



Confederated Villages of the Lisjan

10926 Edes Avenue, Oakland CA 94603

RE: City of Antioch General Plan Amendment:

Dear Planning Commission,

I am writing on behalf of the Confederated Villages of the Lisjan in response to your planned Commercial Infill Housing amendments to the City of Antioch General Plan. We are grateful for the opportunity to comment and encouraged that the City wants to create a more inclusive, justice-oriented vision as it addresses California's housing crisis. As people who have lived on this land for many generations before it was Antioch, we are glad to continue to build a stronger City-Tribe relationship.

While the current General Plan contains provisions for protection of Tribal Cultural Resources ("TCR's"), we were very concerned to see that such protections are omitted from the infill housing objective criteria. While the areas may already be partially developed, soil disruption carries the potential to impact TCR's in the 6 infill areas designated as "Vacant/ Greenfield" sites and "Undeveloped Land Within Existing Commercial Center," some of which contain swaths of undeveloped land.

The City itself acknowledges this possibility in General Plan Section 10.9, Cultural Resources Objectives and Policies, which reads, "Prehistoric cultural resources in the San Francisco Bay Area region tend to be located near sources of fresh water, along the bay shore, and in the hills of Contra Costa County. A records search indicated that eight prehistoric archaeological sites have been recorded within the Antioch General Plan area. Therefore, it is likely that additional unidentified prehistoric cultural resources exist within the Antioch area. *The rapid urbanization of the study area during the late 20th century may have resulted in the burial of unknown cultural resources under modern development.*"

As this is our aboriginal homelands, any decision the City makes affects the Indigenous people of Antioch and our future generations significantly. This includes potential infill development. We appreciate the memorandum sent in response to the Strategic Infill Housing Analysis Project virtual meeting, between the Confederated Villages of The Lisjan and the City on January 19, 2022. While the memorandum includes existing TCR mitigation measures in the General Plan, it does not specify how these measures fit into a "streamlined" approval process for commercial infill development.

To clarify protections for TCRs under the streamlined approval framework, we have attached a document with suggested language to improve the proposed amendments regarding justice for tribal people. We view this as a starting point and would also like to engage in more dialogue. As the Indigenous People of Antioch, we would like a seat at the table throughout the entire process, as we have called this land home for generations.

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Thank you again for considering our comments, we look forward to working with you further.

Sincerely,

Confederated Villages of Lisjan

(510) 575-8408 ♦ 10926 Edes Avenue, Oakland CA 94603

REQUEST FOR TRIBAL CULTURAL RESOURCE PROTECTIONS IN STREAMLINED COMMERCIAL INFILL HOUSING AMENDMENTS TO THE CITY OF ANTIOCH GENERAL PLAN

Section 4.4.7 of the Land Use Element, “Commercial Infill Housing” does not specify how Tribal Cultural Resources will be protected under the streamlined approval framework. The following suggestions would clarify any potential discrepancies.

“a. Purpose and Primary Issues” should be amended to include “e. Avoid or mitigate to the maximum feasible extent impacts of commercial infill housing development on Native American archaeological and cultural resources.”

“b. Policy Direction” should be amended to include “m. Avoid damage to Native American Tribal Cultural Resources that may have been buried during Antioch’s rapid urbanization in the late 20th century.”



General Plan Amendment

1. Add new policy direction as new section 4.4.7 of Land Use Element chapter: 4.4.7

Commercial Infill Housing. As part of a strategic infill housing study process, the City has designated specific sites within Antioch to allow for the streamlined development of high quality medium- and high-density residential and mixed-use projects. These infill sites are typically vacant and/or underutilized commercial areas of the city.

a. Purpose and Primary Issues

Commercial infill housing allows residential development in commercial land use designations, which can also serve the following issues:

- a. Revitalize partially built or struggling commercial developments that have commercial vacancies and relocation of commercial activity to other parts of the city.
- b. Incentivize residential and mixed-use development through streamlining/expediting the planning approval process.
- c. Contribute to the citywide need for more housing through the building of medium- and high-density housing.
- d. Allow for existing commercial sites to be developed with high quality residential development to address housing needs and redevelopment of underutilized sites.
- e. Avoid or mitigate to the maximum feasible extent impacts of commercial infill housing development on Native American archaeological and cultural resources.

b. Policy Direction

The following policies shall guide development of commercial infill housing projects:

- a. Allow property owners to develop housing on the infill site if the site is a minimum of half acre, the site is vacant and/or underutilized, and has an existing commercial land use designation.
- b. Appropriate land uses include medium density housing, high density housing, vertical mixed use, and horizontal mixed use.
- c. The underlying/base zoning for overlay sites will remain and may be redeveloped with commercial or other uses as currently allowed.
- d. The minimum residential development intensity shall be 12 dwelling units per acre.
- e. Residential densities of 12 to 35 dwelling units per gross developable acre are allowed. Densities of up to 50 dwelling units per gross developable acre are allowed with a use permit.
- f. Building heights of two to four stories (up to 45 feet) are allowed. Building heights above four stories or 45 feet shall require a use permit.
- g. Commercial infill housing projects shall satisfy the Objective Design Standards in the Commercial Infill Housing Objective Design Standards document.
- h. Encourage demolition or repurposing of underutilized commercial development on the site to accommodate for new high quality residential or mixed-use development.
- i. Create a pedestrian-oriented environment within and immediately outside of the development.

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Strategic Infill Housing Analysis for the City of Antioch

- j. Provide convenient access to circulation networks of various modes of travel, including vehicle, pedestrian, bike, and transit outside of the site.
- k. Provide internal circulation for bikes, vehicles, and pedestrians that connect these circulation networks outside of the development on adjacent streets and sidewalks.
- l. Where possible, site entries near transit stops and facilitate vehicular access along major arterials.
- m. Avoid damage to Native American Tribal Cultural Resources that may have been buried during Antioch's rapid urbanization in the late 20th century.

2. Add additional underlined text to Section 4.4.1.2 Commercial Land Use Designations:

4.4.1.2 Commercial Land Use Designations. The General Plan land use map identifies two commercial land use designations, which, along with commercial development within Focus Areas, will provide a broad range of retail and commercial services for existing and future residents and businesses. Permitted maximum land use intensities are described for each designation. Maximum development intensities are stated as the maximum floor area ratio (FAR) within the project site. "Floor area ratio" is determined by dividing the total proposed building area of a development project by the square footage of the development site prior to any new dedication requirements. In addition to these commercial land use designations, residential and mixed-use development of a minimum of 12 dwelling units per gross developable acre may be allowed on commercial infill sites. See the Commercial Infill Housing description within the Land Use Element for more details.

3. Make the following changes to Table 4.A Appropriate Land Use Types:

Add row: *Commercial Infill Housing. As defined and regulated by the Antioch Municipal Code.* Checkmark columns: "Medium Density Residential," "High Density Residential," "Mixed Use," and "Mixed Use/Medical Facility" with reference to note #9. Add note #9 under Table 4.A: *Commercial infill housing is allowed only within the Commercial Infill Housing Overlay District.*