

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
THIRD & "H" STREETS**

WEDNESDAY, NOVEMBER 20, 2013

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 **TUESDAY, DECEMBER 3, 2013.**

If you wish to speak, either during "public comments" or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one "main presenter" who will have up to 10 minutes to speak. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during "public comments". Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

ROLL CALL

6:30 P.M.

Commissioners	Hinojosa, Chair
	Motts
	Baatrup
	Miller
	Westerman
	Pinto

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:** November 6, 2013 **CONTINUED**

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END OF CONSENT CALENDAR * *

MINUTES

CONTINUED HEARING

2. **UP-13-03 – Panda Express** requests a use permit for a 2,230 sf freestanding restaurant building with a drive-thru that would be located on a 29,622 sf site carved out of the northwest corner of the existing Lowe's Home Improvement Warehouse Store parking lot, including a request for a Tentative Minor Subdivision Map, a Use Permit and Design Review for the proposed drive-thru restaurant. The project is located north of State Route 4 at the northeastern corner of the intersection of Somersville Road and Mahogany Way (**APN 074-370-029**). An Initial Study/Mitigated Negative Declaration is also proposed for adoption.

STAFF

Staff recommends that this item be continued to December 4, 2013.

CONTINUED TO 12/4/13

NEW ITEMS

STAFF

STAFF

3. American Sign Installation requests the approval to amend the Master Sign Program for the Crossings Shopping Center, located at the intersection of Deer Valley Road and Hillcrest Avenue (**APN: 052-460-020**).

RESOLUTION 2013-20

4. Election of Vice Chair

COMMISSIONER MOTTS

NEW PUBLIC HEARING

5. The City of Antioch is proposing General Plan and zoning ordinance amendments to revise the Residential Development Allocation Program and to adopt Development Impact Fees pursuant to Government Code 66000 et. seq. The Planning Commission will hold a study session and accept public comments

COMMENTS RECEIVED

ORAL COMMUNICATIONS

STAFF

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (9:30 pm)

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.**

**November 6, 2013
City Council Chambers**

CALL TO ORDER

Chair Hinojosa called the meeting to order at 6:30 p.m. on Wednesday, November 6, 2013, in the City Council Chambers. She 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 Monday, November 18, 2013.

ROLL CALL

Present: Commissioners Pinto, Motts, Baatrup and Westerman
Chair Hinojosa
Absent: Commissioner Miller
Staff: Community Development Director, Tina Wehrmeister
Senior Planner, Mindy Gentry
Public Works Director/City Engineer, Ron Bernal
City Attorney, Lynn Tracy Nerland
Minutes Clerk, Cheryl Hammers

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: October 16, 2013

On motion by Commissioner Motts, and seconded by Commissioner Pinto, the Planning Commission approved the Minutes of October 16, 2013.

AYES: Hinojosa, Pinto, Motts, Baatrup
NOES: None
ABSTAIN: Westerman
ABSENT: Miller

END OF CONSENT CALENDAR

City Attorney Nerland gave an overview regarding making public comments with the applicant having 10 minutes to speak, the opposition having 10 minutes to speak, and each additional speaker having 3 minutes to speak. She indicated there were speaker cards available and requested that speakers come to the podium to speak, mentioning the warning signal light. She said that there may be questions for staff and the applicant, that the hearing would then be closed for the commission to deliberate, and that there would need to be four affirmative votes to recommend approval of the project.

NEW PUBLIC HEARING

2. Discovery Builders requests the approval of a General Plan amendment (GPA) from Low Density Residential to inclusion in the Somersville Road Corridor Focus Area and to add language to the General Plan waiving the requirements of certain applicable sections of the General Plan related to hillside development; a rezone from Hillside Planned Development (HPD) District to Planned Development (PD) District; an amendment to the zoning ordinance to provide the City Council with the discretion to determine if the Hillside Planned Development policies apply to a project; a Vesting Tentative Map; a Final Plan Development; and a Use Permit in order to create 60 lots intended for single family homes. The project is generally located west of the intersection of Somersville Road and James Donlon Boulevard (APN: 089-160-010). An Initial Study and Mitigated Negative Declaration are also being considered for adoption.

Senior Planner Gentry provided a summary of the staff report dated October 31, 2013. She went over the options for each action, referenced the letter on the dais received after the staff report was prepared, and indicated that the City's environmental consultant was available for questions.

CA Nerland said that there were copies of the letter in the back for the public.

Commissioner Pinto confirmed with staff that even though the City is not required to submit project information to the State, that there was no negative impact but that this noticing would extend the review time by ten days. SP Gentry said that now that the comment period is closed they would have to reopen the environmental document for thirty days.

Commissioner Baatrup asked staff about the time period between March of 2013 and October of 2013 to which SP Gentry said that City staff was still working with the applicant and then made the decision to go forward in bringing it to the commission for hearing and releasing the initial study. She said the initial study was released electronically to the Commission and that there was a link in the staff report for the document.

Chair Hinojosa said that she feels comfortable with the amenities proposed but given the requested removal of the pedestrian path for privacy issues, she asked staff if more recreation was included on the site to which SP Gentry said that while this is not a huge project, there would be a private pocket park.

Chair Hinojosa then asked staff about the significant issues for the EIR, the recommended language to the General Plan Amendment and changing the zoning designation. SP Gentry responded that the significant issues were land use and aesthetics, and the language amendments requested will eliminate any inconsistencies or conflicts with the General Plan and that geotechnical reports would be looked at. She said that for the CEQA document she would defer questions to the consultant.

Consultant Doug Herring said that remedial grading would address the stability concerns and that they would be verifying in the field that they are able to mitigate those issues. He said that if they are unable to remediate the issues, the City would step in and halt development pursuant to the conditions of approval.

Chair Hinojosa confirmed with the consultant that it is very common to have mitigation measures for the report and study in establishing performance standards and that the issues raised in the document were not related to the requirement to prepare an Environmental Impact Report.

OPENED PUBLIC HEARING

Applicant, Louis Parsons, gave a brief PowerPoint presentation showing the proposed Sky Ranch project and the existing Black Diamond project with the remainder parcel which is this project in the middle. He showed maps of the projected lots, the grading plan, a project overview, infill information and definition, design constraints of the project, and terracing. He said that he was here to answer questions and is excited about the project.

Commissioner Motts asked the applicant about the view shed and the grading of Sky Ranch II to which Mr. Parsons said that Sky Ranch II is immediately adjacent to this project and that it is a much larger project with similar grading.

Commissioner Baatrup questioned the applicant about the grading, the flat topography and asked about the greatest cut in Sky Ranch II. Mr. Parsons answered that Sky Ranch II is a big cut and big fill project with the greatest cut being 120 to 130 feet. He said that the Pointe is all a cut, that they have a detailed remedial grading plan and that given this would be a tentative approval, they couldn't get a permit or record a final map until they comply with mitigation measures and conditions of approval.

Commissioner Pinto asked the applicant about the Traffic study conducted in 2010 and grading of the hills to ensure there are no landslides or shifting of the soil. Applicant stated that although no new traffic analysis or studies have been done, any additional traffic increase is negligible.

Albert Seeno spoke to say that the soil conditions on the site have been remediated, that they will be offloading unstable soils, they will take care of the remedial grading and that there will be no slides as it will be very stable.

Commissioner Pinto clarified with Mr. Seeno that although there are existing retaining walls, there will be no impact to those walls because they will have a geo grid in the hillside to stabilize the slopes.

Chair Hinojosa asked applicant about long term maintenance and repair to which Mr. Seeno said that some things like ditches and retaining walls will be maintained by the property owners and others by the Homeowners Association. He said that none of the HOA funding would be prefunded but that there would be a phasing plan and the maintenance association fee would be very nominal.

Commissioner Westerman questioned Mr. Seeno about the privately owned streets and if the HOA would be responsible for maintenance of the streets, storm water drains, the pocket park and the water retention basin. Mr. Seeno said that these would fall under the HOA but they would attempt to keep the cost under \$100.00 a month. He said that the streets have a thicker section than the City standard warrants, that the life expectancy of the asphalt is at least 25 years with slurry sealing every few years and the City would have an easement to take care of water and sewer lines, and the HOA would maintain the storm drains.

Commissioner Motts expressed concern with the view shed and read a portion of the letter to which Mr. Seeno stated that he is a home builder, that Save Mount Diablo are good custodians of their property, that this project has been in process for almost nine years, and that there will always be opposition.

Michael Mikel, resident on Countryside Way since 2007, said that he bought the house hoping to live in a community and that over the last 7 years he and his neighbors regularly come together for picnics, meetings, and have a social website. He said that approximately 50 people signed the petition, that Seeno Homes wants to put a gated community in the midst of their community, that they had no idea it was coming, that they were told that the hill would remain open space, that some people paid a premium for their lot with a view of the hillside, and that an EIR is a must.

Robert Williams, resident in Black Diamond Ranch, said that safety is a concern and that residents had a meeting and arrived at three questions: where are the fire department, police or any medical facilities there; will the neighborhood wall be a T or an L; and what is the plan for inclusion of sidewalks given some people and animals have been killed. He also said that a community impact study was needed to reflect current population with existing families.

Roy L. Norwood, resident of Black Diamond, said that the request should be denied, that he has heard nothing to suggest that they have done environmental reviews for anything to be built on that hill, and that they have not been given any guarantees that there won't be sliding. He said that there is also the issue of emergencies with only one way in and one way out; that there are traffic issues, no lights, no sidewalks and major accidents.

Nancy Woldering with Save Mount Diablo said that this land was set aside, that this sets a bad precedent, that they are concerned the project has massive grading, and that they highly believe that an EIR should be prepared. She said that the CEQA process allows adoption but they need to mitigate impacts when policies are waived and that mass grading not be allowed. She said that this plan ignores all of the City's direction.

John Neal said that he has had to invest in ground compaction and drainage issues given that over the past 3 years his property has flooded. He said that if the hill is taken down this will increase runoff and that he has seen no reports as to what they would do to mitigate or control additional runoff from the hillside. He said he is concerned about the construction traffic going in and out directly behind his property and that there have been several accidents with construction vehicles. He said that there are safety concerns for families.

Larry Tong with East Bay Regional Park District said that as indicated in the letter, they believe the City cannot make the findings needed to support this project. He added that the proposed removal of 104 vertical feet of hillside is similar to a 9 to 10 story building which is not consistent with the General Plan. He said that given that this project does not address land use and aesthetic issues, that they feel it should not be approved.

Marty Fernandez said that while he doesn't live close to the area, mornings are a madhouse and that this project is located in their school district without bus service for kids. He said this item should not be considered and they should be turned down.

Chair Hinojosa then read statements from speakers who did not wish to speak:

Radiah Mikel wrote: This is not good. We purchased our home with Discovery and was told the hill would remain open wildlife space. The community does not want this to happen.

Margaret Ellen Verbin wrote: Extreme grading will expose Torgensen Ct to views of factories by California Avenue and Pittsburg Antioch Highway. Not clear what intention is with Torgensen Ct other than EVA; object to grading of hill behind my house. Would like more time to respond in writing to study, etc if appropriate and further action is warranted.

Darryl Parker wrote: When we bought our home the builder told us that the area will be open space. This is the main reason we bought the house.

Regina Norwood wrote: My main concern is safety. We need more lanes on Somersville. A light signal placed at James Donlon and Somersville and buses that run up Somersville to Black Diamond Estates. Enough deaths already. One is too many. Our kids walk to Gentrytown 1 to 2 miles just to take the bus to school. Traffic is horrible during commute hours on Somersville. No more houses until that safety issue is fixed.

Chair Hinojosa asked if it was appropriate to ask questions of speakers and whether CC&Rs have been reviewed as to keeping open space.

Michael Mikel said that at the time they purchased their home, it was never told to them, that some people bought higher premium lots for view of the hills and that if they have more time, they can get a list of people who were told that. That this was a determining factor of them buying their home; that the area gets very windy when it comes down from the mountain and is wondering what affect cutting the hill will have.

Applicant responded that the remainder property was talked about as not being open space and that this is in CC&Rs.

Robert Williams said that he just bought his home and that the real estate people said nothing will be on this mountain.

Chair Hinojosa asked Mr. Tong to come back up. She asked him to explain the visual study done from the Moller property indicated in the letter to the City.

Mr. Tong said that Exhibit 1 is a visual identifying the view point on the trail; that this project will be highly visible from the park site, and that Exhibit 2 references the parcel was designated as open space.

Chair Hinojosa stated that from the proposed trail the proposed project will disturb a view shed and that has not been adequately considered and needs to be evaluated in an environmental document.

CLOSED PUBLIC HEARING

Recess from 8:15 p.m. to 8:30 p.m.

Staff put up the slide outlining the Commission's options.

Commissioner Motts questioned staff regarding the anticipated expansion of Somersville Road and the completion of James Donlon Road and if this will alleviate some of those issues.

Ron Bernal responded that the Somersville Road widening is scheduled to be completed by the end of 2014 which would involve expansion of Somersville to four lanes with a traffic signal at James Donlon. He said that there will be sidewalk down the west side of Somersville. The James Donlon extension is further out and won't be done for several years. He said that the Chevron property to the north has a road that would connect to this development but that it is a few years out as well.

Commissioner Motts clarified with staff that the original proposal included a parcel dedicated to the City as open space but that in 2008 the applicant requested this be changed to a remainder parcel for executive and estate housing on that parcel.

Commissioner Pinto asked staff if the developer met the 3 year requirement in the original approval. SP Gentry said that they did meet the 3 year requirement but this is a long process and the process has undergone a variety of review processes.

Commissioner Pinto asked if the community had any town hall meetings or community outreach. SP Gentry said that while the City was not involved in any, she is unsure if applicant did any. She added that the City followed proper noticing procedures.

Commissioner Baatrup clarified with staff that the environmental document has to have approval for the Commission to act on project.

Commissioner Baatrup then discussed with staff the significant impacts and aesthetic issues being a judgment call given the removal of 100 feet of vertical hillside.

Commissioner Baatrup asked staff if one brings forward a General Plan Amendment if it warrants an environmental review to which SP Gentry said that the City can only approve four General Plan Amendments in a year, and that they would look at the project as a whole on a case by case basis.

Commissioner Motts said that given the background and the concerns raised, he can't see where it rises to a place to amend the General Plan. He said that it might be appropriate to recommend an Environmental Impact Report to alleviate concerns and then move forward.

Commissioner Baatrup said that he is not comfortable with the Mitigated Negative Declaration for this project given the severity of the construction necessary. He said that he can't get on board to recommend adoption of what is in front of them tonight; that there are too many significant impacts and too many exceptions. He said that this project was proposed in 2005 and that between 2005 and 2008 the property owner decided on an opportunity to develop the property and that there is a necessity for an Environmental Impact Report. He stated his preference to not recommend adoption of the Mitigated Negative Declaration to the City Council and to deny at this time.

Commissioner Pinto said that while he is all for development and construction which creates jobs, this project is not something he can support because traffic flow one way in and one way out. He expressed concern with the fact that the Air Quality Board did not review, with the hillside grading, and with kids who will be moving in ending up at Mission School. He said that he thinks the project is good but not very well thought out. The community was not involved in the decision making process which is not fair to local residents and that he is not able to support this project.

Commissioner Westerman said that the normal way for a project is to design it to conform to requirements, zoning and guidelines. In this case, the project was designed first and now want to change zoning, design and guidelines to fit the project. With the General Plan dealing with hillsides, this would be setting precedent that would be undesirable. Other projects coming along would put the City in a precarious situation. He said that he is not supportive of this project.

Chair Hinojosa thanked applicant for their interest in the community and said that this type of development would be an asset given the beautiful area. Putting aside massive grading, the project appears to be consistent but we need to step back and look at the bigger picture. She said she likes the idea of planned development but does not agree

with all of the policies. She cannot support the outright waiver of policies for hillsides. She said the project has history and the Planning Commission has had concerns. She said with the steep grading and not complying with all of its plans in totality, she would like to give the developer the opportunity to pursue by preparing an Environmental Impact Report, rather than outright denying the project.

CA Nerland said that there a number of possible resolutions for action but what the Commission does not have is a resolution denying the Mitigated Negative Declaration and direction that an Environmental Impact Report be prepared. But if a number of the Commissioners tonight feel that there really isn't likely going to be more information brought forward to support changing the General Plan and rezoning, an alternative approach would be not to take action in the environmental review and to recommend denials.

Chair Hinojosa asked for clarification that if the Commission denies the MND but determines an Environmental Impact Report is appropriate, applicant would prepare and come back to the Commission but if some feel that after an Environmental Impact being prepared is not going to be much farther, what is the point. She said her concern is that if the Commission recommends denial outright tonight, it will be appealed to the City Council who can overturn the decision by the Planning Commission.

CA Nerland responded that the Planning Commission's action tonight is a recommendation and that City Council will always have the final say.

Commissioner Pinto said that based upon the City Attorney's statement that the applicant may not be satisfied with the decision we make tonight, his recommendation would be to take the second option and deny the project.

CA Nerland said that applicant can respond if they wish for an Environmental Impact Report.

REOPENED PUBLIC HEARING

Applicant said that they do not believe that this project warrants the preparation of an Environmental Impact Report and would not be amenable to funding and preparing that for this project.

RECLOSED PUBLIC HEARING

Commissioner Baatrup made a motion not to take action on the environmental document, a resolution recommending denial of the General Plan Amendments, resolution recommending denial of the initiation of amendments to Title 9 of the Municipal Code, "Planning and Zoning" for a rezone of the subject property from Hillside Planned Development (HPD) to Planned Development (PD), and a resolution recommending denial to the City Council of the Vesting Tentative Map, Final Development Plan and Use Permit for 60 single family units.

RESOLUTION NO. 2013-**

On Motion by Commissioner Baatrup and seconded by Commissioner Westerman, the Planning Commission recommends to the City Council denial of the amendments to the City of Antioch's General Plan.

AYES: Hinojosa, Pinto, Motts, Baatrup, Westerman
NOES: None
ABSTAIN: None
ABSENT: Miller

RESOLUTION NO. 2013-**

On Motion by Commissioner Baatrup and seconded by Commission Westerman, the Planning Commission recommends to the City Council denial of the amendments and rezone to City of Antioch's zoning code found in Title 9 of the Antioch Municipal Code.

AYES: Hinojosa, Pinto, Motts, Baatrup, Westerman
NOES: None
ABSTAIN: None
ABSENT: Miller

RESOLUTION NO. 2013-**

On Motion by Commissioner Baatrup and seconded by Commissioner Westerman, the Planning Commission recommends to the City Council denial of the Final Development, Vesting Tentative Map, and Use Permit (PD-08-01, PW 608, and UP-08-01) to construct 60 single family homes including associated infrastructure improvements, an approximately 10,000 s.f. pocket park and two open space parcels.

AYES: Hinojosa, Pinto, Motts, Baatrup, Westerman
NOES: None
ABSTAIN: None
ABSENT: Miller

NEW ITEMS

3. Election of Vice Chair

SP Gentry said that with one member of the Commission absent, this item can be postponed to the next meeting.

Commissioner Baatrup said that it would be worthwhile for all to participate and he would like to continue to the next meeting.

Commissioner Motts confirmed with staff that the recruitment is still in process.

Commissioner Pinto recommended that the Commission proceed in selecting the Vice Chair.

Commissioner Westerman said that he agreed with Commissioner Baatrup and that it was a good idea to wait until the next meeting.

On motion by Commissioner Westerman, seconded by Commissioner Motts, the Planning Commission members present continued the appointment of a Vice Chair to the next meeting.

AYES: *Hinojosa, Pinto, Motts, Baatrup and Westerman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Miller*

4. Appointment to Trans Plan

SP Gentry said that it would be a good idea to appoint rather than continue to the next meeting.

On motion by Chair Hinojosa, seconded by Commissioner Baatrup, the Planning Commission members present appointed Commissioner Motts to serve on the Transplan Committee.

AYES: *Hinojosa, Pinto, Motts, Baatrup and Westerman*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Miller*

ORAL COMMUNICATIONS

Commissioner Motts said that Measure C passed which is a huge step for Antioch.

SP Gentry said that the next meeting will be November 20th.

There was a discussion of December meetings and that although both dates are anticipated, that two of the Commissioners will be doing some traveling during the month of December.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Chair Hinojosa adjourned the Planning Commission at 9:13 p.m.

Respectfully Submitted,
Cheryl Hammers

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF NOVEMBER 20, 2013**

Prepared by: Mindy Gentry, Senior Planner *MS*

Date: November 14, 2013

Subject: UP-13-03 – Panda Express

DISCUSSION

It is recommended that the Planning Commission continue this item to December 4, 2013.

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF NOVEMBER 20, 2013**

Prepared by: Mindy Gentry, Senior Planner *MG*

Date: November 14, 2013

Subject: **S-13-01 – Master Sign Program Amendment (The Crossings Shopping Center)**

RECOMMENDATION

It is recommended that the Planning Commission consider the request for an amendment to the Master Sign Program for the Crossings Shopping Center. Resolutions for approval and denial have been provided.

REQUEST

American Sign Installation, the applicant, requests the approval to amend the Master Sign Program for the Crossings Shopping Center, located at the intersection of Deer Valley Road and Hillcrest Avenue (**APN: 052-460-020**) (Attachment "A").

BACKGROUND

The Crossings Retail Center site, located at 3365 Deer Valley Road, received use permit and design review approvals in 1989 (UP/AR/V-88-32). The sign program (S-89-15) for the Crossings Shopping Center was approved on September 27, 1989 (Attachment "B"). The property is zoned C-2, Neighborhood Commercial, and is designated Neighborhood Commercial by the General Plan.

ENVIRONMENTAL

This project is Categorically Exempt from the provisions of CEQA, pursuant to section 15301 – Existing Facilities. This section of CEQA exempts projects that involve negligible or no expansion of use beyond that existing at the time of the lead agency's determination, including new copy for on-premise signs.

ANALYSIS

Issue #1: Project Overview

The applicant is proposing to install 22" high letters "SALLY" and 6" high letters "BEAUTY SUPPLY" on a 20' long storefront within the Crossings Shopping Center. The logo and the overall height of the stacked signage are 2'6" tall and 16' in width (Attachment "C"). The width is 80 percent of the width of the storefront. The applicant

is requesting the aforementioned sign dimensions to maintain the corporate standard size.

The Master Sign Program for the shopping center allows for stacked signage for storefronts that are 20' or less; however the height of the letters shall be a maximum of 12". The Master Sign Program also states that the overall width for tenants with storefronts of 20' or less shall not exceed 70 percent of the width of the storefront. The request is not meeting these conditions of approval. The Master Sign Program also only allows a maximum height of 18" for capital letter height for non-stacked signage, which the 22" high letters would also be exceeding.

The applicant has indicated that the biggest issue is to maintain the letter proportions and have agreed to a 2'X14' sign, which meets the 70 percent of the storefront width; however, does still not meet the 12" height requirement for stacked signage or even the 18" for non-stacked signage.

The intent of the Master Sign Program within a shopping center is to have consistency and continuity throughout the center. The amendments would allow up to an 80 percent width of the storefront and a letter height of 22", not to exceed 30" in height total for the stacked signage. These changes would be made to the overall sign program, which would then be applicable to all future signage within the shopping center. The Planning Commission also has to consider if it wants to make these changes, which will not conform to the already existing signage. The signage parameters identified in the master sign program are typical throughout the majority of the City's shopping centers.

ATTACHMENTS

- A: Aerial Photo
- B: The Crossings Shopping Center Master Sign Program Conditions of Approval
- C: Applicant's Request

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2013-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
DENYING THE AMENDMENT TO THE CROSSINGS SHOPPING CENTER MASTER
SIGN PROGRAM**

WHEREAS, the Planning Commission of the City of Antioch did receive a request from American Sign Installation for an amendment to the Master Sign Program for the Crossings Shopping Center to allow 80 percent of the width of store frontage for signage and 22" high letters, not to exceed 30" in height total for the stacked signage. The project is located at 3365 Deer Valley Road (APN: 052-460-020) (**S-13-01**); and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission on November 20, 2013, duly held a hearing, received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby **DENY S-13-01**.

* * * * *

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 20th of November, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

**Tina Wehrmeister
Secretary to the Planning Commission**

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2013-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
APPROVING AN AMENDMENT TO THE CROSSINGS SHOPPING CENTER
MASTER SIGN PROGRAM**

WHEREAS, the Planning Commission of the City of Antioch did receive a request from American Sign Installation for an amendment to the Master Sign Program for the Crossings Shopping Center to allow 80 percent of the width of store frontage for signage and 22" high letters, not to exceed 30" in height total for the stacked signage. The project is located at 3365 Deer Valley Road (APN: 052-460-020) (**S-13-01**); and

WHEREAS, this project is exempt from the provisions of CEQA pursuant to CEQA Guideline section 15301 – Existing Facilities; and

WHEREAS, the Planning Commission on November 20, 2013, duly held a hearing, received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby **APPROVE S-13-01**, and amends Design Review Board Resolution 89-54 as follows:

- 2d. Stacked signage will be allowed only for tenants with store fronts 20 feet or less in width. Letter height for stacked signage shall be a maximum of 22", but shall not exceed 30" in overall height.
- 2g. The overall width of signs for tenants with storefronts 20 feet or less in width shall not exceed 80 percent of the width of the storefront. All other tenant signage shall not exceed 65 percent of the width of the storefront, except as provided for in Section 2c.

* * * * *

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 20th of November, 2013.

AYES:

NOES:

ABSTAIN:

ABSENT:

**Tina Wehrmeister
Secretary to the Planning Commission**

ATTACHMENT "A"

AERIAL PHOTOGRAPH



ATTACHMENT "B"

ANTIOCH CITY DESIGN REVIEW BOARD

RESOLUTION NO. 89-54

WHEREAS, the Design Review Board of the City of Antioch did receive a request by A.D. SEENO CONSTRUCTION COMPANY for approval of a sign program (S-89-16) for the Crossings Shopping Center; and

WHEREAS, pursuant to the California Environmental Quality Act and City implementing procedures, the project has been deemed categorically exempt; and

WHEREAS, the Design Review Board on September 27, 1989 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 grant APPROVAL of a sign program for the Crossings Shopping Center generally located at the southwest corner of Deer Valley Road and Hillcrest Avenue subject to the following conditions:

PROJECT SPECIFIC CONDITIONS

1. That all new signage for individual tenants be reviewed and approved by City staff prior to installation.
2. That the following shall apply to all new signage for individual tenants:
 - a. The tenant sign will be of individual letter construction and letter, numeral or unit will be attached, structurally and electrically, individually to the fascia. Colors to be complementary to adjacent signage.
 - b. Tenants will be limited to a maximum of one sign except for end tenants. End tenants will be allowed two signs, one on the front elevation and one on the side elevation. No signage will be allowed on the rear of the building except on service doors as stated in Section 2m.
 - c. Tenants with store fronts which incorporate the hip roof architectural elements will be allowed to place one sign, either on the hip roof element or on the main building fascia. If the sign is placed on the hip roof element, the length of the sign may exceed 65 percent of the width of the store front, provided that a minimum of 18 inches separates the end of the sign and the end of the fascia element.

- d. Stacked signage will be allowed only for tenants with store fronts 20 feet or less in width. Letter height for stacked signs shall be a maximum of 12 inches.
- e. The capital letter height for non-stacked signage shall be 18 inches.
- f. Logos are encouraged and will be considered on a case-by-case basis.
- g. The overall width of signs for tenants with store fronts 20 feet or less in width shall not exceed 70 percent of the width of the store front. All other tenant signage shall not exceed 65 percent of the width of the store front, except as provided for in Section 2c.
- h. Each letter, numeral, or unit may be internally illuminated and will be faced with plexiglass or similar material.

The letter style for all tenants shall be compatible with adjacent signage and shall be considered on a case-by-case basis, as approved by City staff.

- j. The colors to be used shall be considered on a case-by-case basis and shall be monochromatic, as approved by City staff.
- k. Signage shall be placed only on the fascia band
- l. To assure architectural integrity to the building facade, the use of all sign colors, details and materials will be subject to the landlord's approval and City approval. Complete shop drawings, indicating dimensions, materials, and colors must be submitted to the landlord for written approval prior to application for approval by the Antioch City Planning Department.
- m. Tenant identification on exterior service or stock room doors and any miscellaneous signs that may be required on the exterior of the demised premises will be of a standard size and design, specifications shall not exceed six (6) inches in height, for which will be provided by the landlord prior to completion of construction.

Miscellaneous:

- 1. Flashing, moving or audible signs will not be permitted.
- 2. No exposed conduit, tubing or raceways will be permitted.

3. All conductors, transformers and other equipment shall be concealed.
4. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition.
5. Sign contractor shall repair any damage caused by his work and tenant shall be fully responsible for the operations of his sign contractor(s).
6. No signmaker's labels, trademark symbols, or other identification will be permitted on the exposed surface of the signs.
7. Wording of the sign shall not include the product sold except as a part of tenant's trade name.
8. If the fascia sign is ever removed for replacement or because of termination of lease, tenant shall leave the fascia panel in good condition, normal wear and tear excepted. Without limitation, tenant shall specifically be required to fill in a workmanlike manner any holes left in the fascia panel by removal of the sign.
9. Tenant shall not be allowed to open for business prior to the installation of exterior illuminated signing. In the event that tenant is not able to install said signing prior to opening for business, tenant shall provide landlord with a signed contract from the sign contractor. Said contract shall provide for installation of tenant's sign within thirty (30) days after tenant's opening for business. In such event, tenant may open for business with landlord's consent.
10. Tenant shall not have the right to place, construct, or maintain any other sign, advertisement, awning, banner or other exterior decoration beyond 30 days after opening for business.
11. Tenant shall not have the right to place, construct, or maintain on the glass panes and supports of the show windows of the premises, the doors, and the exterior walls or roof of the building in which the premises are located or any interior portions of the premises that may be visible from the exterior of the premises, any signs, advertisements, names, insignia, trademarks, descriptive material, or any other similar item (excepting neon signs under section below).

12. Tenant shall not without City and landlord's consent, place, construct, or maintain on the premises any advertisement media, including without limitation, searchlights, flashing lights, loud-speakers, phonographs, or other similar visual or audio media. Tenant shall not solicit business in, on, or about the common areas, or distribute hand-bills or other advertising or promotional media in, on, or about the common areas.
3. That neon tenant identification signage in store front glazing areas is encouraged. This is considered by the City on a case-by-case basis, and must be approved by Planning Department staff.
4. That details of a pedestrian oriented sign program shall be submitted for staff review and approval prior to occupancy of any of the minor tenant stores. All minor tenants shall be encouraged to have pedestrian oriented signage.

STANDARD CONDITIONS

5. Compliance with the City of Antioch Municipal Code.
6. That the City staff inspect the site for compliance of conditions prior to final inspection approval.
7. Conditions required by the Design Review Board, which call for a modification or any change to the site plan submitted, must 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 site plan meets the requirements stipulated by the Design Review Board and standards of the City.
8. This approval expires one year from date of approval.
(Expires September 27, 1990)
9. All signage be in compliance with existing sign ordinances

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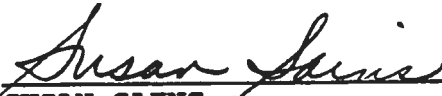
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I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Design Review Board of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Design Review Board held on the 27th of September, 1989, by the following vote:

AYES: Board Members Adams and Ginochio, and Chairman Callahan

NOES: None

ABSENT: Board Member Jackson and Vice Chairman Seelinger



SUSAN SAINS
Secretary to the Design Review Board

ATTACHMENT "C"

City of Antioch

re: Sally Beauty
3325 Deer Valley Road, Antioch
Amendment to Master Sign Program

The intent of the sign is to maintain the integrity of Sally Beauty logo.
(20' linear storefront). The sign band is 17' 6" wide and 42" tall.
The 70% allows a 14' length with max. letter height of 12" tall.

The SALLY letters are currently 22" tall with 6" tall letters BEAUTY SUPPLY centered underneath. The total length is 13' 7 3/8" wide.
The SALLY BEAUTY logo is 30" tall and 26 5/8" wide. This matches the top and bottom of the letters and is the corporate logo.

The 3' x 16' is the standard size used for all SALLY Beauty stores nationwide. It is very important to the integrity of the corporate logo to keep their standard sign proportions which is why we are applying for the amendment. Reduction of the overall size to 14' length (70% of area) is acceptable as long as the integrity of the logo remains intact. The only deviation from the city specifications would be the word "SALLY" to exceed the 12" height for stacked letters.

See below from my customer:

Our biggest issue is the proportion of our letters. We want to be able to keep "Sally" larger than "Beauty Supply". We would settle for a 2' x 14' sign (which fits within their existing criteria) as long as they let us keep our standard proportions. We also want to be able to keep our logo. If we go into it asking for our standard 3x16, and end up with these concessions, that's fine.

Sincerely,
Daniel H. Twomey
American Sign Installation



383 South "I" St.

Livermore, CA 94550

Art Dept. 925.606.6753

Print Dept. 925.455.1082

Sign Dept. 925.784.9341

Installations 925.454.3306

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**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF NOVEMBER 20, 2013**

Prepared by: Mindy Gentry, Senior Planner 

Date: November 14, 2013

Subject: **Election of Vice Chair**

RECOMMENDATION

It is recommended that the Planning Commission nominate and elect a Vice Chair.

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF NOVEMBER 20, 2013**

Prepared by: Tina Wehrmeister, Community Development Director 

Date: November 14, 2013

Subject: Amendments to the Growth Management Program and
Draft Development Impact Fee Report

RECOMMENDATION

It is recommended that the Planning Commission hold a public hearing and study session, receive comments, and provide direction to staff regarding the following items:

1. Revisions to the Residential Development Allocation Ordinance.
2. New Growth Management Program Guidelines.
3. Revisions to the General Plan Growth Management Element.
4. Draft Development Impact Fee Report and proposed Impact Fees.

The background and draft proposals are fairly complex and new to the majority of the Planning Commission. This report and attachments serve as a primer for the discussion on November 20th when staff and the Commission will discuss the various components of the Growth Management Program in greater detail.

BACKGROUND

In 1998 Antioch's electorate approved Measure U, which stated the following:

"Shall the City of Antioch, when considering approval of residential development, be instructed to phase the rate of growth through land-use planning with concurrent financial planning to provide adequate schools, street improvements and highway 4 improvements for a sustained high quality of life, by making new growth pay its own way through maximizing fees, assessment districts, matching fund programs and any other means effective to expedite the construction of needed infrastructure?"

The City Council implemented this advisory measure by adopting the Residential Development Allocation Program Ordinance (RDA) in 2002 and incorporated a Growth Management Element into the comprehensive General Plan update in 2003. The RDA ordinance has been amended since 2002 and the current version is attached as Attachment A.

The RDA Ordinance established numerical limits on the rate of growth and was implemented by requiring an application for RDA allocations prior to submission of a tentative map for a residential development project. The RDA applications were reviewed by a standing committee and the Planning Commission with recommendations made to the City Council for final approval. The ordinance stipulates that allocations are not considered land use entitlements. In order to receive an approval recommendation, applicants were required to demonstrate how the project met objectives defined by the City Council. A sample application rating sheet is attached (Attachment B). The RDA process was criticized by some developers as being subjective without clear project nexus links.

Staff and the RDA subcommittee (comprised of two Council members and two Planning Commissioners) were tasked with recommending amendments to the RDA program and process. Two major areas of program amendments were discussed by the committee and are now proposed for consideration and discussed below.

REVISIONS TO THE GROWTH METERING PROCESS

Residential Development Allocation Ordinance

The goal of the RDA Ordinance is to meter residential growth. When initially drafted, the findings codified in the ordinance echo the Measure U language in that metering was desired to ensure that growth keep pace with provision of adequate school, street, and highway improvements. In the ensuing years, growth slowed considerably and major highway and regional transportation improvements are funded and currently under construction or completed. In addition, AUSD is no longer reporting impaction issues district wide. Therefore, the first issue for the Commission to consider is whether or not growth metering should continue. A table of new residential building permits issued by year is provided under Attachment C.

As the Commission and the community are aware, the City has not been able to maintain an adequate ratio of police officers to population. The recent passage of Measure C will help to alleviate this situation for the current populous; however, this may not be sufficient to serve future growth. The impact fees discussed below may be used for capital expenditures but not for staffing costs. Staff has begun requiring new development to create or enter into a Community Facilities District which would fund police staffing costs.

If the Commission would like to recommend continuation of a growth metering program, staff has prepared a revised Residential Growth Management ordinance (Attachment D). Changes from the current ordinance include:

- §9-5.4003: Guidelines are proposed to be adopted by ordinance and are discussed below.

- §9-5.4004: The timing of allocation issuance has been moved to building permit, after all entitlements have been received.
- §9-5.4005: The numerical limits on the rate of growth have been adjusted to be consistent with the City's Regional Housing Needs Allocation (RHNA). For the next RHNA cycle, 2014 to 2022, the City's allocation by income level is as follows:

Very Low 0-50%	Low 51-80%	Moderate 81-120%	Above Moderate 120+%	Total
349	205	214	680	1,448

Growth Management Program Guidelines

Draft Growth Management Guidelines are provided under Attachment E. Under the Guidelines, allocations will be considered in July of each year for the upcoming calendar year. The Community Development Director and Public Works Director shall review the applications and make a recommendation to the Planning Commission. The Commission will make a recommendation to City Council for final approval. For years where the City's RHNA requirement has not yet been met, requested allocations will automatically be granted. For years when demand exceeds available allocations, the criteria provided in section C.2 of the Guidelines shall be applied in consideration of the requests. The criteria has been divided into two income level categories.

General Plan Growth Management Element

The proposed amendments eliminate language that is inconsistent with the proposed RDA ordinance amendments and removes implementing language which is more properly contained in the Municipal Code and guidelines document (Attachment F). The Service Standards would remain and would become the basis for allocation recommendations under the Growth Management Program Guidelines.

Suggested Discussion Items:

1. **Should Antioch continue to have a growth metering program?**
2. **The RDA Committee recommended that RHNA numbers should be the trigger for the allocation program. In other words, no metering until Antioch's regional need is met. Given the recent number of building permits pulled (Attachment C) in the moderate and above moderate income categories, the need for metering can be reasonably assumed. Comments or concerns?**
3. **Comments regarding the proposed criteria to evaluate allocation requests and order of priority (Guidelines, C.2).**

DRAFT DEVELOPMENT IMPACT FEE STUDY

The draft Development Impact Fee study (Attachment G) was prepared by Economic & Planning Systems (EPS) and provides the analysis required by the Mitigation Fee Act in order to adopt fees (Government Code Section 66000 et seq). EPS will be present at the meeting and will provide a presentation on impact fees and the specific recommendations prepared for the City of Antioch. In summary, impact fees are one-time charges on new development collected and used by the City to cover the cost of capital facilities and infrastructure that are required to serve new growth and are typically collected upon issuance of a building permit.

The fee study also includes growth estimates and fee recommendations for non-residential development as this type of growth also requires capital facilities and infrastructure improvements. The proposed fees can be found in Attachment G, Tables 15 and 16. A comparison of neighboring jurisdiction fees can be found in Attachment G, Table 17.

The Planning Commission does not typically make recommendations regarding fees; however, given the relationship to the growth management process staff felt that Commission feedback would be valuable. Also, many of the developers and community members interested in the growth management program would most likely also want to review and comment on the draft impact fees. Therefore, the Planning Commission meeting will also serve as a study session on the proposed fees prior to the formal Council hearing required under the Mitigation Fee Act.

Suggested Discussion Items:

1. **Receive comments from the Commission and public on the study assumptions and findings.**
2. **Receive comments from the Commission and public on the proposed fee schedule.**

ATTACHMENTS

- A. Current RDA Ordinance
- B. Sample RDA rating sheet
- C. New residential building permits
- D. Revised Growth Management Ordinance
- E. Growth Management Program Guidelines
- F. General Plan Growth Management Element – redline version
- G. Draft Development Impact Fee Study

ATTACHMENT "A"

Antioch, CA Code of Ordinances

ARTICLE 40: RESIDENTIAL DEVELOPMENT ALLOCATION

§ 9-5.4001 CITATION.

This article may be known and be cited as the “Residential Development Allocation Program Ordinance” of the City of Antioch.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4002 PURPOSE.

The following matters are the purposes and goals of this article:

(A) To implement Measure “U” (a 1998 voter advisory initiative) through these procedures in order to regulate the rate of residential growth within the city.

(B) To implement the city's General Plan.

(C) To help ensure that the city's infrastructure and public facilities keep pace with the demands created by new residential development.

(D) To provide for a reasonable rate of residential growth that ensures the ability of the city to provide housing opportunities for all economic segments of the community.

(E) To ensure that the city meets its regional allocation of housing needs.

(F) To encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older neighborhoods and revitalize the Rivertown area.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4003 PRECEDENCE OVER OTHER PROVISIONS.

This article and its provisions shall take precedence and shall pre-empt other sections of this Code and provisions of Title 9 which may be inconsistent with this article. In the event of any conflict among or between provisions of this Code, the provisions of this article shall take precedence.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4004 FINDINGS.

The Council hereby makes the following legislative findings:

(A) The Council has considered the effect of this article on the housing needs of the region and balances those needs against the public service needs of the city's residents and available fiscal and environmental resources.

(B) The voters of the city have passed an advisory initiative, Measure "U", which instructs the Council to consider the timing of new residential development with the provision of infrastructure, including highway improvements and school capacity issues.

(C) The Contra Costa Transportation Authority, in its "The 2000 Update, Contra Costa Countywide Comprehensive Transportation Plan" contains several facts which document the significant and increasing congestion on State Route 4 ("SR4"), as follows:

(1) The Association of Bay Area Governments forecast that East County will add 42,000 households by 2020, a 56% increase over the current base. This will result in 62,800 new employed residents. Each year, 3,000 new employed residents will come to live in East County, and only 2,000 new jobs will be created. Therefore, it is expected that each year, 1,000 more people will have to commute out of East County for work.

(2) In 1990, the "out commute" was 44,000 persons; in 2000, the "out commute" is 54,000 persons; in 2020, the "out commute" is expected to be 77,000 persons.

(3) There is significant and rising congestion on SR4. Peak hour delays, pursuant to 1990 data, were one hour and 45 minutes. This is expected to increase to three hours. Duration of congestion is a definitive measure of a highway's effectiveness.

(4) The SR4 corridor is one of the fastest-growing commutes in the Bay Area and one of the most congested in Contra Costa County. Housing growth in East County will lead to increases in demand. The daily traffic volume will increase between 60 and 75%.

(D) The Antioch School District has experienced difficulties in having new schools on line in time for new residential development. As a consequence, students have been required to be bused out of their projected attendance areas and some classrooms have experienced overcrowding.

(E) The city has had difficulty in adding sufficient police resources to keep pace with its rapidly-expanding population. The State Commission on Police Standards and Training has identified a shortage of sworn police officers to service the needs of the community. (Report of POST Survey of Antioch Police Department, a copy of which is on file in the Office of the Police Chief.) However, development fees may not be charged for the ongoing costs of police services. Property tax rates have not been sufficient to maintain the city's General Fund with sufficient revenues to hire the necessary additional officers, and the city is experiencing a significant loss of potential sales taxes to other communities, particularly in the Central County area where many of the commuters work. Thus municipal revenue increases have not kept pace with residential growth and are not sufficient to fund the police services deemed needed by the community. A number of constraints exist in state law regarding the collection of new or additional revenues for the General Fund.

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(F) The regional housing need which has been determined for the city is approximately 600 residential units annually. This article will allow the approval of housing units to meet the regional need, while at the same time addressing the pace of residential development. The restrictions contained in the article are deemed necessary to address the SR4 congestion, school capacity, and police protection needs as recited in the foregoing findings. The Council therefore finds that while addressing the city's regional housing needs, the regulations contained herein are needed to promote the health, safety and welfare concerns specified, and the regulations contained herein and the associated health, safety and welfare concerns justify reducing the overall housing opportunities of the region, while meeting the city's designated regional needs.

(Ord. 995-C-S, passed 5-14-02)

(G) The provisions of this article are consistent with the city's 2003 General Plan, and Council finds that this article implements the goals and policies of growth management element of the General Plan.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4005 ESTABLISHMENT OF OBJECTIVES.

Residential housing objectives shall be adopted and updated annually by the Council on or about August 1 for each upcoming fiscal year, following a public hearing. The objectives will be used by the city to help with comparative review of residential development projects by outlining the city's expectations and desires and defining the positive contribution that residential development will make to the community. Development objectives will be based on the need for projects to implement provisions of the General Plan, the availability of public service and facilities capacities, and environmental constraints.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4006 GUIDELINES FOR OBJECTIVES.

(A) Examples of the types of characteristics that the Council may include within the objectives, and the types of positive impacts that may be enjoyed by the community, include, but are not limited to:

(1) Residential development projects that create full-time medical, office, industrial or non-retail commercial service employment opportunities, either on-site or offsite, provided that the development of the employment-generating use occurs prior to or concurrent with the residential use. Development of employment-generating uses will help alleviate the overcrowding condition on SR4;

(2) In 1990, the "out commute" was 44,000 persons; in 2000, the "out commute" is 54,000 persons; in 2020, the "out commute" is expected to be 77,000 persons.

(3) Developments that would fill in critical gaps in existing infrastructure;

(4) Development on sites where public services and facilities are available at the time of the allocation request, and do not need to be expanded to meet applicable performance standards. This includes projects that can be served by the existing roadway system;

- (5) Development on sites located in close proximity to existing parks or recreation facilities, public transit, or that have convenient access to special services and facilities, such as libraries, day care, and neighborhood shopping;
- (6) Development within large-scale projects where construction has already begun pursuant to existing city approvals, or projects subject to existing infrastructure financing mechanisms, such as assessment districts;
- (7) Mixed-use, or transit-oriented development;
- (8) Development projects that provide private open space, recreational facilities, streets or other features, thereby reducing the city's maintenance costs and allowing resources to be used for police and other services;
- (9) Development within a previously- approved Specific Plan or Planned Development;
- (10) Projects providing unique water or energy conservation features;
- (11) Projects providing unique public safety/police features.

(B) If the Council should fail to adopt development objectives for any relevant fiscal year, then the objectives specified in this section shall be deemed to be the objectives to be used.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4007 DEVELOPMENT ALLOCATION PROCESS.

(A) Development allocation requests shall be considered by the Council prior to approval of a tentative subdivision map or vesting tentative subdivision map, use permit, or design review approval for residential units containing no more than the number of residential units allocated to the project pursuant to this article.

(B) On a semiannual basis, the Council shall consider development allocations for proposed projects based upon the extent to which such projects meet or are consistent with the development allocation objectives set by the Council for the period.

(C) The Council may issue all, some, or none of the available development allocations to a given project based on the Council's determination of the proposed project's ability to meet the city's objectives. These allocations may be issued over a single- or multi-year period at the discretion of the Council. Although it is the Council's intent to address its regional housing objectives by providing for the possible development of a maximum annual average of 600 allocations, the goal of the Council shall be to meet such objective by averaging the units allocated over any five-year period rather than meeting the objective on an annual basis.

(D) The Director of Community Development shall promulgate the application submittal requirements for allocation requests, which will include information necessary for the Council to determine whether the proposed project meets the established objectives of the allocation system.

(E) Applications for development allocations may be submitted only for properties located within the existing Antioch city limits, and which have General Plan, Specific Plan (if applicable), and zoning

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designations consistent with the type of land use, development standards, and density of development being requested in the RDA application. Any inconsistencies between the RDA request and the underlying General Plan, Specific Plan, and zoning requirements must be resolved prior to the submittal of an RDA application.

(F) The issuance of any development allocation does not represent a land use entitlement. No concurrent processing of tentative maps or final development plans, and development allocations is permitted. Development allocations must be acted on by the city before any application for tentative maps, final development plans, use permit approvals or similar entitlements may be accepted as complete by the city.

(G) If development entitlements, such as tentative maps or final development plans expire, the allocations shall be automatically rescinded and may be reallocated to other development projects, consistent with the annual limits set forth herein.

(H) Development allocations may not be transferred from one project to another.

(I) The planning process for General Plan amendments, zone changes, specific plans, and other legislative acts may proceed unaffected by the regulations of this article. The approval of any such legislative act is not a commitment on the part of the city that the proposal will ultimately receive allocations.

(J) The issuance of an allocation under this article is not a "project" as defined by the California Environmental Quality Act, as the issuance of an allocation does not grant an entitlement, but rather gives an applicant the ability to request approval of an entitlement. Such a request for entitlement would require its own CEQA review.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4008 NUMERICAL LIMITS ON RATE OF GROWTH.

(A) The granting of new residential development allocations shall be prohibited for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, the issuance of allocations shall be limited to a maximum annual average of 600 residential allocations. The annual average may vary, but it shall not exceed the 600 allocation restriction for any continuous, sequential five-year period, i.e. no more than 3,000 allocations may be issued for any given five-year period.

(B) If any part of the 600 unit allocation issued after December 31, 2010 remains unused, then such unused allocations shall be reallocated, subject to the Council's exercise of its discretion under § 9-5.4007(C), providing that the five-year maximum is not exceeded.

(C) Single-family dwellings shall be counted as one unit allocation. An age restricted-senior housing unit shall be counted as 0.5 unit allocations, given the reduced impacts on traffic congestion and schools created by such units. Multi-family units shall be counted as 0.63 unit allocations, based on the ratio of average persons per dwelling unit in multi-family dwellings to single-family dwellings from the parkland dedication section of the Subdivision Ordinance.

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(D) In order to not create a predominance of any one housing type, during any five-year period, not more than 200 of the 600 average annual allocations (an average of 400 actual units per year) may be granted to market rate age restricted-senior housing; not more than 500 average annual allocations may be granted to single-family detached housing; and not more than 75 average annual allocations may be granted to multi-family detached housing (an average of 119 actual allocations per year).

(Ord. 995-C-S, passed 5-14-02; Measure K Initiative, adopted 11-8-05; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4009 EXEMPTIONS.

The following housing types are exempt from the requirements of this article:

(A) Income-restricted housing needed to meet the quantified objectives for very low and low income housing, set forth in the Housing Element, as well as density bonus dwelling units approved pursuant to the density bonus provisions of this chapter.

(B) Dwelling units intended especially for one or more special needs groups, i.e. handicap, income-restricted senior housing, etc., as defined in the Housing Element. This exemption does not apply to market rate age restricted-senior housing.

(C) Projects with unexpired vesting tentative maps approved prior to the adoption of this article, unless such map had a condition that the development be subject to an allocation regulation.

(D) Projects with unexpired development agreements restricting the ability of the city to impose allocation systems of the type created by this article.

(E) Construction of a single dwelling unit by or for the owner of the lot of record on which the unit is to be constructed.

(F) Construction of a second unit on a parcel as authorized by the second unit provisions of this Chapter.

(G) Development of a project of four or fewer dwelling units.

(H) Development projects within the Rivertown/Urban Waterfront Focus Area, as designated in the 2003 General Plan.

(I) Development projects that are outside the city limits that are pursuing annexation may be exempt from the RDA process through mutually agreed upon provisions in a development agreement with the city.

(J) Properties outside the city limits at the time of adoption of this ordinance (March 22, 2005), that subsequently annex to the city and otherwise provide positive impacts to the city consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.

(K) Smart growth, transit-oriented development projects.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Measure K Initiative, adopted

AL

11-8-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4010 SPECIAL ALLOCATIONS.

The Council may grant allocations to any project demonstrating that it was subject to an assessment district created prior to the adoption of this article and that the application of this article to such project would create an unfairness or significant financial detriment to such project. In making such a determination the project receiving the special allocation would be exempt from the competitive development allocation process as described in § 9-5.4007. Such special allocation would count toward the numerical limits on growth established in § 9-5.4008.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4011 EVALUATION OF GROWTH LIMITS.

The growth limits contained in this article may be evaluated by the Council from time to time to determine their effectiveness in accomplishing the objectives stated herein and complying with State regulations. The Council may make such amendments to this article from time to time as are deemed necessary for the above purposes.

(Ord. 995-C-S, passed 5-14-02; Am. Ord. 1044-C-S, passed 4-12-05; Am. Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06)

§ 9-5.4012 SUNSET OF ARTICLE.

This article shall have no further validity or effectiveness following May 1, 2012. At that time, the City Council shall re-examine the factors leading to the adoption of this article, as specified in §§ 9-5.4002 and 9-5.4004. If such factors continue to exist at that time, the Council may adopt an ordinance re-enacting and/or amending this article.

(Ord. 1071-C-S, passed 6-13-06; Am. Ord. 1072-C-S, passed 6-27-06; Am. Ord. 2038-C-S, passed 3-23-10; Am. Ord. 2046-C-S, passed 3-22-11)

A7

ATTACHMENT "B"



RDA PROJECT EVALUATION CRITERIA

SUMMARY

The Residential Development Allocation Ordinance (RDA) was adopted May 14, 2002 by the City Council (Attachment A). It requires that allocations be obtained prior to receiving residential development entitlements and ultimately, the issuance of building permits for residential projects. A Development Allocation is the right to proceed, subject to all applicable requirements to obtain entitlements. Certain projects are exempt such as housing for Special Needs Groups and small projects of four units or less. **The approval of a Development Allocation does not represent a land use entitlement** and as such does not require CEQA review. No concurrent processing of entitlements, such as tentative maps or final development plans, is permitted.

PROJECT EVALUATION

The attached checklist is used to evaluate Residential Development Allocation (RDA) applications. The checklist is divided into three main categories: A) Physical Improvements; B) Design; C) Additional Community Benefits and Contributions. Each main category contains several sub-categories assigned point values. There are 500 total points available. The City is looking for well rounded projects with points distributed in all three categories. **A project must score 250 points, or 50%, to be considered for allocations.** Projects that meet the City's infill criteria are exempt from this requirement. (A map outlining the infill areas of the City is attached to the RDA application.)

In all categories, projects are evaluated based on how the proposed improvements and amenities go above and beyond normal requirements and/or the demand for services created by the project. For example, a project that installed a wider street or larger storm drain line than is necessary to serve their project may be eligible for points because this is considered a community benefit to other City developments, both existing and proposed. Conversely, if a developer needs to construct a traffic signal or storm drain line in order to provide necessary capacity or safety to their project, regardless if other projects might benefit from these improvements, it is not considered a community benefit.

RDA PROJECT EVALUATION CRITERIA

Projects must score at least 50% of the possible points, or 250 points, to be considered for allocations. Projects that meet the city's infill criteria are exempt from this requirement.

CATEGORY AND EXAMPLES

POINTS

A. PHYSICAL IMPROVEMENTS	200 POINTS POSSIBLE
A-1 Traffic and Transportation	75 points
<i>For Example:</i> <ul style="list-style-type: none"> • Contributes to improvements in the local and regional transportation system, above and beyond what is required. • Incorporates features that promote alternate transportation, such as bike lanes/trails and bus shelters. 	
A-2 Utilities and Infrastructure	75 points
<i>For Example:</i> <ul style="list-style-type: none"> • Project provides for utilities in addition to its actual demand or beyond the project boundaries. • Location provides infill development of an existing neighborhood. • Contributes to one of the City's "backlogged" road improvement projects. 	
A-3 Open Space and Parks	25 points
<i>For Example:</i> <ul style="list-style-type: none"> • Open space areas are provided and maintained within the project, beyond adopted standards. • Recreational facilities are provided, over and above City requirements. 	
A-4 Natural Features	25 points
<i>For Example:</i> <ul style="list-style-type: none"> • Conforms to the natural topography. • Minimizes grading and tree removal. • Preserves natural and cultural resources. 	
B. DESIGN	100 POINTS POSSIBLE
B-1 Site Design	25 points
<i>For Example:</i> <ul style="list-style-type: none"> • Provides a variety of housing unit types. • Provides lots larger than the required minimum lot size. • Incorporates "Smart Growth" principles in site design. 	
B-2 Architecture and Design Quality	25 points
<i>For Example:</i> <ul style="list-style-type: none"> • Demonstrates high quality architecture. • Demonstrates use of high quality materials, including landscaping and plants. 	
B-3 Energy and Efficiency	25 points
<i>For Example:</i> <ul style="list-style-type: none"> • Incorporates additional site and architectural design features capable of conserving energy; such as additional insulation; low-E glass windows; energy efficient furnaces, air conditioners and appliances. • Utilizes water conservation methods through irrigation, landscaping and/or plumbing; such as zeroscape landscaping. • All in home/on lot features are standard, not upgrades. 	

B2

B-4 Public Safety	25 points
<i>For Example:</i> <ul style="list-style-type: none"> Provides a combination of design and equipment to reduce the potential for criminal activity; such as security alarm systems, security lighting, a gated community, private security. Provides enhanced fire hazard reduction measures, beyond those required by Code; such as automatic fire sprinkler systems, fire suppression equipment, escape ladders for upper floor bedrooms. 	
C. ADDITIONAL COMMUNITY BENEFITS AND CONTRIBUTIONS	200 POINTS POSSIBLE
C-1 School Mitigation	60 points
<i>For Example:</i> <ul style="list-style-type: none"> Project exceeds SB 50 mitigation requirements for projected K-12 student generation. Dedicates a school site or provides early funding for construction of new school facilities. 	
C-2 Economic Development Benefits	60 points
<i>For Example:</i> <ul style="list-style-type: none"> Project is a mixed-use development that directly results in the creation of full-time employment opportunities in the non-retail, non-service sectors. 	
C-3 Contributions to Special Projects	80 points
<i>For Example:</i> <ul style="list-style-type: none"> Contributes financially or makes other contributions to community enhancement projects, as determined by the City Council. 	
TOTAL POINTS (500 points possible)	

ATTACHMENT "C"

SINGLE FAMILY DWELLING PERMITS ISSUED CALENDAR YEAR

MULTI-FAMILY BLDGS UNITS

1989	903		
1990	754		
1991	701		
1992	770		
1993	824		
1994	706		
1995	601		
1996	691		
1997	619		
1998	628		
1999	686		
2000	1157		
2001	1005	37	365
2002	663	1	2
2003	233		
2004	124	17	140
2005	350		
2006	172		40 West Rivertown Phase II
2007	154		
2008	116		
2009	119	1	8 Seventh Day Adventis 8 Plex
2010	93		
2011	131		
2012	263		
2013	189 a/o 10/31/2013		

ATTACHMENT "D"

ARTICLE 40: RESIDENTIAL GROWTH MANAGEMENT

§ 9-5.4001 CITATION.

This article may be known and be cited as the "Residential Growth Management Program Ordinance" of the City of Antioch.

§ 9-5.4002 PURPOSE.

The following matters are the purposes and goals of this article:

- (A) To implement Measure "U" (a 1998 voter advisory initiative) through these procedures in order to regulate the rate of residential growth within the city.
- (B) To implement the city's General Plan.
- (C) To help ensure that the city's infrastructure, public facilities, and ability to provide services keep pace with the demands created by new residential development.
- (D) To provide for a reasonable rate of residential growth that ensures the ability of the city to provide housing opportunities for all economic segments of the community.
- (E) To ensure that the city meets its regional allocation of housing needs.
- (F) To encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older neighborhoods and revitalize the Rivertown area.

§ 9-5.4003 ESTABLISHMENT OF GROWTH MANAGEMENT GUIDELINES

Growth management guidelines shall be adopted by resolution of the Council and updated as necessary. The guidelines will be used to review requests for residential growth allocations.

§ 9-5.4004 RESIDENTIAL GROWTH ALLOCATION PROCESS.

- (A) Residential growth allocation requests shall be considered by the Council, with a recommendation from the Planning Commission, prior to application and approval of building permits for new residential structures.

(B) The Council shall consider requests for residential growth allocations based upon the extent to which such requests are consistent with the residential growth allocation guidelines set by the Council.

(C) The Council may issue all, some, or none of the available residential growth allocations to a given project. These allocations may be issued over a single- or multi-year period at the discretion of the Council.

(D) The Director of Community Development shall promulgate the application submittal requirements for residential growth allocation requests, which will include information necessary for the Council to determine whether the proposed project meets the established residential growth allocation guidelines adopted by City Council.

(E) An application for residential growth allocations may be submitted only for a residential development project that has received approval of all entitlements necessary to qualify the project for issuance of a building permit, which entitlements include any necessary legislative amendments, tentative map, use permit and design review.

(F) If a residential development project is issued one or more residential growth allocations, and following the issuance of such residential growth allocations any entitlements necessary to develop the project expire, the residential growth allocations issued to the project shall be automatically rescinded and may be reallocated to other residential projects, consistent with the annual limits set forth herein.

(G) Residential growth allocations may not be transferred from one project or property to another project or property.

§ 9-5.4005 NUMERICAL LIMITS ON RATE OF GROWTH.

(A) It is the Council's intent to address its regional housing objectives by providing for the possible development of the total Regional Housing Needs Allocation (RHNA) for the City of Antioch. The goal of the Council shall be to meet such objective by averaging the units allocated over any RHNA period rather than meeting the objective on an annual basis.

(B) The Council may increase the number of allocations available in a given year beyond the RHNA requirement if it is determined that such action will further the goals of the General Plan and better enable the City to meet its RHNA objectives.

(C) Single-family dwellings shall be counted as one unit allocation. An age restricted-senior housing unit shall be counted as 0.5 unit allocations, given the reduced impacts on traffic congestion and schools created by such units. Multi-family units shall be counted as 0.63 unit allocations, based on the ratio of average persons per dwelling unit in multi-family dwellings as compared to single-family dwellings, which was taken from the parkland dedication section of the Subdivision Ordinance.

§ 9-5.4006 EXEMPTIONS.

The following housing types are exempt from the requirements of this article but shall be counted when calculating the numerical limit on growth as provided in Sec. 9-5.4005:

- (1) Construction of a single dwelling unit by or for the owner of the lot of record on which the unit is to be constructed.
- (2) Construction of a second unit on a parcel as authorized by the second unit provisions of this Chapter.
- (3) Development of a project of four or fewer dwelling units

ATTACHMENT "E"

Residential Growth Management Program Ordinance Guidelines

- A. Overview and Purpose. The Guidelines are intended to implement the City's Residential Growth Management Program (RGMP) Ordinance by addressing the following:
- System for allotment of Residential Development Allocations (Allocations) and Building Permits
 - Allocation application requirements, deadlines, expirations, extensions, etc.
 - Allocation and residential building permit tracking, forecasting, and annual report.
- B. Applications. All applications for Allocations shall meet all requirements of the RGMP Ordinance and these Guidelines.
1. Applicability; Application Contents. Every residential project is subject to these Guidelines unless specifically exempted under the RGMP Ordinance. The Community Development Department Director shall promulgate a RGMP application requiring, at a minimum, the following information: (1) a detailed description of the project which is the subject of the application; (2) the name and address of the applicant; (3) the names and addresses of all property owners; (4) the total number of dwelling units proposed to be included in the project; (5) the number of any previous Allocations issued for the project and the property; (6) the number of constructed residential units on or issued building permits for the project and the property, if applicable; and (7) the number of requested Allocations.
 2. Application Dates. Applications for Allocations to be issued during any given year shall be submitted to the Community Development Department not later than July 1 (or if July 1 falls on a weekend or holiday, on the first working day thereafter) of the preceding calendar year.
- C. Evaluation of RGMP Allocation Applications. All applications will be evaluated for conformance with the RGMP Ordinance and these Guidelines. A RGMP Application Committee consisting of the Community Development Director and Public Works Director shall make a recommendation regarding the application to the Planning Commission. The Planning Commission will hold a public hearing to consider the Committee's recommendation and make a recommendation to the City Council which will also hold a public hearing and issue the final Allocations. Evaluation of applications shall be in accordance with the following:
1. Those application periods where supply of Allocations exceeds demand for Allocations as set by the RGMP Ordinance, applicants will automatically be granted Allocations.

2. For periods where demand for Allocations exceeds supply of Allocations as set by the RGMP Ordinance, the following criteria will be used to determine which projects will have priority to receive Allocations:

**Moderate (Between 80 and 120 percent of Median Income)
& Above Moderate (Above 120 percent of Median Income) units (in order of priority)**

- a. The City's ability to meet service standards contained in the Growth Management Element of the General Plan.
- b. Projects with previous RDA approvals that are in compliance with all conditions of approval.
- c. Phases of projects that have previously received allocations (in progress, building permits pulled and under construction)
- d. Projects demonstrating that they are subject to an assessment district created prior to the adoption of Article 40 of Chapter 5 of Title 2 of the Antioch Municipal Code.
- e. In-fill projects (less than 5 acres and surrounded by development on three sides, as determined by the Community Development Director)
- f. Development projects within the Rivertown/Urban Waterfront Focus Area, as designated in the General Plan.
- g. Development projects within the Hillcrest Station Area Specific Plan.

**Very-low (Up to 50 percent of Median Income)
and Low income (Between 50 and 80 percent of Median Income)
units (in order of priority)**

- a. The City's ability to meet service standards contained in the Growth Management Element of the General Plan.
- b. Projects providing housing that meets the quantified objectives for very low and low income housing as set forth in the Housing Element.
- c. Projects providing qualifying in-house support services such as home work assistance, day care, job training/location assistance, senior services (as determined by the Community Development Director)
- d. Projects providing units intended especially for one or more special needs groups, i.e. handicapped, income- restricted senior housing, etc., as described in the Housing Element of the General Plan.
 1. Projects providing 100% age-restricted units for seniors
 2. Phases of projects that have previously received allocations (in progress, building permits pulled and under construction)
- e. Projects demonstrating that they are subject to an assessment district created prior to the adoption of Article 40 of Chapter 5 of Title 2 of the Antioch Municipal Code.
- f. In-fill projects (less than 5 acres and surrounded by development on three sides, as determined by the Community Development Director)

- g. Development projects within the Rivertown/Urban Waterfront Focus Area, as designated in the General Plan.
- h. Development projects within the Hillcrest Station Area Specific Plan.

D. Expirations and extensions.

- 1. Expirations. Allocations shall be valid only for the calendar year designated on the Allocations. Allocations associated with a pulled building permit shall expire concurrently with building permit expiration.
- 2. Extensions. Extensions of the Allocations may be granted in accordance with the timelines for building permit extension as set forth in the Uniform Building Code.

E. Previously Approved Allocations. Projects with existing allocations under the previous Residential Development Allocation ordinance that wish to amend their Allocation requirements may do so via a request to amend conditions on the Tentative Map or a Development Agreement, which will be processed in accordance with Title 9 of the Antioch Municipal Code.

F. Processing Fees. The applicant shall maintain a deposit account to pay all costs for staff time and materials required to process the application in accordance with City policy and the Master Fee Schedule.

G. Building Permit Issuance. The City shall not issue any building permits in excess of the limitations set forth in the RGMP Ordinance and Guidelines.

H. Periodic Revisions. The City Council shall undertake periodic revisions of these Guidelines to reflect changes in the General Plan, the RGMP Ordinance, or land use decisions as necessary to implement City policies. Each City approval of a tentative subdivision map or vesting tentative subdivision map shall contain a provision stating that these Guidelines are subject to change and those in effect at the time of application for RGMP Allocations shall control.

I. Annual Report on Residential Building Activity and Projections/Forecast. An annual report and a RGMP Allocation recommendation shall be prepared by staff and presented to the Planning Commission and City Council with the recommendation for issuance of allocations. This annual report shall serve as the tracking system for the RGMP and shall include permit activity from previous years as well as update the annual average/maximums of the RGMP. In addition, the Annual Report shall serve as the official forecast for the purposes of planning the next calendar year's RGMP Allocations by identifying various residential projects in the process.

* * * * *

3.0 Growth Management

3.1 INTRODUCTION AND PURPOSE

The premise of growth management in the City of Antioch has long been to ensure that development paid its own way, and that sufficient public services and facilities were available to support new development. The City defined the desired pattern of land uses, and proactively assisted in setting up funding mechanisms for expansion of infrastructure designed to ensure that the costs of capital facilities needed to support growth were paid for by new development. As individual development came forward, the emphasis was on mitigating the impacts of proposed growth. Today, one of the key themes of the Antioch General Plan is that new growth and development be directed toward the achievement of the community vision set forth in the General Plan. New development needs to make a positive contribution to the community, and not just avoid or mitigate its impacts.

Antioch will face a number of difficult growth management challenges over the next 20 years as it moves from a bedroom suburb to a full service city. Key among these challenges is the need to effectively address nagging traffic congestion problems in the East County region in the face of rapid residential growth forecasts. In response, Antioch has committed to expand local employment opportunities and reduce the need for Antioch residents to commute long distances to work. The desire to revitalize Antioch's Rivertown area, its riverfront, and its older areas; to enhance municipal income streams through expanded retail opportunities, and the need to expand both upper end and affordable housing opportunities also need to be factored into the community's growth management strategy.

New growth and development within Antioch will increase the demand for infrastructure and services provided by the City and other agencies. In addition, future land use and

development decisions will have an effect on municipal costs and revenues. As long as Antioch continues to grow in population and expand its economic base, the City's operating and capital budgets will have to respond to increased demands for services and facilities. Since the fiscal burden of providing expanded infrastructure is beyond the normal capacity of municipal revenues, it is imperative that the expansion of the City's residential and non-residential sectors occur such that a burden is not placed on the community's resources.

As discussed in Section 3.1.2, Antioch voters passed an advisory growth control measure. Measure U calls for the City to not only enforce public services and facilities performance standards during the review of individual development proposals, but also to phase the rate of new development to ensure the continuing adequacy of those services and facilities. Managing the *rate* of growth adds a new challenge. To implement annual growth limits in addition to the public services and facilities performance standards that the City has been implementing, along with large-scale assessment districts to provide up-front financing of infrastructure, requires that care be taken to ensure the viability of such infrastructure financing mechanisms.

It is the purpose of this Element of the General Plan to bring together those portions of the General Plan that address various aspects of growth management, and thereby set forth a comprehensive strategy to manage the location and rate of future growth and development. It is also the purpose of the Growth Management Element to implement the provisions of countywide Measure J and the City's Measure U (see Sections 3.1.1 and 3.1.2, below). The Growth Management Element thus sets forth performance standards for key community services and facilities, thereby establishing a clear linkage between future growth and the adequacy of community services and facilities.

3.1.1 Contra Costa County Measure J Requirements

- One purpose of the Growth Management Element is to comply with the requirements of the Measure J Growth Management Program (GMP), adopted by the voters of Contra Costa County in November 2004. The GMP requires each local jurisdiction to meet the six following requirements: Adopt a development mitigation program;
- Address housing options;
- Participate in an ongoing cooperative, multi-jurisdictional planning process;
- Adopt an Urban Limit Line (ULL);
- Develop a five-year capital improvement program; and,
- Adopt a transportation systems management (TSM) ordinance or resolution.

Measure J (2004) is a 25-year extension of the previous Measure C Contra Costa Transportation Improvement and Growth Management Program approved by the voters in 1988.

Both programs include a ½ percent transportation and retail transactions and use tax intended to address existing major regional transportation problems. The Growth Management component is intended to assure that future residential business and commercial growth pays for the facilities required to meet the demands resulting from that growth.

Compliance with the GMP is linked to receipt of Local Street Maintenance and Improvement Funds and Transportation for Livable Community funds from the Transportation Authority. The Growth Management Program defined by the original Ordinance 88-01 continues in effect along with its linkage to Local Street maintenance and improvement funds through March 31, 2009. Beginning on April 1, 2009, the Measure J CMP requirements take effect.

Measure J eliminates the previous Measure C requirements for local performance standards

and level-of-service standards for non-regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL.

3.1.2 Antioch's Advisory Measure U

In November 1998, Measure U was approved by a large majority of Antioch voters (69 percent). Measure U was an advisory measure calling for the City to phase the rate of new development to:

“Provide adequate schools, street improvements, and Highway 4 improvements for a sustained high quality of life, by making new growth pay its own way through maximizing fees, assessment districts, matching fund programs, and any other means effective to expedite the construction of needed infrastructure.”

A series of community workshops were conducted during early 1999, leading to an interim ordinance.

The interim ordinance was subsequently replaced by a permanent ordinance that is consistent with the provisions of the General Plan Element.

3.2 GOALS OF THE GROWTH MANAGEMENT ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs in a logical, orderly, and efficient manner, it is the goal of the Growth Management Element to accomplish the following:

- *Maintain a clear linkage between growth and development within the City and expansion of its service and infrastructure systems, including transportation systems; parks, fire, police, sanitary sewer, water, and flood control facilities; schools; and other essential municipal services, so as to ensure the continuing adequacy of these service facilities.*

This goal is cornerstone of the Growth Management Element. The quantified

public services and facilities performance standards delineated in this Element set a benchmark for quantifying the impacts of new development, and also represent the measuring tool by which mitigation of those impacts will be required by the City. Implementation of these performance standards is thus designed to mitigate the impacts of growth, and ensure that new development pays its own way in terms of the capital costs associated with needed expansion of public services and facilities. The provisions of the Growth Management Element are also intended to address efficiency in the provision of public services and facilities. By moderating the rate of new residential growth, consistent with the ability of the City and service agencies to keep pace, the cost of providing public services can be maintained at reasonable rates.

“Efficiency” in the provision of public services and facilities often also means constructing large-scale capital facilities at the initial phase of new development to avoid interim periods of inadequate service. The City of Antioch recognizes that that it is sometimes necessary to construct large-scale infrastructure ahead of development, possibly making financing difficult for individual developments. Where financing required large-scale capital facilities is needed, but beyond the ability of individual developments, many communities permit the construction of interim facilities. However, maintenance of such interim facilities is often costly, and in the end more expensive than constructing the ultimate facilities up front. As a result, Antioch strives to avoid the use of interim facilities, and supports the establishment of land-based financing mechanisms in the form of assessment districts to facilitate the financing of large-scale capital facilities. Policies related to interim facilities and financing of capital facilities is contained in the Public Services and Facilities Element.

- *Maintain a moderate rate of residential growth to ensure that the expansion of public services and facilities keeps pace.*

This goal recognizes that there is a limit to the rate at which public services and facilities can reasonably be expanded. Because of long lead times for the construction of regional highway improvements, schools, and large-scale flood control facilities, the provision of some critical facilities can fall behind rapid residential growth, even if new development does ultimately pay its own way. By moderating residential growth rates, potential lag times between project approvals and housing occupancy can be minimized or eliminated.

- *Recognize the ultimate buildout of future development within the City of Antioch and its Planning Area that is established in the General Plan Land Use Element.*

The land use map and policies contained in the Land Use Element define the City's future land use pattern, along with maximum appropriate development intensities throughout the Antioch Planning Area. As a result, the General Plan Land Use Element establishes an ultimate buildout for the General Plan. The policies of the Growth Management Element are intended to recognize that build out of the General Plan will occur as the result of numerous individual development decisions and numerous incremental improvements to the public services and facilities serving Antioch. In setting forth public services and facilities and defining the responsibility of individual developments to mitigate impacts and pay their own way, the Growth Management Element is intended to provide a system for the expansion of infrastructure that will support build out of the General Plan as expressed by the ultimate buildout established in the Land Use Element.

- *Manage the City's growth in a way that balances the provision of diverse housing options with local employment opportunities and provides sufficient municipal revenues to cover the cost of high quality municipal services and facilities.*

Achievement of a balance between local jobs and housing was a key factor in the implementation of the City's advisory Measure U, and a key component of Antioch's vision as expressed in Chapter 2, Community Vision, of the General Plan. The General Plan recognizes sustaining a high quality of life for Antioch residents necessarily involves reducing the need for long commutes to work, and that "balancing" jobs and housing means much more than just having an appropriate number of employment and housing opportunities within the community. "Balancing" jobs and housing means providing a range of housing types appropriate for the types of employment opportunities found in Antioch. Conversely, "balancing" jobs and housing means providing the employment—generating lands that will provide the employment opportunities appropriate to Antioch residents. This Element is intended to assist in the financing of infrastructure needed to develop job-producing uses. It accomplishes this purpose by establishing achievable performance standards and considering the feasibility financing infrastructure expansion.

- *Improve regional cooperation in relation to mitigating the regional impacts of new development.*
Some of the services and facilities (e.g., fire protection, schools, and sewage treatment) provided to Antioch residents and businesses are provided by special districts, and not by the City. Effective management of growth, including mitigation of impacts and expansion of services and facilities to support future growth requires the cooperation of the City and outside agencies providing local services. The provisions of the Growth Management Element, along with the provisions of the Public Services and Facilities Element, are intended to provide for such coordination.

For many issues (e.g., transportation, air quality, and economic development), a cooperative regional approach to problem solving is the only effective means. Traffic

congestion resulting from home-to-work trips is primarily a regional problem resulting from regional imbalances of employment and housing, and can only be solved by concerted efforts at both ends of existing problematic commutes.

The impacts of new development are not always restricted to the municipal boundaries of the jurisdiction approving the development. Often, developments approved by one community impact other communities. In the case of development projects that will exacerbate regional jobs-housing imbalances, the traffic, noise, and air quality impacts of such developments can manifest themselves at some distance away from the development itself.

"Equitable" mitigation involves not only that projects pay their own way within the jurisdiction where they are approved, but may also mean mitigating impacts in other jurisdictions.

The Growth Management Element seeks to establish a basis for communities to jointly provide mitigation for impacts occurring in other jurisdictions, as well as a basis for regional cooperation to address regional issues. Antioch recognizes that the effectiveness of its Growth Management Element ultimately relies on the extent to which active partnerships with other jurisdictions can be formed and maintained to address the regional aspects of mitigating development impacts.

3.3 GENERAL PLAN APPROACH

3.3.1 Growth Management Provisions in the General Plan

Antioch's growth strategy is to undertake a comprehensive program to accommodate planned economic and population growth in a manner consistent with community values and the lifestyles of existing and future residents. Thus, growth management is central to the General Plan, and "growth management" provisions appear throughout the General

Plan. In effect, the various elements of the General Plan each address specific aspects of managing growth within Antioch, and are intended to work together to function as a comprehensive growth management program. The specific growth management roles of individual General Plan elements are described below.

- The *Growth Management Element* implements the provisions of countywide Measure J, and provides supporting policies for implementation of Antioch's advisory Measure U. This Element establishes a ~~quantified annual~~ cap on residential growth based on the Regional Housing Needs Allocation, and sets forth roadway and highway level of service standards, as well as public services and facilities performance standards. This Element also implements the provisions of Measure J by providing general policy direction for achieving a balance between local jobs and housing, as well as for City participation in regional transportation planning efforts.
- The *Land Use Element* defines acceptable locations and the appropriate intensity for new development, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at "build out" of the Antioch Planning Area. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities' mutual boundary¹.

This element also addresses the effect of the urban limit line established by the Voter-Approved Urban Limit Line (Figure

4.12) and directs new development to occur within the Voter-Approved Urban Limit Line, thereby achieving a compact form of community.

The Land Use Element specifically delineates lands set aside for the development of employment-generating uses, and defines the types of employment-generating uses appropriate for each area so designated. Overall, the land use pattern defined in this element, along with the aggressive economic development program called for in the General Plan, is designed to achieve a balance between local housing and employment. Overall, the Land Use Element sets for smart growth concepts, including providing for a close relationship between land use and transportation facilities (e.g., public transit, bicycle and pedestrian transportation, higher density development nodes at transportation centers).

- The *Circulation and Transportation Element* directly addresses the provision of the new and expanded transportation facilities that are needed to support development of the land uses delineated in the Land Use Element, consistent with the level of service standards set forth in the Growth Management Element. This Element defines the specific improvements that will be made over time to the City's roadway and highway systems in order to maintain the level of service standards set forth in the Growth Management Element.
- The *Public Services and Facilities Element* directly addresses the provision of the new and expanded public services and facilities that are needed to maintain the performance standards set forth in the Growth Management Element. This Element defines the responsibilities of new development projects for the provision of expanded services and facilities, and provides policy direction for the manner in which expansion of public services and facilities will be financed. This element also addresses avoidance of interim

¹ The provisions of the boundary agreement permit either city to terminate the agreement upon notice to the other city.

facilities and the financing of large-scale facilities needed to maintain the performance standards set forth in the Growth Management Element.

- The *Resource Management Element* provides policy direction for the management of open space, hillside development, biological resources, water resources and quality, cultural and historical resources, and energy resources in relation to new growth and development.
- The *Environmental Hazards Element* addresses the constraints on growth presented by natural and man-made hazards.
- A *Development Review Program* is included as part of General Plan implementation programs. The Development Review Program is a compilation of General Plan policies affecting the review of individual development projects. This portion of the General Plan presents a comprehensive definition of the General Plan performance standards that will be used to review new development proposals in order to implement the policies of the General Plan. Thus, the Development Review Program sets forth the specific criteria that will be used to determine the consistency of proposed new developments with the General Plan.

In addition to the Development Review Program, General Plan implementation programs include Follow-up Studies, Intergovernmental Coordination, and General Plan Maintenance. These sections set forth requirements for monitoring and coordination of the City's Growth Management Element, including monitoring of compliance with stated performance standards and coordination with the City's Capital Improvement Program.

- The *Housing Element* delineates the specific programs that the City of Antioch will implement to ensure housing

opportunities for all economic segments of the economy. The Housing Element, unlike the balance of the General Plan, is intended by state law to be short-term, setting forth a five-year program. As a result, the Housing Element is required to be updated every five years. This Element sets forth specific policies and programs designed to ensure opportunities for the development of upper end housing, and for housing for service workers who could not otherwise afford for-sale housing within Antioch. State law requires that the California Department of Housing and Community Development review local Housing Elements to determine whether they meet the applicable legal requirements.

The Measure J Growth Management Program requires jurisdictions to report on their progress towards Housing Element compliance. The City must prepare a biennial report of the implementation of actions outlined in the City's Housing Element, for submittal to CCTA as part of the biennial GMP Compliance Checklist. The report will demonstrate reasonable progress using one of the following three options:

- a. Comparing the number of housing units approved, constructed or occupied within the City over the preceding five years with the number of units needed on average every year to meet the housing objectives established in the City's Housing Element; or,
- b. Illustrating how the City has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or,
- c. Illustrating how the City's General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives.

3.3.2 Growth Management Provisions Outside of the General Plan

3.3.2.1 Capital Improvements Program.

The City of Antioch maintains a five-year capital improvements program (CIP) that lists projects, along with their costs and funding sources. The CIP identifies proposed capital improvements for parks and trails, roadway improvements, traffic signal projects, water and wastewater system improvements, and community facilities projects (e.g., community center, art in public places, Antioch Marina, police facility, city hall, fishing pier, library). This program defines priorities for public improvements throughout the community.

3.3.2.2 Transportation Systems Management Ordinance. The City of Antioch has adopted, and is implementing a Transportation Systems Management Ordinance to promote maximum efficiency in the existing transportation system, and to further the transportation goals of Measure J and the provisions of Contra Costa County's Congestion Management Program. The ordinance achieves these goals by:

- Promoting and encouraging the use of transit, ridesharing, bicycling, walking, flexible work hours, and telecommuting.
- Incorporating these features into the land use review process.
- Developing transportation systems management and demand management proactive programs and projects.
- Where feasible, incorporating technology in the transportation system to facilitate traffic flow, provide transit and highway information, and provide trip generation alternatives.

3.3.2.3 Participation in Regional

Transportation Planning. Antioch is an active participant in regional transportation planning efforts, including the TRANSPLAN Committee. The TRANSPLAN Committee

was formed in 1991 to serve as a transportation planning and coordinating group for the eastern portion of Contra Costa County. TRANSPLAN, whose members include the cities of Antioch, Brentwood, Oakley, and Pittsburg, as well as Contra Costa County, coordinates and represents East County's interests in the Measure J transportation planning and growth management process. TRANSPLAN projects include regional bikeway plans, East County Traffic Management Study, State Route 4 East Rail Transit Study, and the State Route 239 Interregional Corridor Study.

Members of the City Council also serve in active roles on the boards of the Contra Costa Transportation Authority and Tri-Delta Transit.

Participation In Other Regional Programs.

The City of Antioch participates in a number of other regional planning programs. These include the following:

- ABAG (regional land use and transportation planning for the San Francisco Bay Area);
- Community Advisory Board – San Francisco Bay Water Transit Authority (water-based transit);
- East Bay Division, League of California Cities (coordination regarding issues of mutual interest in relation to statewide issues and state legislation);
- East Contra Costa Regional Fee and Financing Authority (areawide financing of major transportation improvements);
- Mayor's Conference (forum for discussion of issues of mutual interest for cities within Contra Costa County); and
- State Route 4 By-Pass Authority (financing and construction of the State Route 4 by-pass east of State Route 160).

3.4 SERVICE STANDARDS FOR TRANSPORTATION FACILITIES

This portion of the Growth Management Element sets level of service¹ standards for roadways within the City of Antioch Planning Area, along with policies to ensure that these standards are maintained. These standards form the basis for the City's circulation policies, and for the ways in which land use and circulation will be correlated with each other. Roadways are grouped into two categories: "Routes of Regional Significance" and "Basic Routes."

Policies and programs to define the responsibilities of new development projects for the provision of expanded roadway facilities are provided in Chapter 7.0 of the General Plan (Circulation Element). Policy direction addressing the manner in which expansion of roadways and other public services and facilities will be financed is provided in Section 8.13 (Public Services and Facilities Element).

3.4.1 Routes of Regional Significance

"Routes of Regional Significance" include state highways and other major roadways that carry a significant amount of through traffic, and link Antioch to neighboring jurisdictions. Routes of Regional significance are subject to implementation of "Action Plans," which are a set of programs and policies that are developed with other jurisdictions in the County to address traffic impacts along these regional routes. Development projects that may impact regional routes are required to comply with adopted Action Plans. These Action Plans are described in the Circulation Element.

¹ Traffic levels of service (LOS) are expressed in terms of volume-to-capacity ratios to estimate the delay experienced by drives at intersections. They are expressed as the letters A-F with A representing free flow (volumes less than 60% of capacity, and F representing gridlock (volumes greater than 100% of capacity).

The following are officially designated as routes of regional significance.

- State Route 4, including freeway interchanges and the State Route 4 bypass
- State Route 160, including freeway interchanges
- Lone Tree Way
- Hillcrest Avenue
- Deer Valley Road
- Delta Fair Boulevard, west of Sommersville Road
- Buchanan Road, west of Sommersville Road
- James Donlon Boulevard
- Somersville Road
- Sand Creek/Dallas Ranch Road
- Standard Oil Road

While it may be desirable to add new roadways to this list, to do so in the absence of preparing and adopting "Action Plans" would leave such additional routes without enforceable performance standards. The Antioch Circulation Element identifies roadways that should be added to the County's list of Routes of Regional Significance, including 18th Street, Wilbur Avenue, Sunset Avenue, Oakley Avenue, and the Pittsburg-Antioch Highway. Each of these roadways provides access between Antioch and other communities. A program to prepare Action Plans and have these roadways designated as Routes of Regional Significance is included in Chapter 12, Implementation.

3.4.1.1 Performance Standards for Routes of Regional Significance.

Discretionary projects that impact Routes of Regional Significance shall comply with the requirements of the adopted Action Plans. The improvements proposed for each of these routes are described in the Circulation Element.

Table 3.A – Level of Service Traffic Standards

Land Use	Level of Service (LOS)	Range of Volume-to-Capacity Ratios (V/C)
Rural	Low – C	0.70 – 0.74
Semi-Rural	High-C	0.75 – 0.79
Suburban	Low-D	0.80 – 0.84
Urban	High-E	0.85 – 0.89
Central Business District	Low-E	0.90 – 0.94

3.4.2 Basic Routes

This Growth Management Element requires consistency with the following traffic standards for Basic Routes, which are defined as all local roads not otherwise designated as Routes of Regional Significance. The standards are defined for various land uses, as illustrated in Table 3.A.

3.4.2.1 Performance Standards for Basic Routes. The minimum acceptable operating levels of service on arterials, collectors, and intersections during peak hours shall be as follows.

- Regional commercial portions of the Antioch Planning Area; intersections within 1,000 feet of a freeway interchange: Low "E" (v/c = 0.90-0.94)
- Residential and commercial portions of the Rivertown Focus Area; freeway interchanges: High "D" (v/c = 0.85-0.89)
- Residential and arterial roadways in non-Regional Commercial areas: Mid-range "D" (v/c = 0.83-0.87)

The locations of each of these types of routes is illustrated in the Circulation Element Map. For school facilities, the applicable performance standard is design of facilities to avoid impeding traffic on public streets before, during, and after normal school days.

3.4.3 Transportation Facilities Objective

Maintain acceptable traffic levels of service on City roadways through implementation of Transportation Systems Management, Growth

Management, and the City's Capital Improvement Program, and ensure that individual development projects provide appropriate mitigation for their impacts.

3.4.4 Transportation Facilities Policies

- Place ultimate responsibility for mitigating the impacts of future growth and development, including construction of new and widened roadways with individual development projects. The City's Capital Improvements Program will be used primarily to address the impacts of existing development, and to facilitate adopted economic development programs.
- Continue to develop and implement action plans for routes of regional significance (see Circulation Element requirements).
- Ensure that development projects pay applicable regional traffic mitigation fees and provide appropriate participation in relation to improvements for routes of regional significance (see also Circulation Element Policy 5.3.1f).
- Consider level of service standards along basic routes to be met if 20-year projections based on the City's accepted traffic model indicate that conditions at the intersections that will be impacted by the project will be equivalent to or better than those specified in the standard, *or* that the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard.

- e. The policy set forth in Paragraph d, above, is based on *projected, with project* traffic conditions and is a more stringent standard than that required by Measure J, which does not require jurisdictions to adopt local LOS standards. In cases where the standard set forth in paragraph d, above, is not met in the *no project* condition (i.e., projected traffic will not meet the applicable standard, even if the proposed project is not built), General Plan traffic standards for Basic Routes will be considered to be met if (1) the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard and actual physical improvements will be provided by the project so as to not result in a further degradation of projected level of service at affected intersections.

3.4.5 Transportation Systems Management (TSM) Policies

- a. Continue to implement the City's TSM program to reduce trip generation and maximize the carrying capacity of the area's roadway system.
- b. Work to establish rail transit service within Antioch.
- c. Work with Tri-Delta Transit and other service providers to promote regional transit service. Refer proposed development projects to Tri-Delta Transit, and require the provision of bus turnouts and bus stops in locations requested by the agency, where appropriate.
- d. Maintain a comprehensive system of bicycle lanes and routes as specified in the Circulation Element.
- e. Synchronize traffic signals where feasible to improve the flow of through traffic.

3.5 SERVICE STANDARDS FOR OTHER COMMUNITY SERVICES

This section of the Growth Management Element sets forth performance standards for public services and facilities other than the transportation network. Descriptions of current facilities serving Antioch and its Planning Area, as well as plans and programs for expansion of facilities maintained by the City and the special districts serving the City are described in the Public Services and Facilities Element.

Standards are presented for services and facilities provided by the City of Antioch, as well as those provided by Special Districts other than the City, including fire protection services provided by the Contra Costa County Fire Protection District, school facilities provided by the Antioch Unified School District¹, and sewage treatment facilities provided by the Delta Diablo Sanitation District. In addition to the fire, police, water, sanitary sewer, flood control, and park performance standards that are set forth in the Growth Management Element, standards are also provided for community centers, schools, and general public services and facilities. The inclusion of these additional standards recognizes the crucial role that community centers, schools and other governmental facilities will play in ensuring a high quality of life for Antioch residents.

Policies and programs to define the responsibilities of new development projects for the provision of expanded public services and facilities needed to meet the performance objectives and stated that follow are provided in the Public Services and Facilities Element of the General Plan. Policy direction addressing the manner in which expansion of roadways and other public services and facilities will be financed is provided in Section 8.13 (Public Services and Facilities Element).

¹ A small portion of the Antioch Planning Area is located within the boundaries of the Brentwood School District and the Liberty Union High School District. Standards and policies for schools will apply to each school district serving the Planning Area.

3.5.1 Community Centers¹

3.5.1.1 Performance Objective. Ensure that community centers provide sufficient space to conduct civic meetings, recreational programs, and social activities to meet the needs of Antioch residents.

3.5.1.2 Performance Standard. Maintain a minimum of 750 square feet of community center space per 1,000 population.

3.5.2 Fire Protection Facilities

3.5.2.1 Performance Objective. Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property.

3.5.2.2 Performance Standard. Prior to approval of discretionary development projects, require written verification from the Contra Costa County Fire Protection District that a five minute response time (including three minute running time) can be maintained for 80 percent of emergency fire, medical, and hazardous materials calls on a citywide response area basis.

3.5.3 Police Service

3.5.3.1 Performance Objective. Maintain an active police force, while developing programs and police facilities that are designed to enhance public safety and protect the citizens of Antioch by providing an average response time to emergency calls of between seven and eight minutes from the time the call is received to the time an officer arrives.

3.5.3.1 Performance Standard. Maintain a force level within a range of 1.2 to 1.5 officers,

¹ Community centers consist of buildings, other than City Hall, designed for community meetings, indoor recreational and instructional programs, and social activities. Included in the definition of community centers are such specialized facilities as senior centers, youth centers, and gymnasiums. Existing facilities include the Nick Rodriguez Community Center, Prewitt Family Park Center, and the Antioch Senior Center.

including community service officers assigned to community policing and prisoner custody details, per 1,000 population. The ratio of community service officers assigned to community policing and prisoner custody details to sworn officers shall not exceed 20 percent of the total number of sworn officers.

-

3.5.4 Water Storage and Distribution²

3.5.4.1 Performance Objective. Maintain a water system that is capable of meeting the daily and peak demands of Antioch residents and businesses, including the provision of adequate fire flows and storage for drought and emergency conditions.

3.5.4.2 Performance Standard. Adequate fire flow as established by the Contra Costa County Fire Protection District, along with sufficient storage for emergency and drought situations and to maintain adequate service pressures.

3.5.5 Sanitary Sewer Collection and Treatment Facilities¹

3.5.5.1 Performance Objective. A wastewater collection, treatment, and disposal system that is capable of meeting the daily and peak demands of Antioch residents and businesses.

3.5.5.2 Performance Standards.

- a. Sanitary sewers (except for force mains) will exhibit unrestricted flow in normal and peak flows.
- b. Prior to approval of discretionary development projects, require written verification from the Delta Diablo Sanitation District that the proposed project will not cause the rated capacity of

² The performance objectives and standards for water storage and distribution relate to the provision of capital facilities. Policies related to water conservation and the use of reclaimed wastewater are contained in the Open Space/Conservation Element.

treatment facilities to be exceeded during normal or peak flows.

3.5.6 Flood Control

3.5.6.1 Performance Objective. Ensure adequate facilities to protect Antioch residents and businesses from damaging flood conditions.

3.5.6.2 Performance Standard. Provide sufficient facilities development to protect structures for human occupancy and roadways identified as evacuation routes from inundation during the 100-year flood event.

3.5.7 Parks and Recreational Facilities

3.5.7.1 Performance Objective. A system of park, recreational, and open space lands of sufficient size and in the appropriate locations, including provision of a range of recreational facilities, to serve the needs of Antioch residents of all ages.

3.5.7.2 Performance Standard. Provide five acres of improved public and/or private neighborhood parks and public community parkland per 1,000 population, including appropriate recreational facilities.

3.5.8 Schools

Recognizing that provision of school facilities is the responsibility of the school district, as set forth in State law (SB50). The intent of the General Plan in setting forth objectives and a performance standard for school facilities to require the maximum mitigation allowable by law.

3.5.8.1 Performance Objective. Provision of schools in locations that are readily accessible to student populations, along with sufficient facilities to provide educational services without overcrowding.

3.5.8.2 Performance Standard. Require new development to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities,

as determined by the responsible school district.

3.5.9 Entitlement Process and Capital Improvements Program

3.5.9.1 Entitlement Process and Capital Improvements Program Objective. To ensure the attainment of public services and facilities standards through the City's development review process, Capital Improvements Program, and a variety of funding mechanisms.

3.5.9.2 Entitlement Process and Capital Improvements Program Policies

- a. Ensure that discretionary development projects comply with the City's performance standards, by approving such projects only after making one or more of the following findings.
 - The City's adopted performance standards will be maintained following project occupancy; or
 - Project-specific mitigation measures or conditions of approval have been incorporated into the project.
- b. Require new development to fund public facilities and infrastructure, either directly or through participation in a land-based financing district, as necessary to mitigate the impacts of new development on public services and facilities.
- c. Levy mitigation requirements in proportion to each development's anticipated impacts. Where infrastructure is required to be installed in excess of a development's proportional mitigation requirement, utilize benefit districts over the area to be benefited by the infrastructure or provide reimbursement to the development for excess cost.
- d. Maintain a Five-Year Capital Improvement Program, designed, in part, to ensure that traffic and other public service performance standards are met and/or maintained, and to address the needs of

existing development. Update capital improvement plans as part of the annual budget process.

3.6 MANAGING THE RATE OF GROWTH

3.6.1 Rate of Growth Objectives

- a. Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities for all economic segments of the community as required by State Housing Element law, and that facilitates the ability of public services and facilities provided by the City and outside agencies to expand at a commensurate rate.
- b. Encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older residential neighborhoods, and revitalize the Rivertown area.

3.6.2 Rate of Growth ~~Policies~~Policy

- a. ~~Prohibit the granting of new residential development allocations for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, it limit the issuance of development allocations as required by the Residential Growth Management Ordinance and adopted Guidelines, to a maximum annual average of 600, recognizing that the actual rate of growth will vary from year to year. Thus, unused development allocations issued after December 31, 2010 may be reallocated in subsequent years, and development allocations may be moved forward from future years, provided that the annual average of 600 development allocations may not be exceeded during any given five-year period (i.e., no more than 3,000 development allocations may be issued for any given five-year period).~~

- ~~a. b. To move development allocations forward from future years, the following finding must be made:~~

~~—The constraints posed by needed infrastructure phasing or capital facilities financing require that development allocations be moved forward from future years to avoid jeopardizing the feasibility of existing infrastructure financing mechanisms or the financing of infrastructure for the development allocations that would otherwise be granted during the calendar year.~~

- ~~c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single family dwelling and an allocation for age-restricted housing and multiple family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.~~

- ~~d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be granted to age-restricted senior housing, single family detached housing, and multifamily housing.~~

- ~~e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.~~

~~f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.~~

~~(1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with "density bonus" dwelling units approved pursuant to the provisions of the Housing Element and the City's Density Bonus ordinance.~~

~~(2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to meet the Housing Element's quantified objectives for housing of special needs groups.~~

~~(3) Dwelling units within development projects having vested rights through a valid (unexpired⁴) development agreement or vesting map.~~

~~(4) Construction of a single dwelling unit by or for the owner of the lot of record on which the dwelling unit is to be constructed.~~

~~(5) Construction of a second dwelling unit on a lot of record.~~

~~(6) Development of a project of four or fewer dwelling units.~~

~~(7) Development projects within the Rivertown Focused Planning Area.~~

~~(8) Smart growth, transit-oriented development projects.~~

~~(9) Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.~~

3.6.3—Development Allocation Policies

~~a. Development allocations shall constitute a right, granted by the City Council, to apply for building permits for lots within an approved tentative map, subject to recordation of the map and conformance with all conditions of approval placed on the tentative tract map.~~

~~b. Development allocation reservations shall constitute a "set aside" of a portion of the maximum annual number of development allocations in future years for dwelling units within an approved large-scale development project (e.g., Specific Plan, Planned Development) for which a tentative map has not yet been approved.~~

~~c. At least once during each fiscal year, the City will grant development allocations for approved and proposed projects based upon the extent to which such projects meet or are consistent with the objectives set by the City Council for the following allocation period and, if appropriate, for succeeding allocation periods.~~

~~d. Development objectives shall be adopted by the City Council following public hearing. In defining development~~

⁴—The majority of existing development agreements expired on December 31, 2002.

objectives, the City Council shall provide an indication to the development community of the City's expectations for residential development for the allocation period.

Base development objectives on the need to implement the provisions of the Antioch General Plan, public service and facilities capacities, recommendations of the City's Capital Improvements Program, environmental constraints, and other relevant factors.

Formulate development objectives so as to facilitate comparative review of development projects and thereby allow the City to appropriately limit the number of development allocations at times when requests for such allocations would exceed the specified annual average, or the number of allocations assigned to any given time period.

Incorporate identification of development projects providing net benefits to the community into development objectives, thereby providing such project with a priority for the granting of development allocations.

e. Permit requests for development allocations (either tentative maps or other applicable approval for residential projects not requiring a land division) in excess of the limitations on annual allocations described above, provided that the project is phased so that the no single phase exceeds the number of allocations granted to the project for a given year. Thus, development projects may be granted development allocations for use in up to four years subsequent to the original allocation⁺.

f. Permit development projects to carry over unused development allocations into subsequent years.

⁺ For example, a 250-dwelling unit residential development project may, at one time, be granted 50 development allocations per year for a five-year period.

g. Upon expiration of a development entitlement, the development allocations and reservations associated with the expired entitlement shall be automatically rescinded, and may be reallocated to other development projects, consistent with the annual limits set forth above.

3.7 REGIONAL COOPERATION

3.7.1 Regional Cooperation Objectives

- a. Resolution of regional and multi-jurisdictional transportation issues for the maintenance of regional mobility as required by Measure J Growth Management Program and the Contra Costa Congestion Management Program.
- b. A regional approach to regional issues that recognizes and respects Antioch's local interests.
- c. Establishment of a system of development review within Antioch and surrounding communities based on the principle that the impacts of new development must be mitigated or offset by project-related benefits within each of the jurisdictions in which the impacts will be experienced.

3.7.2 Regional Cooperation Policies

- a. Continue participation in regional transportation planning efforts, including the Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority (Tri-Delta Transit), and TRANSPLAN.
- b. As part of the evaluation of individual development projects, address and provide appropriate mitigation for impacts on regional and local transportation facilities.
- c. Maintain ongoing communications with agencies whose activities affect and are affected by the activities of the City of Antioch (e.g., cities of Brentwood, Oakley and Pittsburg; Contra Costa County;

Antioch Unified School District; Contra Costa County Fire Protection District; Delta Diablo Sanitation District). The primary objective of this communication will be to:

- (1) Identify opportunities for joint programs to further common interests in a cost efficient manner;
 - (2) Assist outside agencies and the City of Antioch to understand each other's interests, needs, and concerns; and
 - (3) Resolve differences in these interests, needs, and concerns between Antioch and other agencies in a mutually beneficial manner.
- d. Support and promote inter-jurisdictional programs to integrate and coordinate the land use and circulation plans of area municipalities and the County, and to establish an ongoing inter-jurisdictional process for reviewing development proposals and mitigating their inter-jurisdictional impacts based on the principle that it is not appropriate for a jurisdiction, in approving a development project, to *internalize* its benefits and *externalize* its impacts.
- e. Continue to refer major planning and land use proposals to all affected jurisdictions for review, comment, and recommendation.
- a. Maintain an inventory of employment-generating lands, providing for a variety of office-based, industrial, and commercial (retail and service) employment opportunities.¹
 - b. Maintain an inventory of residential lands that provides for a broad range of housing types including executive housing in both urban and rural settings, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing².
 - (1) Provide a balance between the types and extent of employment-generating lands planned within the City of Antioch with the types and intensity of lands planned for residential development.
 - (2) Encourage businesses to locate and expand within Antioch through an aggressive economic development program that provides essential information to prospective developers and businesses, along with tangible incentive programs for new and expanding businesses.

3.8 BALANCING EMPLOYMENT AND HOUSING OPPORTUNITIES

3.8.1 Employment and Housing Balance Objective

Achievement of a balance between housing and employment opportunities within Antioch, providing the opportunity for households of all income levels to both live and work in Antioch.

3.8.2 Employment and Housing Balance Policies

¹ This inventory, including identification of locations for employment-generating uses and the types and intensity of development appropriate for each location, is provided in the Land Use Element.

² The Land Use Element delineates the inventory of residential lands, and defines appropriate housing types and development intensities. One of the primary objectives of the Land Use Element is to increase opportunities for local employment for existing and future residents. Specific plans and programs to accomplish this objective are set forth in that Element. The primary objective of the Housing Element is to provide housing opportunities at all income levels.

ATTACHMENT "G"

Report

City of Antioch Development Impact Fee Study

The Economics of Land Use



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City of Antioch

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1. INTRODUCTION AND RESULTS

This Antioch Development Impact Fee Report provides the City of Antioch with the necessary technical documentation to support the adoption of an updated Citywide Development Impact Fee Program and Quimby Act Parkland In-Lieu Fee. It was originally prepared by Economic & Planning Systems, Inc. (EPS) with input from City staff in April 2013 and was recently updated in August 2013. Impact fees are one-time charges on new development collected and used by the City to cover the cost of capital facilities and infrastructure that are required to serve new growth. The fees are typically collected upon issuance of a building permit.

The Fee Program described in this Report is based on growth projections and infrastructure requirements and is consistent with the most recent relevant case law and the principles of AB 1600 (the Mitigation Fee Act)/Government Code Section 66000 et seq (except where specific citations are provided, this statute will be referred to in this Report as AB 1600). New public facilities and infrastructure will be necessary to accommodate growth in the City. This report quantifies the proportionate share allocation of the proposed capital facilities to new growth in the City of Antioch. The capital facility requirements and their costs are based on capital needs associated with adequate City staffing levels.¹

This Report provides the nexus findings and analysis and the associated calculations of the maximum supportable citywide fees that could be charged. The City may elect to adopt fees below the maximum supportable level based on economic or policy considerations. For example, the City may choose to reduce the fees in specific locations or on certain types of uses to encourage new development in underutilized areas or to promote certain residential densities. Such fee reductions would either require a reduction in the overall capital facilities standards or the identification of alternative sources of capital funding.

Report Organization

Following this introductory chapter, **Chapter 2** discusses the development capacity estimates and forecasts used in this analysis. **Chapter 3** provides the necessary nexus findings for the different sets of capital facilities and cost estimates, and describes the allocation of costs between existing and new development. **Chapter 4** describes the allocation of parkland costs to new development under the Quimby Act. **Chapter 5** shows the resulting maximum fee schedule by land use consistent with AB1600 and the Quimby Act. It also presents a comparison of the City development impact fees with those in selected other jurisdictions.

Report Background and Legal Context

This Report is designed to provide the necessary technical analysis supporting a schedule of fees to be established by an Impact Fee Ordinance and Resolution and through the Quimby Act. The City currently has an Impact Fee Ordinance that enables the collection of fees for traffic and

¹ Because of the current economic downturn, City staffing levels and some capital equipment levels are below the levels required to serve the City's existing residents and businesses.

neighborhood parks and recreation. The updated Fee Schedule, if approved, will need to be enacted through the adoption of a new City Ordinance(s) supporting the update of the parks in-lieu fee and adding new fee categories for general government/administration, public works facilities, police, and a community parks and recreation fee. This analysis does not include an update to the City's existing traffic signal fee. The new enabling Ordinance would allow the City to adopt, by Resolution, a fee schedule consistent with the supporting technical analysis and findings provided in this Report. The Resolution approach to setting the fee allows periodic adjustments of the fee amount that may be necessary over time, without amending the enabling Ordinance.

The Fee Program developed in this Report is designed to fund a portion of the capital facilities costs associated with citywide administration, public works, police, and parks and recreation. The key requirements of AB 1600 that determine the structure, scope, and amount of the proposed Fee Program are as follows:

- **Collected for Capital Facility, Equipment, and Infrastructure Improvements.** Impact fee revenue can be collected and used to cover the cost of constructing capital facilities and infrastructure improvements required to serve new development and growth in the City. However, impact fee revenue cannot be used to cover the operation and maintenance costs of these or any other facilities and infrastructure.
- **Cannot Fund Existing Needs.** Impact fee revenue cannot be collected or used to cover the cost of existing needs/deficiencies in City capital facilities or infrastructure. Thus, the cost of capital projects or facilities designed to meet the needs of the City's existing population must be funded through other sources. The costs associated with improvements that serve the needs of both new development and the existing development are split on a "fair share" basis according to the proportion attributable to each. Thus, Fee Program funding may need to be augmented by other revenue sources to meet overall funding requirements.
- **Must Be Based on a Rational Nexus.** An impact fee must be based on a reasonable nexus, or connection, between new growth and development and the need for a new facility or improvement. As such, an impact fee must be supported by specific findings that explain or demonstrate this nexus. In addition, the impact fee amount must be structured such that the revenue generated does not exceed the cost of providing the facility or improvement for which the fee is imposed.

In addition, the in-lieu parkland fee was developed and refined in this report consistent with the requirements of the Quimby Act.

This report was originally prepared by EPS in April 2013 and was based on a range of data and estimates developed in the 2011-2012 timeframe. It has subsequently been revised to exclude the development of Roddy Ranch due to the site's sale to the East Bay Regional Park District. The analysis was also adjusted from 2012 to 2013 dollars for certain construction and equipment costs².

² EPS inflated general cost estimates based on the consumer price index (CPI) for the San Francisco Metropolitan Statistical Area reported by the Bureau of Labor Statistics. The CPI rate is similar to the

Key Issues and Assumptions

The results of this analysis are based on a variety of conditions and assumptions regarding facility costs, service standards, growth projections, and facility demand. Assumptions are covered in detail in later chapters, though some of the key issues are summarized below:

- **Service Standards.** As part of this analysis, EPS estimates projected growth will generate demand for public facilities using existing or policy-defined "service standards". Service standards relate the required infrastructure/capital facility to the categories (residents, employees) that represent the primary source of demand for the facility in question. Service standards differ by the type of infrastructure/capital facility. For example, Community Center demand is primarily generated by residential development, so this report calculates the "existing Community Center space per 1,000 population" as the relevant service standard. Given the current economic downturn, some of the City's existing provision of services and associated capital facilities fall below the level required to adequately serve the population. This report quantifies the gap in capital facilities provision associated with existing development, where appropriate, as well as the new cost to be funded by new development.
- **Capital Improvement Program.** Based on the service standards and identified capital facility needs, the City of Antioch adopted *the City of Antioch 5-Year Capital Improvements Program 2012-2017* report that includes a specific listing of development impact fee-eligible projects as a basis for the fee calculation. These individual projects may be altered or replaced over time (with other qualifying projects).
- **Cost Estimates.** The fee calculations embody facility cost and land value assumptions that have been developed based on City staff and engineer estimates, EPS research and prior experience, County Assessor records, and real estate broker interviews and sale listings. All figures are provided in constant 2013 dollars. In some cases, the estimates reflect data from other cities or previous projects developed in Antioch.
- **Cost Allocation.** This analysis allocates the cost of future capital improvements and facilities between new and existing development as appropriate. It also allocates costs between single-family, multifamily, and nonresidential land use categories. The cost allocation estimates are based on the relative demand or fair share contribution of each land use category to the need for the facilities included. For parks and recreation facilities and parkland acquisition/Quimby Act costs demand is population-driven with costs allocated between residential development land use categories only. For other capital facilities, costs are also allocated to nonresidential development as businesses/employees will comprise a portion of facility demand.
- **Socioeconomic Data and Projections.** The impact fee calculations were based on residential and nonresidential development projections provided by City staff. The development forecasts reflect potential new development within the City limits through

construction cost index over the last 12 months reported by Engineering News Record, a 20-city cost index often used for inflating construction-related costs. Some cost estimates were not adjusted, e.g. police station and land value acquisition estimates, where the existing cost estimates were considered appropriate.

buildout based on the City of Antioch Adopted General Plan.³ Capital improvement program requirements were tied to or based on these development forecasts to ensure correspondence between new capital facilities and new development. Estimates of existing and new residents and jobs were derived based on these development forecasts and population and employment density factors determined using the Department of Finance (DOF) and the Association of Bay Area Governments (ABAG) population and jobs data. If the growth projections do not materialize as expected, the corresponding facilities will not be needed or impact fee revenue will not be sufficient to pay for facilities that were built in advance to accommodate projected future needs. Consequently, the estimates of development and population should be periodically reviewed and updated.

Summary of Fee Program

Updated Development Impact Fees

Table 1 shows the existing City development impact fee/park in-lieu fee schedule and the updated maximum fee schedule based on the nexus findings and analysis contained in this report. Fees apply to new development inside the City limits. The existing fee structure is nuanced given the City of Antioch's enacted Residential Development Allocation Ordinance in 2002, requiring developers to obtain allocations for residential units before granting entitlements and building permits. The nexus-based approach outlined in this analysis is designed to amend the existing fee structure, including the residential development allocation process, with a more streamlined development implementation in the City.

As shown in **Table 1**, the traffic signal fee has not been updated. New fees have been introduced for general administration, public works, police, and parks and recreation facilities (separate from Quimby Act/park in-lieu fees). The new fee schedule includes a maximum of \$7,198 per single-family unit, \$4,692 per multifamily unit, and \$0.77 per non-residential square foot. This fee schedule represents a maximum increase of \$5,786 per single-family unit, \$3,665 per multifamily unit, and \$0.31 per nonresidential square foot of new building space. The nonresidential category covers office/commercial and business park/industrial development. The cost of administering the Fee Program reflected in the fee schedule is based on 3 percent of the cost, which falls within a reasonable range typically charged through development impact fees for administrative expenses.⁴

³ November 24, 2003, page 4-15.

⁴ The 3 percent administration cost is designed to cover the costs of preparation of the development impact fee and subsequent updates as well as the required reporting, auditing, collection and other annual administrative costs involved in overseeing the program. Development impact fee programs throughout California have applied additional administrative charges similar to the one proposed here; applies to general administration, public works, police, and parks and recreation fees.

Table 1

Existing and Maximum Updated Fee Schedule
Antioch Development Impact Fee Study; EPS# 20001

Item	Single Family (per unit)	Multifamily (per unit)	Non-Residential (per sq.ft.)
Existing City Fees			
Traffic Signal	\$362	\$362	\$0.46 (1)
Park In-Lieu Fee	<u>\$1,050</u>	<u>\$665</u>	<u>\$0.00</u>
Total	\$1,412	\$1,027	\$0.46
Maximum Updated City Fee			
Traffic Signal (2)	\$362	\$362	\$0.46
General Administration (3)	\$458	\$290	\$0.07
Public Works (3)	\$443	\$281	\$0.06
Police (3)	\$1,186	\$752	\$0.18
Parks and Recreation (3)	\$3,249	\$2,057	\$0.00
Park In-Lieu/ Quimby Act	<u>\$1,500</u>	<u>\$950</u>	<u>\$0.00</u>
Subtotal	\$6,836	\$4,330	\$0.31
Total	\$7,198	\$4,692	\$0.77
Overall Maximum City Fee Increase			
Net Increase	\$5,786	\$3,665	\$0.31

- (1) Traffic signal fee varies by non-residential land use. Illustrative fee level shown is potential trip-based fee for office development.
 (2) Traffic signal fee was not part of update so no change was made.
 (3) An administrative fee cost of 3% is included.

Source: City of Antioch; Economic & Planning Systems, Inc.

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As stated above, these new fee increases will be introduced along with a proposal to amend the current Residential Development Allocation Ordinance and associated development charges. The fees summarized above are the maximum fees that the City may levy, as calculated in this analysis. As described in later sections, however, the City may voluntarily reduce any or all of the fees based on policy considerations.

Implementation and Administration

Annual Review

This Report and the technical information it contains should be maintained and reviewed periodically by the City as necessary to ensure Impact Fee accuracy and to enable the adequate programming of funding sources. To the extent that improvement requirements, costs, or development potential changes over time, the Fee Program will need to be updated. Specifically, AB 1600 (at Gov. C. §§ 66001(c), 66006(b)(1)) stipulates that each local agency that requires payment of a fee make specific information available to the public annually within 180 days of the last day of the fiscal year. This information includes the following:

- A description of the type of fee in the account
- The amount of the fee
- The beginning and ending balance of the fund
- The amount of fees collected and interest earned
- Identification of the improvements constructed
- The total cost of the improvements constructed
- The fees expended to construct the improvement
- The percentage of total costs funded by the fee

If sufficient fees have been collected to fund construction of an improvement, the agency must specify the approximate date for construction of that improvement. Because of the dynamic nature of growth and infrastructure requirements, the City should monitor development activity, the need for infrastructure improvements, and the adequacy of the fee revenues and other available funding. Formal annual review of the Fee Program should occur, at which time adjustments should be made. Costs associated with this monitoring and updating effort are included in the Impact Fee and are assumed at 3 percent of costs.

Credits, Reimbursement, and Exemptions

It is recommended that, under certain and limited circumstances as determined by the City, the Impact Fee Ordinance allow developers subject to the fee to obtain credits, reimbursements, or exemptions. Fee credits, reimbursements, or exemptions should not be allowed by right but rather should be subject to a case-by-case review by City staff and Council to ensure that such credits or reimbursements are warranted and appropriate.

A fee credit – as defined by an annual cost review or other recent evaluation of cost – may be allowed if a developer provides a particular off-site facility or improvement that is of citywide benefit. For example, the City may elect to offer a fee credit to developers who provide park and recreation facilities of citywide benefit. In the event there is a discrepancy between the estimated and actual costs of construction for a project where a fee credit is being provided, if the actual construction costs are less than the estimate, the City will not reimburse the

developer for any difference between the actual and estimated costs; and if the actual construction costs are more than the estimate, the City will not provide any additional funding to the developer.

Reimbursements should be considered for developers who contribute more funding and/or build and dedicate infrastructure items that exceed their proportional obligation if the project funded is of high priority. Such reimbursements should be provided as fee revenue becomes available and should include a reasonable factor for interest earned on the reimbursable amount. It should not compromise the implementation of other priority capital projects. A provision for including such interest payments as additional costs in subsequent fees can be included in the Ordinance. Reimbursements would be granted on a discretionary basis only and not granted as a right.

The City may also elect not to impose fees for certain categories of development, though alternative funding sources to offset a loss in fee revenue would need to be provided. Fee exemption could apply if a Development Agreement would be implemented exempting all or a portion of the City fees. For example, the City may elect to exempt developers from paying fees on any affordable housing units they build. Likewise, the City may enter into a Development Agreement that specifically exempts all or a portion of the City fees.

Surplus Funds

AB 1600 also requires that if any portion of a fee remains unexpended or uncommitted in an account for five years or more after deposit of the fee, the City Council shall make findings once each year: (1) to identify the purpose to which the fee is to be put, (2) to demonstrate a reasonable relationship between the fee and the purpose for which it was charged, (3) to identify all sources and amounts of funding anticipated to complete financing of incomplete improvements, and (4) to designate the approximate dates on which the funding identified in (3) is expected to be deposited into the appropriate fund (§66001(d)).

If adequate funding has been collected for a certain improvement, an approximate date must be specified as to when construction of the improvement will begin. If the findings show no need for the unspent funds, or if the conditions discussed above are not met, and the administrative costs of the refund do not exceed the refund itself, the local agency that has collected the funds must refund them (Gov. C §66001(e)(f)).

Periodic Updates

Updates will include both an automatic annual update as well as a more periodic update of this Development Impact Fee study. It is recommended that the Impact Fee Ordinance allows for an automatic annual adjustment to the fees based on the Engineering News Record Construction Cost Index, or a similar inflation factor. Over time, development forecasts, capital facility needs, and capital facility costs will change and evolve, making periodic technical updates prudent. This fee program is based on forecasts of future development in the City as well as specific capital programs developed by the City comprised of a listing of development impact fee eligible projects. These individual projects may be altered or replaced over time (with other qualifying projects) as the City administers the Development Impact Fee Program and builds the infrastructure needed to serve new development.

Securing Supplemental Funding

The Impact Fee is not appropriate for funding the full amount of all capital costs identified in this report. The City will have to identify funding and pay for improvements related to existing and new developments and improvements not funded by the Fee Program or any other established funding source. Indeed, as part of adoption of the fee, the City is likely to adopt a finding that it will obtain and allocate funding from various other sources for the fair share of the costs of improvements identified in this report that are not funded by the Fee Program. Examples of such sources include the following:

- **General Fund Revenues.** In any given year, the City could allocate a portion of its General Fund revenues for discretionary expenditures. Depending on the revenues generated relative to costs and City priorities, the City may allocate General Fund revenues to fund capital facilities costs not covered by the Fee Program or other funding sources.
- **Infrastructure Financing Districts.** The dissolution of California Redevelopment Agencies has removed tax increment financing as a method for infrastructure financing. The City could establish an Infrastructure Financing District (IFD) to issues bonds to fund infrastructure and capital improvement projects. The IFD bonds would be backed by diverted property tax increment revenues from the City's share of property tax. The City Council would need to approve the establishment of the IFD and the majority of voters/landowners in the district must approve. An IFD, unlike a redevelopment area, does not require the property to be blighted, though it cannot overlap with a redevelopment area. As is the case with redevelopment areas, the diversion of property tax has implications for the fiscal impact of new district development on the City's General Fund. While becoming more common, the procedural steps to implementation are cumbersome, though bills designed to simplify the process are under review by the California legislature.
- **Assessments and Special Taxes.** The City could fund a portion of capital facilities costs using assessments and special taxes. For example, the establishment of a Community Facilities District would allow the City to levy a special tax to pay debt service on bonds sold to fund construction of capital facilities or to directly fund capital facilities.
- **State or Federal Funds.** The City might seek and obtain grant of matching funds from State and Federal sources to help offset the costs of required capital facilities and improvements. As part of its funding effort, the City should research and monitor these outside revenue sources and apply for funds as appropriate.
- **Other Grants and Contributions.** A variety of grants or contributions from private donors could help fund a number of capital facilities. For example, private foundations and/or charity organizations may provide money for certain park and recreation or cultural facilities.

2. DEVELOPMENT FORECAST

This chapter presents estimates of existing and future development in the City of Antioch, and associated demographic and job growth that support the development impact fee calculations. Estimates of existing and new development were provided by the City and converted into population and job estimates based on established sources as described below. These estimates were also used to drive specific cost allocations in the fee calculations. Key components of these estimates are described below.

Residential Development and Population Growth

As shown in **Table 2**, residential development in the City is expected to increase from about 34,000 units to 44,800 units, a growth of about 10,800 units through General Plan buildout. The residential growth is expected to include about 5,900 single-family units and 4,900 multifamily units. Residential growth assumptions were developed by the City of Antioch based on existing development capacity for residential uses, including the buildout of the Hillcrest Station Area⁵. Overall, 80 percent of the total capacity was assumed to materialize to account for uncertainties in site-specific development opportunities.⁶ **Table 3** provides the detailed estimates of residential development capacity. The City recognizes that this forecast is substantially higher than ABAG's 2012 Adopted Draft SCS Household Projections for the City of Antioch through 2040 and is based on the City's General Plan projections and regulatory framework rather than ABAG's regional allocation methodology.

Table 2 also shows estimates of existing and new population associated with the residential development. Existing population is based on California Department of Finance 2013 data and future population is projected based on future household size assumptions from the adopted General Plan and subsequent Specific Plans. As shown, a total of about 26,900 persons are expected to be associated with the new residential development, representing a 25.6 percent increase over the current population and 20.4 percent of the estimated buildout population. Based on current projections, about 65 percent of the new population is expected to occupy new single-family development and 35 percent to occupy new multifamily development.

⁵ Roddy Ranch is excluded from the future development capacity due to the site's recent sale to the East Bay Parks District.

⁶ The City has indicated this is a conservative assumption designed to reflect the fact that the City's major residential projects may result in a lower number of units relative to the maximum total because of various site-specific and broader constraints and economic issues.

Table 2
Existing and Projected Housing and Population Growth
City of Antioch Development Impact Fee Study; EPS #20001

Item	Existing	New		Buildout	Increase	
		Total	Distribution		Buildout over Existing	New over Existing
Housing Units (1)						
Single Family	28,140	5,859		33,999	120.8%	20.8%
Multifamily	<u>5,861</u>	<u>4,904</u>		<u>10,765</u>	<u>183.7%</u>	<u>83.7%</u>
Total	34,001	10,763		44,764	131.7%	31.7%
Persons per Household (2)						
Single Family	na	3.0		na	na	na
Multifamily	na	<u>1.9</u>		na	na	na
Total	3.1	2.5		2.9	na	na
Population						
Single Family	na	17,578	65%	na	na	na
Multifamily	na	<u>9,318</u>	<u>35%</u>	<u>na</u>	<u>na</u>	<u>na</u>
Total	105,117	26,896	100%	132,013	125.6%	25.6%
Allocation (3)	79.6%	20.4%		100%		

(1) Excludes mobile homes; [see Table 3]; projections for new growth are based on the Adopted General Plan.

(2) Persons per household assumptions for new development are based on the Antioch Municipal Code.

(3) Varies from the increase over existing estimate as allocation is calculated on a future base rather than existing population total.

Sources: California Department of Finance, City of Antioch, and Economic & Planning Systems, Inc.

Table 3
Antioch's Residential Development Capacity Estimate
City of Antioch Development Impact Fee Study; EPS #20001

Item	Single Family	Multifamily	Total
2003 General Plan Buildout	33,012	13,821	46,833
Hillcrest E-BART Station Specific Plan	0	2,500	2,500
Subtotal	33,012	16,321	49,333
Adjustment (1)	4,330	(4,330)	0
Adjusted Total	37,342	11,991	49,333
(less) Existing Units (2)	28,140	5,861	34,001
Total Development Capacity	9,202	6,130	15,332
(less) Vested Units	1,878	0	1,878
Subtotal	7,324	6,130	13,454
(less) Undeveloped Factor (3)	1,465	1,226	2,691
Net Remaining Capacity	5,859	4,904	10,763

(1) Reflects a density adjustment from multifamily to single family units for the medium density designation.

(2) Estimate of existing units based on County Assessor parcel information and the City's GIS program.

(3) Reflects 80 percent of the total development capacity likely to materialize. This is a conservative assumption that reflects that the City's major residential projects may result in a lower number of units relative to the maximum total due to various site-specific and other external factors.

Sources: DOF, City of Antioch, and Economic & Planning Systems, Inc.

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Nonresidential Development and Job Growth

As shown in **Table 4**, existing nonresidential development, including office/commercial and business park/industrial development, is estimated at 15.0 million square feet. According to ABAG, there are currently about 20,160 jobs, implying an overall average of about 742 square feet per job. The City has also forecast future nonresidential development of about 22.6 million square feet based on a review of development opportunities and capacity. Assuming a similar average square feet per job, an additional 30,400 jobs could be accommodated in the City through buildout. This represents a growth of 151 percent in jobs with new jobs representing 60.2 percent of total jobs at buildout. The City recognizes this forecast is substantially higher than ABAG's 2012 Adopted Draft SCS Job Projections for the City of Antioch through 2040 due to differences in forecasting methodology.⁷

Existing and New Service Population

Service population is a service measure commonly used to incorporate job as well as resident growth into allocations of capital facilities demand and associated costs. Employees tend to demand a smaller set of services than residents and, as such, their demand weighting is typically discounted. Service population estimates for the City of Antioch were derived based on a weighting of one for residents and one-third for employees⁸. As shown in **Table 4**, this results in a current service population of about 112,000 with a forecast increase of about 37,000. This increase represents a 33.1 percent increase over existing service population and 24.9 percent of estimated buildout service population.

Allocation Factors

Allocations of new development's fair share cost between different land use categories are based on different metrics of capital facilities demand. As shown in **Table 5**, service population is used as the allocation methodology for general administration, public works, and Police capital facilities. Demand for these facilities will be driven by both new residential and nonresidential development. Population is used as the measure of demand for parks and recreation as new residents will drive the primary need for these new facilities. Similarly, consistent with the Quimby Act, the parkland in-lieu fee is based on population growth. These factors are applied in the fee calculations presented in subsequent chapters.

⁷ The City's forecast is based on City development capacity and City growth expectations. By comparison, ABAG's regional growth allocation forecasts and the associated geographic focus of jobs are expected to under-estimate future job growth in the City.

⁸ Service population is a commonly used measure that estimates service needs based on relative demand generated by residents and employees.

Table 4
Existing and Projected Job Estimates and Service Population Estimates
City of Antioch Development Impact Fee Study; EPS #20001

Item	Existing	New	Buildout	Increase	
				Buildout over Existing	New over Existing
Non-Residential Development/ Jobs					
Non-Residential Development (1) Building Square Feet	14,966,714	22,594,816	37,561,530	251.0%	151.0%
Average Square Feet per Job (2)	742.4	742.4	742.4		
Jobs (3)	20,160	30,435	50,595	251.0%	151.0%
Allocation (4)	39.8%	60.2%	100%		
Service Population by Land Use Category (5)					
Single Family Population (6)	105,117	17,578		47%	
Multi Family Population (6)		9,318		25%	
Non-Residential Employees	6,720	10,145		27%	
Service Population (5)	111,837	37,040	148,877	133.1%	33.1%
Allocation (4)	75.1%	24.9%	100%		

(1) Based on City of Antioch GIS Division estimates of existing business park/ industrial and office/ commercial building square feet in City as well as expected non-residential development at buildout.

(2) Average square feet per job is derived based on the ABAG Projections 2009 job estimate for 2010 and City estimate of existing building square feet.

(3) Existing jobs from ABAG Projections 2009. New jobs estimated by applying existing square feet per job to City forecast of new building square feet.

(4) Varies from the increase over existing estimate as allocation is calculated on a future base rather than existing population total.

(5) Service population is based on the following ratios: 1 resident = 1 service person; 1 employee = 1/3 service person. Service population is used as a standard for cost allocation when capital facilities serve both residents and employees.

(6) Existing single family and multi-family population grouped together and equal 105,117 as shown in Table 2.

Sources: City of Antioch; ABAG 2009 Projections; Economic & Planning Systems, Inc.

Table 5
Cost of New Development Fair Share Cost by Land Use
City of Antioch Development Impact Fee Study; EPS #20001

Item	Allocation Methodology	Residential Development		Non-Residential Development	Total
		Single Family	Multi Family		
General Administration	Service Population	47.4%	25.2%	27.4%	100.0%
Public Works	Service Population	47.4%	25.2%	27.4%	100.0%
Police	Service Population	47.4%	25.2%	27.4%	100.0%
Parks and Recreation	Population	65.4%	34.6%	0.0%	100.0%
Parkland (Quimby Act)	Population	65.4%	34.6%	0.0%	100.0%

Sources: City of Antioch; and Economic & Planning Systems, Inc.

3. AB1600 NEXUS FINDINGS AND COST ALLOCATIONS

This chapter is divided into four sections corresponding to the following capital facilities categories:

- General Administration
- Public Works
- Police Facilities and Equipment
- Parks and Recreation Facilities

For each development impact fee category, the necessary "nexus" between new development in Antioch and the proposed capital facilities is described, as required under Government Code Section 66000 (AB1600). Nexus findings address: 1) the ***purpose*** of the fee and a related description of the facility for which fee revenue will be used; 2) the specific ***use*** of fee revenue; 3) the ***relationship*** between the facility and the type of development; 4) the relationship between the ***need*** for the facility and the type of development; and 5) the relationship between the amount of the fee and the ***proportionality*** of cost specifically attributable to new development. In addition, the methodology and technical calculations for determining existing deficiencies and future needs and the associated "fair share" allocation of costs to new development are provided. **Chapter 5** builds from these findings and analyses to estimate maximum supportable development impact fees. Parkland in-lieu fees under the Quimby Act are addressed in **Chapter 4**.

General Administration

The General Administration development impact fee will cover new development's share of the costs associated with new administrative facilities, land acquisition, general vehicles, and information technology equipment. New capital facilities will be required as the City's service population increases. The subsections below describe the nexus findings and the technical cost allocation analysis for the proposed General Administration capital facilities fee category.

Nexus Findings

Purpose

The fee will help maintain adequate levels of general administration service in the City of Antioch, including adequate City Hall and Council Chamber space and associated land needs as well as adequate service vehicles and technology utilized by the general government staff.

Use of Fee

Fee revenue will be used to fund expansion of civic space, acquisition of vehicles and technology, and land purchase for new public space attributed to demand from new growth.

Relationship

New development in Antioch will increase the City's demand for City Hall and Chamber space and associated land needs as well as service vehicles and information technology. Fee revenue will be used to fund the expansion of these facilities.

Need

Each new development project will add to the incremental need for general administration facilities described above. Improvements considered in this study are estimated to be necessary to maintain the City's effective service standard (i.e., ratio of general administration to service population).

Proportionality

The new facilities and costs allocated to new development are based on the existing ratio between the City's service population and its current General Administration capital facilities, vehicles, and equipment. In other words, the scale of the capital facilities and associated costs are directly proportional with the expected levels of new development and the existing relationship between service population and General Administration facilities. For general administration vehicles, a similar approach is utilized, but is based on the City's required number of vehicles rather than the existing number. Because of the current fiscal conditions, the City's existing vehicle fleet falls below the adequate level with the City intending to purchase an additional five vehicles when fiscal conditions improve. The cost of the vehicles required to backfill the City's existing deficiency is not allocated to be funded by new development.

Cost Allocation Analysis

The expected demand for additional administrative facilities, associated land, and vehicles is shown in **Table 6**, along with associated cost estimates and cost allocations to new development. As shown, a total of \$5.5 million in costs can be allocated to new development in the City of Antioch. Approximately \$90,000 will be required through other funding sources to address existing vehicle deficiencies.

- **Facilities.** The City owns its City Hall and Council Chamber that comprise about 32,700 square feet. It is assumed that demand for new space will be proportional to service population growth, an increase of 33.1 percent, as shown in **Table 4**. As a result, a nearly 10,800 square feet of new facility space will be required through buildout. The development cost, for new facility space, estimated based on comparable jurisdictions, is around \$460 per square foot, resulting in the new facility cost of \$5.0 million attributed to the impact fee.
- **Land Acquisition.** In addition to development of new facilities, the City will need to acquire land for these facilities. This analysis assumes that new space would have an average density of 0.3 floor-to-area ratio (FAR), resulting in the need for an additional 0.83 acres of land⁹. Based on an average nonresidential land value of approximately \$150,000 per acre, this results in a land acquisition cost of about \$124,000 attributable to new development.

⁹ While FAR's vary, an FAR of 0.3 reflects a typical nonresidential building density average.

Table 6
General Administration Capital Facilities Improvement and Costs
City of Antioch Development Impact Fee Study; EPS #20001

Item	Existing	Buildout (1)	New (2)	New Allocated to New Development (3)	Unit Cost	Cost Allocated to New Dev't (rounded)
<u>Facilities (sq.ft.)</u>						
City Hall	32,675	43,497	10,822	10,822	\$460 per sq.ft.	\$4,978,000
<u>Land Purchase (acres)</u>	2.50	3.33	0.83	0.83	\$150,000 per acre (4)	\$124,000
<u>Vehicles</u>	28 (5)	37	9	9	\$17,900 per vehicle	\$161,000
<u>Information Technology (6)</u>						
Servers	20	25	5	5	\$12,200 per item	\$61,000
Data/phone network switches	41	45	4	4	\$8,250 per item	\$33,000
Data/phone UPS units	30	35	5	5	\$2,000 per item	\$10,000
Network routers/firewalls	5	7	2	2	\$8,000 per item	\$16,000
Data tape backup units	8	10	2	2	\$5,000 per item	\$10,000
Network /disk based data backup units	3	5	2	2	\$30,500 per item	\$61,000
Data network storage devices	3	6	3	3	\$15,333 per item	\$46,000
Subtotal	110	133	23	23		\$237,000
Total Cost						\$5,500,000

(1) Buildout estimates are either estimated based on the proportionate projected service population increase by buildout of 33.1 percent, as shown in Table 4, or on specific buildout needs provided by City departments.

(2) Represents the difference between "Buildout" and "Existing".

(3) Represents the quantity of new capital facilities that can be allocated to new development. In cases where the provision of proposed new facilities will increase the service standards for existing residents/ businesses, the "new allocated to new development" will be less than the total "new".

(4) Reflects commercial land value based on review of land sales data from CoStar, County Assessor, Loopnet, real estate broker interviews.

(5) Represents the level of vehicles required to support existing population. However, due to the current fiscal conditions the City currently has 23 vehicles.

The City intends to buy an additional 5 vehicles (estimated at \$89,500) when fiscal conditions improve. This cost cannot be charged to new development.

(6) City staff have indicated that the existing equipment is sufficient to serve needs of existing service population and new IT equipment will be required to serve new development. City staff also indicated that IT items listed have a life span of at least 5 years.

Sources: City of Antioch and Economic & Planning Systems, Inc.

- **Vehicles.** The demand for vehicles generated by future growth is calculated based on existing vehicle inventory requirements. The City currently needs 28 vehicles. However, the City has 23 vehicles, below the desired existing requirement because of the current fiscal conditions. While the City will have to fund the service improvement for five vehicles from non-impact fee sources, new growth would contribute to additional demand for ten new vehicles based on its fair share of service population increase. Based on the market cost of new vehicles provided by the Fleet Supervisor of the Public Works Department, these vehicles will result in a new cost of \$161,000 attributed to the development impact fee, with an additional \$90,000 associated with the City's existing deficiency that will need to be funded through other funding sources.
- **Information Technology (IT).** The City will need to acquire new equipment to provide services to new residents.¹⁰ The City has provided the set of equipment required to serve new service population growth. This level of new equipment does not represent an increase in overall information technology service standards and can be fully applied to new development. As shown in **Table 4**, an additional cost of \$237,000 is attributed to the impact fee.

Public Works

The Public Works development impact fee will cover new developments' share of the costs associated with new/expanded corporation yard, building space, a garbage ramp, and Public Works vehicles. New capital facilities will be required as service population increases. The subsections below describe the nexus findings and the cost allocation analysis for the proposed Public Works capital facilities fee category. The City is funding a proportional share of increase in capacity expansion of the Contra Costa County Water District's Randall-Bold water treatment plant. The impact of this expansion is not included in this analysis as the capital and operating cost increase is likely to be recovered through user fees.

Nexus Findings

Purpose

The fee will help maintain adequate levels of Public Works service in the City of Antioch, including adequate corporation yard space and facilities as well as a garbage ramp and vehicles necessary for Public Works operation.

Use of Fee

Fee revenue will be used to fund the expansion of corporation yard space, facilities, garbage ramp, and vehicles.

¹⁰ Equipment includes servers, data/phone network switches, data/phone UPS units, network routers/firewalls/data tape backup units, network/disk-based data backup units, and data network storage devices.

Relationship

New development in Antioch will increase demand for Public Works Department services and the associated capital facilities and equipment.

Need

Each new development project will add to the incremental need for Public Works services associated with new roadways, sidewalks, medians, and trees. Current Public Works capacity is only adequate for existing residents so the City must acquire new facilities and equipment to continue to provide the same level of service. The improvement costs included in this study are necessary for the City to maintain its current levels of service.

Proportionality

The costs allocated to new development are based on the expected level of new development and the existing ratio between yard space, building space and garbage ramp costs, and service population. In other words, the scale of the capital facilities and associated costs are directly proportional with the expected levels of new development and the existing relationship between service population and Public Works costs. For vehicles, a similar approach is utilized, but is based on the City's required number of vehicles rather than the existing number. Because of the current fiscal conditions, the City's existing vehicle fleet falls below the adequate level with the City intending to purchase an additional six vehicles when fiscal conditions improve. The cost of the vehicles required to backfill the City's existing deficiency is not allocated to be funded by new development.

Cost Allocation Analysis

The expected demand for additional Public Works yard, building space, a garbage ramp, and vehicles is shown in **Table 7**, along with associated cost estimates and cost allocations to new development. As shown, a total of \$5.3 million in costs can be allocated to new development in Antioch. About \$379,000 will be required from other funding sources to cover existing garbage ramp and vehicle deficiencies as well as existing development's fair share of the proposed bucket truck.

- **Corporation Yard and Building Space.** Existing facilities consist of a corporation yard and the Department's buildings. Service standards are established using the existing service population factor described above to estimate future needs associated with new growth with costs provided by the City staff. These assumptions result in the need for an additional 6.1 acres of land and about 12,500 square feet of building space. An assumed nonresidential land value of \$150,000 per acre and an estimate of facility space development costs of \$205 per square foot based on comparable jurisdictions yield a total cost of \$914,000 for the yard and \$2.6 million for building space, all allocable to new development.
- **Garbage Ramp.** The City will need four garbage ramps at buildout in order to serve existing and new development. While the City currently has two garbage ramps, this analysis assumes that new development will be responsible for its fair share of the total cost at buildout based on service population. This results in the cost of \$102,000 allocated to new development with the remaining \$102,000 to be covered through other funding sources.

Table 7
Public Works Capital Improvement Needs
City of Antioch Development Impact Fee Study; EPS #20001

Item	Existing	Buildout (1)	New (2)	New Allocated to New Development (3)	Unit Cost	Cost Allocated to New Dev't (rounded)
Yard Area (acres)	18.40	24.49	6.09	6.09	\$150,000 per acre (4)	\$914,000
Building Space	37,843	50,377	12,534	12,534	\$205 per sq.ft. (5)	\$2,568,000
Garbage Ramp (6)	2.00	4.00	2.00	1.00	\$102,000 per unit	\$102,000
Public Works Vehicles (7)						
General	169	225	56	56	\$22,000 per vehicle	\$1,232,000
Utility Truck (8)	40	45	5	5	\$41,000 per vehicle	\$205,000
10-Wheel Dump Truck (8)	6	7	1	1	\$102,000 per vehicle	\$102,000
Backhoe (8)	3	4	1	1	\$102,000 per vehicle	\$102,000
Pickup (8)	16	18	2	2	\$22,000 per vehicle	\$44,000
Bucket Truck (9)	1.00	2.00	1	0.50	\$92,000 per vehicle	\$46,000
Subtotal	235	301	66	65.50		\$1,731,000
Total Cost						\$5,315,000

(1) Buildout estimates are either estimated based on the proportionate projected service population increase by buildout of 33.1 percent, as shown in Table 4, or on specific buildout needs provided by City departments.

(2) Represents the difference between "Buildout" and "Existing".

(3) Represents the quantity of new capital facilities that can be allocated to new development. In cases where the provision of proposed new facilities will increase the service standards for existing residents/ businesses, the "new allocated to new development" will be less than the total "new".

(4) Reflects commercial land value based on review of land sales data from CoStar, County Assessor, Loopnet, real estate broker interviews.

(5) Reflects typical development cost per square foot (excluding land cost) for Class B office space.

(6) City has indicated that two additional garbage ramps are required to meet the needs of buildout development. Based on the current numbers of garbage ramps per service population, not all of the cost of the two new garbage ramps can be allocated to new development. As shown, the equivalent of 1.0 garbage ramps can be allocated to new development, while the remaining 1.0 (\$102,000) is attributable to existing development.

(7) "Existing" represents the level of vehicles required to support existing service population. Due to the current fiscal conditions the City has six fewer vehicles than shown here. The City intends to buy these additional six vehicles (2 general, 1 utility truck, 1 10-Wheel Dump Truck, and 2 pickups) (estimated at \$231,000) when fiscal conditions improve. This cost cannot be charged to new development.

(8) Net new vehicle estimates are based on input from City staff; these estimates are below those proportionally supported by service population growth due to the current fiscal conditions and the City having fewer vehicles than shown here.

(9) City has indicated that one additional bucket truck is required to meet the needs of buildout development. Based on the current numbers of garbage trucks per service population, not all of the cost of the new bucket truck can be allocated to new development. As shown, the equivalent of 0.48 bucket trucks can be allocated to new development, while the remaining 0.52 (about \$48,000) is attributable to existing development.

Sources: City of Antioch and Economic & Planning Systems, Inc.

- **Vehicles.** The demand for general Public Works vehicles generated by future growth is calculated based on existing inventory requirements and is increased in proportion to service population growth. The City currently needs 235 vehicles (including general and specialized vehicles), though because of current fiscal conditions, has only 229 vehicles. While the City will have to fund the existing deficiency of 6 vehicles from other funding sources, a total of 65.5 new general vehicles will be attributable to new growth through buildout. For general vehicles, utility trucks, 10-wheel dump trucks, backhoe, and pickup trucks, the need for additional vehicles is greater than the proportional service population increase attributable to new development. For bucket trucks, which will be required to serve existing and new development, the new development's cost share is estimated based on its service population at buildout. The resulting vehicle acquisition cost to the development impact fee is approximately \$1.7 million.

Police Facilities and Equipment

The Police Facilities development impact fee will cover new development's share of the costs associated with a range of capital facilities, including Police stations, vehicles and other equipment. New capital facilities will be required as the City's service population increases. The subsections below describe the nexus findings and the technical cost allocation analysis for the proposed Police capital facilities fee category.

Nexus Findings

Purpose

The fee will help maintain adequate levels of Police facilities, vehicles, and other equipment necessary for adequate Police service provision in the City of Antioch.

Use of Fee

Fee revenue will be used to fund expansion of existing Police station and animal services facilities and acquire new vehicles and specialized equipment attributable to demand from new development.

Relationship

New development in Antioch will increase the City's demand for Police service. Fee revenue will be used to fund additional capacity that will facilitate expansion of these items.

Need

Each new development project will add to the incremental need for Police facilities, vehicles, and equipment. Improvements considered in this study are estimated to be necessary to maintain the City's effective service standard (i.e., ratio of Police facilities to service population).

Proportionality

The new facilities and costs allocated to new development are based on the existing ratio between the City's service population and its current Police capital facilities, vehicles, and equipment. In other words, the scale of the capital facilities and associated costs are directly

proportional with the expected levels of new development and the existing relationship between service population and Police facilities. For Police vehicles, a similar approach is utilized, but is based on the City's required number of vehicles rather than the existing number. Because of the current fiscal conditions, the Police Department's existing vehicle fleet falls below the adequate level, with the City intending to purchase an additional three vehicles when fiscal conditions improve. The cost of the vehicles required to backfill the City's existing deficiency is not allocated to new development. In addition, the need for a new SWAT vehicle and a mobile command post will improve service to both existing and new service population, so costs are allocated proportionally.

Cost Allocation Analysis

The expected demand for additional Police facilities, vehicles, and equipment is shown in **Table 8**, along with associated cost estimates and cost allocations to new development. As shown, a total of \$14.2 million in costs can be allocated to new development in Antioch. About \$463,000 will be required from other funding sources to fund existing vehicle deficiencies as well as existing development's fair share of the additional SWAT vehicle and mobile command post.

- **Facilities.** The Police Department identified a need to expand existing facilities, including its station and animal services space. EPS used building space at existing facilities (including the Community Center substation) to establish a share of new space to be funded by the proposed fee. EPS estimated the incremental new facilities attributable to new development based on the expected increase in service population, at 33.1 percent. These facilities reflect an average development cost of \$500 per square foot based on comparable projects, as shown in **Table 9**. This estimate results in the Police facility cost of approximately \$11.9 million attributed to the development impact fee.
- **Vehicles.** The demand for general Police vehicles generated by future growth is calculated based on existing vehicle inventory requirements. The City currently has 82 general vehicles, below the needed level of 85 vehicles as indicated by the Antioch Police Department. While the City will have to fund the service improvement for 3 vehicles from non-impact fee sources, new growth would require an additional demand for 25 new general vehicles based on its fair share of service population increase. Based on the market cost of new vehicles provided by the Police Department (of \$39,000 per vehicle), about \$975,000 in general vehicle costs can be attributed to new development, while about \$114,000 will be associated with the City's existing deficiency that will need to be funded through other funding sources. In addition, the Police Department will require a new SWAT vehicle to serve new development, though because it will also improve the service level to existing and new development, the cost will be allocated to both existing and new development.
- **Other.** The City will also require a mobile command post and specialized equipment, such as portable radios, guns, and technology equipment associated with new growth in the City. The mobile command post will serve existing and new development, and so it will require funding from both new development and other sources. The costs of the other specialized equipment developed by the Police Department covers only the costs associated with serving new development. These items result in the Police cost of nearly \$1.3 million attributed to the development impact fee.

Table 8

**Police Capital Improvement Needs and Costs
City of Antioch Development Impact Fee Study; EPS #20001**

Item	Existing	Buildout (1)	New (2)	New Allocated to New Development (3)	Unit Cost (4)	Cost Allocated to New Dev't (rounded)
<u>Police Department Facility (sq.ft.)</u>						
Police Department Portion	63,300 (5)	84,265	20,965	20,965		
Animal Services Portion	<u>8,700</u>	<u>11,581</u>	<u>2,881</u>	<u>2,881</u>		
Subtotal	72,000	95,846	23,846	23,846	\$500 per sq.ft.	\$11,923,000
<u>Vehicles</u>						
General	85 (6)	110	25	25	\$39,000 per vehicle	\$975,000
SWAT Vehicle (7)	1.00	2.00	1.00	0.50	\$154,000 per unit	\$77,000
Subtotal						\$1,052,000
<u>Other</u>						
Mobile Command Post (8)	0	1.00	1.00	0.25	\$359,000 per item	\$90,000
Other (9)						\$1,170,000
Subtotal						\$1,260,000
Total Cost						\$14,235,000

(1) Buildout estimates are either estimated based on the proportionate projected service population increase by buildout of 33.1 percent, as shown in Table 4, or on specific buildout needs provided by City departments.

(2) Represents the difference between "Buildout" and "Existing".

(3) Represents the quantity of new capital facilities that can be allocated to new development. In cases where the provision of proposed new facilities will increase the service standards for existing residents/ businesses, the "new allocated to new development" will be less than the total "new".

(4) Facility cost is estimated based on comparable projects as shown in Table 9; other unit costs were provided by City staff based on historic spending inflated to 2013.

(5) Includes a 5,000 square foot community center substation.

(6) Represents the level of vehicles required to support existing population. However, due to the current fiscal conditions the City has 82 vehicles. The City intends to buy an additional 3 vehicles (estimated at \$117,000) when fiscal conditions improve. This cost cannot be charged to new development.

(7) City has indicated that one additional SWAT vehicle is required to meet the needs of buildout development. Based on the current numbers of SWAT vehicles per service population, not all of the cost of the new SWAT vehicle can be allocated to new development. As shown, the equivalent of 0.5 SWAT vehicles can be allocated to new development, while the remaining 0.5 (\$77,000) is attributable to existing development.

(8) City will purchase one mobile command post to serve new and existing development. As a result, and as shown, the equivalent of 0.25 mobile command posts can be allocated to new development, while the remaining 0.75 (\$269,000) is attributable to existing development.

(9) Includes mobile data equipment, intersection / park cameras, patrol car video cameras, and enduro motorbikes. City staff indicated that this equipment is needed specifically to serve new development.

Sources: City of Antioch and Economic & Planning Systems, Inc.

Table 9
Recent Police Station Building Development Costs in California
City of Antioch Development Impact Fee Study; EPS #20001

Item	Total Cost	Total Sq. Ft.	Cost Per Sq.Ft.	Floors
Corte Madera	\$14,000,000	18,000	\$778	2
Los Angeles	\$34,000,000	54,000	\$630	na
American Canyon	\$8,500,000	16,894	\$503	na
Inglewood	\$23,000,000	33,750	\$681	na
Bakersfield	\$3,300,000	8,000	\$413	na
Lompoc	\$3,900,000	12,581	\$310	na
Los Angeles	\$35,000,000	50,000	\$700	2
Canoga Park	\$24,000,000	53,000	\$453	na
San Diego	\$13,000,000	23,760	\$547	na
Los Angeles	\$30,000,000	50,000	\$600	na
Los Angeles	\$3,100,000	9,206	\$337	na
Loyalton	\$480,000	1,560	\$308	na
Torrance	\$700,000	2,800	\$250	na
Oxnard	\$2,800,000	12,000	\$233	na
Visalia	\$7,200,000	8,000	\$900	na
San Mateo	\$41,000,000	55,000	\$745	na
Williams	\$3,300,000	12,000	\$275	na
Rampart	\$23,000,000	57,100	\$403	na
Hawthorne	\$26,000,000	108,000	\$241	na
Average (rounded)		31,000	\$500	

Sources: Reed Construction Data, Construction Cost Consultants, C.P. O'Halloran Associates, and Economic & Planning Systems, Inc.

Parks and Recreation Facilities

The Park and Recreation impact fee is designed to cover the costs associated with new parks and recreation facilities and equipment required to serve future growth in Antioch. It covers the appropriate share of the costs of developing new parks, Community Centers and facilities, library, and associated capital equipment (the park in-lieu fee under the Quimby Act, described in the next chapter, provides revenues based on parkland needs and costs). New capital facilities will be required as the City's population increases. The subsections below describe the nexus findings and the technical cost allocation analysis for the proposed Parks and Recreation capital facilities fee category.

Nexus Findings

Purpose

The fee will help provide adequate levels of parks and recreation facilities, Community Center, and library space.

Use of Fee

Fee revenue will contribute funding towards parks and recreational facilities in a number of community parks as well as an additional 20,172 square feet of community facility space and new library.

Relationship

New development in Antioch will increase the City's demand for park and recreation facilities, though existing population will also benefit from improvement in these capital facilities. Fee revenue will be used to increase the availability of parks and recreation facilities consistent with the needs of new population growth.

Need

Each new development project will add to the incremental need for park and recreation facilities, Community Center space, and library space. As a result, improvements considered in this study are estimated to be necessary to meet the City's service provision goals without adversely affecting the existing level of service.

Proportionality

Parks and recreation facilities in community parks and a new City-owned library facility will serve both new and existing development. As a result, the costs of these facilities are allocated between existing and new development based on the existing City population and the new, expected population through City buildout. Because the City has an existing Community Center, the majority of the new Community Center cost is apportioned to new development. However, because the new Community Center will increase the overall Community Center space standard in the City, a portion of the cost is apportioned to existing development.

Cost Allocation Approach

- **Parks.** The City owns and maintains a number of parks of various sizes and uses. The City's staff identified that Linsey Basin, Sand Creek Basin, and Prewett Park improvements would be needed in the foreseeable future. These improvements are estimated to cost approximately \$35.8 million, as shown in **Table 10**. Given that all Antioch residents would benefit from these improvements, including existing residents, only the cost attributable to new population as a share of the buildout total is allocated to the impact fee. This represents about 20 percent of the total cost or \$7.3 million.
- **Community Center Facilities.** New Community Center space will be predominantly required to maintain service standards as City population grows. While the General Plan specifies a Community Center service standard of 750 square feet per 1,000 residents, the current standard provided is below this level.¹¹ As a result, a 18 percent portion of the cost of developing new facilities to meet the City's preferred standard must be attributed to offsetting the existing deficiency for existing population, while the remaining 82 percent of costs are attributable to new development's impact on Community Center needs. The need for future space is estimated at about 20,170 square feet based on the City's preferred service standard, as shown in **Table 11**. The actual Community Center expansion cost of \$685 per square foot is based on a recently completed Community Center and is inflated to 2013 dollars. This results in a Community Center development cost of \$17.8 million with \$14.5 million eligible for funding from development impact fees.
- **Library.** The City staff estimates that a new 48,000 square foot library would be needed through buildout with a cost of \$31.9 million. The City would own the library and would be responsible for funding it. Similar to park space, existing and new City population will benefit from the library addition. Based on the projected population growth, this analysis assumes that 20 percent of the library development cost, or \$6.5 million, could be funded through impact fees.

¹¹ General Plan performance objective 3.5.1.1.

Table 10
Parks and Recreation Capital Facilities and Costs
City of Antioch Development Impact Fee Study; EPS #200001

Item	Total Program Cost (1) (rounded)	Proportionate Allocation (2)		Cost Allocation	
		Existing Development	New Development	Existing Development (rounded)	New Development (rounded)
<u>Park and Recreation Facilities</u>					
Linsey Basin	\$11,661,071	79.63%	20.37%	\$9,286,000	\$2,375,000
Sand Creek Basin	\$18,018,116	79.63%	20.37%	\$14,348,000	\$3,670,000
Prewett Park:					
Western area completion	\$3,750,104	79.63%	20.37%	\$2,986,000	\$764,000
Pool and diving well	\$2,343,687	79.63%	20.37%	\$1,866,000	\$477,000
Subtotal	\$35,772,978			\$28,486,000	\$7,286,000
<u>New Community Center Facilities (3)</u>					
	\$17,761,000	18.37%	81.63%	\$3,263,000	\$14,498,000
<u>Library</u>	\$31,872,296	79.63%	20.37%	\$25,380,000	\$6,492,000
Total Facilities	\$85,406,274			\$57,129,000	\$28,276,000

- (1) Costs based on engineer estimates with the exception of the Community Center which is based on the City's actual cost estimate for the recently built community center.
- (2) This analysis assumes that all new parks and recreation facilities, with the exception of the Community Center expansion, will equally serve existing and new City residents. As a result, the costs are allocated based on existing and new development shares estimated in Table 2.
- (3) Reflects new development's fair share of the 20,172 square foot facility expansion cost that would bring the City consistent with its community center General Plan standard at buildout, as shown in Table 11.

Sources: City of Antioch and Economic & Planning Systems, Inc.

Table 11
Community Center Analysis
City of Antioch Development Impact Fee Study; EPS #20001

Item	Existing Development	New Development	Buildout
Population (1)	105,117	26,896	132,013
Existing Community Center Sq. Ft.	74,300	---	---
Existing Service Standard [sq.ft. per 1,000 residents]	706.8		
General Plan Service Standard [sq.ft. per 1,000 residents]	750.0	750.0	750.0
New Community Center Facilities (2) to meet General Plan Service Standard	4,538	20,172	24,710
Community Center Costs (3) Distribution	\$3,262,000 18.37%	\$14,499,000 81.63%	\$17,761,000 100%

(1) From Table 2.

(2) The 3,575 sq. ft. are required to bring the existing community center space standard up to the General Plan development standard of 750 sq.ft. per 1,000 residents.

(3) Rounded; based on the City's actual cost estimate of \$685 per square foot for the recently built community center inflated to \$2013.

Sources: City of Antioch and Economic & Planning Systems, Inc.

4. *PARKLAND IN-LIEU FEE COST ALLOCATION*

This chapter provides the technical analysis required to support the refinement of the park in-lieu fee. Under the Quimby Act, the City has a park in-lieu fee under its adopted standard of 5.0 acres per 1,000 persons.¹² This chapter determines the parkland cost that can be attributed to the expected new residential development in the City of Antioch based on this standard and the estimated value of parkland. Calculation of the maximum parkland in-lieu fee is presented in **Chapter 5**.

Under the Quimby Act, the park in-lieu fee is based on the estimated cost of acquiring residential land. Residential land cost has fluctuated substantially over the last several years. In addition to economic and real estate market cycles, acquisition costs can vary significantly based on the characteristics of individual properties. EPS reviewed available land transactions since 2009 from a range of data sources and concluded that the use of an average land acquisition cost of \$100,000 per acre represents a reasonable and conservative estimate for fee calculation.¹³

As shown in **Table 12**, under the adopted standard, new residential development will be required to cover the cost of about 134 acres of parkland, based on the 5.0 acres per 1,000 standard and the expected addition of about 26,900 residents through General Plan buildout. At \$100,000 per acre, this represents a \$13.4 million cost allocation to new residential development.

¹² See Municipal Code section 9-4.1003.

¹³ Data sources include CoStar, County Assessor data, Loopnet, and real estate broker interviews.

Table 12
Parkland Acquisition Costs
City of Antioch Development Impact Fee Study; EPS #20001

Item	New
Parkland Standard (per 1,000 population) (1)	5 acres
Estimate New Population (2)	26,896
Required Parkland (acres)	134.48
Parkland Acquisition Cost (Quimby Act) (3)	\$13,448,000

(1) Based on the City Municipal Code section 9-4.1003.

(2) See Table 2.

(3) Reflects a land value of \$100,000 per acre based on available residential land sale data and on real estate broker interviews.

Sources: City of Antioch and Economic & Planning Systems, Inc.

5. *DEVELOPMENT IMPACT FEE CALCULATION, PROGRAM ADMINISTRATION, AND COMPARISON*

This chapter describes the development fee recommendations (development impact and Quimby Act fees) and documents the magnitude of the fees by type. In addition, this chapter provides a comparison of the current and maximum potential development impact fees in the City of Antioch with development impact fees charged by selected other cities.

Development Impact Fees by Type

Total capital facilities costs attributed to new development is summarized in **Table 13**. As shown, future infrastructure cost associated with continued growth in the City is \$124.8 million. However, only \$66.8 million, or roughly 53 percent of this cost, could be attributed to new growth based on its fair share of the overall demand for capital facilities. The remaining \$58.0 million is allocated to existing development and reflects a shortfall in existing citywide needs. The cost allocated to existing development is predominantly comprised of parks and recreation uses, which would enhance the level of service to the City's existing and new residents. The City will need to find other non-development impact fee-related mechanisms to fund the costs apportioned to existing development.

Fees are calculated by allocating costs attributable to growth among single-family residential, multifamily residential, and nonresidential uses, as shown in **Table 14**. For most capital facilities types, as previously shown in **Table 5**, this allocation is based on future service population growth, with 51 percent associated with single-family units, 31 percent with multifamily units, and 10 percent with nonresidential development (for parks and recreation facilities and parkland that primarily serve new residential development, the allocation is based on future population growth). The allocated costs by land use are then divided by the number of new units/nonresidential square feet projected through buildout in Antioch to calculate the estimated fee. This calculation results in a maximum impact fee of \$6,680 for single-family units, \$4,232 for multifamily units, and \$0.30 per nonresidential square foot, before considering an administration cost factor. These fees are illustrated in **Table 15**.

The provisions of AB 1600 allow jurisdictions to include the costs of administering the Impact Fee Program in the fee amount. Administration requirements include collecting and allocating impact fee revenue, record keeping and reporting of fund activity, and periodic updates to the Fee Program. This analysis assumes that administrative costs of 3.0 percent of the total Fee Program cost will be applied to reflect the City's overhead and administration burdens. As shown in **Table 16**, this would increase the maximum development impact fee to \$6,836 for single-family units, \$4,330 for multifamily units, and \$0.31 per nonresidential square foot. While actual Impact Fee Program administration costs will vary from year-to-year depending on development activity and other program requirements, it is important to note that the administrative fee is not applied to the parkland in-lieu, East Contra Costa Regional Fee & Financing Authority or traffic signal fees.

Table 13

**Summary of Capital Facilities Cost Allocation Between New and Existing Development (rounded)
City of Antioch Development Impact Fee Study; EPS #20001**

Item	Cost Allocated to Existing Development (1)	Cost Allocated to New Development (2)	Total Cost
General Administration	\$90,000	\$5,500,000	\$5,590,000
Public Works	\$379,000	\$5,315,000	\$5,694,000
Police	\$463,000	\$14,235,000	\$14,698,000
Parks and Recreation	\$57,129,000	\$28,276,000	\$85,405,000
Parkland (Quimby Act)	\$0	\$13,448,000	\$13,448,000
Total	\$58,061,000	\$66,774,000	\$124,835,000

(1) To be funded by non-fee sources.

(2) Eligible to be funded by development impact fees/ Quimby Act fees.

Source: Economic & Planning Systems, Inc.

Table 14

**New Development Maximum Cost Allocation by Land Use (rounded, no administration cost)
City of Antioch Development Impact Fee Study; EPS #20001**

Item	Cost Allocated to New Development	Residential Development		Non-Residential Development
		Single Family	Multi Family	
General Administration	\$5,500,000	\$2,604,800	\$1,383,800	\$1,506,500
Public Works	\$5,315,000	\$2,517,200	\$1,337,300	\$1,455,800
Police	\$14,235,000	\$6,741,700	\$3,581,500	\$3,899,000
Parks and Recreation	\$28,276,000	\$18,478,400	\$9,794,800	\$0
Parkland In-Lieu/ Quimby Act	<u>\$13,448,000</u>	<u>\$8,788,300</u>	<u>\$4,658,400</u>	<u>\$0</u>
Total	\$66,774,000	\$39,130,400	\$20,755,800	\$6,861,300
<i>Distribution</i>	<i>100%</i>	<i>59%</i>	<i>31%</i>	<i>10%</i>

Source: Economic & Planning Systems, Inc.

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Table 15

**Maximum Fee by Land Use (rounded, no administration cost)
City of Antioch Development Impact Fee Study; EPS #20001**

Item	Residential Development (per unit)		Non-Residential Development (per sq.ft.)
	Single Family	Multi Family	
General Administration	\$445	\$282	\$0.07
Public Works	\$430	\$273	\$0.06
Police	\$1,151	\$730	\$0.17
Parks and Recreation	\$3,154	\$1,997	\$0.00
Parkland In-Lieu/ Quimby Act	<u>\$1,500</u>	<u>\$950</u>	<u>\$0.00</u>
Total	\$6,680	\$4,232	\$0.30

Source: Economic & Planning Systems, Inc.

Table 16
Maximum Fee by Land Use with 3% Administration Cost (rounded) (1)
City of Antioch Development Impact Fee Study; EPS #20001

Item	Residential Development (per unit)		Non-Residential Development (per sq.ft.)
	Single Family	Multi Family	
General Administration	\$458	\$290	\$0.07
Public Works	\$443	\$281	\$0.06
Police	\$1,186	\$752	\$0.18
Parks and Recreation	\$3,249	\$2,057	\$0.00
Parkland In-Lieu/ Quimby Act	<u>\$1,500</u>	<u>\$950</u>	<u>\$0.00</u>
Total	\$6,836	\$4,330	\$0.31

(1) The fee of 3% falls within a reasonable range typically charged through development impact fees for administrative expenses. No administrative fee is added for Quimby Act/ Park-in-lieu fee.

Source: Economic & Planning Systems, Inc.

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Development Impact Fee Comparison

EPS prepared a development impact fee comparison for selected cities before 2012 based on available fee schedules. The findings of this fee comparison are described in this section and presented in **Table 17**. Inevitably, changes have continued to be made to fee schedules over the last two years, though the fee comparison has not been updated. **Table 17** provides a comparison of the existing and potential maximum new development impact fees in the City of Antioch with the fee levels in the cities of Brentwood, Oakley, Pittsburg, Concord, and Tracy. The purpose of this comparison was to provide some context for fee refinement decisions in the City of Antioch. It is important to note that development impact fee levels are continuously changing. Fees shown are long-term/underlying fee levels and are not intended to show the temporary fee reductions that some Cities have chosen to put in place. For example, the City of Oakley has recently extended its 2-year fee reduction through June of 2015¹⁴.

One particular complexity in considering the fee levels in the City of Antioch is the expected ending of the Residential Development Allocation system. This system historically resulted in significant per unit payments by developers (as high as \$10,000 per unit) at the peak of the market. With the ending of this program, new residential development in the City of Antioch will effectively face a substantive decrease in one-time per unit charges, though the precise dollar reduction cannot be specified as the per unit payment depended on an auctioning system.

For all citywide development fee comparisons, there are a number of additional issues that affect the implications of the relative fee levels. For example, some cities focus more on requiring project-specific or area-specific exactions/fees for infrastructure improvements as part of the development approval. As a result, some projects occurring in cities with lower citywide development impact fees still pay higher fees, when project-specific or area-specific charges are included. Furthermore, some cities, on a case-by-case basis, are providing discounts or exemptions on some or all of their fees to certain new developments. This represents a *de facto* temporary fee reduction that is not reflected in the fee schedules.

Fee Comparison

Table 17 provides a snapshot of development impact fees for five comparison cities and the City of Antioch for consistent, prototype single-family units. The fees are grouped into three categories, including water/sewer fees, other fees charged by other entities, and other City development impact/one-time fees. The fee groups are distinguished as follows:

- **Sewer/water**—typically set to cover the costs of providing water and sewer facilities/infrastructure to comply with State standards
- **Other entity fees**—fees set by other school district or regional/subregional entities
- **Other City fees**—the fees over which the City has primary control

¹⁴ The City's temporary fee reduction, originally implemented in 2011, reduced the overall development impact fee by approximately 40 percent below that shown in this analysis.

Table 17

Citywide Development Impact Fees by Comparable City (per single family unit)
Antioch Development Impact Fee Study; EPS #20001

Fee	Selected Cities						Tracy
	Antioch Existing	Antioch Proposed	Brentwood	Oakley	Pittsburg	Concord	
Sewer/Water Fees	\$18,087	\$18,087	\$11,752	\$27,156	\$17,201	\$26,834	\$8,832
Other Entity Fees (1)							
Regional/ County Traffic Fees (2)	\$18,710	\$18,710	\$18,710	\$18,710	\$18,897	\$0	\$0
School District	\$5,940	\$5,940	\$8,700	\$9,954	\$5,346	\$5,940	\$10,640
Subtotal	\$24,650	\$24,650	\$27,410	\$28,664	\$24,243	\$5,940	\$10,640
Other City Fees							
Fire (3)	\$591	\$591	\$781	\$749	\$633	\$591	\$0
Drainage	\$1,911	\$1,911	\$882	\$990	n/a	\$642	\$4,512
Traffic/ Transit (4)	\$362	\$362	\$10,746	\$12,258	\$7,123	\$3,166	\$12,185
Parks	\$1,050	\$4,749	\$7,199	\$8,567	\$9,857	\$16,691	\$6,596
Police/Public Facilities/Capital Improvements	\$0	\$2,087	\$3,660	\$2,701	\$0	\$0	\$3,951
Subtotal	\$3,914	\$9,699	\$23,268	\$25,265	\$17,613	\$21,090	\$27,244
Total	\$46,651	\$52,436	\$62,430	\$81,085	\$59,057	\$53,864	\$46,716

(1) Does not include special district fees.

(2) The fees are temporarily reduced by 50% due to the recent economic slowdown, and the fees for Pittsburg, Concord and Tracy differ because these cities are not members of the East Contra Costa Regional Fee & Financing Authority.

(3) Reflect a combination of city or special district fees.

(4) The City of Antioch is aware of the large difference between its Traffic/Transit fees in relation to the comparison cities and plans to undertake a future Traffic/Transit fee study as resources allow.

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As shown, the City of Antioch currently has the lowest "Other City" development impact/one-time fees—\$3,900 per single-family unit—when the Residential Development Allocation charge is not included¹⁵. The inclusion of the Residential Development Allocation charge—even at its highest level—still leaves existing fee levels at the lower end of the range, at \$13,900 per unit. The maximum potential "other city fee" levels identified in this report for Antioch (in combination with the ending of the Residential Development Allocation system) would result in a total of \$9,700 per single-family unit. This is below all other cities reviewed. The primary reason for the lower fees in the City of Antioch (even after upward adjustment) is the low traffic/transit fees relative to all the other comparison cities. On an aggregate basis, when significant variations in sewer/water fees as well as regional transportation and school district fees are considered, the City of Antioch's fees fall in a similar range to the long-term/underlying fees in other cities considered.

¹⁵ Based on the FY2011 fee schedule.