversely affect the comprehensive General Plan.

ATTACHMENTS

Attachment A: Vicinity Map
Attachment B: Applicant's Variance Request

**CITY OF ANTIOCH ZONING ADMINISTRATOR
RESOLUTION NO. 2004-06**

WHEREAS, the Zoning Administrator for the City of Antioch did receive a request from 2100 Holdings, LLC for design review approval of architecture and landscaping for a new 8,860 s.f. retail building located at 2100 L Street, the southwest corner of L Street and Sycamore Drive. (APN 074-343-034); and (APN); and

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to section 15332 – In-fill Development Projects; and

WHEREAS, notice of public hearing was given as required by law; and

WHEREAS, the Zoning Administrator on July 29, 2004 duly held a public hearing, received and considered evidence, both oral and documentary; and

WHEREAS, the Zoning Administrator can make the following required findings for approval of a variance:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.
2. That the granting of such variance will not be materially detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.
3. 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.
4. That the granting of such variance will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED that the Zoning Administrator of the City of Antioch does hereby **APPROVE V-04-09**, subject to the following conditions:

STANDARD CONDITIONS

1. That the City of Antioch Municipal Code be complied with.

2. That the conditions required by the Zoning Administrator, which call for a modification or change to the site plan submitted, be corrected to reflect those and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Zoning Administrator and the standards of the City of Antioch.
3. That this approval expires two years from the date of approval (Expires July 29, 2006), unless a building permit has been issued and construction has diligently commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of the Design Review Board approval. No more than one, one year extension shall be granted.
4. The applicant shall defend, indemnify and hold harmless the City in any action brought by a third party to challenge the land use entitlement

PROJECT SPECIFIC CONDITIONS

5. That all conditions of the Design Review Board approval be complied with.
6. That in conformance with City Code, one bicycle stall is required for every twenty-five required auto parking stalls. The applicant shall provide cut-sheets/details of the bike racks, and shall indicate the location of the racks, all in conformance to City Code.
7. That the project provide setbacks substantially in conformance with the site plan approved by the Design Review Board.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Zoning Administrator of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Zoning Administrator held on the 29th of July, 2004.

**Gloria Zamucen
Secretary to the
Zoning Administrator**

C5

Zoning Administrator Carniglia requested project specific condition #20 be reworded requiring the same kind of landscape treatment on Costco Way that currently exists on Somersville Road and subject to staff approval.

Mr. Nokes agreed with the wording change to project specific condition #20 as noted by Zoning Administrator Carniglia.

In response to Mr. Nokes, Zoning Administrator Carniglia clarified that the intent of project specific condition #15 is that repairs are required for areas currently marked by the City Engineer.

Zoning Administrator Carniglia opened the public hearing.

Emil Stein, Antioch resident stated he does not support the landscape strip noting the lawn area complements surrounding landscape elements.

Ken Lee, Antioch resident expressed concern for light intrusion from this project negatively impacting vehicle traffic in the area. He suggested the driveways be improved to eliminate the possibility of accidents occurring.

Zoning Administrator Carniglia stated if lighting becomes a problem it could be metered to quantify the issue. He noted the landscaping plan is to make it cohesive with the newer dealerships and represents the current policy direction of the city pertaining to auto dealerships.

He therefore **APPROVED V-03-11 – ANTIOCH DODGE JEEP, CHRYSLER.** Lance Gidel of Gidel & Kocal, on behalf of Thomas Nokes, of a Variance from minimum street side setback requirements and site signage for 1810 Somersville Road. With project specific condition #20 revised to read:

- #20 That the design and configuration of landscaping on Costco Way be equivalent to what is being proposed on Somersville Road and subject to approval of the Director of Community Development.

Zoning Administrator Carniglia stated that all decisions made today can be appealed under 9-5.2611 of the Antioch Municipal Code and must be appealed within five (5) working days of the date of decision.

3. **V-04-09 Juliet Plaza Retail Center – 2100 Holdings LLC** requests approval of a variance from minimum setback requirements and minimum parking requirements for a new 8,860 s.f. retail building.

Resolution No. 2004-06

Assistant Planner Morris presented the staff report dated July 23, 2004 recommending that the Zoning Administrator V-04-09 subject to conditions contained in the staff reports attached resolution.

C6

Zoning Administrator Carniglia opened and closed the public hearing with no speakers requesting to speak. He stated that the various findings can be made as articulated in the staff report.

He therefore **APPROVED V-04-09 Juliet Plaza Retail Center – 2100 Holdings LLC** variance from minimum setback requirements and minimum parking requirements for a new 8,860 s.f. retail building.

ADJOURNMENT

With no further business, Zoning Administrator Carniglia adjourned the meeting at 4:26 p.m. to the next scheduled Zoning Administrator's Meeting.

Respectfully Submitted,

Kitty Eiden
Minutes Clerk

ATTACHMENT "D"

Zoning

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§ 9-5.3803 TABLE OF LAND USE REGULATIONS.

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
RESIDENTIAL USES																		
Day-care centers (§ 9-5.3832)	U	U	U	U	U	U	U	U	U	U	—	—	U	—	U	U	U	U
Day-care: large family (§ 9-5.3818)	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	—	A	A
Day-care: small family (§ 9-5.3817)	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	P	P
Senior Group Housing	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	U	U	U
Family care home	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	—	P	P
Fraternity-sorority house/dormitory	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	—	U	U
Home occupations	A	A	A	A	—	—	—	—	—	A	—	—	—	—	—	A	A	A
Manufactured, modular home; mobile home (§ 9-5.3804)	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Mobile home park	—	—	U	U	—	—	—	—	—	—	—	—	—	—	—	—	—	U

01

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Multiple-family: condominium, apartment, townhouse (§ 9-5.3820)	—	—	U	U	—	—	—	—	—	U	—	—	—	—	U ²	U	—	U
Recreational vehicle park (§ 9-5.3830)	—	—	—	—	—	—	—	—	U	—	U	—	—	U	—	—	—	—
Residential care facility	—	—	—	U	—	U	U	—	—	U	—	—	—	—	U	—	U	U
Room & boarding house	U	U	P	P	—	—	—	—	—	U	—	—	—	—	—	—	U	P
Second residential unit (§ 9-5.3805)	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	—	A	—
Single-family dwelling	P	P	U	P ¹	—	—	—	—	—	U	U	—	—	—	—	—	P	—
Two-family dwelling	—	—	P	P	—	—	—	—	—	U	—	—	—	—	—	—	—	—
PUBLIC AND SEMI-PUBLIC USES																		
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	U	—	—
Clubs & Lodges (private & public)	—	U	U	U	U	U	U	U	U	U	U	—	—	—	U	U	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Cultural institutions	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	U	—	—
Government offices	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	P	—	—
Helipoint (§ 9-5.3806)	—	—	—	—	U	—	—	—	—	—	U	—	U	U	U	—	—	—
Homeless shelter	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Hospitals (§ 9-5.3827):																		
Acute care	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—
Rehabilitation	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—
Psychiatric/ chemical dependency	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—
Medical care—urgent	—	—	—	—	U	U	—	—	—	U	—	—	P	U	P	—	—	—
Parks	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	U	U	U
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—
Public utility yard	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—
Religious assembly ³ (§ 9-5.3832)	—	U	U	U	U	U	U	U	U	U	U	—	—	—	U	U	U	U
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	A	A	A

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Schools, private and preschools	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	U	U	U
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
COMMERCIAL USES																		
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—
Appliance maintenance & repair services:																		
Major	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	—	—	—
Minor	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	P	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	U	—	—
Animal hospital veterinary clinics	—	—	—	—	U	—	U	U	U	U	—	—	U	U	—	—	—	—
Antique store	—	—	—	—	—	—	—	P	P	A	U	—	U	—	—	P	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Auto sales, rental	—	—	—	—	U	—	—	U	U	U	—	—	—	—	—	U	—	—
Auto storage	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Auto service station (§ 9-5.3815)	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	—	—	—
Auto repair:																		
Major	—	—	—	—	U	—	—	—	U	U	—	—	U	P	—	—	—	—
Minor	—	—	—	—	U	—	U	U	U	U	—	—	P	P	—	—	—	—
Bakeries—retail	—	—	—	—	—	—	P	P	P	P	U	—	P	P	—	P	—	—
Bank or savings & loan	—	—	—	—	P	P	P	P	P	P	—	—	—	—	—	P	—	—
Bar (§ 9-5.3831)	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	U	—	—
Barber & beauty shop	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—
Bed and breakfast inns (§ 9-5.3819)	U	U	—	—	—	—	—	—	—	U	U	—	—	—	—	U	U	—
Boat repair																		
Major	—	—	—	—	U	—	—	—	—	U	U	—	U	P	—	U	—	—
Minor	—	—	—	—	U	—	U	U	U	U	U	—	P	P	—	U	—	—
Boat, RV—storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	U	U	U	—	U	P	—	—	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Bowling alleys (§ 9-5.3831)	-	-	-	-	-	-	-	U	U	U	-	-	-	-	-	-	-	-
Car and vehicle wash	-	-	-	-	-	-	-	U	U	U	U	-	U	U	-	-	-	-
Card room	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-	U	-	-
Catering services	-	-	-	-	-	-	-	P	P	P	A	-	U	-	-	U	-	-
Clothing store	-	-	-	-	-	-	-	P	P	P	A	-	-	-	-	P	-	-
Combined residential/com- mercial structure	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	U	-	-
Communication facilities	U	U	U	U	U	P	P	P	P	P	-	U	P	P	-	P	U	U
Confectionery stores	-	-	-	-	-	-	P	P	P	P	A	-	-	-	-	P	-	-
Dance hall	-	-	-	-	-	-	-	U	U	U	-	-	U	-	-	U	-	-
Drive-up window (all uses)	-	-	-	-	U	U	U	U	U	U	-	-	U	U	U	-	-	-
Dry cleaning agencies; pick-up and self serve	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	P	-	-
Florist shop	-	-	-	-	P	-	P	P	P	P	-	-	-	-	P	P	-	-
Food stores (§ 9-5.3831):																		
Convenience store	-	-	-	-	-	-	U	U	U	U	U	-	-	-	U	U	-	-

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Supermarket	—	—	—	—	—	—	U	P	P	U	—	—	—	—	—	U	—	—
Fortune-teller's	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	U	—	—
Funeral parlor & mortuary	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U ⁴	—	—
Furniture stores	—	—	—	—	—	—	—	P	P	U	—	—	—	—	—	P	—	—
Gift shop	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	P	—	—
Gun sales (§ 9-5.3833)	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	U	—	—
Hardware store	—	—	—	—	—	—	U	P	P	U	U	—	—	—	—	P	—	—
Health club/fitness center	—	—	—	—	U	—	U	P	P	U	—	—	U	—	U	U	—	—
Hotel & motels	—	—	—	—	U ⁵	U	—	P	P	P	U	—	U ⁵	—	U	U	—	—
Jewelry store	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	P	—	—
Kennels	—	—	—	—	—	—	—	U	U	—	—	—	U	U	—	—	—	—
Laboratories; medical, dental, optical	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	U	—	—
Laundrette	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—
Liquor stores (§ 9-5.3831)	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—
Live entertainment	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	U	—	—
Marina	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	U	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Miniature golf courses	—	—	—	—	—	—	—	U	U ⁶	U	—	—	U	—	—	U	—	—
Mini-storage	—	—	—	—	—	—	—	—	—	U	U	—	U	P	—	—	—	—
Nurseries (horticulture) (§ 9-5.3824)	—	—	—	—	—	—	—	P	P	U	U	—	P	P	—	—	—	—
Offices:																		
Business & professional	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	U	—	—
Medical (includes clinics)	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	U	—	—
Paint store	—	—	—	—	—	—	—	P	P	U	—	—	U	—	—	P	—	—
Parking lot (commercial)	—	—	—	—	A	A	A	A	A	A	A	A	P	P	A	A	—	—
Pawn shops	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	U	—	—
Pet shop	—	—	—	—	—	—	P	P	P	P	U	—	—	—	—	P	—	—
Pharmacy	—	—	—	—	U	P	P	P	P	P	A	—	P	P	P	P	—	—
Photographer	—	—	—	—	—	P	P	P	P	P	A	—	U	—	—	P	—	—
Printing & blue printing	—	—	—	—	—	P	P	U	U	U	—	—	P	P	—	U	—	—
Radio & TV sales & repair	—	—	—	—	—	—	U	P	P	P	—	—	—	—	—	P	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Recycling facilities:																		
Reverse vending machines (§ 9-5.3811)	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	P	—	—
Small collection facility (§ 9-5.3812)	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	A	—	—
Large collection facility (§ 9-5.3813)	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	A	—	—
Light processing facility	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Heavy processing facility (§ 9-5.3815)	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Repair service	—	—	—	—	—	—	—	—	U	U	U ⁷	—	P	P	—	U	—	—
Restaurants (§§ 9-5.3823 and 9-5.3831):																		
General	—	—	—	—	P	P	P	P	P	P	P	—	U ⁵	—	—	P	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Fast food	—	—	—	—	U	—	—	U	U	U	U	—	U ⁵	—	—	U	—	—
Outdoor seating & food service	—	—	—	—	U	U	U	U	U	U	U	—	U ⁵	U	—	U	—	—
Take out/delivery	—	—	—	—	P	U	P	P	P	P	U	—	U ⁵	—	—	U	—	—
With bar & live entertainment	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	U	—	—
Retail; general and specialty	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	P	—	—
Secondhand sales	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	U	—	—
Shoe repair shop	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—
Sign shop	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	—	—	—
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	P	—	—
Tailor shop	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	P	—	—
Tattoo studio	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	U	—	—
Theaters	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	U	—	—
Upholstery shop	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	U	—	—
Variety store	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	P	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Vehicle/boat/ equipment sales & rental (§ 9-5.3825)	—	—	—	—	U ⁸	—	—	U	U	U	U	—	U	U	—	U ⁸	—	—
INDUSTRIAL USES																		
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Bakery-commercial	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—
Beverage bottling plant	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Boat building	—	—	—	—	—	—	—	—	—	—	U	—	U	P	—	—	—	—
Cement or clay products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Concrete batch plant	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Contractor's storage yard	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Dairy products processing	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Dry cleaners processing	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Exterminator	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Finished paper production	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Food processing plant	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Fuel yard; bulk petroleum storage	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Garment manufacture	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Hazardous waste facilities (§ 9-5.3826):	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Small generator (§ 9-5.3826)	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	—	—	—
Large generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Processor (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Household hazardous waste facility (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Junk yard/auto wrecking yard	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Lumber yard	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Machine shop	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Research & development	—	—	—	—	—	—	—	—	—	U	—	—	U	U	—	—	—	—
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Stockyards/ slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—
Warehousing & wholesaling	—	—	—	—	U	—	—	—	—	—	—	—	U	P	—	—	—	—
TEMPORARY USES																		
Removal of earth (§ 9-5.3822)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	—
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

Zoning

	RE RR	R-4 R-6	R-10	R-20	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	RTC	RTR-10	RTR-20
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	A	A	A	A	A	A	—	—	A	A	—	A	—	—

(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06)

1. Single family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single family dwelling units, other than replacement of existing single family dwellings, are prohibited within the R-20 zone.
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district..
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-0, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.
4. Funeral services are limited to "J" Street, Fourth Street, and the area between Fourth and Fifth Street.
5. May be located only on sites adjacent to freeway interchanges.
6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.

B- Boat Sales and Rental Only

ATTACHMENT "E"



Stantec

Stantec Consulting Inc.
1383 North McDowell Boulevard, Suite 250
Petaluma CA 94954
Tel: (707) 765-1660
Fax: (707) 765-9908

January 10, 2012

Ms. Mindy Gentry, Senior Planner
City of Antioch
200 'H' Street
Antioch, CA 94509

(925) 779-6133 (925) 779-7034 fax

Stantec Job #2007769006

**Reference: Peer Review Memorandum
2100 L Street Commercial Building**

Dear Mindy:

This document represents our draft peer review and is submitted for your review:

In accordance with your authorization, Stantec has reviewed all materials provided by the City of Antioch for the subject project. Stantec has reviewed the proposed projects, comparing it to the following city documents:

Citywide Design Guidelines
Applicable Building Codes
Applicable State Regulations-including AB 1881
Storm Water Management Practices as affecting site design and landscape design

Basis of Project Understanding

The following background documents which have been received from the city staff, comprises the basis of understanding for use in this peer review:

- ☐ (1) New Commercial Building for Burke Properties A1 Site Plan 5-15 -11
- ☐ (1) New Commercial Building for Burke Properties A2 Elevations 5-15 -11
- ☐ (1) New Commercial Building for Burke Properties A3 Roof Plan 5-15 -11
- ☐ (1) New Commercial Building for Burke Properties A4 Roof Plan 5-15 -11
- ☐ (1) New Commercial Building for Burke Properties C1 Grading and Drainage Plan 5-6-11
- ☐ (1) New Commercial Building for Burke Properties C2 Sections 5-6-11
- ☐ (1) New Commercial Building for Burke Properties PL1 Preliminary Landscape Plan Plan 5-2-11
- ☐ (1) New Commercial Building for Burk Properties Color Board

Peer Review Project Data Summary

Project Type: Commercial Development

Action for Peer Review: The applicant has submitted plans for a new commercial building.

Peer Review Comments:

E1

January 10, 2012

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Item No.	Comment Source	Comment or Concern	Recommendation
	General Comments		
1	Google Aerial Article 12 Tree Preservation and Regulation	3-4 Existing trees appear on Google Maps for this site. Applicant should clarify existence of these trees.	Existing trees with sizes and tree type should appear on the plans and an indication of whether they are to be removed or to remain should be included.
	Site Plan		
2	9-5.1716 (A) (B) (C)	Planters 5' wide need to be provided at perimeter. Sidewalks to be 5' clear. 2' bumper overhang can be used at both planters and walks.	West walk at building needs to be wider to provide 5' clear. 7' walk would allow 2' bumper overhang. Current layout results in 3' clear considering 2' overhang. West boundary does not have a planter. Suggest utilizing trees at building to supplement screening provided for first floor with the use of the 8' CMU wall. See comment 17 below regarding finger planter location on west side of building.
3	9-5.1713 (2)	Driveways are to be 26' wide if two way when there are more than 25 parking spaces.	Widen both driveways to meet requirement.
4	Review	Circulation appears to be constricted for trash pickup and to back out of the northernmost parking space at the front of the building.	Illustrate turning for trucks and cars to show these areas will work as designed. Add back up space.
5	Chapter 3 Commercial Design Guidelines and 9-5.1707 (B) (1)	Section 11. Bike racks to be conveniently located in parking areas and throughout the site. Also in 9-5.1707. 1 bike space for every 25 vehicle spaces is required. F. 1. Whenever possible, trash enclosures shall be architecturally integrated into the design of the structure, at the rear of the building. F. 5. All trash enclosures and garbage bins shall be screened from public view to the greatest extent possible. F. 6. Landscaping shall be used around trash enclosures to providing screening and deter graffiti.	Verify the project conforms to the 1/25 requirement (2 required) for the bike racks and add concrete pad for bike rack as it now sits in landscape. Coordinate with the landscape plans. Provide screening for trash enclosure through the use of a climbing vine coming from the adjacent planter. Confirm size of TE will accommodate adequate bins for businesses and provide recycling area.
6	9-5.1720	Loading Requirements	Illustrate loading areas and show how they conform to this section.

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	Grading / Drainage		
7	Sheet C1and C2 Preliminary Grading Plan/Sections5-6-11	Downspouts to be collected and be a part of the storm water management plan.	Show locations of downspouts and where the flow goes. Do not dump water into planters which are to be planted in drought tolerant plantings, or add drains or cobble swales within those areas.
8	Sheet C1and C2 Preliminary Grading Plan/Sections5-6-11	Grades are steep from building to bio-retention and mulch could float into area blocking drains.	Clarify treatment for these areas.
9	Sheet C1and C2 Preliminary Grading Plan/Sections5-6-11	Mound is noted in landscape plan for street/intersection planter and bio-retention is shown through center of planter along Sycamore Drive and is in a different location than on the landscape plan.	Coordinate civil and landscape plans.
10	AB 1881	Separate meter is required for irrigation water service.	Provide separate meter.
11	Sheet C1and C2 Preliminary Grading Plan/Sections5-6-11	It is unclear which way water is draining from planters to the street.	Add arrows to indicate direction of drainage.
	Preliminary Landscape Plan		
12	Preliminary Landscape Plan dated 5-22-11	Article 10 Landscaping and Irrigation 9-5.1002 (E) Landscape plan to be consistent with storm water plan.	Coordinate bio-retention area locations shown on civil plans and show how mulch, slopes and plantings accommodate the grades and flow of runoff to bio-retention areas.
13	Preliminary Landscape Plan dated 5-22-11	Article 10 Landscaping and Irrigation 9-5.1004 Specific Design Standards (B) (4) Water conserving measures to be incorporated.	AB 1881 hydrozones and calculations to be indicated on the plan. WUCOLS plant designation for water use to be indicated on the plan. Plan currently mixes medium and low water use plantings. Adjust plant palette. Use 3" mulch per AB 1881.
14	Preliminary Landscape Plan dated 5-22-11	Article 11 Site Obstructions at Intersections 9-5.1101	Provide visibility triangles per the code.
15	Preliminary Landscape Plan dated 5-22-11	Article 12 Tree Preservation and Regulation	Provide tree table and condition of trees to be removed and to be remained per the code. Add notes regarding tree protection and grading limits for trees to remain. Note bonding requirement and permit requirements. Illustrate replacement measures in the plan within the table.
16	Preliminary Landscape Plan dated 5-22-11	Article 12 Regulations on Tree Locations 9-5.1210	Add a dimension showing that trees along the streets have been planted 5' from the back of sidewalk. Relocate trees accordingly. Add a note regarding the clearances required at

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			planting time and for ordering headed up trees from the nursery.
17	Preliminary Landscape Plan dated 5-22-11	Total Square footage from site plan for landscape area needs to be included on landscape plan as well as water use calculations.	Enlarge the finger planter at the NW corner of the building extending to the north which needs to be a total of 5' clear planter. Relocate planter finger to south to break up parking and to provide a space for a tall tree to soften the view of the building from the 2 story structure to the west.
18	Preliminary Landscape Plan dated 5-22-11	Miscellaneous Comments per the City Design Guidelines, Plant lists, and other requirements.	<ol style="list-style-type: none"> 1. Hedera helix poses many maintenance problems. Consider another plant. 2. The use of Platanus in parking areas is ill advised to the large sticky and slippery leaves falling on pavement and cars in the fall. Select another plant. 3. The Canary Island pine is a large tree and will require pruning of limbs to keep driveway clear. Consider another conifer. 4. Add parking lot light fixtures and main utilities to the plan and coordinate final tree locations.
19	Preliminary Landscape Plan dated 5-22-11	9-5.1714 Parking Lot Landscaping: Design Standards (E) Provide 36" hgt. Shrubs to screen parking.	Clarify height of shrubs to illustrate screening as required is provided.
	Architecture		
20	3.1.4-A	Choose a quality architectural style.	Current architectural style of the building reflects typical commercial styles used in the industry today. Applicant should consider choosing some elements that reflect Antioch or strengthen and create character and identity for the neighborhood and this corner. The chosen style should complement the existing and provide a sense of consistency throughout the commercial district. Suggest adding articulation to parapet tops, adding awnings, and possibly adding a cornice and bump up to the parapet on the north and west elevations which have long unbroken walls.
21	3.1.4-C.2	Commercial store fronts shall be a minimum of 45% void to 55% solid	Demonstrate the proposal complies with this requirement on the combined elevations.
22	3.1.4-C.4	Landscaping shall be spaced to cover 2/3 of the wall surfaces	The proposal does not comply with this requirement. Add planters and

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			vine pockets to meet this requirement.
23	3.1.2 Design Objectives B.	Building does not reflect much articulation in the elevations. Roofline is basically a flat roof with corner or entry pop outs and does not meet the criteria for varied rooflines.	Provide articulation of the building elevations and consider a varied roofline and cornice treatment that integrates the entire building.
24	3.1.2 B. 2. and 4 Land Use Buffering	Buffer residential areas.	Provide a buffer from residences to the west by moving finger planter. See 17. Also clarify if the parapet acts as a screen or if the equipment has a screen on the roof. Elevation has notation that is confusing.
25	3.1.2.C.5.7 .8 Building Siting	Commercial sites to promote pedestrian activity and provide outdoor rooms.	Strengthen pedestrian connections and meet ADA requirements by extending the east walk to Sycamore drive. Incorporate pedestrian enhancements and provide an outdoor use area. Applicant to consider possible relationship to the street that encourages pedestrians and possible outdoor area for seating or eating integrated into the building and site design. Show an integrated service area as well.
26	3.1.2.D Site Amenities and 3.1.9 Public Space	Provide seating and other amenities to compliment structure and to provide outdoor public space.	Applicant to develop an overall site character offering amenities. See the above noted site features from the Design Guidelines that accommodate pedestrians, facility users and employees, while enhancing the character of the development.
27	3.1.2.F 1.2 Trash Enclosure	Integrate trash enclosure with site architecture.	Revise design of trash enclosure on sheet A3 to more compliment and fit with the architecture of the building. Suggest using a hip roof. Illustrate how recycling will be handled.
28	3.1.2.F. B.1 and 2 Building Form and Mass	Avoid blank facades on major streets and add visual interest.	Applicant to provide more interest and fenestration on north side of the building to avoid blank facades.
29	3.1.2.F. C.1 -4 Wall Articulation	Refer to design guidelines regarding long flat monolithic walls and suggestions for articulation.	Provide articulation and features to break up the long west facade. Refer to the design guidelines for appropriate techniques and building features-awnings, columns, etc.
30	3.1.2.D 6. 8 Roofs	Long rooflines are prohibited. Provide adequate overhangs or other features for shade.	Provide articulated roofline. Provide deeper overhangs or other details on north and west side to create useable shade on sidewalks.
31	3.1.2.E 2 .4 Materials and Colors	Metal roofs are discouraged. Colors should be appropriate to the architectural style.	Provide alternate roofing material. Colors need to be clarified as to the limits and separation as towers are

January 10, 2012

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			wrapped especially on the south side. Color board indicates the use of a Dried Rose, which is a dark plum color too dark to be suitable for a large area and mass. Applicant should consider choosing a lighter color for these walls and to adding another color for accent.
32	3.1.5.A Storefront	Storefront windows and entries to be recessed or sheltered.	Windows are large and seem to meet the Design Guidelines, however, placement appears cluttered and imbalanced as they do not line up with the stucco joints. Windows are not evenly distributed on the façade and seem to be punched through wall at odd locations and leave large blank walls. The sizes also do not seem related to the doorsizes and glazing. Consider adding awnings to shelter walk.
33	3.1.5.B 5 Project Entry Design	Provide a main entry with monumentation.	Design signage or monumentation for the project to both designate the entry and to enhance the intersection corner.

Summary Conclusions:

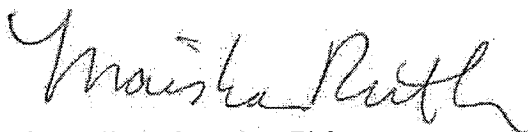
The project as submitted does not fully comply with the Design Guidelines. Stantec feels that with some effort the project could comply and is recommending minor design changes to two of the facades, the roof, the trash enclosure roof, the window layout, the parking and planter finger locations and some minor site adjustments for access and pedestrian enhancements.

We recommend that the applicant consider these suggestions and return to the city with an improved project.

Please call if you have any questions regarding this memorandum.

Sincerely,

STANTEC CONSULTING INC.



Maisha Ruth, Associate RLA
Tel: (707) 765-1660 Fax: (707) 765-9908

ATTACHMENT "F"

1-11-2012

Ms. Mindy Gentry
City of Antioch
200 "H" Street
Antioch, Ca. 94509

Mr. Tim Jones
2100 "L" St.
Antioch, Ca.

Planning Review Response:

1. There are no trees on this property. The Trees you observe on google are on the adjacent properties.
2. The Walk has been widened to 7'-0"
3. Driveways have been widened to 26'-0"
4. The location of the Trash enclosure has been set to minimize views and odors. A 30-ft radius has been provided for truck approach and pickup. Also as common practice the trash enclosures are wheeled out for pickup as there are gates on the enclosure.

The front parking space has been provided with pervious back up area.

5. Bike rack area has been set on concrete pad.
A landscape island has been provided alongside the trash enclosure.
6. The curb at the two rear parking stalls in front of the rear doors will be painted yellow with a sign stating, no parking loading zone hours.
7. All downspouts called out to be directed to underground site drainage.
8. -19. See Civil and landscape comments by Consultants.

2100 "L" St.
Antioch, Ca.

Planning Review Response:

page 2.

20. The roof lines and parapets have been revised to break up the single line roof element. The existing design has already incorporated awnings. The North and west walls have been revised to include Cantilevered areas to omit a one wall surface.
21. The windows and have been realigned to provide balance and Reduced to the allow the required proportions.
22. See landscape comments. 23. See item 20.
24. The parapet act as screening for the 24" high hvac units. Planter has been relocated, and was previously 6' wide.
25. The Front walkway has been extended to the sidewalk providing easier access to front entry.
26. A landscaped area has been previously provided at the northwest corner of the building with a walkway alongside to provide sitting and Lounging area.
27. The trash enclosure has been revised to a hip roof to Complement the existing building structure.
- 28.-30. See comment 20.
31. Roof type and color has been revised to concrete tile per city official.
32. See comment 21.
33. The front Entry has been redesigned to provide balance and obvious sense of entry with roof elements and direct signage..
34. The "living wall" affectively is cinder block columns spaced approximately six ft. apart with Ivy/green material on the wood fence in between the columns.

Thank you,
Alan Estrada

ATTACHMENT "G"

ASA-64G1 and 80G1 Series

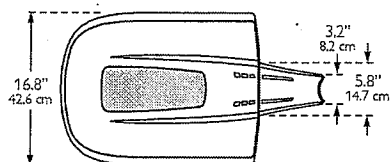
AeroScape LED Small Housing Area and Site Series

Type:	Job:	Approvals:								
Catalog Number:										
ASA - NW		Date:								
Series	# of LEDs	Driver	LED Color	Distribution	Voltage	Mounting	Options	Finish	Accessories	Page 1 of 10

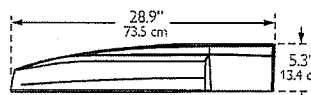
Overall Dimensions (for reference only)

Straight Arm Dimensions

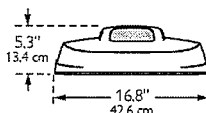
Top View



Side View

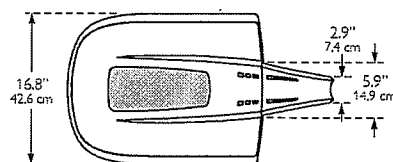


End View

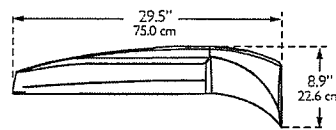


Upswept Arm Dimensions

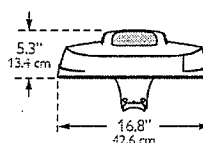
Top View



Side View



End View



Weight: 34.7 lbs 15.7 kgs
EPA: 0.57 sq ft

Specifications

Rated System Life (LED life per L70)

Driver and LED life: 80,000 hrs @ 25°-40°C (77°-104°F)

Predicted LED life

See page for 9 for predicted L70 LED life.

Construction

Die-cast aluminum housing with corrosion resistant hardware. ASA-64G1 and 80G1 have 22" optical opening. Optic chamber and separate driver housing constructed to IP66. Die-cast aluminum heatsink allows for long life of LEDs up to 40°C ambient.

Thermal Management

IP66 rated thermal Pod frame management system creates a vortex of airflow with passthrough convective cooling system and heat extraction.

LED and Board Array

64 and 80 Rebel ES LEDs. Color temperature: Neutral White 4125 K +/- 175 K; CRI ≥ 60.
Metal core printed circuit board. RoHS compliant.

Driver

High efficiency multi-volt driver (50 or 60 Hz), maintains constant current flow to LEDs to accommodate LED variations. High power factor (>90% standard). Constant current: 350, 530 or 700 mA. Voltage: 120-277, 347, 480. Temperature range: -30°C (-22°F) to 40°C (104°F). Exception: 700 mA unit: -30°C (-22°F) to 35°C (95°F). Open/short circuit protection. RoHS compliant.

LED Optical System

Factory set and field rotatable LED Pod optical assemblies. Type II, III, IV or V distribution. Meets IES Full Cutoff criteria. Fully gasketed Dust-Tite construction. Employs Philips LEDGINE technology & Rebel ES LEDs.

Mounting

Die-cast aluminium straight or upswept arm mount for mounting to 4" to 5" O.D. round poles. Square pole adapters included. Round pole adapter accessories required for mounting to 3.0-3.9" round poles. Wall mount also available.

Finish

Standard textured finish options available.
TSA = textured satin aluminium, TDB = textured dark bronze, TBK = textured black, TWHT = textured white, TGR = textured gray, TPG = textured Philips gray, TGN = textured green, and RAL(*) = custom color (* = specify RAL #).

Listings

ETL/cETL listed to the UL 1598 standard, suitable for Wet Locations. Suitable for use in ambients from -30° to 40°C (-22° to 104°F). See exception in driver specifications for 700 mA units. The quality systems of this facility have been registered by UL to the ISO 9001 series standards. Optic chamber and separate driver housing constructed to IP66. AeroScape site & area series is DLC certified.

Warranty

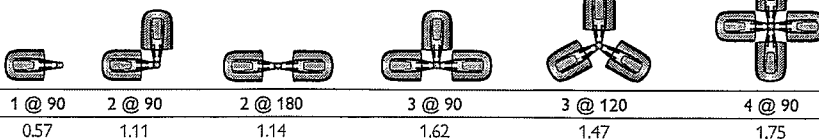
Mechanical, finish, and LED engine & components shall be covered by a limited 5 Year Warranty.
The current Philips Wide-Lite Warranty may be found at www.wide-lite.com (keyword: warranty) as well as the current Standard Terms and Conditions of Sale (keyword: terms). All sales of items in this catalogue shall be subject to the Philips Wide-Lite Standard Terms and Conditions of Sale current at the time of shipment. If you do not have a copy of the Philips Wide-Lite Warranty and Standard Terms, please contact the factory for same prior to ordering.

AeroScape LED Small Housing Area and Site Series

Job:

Page 2 of 10

Mounting Configurations



EPA DATA

Ordering Example: ASA-64G1-700-NW-2L0-120-SAM-F1-TLRPC-TSA

Series	# of LEDs	Driver	LED Color	Distribution	Voltage	Mounting	Options ¹⁰
<input checked="" type="checkbox"/> ASA	<input type="checkbox"/> 64G1 → <input type="checkbox"/> 700 <input type="checkbox"/> 80G1 → <input type="checkbox"/> 350 						

Finish

- ☐ **TSA** Textured Satin Aluminum
- ☐ **TDB** Textured Dark Bronze
- ☐ **TBK** Textured Black
- ☐ **TWHT** Textured White
- ☐ **TGR** Textured Gray
- ☐ **TGN** Textured Green
- ☐ **TPG** Textured Philips Gray
- ☐ **RAL(*)** Custom Color (*specify RAL #)

Accessories (must be ordered separately, field installed)

<input type="checkbox"/> F1-KIT²	Single Fusing Field Installed Kit (120, 277, 347V)	<input type="checkbox"/> 2LHSS-64	2L House Side Shield for 64G1 units	<input type="checkbox"/> RPTA-190-DT13
<input type="checkbox"/> F2-KIT²	Double Fusing Field Installed Kit (208, 240, 480V)	<input type="checkbox"/> 2LHSS-80	2L House Side Shield for 80G1 units	<input type="checkbox"/> RPTA-290-DT13
<input type="checkbox"/> F3-KIT²	Double Fusing Field Installed Kit (208, 240, 480V) Canadian Double Pull	<input type="checkbox"/> 3LHSS-64	3L House Side Shield for 64G1 units	<input type="checkbox"/> RPTA-2180-DT13
<input type="checkbox"/> F3-KIT²	Double Fusing Field Installed Kit (208, 240, 480V) Canadian Double Pull	<input type="checkbox"/> 3LHSS-80	3L House Side Shield for 80G1 units	<input type="checkbox"/> RPTA-390-DT13
<input type="checkbox"/> DYN-KIT1	Dynadimmer USB Cable Kit (for field programming)	<input type="checkbox"/> 3LHSS-80	3L House Side Shield for 80G1 units	<input type="checkbox"/> RPTA-3120-DT13
<input type="checkbox"/> DYN-KIT2	Dynadimmer Handheld Programmer Kit (for field programming)	<input type="checkbox"/> 4LHSS-64	4L House Side Shield for 64G1 units	<input type="checkbox"/> RPTA-490-DT13
<input type="checkbox"/> DYN-KIT2	Dynadimmer Handheld Programmer Kit (for field programming)	<input type="checkbox"/> 4LHSS-80	4L House Side Shield for 80G1 units	Square Pole Tenon Adapters
<input type="checkbox"/> SG-ASA1	Stone Guard	<input type="checkbox"/> 4LHSSX-64	4L Extreme LEED House Side Shield for 64G1 units	<input type="checkbox"/> SPTA-190-DT13
<input type="checkbox"/> WM-ASA⁸	Wall Mount	<input type="checkbox"/> 4LHSSX-80	4L Extreme LEED House Side Shield for 80G1 units	<input type="checkbox"/> SPTA-290-DT13
<input type="checkbox"/> RPA339-ASA	Round Pole Adapter (required for 3.0-3.9" pole)			<input type="checkbox"/> SPTA-2180-DT13
				<input type="checkbox"/> SPTA-390-DT13
				<input type="checkbox"/> SPTA-490-DT13

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ASA-64G1 and 80G1 Series

AeroScape LED Small Housing Area and Site Series

Type:

Job:

Page 3 of 10

Option Details

F1 Single Fusing (120, 277, 347V)

F2 Double Fusing (208, 240, 480V)

F3 Double Fusing (208, 240, 480V)
(Canadian double pull)

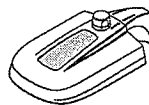
PCB Factory Installed Photocell Button
Not available with 480 V.



Note: Voltage must be specified with fusing and photocontrol options.

TLR Twist Lock Receptacle

TLRPC Twist Lock Receptacle with Photocontrol
Not available with 347 or 480 V.



HSS Factory Installed House Side Shield
Available with Type-II, III, and IV.

HSSX Factory Installed Extreme LEED House Side Shield
Available with Type-IV only.

DD Dimming Driver (0-10V)

Continuous dimming down to 10% power.

0-10V leads supplied for connection to external controls (by others).

Dynadimmer Details

DCP Dynadimmer Custom Programming

The Dynadimmer programmer enables users to program the individual Dynadimmer either on or off-site. For factory programming, submittals required to set profile. For field programming, DYN-KIT1 or DYN-KIT2 required.

Dynadimmer - Safety Profile¹

This mode focuses on safety by dimming during a limited period of time. Decreases light levels to 25, 50, or 75% low during a four hour period.²

DS25 25% Low

DS50 50% Low

DS75 75% Low

Dynadimmer - Median Profile¹

This mode provides an ideal balance between illumination and energy savings. Decreases light levels to 25, 50, or 75% low during a six hour period.²

DM25 25% Low

DM50 50% Low

DM75 75% Low

Dynadimmer - Economy Profile¹

This mode maximizes energy savings by dimming during a longer period of time. Decreases light levels to 25, 50, or 75% low during an eight hour period.²

DE25 25% Low

DE50 50% Low

DE75 75% Low

1) Dynadimmer not available in 347 or 480 V.

2) Can be modified later by the end-user with optional USB cable and free programming software.

Accessory Details

F1-KIT Single Fusing Field Installed Kit (120, 277, 347V)

F2-KIT Double Fusing Field Installed Kit (208, 240, 480V)

F3-KIT Double Fusing Field Installed Kit (208, 240, 480V)
(Canadian double pull)

DYN-KIT1 Dynadimmer USB Cable Kit (for field programming)



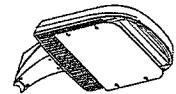
The USB programming cable is used to directly link and program Dynadimmer 0-10V from a PC. When using this cable, no programmer tool is needed. Dynadimmer software has a special button to activate the USB feature. Software available for free download at www.wide-lite.com. Cable only.

DYN-KIT2 Dynadimmer Handheld Programmer Kit (for field programming)



The Dynadimmer programmer enables users to program the individual Dynadimmer either on or off-site. Powered by 4 AA or LR6 batteries. Handheld programmer with cables.

SG-ASA1 Field Installed Stone Guard



2LHSS-64 Type 2L Field Installed House Side Shield for 64G1 units

2LHSS-80 Type 2L Field Installed House Side Shield for 80G1 units

3LHSS-64 Type 3L Field Installed House Side Shield for 64G1 units

3LHSS-80 Type 3L Field Installed House Side Shield for 80G1 units

4LHSS-64 Type 4L Field Installed House Side Shield for 64G1 units

4LHSS-80 Type 4L Field Installed House Side Shield for 80G1 units

4LHSSX-64 Type 4L Field Installed Extreme LEED House Side Shield for 64G1 units

4LHSSX-80 Type 4L Field Installed Extreme LEED House Side Shield for 80G1 units

ASA-64G1 and 80G1 Series

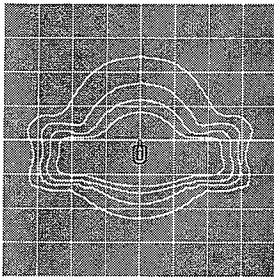
AeroScape LED Small Housing Area and Site Series

Type:

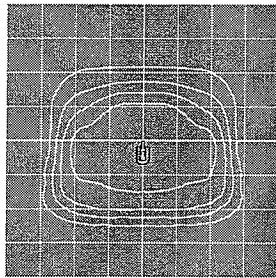
Job:

Page 4 of 10

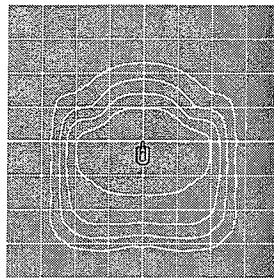
Distribution Patterns



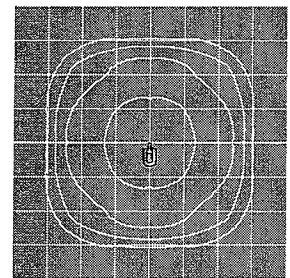
2L0
2L0 is designed to IES Type II.



3L0
3L0 is designed to IES Type III.

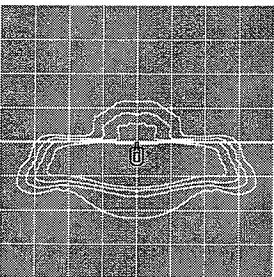


4L0
4L0 is designed to IES Type IV.

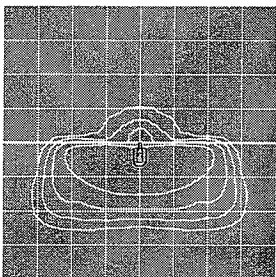


5L
5L is designed to IES Type V.

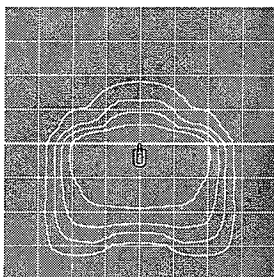
House side shield¹



2L - HSS¹

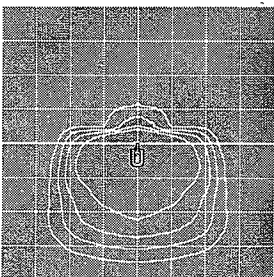


3L - HSS¹



4L - HSS¹

Extreme house side shield²

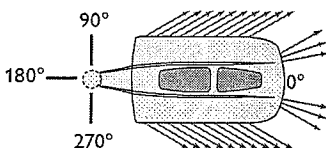


4L - HSSX²

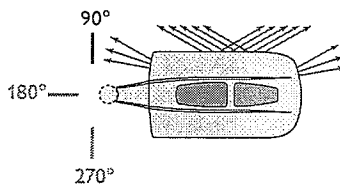
Notes:

- 1) 'HSS' factory installed options and field installed accessories will produce the same distribution results.
- 2) 'HSSX' factory installed option and field installed accessory will produce the same distribution results.

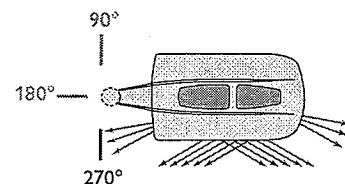
Factory Set Rotatable Optics



Type 2L0, Type 3L0, and Type 4L0¹



Type 2L90, Type 3L90, and Type 4L90²



Type 2L270, Type 3L270, and Type 4L270²

Notes:

1) Typical for single unit perimeter installation

2) Twin perimeter units typically require one 90° and one 270° optic.

3) Optics can be factory rotated.

Philips Wide-Lite Professional Luminaires reserves the right to change specifications and dimensions without notice. Lamp and electrical specifications / availability subject to change by manufacturer without notice. Please refer to detailed specification sheets for additional information and spec details.

1611 Clovis Barker Road • San Marcos, TX 78666 • Phone: 512.392.5821 • Fax: 512.753.1122 • www.wide-lite.com

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FEATURES & SPECIFICATIONS

INTENDED USE

Provides maintenance-free general illumination for outdoor applications. Ideal illumination for walkways, yards, patios, play areas and driveways creating an inviting exterior space as well as providing safety and security.

CONSTRUCTION

Two tool-free adjustable heads allow for easy aiming up/down or side to side. Rugged cast aluminum, corrosion-resistant housing in bronze or white. Clear acrylic lenses are fully gasketed to keep out moisture, dirt and bugs.

Each head contains (3) 4780K high performance LEDs. Lumen output of 1,222 is maintained at 50,000 hour life. LED driver is 120V and operates at 60Hz.

Dual array motion sensor provides 180° detection with up to 70 feet forward range, and additional downward perimeter protection. Sensitivity and on-time adjustable knobs provide precision control, and the sensor has a manual override option. An integrated photocell prevents activation during daylight.

INSTALLATION

Wall or eave mount.

All mounting hardware included.

LISTINGS

UL/C-UL Certified to US and Canadian safety standards. Wet location listed.

WARRANTY

Guaranteed for five years against mechanical defects.

Catalog
Number

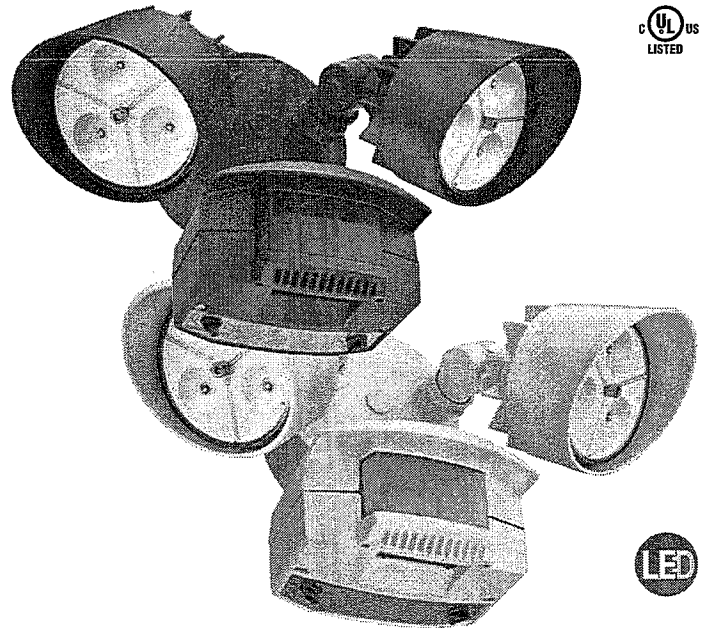
Notes

Type

Outdoor General Purpose

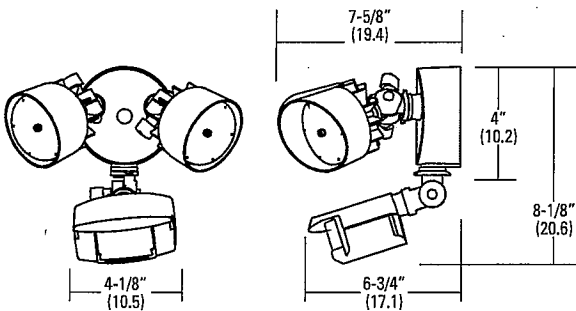
LED Floodlight with Motion Sensor 2 Adjustable Heads

High Performance LED



Dimensions

All dimensions are inches (centimeters)



ORDERING INFORMATION

For shortest lead times, configure products using **bolded options**.

Example: **OFLR 6LC 120 MO BZ**

OFLR	6LC	120	MO	
Series	No. of Heads	Ballast/Voltage	Features	Finish
OFLR LED Floodlight	6LC 2 heads	120 120V residential electronic ballast	MO Motion Sensor	BZ Bronze WH White



Catalog Number	
Notes	Type

General Purpose

FEATURES & SPECIFICATIONS

INTENDED USE

Provides general illumination for outdoor spaces in residential and light commercial applications. Ideal for entryways creating an inviting exterior space as well as providing safety and security. Plastic housing makes fixture suitable for coastal applications.

ATTRIBUTES

This contemporary styled wall light features a white finish with a matte white acrylic diffuser. Dusk-to-dawn photocell automatically turns light on at dusk and off at dawn for convenience and energy savings.

Includes (1) 13W compact spiral 2700K fluorescent lamp for energy efficiency, superior color rendering and long life with integrated 120V 60Hz electronic GU24-pin base ballast (ensures no flickering and quiet operation without interfering with other home electronics). (10,000 hrs.) min.

Starts instantly down to 0°F (18°C).

Use with non-dimmable switches only.

All mounting hardware included.

LISTING

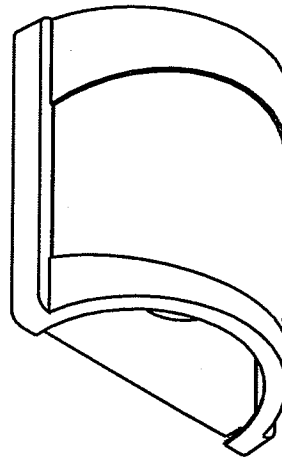
CUL listed to US and Canadian safety standards and suitable for wet locations. ENERGY STAR® qualified.

WARRANTY


Guaranteed for two years against mechanical defects in manufacture (Excludes lamp).

Contemporary Wall Light

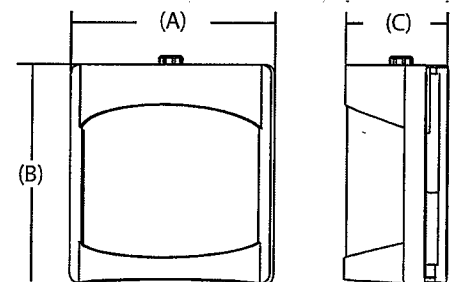
Compact Spiral Fluorescent
w/Integrated Ballast



DIMENSIONS

Lamp Configuration	Model Number	Number of Lamps	(A) Width inches (cm)	(B) Length inches (cm)	(C) Extension inches (cm)
	OSWC 13F	(1) 13W compact spiral lamp w/integrated ballast	7-7/8" (20.0)	8" (20.3)	3-3/4" (9.5)

All dimensions are in inches (centimeters)



ORDERING INFORMATION

Choose the boldface catalog nomenclature that best suits your needs and write it on the appropriate line. Order accessories and replacement parts as separate catalog numbers.

Example: **OSWC 13F 120 P LP WH**


OSWC 13F		120	P	LP	WH
Model Number		Ballast/Voltage	Features	Lamp	Finish
OSWC 13F	(1) 13W compact spiral 2700K fluorescent lamp w/integrated electronic 120V 60Hz GU24-pin base ballast Included	120 120 volt residential electronic ballast (standard)	P Dusk-to-Dawn photocell	LP Lamp included	WH White

Accessories/Replacement parts

CF131NLB27 GU24 13W compact spiral 2700K fluorescent lamp w/integrated electronic 120V 60Hz GU24-pin base ballast

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF FEBRUARY 1, 2012**

Prepared by: Vivian Kahn, Associate Principal, Dyett & Bhatia

Reviewed by: Tina Wehrmeister, Community Development Director 

Date: January 26, 2012

Subject: Issues and Options for 2007-2014 Housing Element Implementation (GP-10-01)

RECOMMENDATION

It is recommended that the Planning Commission receive public comment on the Antioch Housing Element Implementation Program, Issues and Options, Public Review Draft and provide direction to City Staff and Consultant for drafting amendments that would revise the City Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5) and zoning map.

BACKGROUND

The City of Antioch has adopted a Housing Element for the 2007-2014 planning period as part of its General Plan. The Housing Element establishes a comprehensive program for implementing the City's housing policies and bringing the City into full compliance with State law. The actions the Housing Element proposes to undertake to implement the Housing Element include a variety of amendments to the Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5) ranging from relatively straightforward text changes to make the regulations consistent with State density bonus requirements to the establishment of new zoning districts and programs to accommodate new dwelling units.

The Association of Bay Area Governments (ABAG) calculated Antioch's Regional Housing Needs Allocation (RHNA) for the seven-year planning period to be 2,282 units including 516 very low-income and 339 low-income units. However, because the Housing Element for the previous (1996-2006) planning period did not identify enough sites to accommodate the entire allocation of very-low and low-income units, the City's adjusted RHNA increased to 3,310 units.

After accounting for projects that had received permits from the City or were under construction, the Housing Element calculated that the City needed to find sites to accommodate 1,784 low and very low-income units.

Because the City was unable to find enough land to meet its share of the regional need for lower-income units, it will probably need to amend its existing ordinance to allow some residential projects to be approved without a conditional use permit or planned

development approval. This will require the formulation of development and design standards that can be implemented through a ministerial approval process. In so doing, the City must ensure that future housing development will not only provide the number of units that the City needs to accommodate but will do so in projects that contribute to making Antioch an attractive and desirable community for present and future residents.

The City has hired Dyett & Bhatia (the Consultant) to translate the specific proposals in the Housing Element program into regulations and procedures. The major focus of the Consultant's work is to create a user-friendly, legally adequate, and effective set of provisions that will accommodate the units needed to meet the City's housing allocation in a manner that will emphasize building placement, the framing of public space, and promoting a pedestrian-oriented environment.

The Consultant's work on this project began with a thorough review of the Antioch Housing Element and other City plans and regulations to determine what the City needs to do to meet the requirements of State law. As part of the initial fact-finding process, the Consultant conducted a series of interviews with City staff and officials including a majority of the Planning Commission and Council members. The purpose of the confidential interviews was to find out what City officials identify as the major problems with the City's existing land use and development regulations with respect to the type of residential and mixed-use development they want to see in Antioch. The Consultant also asked about the types of community benefits the City should request in exchange for providing developers with incentives to pursue the types of projects the City desires. Opportunities to participate in the interview process through interviews and by e-mail were also extended to a list of developers, property owners, and community groups that City staff identified as having potential interest in the project or relevant expertise.

Based on the input from these interviews and review and analysis of the 2007-2014 Housing Element, the current Zoning Ordinance and the Citywide Design Guidelines, the Consultant prepared a paper with findings and recommendations for zoning and/or General Plan amendments. The paper is organized according to six major topics:

- Adequate Housing Sites
- Design and Development Standards and Guidelines
- Residential Parking Requirements
- Development Bonuses and Incentives;
- Emergency, Transitional, and Supportive Housing
- Zoning for Employee and Farmworker Housing

DISCUSSION

Issues and Options

The attached paper provides an overview of the State requirements associated with each of the six major topics, identifies issues and conflicts concerning each topic, and describes some options available to the City to guide the formulation of viable approaches that would bring the City into compliance with State law.

1. Adequate Housing Sites

To meet the requirements of State law, the City of Antioch needs to demonstrate that it has sufficient sites available to accommodate 1,784 units for lower-income households. This figure includes 823 units to meet the City's share of the projected regional housing need for the current planning period (Housing Element, Table B-2) and 1,380 units carried over from the prior planning period reduced to reflect the fact that 419 units were approved but not yet built.

The law provides cities with several options for complying with the requirement to accommodate its share of the region's need for lower-income units. One approach is to rezone sufficient land to accommodate its allocation for lower-income units at the so-called "default density" (30 units/acre for Antioch and other suburban cities with more than 100,000 population). If a city is unable to identify enough sites where housing could be built to meet its allocation of lower-income units at this density, it must amend its zoning ordinance and map to accommodate 100 percent of the unmet need for low and very-low housing on sites where development is allowed by right at a density of 20 units per acre. In addition, at least 50 percent of the very low and low-income need must be on sites zoned exclusively for residential use.

There are at least two approaches the City could take to provide sites for low-income units as required by the State law. The primary choices are:

Option 1: Rezone 106.5 acres to establish a zone where multi-family development is permitted by right at 20 units per acre and rezone sufficient land at a minimum density of 30 units per acre to meet the balance of the need (Figure 2.1-B in the attached Issues and Options Report page 11), OR

Option 2: Rezone 59.47 acres at a minimum density of 30 units per acre to meet the entire need and continue to require a conditional use permit or planned development approval for all or some units.

Table 2.1-C shows how Option 1 would accommodate Antioch's share of the regional need for lower-income units. Although Option 1 would require the City to rezone more land than Option 2, the only sites that would have to be rezoned to allow 30 units/acre are lands that are now zoned for mixed use (MCR) or non-residential (PBC) development. Six sites with more than 50 acres in the Rivertown/Urban Waterfront Focus Area would be rezoned from PBC to allow residential development with a minimum density of 20 units per acre by right. This means that the City would not be able to require a Use Permit but projects would still be subject to design review. Under Option 2, which is the approach the Planning Commission previously proposed, almost 60 acres, including some now designated for single-family use, would be rezoned to allow multi-family development at 30 units per acre. Although development on these sites would still be subject to approval of a Use Permit, State law would not allow the City to impose conditions that would require reduced densities.

Table 2.1-C: How Option 1 Accommodates Antioch's RHNA for Lower-Income Units	
Total Un-accommodated Need for Lower-Income Units	2203
Permitted Projects in Pipeline	419
Remaining Need for Lower Income Units	1784
Zoning Capacity Under Proposed Option 1	
On Sites Rezoned at 30 units/Acre or More	597
On Sites Rezoned for Residential Zoning at 20 units/acre by right	1306
On Sites Rezoned for Mixed-Use Development w. Residential Development by right	74
On Sites Rezoned for Planned Development at 20 units/acre or More	252
Total Capacity under Proposed Option 1	2229

2. Design and Development Standards and Guidelines

Antioch's Zoning Ordinance relies heavily on fixed development standards except for the provisions applicable to Rivertown. The ordinance establishes fixed development standards for some basic elements of building and site planning (e.g. height, setbacks, coverage, and parking) but omits reference to others that can affect the appearance and operation of development. The existing ordinance does not, for example, include standards or requirements for usable private or common open space. Even though it requires applicants to prepare and obtain approval of landscape plans for all new construction and most exterior alterations to buildings over 2500 square feet, the code does not specify minimum requirements for landscaping.

The lack of standards is somewhat mitigated by regulations that require projects to adhere to the City Design Guidelines adopted in October 2009 but it is preferable to have both standards and supplementary guidelines. Antioch's Citywide Design Guidelines provide qualitative direction for a variety of specific site planning, architecture, and landscaping features. As such, they serve to supplement rather than replace objective standards. In some cases, however, the design guidelines suggest approaches that may, in fact, create conflicts with the current development standards.

Collectively, these requirements affect the form of buildings, their relationship to the street and surrounding development, and ultimately, the look and feel of Antioch's neighborhoods and districts. With the exception of the Rivertown Development District, however, the current standards do not present a coherent and coordinated approach to design or reflect a coherent vision for various zones within the city.

The adoption of additional standards that address a wide variety of building and site features will help to convey the City's expectations for new residential and mixed-use development regardless of whether the project will require approval of a Conditional Use Permit or Planned Development Permit. Having such standards in place will be particularly important in districts where the revised Zoning Ordinance allows new residential development by right as the Housing Element proposes. It will be particularly important to ensure that development standards reflect Antioch's collective vision for future development and to avoid conflicts between the City's standards and design guidelines if some residential projects will not be subject to a Conditional Use Permit.

At a minimum, the zoning ordinance should be amended to establish fixed standards and requirements to regulate development features where the Guidelines provide qualitative guidance but do not prescribe requirements. Some of the changes to consider include:

- Reducing the existing 25 to 30-foot setback from collector streets and establishing front yard build-to or set back zones that would allow homes closer (about 10 to 15 feet) to the street;
- Creating visual interest by allowing bays to project up to 3 feet and porches from 6 to 8 into the setback area;

- Requiring parking to be located to the rear instead of in front of buildings whenever possible. For example, require to be set back 40 feet from the primary street frontage and limit the extent of total frontage that can be devoted to parking to a maximum of 25 percent. Allow parking in the side yard if it is within 10 feet of or aligned with side yard building setback and screened with low wall, fence or planting (e.g. hedge);
- Requiring residential buildings to be designed so the primary frontage and main entrance face the street;
- Requiring entries to include porches, stoops or for larger building lobby entries to distinguish the primary frontage; and
- Establishing rear yard setbacks, step-backs, or daylight planes to buffer higher density development from adjacent single-family homes (requiring parking to be located to the rear would help to ensure this separation).

The City could also amend the zoning ordinance to revise requirements that are an obstacle to development on infill sites or can now only be modified by a discretionary review process that increases the time and cost of projects. A third approach, which is not within the scope of this project, would be to establish a ministerial design review process that uses a design checklist based on the Citywide Guidelines eliminating the need for discretionary review for some projects. The immediate choices available to the City would be:

Option 1: Amend the zoning ordinance to incorporate fixed development standards based on the Citywide Design Guidelines Manual.

Option 2: In addition to establishing fixed development standards based on the Design Guidelines Manual, revise the zoning ordinance to modify standards that are an obstacle to development on infill sites and in other areas where the City wants to encourage development. The intent would be to prescribe new or additional requirements that could reduce the need for discretionary review under planned development or variance procedures.

3. Residential Parking Requirements

Under the existing regulations, parking requirements for affordable housing projects are modified on a case-by-case basis. If the ordinance is amended to create a new district that allows residential development at 20 units per acre by right, projects that include lower income units and are entitled to a density bonus under State law would be entitled to reduced parking by right. Affordable housing development in other districts would still be subject to discretionary review but may also be entitled to reduced parking if the project meets the requirements of the State density bonus law.

Adopting specific reduced parking standards for projects that will be occupied by lower-income households would provide greater certainty for developers and can eliminate the need for discretionary review for projects that would not otherwise require a use permit or other discretionary zoning approval. This option is preferable because it would reduce the time and cost required to process applications for affordable housing

projects. The parking requirement for these units could be reduced across the board to a percent of the standard that would otherwise apply (typically 20 to 25 percent lower) with the possibility of further reductions tied to additional requirements that are intended to ensure that the residents of such projects have a choice of alternatives to driving private automobiles. These could, for example, include providing shuttle or van service to shopping, social services, and transit stations or limiting the areas where parking reductions apply to neighborhoods or districts that are closer to transit or shopping. Parking requirements based on the number of bedrooms penalize smaller units and are more difficult to administer because of the need to determine whether a room that is identified as a den or office will, in fact, be regularly used for sleeping. Within the Rivertown area, the revised ordinance could offer the option of paying an in-lieu fee that would be used to construct a future parking structure. Once the City identifies a site, it could be used to provide additional surface parking for downtown businesses and residents.

In some cases it may be appropriate to hold land in reserve and defer imposition of parking requirements pending monitoring to demonstrate whether projected reductions in trips have materialized. This approach may work on larger sites or where development will be phased but would not benefit developers with projects on smaller or irregularly-shaped infill sites where the cost of providing parking or the building footprint are critical to project feasibility. An alternative for larger sites or phased development would be to allow surface parking areas to be converted to open space or developed based on evidence of reduced automobile ownership and trips.

Option 1: Establish lower parking standards for affordable housing projects that would allow a reduction in parking by-right for projects designed for occupancy by lower-income households or transit-oriented development. Reduced parking standards may be tied to floor area rather than the number of bedrooms. Projects that incorporate other features to reduce trips or are located close to transit corridors or shopping would be entitled to additional specific reductions by right.

Option 2: Establish procedures giving the Planning Director or the Planning Commission authority to modify parking requirements on a discretionary basis when supported by specific information in the record. These modifications could include deferring imposition of standard minimum parking requirements or other reductions that the developer proposes. Approval may be subject to conditions including periodic monitoring of trip reduction measures to verify their effectiveness.

4. Development Bonuses and Incentives

In 2004, the State enacted significant changes to the state's density bonus law, which went into effect on January 1, 2005. The legislation (SB 1818 chaptered as Government Code Section 65915-65918) required cities and counties to overhaul their ordinances to bring them into conformance with new state mandates, which reduced the proportion of affordable units developers had to provide to be entitled to additional density and other incentives and concessions necessary to make units affordable. Antioch has not yet revised its ordinance to reflect these changes. The Housing Element also proposes that

the City offer additional incentives to encourage the production of affordable housing in the Rivertown Focus Area.

State law would allow Antioch to request that a developer choose a concession or incentive from a list of acceptable concessions; although, under certain circumstances, a developer may request and be entitled to other incentives not on the City's preferred list. The State law does allow the City to deny a developer's request for additional incentives or concessions if it can find, based on information in the record, that the proposed waiver or modification is not necessary to make the affordable units economically feasible. Even though the Government Code establishes the rules for making such determinations, including such a procedure in its own zoning ordinance would allow the City to better express its priorities and clarify its expectations for projects that are eligible for density bonuses.

The current zoning ordinance includes a Senior Housing Overlay District that provides an incentive to developers of senior housing by establishing a higher base density with additional density for projects that are affordable to low and very low-income seniors and/or located close to services. The provisions of Article 34 can allow developers to build at densities as high as 70 percent over the base density if their projects meet all of the criteria. Although the State density bonus requirements supersede local ordinances, as the Housing Element proposes and to provide clear direction to applicants and neighbors, the City needs to revise Article 35, the Non-Senior Housing Density Bonus Program, which the City adopted in 1994, to comply with the current requirements of the State density bonus law.

Instead of just incorporating the provisions that the State law specifies, the City could use this opportunity to establish regulations and procedures to clarify how it implements the State mandate. This will allow the City to tailor the requirements to better respond to local interests as long as the City ordinance conforms to State law. To implement the Housing Element proposal for providing additional incentives for affordable housing in the Rivertown Focus Area, the City needs to offer incentives and concessions that are equivalent to those available under the State density bonus law for market rate projects and exceed those to which projects would be otherwise entitled for developments that include affordable units. The City could also offer incentives to developers who provide other benefits to the community in Rivertown, as well as other parts of Antioch. These could include streetscape improvements, public art, privately-owned public open space, and other community facilities.

In addition to amending the Zoning Ordinance to be consistent with the State's density bonus law (Government Code 65915), the City could also:

Option 1: Amend Article 34 and 35 of the Zoning Ordinance to include a priority list of concessions and incentives that the City deems acceptable and procedures for implementing the density bonus law including process for deciding whether to grant an incentive that is not on the list and for determining whether any incentive is necessary in addition to the basic density bonus.

Option 2: Establish a new incentive program that includes one or more of the following features:

- Expand the existing Senior Housing Overlay District to include housing projects that exceed the affordability thresholds in Government Code 65915 and meet other criteria, which may include location in specific areas of the City, such as the Rivertown area, and incorporation of specific amenities including, but not limited to, those in existing Article 34;
- In addition to additional density, allow height increases, reduced parking, and other concessions by right and without discretionary review to projects that exceed the State affordability thresholds and incorporate specific amenities such as a minimum amount of retail floor area.

5. Emergency, Transitional, and Supportive Housing

SB 2 amended the Government Code to require cities and counties to explicitly recognize emergency, transitional, and supportive housing in their zoning regulations and to adopt provisions intended to remove obstacles to providing emergency shelters, transitional housing for those who were formerly homeless, and supportive housing accommodating persons with disabilities. Because Antioch does not have sufficient facilities to meet the need for emergency shelters, it must identify a zone or zones where at least one year-round shelter can be established by right. State law does not require jurisdictions to quantify the unmet need for transitional or supportive housing. It does, however, require that local agencies revise their zoning ordinances as necessary to ensure that these facilities be treated as residential uses and subject to the same requirements as comparable residential uses in the same zoning district. In contrast to transitional housing, which is semi-transient by definition and may be occupied by any individual who is in transition from homelessness, supportive housing is permanent housing for individuals with disabilities.

The Zoning Ordinance now allows emergency shelters to be established in industrial districts subject to approval of a Conditional Use Permit. The Housing Element proposed to amend the Ordinance to allow an emergency shelter by right on City-owned land near Delta Fair and Century Boulevard (see Parcel D in Table 2.1-A of the Issues and Options report) including a site that the Bay Area Rescue Mission had considered for a transitional housing facility. Based on an estimated density of 200 shelter beds per acre, the three sites in Parcel D, which include a total of 6.39 acres, could accommodate both the 124 emergency shelter beds the City needs to meet the State requirement as well as 100 units of transitional housing and associated services.

Some options the City has for meeting the State requirements for accommodating emergency and transitional housing include:

Option 1: Establishing an overlay district where an emergency shelter would be allowed by right near Delta Fair and Century Boulevard reserving one of the parcels for

multi-family residential use at 30 units per acre subject with a Use Permit and continuing to allow emergency shelters elsewhere in industrial zones with a Use Permit;

Option 2: Amend the Zoning Ordinance to add a definition of "transitional housing" that cross-references the definition in the California Health and Safety Code and also list transitional housing as a residential use with reference to the new definition.

Option 3: Amend the zoning ordinance to define Single Room Occupancy (SRO) units as a form of multi-family housing subject to standards and requirements applicable to comparable multi-unit residential facilities and allow SRO hotels in the Rivertown High Density Residential and Transit-Oriented Residential Districts subject to specific limitations.

The current zoning ordinance identifies residential care facilities, one of the most common forms of supportive housing, as a residential use but does not include a definition for either residential care facility or supportive housing. To comply with State and Federal law, residential care facilities serving six or fewer people (not including the operator or staff who provides services that residents need to sustain daily life) must be treated as a single-family use. Licensed facilities that serve seven or more residents may be subject to a use permit but any standard requirements or conditions imposed on such facilities must be comparable to those imposed on other group residential facilities such as convents and fraternity houses.

Cities have somewhat greater latitude to regulate both large and small unlicensed facilities as long as they heed the requirements of Federal and State laws that protect housing opportunities for persons with disabilities, as well as the right of a group of unrelated persons to live together as a single household under the California Constitution. Unlicensed supportive housing facilities include a type of accommodation commonly called a "clean and sober" house. Antioch's existing zoning ordinance does not include any regulations that specifically apply to unlicensed supportive housing including facilities for persons who are disabled due to substance abuse problems. Moreover, the current definition of Boarding and Rooming House also appears inapplicable to some unlicensed facilities because it excludes those with more than two guest rooms.

State and Federal laws prohibit zoning regulations that discriminate against housing arrangements for persons with disabilities and also require that cities establish provisions that allow modification of regulations when necessary to ensure that disabled persons have equal access to housing. Cities may not adopt regulations that distinguish facilities according to the characteristics of occupants but they may enact ordinances that apply to all of the facilities within a use category such as all group living accommodations or all multi-unit housing. To the extent permitted by State and Federal fair housing laws, revised regulations could include:

- Identifying the districts where facility types are allowed;
- Specifying the type of approval required to establish facilities;

- Establishing performance requirements applicable to different development types.

The City also has several options for addressing the need for supportive housing.

Option 1: Revise the zoning ordinance to define and classify a range of supportive housing types and revise use regulations based on the development and operation characteristics of different uses.

Option 2: In addition to including new definitions and use regulations, amend the Zoning Ordinance to classify and categorize Group Housing facilities that should be regulated in the same manner and establish requirements that apply to all Group Housing facilities.

6. Zoning for Employee and Farmworker Housing

State law requires housing elements to include an analysis of special housing needs, for groups likely to face financial hardship, discrimination, or other challenges in retaining safe and affordable housing. The law specifically requires analysis of the certain groups, including farm-workers. Based on review of census data, there does not appear to be any need for the City to make specific changes to its regulations to comply with these requirements.

ATTACHMENTS

- A. Antioch Housing Element Implementation Program, Issues and Options, Public Review Draft, January 2012
- B. Adopted 2007-2014 Housing Element available on-line at:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/Housing-Element-docs.htm>

ATTACHMENT "A"

Antioch Housing Element Implementation Program

Issues and Options

Public Review Draft

Prepared for

The City of Antioch

By

DYETT & BHATIA

Urban and Regional Planners

With

Van Meter Williams Pollack

January 2012

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I Introduction

I.1 Project Objectives

The City of Antioch has adopted a Housing Element that sets forth a comprehensive program for implementing the adopted housing policies and bringing the City into full compliance with State law. The actions the City proposes to undertake to implement the Housing Element include a variety of amendments to the Zoning Ordinance (Antioch Municipal Code Title 9, Chapter 5) and map ranging from relatively straightforward text changes to make the regulations consistent with State density bonus requirements to the establishment of new zoning districts and programs to accommodate more than 3,000 new dwelling units.

The Association of Bay Area Governments (ABAG) projects modest growth for Antioch during the 2007-2014 housing element planning period. As a result, ABAG calculated Antioch's Regional Housing Needs Allocation (RHNA) for the seven-year period to be 2,282 units including 516 very low-income and 339 low-income units. However, because the Housing Element, for the previous (1996-2006) planning period did not identify enough sites to accommodate the entire allocation of very-low and low-income units, the City's adjusted RHNA increased to 3,310 units.

Because projects that had received permits from the City or were under construction included 3,830 units, Antioch was not required to identify any additional sites to accommodate housing units affordable to moderate or above-moderate income households. The projects "in the pipeline" included only 419 units that would be affordable to low-income households and none that very low or extremely low-income households could afford. As a result, the Housing Element calculated that the City still had to find sites to accommodate 1,784 low and very low-income units.

The Housing Element that the City Council adopted in June 2010 identified sites that are candidates for rezoning to meet this housing need and also proposed revisions to other zoning provisions. Because the City was unable to find enough land to meet its share of the regional need for lower-income units, it will probably need to amend its existing ordinance to allow some residential projects to be approved without a conditional use permit or planned development approval. This will require the formulation of development and design standards that can be implemented through a ministerial approval process. In so doing, the City must ensure that future housing development will not only provide the number of units that the City needs to accommodate but will do so in projects that contribute to making Antioch an attractive and desirable community for present and future residents.

The City has hired Dyett & Bhatia (the Consultant) to translate the specific proposals in the Housing Element program into regulations and procedures. The challenge is to create a user-friendly, legally adequate, and effective set of provisions that will accommodate the units needed to meet the City's housing allocation in a manner that will emphasize building placement, the framing of public space, and promoting a pedestrian-oriented environment. Antioch's new and revised development regulations should clearly communicate and effectively implement the Housing Element's proposals while promoting the overall goals and policies of the City's General Plan especially with respect to design and development standards.

A priority for this project is to craft regulations that will allow Antioch to maintain and enhance the character of existing neighborhoods and built-up areas while creating new identifiable places in the areas designated for rezoning. Zoning standards define the basic form of development, but standards that just focus on individual structures rather than relationships among groups of structures, the natural setting, and the public domain, including streets, parks, and other public areas, cannot ensure quality design. The intent is to structure design and performance standards for residential and mixed-use areas so that they provide sufficient flexibility to achieve the City's economic development objectives while ensuring predictability and reliability for developers and businesses.

Our work on this project began with a thorough review of the Antioch Housing Element and other City plans and regulations to determine what the City needs to do to meet the requirements of State law. Grounded in this understanding, our approach is to identify and present for City consideration the key choices that are available for achieving this objective in light of both City policies and the statutory requirements.

1.2 Purpose of This Paper

This paper incorporates the findings of the Consultant's review and analysis of the 2007-2014 Housing Element, the current Zoning Ordinance and the Citywide Design Guidelines in light of applicable State requirements and existing conditions. The Consultant has also taken a field trip to become familiar with existing development conditions and sites available for future development and conducted interviews with members of the Council and Planning Commission. The paper is organized according to six major topics for which the Housing Element's Policy Program proposes zoning and/or General Plan amendments:

- Adequate Housing Sites
- Design and Development Standards and Guidelines
- Residential Parking Requirements
- Development Bonuses and Incentives;
- Emergency, Transitional, and Supportive Housing
- Zoning for Employee and Farmworker Housing

The paper provides an overview of the applicable State requirements associated with each subject and identifies issues and conflicts concerning each topic as a result of existing City policies and regulations. It then identifies some of the key options available to the City to guide the formulation of viable approaches for bringing the City into compliance with State law.

1.3 Next Steps

The purpose of this paper is to provide the Planning Commission and City Council, as well as Antioch residents and property owners, with information to help them make important choices about how to revise City policies and regulations. After receiving feedback and direction from City officials the Consultant will draft proposed amendments to the Zoning Ordinance and other policies and regulations to implement the Housing Element proposals. The Consultant will evaluate the

potential effect of adopting new standards and guidelines by applying the provisions to possible development sites. The evaluation of potential development sites will seek to determine how the regulations would affect the feasibility of development and whether they would result in projects that represent the type of development that Antioch desires based on the City's adopted design policies and citywide design guidelines.

2 Issues and Options

2.1 Adequate Housing Sites

State law requires cities and counties to demonstrate that they have sufficient land “suitable for residential development” to accommodate their share of the regional need for new housing for the period covered by the housing element. To determine whether the sites selected can accommodate the jurisdiction’s Regional Housing Need Allocation (RHNA) and, in particular, the number of units that can be provided to accommodate the local government’s share of the regional housing need for lower-income households, the housing element must include an analysis demonstrating that the sites have adequate capacity and are or will be suitable for development. As an alternative to this analysis, if the local government has adopted minimum density standards consistent with the State’s population-based criteria, the State Department of Housing and Community Development will accept those sites as suitable for accommodating the regional housing need for lower-income households.

When a city cannot identify sufficient sites to accommodate the jurisdiction’s RHNA subject to existing zoning and land use policies, as is the case with Antioch’s current regulations, the housing element must identify the actions it will take to make sites available during the planning period with appropriate zoning. That may include amending the zoning ordinance to change the uses or density allowed. If the inventory does not identify adequate sites that can be made available during the planning period even with rezoning and other actions, the local agency must amend its zoning ordinance to accommodate all of the unmet need for very low and low-income households on sites where residential use would not require a conditional use permit, planned unit development permit, or other discretionary review or approval that would constitute a “project” under the California Environmental Quality Act. The zoning must allow at least half of the unmet need to be accommodated in districts where non-residential uses are not permitted.

2.1.1 Issues

In order to meet the requirements of Government Code Section 65583.2(c), the City of Antioch needs to demonstrate that it has sufficient sites available to accommodate 1,784 units for lower-income households. This figure includes 823 units to meet the City’s share of the projected regional housing need for the current planning period (Housing Element, Table B-2) and 1,380 units carried over from the prior planning period (as required by Section 65584.09) adjusted to reflect the fact that there were 419 units “in the pipeline”, which were approved but not yet built (See Tables 2.1B and C).

The law provides cities with several options for complying with the requirement to accommodate its RHNA. One approach is to rezone sufficient land to accommodate its allocation for lower-income units at the so-called “default density” (30 units/acre for Antioch and other suburban cities with more than 100,000 population). If a city cannot identify enough sites where housing could be built to meet its allocation of lower-income units, Section 65583.2(h) requires the jurisdiction to accommodate 100 percent of the unmet need for low and very-low housing on sites where development is allowed by right at a density of 20 units per acre (NOT 30/acre). In addition, at least 50 percent of the very low and low-income need must be on sites zoned exclusively for residential use.

State law establishes 30 units/acre as the density necessary to make affordable housing economically feasible in Antioch. This "default" density is assigned according to the size of the community and whether it is located in a Metropolitan Statistical Area with a population greater than 2 million's population regardless of local development conditions. In some communities the higher construction costs associated with development at that density makes it difficult to build housing affordable to lower-income households as this level. Unless the jurisdiction has established or allows a lower than typical parking ratio, projects at 30 units/acre will usually need to have at least some parking within a structure. Due to the higher cost of podium structures (i.e. housing above ground level parking), the result may be relatively large buildings with large surface parking lots and less open space. It is difficult to make this type of development fit on infill sites in lower-scale neighborhoods although it might work on larger sites that are not within an existing neighborhood.

Senior housing may be feasible at 35 to 40 units per acre but a base density of 20 units per acre is better suited to projects with units affordable to households earning less than 80 percent of median income. Under State law (Government Code 65915), a project that includes units affordable to low and very low-income households would be entitled to up to 35 percent greater density, an effective density of 27 units pr acre, and additional incentives, such as reduced parking or setbacks. This would make it feasible to develop affordable housing on a site zoned for 20 units per acre, currently the maximum density that the Antioch zoning ordinance allows on a residentially zoned site. Some of Antioch's existing affordable housing developments, including Rivertown Place and West Rivertown Apartments, have 22 to 25 units per acre. Elsewhere in Contra Costa County, affordable housing developments such as Los Medanos and East Leland Apartments in Pittsburg and Bella Monte Apartments in Baypoint were built in the range of 22 to 27 units per acre.

2.1.2 Options

The Housing Element (Program 2.1.2, p. 5-6) proposed to meet the State requirements by rezoning at least 59.47 acres to allow residential development by right (i.e. without a conditional use permit or other discretionary zoning approval) at a minimum net density of 30 units per acre. In fact, there are other ways for the City to comply with State law. The primary choices are:

Option 1: Rezone about 106 acres to establish a zone where multi-family development is permitted by right at 20 units per acre and rezone sufficient land at a minimum density of 30 units per acre to meet the balance of the need, OR

Option 2: Rezone 59.47 acres at a minimum density of 30 units per acre to meet the entire need and continue to require a conditional use permit or planned development approval for all or some units.

The Housing Element (Table B-4) identified nine sites with a total of 61 acres that could be rezoned to allow development of 1,830 units at a minimum of 30 units per net acre. The current zoning regulations do not allow residential use on six of the sites, all within the Rivertown/Urban Waterfront Focus Area, that comprise more than 50 acres. Five of these properties are now zoned Planned Business Center (PBC) and the other Neighborhood/Community Commercial (C-2). The remaining sites, with a total of just of 10 acres, are now zoned Mixed Commercial/Residential (MCR) and Single Family Residential (R-6). The Planning Commission removed several other sites from consideration for various reasons including objections from the property owner and, in the case of Site J, because the Commission felt that discretionary review of projects would be appropriate.

The State's requirements for housing elements reflect the assumption that 30 units per net acre is the minimum density needed to make the development of affordable housing feasible but this is not necessarily the case. Depending upon the size, topography, and location of housing sites as well as market conditions, development at lower densities may work for some projects. With a density bonus and additional concessions, such as reduced setbacks or open parking as provided for by the State density bonus law, projects on smaller infill sites may be feasible if the base density is 20 to 25 units per acre.

Table 2.1-A lists all of the sites that the Planning Commission considered for rezoning and shows proposes zoning changes under Option 1. Figures 2.1-A and 2.1-B identify the location and current zoning of the proposed sites and the proposed changes. As shown in Table 2.1-A, by rezoning two of the sites to allow development at 30 units per acre (Antioch's default density) and allowing residential development by right at a minimum density of 20 units per acre on most of the other sites the City could realistically accommodate more than 2,300 housing units, which exceeds the number required to accommodate the balance of the RHNA.

Additional housing at 30 units per acre may also be feasible in the Hillcrest Station Area but the Council removed the Hillcrest Station Area from consideration because it felt that development in this area should be subject to discretionary review. Even though Government Code Section 65583.2 (c) (3) (B) considers sites zoned for development at a minimum of 30 units per acre appropriate to accommodate housing for lower-income households regardless of whether projects are subject to discretionary review, the Hillcrest area has been removed from consideration because there would be sufficient capacity to accommodate Antioch's RHNA without including that site.

Option 2 would require the City to rezone fewer acres than Option 1 but may be subject to more community resistance because it would require the City to allow at least 30 units per acre, a higher density than the City now permits anywhere, on all of the sites. Developers who include affordable units could be entitled to up to 35 percent higher densities, more than 40 units per acre, under the State's density bonus law. Although the City could continue to require a conditional use permit in addition to design review approval of proposed development, its authority to impose conditions that would have the effect of reducing density would be severely limited by the "anti-NIMBY" law (Government Code Section 65589.5 (d)). For these reasons, Option 1, which would only require 30 units/acre zoning on sites that are already zoned for mixed use (MCR) or non-residential (PBC) is likely to be preferable.

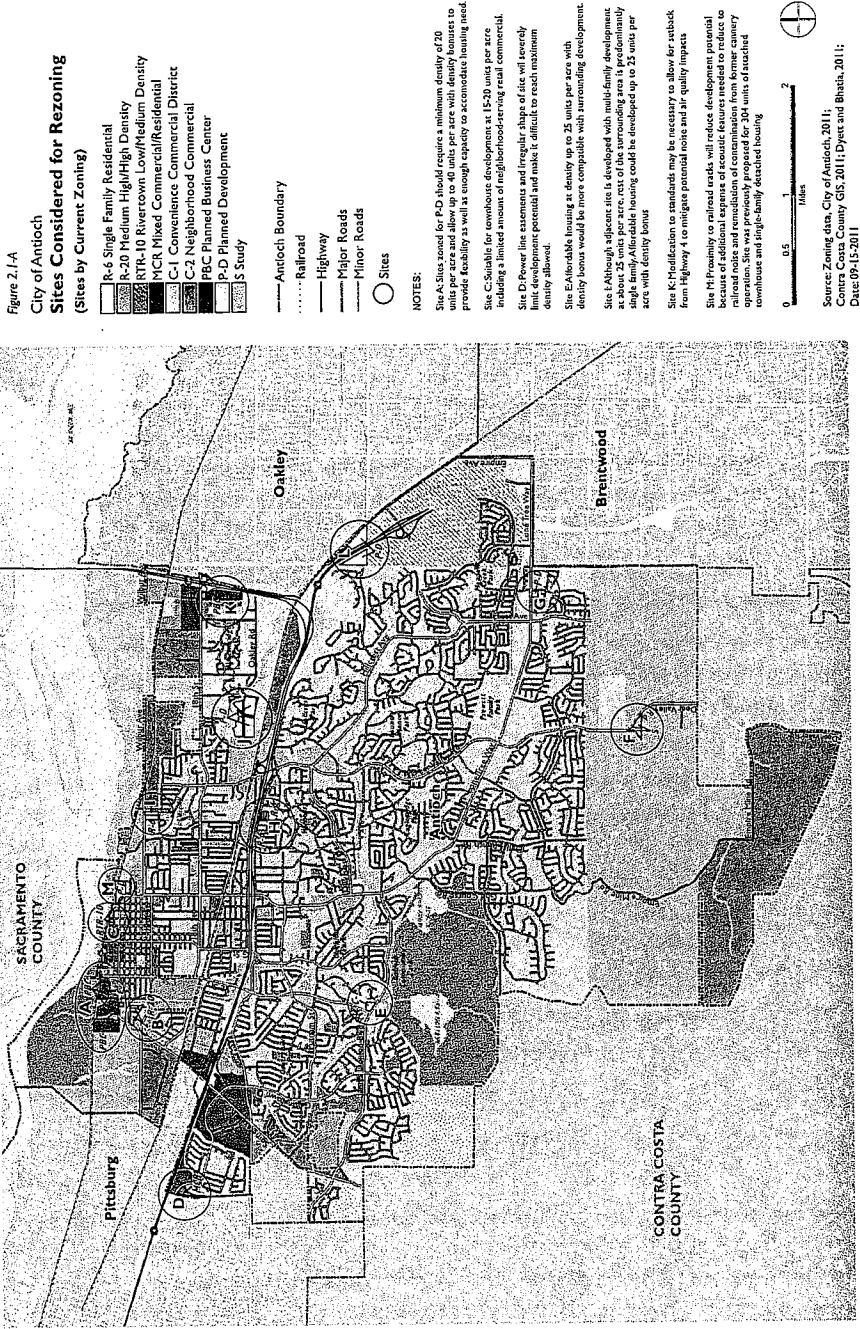
Table 2.1-A: Sites Proposed for Rezoning and Projected Capacity							
	Address	APN	Acres	Current Zoning	Commission Recommendation	Proposed Zoning	Projected Capacity (Units)
A	1700 West 4 th Street	074 040 047	17.4	Planned Business Center (PBC	Residential at 30 units/acre minimum	Residential with minimum density of 20 units/acre by right	348
	1400 West 4 th Street	074 040 025	16.6	Planned Business Center (PBC	Residential at 30 units/acre minimum	Residential with minimum density of 20 units/acre by right	332
	1300 West 4 th	066 110 005	3.7	Planned Business	Residential at 30	Residential with	74

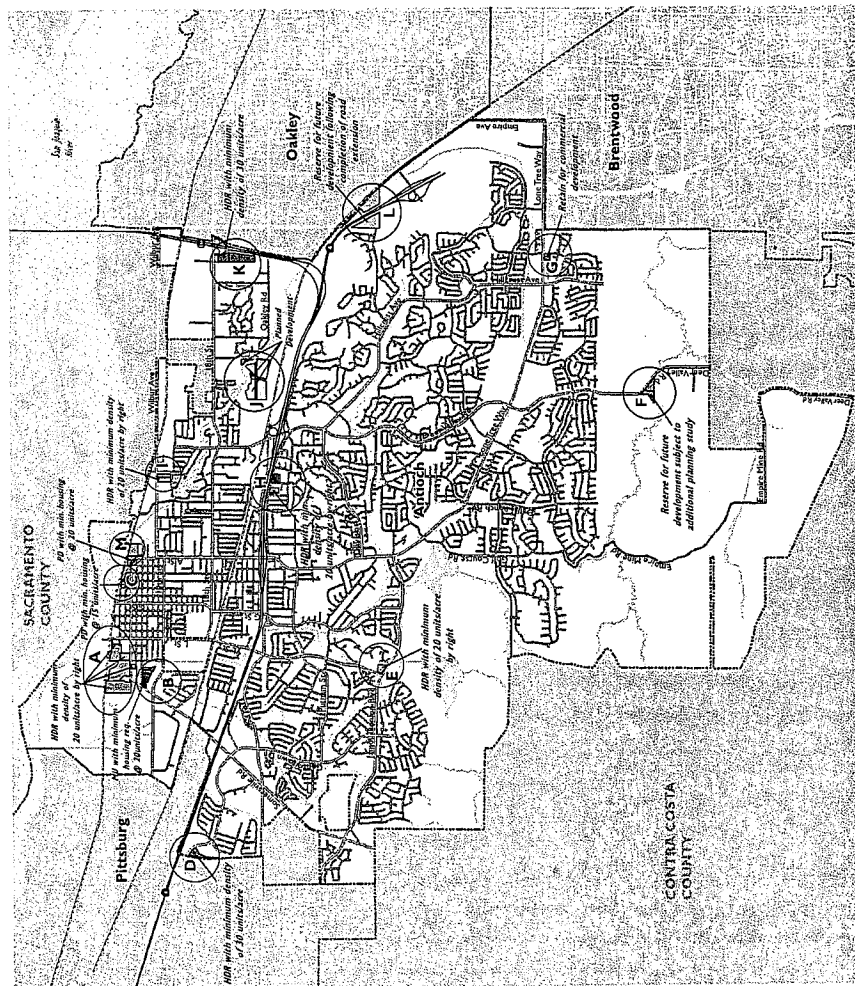
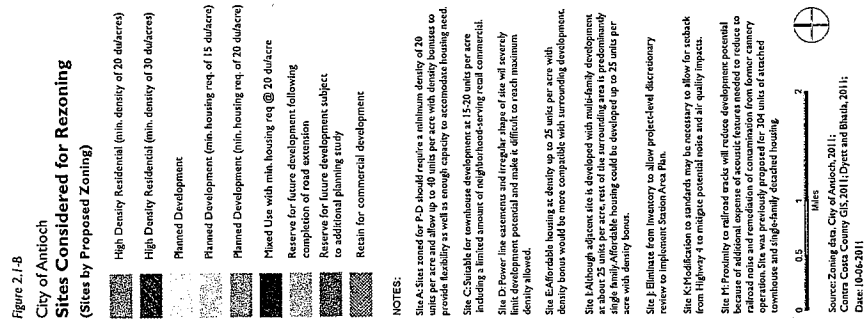
Table 2.1 -A: Sites Proposed for Rezoning and Projected Capacity							
	Address	APN	Acres	Current Zoning	Commission Recommendation	Proposed Zoning	Projected Capacity (Units)
	Street			Center (PBC	units/acre minimum	minimum density of 20 units/acre by right	
	1200 West 4 th Street	066 110 009	9	Planned Business Center (PBC	Residential at 30 units/acre minimum	Residential with minimum density of 20 units/acre by right	180
	110 L Street	066 110 008	2.1	Planned Business Center (PBC	Residential at 30 units/acre minimum	Residential with minimum density of 20 units/acre by right	42
	1409 West 4 th Street	074 130 002	2	Neighborhood/Community Commercial (C-2)	Residential at 30 units/acre minimum	Residential with minimum density of 20 units/acre by right	40
B	W 6th Street	074 130 081	3.5	Neighborhood / Community Commercial (C-2)	Mixed Use	Mixed Use with minimum housing requirement at 20 units/acre	74
		074 130 025	1.9				
		074 130 064	1				
		074 130 076	1				
C	City Property Across from Beede Lumber	066 055 001	1.4	Rivertown Residential 10 units/acre (RTR-10)	Mixed Use	Planned Development with minimum housing requirement at 15 units/acre	80
		066 041 004	3.9				
D	Delta Fair Boulevard (Bay Area Rescue Mission site)	074 080 034	4.8	Western Gateway Focus Area / Mixed Residential / Commercial (MCR)	Residential at 30 units/acre minimum	Residential with minimum density of 30 units/acre	144
E	Northeast corner James Donlon Boulevard and Contra Loma Boulevard	075 460 001	3.1	Convenience Commercial (C-1)	Residential subject to Council approval	Residential by right with minimum density of 20 units/acre	62
F	Deer Valley Road and Sand Creek Road	057 041 023 057 041 024	7.3+	Study Area (S)/Public/Quasi Public (PQP)	Mixed Use	Reserve for future development subject to additional planning study	--
G	5200 Lone Tree Way	056 270 059	2	Planned Development	Commercial as proposed by owner	Retain for commercial development	--
H	620 Tregallas Road	068 251 012	2.5	Single Family Residential (R-6)	Residential at 30 units/acre	Residential by right with minimum	120

Table 2.1-A: Sites Proposed for Rezoning and Projected Capacity							
	Address	APN	Acres	Current Zoning	Commission Recommendation	Proposed Zoning	Projected Capacity (Units)
H	620 Tregallas Road	068 251 012	2.5	Single Family Residential (R-6)	minimum	density of 20 units/acre	120
	2709 Windsor Drive	068 252 045	0.7				
	2721 Windsor Drive	068 252 041	1				
	Windsor Drive	068 252 042	0.1				
	Windsor Drive	068 252 043	0.8				
	Windsor Drive	068 252 044	0.9				
I	810 Wilbur Avenue	065 110 006	2.9	High Density Single Family Residential (R-6)	Residential at 30 units/acre minimum	Residential by right with minimum density of 20 units/acre	108
	701 Wilbur Avenue	065 110 007	2.5				
J	Residential TOD in Hillcrest Station Area Specific Plan	Various	38.2	Planned Development	Project-level discretionary review recommended to implement Plan	Planned Development	--
K	1841 Holub Lane	051 200 037	4.4	Planned Business Center (PBC)	Residential	Residential with minimum density of 30 units/acre	453
	Holub Lane	051 200 038	5				
	Holub Lane	051 200 039	5.7				
L	Properties generally north of the Wildhorse Road Extension, on either side of the Bypass	041 022 003	11.7	Planned Development		Reserve for future development following completion of road extension	--
		041 022 004	14.6				
M	6 th and A Street (Hickmott Cannery)	066 032 024	3.5	Planned Development (PD)	Mixed Use	Planned Development (PD) with minimum density of 20 units/acre	172
		066 032 019	5.1				
Totals			106.5				2229

Table 2.1 -A: Sites Proposed for Rezoning and Projected Capacity

	Address	APN	Acres	Current Zoning	Commission Recommendation	Proposed Zoning	Projected Capacity (Units)
<p>Notes:</p> <ol style="list-style-type: none"> 1. Site A: Sites zoned for Planned Development should require a minimum density of 20 units per acre and allow up to 40 units per acre with density bonuses to provide flexibility as well as enough capacity to accommodate housing need. 2. Site C: Suitable for townhouse development at 15-20 units per acre including a limited amount of neighborhood-serving retail commercial. 3. Site D: Power line easements and irregular shape of site will severely limit development potential and make it difficult to reach maximum density allowed. 4. Site E: Affordable housing at density up to 25 units per acre with density bonus would be more compatible with surrounding development. 5. Site I: Although adjacent site is developed with multi-family development at about 25 units per acre, rest of the surrounding area is predominantly single family. Affordable housing could be developed up to 25 units per acre with density bonus. 6. Site J: Eliminate from inventory to allow project-level discretionary review to implement Station Area Plan. 7. Site K: Modification to standards may be necessary to allow for setback from Highway 4 to mitigate potential noise and air quality impacts. 8. Site M: Proximity to railroad tracks will reduce development potential because of additional expense of acoustic features needed to reduce exposure to railroad noise and remediation of contamination from former cannery operation. Site was previously proposed for 304 units of attached townhouse and single-family detached housing. 							
Source: City of Antioch, 2010; Dyett & Bhatia, 2011							





Tables 2.1-B and C summarize the City's remaining need for low and very low-income units and show how the proposed zoning changes would accommodate these units.

Table 2.1-B: Antioch's Un-Accommodated Need for Lower-Income Units				
	<i>Extremely Low Income</i>	<i>Very Low Income</i>	<i>Low Income</i>	<i>Total</i>
Carryover from 1999-2006 RHNA		921	459	1380
Adjusted 2007-2014 RHNA	258	235	330	823
Total Remaining Need	258	1156	789	2203

Table 2.1-C: How Proposed Rezoning Accommodates Antioch's RHNA for Lower-Income Units	
Total Un-accommodated Need for Lower-Income Units	2203
Permitted Projects in Pipeline	419
Remaining Need for Lower Income Units	1784
Zoning Capacity Under Proposed Option I	
On Sites Rezoned at 30 units/Acre or More	597
On Sites Rezoned for Residential Zoning at 20 units/acre by right	1306
On Sites Rezoned for Mixed-Use Development w. Residential Development by right	74
On Sites Rezoned for Planned Development at 20 units/acre or More	252
Total Capacity under Proposed Option I	2229

2.2 Design and Development Standards and Guidelines

A zoning ordinance typically contains three types of standards: fixed, performance, and discretionary. The type of standard used depends upon the purpose of the district and how district regulations will be administered.

Fixed Standards. These standards, which are probably the most common approach to regulation, quantify physical characteristics of development to ensure a predictable outcome. They are typically dimensional and establish a numerical minimum requirement or a maximum limit to govern development, such as a maximum building height or minimum setback. They can also be used to regulate features that identify and distinguish neighborhoods and districts. These defining features may include architectural style, typical setbacks and heights, roof styles (pitched, flat, etc.), street widths, presence and type of landscaping, and where parking is located.

Carefully crafted standards can be used in lieu of discretionary review to ensure that infill projects are compatible with surrounding development. Building scale, for example, can be regulated through the application of a combination of volumetric standards such as maximum FAR, and sliding-scale height provisions depending on roof slope and the type and proximity of surrounding development. Standards such as minimum setback could also be tied to existing neighborhood conditions. For example, certain development standards apply if at least 60 percent of the nearest 10 houses on each side have a specified condition (such as garages located to the side or rear of buildings).

Performance standards regulate the outcome or “performance” to be achieved by development. These standards result in requirements that can be measured but they will vary from site to site depending upon the desired outcome. Examples of performance standards include measures that limit the number of trips that can be generated by businesses adjacent to residential zones, noise standards that imposes a more stringent noise threshold on lots that border residential zones, and provisions that limit the extent of shadows cast by new buildings.

Objective development standards are very useful for dealing with certain design issues because they provide clarity for applicants and cut down on the amount of interpretation and negotiation that is needed to make decisions.

Discretionary standards. Like fixed and performance standards, these are standards that projects must meet to be approved. In contrast to quantifiable standards, discretionary standards are criteria that are more subjective and require a case-by-case determination such as whether a project will help to achieve certain General Plan objectives. The application of this type of standard requires a discretionary review process involving public notice and a decision by staff or appointed city officials. Decisions are typically subject to appeal to a higher body, which is usually comprised of elected officials.

Guidelines. One way to reduce some of the uncertainty associated with a discretionary review process is to use guidelines as a basis for decisions. Guidelines are commonly used as part of a discretionary design review process but can address other issues as well. Guidelines are typically advisory direction-setters that provide examples of desirable outcomes. A carefully crafted set of guidelines explains the objective to be achieved and suggests a variety of approaches but does not preclude alternatives that may be more creative ways to achieve the desired outcome.

Successful design review usually combines objective standards with guidelines that give examples of acceptable solutions. Guidelines can provide an important link between General Plan policies and more precise and exact zoning standards by describing and suggesting approaches that would be appropriate in different situations. In contrast to zoning standards that might, for example, specify build-to lines to support pedestrian activity, a guideline intended to create pedestrian-oriented streets may suggest that new retail buildings should include entrances, outdoor seating areas, porches, or arcades that promote pedestrian use of the street edge leaving it up to the applicant to decide on the approach that is most appropriate for the project.

A design review process that is based on clear standards that quantify requirements (e.g. maximum height, minimum setbacks, etc.) as well as guidelines, which are direction-setters and offer examples of desirable outcomes, often works best. This combination of tools provides direction, avoids abuse of discretion, and offers certainty to both applicants and members of the general public. Although a highly discretionary design review process may offer the greatest amount of flexibility, it can also require a greater investment of time and money on the part of the developer and significant staff resources. It is possible, however, to craft a non-discretionary (i.e. ministerial) project review process that provides more flexibility by establishing development standards or a design checklist specifying alternative approaches. Applicants who desire even more flexibility or whose projects exceed specific thresholds (e.g. height or FAR) would be still be subject to a discretionary process.

- **Enhanced Development Standards.** Increasing the number and scope of design standards in the Ordinance could reduce the number of projects that require discretionary review. In addition to the typical requirements for height and setbacks, standards that emphasize design could include requirements for façade projections and recesses at specified intervals, minimum dimensions for window trim or recessing, and, as described above, regulations for height and setbacks that vary depending on the type or character of surrounding development. To provide more options/flexibility, a “menu” approach—in which an applicant selects from a list of alternative strategies—could be used for some standards.
- **Checklist Design Review Approval.** Checklist design review is a ministerial process, typically used for smaller projects (e.g. single-family homes in compliance with all applicable zoning standards, residential alterations, etc.). Projects must comply with all or a specified minimum number of quantified design standards that contribute to design compatibility (e.g. roof pitch, setbacks, materials, garage placement, etc.). Following a determination that a project complies with the checklist requirements and all applicable zoning and building standards, the applicant would be entitled to a building permit.

2.2.1 Issues

Antioch’s Zoning Ordinance relies heavily on fixed development standards except for the more recently enacted provisions applicable to Rivertown. The ordinance establishes fixed development standards for some basic elements of building and site planning (e.g. height, setbacks, coverage, and parking) but omits reference to others that can affect the appearance and operation of development.

The existing ordinance does not, for example, include standards or requirements for usable private or common open space. Even though it requires applicants to prepare and obtain approval of landscape plans for all new construction and most exterior alterations to buildings over 2500 square feet, the code does not specify minimum requirements for landscaping. The zoning ordinance allows building

features such as balconies, bay windows, and porches to extend beyond the building wall creating some variation in the façade but does not require buildings to incorporate such elements leaving this aspect of project development up to the design review process. Among the issues of concern to the City officials the Consultant interviewed were the need for landscaping standards for planting strips and other areas visible from the street and requirements for usable open space especially in apartment projects

Collectively, these requirements affect the form of buildings, their relationship to the street and surrounding development, and, ultimately, the look and feel of Antioch's neighborhoods and districts. With the exception of the Rivertown Development District, however, the current standards do not present a coherent and coordinated approach to design or reflect a coherent vision for various zones within the city. Moreover, in some cases the existing standards may hinder the type of development the City desires and may also increase the cost of development especially on smaller infill sites. Standards that make sense in low-density residential subdivisions may be inappropriate in areas designated for multi-unit development. For example, the existing ordinance requires 20-, 25- and 30-foot setbacks for parcels on local, collector, and arterial streets respectively throughout most of the City regardless of the type of use. This can make it difficult to design economically viable projects forcing many developers to apply for Planned Development approval. Large setbacks may also be inappropriate in areas where the City is trying to encourage more pedestrian activity.

The lack of standards is somewhat mitigated by regulations that require projects to adhere to the City Design Guidelines adopted in October 2009 but it is preferable to have both standards and supplementary guidelines. Antioch's Citywide Design Guidelines provide qualitative direction for a variety of specific site planning, architecture, and landscaping features. As such, they serve to supplement rather than replace objective standards. In some cases, however, the design guidelines suggest approaches that may, in fact, create conflicts with the current development standards. For example, the guidelines for residential development state that lot sizes and building placement should vary "to avoid a repetitive and regimented appearance" while conforming to City standards (p. 6-4). The guidelines for mixed-use development go even further encouraging buildings that extend up to the front and side property lines in order to "Create a dynamic, uninterrupted pedestrian zone" (p. 5-2). Variations in the "zero setback" are appropriate only where the resulting setback will better accommodate pedestrians, side dining areas, enhanced entries and other features that improve the pedestrian realm.

2.2.2 Options

The adoption of additional standards that address a wide variety of building and site features will help to convey the City's expectations for new residential and mixed-use development regardless of whether the project will require approval of a Conditional Use Permit or Planned Development Permit. Having such standards in place will be particularly important in districts where the revised Zoning Ordinance allows new residential development by right as the Housing Element proposes. Although Government Code Section 65583.2 (i) allows local agencies to require design review for residential projects that will not be subject to a conditional use permit or other project approval process, the Zoning Ordinance still needs to set forth clear and objective standards that define the building envelope and stipulate other requirements applicable to such projects.

Some of the guidelines prescribe fixed requirements. For example, the provisions regarding building height, scale, and articulation (Residential Guidelines p. 6-25) stipulate that a building may not

include more than eight attached units. The guidelines go on to state that buildings with three or more attached dwellings shall incorporate at least one of the following three features:

- Each dwelling unit shall have at least one architectural projection not less than 2 feet from the wall plane and not less than 8 feet wide.
- Projections shall extend the full height of single story buildings, at least one-half the height of two-story buildings, and two-thirds the height of a three-story building; or
- A change in wall plane of at least 3 feet for at least 12 feet for each two units.

Other guidelines provide clear direction but allow considerable discretion. For example:

- Buildings shall be generally oriented to the street with varying setbacks to provide visual interest and varying shadow patterns; and
- Building heights shall be varied to give the appearance of a collection of smaller structures.

At a minimum, the zoning ordinance should be amended to establish fixed standards and requirements to regulate development features where the Guidelines provide qualitative guidance but do not prescribe requirements. In addition to establishing a more detailed set of requirements for projects that could be allowed by right under the proposed zoning changes, this change would provide greater clarity to applicants regarding the City's design objectives. Assuming that the design guidelines promote and show examples of the types of streetscapes and quality development that the City wants, the zoning ordinance could be updated to include quantitative standards and requirements to ensure that all development, but especially those projects that could be established by right under the revised zoning, will be designed to in accord with the principles upon which the Guidelines are based. The most important of these changes include:

- Reducing the existing 25 to 30-foot setback from collector streets and establishing front yard build-to or set back zones that would allow homes closer (about 10 to 15 feet) to the street;
- Creating visual interest by allowing bays to project up to 3 feet and porches from 6 to 8 into the setback area;
- Requiring parking to be located to the rear instead of in front of buildings whenever possible. For example, require to be set back 40 feet from the primary street frontage and limit the extent of total frontage that can be devoted to parking to a maximum of 25 percent. Allow parking in the side yard if it is within 10 feet of or aligned with side yard building setback and screened with low wall, fence or planting (e.g. hedge);
- Requiring residential buildings to be designed so the primary frontage and main entrance face the street;
- Requiring entries to include porches, stoops or for larger building lobby entries to distinguish the primary frontage; and
- Establishing rear yard setbacks, step-backs, or daylight planes to buffer higher density development from adjacent single-family homes (requiring parking to be located to the rear would help to ensure this separation.

A number of these changes would alter requirements that are an obstacle to development on infill sites or can only be modified by a discretionary review process that increases the time and cost of projects. The City could implement the Housing Element by limiting amendments to those that would express the design guidelines as standards. This approach would modify some regulations that developers have identified as problematic. The second alternative would result in additional changes to requirements that go beyond the direction in the guidelines. A third option, which is not within the scope of this project, would be to establish a ministerial design review process that uses a design checklist based on the Citywide Guidelines eliminating the need for discretionary review for some projects. The immediate choices available to the City would be:

Option 1: Amend the zoning ordinance to incorporate fixed development standards based on the Citywide Design Guidelines Manual.

Option 2: In addition to establishing fixed development standards based on the Design Guidelines Manual, revise the zoning ordinance to modify standards that are an obstacle to development on infill sites and in other areas where the City wants to encourage development. The intent would be to prescribe new or additional requirements that could reduce the need for discretionary review under planned development or variance procedures.

2.3 Residential Parking Requirements

The Housing Element identified the City's current parking requirements as an indirect constraint on housing development because they reduce the amount of lot area available for residential development. The Element does not include any specific information about how Antioch's standards compare with other jurisdictions but proposed a review of existing parking requirements to ensure that they are not a constraint to residential development and, in particular, the construction of new housing affordable to lower and moderate-income households.

Recognizing that the cost of providing parking represents a significant component of development cost, the State and many local agencies have established a variety of regulations that require or authorize modification to parking requirements in order to promote affordable housing construction. Reducing the amount of required parking can also make more land available for providing residential amenities, such as landscaped open areas, and can stimulate business in commercial and mixed-use areas by making them more inviting to pedestrians.

The State Government Code allows or requires modification to parking requirements within infill opportunity zones (Section 65088.4), pursuant to trip reduction plans (Section 65089.1), for accessory or second dwelling units (Sections 65852.150 and 65852.2), and under transit village plans (Section 65460 et seq.). The next section of this paper discusses the provisions for reduced parking under the density bonus law (Section 65915). State law also specifically allows local agencies to grant a variance from parking requirements to provide an incentive to nonresidential development or make it easier for transit users to access nonresidential development.

2.3.1 Issues

Parking needs vary by income and by housing tenure. A number of studies have shown that income is a significant predictor of vehicle ownership with higher income households owning significantly more vehicles than lower-income households. Families earning 48 to 60 percent of the median for the Bay Area owned 26 percent fewer cars than the regional mean. And, when income drops to 24 to 36 percent of AMI, vehicle ownership rates drop to 44 percent of the Bay Area's average.¹

The 2000 Census also showed that those who live in larger multi-family developments own fewer cars. Nation-wide, apartment residents had an average of one vehicle per occupied unit, which was less than half the ownership rate for occupants of single-family homes. In the Bay Area, households in multi-family projects with five or more units had an average of just over one car per household, 39 percent lower than the regional average of 1.76 cars.

The vehicle ownership rate of households living in Antioch is slightly higher than the average for the Bay Area or Contra Costa County as a whole but maintains the significant difference between households in owner-occupied and rental units. According to the 2000 Census, the average number

¹ For example see Ryan Russo, *Planning for Residential Parking: A Guide for Housing Developers and Planners*, Non-Profit Housing Association of Northern California, 2001; Todd Litman, *Parking Requirement Impacts on Housing Affordability*, Victoria Transport Policy Institute, <http://www.vtpi.org/park-hou.pdf>

of vehicles that households in Antioch own was 1.97 compared with 1.87 for the county. The average number of vehicles for renters is, however, about the same in Antioch as it is for the entire County--1.43 vehicles per household for Antioch's tenants compared with 1.40 countywide. The rates for households who own their homes are 2.19 for owner-occupied housing in Antioch and 2.09 for all of the County's owner-occupied units.

Although the City's existing ordinance would require 36 parking spaces (1.8 per unit) for a 20 unit rental housing development, based on the 2000 Census only eight households could be expected to have more than one car. If the project included four units with three or more bedrooms the parking requirement would increase to 38 spaces or 1.9 spaces per unit. Requiring that parking be enclosed in a structure also increases development costs. Based on typical Bay area construction costs, the estimated cost of covered parking ranges from about \$25,000 per space for concrete podium parking to as high as \$40,000 per space depending upon the type of construction. The cost per space in a framed garage could be \$10,000 to \$15,000. In contrast, uncovered surface parking is likely to cost \$5,000 to \$7,000 a space with an additional \$1,500 to \$2,000 per space with a carport above surface parking.

A recent study of parking utilization rates at transit-oriented residential development (TOD) projects in the southern part of the San Francisco Bay area concluded that the number of spaces provided typically exceeds the demand.² The study, which surveyed 12 TOD projects near Caltrain and Santa Clara Valley Transportation Authority light rail, found that 17 to 39 percent of the parking was not used, an average of 26 percent overall. Based on the study's findings, only about 1.3 spaces are needed per unit in a residential TOD in Santa Clara County and that residential parking demand within a half mile of a rail transit station is less than what current zoning codes require. The study corroborates research by Robert Cervero, who also found that Bay Area TODs are "over-parked".³ According to a 2008 study by Cervero and Arrington, reducing parking ratios from 2.2 to 1.1 resulted in lower construction costs and more housing production as well as higher transit ridership.⁴

Most of the transit-oriented projects that the studies examined are in more urbanized areas and closer to BART. Nevertheless, based on information about some of the affordable housing projects in the County designed by Van Meter Williams Pollack and occupied within the last decade, the City's parking requirements are probably higher than necessary for multi-unit affordable housing development.

- West Rivertown, which has easy access to transit and downtown, is parked at 1.6 to 1 and has additional parking available, as well as extensive on-street parking. Some residents find it convenient to park on the street as their front doors open to the street. The tree-lined streetscape is pleasant and units have porch entries.

² Technical Report, December 2010, <http://bit.ly/gk9Y7p>

³ Cervero, Robert, Arlie Adkins, and Cathleen Sullivan. 2009. *Are TOD Sites Over-Parked?* UCTC Research Paper No. 882. Berkeley, CA: University of California Transportation Center.

⁴ Arrington, G.B. and Robert Cervero, *Effects of TOD on Housing, Parking, and Travel*, Transportation Research Board, Washington, D.C., 2008

- Rivertown Place is parked at 1.6 to 1 and is generally full, but not overflowing. The streetscape is similar although not quite as lush and there are no separated sidewalks in that portion of the neighborhood.
- Baypoint is parked at 1.8 to 2.0 spaces per unit and has sufficient parking with some spaces available.
- Los Medanos is parked at 1.8 to 1 spaces per unit and has additional spaces available.
- Leland Avenue, with parking at 2 spaces per unit is generally full but this is primarily due to the fact that there is no street parking in the entire surrounding area.

The survey shows that the ability to use the reduced parking ratios provided by the State density bonus law is a definite benefit. For most typical tax credit projects, which require that 30 percent of the units have three bedrooms and generally have 40 to 50 percent two-bedroom units with the rest at one bedroom, the parking ratio is approximately at 1.8 spaces a unit with no guest parking.

Table 2.3-A: Antioch and Peer Cities Residential Parking Requirements					
	<i>Antioch</i>	<i>Pittsburg</i>	<i>Concord</i>	<i>Walnut Creek³</i>	<i>Brentwood</i>
SF Detached	2/unit covered plus 1/unit for guests on-street nearby	2/unit including one covered ¹	2/unit including one covered	2/unit covered	2/unit covered
SF Attached or Duplex	2/unit including one covered plus 1/5 units for guests	2/unit including one covered for duplex	1.5/unit including one covered ²	1/unit for 1 BR; 2/unit including one covered for 2 BR or larger units ¹	2/unit covered for duplex or triplex
Multi-family Studio	1.5/unit including one covered plus 1/5 units for guests	2/unit including one covered	1.5/unit including one covered ²	1.25/unit ⁴	1/unit covered plus 1 public space
One- BR	1.5/unit including one covered plus 1/5 units for guests	2/unit including one covered	1.5/unit including one covered ²	1.5/unit ⁵	1/unit covered plus 1 public space
Two-BR or larger	1.5/unit including one covered plus 1/5 units for guests plus additional .5 for 3 BR or larger units	2.5/unit	2/unit ²	2/unit plus additional .25 for 3 BR or larger units ⁶	1/unit covered plus 1 public space

Senior Housing	Up to .75/unit covered plus guest parking based on project review	Reduction from applicable requirements subject to review	Reduction from applicable requirements subject to review	Determined on project basis by Transportation Administrator	Reduction from applicable requirements subject to use permit and restriction on use to senior housing
Transit-Oriented Development	NA	Reduction subject to review for MF and small-lot SF within .25 miles of mass transit station or facility	NA	1/unit for studio; 1.25/unit for 1 BR; 1.5/unit for 2 BR; 2/unit for 3 BR within .5 mile of BART station	NA
Downtown Development	NA	1.5/unit with reduction available subject to review	NA	NA	NA
<p>Notes:</p> <ol style="list-style-type: none"> 1. Tandem parking allowed for two required spaces. 2. One additional space for every three units for guest parking if primary access is along private drives or public streets on which no parking is allowed or feasible. 3. Reduction in number of spaces, shared parking, or off-site parking may be allowed subject to approval of use permit. 4. 1.1/unit for low-income and 1/unit for very low-income units. 5. 1.35/unit for low-income and 1.15/unit for very low-income units. 6. 1.8/unit for 2 BR and 2/unit for 2+ BR low-income; 1.5/unit for 2 BR and 1.75/unit for 2+ BR for very low-income 					
Source: Dyett & Bhatia, 2011.					

2.3.2 Options

Under the existing regulations parking requirements for affordable housing projects are modified on a case-by-case basis. If the ordinance is amended to create a new district that allows residential development at 20 units per acre by right, projects that include lower income units and are entitled to a density bonus under State law would be entitled to reduced parking by right. Affordable housing development in other districts would still be subject to discretionary review but may also be entitled to reduced parking if the project meets the requirements of the State density bonus law.

Adopting specific reduced parking standards for projects that will be occupied by lower-income households would provide greater certainty for developers and can eliminate the need for discretionary review for projects that would not otherwise require a use permit or other discretionary zoning approval. This option is preferable because it would reduce the time and cost required to

process applications for affordable housing projects. The parking requirement for these units could be reduced across the board to a percent of the standard that would otherwise apply (typically 20 to 25 percent lower) with the possibility of further reductions tied to additional requirements that are intended to ensure that the residents of such projects have a choice of alternatives to driving private automobiles. These could, for example, include providing shuttle or van service to shopping, social services, and transit stations or limiting the areas where parking reductions apply to neighborhoods or districts that are closer to transit or shopping. Parking requirements based on the number of bedrooms penalize smaller units and are more difficult to administer because of the need to determine whether a room that is identified as a den or office will, in fact, be regularly used for sleeping. Within the Rivertown area, the revised ordinance could offer the option of paying an in-lieu fee that would be used to construct a future parking structure. Once the City identifies a site, it could be used to provide additional surface parking for downtown businesses and residents.

In some cases it may be appropriate to hold land in reserve and defer imposition of parking requirements pending monitoring to demonstrate whether projected reductions in trips have materialized. This approach may work on larger sites or where development will be phased but would not benefit developers with projects on smaller or irregularly-shaped infill sites where the cost of providing parking or the building footprint are critical to project feasibility. An alternative for larger sites or phased development would be to allow surface parking areas to be converted to open space or developed based on evidence of reduced automobile ownership and trips.

Option 1: Establish lower parking standards for affordable housing projects that would allow a reduction in parking by-right for projects designed for occupancy by lower-income households or transit-oriented development. Reduced parking standards may be tied to floor area rather than the number of bedrooms. Projects that incorporate other features to reduce trips or are located close to transit corridors or shopping would be entitled to additional specific reductions by right.

Option 2: Establish procedures giving the Planning Director or the Planning Commission authority to modify parking requirements on a discretionary basis when supported by specific information in the record. These modifications could include deferring imposition of standard minimum parking requirements or other reductions that the developer proposes. Approval may be subject to conditions including periodic monitoring of trip reduction measures to verify their effectiveness.

2.4 Development Bonuses and Incentives

In 2004, the State enacted significant changes to the state's density bonus law, which went into effect on January 1, 2005. The legislation (SB 1818 chaptered as Government Code Section 65915-65918) required cities and counties to overhaul their ordinances to bring them into conformance with new state mandates, which reduced the proportion of affordable units developers had to provide to be entitled to additional density and other incentives and concessions necessary to make units affordable. Antioch has not yet revised its ordinance to reflect these changes.

The previous law allowed for a 25 percent density bonus when housing projects provided between 10 – 20 percent of the units affordable (depending upon the level of affordability). In addition, cities and counties needed to provide at least one "concession" such as financial assistance or a reduction in development standards. SB 1818 significantly reduced the amount of units that a developer had to provide in order to receive a density bonus and required cities and counties to provide between one to three concessions, depending upon the percentage of affordable units. It also imposed a new land donation rule, and statewide parking standards.

- If at least 5% of the units are affordable to Very Low income households or 10% of the units are affordable to Low income households, then the project is eligible for a 20% density bonus.
- If 10% of condominium or planned development units are affordable to Moderate income households, then the project is eligible to receive a 5% density bonus.

In addition, the law established a sliding scale that requires:

- an additional 2.5% density bonus for each additional increase of 1% Very Low income units above the initial 5% threshold;
- a density increase of 1.5% for each additional 1% increase in Low income units above the initial 10% threshold; and
- a 1% density increase for each 1% increase in Moderate income units above the initial 10% threshold.

These bonuses reach a maximum density bonus of 35% when a project provides 11% Very Low income units, 20% Low-income units, or 40% Moderate-income units.

The law also requires cities and counties to grant additional "concessions or incentives" depending on the percentage of affordable units provided. "Concessions and incentives" may include reductions in zoning standards, other development standards, design requirements, mixed use zoning, and any other inducement that would reduce costs for the developer. Any project that meets the minimum criteria for a density bonus is entitled to one concession from the local government agency, increasing up to a maximum of three concessions depending upon the amount of affordable housing provided. For example:

- For projects that provide either 5% of the units affordable to Very Low income households, 10% of the units affordable to Lower Income households, or 25% Moderate Income condominiums, then the developer is entitled to one concession.

- When the number of affordable units is increased to 10% Very Low income units, 20% Lower income units, or 20% Moderate-income units, then the developer is entitled to two concessions.
- When the number of affordable units is increased to 15% Very Low income, 30% Lower income, or 30% Moderate-income units, then the number of concessions is increased to three.

The State density bonus law does not require that a city or county exempt affordable housing projects from design review. The Government Code does, however, prohibit a local agency from imposing any design review conditions that would demonstrably make a project economically infeasible.

2.4.1 Issues

Section 65915 (l) defines “concession or incentive” as a reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission. Examples include a reduction in setback and square footage requirements and reduction in parking ratios. Approval of mixed-use zoning is a “concession” if the non-residential use is compatible with the housing project and the existing or planned development in the area. In addition, the developer may propose other regulatory incentives or concessions that result in “identifiable, financially sufficient, and actual cost reductions”

State law would allow Antioch to request that a developer choose a concession or incentive from a list of acceptable concessions; although, under certain circumstances, a developer may request and be entitled to other incentives not on the City’s preferred list. The State law does allow the City to deny a developer’s request for additional incentives or concessions if it can find, based on information in the record, that the proposed waiver or modification is not necessary to make the affordable units economically feasible. Even though the Government Code establishes the rules for making such determinations, including such a procedure in its own zoning ordinance would allow the City to better express its priorities and clarify its expectations for projects that are eligible for density bonuses.

The current zoning ordinance includes a Senior Housing Overlay District that provides an incentive to developers of senior housing by establishing a higher base density with additional density for projects that are affordable to low and very low-income seniors and/or located close to services. The provisions of Article 34 can allow developers to build at densities as high as 70 percent over the base density if their projects meet all of the criteria. Although the State density bonus requirements supersede local ordinances, as the Housing Element proposes and to provide clear direction to applicants and neighbors, the City needs to revise Article 35, the Non-Senior Housing Density Bonus Program, which the City adopted in 1994, to comply with the current requirements of the State density bonus law.

In addition to proposing an update to the City’s density bonus regulations to bring them into line with Government Code Section 65915, the Housing Element proposes that the City offer additional incentives to encourage the production of affordable housing in the Rivertown Focus Area (Program 2.5.1, p. 5-11). Most cities find it relatively easy to identify the benefits they want to obtain from an incentive program; the hard part is limiting the list to those features that will best promote the city’s key priorities and making sure that the bonuses are economically viable. In order for incentives to work, they need to be grounded in local real estate economics – i.e., they need to really encourage developers to build what is wanted. Incentives should be based on economic analysis that measures the value of added space to builders against the cost of the amenity they are being encouraged to

build. If the incentive is too small it will be ignored; if the value of the additional space far exceeds the cost of the amenity, many builders may choose one very generous bonus and ignore the others.

Nowadays, there is considerable variation among the types of incentives that cities offer and the range of approaches they use to deliver them. Increasingly, however, ordinances reflect the belief that new development should provide benefits that are proportionate to the intensity and impact of a project. This approach is intended to “recapture” the value of a development entitlement in the form of benefits to the community. For example, some cities have adopted policies that require new buildings to deliver public benefits, which are proportional to building height or development intensity. Another approach is using a tiered system that stipulates the types of benefits that must be provided to exceed base heights. Antioch’s Senior Housing Overlay regulations implement a similar notion by tying densities to the level of affordability and proximity to services.

The procedures the City uses to administer the incentive program will also be critical. While some cities require an individual hearing before granting any incentive, the better practice is to agree on the bonus conditions ahead of time and then grant the bonus without discretionary (and sometimes time consuming and controversial) review. Investors need the predictability of knowing that if they offer an amenity that meets the city’s standards they can budget on the additional height or space and don’t run the risk of having that reduced or denied in a discretionary hearing.

2.4.2 Options

At a minimum, the City needs to amend Article 35, the Non-Senior Housing Density Bonus Program to comply with the current requirements of Government Code Section 65915. Instead of just incorporating the provisions that the State law specifies, the City could use this opportunity to establish regulations and procedures to clarify how it implements the State mandate. This will allow the City to tailor the requirements to better respond to local interests as long as the City ordinance conforms to State law. Some jurisdictions, for example, have established lists of preferred concessions and incentives.

The Housing Element also proposes that the City adopt incentives that go beyond the State requirements to promote residential development in the Rivertown Focus Area such as:

- Providing the higher than minimum required density bonuses available through the Senior Housing Overlay District throughout the Rivertown Focus Area;
- Modifying development standards for the Rivertown Focus Area to permit residential development within mixed-use projects at higher densities than might otherwise be achieved within “conventional” multi-family developments by regulating development intensity for the mixed-use projects by floor area ratio, rather than by calculating dwelling units per acre, and modifying parking standards for residential dwelling units developed on the upper floors of commercial buildings to permit shared parking and off-site parking in municipal parking lots; and
- Expediting the development review process to minimize carrying costs for lands being developed with affordable housing

Although the Housing Element focused on incentives for Downtown development, the zoning update provides an opportunity to determine whether an incentive program could help to obtain

broader community benefits. The Housing Element and discussions with City officials suggest that the benefits the community should receive in exchange for providing incentives that exceed those to which developers may be entitled under State law should include:

- More retail activities in the Downtown including a grocery store;
- Improvements to the streetscape to make the area more attractive to pedestrians including upgraded lighting, and maintenance;
- Parks, including pocket parks on site that would be privately owned and maintained and City parks that would be built by a developer and then deeded to the City;
- Public art (although there was some sentiment toward adopting an ordinance requiring that developers pay a fixed percent of project value for public art);
- Building projects close to transit (especially eBART) or providing improved access to public transportation;
- Mixed-use development including the type of retail commercial goods and services that would enhance commercial areas and improve City revenues;
- Community facilities, including a library, childcare, and recreation center/facilities (such as an indoor sports facility that would be open to the public and/or rented for City use) or payment of an in-lieu fee that the City would use to develop such facilities are preferable to facilities included within a project except for childcare and recreation space, which should be required for all large residential developments; and
- Traffic safety and traffic reduction improvements in project area.

For an incentive program to work, especially if the City wants to receive additional community benefits such as those City officials identified, the City needs to offer incentives and concessions that are equivalent to those available under the State density bonus law for market rate projects and exceed those to which projects would be otherwise entitled for developments that include affordable units. Implementing some proposals that are discussed in other parts of this report, such as allowing more development by right and modifying standards that are an obstacle to development on infill sites, would be an incentive to desired development. Foremost among these would be creating a district where multi-family development at densities of 20 units per acre would be allowed without requiring a conditional use permit. This would significantly expedite the development review process for affordable housing projects and also reduce the time that Staff has to spend processing applications that require a Conditional Use Permit as well as design review under the current ordinance. As provided for by the State density bonus law, most, if not all, projects that include affordable units would also be entitled to density bonuses as high as 27 units per acre (i.e. 135 percent of the base density) plus additional concessions needed to make projects feasible.

The program should be designed to offer the concessions that affordable housing developers with project experience in Contra Costa County have found most valuable including:

- Additional density above the 35 percent to which projects are entitled under State law;

- Exceptions to height limits to allow up to three stories and 35 feet in areas zoned for two-story structures;
- Modification to setback requirements especially in the front yard but sometimes to rear setbacks depending on site shape and conditions;
- Reduction in parking requirements;
- Modification to lot coverage and/or open space requirements depending on the metric that the City uses.

In addition to amending Articles 34 and 35 of the Zoning Ordinance to be consistent with the State's density bonus law (Government Code 65915), the choices available to the City include:

Option 1: Amend Article 34 and 35 of the Zoning Ordinance to include a priority list of concessions and incentives that the City deems acceptable and procedures for implementing the density bonus law including process for deciding whether to grant an incentive that is not on the list and for determining whether any incentive is necessary in addition to the basic density bonus.

Option 2: Establish a new incentive program that includes one or more of the following features:

- Expand the existing Senior Housing Overlay District to include housing projects that exceed the affordability thresholds in Government Code 65915 and meet other criteria, which may include location in specific areas of the City, such as the Rivertown area, and incorporation of specific amenities including, but not limited to those in existing Article 34;
- In addition to additional density, allow height increases, reduced parking, and other concessions by right and without discretionary review to projects that exceed the State affordability thresholds and incorporate specific amenities such as a minimum amount of retail floor area.

2.5 Emergency, Transitional and Supportive Housing

SB 2 amended the Government Code to require cities and counties to explicitly recognize emergency, transitional, and supportive housing in their zoning regulations and to adopt provisions intended to remove obstacles to providing emergency shelters, transitional housing for those who were formerly homeless, and supportive housing accommodating persons with disabilities. The State Department of Housing and Community Development (HCD) has defined emergency shelter, transitional housing, and supportive housing as follows:

- Emergency Shelters (Health and Safety Code Section 50801(e): “Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.
- Transitional Housing (Health and Safety Code Section 50675.2)(h): “Transitional Housing” and “transitional housing development” means buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Recipients may be individuals or families who are at immediate risk of becoming homeless (e.g. have received an eviction notice) or are transitioning from being homeless to permanent housing.
- Supportive Housing (Health and Safety Code 50675.14(b): Housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. “Target population” means low-income adults who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

Government Code Section 65583 requires jurisdictions with an unmet need for emergency shelters to identify a zone or zones where at least one year-round emergency shelter will be allowed as a permitted use without a conditional use permit or other discretionary permit. (The code may require discretionary design review as long as the review does not make the development of a facility infeasible.) The identified zones must have sufficient capacity to accommodate the shelter need, and at a minimum provide capacity for at least one year-round shelter. As amended by SB 2, State law allows jurisdictions to require shelters to conform to the same development and management standards that are applicable to other residential or commercial uses within the zone. It also allows cities to impose objective standards for shelter operation covering issues such as the maximum number of beds, parking requirements, hours of operation, management requirements, location of waiting and intake areas, lighting, security, etc.

State law does not require jurisdictions to quantify the unmet need for transitional or supportive housing. It does, however, require that local agencies revise their zoning ordinances as necessary to ensure that these facilities be treated as residential uses and subject to the same requirements as comparable residential uses in the same zoning district.

Transitional housing facilities may be configured as apartments, individual shared units, or dormitory facilities. State law requires that local ordinances regulate transitional facilities in the same manner as comparable apartments or group living accommodations (e.g. convents, school dormitories, etc.). Facilities may be accessory to a public or quasi-public use such as a social service agency, religious assembly or institutional use, or other facility operated by a nonprofit organization. In all cases, however, occupancy is for a specific term that must be more than six months. Transitional and supportive housing programs typically offer or require participation in support services such as counseling, daycare, job counseling or other services that help residents achieve self-sufficiency.

2.5.1 Emergency and Transitional Housing

In 2007, the Contra Costa Inter-Jurisdictional Council on Homelessness (CCICH) estimated that there were 1,749 homeless persons in Contra Costa County, of which 144, representing approximately 8.2 percent of the County's total homeless population, lived in Antioch. Based on preliminary results from the 2009 Homeless Count and Survey, there were 1,958 sheltered homeless persons in the County and the need in Antioch has increased from 90 to about 124 shelter beds.⁵

There is one emergency shelter and one transitional shelter in Antioch. The East County Shelter is an emergency shelter, which provides 20 beds for single homeless men and women year-round. Shelter Inc. operates the Lyle Morris Family Center (formerly East County Transitional Housing), which has 19 units that provide 70 year-round family beds. Families may stay in the facility for up to 24 months.

Antioch's current zoning ordinance allows emergency shelters in the Light Industrial (M-1) and Heavy Industrial (M-2) District with a use permit. To meet the requirements of Government Code Section 65583 (a)(4), the Housing Element proposed to create a zoning overlay district in which emergency shelters can be located without discretionary approvals and identified three parcels that are now zoned Mixed Commercial-Residential (MCR) to include in this zone. The Housing Element also proposed to take steps to accommodate transitional housing in conjunction with the emergency shelter and also includes a program for amending the Zoning Ordinance to include provisions regarding small, one-room units (SRO residences) that could be occupied by single individuals or couples. This type of housing can help formerly homeless individuals and couples to make the

⁵ The Homeless Count included all individuals who meet the definition of unsheltered or sheltered as homeless. Unsheltered is defined as any person that resides in a place not mean for human habitation, such as a car, park, sidewalk, open space or on the street. The "unsheltered" population includes individuals living in a home lacking electricity or plumbing, in jail or an institution who would not have a permanent address after release, and others who identified themselves as homeless on the day of the count. Sheltered refers to individuals residing in an emergency shelter or transitional housing program for homeless persons who originally came from the streets or emergency shelter.

transition to permanent housing but could also be suitable for other very low-income individuals including students and entry-level workers.

2.5.2 Issues

The Housing Element proposed to establish an overlay district within which shelters can be located without a use permit or other discretionary approval and identified three vacant City-owned properties that could be developed for this use. The City has already had discussions with the Bay Area Rescue Mission about developing a transitional housing facility on one of the three sites, a 4.8-acre parcel on the south side of Delta Fair Boulevard at Century Boulevard. The two other sites are smaller lots on the northwest and northeast corners of the same intersection.

In February 2010, the Planning Commission proposed to rezone the 4.8-acre parcel for exclusively residential use. This designation would allow development of transitional or supportive housing but not an emergency shelter, which is typically classified as a public or community service use. The Commission did not include a zoning recommendation for either of the two smaller parcels.

While all three candidate sites are available and suitable from an environmental standpoint, their location more than a mile from Somersville Road may make it difficult for residents who have to rely on transit to reach social services and other programs. For this reason, it may make sense to expand the overlay district to include some sites in the Light Industrial (M-1) District, where the City of Antioch Zoning Code now allows homeless shelters in the Light Industrial (M-1) District and Heavy Industrial (M-2) District zones subject to approval of a use permit. The ordinance does not include any additional standards or requirements applicable to this use.

To determine how much land to include within the proposed overlay district, the Housing Element used a density of 20 shelter beds per acre (Housing Element, p. 4-9). This ratio is significantly lower than the standard most agencies use to plan for emergency shelters, which averages about 200 square feet of site area per person and is equivalent to more than 215 beds per acre.⁶

In addition to having sufficient capacity to accommodate the need for emergency housing, the State requires that the designated zones meet other criteria including:

- Availability of sites for new development or buildings suitable for conversion;
- Suitability in light of physical and environmental characteristics such as seismic hazards, toxic contamination, noise, and air quality;
- Proximity to transit, job centers, social services, and other programs to support clients.

To meet State requirements, in addition to revising the ordinance to allow development of facilities that have the capacity to accommodate the projected unmet need of 124 beds, State law allows cities to adopt objective and predictable standards for regulating homeless shelters so long as they do not have the effect of making it infeasible to establish shelters within the jurisdiction. The standards may

⁶ *Zoning in the Wake of SB2: Best Practices for Emergency, Transitional and Supportive Housing*, May 2010, 21 Elements, San Mateo Countywide Housing Element Update Kit, pp. 5-8. Download at <http://www.21elements.com/View-document-details/442-Zoning-for-Emergency-Shelters-Best-Practices.html>

deal with the use of property but may not address the characteristics of potential occupants. In addition to making shelters subject to the same measureable development standards that apply to other uses in the district (e.g. height, setbacks, maximum floor area, etc.), local ordinances may adopt standards regulating issues such as:

- The maximum number of beds or persons permitted to be served nightly by the facility (so long as the limit does not make it economically infeasible to operate a shelter);
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone;
- The size and location of exterior and interior on-site waiting and client intake areas;
- The provision of on-site management;
- The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;
- Lighting; and
- Security during hours that the emergency shelter is in operation.

If shelters are only allowed in industrial areas, these standards will usually be more lenient than requirements applicable to facilities in residential or commercial districts. The ordinance may not require public notice of shelter proposals unless it also requires public notice for other non-discretionary actions.⁷

Because State law supersedes local zoning regulations, even though the existing Antioch code makes no reference to transitional housing this type of residential use is now permitted in any district where multi-unit facilities are allowed subject to the same requirements applicable to comparable facilities. To avoid confusion about municipal requirements and avoid potential conflicts with State law, some jurisdictions have amended their codes to include a definition of "transitional housing" and specifically identify this type of accommodation as a permitted use in those districts where multi-unit facilities are allowed subject to the same requirements applicable to other types of multi-unit development. This means that transitional housing would require a conditional use permit in those districts where multi-family housing is subject to a use permit and allowed by right in the district or districts where it is permitted by right.

The following definition of transitional housing refers to the State law but includes other information that will facilitate administration:

Transitional Housing means buildings configured as rental housing developments that provide housing for individuals or families who are at immediate risk of becoming homeless (e.g. have received an eviction notice) or are transitioning from being

⁷ Memorandum from Cathy E. Cresswell, Deputy Director, California Department of Housing and Community Development, May 7, 2008, p. 10

homeless to permanent housing for a period of at least six months as defined by Health and Safety Code Section 50675.2)(h). Transitional housing units include but are not limited to apartments, individual shared units, or dormitory facilities that may be accessory to a public or quasi-public use such as a social service agency, religious assembly or institutional use, or other facility operated by a nonprofit organization and may offer or require participation in support services such as counseling, daycare, job counseling or other services that help residents achieve self-sufficiency.

Some jurisdictions have amended their zoning ordinances to include use types as well as definitions. In contrast to definitions, which are an alphabetical listing of terms used throughout the ordinance with their meaning, use classifications group together similar uses that are regulated in the same manner. This approach avoids the need to list each and every individual type of use. Including transitional housing as a type of Multi-Family use will make it easier to comply with the State requirement for equal treatment. These classifications also provide more flexibility than use lists, particularly in commercial areas where a broad range of uses is permitted. By not listing uses specifically, but instead identifying use types, it is relatively easy to insert a new type of use into the appropriate classification by administrative determination and regulate accordingly.

An example of a use classification description for Group Residential that refers to transitional housing would be:

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for semi-transient or permanent residents on a weekly or monthly basis. This classification includes rooming and boarding houses, dormitories, private residential clubs, residential hotels intended for long-term occupancy (30 days or more), and transitional housing offering shared living quarters or on-site services but excludes Hotels and Motels and Residential Care.

2.5.3 Options

Based on an estimated density of 200 shelter beds per acre, the three sites, which include a total of 6.39 acres, could accommodate both the 124 emergency shelter beds the City needs to meet the State requirement as well as 100 units of transitional housing and associated services. The three parcels, which include a total of 6.4 acres, are now zoned Mixed Residential/Commercial (MCR). The current zoning ordinance describes the MCR zone as a district that is compatible with transit-oriented development and other areas designated for mixed-use development.

In order to provide homeless service agencies with sufficient flexibility to meet the need for emergency shelter while retaining the larger site on Delta Fair Boulevard to be developed for transitional housing without a time limit on occupancy, the City could consider expanding the overlay district to include one or more parcels in the Light Industrial (M-1) zone, where the current code requires a conditional use permit for such use. The M-1 sites would have to meet specific criteria intended to minimize conflict with surrounding uses and to allow facilities to include a range of support services to assist shelter residents. By adopting standards and requirements applicable to emergency shelters as provided for by State law the City would help to further ensure their compatibility.

Option 1: Establish an overlay district where an emergency shelter would be allowed by right that includes the City-owned parcels on the northeast and northwest corners of Delta Fair and Century Boulevard and one or more additional parcels in the M-1 (Light Industrial) zone.

- Continue to allow emergency shelters with a conditional use permit elsewhere in the M-1 and M-2 zones.
- Rezone the 4.8-acre parcel on the south side of Delta Fair for residential use with a minimum density of 30 units per acre subject to approval of a conditional use permit as Section 2.1 proposes.

Option 2: Amend Section 9-5.203 to include a definition of “transitional housing” that cross-references the definition in the California Health and Safety Code. The Table of Land Use Regulations (Section 9-5.3803) could also list transitional housing as a residential use with reference to the new definition.

Option 3: Amend the zoning ordinance to define Single Room Occupancy (SRO) units and to regulate SRO facilities as a form of multi-family housing subject to standards and requirements applicable to comparable multi-unit residential facilities. Allow single-room occupancy hotels in the Rivertown High Density Residential and Transit-Oriented Residential Districts subject to specific limitations.

2.5.4 Supportive Housing

2.5.5 Issues

The Housing Element (p. 5-14) proposes to, “Amend the Zoning Code to allow transitional/supportive housing as a residential use, subject only to those requirements of other residential uses in the same zone.” (p. 5-14) The 2010 Housing Element uses the term “transitional/supportive housing” without recognizing the distinction between these housing types. In contrast to transitional housing, which is semi-transient by definition and may be occupied by any individual who is in transition from homelessness, supportive housing is permanent housing for individuals with disabilities.

In addition to establishing fairly detailed requirements regarding the provision and regulation of emergency housing (Government Code Section 65583 (a)(4), SB2 re-enforced existing requirements to remove constraints to providing housing for persons with disabilities including accommodations with supportive services. The provisions applicable to transitional and supportive housing and the associated obligations imposed on local agencies are somewhat less detailed than the requirements regarding emergency housing. According to a memorandum that the State Department of Housing and Community Development issued on May 7, 2008, the legislation defines supportive housing to have the same meaning as Section 50675.15 of the Health and Safety Code. More specifically, supportive housing means permanent housing that is occupied by low-income adults who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act that is linked to on- or off-site services that help the supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live

and, when possible, work in the community. The population targeted by supportive housing programs may include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.

In addition to requiring the housing element to identify constraints to meeting the need for supportive housing, the Government Code stipulates that supportive, as well as transitional housing, must be considered a residential use subject only to the restrictions applicable to dwellings of the same type in the same zone. Because disabilities often contribute to homelessness, SB 2 allows jurisdictions to reduce their emergency shelter need by the number of vacant or funded supportive housing units that will be provided pursuant to an adopted 10-year plan for ending chronic homelessness.

The current zoning ordinance identifies residential care facilities, one of the most common forms of supportive housing, as a residential use but does not include a definition for either residential care facility or supportive housing. To comply with State and Federal law, residential care facilities serving six or fewer people (not including the operator or staff who provide services that residents need to sustain daily life) must be treated as a single-family use. Licensed facilities that serve seven or more residents may be subject to a use permit but any standard requirements or conditions imposed on such facilities must be comparable to those imposed on other group residential facilities such as convents and fraternity houses.

"Shared supportive housing" housing—tenants sharing a single family home, duplex, or triplex, each with their own bedroom and a right to choose other housemates—is becoming more popular in housing homeless people with disabilities, as funding sources, like the Mental Health Services Act Housing Program and the Neighborhood Stabilization Program, finance purchase and rehabilitation of abandoned properties. State law exempts supportive housing from licensing requirements (Health and Safety Code Sec. 1504.5). A prohibition of shared supportive housing in low-density zones or regulations that define facilities where individual members have individual leases as boarding houses, regardless of the number of residents, may also be in violation of Federal law when applied to shared supportive housing. *Disability Advocates, Inc. v. Paterson*, 2010 WL 933750 (E.D.N.Y. 2009).

Unlicensed supportive housing facilities include a type of accommodation commonly called a "clean and sober" house. All sober living homes provide a drug and alcohol free environment for those recovering from addiction. Facilities that provide detoxification, group sessions, individual sessions, educational sessions, or alcoholism or drug abuse recovery or treatment planning must obtain a license through the California Department of Alcohol and Drug Programs. (Cal. Health & Safety Code § 11834.02) If a licensed facility has six or fewer non-staff occupants, a municipality must treat it as a permitted use wherever the municipality allows single-family homes. Moreover, these facilities may not be subject to business taxes, use permit fees, conditional use permits, zoning variances, or other zoning clearances not required of other single-family homes in the same zone. Cal. Health & Safety Code § 11834.22 & 11834.23. Cities have somewhat greater latitude to regulate both large and small unlicensed facilities as long as they heed the requirements of federal and State laws that protect housing opportunities for persons with disabilities as well as the right of a group of unrelated persons to live together as a single household under the California Constitution.

In a 2003 opinion regarding an ordinance adopted by the City of Lompoc, then Attorney General Brown stated that communities could prohibit or regulate boarding houses and similar facilities in single-family zones in order to preserve the residential character of the neighborhood as long as the regulation is based on the use and not the characteristics of the occupants. (Cal. Op. Atty. Gen. 01-

402) In a related opinion from 2007, the Attorney General reaffirmed that Section 11834.23 forbids the use of zoning or other regulatory powers to treat small treatment facilities differently from other residential dwellings. (Cal. Op. Atty. Gen. 07-601)

The regulation of unlicensed facilities, especially those with six or fewer occupants, is also subject to challenge if it conflicts with the California Supreme Court's decision in *Adamson v. Santa Barbara*, 27 Cal. 3d 123, 134 (1980), which held that the State constitution's protection of the right to privacy prohibits local agencies from treating a group of unrelated persons living together as different from persons related by blood, marriage, or adoption living together. This means that any regulation of unlicensed facilities needs to be based on a carefully-drawn definition of the term "household" as well as other provisions that regarding the use of the property.

Los Angeles, San Rafael, and Lompoc are among the cities that have revised their zoning regulations to make it easier to regulate unlicensed facilities and licensed facilities with seven or more occupants. In addition to including a definition of "household" that requires a single lease or rental agreement, these jurisdictions are adopting regulations that impose similar restrictions on all types of group living or multi-family facilities. Where regulations restrict the behavior of occupants (e.g. smoking, drinking, or loud noise in common areas), they should apply to all facilities included in a use class (e.g. banning smoking in common areas and/or within X feet of any multi-family and/or group living residential facility).

Antioch's existing zoning ordinance does not include any regulations that specifically apply to unlicensed supportive housing including facilities for persons who are disabled due to substance abuse problems. As defined in the ordinance, the term Family Care Home only applies to State-authorized, certified, or licensed facilities:

FAMILY CARE HOME. A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children providing care on a 24 hour-a-day basis. Includes elderly group homes and adult group homes as defined by the State of California for ambulatory aged furnishing only general assistance or services, having from one to six guests, meeting all state and county licensing requirements, and being constructed to the minimum construction and safety standards prescribed by state and local laws.

Moreover, the current definition of Boarding and Rooming House also appears inapplicable to some unlicensed facilities because it excludes those with more than two guest rooms.

BOARDING AND ROOMING HOUSE. A dwelling, including on-site accessory structures, containing a single dwelling unit in which the house owner or manager resides and containing not more than two guest rooms in which, for compensation, long-term lodging with or without meals is provided. If more than two such guest rooms exist, then it shall be considered a small or large family care home.

An unlicensed facility that provides beds for six or more persons for compensation would, therefore, probably have to be classified as a hotel, which the Zoning Ordinance defines as "Any building, or portion thereof, containing six or more guest rooms which are occupied or are intended to be occupied by six or more individuals for compensation, whether the compensation shall be paid directly or indirectly." The ordinance does not allow hotels in any residential district. Classifying a facility that provides supportive services to the disabled as a hotel might conflict with the requirement

to treat supportive housing as a residential use. As mentioned above, regardless of whether the residents are mentally disabled or due to substance abuse, they may be protected under federal and State fair housing statutes.

As Table 2.5 shows, the current ordinance doesn't consistently regulate or list all types of residential accommodations. State-regulated Family Care Homes with six or fewer residents are permitted by right in lower-density residential districts but facilities with seven or more appear to be excluded because the term Residential Care Facility only applies to temporary facilities that provide 24-hour medical supervision or accommodations for persons age 55 or older. Senior Group Housing and Fraternity-Sorority Dormitories are allowed in lower-density residential districts subject to a use permit but Residential Care Facilities (as defined by the ordinance) are only allowed in higher density districts. Multi-family housing can be built in the R-10, R-20, and MCR districts with a use permit but Residential Care facilities (as defined) are not permitted in either the R-10 (Medium Density Residential) or RTC (Rivertown Retail) districts where multi-family units are allowed.

Table 2.5: Current Zoning Regulations for Residential and Other Accommodations																			
	RE	RR	R-4	R-6	R-10	R-20	PB-C	C-0	C-1	C-2	C-3	M-C-R	W-F	M-1	M-2	H	RT-C	RT-R-10	RT-R-20
RESIDENTIAL USES																			
Senior Group Housing	U	U	U	U								U				U	U	U	U
Family Care Home	P	P	P	P								U						P	P
Fraternity-Sorority/Dormitory	U	U	U	U															
Multi-Family					U	U						U				U ²	U		U
Residential Care Facility						U		U	U			U				U		U	U
Room and Boarding House	U	U	P	P								U						U	P
COMMERCIAL USES																			
Bed and Breakfast	U	U										U	U				U	U	
Hotel-Motel							U ⁵	U	P	P	P	U				U ⁵		U	U
PUBLIC/SEMI-PUBLIC USES																			
Clubs and Lodges		U	U	U	U	U	U	U	U	U	U					U	U		
Homeless Shelter														U	U				

NOTES

2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
5. May be located only on sites adjacent to freeway interchanges.

2.5.6 Options

State requirements apply regardless of whether a local ordinance identifies care and supportive facilities as residential uses. Nevertheless, identifying such facilities as permitted uses subject to the same requirements applicable to single-family or comparable multi-family units will help to avoid confusion for both operators and neighbors. Amending the zoning ordinance to define and classify different types of supportive housing types and identify the districts where they are permitted would not only help to ensure that the City complies with applicable State and federal requirements but also help to promote supportive projects that are a good fit with the types of development in the surrounding area. In addition to making it easier to distinguish different types of facilities, revised definitions will also provide a basis for classifying and categorizing facilities that can be regulated in the same manner. This will help to ensure that regulations are based on the type of development rather than personal characteristic or disabilities of their residents.

To the extent permitted by State and federal fair housing laws, revised regulations could include:

- Identifying the districts where facility types are allowed;
- Specifying the type of approval required to establish facilities;
- Establishing performance requirements applicable to different development types.

State and Federal statutory and case law prohibit zoning regulations that discriminate against housing arrangements for persons with disabilities and also require that cities establish provisions that allow modification of regulations when necessary to ensure that disabled persons have equal access to housing. Cities may, however, establish development and performance standards that apply to facilities that are categorized according to the type of development. Cities may not adopt regulations that distinguish facilities according to the characteristics of occupants but they may enact ordinances that apply to all of the facilities within a use category. Such requirements could include regulations intended to restrict or prohibit types of behavior, such as loitering, which may be the source of some complaints. They could also include provisions that impose standards such as requirements for employee parking requirements, open space, security or others that apply regardless of whether residents are disabled.

Option 1: Revise the zoning ordinance to define and classify a range of supportive housing types and revise use regulations based on the development and operation characteristics of different uses.

A. Revised definitions could include the following:

- Alcoholism or Drug Abuse Recovery or Treatment Facility. A facility approved and licensed by the State that provides 24-hour residential nonmedical services including alcohol, drug, or alcohol and drug recovery treatment or detoxification services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse as defined by Section 1502 of the California Health and Safety Code.
- Boarding or Rooming House. A single-unit dwelling where lodging is provided to individuals with or without meals for monetary or non-monetary consideration under

two or more written or oral agreements or leases for periods of at least 30 days. Excludes licensed alcoholism or drug abuse recovery treatment facility, residential care facilities, and foster care homes.

- **Convalescent and Extended Care.** A facility providing long-term nursing, dietary, and other medical services to convalescents or invalids in an institutional setting but not providing surgery or primary treatment such as are customarily provided in a hospital. These facilities are places or institutions that provide medical treatment and bed care or chronic care of persons who by reason of age, illness or physical infirmity are unable to properly care for themselves. No services are provided to nonresidents. Convalescent hospitals include nursing homes and rest homes. They do not include general or specialized hospitals or residential care facilities.
- **Disability.** A physical or mental impairment that substantially limits one or more of the major life activities of individuals, and there is a record of such an impairment or the individual is regarded as having such an impairment. It is the intent of this definition to substantially comply with the term "disability" as defined by the Federal Americans with Disabilities Act of 1990, as may be amended from time to time.
- **Household.** One or more persons, whether or not related by blood, marriage or adoption, living together in a single dwelling unit in a living arrangement usually characterized by sharing living expenses, such as rent or mortgage payments, food costs and utilities with common access to and common use of all living and eating areas and all areas and facilities for the preparation and storage of food within the dwelling unit and share responsibilities such as meals, chores, expenses, and maintenance of the premises according to a household plan or similar agreement. If all or part of the dwelling unit is rented, lessees jointly occupy the unit under a single written or oral agreement, whether for monetary or non-monetary consideration. Excludes larger institutional group living situations such as dormitories, fraternities, sororities, monasteries, convents, and commercial group living arrangements such as congregate housing, boardinghouses, and lodging houses.
- **Family Foster Care Home.** The occupancy of a single-unit by six or fewer foster children living with foster parents, whose care they have been placed, and other family members.
- **Hospice.** A facility that provides 24-hour non-medical care for six or fewer terminally ill persons.
- **Hospital.** An institutional land use consisting of a facility licensed by the State Department of Public Health for the provision of clinical and temporary or emergency service for human patients in need of medical, obstetrical, nursing, surgical, anesthesia, laboratory, radiology, pharmacy, and dietary services, including inpatient, outpatient, and overnight care.
- **Nursing Home.** An establishment which provides twenty-four (24) hour medical, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the California State Department of Health Services, including but not limited to, rest homes and convalescent hospitals, but not Community Care Facilities, Senior Congregate Housing or Hospitals as defined in this Chapter.
- **Residential Care Facility.** A single dwelling or multi-unit dwelling licensed or supervised by a Federal, State, or local health/welfare agency that provides 24-hour non-medical care of unrelated persons who are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual

in a family-like environment. This use includes Residential Care Facilities for the Elderly, Residential Care facilities for the chronically ill including persons with AIDS or HIV disease, alcoholism or drug abuse recovery or treatment facilities, group homes for children, but not medical care institutions, skilled nursing facilities, and family day care homes.

- Residential Care Facility for the Elderly. A State-licensed housing arrangement chosen voluntarily by persons 60 years of age or over or their authorized representative where varying levels and intensities of care and supervision, protective supervision, personal care or health-related services are provided, based upon residents' varying needs as defined in Chapter 3.2 of the California Health and Safety Code, Section 1569 et seq. A Residential Care Facility for the Elderly may house residents less than 60 years of age and provide related services pursuant to State law.
- Residential Care Facility, Small. Use of a single-family dwelling for the purpose of providing 24-hour-a-day, non-medical residential living accommodations for six or fewer individuals, where the duration of stay is determined, in whole or in part, by the individual residents' participation in group or individual activities, such as counseling, recovery planning, and medical or therapeutic assistance. Excludes family day care, foster care, or any medical services, including nursing services, beyond that required by the residents of the facility for sustaining the activities of daily living.
- Supportive Housing. A residential facility for permanent residents who live independently and have access to various voluntary support services, such as health, mental health, education and employment/training services. This classification does not include Nursing Facilities or Residential Care Facilities. Services may be provided on-site and/or off-site. If support services are also offered on-site to off-site residents, the support services component will be classified and regulated as hospitals and clinics or other appropriate classification. Supportive housing may be provided in a multi-unit structure or shared living quarters.
- Transitional Housing. Any dwelling unit or a group living accommodation designed or operated as temporary living quarters or residence for homeless persons or victims of abuse. Such housing includes, but is not limited to, shelters for the homeless, women's shelters and refuges for battered persons. Transitional housing does not include community reentry centers or half-way housing for federal or State inmates nearing release and does not include any facility licensed as a community care facility by the California State Department of Social Services (SDSS) or defined as such in this chapter.

B. Review and amend use regulations to identify the districts in which facility types are allowed and to specify the type of approval required. To ensure compliance with State and federal fair housing law and provide equal access to residential opportunities for persons with disabilities, the following regulations would allow Residential Care Facilities in any district where Multi-Family housing is allowed. Under the proposed scheme unlicensed facilities would be classified as Boardinghouses and would be subject to a Use Permit in R-10 and R-20 districts.

Table 2.5: Proposed Revisions to Zoning Regulations for Residential and Other Accommodations																			
	RE	RR	R-4	R-6	R-10	R-20	PB C	C-0	C-1	C-2	C-3	M C R	W F	M-1	M-2	H	RT C	RT R-10	RT R-20
RESIDEN-																			

TIAL USES																				
Convalescent and Extended Care Housing					U	U						U					U	U	U	U
Fraternity-Sorority/Dormitory				U	U															
Multi-Family					U	U						U					U ²	U		U
Residential Care Facility ¹				U	U	U	U		U	U			U				U ²	U	U	U
Room and Boarding House					U	U	U	U	P	P	P	U								
COMMER-CIAL USES																				
Bed and Breakfast	U	U										U	U					U	U	
Hotel-Motel							U ⁵	U	P	P	P	U					U ⁵		U	U
PUBLIC/SEMI-PUBLIC USES																				
Clubs and Lodges				U	U	U	U	U	U	U	U						U	U		
Homeless Shelter														P	P					

NOTES:

1. Hospices and Small Residential Care Facilities are a permitted use in any district where residential uses are allowed.
2. May be located only on sites adjacent to freeway interchanges.

Option 2: In addition to including new definitions and use regulations, amend the Zoning Ordinance to classify and categorize Group Housing facilities that should be regulated in the same manner and establish requirements that apply to all Group Housing facilities. The following residential use classification would encompass a variety of group housing facilities:

Group Housing. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for semi-transient or permanent residents on a weekly or monthly basis. This classification includes rooming and boarding houses, dormitories, private residential clubs, residential hotels intended for long-term occupancy (30 days or more), transitional housing offering shared living quarters or on-site services, halfway houses, hospices, board and care homes, clean and sober homes, residential care facilities and rehabilitation centers. Group housing includes both

unlicensed facilities and those licensed or supervised by a federal, State, or local health or welfare agency. It excludes Small Residential Care Facilities, Bed and Breakfast Inns, Hotels and Motels, and other facilities that provide overnight accommodation for payment for periods of 30 consecutive calendar days or less.

Following are examples of specific requirements the City of Antioch could adopt to regulate some behaviors that may be of concern. By making regulations applicable to all Group Living facilities or even to all multi-unit housing, the City would avoid singling out the occupants of residential care facilities in a manner that might be considered discriminatory.

Density and Development Standards. If Antioch amends its zoning ordinance to establish a category that encompasses a variety of group housing facilities, it can impose standards that limit the number of bedrooms that would be allowed in all group housing facilities as the City of San Francisco has done. The City could also impose parking and minimum open space standards as long as they apply to all uses within the group housing category. Where necessary, the City can implement reasonable accommodation provisions to modify or waive requirements applicable to housing facilities for disabled persons.

Smoking. An increasing number of California cities are adopting ordinances that restrict smoking in multi-unit housing and other facilities. A local ordinance or policy could:

- Prohibit smoking in all indoor common areas of multi-family and group housing facilities, such as hallways, lobbies, storage areas, and laundry facilities. (enclosed workplaces are already required to be smoke-free under California Labor Code section 6404.5, the State smoke-free workplace law);
- Prohibit smoking in outdoor common areas, such as a swimming pool, barbeque area, and parking lot;
- Prohibit smoking in all units, including individual balconies and patios, or in private open areas (individual balconies or patios but not within the unit);
- Prohibit smoking in a certain percentage of units in a building and group these units together to create a smoke-free wing or floor;
- Prohibit smoking within 25 feet of the property line of multi-unit or group housing facility.

Alcohol. The City could prohibit consumption of alcohol or possession of open containers in the common areas of all group housing and even all multi-unit facilities.

Loitering. California laws restricting loitering are chiefly contained in the Penal Code. Loitering is defined in Section 653.20 as delaying or lingering without lawful purpose and with the intention of committing a crime if an opportunity arises. The Health and Safety Code also prohibits loitering with the intention to engage in drug-related activity. Chapter 9.5 of the California Health and Safety Code states that it is unlawful to loiter in any public place with the intent to engage in drug-related activity. Activities that would suggest such intention include acting as a "look-out," transferring small objects for currency in a furtive manner or being under the influence of a controlled drug. Any

person with a previous criminal record of a similar offense would be under suspicion of intending to engage in drug-related activity.

Nuisances. Although most California cities have enacted nuisance ordinances these are not usually part of the zoning ordinance. Incorporating nuisance provisions within the zoning ordinance allows a city to impose an additional level of zoning regulation. If Antioch amends its zoning ordinance in a manner that would make some existing facilities nonconforming, it should consider adopting procedures similar to the City of Oakland's Deemed Approved provisions that would require nonconforming facilities to conform to all or some of the requirements in the updated code. The chapter would include a revised definition of public nuisance that would allow the City to take action against nonconforming uses that were established without use permits. An expanded definition of nuisance such as the following, which would apply to the operator of a facility as well as its occupants, would facilitate enforcement:

Maintenance or operation, by omission or commission in such a way as to result in or facilitate any of the following activities, each of which the City hereby declares to be a public nuisance: disturbances of the peace, illegal drug activity including sales or possession thereof, public drunkenness, drinking in public, harassment of passers-by, gambling, prostitution, public vandalism, excessive littering, excessive noise (particularly between the hours of 11:00 p.m. and 7:00 a.m.), noxious smells or fumes, curfew violations, lewd conduct or police detention, citations or arrests or any other activity declared by the City to be a public nuisance.

Revised provisions could allow the Planning Commission, Community Development Director, or City Council to initiate proceedings that would lead to an enforcement hearing before the Council. If the Council determines that a use, structure, or building constitutes a nuisance, the Council could impose any available remedy including enjoining the use in whole or in part; imposing reasonable conditions upon any continued operation of the use, including those uses which constitute existing non-conforming uses; requiring continued compliance with any conditions so imposed; requiring the user to guarantee that such conditions shall in all respects be complied with; and, upon a failure of the user to comply with any conditions so imposed, imposing additional conditions or enjoining the use in whole or in part. The ordinance could also include provisions allowing the City to record a notice of violation against a property. This would ensure that new owners receive legal notice of zoning problems and provide an incentive for correcting zoning violations by creating an obstacle to securing financing.

2.6 Zoning for Employee and Farmworker Housing

Housing elements, as required under California State law, must include an analysis of special housing needs, for groups likely to face financial hardship, discrimination, or other challenges in retaining safe and affordable housing. The law specifically requires analysis of the certain groups, including farmworkers. Municipalities that identify other groups with special housing needs, such as day laborers, must address these needs in the housing element. The analysis must include a quantification of the need, an assessment of existing resources and constraints, and identification of program or policy options or resources to meet the need. Based on review of census data, there does not appear to be any need for the City to make specific changes to its regulations to comply with these requirements.

The 2007-2014 Housing Element reports that there were 122 persons employed in agriculture in Antioch as of 2000, based on the most recent available data. These data report the number of employees by industry (Table P49), not by occupation. Table P50 indicates that only 28 residents were working as farmers and farm managers, which is probably a more accurate reflection of the potential need for farmworker housing in Antioch.⁸ (Table P50) ABAG projects that Antioch residents employed in agriculture will rise to 130 by 2030, from a baseline of 80 in 2000 (the reason for the discrepancy between ABAG and Census data for 2000 is unclear). The analysis described above is intended to address the special housing needs of persons whose primary incomes are earned through permanent or seasonal agricultural labor.

The presence of farmland in the immediate area provides an indication of the local population of agricultural laborers. Antioch and its Sphere of Influence today contain about 1,300 acres of agricultural land and some 8,800 acres of current or former grazing land, according to the General Plan.⁹ The 2007 Census of Agriculture finds 21 farming operations in Antioch's two ZIP codes, with 13 of these smaller than 50 acres, and five larger than 1,000 acres (these are likely to be grazing operations).¹⁰

All of the agricultural land within the City is planned for development or open space conservation. The undeveloped land outside the City is outside the Urban Limit Line (ULL) established by Contra Costa County's Measure C-1990, as amended in 2000. The County views this land as a long-term open space resource. However, the Antioch General Plan seeks to revert to the 1990 ULL, which included some of this land, and plans for development of low-density, master-planned communities here.

Existing farms in the area require some agricultural laborers. In the longer term, very little land is expected to remain in agricultural use in the vicinity of Antioch. While agricultural land will be

⁸ U.S. Census Bureau, American Fact Finder <http://factfinder.census.gov> accessed 8/2/11.

⁹ City of Antioch General Plan, November 24, 2003.

¹⁰ US Department of Agriculture 2007 Census of Agriculture, <http://www.agcensus.usda.gov/>, accessed 8/5/11.

preserved elsewhere in Contra Costa County and beyond, farmworkers associated with that land can be expected to live closer to those areas.

Antioch has a very small number of farmworkers by the most generous definition. While there is a significant amount of farmland in the area today, the General Plan anticipates development, open space conservation, or the creation of master-planned communities with significant open space for all of this land. The role of agriculture in the local economy can be expected to diminish. As such, Antioch does not appear to have any specific obligation to provide housing or other specific programs or zoning actions to address the housing needs of farmworkers. Like other low-paid laborers, farmworkers and day laborers face serious challenges obtaining decent housing they can afford. By amending its policies and regulations to accommodate its share of the regional housing need for very low-income households and large families, the City should be able to meet its obligation to comply with the State requirements for accommodating those who are employed as farmworkers. As an additional measure, Antioch may want to consider providing support for farmworkers and/or other temporary or seasonal workers by coordinating with a non-profit or advocacy organization to provide housing for laborers, on sub-leases from the organization or a related strategy.

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3 Appendices

3.1 Stakeholder Interviews

The Consultant conducted face to face interviews with a majority of Planning Commission and Councilmembers on March 21, 2011. Those officials who were unable to participate in the interviews subsequently received the same list of questions by e-mail (Appendix B). The Consultant also sent a questionnaire to a list of developers, property owners, and community groups that City staff identified as having potential interest in the project or relevant expertise (Appendix C). The following section summarizes the comments received from City officials during the interviews and by e-mail. None of the other interested parties responded to the questionnaire.

3.1.1 Summary of Comments from Planning Commission and City Council Interviews

3.1.1.1 Existing Design Guidelines and Standards

In general stakeholders felt the Design Guidelines is a good tool, and would be a good start for establishing standards. One stakeholder indicated that the guidelines represent the minimum to get desired development in Antioch. In general, however, they are too new to judge if they are effective, as very little development has occurred since they were adopted. Some stakeholders felt that educating developers on the new guidelines and enforcing them will be important, particularly given the leeway allowed in the past.

Some concern was expressed regarding existing regulations that require mixed use on certain streets in downtown, specifically where they require retail downstairs and housing upstairs in the downtown area, since some businesses may want to use both upstairs and downstairs. It was noted that this requirement might not stimulate business or make it harder to attract investment.

Specific Regulations and Compliance

Several stakeholders noted the importance of maintaining and enforcing existing standards and guidelines. Some observed that in the past the City was too eager to attract new development and accepted projects that were less than desirable. There was a consensus that it would be best to quantify and codify requirements to the extent possible because doing so will help developers come in with plans that meet goals. It was noted that the guidelines should cover areas that are more flexible (one stakeholder thought windows should be in the guidelines). Regulations that stakeholders thought should be expressed as standards include:

- Height, setbacks and side yards in zoning. Setbacks are an issue – they seem to be getting smaller; soon will be zero lot lines, couldn't fit garbage.
- Lot size: Developers have been proposing smaller lots (e.g. ½ acre rather than one acre).
- Landscaping between sidewalk and multi-family buildings.
- Materials in some cases such as moisture resistant wood/plywood when building in rainy season (which may be a building code compliance issue).
- Roof shapes and articulation.

Implementation Procedures

Stakeholders in general felt that the review process has been streamlined and that a lot of work has been done to make the process friendlier and more effective for developers, particularly in contrast to the previous system that was convoluted and unclear for developers particularly due to having a separate design review board. The Design Guidelines were identified as one element that helps to streamline the process because they add specificity and are easier to read and interpret than in the past.

However, stakeholders indicated that more work could be done to clarify what the City wants and to make it clear to developers what is expected of them. It was noted that developers and landowners without experience are still shocked at all they have to do. Several stakeholders wanted to get away from the 'beauty contest' approach, and establish clear regulations that are not open to interpretation so that it is clear that if a project meets the standards it can go forward.

Another comment was that Antioch needs a good plan to clarify City goals and objectives and that the lack of a good and clear plan may be an obstacle to redevelopment. The creation of a City portal/website to help developers understand the development process was suggested.

Most stakeholders felt that shifting more review responsibility to staff could make the process faster and more efficient. While a variance process is still needed for projects that don't meet regulations, staff review should be increased for projects that meet the guidelines. It was noted that this has started happening for some decisions, such as signs, where it is very clear what is desired. Stakeholders felt that larger projects and those actions that may have more of an impact should continue to go before the Planning Commission. One person said that this should include decisions on telecommunications sites.

A key concern with increasing staff review was the current lack of staff to do the work. It was noted that the lack of staff is discouraging to developers. The fact that it is difficult to get help from staff or find someone to answer questions is a cost to developers.

3.1.1.2 Community Benefits

Stakeholders identified a range of benefits that the City should solicit in exchange for development incentives. Several commented that the specific desired benefits should vary from project to project. There was also some support for offering in-lieu fees as an option because this would provide greater flexibility. One stakeholder cautioned that while the City has some rules laid out for receiving impact fees for parks and schools there may be a fine line for distinguishing requirements and fees that create a barrier to entry.

There was general support for obtaining benefits including:

- Provisions that would help to make retail viable, including assistance to start-ups, if this would help to promote more retail activity. In particular, one stakeholder wanted to see a good grocery in the Downtown area.
- Improved walkability, lighting, and streetscape maintenance.
- Parks, including pocket parks on site that would be privately owned and City parks that would be publically owned after construction by the developer. One stakeholder noted that maintenance is a problem—privately owned open space has suffered from inadequate maintenance while the City has had to close some facilities because of inadequate funding to run them. There was some sentiment for only requiring developers to provide on-site park and recreation space.
- Public art – one stakeholder felt public art should probably be required rather than an incentive, and be a percentage as opposed to RDA.
- Transit oriented development that provides improved access to public transportation and includes mixed use, especially near eBART

- Community facilities, including a library, childcare, and recreation center/facilities (such as an indoor sports facility that would be open to the public and/or rented for City use). One stakeholder felt that all large developments should be required to include childcare and recreation space for kids. Others expressed concern about their viability of staying open (given an example of a recently closed daycare). One stakeholder noted that they like the community fund because then the City has discretion to use it.
- Traffic improvements/reducing traffic impacts in project area.
- Enhancements to refuse collection areas and improved screening protection on commercial sites, including requirements that they be locked.
- Economic development, including jobs and job training, although it was suggested that requiring job training might be acceptable to businesses depending upon the type of training (e.g. green energy) and companies such as Dupont, Kaiser, and Sutter Health might be interested in partnering with educational institutions for this purpose. Stakeholders suggested the need for a strategy that first determines which companies to attract first and then establishes programs with high schools to tie job programs with employers.

There was less support for considering the inclusion of affordable housing as a community benefit. Stakeholders felt that the City already has a considerable amount of affordable housing particularly in light of market conditions and had reservations about offering incentives to developers to provide additional affordable units. Several also observed that most of the housing in Antioch is more affordable than comparable units in other areas. They were willing to consider higher density housing that includes affordable units near transit and in other appropriate locations but some interviewees objected to adding denser multi-unit projects in order to provide more affordable housing.

There was a mixed response to providing incentives for including green building features. Some stakeholders felt that green development was simply good design or a developer marketing tool, but others said that the City should push green development, such as solar installations on rooftops, which could reduce demand on the power grid. Energy efficiency was supported in general.

Some stakeholders felt that it is necessary to determine on a case-by-case basis what incentives should be offered in exchange for benefits. Because the value of incentives is tied to economic conditions, several officials observed that it is difficult to determine which incentives would be most beneficial over an extended period. While present market conditions may make it difficult for the City to offer sufficient incentives when economic conditions are better there may not be a need for any incentives at all.

Stakeholders felt the following incentives were likely to be the most effective:

- Several stakeholders suggested expedited processing but also recognized that currently the City doesn't have enough staff for this. It was noted that clarifying what the City wants and avoiding negotiation would be important in speeding up review process.
- Added height could be good on an individual basis and in certain areas, and in particular near transit.
- Added FAR okay under the right circumstances.

- Fee deferment.
- Modified setbacks and open space requirements.
- City owns real estate and can provide land below market for first few years to get businesses started. Developers would then develop site, put money in fund, and actively recruit/bring in retail and office.

There were mixed opinions on a few incentives. While stakeholders recognized that the density bonus may be the only way to get developers to provide affordable housing, it was noted that some residents do not support this approach. There was some opposition to allowing development on smaller lots or allowing smaller units as an incentive on the grounds that it is important to ensure that projects meet development standards.

3.1.1.3 Parking

Stakeholders felt that existing parking ratios were adequate and were not aware of complaints that parking standards were a constraint to the type of development the City desired. They were hesitant or did not support the idea of reducing requirements or bundling parking with the possible exception of development located close to transit based on data showing reduced need in such cases. While most agreed that the regulations should provide greater flexibility in devising ways to provide parking for both businesses and residential uses, there was a consensus that the responsibility for supplying parking should be born by each developer. There was mixed opinion about whether or not there is sufficient parking in Downtown. Some specific thoughts on parking included:

- Reserve land Downtown now to allow development of a parking structure when and if ferry service commences.
- Explore the use of shared parking in the Downtown. Shared parking may be feasible at night and on weekends but it should be off-street. Residential development should be required to provide parking in all cases.
- Consider establishing permit parking in some areas.
- Parking should be within structures and out of view. Consider incentives for underground and structured parking Downtown. Avoid scattered parking throughout Downtown.
- Consider adopting standards that would require underground or podium parking.
- Need to find solutions for RV parking.
- Some concern about adequacy of parking for visitors in some new developments (Blue Rock and Lone Tree).

3.1.1.4 Comments on Recent Development

Improvement in quality of residential development over the last 5-7 years especially since implementation of design guidelines, which include examples of good design. Specific examples include:

- Development on Laurel near the bypass – quality development, good mix of homes, affordable price points.

- Eden project is well maintained. Maintenance has been a problem for affordable units indicating importance of good management. Similar project near 4th Street/ Babe Ruth field may be stalled due to issues regarding industrial activity in area. Eden project evidences strong sense of ownership.
- Nice Senior Projects, such as the Commons at Dallas Ranch.
- Vista Grande and projects on Lone Tree and near Lowe's are well done.
- Golf Course - Single-family example but well priced. Approved prior to adoption of design guidelines so may not be an example of impact of City regulations.
- KB Home, Renaissance at Bluerock: Four townhomes (like San Francisco with compact design) share a driveway, HOA pays for maintenance, sold to first time homebuyers, small lot zoning/zero lot line. Would support a similar development with smaller footprint/two story, fee simple (not condo).
- Wild Horse off Hillcrest. Nice design of houses and site, which may result from change in developers after plan was approved.
- Much of Roddy Ranch has been approved but not yet built.
- Some of the development on East 18th provides example of good design and amenities.
- Other examples of good design include development off Golf Course Road, along extension of James Donlon, and apartments on Lone Tree Way, which are well maintained. While appropriate for Lone Tree location, this type of development would not necessarily be appropriate in waterfront area.

Examples of good commercial development include Slattern Ranch, Venture Commerce Center, and retail at Hillcrest and Lone Tree across from cinemas.

Stakeholders liked the community facility near water park, funded with bond money and by private developers. Noted that the police sub-station near the high school added value to the area where it is located. Other examples of desirable development included:

- Brentwood streets design,
- Affordable housing in Pittsburg off Harbor and near Los Medanos College,
- Fourth Street shopping area in Berkeley.
- Downtown Walnut Creek around BART.
- Pleasant Hill transit village because of proximity to transit and freeway.
- Santana Row mixed-use;
- Old Town Pasadena.
- Downtown Long Beach
- Jack London Square, Oakland, lofts.

Stakeholders also identified some projects and features of existing development that were unsatisfactory including:

- New shopping center in east part of the city; same standard stucco used everywhere. Sets a bad precedent.
- Oil Can Henry's, KFC Appleby's development could have been better oriented. Would have been different outcome if guidelines were in effect.
- Asian market behind steakhouse difficult site/poor location, now is vacant not older than two years; set too far back off of the main road. Zoned commercial, abuts residential.
- Sycamore. Lots of crime in that area. All housing apartments. Need to include recreation center or childcare in larger development like Sycamore. Need youth activities that serve new development required in every large development.
- Development off James Donlon that was built under entitlement from 1980's. Balconies may have safety issues.

City turned down Habitat residential project because development type was inappropriate for major access to waterfront. Not a good use of redevelopment funds because cost was too high for proposed product. Not possible to build at \$100/sf, which would have been sale price. Preferable to use funds to buy existing homes and resell them to people who need assistance and can qualify. Instead of subsidizing rents or new construction City should support projects that could rebuild neighborhoods by renovating existing units, investing in distressed properties for sale to first time home buyers, younger families, and other new buyers. Owners have longer term commitment and are less transient than the renting population.

3.1.2 Development Opportunities

Downtown and Waterfront

- Proximity to water offers opportunities for great development but may take 5-10 years for redevelopment to occur.
- Along with Roddy Ranch, waterfront is Antioch's major opportunity for development, which could totally change Antioch and how it is viewed from the outside.
- Good location for high density development, which could accommodate affordable housing but the waterfront is not necessarily the best place for this type of housing.
- City needs a downtown plan.
- Focus on transit oriented development.
- Every City needs higher density development. With a population of 100,000, Antioch will need higher density development and taller buildings in long term, especially near transit.
- Point area should be developed for housing such as two story condos to take advantage of ferry and proximity to water as done in Discovery Bay. Need to resolve controversy regarding park versus housing there.

A55

- Former cannery site could be appropriate for condominium development, especially near waterfront, and senior housing after remediation.
- Wharf is prime property for redevelopment but also has remediation issues.
- Need to consider how water access should be incorporated given location of tracks.
- Middle- to upper-income condos along the river with market pricing—higher density and higher income housing is needed to revitalize the area. San Diego a good example.
- Need to do something at Humphrey's site.
- Many residents are commuters who don't spend enough time in the City to use amenities like a wharf.
- Bases Loaded example of Downtown restaurant that is doing well. Hopefully business will continue to pick up because now there are more closed than open.
- Design Issues:
 - Renovate old buildings for mixed residential and commercial use;
 - Ensure that design of new development and alterations is compatible with Rivertown style, Capanile Theater;
 - Could be similar to Gas Lamp District in San Diego.
 - No more than 3 stories to be consistent with older buildings.
- Target Demographics:
 - Over 55/empty nesters: new demographic with disposable income, market rate.
 - Stimulate downtown area by providing housing for work force and young people to stimulate the area – not just seniors.
 - First time homebuyers.
 - Need more than infill low-income – need higher income levels to support retail and office. Affordable and market should be throughout the community.
 - Prefer condos with individual home ownership rather than rental apartments in Downtown.

Transit

- Hub development around tri-delta, Amtrak, and ferry.
- BART will provide the City's greatest opportunity and catalyst for growth and would spark redevelopment.
- Areas around BART area provide great opportunity for higher density, lofts, retail, library, etc. similar to development around BART in downtown Walnut Creek around BART.
- Workforce housing will be needed for employees who eBART will bring to Antioch.

Other Opportunities

- In addition to waterfront, probably 3 or 4 important areas in the city where something will happen in the future--FUA1 probably pushed out past 8 years; Hillcrest in next 5 years, and something Downtown relative to the ferry.
- Industrial development and high density housing off East 18th;
- Be more cautious on G Street, more housing on open land, i.e the Point and industrial land. Greatest intensification should be in open areas.
- Redevelop A Street into a more marketable area.
- Redevelop Somersville town center develop into a mall area to prevent decline of area;
- Potential need for student housing if Los Medanos becomes State college. Delta Fair area could be suitable for student housing, which can add a lot to an area, like at Sonoma State and San Francisco State.
- Promote retail that is more ethnically focused. Be purposeful about niches. Leverage ethnic demographic. Mi Pueblo supermarket an example. Need to attract relevant ethnic businesses to add to city.
- Rezoning declining mall for multifamily housing and to update centers, too much parking for current level of business.

3.1.2.1 General Comments

- Residents don't want 30 units/acre.
- Little demand for new housing, with exception of multifamily – good quality multifamily and townhomes will have market sooner.
- There is more land zoned commercial than needed for near future.
- Prefer estate housing like Roddy Ranch rather than apartments and lower income development in East County. People have moved to Clayton, Danville, to find type of housing not available in Antioch.
- Everyone can't just build by right and limit the total number of units – need to have sufficient infrastructure – developers have to pay for infrastructure.
- City needs to attract developers who know how to do desired types of development. Initiate contact with developers that do innovative work and redevelopment work.
- City is not getting all of the development it wants. This is not only a function of process, but also due to socio-economics. City looking for mid- to up-scale businesses, professional, retail but has been bypassed by business that go to Brentwood, Concord, and Pittsburg. City of Pittsburg owns many businesses downtown and has offered free rent, loans to get people downtown. Antioch not doing that.
- Process is different now because nothing is being built. Primarily commercial use permits. Enticing development is the biggest problem. Some of the problems with reputation are due to planning decisions made in the past.

- Regulations have not discouraged development – had a lot of demand prior to the downturn. Regulations didn't stop development prior to the economic downturn. Some complained that fees were too high, but that didn't stop applications and City was getting benefits from the RDA process.
- Many people wanted to stop development due to frustration about transportation issues.
- We were starting to get what we wanted – senior housing, golf course with adult community (planned), Roddy Ranch executive housing (planned). People working at Dow go to Clayton because no executive housing in Antioch. Young manager, mid-level management want to invest – looking for condos – lacking in good neighborhoods in Antioch.
- Fees not that bad. City spent a lot on infrastructure.
- New development is stagnant and won't rebound until values come back because prices can't compete with resale homes.
- Antioch went from blue collar industrial community to bedroom community. Hard to get businesses to locate in Antioch now because of access problems. Moving products out of Antioch is a one-way deal. Long haul to I-5 or 580.
- Would like to add a health element to the GP.
- Concern that new development will become all rental when City should promoted owner occupied. At the same time, need to regulate landlords to prevent slum lords.
- If nothing is done to reverse decline there won't be the city [we] want it to be – city is now is deteriorating, people loitering – developers don't like the image and stay away.

3.1.3 Antioch Housing Element Implementation Stakeholder Interview Questionnaire

1. How have you been involved with the development process in Antioch and what are the specific development regulations with which you are most familiar?
2. Speaking from your own housing perspective, what do you see as the major problems with the City's land use and development regulations? Do they have more of an impact on your development decisions than general market conditions and financing? How do they effect the type, location, and quality of residential and mixed-use development and why?
3. Do you think the City's zoning regulations and design review guidelines are effective in achieving the kind and quality of development the City desires? If not, how should they be changed to achieve better results?
4. Conversely, do you think the City's development regulations and review process may discourage residential developers from coming to Antioch? If so, why are they an impediment? Can you give us some specific examples?
5. Antioch grants density bonuses for projects that include affordable housing in compliance with State law and has also established a Senior Housing Overlay District. Are you familiar with these regulations? Are density bonus programs an effective way to encourage the production of affordable housing in Antioch?
6. Does the need for affordable senior housing warrant a separate program?
7. The City is proposing to amend the zoning ordinance to offer additional incentives to developers who provide affordable housing or incorporate other amenities and community benefits in their projects. Which of the following incentives should the City offer?
 - Additional height
 - Additional floor area
 - Reduced parking
 - "Unbundling" parking (i.e. selling or leasing parking separately rather than automatically including with unit)
 - Modification to other development standards (e.g. setbacks, open space, etc.)
 - Expedited processing
 - Fee deferment for any project that provides community benefits and/or fee waiver for infill development on smaller sites
 - Other?

8. What community benefits should the City request in exchange for providing development incentives? Please rank in order of value and desirability.
- Affordable housing
 - Senior housing
 - Green building or site design features that exceed code requirements
 - Public art
 - On-site community facilities (e.g. day care, senior center, health clinic)
 - Off-site community facilities
 - On-site pocket parks/playgrounds available to general public
 - Off-site public parks/playgrounds
 - In-lieu fees for parks or community facilities
 - Ground-floor retail uses
 - Job-training for unemployed or underemployed residents
 - Off-site public improvements (e.g. undergrounding, fixing sidewalks for the whole block, street trees on then block)
 - Other?
9. Which specific projects that have been built in Antioch over the past decade do you particularly like? What about projects in other Contra Costa cities? Which features make these projects particularly attractive to you?
10. Are there any specific projects that have been built in Antioch over the same period that you dislike? Why? What changes should the City have required to improve these projects?
11. How do Antioch's parking requirements affect development?
- Do the parking requirements generally match actual parking demand?
 - Are the parking exceptions allowed under the current ordinance effective in providing flexibility in parking requirements for uses or locations where the actual demand for spaces is less than what would otherwise be necessary?
 - What factors might justify reductions in city-wide standards or reductions near a future transit facility (e.g. eBART)?
 - If standards were reduced, would lenders still require you to provide a certain amount of parking? Are there other cost savings you would like to see (e.g. stall sizes – check ordinance; limits on compact spaces, use of a universal space or reduce aisle widths)?
12. Are there other issues we have not covered that are important for us to consider?

3.2 References and Resources

Arrington, G.B. and Robert Cervero, *Effects of TOD on Housing, Parking, and Travel*, Transportation Research Board, Washington, D.C., 2008

Americans with Disabilities Act (ADA) 42 U.S.C. 12101 et seq.

California Fair Employment and Housing Act (FEHA), California Government Code Sections 12955 et seq.

California Recovery Resources website

http://www.californiarecoveryresources.com/sober_living_laws.php

Cervero, Robert, Arlie Adkins, and Cathleen Sullivan. 2009. *Are TOD Sites Over-Parked?* UCTC Research Paper No. 882. Berkeley, CA: University of California Transportation Center.

Fair Housing Act, 42 U.S. C. 3601 et seq. (also known as Title VIII of the Civil Rights Act of 1968)

Foster, Lisa K., Residential Care Facilities in the Neighborhood: Federal State and Local Requirements, California Research Bureau, December 2002 (download at <http://www.library.ca.gov/crb/02/18/02-018.pdf>)

Goldfarb & Lipman LLP, *Between the Lines: A Question and Answer Guide on Legal Issues in Supportive Housing*, Corporation for Supportive Housing, 2010 Edition.

Kautz, Barbara, Select California Laws Relating to Residential Recovery Facilities and Group Homes, Select California Laws Relating to Residential Recovery Facilities and Group Homes, Presentation at Residential Recovery Facilities Conference, Newport Beach, California, March 2, 2007 (download at http://www.ci.san-marino.ca.us/pdf_forms/citymanager/grouphomes.pdf)

Liepold, Andrew J., "Targeted Loitering Laws", *Journal of Constitutional Law*, February 2001.

Neal, Travis, "The Challenges of Zoning for Sober Living Facilities", *The Marin Lawyer*, Vol. 42, Issue 5, May 2011