

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

**WEDNESDAY, DECEMBER 17, 2014**

**6:33 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 30, 2014.**

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 may have not more than 10 minutes. 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, Vice Chair
	Miller
	Westerman
	Pinto ( <b>absent</b> )

**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.

- |                                |                      |                 |
|--------------------------------|----------------------|-----------------|
| <b>1. APPROVAL OF MINUTES:</b> | A. November 19, 2014 | <b>APPROVED</b> |
|                                | B. December 3, 2014  | <b>APPROVED</b> |

\* \* \* END OF CONSENT CALENDAR \* \*

STAFF REPORT

## **CONTINUED PUBLIC HEARING**

STAFF REPORT

- 2. PDP-12-01 – Black Diamond Unit 4 Preliminary Development Plan** – Discovery Builders requests the review of a preliminary development plan, which is not an entitlement, for the development of 17 single family homes on approximately 20.98 acres. The project is generally located west of the intersection of Somersville Road and James Donlon Boulevard (**APN: 089-160-010**).

**COMMENTS RECEIVED**

## **ORAL COMMUNICATIONS**

STAFF REPORT

## **WRITTEN COMMUNICATIONS**

## **COMMITTEE REPORTS**

## **ADJOURNMENT (7:40 p.m.)**

### **Notice of Availability of Reports**

This agenda is a summary of the discussion items and 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 2<sup>nd</sup> floor of City Hall, 3<sup>rd</sup> 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.

### **Notice of Opportunity to Address the Planning Commission**

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the "Public Comment" section on the agenda.

**Accessibility**

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**CITY OF ANTIOCH  
JOINT SPECIAL MEETING OF THE  
CITY OF ANTIOCH PLANNING COMMISSION AND  
THE CITY OF ANTIOCH ECONOMIC DEVELOPMENT COMMISSION**

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

**November 19, 2014  
City Council Chambers**

Chair Archuleta called the meeting to order at 6:30 P.M. on Wednesday, November 19, 2014 in the City Council Chambers

**NEW ITEMS**

**1. Selection of Presiding Officer**

**On motion by Commissioner Parsons, seconded by Commissioner Motts, Commissioners unanimously selected Keith Archuleta as presiding officer.**

**AYES:** *Wright, Motts, Archuleta, Parsons, Westerman and Adebayo*

**NOES:** *None*

**ABSTAIN:** *None*

**ABSENT:** *Miller, Pinto, Hinojosa and Thorpe*

**ROLL CALL**

Each Commissioner and staff member introduced themselves and provided their length of service/employment.

**PLANNING COMMISSION**

**Present:** Commissioner Westerman and Vice Chair Motts

**Absent:** Commissioners Miller, Pinto (arrived at 6:43 P.M.) and Chair Hinojosa

**ECONOMIC DEVELOPMENT COMMISSION**

**Present:** Commissioners Adebayo, Archuleta, Parsons and Wright

**Absent:** Commissioner Thorpe

**Staff:** City Attorney, Lynn Tracy Nerland  
Director of Community Development, Tina Wehrmeister  
Senior Planner, Mindy Gentry  
Economic Development Program Manager, Lizeht Zepeda,  
Minutes Clerk, Kitty Eiden

## **PLEDGE OF ALLEGIANCE**

Commissioner Motts led the audience in the Pledge of Allegiance.

## **PUBLIC COMMENTS**

Fred Hoskins, Antioch resident, stated the function of attracting and pursuing business was a Chamber of Commerce responsibility and public input was not necessary for the City to rezone property.

Jean Melton, Antioch resident, questioned what the process was for changing a single family dwelling into a rooming house and how many cars were allowed per single family dwelling. She expressed concern a home in her neighborhood had 8-9 cars parked on the street, on a daily basis. Additionally, she reported a Special Education School was in her neighborhood and while she did not object, she felt the neighbors should have been notified. She noted the rooming house and traffic to and from the school had created unsafe traffic conditions. She questioned how her concerns could be addressed.

City Attorney Nerland responded that the appropriate City staff member would contact Ms. Melton regarding her concerns.

Commissioner Pinto arrived at 6:43 P.M.

- 2. GP-14-02, Z-14-01, SP-14-01** – The City of Antioch is conducting a study session on the opportunities and constraints for developing a Downtown Specific Plan and updating the General Plan Land Use Element and Zoning Ordinance.

Chair Archuleta stated the Economic Development Commission had been in support of a joint meeting with the Planning Commission for months and this was a great opportunity to coordinate visions and strategies to move the City forward.

Senior Planner Gentry presented the staff report dated November 13, 2014, recommending the Planning and Economic Development Commissions conduct a study session on the opportunities and constraints for developing a Downtown Specific Plan and updating the General Plan Land Use Element and Zoning Ordinance.

Dick Loewke, Loewke Planning Associates, gave an overhead presentation of the Downtown Specific Plan, GP Land Use Element & Zoning Ordinance Update which included the following:

- Introduction & Background
- Opportunities and Constraints
- Land Resources
- Perceptions About Antioch

- Transportation Conditions
- Infrastructure Capacity
- Biological Resources
- Potentially Dangerous Buildings
- Market Opportunities and Constraints
- Higher Density Housing in Downtown

City Attorney Nerland gave an overview of the speaker rules.

Commissioner Pinto introduced himself.

Tom Lamonthe, Antioch resident, stated he felt Antioch was at the crossroads and he encouraged everyone to listen and accept the plan presented.

Jean Melton, Antioch resident, questioned if past environmental issues were addressed regarding food manufacturing that had contaminated land in downtown Antioch. She reported that most Antioch residents live in a “red circle” which means it was acceptable for cancer rates to be much higher. She expressed concern for unsafe items being transported via railroad and stated she was opposed to building adjacent to the tracks. She spoke in opposition to One Bay Area Agenda 21 and encouraged Commission members to research the issue.

John Higgins, Antioch resident, spoke in support of a Youth Center in downtown Antioch with amenities such as a computer bank and wifi access for after school hours. He suggested school security could work at the youth center after school.

Ken Lee, Antioch resident, gave a history of West Coast Cannery/Hickmont Cannery and stated the 16 acre lot was ready to be developed. He suggested a ferry terminal picnic area, multi-level parking lot and park to stimulate the commercial expansion of the business corridor on “A” Street. He reported with historical projects, such as the cannery rebuild in Oakland, they were provided tax breaks and grants to restore the area. He noted his family was not responsible for polluting land in downtown Antioch.

Lucy Meinhardt, Antioch resident, stated the river and hills were Antioch’s most important assets and she encouraged the City to maintain a balance between developing and preserving open space and access to the river. She voiced her support for developing the property between 2<sup>nd</sup> and 3<sup>rd</sup> Streets, at the foot of “D” and “E” Streets, as a park. She stated she envisioned the expanse between Rodgers Point and the old Marina as a public area.

Michael Greenawalt, American Legion Post #161, reported on outreach and services they provided to the homeless, Veterans and low income residents, in Antioch. He stated they had been in downtown Antioch since 1921 and noted the building had some architectural problems; however, it was strong and they maintained it. He suggested the City beautify existing buildings.

Lee Ballesteros, Antioch resident, stated she felt the most important issue was improving the quality of life for current residents, rather than looking to increase the population. She stated she belonged to Citizens for Responsible Antioch Waterfront Design and Development (CRAWDAD) who had submitted a proposal to the City Council for consideration of their vision for downtown development. She suggested Commission members review their proposal and noted it included an active event plaza and community/senior center for the parcel at the foot of "A" Street. She stated the RFP for the same area did not take into account that other development might be more appropriate.

Ken Turnage II, Antioch resident, stated he felt the presentation was predominately focused on more housing and he believed the City's goal should be focused on bringing more business and job opportunities.

Barbara Sobalvarro, Antioch resident, stated she supports the previous comments from Lee Ballesteros and Ken Turnage. She voiced her support for beautification of the riverfront and stated she is opposed to more housing and the demolition of the Nick Rodriquez and Senior Center.

Chair Archuletta closed the floor to public comment

Chair Archuletta reopened the floor to public comment.

Melissa Mellecam, Pittsburg resident, expressed concern for high density housing and spoke to the need for economic development in downtown Antioch. She stated she had attended a Veteran's Day event in downtown Oakley and suggested Commission members visit the area and consider developing downtown Antioch in a similar fashion. She added that a teen center would be an important amenity for downtown.

Loretta Sweatt, Antioch resident, suggested the marina area be developed similar to Benicia. She stated she felt a flower garden with benches and shade structures would be more peaceful and financially feasible downtown. She stated she felt Antioch was in transition and any unsafe buildings that were demolished should be replaced with buildings of similar design.

Commissioner Pinto stated he did not support additional housing as there was sufficient housing and transportation issues that had not yet been addressed. He voiced his support for an amphitheater for events and commercializing downtown as a financial district. Additionally, he supported improvements to the riverwalk and development of a youth center.

Commissioner Wright discussed the importance of providing local jobs for Antioch residents. He stated downtown Antioch was beautiful and the train was not a negative experience. He clarified that with the exception of inside the Antioch Chamber building;

cell phone service had not been an issue. He encouraged residents to remain open-minded when looking at options for potential development at the foot of "A" Street.

Commissioner Motts stated he felt the challenge was traffic not being directed through downtown Antioch. He spoke in support of the artesian enclave, youth center, and an improved riverwalk with a signature building along the waterfront. He expressed concern with the RFQ and RFP for the "A" Street property and noted there were alternatives that would better stimulate and reinvigorate downtown. He further noted if more housing were necessary for ferry service to be viable, there were alternative locations to place the housing. He stated he felt it would take 2-3 signature projects to jump start the process, such as ferry service, a plaza and an event center.

Commissioner Parsons stated she felt the train was part of the ambiance of downtown. She noted local job creation and additional parking opportunities were needed. She commented that the fairgrounds were owned by the State and Antioch should begin negotiations to acquire the property. She suggested improvements for Marina Boulevard, developing access to the river over or under the railroad tracks, and promoting the existing marinas.

Commissioner Westerman thanked the speakers and Dick Loewke for the presentation. He voiced his support for improving access to downtown on "L" and "A" Streets and developing a park, plaza, community/youth center at the foot of "A" Street. He stated he does not feel the train was a negative and the focus should be on improving the river walk, commercial areas, and job creation.

Commissioner Adebayo stated he felt the City should address how to raise the funds for improvements prior to planning the area. He noted the focus should be job creation and promoting local restaurants and shops. He stated public safety downtown was also important. He commented that the City should not focus on more housing. He questioned if it was possible to break the specific plan down into short and long term goals. Additionally, he questioned what the timeline was for completion of the report.

Dick Loewke explained that he had been directed to look at short term and long term goals for the City. He noted the next step would be looking at alternative land use scenarios for Council consideration by the end of 2015 which would include the environmental review.

Commissioner Wright explained in response to goals that had come out of previous discussions, they had already created a fast-track program for streamlining the development review process. He noted staff and the Antioch Chamber of Commerce were meeting regularly to look at what changes could be implemented immediately.

Chair Archuleta stated as Commissioners it was their job to insure the specific plan was implemented and noted the focus should be making the community better for future generations. He spoke to the importance of providing local jobs and smart growth. He



noted there needed to be a balance with an emphasis on enhancing the quality of life and developing the assets, with a focus on job creation and developing businesses. He stated the Chamber of Commerce, City, Economic Development Commission and Planning Commission needed to look at the information as it is received and provide input on items that could happen, as soon as possible. He thanked Mr. Loewke for the report and the public for sharing their ideas.

In response to Commissioner Wright, Mr. Loewke explained that they would be looking at the Downtown Specific Plan at the same time as they looked at the land use element and zoning ordinance. He noted in terms of the downtown specific plan, the concepts of alternatives would embrace land resources and reuse of existing buildings. He added that they expected to coordinate with staff to bring information to the Commission and Council. He noted the overall schedule was posted on the City's website and there would be opportunity for ongoing comments directly through the website.

Director of Community Development Wehrmeister stated the link to information was on the City's main webpage.

**ORAL COMMUNICATIONS** - None

**WRITTEN COMMUNICATIONS** - None

**COMMITTEE REPORTS** - None

**ADJOURNMENT**

***Chair Archuleta adjourned the joint Planning/Economic Development Commission at 8:46 P.M. to the next regularly scheduled Economic Development Commission meeting to be held on December 2, 2014, and Planning Commission meeting on December 3, 2014.***

Respectfully Submitted,  
Kitty Eiden

**CITY OF ANTIOCH  
PLANNING COMMISSION MINUTES**

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

**December 3, 2014  
City Council Chambers**

**CALL TO ORDER**

Chair Hinojosa called the meeting to order at 6:30 p.m. on Wednesday, December 3, 2014, 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 Thursday, December 11, 2014.

**ROLL CALL**

Present: Commissioners Miller and Westerman  
Chair Hinojosa and Vice Chair Motts  
Absent: Commissioner Pinto  
Staff: Senior Planner, Mindy Gentry  
City Attorney, Lynn Tracy Nerland  
Minutes Clerk, Cheryl Hammers

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENTS**

None.

**CONSENT CALENDAR**

1.       **Approval of Minutes:**                   November 5, 2014

***On motion by Vice Chair Motts, and seconded by Commissioner Miller, the Planning Commission approved the Minutes of November 5, 2014.***

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

**END OF CONSENT CALENDAR**

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## **NEW PUBLIC HEARINGS**

2. **PDP-12-01 - Black Diamond Unit 4 Preliminary Development Plan** – Discovery Builders requests the review of a preliminary development plan, which is not an entitlement, for the development of 17 single family homes on approximately 20.98 acres. The project is generally located west of the intersection of Somersville Road and James Donlon Boulevard (**APN 089-160-010**).

***On motion by Commissioner Westerman, seconded by Vice Chair Motts, the Planning Commission continued PDP-12-01 Black Diamond Unit 4 to December 17, 2014.***

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

3. **The City of Antioch** is conducting a study session on a proposed update to the City's Housing Element, a required chapter for the General Plan, for the 2015-2023 cycle. The City initiated an update to the Housing Element in the winter of 2014. The Housing Element includes policies and goals to address the diverse housing needs of the City over the next eight years. The Planning Commission will be receiving feedback and comments on the proposed changes to the Housing Element.

Senior Planner Gentry introduced Sophie Martin of Dyett & Bhatia, who presented a PowerPoint presentation which included:

- Background on Housing Element requirements and what is in the Housing Element;
- The Housing Element process;
- Changes in the state Housing Element law;
- Background research with community profile including trends in Antioch and needs assessment;
- Regional Housing Needs Allocation (RHNA);
- Special Needs Groups;
- Constraints to housing development (both governmental and non-governmental);
- Housing opportunity sites citywide;
- New programs including evaluating the current element, modified, updated and new programs highlighting significantly modified programs; and
- Next steps.

In response to Vice Chair Motts, Ms. Martin stated that in the previous cycle if a vacant site was identified as part of the inventory, with this cycle that vacant site counts but if it were developed it is off the table. She said that while the projected allocation is less than the first time, it is not based on availability of sites but is based on trends, size and demand and that it is up to the City to show that supply is met.

In response to Chair Hinojosa concerning 1.1.8, SP Gentry said that any funds from the business license fees would have to be allocated by the City Council and that no money has been set aside at this time.

In response to Chair Hinojosa concerning 2.1.1, SP Gentry said that the GIS database is essentially the same database on the website and that they are linked together.

In response to Chair Hinojosa concerning 2.4.1, SP Gentry said that there were previously NSP funds and that the City also has a two year cycle with CDBG funds and solicits applications from non-profit groups.

In response to Chair Hinojosa concerning 2.5.1, SP Gentry said that the Rivertown Focus Area encompasses more than the core downtown area.

Chair Hinojosa commented that Figure A1 was very hard to read and that it would be nice to have that broken down by region to better see what sites have been designated to which Ms. Martin said that the map can be blown up in those areas. She went on to say that some of the sites may be identified as already zoned for housing and then may be shuffled around to include mixed use designations. She said that overall it is still an identified opportunity for housing and that they don't anticipate any problems but can be mindful in continuing with the process.

In response to Chair Hinojosa concerning 5.1.1, SP Gentry said that the City is currently undertaking the General Plan Land Use Element update, where the City is looking for ways to further streamline processes to address the reductions to staff and in an effort to be more business friendly. She said that they are looking at ways to remove obstacles through administrative approvals.

Chair Hinojosa said that some things can go directly to the Zoning Administrator filtered through a different process.

In response to Chair Hinojosa regarding flexibility in modifying or changing the regional traffic impact fees depending on housing projects coming forward, SP Gentry responded that the City is just one jurisdiction having one vote.

Ms. Martin said that while she is not familiar with jurisdictions that have been able to implement exceptions to regionally imposed fees, it is fairly common and an argument can be made to have reductions in City imposed impact fees near transit when you can demonstrate that it is housing generating fewer trips. SP Gentry added that there is no reduction of City fees in the Hillcrest Specific Plan area.

In response to Commissioner Miller, Ms. Martin said that there are several programs with energy and water conservation to recognize that housing costs include utilities and understanding that development does consume resources. She said that everything built here will be subject to current building codes which encourages energy and water conservation.

In response to Vice Chair Motts concerning 2.5.1, Ms. Martin said that if projects are brought forward with zoning changes, that if it does change, you could have a negative impact on overall numbers. She said that in downtown areas, you typically find a trend for higher densities overall and she would guess that you will still end up with as much housing or sites that could be developed. Ms. Martin said that the inventory pertains to privately owned property as well as City owned.

Commissioner Westerman said that this is a very complex document and process, that it looks well done, and that it was a good presentation. He asked about 3.1.5 concerning the emergency shelter overlay. Ms. Martin stated that during the previous cycle, there was a large multipart piece of legislation that required cities to do a number of things to better serve homeless, to provide transient housing and to establish a zone where shelters could be approved by right. She said that in addition to defining transitional housing with supportive services, cities also had to show that those types of housing were allowed in other residentially zoned districts and that this was something that was attempting to remove constraints in providing those services. She said that this was a big ticket item that the previous Housing Element had to provide and given that this was accomplished recently, that this policy is just acknowledging that you have that in place.

Chair Hinojosa stated that SB375 is switching to an 8 year cycle, that the report was very thorough and detailed, that the document adequately reflects the housing stock and variety of products. She is really happy to see one of the goals is to promote more infill development and transit oriented development and to provide incentives. She said that with Housing Elements, there is environmental consideration and that she didn't see that reflected in this document. She thinks we need to do a stronger job linking housing to job creation.

Vice Chair Motts said that this a very thorough job, that some things like the overlay were handled earlier, that he thinks that with the downtown specific plan we need to take a close look at ongoing consultants that have been hired to come up with suggestions that will fit in this structure and that it is very important to incorporate those views and opinions in this structure.

### **ORAL COMMUNICATIONS**

SP Gentry said that interviews were conducted for the vacancy on the Planning Commission and the appointment should be going to the City Council on December 16<sup>th</sup>.

### **WRITTEN COMMUNICATIONS**

None.

### **COMMITTEE REPORTS**

Vice Chair Motts said that the Transplan meeting was cancelled for last month and that one is scheduled for next week.

## **ADJOURNMENT**

Chair Hinojosa adjourned the Planning Commission at 7:37 p.m.

Respectfully Submitted,  
Cheryl Hammers

**STAFF REPORT TO THE CITY OF ANTIOCH PLANNING COMMISSION  
FOR CONSIDERATION AT THE MEETING OF DECEMBER 17, 2014**

**Prepared by:** Mindy Gentry, Senior Planner

**Approved by:** Tina Wehrmeister, Community Development Director *tw*

**Date:** December 11, 2014

**Subject:** **Preliminary Development Plan for Black Diamond Ranch Unit 4  
Subdivision (PDP-14-06)**

**RECOMMENDATION**

It is recommended that the Planning Commission provide feedback to the applicant, Discovery Builders, and staff regarding the proposal and to provide direction to the applicant for the Final Development Plan submittal.

**REQUEST**

The applicant is requesting preliminary plan review of a proposal to develop a 17 single family unit residential subdivision on 20.98 acres. The project site is generally located west of the intersection of Somersville Road and James Donlon Boulevard (**APN 089-160-010**) (Attachment "A").

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to final development plan and tentative map submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final development plan hearing.

**BACKGROUND**

The subject site was originally part of the Black Diamond Ranch subdivision, which is the adjacent 286 unit single family housing development with lots ranging in size between 4,000 to 6,000 s.f. with publicly maintained roads. The subject site had a designation of "Open Space" on the Black Diamond Ranch tentative map and was to be deeded to the City. In 2005, the applicant requested the opportunity to develop "executive/estate" housing on this parcel and, in November 2005, the City Council re-designated the Open Space area as "Owner/Developer Remainder Parcel" on the assumption that such development was going to occur in the near term. An initial application was submitted in 2006 for a Preliminary Development Plan for the Pointe project.

In January of 2014, the City Council denied a project on the subject site (The Pointe), which was proposed to have 60 single family one-story and two-story homes. The project required extensive grading to the hillside and was not consistent with the General Plan or the zoning ordinance. See City Council staff report and attachments for January 28, 2014 for more details:

<http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2014/agendas/012814/012814.pdf>

And the minutes from that meeting at:

<http://www.ci.antioch.ca.us/CityGov/agendas/CityCouncil/2014/minutes/012814.pdf>.)

## **ENVIRONMENTAL**

Preliminary plan review is a non-entitlement action and does not require environmental review. The Final Development Plan will require compliance with the California Environmental Quality Act (CEQA).

## **ANALYSIS**

### **Issue #1: Project Overview**

The proposed project consists of 17 single family homes on approximately 20.98 acres (Attachment "B"). Nine of the homes (lots 2 to 10) would be incorporated into the existing Black Diamond Ranch project and the eight remaining would be accessed from a private road that would be extended off of Torgensen Court. The nine proposed homes that would be incorporated into Black Diamond Ranch would have lot sizes similar to the surrounding development. The lot sizes range from 7,060 square feet to 14,430 square feet. The homes located off of the private drive tend to be larger lots, except for lot 1, ranging from 12,762 square feet to 7.03 acres. Lots 1 to 10 will accommodate homes likely up to 3,500 square feet, similar to the existing homes in Black Diamond Ranch. Due to the topography, lots 11-17 will be more of a custom design.

The applicant has not indicated how stormwater will be treated; therefore direction has been provided that the applicant shall submit a stormwater control plan with their Final Development Plan, Vesting Tentative Map, and Use Permit submittal. The applicant has not included architecture as part of the application; therefore a design discussion is absent from this staff report. Staff has recommended that the architecture comply with the General Plan, Zoning Ordinance, and City's Design Guidelines.

A homeowner's association (HOA) will be required for the project, which will be responsible for maintaining any areas designated to handle stormwater, the private



drive to access lots 1, and 11 to 17, and the staff proposed open space, which is discussed later in the staff report.

## **Issue #2: Consistency with the General Plan and Zoning Ordinance**

The General Plan designation for the project site is Low Density Residential, which is characterized by single family homes in traditional subdivisions. Areas designated low density residential are typically located on gently rolling terrain with no or few geological or environmental constraints. The maximum allowable density is four dwelling units per gross developable acre (4.0 units per acres). The proposed density is 1.23 units per acre.

The zoning designation for the site is Hillside Planned Development (HPD). The purpose of the HPD zoning district is to promote a harmonious visual and functional relationship between natural and built environments, and the zoning code for this district accordingly contains specific development parameters governing hillside development (Attachment "C"). The ordinance identifies development standards and criteria such as: the minimization of grading and cut and fill operations consistent with the retention of the natural character of the terrain as well as the concentration of dwelling units through clustering to preserve the most sensitive terrain among others. The Planning Commission's role in the Preliminary Development Plan, particularly for the Hillside Planned Development zoning designation process, is to provide individual feedback regarding the appropriateness of the development based on its ability to meet the purpose of the Hillside Planned Development ordinance.

### General Plan Hillside Design Policies

Section 5.4.14 of the General Plan contains policies for hillside developments (Attachment "D"). The following are design policies that staff is either directing the applicant to provide clarifying materials and/or information with the Final Development Plan proposal and/or are policies that staff is seeking direction from the Planning Commission:

- Section 5.4.14b of the General Plan contains specifics in regards to the grading of slopes at certain percentages. Due to this policy, staff is recommending the requirement of a more detailed slope analysis be submitted with the Final Development Plan further refining the designation of slopes over 25% into the categories of 1) 25% to 35%, 2) 35% to 50%, and 3) greater than 50% to match the General Plan breakdown since the majority of the property (78%) exceeds slopes of 25%. The subject policy also encourages the clustering of development to avoid the need for large padded building areas. Staff feels that the applicant's design of lots 1 and 2 and 11-17 does roughly cluster the buildable portion of the lots on the southwestern side of the hillside, leaving the majority of the slopes as backyards for lots 11 to 17. Clustering of development also pertains to policy 5.4.14i.

- Several of the policies in the General Plan also pertain to specific grading issues; therefore staff is recommending the requirement of a detailed grading plan, which shows any manufactured slopes to be landform graded and the pad elevations for lots 8-10.
- Policies 5.4.14d, 5.4.14e, and 5.4.14g go hand in hand for this project. Policy 5.4.14d and 5.4.14.g pertain to maximizing view opportunities to as well as from the development. Policy 5.4.14e contains language to avoid the grading of ridgelines where feasible to preserve unobstructed views of a natural skyline. The current design of the project has the street graded to the ridgeline with the buildable pads to be included along the ridgeline. The location of the homes would maximize views from the development, but could have aesthetic impacts to the ridgeline. There are recommendations that could be implemented to minimize the impact to the ridgeline if the proposed placement of these homes is desired. The minimization of the impacts could be through construction techniques, design, and landscaping to soften the aesthetic impacts of development on the ridgelines. City staff is looking for feedback from the Planning Commission for the acceptability of placement of the homes and if the home placement is acceptable, then staff recommends implementing design techniques and landscaping to minimize the aesthetic impacts of ridgeline development.
- Policies 5.4.14j, k, m, n, o, and p are architecturally based and staff recommends these policies to be considered and incorporated into the Final Development Plan package.

Policies 5.4.14p and r have requirements for the landscaping of hillside areas, which call for having landscape that blends from the developed area into the natural areas as well as to soften the architecture. Staff does have design concerns for lots 11-17 due to the large swath of hillside that is proposed as private property. Staff would prefer the large expanse of hillside to be passive open space that is HOA maintained. Staff has concerns regarding the aesthetics of such large areas, which may or may not be maintained by the property owner and would be visible from numerous areas in the City. Staff recommends that the majority of the large downhill slopes be made into open space and appropriately landscaped, which would be maintained by the HOA. A landscape plan shall be submitted with the Final Development Plan and shall show the landscaping for the open space area.

### Police Staffing

Due to the City budgetary issues and the lack of police staffing to meet General Plan standards, residential projects have been conditioned to participate in a community facilities district or other funding mechanism deemed acceptable by the City pertaining to police services. The project will be required to mitigate its impact on police services due to the increase in demand, which is based on the number of individuals who are

expected to reside in the new project. The General Plan identifies a performance ratio, which is 1.2 to 1.5 police officers per 1,000 individuals. Currently, the district or other funding mechanism has not been formed and the residential development that will be the first to move forward will be required to establish the district or other mechanism. Staff is also recommending that the Black Diamond Unit 4 project be conditioned to establish, if necessary, and participate in the CFD or other funding mechanism.

### Zoning Ordinance

The project will be required to rezone the property from Hillside Planned Development (HPD) to Hillside Planned Development (HPD) in order to address the proposed project, which would consist of the same procedure as a PD district.

The criteria for the Planning Commission to take into consideration in approving an HPD is outlined in the attached ordinance (Attachment "C"); which includes the proposal in relation to the natural topography, the degree of grading, the stability of the soil, the preservation of natural features such as rock outcroppings, the effect on native vegetation, vehicular accessibility, the functionality of parking areas, how the units relate to recreational and natural areas, individual privacy, and the project's relation to the surrounding developments.

In order to better evaluate the proposed project for conformance with the Hillside Planned Development District requirements, the Final Development Plan submittal shall include a pedestrian circulation plan, a street lighting plan, a stormwater control plan, and a utility plan.

### **Issue #3: Site Plan**

The proposed project is a 17 single family unit subdivision with nine of the lots being incorporated into the existing Black Diamond Ranch subdivision interspersed on Country Side Way and Torgensen Court. The remaining eight lots would be accessed via a new private drive extending from Torgensen Court. The private drive has a 20% slope, which is the maximum slope the Fire District allows and any drives over 16% require grooved concrete. Since the access road is proposed as private, the City can choose not to apply its standard for street roadway width and slope, thereby creating a more rural roadway feel as outlined in the policies of the City's General Plan. The private drive will also be required to have access easements for all of the property owners located on the hillside.

The applicant has not provided many details regarding setback information, but has provided a non-dimensioned typical lot detail for lots 1 to 7 and 17, which shows a flat building area with front and rear yards with a 2:1 slope. Staff recommends the setbacks for lots 2-10 match the setbacks of the existing Black Diamond Ranch project, which are:

*Front setbacks shall be a minimum of 20 feet from the right of way to the face of a garage door, or 15 feet to a side entry garage (e.g. accessed by a swing driveway). Rear yard setbacks shall be a minimum of 20 feet. Approved architectural elements may project up to two feet into front or rear yard setbacks. Where practical, the front yard dimensions shall be varied by increasing the front yard setback to up to 25 feet and staggering the varied setbacks.*

For the remainder of the lots, the applicant needs to consider and propose setbacks as part of the Final Development Plan for the semi-custom homes. The setbacks are flexible per the zoning designation; however the homes will have to be designed in a manner that is appropriate for the topography.

The parcel lines for lot 1 cross the private drive to the west creating a parcel that is bifurcated by the roadway. Staff is recommending that lot 1 be entirely located on the east side of the private drive to not result in a divided parcel, which can create maintenance and ownership challenges.

### Parking

Per the code, the parking requirements for a single family home are a two car garage and one guest parking space on the street within close proximity to the unit served. The ordinance doesn't specify the placement of the spaces, but small lot subdivisions are typically conditioned to provide a guest parking space within 150-200' of the unit it is serving. Staff does not have concerns regarding the guest parking for lots 3-10 as these units will be incorporated into the existing subdivision. Staff does have concerns for lots 1, 2, and 11-17. The applicant has included parking within the cul-de-sac at the end of the private drive, which provides parking for four of the units around the cul-de-sac (lots 11-16). The private drive is proposed at 25 feet wide, which is not wide enough to have parking on either side of the street. Lots 1, 2, and 17 do not have guest parking readily available as a City standard cul-de-sac bulb is not currently present at the end of Torgensen Court. The applicant needs to provide a parking plan showing the guest parking locations for all 17 lots.

The Zoning Ordinance also requires unrestricted access to the rear yard for recreational vehicles for 25% of single family lots. Out of the 17 units, the applicant would have to provide five lots with access for recreational vehicles. This should be taken into consideration with the grading plan and setbacks for the Final Development Plan.

### Grading

The proposed project site encompasses approximately 21 acres of land. The hilly site ranges in elevation from about 230 feet on the northeastern periphery of the site to 335 feet on the southern periphery. The peak elevation is southwest of the approximate center at 440 feet. The site is steeply sloped, with over 78 percent of the site having a gradient in excess of 25 percent, with only about 6 percent of the property having a gradient of less than 10 percent; most of the flat area within the project site is located along the periphery.

The applicant is proposing to grade the top of the hillside to create level pads as well as grading the western side of the property to conform to the grading of Sky Ranch, the adjacent housing development in the City of Pittsburg. The highest pad elevations for the homes on top of the hillside range from 415 to 424 feet. Lots 8 to 10 also have a slope in excess of 25%, which will require extensive grading in order for the lots to have flat buildable areas.

The proposed plan currently does not show the location of retaining walls or the slopes between the majority of the lots. All retaining walls shall be reduced to the maximum extent practical and should not be located within the public right of way.

#### **Issue #4: Infrastructure and Off-Site Improvements**

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems. The eight lots that are being incorporated into the existing Black Diamond Ranch project will easily be able to install laterals and connect to the existing utilities. The other lots located on the private drive will require the installation of utilities, with a public easement under the private drive. The project will also be required to annex into the Street Light and Landscape District.

Stormwater: As discussed earlier, stormwater has not been addressed as part of the PDP application and will need to be addressed as part of the Final Development Plan submittal. The applicant will be required to submit a stormwater control plan as well as a drainage study as part of the application for the Final Development Plan.

The proposed plan shows a concrete V-ditch at the bottom of the hillside that enters into the City of Pittsburg and then loops around to reenter into the City of Antioch. This drainage needs to be clarified and all drainage shall remain within the City and not cross into the City of Pittsburg. Lot lines are also crossing the V-ditch, which is an issue that can be solved through making the majority of the downward slope open space.

#### **Issue #5: Architecture, Landscaping and Walls**

The applicant has not proposed any architecture, landscaping, fences, or walls with this application. As part of the future development application, staff wants to ensure architecturally enhanced elevations will be submitted for homes sited on the corners. It is typical to require that for homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations should also be placed on the side elevations facing the street.

The applicant shall also address the General Plan, Zoning Ordinance, and the City's Design Guidelines as it pertains to the design of the homes and the landscaping.

## **Issue #6: Other Issues**

### Outside Agency Comments

Comments from the Contra Costa Fire Protection District and the City of Pittsburg are included as Attachment "E". The applicant should address these comments with the Final Development Plan submittal.

### CONCLUSION

The purpose of a preliminary plan is to gather feedback from the Planning Commission and outside agencies in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan submittal. As standard practice, preliminary plans are not conditioned; rather a list of needed items, information, and issues to be addressed is compiled for the applicant to address prior to a final plan hearing. Staff suggests the following along with any issues brought up by the Planning Commission at the December 16<sup>th</sup> hearing, be addressed in the Final Development Plan submittal:

1. Where practical, the developer shall stagger the front yard setbacks of adjacent lots to provide for a varied streetscape.
2. Each home shall include at least a 20 foot deep driveway apron, which shall be at a right angle to the street. The driveways shall also be at least 18 feet in width.
3. A HOA shall be established for the project and will be responsible for maintaining any areas designated to handle stormwater, landscape and open space parcels, and the private drive.
4. The project shall provide guest parking spaces within 150' – 200' of the unit each space serves. The applicant shall submit a parking plan with the final development plan submittal that numbers each unit and its corresponding parking space in order to verify the distance from each unit.
5. Homes located on corner lots, the design treatments (e.g. a built-up stucco or stone veneer) found on the "front" elevations shall also be placed on the side elevations facing the street.
6. The project shall provide at least 25% of the lots with recreational vehicle parking.
7. The developer shall design and construct storm drain facilities to adequately collect and convey storm water entering or originating within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed, per Title 9 of the County Ordinance Code.

8. The applicant shall submit a detailed grading plan showing the cut and fill areas; the manufactured slopes are landform graded; and the pad elevations for all lots.
9. The applicant shall submit a slope analysis further refining slope designations of slopes over 25% into the following categories: 1) 25% to 35%, 2) 35% to 50%, and 3) greater than 50%.
10. The applicant shall submit a stormwater control plan. Any bioretention areas shall be landscaped.
11. The applicant shall submit a utility plan showing the location of all required infrastructure to serve the project. The plan shall show a public utility easement within the private drive.
12. A pedestrian pathway shall be provided adjacent to the private drive, which shall be shown on the plans submitted for the Final Development Plan.
13. A street lighting plan for the private drive shall be submitted as part of the Final Development Plan application.
14. The project shall be annexed into the Streetlight and Landscape District.
15. The project shall establish, if necessary, and participate in the community facilities district or other mechanism deemed acceptable by the City for financing police operations.
16. Reduce retaining walls to the maximum extent practical and eliminate retaining walls within the public right-of-way.
17. The project's architecture and design shall comply with the City's General Plan, Zoning Ordinance, and Residential Design Guidelines.
18. For lots 2 to 10, front setbacks shall be a minimum of 20 feet from the right of way to the face of a garage door, or 15 feet to a side entry garage (e.g. accessed by a swing driveway). Rear yard setbacks shall be a minimum of 20 feet. Approved architectural elements may project up to two feet into front or rear yard setbacks. Where practical, the front yard dimensions shall be varied by increasing the front yard setback to up to 25 feet and staggering the varied setbacks. For lots 1, 11 to 17, the applicant shall propose setbacks and home design that is appropriate for the property topography.
19. Lot 1 shall be contained entirely on the east side of the private drive.
20. The majority of the downward slope shall be open space and appropriately landscaped, which shall be maintained by the HOA. A landscaping plan

addressing the open space shall be included in the submittal for the Final Development Plan.

21. All requirements of the Contra Costa County Fire Protection District shall be met.
22. All stormwater drainage shall be contained within the City of Antioch. Lot lines shall not cross over concrete V-ditches.

### **ATTACHMENTS**

- A. Aerial Photograph
- B. Applicant's Project Summary
- C. Hillside Planned Development District Ordinance
- D. General Plan Hillside Design Policies
- E. CCCFPD Letter and Email from the City of Pittsburg



# ATTACHMENT "A"

Aerial Photo



## ATTACHMENT "B"

### BLACK DIAMOND RANCH UNIT #4 PROJECT CHARACTERISTICS PRELIMINARY DEVELOPMENT PLAN

RECEIVED

APR 29 2014

CITY OF ANTIOCH  
COMMUNITY DEVELOPMENT

The proposed Black Diamond Ranch Unit #4 Project consists of seventeen (17) single family residential lots on 20.98 acres. The proposal is to subdivide the owner/developer remainder parcel that was created with Black Diamond Ranch #3. Ten (10) of the lots will be incorporated into the existing Black Diamond Ranch Unit #2 and Unit #3 project, and will be similar in size to the existing. Seven (7) of the lots will be built on the knoll. The amount of grading and been minimized to the maximum extent practical while still providing an access road that meets fire district requirements. The homes on these lots would largely conform to the hillside with minimal grading adjacent to the access road. The access road would be private and maintained by the homeowners of Lots 11-17 and would extend from Torgenson Ct. in Black Diamond Ranch Unit #3. This project is located southeast of the Somersville and James Donlon Blvd. intersection within the existing Black Diamond Ranch project.

The proposed density of this project is about 1.23 units per acre with lots ranging from 7000 sq. ft. to over 7 acres. Lots 1-10 will accommodate homes sizes likely up to 3500 sq. ft., similar to the homes within Black Diamond Ranch, while the homes on lots 11-17 will be more custom in nature, designed for the specific lot.

The current General Plan for this parcel is Medium Low Density Residential. Due to the topography we understand that lots 11-17 will need to comply with the Hillside Planned Development District requirements of the municipal code, while lots 1-10 will just need to comply with the Planned Development District requirements. The layout and density we are proposing for these areas is consistent with the Municipal Code and the General Plan land use designation.

B1

## ATTACHMENT "C"

### ARTICLE 24: HILLSIDE PLANNED DEVELOPMENT DISTRICT

#### § 9-5.2401 PURPOSE.

(A) The Hillside Planned Development District (HPD) is intended to promote a more harmonious visual and functional relationship between the natural and built environments.

(B) The district shall provide for the following:

(1) The preservation of significant features of hillside areas, such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings and native vegetation;

(2) The encouragement in hillside areas of an alternative and varied development approach that would provide the maximum in safety and human enjoyment while utilizing the opportunities presented by the natural terrain;

(3) The concentration of dwelling units and other structures through clustering so as to preserve the most sensitive terrain in its natural state;

(4) A mixture of housing stock so as to provide variation in appearance;

(5) Compliance with the land use densities specified in the General Plan with the understanding that in areas featuring steeper slopes, densities shall diminish as the slope of the terrain increases;

(6) Consistency with the Open Space Element of the General Plan and evidence that detailed and effective arrangements for the preservation, maintenance and control of open space and recreational lands are provided;

(7) The minimization of grading and cut and fill operations consistent with the retention of the natural character of the terrain; and

(8) The minimization of water runoff and soil erosion problems in the modification of the terrain to meet on-site and off-site development needs.

(Ord. 897-C-S, passed 10-25-94)

#### § 9-5.2402 GENERAL PROVISIONS.

(A) This section shall apply to those hillside areas in which one or more of the following apply:

(1) A predominant portion of the area has slopes in excess of 10%;

(2) A significant area of slopes of 25% or greater are located in the area; or

(3) A significant ridgeline, hilltop, or exposed slope is located in the area.

(B) Applicability for a particular area shall be determined by the Zoning Administrator and may be appealed to the Planning Commission and City Council. The provisions of this section shall not apply to those parcels of record for which a tentative map or final development plan has been approved and for which a plan or map has not expired. All such parcels of record shall be permitted at least one dwelling unit unless such right is or has been previously waived by scenic easement, deed of development rights, or other device.

(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2403 RELATIONSHIP TO LAND SUBDIVISION.

In situations where a subdivision of land (e.g., a tentative map) is undertaken in conjunction with the establishment or implementation of a P-D District, such subdivisions shall be processed concurrently and approved under the same resolution of approval.  
(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2404 USES PERMITTED.

An HPD District shall generally be reserved for residential uses; however, other uses may be permitted in accordance with the General Plan or any approved Specific Plan and provided such uses are shown on the approved final development plan for that district.  
(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2405 RELATIONSHIP TO EXISTING PLANS.

All standards, requirements, densities, land use designations and other contents of an approved final development plan shall be in substantial conformance with the General Plan and any applicable Specific Plan.  
(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2406 ESTABLISHMENT AND DEVELOPMENT.

(A) A Hillside Planned Development District may be established upon an application of the property owner or owners or upon the initiative of the city.

(B) Prior to the extensive preparation or submittal of detailed plans and information the applicant is required to submit a preliminary proposal to the Community Development Department so that the applicant may be informed of possible environmental concerns, General Plan and engineering requirements, circulation, siting and design criteria and other factors that may affect the proposal.

(C) A preliminary development plan for a proposed HPD District shall be submitted for Planning Commission approval. In considering the preliminary development plan at its public hearing, the Commission shall determine its appropriateness based on its ability to meet the purpose of this article. In no case shall approval of the preliminary development plan constitute an endorsement of the proposal's precise location, extent of uses, configuration of parcels or engineering feasibility.

(D) Once a preliminary development plan has been approved by the Planning Commission a final development plan may be submitted to the city. The review and approval procedure and findings for a final development plan for a HPD District shall be the same as that for a P-D District. If approved the property shall be rezoned as an HPD District and so indicated on the zoning map of the city.

(E) A use permit shall be required prior to the construction of any phase of an approved HPD District and shall follow the same review and approval procedure as outlined for P-D Districts.

(F) The required submittal materials for HPD District approval shall be as listed in the application package available from the Community Development Department.  
(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2407 DEVELOPMENT STANDARDS AND CRITERIA.

(A) The development standards and criteria set forth in this section are the minimum necessary to insure that the intent of this article is achieved. Such standards and criteria recognize the unique nature of hillside areas and are designed to provide greater flexibility so that more innovative development schemes are possible. Despite the intended flexibility, there may arise unique circumstances in which the development standards and criteria set forth in this section may result in severe hardship or produce results counter to the stated intent of this chapter. Where these circumstances are proven to exist, exceptions to such standards may be permitted coincidental with the approval of the Hillside Planned Development District.

(B) It is the expressed intent of this section that innovative development techniques be utilized in hillside areas, therefore flexible lot standards shall be allowed. To this end, minimum yard or lot areas, lot widths, lot depths, distances between buildings, maximum lot coverage and/or rear yard access requirements shall be specific for each HPD District and approved with the final development plan and use permit for each project. This provision shall be consistent with any and all fire, building or other safety codes.

(C) In approving an HPD, the degree to which the proposed lot specifics meet the intent of this chapter shall be evaluated based on the following:

- (1) The manner in which the proposal relates to the natural topography;
- (2) The degree to which grading and cut and fill operations are minimized;
- (3) The stability of the soil and underlying geology;
- (4) The degree to which unique natural features, such as rock outcroppings, ravines, creeks, and steep hill faces, are preserved;
- (5) The effect on native vegetation and the extent to which landscaping enhances the characteristics of the area;
- (6) The vehicular accessibility;
- (7) The extent to which parking areas are well-designed and functional;
- (8) The degree to which dwelling units relate to recreational and natural areas;
- (9) The degree to which individual privacy is provided for; and
- (10) The degree to which the project relates to adjacent existing and future developments.

(D) The design of building, fences, and other structures shall be in harmony with and enhance natural site characteristics in regard to height, massing, texture, color, reflective properties, roof characteristics, and setbacks. Fences shall not extend vertically into any areas where the visual quality of a hillside would be disrupted nor shall the roofing of any structure be situated so as to visually extend above any significant ridgeline when viewed from off-site.

(E) (1) Hillside streets should reflect a rural rather than an urban character. Curbs and gutters will be required, unless it can be shown that an alternative pavement treatment will permit adequate drainage and will not adversely impact the roadway base.

(2) Horizontal and vertical street alignments should relate to the natural contours of the site. Proposed street designs shall minimize grading to the extent feasible and shall account for the following:

- (a) The steepness of the terrain;
- (b) The depth of the cut, the amount of cut and fill required and the height and appearance of required retaining walls;
- (c) The ability to grade required cut and fill areas to give the appearance of natural slopes;
- (d) The provision of off-street parking to compensate for any inability to provide on-street parking;



- (e) The provision of adequate turnouts;
- (f) The adequacy of site distances provided;
- (g) The safety of driveway entrances;
- (h) The maximum number of dwelling units which can ultimately be served by the streets;
- (i) The length of the street and its potential to become a through street; and
- (j) The provision of access for emergency vehicles.

(3) To better match a project's streets with its natural setting, varied right-of-way widths, off-street rather than on-street parking, split level streets and a variety of street designs (e.g., cul-de-sac, hammerheads, short loop streets) may be considered. Private streets or lanes may be allowed where they will create a more desirable living environment and result in a more effective use of hillside amenities.

(4) Street lighting used in an HPD District shall be low profile, unobtrusive, and designed to enhance the rural character of the area while providing adequate safety and security.

(F) (1) A pedestrian circulation plan shall be provided to ensure adequate separation between vehicular and pedestrian traffic. The need for public sidewalks shall be determined by their expected levels of use and may be waived where appropriate. Private walkways/paths connecting dwelling units with each other and with various components of the HPD District may be utilized and shall be the responsibility of a homeowners' association or other maintenance mechanism.

(2) Bicycle and equestrian trails, if provided, shall be integrated into an overall plan for the HPD District and, where possible, provide linkage to a city-wide and/or regional trail system.

(G) (1) Where the General Plan and/or an adopted Specific Plan designates any portion of an area as open space, it shall be reflected in the proposed development plan. Any area not previously designated as open space but which lends itself to such use should be similarly identified on the development plan. Areas proposed as open space should include irreplaceable natural features such as stream beds, significant stands of trees, individual trees of significant size, age and/or appearance, exposed or steep slopes, significant ridgelines and rock outcroppings. Natural features of lesser significance which nonetheless are aesthetically important shall be preserved.

(2) Dedication of open space as a part of a public open space or park system may be required. Where such offer of dedication is not accepted, the development shall provide for the maintenance and preservation of such open space through covenants or other legal arrangements acceptable to the Council. Common private open space which is permanently maintained as a landscaped park or recreational area may be eligible for credit toward the development's park dedication requirements.

(H) All new utilities shall be installed under-ground and shall conform to the rules and regulations of the State Public Utilities Commission. Drainage and flood control devices shall be integrated into the landscape and, where feasible, natural-appearing drainage ways shall be used.

(I) A Stormwater Control Plan shall be prepared by an engineer, or equally qualified professional as determined by the City Engineer. The City Engineer may require that the Stormwater Control Plan be prepared by a licensed civil engineer. All architectural, civil engineering, and landscape site plans shall be consistent with the storm water control plan.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 1064-C-S, passed 12-13-05) Penalty, see § 9-5.2904

#### § 9-5.2408 GRADING.

(A) Any parcel of land subject to this article shall not be graded unless such grading is specifically shown on an approved final development plan. Grading shall be planned so that it blends into the natural landscape of the site and lessens any associated negative visual impacts from such grading. The use of 2:1 slopes shall be avoided, as shall the use of benches. Where allowed, 2:1 slopes and benches shall be of limited height and designed so that they are situated and/or screened by structures to minimize visibility from public rights-of-way and off-site properties. While mass grading is generally prohibited, the grading of less significant land forms is allowable, as is the grading of more significant natural features, provided such modifications will result in an improvement of the overall project and are in keeping with the overall intent of this article.

(B) In steeper areas and areas of greater visibility, grading should generally be limited to that portion of the site required for the structure and limited associated outdoor area. The use of retaining walls, terracing, platform structures, and stepped or post and beam construction shall be used to minimize the impacts of grading on steeper slopes. In areas of lesser slopes, limited padding may be allowed where it could provide for the clustering of development and would otherwise promote the intent of this article.

(C) Grading plans shall be reviewed to ensure that any land form modifications will not adversely impact adjacent property owners and that proposed grading will be able to blend into any existing and future development on adjacent parcels.

(Ord. 897-C-S, passed 10-25-94) [Penalty, see § 9-5.2904](#)

#### § 9-5.2409 LAPSE OF APPROVAL.

A final development plan shall expire two years after date of approval or at an alternate date specified as a condition of approval, unless there has been any activity in that HPD District (e.g., a use permit has been approved or a building permit issued for any development phase of the HPD) or an extension has been granted.

(Ord. 897-C-S, passed 10-25-94)

#### § 9-5.2410 EXTENSION AND RENEWAL.

A final development plan approval may be extended by the Planning Commission for a two-year period without notice or public hearings, if the findings required remain valid. The Planning Commission may modify the final development plan and/or add conditions of approval at this time based on this review.

(Ord. 897-C-S, passed 10-25-94)

#### § 9-5.2411 CHANGED PLANS AND NEW APPLICATIONS.

(A) A request for modifications to the conditions of approval for a final development plan shall be treated as a new application, unless the Zoning Administrator finds that the changes proposed would be non-controversial, minor, do not involve substantial alterations or additions to the plan, and are consistent with the intent of the original approval.

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(B) If an application for a final development plan is denied, no new application for the same, or substantially the same, final development plan shall be filed within one year of the date of last denial, unless the denial was made without prejudice.  
(Ord. 897-C-S, passed 10-25-94)

§ 9-5.2412 HPD DISTRICTS APPROVED PRIOR TO ADOPTION.

Final development plans approved by the City Council prior to adoption of this chapter shall not be subject to these provisions.  
(Ord. 897-C-S, passed 10-25-94)



clearly, and are to be integrated into the overall design of the project.

- g. Pole signs are not to be permitted. Signs are to be designed to reflect the general low-rise character of the City. Low monument-type signs are appropriate for identifying freestanding commercial uses, shopping centers, and business/office complexes. Where roof signs are permitted, they are to be architecturally integrated with the overall building design.
- h. Individual tenant signs within centers should be designed as part of an overall sign program, integrating all signs with the architectural design of the project.
- i. "Corporate" and "franchise" signage is discouraged, unless it is blended into the overall design theme of the center within the sign is located.
- j. Gas station canopies with corporate colors, logos, and signs are discouraged unless their design is blended into the overall design of the adjacent structure.

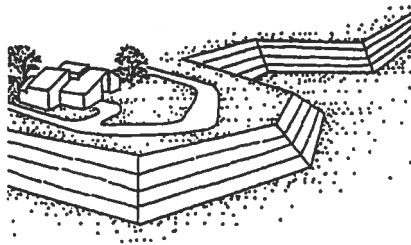
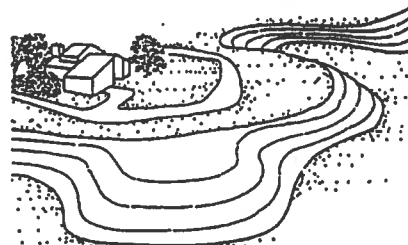
#### 5.4.14 Hillside Design Policies

- a. Design hillside development to be sensitive to existing terrain, views, and significant natural landforms and features.
- b. Projects within hillside areas shall be designed to protect important natural features and to minimize the amount of grading. To this end, grading plans shall conform to the following guidelines.
  - *Slopes less than 25%:*  
Redistribution of earth over large areas may be permitted.
  - *Slopes between 25% and 35%:*  
Some grading may occur, but landforms need to retain their natural character. Split-level designs and clustering are encouraged as a means of avoiding the need for large padded building areas.
  - *Slopes between 35% and 50%:*  
Development and limited grading can occur only if it can be clearly

demonstrated that safety hazards, environmental degradation, and aesthetic impacts will be avoided. Structures shall blend with the natural environment through their shape, materials and colors. Impact of traffic and roadways is to be minimized by following natural contours or using grade separations. Encouraged is the use of larger lots, variable setbacks and variable building structural techniques such as stepped or post and beam foundations are required.

- *Slopes greater than 50%:*  
Except in small, isolated locations, development in areas with slopes greater than 50% should be avoided.
- c. Manufactured slopes in excess of five vertical feet (5') shall be landform graded. "Landform grading" is a contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural terrain. Grading plans shall identify which slopes are to be landform graded and which are to be conventionally graded.
- d. The overall project design/layout of hillside development shall adapt to the natural hillside topography and maximize view opportunities *to*, as well as *from* the development.
- e. Grading of ridgelines is to be avoided wherever feasible, siting structures sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized through construction techniques and design, and landscaping shall be provided to soften the impact of the new structure.
- f. Hillside site design should maintain an informal character with the prime determinant being the natural terrain. This can be accomplished by:

- utilizing variable setbacks and structure heights, innovative building techniques, and retaining walls to blend structures into the terrain, and
  - allowing for different lot shapes and sizes.
- g. Buildings should be located to preserve existing views and to allow new dwellings access to views similar to those enjoyed from existing dwellings.
- h. Streets should follow the natural contours of the hillside to minimize cut and fill, permitting streets to be split into two one-way streets in steeper areas to minimize grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On-street parking and sidewalks may be eliminated, subject to City approval, to reduce required grading.

**Unacceptable****Acceptable**

- i. Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, dwelling units are grouped in the more level portions of the site, while steeper areas are preserved in a natural state.
- j. Project design should maximize public access to canyons, overlooks, and open space areas by:
- providing open space easements between lots or near the end of streets or cul-de-sacs; and
  - designating public pathways to scenic vistas.
- k. Permit the use of small retaining structures when such structures can reduce grading, provided that these structures are located and limited in height so as not to be a dominant visual feature of the parcel.
- Where retaining walls face public streets, they should be faced with materials that help blend the wall into the natural character of the terrain.
  - Large retaining walls in a uniform plane should be avoided. Break retaining walls into elements and terraces, and use landscaping to screen them from view.
- l. Lot lines shall be placed at the top of slopes to facilitate maintenance by the down slope owner, who has the greater "stake" in ensuring the continued integrity of the slope.
- m. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.
- The overall height of a building is an important aspect of how well it fits into the existing character of the neighborhood and its hillside environment. Houses should not be excessively tall so as to dominate their

- surroundings or create a crowded appearance in areas of small lots. Structures should generally be stepped down hillsides and contained within a limited envelope parallel to the natural grade, rather than "jutting out" over natural slopes.
- Building forms should be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.
  - Building facades should change plane or use overhangs as a means to create changing shadow lines to further break up massive forms.
  - Wall surfaces facing towards viewshed areas should be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.
- n. Collective mass rooflines and elements should reflect the naturally occurring ridgeline silhouettes and topographical variation, or create an overall variety, that blends with the hillside.
- o. Based upon the graphic principle that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.
- p. Architectural style, including materials and colors, should be compatible with the natural setting. The use of colors, textures, materials and forms that will attract attention by contrasting or clashing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
- q. The interface between development areas and open space is critical and shall be given special attention. Slope plantings should create a gradual transition from developed slope areas into natural areas. By extending fingers of planting into existing and sculptured slopes, the new landscape should blend in with the natural vegetation.
- r. Planting along the slope side of a development should be designed to allow controlled views out, yet partially screen and soften the architecture. In general, 50 percent screening with plant materials should be accomplished.
- Trees should be arranged in informal masses and be placed selectively to reduce the scale of long, steep slopes.
  - Shrubs should be randomly spaced in masses.
  - Skyline planting should be used along recontoured secondary ridgelines to recreate the linear silhouette and to act as a backdrop for structures. Trees should be planted to create a continuous linear silhouette since gaps in the planting will not give the desired effect.
  - Trees that grow close to the height of structures should be planted between buildings to eliminate the open gap and blend the roof lines into one continuous silhouette.
  - For fire prevention purposes, a fuel modification zone shall be provided between natural open space and development.
- s. New development within hillside areas shall be conditioned upon:
- the preparation and recordation of a declaration of covenants, conditions and restrictions providing for the development and maintenance of manufactured slopes;
  - in the case of a parcel map or subdivision, the subdivider's supplying a program and/or staff for preventive maintenance of major manufactured slope areas. Such program must be approved prior to approval of a final map, and shall include homeowner slope maintenance requirements and guidelines to be incorporated into the declaration of covenants, conditions, and restrictions.

**5.4.15 Landscaping**

- a. Landscape design should accent the overall design theme and help to reinforce the pedestrian scale of the project. This could be accomplished through the use of structures, arbors, and trellises that are appropriate to the particular architectural style of the project. Pedestrian amenities should be provided throughout the project including benches, trash receptacles, and lighting.
  - b. The use of water efficient landscape materials and the installation of appropriate irrigation systems are required. This does not mean that the landscape is brown, displays a "desert" theme, or is devoid of plants. However, it does mean that a well designed landscape shall be provided which produces the same lush appearance as other non-water efficient landscapes, but requires less water and maintenance. Where consistent with the site's design theme, native and naturalized species should be featured in the site's landscape design.
  - c. Whenever landscaping of the public parkway is required it should be designed in coordination with the project's on-site landscaping to provide an integrated design concept along street frontages.
  - d. Project entries should be designed as special statements reflective of the character of the project in order to establish identity for tenants, and visitors. Accent planting, specimen trees, enhanced paving, and project entry signs should be used to reinforce the entry statement.
  - e. Landscaping should be designed as an integral part of the overall site plan design. Landscaping and open spaces should not be relegated to pieces of the site left over after buildings, parking, and circulation have been laid out.
- activities to residents and visitors, including such activities as art shows, school competitions, public exhibitions, art in public places, musical performances, dance recitals, plays, film festivals, and artists in residence.
- b. Pursue the establishment of facilities for the arts, including a museum; gallery space; and outdoor amphitheater for community events, musical performances, and plays; storage space for local arts groups; an indoor performance facility in addition to the Antioch community Center; and work space for both professional and amateur artists.
  - c. Provide incentives to developments for the provision of outdoor art in public places in a variety of forms, such as stationary and kinetic sculptures, commemorative plaques, and murals. Such incentives could include, but are not necessarily limited to, credits for the provision of open space, density bonuses, or considerations in the City's residential development allocation system.

**5.4.16 Civic Arts Policies**

- a. Support the efforts of the Civic Arts Organization to provide cultural and civic

## ATTACHMENT "E"

Contra Costa County



Fire Protection District

September 11, 2014

Ms. Mindy Gentry  
City of Antioch  
Community Development  
P.O. Box 5007  
Antioch, CA 94531-5007

**Subject:** Black Diamond Ranch Unit #4, Subdivision 9370  
Countryside Way and Torgensen Court, Antioch  
CCCFPD Project No.: P-2014-06924

Dear Ms. Gentry:

We have reviewed the preliminary development plan application to establish a 17-lot residential subdivision at the subject location. The following is required for Fire District approval in accordance with the 2013 California Fire Code (CFC), the 2013 California Residential Code (CRC), and adopted ordinances and standards:


1. Access roadways and turnarounds shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. Access roadways shall not exceed 20% grade. **Grades exceeding 16% shall be constructed of grooved concrete per Fire District standard FPS-001-D3.** (503) CFC
2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked on both sides of the roadway. (22500.1) CVC, (503.3) CFC  
  
Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC
3. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 GPM. Required flow must be delivered from not more than 1 hydrant flowing for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
4. The developer shall provide hydrants such that all portions of property frontage are within 250 feet of a hydrant. (C103.1) CFC
5. The developer shall submit a minimum of two (2) copies of site improvement plans indicating all existing and proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. (501.3) CFC
6. **Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.** (501.4) CFC

7. All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC
8. The developer shall submit three (3) copies of a 300-foot scale parcel map indicating approved fire hydrant locations, street names, and addresses to the Fire District for mapping purposes. These maps are required **prior to** Fire District signing for final improvement plans (Mylar).

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,



Ted Leach  
Fire Inspector

c: Isakson & Associates  
2255 Ygnacio Valley Road, Suite C  
Walnut Creek, CA 94598

File:P-2014-06924.itr

## Gentry, Mindy

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**From:** Kristin Pollot [KPollot@ci.pittsburg.ca.us]  
**Sent:** Thursday, June 05, 2014 3:39 PM  
**To:** Gentry, Mindy  
**Cc:** Alfredo Hurtado  
**Subject:** Project Referral - Black Diamond Unit 4

Hi Mindy,

Thank you for allowing the City of Pittsburg an opportunity to provide comments on this proposed project. I have had our City engineers review the proposal and have the following two comments to share:

1. Ensure that the drainage for lots 11 and 17 is directed towards the Antioch public facilities and not towards the future lots (Sky Ranch II) in the City of Pittsburg.
2. We'd like to encourage that you continue to work with the City of Pittsburg to ensure that there no other conflicts between the Black Diamond Unit 4 proposal and the approved vesting tentative map for the Sky Ranch II subdivision (let me know if you need a copy of the map and applicable conditions of approval).

Thank you,

**Kristin Vahl Pollot, AICP**  
**Associate Planner**  
City of Pittsburg, Planning Department  
65 Civic Avenue  
Pittsburg, CA 94565  
(925) 252-6941

[www.ci.pittsburg.ca.us](http://www.ci.pittsburg.ca.us)