



Council Chambers  
200 H Street  
Antioch, CA 94509

Closed Session - 6:00 P.M.  
Regular Meeting - 7:00 P.M.

# ANNOTATED AGENDA

for

**NOVEMBER 27, 2018**

**Antioch City Council  
Regular Meeting**

**Including the Antioch City Council  
acting as Successor Agency/  
Housing Successor to the  
Antioch Development Agency**

Sean Wright, Mayor  
Lamar Thorpe, Mayor Pro Tem  
Monica E. Wilson, Council Member  
Tony Tiscareno, Council Member  
Lori Ogorchock, Council Member

Arne Simonsen, CMC, City Clerk  
James D. Davis, City Treasurer

Ron Bernal, City Manager  
Derek Cole, Interim City Attorney

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

This agenda is a summary of the actions proposed to be taken by the City Council. For almost every agenda item, materials have been prepared by the City staff for the Council's consideration. These materials include staff reports which explain in detail the item before the Council 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 City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, during normal business hours for inspection and (for a fee) copying. 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 City Clerk's Office, who will refer you to the appropriate person.

### **Notice of Opportunity to Address Council**

The public has the opportunity to address the Council on each agenda item. To address the Council, fill out a yellow Speaker Request form, available on each side of the entrance doors, and place in the Speaker Card Tray. See the Speakers' Rules on the inside cover of this Agenda. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section.

**6:00 P.M.**     **ROLL CALL – CLOSED SESSIONS** – for Council Members – ***Council Members Wilson, Tiscareno, Ogorchock and Mayor Wright (Council Member Thorpe arrived at 6:05 p.m.)***

**PUBLIC COMMENTS** for Closed Sessions – ***None***

#### **CLOSED SESSIONS:**

- 1) **PUBLIC EMPLOYMENT – RECRUITMENT OF CITY ATTORNEY.** This closed session is authorized pursuant to Government Code section 54957.  
***Direction given to Recruiter***

**7:01 P.M.**     **ROLL CALL – REGULAR MEETING** – for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – ***All Present***

#### **PLEDGE OF ALLEGIANCE**

#### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

#### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

- ***BOARD OF ADMINISTRATIVE APPEALS, ALTERNATE MEMBER***

**PUBLIC COMMENTS** – *Members of the public may comment only on unagendized items. The public may comment on agendized items when they come up on this Agenda.*

#### **CITY COUNCIL COMMITTEE REPORTS**

#### **MAYOR'S COMMENTS**

PRESENTATION

**1. CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency**

**A. APPROVAL OF COUNCIL MINUTES FOR OCTOBER 23, 2018**

**Approved, 5/0**

Recommended Action: It is recommended that the City Council approve the minutes.

STAFF REPORT

**B. APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 13, 2018**

**Continued, 5/0**

Recommended Action: It is recommended that the City Council continue the Meeting Minutes to the next meeting.

STAFF REPORT

**C. APPROVAL OF COUNCIL WARRANTS**

**Approved, 5/0**

Recommended Action: It is recommended that the City Council approve the warrants.

STAFF REPORT

**D. WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS (P.W. 246-29)**

**Reso. No. 2018/147 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution to:

- 1) Amend the fiscal year 2018/2019 Capital Improvements Budget to increase Water Enterprise funding for the Water Treatment Plant Disinfection Improvements Project by \$112,846.
- 2) Authorize the City Manager to execute the Third Amendment to the Consultant Service Agreement with CDM Smith, Inc.
- 3) Extend the term of the agreement with CDM Smith, Inc. to December 31, 2019.

STAFF REPORT

**E. AUTHORIZE INCREASE OF THE HOURLY RATE SALARY SCHEDULE FOR EMPLOYEES WORKING IN A POLICE TRAINEE CLASSIFICATION**

**Reso. No. 2018/148 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing an increase of the hourly rate salary schedule for employees working in a Police Trainee Classification for the City of Antioch.

STAFF REPORT

**CONSENT CALENDAR for City /City Council Members acting as Successor Agency/Housing Successor to the Antioch Development Agency – Continued**

**City of Antioch Acting as Successor Agency/Housing Successor to the Antioch Development Agency**

**F. APPROVAL OF SUCCESSOR AGENCY WARRANTS**

STAFF REPORT

**Approved, 5/0**

Recommended Action: It is recommended that the City Council approve the warrants.

**G. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

STAFF REPORT

**Approved, 5/0**

Recommended Action: It is recommended that the City Council approve the warrants.

**PUBLIC HEARING**

**2. RESOLUTION APPROVING OWNER PARTICIPATION (SALES TAX SHARING) AGREEMENT BETWEEN THE CITY OF ANTIOCH AND TRALEE, INC., ANTIOCH CHRYSLER JEEP DODGE, INC., AND WATERVILLE, INC. (COLLECTIVELY KNOWN AS “NOKES DEALERSHIPS”) AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT**

**Reso. No. 2018/149 adopted, 3/2-Wilson, Tiscareno**

Recommended Action: It is recommended that the City Council adopt a resolution authorizing the City Manager to enter into an Owner Participation Agreement between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (collectively known as “Nokes Dealerships”).

STAFF REPORT

**3. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH RECOGNIZING THE AMENDMENTS MADE TO THE GENERAL PLAN IN LIGHT OF THE ADOPTION OF “THE RANCH” AND THE “LET ANTIOCH VOTERS DECIDE” INITIATIVES**

**Continued to 01/08/19, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution recognizing the amendments made to the General Plan in light of the adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives.

STAFF REPORT

**4. DOWNTOWN SPECIFIC PLAN ZONING AMENDMENT**

**To 12/11/18 for adoption, 5/0**

Recommended Action: It is recommended that the City Council introduce the Ordinance to rezone those parcels in the Downtown Specific Plan Focus Area and to modify the text accordingly.

STAFF REPORT



**COUNCIL REGULAR AGENDA**

5. APPROPRIATION OF EXPENDITURES FOR ENCUMBRANCES AND PROJECT BUDGETS OUTSTANDING AS OF JUNE 30, 2018 TO THE 2018/19 FISCAL YEAR BUDGET AND OTHER FISCAL YEAR 2018/19 BUDGET AMENDMENTS

**Reso. No. 2018/150 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt the resolution appropriating expenditures for encumbrances and project budgets outstanding to the 2018/19 fiscal year budget and approving other amendments to the 2018/19 fiscal year budget.

STAFF REPORT

6. CONSIDERATION AND FINAL DETERMINATION OF BOARD OF ADMINISTRATIVE APPEALS DECISION REGARDING: ADMINISTRATIVE CITATION NO. 6037 APPEAL FILED BY SERGEI SAPOZHNIKOV FOR THE PROPERTY LOCATED AT 3224 MADRONE ST, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "BUSINESS LICENSE REQUIRED" [§3-1.103]

**Board of Administrative Appeals decision overturned, 5/0**

Recommended Action: It is recommended that the City Council overturn the Board of Administrative Appeals decision regarding Administrative Citation No. 6037 issued to Sergei Sapozhnikov for violation of the Antioch Municipal Code.

STAFF REPORT

7. TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH AND THE TREATMENT PLANT EMPLOYEES ASSOCIATION FOR THE PERIOD OF OCTOBER 1, 2018 – SEPTEMBER 30, 2020

**Reso. No. 2018/151 adopted, 5/0**

Recommended Action: It is recommended that the City Council adopt a resolution:

- 1) Approving the Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association (TPEA); and
- 2) Authorizing the Finance Director to make any necessary adjustments to the FY2018/19 budget to implement the provisions of the Tentative Agreement.

STAFF REPORT

**PUBLIC COMMENT**

**STAFF COMMUNICATIONS**

**COUNCIL COMMUNICATIONS AND FUTURE AGENDA ITEMS** – *Council Members report out various activities and any Council Member may place an item for discussion and direction on a future agenda. Timing determined by Mayor and City Manager – no longer than 6 months.*

**ADJOURNMENT – 10:15 p.m.**

**CITY COUNCIL MEETING  
INCLUDING THE ANTIOCH CITY COUNCIL  
ACTING AS HOUSING SUCCESSOR  
TO THE ANTIOCH DEVELOPMENT AGENCY**

**Regular Meeting  
7:00 P.M.**

**October 23, 2018  
Council Chambers**

**6:15 P.M. - CLOSED SESSION**

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** pursuant to California Government Code section 54956.8; Property – former Deerfield Fire Station: City Negotiator; City Manager. Document: Draft Purchase and Sale Agreement (PSA).

Interim City Attorney Cole reported the City Council had been in Closed Session and gave the following report: **#1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, direction was given to Real Property Negotiators.

Mayor Wright called the meeting to order at 7:01 P.M., and Acting Deputy City Clerk/Minutes Clerk Eiden called the roll.

Present: Council Members Wilson, Thorpe, Tiscareno, Ogorchock and Mayor Wright

**PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Thorpe led the Council and audience in the Pledge of Allegiance.

**1. PROCLAMATIONS**

*Homeless Awareness Month, November 2018*  
*Shelter-in-Place Education Day, November 7, 2018*  
*National Alzheimer's Disease Awareness Month, November 2018*

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the Council unanimously approved the Proclamations.

Mayor Wright presented the *Homeless Awareness Month* proclamation to Candace Collier who discussed her struggles with homelessness, her success at overcoming her situation, and her support for homeless services in Contra Costa County.

Mayor Wright read the *Shelter-in-Place Education Day* proclamation. No one came forward to accept the proclamation.

Mayor Wright and Councilmember Ogorchock presented the *National Alzheimer's Disease Awareness Month* proclamation to Shannon Skinner, representing Somersville Towne Center, and Susannah Meyer, representing Meals on Wheels, who thanked the City for the proclamation and Councilmember Ogorchock for hosting the Senior Walk event.

Mayor Wright commented that his grandfather and Councilmember Ogorchock's mother had Alzheimer's and it was a devastating disease. He reported that Sandra Day O'Connor announced that she had been diagnosed with dementia. He thanked Ms. Skinner and Ms. Meyers for advocating on behalf of those who have this disease.

### **ANNOUNCEMENTS OF CIVIC AND COMMUNITY EVENTS**

Director of Parks and Recreation Kaiser announced in honor of Unity Day, October 24, 2018, the City was encouraging residents to wear orange to unite for kindness, acceptance and inclusion.

Jeanette J. Abrams, GFWC Women's Club of Antioch, announced their Christmas House Tour fundraiser to benefit local schools, charities, and the restoration of their clubhouse would be held on December 9, 2018. Contact information was provided for anyone wishing to purchase tickets.

Shannon Skinner, Somersville Towne Center, announced the following events taking place at the mall:

- Senior Mall Walk, 9:00 A.M. – 11:00 A.M. on November 2, 2018
- Halloween Event, 6:00 P.M. – 8:00 P.M. on October 31, 2018
- Santa Arrives on November 23, 2018

Councilmember Ogorchock announced the Family Violence Prevention Forum would be held from 5:00 P.M. – 8:00 P.M. on October 25, 2018 at the Antioch Water Park.

### **ANNOUNCEMENTS OF BOARD AND COMMISSION OPENINGS**

Mayor Wright announced the following Board and Commission openings:

- Board of Administrative Appeals: One (1) alternate vacancy; deadline date is November 2, 2018
- Parks and Recreation Commission: One (1) vacancy; deadline date is November 16, 2018

**PUBLIC COMMENTS – None**

### **COUNCIL SUBCOMMITTEE REPORTS**

Mayor Wright reported on his attendance at the TRANSPLAN meeting.

### **MAYOR'S COMMENTS**

Mayor Wright thanked the citizens of Antioch for their patience while construction work and street improvements were taking place throughout the City.

## **PRESENTATION**

### *BART Parking Update*

Ric Rattray, BART Project Manager, gave a PowerPoint presentation.

Councilmember Tiscareno thanked Mr. Rattray for the report.

In response to Councilmember Tiscareno, Mr. Rattray stated they were supportive of the road connection from Viera Avenue and the existing parking lot was designed to accommodate the improvements.

Joel Keller, BART Director, added that they would be meeting with staff, property owners, and representatives from CCTA to determine if a partnership could be put together to expedite the process. He noted if they lived within the guidelines of the specific plan, the area could be developed to benefit all stakeholders.

Councilmember Tiscareno discussed the importance of developing the infrastructure to facilitate development of the area.

Mr. Keller pledged to come back to the City Council with an update as the conversations regarding circulation and the road improvements progressed.

In response to Councilmember Wilson, Mr. Rattray commented that he would continue to work with staff to develop a plan to address vehicular wayfinding.

City Engineer/Public Works Director Blank added that he was reviewing the traffic study and would be participating in discussions to improve access to the station.

Councilmember Ogorchock thanked Mr. Rattray and Mr. Keller for the presentation. She reported that she had attended the Pittsburg BART Board of Directors meeting and she thanked them for bringing the meeting to East County. She questioned if the new parking stalls would be added to the reserve list.

Mr. Keller explained that there was a formula, based on performance, that would indicate how many spots should be reserved.

Councilmember Ogorchock commented that additional parking caused additional traffic concerns.

Mr. Keller responded that the additional spaces would require environmental review.

Councilmember Ogorchock spoke in support of building an overpass to Larkspur to alleviate some of the parking issues.

In response to Councilmember Thorpe, Mr. Keller provided an update on parking at the Bay Point/Pittsburg station.

Councilmember Thorpe stated he was supportive of constructing a parking garage, as a sustainable parking solution. He questioned if BART would commit to working with the City on the future planning decisions for the area around the station.

Mr. Keller explained the AB23 process and pledged to support the City of Antioch's desires for development around the station area. He commented that he understood the importance of local decision making and it was important that they work together to make sure the voices of the local residents were heard during the process.

Mayor Wright thanked Mr. Rattray and Mr. Keller for the presentation. He noted that the biggest issue was that the BART Board did not understand suburban problems. He further noted MTC and ABAG models failed in determining the parking and circulation needs, and it was important to develop a solution prior to someone being injured.

Mr. Keller stated that Mayor Wright's observations were legitimate and he pledged to work with staff and stakeholders, and come back in approximately 90-days to report on the options available to improve access to the station.

- 2. CONSENT CALENDAR for City /City Council Members acting as Housing Successor to the Antioch Development Agency**
  - A. APPROVAL OF COUNCIL MINUTES FOR OCTOBER 9, 2018**
  - B. APPROVAL OF COUNCIL WARRANTS**
  - C. REJECTION OF CLAIM: ERIKA HUNT**
  - D. TREASURER'S REPORT – AUGUST 2018**
  - E. TREASURER'S REPORT – SEPTEMBER 2018**
  - F. ORDINANCE NO. 2155-C-S SECOND READING – QUAIL COVE PROJECT**
  - G. ORDINANCE NO. 2156-C-S SECOND READING – WAIVER OF SECOND READING OF AND ENACTMENT OF ORDINANCE AMENDING TITLE 3, CHAPTER 2 OF THE ANTIOCH MUNICIPAL CODE TO UPDATE PROCEDURES REGARDING SIGNATURES**
  - H. RESOLUTION NO. 2018/133 SECOND AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH WOODARD & CURRAN FOR THE BRACKISH WATER DESALINATION PROJECT (P.W. 694)**

- I. **RESOLUTION NO. 2018/134 SIXTH AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT FOR PROFESSIONAL SERVICES WITH WALTER BISHOP CONSULTING**
- J. **RESOLUTION NO. 2018/135 SEWER SYSTEM MANAGEMENT PLAN – PLAN ADOPTION**

**City of Antioch Acting as Housing Successor to the Antioch Development Agency**

**K. APPROVAL OF HOUSING SUCCESSOR WARRANTS**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously approved the Council Consent Calendar.

**PUBLIC HEARING**

**3. BRACKISH WATER DESALINATION PROJECT (P.W. 694)**

City Manager Bernal introduced Public Hearing Item #3.

Public Works Director/City Engineer Blank and Project Manager Jim O'Toole presented the staff report dated October 23, 2018 recommending the City Council adopt a resolution certifying the Environmental Impact Report (EIR) for the Brackish Water Desalination project, adopting Findings of Fact, adopting the Mitigation Monitoring and Reporting, and approving the project.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

In response to Council, Public Works Director/City Engineer Blank discussed potential funding opportunities to deliver the project. He clarified that this item would be coming back to the City Council for approval.

Councilmember Ogorchock thanked staff for bringing the EIR to Council and moving the project forward.

In response to Mayor Wright, Public Works Director/City Engineer Blank explained the regulatory environmental process moving forward.

City Manager Bernal explained that they would consider every option on bidding the project and it would be brought back to Council.

**RESOLUTION NO. 2018/136**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously adopted a resolution certifying the Environmental Impact Report (EIR) for the Brackish

Water Desalination project, adopting Findings of Fact, adopting the Mitigation Monitoring and Reporting Program, and approving the project.

**4. FORMATION OF THE PROPOSED CITY OF ANTIOCH COMMUNITY FACILITIES DISTRICT NO. 2018-02 (POLICE PROTECTION)**

City Manager Bernal introduced Public Hearing Item #4.

Administrative Analyst II Hoffmeister presented the staff report dated October 23, 2018 recommending the City Council take the following actions: 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); 2) Adopt the Resolution Calling Special Landowner Election; 3) Adopt the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduce the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

City Attorney Cole discussed the process and procedure for this agenda item.

Mayor Wright opened and closed the public hearing with no members of the public requesting to speak.

In response to Councilmember Tiscareno, Interim City Attorney Cole clarified that the tax rate was based on the consultant's analysis for the cost of services. He explained that if the recommended action were approved, it would be executing conditions of approval for the property owner and they could not add any other stipulations. He noted that fire department staffing issues could be addressed through other means.

A motion was made by Councilmember Ogorchock, seconded by Councilmember Tiscareno, to 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); and 2) Adopt the Resolution Calling Special Landowner Election; and 3) Adopt the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduce the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

Administrative Services Director Mastay, with concurrence of Interim City Attorney Cole, recommended the Council take action on Items #1 and #2, and delay action on items #3 and #4 until the official ballot from the property owner was counted.

The motion was amended as follows:

**RESOLUTION NO. 2018/137**  
**RESOLUTION NO. 2018/138**

On motion by Councilmember Ogorchock, seconded by Councilmember Tiscareno, the City Council unanimously: 1) Adopted the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection); and 2) Adopted the Resolution Calling Special Landowner Election.

Mayor Wright declared a recess at 8:16 P.M. for the Acting Deputy City Clerk/Minutes Clerk Eiden to count the ballots.

The meeting reconvened at 8:26 P.M. with all Councilmembers present.

Acting Deputy City Clerk/Minutes Clerk Eiden reported that she had received the official ballot from the property owner and there were 63 YES votes and 0 NO votes.

**RESOLUTION NO. 2018/139**

On motion by Councilmember Ogorchock, seconded by Councilmember Thorpe, the City Council unanimously: 3) Adopted the Resolution Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and 4) Introduced the Ordinance Levying Special Taxes within the City of Antioch Community Facilities District No. 2018-02 (Police Protection) by title only.

**COUNCIL REGULAR AGENDA**

**5. FORMATION OF COMMUNITY FACILITIES DISTRICT FOR VINEYARDS AT SAND CREEK RESIDENTIAL PROJECT**

City Manager Bernal introduced Regular Agenda Item #5.

Public Works Director/City Engineer Blank presented the staff report dated October 23, 2018 recommending the City Council adopt a resolution:1) Authorizing the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District within the City of Antioch to finance certain public improvements; and 2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing; and 3) Approving an acquisition agreement between the City and the Developer; and 4) Authorizing City staff to cooperate with CSCDA and its consultants in connection with the Community Facilities District formation and financing.

A representative from Century Communities, explained that a large amount of improvements were being made to service the entire area and this financing mechanism enabled the project to be financially feasible. He noted that it was part of the development agreement and this evening was an implementation of what had always been contemplated.

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council moved to 1) Adopt the Resolution Authorizing Formation of the City of Antioch Community Facilities District ("CFD") No. 2018-02 (Police Protection).



The motion was approved unanimously; however, it was later pointed out by Interim City Attorney Cole that this motion reflected action already taken in agenda item #4. A subsequent motion was made after Public Comments to correct this action.

## **PUBLIC COMMENTS**

Annette Taylor, Contra Costa County Delta Stars, announced they were hosting a professional men's basketball team game on November 3, 2018, at the Antioch Community Center. She requested Council reconsider the City policy that prohibited food inside the facility because it was a substantial portion of the income for their team.

Mayor Wright requested City Manager Bernal to work with Ms. Taylor or bring the item back to Council.

Interim City Attorney Cole announced that the motion for item #5 reflected action already taken in agenda item #4 and recommended a subsequent motion be made to correct this action.

### **5. FORMATION OF COMMUNITY FACILITIES DISTRICT FOR VINEYARDS AT SAND CREEK RESIDENTIAL PROJECT**

#### **RESOLUTION NO. 2018/140**

On motion by Councilmember Thorpe, seconded by Councilmember Ogorchock, the City Council unanimously 1) Authorized the California Statewide Communities Development Authority ("CSCDA") to form a Community Facilities District within the City of Antioch to finance certain public improvements; and 2) Incorporating a Joint Community Facilities Agreement setting forth the terms and conditions of the Community Facilities District financing; and 3) Approved an acquisition agreement between the City and the Developer; and 4) Authorized City staff to cooperate with CSCDA and its consultants in connection with the Community Facilities District formation and financing.

#### ***PUBLIC COMMENTS – Continued***

Mayor Wright read written comment from Jeff Belle informing Council and residents of a proposal to create a Contra Costa Veterans education Hall at the Concord Naval Weapons Station.

## **STAFF COMMUNICATIONS**

City Manager Bernal announced this was the final meeting prior to the election and he encouraged everyone to vote on November 6, 2018.

## **COUNCIL COMMUNICATIONS – None**

**ADJOURNMENT**

With no further business, Mayor Wright adjourned the meeting at 8:37 P.M. to the next regular Council meeting on November 13, 2018.

Respectfully submitted:

*Kitty Eiden*

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KITTY EIDEN, Minutes Clerk



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Christina Garcia, CMC, Deputy City Clerk *Cg*

**APPROVED BY:** Nickie Mastay, Administrative Services Director *NM*

**SUBJECT:** City Council Meeting Minutes of November 13, 2018

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### **RECOMMENDED ACTION**

It is recommended that the City Council continue the Meeting Minutes of November 13, 2018 to the next meeting.

### **STRATEGIC PURPOSE**

N/A

### **FISCAL IMPACT**

None

### **DISCUSSION**

N/A

### **ATTACHMENT**

None.

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**100 General Fund**

**Non Departmental**

377947 AFTERSHOCK PRODUCTS	CHECK REPLACEMENT	92.50
377952 ANTIOCH ROTARY CLUB	CHECK REPLACEMENT	250.00
377956 BANK OF AMERICA	FISHING DERBY SUPPLIES	196.29
377980 FRANK, WILLIAM	CHECK REPLACEMENT	200.00
377983 GACKOWSKI, NICOLE L	CHECK REPLACEMENT	125.00
377984 GACKOWSKI, NICOLE L	CHECK REPLACEMENT	34.50
377995 LONE TREE CIGARETTE AND MORE	CHECK REPLACEMENT	313.50
378004 NEW WAY MANAGEMENT SERVICES	SB1186 STATE FEE REFUND	4.00
378052 BEDGOOD, JAMES R	CHECK REPLACEMENT	45.00
378084 GNU GROUP	CHECK REPLACEMENT	279.50

**City Council**

378045 BANK OF AMERICA	CLOSED SESSION EXPENSE	153.51
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**City Attorney**

377999 MEYERS NAVE	BALLOT MEASURE	2,910.60
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**City Manager**

377917 FEDERAL ADVOCATES INC	CONSULTING SERVICES	8,333.34
378045 BANK OF AMERICA	CONFERENCE FEE	908.13
378108 OFFICE MAX INC	OFFICE SUPPLIES	168.80

**City Clerk**

377905 BAY AREA NEWS GROUP	LEGAL AD	3,285.00
377914 EIDEN, KITTY J	MINUTES CLERK	280.00
378046 BANK OF AMERICA	CONFERENCE/DUES	950.00
378078 ECS IMAGING INC	SUPPORT SERVICES	612.26

**City Treasurer**

377957 BANK OF AMERICA	CMTA MEMBERSHIP - DAVIS	77.50
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**Human Resources**

378046 BANK OF AMERICA	PRE-EMPLOYMENT SERVICE	125.13
378078 ECS IMAGING INC	SUPPORT SERVICES	612.26
378079 FEDEX	SHIPPING	67.16
378092 IEDA INC	PROFESSIONAL SERVICES	4,557.69

**Economic Development**

378045 BANK OF AMERICA	ADVERTISEMENTS	119.96
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CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**Finance Administration**

377957 BANK OF AMERICA	CMTA MEMBERSHIP - DM	102.50
378078 ECS IMAGING INC	SUPPORT SERVICES	612.26

**Finance Accounting**

377904 BADAWI & ASSOCIATES	AUDIT SERVICES	28,399.50
378064 CONTRA COSTA COUNTY CLERK REC	FILING FEES	474.00
378082 GARDA CL WEST INC	ARMORED CAR PICKUP	284.47
932926 SUPERION LLC	PROFESSIONAL SERVICES	960.00

**Finance Operations**

377957 BANK OF AMERICA	LODGING - SAUNDERS	557.53
378016 SAUNDERS, LISA D	MILEAGE REIMBURSEMENT	93.00
378108 OFFICE MAX INC	OFFICE SUPPLIES	6.84

**Non Departmental**

377925 LEW EDGARDS GROUP, THE	CONSULTING SERVICES	4,950.00
377976 EAST BAY VETERINARY EMERGENCY	BL TAX REFUND	1,225.67
378004 NEW WAY MANAGEMENT SERVICES	PENALTY	275.00
378008 PFLUEGER, MATTHEW JAMES	EXPENSE REIMBURSEMENT	483.26
378019 STAGGS, ROGER	BL TAX REFUND	300.00
378071 DREAM RIDE ELEVATOR	ELEVATOR SERVICE	2,698.00
378112 PARS	ACTUARIAL SERVICES	2,200.00
932923 MUNISERVICES LLC	SUTA SERVICES	80,974.53

**Public Works Street Maintenance**

377935 ROBERTS AND BRUNE CO	SUPPLIES	85.91
378037 ACE HARDWARE, ANTIOCH	SUPPLIES	87.82
378039 ANTIOCH BUILDING MATERIALS	AC PAVING	33,381.66

**Public Works-Signal/Street Lights**

377899 AMERICAN GREENPOWER USA INC	INDUCTION LIGHTING	3,083.55
377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	6,109.29
377946 WESCO RECEIVABLES CORP	INTEREST	198.40
378043 AT AND T MCI	PHONE	750.61
378109 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,088.72

**Public Works-Striping/Signing**

378037 ACE HARDWARE, ANTIOCH	SUPPLIES	9.22
378098 MANERI SIGN COMPANY	STREET SIGNS	887.40
378104 NEXTEL SPRINT	CELL PHONE	57.58
378117 SHERWIN WILLIAMS CO	SUPPLIES	143.14

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**Public Works-Facilities Maintenance**

377933	PACIFIC GAS AND ELECTRIC CO	GAS	12,652.40
378037	ACE HARDWARE, ANTIOCH	SUPPLIES	16.38
378043	AT AND T MCI	PHONE	60.13
378053	BLUE STAR COMPANY INC	SUPPLIES	300.00
378059	COLE SUPPLY CO INC	SUPPLIES	65.79
378071	DREAM RIDE ELEVATOR	ELEVATOR SERVICE	1,730.00
378088	HOME DEPOT, THE	SUPPLIES	134.08
378104	NEXTEL SPRINT	CELL PHONE	57.58
932902	CONSOLIDATED ELECTRICAL DIST INC	SUPPLIES	50.03
932921	LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	3,611.85

**Public Works-Parks Maint**

377909	COLE SUPPLY CO INC	SUPPLIES	191.68
377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	893.37
377938	SPECIALIZED GRAPHICS	SIGNS	9,846.44
377966	COMBINATION LOCK AND SAFE	PARTS	465.23
378043	AT AND T MCI	PHONE	102.95
378055	CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	24.50
378067	DIABLO LIVE SCAN	FINGERPRINTING FEES	10.00
378105	OCCUPATIONAL HEALTH CENTERS	MEDICAL SERVICES	53.75
378109	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	195.34
932918	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,084.48

**Public Works-Median/General Land**

377898	AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	5,978.00
377900	ACE HARDWARE, ANTIOCH	TRASH CANS	85.07
377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	1,873.83
377937	SILVA LANDSCAPE	LANDSCAPE SERVICES	4,782.40
378032	AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	5,978.00
378037	ACE HARDWARE, ANTIOCH	SUPPLIES	23.26
378043	AT AND T MCI	PHONE	226.71
378104	NEXTEL SPRINT	CELL PHONE	57.58
378109	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	51.42
378126	STEWARTS TREE SERVICE INC	TREE SERVICE	850.00
378129	TARGET SPECIALTY PRODUCTS	SUPPLIES	563.90
378138	VISIPLEX INC	PA SYSTEM	4,994.00
932918	ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	1,500.00

**Public Works-Work Alternative**

378104	NEXTEL SPRINT	CELL PHONE	50.79
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CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**Police Administration**

377924 LC ACTION POLICE SUPPLY	HELMETS	7,917.99
377930 OFFICE MAX INC	OFFICE SUPPLIES	1,070.79
377963 BROGDON, CASEY AMON	PER DIEM TRAINING	264.00
377964 CALIFORNIA PEACE OFFICERS	MEMBERSHIP	125.00
377969 CONTRA COSTA COUNTY	TRAINING - K MEADS	400.00
377970 COPWARE INC	LICENSE FEE RENEWAL	1,025.00
377971 CORTEZ, ANA E	EXPENSE REIMBURSEMENT	35.07
378003 NET TRANSCRIPTS	DICTATION	273.87
378015 SAFESTORE INC	STORAGE	2,057.05
378018 SMITH JR, RICHARD A	EXPENSE REIMBURSEMENT	157.08
378025 UNITED STATES POSTAL SERVICE	POSTAGE	2,000.00
378048 BANK OF AMERICA	LODGING - RAMIREZ	1,397.78
378049 BANK OF AMERICA	LODGING - BROGDON	2,395.06
378056 CALIFORNIA SURVEYING AND DRAFT	OFFICE SUPPLIES	419.85
378061 CONCORD POLICE ASSOCIATION	SWAT TRAINING	120.00
378065 CPS HUMAN RESOURCE SERVICES	RECRUITMENT TESTING	962.50
378068 DIABLO VALLEY EMBOSSEMENT INC	PRINT SERVICES	1,131.83
378073 EAN SERVICES LLC	RENTAL CAR	271.42
378078 ECS IMAGING INC	SUPPORT SERVICES	612.26
378081 GALLS INC	FLASHLIGHT	731.45
378108 OFFICE MAX INC	OFFICE SUPPLIES	20.64
378114 REACH PROJECT INC	JUVENILE DIVERSION	17,083.00
378118 SHRED IT INC	SHRED SERVICES	245.98
378120 SIMPSON INVESTIGATIVE SERVICES	BACKGROUND FEE	1,309.52
932912 IMAGE SALES INC	ID CARDS	47.26
932919 IMAGE SALES INC	ID CARDS	158.51

**Police Community Policing**

377920 HUNT AND SONS INC	FUEL	115.37
377950 AMIRI, MORTEZA	GAS REIMBURSEMENTS	233.43
377954 ARK PET HOSPITAL INC, THE	VETERINARY SERVICES	220.80
378033 ALL STAR FORD	NEW VEHICLE	186,083.53
378048 BANK OF AMERICA	RESEARCH FORUM	2,407.49
378049 BANK OF AMERICA	LODGING - BROGDON	1,429.25
378058 CLEMENTI, MARK A	PRE-EMPLOYMENT EXAM	685.00
378105 OCCUPATIONAL HEALTH CENTERS	PRE-EMPLOYMENT EXAM	1,071.00
378106 OCCUPATIONAL HEALTH CENTERS	PRE-EMPLOYMENT EXAM	1,040.50
378107 OCCUPATIONAL HEALTH CENTERS	PRE-EMPLOYMENT EXAM	30.50
378122 SP PLUS CORPORATION	PARKING ENFORCEMENT	13,261.25
378127 LEHR AUTO ELECTRIC	PROFESSIONAL SERVICES	29,873.17
378135 US HEALTHWORKS MEDICAL GROUP	PRE-EMPLOYMENT EXAM	100.00

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

932905 HOYA SAFETY	SAFETY GLASSES - MS	297.43
<b>Police Investigations</b>		
378048 BANK OF AMERICA	CELL PHONE	450.00
378049 BANK OF AMERICA	T MOBILE	270.00
378063 CONTRA COSTA COUNTY	CRIME LAB FEES	17,867.50
378072 DS WATERS OF AMERICA	WATER DELIVERY SERVICE	316.01
378131 TRANSUNION RISK AND ALTERNATIVE	LEGAL SERVICES	68.60
<b>Police Special Operations Unit</b>		
378097 MAGANA, JOSEPH J	EXPENSE REIMBURSEMENT	166.60
<b>Police Communications</b>		
377918 GLOBALSTAR	SATELLITE SERVICE	174.38
377967 COMCAST	CABLE	109.55
378006 PACIFIC TELEMAGEMENT SERVICE	PAY PHONE SERVICES	78.00
378040 AT AND T	PHONE	53.07
378043 AT AND T MCI	PHONE	1,488.85
378110 PACIFIC TELEMAGEMENT SERVICE	PAY PHONE SERVICES	78.00
<b>Office Of Emergency Management</b>		
378043 AT AND T MCI	PHONE	315.41
932913 CDW GOVERNMENT INC	SOFTWARE MAINTENANCE	218.65
<b>Police Facilities Maintenance</b>		
377933 PACIFIC GAS AND ELECTRIC CO	GAS	21,777.45
377998 MEGGITT TRAINING SYSTEMS INC	REPAIR SERVICES	424.31
378043 AT AND T MCI	PHONE	310.07
378050 BARNETT MEDICAL SERVICES INC	DISPOSAL	165.00
378071 DREAM RIDE ELEVATOR	ELEVATOR SERVICE	240.00
378089 HONEYWELL INTERNATIONAL INC	HVAC REPAIR	1,629.90
932921 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	3,880.20
<b>P &amp; R Administration</b>		
377956 BANK OF AMERICA	SUPPLIES	73.93
378024 UNITED SITE SERVICES OF CA	EQUIPMENT RENTAL	535.46
378111 PARKINK	SUPPLIES	857.07
<b>Community Development Land Planning Services</b>		
377906 BAY AREA NEWS GROUP	LEGAL AD	431.10
378077 EBBS, FORREST BRIAN	MILEAGE REIMBURSEMENT	129.17
378078 ECS IMAGING INC	SUPPORT SERVICES	1,125.59



CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

378079 FEDEX	SHIPPING	237.31
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**CD Code Enforcement**

378045 BANK OF AMERICA	NOTARY SUPPLIES	50.68
378078 ECS IMAGING INC	SUPPORT SERVICES	1,125.59
378104 NEXTEL SPRINT	CELL PHONE	252.30

**PW Engineer Land Development**

378043 AT AND T MCI	PHONE	39.54
378078 ECS IMAGING INC	SUPPORT SERVICES	872.26
378104 NEXTEL SPRINT	CELL PHONE	170.67
932909 TESTING ENGINEERS INC	TESTING SERVICES	973.25

**Community Development Building Inspection**

378078 ECS IMAGING INC	SUPPORT SERVICES	1,125.59
378104 NEXTEL SPRINT	CELL PHONE	110.98

**Capital Imp. Administration**

378078 ECS IMAGING INC	SUPPORT SERVICES	612.26
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**Community Development Engineering Services**

378104 NEXTEL SPRINT	CELL PHONE	130.16
378108 OFFICE MAX INC	OFFICE SUPPLIES	8.12

**213 Gas Tax Fund**

**Streets**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	30,959.20
378109 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	450.77

**214 Animal Control Fund**

**Animal Control**

377933 PACIFIC GAS AND ELECTRIC CO	GAS	1,146.18
378028 WEDGEWOOD PHARMACY	SUPPLIES	65.52
378047 BANK OF AMERICA	CONFERENCE FEE	414.00
378048 BANK OF AMERICA	FLIGHT	274.78
378049 BANK OF AMERICA	CONFERENCE EXPENSE	0.36
378075 EAST BAY VETERINARY EMERGENCY	VETERINARY SERVICES	416.89
378087 HILLS PET NUTRITION	ANIMAL FOOD	320.50
378102 MWI VETERINARY SUPPLY CO	VETERINARY SUPPLIES	657.26
378142 ZOETIS LLC	VETERINARY SUPPLIES	444.49
932921 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	579.80
932922 MOBILE MINI LLC	STORAGE	113.60

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**219 Recreation Fund**

**Non Departmental**

377960 BEAUCHAMP, RACHEL UGARTE	CHECK REPLACEMENT	54.00
377965 CAPTAIN, BRENDA	RENTAL DEPOSIT REFUND	100.00
377977 EZEIBE, LOVELYNE	CHECK REPLACEMENT	130.00
377978 FERNANDEZ, ANGELICA	RENTAL DEPOSIT REFUND	1,000.00
377979 FLOREAN, CARMEN	RENTAL DEPOSIT REFUND	1,000.00
377985 GARDNER, TRACHE	RENTAL DEPOSIT REFUND	465.00
377996 LY, DUNG	CHECK REPLACEMENT	58.00
377997 MARSHALL, DARNICE	RENTAL DEPOSIT REFUND	1,000.00
378007 PEREZ, ASHLEY	RENTAL DEPOSIT REFUND	1,000.00
378011 ROGERS ROOFING	CHECK REPLACEMENT	375.00
378090 HUB INTERNATIONAL OF CA INSURA	EVENT INSURANCE	788.88
378113 PEACOCK, ROXANNE	RENTAL DEPOSIT REFUND	500.00

**Recreation Admin**

377933 PACIFIC GAS AND ELECTRIC CO	GAS	2,311.57
377982 FREEDOM ALARM INC	SUPPLIES	757.04

**Senior Programs**

377933 PACIFIC GAS AND ELECTRIC CO	GAS	1,541.04
378043 AT AND T MCI	PHONE	197.93
932921 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	388.00

**Recreation Sports Programs**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	5,240.86
377942 SYSCO FOOD SERVICE	CONCESSION SUPPLIES	1,153.68
377953 ANTIOCH UNIFIED SCHOOL DIST	TENNIS COURT FEES	1,680.00
377956 BANK OF AMERICA	SUPPLIES	927.00
377972 COSTCO	WORTH SHAW CONCESSION	375.60
377988 GOLDEN STATE WARRIORS	JR. WARRIORS SHIRTS	4,743.00
378043 AT AND T MCI	PHONE	20.59
378062 CONCORD SOFTBALL UMPIRES	UMPIRE FEES	2,288.00
378082 GARDA CL WEST INC	ARMORED CAR SERVICE	94.56
932911 A AND B CREATIVE TROPHIES	ADULT SOFTBALL TROPHIES	347.57

**Recreation-Comm Center**

377919 HONEYWELL INTERNATIONAL INC	HVAC SERVICES	4,297.45
377956 BANK OF AMERICA	SUPPLIES	125.98
377961 BLACK DIAMOND KIDS CENTER	CONTRACTOR PAYMENT	1,524.60
377972 COSTCO	PRESCHOOL SUPPLIES	410.71
378020 TECHSPLOSION INC	CONTRACTOR PAYMENT	312.80

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

378021 THOMPSON, RANDALL	CONTRACTOR PAYMENT	150.00
378022 TORRES, ESTHER	CONTRACTOR PAYMENT	358.80
378023 UNIQUE PEST CONTROL	BIRD TRAPPING	400.00
378042 AT AND T MCI	PHONE	132.27
378043 AT AND T MCI	PHONE	22.97
378055 CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	128.00
378067 DIABLO LIVE SCAN	FINGERPRINTING FEES	80.00
378078 ECS IMAGING INC	SUPPORT SERVICES	612.26
378082 GARDA CL WEST INC	ARMORED CAR SERVICE	94.57
378099 MAX MARTIAL ARTS LLC	CONTRACTOR PAYMENT	871.20
932902 CONSOLIDATED ELECTRICAL DIST INC	SUPPLIES	1,191.17

**222 Measure C/J Fund**

**Streets**

378079 FEDEX	SHIPPING	29.21
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**226 Solid Waste Reduction Fund**

**Solid Waste Used Oil**

378010 REPUBLIC SERVICES INC	CURBSIDE OIL COLLECTION	1,668.25
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**Solid Waste**

377908 BRETT MR ECO EDWARDS	SCHOOL PRESENTATIONS	900.00
378045 BANK OF AMERICA	LAPTOP CASES	45.98

**229 Pollution Elimination Fund**

**Channel Maintenance Operation**

377903 ATLANTIS DIVING AND SALVAGE CO	TIDAL GATE INSPECTION	2,500.00
377926 MJH EXCAVATING INC	EQUIPMENT RENTAL	3,300.00
377932 PACIFIC COAST LANDSCAPE MGMT INC	LANDSCAPE SERVICES	2,285.18
378055 CALIF DEPARTMENT OF JUSTICE	FINGERPRINTING FEES	56.50
378067 DIABLO LIVE SCAN	FINGERPRINTING FEES	30.00
378104 NEXTEL SPRINT	CELL PHONE	50.79
378105 OCCUPATIONAL HEALTH CENTERS	MEDICAL SERVICES	53.75
378126 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	1,582.50

**251 Lone Tree SLLMD Fund**

**Lonetree Maintenance Zone 1**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	856.39
378043 AT AND T MCI	PHONE	82.36
378130 TERRACARE ASSOCIATES	TURF MOWING	546.40

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**Lonetree Maintenance Zone 2**

377898 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	3,586.80
377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	815.93
378032 AL FRESCO LANDSCAPING	LANDSCAPE SERVICES	3,586.80
378043 AT AND T MCI	PHONE	140.85

**Lonetree Maintenance Zone 3**

378043 AT AND T MCI	PHONE	61.77
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**Lonetree Maintenance Zone 4**

378130 TERRACARE ASSOCIATES	TURF MOWING	874.24
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**252 Downtown SLLMD Fund**

**Downtown Maintenance**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	398.73
378130 TERRACARE ASSOCIATES	TURF MOWING	546.40

**253 Almondridge SLLMD Fund**

**Almondridge Maintenance**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	235.10
377941 STEWARTS TREE SERVICE INC	TREE REMOVAL	450.00

**254 Hillcrest SLLMD Fund**

**Hillcrest Maintenance Zone 1**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	790.07
378043 AT AND T MCI	PHONE	185.31
378130 TERRACARE ASSOCIATES	TURF MOWING	1,420.64

**Hillcrest Maintenance Zone 2**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	822.24
377937 SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
378119 SILVA LANDSCAPE	LANDSCAPE SERVICES	4,020.00
378130 TERRACARE ASSOCIATES	TURF MOWING	1,945.20

**Hillcrest Maintenance Zone 4**

377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	721.68
377941 STEWARTS TREE SERVICE INC	TREE SERVICES	150.00
378043 AT AND T MCI	PHONE	121.90
378126 STEWARTS TREE SERVICE INC	TREE SERVICE	550.00
378130 TERRACARE ASSOCIATES	TURF MOWING	1,092.80

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**255 Park 1A Maintenance District Fund**

**Park 1A Maintenance District**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	222.30
377941	STEWARTS TREE SERVICE INC	TREE SERVICES	900.00
378043	AT AND T MCI	PHONE	20.60
378109	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	34.55
378126	STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	1,582.50
378130	TERRACARE ASSOCIATES	TURF MOWING	1,420.64

**256 Citywide 2A Maintenance District Fund**

**Citywide 2A Maintenance Zone 3**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	86.71
378130	TERRACARE ASSOCIATES	TURF MOWING	21.84

**Citywide 2A Maintenance Zone 4**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	347.84
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**Citywide 2A Maintenance Zone 5**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	450.92
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**Citywide 2A Maintenance Zone 6**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	251.53
378119	SILVA LANDSCAPE	LANDSCAPE SERVICES	4,782.40
378130	TERRACARE ASSOCIATES	TURF MOWING	1,311.36

**Citywide 2A Maintenance Zone 8**

378130	TERRACARE ASSOCIATES	TURF MOWING	109.28
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**Citywide 2A Maintenance Zone 9**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	538.09
378043	AT AND T MCI	PHONE	82.36
378130	TERRACARE ASSOCIATES	TURF MOWING	327.84

**Citywide 2A Maintenance Zone10**

377933	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	152.61
378119	SILVA LANDSCAPE	LANDSCAPE SERVICES	3,375.00

**257 SLLMD Administration Fund**

**SLLMD Administration**

378104	NEXTEL SPRINT	CELL PHONE	171.06
378130	TERRACARE ASSOCIATES	TURF MOWING	1,311.36

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

932903 GRAINGER INC	SAFETY GOGGLES	162.74
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**311 Capital Improvement Fund**  
**Non Departmental**

**Parks & Open Space**

378070 DMZ BUILDERS	ANTIOCH CREEK PROJECT	442,764.29
378141 WOODARD AND CURRAN	CONSULTING SERVICES	10,176.44

**Energy Efficiency**

377908 BRETT MR ECO EDWARDS	SCHOOL PRESENTATIONS	900.00
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**312 Prewett Family Park Fund**

**Parks & Open Space**

377956 BANK OF AMERICA	LANDSCAPE SERVICES	897.40
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**569 Vehicle Replacement Fund**

**Equipment Maintenance**

378069 DIAMOND TRUCK BODY MFG CO INC	PROFESSIONAL SERVICES	8,248.65
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**570 Equipment Maintenance Fund**

**Non Departmental**

377920 HUNT AND SONS INC	FUEL	18,370.21
378091 HUNT AND SONS INC	FUEL	19,461.70

**Equipment Maintenance**

377901 ANTIOCH AUTO PARTS	AUTO PARTS	459.43
377929 MUNICIPAL MAINT EQUIPMENT INC	SUPPLIES	726.05
377933 PACIFIC GAS AND ELECTRIC CO	ELECTRIC	675.77
377936 ROYAL BRASS INC	SUPPLIES	2,487.23
377944 WALNUT CREEK FORD	AUTO PARTS	509.77
377955 ARROWHEAD 24 HOUR TOWING INC	TOWING SERVICES	918.70
378002 MSI FUEL MANAGEMENT INC	PARTS	2,269.39
378005 OREILLY AUTO PARTS	PARTS	208.24
378031 WINTER CHEVROLET CO	PARTS	151.38
378037 ACE HARDWARE, ANTIOCH	SUPPLIES	78.29
378074 EAST BAY TIRE CO	TIRES	301.65
378083 GENOS AUTO BODY	REPAIR SERVICES	1,914.96
378115 RESPONSIVE COMMUNICATION SERV	PARTS	185.08
378127 LEHR AUTO ELECTRIC	PROFESSIONAL SERVICES	5,273.55
378140 WINTER CHEVROLET CO	PARTS	395.85

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

932917 GRAINGER INC	SUPPLIES	12.53
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**573 Information Services Fund**

**Information Services**

378043 AT AND T MCI	PHONE	75.77
378051 BARTON, T ALAN	EXPENSE REIMBURSEMENT	31.55

**Network Support & PCs**

378036 AMS	URL LICENSES	3,486.05
378043 AT AND T MCI	PHONE	578.77
378060 COMCAST	CONNECTION SERVICES	171.89
378078 ECS IMAGING INC	SUPPORT SERVICES	1,450.00
378103 NEW HORIZONS COMPUTER LEARNING	TRAINING CLASS	4,819.50
932913 CDW GOVERNMENT INC	SOFTWARE MAINTENANCE	6,724.09
932915 DIGITAL SERVICES	WEBSITE MAINTENANCE	3,185.00

**Telephone System**

378041 AT AND T MCI	PHONE	0.14
378042 AT AND T MCI	PHONE	883.38
378043 AT AND T MCI	PHONE	2,201.65

**GIS Support Services**

377915 ESRI INC	COMPUTER EQUIPMENT	7,256.66
378057 CALIFORNIA SURVEYING AND DRAFT	PRINTER SUPPLIES	346.02

**577 Post Retirement Medical-Police Fund**

**Non Departmental**

932920 RETIREE	CHECK REPLACEMENT	697.28
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**611 Water Fund**

**Non Departmental**

377901 ANTIOCH AUTO PARTS	AUTO PARTS	1,100.40
377907 BISHOP CO	SUPPLIES	613.00
377916 FASTENAL CO	SUPPLIES	189.03
377968 COMMUNITY FUND LLC	CHECK REPLACEMENT	32.70
377974 CRYSTAL CLEAR LOGOS INC	UNIFORMS	3,133.54
377994 LIANG, WEI	CHECK REPLACEMENT	89.86
378000 MORGANS HOME AND GARDEN	CHECK REPLACEMENT	119.60
378009 RAMADA INN	CHECK REPLACEMENT	643.25
378027 VELARDE, MARTHA	CHECK REPLACEMENT	162.46
378059 COLE SUPPLY CO INC	SUPPLIES	240.12
378076 EAST BAY WORK WEAR	SUPPLIES	244.39

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

378080	FIRST VANGUARD RENTALS	UNIFORMS	1,530.50
378116	ROBERTS AND BRUNE CO	SUPPLIES	152.25
932903	GRAINGER INC	SUPPLIES	3,771.99
932904	HAMMONS SUPPLY COMPANY	SUPPLIES	806.07
932917	GRAINGER INC	SUPPLIES	958.04

**Water Supervision**

378017	SCHNIBBEN, ALLEN	CHECK REPLACEMENT	83.83
378104	NEXTEL SPRINT	CELL PHONE	186.75
378124	STATE WATER RESOURCES CONTROL	CERTIFICATE RENEWAL	155.00
378137	VILLASANA, LAURA ALBIDRESS	EXPENSE REIMBURSEMENT	1,321.59

**Water Production**

377900	ACE HARDWARE, ANTIOCH	SUPPLIES	28.72
377933	PACIFIC GAS AND ELECTRIC CO	GAS	163,653.04
377935	ROBERTS AND BRUNE CO	SUPPLIES	114.71
377943	UNIVAR USA INC	CAUSTIC	8,112.71
377945	WALTER BISHOP CONSULTING	PROFESSIONAL SERVICES	13,224.80
377948	ALAMEDA ELECTRICAL DISTRIBUTOR	PARTS	281.62
377949	ALL INDUSTRIAL ELECTRIC SUPPLY	PARTS	136.31
377951	ANIMAL DAMAGE MANAGEMENT	PROFESSIONAL SERVICES	425.00
377959	BAY AREA AIR COMPRESSOR	MAINTENANCE SERVICES	2,264.85
377993	LEIGHTON STONE CORP	PARTS	522.53
378034	ALL STAR RENTS	SUPPLIES	29.95
378037	ACE HARDWARE, ANTIOCH	SUPPLIES	119.88
378038	ANTIOCH AUTO PARTS	SUPPLIES	21.34
378042	AT AND T MCI	PHONE	264.52
378043	AT AND T MCI	PHONE	1,114.96
378085	GRAPHIC CONTROLS LLC	SUPPLIES	465.54
378086	HACH CO	SUPPLIES	134.71
378093	KARL NEEDHAM ENTERPRISES INC	CENTRIFUGE RENTAL	30,454.47
378094	KELLY MOORE PAINT CO	SUPPLIES	58.57
378095	KELLY MOORE PAINT CO	PAINT	889.36
378096	LAW OFFICE OF MATTHEW EMRICK	LEGAL SERVICES	10,101.00
378100	METTLER TOLEDO INC	SUPPLIES	379.78
378101	MOTION INDUSTRIES	EQUIPMENT	29,314.60
378104	NEXTEL SPRINT	CELL PHONE	46.08
378109	PACIFIC GAS AND ELECTRIC CO	ELECTRIC	222.57
378116	ROBERTS AND BRUNE CO	SUPPLIES	766.69
378133	UNIVAR USA INC	CAUSTIC	16,213.78
378134	US BANK	COPIER USAGE	78.94
378136	USA BLUE BOOK	PARTS	328.86



CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

932900 AIRGAS SPECIALTY PRODUCTS	AMMONIA	2,512.60
932901 CHEMTRADE CHEMICALS US LLC	ALUM	12,082.77
932914 CHEMTRADE CHEMICALS US LLC	ALUM	8,895.45
932916 EVOQUA WATER TECHNOLOGIES LLC	PARTS	4,915.00
932917 GRAINGER INC	SUPPLIES	470.65
932921 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	338.00
932924 NTU TECHNOLOGIES INC	POLYMER	2,700.00
932925 RED WING SHOE STORE	SAFETY SHOES - JOHNSON	250.00

**Water Distribution**

377913 EAST BAY WORK WEAR	SAFETY SHOES - NOACK	300.00
377916 FASTENAL CO	SUPPLIES	797.16
377921 INFOSEND INC	POSTAGE COSTS	2,456.73
377928 MT DIABLO LANDSCAPE CENTERS INC	CONCRETE MIX	138.06
377935 ROBERTS AND BRUNE CO	SUPPLIES	7,107.30
377936 ROYAL BRASS INC	SUPPLIES	178.44
378037 ACE HARDWARE, ANTIOCH	PARTS	19.55
378038 ANTIOCH AUTO PARTS	SUPPLIES	130.49
378043 AT AND T MCI	PHONE	20.59
378066 CRESCO EQUIPMENT RENTALS	EQUIPMENT RENTALS	3,749.64
378069 DIAMOND TRUCK BODY MFG CO INC	PROFESSIONAL SERVICES	5,499.10
378104 NEXTEL SPRINT	CELL PHONE	1,987.64
378116 ROBERTS AND BRUNE CO	SUPPLIES	9,133.94
378125 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	375.00
378128 SYAR INDUSTRIES INC	ASPHALT	2,027.15
378139 WILCO SUPPLY	PARTS	62.40
932908 QUENVOLDS	SAFETY SHOES - E LUJAN	238.16

**Water Meter Reading**

378044 BACKFLOW DISTRIBUTORS INC	PARTS	1,222.83
378078 ECS IMAGING INC	SUPPORT SERVICES	2,240.41
378104 NEXTEL SPRINT	CELL PHONE	62.14
378116 ROBERTS AND BRUNE CO	SUPPLIES	413.52

**Warehouse & Central Stores**

378029 WILCO SUPPLY	SUPPLIES	90.70
378104 NEXTEL SPRINT	CELL PHONE	65.23

**621 Sewer Fund**

**Sewer-Wastewater Collection**

377902 ANTIOCH BUILDING MATERIALS	ASPHALT	2,056.68
377912 DKF SOLUTIONS GROUP LLC	CONSULTING SERVICES	7,004.70

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

377921 INFOSEND INC	POSTAGE COSTS	2,456.74
377922 JACK DOHENY SUPPLIES INC	SUPPLIES	848.85
378035 ALTA FENCE	SUPPLIES	7.00
378043 AT AND T MCI	PHONE	44.26
378066 CRESCO EQUIPMENT RENTALS	EQUIPMENT RENTALS	3,749.64
378104 NEXTEL SPRINT	CELL PHONE	462.56
378125 STEWARTS TREE SERVICE INC	LANDSCAPE SERVICES	375.00
378128 SYAR INDUSTRIES INC	ASPHALT	13,721.79
932904 HAMMONS SUPPLY COMPANY	SUPPLIES	287.76
932917 GRAINGER INC	SUPPLIES	65.83
932927 TELFER OIL COMPANY	SUPPLIES	538.31

**631 Marina Fund**

**Non Departmental**

377981 FRASE, ROBERT	CHECK REPLACEMENT	290.00
378012 RUSSELL, DARREN EUGENE	CHECK REPLACEMENT	17.49
378013 RUSSELL, DARREN EUGENE	CHECK REPLACEMENT	15.85

**Marina Administration**

377933 PACIFIC GAS AND ELECTRIC CO	GAS	4,098.74
377962 BRENTWOOD PRESS AND PUBLISHING	ADVERTISEMENT	276.00
377967 COMCAST	COMCAST	220.96
378008 PFLUEGER, MATTHEW JAMES	EXPENSE REIMBURSEMENT	56.07
378054 BRENTWOOD PRESS AND PUBLISHING	ADVERTISEMENT	276.00
378091 HUNT AND SONS INC	FUEL	11,164.50
378104 NEXTEL SPRINT	CELL PHONE	57.58
378123 STATE BOARD OF EQUALIZATION	FUEL TAX	2,124.40

**Marina Maintenance**

377909 COLE SUPPLY CO INC	SUPPLIES	39.35
378014 RUSSELL, DARREN EUGENE	EXPENSE REIMBURSEMENT	24.99
932921 LEES BUILDING MAINTENANCE	JANITORIAL SERVICES	1,375.00

**Major Projects**

378132 TRANSYSTEMS CORPORATION	PROFESSIONAL SERVICES	1,853.88
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**641 Prewett Water Park Fund**

**Non Departmental**

377965 CAPTAIN, BRENDA	RENTAL DEPOSIT REFUND	500.00
377973 CROSLY, LINDA	RENTAL DEPOSIT REFUND	500.00
377997 MARSHALL, DARNICE	RENTAL DEPOSIT REFUND	1,217.00
378090 HUB INTERNATIONAL OF CA INS.	EVENT INSURANCE	128.04

CITY OF ANTIOCH  
 CLAIMS BY FUND REPORT  
 FOR THE PERIOD OF  
 NOVEMBER 2 - NOVEMBER 15, 2018  
 FUND/CHECK#

**Recreation Water Park**

377913 EAST BAY WORK WEAR	SAFETY SHOES - PITCHER	300.00
377923 KNORR SYSTEMS INC	CHEMICALS	267.79
377927 MOST DEPENDABLE FOUNTAINS	DRINKING FOUNTAIN	3,173.82
377931 OUTDOOR CREATIONS INC	PICNIC TABLES	7,361.91
377933 PACIFIC GAS AND ELECTRIC CO	GAS	11,823.81
377956 BANK OF AMERICA	CA TOXIC MAIN	250.00
378043 AT AND T MCI	PHONE	118.83
378104 NEXTEL SPRINT	CELL PHONE	33.19
932903 GRAINGER INC	SUPPLIES	2,174.28
932906 ICR ELECTRICAL CONTRACTORS	ELECTRICAL SERVICES	440.18

**721 Employee Benefits Fund**

**Non Departmental**

377910 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	50.00
377911 CONTRA COSTA COUNTY	PAYROLL DEDUCTIONS	400.00
377934 PARS	PAYROLL DEDUCTIONS	4,079.37
377939 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	200.00
377940 STATE OF CALIFORNIA	PAYROLL DEDUCTIONS	53.41
377958 EMPLOYEE	CHECK REPLACEMENT	1,901.35
377975 EMPLOYEE	CHECK REPLACEMENT	38.79
377986 EMPLOYEE	CHECK REPLACEMENT	512.96
377987 EMPLOYEE	CHECK REPLACEMENT	133.34
377989 EMPLOYEE	CHECK REPLACEMENT	314.10
377990 EMPLOYEE	CHECK REPLACEMENT	130.90
377991 EMPLOYEE	CHECK REPLACEMENT	466.55
377992 EMPLOYEE	CHECK REPLACEMENT	19.40
378001 EMPLOYEE	CHECK REPLACEMENT	126.06
378026 EMPLOYEE	CHECK REPLACEMENT	109.03
378030 EMPLOYEE	CHECK REPLACEMENT	101.78
378121 EMPLOYEE	CHECK REPLACEMENT	272.71
932907 NATIONWIDE RETIREMENT SOLUTION	PAYROLL DEDUCTIONS	30,335.23
932910 VANTAGEPOINT TRANSFER AGENTS 3	PAYROLL DEDUCTIONS	2,767.27



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Scott Buenting, Project Manager *SB*

**APPROVED BY:** Jon Blank, Public Works Director/City Engineer *JB*

**SUBJECT:** Water Treatment Plant Disinfection Improvements (P.W. 246-29)

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution to:

1. Amend the fiscal year 2018/2019 Capital Improvements Budget to increase Water Enterprise funding for the Water Treatment Plant Disinfection Improvements Project by \$112,846.
2. Authorize the City Manager to execute the Third Amendment to the Consultant Service Agreement with CDM Smith, Inc.
3. Extend the term of the agreement with CDM Smith, Inc. to December 31, 2019.

### **STRATEGIC PURPOSE**

This item supports Strategy K-1 in the Strategic Plan by ensuring well maintained public facilities and Strategy K-2 by delivering high quality water to our customers.

### **FISCAL IMPACT**

Adoption of this resolution will amend the fiscal year 2018/2019 Capital Improvements Budget to increase Water Enterprise funding for the Water Treatment Plant Disinfection Improvements Project by \$112,846 and increase the contract with CDM Smith, Inc. by \$112,846 for a total contract amount of \$805,727.

### **DISCUSSION**

The City currently utilizes chlorine and ammonia gas during disinfection operations at both Plant A and Plant B of the Water Treatment Plant (WTP). Increasingly stringent regulatory requirements, associated shipping, storing and handling of these gases and the effort required to maintain the delivery systems are proving to be excessively taxing on the City's limited staff.

On June 9, 2015, the City Council authorized an agreement with CDM Smith for engineering services related to improving the disinfection process at the WTP. CDM Smith evaluated various disinfection alternative processes, including ozonation, ultraviolet light disinfection and the usage of sodium hypochlorite both delivered and

generated on site, for the replacement of the chlorine gas. Aqua ammonia and liquid ammonia sulfate were considered as replacement chemicals for the anhydrous ammonia gas. Due to the available space at the WTP, increased site safety, relative ease of maintenance, and lower construction and operational costs, delivered sodium hypochlorite and liquid ammonia sulfate were chosen and contract documents were developed.

On February 6, 2017, Council approved the First Amendment to CDM Smith's consulting service agreement to extend the term of the agreement to December 31, 2018.

On April 11, 2017, Council approved the Second Amendment to CDM Smith's consulting service agreement to include the development of design changes and record drawings, preparation of operation and maintenance guides for the new systems and providing operator training.

Staff is recommending amending CDM Smith's Agreement to provide additional engineering services during construction necessary to complete the Water Treatment Plant Disinfection Improvements Project. These services will include permitting support, design clarifications, responses to contractor inquiries, observing equipment acceptance testing and conducting site visits to confirm project completion.

## **ATTACHMENTS**

A. Resolution



ATTACHMENT "A"

RESOLUTION NO. 2018/\*\*

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING THE FISCAL YEAR 2018/2019 CAPITAL IMPROVEMENTS BUDGET TO INCREASE WATER ENTERPRISE FUNDING AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE CONSULTANT SERVICE AGREEMENT WITH CDM SMITH, INC. FOR THE WATER TREATMENT PLANT DISINFECTION IMPROVEMENTS PROJECT  
P.W. 246-29**

**WHEREAS**, on June 10, 2015, CDM Smith, Inc. entered into a Design Consultant Services Agreement in the amount of \$493,423 to provide for the evaluation of various disinfection alternatives to replace the existing system at the WTP, preparation of plans and specifications for the implementation of the selected process and to provide engineering support during the bidding and construction of the project; and

**WHEREAS**, on February 6, 2017, City amended the original contract agreement to extend the term of the contract to December 31, 2018; and

**WHEREAS**, on April 11, 2017, City increased the compensation for CDM Smith, Inc. in the amount of \$199,458 bringing the total compensation to an amount not to exceed \$692,881; and

**WHEREAS**, an amendment increasing the 2018/2019 fiscal year Capital Improvement Budget to increase Water Enterprise funding for this project in the amount of \$112,846 has been considered by City Council; and

**WHEREAS**, the City desires to authorize the City Manager to execute the Third Amendment to the Consultant Service Agreement with CDM Smith, Inc. to provide additional engineering services during construction necessary to complete the Water Treatment Plant Disinfection Improvements Project in the amount of \$112,846 bringing the total compensation to an amount not to exceed \$805,727; and

**WHEREAS**, the City desires to authorize extending the term of the Consultant Service Agreement with CDM Smith, Inc. to December 31, 2019; and

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby approves amending the 2018/2019 fiscal year Capital Improvement Budget to increase Water Enterprise funding for the Water Treatment Plant Disinfection Improvements Project by \$112,846; authorizes the City Manager to execute the Third Amendment to the Consultant Service Agreement with CDM Smith, Inc.; authorize extending the term of the Consultant Service Agreement with CDM Smith, Inc. to December 31, 2019; and increase the contract by \$112,846 for a total contract amount of \$805,727.

\* \* \* \* \*

**RESOLUTION NO. 2018/\*\***

November 27, 2018

Page 2

I **HEREBY CERTIFY** that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 27<sup>th</sup> day of November, 2018 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Tammany Brooks, Chief of Police 

**APPROVED BY:** Ron Bernal, City Manager

**SUBJECT:** Authorize Increase of the Hourly Rate Salary Schedule for Employees Working in a Police Trainee Classification

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution authorizing an increase of the hourly rate salary schedule for employees working in a Police Trainee Classification for the City of Antioch.

### **STRATEGIC PURPOSE**

Staff's efforts regarding this issue are prioritized in the City's Strategic Plan as follows:

**Strategy A-1:** Rebuild police services.

### **FISCAL IMPACT**

The fiscal impact will be determined by the number of employees hired in a Police Trainee capacity. However, the maximum fiscal impact per employee is estimated to be \$11,091. This amount assumes the Police Trainee is required to attend a full 1027 hour California Peace Officer Standards and Training (POST) certified academy. If a Police Trainee is not required to attend a full academy (he/she is a current academy student, requires only a POST Recertification Course, etc.), the fiscal impact will be lower. This difference will not require a budget amendment, as it is covered through the salary savings of the vacant sworn position for which this employee was hired to fill.

### **DISCUSSION**

Anyone hired to work as a sworn Police Officer for the City of Antioch, must possess a certificate of completion from a POST Regular Basic Course (academy). The job classification of Police Trainee is designated for those employees who must first attend all or part of a POST Regular Basic Course or POST Recertification Course to qualify as a sworn Police Officer.

The current hourly rate for employees working in a Police Trainee classification is \$21.00. This rate became effective July 13, 2005, as has remained unchanged since that time.



The Police Department, working cooperatively with Human Resources, has worked continuously on recruiting efforts to fill sworn Police Officer vacancies. Throughout this process, the Police Department has found itself competing with other agencies for the limited number of qualified candidates currently applying to become a Police Officer. In recent months, multiple qualified candidates have withdrawn from the application process, choosing to accept employment for a competing agency with a higher salary. On more than one occasion, the prospective candidate stated he/she could not afford to accept the existing hourly rate due to currently financial obligations and the high cost of living in the Bay Area.

The Police Department conducted a salary comparison for the Police Trainee classification in fourteen other local municipalities and found Antioch's Police Trainee hourly rate of \$21.00 to be the second lowest. The highest hourly rate was Berkeley at \$38.37, and the lowest was Concord at \$19.96.

In an effort to make hourly rate paid to those working in a Police Trainee classification more competitive, staff recommends increasing the hourly rate to \$31.80. This amount represents 30% less than the starting hourly rate the employee would earn as a new sworn Police Officer.

#### **ALTERNATIVES**

Council could choose to deny the recommendation.

#### **ATTACHMENTS**

A: Resolution

**RESOLUTION NO. 2018/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AUTHORIZING AN INCREASE OF THE HOURLY RATE SALARY SCHEDULE FOR  
EMPLOYEES WORKING IN A POLICE TRAINEE CLASSIFICATION**

**WHEREAS**, the Police Department has worked continuously with Human Resources on recruiting efforts to fill Sworn Police Officer vacancies; and

**WHEREAS**, the Police Department has found itself competing with other agencies for the limited number of qualified candidates currently applying to become a Police Officer; and

**WHEREAS**, a salary comparison for the Police Trainee classification was conducted and found the hourly rate for this position to be the second lowest of fourteen other local municipalities; and

**WHEREAS**, in order to stay competitive and attract quality Police Trainee Candidates, the Police Department will need to increase the hourly rate paid to those working in a Police Trainee classification.

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

1. The City Council authorizes an increase of the hourly rate salary schedule for employees working in a Police Trainee classification for the City of Antioch to \$31.80.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch, at a regular meeting thereof, held on the 27<sup>th</sup> day of November, 2018 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**

CITY OF ANTIOCH AS SUCCESSOR AGENCY TO  
THE ANTIOCH DEVELOPMENT AGENCY  
CLAIMS BY FUND REPORT  
FOR THE PERIOD OF  
OCTOBER 12 - NOVEMBER 15, 2018  
FUND/CHECK#

**431 Redevelopment Obligation Retirement Fund (for former Project Area #1)**

**Non Departmental**

377507 BANK OF NEW YORK MELLON	FISCAL AGENT FEE	2,550.00
377507 BANK OF NEW YORK MELLON	FISCAL AGENT FEE	1,912.50

CITY OF ANTIOCH AS HOUSING SUCCESSOR TO  
THE ANTIOCH DEVELOPMENT AGENCY  
CLAIMS BY FUND REPORT  
FOR THE PERIOD OF  
OCTOBER 12 - NOVEMBER 15, 2018  
FUND/CHECK#

**227 Housing Fund**

**Housing - CIP**


377509 BAY AREA HOME BUYER AGEN	CDBG SERVICES	36,736.00
377524 CITY DATA SERVICES LLC	MAINTENANCE SERVICES	1,650.00
377678 GOLDFARB AND LIPMAN LLP	CONSULTING SERVICES	464.50




**STAFF REPORT TO THE CITY COUNCIL**

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Kwame P. Reed, Economic Development Director 

**APPROVED BY:** Ron Bernal, City Manager 

**SUBJECT:** Resolution Approving Owner Participation (Sales Tax Sharing) Agreement Between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (Collectively Known as "Nokes Dealerships") and Authorizing the City Manager to Enter into the Agreement

---

**RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution authorizing the City Manager to enter into an Owner Participation Agreement between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (collectively known as "Nokes Dealerships").

**STRATEGIC PURPOSE**

The recommended action supports **Strategy G-1:** Grow Antioch's Economy through Economic Development Activity- Design economic incentives and criteria for key business ventures on a case by case basis and **Strategy H-3:** Support public/private partnership efforts to implement plans and policies pertaining to key development areas.

**FISCAL IMPACT**

With the expansion of the Toyota dealership and the relocation of the Nissan dealership, it is anticipated that a minimum increase of 25% in sales taxes could be generated by the Nokes Dealerships. With the proposed agreement in place, the City's annual base sales tax revenue is projected to be at a loss of approximately \$100,000. Staff is projecting the full payment of \$3,000,000 to be realized between the fifth and sixth year of the agreement. If the Nokes Dealerships adds other vehicle manufacturers to the Antioch Auto Center, the sales taxes generated could potentially increase as well as decrease the timing of sharing.

## **DISCUSSION**

In 2002, the Antioch City Council and Antioch Development Agency entered into a Tax Rebate Agreement with Thomas Nokes. The terms of the 2002 agreement included:

- 75/25% share of sales taxes reported to the City (City 75%, Nokes 25%)
- Ten (10) year term
- Maximum payment of \$2.4 Million

Since the previous expansions of the Nokes Dealerships, they have been one of the strongest combined sales tax generators for the City of Antioch. The expansion and relocation of the Toyota and Nissan dealerships has removed blight from the area on Auto Center Drive and increased visibility by providing a well-lit atmosphere.

With the relocation of the AAA office from 1700 Auto Center Drive, the vacant building has been the location of unsavory elements and blight. Mr. Nokes purchased the property and currently owns the adjacent parcels at 1701 Vern Roberts Circle, 074-053-014, and 074-053-015. The four parcels total approximately 4 acres. Mr. Nokes reached out to staff to request a new Ownership Participation Agreement with the intention of relocating the Nissan dealership to the 4-acre site and expanding the Toyota dealership into the area occupied by the existing Nissan dealership.

The terms of the proposed Ownership Participation Agreement are as follows:

- The existing Toyota dealership will expand into the existing Nissan dealership
- The Nissan dealership will be relocated to 1700 Auto Center Drive, 1701 Verne Roberts Circle, 074-053-014, and 074-053-015
- The new Nissan dealership could employ up to 60 employees, an increase of 20-25 new employees with an average wage of \$100,000 per year
- The agreement has a maximum term of ten (10) years or \$3,000,000 whichever occurs first
- Tax sharing does not occur until the first vehicle is sold from the new Nissan dealership or the expanded Toyota dealership
- The agreement is applicable to all existing and future dealerships operated by and affiliated with Thomas Nokes and the Nokes Dealerships

It should be noted that although the City's sales tax base is expected to be at an annual revenue loss of \$100,000, this amount does not factor in the anticipated revenue increases associated with the current and future sales tax measures (Measure C and W)

nor the increase in property taxes. The sales tax measures could potentially offset the loss by an estimated \$50,000 from Measure C and an additional \$50,000 increase by Measure W. If the proposed property improvements from the new Nissan dealership are valued at \$10 Million, the City could receive a minimum annual increase of approximately \$6,400 to the property taxes paid to the City.

### **SPECIAL NOTICE REQUIREMENTS**

Under legislation that became effective in 2014, cities that wish to approve any form of economic development subsidy must provide a special public hearing notice in advance of considering the subsidy at a public meeting. Under Government Code section 53083, this notice must provide the following information, which the City published in accordance with law and has placed on its website. The responses to each required item in the public hearing notice is as follows:

**(1) *The name and address of all business entities that will benefit from the subsidy.***

Tralee, Inc., dba Antioch Toyota  
1817 Auto Center Drive  
Antioch, CA 94509

Antioch Chrysler Jeep Dodge, Inc.  
1810 Auto Center Drive  
Antioch, CA 94509

Waterville, Inc., dba Antioch Nissan  
1831 Auto Center Drive  
Antioch, CA 94509

**(2) *The start and end dates of the subsidy.***

The start date of the economic subsidy will begin on the effective date of the agreement, if approved, and end ten (10) years thereafter or the date that the City has earned back in tax revenue all of its payments to the Nokes Dealerships, whichever first occurs.

**(3) *A description of the subsidy that will be provided, including the estimated total amount of the expenditure (or loss) of public funds due to the subsidy.***

The City agrees to pay quarterly to the Nokes Dealerships a sales tax allocation amount within 45 days after the receipt by the City of its one percent (1%) share of Sales Tax Revenues (the City's one-half of one percent (0.5%) sales tax and

any future change to revenue from the current 0.5% or subsequent City Sales Tax Measure(s) is specifically excluded) from the Nokes Dealerships, beginning on or after the date the first vehicle is sold from either the expanded Toyota store or new Nissan store, and continuing until the Maximum Payment Amount of Three Million Dollars (\$3,000,000) has been paid.

The amount of each payment to the Nokes Dealerships shall be based on the total revenue received from the Nokes Dealerships for the taxable quarter. For each payment period, the Nokes Dealerships shall receive a payment of twenty-five percent (25%) of the Sales Tax Revenues the Nokes Dealerships generated in the payment period.

This will result in an estimated loss to the City of \$100,000 annually.

**(4) A statement of the public purposes for the subsidy.**

The Nokes Dealerships are seeking the opportunity to continue to expand and enhance business within the City of Antioch, increasing the City's employment base and increasing the Sales Tax Revenues that would fund general services such as: Police, Fire, Parks/Recreation Programs, Economic Development, and Street Maintenance.

**(5) Projected tax revenue to the local agency as a result of the subsidy.**

It is projected that tax revenue will increase by twenty-five percent (25%) annually resulting in \$411,000 additional tax revenue to the City.

**(6) Estimated number of jobs created by the subsidy, broken down by part-time, full-time, and temporary positions.**

It is estimated that this project will result in an estimated twenty (20) full time positions and five (5) part time positions being created.

**ATTACHMENTS**

A. Resolution

- Exhibit 1 to Resolution - Ownership Participation Agreement

B. Aerials

- Existing Toyota and Nissan Dealerships
- Future Nissan Dealership



**ATTACHMENT A**

**RESOLUTION NO. 2018/\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING THE OWNER PARTICIPATION (SALES TAX SHARING) AGREEMENT BETWEEN THE CITY OF ANTIOCH AND TRALEE, INC., ANTIOCH CHRYSLER JEEP DODGE, INC., AND WATERVILLE, INC. (COLLECTIVELY KNOWN AS "NOKES DEALERSHIPS") AND AUTHORIZING THE CITY MANAGER TO ENTER INTO THE AGREEMENT**

**WHEREAS**, Antioch Toyota and Nissan, part of the Nokes group of automobile dealerships, are among the City's highest sales-tax generating business, provide critical employment opportunities for Antioch residents, and serve as marquee tenants along the portion of the City in and around Auto Center Drive; and

**WHEREAS**, in 2002, the Antioch City Council and Antioch Development Agency entered into a Tax Rebate Agreement with Thomas Nokes, resulting in the expansion of those dealerships over the next decade and a half; and

**WHEREAS**, the expansion and relocation of the Toyota and Nissan dealerships assisted under the 2002 agreement has removed blight from the area on Auto Center Drive and increased visibility by providing a well-lit atmosphere; and

**WHEREAS**, the Nokes Dealerships plan to expand the Toyota dealership into the location of the present Nissan dealership and move the Nissan Dealership to 1700 Auto Center Drive, 1701 Verne Roberts Circle, 074-053-014, and 074-053-015; and

**WHEREAS**, the new Nissan store could employ up to 60 employees, an increase of 20-25 new employees over what is provided currently; and

**WHEREAS**, the City Council finds that the execution of an Owner Participation Agreement that will provide for a rebate to the Nokes Dealership of some of the additional sales tax revenue the expanded dealerships generate, allowing for the expansion to occur and for the creation of new jobs and the further elimination of blight in the automall area of the City; and

**WHEREAS**, the attached Owner Participation Agreement has a term of ten (10) years or a maximum subsidy of Three Million Dollars (\$3,000,000), whichever occurs first; and

**WHEREAS**, the subsidy sharing will not occur until the first vehicle is sold from the new dealership or the expanded dealership; and

**WHEREAS**, the Owner Participation Agreement is applicable to all existing and future dealership operated by and affiliated with Thomas Nokes and the Nokes Dealerships; and

**WHEREAS**, prior to the hearing in which the Owner Participation Agreement was considered, the City provided the public hearing notice required by Government Code section 53083 and posted the same on its website; and

**WHEREAS**, the execution of the Ownership Participation Agreement promotes Antioch Strategic Management Plan Strategy G-1: Grow Antioch's Economy through Economic Development Activity - Design economic incentives and criteria for key business ventures on a case by case basis and **Strategy H-3: Support public/private partnership efforts to implement plans and policies pertaining to key development areas.**

**THEREFORE, BE IT RESOLVED** that the City Council of the City of Antioch hereby approves the Owner Participation (Sales Tax Sharing) Agreement (attached as Exhibit 1) between the City of Antioch and Tralee, Inc., Antioch Chrysler Jeep Dodge, Inc., and Waterville, Inc. (Collectively Known as "Nokes Dealerships") and authorizes the City Manager to enter into the Agreement.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 27th day of November, 2018 by the following vote:

**AYES:**

**ABSENT:**

**NOES:**

---

**ARNE SIMONSEN, CMC**  
**CITY CLERK OF THE CITY OF ANTIOCH**

## Exhibit 1

### OWNER PARTICIPATION AGREEMENT

This Owner Participation Agreement ("**Agreement**") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2018 ("Effective Date") by the City of Antioch, a municipal corporation ("**City**") and Tralee, Inc., a California corporation dba Antioch Toyota, Antioch Chrysler Jeep Dodge, Inc., a California corporation dba Antioch Chrysler Jeep Ram, Waterville, Inc., a California corporation dba Antioch Nissan (collectively "**Nokes Dealerships**").

#### RECITALS

A. The Nokes Dealerships collectively are among the highest sales tax generating businesses located within the City of Antioch. Sales tax is the largest source of revenue for the City's General Fund, which pays for police and other critical public services.

B. An affiliate of the Nokes Dealerships and the City have previously entered into agreements to encourage the retention and expansion of the Nokes Dealerships, a Tax Rebate Agreement on December 3, 2002, and a Blight Abatement and Tax Rebate Agreement on February 8, 2000.

D. The Nokes Dealerships intend to expand its Toyota dealership and build a new facility for its Nissan Dealership.

E. The Toyota dealership is located at 1817 Auto Center Drive, Antioch, California ("Toyota Property") and the relocated Nissan dealership will be located at 1700 Auto Center Drive, 1701 Verne Roberts Circle, 074-053-014, and 074-053-015 Antioch, California ("Nissan Property").

F. The land acquisition, construction, and renovation costs associated with the planned improvements to the existing Toyota store and the new Nissan store are estimated to cost between \$12,000,000 and \$13,000,000.

G. The new Nissan store will employ an estimated 55 to 60 people with an average wage of over \$100,000 per year.

H. The City has a longstanding goal of assisting with the expansion and improvement of retail businesses such as the Nokes Dealerships. In addition, the City has a vital interest in keeping the Nokes Dealerships within its area in order to maintain and improve the sales tax base so as to provide needed public services.

I. The City Council held a public hearing on \_\_\_\_\_ to consider this Agreement pursuant to the requirements of California Government Code Section 53083 and adopted

Resolution No. \_\_\_\_\_, making the required findings and approving and authorizing the execution of this Agreement.

AGREEMENT

1. The above recitals are incorporated by reference into this Agreement.

NOKES OBLIGATIONS

2. The Nokes Dealerships, or an affiliate of the Nokes Dealerships, shall commence construction on (i) the Toyota Property for the expansion of the Toyota store, and (ii) Nissan Property for the new Nissan store within 45 days of issuance of a building permit for the construction related to each store. The Nokes Dealerships shall cause such construction of each store to be completed with 18 months of each building permit's issuance. The expansion of the Toyota store and the opening of the new Nissan store shall occur no later than 24 months from the Effective Date of this Agreement (subject to force majeure causes beyond control of the Nokes Dealerships).

3. The Nokes Dealerships shall not relocate any of the Nokes Dealerships to any city or unincorporated area of a county for a period commencing on the Effective Date and ending the earlier to occur of: (a) ten (10) years thereafter, or (b) the date that the City has earned back in tax revenue all of its payments to the Nokes Dealerships hereunder. Should the Nokes Dealerships breach this covenant, this Agreement shall become null and void in its entirety and the Nokes Dealerships shall pay to the City as liquidated damages an amount equal to all payments from the City to the Nokes Dealerships pursuant to this Agreement, plus interest at a simple rate equal to the annualized average percentage increase in the Bay Area Consumer Price Index for the period from which each payment was made to the date of relocation. This clause does not apply to any involuntary closure of a dealership by a manufacturer. However, in the event of such a closure, the Nokes Dealerships shall not open a dealership of the same manufacturer in a city or unincorporated area of a county abutting Antioch during the ten-year period. For purposes of this Agreement, closure of a dealership shall not be deemed involuntary if the Nokes Dealerships open a dealership of the same manufacturer as the closed dealership in a jurisdiction abutting Antioch before the expiration of the ten (10) year term. In addition, this clause is expressly binding on the heirs and successors of the Nokes Dealerships. In the event that the Nokes Dealerships or their owner, sell or otherwise transfer any of the Nokes Dealerships, the Nokes Dealerships shall have no obligation to repay any amount funded by the City; provided that the purchaser accepts the benefits and burdens of this Agreement and the City shall cooperate with the Nokes Dealerships in documenting the transfer of the benefits and burdens of this Agreement.

4. To secure the obligation of the preceding paragraph, the Nokes Dealerships shall deliver to the City promissory notes in the form attached as **Exhibit A** in the amount of each payment that the Nokes Dealerships receive under this Agreement and shall deliver each promissory note to the City in exchange for each payment. If the Nokes Dealerships have not violated this agreement not to relocate any of the Nokes Dealerships from Antioch for ten (10)

years, then all promissory notes shall be returned to the Nokes Dealerships at the conclusion of the ten (10)-year period.

5. The Nokes Dealerships shall use commercially responsible efforts to keep the digital sign at the Toyota Property functional and in working condition at all times.

#### CITY OBLIGATIONS

6. In consideration for the performance of the obligations to keep the Nokes Dealerships in Antioch and to open a new Nissan store, as set forth in this Agreement, the City agrees to make the payments of up to the Maximum Payment Amount to the Nokes Dealerships in the amounts, and at the times, and subject to the terms and conditions set forth on **Exhibit B**. The term "Maximum Payment Amount" shall be no more than Three Million Dollars (\$3,000,000).

7. Payments to be made by City shall be from the City's 1% share of sales taxes (the City's 0.5% sales tax and any future change to revenue from the current 0.5% or subsequent City Sales Tax Measure(s) is specifically excluded) generated by the Nokes Dealerships, as well as any other new automobile franchises that Thomas Nokes ("Nokes") or any other entity(ies), whether now existing or created in the future, affiliated with the Nokes Dealerships opens in the City of Antioch, but there is no obligation of the City to make such payments from sales taxes themselves. The City is measuring the payments to the Nokes Dealerships by the 1% share of sales taxes generated by the Nokes Dealerships in the City of Antioch, including new automobile franchises that Nokes locates in the City of Antioch. The Nokes Dealerships shall notify the City of any new businesses that it locates in the City of Antioch and show proof of ownership so that they can be added to the sales tax calculation. For purposes of establishing ownership, the entity owning the new business must be at least 50% owned by Nokes. The City shall make payments from any available monies within its General Fund. Payments shall be made quarterly. The parties understand that the State Board of Equalization remits sales tax funds to the City approximately three months following completion of each taxable quarter. The Nokes Dealerships and the City Manager shall identify in writing a schedule of payments to be made hereunder, which schedule shall be the time for obligation of the City to make such payments. Subject to the notice and cure periods in Section 24, the City's obligation to make periodic payments is conditioned upon the Nokes Dealerships providing to the City during the time specified in the schedule a copy of a sales tax report provided to it by its merchants or to the State Board of Equalization and evidence of payment of the sales taxes reflected in the report. The City shall then verify the 1% share of sales tax received each quarter with its sales tax consultants as a basis for determining the amount to be remitted to the Nokes Dealerships under this agreement.

8. The City shall not begin making payments to Nokes as required under this Agreement until the first vehicle is sold from both the expanded Toyota store and the new Nissan store.

9. To facilitate the Nokes Dealerships' expansion of the Toyota store and construction of the new Nissan store, the City agrees to reasonably expedite the processing of any approvals,

building permits, plan checks, or other authorizations related to the building and construction of the stores. Nothing in this Agreement shall, however, excuse the Nokes Dealerships from compliance with any applicable building or construction standards.

ADDITIONAL CONSIDERATION AND TERMS

10. The books and records of the City and the Nokes Dealerships relative to payments due the Nokes Dealerships shall be available to each other for inspection. If unsatisfied regarding any calculation or payment, the Nokes' Dealerships' sole remedy shall be binding arbitration, which shall be submitted to an arbitrator mutually chosen by the parties, or if they are unable to so choose, to the office of Judicial Arbitration and Mediation Service ("JAMS") then closest to Antioch. In such proceeding, each party shall bear its own costs and attorneys' fees, and each shall equally be responsible for the arbitrator's fees and costs (no attorneys' fees to any "prevailing party"). Such arbitrator's decision shall be final and conclusive as to the parties.

11. The Nokes Dealerships covenant by and for themselves and any successors in interest that there shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy tenure or employment of the Nokes Dealerships. This covenant shall run with the land, not the dealerships.

12. The Nokes Dealerships agree to abide by any approved plans and permits and all other applicable laws, rules, ordinances, orders and regulations of all governmental agencies having jurisdiction.

13. In the event of any default by the City, the Nokes Dealerships agree no City officers, officials, employees, volunteers, agents, or representatives shall be personally liable to the Nokes Dealerships, or any successor in interest, in the event of any default or breach by City or for any amount which may become due to the Nokes Dealerships or its successors, or on any obligations under the terms of this Agreement.

14. The Nokes Dealerships shall carry out the work of the Nokes Dealerships improvements in conformity with all applicable Laws, ordinances and City policies. All work for and associated with the Nokes Dealerships improvements shall be performed by contractor(s) duly licensed in California and in good standing under California Law.

a. Except as otherwise expressly provided herein, all the costs of site preparation, planning, designing, permitting, and constructing the Nokes Dealerships improvements shall be borne solely by the Nokes Dealerships.

b. The City shall not be responsible either to Nokes Dealerships or to any third parties in any way for any defects in the plans or drawings, nor for any structural or other defects in any work done according to the approved plans or drawings, nor for any delays caused by the review and approval processes. The Nokes Dealerships shall hold harmless, indemnify, pay for



and defend the City, its elected and appointed officials and employees from and against any claims or suits for damage to property or injury to or death of any persons arising out of or in any way relating to defects in the Nokes Dealerships improvements plans and drawings, including the violation of any Laws, or for defects in any work done according to the approved plans and drawings.

15. The Nokes Dealerships hereby waives, releases and discharges forever the City, its elected and appointed officials and employees from Claims arising out of or in any way connected with the design, construction and use of the Nokes Dealerships improvements, including the Nokes Dealerships' obligation to comply with all applicable Laws in connection with such work or use.

16. The Nokes Dealerships shall defend (with counsel reasonably acceptable to City), indemnify, assume all responsibility for, and hold the City, its elected and appointed officials and employees harmless from, all Claims of any kind or nature relating to the design, construction or development of the Nokes Dealerships improvements or the implementation of this Agreement, including Claims for any damages to property or injuries to persons, including accidental death, and Claims arising from the actual or alleged failure to comply with applicable Laws, including, but not limited to Government Code Sections 53084 and 53084.5, which may be caused by any of Nokes Dealerships' acts, omissions, negligence or willful misconduct, whether such acts, omissions, negligence or willful misconduct by the Nokes Dealerships or by anyone directly or indirectly employed or contracted by the Nokes Dealerships and whether such Claims shall accrue or be discovered before or after expiration or termination of this Agreement. The Nokes Dealerships' indemnity obligations under this shall not extend to Claims occasioned by the sole negligence or willful misconduct of the City or its designated agents, employees or contractors.

17. Revocation, expiration, or termination of this Agreement shall not affect the right of City to enforce any and all waivers, releases and indemnities given or made by the Nokes Dealerships under this Agreement, nor shall it affect any provision of this Agreement that expressly states it shall survive expiration or termination hereof. The Nokes Dealerships specifically acknowledges and agrees that it has an immediate and independent obligation to defend the City from any claim which falls within the indemnity provision even if such allegation is or may be groundless, fraudulent or false, which obligation arises at the time such claim is tendered to the indemnitor by one or more of the Indemnitees.

18. Nothing shall prevent the City from pre-paying any reimbursement obligation of this Agreement, and no pre-payment penalty shall be imposed if the City does so.

19. Formal notices, demands and other communications between or among the parties shall be sufficiently given if personally delivered, or if dispatched by registered or certified mail, postage prepaid, return receipt requested, as follows:

*To City:*

City Manager  
City of Antioch  
P.O. Box 5007  
Antioch, CA 94531-5007

*To Nokes Dealerships:*

Attn: Tom Nokes  
Antioch Auto Center  
1810 Somerville Rd.  
Antioch, CA 94509

20. Should any provision of this Agreement prove to be invalid, void or illegal, such determination shall in no way affect, impair, or invalidate any other provision hereof and such other provisions shall remain in full force and effect, unless the invalidity of one section would make the other provisions impractical or would run contrary to the intentions of this Agreement.

21. In the event of any legal challenge instituted by a third party challenging the, validity or enforceability of this Agreement, or any approval in furtherance of this Agreement, the parties hereby agree to cooperate in defending such action. Each party covenants to provide reasonable assistance to the other in defending any such action. Each party shall pay its own expenses and costs in connection with the defense. This Agreement shall remain in force and effect during the pendency of any such litigation.

22. Nothing in this Agreement creates a partnership, joint venture, or any other relationship between or among the parties other than as specifically set forth herein, and nothing herein shall cause the City to be responsible in any way for the debts or obligations of the Nokes Dealerships.

23. This Agreement and the legal relations between and among the parties shall be governed by and construed in accordance with the internal laws of the State of California. Proper venue for any action shall be an appropriate court in Contra Costa County, California, and each party agrees to waive any right it might otherwise have to transfer venue to a court outside Contra Costa County; however, nothing herein is intended to override the requirement of arbitration as the method of resolving disputes regarding bookkeeping and payment amounts.

24. Subject to the extensions of time authorized herein, failure or delay by a party to perform any of its obligations constitutes a default; provided, however, such party shall not be deemed to be in default if (i) it cures, corrects or remedies any monetary default within five (5) business days and any non-monetary default within thirty (30) business days after receipt of written notice from the other party specifying such failure. A waiver of one default shall not constitute a waiver of any subsequent or similar default. The rights and remedies of the parties are cumulative, and the exercise by a party of one or more of its rights or remedies shall not preclude the exercise



by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party.

25. A party shall not be deemed to be in default and that party shall be entitled to a reasonable extension of time to perform where delays in performance are due to causes beyond the reasonable control and without fault of such party, including without limitation inclement weather, inability to secure necessary labor or materials, acts or failure to act of any governmental agency (except the City), fires, floods, earthquakes and other casualties. Any extension of time for any such event of force majeure shall be for the period of the enforced delay only and shall commence to run from the time of the commencement of the cause. Times of performance may also be extended by mutual written agreement of the parties.

26. This Agreement is the result of mutual drafting by the parties, all of whom were represented by legal counsel. Therefore, no interpretation shall be given to this Agreement which would favor or disfavor any party because of the identity of the drafter.

27. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterpart shall constitute one and the same instrument.

In Witness Hereof, this Agreement is executed by the City of Antioch acting by and through its City Manager, pursuant to Resolution No. \_\_\_\_\_ authorizing such execution, and by Thomas Nokes.

CITY OF ANTIOCH

\_\_\_\_\_  
Ron Bernal, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Derek P. Cole, Interim City Attorney

TRALEE, INC.,  
a California corporation

\_\_\_\_\_  
Thomas Nokes, President

ANTIOCH CHRYSLER JEEP  
DODGE, INC.,  
a California corporation

\_\_\_\_\_  
Thomas Nokes, President

WATERVILLE INC.,  
a California corporation

\_\_\_\_\_  
Thomas Nokes, President

**EXHIBIT A**

**CONTINGENT PROMISSORY NOTE**

\$ \_\_\_\_\_, 201\_\_

FOR VALUE RECEIVED, Tralee, Inc. a California corporation, Antioch Chrysler Jeep Dodge, Inc. a California corporation, and Waterville, Inc., a California corporation (collectively "Nokes Dealerships"), promise to pay to the City of Antioch at Antioch, California, the principal amount of \_\_\_\_\_ (\$ \_\_\_\_\_) as determined in accordance with the Owner Participation Agreement dated \_\_\_\_\_ 2018 ("Owner Participation Agreement") on the unpaid principal from \_\_\_\_\_, 201\_\_ until the date paid.

The principal shall be paid, in full, within thirty (30) days of written demand by the City of Antioch only if Nokes Dealerships relocate Dealerships in violation of Section 3 of the Owner Participation Agreement. If default is made in the payment of any amount due hereunder and the services of any attorney are engaged to enforce payment of this Note, the undersigned agrees to pay such sum as the court may fix as reasonable attorney's fees and costs.

**EXHIBIT B**

**CALCULATIONS OF PAYMENT AND PAYMENT SCHEDULE AND TIMELINE**

City agrees to pay quarterly to the Nokes Dealerships a sales tax allocation amount within 45 days after the receipt by the City of its one percent (1%) share of Sales Tax Revenues (the City's one-half of one percent (0.5%) sales tax and any future change to revenue from the current 0.5% or subsequent City Sales Tax Measure(s) is specifically excluded) from the Nokes Dealerships, beginning on or after the date the first vehicle is sold from either the expanded Toyota store or new Nissan store, and continuing until the Maximum Payment Amount of Three Million Dollars (\$3,000,000) has been paid.

The amount of each payment to the Nokes Dealerships shall be based on the total revenue received from the Nokes Dealerships for the taxable quarter. For each payment period, the Nokes Dealerships shall receive a payment of twenty-five percent (25%) of the Sales Tax Revenues the Nokes Dealerships generated in the payment period.

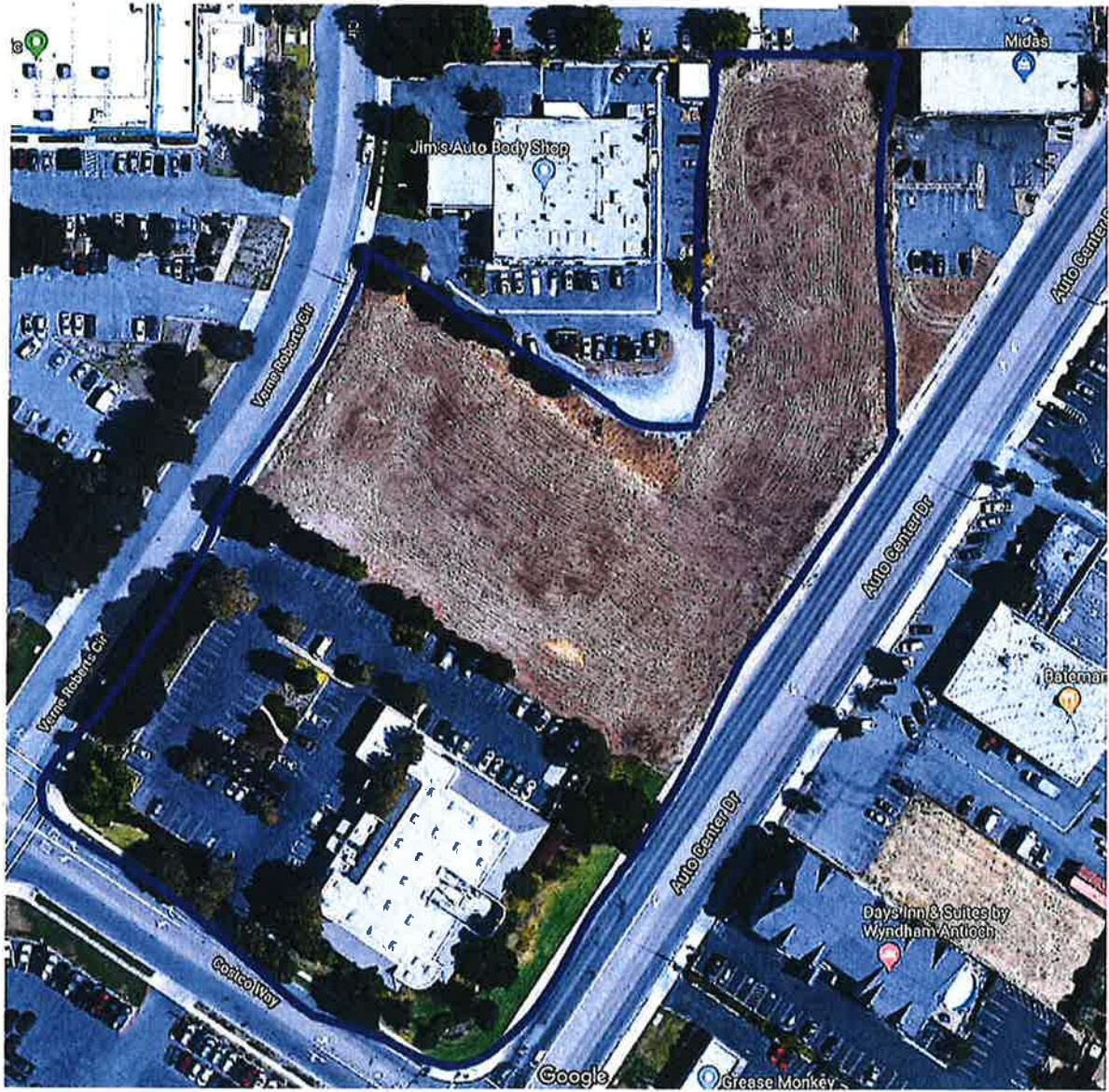
Prior to remittance of any funds, the Nokes Dealerships shall have signed the Contingent Promissory Note in the form of Exhibit A, secured by a deed of trust on the Toyota Property reasonably acceptable to the City Attorney.

**ATTACHMENT B**  
**Aerial – Existing Toyota and Nissan Dealerships**





**Aerial – Future Nissan**






## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Derek P. Cole, Interim City Attorney 

**SUBJECT:** Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives

---

### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives

### **STRATEGIC PURPOSE**

The proposed action is consistent with Strategy N-1, Effectively and efficiently provide legal services in support of the City’s policies, procedures and initiatives.

### **FISCAL IMPACT**

None.

### **DISCUSSION**

The “Let Antioch Voters Decide” and “The Ranch” initiatives made numerous changes to a number of elements of the Antioch General Plan. Although each initiative made several changes to policies and text that the other did not, some policies and text were amended by both initiatives. To ensure the public, property owners, and other interested parties can have a single, clear document identifying all the changes to the General Plan in light of the adoption of both initiatives, this Office has prepared a summary of all the changes in a sequential format. This summary, attached as Exhibit A to the enclosed resolution, identifies all new text in underline font and all deleted text in strike-through font. A color code is also used to identify whether the changed text is made by the Ranch or Let Antioch Voters Decide Initiative, or by both. A key is provided in the summary to identify the color code utilized.

### **ATTACHMENTS**

- A. Resolution of the City Council of the City of Antioch Recognizing the Amendments Made to the General Plan in Light of The Adoption of “The Ranch” and the “Let Antioch Voters Decide” Initiatives (with Exhibit A, Amended Text of Antioch General Plan)

- B. Copy of “Initiative to Change General Plan Designations within the Sand Creek Focus Area and Permanently Require Voter Approval of Amendments to Urban Limit Line” (the “Let Antioch Voters Decide” Initiative)
- C. Copy of Initiative to Restrict Development in Portions of the Sand Creek Area, Approve a Development Agreement for “The Ranch” Project in That Area, and Allow Amendment of the Urban Limit Line by Voter Approval Only (“The Ranch Initiative”)

RESOLUTION NO. 2018/\*\*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH RECOGNIZING THE AMENDMENTS MADE TO THE GENERAL PLAN IN LIGHT OF THE ADOPTION OF “THE RANCH” AND THE “LET ANTIOCH VOTERS DECIDE” INITIATIVES

WHEREAS, in accordance with California Elections Code section 9215(a), the City Council on July 24, 2018 enacted the Initiative to Restrict Development in Portions of the Sand Creek Area, Approve a Development Agreement for “The Ranch” Project in That Area, and Allow Amendment of the Urban Limit Line by Voter Approval Only (“The Ranch Initiative”);

WHEREAS, in accordance with California Elections Code section 9215(a), the City Council on August 28, 2018 enacted the “Initiative to Change General Plan Designations within the Sand Creek Focus Area and Permanently Require Voter Approval of Amendments to Urban Limit Line” (the “Let Antioch Voters Decide,” or “LAVD” Initiative);

WHEREAS, the Ranch and LAVD Initiatives make several changes to the Antioch General Plan concerning, among other things, development and the use of land in the Sand Creek Focus Area, some of which changes overlap and affect the same policies of portions of the General Plan; and

WHEREAS, the City Council believes it would be helpful to the public, property owners, and other interested parties to have a single document that reflects the changes the Ranch and LAVD Initiatives have made to the General Plan.

THEREFORE, BE IT RESOLVED that the City Council of the City of Antioch hereby recognizes that the changes made to the General Plan by the Ranch and LAVD initiative are as set forth in Exhibit A, and that City Staff and the City Clerk are directed to take such actions as are necessary to ensure these changes are reflected in an updated printing and any future printings of the General Plan, whether in electronic or paper form.

\* \* \* \* \*

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 27th day of November, 2018 by the following vote:

AYES:

ABSENT:

NOES:

ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH



**Key: Text highlights indicate which initiative is the source of the amendment.**

West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative amendments (“The Ranch” Initiative)

Sand Creek Area Protection Initiative amendments (“Let Antioch Voters Decide Initiative”)

Amendments contained in both Initiatives

Edit, clarification, or necessary change to grammar or punctuation

## GENERAL PLAN AMENDMENTS.

### A. AMENDMENTS TO INTRODUCTION.

#### 1.0 Introduction

Antioch is a community preparing for change. Currently known as a bedroom community connected to distant employment centers in the Bay Area, Antioch is in the process of:

- expanding its employment base to provide a balance between local jobs and housing;
- managing residential growth to provide an appropriate range of housing opportunities **within the voter-approved Urban Limit Line (ULL)**, including executive housing, traditional single family neighborhoods, middle to upper end attached housing products, **and affordable housing, and age-restricted housing for seniors, and to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated**;
- resolving ongoing traffic congestion **and safety** problems; and
- re-establishing the Rivertown area and waterfront as a distinctive part of the City’s identity.

The Antioch General Plan represents a comprehensive effort to achieve these and other community goals, and to enhance the quality of life of existing and future residents, **in part by ensuring that future growth and development will occur only within the ULL**. The General Plan defines what makes Antioch a special place, delineates a vision for its future, and sets forth action-oriented programs to achieve that future. In accomplishing these tasks, the General Plan defines “quality of life” issues, including:

- enhancing family-oriented activities by reducing commute times to work and providing a broad range of recreational lands and activities within the community;
- facilitating mobility via public transit, automobile, bicycle, and pedestrian modes of transportation; and
- working with local school districts to provide high quality educational facilities and services.

The General Plan serves as the City’s lead policy document as to how Antioch will manage its future, and is the City’s official policy statement identifying the manner in which Antioch expects to coordinate its activities with those of other agencies, as they will affect the community in the future.

Antioch’s growth pattern over the past 20 years has been the result of planning efforts derived from previously adopted policy documents (including the preceding 1988 General Plan), specific plans, past development approvals, and infrastructure financing mechanisms. Since 1988, considerable changes have occurred in Bay Area housing and employment patterns, as well as transportation systems. Furthermore, the passage of **two three** voter-approved growth initiatives, Antioch’s **Measure K and its** advisory Measure U<sup>1</sup>, and the County’s Measure C, has increased the need for careful management of growth. **In addition, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative reaffirms and strengthens the City’s ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of**

**appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**

Over the past 30 years, sustained employment growth without corresponding housing development in certain portions of the Bay Area has forced workers in those locations -- traditionally in San Francisco, San Mateo, and Santa Clara Counties, but more recently, Walnut Creek, Concord, Livermore, and Pleasanton - to seek housing in eastern Contra Costa County. This combination of conditions produced rapid residential growth in Antioch. Between 1990 and 1999, the City added over 6,300 housing units and the population grew by nearly 20,000, an increase of more than 30 percent. The existing disparity in the location of employment growth and population growth in the Bay Area has led to the traffic congestion Antioch residents experience along State Route 4. To create a more equitable jobs/housing balance (and reduce commute times), Antioch has sought to expand and diversify its employment base and provide a greater variety of housing types **within the ULL** than are currently offered.

<sup>1</sup> A discussion of these two voter-approved measures is contained in Section 5.1 of the General Plan.

#### **1.1.4 The Comprehensive Nature of the General Plan**

To be effective as a decision-making tool, the various elements of the Antioch General Plan integrate the management of the community's future physical, social, environmental, and economic environments.

**Identification of Issues.** The General Plan not only addresses the issues that the State requires be included in a General Plan, but also responds to the current and future issues that Antioch faces. Key community issues that the General Plan addresses include:

- achieving and maintaining a vibrant community in which all residents enjoy a wide range of employment, shopping, and recreational opportunities;
- achieving a balance between local jobs and housing by increasing Antioch's attractiveness for the establishment of office-based and clean industrial businesses; revitalizing the community's downtown and re-establishing the

Rivertown area and waterfront as a distinctive part of the City's identity;

- providing regional and local mobility and reducing ongoing traffic congestion problems through a combination of regional highway, local roadway, and transit improvements (e.g., bus, rail, BART, e-BART), transit-oriented development, and enhancement of bicycle and pedestrian modes of transportation;
- establishing clear performance objectives for area infrastructure and services, thereby ensuring that the provision of public services and facilities supports the community's determination of desirable land uses, intensity, character, and rate of growth, **all within the ULL**;
- improving the design quality of lands and development at key interchanges along State Route 4, and along the roadway corridors leading to the Rivertown area; and
- managing the rate of residential growth and achieving an appropriate range of housing opportunities **within the ULL**, including executive and upper end housing, as well as housing for workers, seniors, and young adults who are first starting their careers and forming families.

## **1.2 EXISTING AND EMERGING TRENDS AFFECTING ANTIOCH'S FUTURE**

The primary purpose of planning and preparing the General Plan is to provide the means for Antioch to manage future growth and change **within the ULL**. However, merely projecting what exists today into the future, thereby assuming that the future will resemble the present will not provide an accurate picture of what the future will be. An array of existing and emerging social, technological, and economic trends will change the way residents perceive their communities, define "quality of life," and live their lives. The following is intended to provide a descriptive evaluation of the ways in which existing and emerging social, technological, environmental, and economic trends may interact with existing and future conditions to provide a context for planning Antioch's future within a society that may be very different from today. These trends include the following:

- *A growing statewide **and local** population.* Population increases will continue within California as a result of natural increases. Areas, such as Antioch and eastern Contra Costa County will **also** continue to grow **and must be prepared to provide new housing opportunities within the ULL.**
- *An evolving housing market.* As lower and middle income households are continued to be priced out of the market, and the senior population grows, upper end housing, condominiums, age-restricted housing, and multi-family development **within the ULL** will become more popular **and important** in Antioch.
- *Technological advances and a changing economy significantly altering patterns of employment.* Traditional industrial development will decrease in importance, as service jobs and off-based employment grows. As a result, there will be a need for office-based and retail service development.
- *A growing regional imbalance of jobs and housing.* ABAG's projections of a worsening imbalance between jobs and housing will result in an increased difficulty to attract workers to increasingly congested employment centers within the inner Bay Area, along with an increased willingness for businesses to locate in presently outlying areas near their workers.
- *Increases in personal travel.* Non-peak hour travel will increase in relation to peak hour traffic. The "peak hour" of traffic will lengthen over several hours.
- *Increasing acceptance of public transit and other alternatives to automobile travel.* As traffic congestion increases, public transit will gain parity in terms of commute times during peak hours, and become more popular, even if it involves changing modes of transit (e.g., rail ore-BART to BART or other rail connection). As a result, there will be a need for transit centers within Antioch. In addition, as higher density transit-oriented development gains popularity, pedestrian and bicycle travel will increase both as a form of recreation and as a form of transportation. The result will be an increasing need for safe pedestrian and bicycle routes between residential areas and schools, shopping, recreation, and places of employment.
- *Changes in freight transportation and goods movement.* Rail traffic will increase over time, increasing congestion where

arterials cross rail lines at-grade. There will be an increasing need for multi-modal facilities to transfer containers from rail to truck.

- *Changes in shopping and the new consumer.* Existing shopping facilities will become obsolete, and need to be remodeled to meet changing shopping patterns in the future. There will be a growing demand and support for up-scale shopping in Antioch.

## B. AMENDMENTS TO COMMUNITY VISION ELEMENT.

### 2.3 GENERAL PLAN THEMES

The General Plan represents a detailed statement for achieving community vision and managing growth and change in the years ahead. This vision, and the means that will be employed to achieve it are embodied in the following themes that are reflected throughout the General Plan.

1. *New growth and development **within the voter-approved Urban Limit Line (ULL)** can and will be directed toward meeting community objectives and needs.*

Antioch can grow and still remain a healthy and vibrant community, if this growth is managed, and occurs in the areas that can best accommodate it, **particularly within the ULL, such as selected portions of the Sand Creek Focus Area that have long been planned to accommodate Antioch's future growth.**

Targeting of the type, intensity, and location of new growth **within the ULL**, along with managing the rate of new residential development, will facilitate achievement of community objectives, such as:

- a. Balancing the provision of diverse housing options **within the ULL** with local employment opportunities;
- b. Creating an exciting urban core within the Rivertown area with diverse economic, housing, cultural, and entertainment opportunities;
- c. Promoting a diverse economic base that serves Antioch residents through an expanded local employment base and entrepreneurial opportunities; maintaining sufficient municipal revenues to cover the cost of high quality municipal services and facilities; enhancing opportunities for cultural, scientific,

corporate, entertainment, and educational institutions; and meeting the challenges of economic competition;

- d. Enhancing mobility for the movement of people and goods within the community and region through well-designed, balanced transportation systems that provides feasible alternatives to personal automobile travel (pedestrian, bicycle, and transit), and by maintaining a pattern of land uses that supports use of these alternative modes of transportation;
  - e. Maintaining a match between the expansion of the City and its service and infrastructure systems **within the ULL**, including transportation systems; parks, fire, sanitary sewer, water, and flood control facilities; and other essential municipal services;
  - f. Facilitating the provision of high quality education within the community by providing for the construction of new school facilities;
  - g. Providing adequate support for businesses and institutions that serve the needs of the community, including **high-quality new housing in master-planned communities within the ULL;** schools; quality medical care facilities, including a full service hospital with acute/emergency care and local medical clinics and services; child and adult day care centers; libraries, shelters, public auditoriums; social clubs and recreation centers; and places of worship; and
  - h. Protecting the character of established residential neighborhoods.
2. *Economic vitality will be promoted to provide local employment and entrepreneurial opportunities, diverse shopping and commercial services, and adequate municipal revenues.*

Many residents commute to distant employment destinations because their job skills do not match existing local employment opportunities. These long commutes have resulted in congested highways, and are a significant constraint on residents' quality of life. To reduce congestion and enhance residents' quality of life, Antioch will expand its employment base, and work toward a balance between local jobs and housing. Although it is recognized that not all residents will choose to work within Antioch, and not all workers will live locally, Antioch's vision is that the majority of its working

population will be employed locally. Such a choice will be made possible by providing as close a match between the range of local employment-generating uses and housing types as can be achieved **within the ULL**.

Antioch's quality of life also depends, in part, on the services provided by the City. Antioch's vision encompasses high quality public safety services, along with a wide array of other community amenities and public recreational activities. To afford the provision of such services, the City will support a vigorous business community and an economic climate wherein existing businesses desire to remain and expand, and new businesses want to locate. Such a business community will meet the needs of residents and other businesses by providing desired commercial and professional services and a broad array of convenience, specialty, and "big ticket," retail goods, as well as leisure-oriented and entertainment uses. Providing such an array of retail and commercial service uses represents much more than just municipal income for the City; providing the full range of retail and commercial services desired by Antioch residents will also be an important factor in enhancing community identity and pride.

3. *Antioch will be a healthy, family-oriented community.*

The well-being of Antioch's children, families, and seniors is critical to the community's own well-being. Antioch is, and will continue to be largely comprised of single-family dwellings and neighborhoods designed for families. Although not directly provided by the City, high quality educational services are critical to community success. Thus, Antioch will maintain a close partnership with the Antioch Unified School District to facilitate the provision of superior school facilities, including shared school/park facilities, and to maintain a focus on what is best for the community's youth. As Antioch's population grows, the City will work with Los Medanos College to expand its programs, and will work CSU Hayward to establish a satellite campus within the City.

An array of high quality neighborhood-oriented and community-wide parks and recreational facilities will be maintained, along with community gathering places along the riverfront, as a means of enhancing Antioch's desirability for families. Antioch also recognizes existing demographic trends, and the



desirability of retaining local residents in the community for their retirement years. Thus, **new housing in areas long planned for future growth within the ULL**, facilities, and services for seniors will be provided within the community. Antioch will thus assist in meeting the needs of public, private, and voluntary organizations and institutions that provide important community support services by maintaining an adequate inventory of lands **within the ULL** for such uses.

The City recognizes that land use patterns directly affect the quality of lives of families. Long commutes between Antioch and distant employment centers create stress for residents, and detracts from family life. **In turn, long commutes between Antioch employers such as Kaiser Permanente and distant housing opportunities in other communities creates similar stress for employees.** The availability of services in nearby locations, including health care, education, recreation, day care, and shopping is not just a convenience, but is a key component of people's quality of life.

The City also recognizes the changing nature of the family, including single parent households and a growing number of singles who may band together to form households within the community. As a result, programs for children, undertaken in conjunction with local school districts, will become more important over time as a means of providing a full range of services, and maintaining a high quality of life for local residents.

4. *Antioch will be a mobile community, providing options in addition to the single-occupant automobile.*

The freedom provided by the private automobile has dominated the form of modern urban America over the past several decades. Although the automobile and modern highway systems have given workers the freedom to move into distant suburban locations in search of newer and higher quality housing than they could otherwise afford closer to their places of employment, the resulting long commutes have also been a source of growing frustration. As a result, there is an increasing demand for extending mass transit systems further into suburban locations, and for enhancing alternative modes of transportation (e.g., bicycle and pedestrian) for local travel.

Antioch and other communities are also rethinking how energy conservation, air quality management, and transportation planning goals should be met, along with how future land use patterns need to be modified to support achievement of these goals. Thus, principles of transit-oriented development and pedestrian-oriented development<sup>1</sup> will be implemented to provide residents and workers alternatives to travel by automobile, by facilitating transit, pedestrian, and bicycle travel. The General Plan seeks to maximize residents' and visitors' freedom of movement within Antioch, providing them with viable choices as to the mode of transportation they use (e.g. automobile, transit, pedestrian, bicycle). The design, configuration, and mix of uses in strategic locations **within the ULL**, such as Rivertown, the Hillcrest interchange, Sand Creek and East Lone Tree Focused Planning Areas, and the "A" Street interchange will provide an alternative to traditional suburban development by emphasizing a pedestrian-oriented environment, and reinforcing residents' ability to use bicycles and public transportation.

<sup>1</sup> "Transit-oriented" developments are typically mixed use neighborhoods or projects, within a quarter mile of a transit stop, predominantly light rail or bus transfer stations. Pedestrian-oriented developments give priority to and respond to the needs of the pedestrian as a higher priority than automobile travel. By providing a compact form of development, both transit-oriented and pedestrian-oriented development also facilitate bicycle travel.

5. *The resolution of community and regional issues needs to be equitable.*

In pursuing solutions to expansion and financing of infrastructure, including transportation facilities, and in managing future growth **within the ULL**, the City of Antioch will emphasize the concept of equity. It is Antioch's vision that the financing of regional transportation improvements will recognize that the existing regional imbalance of jobs and housing is the principal cause of the congestion faced by eastern Contra Costa County residents in their work commutes. Thus, the employment growth in existing employment centers is as much the cause of regional traffic congestion problems as it is the result of housing growth in existing suburban locations. An equitable solution to regional

traffic congestion would place equal responsibility for financing new transportation facilities on jobs-rich communities that expand their employment bases and on housing-rich communities that expand their residential sectors. Equity will also be maintained in the financing of new public services and facilities and their long-term maintenance between existing and developing portions of the City **within the ULL**. Thus, the costs associated with providing expanded infrastructure to newly developing areas will be internalized within those areas. Affordable housing will be provided within Antioch in a manner that integrates such housing into the fabric of the community, and does not isolate lower-income households from community amenities and activities. Finally, the notion of equity will be extended to the City's growth management system, which will provide opportunities **within the ULL** for both large- scale and smaller housing developers to build and market their products within the community.

## **C. GROWTH MANAGEMENT ELEMENT AMENDMENTS.**

### **3.1 INTRODUCTION AND PURPOSE**

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

Antioch will face a number of difficult growth management challenges over the next 20 years as it moves from a bedroom suburb to a full service city. Key among these challenges is the need to effectively address nagging traffic congestion problems in the East County region in the face of rapid residential growth forecasts. In response, Antioch has committed to expand local employment opportunities and reduce

the need for Antioch residents to commute long distances to work. The desire to revitalize Antioch's Rivertown area, its riverfront, and its older areas; to enhance municipal income streams through expanded retail opportunities, and the need to expand both upper end and affordable housing opportunities **within the ULL** also need to be factored into the community's growth management strategy.

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

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

It is the purpose of this Element of the General Plan to bring together those portions of the General Plan that address various aspects of growth management, and thereby set forth a comprehensive strategy to manage the location and rate of future growth and **within the ULL**. It is also the purpose of the Growth Management Element to implement the provisions of countywide Measure J and the City's Measures **U, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, and the Sand Creek Area Protection Initiative** (see Sections 3.1.1, and 3.1.2, and 3.1.3 below). The Growth Management Element thus sets forth performance standards for key community services and facilities **within the ULL**, thereby

establishing a clear linkage between future growth **within the ULL** and the adequacy of community services and facilities.

### **3.1.1 Contra Costa County Measure J Requirements**

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

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

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

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

Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-

regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL, **which the voters approved via Measure K in 2005 and reaffirmed and strengthened in 2018 to ensure future that only the voters in Antioch may change the ULL, urban development occurs only in appropriate areas within the ULL, and preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.**

### 3.1.2 Antioch's Advisory Measure U

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

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

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

The interim ordinance was subsequently replaced by a permanent ordinance that is consistent with the provisions of the General Plan Element. **In addition, Measure K furthered the intent of Measure U by ensuring that the rate of new residential development is phased so that traffic improvements may be constructed to accommodate existing and future Antioch residents within the ULL.**

## 3.2 GOALS OF THE GROWTH MANAGEMENT ELEMENT

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

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

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

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

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

This goal recognizes that there is a limit to the rate at which public services and facilities can reasonably be expanded **within the ULL**. Because of long lead times for the construction of regional highway improvements, schools, and large-scale flood control facilities, the provision of some critical facilities can fall behind rapid residential



growth, even if new development does ultimately pay its own way. By moderating residential growth rates, potential lag times between project approvals and housing occupancy can be minimized or eliminated.

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

The land use map and policies **and the ULL** contained in the Land Use Element define the City's future land use pattern, along with maximum appropriate development intensities throughout the Antioch Planning Area **and ULL**. As a result, the General Plan Land Use Element **and ULL establishes establish** an ultimate buildout for the General Plan.

The policies of the Growth Management Element are intended to recognize that build out of the General Plan **within the ULL** will occur as the result of numerous individual development decisions and numerous incremental improvements to the public services and facilities serving Antioch. In setting forth public services and facilities and defining the responsibility of individual developments **within the ULL** to mitigate impacts and pay their own way, the Growth Management Element is intended to provide a system for the expansion of infrastructure that will support build out of the General Plan as expressed by the ultimate buildout **within the ULL** established in the Land Use Element.

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

Achievement of a balance between local jobs and housing was a key factor in the implementation of the City's advisory Measure U, and a key component of Antioch's vision as expressed in Chapter 2, Community Vision, of the General Plan. The General Plan recognizes sustaining a high quality of life for Antioch residents necessarily involves reducing the need for long commutes to work, and that "balancing" jobs and housing means much more than just having an appropriate number of employment and housing opportunities within the community. "Balancing" jobs and housing means providing a range of housing types **within the ULL** appropriate for the types of employment opportunities found in Antioch. Conversely, "balancing"



jobs and housing means providing the employment-generating lands that will provide the employment opportunities appropriate to Antioch residents. This Element is intended to assist in the financing of infrastructure needed to develop job-producing uses. It accomplishes this purpose by establishing achievable performance standards and considering the feasibility financing infrastructure expansion.

- *Improve regional cooperation in relation to mitigating the regional impacts of new development.*

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

For many issues (e.g., transportation, air quality, and economic development), a cooperative regional approach to problem solving is the only effective means. Traffic congestion resulting from home-to-work trips is primarily a regional problem resulting from regional imbalances of employment and housing, and can only be solved by concerted efforts at both ends of existing problematic commutes.

The impacts of new development are not always restricted to the municipal boundaries of the jurisdiction approving the development. Often, developments approved by one community impact other communities. In the case of development projects that will exacerbate regional jobs-housing imbalances, the traffic, noise, and air quality impacts of such developments can manifest themselves at some distance away from the development itself. “Equitable” mitigation involves not only that projects pay their own way within the jurisdiction where they are approved, but may also mean mitigating impacts in other jurisdictions.

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

maintained to address the regional aspects of mitigating development impacts.

### 3.3.1 Growth Management Provisions in the General Plan

Antioch's growth strategy is to undertake a comprehensive program to accommodate planned economic and population growth **within the ULL** in a manner consistent with community values and the lifestyles of existing and future residents. Thus, growth management is central to the General Plan, and "growth management" provisions appear throughout the General Plan. In effect, the various elements of the General Plan each address specific aspects of managing growth within Antioch, and are intended to work together to function as a comprehensive growth management program. The specific growth management roles of individual General Plan elements are described below.

- The *Growth Management Element* implements the provisions of countywide Measure C, and provides supporting policies for implementation of Antioch's advisory Measure U. This Element establishes a quantified annual cap on residential growth, and sets forth roadway and highway level of service standards, as well as public services and facilities performance standards. This Element also implements the provisions of **Measure Measures J, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative** by providing general policy direction for achieving a balance between local jobs and housing, as well as for City participation in regional transportation planning efforts **and ensuring that future urban development will occur only within the ULL**.
- The *Land Use Element* defines acceptable locations and the appropriate intensity for new development **within the ULL**, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at "build out" of the Antioch Planning Area **and ULL**. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities' mutual boundary<sup>1</sup>.

This element also addresses the effect of the urban limit line established by **the Voter-Approved Urban Limit Line Measure K and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative** (Figure 4.12) and directs new development to occur **only** within the Voter-Approved Urban Limit Line, thereby achieving a compact form of community **and preserving and protecting agricultural, natural resource, and open space uses on lands outside the ULL.**

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

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

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

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

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

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

The Housing Element delineates the specific programs that the City of Antioch will implement to ensure housing opportunities **within the ULL** for all economic segments of the economy. The Housing Element, unlike the balance of the General Plan, is intended by state law to be short-term, setting forth a five-year program. As a result, the Housing Element is required to be updated every five years. This Element sets forth specific policies and programs designed to ensure opportunities for development of upper end housing, and for housing for service workers who could not otherwise afford for-sale housing within Antioch. State law

requires that the California Department of Housing and Community Development review local Housing Elements to determine whether they meet the applicable legal requirements.

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

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

### **3.4 SERVICE STANDARDS FOR TRANSPORTATION FACILITIES**

This portion of the Growth Management Element sets level of service<sup>1</sup> standards for roadways within the City of Antioch Planning Area **and the ULL**, along with policies to ensure that these standards are maintained. These standards form the basis for the City's circulation policies, and for the ways in which land use and circulation will be correlated with each other. Roadways are grouped into two categories: "Routes of Regional Significance" and "Basic Routes."

Policies and programs to define the responsibilities of new development projects **within the ULL** for the provision of expanded roadway facilities are provided in Chapter 7.0 of the General Plan (Circulation Element). Policy direction addressing the manner in which expansion of roadways and other public services and facilities

**within the ULL** will be financed is provided in Section 8.13 (Public Services and Facilities Element).

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

#### **3.4.1.1 Performance Standards for Routes of Regional Significance.**

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

#### **3.4.4 Transportation Facilities Policies**

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

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

### **3.5 Service Standards for Other Community Services**

This section of the Growth Management Element sets forth performance standards for public services and facilities **within the ULL** other than the transportation network. **Consistent with the purposes of the ULL, the City will not extend and will not support the extension of the urban facilities described in this section beyond the ULL as established by the City's voters in Measure K in 2005 and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative in 2018.**

Descriptions of current facilities serving Antioch and its Planning Area, as well as plans and programs for expansion of facilities maintained by the City and the special districts serving the City are described in the Public Services and Facilities Element.

Standards are presented for services and facilities provided by the City of Antioch, as well as those provided by Special Districts other than the City, including fire protection services provided by the Contra Costa County Fire Protection District, school facilities provided by the Antioch Unified School District<sup>1</sup>, and sewage treatment facilities provided by the Delta Diablo Sanitation District. In addition to the fire, police, water, sanitary sewer, flood control, and park performance standards that are set forth in the Growth Management Element, standards are also provided for community centers, schools, and general public services and facilities. The inclusion of these additional standards recognizes the crucial role that community centers, schools and other governmental facilities will play in ensuring a high quality of life for Antioch residents.



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

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

### **3.5.1 Community Centers<sup>1</sup>**

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

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

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

### **3.5.2 Fire Protection Facilities**

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

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



### **3.5.3 Police Service**

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

**3.5.3.1 Performance Standard.** Maintain a force level within a range of 1.2 to 1.5 officers, including community service officers assigned to community policing and prisoner custody details, per 1,000 population. The ratio of community service officers assigned to community policing and prisoner custody details to sworn officers shall not exceed 20 percent of the total number of sworn officers.

### **3.5.4 Water Storage and Distribution<sup>2</sup>**

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

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

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

### **3.5.5 Sanitary Sewer Collection and Treatment Facilities**

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

#### **3.5.5.2 Performance Standards.**

- a. Sanitary sewers (except for force mains) will exhibit unrestricted flow in normal and peak flows.

- b. Prior to approval of discretionary development projects **within the ULL**, require written verification from the Delta Diablo Sanitation District that the proposed project will not cause the rated capacity of treatment facilities to be exceeded during normal or peak flows.

### **3.5.6 Flood Control**

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

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

### **3.5.7 Parks and Recreational Facilities**

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

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

### **3.5.8 Schools**

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

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

**3.5.8.2 Performance Standard.** Require new development **within the ULL** to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities, as determined by the responsible school district.

### **3.5.9 Entitlement Process and Capital Improvements Program**

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

#### **3.5.9.2 Entitlement Process and Capital Improvements Program Policies**

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

#### **3.6.1 Rate of Growth Objectives**

- a. Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities **within the ULL** for all economic segments of the community as required by State Housing Element law, and that facilitates the ability of public

services and facilities provided by the City and outside agencies to expand **within the ULL** at a commensurate rate.

- b. **Manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage, and other such services.**
- c. **If land is developed within the ULL west of Deer Valley Road, a substantial portion of this land shall be retained for open space, parks, and recreational uses.**
- d. Encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older residential neighborhoods, and revitalize the Rivertown area.

### 3.6.2 Rate of Growth Policies

- a. Prohibit the granting of new residential development allocations for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, limit the issuance of development allocations to a maximum annual average of 600, recognizing that the actual rate of growth will vary from year to year. Thus, unused development allocations issued after December 31, 2010 may be reallocated in subsequent years, and development allocations may be moved forward from future years, provided that the annual average of 600 development allocations may not be exceeded during any given five-year period (i.e., no more than 3,000 development allocations may be issued for any given five-year period).
- b. To move development allocations forward from future years, the following finding must be made:

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

- c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple-family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single-family dwelling and an allocation for age-restricted housing and multiple-family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.
- d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be granted to age-restricted senior housing, single family detached housing, and multifamily housing.
- e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.
- f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.
  - (1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with “density bonus” dwelling units approved pursuant to the provisions of the Housing Element and the City’s Density Bonus ordinance.
  - (2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to

meet the Housing Element's quantified objectives for housing of special needs groups.

- (3) Dwelling units within development projects having vested rights through a valid (unexpired<sup>1</sup>) development agreement or vesting map.
- (4) Construction of a single dwelling unit by or for the owner of the lot of record on which the dwelling unit is to be constructed.
- (5) Construction of a second dwelling unit on a lot of record.
- (6) Development of a project of four or fewer dwelling units.
- (7) Development projects within the Rivertown Focused Planning Area **and Sand Creek Focus Area**.
- (8) Smart growth, transit-oriented development projects.
- (9) Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.

<sup>1</sup> The majority of existing development agreements expired on December 31, 2002.

### **3.7 REGIONAL COOPERATION**

#### **3.7.1 Regional Cooperation Objectives**

- a. Resolution of regional and multi-jurisdictional transportation issues for the maintenance of regional mobility as required by Measure J Growth Management Program and the Contra Costa Congestion Management Program.
- b. A regional approach to regional issues that recognizes and respects Antioch's local interests.

- c. Establishment of a system of development review within Antioch and surrounding communities based on the principle that the impacts of new development must be mitigated or offset by project-related benefits within each of the jurisdictions in which the impacts will be experienced.

### 3.7.2 Regional Cooperation Policies

- a. Continue participation in regional transportation planning efforts, including the Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority (Tri-Delta Transit), and TRANSPLAN.
- b. As part of the evaluation of individual development projects **within the ULL**, address and provide appropriate mitigation for impacts on regional and local transportation facilities.
- c. Maintain ongoing communications with agencies whose activities affect and are affected by the activities of the City of Antioch (e.g., cities of Brentwood, Oakley and Pittsburg; Contra Costa County; Antioch Unified School District; Contra Costa County Fire Protection District; Delta Diablo Sanitation District). The primary objective of this communication will be to:
  - (1) Identify opportunities for joint programs to further common interests in a cost efficient manner;
  - (2) Assist outside agencies and the City of Antioch to understand each other's interests, needs, and concerns; and
  - (3) Resolve differences in these interests, needs, and concerns between Antioch and other agencies in a mutually beneficial manner.
- d. Support and promote inter-jurisdictional programs to integrate and coordinate the land use and circulation plans of area municipalities and the County, and to establish an ongoing inter-jurisdictional process for reviewing development proposals and mitigating their inter-jurisdictional impacts based on the principle that it is not appropriate for a jurisdiction, in approving a development project **within the ULL** to *internalize* its benefits and *externalize* its impacts.

- e. Continue to refer major planning and land use proposals **for new development within the ULL** to all affected jurisdictions for review, comment, and recommendation.

### **3.8 BALANCING EMPLOYMENT AND HOUSING OPPORTUNITIES**

#### **3.8.1 Employment and Housing Balance Objective**

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

#### **3.8.2 Employment and Housing Balance Policies**

- a. Maintain an inventory of employment-generating lands **within the ULL**, providing for a variety of office-based, industrial, and commercial (retail and service) employment opportunities.<sup>1</sup>
- b. Maintain an inventory of residential lands **within the ULL** that provides for a broad range of housing types including executive housing in both urban and rural settings, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, **and age-restricted housing for seniors**<sup>2</sup>.

(1) Provide a balance between the types and extent of employment-generating lands planned within the City of Antioch **ULL** with the types and intensity of lands planned for residential development.

(2) Encourage businesses to locate and expand within Antioch through an aggressive economic development program that provides essential information to prospective developers and businesses, along with tangible incentive programs for new and expanding businesses.

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

<sup>2</sup> The Land Use Element delineates the inventory of residential lands **within the ULL**, and defines appropriate housing types and development intensities. One of the primary objectives of



the Land Use Element is to increase opportunities for local employment for existing and future residents. Specific plans and programs to accomplish this objective are set forth in that Element. The primary objective of the Housing Element is to provide housing opportunities at all income levels.

#### D. LAND USE ELEMENT AMENDMENTS.

##### 4.1 INTRODUCTION AND PURPOSE

The Land Use Element is the cornerstone of the General Plan, setting forth Antioch's fundamental land use philosophy and directing development to the most suitable locations, **particularly within certain areas such as the Sand Creek Focus Area east of Deer Valley Road, and in the Limited Development Area west of Deer Valley Road on flatter land appropriate for future development within the existing limits of the voter-approved Urban Limit Line (ULL), which has long been planned to accommodate anticipated future City growth.** while maintaining the economic, social, physical, environmental health and vitality of the community. The Land Use Element, required by law since 1955, has the broadest scope of the seven mandatory General Plan elements, synthesizing all General Plan land use issues.

This Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values, to achieve Antioch's vision for its future. Of primary concern are the type, intensity, location, and character of land uses that will be permitted in the future. It is the purpose of this General Plan Element to provide appropriate land **within the ULL** for each of the variety of activities associated with successful urban areas, and to guide the manner in which this land is developed and used. In so doing, the Land Use Element intends to create and regulate compatible and functional interrelationships between the various land uses in the City. Thus, the Land Use Element establishes City policy as to the appropriate use and development intensity for each parcel of land within the **City City's ULL**, including the City's view of appropriate land uses and development intensity for lands outside of the **City City's ULL**, but within the General Plan study area.

A key consideration in defining the type, intensity, location, and mix of future land uses **within the ULL** is achieving a balance between local employment and housing. The Antioch General Plan seeks to achieve such a balance as a means of addressing issues of traffic

congestion, air quality, and energy conservation. This balance, along with providing adequate land area **within the ULL** for the commercial uses needed by local residents and businesses, will help achieve sufficient municipal income to pay for the services and facilities discussed in the Growth Management and Public Services and Facilities elements. The ability to commute only a few short miles to and from work on roadways that resemble the open road more than they do parking lots is an important component of the quality of life Antioch seeks for its residents. As more residents throughout the Bay Area are able to live and work in the same or nearby communities **and within the ULL**, congestion can be eased, travel speeds increased, substantial amounts of fuel conserved, regional air quality improved. The Land Use Element also seeks to ease congestion and improve regional air quality by providing patterns of land use **within the ULL** that support the use of transit. Such “transit-oriented” development consists of high density, mixed use development adjacent to transit nodes. Such transit nodes are proposed within Rivertown (adjacent to the Amtrak platform), at Hillcrest Avenue (surrounding the BART station), and east of the SR-4 Bypass, south of the Laurel Avenue interchange (surrounding the BART station)<sup>1</sup>.

<sup>1</sup> This transit oriented development node is one of three “test sites” for smart growth sponsored by ABAG. It is part of the countywide “Shaping our Future” program.

#### **4.1.1 Existing Land Use**

Despite substantial development in the past, Antioch has a great deal of land **within the ULL** available for future development. Much of the land within the City and within the unincorporated portion of the General Plan study area (22,391 acres) is vacant. Additional land is in agricultural use, and, may be available for future development, depending upon its land use designation **and so long as such land is appropriate for development and it is within and not outside the ULL**. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

Within the developed portion of the City, single-family residential uses cover the largest area (4,963 acres, 26.5%). Industrial uses account for 1,373 acres (7.3% of the land within the study area). Currently, industrial uses are concentrated in the northern portion of the Study

Area to the west and east of Rivertown. Existing commercial uses are limited in extent, encompassing 456 acres (2.7% of the land within the Study Area. Commercial use is concentrated within Rivertown, and along major roadway corridors, such as Somersville Road/Auto Center Drive, Hillcrest Avenue, and “A” Street/Lone Tree Avenue.

#### **4.1.2 Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)**

In 1990, the voters of Contra Costa County approved Measure C-1990. This Measure states that urban development within the County is to be limited to no more than 35 percent of the land within Contra Costa County. At least 65 percent of all land in the County is to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. To ensure the enforcement of the “65/35” standard, the County has established an Urban Limit Line (ULL), which is incorporated into the County’s General Plan Open Space and Conservation Element **and is intended to ensure that new urban development shall occur only on land appropriate for development within the ULL and may not occur outside the ULL.**

Hence, there shall be a clear distinction between non-urban and urban use areas. The criteria set by the County for determining lands that should be located outside the ULL includes:

- Prime agricultural lands (U.S. Soil Conservation Service Class I and Class II)
- Open space, parks and other recreation areas
- Lands with slopes in excess of 25 percent
- Wetland areas
- Other areas not appropriate for urban growth because of physical unsuitability for development

Measure C-1990 requires that there be no changes made to the ULL that would violate the 65/35 standard. The ULL can be changed by a 4/5 vote of the Board of Supervisors after holding a public hearing and making one or more of the following findings based on substantial evidence in the record:

- A natural or man-made disaster or public emergency has occurred that warrants the provision of housing and/or other community needs within land located outside the ULL.

- An objective study has determined that the ULL is preventing the County from providing its fair share of affordable or regional housing, as required by state law. The Board of Supervisors must find that a change to the ULL is necessary and the only feasible means to enable the County to meet these requirements.
- A majority of the cities are party to a preservation agreement, and the County has approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement.
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries.
- A five-year periodic review of the ULL has determined that, based on the criteria for establishing the ULL, new information is available or circumstances have occurred, warranting a change to the ULL.
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation related environmental or community impacts, or (ii) further the County's aviation related needs.
- A change is required to conform to applicable to California or Federal law.

Although the direct land use effects of the Urban Limit Line are limited to unincorporated areas of the County, the Contra Costa Local Agency Formation Commission (LAFCO) has consented to support the County's 65/35 Preservation Standard, Urban Limit Line, and Growth Management Standards in the review of proposed city spheres of influence and annexations. Thus, LAFCO has stated that it would not approve annexation of lands outside of the ULL to a city. Measure 1990-C states that the County is to review the location of the ULL every five years. **The County voters approved Measure L in 2006, extending** the provisions of ~~Measure C-1990~~ **will remain in effect the ULL** until December 31, ~~2010~~ **2026**.

In 2000, the County moved its Urban Limit Line in ~~the East County area~~ **Antioch over the objections of the City Council**. Within the Antioch area, the Urban Limit Line was moved to coincide with the southern boundary of the City, placing lands in the unincorporated

area outside the ULL. This move shifted approximately 1,922 acres out of the ULL within the Antioch area.

In 2005, **Antioch** voters approved Measure K to **create the City's own ULL and to** include Roddy Ranch and a portion of the Ginocchio Property within the City ULL and the **City** limits. **The ULL is intended to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated. As approved by Antioch voters, the entirety of the Sand Creek Focus Area is within the City ULL and the City limits and certain portions of the Sand Creek Focus Area are thus an appropriate location for future urban development.**

**In 2017, the County conducted its 5-year review of the ULL. According to the County's review, Antioch is anticipated to need approximately more than 4,000 new residential housing units between the years 2015 and 2040. Antioch's ability to meet this anticipated future residential growth will depend on long-planned development in appropriate locations within the existing boundaries of the City's ULL.**

**In 2018, Antioch voters the Antioch City Council adopted the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative to reaffirm and strengthen the ULL and to ensure that future urban development in Antioch occurs only in appropriate locations within the ULL. The Initiative Initiatives also ensured that City's ULL cannot be changed, except by a vote of the people of Antioch.**

#### 4.2 GOALS OF THE LAND USE ELEMENT

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

- *Maintain a pattern of land uses that minimizes conflicts between various land uses, and promotes rational utilization of presently undeveloped and underdeveloped land **within the ULL**, and supports the achievement of Antioch's vision for its future.*

Defining the appropriate uses of land within the General Plan study area in a manner supportive of achieving the vision Antioch

has established for its future is at the crux of the Land Use Element. The Land Use Element is responsive to the City's vision because it:

- Promotes expansion of the local employment base and achievement of a balance between local employment and housing. The Land Use Element provides for a wide variety of office-based and industrial employment, including heavier industrial uses along the San Joaquin River, rail-served industries, light industrial uses, commercial services, and retail businesses, and mixed use business and office parks.
- Opens up additional choices of living environment for families. The Land Use Element provides for executive housing in planned community settings, traditional single-family subdivisions, amenity-rich middle to upper end attached housing **and age-restricted housing for seniors**, high-density housing in transit-oriented, downtown, and mixed-use settings.
- Provides for the revitalization of the Downtown area and waterfront, integrating General Plan policies with revitalization planning efforts undertaken by the City.
- Provides opportunities for achieving quality design and avoiding the relentless sameness present in many suburban communities.
- Aids in stimulating economic revitalization in areas that are having difficulty competing with larger and more diversified development sites in Antioch and other communities.
- Stimulates new options for development at key entry points into the community.

In defining appropriate uses **within the ULL**, the Land Use Element addresses the future uses of lands that are currently undeveloped, and also sets forth desired changes in existing land uses and development intensities. In most cases, the Land Use Element recognizes existing land uses and development densities, and may recommend urban design improvements. In some cases, such as along the "A" Street corridor north of the SR4 freeway, the Land Use Element proposes changes in basic land use types. In other cases, such as existing residential areas within Downtown, the Land Use Element recommends increases in the overall development intensity of existing land uses. Each of the

recommendations contained in the Land Use Element are intended to result in a harmonious pattern of land uses directed toward meeting community objectives and needs.

- *Establish a land use mix which serves to develop Antioch into a balance community in which people can live, work, shop, and have recreation without needing to leave the City.*

The Land Use Element designates lands **within the ULL** for a broad range of residential, commercial, employment-generating, public/institutional, and open space and recreational lands. Residential and employment-generating land use designations are intended to include lands providing housing and employment opportunities for executives, managers, and professionals; highly skilled, semi- skilled, and unskilled workers; and retail and service workers. Residential land use designations are intended to provide housing opportunities for all economic segments of the community, **including seniors**, as well as for the special needs groups identified in the Housing Element. The Land Use Element seeks an array of shopping and commercial service opportunities to meet the needs of Antioch residents and businesses, including daily convenience shopping along with large-scale commercial centers for community and regional markets. The Land Use Element aims to provide a sufficient inventory of lands **within the ULL** for public, institutional, and recreation uses, and seeks to preserve needed open space areas.

- *Establish an overall design statement for the City of Antioch.*

As important as is defining the pattern of future land uses **within the ULL** is maintaining and enhancing Antioch's character and providing a pleasing visual experience to residents and visitors. Thus, Antioch's Land Use Element incorporates "urban design" concepts aimed at ensuring that the built environment is a physical expression of desired community character.

#### **4.3 COMMUNITY STRUCTURE**

Throughout much of the General Plan study area, Antioch's land use pattern is well established, and is not intended to change over time. Future growth in the central and northern portions of the City will primarily consist of infill development, existing approved but undeveloped projects, and the expansion of existing uses. As **long-planned** development **in appropriate locations within the ULL** expands into the southern portion of the City and its General Plan



study area, Antioch will face significant challenges **and be presented with significant opportunities**.

#### 4.3.1 Community Structure Objective

Provide adequate land **within the ULL** for present and future urban and economic development needs, while retaining a compact, rather than a scattered, development pattern.

#### 4.3.2 Community Structure Policies

- a. As part of General Plan implementation – including development review, capital improvement planning, and preparation of Specific Plans – foster close land use/transportation relationships to promote use of alternative transportation system modes and minimize travel by single occupant automobiles.
- b. Give priority to new development **within the ULL**, utilizing existing and financially committed infrastructure systems over development needing financing and construction of new infrastructure systems.
- c. Encourage high-density residential development (both freestanding and in mixed use projects) within one-quarter mile of existing and planned heavy and/or light rail transit stops as illustrated in the Circulation Element.
- d. Concentrate large-scale industrial uses along the waterfront east of Rodgers Point and within areas designated for industrial use along existing rail lines. Limit employment-generating uses adjacent to residential areas and within mixed-use planned communities to business parks and office uses.
- e. Concentrate future regional commercial uses along Lone Tree Way, SR4 and SR160 and along the SR-4 bypass.
- f. Recognize the Voter-Approved Urban Limit Line (Figure 4.12) that encompasses up to 1,050 acres of land within the Roddy Ranch and Ginochio Property Focus Areas that were included **in within** the Urban Limit Line as it was **twice** adopted by the voters, **first** in 1990, and **again** in the **Voter-Approved Urban Limit Line 200** as a means of phasing urban and suburban development, preserving open space and maintaining a compact urban form. **The ULL was then reaffirmed and strengthened by the voters, in 2018, in the West Sand Creek Open Space Protection, Public Safety**



### **Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative**

- Maintain rural land uses (residential densities less than one dwelling unit per five acres (0.2 du/ac) and compatible open space/recreational uses which do not require urban levels of public services and facilities **through 2020** in areas outside **the existing boundaries** of the Voter-Approved Urban Limit Line.
- Limit future urban development within Roddy Ranch and the Ginochio Property **through 2020** to a total of approximately 1,050 acres (approximately 850 acres within Roddy Ranch and 200 acres within the Ginochio Property) that were within the **City** urban limit line as it was **first** adopted by the voters in 1990 and that are also within in the Voter-Approved Urban Limit Line **City voters approved again in 2005 and reaffirmed and strengthened in 2018.**

#### **4.4.1.1 Residential Land Use Designations.**

**Six Seven** residential land use designations are set forth to provide for development of a full range of housing types, in conjunction with residential development within General Plan Focus Areas **within the ULL**. Permitted maximum land use and anticipated population densities are described for each designation. Densities are stated as the maximum permissible number of dwelling units per net acre that exists within the project site prior to any new dedication requirements. Density is assumed to accrue only to lands that are “developable.” Developable acres are those **lands within the boundaries of the ULL** that are not encumbered by prior dedications of easements or rights-of-way, and are not so steep (generally over 25%), unstable, floodprone or subject to other hazards as to be unable to support new development. Achievement of the maximum allowable density is neither guaranteed nor implied by the General Plan. The final density of any particular residential development type is dependent upon development design; any physical, geological, or environmental constraints that might be present within the site; available infrastructure and services; and other factors. The development standards that are established in the Antioch zoning ordinance might also limit attainment of maximum allowable densities.

Second units on a residential lot and home occupations are permitted by local regulation. Provision of density bonuses as allowed by State law and City ordinance may result in development densities in excess of the nominal maximum density for any land use designation.

**Estate Residential.** Estate Residential land uses are planned as a transition between urban and rural areas, and for areas that are not suited for a more intensive form of development because of topography, geologic conditions, or urban service limitations. Estate Residential areas will also serve to provide “executive” housing on large lots, thereby expanding the community’s range of housing types.

On designated lands where topography is not limiting, the representative form of development would be single-family homes on lots that average one acre in size. For properties so designated that are situated in steeper hillside settings, clustering of units and utilization of other hillside development techniques are anticipated and encouraged. The final approved and built density on lands in the Estate Residential land use designation should reflect the location of these lands as low-density residential transition areas between the urbanized Antioch and the undeveloped Mount Diablo Range of hills.

Since this designation is planned at the urban/non-urban interface, the type and level of development may require different construction standards, such as narrower street widths with parking along only one side of the street or no on-street parking, greater setbacks, limited sidewalk areas, etc. Development may require a different level of services than that required for strictly urban land uses. Projects that minimize the demand for urban services and provide major funding for construction of needed service facilities would be appropriate.

Environmental constraints such as steep slopes, riparian habitats, unstable soil conditions, sensitive flora and fauna, and visual prominence are often found on lands with the Estate Residential designation. These constraints may make development of these areas extremely sensitive, and could require creative and imaginative site planning in all projects. The steepness of the slopes and the visual prominence of these areas make many of these resources important public amenities to be preserved for all of the citizens of Antioch. Finally, as these areas will serve as a buffer between the urbanized City of Antioch and the undeveloped open space to the southwest, development must be at a level, which serves as an appropriate transition between urban and non-urban environments.

Development in this category is generally limited to a maximum of one (1) unit per gross developable acre, unless a density of two (2) units per developable acre is specified on the General Plan land use map or in Focus Area policies. Overall, residential developments within the

Estate Residential land use category should provide large lots, and project a semi-rural character.

Neighborhood entry signage is encouraged to create a sense of community, and define Estate Residential neighborhoods as special places. Within hillside areas, dwelling units should be clustered on land that is relatively flat, and no development should occur on slopes exceeding 20 percent. Due to the unique nature of these areas, a clustering of units may be needed to accommodate the unit yield and still maintain the topographic uniqueness of the area. Developments in these areas should be oriented around a major amenity that increases public exposure to the more hilly terrain. Examples of such amenities include golf courses and equestrian centers.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: One dwelling unit per developable acre (1 du/ac) or two dwelling units per developable acre (2 du/ac)
- Anticipated Population per Acre: Four (4) to eight (8) persons per acre

**Rural Residential, Agriculture, Open Space. This designation allows single-family rural residential development in the Restricted Development Area as provided by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative<sup>1</sup> and by the Sand Creek Area Protection Initiative. This designation, typically involving large parcels, protects agriculture, grasslands, and open space, as well as permitting housing in rural areas. The maximum house size with accessory buildings is 6,000 square feet. The minimum legal parcel size shall be 80 acres.<sup>2</sup>**

**The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Restricted Development Area, provided however that all use and development must comply with the provisions of the General Plan and with other City plans and ordinances:<sup>3</sup>**

- (a) One single family dwelling unit on a parcel, secondary dwelling units required by state law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;**

**(b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;**

**(c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;**

**(d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Restricted Development Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;**

**(e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Restricted Development Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;**

**(f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d) of this Rural Residential, Agriculture, Open Space land use designation, provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;**

**(g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses,**

firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural environment and not contribute significantly to pollution, noise, or other environmental harm;

(h) Institutional and other non-profit uses that predominantly serve permitted uses in the Restricted Development Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;

(i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Restricted Development Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside the Restricted Development Area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if similar private uses and development would be allowed;

(j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.

<sup>1</sup> Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain

limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.

<sup>2</sup> The City shall not grant a certificate or conditional certificate of compliance regarding any division of land in the Restricted Development Area except as required by State law. All permissible restrictive conditions shall be imposed on a certificate. The owner or subsequent transferees of property shall be held to strict compliance with those conditions. A certificate of compliance creates no right to develop, nor diminishes in any respect the City's authority to control development. .

<sup>3</sup> (a) Parcels, structures, uses, or surface alterations in the Restricted Development Area to the extent that they existed legally at the time the Sand Creek Area Protection Initiative became effective remain valid, except if their authorized time limit expires they may not be reestablished to the extent inconsistent with the Sand Creek Area Protection Initiative, they are eliminated or voluntarily abandoned, or a use is contrary to this Section 4.4.1.1. Parcels, structures, surface alterations or uses in the Restricted Development Area may not be changed or expanded to the extent they would cause a violation of any provision of the Sand Creek Area Protection Initiative, or would augment or make more serious what would have been a violation if created or done after the Sand Creek Area Protection Initiative became effective

(b) The Sand Creek Area Protection Initiative shall be applied in the Restricted Development Area to proposed parcels, development and uses that have not received all City discretionary approvals and authorizations prior to the Sand Creek Area Protection Initiative's effective date, except to the degree application would be contrary to State law.

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**Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space**

**(a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands" are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by federal or state law.**

**(b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.**

**(c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch (Marsh Creek) State Park.**

**(d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.**

**(e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take**

place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

***Development Envelopes on Lands Designated Rural Residential, Agriculture, Open Space***

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage, or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals under Section 10(f) in the Rural Residential, Agriculture, Open Space land use designation, outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

***Maximum Floor Areas on Lands Designated Rural Residential, Agriculture, Open Space***

(a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.

(b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses,



**government or public utility use, or short-term events.**

***Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space***

**(a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date this Ordinance became effective. To the extent practicable, consistent with other provisions of the General Plan, structures shall be located, including by setbacks from parcel boundaries, on the part of a parcel that minimizes visibility from roads, trails, and other public places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.**

**(b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.**

**(c) Visibility of development from roads, parks, and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this**

**Rural Residential, Agriculture, Open Space land use designation.**

**Covenants on Lands Designated Rural Residential, Agriculture, Open Space**

**Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development, or use on the parcel that would not be permitted under this Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the Contra Costa County Clerk Recorder's Office.**

- **Appropriate Land Use Types: See Table 4.A**
- **Maximum Allowable Density: Typically less than one single-family dwelling unit per 80 acres (<1 du/ac)**
- **Anticipated Population per Acre: Typically less than one (1) person per acre**

**Low Density Residential.** These areas are generally 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 residential neighborhoods of southeast Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Four dwelling units per gross developable acre (4 du/ac)

- Anticipated Population per Acre: Twelve (12) to Fourteen (14) persons per acre

**Medium Low Density.** These areas are generally characterized by single-family homes in typical subdivision development, as well as other detached housing such as zero lot line units and patio homes. Duplex development would generally fall into this development density. Areas designated Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. Older subdivisions within the northern portion of Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Six dwelling units per gross developable acre (6 du/ac)
- Anticipated Population per Acre: Fourteen (14) to Eighteen (18) persons per acre

**Medium Density Residential.** A wide range of living accommodations, including conventional single-family dwellings, small lot single-family detached dwellings, mobile homes, townhouses, and garden apartments, characterizes the Medium Density land use designation. Development in these areas can be expected to be a maximum of two (2) stories, and include generous amounts of public or open space for active and passive recreational uses. Lands adjacent to parks, commercial uses, transit routes and rail stations, and arterial roadways would be appropriate for the upper end of the allowable development intensity for this category. Other lands would serve as a buffer or transition between lower density residential areas and higher density residential and commercial areas, as well as areas exhibiting greater traffic and noise levels. At the higher end of the density range for this category, multi-family townhouse and apartment development is expected to be predominant. Where the Medium Density land use designation serves as a transition or buffer, lower density townhouse and small lot, single-family development would be the predominant uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Ten dwelling units per gross developable acre (10 du/ac)

- Anticipated Population per Acre: Twenty (20) to Twenty-five (25) persons per acre

**High Density Residential.** High Density Residential densities may range up to twenty (20) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space would be possible. This designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to shopping districts and public parks. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Twenty dwelling units per gross developable acre (20 du/ac) and up to a Floor Area Ratio<sup>1</sup> of 1.25 within areas designed for mixed use or transit-oriented development.
- Anticipated Population per Acre: Forty (40) persons per acre. Within transit-oriented development, up to forty-five to sixty (45-60) persons per acre

<sup>1</sup> Floor Area Ratio (FAR) represents the ratio between allowable floor area on a site and the size of the site. For example, an FAR of 1.0 permits one square foot of building floor area (excluding garages and parking) for each square foot of land within the development site, while an FAR of 0.5 permits ½ square foot of

building area for each square foot of land within the development site.

**Residential TOD.** This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the BART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet of commercial space such as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and offices are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Free parking in surface parking lots is not permitted as a primary use.

- Minimum housing density: 20 units per gross acre
- Maximum housing density: 40 units per gross acre

The provisions of subsection 4.4.1 may be amended by the City Council without a public vote under the following circumstances:

- The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowners' property;
- The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element; or
- Upon application by a landowner or representative of a landowner authorized to apply for such amendment, if the City Council makes a finding, supported by substantial evidence, that such amendment would promote the health, safety, and welfare of the City.

**4.4.6.7 Sand Creek.** The Sand Creek Focus Area encompasses approximately 2,712 acres in the southern portion of the City of Antioch (Figure 4.8).

This Focus Area is **within the boundaries of the voter-approved ULL and** bounded by existing residential neighborhoods to the north, Black Diamond Mines Regional Preserve to the west, the city limits **and ULL** to the south, and the City of Brentwood to the east. Empire Mine Road and Deer Valley Road run in a general north-south direction through the Focus Area, dividing it roughly into thirds.

**According to Contra Costa County’s 2017 review of the ULL, Antioch is expected to grow within the boundaries of the ULL by more than 4,000 housing units between 2015 and 2040. Long-planned residential development in the Sand Creek Focus Area, within the ULL, will be essential for the City to provide adequate new housing to satisfy anticipated future demand.**

**a. Purpose and Primary Issues.** The Sand Creek Focus Area combines two existing policy and planning areas **within the ULL** identified in the previous General Plan: the southern portion of “Focused Policy Area 18” and the entirety of Future Urban Area 1.” Previous General Plan policy tied the timing of development within this Focus Area to progressive build out of the land immediately to the north (the area generally known as Southeast Antioch), and to agreement on an alignment for the SR-4 bypass.

Through the 1990s, build out of Southeast Antioch was largely completed, an alignment for the SR-4 bypass was selected, and financing for construction of the bypass was developed. As a result, the City stepped up its planning efforts for the Sand Creek Focus Area with area landowners. Because of the multiple ownerships within the Sand Creek Focus Area, detailed coordination of access and infrastructure, along with the establishment of workable financing mechanisms was necessary in addition to land use planning.

**Portions of** Sand Creek, **as well such** as natural hillsides and canyons within the Sand Creek Focus Area, contain habitats for sensitive plant and animal species, as well as habitat linkages and movement corridors. Overall, the **western westernmost** portion of the Focus Area is more environmentally sensitive than the eastern portion in terms of steep topography, biological habitats and linkages, the existence of abandoned coal mines, and proximity to public open space at Black Diamond Mines Regional Preserve. The west end of the Sand Creek Focus Area serves as a linkage between two

regionally significant blocks of grassland. Decades of urban and agricultural use have greatly reduced the width of this linkage, substantially increasing the ecological importance of the remaining linkage within the Sand Creek Focus Area. Land has been preserved in regional parks and permanent open space, primarily in extensive grassland to the immediate west and northwest, as well as south of the Sand Creek Focus Area. These preserves represent a significant investment of public resources, and are a valued public asset.

Stream and riparian communities occupy a small portion of the Focus Area, but are widely distributed. Because of their high biotic value, stream and riparian communities within the Focus Area are considered to be a sensitive resource. The Focus Area also includes an oak woodland and savanna community, which, because of its high wildlife value, is considered to be a sensitive resource.

**b. Policy Direction.** The environmental sensitivity of portions of the Sand Creek Focus Area was recognized in the City's previous General Plan; however, policy direction was very general. As an example, the previous General Plan did not provide any indication of the maximum allowable development intensity for Future Urban Area 1. The previous General Plan also stated that while the area between Contra Loma Boulevard and Empire Mine Road was designated Estate Residential, "the actual density should be based on a development plan that ensures that the special characteristics of the area, including steep slopes, riparian habitat, and other environmental constraints, are accommodated.

**As described in more detail below, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative provided more precise direction regarding approximately 1,852 acres of land west of Deer Valley Road by preserving nearly 1,250 acres of environmentally-sensitive land, consisting of more than 65% of West Sand Creek, for open space, hillside preservation, low-density rural residential, and other similar uses.**

The following policy discussion and policies for the Sand Creek Focus Area are intended to provide clear direction for the future development and environmental management of the area.

The Sand Creek Focus Area is **generally** intended to function as a large-scale planned community, providing needed housing and employment opportunities. **This Focus Area is also In particular, the**

**land east of Deer Valley Road is** intended to provide housing and substantial employment opportunities. Up to approximately 280 acres **are to may** be devoted to retail and employment-generating uses, which will result in the creation of up to 6,500 jobs at build out.

**In recognition of the importance of environmentally-sensitive lands in large parts of West Sand Creek, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative designated hillier and more environmentally-sensitive lands west of Deer Valley Road as a Restricted Development Area and flatter and less environmentally-sensitive lands west of Deer Valley Road as a Limited Development Area. These areas shall constitute, and function as, overlay land use designations applicable to West Sand Creek.**

**Land in the Restricted Development Area provides opportunities for low-density rural residential housing and preserves agriculture, grasslands, and open space. The “Rural Residential, Agriculture, Open Space” base land use designation applies to the Restricted Development Area.**

Residential development within the **Sand Creek Focus Limited Development Area<sup>1</sup>** will provide for a range of **single-family** housing types, including **upper income executive** estate housing, **golf course-oriented**, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, **and multifamily development as well as commercial uses, public and quasi-public uses, and substantial open space.** **Subject to the anticipated maximum General Plan build out in Antioch, as set forth in Table 4.B, the following base land use designations shall apply to the Limited Development Area: “Estate Residential;” “Low Density Residential;” “Medium Low Density Residential;” “Medium Density Residential;” “Convenience Commercial;” “Mixed Use;” “Public/Quasi Public;” and “Open Space.” Residential development west of Deer Valley Road in the Restricted Development Area will be low-density, rural single-family detached houses. The Sand Creek stream corridor, hilltops, ridgelines and sensitive biological resources will be protected throughout the Focus Area.**

**1 Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain**



**limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.**

The following policies apply to development within the Sand Creek Focus Area.

~~a. Prior to or concurrent with approvals of any development applications other than major employment-generating uses (including, but not limited to a medical facility on the Kaiser property), a specific plan or alternative planning process as determined by the City Council, shall be prepared and approved for the Sand Creek Focus Area. Such specific plan or alternative planning process shall identify and provide for project-related land uses, financing of required public services and facilities, open space preservation, community design, recreational amenities, and community improvements within the area proposed for development.~~

**ba.** Sand Creek Focus Area development **shall can** make a substantial commitment to employment-generating uses. Up to 280 **180** acres **are to may** be devoted to employment-generating uses within the areas shown for Business Park and Commercial/Open Space, in addition to the area shown as Mixed Use Medical Facility. Appropriate primary land uses within employment-generating areas include:

- Administrative and Professional Offices
- Research and Development
- Light Manufacturing and Assembly
- Hospital and related medical uses

**cb.** Secondary, support and ancillary uses within employment-generating areas include:

- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Health Clubs and Spas
- Lodging and Visitor Services

- Storage and Distribution – Light
- Civic Administration
- Cultural Facilities
- Day Care Centers

**ec.** The maximum development intensity for employment-generating lands shall be an overall FAR of 0.5.

**ed.** A maximum of 95 acres of retail commercial uses designed to service the local community may be developed within the areas shown for Commercial/Open Space, with a maximum overall development intensity of a 0.3 FAR.

**fe.** Up to 1.24 million square feet of retail commercial uses may be constructed. Within areas designated for retail use (areas shown for Commercial/Open Space), office development may be developed at a maximum FAR of 0.5.

**ef.** Appropriate uses within the retail portions of this Focus Area include:

- Administrative and Professional Offices
- Automotive Uses
- Banks and Financial Services
- Business Support Services
- Eating and Drinking Establishments
- Food and Beverage Sales
- General Merchandise
- Health Clubs and Spas
- Personal Services
- Personal Instruction
- Theaters

- Civic Administration
- Cultural Facilities
- Day Care Centers
- Residential development as part of a mixed-use **medical facility development**

**hg.** Commercial areas shall be designed as cohesive centers, and not in narrow corridors or commercial strips.

**ih.** Each commercial center shall establish an identifiable architectural theme, including buildings, signage and landscaping.

**ji.** Commercial and employment-generating developments shall be designed to accommodate public transit and non-motorized forms of transportation.

**kj.** A maximum of 4,000 dwelling units may be constructed within the Sand Creek Focus Area. Appropriate density bonuses may be granted ~~for development of age-restricted housing for seniors; however, such density bonuses may not exceed the total maximum of 4,000 dwelling units for the Sand Creek Focus Area,~~ **subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**

**lk.** It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 dwelling unit maximum, **subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative,** the actual development yield is not guaranteed by the General Plan, and could be substantially lower. The actual residential development yield of the Sand Creek Focus Area will depend on the nature and severity of biological, geologic, and other environmental constraints present within the Focus Area, including, but not limited to constraints posed by slopes and abandoned mines present within portions of the Focus Area; on appropriate design responses to such constraints, and on General Plan policies. Such policies include, and but are not limited to, identification of appropriate residential development types, public services and facilities performance standards, environmental policies aimed at protection of natural topography, **substantial**

**open space** and environmental resources, policies intended to protect public health and safety, and implementation of the Resource Management Plan called for in Policy “u,” below.

m. As a means of expanding the range of housing choices available within Antioch, **three two** types of “upscale” housing are to **may** be provided, including Hillside Estate Housing, **east of Deer Valley Road and** Executive Estate Housing **east of Deer Valley Road and in the Limited Development Area west of Deer Valley Road**, and ~~Golf Course-Oriented Housing~~.

Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area **east of Deer Valley Road** that are designated for residential development. Appropriate land use types include Large Lot Residential. Within these areas, typical flat land roadway standards may be modified (e.g., narrower street sections, slower design speeds) to minimize required grading. Mass grading would not be permitted within this residential type. Rough grading would be limited to streets and building pad areas. Residential densities within Hillside Estate Areas are to be limited to one dwelling unit per gross developable acre (1 du/ac), with typical lot sizes ranging upward from 20,000 square feet. The anticipated population density for this land use type is up to four persons per developed acre. Included in this category is custom home development, wherein semi-improved lots are sold to individuals for construction of custom homes. Approximately 20 percent of Hillside Estate Housing ~~should~~ **could** be devoted to custom home sites.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area. Appropriate land use types include Large Lot Residential. Densities of Executive Housing areas would typically be 2 du/ac, with lot sizes ranging upward from 12,000 square feet. The anticipated population density for this land use type is up to eight persons per developed acre.

~~Golf Course-Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family detached for lots fronting on the golf course. Maximum densities for golf course-oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000~~

~~square feet for lots actually fronting on the golf course. Given the significant environmental topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight to twelve persons per acre developed with residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

**am.** Single-Family Detached housing within suburban-style subdivisions with lot sizes ranging from 7,000 square feet to 10,000 square feet may also be developed within the Sand Creek Focus Area **east of Deer Valley Road** within areas shown as Residential and Low Density Residential in Figure 4.8. **Single-Family Detached housing within suburban-style subdivisions with minimum lot sizes ranging from approximately 5,000 square feet to 10,000 square feet may be developed within the Limited Development Area.** The anticipated population density for this land use type is up to eight to **twelve eighteen** persons per acre developed with residential uses.

**en.** Small Lot Single Family Detached housing at the Aviano planned development and at the Vineyards at Sand Creek planned development with lots smaller than 7,000 square feet may be developed in the Sand Creek Focus Area **east of Deer Valley Road** within areas shown as Medium Low Density Residential and Low Density Residential in Figure 4.8. **Small Lot Single Family Detached housing on the land known as The Ranch with minimum lot sizes from approximately 4,000 square feet may be developed within the Limited Development Area.** The anticipated population density for this land use type is fourteen to eighteen persons per acre developed with residential uses.

**po.** A total of 25 to 35 acres is to be reserved for multi-family housing to a maximum density of 20 du/ac. Areas devoted to multi-family housing should be located adjacent to the main transportation routes within the Focus Area, and in close proximity to retail commercial areas. The anticipated population density for this land use type is up to forty persons per acre developed with residential uses.

**qp.** Age-restricted senior housing should be developed within the Focus Area as a means of expanding the range of housing choice within Antioch, while reducing the Focus Area's overall traffic and school impacts. Such senior housing may consist of Single Family Detached, Small Lot Single Family Detached, of Multi-Family Attached Housing, and may be developed in any of the residential areas of the Sand Creek Focus Area, **including the Limited Development Area**. Within areas identified in Figure 4.8 specifically for senior housing, limited areas of non-senior housing may be permitted where environmental or topographic constraints would limit development densities to a range more compatible with estate housing than with senior housing.

**rq.** Areas identified as Public/Quasi Public and School in Figure 4.8, **and areas within the Limited Development Area**, are intended to identify locations for new public and institutional uses to serve the future development of the Sand Creek Focus Area. Development within these areas is to be consistent with the provisions of the Public/Institutional land use category described in Section 4.4.1.4 of the Land Use Element.

**sr.** Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, a minimum of 25 percent of the Sand Creek Focus Area **east of Deer Valley Road** shall be preserved in open space, ~~exclusive of lands developed for golf course use.~~ **A minimum of 65 percent of the Sand Creek Focus Area west of Deer Valley Road shall be within the Restricted Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**

**ts.** Adequate buffer areas adjacent to the top of banks along Sand Creek to protect sensitive plant and amphibian habitats and water quality shall be provided. Adequate buffer areas shall also be provided along the edge of existing areas of permanently preserved

open space adjacent to the Sand Creek Focus Area, including but not limited to the Black Diamond Mines Regional Park. Buffers established adjacent to existing open space areas shall be of an adequate width to minimize light/glare, noise, fire safety, and public safety, habitat, and public access impacts within the existing open space areas, consistent with the provisions of Section 10.5, Open Space Transitions and Buffers Policies of the General Plan.

**ut.** Because of the sensitivity of the habitat areas within the Sand Creek Focus Area, and to provide for mitigation of biological resources impacts on lands in natural open space, as well as for the long-term management of natural open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to **development of issuance of the first building permit for** the Sand Creek Focus Area properties.

**vu.** A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained **in the Restricted Development Area** using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge. The primary goal of preserving such a corridor is to allow for wildlife movement between Black Diamond Mines Regional Preserve and Cowell Ranch State Park. Completion of such a corridor is contingent upon the cooperation with the City of Brentwood and Contra Costa County, each of whom may have land use jurisdiction over portions of this corridor.

~~To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project level environmental review processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project-level development plan stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not~~

~~cause the “Open Space” area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as “Hillside and Estate Residential” shall not count towards meeting this 65 percent minimum “Open Space” requirement.~~

~~All areas designated as “Open Space” within the Focus Area may be utilized for mitigation for loss of grassland and other project-level impacts by projects within the Focus Area.~~

~~Due to the varied and complex topography west of Empire Mine Road the exact boundary between the “Hillside Estate” residential area and “Estate” residential area shall be determined as part of the project-level entitlement process.~~

~~It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.~~

~~In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated “Hillside and Estate Residential” in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.~~

**wv.** The construction of facilities necessary to ensure adequate public access across Sand Creek west of Empire Mine Road, including the bridging of Sand Creek, an appropriately sized parking lot and staging area, and any trails needed to ensure public access to Black Diamond Mines Regional Park shall be implemented as an infrastructure component of development in the Focus Area.

**xw.** To mitigate the impacts of habitat that will be lost to future development within the Focus Area, an appropriate amount of habitat shall be preserved on- or off-site per the compensatory provisions of the Framework Resource Management Plan prepared for the Sand Creek Focus Area (attached as Appendix A of the General Plan) **or other applicable Resource Management Plan.**



**yx.** Ponds, wetlands, and alkali grassland associated with upper Horse Creek shall be retained in natural open space, along with an appropriate buffer area to protect sensitive plant and amphibian habitats and water quality. If impacts on the Horse Creek stream and riparian downstream are unavoidable to accommodate infrastructure, appropriate compensatory mitigation shall be required off-site per the provisions of the Resource Management Plan attached as Appendix A to this General Plan **or other applicable Resource Management Plan.**

**zy.** Chaparral, scrub, and rock outcrop community within the ~~western~~ **westernmost** portion of the Focus Area (west of Empire Mine Road), as well as adjacent grassland community that is suitable habitat for the Alameda whipsnake (*masticophis lateralis euryxanthus*) shall be retained in natural open space. Within other portions of the Focus Area, the chaparral, scrub, and rock outcrop shall be retained in natural open space contiguous to the required grassland linkage to function as a buffer and protect the grassland linkage south of the chaparral, scrub, and outcrop community.

**aaz.** Within the ~~western~~ **westernmost** portion of the Focus Area (west of Empire Mine Road), the oak woodland and savanna community shall be preserved in natural open space. Within other portions of the Focus Area, the oak woodland and savanna community shall be preserved in natural open space where it overlaps the rock outcrop community.

~~baa~~ **baa.** As appropriate and necessary to protect public health and safety, abandoned mines shall be included within required natural open space areas, along with appropriate buffer areas and measures to prevent unauthorized entry.

~~ebb~~ **ebb.** Mass grading within the steeper portions of the Focus Area (generally exceeding 25 percent slopes) is ~~to be avoided~~ **prohibited.**

~~edcc~~ **edcc.** Impacts of residential development on the Antioch Unified School District and Brentwood school districts will be mitigated, **which may include** pursuant to a developer agreement with the District **or other acceptable means of mitigation.**

**eedd.** Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of the Sand Creek Focus Area as an identifiable “community” distinct from Southeast Antioch.

**ffe.** The Sand Creek Focus Area is intended to be “transit-friendly,” including appropriate provisions for public transit and non-motorized forms of transportation.

~~gg. subject to its financial feasibility (see Policy “m”), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.~~

~~The golf course shall be designed to retain the existing trail within Sand Creek.~~

~~The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).~~

~~As part of the golf course clubhouse, banquet and conference facilities shall be provided.~~

**hff.** A park program, providing active and passive recreational opportunities is to be provided. In addition to ~~a golf course and~~ preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City’s established park standards. A sports complex ~~is to~~ **may** be developed.

~~A sports complex is to be developed.~~ The sports complex ~~is intended to~~ **would** be located within the Flood Control District’s detention basin.

Neighborhood park facilities ~~for the exclusive use of project residents~~ **may will** be privately maintained ~~for the exclusive use of project residents.~~ **Public parks for the use of the general public will be publicly maintained.** The sports complex within the Sand Creek Detention Basin ~~will~~ **is anticipated to** be maintained by the City.

**igg.** Development of an appropriate level of pedestrian and bicycle circulation throughout the community ~~is to~~ **will** be provided, including pathways connecting the residential neighborhoods, as well as non-residential and recreational components of the community. Sand Creek Focus Area development ~~should~~ **will** also provide recreational trail systems for jogging and bicycling,

including areas for hiking and mountain biking. Trails along Sand Creek and Horse Valley Creek shall be designed so as to avoid impacting sensitive plant and amphibian habitats, as well as water quality.

**hh. Transferable development credits of residential land use densities are hereby allocated to the property owners of record of land designated Limited Residential Development by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**

**Transferable residential development credits shall run with the land.**

**Upon the application of an owner of record of land or his or her authorized representative, residential land use densities may be transferred with other residentially-designated land in the Limited Development Area, with the approval of the Director of the Community Development Department or his or her designee, if such transfer (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove a density transfer unless it makes written findings, based on a preponderance of evidence in the record, that the proposed transfer would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without disapproving the proposed transfer.**

**ii. Proponents of new residential development within the Limited Development Area are strongly encouraged to provide extraordinary public benefits to the community, including financial contributions to the Antioch Unified School District for local high school sports facilities and performing arts facilities.**

#### 4.4.7 Voter-Approved Urban Limit Line

Pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative **(Measure K)**, the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginocchio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. **The ULL thus preserves and protects agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.** ~~Until December 31, 2020,~~ **Pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative**, the location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City. The City shall oppose any annexation to the City of any land outside of the Voter-Approved Urban Limit Line.

## **E. COMMUNITY IMAGE AND DESIGN ELEMENT AMENDMENTS.**

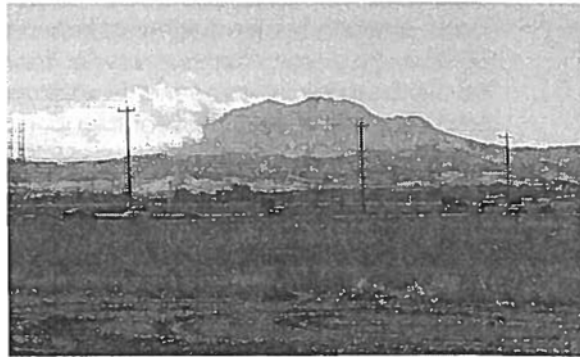
### **5.1 FUNCTION AND PURPOSE**

Underlying the livability and economic vitality of a community is its perceived image. Community design quality is not just an aesthetic matter, but has distinct functional dimensions. Persistent attention to the details in the design of the built environment is an investment in the quality of the community. It pays dividends in residents' perception of their quality of life and the perceptions that prospective employers and retailers will have regarding the desirability of Antioch as a location for their businesses.

With rapid growth, the City's appearance has become an increasingly important issue for Antioch's residents. The Community Image and Design Element addresses the visual quality and character of Antioch's built environment, and a continuing process to shape the community's physical form and create a more efficient, attractive, and, at times, dramatic urban environment. As Antioch continues to grow **within the existing boundaries of the voter-approved Urban Limit Line (ULL)**, this Element, along with the Land Use Element, will provide guidance for more detailed design guidelines and standards contained in specific plans and planned community documents, design guideline handouts provided by the City, provisions of the sign ordinance, and other provisions of the zoning ordinance.

### **5.2 EXISTING COMMUNITY DESIGN**

Antioch extends in a roughly square pattern from Pittsburg on the west to the Antioch Bridge on the east, and from the foothills of Mt. Diablo on the south to the San Joaquin River on the north. The City is bisected by State Route 4 (SR 4), an east-west-oriented four-lane freeway. The Southern Pacific Railroad line runs east-west just north of SR 4; the Burlington Northern Santa Fe Railroad line runs east-west along the San Joaquin River waterfront. The Contra Costa Canal is located south of SR 4, and traverses the Planning Area in an east-west direction.



On the north side of SR 4, older residential areas and the historic Downtown area are organized in a traditional grid street pattern. Small lots of vacant, undeveloped land are situated between homes, such as the lots at the intersection of J and Third Streets. There are few large undeveloped parcels, such as the Hickmott site and the land adjacent to Beede Lumber on 2nd Street. Many of these vacant parcels are small or irregular in shape.

South of SR 4, the suburban street patterns of newer residential areas reflect their development as a series of separate subdivisions. Some vacant or underutilized parcels exist within the subdivisions. The hill and valley areas south of the Contra Costa Canal have grown most recently. In general, growth over the past 30 years has solidified the City's current role as a bedroom community for the San Francisco Bay Area.



South of SR 4, minor ridgelines occur northeast of the Contra Loma Boulevard/James Donlon Boulevard intersection, east and west of Hillcrest Avenue, and in the area separating Lone Tree Way from Lone Tree Valley. Major ridgelines associated with the foothills of Mt. Diablo occur along the entire southwest boundary of the Planning Area **within the ULL**, from Somersville Road to the City's southeastern boundary adjacent to the City of Brentwood. Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately-owned ranch land **that is, some portions of which are** planned for development **within the ULL**.

North of SR 4, the majority of the San Joaquin River shoreline is in park or open space uses. North of Downtown, the Antioch Riverfront Promenade, a 1/3-mile urban walkway and linear park, runs adjacent to the River, connecting the Marina and the Barbara Price Marina Park to G Street. To the west of Downtown and bordering Pittsburg, the Dow Wetland Preserve forms part of the City's shoreline. To the east of Downtown, the Antioch Dunes National Wildlife Refuge and other open areas occupy the City's shoreline. The Contra Costa County Fairgrounds and Lake Alhambra are upland open areas among higher-density residential uses north of SR 4.

The City also maintains 31 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. The Delta De Anza Regional Trail, operated by the EBRPD, is a linear open space element that begins at the City of Antioch Community Park, and travels east along the Contra Costa Canal.



### 5.2.1.2 Residential Districts South of the Route 4 Freeway



**Residential Existing residential** districts south of SR 4 were built mainly from the 1950s to the present. These newer residential areas tend to be defined by subdivision, each with common architecture and landscaping themes. Single-family housing is the most common type, with a density of approximately five housing units per net acre, which is a typical suburban housing density. Some condominium developments and apartments (such as Flores Apartments, Hudson Townhouse Manor, and Delta View) are located south of SR 4.

### 5.3 GOALS OF THE COMMUNITY DESIGN ELEMENT

To provide for a sustained high quality of life and ensure that new development occurs in a logical and orderly manner, it is the goal of the Community Image and Design Element to accomplish the following.

- *Create a community design theme and a visual identity for Antioch, recognizing its local as “Gateway to the Delta.”*

The design quality of a community and its design expectations reflect a critical philosophy regarding community development, whether the community is committed not only to defining the right mix and location of land uses, but to their exceptional quality as well. Community design must reflect Antioch’s commitment to the concept that new development **within the ULL** needs to make a



positive contribution to the community. Thus, the Community Image and Design Element aims to:

- Sustain Antioch's identity as "Gateway to the Delta" and provide the visual character of a unique, desirable living environment;
- Contribute to the City's economic development objectives and assist in achieving a local balance between jobs and housing by appealing to investors who value municipal commitments to quality development that will protect private sector investments in their projects;
- Offer incentives for new residential, commercial, office, business park, and industrial developments **within the ULL** to achieve excellence and make a positive contribution to the community because the quality of the project will be matched or exceeded by subsequent projects **within the ULL**;
- Stimulate development of pedestrian-friendly, appealing enclaves, and provide accessibility for bicyclists;
- Provide a vehicle for reinforcing Antioch's heritage through compatible design and preservation/reuse of historic resources;
- Enhance the quality of existing developed areas as they mature over time, eliminating perceived differences in the quality of newer and older portions of the community;
- Stimulate ongoing pride in Antioch by its citizens and those who work in the community; and
- Help to communicate to others what kind of community Antioch believes itself to be.

#### **5.4.2 General Design Policies**

- a. Base the City's review of public and private projects **within the ULL** on the following general design principles.
  - Innovative design, regardless of its style, is more important to the achievement of "quality" than the use of predetermined themes.



- “High quality” comes from the explicit consideration of all aspects of development design. It is in design details that “quality” is ultimately manifested.
  - Designers need to respect community goals and needs, as well as address their client’s economic objectives.
  - Individual buildings and developments **within the ULL** are not isolated entities, but are part of a larger district and community into which they must fit. While innovation and individual expression are sought, compatibility of design elements is also important.
  - Standardized design solutions, “corporate architecture,” and “off the shelf models” cannot always be depended upon. What worked before or was accepted elsewhere may not work or be acceptable in the proposed application in Antioch.
  - Architectural styles, landscaping, and project amenities should complement surrounding development, and convey a sense of purpose, not expediency.
  - All building elevations visible to the public should be given equal attention and detail.
  - The same design solution, no matter how well done, when repeated too often or over too large an area, can become boring, lose its effectiveness, and no longer communicate “quality.”
- b. Incorporate Antioch’s “Gateway to the Delta” theme and reminders of its community heritage into the design of new residential, commercial, employment-generating, and recreational development **within the ULL**, as well as into public facilities.
- Incorporate nautical/waterway, gateway/entry, industrial or ranching themes into the design details of new developments and community facilities, such as building architecture, signage, lighting standards, site paving and landscaping, street furniture (e.g., benches, trash enclosures and receptacles), fencing, and placement of murals and sculpture in public locations.
  - Maintain a consistent design theme throughout each development project. Each individual development project and

area within the project should portray an identifiable design theme.

- Select tree species that are appropriate to their specific applications (e.g., providing shade, framing long-distance views of the San Joaquin River or Mt. Diablo, or framing short-distance views of new development).
- c. Maintain view corridors from public spaces to natural ridgelines and landmarks, such as Mount Diablo and distant hills, local ridgelines, the San Joaquin River, and other water bodies.
- Recognizing that new development **within the ULL** will inevitably result in some loss of existing views, as part of the City's review of development and commercial and industrial landscape plans, minimize the loss of views from public spaces.
  - Important view corridors to be protected include Somersville Road, Lone Tree Way, Hillcrest Avenue, SR 4, SR 160, James Donlon Boulevard, Deer Valley Road, and Empire Mine Road.
- d. Strengthen and emphasize community focal points, visual landmarks, and features contributing to Antioch's identity using design concepts and standards implemented through the zoning ordinance, design guidelines and design review process, and specific plan and planned community documents.
- e. Create a framework of public spaces at the neighborhood, community, and regional scale.
- Provide for new open space opportunities throughout the City, especially in neighborhoods having minimal access to open space. This includes exploring the potential for creek corridors, bicycle and pedestrian paths, and new small open space and conservation areas.
  - Provide an open space network **within the ULL** linked by pedestrian and bicycle paths, which preserves and enhances Antioch's significant visual and natural resources.
  - Provide sitting areas within parks and along pedestrian and bicycle paths **within the ULL**.

- Restore the San Joaquin Riverfront as a linear park and multi-use rail from the westerly City limits to Rodger's Point/Fulton Shipyard.
  - Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths, **consistent with Section 11(b) of the Sand Creek Initiative the Rural Residential, Agriculture, Open Space land use designation.**
  - Views along utility corridors should be retained and enhanced through the use of planting materials to frame and focus views and to provide a sense of orientation.
- f. Provide for consistent use of street trees to identify City streets, residential neighborhoods, commercial and employment districts, and entry points to the City.
- Select species that enhance the pedestrian character of, and convey a distinctive and high quality visual image for the City's streets; are drought-tolerant, fire-and pest-resistant; and complement existing street trees.
  - Use changes in tree species, scale, color and spacing to differentiate the roadway types identified in the Circulation Element.
  - Use a consistent palette of street trees to distinguish Antioch from other communities, and to distinguish individual areas within the community (e.g., Rivertown, East Lone Tree, "A" Street Corridor) from each other.
  - Street trees should relate to the scale, function, and visual importance of the area in which they are located, establishing a hierarchy of street trees for entry locations, intersections, and activity centers.
  - Major accent trees are to be located at City and community entry locations, key intersections, and major activity centers (e.g., County East Mall, Prewett Family Park).
  - Street Trees should be selected as a common tree for street frontages. A single species may be selected for all residential neighborhoods or different species to distinguish different neighborhoods from each other. Within residential

neighborhoods, street trees should be full, providing shade and color. In commercial districts, the trees should provide shade but be more transparent at the motorist and pedestrian levels to promote views of stores fronts and visual interaction of pedestrians. Within employment districts street trees should provide shade and screening, and be used to frame views of buildings and building entries.

- g. Maintain common community design elements throughout the City.
  - Provide a system of well-designed directional signage, facilitating way-finding to community features such as shopping areas, marinas, parks, and civic buildings.
  - Incorporate common design elements in community features such as roadway landscaping, streetlights, street signs, traffic lights, and community directional signage.
  - Use design variations in landscaping, street light standards, and street signs as a means of defining special design districts (e.g., Rivertown, Somersville Road and “A” Street corridors).
- h. Wherever feasible, existing above-ground utility lines should be placed underground.
- i. Preserve and strengthen Rivertown as a vital and attractive place.
  - Promote activity along Rivertown streets through attractive building designs with street level activity and facade windows, public art, and other landscaping elements that are pedestrian-friendly.
  - Maintain views of the San Joaquin River from buildings within Rivertown, where they are available, by placing windows rather than solid walls along the river side of buildings.
  - Avoid blank parking garage building frontages.
  - Orient buildings along the first street inland from the San Joaquin River toward the river to enhance pedestrian and bicycle activity.
  - Utilize murals to enhance the design quality of existing large blank walls (e.g., Campanile Theater).

- Seek opportunities for small public spaces throughout Rivertown to provide for the comfort of pedestrians and bicyclists, enhance street level activity, and provide sitting areas and protection from the sun and rain. Small left over spaces between buildings, at street corners, at the edges of parking lots, or along the edges of sidewalks can thus become attractive and lively additions to the street scene.
- j. Within multi-family, commercial, office and business parks, and industrial **within the ULL**, screen enclosures, loading areas, mechanical equipment, and outdoor storage areas from view from public streets, and, as appropriate, from other public views.
- Ground mounted equipment incidental to multi-family, commercial, office, and business park development **within the ULL** shall be appropriately screened with solid walls, trellises, and/or landscaping. Equipment location should be away from the front of the building, and screening must be similar to adjacent architecture and materials.
  - Refuse collection areas are to be large enough to accommodate storage of recyclable materials, and be screened with a solid perimeter wall using materials and colors compatible with those of the adjacent structures. Refuse collection areas should be located on an interior building side yard, and are to be roofed if the contents of the area are visible from a freeway.
  - Loading docks and areas, as well as trash enclosure areas shall be screened from public view areas. When there is adjacent residential development, loading and trash enclosure areas shall be physically separated and screened from adjacent residential structures.
  - Service areas, including storage, special equipment, outdoor work areas, and loading areas, should be screened from public view with landscaping and architectural elements.
  - Screen utility equipment and communication devices so that the project will appear free of all such devices.
- k. Prohibit roof-mounted equipment (with the exception of small satellite dishes and solar panels) for single-family residential development consistent with FCC regulations.

- New residential uses should be pre-wired so as to allow for the placement of satellite dishes in a manner that is integrated with the building design, and avoids placement of dishes on chimneys or above the roof line.
  - Where required for commercial, office, and industrial development, screen roof mounted equipment and cellular antennas completely from public view on all sides. Particular attention shall be given to the sides visible from freeways, with the intent of minimizing the need for screening devices to the greatest extent possible.
- I. Screening of roof-mounted equipment and cellular antennas, where provided, should be an integral part of the building design and not appear as a tacked-on afterthought. Ground-mounted mechanical equipment (with appropriate wall or landscape screening) is encouraged as an alternative to roof mounting.
  - m. All roof screens must be solid and continuous. Continuous grills or louvers must cover equipment. Roof screens will be sheathed in a matching or complementary material to the exterior building material.
  - n. Utilize street lights in commercial, office, and business park areas that are pedestrian-oriented, attractively designed, compatible in design with other street furniture, and provide adequate visibility and security.
  - o. Design onsite lighting to improve the visual identification of adjacent structures.
    - Within commercial areas, lighting should also help create a festive atmosphere by encouraging evening use of areas by pedestrians.
    - Within commercial and industrial development **within the ULL**, provide design features such as screened walls, landscaping, setbacks, and lighting restrictions between the boundaries of adjacent residential land use designations to reduce the impacts of light and glare.
    - In all projects, lighting fixtures should be attractively designed and of a low profile to complement the overall design theme of the project within which they are located.

- On-site lighting shall create a safe environment adhering to established crime prevention standards, but shall not result in nuisance levels of light or glare on adjacent properties. Limit sources of lighting to the minimum required to ensure safe circulation and visibility.
- p. Lighting should accommodate night use of streets and promote security while complying with the provision of a dark night sky. Streetscape areas that are used by pedestrians at night should be well lit. Within rural and open space areas, limit street lighting to intersections and other locations that are needed to maintain safe access (e.g., sharp curves).
- q. The design of new developments **within the ULL** shall protect residents' privacy by avoiding placement of windows directly opposite each other and avoiding windows overlooking the yard areas of adjacent residences to the maximum feasible extent.
- r. New multi-family, commercial, office, and business park developments **within the ULL** shall emphasize pedestrian level activities by utilizing the following techniques.
- design projects so as to have a central plaza or main visual focus which is oriented toward pedestrians;
  - incorporate plaza areas which can be used as informal gathering places;
  - install "street furniture" (benches, bus shelters, planters, bike racks, trash receptacles, newspaper racks, water fountains, and bollards) to create and enhance small plazas and similar open spaces within urban areas; and
  - within commercial, office, business park, and industrial developments **within the ULL**, encourage architectural styles that provide covered verandas and other similar pedestrian-oriented shade features.
- s. Where needed, undertake active programs to minimize or prohibit through traffic from using neighborhood collectors and local streets. Visual deterrents to through traffic will be emphasized, using physical deterrents only as a last resort.

#### **5.4.12 Development Transitions and Buffering Policies<sup>1</sup>**

- a. Minimize the number and extent of locations where non-residential land use designations abut residential land use designations. Where such land use relationships cannot be avoided, strive to use roadways to separate the residential and non-residential uses<sup>2</sup>.

<sup>1</sup> These policies are focused on protecting existing and planned residential uses from the effects of adjacent land uses. Policies to provide similar buffers between existing and proposed developments **within the ULL** and existing open space and agricultural areas are set forth in Section 10.5 of the Resource Management Element.

<sup>2</sup> It is recognized that residential and non-residential properties will sometimes abut along a common property line (such as between neighborhood shopping centers and adjacent neighborhoods).

- b. Ensure that the design of new development proposed **within the ULL** along a boundary between residential and non-residential uses provides sufficient protection and buffering for the residential use, while maintaining the development feasibility of the non-residential use. The burden to provide buffers and transitions to achieve compatibility should **generally** be on the second use to be developed. Where there is bare ground to start from, both uses should participate in providing buffers along the boundary between them.

- c. Provide appropriate buffering to separate residential and non-residential uses **within the ULL**, using one or more of the following techniques as appropriate.

- Increase setbacks along roadways and common property lines between residential/non-residential uses.
- Provide a heavily landscaped screen along the roadway or common property line separating residential and non-residential use.
- Locate noise-generating activities such as parking areas; loading docks; and service, outdoor storage, and trash collection areas as far from residential uses as possible.
- Where a multifamily residential use is located adjacent along a common property line with a non-residential use, locate the noise-generating activities of both uses (e.g., parking areas;



loading docks; and service, outdoor storage, and trash collection areas) along the common property line.

- Design the residential area with cul-de-sacs running perpendicular to and ending at the non-residential use, facilitating greater separation of residential and non-residential structures than would be possible if residential streets ran parallel to the boundary of the non-residential use.
- d. Where a difference in residential density is indicated on the General Plan land use map, the size of parcels and character of development facing each other across a street or along a common property line should be similar, creating a transition between the densities in each area.
- e. Where multi-family development is located adjacent to a single-family neighborhood **within the ULL**, appropriate buffering **is to shall** be provided.
- Increase setbacks for multi-family development along common property lines with single family development.
  - Provide a heavy landscaped screen along the property line of the multifamily use.
  - Locate noise-generating activities such as parking and trash collection areas as far from the single family neighborhood area as possible.
- f. The transition from lower to higher residential density **within the ULL** should occur within the higher density area.
- g. Uninterrupted fences and walls are to be avoided, unless they are needed for a specific screening, safety, or sound attenuation purpose.
- h. Where they are needed, fences or walls should relate to both the site being developed and surrounding developments, open spaces, streets, and pedestrian ways.
- i. Fencing and walls should respect existing view corridors to the greatest extent possible.

- j. Fencing and walls should incorporate landscape elements or changes in materials, color, or texture in order to prevent graffiti, undue glare, heat, or reflecting, or aesthetic inconsistencies.

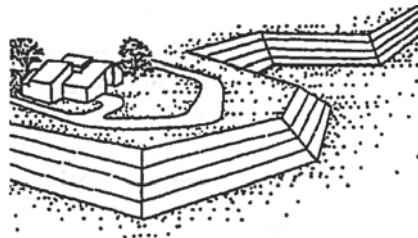
#### 5.4.14 Hillside Design Policies

- a. Design hillside development **within the ULL** to be sensitive to existing terrain, views, and significant natural landforms and features.
- b. Projects within hillside areas **within the ULL** 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 **within the ULL** 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.

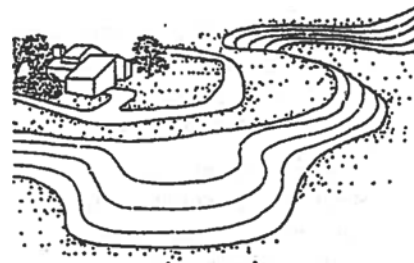
- c. Manufactured slopes in excess of five vertical feet (5') shall be landform graded. "Landform grading" is a contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural 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 **within the ULL** shall adapt to the natural hillside topography and maximize view opportunities to, as well as from the development.
- e. Grading of ridgelines **within the ULL** 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.
- 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 cui-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.



Unacceptable



Acceptable

- 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 “hutting 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 overhands 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 closing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
- q. The interface between development areas **within the ULL** 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 plan 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 **within the ULL** 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.

**t. Sections 11(e) and 14 of the Sand Creek Initiative Subsection (e) of "Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space" and each subsection of "Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space" apply to Hillside Design in the Restricted Development Area to the extent they**

**impose greater restrictions or requirements on development than the policies in this Section 5.4.14.**

**F. ECONOMIC DEVELOPMENT ELEMENT AMENDMENTS.**

**6.2 GOALS AND STRATEGIES OF THE ECONOMIC DEVELOPMENT ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Economic Development Element to accomplish the following:

- *Create a sound local economy that attracts investment, increases the local tax base, and generates sufficient public revenues to support desired municipal services and facilities.*

A strong economy not only provides local workers with adequate income to afford a high quality of life, but it also provides local government with sufficient public revenues to provide high levels of municipal services and facilities. To achieve such a local economy requires implementation of an economic development strategy, which includes:

- preparing specialized business marketing materials;
- utilizing appropriate distribution channels to reach the widest market;
- targeting key industries; maintaining a high web site with key economic and site availability information;
- improving relationships with existing local employers; maintaining a business friendly reputation;
- providing appropriate incentives to attract new businesses and facilitate expansion of existing businesses;
- maintaining partnerships with local and regional business organizations;
- expanding the local retail market to maintain a fiscally strong City;
- building adequate infrastructure to maintain an inventory of ready-to-build sites for new and expanding businesses; and

- providing a mix of housing in a quality environment, **including high-quality new housing on lands within the Urban Limit Line (ULL)**, to attract a strong labor force.
- *Promote a diverse range of jobs, businesses, and industries, providing high paying employment and entrepreneurial opportunities, balanced with and well-suited to Antioch's population.*

This goal reflects Antioch's commitment to increase the quality of life of its residents. Increasing the number and types of local employment opportunities in relation to the area's labor force is the first and most important step toward economic self-reliance. Currently, East Contra Costa's low jobs/housing ratio and the small number of locally available professional positions make it necessary for 60 percent of the area's residents to commute long distances - often more than 100 miles round trip-to job centers in Pleasanton, San Ramon, Walnut Creek, Oakland, San Francisco, and the Silicon Valley. By increasing local employment opportunities and balance between the number and types of local jobs and residents in the labor force, Antioch residents will be better able to work close to home, spending more time with their families, and in leisure pursuits, while helping to reduce the traffic congestion and air pollution inherent in those commutes.

- *Maintain a balance of new development with revitalization of existing retail locations.*

#### **6.3.4 Commercial, ~~and Industrial~~, **and Residential** Land Availability Objective**

Provide adequate land **within the ULL** to accommodate planned development, with office, business park, industrial, and commercial areas complementing **high-quality new** residential and public development in location, access, mix of uses, attractiveness, and design quality.

#### **6.3.5 Commercial, ~~and Industrial~~, **and Residential** Land Availability Policies**

- a. Maintain a mix of uses on the General Plan land use map (Figure 4.1) **for land within the ULL**, providing a balance of housing types, commercial development, and employment-generating uses.



- b. Work toward redevelopment of existing heavy industrial areas along Wilbur Road and Fourth Street to increase their overall employment density.
- c. Promote the establishment of workplace alternatives, including home occupations and telecommuting.
  - Continue to permit home occupations in all residential districts.
  - In defined residential mixed-use districts, expand the definition of home occupations, where appropriate, to permit hiring of workers who are not residents of the household.
  - Promote the provision of high-speed telecommunications cabling in new residential development **within the ULL**.
  - Encourage businesses to provide part-time as well as full-time opportunities to accommodate families looking for second income opportunities.
- d. Maintain an inventory of turnkey sites **within the ULL** for commercial and employment-generating development, complete with appropriate zoning, in-place infrastructure, and environmental clearances.
  - Promote the preparation of Specific Plans with associated environmental documentation to facilitate the development of specific local areas **within the ULL**, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plant
    - Chevron property (along with annexation of the site)
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
    - Hillcrest Station Area Focus Area
    - “A” Street Interchange Focus Area

- Implement assessment districts or other financing mechanisms to facilitate the development of infrastructure for specific local areas **within the ULL**, including, but not necessarily limited to, the following:
  - Business Park areas west of Rivertown
  - Rodgers Point area, including the former City water treatment plan
  - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
  - Hillcrest Station Area Focus Area
- e. Require the provision of fiber optic networks and other advanced telecommunications in new employment-generating developments **within the ULL**.
- f. Maintain space in business parks for distribution and research uses. Attract a wide range of industries, which serve local and regional needs and contribute to the community's economic vitality, and at the same time protect the local environment and quality of life.
- g. Seek innovative ways to reduce the cost of infrastructure provision for employment-generating and commercial development (e.g., providing incentives for the provision of infrastructure serving employment-generating and commercial development areas **within the ULL** as part of the residential development allocation system).

## **G. CIRCULATION ELEMENT AMENDMENTS.**

### **7.1.1 Existing Roadway Network**

State Route (SR) 4 and SR 160 provide direct access to Antioch. SR 4 runs east-west connecting Antioch with Oakley, Brentwood, Pittsburg, 1-680, Martinez, Pinole, and 1-80. SR 4 is a divided freeway from 1-680 east through Concord, Pittsburg, and Antioch, and is currently a two-lane roadway through Oakley and Brentwood. SR 4 has been one of the more congested freeways in Contra Costa, in particular, the segments between Lone Tree Way and Railroad Avenue in the morning and Bailey Road to Lone Tree Way in the afternoon, and is in the process of being widened. On- and off-ramps

between SR 4 and Antioch's local street network occur at East Eighteenth Street, Hillcrest Avenue A Street/Lone Tree Way, G Street, L Street/Contra Loma Boulevard and Somersville Road.

SR 160 begins at the East Eighteenth Street/SR 4 junction, and continues north over the San Joaquin River via the Antioch Bridge to Rio Vista and Sacramento. Access to and from SR 160 and Antioch's local street network occurs at Wilbur Avenue south of the Antioch Bridge.

Primary arterials provide access to Pittsburg to the west, Oakley and Brentwood to the east, and rural Contra Costa County to the south. The major thoroughfares in Antioch are identified in Table IV.D-1. Each major arterial is briefly described below.

*A Street/Lone Tree Way.* A Street runs between downtown Antioch and SR 4 providing direct access to the Rivertown District. South of SR 4, A Street becomes Lone Tree Way, and continues southeast into Brentwood.

*Deer Valley Road.* Deer Valley Road runs north-south beginning in the north at the Hillcrest Avenue/Davison Drive junction and ending in the south at Marsh Creek Road south of the City's boundary in Contra Costa County.

*Hillcrest Avenue.* Hillcrest Avenue is located in eastern Antioch on both sides of SR 4 linking the area north of East Eighteenth Street to Prewett Ranch Road.

*L Street/Contra Loma Boulevard.* L Street runs north-south in northern Antioch between SR 4 and West Tenth Street. Contra Loma Boulevard runs north-south in southern Antioch between SR 4 and James Donlon Boulevard.

*Somersville Road.* Somersville Road runs north-south in western Antioch on both sides of SR 4 providing access to the Pittsburg-Antioch Highway and Buchanan Road.

*Eighteenth Street.* Eighteenth Street is located north of SR 4 and runs parallel to SR 4. Eighteenth Street acts as a major arterial between A Street and the SR 4/SR 160 junction.

*James Donlon Boulevard.* James Donlon Boulevard connects Lone Tree Way and Somersville Road, and provides east-west access through the southwest quadrant of Antioch.

*West Fourth Street/A Street Extension.* West Fourth Street and West Sixth Street and the A Street Extension provide east-west access in Downtown Antioch. West Fourth Street is the main arterial between Somersville Road and G Street. The A Street extension is the main connector between the eastern portion of the downtown area and the SR 4 freeway.

*West Tenth Street.* West Tenth Street provides east-west access in downtown Antioch between Somersville Road and A Street. West of Somersville Road, West Tenth Street becomes the Pittsburg/Antioch Highway, serving industrial uses and providing a regional roadway connection to the west of Antioch.

*Wilbur Avenue.* Wilbur Avenue provides east-west access in northeastern Antioch, and becomes a major arterial between A Street and SR 160.

*Dallas Ranch Road.* Dallas Ranch Road provides north-south access between Lone Tree Way and the Sand Creek Specific Plan Focus Area. Dallas Ranch Road will **connect to the future extension of Sand Creek Road and** serve as one of the primary routes into the Sand Creek Focus Area **and to the Kaiser Permanente Antioch Medical Center.**

*Buchanan Road.* Buchanan Road runs east-west between Contra Lorna Boulevard and the westerly City limit. Buchanan Road serves as one of the primary routes to the west of Antioch.

*Davison Drive.* Davison Drive is located south of Hwy 4 and serves as an east-west connection between Lone Tree Way and Hillcrest Avenue.

**Table 7.A – Primary Arterials in Antioch**

<b>Arterial</b>	<b>Activity Centers Served</b>
<b>North/South Direction</b>	
A Street/Lone Tree Way	Antioch City Park, SR 4, Sutter Delta Medical Center, Prewett Park
Deer Valley Road	Prewett Park
Hillcrest Avenue	Hillcrest Park & Ride lot, SR4

L Street/Contra Loma Blvd.	Contra Costa County Fairgrounds
Somersville Road	County East Mall, Black Diamond Mines Regional Preserve
Dallas Ranch Road	Sand Creek <b>Specific Plan Focus Area</b> , including <b>proposed golf course residential</b> and employment-generating areas, <b>and Kaiser Permanente Antioch Medical Center</b>
<b>East/West Direction</b>	
Eighteenth Street	Employment Development Department, County Library, Oak View Memorial Park, SR 4
James Donion Blvd.	Antioch Community Park
West Fourth Street/A Street extension	Downtown
West Tenth Street	Downtown
Wilbur Avenue	SR 160
Davidson Drive	Commercial uses along Lone Tree Way and Hillcrest Avenue
Buchanan Road	Regional connection to the west of Antioch

## 7.2 GOALS OF THE CIRCULATION ELEMENT

To provide for a sustained high quality of life, it is the goal of the Circulation Element to achieve and maintain a balanced, safe, problem-free transportation system that:

- improves present traffic flows, and provides easy and convenient access to all areas of the community, and completes long-planned circulation improvements such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road;*

- *is safe for all modes of motorized and non-motorized transportation;*
- *reduces dependence on single occupant automobile travel by providing a high level of pedestrian, bicycle, and public transit travel opportunities; and*
- *preserves a sense of comfort and well-being throughout the community by reducing the intrusiveness of commercial, business park, and industrial traffic, rail traffic, and regional traffic on neighborhood streets and residents' quality of life.*

Antioch recognizes that even by constantly expanding the local roadway network and providing an ongoing sequence of programmed street improvements, problems of traffic congestion will continue. Providing a real solution to traffic congestion requires a balanced approach to future transportation improvements. An efficient transportation system needs to offer Antioch area residents not only efficient automobile traffic distribution, but also viable alternatives to automobile travel. The General Plan aims to increase the balance between various modes of transportation by increasing the desirability of transit, walking, and bicycling. The General Plan also coordinates land use, transportation, and air quality concepts and strategies. General Plan objectives are designed to improve traffic flow, local air quality, and energy conservation. To achieve this of balance, the City of Antioch will:

- provide for the efficient movement of vehicles by designing, constructing, and maintaining a roadway circulation network, which will function at an acceptable level of service (LOS), as set forth in the Growth Management Element.
- expand the existing roadway system where it is feasible to do so, **such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road**, increasing its carrying capacity and eliminating congestion;
- regulate the intensity of future development **within the ULL** in relation to the carrying capacity of Antioch roadways as part of ensuring that the performance standards of the Growth Management Element are met;
- provide a mix of land uses **within the ULL** that realistically balances growth in the local employment and housing,

increasing local employment opportunities and reducing the need for long commutes to work;

- ensure that each new development **within the ULL** that would cumulatively contribute to the need for improvements provides appropriate mitigation;
- provide a system of bicycle routes and pedestrian links such that pedestrian and bicycle travel become safer and more useful for everyday tasks such as travel to shopping, work, and recreational facilities;
- achieve and maintain an organization of land uses which integrates places of residence, retail commerce, daily service needs, work, education, and recreation, thereby reducing the number and length of vehicular trips;
- require site plans for individual development projects **within the ULL** to minimize or eliminate through traffic within residential neighborhoods;
- to the degree feasible, encourage mixed-use developments **within the ULL** to reduce vehicle trips;
- improve the relationship of roadways with land uses, including regulating driveway access and development intensity where needed;
- improve the carrying capacity of existing roadways through implementation of transportation systems management concepts;
- participate in developing regional circulation improvement measures in cooperation with surrounding cities and Contra Costa County. Such measures may include, but are not limited to, the development of reciprocal traffic improvement fee programs; and
- implement the provisions of the Contra Costa County Congestion Management Program by requiring development projects **within the ULL** to analyze and provide mitigation for traffic impacts on regional circulation facilities.

It is Antioch's intent to require new developments **within the ULL** to mitigate their traffic impacts, either through construction of new roadways or participation in land-based financing mechanisms.

### **7.3.2 Vehicle Circulation Policies**

- a. Facilitate meeting the roadway performance standards set forth in the Growth Management Element and improving traffic flow on arterial roadways.

Work with the UP and BNSF railroads to construct grade separations along the tracks at Somersville Road, Hillcrest Avenue, "A" Street, the proposed Viera Road extension, and the proposed Phillips Lane extension.

- Promote the design of roadways to optimize safe traffic flow within established roadway configurations by minimizing driveways and intersections, uncontrolled access to adjacent parcels, on-street parking, and frequent stops to the extent consistent with the character of adjacent land uses.
  - Provide adequate capacity at intersections to accommodate future traffic volumes by installing intersection traffic improvements and traffic control devices, as needed, as development occurs.
  - Facilitate the synchronization of traffic signals.
  - Where needed, provide acceleration and deceleration lanes for commercial access drives.
  - Provide for reciprocal access and parking agreements between adjacent land uses, thereby facilitating off-street vehicular movement between adjacent commercial and other non-residential uses.
  - Encourage regional goods movement to remain on area freeways and other appropriate routes.
- b. Design and reconfigure collector and local roadways to improve circulation within and connections to residential and commercial areas.
    - Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas.



- Implement roadway patterns that limit through traffic on local residential streets.
- c. Require the design of new developments **within the ULL** to focus through traffic onto arterial streets.
- d. Where feasible, design arterial roadways, including routes of regional significance, to provide better service than the minimum standards set forth in Measure C and the Growth Management Element. Thus, where feasible, the City will strive to maintain a “High D” level of service (v/c -0.85-0.89) within regional commercial areas and at intersections within 1,000 feet of a freeway interchange. The City will also strive where feasible to maintain Low-range “D” (v/c = 0.80-0.84) in all other areas of the City, including freeway interchanges.
- e. Establish Assessment Districts in areas that will require major roadway infrastructure improvements that will benefit only that area of the City, and thereby facilitate the up-front construction of needed roadways.
- f. Design street intersections to ensure the safe passage of through traffic and accommodate anticipated turning movements. Implement intersection improvements consistent with the following lane geometries, unless traffic analyses indicate the need for additional turn lanes.

Number of Through Lanes on Route	Intersection Turn Lanes	
	Intersections with 4-Lane Arterials	
	Left	Right
6 or 8	1	1
4	1	1
2 (Collector)	1	NA
2 (Local)	NA	NA
	Intersections with Collectors	
	Left	Right
6 or 8	1	1
4	1	NA

2 (Collector)	1	NA
2 (Local)	NA	NA

- g. Where uses such as commercial centers that generate heavy traffic volumes are located along arterial roadways, provide acceleration and deceleration lanes as needed to maintain the carrying capacity of through traffic lanes.
- h. Require traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or more at any intersection of Circulation Element roadways. The purpose of these studies is to demonstrate that:
  - the existing roadway system, along with roads to be improved by the proposed project, can meet the performance standards set forth in Sections 3.4.1 and 3.4.2 of the Growth Management Element, and
  - required findings of consistency with the provisions of the Growth Management Element can be made.
- i. Require the preparation of a traffic management plan for special event uses to serve major events (e.g. fairs, festivals, sporting events), where traffic volumes that are generated less than 45 times per year would exceed the roadway performance standards set forth in the Growth Management Element. Such special event venues shall be required to provide sufficient manual traffic control as to maintain consistency with Growth Management Element roadway performance standards. Evaluate the traffic impacts of special event uses based on factors specifically related to the special event, rather than those of a typical development (e.g., traffic patterns, hourly flow, and presence of manual traffic controls).
- j. Require that existing driveways that are unnecessary or substandard be removed or upgraded, wherever feasible, in conjunction with any on-site development or any adjacent street construction.
- k. Where single family residences have no feasible alternative but to front on collector or arterial roadways, require, wherever possible, that circular driveways or on-site turnarounds be provided to eliminate the need for residents to back onto the street.

- l. Locate driveways on corner parcels as far away from the intersection as is possible.
- m. Avoid locating driveways within passenger waiting areas of bus stops or within bus bays. Locate driveways so that drivers will be able to see around bus stop improvements.
- n. Use raised medians as a method for achieving one or more of the following objectives: access control, separation of opposing traffic flows, left turn storage, aesthetic improvement, and/or pedestrian refuge.
- o. Where medians are constructed, provide openings at the maximum feasible intervals, typically no less than 1/8 mile.
- p. Where a series of traffic signals are provided along a route, facilitate the coordination of traffic signals to optimize traffic progression on a given route. Traffic signalization should emphasize facilitating access from neighborhood areas onto the City's primary roadway network, and should work to discourage through traffic from using local streets.
- q. Demand-actuated traffic signals should include push buttons to signal the need for pedestrians to cross, and include audible signals and countdown signs to assist the disabled in crossing streets. Demand-actuated traffic signals corresponding with bicycle routes should include bicycle sensitive loop detectors or push buttons adjacent to the curb.
- r. Avoid offset intersections along arterials and collectors. Intersections along local and minor residential collector streets may be offset within the subdivision as a means of discouraging through traffic.
- s. Expand intersections to include additional turning and through lanes at intersections where needed to relieve congestion and improve intersection operation, so long as the intersection can continue to accommodate pedestrians and bicyclists. Avoid traffic system improvements that facilitate vehicular turning and bus movements, but that also discourage pedestrian or bicycle movements. This can be accomplished on wide streets by providing safe stopping places for pedestrian crossing the street.
- t. Maintain the first priority for public streets of providing safe and efficient travel for the public with parking as a second priority.

- u. Generally, permit parking on collector streets, with restrictions as needed to accommodate transit stops, on-street bicycle lanes, added lanes at intersections, or other operational requirements.
- v. Private streets, where permitted, shall provide for adequate circulation and emergency vehicle access. Private streets that will accommodate more than 50 vehicles per hour in the peak hour or that are designed for on-street parking shall be designed to public street standards. The design of other private streets shall be subject to the review and approval of the City Engineer. Private streets shall be improved to public street standards prior to acceptance of dedications to the City.
- w. Provide arterial and collector roadways within hillside areas with added rights-of-way as needed for roadway slopes, and no on-street parking in order to provide extra safety.
- x. Require new development **within the ULL** to construct all on-site roadways, including Circulation Element routes, and provide a fair share contribution for needed offsite improvements needed to maintain the roadway performance standards set forth in the Growth Management Element Contributions for offsite improvements may be in the form of fees and/or physical improvements, as determined by the City Engineer. Costs associated with mitigating off-site traffic impacts should be allocated on the basis of trip generation, and should have provisions for lower rates for income-restricted lower income housing projects needed to meet the quantified objectives of the General Plan Housing Element.
- y. Where feasible, require permitted General Plan land uses that generate high volumes of traffic to be located along major transportation corridors and near transit facilities to minimize vehicular use, congestion, and traffic delays.
- z. Provide direct access between industrial areas and freeways, with truck routes avoiding residential areas to the extent possible.
- aa. Design street systems serving industrial areas, including the primary routes accessing these areas to accommodate the movement of trucks.
- bb. Pursue construction of public parking facilities within the downtown area to serve projected parking demand and facilitate mixed-use

development without the need to meet off-street parking standards on each individual parcel.

#### **7.4.2 Non-Motorized Transportation Policies**

- a. Design new residential neighborhoods **within the ULL** to provide safe pedestrian and bicycle access to schools, parks and neighborhood commercial facilities.
- b. Design intersections for the safe passage of pedestrians and bicycles through the intersection.
- c. Provide street lighting that is attractive, functional, and appropriate to the character and scale of the neighborhood or area, and that contributes to vehicular, pedestrian, and bicycle safety.
- d. Maintain roadway designs that maintain mobility and accessibility for bicyclists and pedestrians.
- e. Integrate multi-use paths into creek corridors, railroad rights-of-way, utility corridors, and park facilities.
- f. Provide, as appropriate, bicycle lanes (Class II) or parallel bicycle/pedestrian paths (Class I) along all arterial streets and high volume collector streets, as well as along major access routes to schools and parks.
- g. Design new roadway bridges to meet Caltrans standards for bridges involving State highways, including bicycle lanes on all new bridges along Circulation Element roadways. Where provision of bicycle lanes is not feasible, undertake measures to provide alternative routes and to prohibit bicycle riding on bridge walkways.
- h. Require the provision of bicycle parking and other support facilities (e.g., racks or lockers) as part of new office and retail developments and public facilities,
- i. Where shopping facilities are located adjacent to residential areas, provide direct access between residential and commercial uses without requiring pedestrians and bicyclists to travel completely around the commercial development.

- j. Permit the sharing or parallel development of pedestrian walkways with bicycle paths, where this can be safely accomplished, in order to maximize the use of public rights-of-way.
- k. Orient site design in non-residential areas to allow for safe and convenient pedestrian access from sidewalks, transit and bus stops, and other pedestrian facilities, in addition to access through required parking facilities.
- l. Require the construction of attractive walkways in new residential, commercial, office, and industrial developments **within the ULL**, including provision of shading for pedestrian paths.
- m. Maximize visibility and access for pedestrians, and encourage the removal of barriers for safe and convenient movement of pedestrians.
- n. Ensure that the site design of new developments **within the ULL** provides for pedestrian access to existing and future transit routes and transit centers.
- o. Pave walks and pedestrian pathways with a hard, all-weather surface that is easy to walk on. Walks and curbs should accommodate pedestrians with disabilities. Walks within open space areas should have specially paved surfaces that blend with the surrounding environment.
- p. In general, design walks to provide a direct route for short to medium distance pedestrian trips, and to facilitate the movement of large numbers of pedestrians. Meandering sidewalks are appropriate in areas where the natural topography or low-density land uses lend themselves to informal landscapes.

## **H. PUBLIC SERVICES AND FACILITIES ELEMENT AMENDMENTS.**

### **8.1 INTRODUCTION**

The purpose of the Public Services and Facilities Element is to define the types of levels of public services and facilities Antioch desires for its local taxpayers, and to set forth a well-conceived plan to manage the expansion of these services for a growing population and business community. The focus of this Element is providing the means to ensure that the capital facilities and public services needed to support build out of the land uses identified in the Land Use Element, **within the voter-approved Urban Limit Line (ULL)**, while maintaining the

service standards set forth in the Growth Management Element of the Antioch General Plan.

## 8.2 GOALS OF THE PUBLIC SERVICES AND FACILITIES ELEMENT

To provide for a sustained high quality of life, it is the goal of the Public Services and Facilities Element to accomplish the following:

- *Provide for the timely expansion of high quality public services and infrastructure to serve existing and future residents businesses, recreational facilities, and other facilities within the City of Antioch **within the ULL**, consistent with the service levels set forth in the Growth Management Element.*

Antioch recognizes that it must find a balance between the high quality and level of services desired by the community and the financial ability of the City and other service agencies to provide these services and infrastructure. Thus, Antioch cannot provide all the services and facilities other agencies have found they cannot afford to provide, nor can the City spend more on the provision of services and facilities than it receives in revenues. Recognizing that the City cannot and should not “go it alone,” the delivery of public services and facilities within the Antioch Planning Area occurs in one of three methods:

- **Direct Service.** Certain public services and facilities are most appropriately provided directly by the City, or by contractors who provide services pursuant to standards and requirements set by the City Council. The include services provided directly by the City within its boundaries **and within the ULL**, such as police protection, parks and recreation, water service (provided directly by the City), and maintenance of local sewer lines and streets. Solid waste collection and street construction are examples of contracted direct services.
- **Partnerships.** Certain functions are performed in partnership with other organizations. In these cases, Antioch’s collaborative role is performed via financial support, technical assistance, coordination, or the creation of new organizations. Examples of such functions and partnerships include the provision of joint school/park sites, the Contra Costa County Transportation Commission, Metropolitan Transportation Authority, Association of Bay Area Governments (ABAG), East Contra Costa Regional Fee and Financing Authority, Slate

Route 4 Bypass Authority, and the East Contra Costa Transportation Authority (Tri-Delta Transit).

- **Supporting the Community Agenda.** In addition to services provided directly by the City and those provided in partnership with other agencies, important public services are provided to the community by special districts and other outside agencies. Examples of these services include schools, fire protection, sewage treatment, flood control, and solid waste disposal. The City's role in the provision of these services is coordinating land development activities **within the ULL** with the expansion of services and facilities by the outside agencies providing the services. Although Antioch does not have the final say in the provision of Services provided by outside agencies, in its role as the planning agency for the City, Antioch's policies and actions have substantial capacity to assist in the provision of services to the community.

The availability of adequate public services and facilities **within the ULL**, including meeting the performance standards established in the Growth Management Element, is integral to permitting new development. As a result, if Antioch is to meet community goals such as maintaining a high quality of life, achieving a balance between local housing and employment opportunities, and providing of a wide range of shopping and recreational opportunities, it is critical that services and facilities be expanded in a timely manner. The most direct way of ensuring the timely expansion of services and facilities is for the City to control the provision of the public services and facilities needed to support community goals. Where such direct control is economically or administratively infeasible, a high level of coordination with the outside agencies provided needed and services is necessary.

#### **8.4.1 Water Facilities Objective**

Ensure a water system capable of providing high quality water to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch **within the ULL**, during peak use conditions, with sufficient water in storage reservoirs for emergency and fire protection needs.

#### **8.4.2 Water Facilities Policies**



- a. As part of the design of water systems, provide adequate pumping and storage capacity for both drought and emergency conditions, as well as the ability to provide fire flows required by the Contra Costa County Fire Protection District.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy or new development **within the ULL**, such that (1) new development will not negatively impact the performance of water facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of water facilities.
- d. Maintain existing levels of water service by protecting and improving infrastructure, replacing water mains and pumping facilities as necessary, and improving the efficiency of water transmission facilities.
- e. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- f. Periodically evaluate local water consumption patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- g. Incorporate expected reductions in the need for water facilities resulting from water conservation programs only after several years of experience with the implementation of such programs.
- h. Provide the Contra Costa Water District with timely information on development proposals and projected levels of future growth **within the ULL** so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.

#### **8.5.1 Wastewater Management Objective**

Ensure a wastewater collection, treatment, and disposal system capable of providing sewer services to existing and future residences,

businesses, institutions, recreational facilities, and other uses within the City of Antioch and its ULL during peak use conditions.

### **8.5.2 Wastewater Management Policies**

- a. As part of the design of sewer systems, provide adequate capacity for average and peak conditions.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy of new development within the ULL, such that new development will (1) not negatively impact the performance of sewer facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of sewer facilities.
- d. Continue to facilitate economically feasible water conservation programs as a means of reducing sewage generation and the need for expanding sewage treatment capacity.
- e. Work with Delta Diablo Sanitation District to explore and develop uses for treated wastewater. Where reclaimed wastewater can be economically delivered, require the installation of dual water systems permitting the use of reclaimed water supplies for irrigation purposes and industrial purposes.
- f. Incorporate expected reductions in sewage flow projections and the need for sewage treatment capacity resulting from water conservation programs only after several years of experience with the implementation of such programs.
- g. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- h. Periodically evaluate local sewage generation patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- i. Provide the Delta Diablo Sanitary District with timely information on development proposals and projected levels of future growth so that it can maintain appropriate long-term master plans and refine

the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.

- j. Work cooperatively with affected agencies to ensure that capacity allocations are adjusted among the agencies served by Delta Diablo Sanitation District to optimize plant utilization, avoid unnecessary expansions, and facilitate needed expansions.

#### **8.6.2 Solid Waste Management Policies**

- a. Continue contracting for garbage and recycling collection services.
- b. Require provision of attractive, convenient recycling bins and trash enclosures in new residential and non-residential development **within the ULL**.
- c. Provide and promote opportunities to reduce solid waste generation at home and in businesses and public facilities, making possible the safe disposal of hazardous materials.
- d. Require builders to incorporate interior and exterior storage areas for recyclables into new commercial, industrial, and public buildings **within the ULL**.
- e. Consider the use of co-generation at appropriate facilities.
- f. Support the identification and selection of new landfill sites in remote locations of the County outside of and not requiring access through the Antioch Planning Area, where such sites would not impact existing or proposed parks or water storage facilities.
- g. Limit the location of solid waste transfer stations to areas where heavy industrial uses would be appropriate, avoiding traffic, odor, and other environmental impacts on the community.
- h. The City of Antioch shall follow State regulations in implementing the goals, policies, and programs in order to achieve and maintain a 50 percent reduction in solid waste disposal through source reduction, reuse, recycling, and composting.
- i. In accordance with State regulations, Antioch shall prepare an annual progress report to determine the City's progress toward meeting its diversion goals and objectives.

- j. The City shall require all development projects **within the ULL** to coordinate with appropriate departments and/or agencies to ensure that there is adequate waste disposal capacity to meet the waste disposal requirements of the project, and the City shall recommend that all development projects incorporate measures to promote waste reduction, reuse, recycling, and composting.

### **8.7.2 Storm Drainage and Flood Control Policies**

- a. Continue working with the Contra Costa County Flood Control District to ensure that runoff from new development **within the ULL** is adequately handled.
- b. Require adequate infrastructure to be in place and operational prior to occupancy of new development **within the ULL**, such that:
  - new development will not negatively impact the performance of storm drain facilities serving existing developed areas and
  - the performance standards set forth in the Growth Management Element will continue to be met.
- c. Design flood control within existing creek areas to maximize protection of existing natural settings and habitat.
- d. Provide retention basins in recreation areas where feasible to reduce increases in the amount of runoff resulting from new development **within the ULL**.
- e. Require new developments **within the ULL** to provide erosion and sedimentation control measures to maintain the capacity of area storm drains and protect water quality.
- f. Require implementation of Best Management Practices in the design of drainage systems to reduce discharge of non-point source pollutants originating in streets, parking lots, paved industrial work areas, and open spaces involved with pesticide applications.

### **8.8.2 School Facilities Policies**

- a. Maintain clear, ongoing communications with area school districts on all matters related to the need for and provision of school sites and other administrative, educational, and recreational facilities.

- b. Coordinate the planning efforts of the City and local school districts by:
- locating school facilities to facilitate the primary educational purpose of the facility and allow for safe pedestrian, bicycle, and vehicular access, including the provision of traffic calming measures, where appropriate, in the vicinity of schools;
  - maximizing the joint use of facilities by the City and local school district (including, joint school/park sites and, where feasible, joint use of athletic fields, community meeting facilities, and provision of child and senior care facilities) by developing joint funding for such facilities through a combination of school district and City sources, provided that City contributions to joint facilities are consistent with the availability of such joint facilities to meet non-school recreational and other community needs;
  - designing attractive facilities that can also serve as neighborhood and community gathering places, and contribute to neighborhood identity and pride;
  - requiring reasonable reservation of appropriate locations for development of new schools as part of new development **within the ULL**;
  - regularly exchanging information on (1) the status of development review and construction, (2) the capacity of area schools, (3) the status of site acquisitions by the districts, and (4) applicable student generation factors by type of development.
- c. Require new development **within the ULL** to pay all legally established fees or participate in land-based financing districts established by local school districts for the acquisition and development of school sites with adequate, permanent classroom space, as required by the local school district.
- d. Maintain land development regulations permitting the development of public and private educational facilities **within the ULL** at appropriate locations within the Planning Area.
- e. Provide incentives in the City's residential growth management program for the provision of developer assistance to local school districts beyond nominally required mitigation fees. The objective

of such incentives is that the combination of required fees and incentives provide a full contribution proportional to the needs of the proposed development for all school-related facilities to serve the proposed project.

- f. Work with Los Medanos College to further accessibility to and the quality of local community college education.
- g. Work with public and private universities (e.g., CSU Hayward, University of Phoenix) to create satellite campuses within Antioch.
- h. Work with trade schools (e.g., DeVry Institute, ITT Technical Institute, Bryman College) to locate new facilities in Antioch.

#### **8.10.2 Fire Protection Policies**

- a. Work with the Contra Costa County Fire Protection District to provide high quality fire protection services to area residents and businesses. The City's role should include, but not be limited to:
  - Determining the appropriateness of station location sites **within the ULL and, in particular, the Sand Creek Focus Area**;
  - Enforcement of building codes to reduce fire hazards;
  - Collection of mitigation fees established by the fire district to construct needed additional stations within the Antioch Planning Area.
  - Support the District in providing funding for personnel costs to staff stations within the City;
  - Support the District in establishing fees that are adequate to mitigate the impacts of new development **within the ULL** and income to support operation of new stations whose construction is financed with development fees; and
  - Requiring reasonable reservation of appropriate sites **within the ULL and in, particular, the Sand Creek Focus Area** for new fire stations as part of new development.
- b. In cooperation with the Contra Costa County Fire Protection District, conduct an annual assessment of the adequacy of facilities and services serving Antioch, personnel and staffing

needs, and capital needs, based on anticipated growth **within the ULL** and the level of service standard set forth in the Growth Management Element. This assessment should be undertaken as part of the annual review of proposed capital projects required by the California Government code (see Chapter 12, Implementation, Section 12.4b).

- c. Provide the Contra Costa County Fire Protection District with timely information on development proposals and projected levels of future growth **within the ULL** so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- d. Involve the Fire Protection District in the development review process by referring development requests **within the ULL** to the Fire District for review and comment.

#### **8.11.2 Police Services Policies**

- a. Provide an adequate police force meeting the performance standards for police services set forth the Growth Management Element.
  - As part of the annual budget and capital improvements program, assess crime prevention and law enforcement services, and evaluate the adequacy of Antioch's facilities and services, personnel and staffing needs, and capital needs, based on anticipated growth **within the ULL** and the level of service standard set forth in the Growth Management Element.
- b. Provide sufficient facilities **within the ULL** and staffing to ensure the safety of the citizens of Antioch by:
  - Providing expedient response to emergency calls.
  - Maintaining an efficient well-trained and adequately equipped force of police personnel.
  - Providing neighborhood watch and crime prevention programs, and attempting to improve the participation of individual neighborhoods and businesses.
  - Continuing to provide a variety of programs within the Police Department (e.g., traffic crime prevention, REACH, narcotics, investigations) to meet the needs of an active community.

- c. Provide basic requirements and incentives for the provision of design features in new development **within the ULL** to reduce the potential for crime.
  - Provide well-lighted and visible streets and street names, entrances, addresses, recreation areas, and parking areas.
  - Limit access into and between buildings to reduce escape routes and undetected entry is made difficult.
  - Provide landscaping which permits surveillance of open areas and entryways, and does not create places for concealment.
  - Within multi-family and non-residential developments **within the ULL**, design access systems to allow emergency vehicle access around buildings to the greatest extent possible.
  - Within multi-family and non-residential developments **within the ULL**, eliminate the potential for access to roofs by pallets, flag poles, etc.
- d. Involve the Antioch Police Department in the development review process by referring development requests **for projects proposed within the ULL** to the Police Department for review and comment.
- e. Promote community involvement in crime prevention.
  - Promote the establishment and operation of neighborhood watch, park watch, and business watch programs.
  - Work with area schools to maintain educational programs aimed at preventing gang and drug-related activities.

### **8.13 FINANCING EXPANSION OF PUBLIC SERVICES AND FACILITIES**

Provision of the services and facilities required by new development **within the ULL** in a manner that will not impact services and facilities enjoyed by existing residents and businesses is a key to the success of the Antioch General Plan. Several basic approaches to financing the expansion of public facilities **within the ULL** are available. The basic financing methods include having (1) having developers build infrastructure and also provide facilities, (2) financing facilities and infrastructure through development impact fees, and (3) use of assessment districts.



Developer financing of infrastructure is common for on-site improvements within the development itself. In some cases, however, large-scale facilities are needed that will be shared by more than one development, sometimes involving large portions of the City. When such facilities are needed, it may be difficult or impossible to have one developer construct or provide up-front financing on their own. In response, the City can offer “reimbursement agreements” to promote equity and offset the cost to individual developers of upsizing infrastructure or providing facilities that would serve other developments **within the ULL**. Pursuant to these reimbursement agreements, developers who provide up-front infrastructure or facilities that would be shared with other, future, development projects **within the ULL** would be reimbursed for this increased up-front expense by subsequent developments.

Many communities rely on development impact fees to fund such large-scale or “backbone” facilities. Development fees work well at equitably spreading the cost of new facilities among those who create the need. However, development fee systems generally result in gaps between the time that facilities are needed and the time that sufficient money has been collected to pay for them.

Development fee programs also require regular maintenance to ensure that the fees being charged are reasonably related to the impacts of individual development projects, and that they are sufficient to actually build the infrastructure and facilities they are intended for.

Where multiple ownerships or developments **within the ULL** need to share major infrastructure, and where no individual ownership or development could reasonably afford to provide such major infrastructure on its own, assessment districts provide an attractive means of financing. Antioch has successfully used large-scale assessment districts in the past, and, as a result, has not suffered from infrastructure deficiencies to the extent that other communities have. However, the use of assessment districts can lead to situations where newer portions of the City receive a higher level of facilities than do older areas by virtue of paying higher taxes (in the form of assessments) than other portions of the City.

### **8.13.1 Financing Expansion of Public Services and Facilities Objective**

Ensure that the expansion of public facilities occurs in an equitable manner such that new development **within the ULL** pays for all of the infrastructure and public facilities required to support the

development without impacting levels of service provided to existing residents and businesses.

### **8.13.2 Financing Expansion of Public Services and Facilities Policies**

- a. Place the ultimate responsibility on the sponsor of proposed development projects **within the ULL** for ensuring that the services and facilities needed to support the project and maintains applicable performance standards in the Growth Management Element are available at the time they are needed.
- b. Require that new development **within the ULL**:
  - Participate in a land-based financing district, construct and/or pay for the new onsite capital improvements required to meet the applicable performance standards of the Growth Management Element;
  - Be phased so as to ensure the services and capital facilities used by the new development **within the ULL** meet the applicable performance standards of the Growth Management Element;
  - Ensure that, in the event public services or off-site capital facilities **for new development within the ULL** do not meet the applicable performance standards of the Growth Management Element prior to approval of the project, the level of service provided to existing development will not be further impacted by new development.
- c. Continue to use special assessments as a means of financing infrastructure for future development **within the ULL** where the establishment of land-based financing would equitably spread infrastructure costs.
- d. Where permitted by law, require that special assessments for single-family residential development be paid off at the time of the initial sale of homes to individuals.
- e. Continue to apply existing policies and regulations precluding City financial assistance for any on-site capital improvements required by new development **within the ULL**.
- f. As part of new development proposals **within the ULL**, determine whether any service level deficiencies might result, and place needed conditions on the proposed development to ensure that:

- Service level standards will continue to be met, and
  - New development **within the ULL** will not result in any substantial, short- or long-term reduction in the level of municipal services provided by the City to existing developed areas.
- g. Encourage infill development **within the ULL** which utilizes existing infrastructure, as well as the planning and development of large scale, self-sufficient, mixed use communities **within the ULL** with integrated phasing and financing of public facilities.

**I. HOUSING ELEMENT AMENDMENTS.**

<p><b>2.1.4 Executive Housing:</b> Facilitate the development of housing appropriate for executives of businesses seeking to expand within or relocate to Antioch to meet the need for providing above-moderate income housing. Where appropriate, provide requirements in outlying focus areas for the development of executive and upper end housing with appropriate amenities.</p>	<p>The City <b>has previously</b> approved the construction of 50 homes in Sierra Vista, an executive housing development by Suncrest Homes <b>but none of the units are under construction; however, in 2016, Suncrest Homes donated 50 acres of undeveloped land in the Sierra Vista development to the Regional Parks Foundation. Thus, the executive housing will not be built.</b> Plans for development of another 574 estate-style homes at Roddy Ranch were dropped after the property was sold to the East Bay Regional Park District in June 2013. <b>No other executive housing developments are likely to be developed in the immediate future due to current market conditions. The Ranch, a proposed master-planned community within the Sand Creek Focus Area west of Deer Valley Road, may include up to approximately 100 units of executive housing.</b></p>
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**J. RESOURCE MANAGEMENT ELEMENT AMENDMENTS.**

**10.1 INTRODUCTION**

The focus of the Resource Management Element is on conservation and use of environmental resources and open space issues throughout the General Plan Planning Area. While the majority of the privately owned land within the present City limits has been developed or committed to development of urban uses **within the voter-approved Urban Limit Line (ULL)**, significant environmental and open space resources remain. The portion of the Planning Area outside of Antioch's present city boundaries **and ULL** is largely undeveloped, and also contains significant environmental and open space resources. As Antioch expands to the south **within the ULL** and its population grows, as future industrial and employment-generating development occurs in the northern portion of the Planning Area, as Rodgers Point and a shoreline trail are developed along the San Joaquin River, the need to wisely manage natural resources will become more acute. This will entail balancing such competing objectives as the need for:

- Conservation of resources;
- Open space preservation,
- Adequate water and energy resources to support future populations:
- Providing public access to open space areas;
- Expanding existing roadway and highway systems;
- Ensuring housing for all economic segments of the community; and
- Ensuring economic development in a manner that protects Antioch's beautiful setting and enhances the quality of life of its residents.

The Resource Management Element addresses the use, management, and protection of environmental resources, including open space, biological resources, air quality, water resources, cultural resources, and energy resources. Combined, these topics cover all major aspects of Antioch's natural setting, and encompass state requirements for preparation of General Plan Open Space and Conservation Elements. In many cases, there are overlaps in the issues addressed here with other elements of the General Plan. For example, hillside open space issues are addressed in the Community Image and Design Element (Section 5.4.14). Achieving a local

balance between jobs and housing, as discussed in the Land Use and Economic Development Elements, and eliminating traffic congestion in the community are key components of maintaining good local air quality. Open space for the protection of public health and safety is addressed in the Hazards Element, while open space for public recreation is addressed in the Public Services and Facilities Element.

## 10.2 GOALS OF THE RESOURCE MANAGEMENT ELEMENT

To provide for a sustained high quality of life, it is the goal of the Resource Management Element to accomplish the following:

- *Conserve and enhance the unique natural beauty of Antioch's physical setting, and control the expansion of urban development by protecting open space where it is important to preserve natural environmental processes and areas of cultural and historical value, **including lands within the ULL in the Sand Creek Focus Area west of Deer Valley Road.***

Open space provides a variety of community benefits, including recreation use, visual enjoyment, protection of habitat areas, and hazard protection. In Antioch, this means protecting the San Joaquin and natural creeks, as well as their adjoining natural beaches and shorelines. It also means opening up views of the River, and preserving views of Mt. Diablo and its foothills to protect the beauty of the physical setting of the City.

Inherent in Antioch's open space goal is provision of a wide range of recreational lands and facilities, including parks for active and passive recreation, special purpose and multi-use trails, and preservation of the natural environment for the enjoyment of area residents.

Protection of certain types of open space is required by law. The provisions of the state and federal endangered species acts, the federal Clean Water Act, and state requirements for stream alteration agreements all require mitigation of impacts on natural habitats. The provisions of the California Environmental Quality Act also require analysis and provision of mitigation for physical impacts on habitats and cultural resources. The City of Antioch recognizes its responsibility to act as a responsible steward for the natural environment, and to strike an appropriate balance between preserving that environment and providing lands **within the ULL** for the housing, employment, and shopping needs of an expanding population.

- *Minimize the use of water and energy resources so as to ensure a sustainable long-term supply.*

The history of settlement in California -- from prehistoric native villages to modern urban development -- is largely tied to the availability of water. Throughout the state, groundwater resources are being overdrawn, while demands on large-scale water projects to continue supplying urban growth increase. Presently, every major urban area of the state requires the importation of water from distant sources. Without major statewide investment in costly water transport facilities, growth in some urban areas may eventually need to be curtailed for lack of dependable water supplies. During major droughts in the past, public awareness of the need for water conservation grew. This awareness slacked off during wet periods. Water resource projects for the state indicate that the need for significant, permanent water conservation will affect large areas of the State by 2020. Although the Contra Costa Water District indicates that it has sufficient water supplies committed through 2040, the City's desire to achieve a balance between local jobs and housing means that local employment growth must occur in the future at a faster rate than has previously been projected. Thus, water conservation will need to become part of Antioch's overall vision and its economic development program.

The availability of reliable, cheap electrical and natural gas supplies was routinely taken for granted until the summer of 2000, when costs soared and rolling blackouts hit portions of the state. Crisis was averted with the construction of new power generating facilities and higher energy costs. As the immediacy of energy shortages fades, so has the public's willingness to reduce its energy consumption. However, electricity and natural gas demands of a growing statewide population will eventually outstrip the capacity of existing energy-generating facilities, and could plunge the state into another energy crisis. Thus, energy conservation also needs to become part of Antioch's overall vision.

### **10.3 OPEN SPACE OBJECTIVES AND POLICIES**

As discussed in the Land Use Element, a great deal of open land remains in the Antioch Planning Area **and within the ULL**. Approximately 38 percent of the land within the City (6,383 acres) and nearly 46 percent of the land within the unincorporated portion of the General Plan Planning Area (2,240 acres) are undeveloped in open

space use. Additional land (928 acres in the City and 381 acres in unincorporated areas) is in agricultural use. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the City, and over 60 percent of the unincorporated land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

*Active Recreation Lands.* City residents have access to a variety of local parks, recreational facilities, regional parks, and open space areas. The City oversees the local parks and recreational facilities, while the East Bay Regional Park District (EBRPD) oversees the regional facilities. The following description of open space and recreation facilities within the City of Antioch is divided into four sections: parks and recreation facilities; recreation programs; special use facilities; and regional facilities and trails.

The City owns and administers 28 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. Over 400 acres of parks and open space areas are located within the City, 200 acres of which are developed. The remaining 200 acres consist of acreage awaiting development or are areas managed exclusively as open space.

The East Bay Regional Park District operates three facilities in the Antioch area, the largest of which is Black Diamond Mines Regional Preserve, a 5,984-acre open space area accessed by multiple use trails (i.e., pedestrian, bike, and equestrian trails). The Preserve offers naturalist programs, and visitors can tour the underground mining museum and a historic cemetery. Picnic areas and horse staging areas are also available. Two wilderness group camps are located in the southern portion of the park. Additional open space preserves are located to the southeast of Antioch adjacent to the Los Vaqueros reservoir and within the Cowell Ranch, which has recently become a State Park.

Contra Loma Regional Park, adjacent to the Lone Tree Golf Course on the southern edge of the City, is 775 acres in size. The park surrounds the Contra Loma Reservoir, and offers multiple use trails for hiking, biking, and horseback riding. The reservoir is available for fishing, boating, sailboarding, and swimming (in a separate swim lagoon). The Park also provides picnic areas, horseshoe pits, and a food concession stand. EBRPD also maintains the Antioch Regional

Shoreline, which consists of 7 acres fronting the San Joaquin River, north of downtown Antioch. The Shoreline has a 550-foot long fishing pier, a small beach, picnic tables and barbeques, and a 4.5-acre meadow. Swimming is not allowed at the Antioch Regional Shoreline Park.

The EBRPD also oversees the Delta DeAnza Regional Trail, which originates at Bay Point in the West Pittsburg area, and runs east to a connection with the Marsh Creek Trail in Oakley, with a connection to the Iron Horse Trail through the Concord Naval Weapons Station along the Contra Costa Canal Right of Way. The Trail crosses Antioch from its western boundary with Pittsburg at approximately Somersville Road, parallels the Contra Costa Canal to Wild Horse Road at Hillcrest Avenue, and runs to the Union Pacific Railroad tracks at Neroly Road in Oakley. An agreement with the railroad to permit a trail crossing is preventing the trail from being opened. When opened, the Delta de Anza Trail will extend from the Marsh Creek Trail in Brentwood to the Iron Horse Trail in Concord. The segment through Antioch is also part of the De Anza National Historic Trail.

*Agriculture.* Antioch is located in an area of Contra Costa County that has traditionally contained areas of land used for grazing, orchards, field and row crops. The City has approximately 5,600 acres of grazing and former agricultural lands.

*Passive Open Space.* Passive open space in and near the City of Antioch consists of hillsides, vacant lands, and the San Joaquin River. Views of natural features both within the City and of the surrounding topography are a valuable resource for many of the City's residents. Natural features that can be viewed from the City include Mt. Diablo, the surrounding ridgelines, and the San Joaquin River. These views contribute a feeling of community identity, as well as visual enjoyment.

The City is located on the southern bank of the San Joaquin River, near its confluence with the Sacramento River. The confluence of these rivers is located in the Sacramento-San Joaquin Delta, an area that is largely level, with views to the north and east. To preserve open space and views along the River, and to attract residents down to the area, the City has developed projects such as the Municipal Public Marina (built in 1988) and the Antioch Riverfront Promenade.

In 1981, the City enacted the Hillside Planned Development (HPD) Ordinance to protect hillsides, ridges, and ridgelines within the City. The Ordinance was revised and adopted in 1994 as part of the Zoning



Ordinance and applies to those hillside areas in which one or more of the following apply:

- A predominant portion of the area has slopes in excess of 10 percent;
- A significant area of slopes of 25 percent or greater; or
- A significant ridgeline, hilltop, or exposed slope is located in the area.

The purpose of the Ordinance is to promote a more harmonious visual and functional relationship between the natural and built environments. The HPD Districts are reserved for residential uses that are clustered in a manner that will preserve significant features of hillside areas, such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings, and native vegetation.

As of 1998, the City had three HPD Districts located in the south and southwest portions of the City. This land could be developed or redeveloped at any time with uses as specified in the General Plan or Zoning Ordinance. Areas designated, currently or in the future, as HPD Districts will be developed and should not be considered permanent passive open space. However, these areas will be developed in a manner which preserves valued open space characteristics.

### **10.3.1 Open Space Objective**

Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving **existing** natural, scenic, and other open space resources **outside the ULL**.

### **10.3.2 Open Space Policies**

- a. Establish a comprehensive system of open space that is available to the public, including facilities for organized recreation; active informal play; recreational travel along formal, natural, and riverfront trails; passive recreation; and enjoyment of the natural environment.
- b. Implement the design standards of the Community Image and Design Element so as to maintain views of the San Joaquin River, Mount Diablo and its foothills, Black Diamond Mines Regional

Preserve and other scenic features, and protect the natural character of Antioch's hillside areas as set forth in the Community Image and Design Element<sup>1</sup>.

<sup>1</sup> Policies related to viewshed protection are set forth in Section 5.4.2, General Design Policies. Hillside design polices are found in Section 5.4.14.

- c. Maintain the shoreline of the San Joaquin River as an integrated system of natural (wetlands) and recreational (trails and viewpoints) open space as set forth in the Land Use Element and Public Services and Facilities Element.
- d. Where significant natural features are present (e.g., ridgelines, natural creeks and other significant habitat areas, rock outcrops, and other significant or unusual landscape features), require new development **within the ULL** to incorporate natural open space areas into project design. Require dedication to a public agency or dedication of a conservation easement, preparation of maintenance plans, and provision of appropriate long-term management and maintenance of such open space areas.
- e. Require proposed development projects **within the ULL** containing significant natural resources (e.g. sensitive or unusual habitats, special-status species, habitat linkages, steep slopes, cultural resources, wildland fire hazards, etc.) to prepare Resource Management Plans to provide for their protection or preservation consistent with the provisions of the Antioch General Plan, other local requirements, and the provisions of State and Federal law. The purpose of the Resource Management Plan is to look beyond the legal status of species at the time the plan is prepared, and provide a long-term plan for conservation and management of the natural communities found onsite. Resource Management Plans shall accomplish the following.
  - Determine the significance of the resources that are found onsite and their relationship to resources in the surrounding area, including protected open space areas, habitat linkages and wildlife movement corridors;
  - Define areas that are to be maintained in long-term open space based on the significance of onsite resources and their relationship to resources in the surrounding area, and

- Establish mechanisms to ensure the long term protection and management of lands retained in open space.
- f. Encourage public access to creek corridors through the establishment of trails adjacent to riparian resources, while maintaining adequate buffers between creeks and trails to protect sensitive habitats, special-status species and water quality to the maximum extent feasible. **However, trails shall not impair appreciably the quantity or quality of water or native vegetation in a stream corridor.**
- g. Where feasible, incorporate preserve and protect significant existing natural features as part of the design of new development projects **within the ULL** rather than removing them. Where preservation of natural features is not feasible, introduce natural elements into project design, impacts to significant natural features that cannot be preserved or reintroduced into the project design on-site shall be mitigated off-site.

**f. In the Restricted Development Area, trails shall not impair appreciably the quantity or quality of water or native vegetation in a stream corridor.**

#### 10.4 BIOLOGICAL RESOURCES OBJECTIVES AND POLICIES

Although it is largely urbanized, portions of remaining undeveloped lands **within the ULL that have long been planned for development** contain vegetation and habitat types the California Department of Fish and Game considers rare and worthy of consideration in the California Natural Diversity Database:

- Native grasslands
- Vernal pools
- Stabilized interior dunes
- Seasonal wetlands
- Freshwater seeps
- Freshwater marshes
- Coastal brackish marshes
- Alkaline floodplains

- Alkali seeps
- Valley oak woodlands
- Riparian woodland

**Grassland.** Native grasslands have been reduced to 90 percent of their former area in California. Native grassland in the Antioch Planning Area would be dominated by purple needlegrass (*Nassella puchra*). A variety of spring wildflowers are also found in native grasslands. Because of the rarity of this once abundant vegetation type, the California Department of Fish and Game may request mitigation for projects that impact native grasslands. Additionally, special-status plants are more likely to be found in undisturbed native vegetation. Native grasslands are most likely to be found scattered in the southern part of the Antioch Planning Area. A number of special-status species has been identified in certain native and non-native grassland habitats within and adjacent to Antioch, including San Joaquin kit fox (*Vulpes macrotis*), California tiger salamander (*Ambystoma californiense*), American badger (*Taxidea taxus*), western burrowing owl (*Athene cunicularia hypugea*), and golden eagle (*Aquila chryseatos*).

**Vernal Pools.** Vernal pools are seasonal wetlands typically occurring in depressions in grasslands. These depressions collect water during the winter and spring rains, and dry once the rains cease. As the ponds dry in the spring, a succession of different plant species bloom around the edges of the pool. A high-quality vernal pool will display concentric rings of different colors of flowers in bloom in mid-spring. Because vernal pools tend to be isolated from each other, they may possess a unique flora that includes special-status, federally protected plants and special-status animals. Vernal pools are most likely to be found in the southern portion of the Antioch Planning Area. Special-status plants and invertebrates are often found within this habitat type.

**Stabilized Interior Dunes.** The Antioch Dunes along the banks of the San Joaquin River contain a unique assemblage of plant and animal species, several of which are found nowhere else in the world. Scattered grasses and forbs, some of which reach shrub size, form the ground cover. The federally endangered Antioch Dunes evening-primrose (*Oenothera deltoides ssp. howellii*) and Contra Costa wallflower (*Erysimum capitatum ssp. angustatum*) are found here amongst more common species. A number of special-status animals occur in this habitat, the most sensitive of which are the insects, including the federally endangered Lange's metalmark butterfly.

**Wetlands.** Seasonal wetlands and ponds hold water for only part of the year, and can be found in any part of the Antioch Planning Area, but are more common along the San Joaquin River and seasonal streams in the southern portion of the Planning Area. Coastal brackish marshes are wet year round and are found along the banks of the San Joaquin River. If pickleweed (*Salicornia sp.*) is present, coastal brackish marshes may contain suitable habitat for the State and Federally endangered salt marsh harvest mouse. Other listed species associated with the coastal brackish marsh in the Antioch Planning Area include California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*).

Alkaline floodplains exist along the banks of the San Joaquin River. These may appear barren because of the difficulty of growing in highly alkaline, frequently disturbed soil. If unprotected, such barren lands tend to attract people seeking recreation in four-wheel drive vehicles, which reduces the vegetation ever further. Stands of pickleweed and saltgrass growing within alkaline floodplains can be habitat for the State and federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*).

**Open Water.** This category includes the San Joaquin River and permanent waterbodies, such as natural or man-made lakes, ponds, and reservoirs. Although open water does not provide habitat for many plant species, it is important for wildlife and fish. The San Joaquin River is used as a movement corridor, foraging, and breeding habitat for a variety of native and non-native fish including steelhead (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), delta smelt (*Hypomesus transpacificus*), striped bass (*Morone saxatilis*), and many others. Water birds and waterfowls use the lakes and rivers for foraging and breeding and stopovers during migration.

**Oak Woodland.** Oak woodlands are important habitat for numerous common and special-status wildlife species. Blue oak woodland is found on north-facing slopes and in shady ravines in the Mt. Diablo foothills. Valley oak woodlands once dominated the edges of the Central Valley in vast park-like stands. Valley oaks are the largest and longest-lived of the California oaks. This habitat type has been much reduced by conversion of land to agriculture and because modern grazing patterns prevent the regeneration of young oaks. Valley oak stands are still found in Antioch in Contra Loma Regional Park and other southern portions of the Antioch Planning Area.

**Riparian.** Riparian vegetation refers to the native scrub or forest occurring along streams and riverbanks. In riparian areas, the roots of trees and other vegetation can easily reach the water table. Such areas are prone to frequent flooding. Riparian vegetation used to be found along most perennial and intermittent streams in the Antioch Planning Area and along the San Joaquin River. This vegetation type has become rare due to disturbance by cattle, riverfront development, and the filling or channelizing of small streams in urban areas. Riparian areas provide important breeding and foraging habitat for many species of birds, mammals, reptiles, and amphibians. The federally-listed California red-legged frog (*Rana aurora draytonii*) occurs along creeks in the Planning Area and the state-listed Swainson's hawk will nest in large trees such as cottonwoods that grow along creeks.

**Special-Status Species.** Special-status species are defined as:

- Species that are listed, **proposed for listing**, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, **proposed for listing**, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;
- Plant species on **List 1A, List 1B, List 2, and List 3 with a Rare Plant Rank of 1A, 1B, 2 or 3** in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California;
- **Plants listed as rare under the California Native Plant Protection Act;**
- Wildlife **and invertebrate** species listed by the California Department of Fish and **Game Wildlife** as species of special concern or fully protected species **under California Fish and Game Code Sections 3511, 4700, 5050, and 5515;**
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Section 15380 **and 15125(c)** of CEQA<sup>1</sup>); ~~and~~
- **Considered Species considered** to be a taxon of special concern by local agencies; ~~and~~

• **Species considered sufficiently rare by the scientific community to warrant special consideration.**

- <sup>1</sup> This section of CEQA Guidelines states that any species not included on any formal list, can nevertheless be considered rare or endangered if the species can be shown to meet the criteria for listing.

#### **10.4.2 Biological Resources Policies**

- a. Comply with the Federal policy of no net loss of wetlands through avoidance and clustered development. Where preservation in place is found not to be feasible (such as where a road crossing cannot be avoided, or where shore stabilization or creation of shoreline trails must encroach into riparian habitats), require 1) on-site replacement of wetland areas, 2) off-site replacement, or 3) restoration of degraded wetland areas at a minimum ratio of one acre of replacement/restoration for each acre of impacted onsite habitat, such that the value of impacted habitat is replaced.
  - b. Preserve in place and restore existing wetlands and riparian resources along the San Joaquin River and other natural streams in the Planning Area, except where a need for structural flood protection is unavoidable.
  - c. **For new development within the ULL, require** Require appropriate setbacks adjacent to natural streams to provide adequate buffer areas ensuring the protection of biological resources, including sensitive natural habitat, special-status species habitats and water quality protection.
  - d. Through the project approval and environmental review processes, require new development projects **within the ULL** to protect sensitive habitat areas, including, but not limited to, oak woodlands, riparian woodland, vernal pools, and native grasslands. Ensure the preservation in place of habitat areas found to be occupied by state and federally protected species.
- If impacts to sensitive habitat areas are unavoidable, appropriate compensatory mitigation shall be required off-site within eastern Contra Costa County. Such compensatory mitigation shall be implemented through the provisions of a Resource Management Plan ("RMP") as described in Policy 10.3.2.e, except where, in the discretion of the Community Development Director, an RMP is not necessary or appropriate due to certain characteristics of the site

and the project. Among the factors that are relevant to determining whether an RMP is necessary or appropriate for a given project are the size of the project and the project site, the location of the project (e.g., proximity to existing urban development or open space), the number and sensitivity of biological resources and habitats on the project site, and the nature of the project (e.g., density and intensity of development).

- Where preserved habitat areas occupy areas that would otherwise be graded as part of a development project **within the ULL**, facilitate the transfer of allowable density to other, non-sensitive portions of the site.
- e. Limit uses within preserve and wilderness areas to resource-dependent activities and other uses compatible with the protection of natural habitats (e.g., passive recreation and public trails).
- f. Through the project review process **for new development within the ULL**, review, permit the removal of healthy, mature oak trees on a case-by-case basis only where it is necessary to do so.
- g. Preserve heritage trees throughout the Planning Area.
- h. Within areas adjacent to preserve habitats, require the incorporation of native vegetation and avoid the introduction of invasive species in the landscape plans for new development **within the ULL**.
- i. Design drainage within urban areas so as to avoid creating perennial flows within intermittent streams to prevent fish and bullfrogs from becoming established within a currently intermittent stream.
- j. Whenever a biological resources survey is undertaken to determine the presence or absence of a threatened or endangered species, or of a species of special concern identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game, require the survey to follow established protocols for the species in question prior to any final determination that the species is absent from the site.

## **10.5 OPEN SPACE TRANSITIONS AND BUFFERS OBJECTIVE AND POLICIES**

Transition and buffering policies set forth in the Community Image and Design Element focus on protecting existing and planned residential



uses from the effects of adjacent land uses. Similar provisions are needed to address the urban edge, where development **within the ULL** will lie adjacent to open space, and provide buffers between existing and proposed developments and existing open space; agricultural areas; lands in public open space; lands subject to conservation easement areas; and land set aside as mitigation from the effects of development **within the ULL**. These buffering policies are intended to avoid creation of significant impacts from adjacent development on preserved open space lands and conservation areas in terms of aesthetics, light and glare, noise, fire safety, habitat management, and the public's quiet enjoyment of protected areas.

1. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.1, entitled "Open Space Transitions and Buffers Objective." That subsection is amended as follows:

#### **10.5.1 Open Space Transitions and Buffers Objective**

Minimize the impacts of development **within the ULL** located adjacent to natural areas, preserved in open space, and protected environmental resources.

#### **10.5.2 Open Space Transitions and Buffers Policies**

- a. Minimize the number and extent of locations where residential, commercial, industrial, and public facilities land use designations abut lands designated for open space and protected resource areas (e.g., lands with conservation easements or set aside as mitigation for development impacts). Where such land use relationships cannot be avoided, use buffers and compatible uses to buffer and protect open space and protected resources from the adverse effects of residential, commercial, industrial and public facilities development **within the ULL**.
- b. Ensure that the design of development proposed along a boundary with open space or protected resources provides sufficient protection and buffering for the open space and protected resources. The provision of buffers and transitions to achieve compatibility shall occur as part of the proposed development.
- c. In designing buffer areas, the following criteria shall be considered and provided for (when applicable) within the buffer areas to avoid or mitigate significant impacts

- Aesthetics: How will development **of land within the ULL** affect views from adjacent open space areas? What are the sensitive land uses and resources within open space areas and how might they be affected by changes in the visual environment?
- Light and Glare: Will a proposed development result in increased light or glare in open space areas that would impact open space uses or wildlife habitats within that open space?
- Noise: Will noise generated by the proposed development affect the public's quiet enjoyment of public open space? What are the sensitive noise receptors in open space areas and how can impacts on those sensitive receptors be avoided or mitigated? Can noise-generating uses be located away from noise-sensitive areas?
- Fire Safety: How will development affect the risk of fire on adjacent open space and resource areas? How would development affect or be affected by existing fire abatement practices on adjacent open space and resource areas, including livestock grazing, prescribed fire, plant pest management, mowing, disking, ecological restoration and other practices?
- Public Safety: How will development **of land within the ULL** adjacent to open space or resource areas increase the risk of vandalism, trespass, and theft in adjacent open space and resource areas?
- Habitat Management: How will proposed development **of land within the ULL** affect habitat values on adjacent open space and resource areas? How will development prevent the spread of introduced animals and plant pests into adjacent open space and resource areas? How will proposed development affect wildlife migration corridors between or within open space and/or resource areas?
- Public Access Management: How will development **of land within the ULL** adjacent to public open space and resource areas affect the maintenance of existing public facilities, such as roads, trails, fences, gates and restrooms? How might development adjacent to open space or resource areas facilitate illegal public access?

- Buffer Management: How can appropriate management of lands that are set aside as buffers between development **of land within the ULL** and open space or resource areas be ensured?

## 10.6.2 Air Quality Policies

### *Construction Emissions*

- a. Require development projects **within the ULL** to minimize the generation of particulate emissions during construction through implementation of the dust abatement actions outlined in the CEQA Handbook of the Bay Area Air Quality Management District.

### *Mobile Emissions*

- b. Require developers of large residential and non-residential projects **within the ULL** to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions. Examples of such efforts may include, but are not limited to the following.
  - Development of mixed use projects, facilitating pedestrian and bicycle transportation and permitting consolidation of vehicular trips.
  - Installation of transit improvements and amenities, including dedicated bus turnouts and sufficient rights-of-way for transit movement, bus shelters, and pedestrian easy access to transit.
  - Provision of bicycle and pedestrian facilities, including bicycle lanes and pedestrian walkways connecting residential areas with neighborhood commercial centers, recreational facilities, schools, and other public areas.
  - Contributions for off-site mitigation for transit use.
  - Provision of charging stations for electric vehicles within large employment-generating and retail developments.
- c. Budget for purchase of clean fuel vehicles, including electrical and hybrid vehicles where appropriate, and, if feasible, purchasing natural gas vehicles as diesel powered vehicles are replaced.

- d. Support and facilitate employer-based trip reduction programs by recognizing such programs in environmental mitigation measures for traffic and air quality impacts where their ongoing implementation can be ensured, and their effectiveness can be monitored.

#### *Stationary Source Emissions*

- e. As part of the development review process for non-residential development, require the incorporation of best available technologies to mitigate air quality impacts.
- f. Provide physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).
- g. Require new wood burning stoves and fireplaces to comply with EPA and BAAQMD approved standards.

#### **10.7.1 Water Resources Objective**

Ensure that an adequate supply of water is available to serve existing and future needs of the City, **including land long planned for development within the ULL.**

#### **10.7.2 Water Resources Policies**

##### *Water Supply*

- a. As part of the implementing the City's residential growth management program and its development review process for non-residential development, ensure that adequate long-term water supplies are available to serve the development being granted new allocations, including consideration of peak drought and peak fire fighting needs.
- b. Require new development **within the ULL** to be equipped with drought tolerant landscaping and water conservation devices.
- c. Work with Delta Diablo Sanitation District to make reclaimed wastewater available for irrigation use. Where reclaimed wastewater can be made available at a reasonable cost, require the installation of dual water systems in development projects and public facilities, using reclaimed wastewater for irrigation.

- d. Protect, where possible, groundwater recharge areas, including protection of stream sides from urban encroachment.
- e. Oppose proposals with the potential to increase the salinity of the Delta and/or endanger the City's rights to divert water from the San Joaquin River.

#### *Water Quality*

- f. Participate in the Contra Costa Clean Water program to reduce storm water pollution and protect the water quality of the City's waterways.
- g. Require public and private development projects to be in compliance with applicable National Pollution Discharge Elimination System (NPDES) permit requirements, and require the implementation of best management practices to minimize erosion and sedimentation resulting from new development.
- h. Participate in regional watershed planning efforts to enhance area water quality.
- i. Design drainage within urban areas **within the ULL** to avoid runoff from landscaped areas and impervious surfaces from carrying pesticides, fertilizers, and urban and other contaminants into natural streams.

#### **10.8.1 Energy Resources Objective**

Reduce reliance on nonrenewable energy sources in existing and new commercial, industrial, and public structures **within the ULL**<sup>1</sup>.

- 4 See also Objective 7.4.1, which addresses reducing the use of nonrenewable energy resources by encouraging non-motorized transportation.

#### **10.9.2 Cultural Policies**

- a. Require new development **within the ULL** to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources. Require surveys for projects having the potential to impact archaeological, paleontological, or historic resources. If significant resources are found to be present, provide mitigation in accordance with

applicable CEQA guidelines and provisions of the California Public Resources Code.

- b. If avoidance and/or preservation in the location of any potentially significant cultural resource is not possible, the following measures shall be initiated for each impacted site:
- A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.
  - Prior to the issuance of a grading permit for the project, the project proponent shall develop a test-level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either Register. The research design shall be submitted to the City of Antioch for review and comment. For sites determined, through the Testing Program, to be ineligible for listing on either the California or National Register, execution of the Testing Program will suffice as mitigation of project impacts to this resource.
  - After approval of the research design and prior to the issuance of a grading permit, the project proponent shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the City's outline for Archaeological Testing. The Test Level Report shall be submitted to the City for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test-level investigations will have depleted the scientific value of the sites and the project can proceed.
  - If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment

Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the City for review and comment.

- After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. Typically, a Treatment Program involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report shall be developed. This data recovery report shall be submitted to the City for review and comment.
- c. When existing information indicates that a site proposed for development **within the ULL** may contain paleontological resources, a paleontologist shall monitor site grading activities with the authority to halt grading to collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the Community Development Department documenting any paleontological resources found during site grading.
- d. As a standard condition of approval for new development projects **within the ULL**, require that if unanticipated cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.
- e. Preserve historic structures and ensure that alterations to historic buildings and their immediate settings are compatible with the character of the structure and the surrounding neighborhood.

## **K. ENVIRONMENTAL HAZARDS ELEMENT AMENDMENTS.**

### **11.2 GOALS OF THE ENVIRONMENTAL HAZARDS ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Environmental Hazards Element to accomplish the following:

- *Minimize the potential for loss of life injury, property damage, and economic and social disruption resulting from natural and manmade hazards in the community.*

One of Antioch’s fundamental values is that people’s lives and properties will be safe from natural and manmade hazards. While there is a practical limit to the level of protection that can be provided in a community, Antioch is committed to minimizing the community’s vulnerability to natural and manmade hazards. In accomplishing this goal, the City seeks to offer assurance to those who wish to invest in Antioch, whether as a resident business owner, that their protection and that of their properties has a high priority in the City. This priority is encompassed in the Safety element by:

- incorporating safety considerations into the land use planning and development review process **regarding new development within the voter-approved Urban Limit Line (ULL)**;
- Identifying and mitigating hazards faced by existing and new development **within the ULL**;
- Facilitating the strengthening of existing codes, project review, and permitting processes; and
- Strengthening disaster planning and post-disaster response policies.

### **11.3.2 Geology and Seismicity Policies**

#### *Seismicity*

- a. Require geologic and soils reports to be prepared for proposed development sites **within the ULL**, and incorporate the findings and recommendations of these studies into project development requirements. As determined by the City of Antioch Building Division, a site-specific assessment shall be prepared to ascertain potential ground shaking impacts on new development. The site-specific ground shaking assessment shall incorporate up-to-date data from government and non-government sources and may be included as part of any site-specific geotechnical investigation. The site-specific ground shaking assessment shall include specific measures to reduce the significance of potential ground shaking hazards. This site-specific ground shaking assessment shall be prepared by a licensed geologist and shall be submitted to the City of Antioch Building Division for review and approval prior to the



issuance of building permits. For purposes of this policy, “development” applies to new structures and existing structures or facilities that undergo expansion, remodeling, renovation, refurbishment or other modification. This policy does not apply to second units or accessory buildings.

- b. Provide information and establish incentives for property owners to rehabilitate existing buildings using updated construction techniques to protect against seismic hazards.
- c. Encourage the purchase of earthquake insurance by residents and businesses.
- d. Encourage continued investigation by State agencies of geologic conditions within the Bay Area to update knowledge of seismic hazards and promote public awareness.
- e. Provide expedited review of any seismic-related revisions to the Uniform Building Code proposed by the State.
- f. Work with PG&E, pipeline companies, and industrial uses to implement measures to safeguard the public from seismic hazards associated with high voltage transmission lines, caustic and toxic gas and fuel lines, and flammable storage facilities.
- g. Require that engineered slopes be designed to resist seismically-induced failure.
- h. Require that parcels overlying both cut and fill areas within a grading operation be over-excavated to mitigate the potential for seismically-induced differential settlement.

#### *Other Geologic Conditions*

- i. Limit development in those areas, which, due to adverse geological conditions, will be hazardous to the overall community and those who will inhabit the area.
- j. Require evaluations of potential slope stability for developments proposed within hillside areas, and incorporate the recommendations of these studies into project development requirements.
- k. Require specialized soils reports in areas suspected of having problems with potential bearing strength, expansion, settlement, or

subsidence, including implementation of the recommendations of these reports into the project development, such that structures designed for human occupancy are not in danger of collapse or significant structural damage with corresponding hazards to human occupants. Where structural damage can be mitigated through structural design, ensure that potential soils hazards do not pose risks of human injury or loss of life in outdoor areas of a development site.

- I. Where development is proposed within an identified or potential liquefaction hazard area (as determined by the City), adequate and appropriate measures such as (but not limited to) designing foundations in a manner that limits the effects of liquefaction, the placement of an engineered fill with low liquefaction potential, and the alternative siting of structures in areas with a lower liquefaction risk, shall be implemented to reduce potential liquefaction hazards. Any such measures shall be submitted to the City of Antioch Building Division for review prior to the approval of the building permits.

#### *Historic Mineral Extraction*

- m. As appropriate and necessary to protect public health and safety, abandoned mines shall be placed in natural open space areas, with appropriate buffer areas to prevent unauthorized entry.
- n. Within areas of known historic mining activities, site-specific investigations shall be undertaken prior to approval of development to determine the location of any remaining mine openings, the potential for subsidence or collapse, and necessary measures to protect public health and safety, and prevent the collapse or structural damage to structures intended for human occupancy due to mine-related ground failure or subsidence. Such measures shall be incorporated into project approvals.
- o. All identified mine openings shall be effectively sealed.
- p. Construction of structures for human occupancy shall be prohibited within areas found to have a high probability of surface collapse or subsidence, unless foundations are designed that would not be affected by such surface collapse or subsidence, as determined by site-specific investigations and engineered structural design.

- q. The locations of all oil or gas wells and proposed development sites shall be identified in development plans. Project sponsors of development containing existing or former oil or gas wells shall submit documentation demonstrating that all abandoned wells have been properly abandoned pursuant to the requirements of the California Department of Conservation Oil, Gas, and Geothermal Resources.

#### **11.4.2 Flood Protection Policies**

- a. Prohibit all development within the 100-year floodplain, unless mitigation measures consistent with the National Flood Insurance Program are provided.
- b. Minimize encroachment of development adjacent to the floodway in order to convey flood flows without property damage and risk to public safety. Require such development to be capable of withstanding flooding and to minimize the use of fill.
- c. Prohibit alteration of floodways and channelization of natural creeks if alternative methods of flood control are technically and financially feasible. The intent of this policy is to balance the need for protection devices with land use solutions, recreation needs, and habitat preservation.
- d. Require new development **within the ULL** to prepare drainage studies to assess storm runoff impacts on the local and regional storm drain and flood control system, along with implementation of appropriate detention and drainage facilities to ensure that the community's storm drainage system capacity will be maintained and peak flow limitations will not be exceeded.
- e. Where construction of a retention basin is needed to support new development **within the ULL**, require the development to provide for the perpetual funding and ongoing maintenance of the basin.
- f. Eliminate hazards caused by local flooding through improvements to the area's storm drain system or creek corridors as resources allow.

#### **11.5.2 Fire Hazard Policies**

- a. Where new development **within the ULL** borders wildland areas, require appropriate fuel modification and use of fire retardant building materials per the requirements of the Contra Costa

County Fire Protection District. Fuel modification may be permitted to extend beyond the boundaries of the site for which wildland fire protection is being provided only if the adjacent owner provides written permission, the proposed fuel modification is consistent with the management practices of the agency controlling such land (if it is in permanent open space), and the off-site fuel modification activity will not significantly impact sensitive habitat areas.

- b. Require that adequate fire protection be available at initial project occupancy, whenever feasible. Thus, stations should be constructed and manned at the outset of new development. If the Contra Costa Fire Protection District finds that a lag time between initial occupancy and operation of new stations cannot be avoided, the City may consider requiring sprinklers in new homes as an alternative.

### **11.6.2 Noise Policies**

#### *Noise Compatible Land Use and Circulation Patterns*

- a. Implementation of the noise objective contained in Section 11.6.1 and the policies contained in Section 11.6.2 of the Environmental Hazards Element shall be based on noise data contained in Section 4.9 of the General Plan EIR, unless a noise analysis conducted pursuant to the City's development and environmental review process **for new development within the ULL** provides more up-to-date and accurate noise projections, as determined by the City.
- b. Maintain a pattern of land uses that separates noise-sensitive land uses from major noise sources to the extent possible, and guide noise-tolerant land uses into the noisier portions of the Planning Area.
- c. Minimize motor vehicle noise in residential areas through proper route location and sensitive roadway design.
  - Provide planned industrial areas with truck access routes separated from residential areas to the maximum feasible extent.
  - Where needed, provide traffic calming devices to slow traffic speed within residential neighborhoods.

#### *Noise Analysis and Mitigation*

- d. Where new development **within the ULL** (including construction and improvement of roadways) is proposed in areas exceeding the noise levels identified in the General Plan Noise Objective, or where the development of proposed uses could result in a significant increase in noise, require a detailed noise attenuation study to be prepared by a qualified acoustical engineer to determine appropriate mitigation and ways to incorporate such mitigation into project design and implementation.
- e. When new development **within the ULL** incorporating a potentially significant noise generator is proposed, require noise analyses to be prepared by a qualified acoustical engineer. Require the implementation of appropriate noise mitigation when the proposed project will cause new exceedences of General Plan noise objectives, or an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- f. In reviewing noise impacts **of new development within the ULL**, utilize site design and architectural design features to the extent feasible to mitigate impacts on residential neighborhoods and other uses that are sensitive to noise, in addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:
- Increased building setbacks to increase the distance between the noise source and sensitive receptor.
  - Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
  - Orient delivery, loading docks, and outdoor work areas away from noise-sensitive uses.
  - Place noise tolerant use, such as parking areas, and noise tolerant structures, such as garages, between the noise source and sensitive receptor.
  - Cluster office, commercial, or multi-family residential structures to reduce noise levels within interior open space areas.
  - Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.

- g. Where feasible, require the use of noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts.
- Noise barriers must have sufficient mass to reduce noise transmission and high enough to shield the receptor from the noise source.
  - To be effective, the barrier needs to be constructed without cracks or openings.
  - The barrier must interrupt the line of sight between the noise source and noise receptor.
  - The effects of noise “flanking” the noise barrier should be minimized by bending the end of the barrier back from the noise source.
  - Require appropriate landscaping treatment to be provided in conjunction with noise barriers to mitigate their potential aesthetic impacts.
- h. Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administrative Code).

*Temporary Construction*

- i. Ensure that construction activities are regulated as to hours of operation in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.
- j. Require proposed development **within the ULL** adjacent to occupied noise sensitive land uses to implement a construction-related noise mitigation plan. This plan would depict the location of construction equipment storage and maintenance areas, and document methods to be employed to minimize noise impacts on adjacent noise sensitive land uses.
- k. Require that all construction equipment utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- m. Prior to the issuance of any grading plans **for new development within the ULL**, the City shall condition approval of subdivisions and non-residential development adjacent to any developed/occupied noise-sensitive land uses by requiring

applicants to submit a construction-related noise mitigation plan to the City for review and approval. The plan should depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as:

- The construction contractor shall use temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses.
  - During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- n. The construction-related noise mitigation plan required shall also specify that haul truck deliveries be subject to the same hours specified for construction equipment. Additionally, the plan shall denote any construction traffic haul routes where heavy trucks would exceed 100 daily trips (counting those both to and from the construction site). To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings. Lastly, the construction-related noise mitigation plan shall incorporate any other restrictions imposed by the City.

## **L. IMPLEMENTATION ELEMENT AMENDMENTS.**

### **12.2 FOLLOW-UP STUDIES AND ACTIONS**

#### **a. Zoning Ordinance**

As a result of updating the Antioch General Plan, a number of modifications to previous General Plan land use designations are proposed. These modifications to proposed land uses are primarily located within General Plan Focus Areas. As a result of these modifications, not all lands will have zoning consistent with the General Plan, in addition, the General Plan contains provisions calling for modifications of zoning standards.

California Government Code Section 65860 requires that a city's zoning be consistent with its General Plan<sup>1</sup>. Where a city has undertaken a comprehensive update of its General Plan, case law permits the city a reasonable period of time to change its zoning ordinance (zoning map and text) to achieve consistency with its updated General Plan.

<sup>1</sup> This requirement extends to general law cities, such as Antioch. Exceptions are made for charter cities.

The following implementation programs will be undertaken in relation to the City's zoning ordinance.

1. Revise the zoning map to reflect the land use categories of the adopted General Plan, including zoning of lands within focus areas.
2. Prepare a matrix defining the zoning classifications that are considered to be consistent with each General Plan designation.
3. Revise the text of the zoning ordinance to reflect the provisions of the adopted General Plan in relation to the following issues.
  - Modify permitted uses within zoning designations to reflect the delineation of appropriate uses set forth in the Land Use Element.
  - Establish development standards for mixed-use buildings within the downtown area and within transit-oriented development nodes. Typically, a mixed-use building would consist of residential dwelling units placed on the upper floors of buildings having commercial or office uses on the ground floor.
  - Modify zoning standards to reflect appropriate locations for churches and schools as set forth in the Land Use Element.



- Add requirements for the provision of charging stations for electric vehicles in major commercial and employment-generating developments.
- Establish standards for boat storage yards, including standards for stackable storage.
- Establish density bonuses for senior housing projects.
- Establish standards for the development of residential care facilities.
- Modify zoning standards to incorporate standards for open space transitions and buffers.

#### **b. Development Review Process**

Antioch’s development review process involved examining proposed development projects for their conformance with the following.

- policies set forth in the General Plan;
- **the voter-approved Urban Limit Line (ULL);**
- development standards set forth in the zoning ordinance and (where applicable) subdivision ordinance;
- the provisions of any applicable specific plan;
- for residential projects, the provisions of Antioch’s residential growth management program;
- and the provisions of the City’s economic development strategy.

**General Plan Consistency Review.** New development projects **within the ULL** that require discretionary actions by the City will be reviewed for consistency with the provisions of the General Plan, including the General Plan land use and circulation maps and all applicable General Plan goals, objectives, and policies. The City will not approve any development project found to be inconsistent with the provisions of the General Plan **or of the ULL.**<sup>1</sup>

<sup>1</sup> See also “Resolution of Competing Objectives” under Section 12.4d.

**Zoning Review.** The City’s zoning ordinance sets for a description of specific permitted uses and development standards needed to

implement the General Plan. All proposed development **within the ULL** will be reviewed to ensure that the requirements and standards of the City's zoning ordinance are met.

**Subdivision Review.** Whenever a proposed development **within the ULL** requires division of land into separate parcels, such development shall be subject to the provisions of the City's subdivision ordinance. This ordinance sets forth both procedural and substantive requirements for the division of land within the City, implementing both the Antioch General Plan and the California Subdivision Map Act. All divisions of land within the City shall be required to meet the provisions of the City's subdivision ordinance and the Map Act.

**Environmental Review.** The provisions of the California Environmental Quality Act (CEQA) require public agencies to review the potential environmental impacts of discretionary actions they proposed to undertake prior to actually undertaking those actions, including review of proposed development projects. The City will maintain review guidelines in accordance with CEQA and State guidelines to implement CEQA. Environmental review of individual projects (public and private) **within the ULL** will entail preparation of sufficient technical data to determine consistency with General Plan policies related to the physical environment, including, but not limited to, traffic, noise, air quality, biological and cultural resources, public services and facilities, availability of energy and water resources, visual impacts, and flooding and geotechnical hazards.

As part of the environmental review process, mitigation measures needed to achieve consistency with the provisions of the General Plan will be applied to proposed projects.

### **c. Maintain Adequate Municipal Services and Facilities**

On an annual basis, coinciding with the Fiscal Year, as part of the General Plan review, the City will conduct an assessment of the municipal services and facilities being provided to Antioch residents and businesses. The assessment will determine whether the performance level of municipal services and facilities meet the performance objectives outlined in the Growth Management Element. This review will also include an evaluation of the adequacy of city facilities and equipment; personnel staffing and program needs; and five-year equipment, facility, and staffing needs based on anticipated growth **within the ULL** and desired levels of service.

Where the performance objectives contained in the Growth Management Element are not being met, the following procedures will be implemented:

- The City will determine the nature and geographic extent of the deficiency.
- Upon the nature and geographic extent of the deficiency, the City Council will direct the City Manager to prepare a program for Council adoption to ensure that the performance objectives will be met at the earliest possible date.
- As part of the program to cure the identified deficiency, appropriate limitations on new development **within the ULL** will be established within the improvement area so to facilitate elimination of the deficiency. These limitations will remain in effect until the deficiency is eliminated.
- New development **within the ULL and** within the improvement area will be required to provide such facilities as are necessary to ensure that the services and facilities provided to the new development meet established performance standards, and that the services and facilities provided to existing development will not be further degraded.

**d. Urban Limit Line**

- ~~Prior to the County's review of the Urban Limit Line, request modification of the County's Urban Limit Line to include approximately 1,000 acres within the Roddy Ranch (approximately 850 acres) and Ginochio Property (approximately 150 acres) Focus Areas that were within the Urban Limit Line as it was approved by the voters in 1990 within County's present Urban Limit Line.~~ **The West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and the Sand Creek Area Protection Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage**

**or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**

**e. Actions to Implement Focus Area Policies**

The General Plan Land Use Element sets forth policies specific to individual Focus Areas within the City. To implement these Focus Area policies, the following actions will be undertaken.

- Update plans for the San Joaquin River waterfront, including such issues as appropriate development design; location and design of the proposed waterfront trail and park amenities, and means for providing improved all-weather access to Rodgers Point
- Consider renaming “L” Street to Marina Boulevard and “A” Street to Rivertown Boulevard as a means of increasing the visibility of the waterfront, marina, and downtown area.
- Prepare a design plan and implement design improvements for Somersville Road from its entrance to Rivertown at Fourth Street to the south end of County East Mall.
- Develop zoning overlays, modifying permitted uses within Focus Areas for which a Specific Plan has not been adopted to reflect the identification of appropriate uses set forth within the Land Use Element for each Focus Area.
- Undertake an engineering analysis to determine the feasibility of providing an all-weather vehicular access connection between Rivertown and the Rodgers Point area between Second and Sixth streets, including a grade-separated crossing of the existing railroad line.
- Work with the City of Pittsburg to create a roadway connection from Century Boulevard to Buchanan Road along the western city limits.
- Prepare a Specific Plan for the “A” Street Focus Area.
- Investigate the feasibility of creating a redevelopment project area for the “A” Street Interchange Focus Area, including the feasibility of relocating residents as part of planned conversion of lands within the Focus Area from residential to commercial use.

- Undertake a review of the East Lone Tree (FUA 2) Specific Plan to determine whether its assumed residential buildout is feasible given the area's topography.

#### **f. Community Design: Streetscapes**

The Community Image and Design Element contains guidelines and policies to improve the visual quality of roadways throughout the City. To implement these policies, the City will undertake the following actions.

- Prepare a landscape manual for roadway rights-of-way, delineating specific street trees to be used to accomplish the purposes outlined in Policy 5.4.2e of the Community Image and Design Element:
  - Differentiate the roadway types outlined in the Circulation Element.
  - Define the hierarchy of entry locations, intersections, and activity centers.
  - Incorporate a full palette of plants, including annual color, to the streetscape.
  - Emphasize drought-resistant landscaping.
- Prepare a plan for utilizing different types of street light within the various Focus Areas of the City to assist in creating a unique character for each of the areas.
- Establish a program for banners on lighting standards to provide visual interest and to announce community events.

#### **g. Community Design: Community Activity Areas**

The City will establish a program of signage and kiosks throughout the community identifying locations of and directions to important community features and activity areas (e.g., major shopping areas, Rivertown, City marina, Rodgers Point), as well as identifying pedestrian and bicycle paths and trails.

#### **h. Community Entries and Gateways**

Prepare specific designs for and install gateway improvements at the key locations within Antioch identified in Policy 5.4.3 of the Community

Image and Design Element and Policy 6.3.21 of the Economic Development Element.

**i. Screening along State Route 4**

Undertake a joint program with Caltrans to design screening of residential areas along the Route 4 freeway, as set forth in Policy 5.4.5a.

**j. Commercial Lighting**

Develop specific standards for the screening of light sources within commercial developments to avoid spillover of light into adjacent residential areas. Such standards could include height limits for lighting Standards, requirements for use of cut-offs, and performance standards defining the maximum amount of light (expressed in foot-candles) that would be permitted on adjacent properties from a commercial lighting source.

**k. Transportation Improvements**

- Require development projects **within the ULL** to dedicate and construct roadways indicated on the Circulation map, as well as local roadways, as needed to maintain the performance standards set forth in the Growth Management Element.
- Work with the Contra Costa County Congestion Management Agency to prepare Action Plans and have Eighteenth Street, Wilbur Avenue, Sunset Avenue, Oakley Avenue, and the Pittsburg-Antioch Highway designated as Routes of Regional Significance.
- Undertake design studies and pursue construction of couplets in the Rivertown area for Ninth and Tenth streets and for Second and Fourth streets.
- Undertake annual traffic counts on the Antioch roadways identified on the Circulation Element map (Figure 7.1). For best results, counts should be taken in the spring or fall.
- Support regional efforts to determine the feasibility of and implement (if feasible) waterborne transit.

- Maintain current street standards to be applied to all public streets prior to dedication to the City, as well as to private roadways accommodating more than 50 vehicles per hour.
- Review roadway development standards to ensure that bicycle lanes are included in standard roadway sections.

#### **I. ABAG Housing and Employment Projections**

Work with the cities of Pittsburg, Oakley, and Brentwood to lobby ABAG to modify regional plans and projections to reflect a more balanced relationship of jobs and housing in eastern Contra Costa County. Such a regional policy would be intended to better reflect the jobs/housing balance policies of these cities' General Plans, recognizing the traffic and air quality imperatives for achieving such a balance.

#### **m. Review of Annexations**

- Annexation proponents shall demonstrate that facilities, services, and infrastructure **within the ULL** are adequate to serve the proposed annexation area in accordance with the performance standards set forth in the General Plan Growth Management Element, or that provision has been made to upgrade deficient facilities, services, or infrastructure.
- Small, piecemeal annexations should be avoided. Lands annexed to the City **must be within the ULL and** should encompass entire neighborhoods or development areas.

#### **n. Water and Sewer Infrastructure**

- Maintain current master plans for water facilities and sewage collection facilities that are consistent with Federal, State and regional standards.
- On a five-year basis, evaluate local water consumption patterns to determine whether the City's water supplies are adequate to support buildout of the General Plan **within the ULL**.
- In cooperation with the Delta Diablo Sanitation District and other potential purveyors, undertake an analysis to determine the feasibility of developing a system to use reclaimed wastewater and/or raw (untreated) water, along with creating a market for its use for irrigation and industrial purposes within the community.

**o. Public Safety**

- In cooperation with the Contra Costa County Fire Protection District, and coordinated with the City's annual budget cycle, conduct an annual assessment of the adequacy of facilities and services serving Antioch. This assessment would address personnel and staffing needs, and capital needs, based on anticipated growth and the level of service standard set forth in the Growth Management Element.
- On a five-year basis, have POST undertake an analysis of the Antioch Police Department's staffing needs.

**p. Monitor New Technologies**

The General Plan includes techniques to improve water quality, reduce water consumption and solid waste generation, and conserve energy. However, research is continually being done, which expands our understanding of these issues and suggests new technologies to address the problems. To ensure that the General Plan implementation programs reflect the most current understanding of the issues, it is essential that new technologies be reviewed, and that the General Plan implementation programs be updated to incorporate current technologies. Of particular interest is maintaining an understanding of the commercial viability of new technologies, and when their incorporation into new public and private development projects **within the ULL** should be encouraged or required. For example, the first year's review should review such new technologies as fiber optic cabling and support of internet broadband services in new developments. Review of solar and photovoltaic cell technologies should, for example, also be examined. As part of the City's annual budget process, accommodation for such monitoring should be included, with results and recommendations placed in the General Plan annual report.

**q. Promote Energy Conservation by Example**

It is the intention of the City of Antioch to set an example for energy conservation by reducing energy consumption in City operations. Techniques for energy conservation include, but are not limited to:

- emphasizing fuel efficiency in the purchase and use of City-owned vehicles;



- periodically reviewing energy use by City operations and implementing programs to conserve energy;
- encouraging the use of bicycles by providing bicycle parking facilities at all City facilities; and
- achieving adopted solid waste source reduction and recycling goals in municipal operations.

**r. Maintain Disaster Preparedness; Upgrade Existing Plan**

- The City will maintain a Multi-Hazard Functional Plan to coordinate disaster recovery activities within the City of Antioch. As part of this effort, the City will actively solicit the input of local disaster preparedness agencies, including, but not limited to, fire, Sheriff and Highway Patrol, and the American Red Cross. The City's existing plan will be expanded to address issues of domestic terrorism, including incident prevention and response.
- On a five-year basis, the City will undertake an analysis of Antioch's Multi-Hazard Functional Plan, emergency response facilities, staffing and capabilities.
- The City will maintain information on emergency and disaster response on its web site, and at least once during each fiscal year, provide information emergency and disaster response information in a City mailing.

**ANTIOCH MUNICIPAL CODE AMENDMENTS.**

**A. AMENDMENTS TO SUBDIVISION REGULATIONS.**

**§ 9-4.312 COMMISSION ACTION.**

The Commission shall consider the tentative map at a duly noticed public hearing within 50 days, unless such time is extended by the mutual consent of the subdivider and the Commission, and the Commission shall make a written report with recommendations to the Council concerning the approval, conditional approval, or disapproval of the map, or any other conditions precedent thereto, and such improvements as may be required. Any application for exceptions, as provided for in § 9-4.311 of this article, shall accompany the tentative map, and the recommendations of the Commission on the tentative map shall include the recommendations on any exception requested. Following the adoption of the recommendations on the tentative map,

the map and recommendations shall be transmitted to the Council for action. **The applicant, property owners and occupants, and stakeholders who reside in or own property within 300 feet of the subject site within the Limited Development Area shall be eligible to appeal the Action of the Commission to the City Council.**

**§ 9-4.1701 ENVIRONMENTAL IMPACT REPORTS.  
CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE.**

No parcel or tentative map filed shall be approved ~~until an environmental impact report is prepared, processed, and considered in accordance with the provisions of~~ **without environmental compliance pursuant to the California Environmental Quality Act of 1970 (Cal. Pub. Res. Code §§ 21000 et seq. and 14 Cal. Code Regs. § 15000 et. seq.) (collectively, “CEQA”).** The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of **appropriate** environmental review documents **if any, for purposes of CEQA compliance.**

**§ 9-4.1801 GENERAL PLAN CONFORMANCE; TIME FOR OR WAIVERS OF REPORTS.**

- (A) The environmental impact report **negative declaration, addendum, or other appropriate environmental review document, if any, required for purposes of CEQA compliance,** shall contain a statement as to the proposed division of territory conforming to the General Plan, which is required pursuant to Cal. Gov't Code § 65402 as the result of a proposed division of land, which may be included as part of and at the same time as the action taken by the Advisory Agency on such division of land.
- (B) Such report **or other appropriate CEQA compliance document or determination** shall not be required for a proposed subdivision which involves:
- (1) The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
  - (2) Acquisitions, dispositions, or abandonments for street widening; or
  - (3) Alignment projects provided the Advisory Agency expressly finds that any such dis-position for street purposes,

acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

**B. AMENDMENTS TO ZONING CODE.**

**§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.**

*(A) RE Rural Estate Residential District.*

(1) This district is consistent with the General Plan Designation of Estate Residential, allowing up to one dwelling units per gross developable acre according to divisions (a) through (c), as well as within any Focused Planning Area designated by the General Plan that permits residential development allowing up to one dwelling unit per gross developable acre.

(a) A gross developable acre equals 43,560 square feet, exclusive of public and private rights-of-way existing at the time a development application for the subject property is deemed complete.

(b) New public or private rights-of-way to be created as part of the proposed development are counted as part of the gross developable acreage of the site.

(c) Where a park or school site is to be dedicated as part of a proposed application, the land subject to such dedication may be counted as part of the gross developable acreage of the site, and subsequently yield development density to the proposed project, only if there is no further compensation for the site.

(2) This district establishes areas for single-family homes on lots that average one-half acre or larger on land that is relatively uneven and constrained by geologic formations, a lack of urban services and unique environmental constraints. Where natural features dictate, clustering of units is appropriate.

*(B) RR Rural Residential District.* This district is consistent with the General Plan Designation of Estate Residential allowing up to one dwelling units per gross developable acre, as well as with any Focused Planning Area designated by the General Plan that permits residential development, allowing up to one unit per gross developable acre, allowing large custom-built homes on large lots. Typical lot sizes should conform to a minimum of one unit per half

acre lot. Lot size and dimensions will depend on topography and surrounding land uses. The district provides areas in close proximity to urban services which may incorporate many characteristics of residential development on the urban fringe including deep front yards, maintenance of existing grade and vegetation.

- (C) *R-4, R-6 Single-Family Residential Districts.* These districts are the standard single-family zones allowing a maximum of four (R-4 District) or six (R-6 District) dwelling units per gross acre respectively. The districts are consistent with the Low Density Residential General Plan Designation, of two to four dwelling units per gross developable acre, and with the Medium-Low Density Residential General Plan Designation of four to six dwelling units per gross developable acre. The R-4 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to four dwelling units per gross developable acre. The R-6 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to six dwelling units per gross developable acre.
- (D) *R-10 Medium Density Residential District.* This district allows residential densities for attached single-family and multiple-family units. This district is consistent with the Medium Density Residential General Plan Designation which allows six to 10 dwelling units per gross developable acre. Typical development would include attached and/or cluster-type, ownership, oriented units including some with private yards and common recreation areas.
- (E) *R-20 Medium Density Residential District.* These districts allow multiple-family densities of 11 to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 20 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.
- (F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a

maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low or moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

- (G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 30 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (H) *C-0 Professional Office District.* This district allows development of business office centers and institutional or professional buildings. This district is consistent with the Office, Neighborhood/Community Commercial, Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting professional office uses.
- (I) *C-1 Convenience Commercial District.* This district usually occupies one to four acres of area and contains a mix of retail uses that provide goods and services to the immediate residential neighborhood area. These uses typically have a service area of a one mile radius or less.
- (J) *C-2 Neighborhood/Community Commercial District.* This district allows limited commercial offices, retail stores and service establishments which are compatible with, and dependent upon residential developments. The neighborhood district may typically

occupy four to 10 acres of area and be located at appropriate arterial and/or collector street intersections. The primary purpose of the Neighborhood Commercial District is to provide for the sale of convenience goods, food, drugs, sundries and personal necessities. It meets the daily needs of the neighborhood area of a one to three mile radius. Usually one supermarket is the primary anchor. The Community Commercial District provides for both neighborhood uses and adds a junior department store, large variety store, or discount store as an anchor. This district may occupy 10 acres or more and serves residents within three to five miles. This district is consistent with the Neighborhood/Community Commercial and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting commercial land use types.

- (K) *C-3 Regional Commercial District.* This district provides for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores with a typical minimum of 75,000 square feet of floor area. Regional commercial uses typically serve a population residing within an eight to 20-mile radius and occupy 30 to 50 acres or more. This district also provides for highway or travel-oriented functions along freeways, major thoroughfares, and major roadways. This district is consistent with the Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Somersville Road Corridor Focused Planning Area and other Focused Planning Areas permitting the types of commercial uses intended for this district.
- (L) *M-1 Light Industrial District.* This district allows light industrial uses and excludes those heavy industrial uses with potentially hazardous or negative effects. This district is consistent with the Business Park, Light Industrial, and Rail-Served Industrial General Plan Designations, as well as with the Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas. Uses include the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials typically within an enclosed building.
- (M) *M-2 Heavy Industrial District.* This district allows heavy industrial uses which may generate adverse impacts on health or safety. This zone applies primarily to existing heavy industrial uses. The district is consistent with the General and Rail-Served Industrial General Plan Designations. Uses include production of and

extraction of metals or chemical products from raw materials, steel works and finishing mills, chemical or fertilizer plants, petroleum and gas refiners, paper mills, lumber mills, asphalt, concrete and hot mix batch plants, power generation plants, glassworks, textile mills, concrete products manufacturing and similar uses.

(N) *PBC Planned Business Center*. This district provides sites in landscaped settings for office centers, research and development facilities, limited industrial activities (including production and assembly, but no raw materials processing or bulk handling), limited warehouse type retail and commercial activities, and small-scale warehousing distribution. Individual business centers would have a common architectural and landscape treatment, while architectural variation is encouraged between centers. The district is consistent with the Business Park and Light Industrial General Plan Designations, as well as with the Somersville Road Corridor, Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas.

(O) *T Manufactured Housing Combining District*. This combining zone provides a district designation which shall be applied to land uses such as manufactured housing or trailer park uses, establish rules and regulations by which the city may regulate standards of lot, yard, and park area, landscaping, walls or enclosures, signs, access, and vehicle parking in relation to mobile home or trailer parks pursuant to the powers granted to the city under the California Health and Safety Code, and name the Commission as its agent for executing the provisions of this section. The provisions of this section shall apply to travel trailer parks, recreational trailer parks, and temporary trailer parks or tent camps, unless specifically exempted by Cal. Health and Safety Code Part 2 of Division 13 or by the provisions of this chapter. This combining zone is consistent with all principal zones to which it is attached.

(P) *P-D Planned Development District*. This district accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses which are appropriately a part of a planned development. This district is intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the relationship

of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighbor-hoods through the preservation of natural green spaces; and to counteract the effects of urban con-gestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be three contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be one contiguous acre of land.

- (Q) *HPD Hillside Planned Development District.* This district is similar to the Planned Development District. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and land forms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.
- (R) *OS Open Space/Public Use District.* This district allows undeveloped public open space and areas for public use where shown on the General Plan and in Specific Plans. This zone also can apply to public utility easements for electrical lines, gas lines and canals to prevent encroachment by urban development. This district is consistent with the Public/Institutional and Open Space General Plan Designations, as well as within Focused Planning Areas.
- (S) *MCR Mixed Commercial/Residential District.* This district allows retail, office, and residential uses to exist in a compatible manner through the use of special design standards. The intent is to allow uses that do not contribute to the furthering of a commercial strip pattern. This district is compatible with the Transit-Oriented Development, General Plan Designation, as well as with Focused Planning Areas that permit mixed use development.
- (T) *RT Rivertown District.* This district applies Planned Development Standards specifically to the downtown area identified in the General Plan as the Rivertown Focused Planning Area. This district allows uses which are supportive of a village setting. Mixes of commercial, retail, employment-generating and residential uses are encouraged. The following four districts are subareas of the Rivertown District.



(1) *RTC Rivertown Retail District.* This district creates a vital core area of retail businesses, restaurants, personal and professional services, and offices. While retail and restaurant uses are strongly encouraged for the core area, compatible service oriented and office uses are permitted. The intent is to create an area of pedestrian oriented uses and activities that are mutually supportive.

(2) *RTR Rivertown Residential Districts.*

(a) *RTR-10 Rivertown Low Medium Density Residential.* This district recognizes and enhances the existing lot patterns and parcel sizes and encourages the preservation and rehabilitation of established lower density, predominantly single-family residential areas. This district also recognizes the potential for medium density residential development to provide new ownership opportunities, better land utilization, and a more urban character close to the downtown area. New development shall occur at densities of from six to ten dwelling units per gross developable acre. Typical development would include both detached and attached and/or clustered, ownership oriented units with private yards and common recreation areas.

(b) *RTR-20 Rivertown High Density Residential.* This district encourages the assembly of under-utilized parcels and the redevelopment of properties for higher density residential use close to the downtown/waterfront. Development shall occur at densities of from 11 to 20 dwelling units per gross developable acre. These higher density areas should provide significant on-site amenities or integrate public areas into the development so as to create a feeling of continuity within the Rivertown area.

(U) *WF Urban Waterfront District.* This district applies specifically to the Rivertown/Urban Waterfront and Eastern Employment Area Focused Planning Areas shown on the General Plan. Uses could include a mix of commercial and industrial uses generally restricted to those which are thematically compatible with a waterfront setting. Water related uses include marinas, and boat sales, and maintenance in conjunction with a marina and compatible public uses. This district is consistent with the Urban Waterfront General Plan Designation Retail uses could include restaurants commercial, recreation, and other water oriented uses.

Public open space, walkways and other elements are also allowed to provide access to the river.

(V) *H Hospital/Medical Center Overlay District.* This overlay district is intended to protect the Delta Memorial Medical Center area of influence from potentially incompatible land uses to and allow for the expansion of medical services. Compatible uses include medical offices, medical supply and retail sales, laboratories and medical related housing (short and long term care). This overlay zone is consistent with the Delta Memorial Medical Center General Plan Overlay Designation.

(W) *MUMF Mixed Use Medical Facility District.* This district accommodates medical office buildings, hospitals/acute care facilities, ancillary medical and other complementary uses including professional office, retail (as support to the medical facilities, such as restaurants, convenience shops, and the like) residential (including congregate or convalescent care), parking structures and helicopter pads. Non-medical uses are not permitted unless they are compatible with medical uses, but are otherwise not required with medical uses. The minimum area required for the establishment of a Mixed Use Medical Facility District shall be one contiguous acre of land.

(X) *SH Senior Housing Overlay District.*

(1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units. See the project calculation example incorporated herein by reference.

(2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.

(Y) *S Study District.* This district is intended as an interim designation which is utilized until all necessary detailed land use studies are completed for a given area. This district is most appropriately applied to properties at the time that they are rezoned prior to annexation by the city.

(Z) *SP Specific Plan District.* This district is intended to provide a base designation to further implement the goals, objectives, and policies

of the General Plan with respect to specific areas and uses which, because of their unique character, require a more comprehensive and intense evaluation and planning effort. This district will apply to individual parcel(s) only after the adoption of a specific plan by the City Council, pursuant to Government Code § 65450 et seq. Within the SP zoning district, permitted uses and development standards shall be as specified in the adopted Specific Plan.

(AA) *TOD Transit-Oriented Development District.* This district is intended to provide for a mix of high-density uses that are oriented toward rail or bus transit stations within and adjacent to the city. This district thus accommodates development of an integrated mix of residential, commercial, and employment-generating uses as appropriate in both horizontal mixed-use (different types of uses located in adjacent buildings) and vertical mixed-use (different types of uses within the same building) patterns.

(BB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this article, so as to promote its most appropriate use in the context of Roddy Ranch's unique natural qualities and existing recreational uses.

(CC) *P Exclusive Parking District.* This district designates parcels that are to be used exclusively for parking purposes in the Rivertown area.

(DD) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of emergency shelters. It allows emergency shelters by right when they are developed in accordance with a set of standards and requirements. The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.

**(EE) West Sand Creek Planned Development District (WSC District or West Sand Creek District).** The West Sand Creek

**District is consistent with the Limited Development Area overlay land use designation within the Sand Creek Focus Area west of Deer Valley Road, as established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative. This district is consistent with the “Estate Residential,” “Low Density Residential,” “Medium Low Density Residential,” “Medium Density Residential,” “Convenience Commercial,” “Mixed Use,” “Public/Quasi Public,” and “Open Space” General Plan base land use designations. Consistent with the Initiative, this district allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.**

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CITY OF ANTIOCH  
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Let Antioch Voters Decide: The Sand Creek Area Protection Initiative

The people of the City of Antioch do ordain as follows:

Section 1: Purposes

The principle purposes of this Ordinance are to protect public security and wellbeing, and to preserve agriculture, nature, and open space in Antioch.

The Ordinance:

- restricts the extent and amount of development in Antioch;
- maintains the existing urban limit line;
- preserves nature, open spaces, and historic qualities;
- maintains agriculture;
- protects the Sand Creek stream corridor;
- limits traffic congestion in Antioch;
- requires voter approval to change these safeguards.

Section 2: Findings

The people of Antioch do find and declare:

(a) Protection of Agriculture and the Natural Environment: The area protected by this Initiative is undeveloped land in the Sand Creek area of south Antioch. It includes agricultural lands, hills, streams, and wildlife habitat. Historically, the area has been used for mining and ranching. It is a beautiful, natural contrast to urban development in Antioch and neighboring cities.

(b) Development in Antioch: There has been a large amount of residential development in Antioch in the last thirty years. This has created a serious housing/jobs imbalance, with many more houses than jobs. Antioch's population has more than doubled to 115,000. As a consequence, many of the desirable natural, open space and historic qualities of the city have been lost; much of what remains is in near-term jeopardy.

(c) Development in the Initiative Area: Large-scale subdivisions have been proposed in the area covered by the Initiative. Substantial additional development would destroy agriculture, stream qualities, grasslands and scenic views. Habitat for wildlife would be lost. Development would make traffic congestion worse on city streets and Highway 4, and would increase air pollution and greenhouse gas emissions in Antioch. Sprawl would be costly, to extend public facilities and services to new residential areas. Now is the time to protect these lands before they are permanently developed.

(d) Agriculture: Farmland is an irreplaceable natural resource, essential for food security. It is being lost steadily to development in the San Francisco Bay Area. More than 1,500 acres of land covered by this Initiative are classified as Farmland of Local Importance by the State Department of Conservation, over 650 acres as Prime Soils by the United States Department of Agriculture.

(e) Wildlife Habitat: A number of plant and animal species at risk of extinction exist in the Initiative Area. Land use must be carefully regulated to avoid ruining species habitats or obstructing migratory corridors.

(f) Watercourses: Sand Creek and its tributaries flow through the area covered by the Initiative. Development can have an adverse effect on the quality and quantity of that water, and on riparian wildlife. Residential development increases pollution by putting chemicals and automobile related effluents into runoff, and by reducing the area available for filtration. Flood and erosion control are often adverse to preservation of the natural qualities of streams.

(g) Scenic Beauty: The Sand Creek area is a scenic gateway to the City and contains the majority of Antioch's untrammeled hills. It serves as a prominent vista for residents and visitors. Development must be controlled in order to avoid spoiling these views and marring a major natural asset.

(h) Current Development Regulation: Antioch's existing General Plan does not provide adequate, secure protection for the Initiative Area. The General Plan permits large-scale development on these lands that are a vital part of the city's remaining open space. Further conversion to urban uses will occur unless a firm commitment is made now to preservation of agriculture and nature.

(i) Housing: The Initiative does not affect the City's ability to provide for housing required by State law. It maintains all sites that have been designated to meet Antioch's Regional Housing Needs Allocations.

(j) Burden of Proof: For purposes of California Evidence Code Section 669.5(c)(3), this Initiative is designed to protect agricultural use as defined in Government Code Section 51201(b), and open space land as defined in Government Code Section 65560(b).

(k) Federal and State Law: This Initiative is subject to Federal and State Law, which are not always clear and change. The Initiative provides explicitly that it does not apply, notwithstanding its terms or literal meaning, to the extent that its application would be contrary to Federal or State Law. This explicit limitation on applicability is to make certain that the provisions of the Initiative do not violate the law in any respect, infringe any person's legal rights or privileges, or subject the City to legal liability.

(l) Preservation of the Urban Limit Line: In 2005, Antioch voters adopted Measure K establishing an Urban Limit Line. Under that measure, through December 31, 2020, only the voters may change the location of the Line. After that date, voter approval is not required. Maintaining voter approval beyond 2020 is in the best interests of Antioch residents.

### Section 3: Title

The title of this Initiative is “Let Antioch Voters Decide: The Sand Creek Area Protection Initiative.” It may be referred to in this General Plan and otherwise as the “Sand Creek Area Protection Initiative” or the “Sand Creek Initiative.” It is designated in the text interchangeably as the “Initiative,” “Measure,” or “Ordinance.”

### Section 4: Amendment of Antioch General Plan

Sections 3 through 21 of this Initiative are added to the Antioch General Plan. They shall be located in the Plan where City officials deem appropriate. They shall be identified distinctly in the Plan and in subsequent plans and revisions as enacted by initiative.

### Section 5: Initiative Area

This Initiative applies to land in the parcels listed in Section 20(h). (The map in Appendix 1 depicts approximately the area covered; in general, the land bounded by Black Diamond Mines Regional Preserve on the west, East Bay Regional Park District lands and the city border on the south, Deer Valley Road, and existing residential development on the north. The map is illustrative only. It is not enacted by the Initiative.)

The Initiative Area shall be designated “Rural Residential, Agriculture, Open Space” in this Plan, including its maps, figures, and tables.

### Section 6: Compliance with Law

(a) Notwithstanding their terms or literal meaning, the provisions of this Ordinance are not applicable to the extent that courts decide that if they were applied they would violate the Federal or State Constitution or law.

(b) To the extent that a provision of this Ordinance does not apply because of subsection (a), the City may permit only that minimum parcel creation, development, or use required by Federal or State Constitution or law that most fully carries out the provisions and purposes of this Ordinance.

### Section 7: State Housing Requirements

Nothing in this Ordinance, including in this Section, shall be applied to preclude City compliance with housing requirements imposed by the State. The City shall comply fully with State housing mandates in a way that is most consistent with the provisions and purposes of this Ordinance.

To the maximum extent practicable, the City shall meet State housing requirements outside the Initiative Area. If required housing must be located in the Initiative Area, no more land may be used than is necessary to meet State requirements. Minimum parcel size and

maximum development envelopes and floor areas in this Ordinance shall not apply to that land for State required housing.

#### Section 8: Minimum Parcel Size

The minimum parcel size is 80 acres, except for parcels that are legal under Section 17.

#### Section 9: Certificates of Compliance

The City shall not grant a certificate or conditional certificate of compliance regarding any division of land except as required by State law. All permissible restrictive conditions shall be imposed on a certificate. The owner or subsequent transferees of property shall be held to strict compliance with those conditions. A certificate of compliance creates no right to develop, nor diminishes in any respect the City's authority to control development.

#### Section 10: Permissible Uses

The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Initiative Area, provided however that all use and development must comply with the provisions of this Plan and with other City plans and ordinances:

- (a) One single family dwelling unit on a parcel, secondary units required by State law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;
- (b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;
- (c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;
- (d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Initiative Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;
- (e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Initiative Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;
- (f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d), provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;



(g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses, firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural environment and not contribute significantly to pollution, noise, or other environmental harm;

(h) Institutional and other non-profit uses that predominantly serve permitted uses in the Initiative Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;

(i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Initiative Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside that area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if like private uses and development would be allowed;

(j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.

#### Section 11: Areas of Special Environmental Concern

(a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands" are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by Federal or State law.

(b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.

(c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell

Ranch (Marsh Creek) State Park, as shown in Figure 8 (Proposed Habitat Linkages) in the Framework for Resource Management in Appendix A to this Plan.

(d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.

(e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

#### Section 12: Development Envelopes

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals under Section 10(f), outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

#### Section 13: Maximum Floor Areas

(a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.

(b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses, government or public utility use, or short-term events.

#### Section 14: Visual Safeguards

(a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date this Ordinance became effective. To the extent practicable, consistent with other provisions of this Plan, structures shall be located, including by setbacks from parcel boundaries, on that part of a parcel which minimizes visibility from roads, trails and other public

places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.

(b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.

(c) Visibility of development from roads, parks and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this Section.

#### Section 15: Covenants

Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development or use on the parcel that would not be permitted under this Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or Trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the County land records.

#### Section 16: Transferable Development Credits

The City shall study and evaluate a transferable development credits program as a means of transferring permissible development from the Initiative Area to other locations.

#### Section 17: Applicability

(a) Parcels, structures, uses, or surface alterations to the extent that they existed legally at the time this Ordinance became effective remain valid, except if their authorized time limit expires they may not be reestablished to the extent inconsistent with this Ordinance, they are eliminated voluntarily or abandoned, or a use is contrary to Section 11. Parcels, structures, surface alterations or uses may not be changed or expanded to the extent that would cause a violation of any provision of this Ordinance, or would augment or make more serious what would have been a violation if created or done after the Ordinance became effective.

(b) This Ordinance shall be applied to proposed parcels, development and uses that have not received all required City discretionary approvals and authorizations prior to the Ordinance's effective date, except to the degree application would be contrary to State law.

(c) This Ordinance applies to the City and to its agencies, officials and properties, as well as to all other persons and entities.

#### Section 18: Inconsistent City Plans, Ordinances and Actions

(a) Except as provided in Section 25, any provision of this General Plan, whether adopted before or after this Initiative became effective, is nullified to the extent that it is inconsistent with the Initiative, unless voters approved the provision after approval of the Initiative.

(b) Application of any specific or other City plan, or any ordinance, resolution or regulation is barred to the extent in conflict with this Initiative.

(c) To the extent inconsistent with this Initiative, no subdivision or parcel map, development agreement, permit, variance or other action may be approved, permitted or taken by the City, its agencies or officials (including approval or permission by law because of inaction), or is valid legally, unless mandated by State law.

(d) Provisions of this Plan and other City plans, ordinances, resolutions, regulations, and actions, whether adopted or taken before or after this Initiative became effective, are not inconsistent with the Initiative because they impose prohibitions, restrictions, regulations, conditions, requirements or remedies with respect to parcels, development, or use greater than or in addition to those imposed by the Initiative. The Initiative establishes only minimum prohibitions, restrictions, regulations, conditions, requirements and remedies which the City may augment or supplement without creating any conflict or inconsistency, provided that it does not permit parcels, development, or use barred by the Initiative.

#### Section 19: Implementation and Enforcement

(a) The Council, City agencies and officials shall enforce the provisions of this Measure diligently and effectually. They shall review uses and the location, nature, amount, visibility, and environmental effects of proposed developments and parcels to ensure compliance with the Measure. They shall use the most effective means at their disposal, subject to official discretion mandated by State law, to avoid, prevent, abate and remedy violations. Violations are public nuisances and, as provided by statute, misdemeanors.

(b) Residents, organizations with members in the City, and others with standing may enforce this Measure, and the covenants required under Section 15, by judicial proceedings against any government agency, person, group, or entity that is in violation of the Measure or a covenant, or to prevent violations.

(c) The City may, in its discretion, particularize and implement this Measure by appropriate legislation and actions, in all cases in full consistency with the substantive content and purposes of the Measure.

## Section 20: Definitions

For purposes of this Ordinance, unless the text or context compels a different meaning:

(a) “Appreciably” means measurably or perceivably and “appreciable” means measurable or perceivable, but not minute;

(b) “Basements” and “cellars” are the lowest stories of buildings, but only if at least 80% of the story’s cubic area is below both the adjacent land level and the natural grade;

(c) “Building” is any structure under a roof supported by one or more walls, columns, poles, or other means, including greenhouses, hoop houses and covered arenas;

(d) “City” is the City of Antioch, and “Council” is the City Council of Antioch;

(e) “Development” is the construction, erection, placement or appreciable alteration of a structure, including mobile dwelling units; it also means appreciable land alteration, including grading, surfacing, excavation, or deposition of material;

(f) “Floor Area” means the area of all floors, regardless of composition including soil, under roof, in or connected to buildings, including porches, decks, carports, and attic floors to the extent that the height of the ceiling is five feet or more above the floor;

(g) “Including” or “includes” means includes but is not limited to the items listed, consistent with the text and purposes of the Ordinance;

(h) “Initiative Area” means the land designated on January 1, 2018, by Assessor’s Parcel Numbers 057-010-001, 057-010-002, 057-010-003, 057-010-004, 057-021-003, 057-041-001, 057-041-002, 057-041-003, 057-041-004, 057-041-005, 057-041-006, 057-041-007, 057-041-009, 057-041-013, 057-041-015, 057-041-016, 057-041-018, 057-041-019, 057-041-020, 057-041-021, 057-041-022, 057-041-023, 057-041-024, 057-060-006, 075-132-009, 075-132-010, 075-132-011, 075-132-012, 075-132-013, 075-132-014, 075-132-015, and 075-132-016;

(i) “Practicable” means capable of being done or put into effect;

(j) “Small-scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms, or nurseries” are those that are commonly classified or regarded as small in their respective lines of activity (the City Council can particularize these definitions in accordance with Section 19(c));

(k) “Special status species” are species listed, proposed for listing, or candidates for listing as rare (plants), threatened or endangered under the Federal or California Endangered Species Acts, plant species with a Rare Plant Rank of 1A, 1B, 2 or 3 in the California Native Plant Society’s *Inventory of Rare and Endangered Vascular Plants of California*, plants listed as rare under the California Native Plant Protection Act, wildlife and invertebrate species listed by the California Department of Fish and Wildlife as species of special concern or fully protected species under California Fish and Game Code Sections 3511, 4700, 5050, and 5515, species that meet the

definition of rare or endangered under the California Environmental Quality Act (Sections 15380 and 15125(c)), species considered to be a taxon of special concern by local agencies, and species considered sufficiently rare by the scientific community to warrant special consideration;

(l) "Structure" includes any building, tower, utility line, tank, pole or other object constructed, erected or placed on a parcel, the existence and use of which requires location on the ground or attachment to some thing located directly or indirectly on the ground.

#### Section 21: Amendments

This Initiative may be repealed or amended only by the voters of Antioch, except the Council may make amendments that are fully consistent with the substantive content and purposes of the Initiative.

#### Section 22: Urban Limit Line

The location of the Urban Limit Line enacted in Antioch Measure K on November 8, 2005, may be changed only by the voters.

#### Section 23: Effective Date

This Initiative shall become effective on the date provided by statute, except if all the General Plan amendments permitted by law in the year in which the Initiative is approved have been made, the Initiative shall become effective at the beginning of January of the following year, as the first amendment of that year.

#### Section 24: Severability

If one or more than one section, subsection, paragraph, sentence, clause, term or application of this Measure is adjudicated to be invalid or inapplicable, that shall not cause any other part or application to be invalid or inapplicable unless the clear effect of holding that other part or application valid or applicable would be to defeat, on balance, the objectives of the Measure. Each part of this Measure would have been enacted as it is irrespective of the fact that one or more other parts are held invalid or inapplicable, except to the extent that enactment would have defeated, on balance, the purposes of the Measure.

#### Section 25: Conflicting Ballot Measures

If there were one or more other General Plan amendments on the same ballot as this Initiative, dealing with the same subject matter, that were approved by the voters, this Initiative shall be effective unless the other amendment or amendments received more votes and except to the extent that they constitute a complete regulatory scheme for an area or subject covered by this Initiative or are in specific, definite, irreconcilable conflict with this Initiative. Provisions in a measure purporting to nullify provisions of this Initiative on any other basis are ineffective.

Section 26: Changes in the General Plan for Consistency

(a) The General Plan is amended as follows to make it and this Ordinance consistent. Material in the Plan deleted is in strikeout type. Material added is underlined. Material unchanged is omitted, even within a paragraph or sentence, unless deemed necessary to understand an amendment.

(b) Notwithstanding Section 21 of this Ordinance, provisions in this Section may be amended by the City, provided that amendments are consistent with the substantive content of the other provisions of this Ordinance.

P. 4-6: **4.4 Intensity and Distribution of Land Use**

....Table 4.A...identifies which land use types are appropriate within which land use designations.

PP. 4-9 through 4-14:

**Table 4.A – Appropriate Land Use Types**

Rural Residential,  
Agriculture, Open Space

<b>Large Lot Residential.</b> ... Residential developments of this type shall be designed as large suburban parcels within subdivisions within the Urban Limit Line and as rural residential uses <u>in the Sand Creek Initiative Area and outside of the Urban Limit Line.</u>	✓
...	
<b>Residential Care Facilities.</b>	✓
...	
<b>Outdoor Recreational Facilities.</b>	✓
...	
<b>Recreational Vehicle Park.</b>	<u>✓7</u>
...	
<b>Open Space.</b>	✓
<b>Religious Assembly.</b>	<u>✓1</u>
<b>Schools, Public and Private.</b>	<u>✓1</u>

P. 4-15: **Table 4.B – Anticipated Maximum General Plan Build Out in the City of Antioch**

	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)
<b>Focus Areas<sup>1</sup></b>		
Sand Creek Focus Area	3,537 <u>1,938</u>	433 <u>162</u>
<b>Subtotal</b>	<b>6,439</b> <u>4,839</u>	<b>5,570</b> <u>4,941</u>
<b>TOTAL</b>	<b>35,462</b> <u>33,862</u>	<b>11,912</b> <u>11,284</u>

P. 4-17: **Table 4.D – Anticipated Maximum General Plan Build Out in the General Plan Study Area**

	Single-Family (Dwelling Units)		Multi-Family (Dwelling Units)	
<b>Focus Areas<sup>1</sup></b>				
Sand Creek Focus Area	<u>3,537</u>	<u>1,938</u>	433	<u>162</u>
<b>Subtotal</b>	<b><u>6,839</u></b>	<b><u>5,239</u></b>	<b><u>5,570</u></b>	<b><u>4,941</u></b>
<b>TOTAL</b>	<b><u>35,862</u></b>	<b><u>34,262</u></b>	<b><u>11,912</u></b>	<b><u>11,284</u></b>

P. 4-18: **4.4.1.1 Residential Land Use Designations**

~~Six~~ Seven residential land use designations are set forth ....

**Rural Residential, Agriculture, Open Space.** This designation allows single-family rural residential development as provided by the Sand Creek Area Protection Initiative. This designation, typically involving large parcels, protects agriculture, grasslands, and open space as well as permitting housing in rural areas. Maximum house size with accessory buildings is 6,000 square feet. Dwelling unit densities are less than one per acre. Population densities typically will be less than one person per acre.

PP. 4-38 through 4-44: **4.4.6.7 Sand Creek, b. Policy Direction**

~~The Sand Creek Focus Area is intended to function as a large-scale planned community providing needed housing and employment opportunities. This Focus Area is also intended to provide substantial employment opportunities. West of Deer Valley Road, the Sand Creek Focus Area, under the Sand Creek Initiative, provides rural residential housing and preserves agriculture, grasslands, and open space. East of Deer Valley Road, it provides primarily housing and employment opportunities. Up to approximately 280 acres are to be devoted to retail and employment generating uses east of Deer Valley Road, which will result in the creation of up to 6,500 jobs at build out. Residential development within the Sand Creek Focus Area east of Deer Valley Road will provide for a range of housing types, including upper income estate housing, golf course-oriented age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, and multifamily development. Residential development west of Deer Valley Road will be low-density, rural single-family detached houses. The Sand Creek stream corridor, hilltops, ridgelines, hillsides and sensitive biological resources will be protected throughout the Focus Area.~~

- k. A maximum of ~~4,000~~ 2,100 dwelling units may be constructed within the Sand Creek Focus Area. ....density bonuses may not exceed the total maximum of ~~4,000~~ 2,100 dwelling units for the Sand Creek Focus Area.
- l. It is recognized that although the ultimate development yield for the Focus Area may be no higher than the ~~4,000~~ 2,100 dwelling unit maximum, the actual development yield is not guaranteed by the General Plan, and could be substantially lower.
- m. As a means of expanding the range of housing choices available within Antioch, ~~three~~ several types of “upscale” housing ~~are to~~ may be provided, including Hillside Estate Housing and Executive Estate Housing, ~~and Golf Course Oriented Housing.~~



Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area east of Deer Valley Road that are designated for residential development.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area east of Deer Valley Road.

~~Golf Course-Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family detached for lots fronting on the golf course. Maximum densities for golf course-oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000 square feet for lots actually fronting the golf course. Given the significant environmental topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight to twelve persons per acre developed for residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

- q. Age-restricted senior housing...may be developed in any of the residential areas of the Sand Creek Focus Area east of Deer Valley Road, or on parcel 057-041-012, west of Deer Valley Road, which is not included in the Sand Creek Initiative Area.
- s. Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, a minimum of 25 more than 80 percent of the Sand Creek Focus Area shall west of Deer Valley Road will be preserved in open space, with large lot sizes, restrictions on use, and limitations on development envelopes and building floor areas, and other regulations exclusive of lands developed for golf course use.
- v. A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge.

~~To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project level environmental review~~

processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A; (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project level development stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not cause the "Open Space" area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as "Hillside and Estate Residential" shall not count towards meeting this 65 percent minimum "Open Space" requirement.

~~–Due to the varied and complex topography west of Empire Mine Road the exact boundary between the "Hillside Estate" residential area and "Estate" residential area shall be determined as part of the project-level entitlement process.~~

~~–It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.~~

~~–In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated "Hillside and Estate Residential" in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.~~

- gg. ~~subject to its financial feasibility (see Policy "m"), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.~~

~~The golf course shall be designed to retain the existing trail within Sand Creek.~~

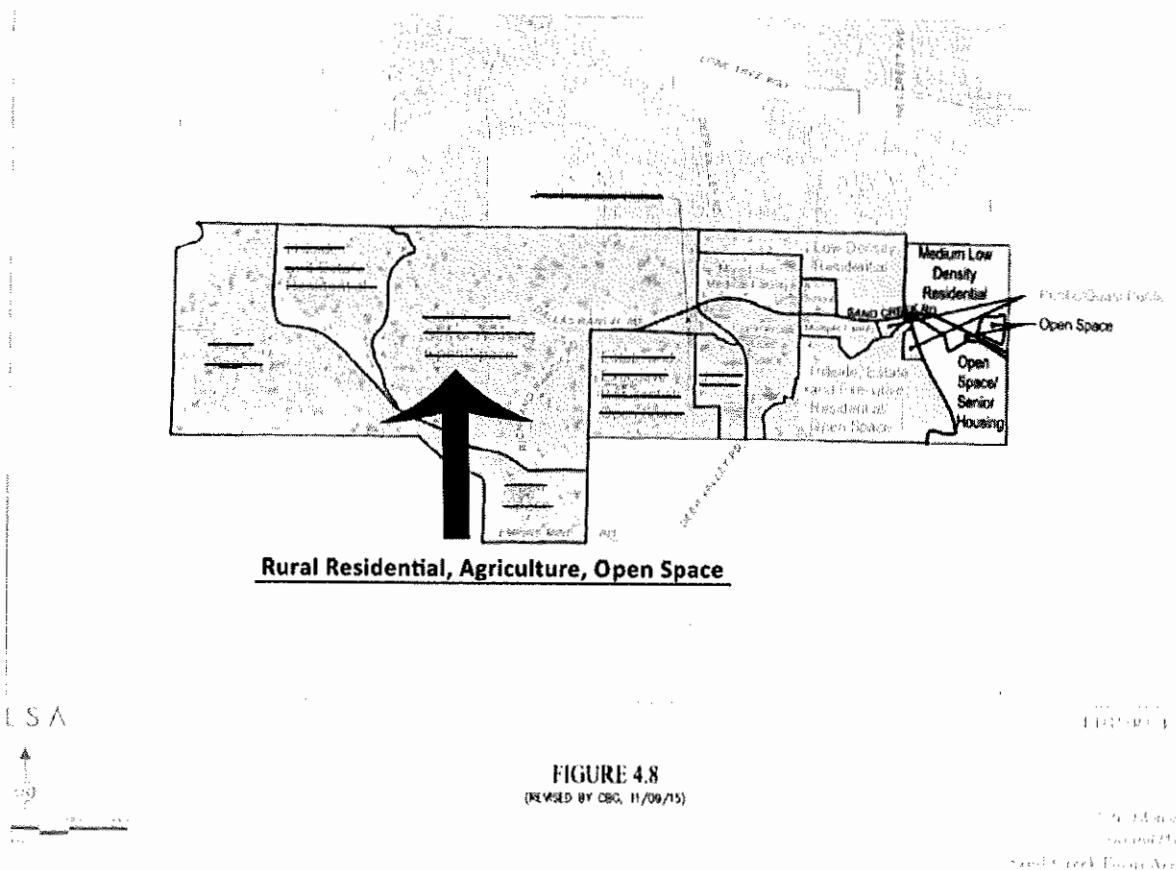
~~The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).~~

~~As part of the golf course clubhouse, banquet and conference facilities shall be provided.~~

- hh gg. A park program, providing active and passive recreational opportunities is to be provided. In addition to a golf course and preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City's established park standards. In the Sand Creek Initiative Area parks shall also comply with Sections 10(g), 10 (i), 11 and 14 of the Initiative.

**P. 4-45: Figure 4.8, Sand Creek Focus Area**

Figure 4.8 is hereby amended to designate the Sand Creek Area Protection Initiative Area “Rural Residential, Agriculture, Open Space.” The designations Golf Course, Senior Housing, Open Space, Hillside and Estate Residential, Estate and Executive Residential, and Low Density Residential are eliminated from the Initiative Area.



**P. 4-57: 4.4.7. Voter-Approved Urban Limit Line**

~~Until December 31, 2020,~~ The location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City.

**P. 5-2: 5.2 Existing Community Design, first paragraph**

...Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately-owned ranch land ~~that is some portions of which are~~ planned for development.

**P. 5-10: 5.4.2.e General Design Policies**

- Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths, consistent with Section 11(b) of the Sand Creek Initiative.

**P. 5-24: 5.4.14 Hillside Design Policies**

t. Sections 11(e) and 14 of the Sand Creek Initiative apply to Hillside Design in the Initiative Area to the extent that they impose greater restrictions or requirements on development than the policies in this Section 5.4.14.

**P. 7-2: Table 7.A – Primary Arterials in Antioch**

**Under Arterial      Activity Centers Served**

Dallas Ranch Road      Sand Creek ~~Specific Plan, including proposed golf course and~~ Focus Area  
employment-generating areas.

**P. 10-5: 10.3.2 Open Space Policies**

f. In the Sand Creek Initiative Area, trails shall not impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, as defined by Section 11(b) of the Initiative.

**P. 10-7: Special Status Species**

Special-status species are defined as:

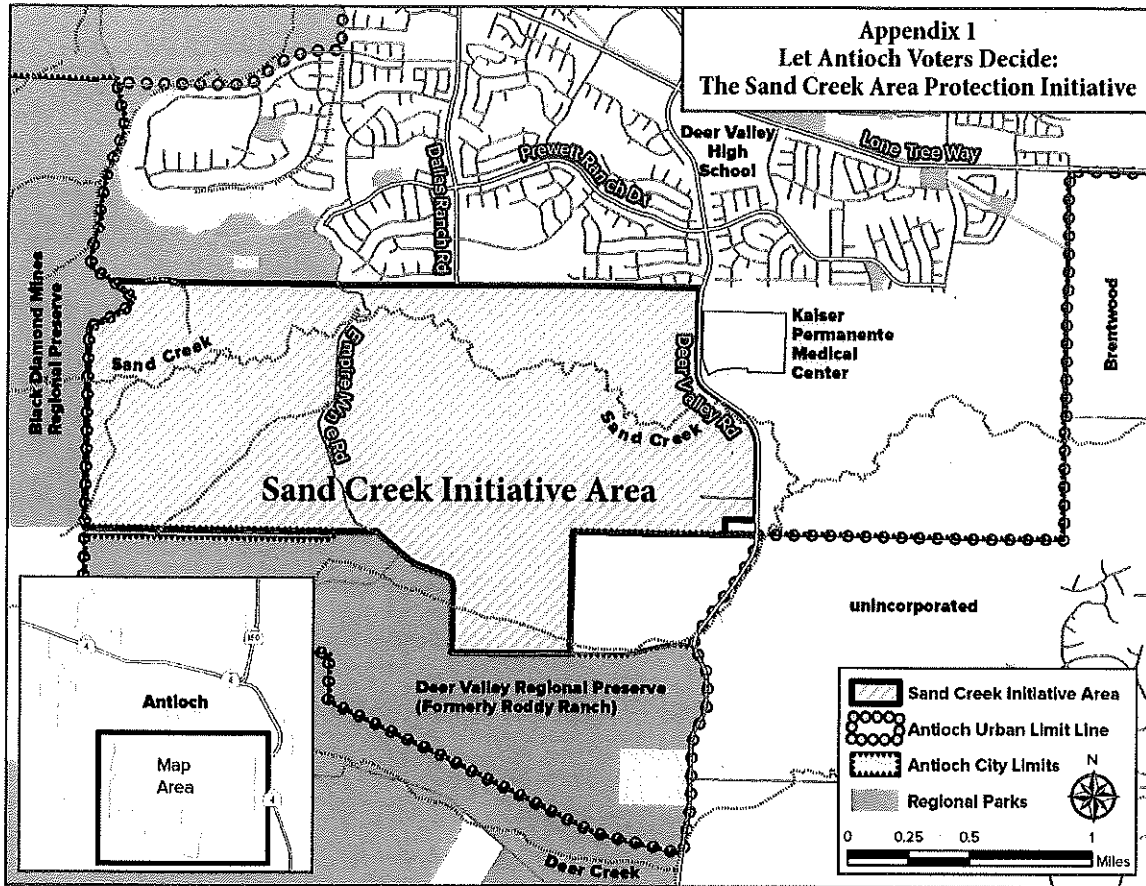
- Species that are listed, proposed for listing, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, proposed for listing, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;
- ~~Plant species on List 1A, List 1B, List 2, and List 3~~ with a Rare Plant Rank of 1A, 1B, 2 or 3 in the California Native Plant Society’s *Inventory of Rare and Endangered Vascular Plants of California*;
- Plants listed as rare under the California Native Plant Protection Act;
- ~~Wildlife and invertebrate~~ species listed by the California Department of Fish and Game Wildlife as species of special concern or fully protected species under California Fish and Game Code Sections 3511, 4700, 5050, and 5515;
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Sections 15380 and 15125(c) of CEQA<sup>1</sup>); and
- ~~Species considered to be a taxon of special concern by local agencies; and~~
- Species considered sufficiently rare by the scientific community to warrant special consideration.

**10.4.2 Biological Resources Policies**

a. Wetlands shall be protected in the Sand Creek Initiative Area in accordance with Section 11(a) of the Initiative.

d. – Section 11(d) of the Sand Creek Initiative may impose more protections for special-status species in the Initiative Area.

Appendix 1



**RECEIVED**

**APR 27 2018**

**CITY OF ANTIOCH  
CITY CLERK**

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS  
OF THE CITY OF ANTIOCH**

The people of the City of Antioch do ordain as follows:

**SECTION 1: TITLE.**

The title of this Initiative is "West Sand Creek Tree, Hillside, and Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative." It may be referred to in the General Plan and otherwise as "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative." It is designated interchangeably in the text herein as the "Initiative," "Measure," or "Ordinance."

**SECTION 2: INITIATIVE AREA.**

This Initiative applies to approximately 1,852 acres of land bounded by Black Diamond Mines Regional Preserve to the west, East Bay Regional Park District lands and the City border to the south, Deer Valley Road to the east, and existing residential development to the north ("Initiative Area" or "West Sand Creek"), as shown in Exhibit A ("Initiative Area Property Map") and described in Exhibit B ("Initiative Area Legal Description"). The Initiative Area is comprised of lands within the voter-approved Urban Limit Line ("ULL") that are appropriate only for restricted development ("Restricted Development Area"), as shown in Exhibit C ("Restricted Development Area Property Map") and described in Exhibit D ("Restricted Development Area Legal Description"), and lands that are appropriate for limited development ("Limited Development Area"), as shown in Exhibit E ("Limited Development Area Property Map") and described in Exhibit F ("Limited Development Area Legal Description").

**SECTION 3: PURPOSES AND FINDINGS.**

**A. Purposes.** The purposes of this Initiative are as follows:

The Initiative was circulated and enacted in part to preserve and protect trees, ridgelines, hillsides, and open space areas throughout the Sand Creek Focus Area west of Deer Valley Road. The Initiative was also circulated and enacted to (1) protect, reaffirm, and strengthen the existing boundaries of the ULL by ensuring in perpetuity that the ULL may only be changed by a vote of the people of Antioch; (2) preserve agriculture, grasslands, and open space within the ULL; (3) preserve and protect the Sand Creek corridor as permanent open space; (4) allow for the development of the flatter portion of the land commonly known "The Ranch" as a master planned residential community that thoughtfully balances future development with respect for the site's substantial natural features and provides extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, public access with perimeter trails within The Ranch, substantial funding for local high school sports and performing arts facilities, creation of new housing and retail choices, improved public safety (fire and police) facilities and services, and infrastructure improvements to improve traffic circulation and traffic safety and allow quicker access to Antioch hospitals. The Initiative accomplishes these objectives by amending provisions of the City of Antioch General Plan ("General Plan") applicable to the Initiative Area to establish two overlay land use designations, consisting of the "Restricted Development Area," which applies to the hillier and more environmentally-sensitive lands west of Deer Valley Road (approximately 1,244 acres), and the "Limited Development Area," which applies to the flatter and less environmentally-sensitive lands west of Deer Valley Road (approximately 608 acres). The Initiative would thus directly protect nearly 70% of the land in the Sand Creek Focus Area west of Deer Valley Road. The Restricted Development Area provides low-density rural residential housing and preserves agriculture, grasslands, and open space in the vast majority of West Sand Creek. The Limited Development Area allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.

**B. Findings.** The people of the City of Antioch find and declare:

This Initiative will protect and enhance the Antioch's unique character and quality of life by:

1. Preserving and protecting trees, hillsides, and open space areas in the Initiative Area.
2. Prohibiting development on all ridgelines in the Initiative Area.
3. Preserving and protecting the Sand Creek corridor as permanent open space accessible to the public.
4. Requiring developers to donate a site for a future fire station at Deer Valley Road and Sand Creek Road to service southeast Antioch.
5. Requiring the developer of The Ranch to donate at least \$1,000,000 in additional funding to the Antioch Unified School District ("District") for local high school sports facilities and performing arts facilities at Deer Valley High School through the payment by the developer of \$1,000 per unit of new residential development within the Limited Development Area to be paid prior to the issuance of each certificate of occupancy.
6. Providing road widening and improvements to promote and increase safety on Deer Valley Road.
7. Providing road improvements to allow quicker access to Antioch hospitals for emergency vehicles and residents.
8. Requiring developers to provide substantial community amenities including parks, trails, road improvements, and public safety facilities and services.
9. Protecting, reaffirming, and strengthening the City's ULL by ensuring that the ULL may only be changed by a vote of the people of Antioch.
10. Preserving and protecting long-planned housing opportunities on flatter land within the ULL responsive to the existing and future needs of Antioch to serve a range of family incomes and household types for all

economic segments of the population by ensuring that the City's growth occur only in areas appropriate for development within the ULL.

11. Ensuring that such responsible development is compatible with the surrounding area, protects sensitive habitat and resources, and contributes a fair share towards public safety and the resolution of regional traffic circulation issues.
12. Providing a pedestrian-friendly, amenity rich community that focuses on open space, parks, and trails to facilitate resident and visitor access to natural and historical experiences both on- and off-site in the East Bay Regional Park District system.
13. Providing a Village Center adjacent to Deer Valley Road and across from the Kaiser Permanente Antioch Medical Center.
14. Providing significant economic development in Antioch through the creation of hundreds of new construction and permanent jobs.
15. Providing extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, creation of new housing and retail choices, improved public safety, and needed traffic and other infrastructure improvements.
16. Amending the City of Antioch General Plan and Municipal Code and adopting a Development Agreement to allow development of a portion of The Ranch, located within the ULL on the land commonly known as The Ranch property ("**Property**"), upon the issuance of future non-legislative approvals by the City. The Ranch (collectively, "**Project**") would include:
  - approximately 1,177 new homes including a mix of low-density and medium-density single-family and age-restricted active-adult;
  - a mixed-use retail village across from Kaiser Permanents Antioch Medical Center;
  - land for a new fire station adjacent to the new retail village;
  - developer-funded contributions to a Community Services District to fund additional police, public safety, and code enforcement;
  - approximately twenty-two (22) acres of new public parks and six (6) miles of publicly-accessible trails;
  - Transportation improvements, including the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road, with no use of City funds;
  - protection of approximately 44% of the site as parks, open space, and trails;
  - protection of all on-site ridgelines; and
  - protection of approximately 98% of all on-site trees.
17. Amending the General Plan Land Use Element (map and text) to change the base land use designations of the Restricted Development Area from "Golf Course Community/Senior Housing/Open Space," "Hillside and Estate Residential," "Estate and Executive Residential/Open Space," and "Open Space" to "Rural Residential, Agriculture, Open Space" and of the Limited Development Area from "Golf Course Community/Senior Housing/Open Space" and "Hillside and Estate Residential" to "Estate Residential;" "Low Density Residential;" "Medium Low Density Residential;" "Medium Density Residential;" "Convenience Commercial;" "Mixed Use;" "Public/Quasi Public;" and "Open Space."
18. Amending the General Plan Circulation Element (map and text) to reflect the proposed alignment of Sand Creek Road and its connection between Dallas Ranch Road to the north and Deer Valley Road to the southeast.
19. Amending the Zoning Code (text and map) to rezone the Limited Development Area from Study District (S) to Planned Development (P-D). The P-D zoning would include special development standards for development within the Limited Development Area.
20. Approving a Development Agreement, consistent with California law, to bring certainty and establish, for the next twenty (20) to thirty (30) years, the land use planning and zoning requirements applicable to the Property and assure the applicant of vested rights to develop the Project.
21. This Initiative is consistent with (and shall at all times be interpreted to be consistent with) the objectives and policies of the General Plan as amended by this Initiative, and would affirmatively promote the objectives and policies of the General Plan.
22. This Initiative specifically promotes and implements numerous General Plan provisions, including all of the following, among others:
  - Objective 3.5.2.1 Maintain competent and efficient fire prevention and emergency fire, medical, and hazardous materials response services with first responder capability in order to minimize risks to life and property.
  - Objective 3.5.3.1 Maintain an active police force, while developing programs and police facilities that are designed to enhance public safety and protect the citizens of Antioch by providing an average response time to emergency calls of between seven and eight minutes from the time the call is received to the time an officer arrives.

- Objective 3.5.7.1 A system of park, recreational, and open space lands of sufficient size and in the appropriate locations, including provision of a range of recreational facilities, to serve the needs of Antioch residents of all ages.
  - Objective 8.9.1 Maintain a system of parks, specialized recreational facilities, and natural open spaces of sufficient size and variety and in the appropriate locations to serve the needs of Antioch residents of all ages.
  - Objective 8.10.1 Provision of an adequate number of fire stations, along with fire fighting personnel and equipment to protect Antioch residents and businesses.
  - Objective 8.11.1 Reduce the risk of crime and provide security to Antioch residents and businesses through maintenance of an adequate force of police personnel, physical planning strategies, and a high level of public awareness and support for crime prevention.
  - Objective 8.13.1 Ensure that the expansion of public facilities occurs in an equitable manner such that new development pays for all of the infrastructure and public facilities required to support the development without impacting levels of service provided to existing residents and businesses.
  - Objective 10.3.1 Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving natural, scenic, and other open space resources.
  - Objective 10.5.1 Minimize the impacts of development located adjacent to natural areas, preserved in open space, and protected environmental resources.
23. The Zoning Code amendments adopted through this Initiative are consistent with the General Plan as amended by this Initiative.
24. The Development Agreement implements, promotes, and is consistent with the General Plan's goals, objectives, policies, and programs. It does so in the same manner as the General Plan Amendments (as defined below). In addition, the Development Agreement confirms the extraordinary public benefits provided for in the General Plan Amendments, which include substantial open space and trails, parks, a fire station site, a new four-lane arterial roadway (Sand Creek Road) to connect the existing terminus of Dallas Ranch Road to the existing terminus of Sand Creek Road at Deer Valley Road immediately south of the Kaiser Permanente Antioch Medical Center, and at least \$1,000,000 in donations from the developer of The Ranch to the District for high school sports facilities and performing arts facilities.
25. Development of The Ranch would be subject to the California Environmental Quality Act (Cal. Pub. Res. Code § 21000 *et seq.* and 14 Cal. Code Regs. § 15000 *et seq.*) (collectively, "CEQA") and any mitigation measures developed pursuant to CEQA ensure full mitigation of any significant environmental impacts of the Project.
26. For all of the foregoing reasons, this Initiative serves the public health, safety, and general welfare of the City and the citizens of Antioch.

#### SECTION 4: DEFINITIONS AND CONVENTIONS.

A. As used in this Initiative:

"**Development Agreement**" means the Development Agreement enacted as part of this Initiative pursuant to the authority of Government Code sections 65864 *et seq.*, including section 65867.5 specifying that a development agreement is a legislative act that shall be approved by ordinance ("**DA**"), and attached as Exhibit G.

"**Development Agreement Area**" means The Ranch Property that is subject to the vested rights granted in the Development Agreement and depicted in DA Exhibit 1.

"**Effective Date**" means the date this Initiative takes effect, which shall be on the earliest date legally possible. Notwithstanding anything contained in this Initiative to the contrary and subject to the requirements of Measure K (defined below), the provisions set forth in Sections 5(C)(5), 5(C)(11), 5(C)(13), 5(D)(4), 5(D)(8), 5(D)(15), and 5(L)(1) of this Initiative are amended, effective January 1, 2021, upon the expiration of Measure K.

"**Filing Date**" means the date the Notice of Intent to Circulate Petition for this Initiative was presented to the City.

"**General Plan**" means the City of Antioch General Plan in effect on the Filing Date.

"**General Plan Amendments**" means the amendments to the General Plan enacted by Section 5 of this Initiative.

"**Initiative**" means the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, an initiative measure sponsored by the citizens of the City of Antioch.

"**Initiative Area**" means the approximately 1,852 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit A and enacted as part of this Initiative.

"**Limited Development Area**" means the approximately 608 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit C and enacted as part of this Initiative.

"**Measure K**" means the "City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development General Plan Reduction Initiative" approved by the voters on November 8, 2005.

"**Municipal Code**" means the Antioch Municipal Code, including Title 9 thereto, entitled "Planning and Zoning."



"Project" means the comprehensive master-planned community generally described in Section 1 of this Initiative and in the Development Agreement.

"Property" means "The Ranch Property", which consists of approximately 551.5 acres of land located in the southeastern portion of the City of Antioch, within the Sand Creek Focus Area of the General Plan west of Deer Valley Road and within the ULL, in eastern Contra Costa County, California, as shown in Exhibit H ("The Ranch Property Map") and described in Exhibit I ("The Ranch Legal Description").

"Restricted Development Area" means the approximately 1,244 acres of land in the Sand Creek Focus Area west of Deer Valley Road as shown in Exhibit E and enacted as part of this Initiative.

"Subdivision Regulations" means Chapter 4 of Title 9 of the Municipal Code, entitled "Subdivisions."

"ULL" means the Urban Limit Line the voters of the City of Antioch approved via Measure K in November 2005, which overrode the County's 2000 urban limit line and established the City ULL in the location shown in Exhibit J, which is provided in this Initiative for information and context only.

"West Sand Creek Master Plan District" means the Planned Development zoning district enacted as part of this Initiative for the Limited Development Area and attached as Exhibit K.

"Zoning Code" means Title 9 of the Municipal Code, entitled "Planning and Zoning."

"Zoning Code Amendment" means the amendments to the Zoning Code enacted by this Initiative.

"Zoning Map Amendment" means the amendments to the Zoning Map enacted by this Initiative.

## SECTION 5: CITY OF ANTIOCH GENERAL PLAN AMENDMENTS.

The General Plan is hereby amended as follows. Text to be inserted into the General Plan is indicated in **bold underlined** type. Text to be deleted from the General Plan is indicated in ~~striketrough~~ type. Text in standard, **bold**, or *italic* type that currently appears in that fashion in the General Plan on the Filing Date remains unchanged by this Initiative and is shown for reference purposes only.

### A. AMENDMENTS TO INTRODUCTION.

1. Chapter 1.0 of the General Plan, entitled "Introduction," contains a section 1.0, entitled "Introduction." That section is amended as follows:

#### 1.0 Introduction

Antioch is a community preparing for change. Currently known as a bedroom community connected to distant employment centers in the Bay Area, Antioch is in the process of:

- expanding its employment base to provide a balance between local jobs and housing;
- managing residential growth to provide an appropriate range of housing opportunities **within the voter-approved Urban Limit Line (ULL)**, including executive housing, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, **and age-restricted housing for seniors, and to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated;**
- resolving ongoing traffic congestion **and safety** problems; and
- re-establishing the Rivertown area and waterfront as a distinctive part of the City's identity.

The Antioch General Plan represents a comprehensive effort to achieve these and other community goals, and to enhance the quality of life of existing and future residents, **in part by ensuring that future growth and development will occur only within the ULL.** The General Plan defines what makes Antioch a special place, delineates a vision for its future, and sets forth action-oriented programs to achieve that future. In accomplishing these tasks, the General Plan defines "quality of life" issues, including:

- enhancing family-oriented activities by reducing commute times to work and providing a broad range of recreational lands and activities within the community;
- facilitating mobility via public transit, automobile, bicycle, and pedestrian modes of transportation; and
- working with local school districts to provide high quality educational facilities and services.

The General Plan serves as the City's lead policy document as to how Antioch will manage its future, and is the City's official policy statement identifying the manner in which Antioch expects to coordinate its activities with those of other agencies, as they will affect the community in the future.

Antioch's growth pattern over the past 20 years has been the result of planning efforts derived from previously adopted policy documents (including the preceding 1988 General Plan), specific plans, past development approvals, and infrastructure financing mechanisms. Since 1988, considerable changes have occurred in Bay Area housing and employment patterns, as well as transportation systems.

Furthermore, the passage of ~~two~~ **three** voter-approved growth initiatives, Antioch's **Measure K and its advisory Measure U<sup>1</sup>**, and the County's Measure C, has increased the need for careful management of growth. **In addition, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**

Over the past 30 years, sustained employment growth without corresponding housing development in certain portions of the Bay Area has forced workers in those locations - traditionally in San Francisco, San Mateo, and Santa Clara Counties, but more recently, Walnut Creek, Concord, Livermore, and Pleasanton - to seek housing in eastern Contra Costa County. This combination of conditions produced rapid residential growth in Antioch. Between 1990 and 1999, the City added over 6,300 housing units and the population grew by nearly 20,000, an increase of more than 30 percent. The existing disparity in the location of employment growth and population growth in the Bay Area has led to the traffic congestion Antioch residents experience along State Route 4. To create a more equitable jobs/housing balance (and reduce commute times), Antioch has sought to expand and diversify its employment base and provide a greater variety of housing types **within the ULL** than are currently offered.

<sup>1</sup> A discussion of these two voter-approved measures is contained in Section 5.1 of the General Plan.

2. Chapter 1.0 of the General Plan, entitled "Introduction," contains a subsection 1.1.4, entitled "The Comprehensive Nature of the General Plan," and a subsection entitled, "Identification of Issues." That subsection is amended as follows:

#### **1.1.4 The Comprehensive Nature of the General Plan**

To be effective as a decision-making tool, the various elements of the Antioch General Plan integrate the management of the community's future physical, social, environmental, and economic environments.

**Identification of Issues.** The General Plan not only addresses the issues that the State requires be included in a General Plan, but also responds to the current and future issues that Antioch faces. Key community issues that the General Plan addresses include:

- achieving and maintaining a vibrant community in which all residents enjoy a wide range of employment, shopping, and recreational opportunities;
- achieving a balance between local jobs and housing by increasing Antioch's attractiveness for the establishment of office-based and clean industrial businesses; revitalizing the community's downtown and re-establishing the Rivertown area and waterfront as a distinctive part of the City's identity;
- providing regional and local mobility and reducing ongoing traffic congestion problems through a combination of regional highway, local roadway, and transit improvements (e.g., bus, rail, BART, e-BART), transit-oriented development, and enhancement of bicycle and pedestrian modes of transportation;
- establishing clear performance objectives for area infrastructure and services, thereby ensuring that the provision of public services and facilities supports the community's determination of desirable land uses, intensity, character, and rate of growth, **all within the ULL**;
- improving the design quality of lands and development at key interchanges along State Route 4, and along the roadway corridors leading to the Rivertown area; and
- managing the rate of residential growth and achieving an appropriate range of housing opportunities **within the ULL**, including executive and upper end housing, as well as housing for workers, seniors, and young adults who are first starting their careers and forming families.

3. Chapter 1.0 of the General Plan, entitled "Introduction," contains a section 1.2, entitled "Existing and Emerging Trends Affecting Antioch's Future." That section is amended as follows:

#### **1.2 EXISTING AND EMERGING TRENDS AFFECTING ANTIOCH'S FUTURE**

The primary purpose of planning and preparing the General Plan is to provide the means for Antioch to manage future growth and change **within the ULL**. However, merely projecting what exists today into the future, thereby assuming that the future will resemble the present will not provide an accurate picture of what the future will be. An array of existing and emerging social, technological, and economic trends will change the way residents perceive their communities, define "quality of life," and live their lives. The following is intended to provide a descriptive evaluation of the ways in which existing and emerging social, technological, environmental, and economic trends may interact with existing and future conditions to provide a context for planning Antioch's future within a society that may be very different from today. These trends include the following:

- *A growing statewide **and local** population.* Population increases will continue within California as a result of natural increases. Areas, such as Antioch and eastern Contra Costa County will **also** continue to grow **and must be prepared to provide new housing opportunities within the ULL**.

- *An evolving housing market.* As lower and middle income households are continued to be priced out of the market, and the senior population grows, upper end housing, condominiums, age-restricted housing, and multi-family development within the ULL will become more popular and important in Antioch.
- *Technological advances and a changing economy significantly altering patterns of employment.* Traditional industrial development will decrease in importance, as service jobs and off-based employment grows. As a result, there will be a need for office-based and retail service development.
- *A growing regional imbalance of jobs and housing.* ABAG's projections of a worsening imbalance between jobs and housing will result in an increased difficulty to attract workers to increasingly congested employment centers within the inner Bay Area, along with an increased willingness for businesses to locate in presently outlying areas near their workers.
- *Increases in personal travel.* Non-peak hour travel will increase in relation to peak hour traffic. The "peak hour" of traffic will lengthen over several hours.
- *Increasing acceptance of public transit and other alternatives to automobile travel.* As traffic congestion increases, public transit will gain parity in terms of commute times during peak hours, and become more popular, even if it involves changing modes of transit (e.g., rail ore-BART to BART or other rail connection). As a result, there will be a need for transit centers within Antioch. In addition, as higher density transit-oriented development gains popularity, pedestrian and bicycle travel will increase both as a form of recreation and as a form of transportation. The result will be an increasing need for safe pedestrian and bicycle routes between residential areas and schools, shopping, recreation, and places of employment.
- *Changes in freight transportation and goods movement.* Rail traffic will increase over time, increasing congestion where arterials cross rail lines at-grade. There will be an increasing need for multi-modal facilities to transfer containers from rail to truck.
- *Changes in shopping and the new consumer.* Existing shopping facilities will become obsolete, and need to be remodeled to meet changing shopping patterns in the future. There will be a growing demand and support for up-scale shopping in Antioch.

**B. AMENDMENTS TO COMMUNITY VISION ELEMENT.**

1. Chapter 2.0 of the General Plan, entitled "Community Vision," contains a section 2.3, entitled "General Plan Themes." That section is amended as follows:

**2.3 GENERAL PLAN THEMES**

The General Plan represents a detailed statement for achieving community vision and managing growth and change in the years ahead. This vision, and the means that will be employed to achieve it are embodied in the following themes that are reflected throughout the General Plan.

1. *New growth and development within the voter-approved Urban Limit Line (ULL) can and will be directed toward meeting community objectives and needs.*

Antioch can grow and still remain a healthy and vibrant community, if this growth is managed, and occurs in the areas that can best accommodate it, particularly within the ULL, such as selected portions of the Sand Creek Focus Area that have long been planned to accommodate Antioch's future growth. Targeting of the type, intensity, and location of new growth within the ULL, along with managing the rate of new residential development, will facilitate achievement of community objectives, such as:

- a. Balancing the provision of diverse housing options within the ULL with local employment opportunities;
- b. Creating an exciting urban core within the Rivertown area with diverse economic, housing, cultural, and entertainment opportunities;
- c. Promoting a diverse economic base that serves Antioch residents through an expanded local employment base and entrepreneurial opportunities; maintaining sufficient municipal revenues to cover the cost of high quality municipal services and facilities; enhancing opportunities for cultural, scientific, corporate, entertainment, and educational institutions; and meeting the challenges of economic competition;
- d. Enhancing mobility for the movement of people and goods within the community and region through well-designed, balanced transportation systems that provides feasible alternatives to personal automobile travel (pedestrian, bicycle, and transit), and by maintaining a pattern of land uses that supports use of these alternative modes of transportation;
- e. Maintaining a match between the expansion of the City and its service and infrastructure systems within the ULL, including transportation systems; parks, fire, sanitary sewer, water, and flood control facilities; and other essential municipal services;
- f. Facilitating the provision of high quality education within the community by providing for the construction of new school facilities;
- g. Providing adequate support for businesses and institutions that serve the needs of the community, including high-quality new housing in master-planned communities within the ULL; schools; quality medical care facilities, including a full service hospital with

acute/emergency care and local medical clinics and services; child and adult day care centers; libraries, shelters, public auditoriums; social clubs and recreation centers; and places of worship; and

h. Protecting the character of established residential neighborhoods.

2. *Economic vitality will be promoted to provide local employment and entrepreneurial opportunities, diverse shopping and commercial services, and adequate municipal revenues.*

Many residents commute to distant employment destinations because their job skills do not match existing local employment opportunities. These long commutes have resulted in congested highways, and are a significant constraint on residents' quality of life. To reduce congestion and enhance residents' quality of life, Antioch will expand its employment base, and work toward a balance between local jobs and housing. Although it is recognized that not all residents will choose to work within Antioch, and not all workers will live locally, Antioch's vision is that the majority of its working population will be employed locally. Such a choice will be made possible by providing as close a match between the range of local employment-generating uses and housing types as can be achieved within the ULL.

Antioch's quality of life also depends, in part, on the services provided by the City. Antioch's vision encompasses high quality public safety services, along with a wide array of other community amenities and public recreational activities. To afford the provision of such services, the City will support a vigorous business community and an economic climate wherein existing businesses desire to remain and expand, and new businesses want to locate. Such a business community will meet the needs of residents and other businesses by providing desired commercial and professional services and a broad array of convenience, specialty, and "big ticket," retail goods, as well as leisure-oriented and entertainment uses. Providing such an array of retail and commercial service uses represents much more than just municipal income for the City; providing the full range of retail and commercial services desired by Antioch residents will also be an important factor in enhancing community identity and pride.

3. *Antioch will be a healthy, family-oriented community.*

The well-being of Antioch's children, families, and seniors is critical to the community's own well-being. Antioch is, and will continue to be largely comprised of single-family dwellings and neighborhoods designed for families. Although not directly provided by the City, high quality educational services are critical to community success. Thus, Antioch will maintain a close partnership with the Antioch Unified School District to facilitate the provision of superior school facilities, including shared school/park facilities, and to maintain a focus on what is best for the community's youth. As Antioch's population grows, the City will work with Los Medanos College to expand its programs, and will work CSU Hayward to establish a satellite campus within the City.

An array of high quality neighborhood oriented and community-wide parks and recreational facilities will be maintained, along with community gathering places along the riverfront, as a means of enhancing Antioch's desirability for families. Antioch also recognizes existing demographic trends, and the desirability of retaining local residents in the community for their retirement years. Thus, new housing in areas long planned for future growth within the ULL, facilities, and services for seniors will be provided within the community. Antioch will thus assist in meeting the needs of public, private, and voluntary organizations and institutions that provide important community support services by maintaining an adequate inventory of lands within the ULL for such uses.

The City recognizes that land use patterns directly affect the quality of lives of families. Long commutes between Antioch and distant employment centers create stress for residents, and detracts from family life. In turn, long commutes between Antioch employers such as Kaiser Permanente and distant housing opportunities in other communities creates similar stress for employees. The availability of services in nearby locations, including health care, education, recreation, day care, and shopping is not just a convenience, but is a key component of people's quality of life.

The City also recognizes the changing nature of the family, including single parent households and a growing number of singles who may band together to form households within the community. As a result, programs for children, undertaken in conjunction with local school districts, will become more important over time as a means of providing a full range of services, and maintaining a high quality of life for local residents.

4. *Antioch will be a mobile community, providing options in addition to the single occupant automobile.*

The freedom provided by the private automobile has dominated the form of modern urban America over the past several decades. Although the automobile and modern highway systems have given workers the freedom to move into distant suburban locations in search of newer and higher quality housing than they could otherwise afford closer to their places of employment, the resulting long commutes have also been a source of growing frustration. As a result, there is an increasing demand for extending mass transit systems further into suburban locations, and for enhancing alternative modes of transportation (e.g., bicycle and pedestrian) for local travel.

Antioch and other communities are also rethinking how energy conservation, air quality management, and transportation planning goals should be met, along with how future land use patterns need to be modified to support achievement of these goals. Thus, principles of transit-oriented development and pedestrian-oriented development<sup>1</sup> will be implemented to provide residents and workers alternatives to travel by automobile, by facilitating transit, pedestrian, and bicycle travel. The General Plan seeks to maximize residents' and visitors' freedom of movement within Antioch, providing them with viable choices as to the mode of

transportation they use (e.g. automobile, transit, pedestrian, bicycle). The design, configuration, and mix of uses in strategic locations within the ULL, such as Rivertown, the Hillcrest interchange, Sand Creek and East Lone Tree Focused Planning Areas, and the "A" Street interchange will provide an alternative to traditional suburban development by emphasizing a pedestrian-oriented environment, and reinforcing residents' ability to use bicycles and public transportation.

<sup>1</sup> "Transit-oriented" developments are typically mixed use neighborhoods or projects, within a quarter mile of a transit stop, predominantly light rail or bus transfer stations. Pedestrian-oriented developments give priority to and respond to the needs of the pedestrian as a higher priority than automobile travel. By providing a compact form of development, both transit-oriented and pedestrian-oriented development also facilitate bicycle travel.

5. *The resolution of community and regional issues needs to be equitable.*

In pursuing solutions to expansion and financing of infrastructure, including transportation facilities, and in managing future growth within the ULL, the City of Antioch will emphasize the concept of equity. It is Antioch's vision that the financing of regional transportation improvements will recognize that the existing regional imbalance of jobs and housing is the principal cause of the congestion faced by eastern Contra Costa County residents in their work commutes. Thus, the employment growth in existing employment centers is as much the cause of regional traffic congestion problems as it is the result of housing growth in existing suburban locations. An equitable solution to regional traffic congestion would place equal responsibility for financing new transportation facilities on jobs-rich communities that expand their employment bases and on housing-rich communities that expand their residential sectors. Equity will also be maintained in the financing of new public services and facilities and their long-term maintenance between existing and developing portions of the City within the ULL. Thus, the costs associated with providing expanded infrastructure to newly developing areas will be internalized within those areas. Affordable housing will be provided within Antioch in a manner that integrates such housing into the fabric of the community, and does not isolate lower-income households from community amenities and activities. Finally, the notion of equity will be extended to the City's growth management system, which will provide opportunities within the ULL for both large scale and smaller housing developers to build and market their products within the community.

#### C. GROWTH MANAGEMENT ELEMENT AMENDMENTS.

1. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.1, entitled "Introduction and Purpose." That section is amended as follows:

##### 3.1 INTRODUCTION AND PURPOSE

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

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

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

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

It is the purpose of this Element of the General Plan to bring together those portions of the General Plan that address various aspects of growth management, and thereby set forth a comprehensive strategy to manage the location and rate of future growth and within the ULL. It is also the purpose of the Growth Management Element to implement the provisions of countywide Measure J and the City's Measures U, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and

**Development Restriction Initiative** (see Sections 3.1.1, and 3.1.2, and 3.1.3 below). The Growth Management Element thus sets forth performance standards for key community services and facilities within the ULL, thereby establishing a clear linkage between future growth within the ULL and the adequacy of community services and facilities.

2. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.1.1, entitled "Contra Costa County Measure J Requirements." That subsection is amended as follows:

### 3.1.1 Contra Costa County Measure J Requirements

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

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

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

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

Measure J eliminates the previous Measure C requirements for local performance standards and level-of-service standards for non-regional routes. Measure J also adds the requirement for adoption of a voter-approved ULL, which the voters approved via Measure K in 2005 and reaffirmed and strengthened in 2018 to ensure future that only the voters in Antioch may change the ULL, urban development occurs only in appropriate areas within the ULL, and preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.

3. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.1.2, entitled "Antioch's Advisory Measure U." That subsection is amended as follows:

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

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

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

The interim ordinance was subsequently replaced by a permanent ordinance that is consistent with the provisions of the General Plan Element. In addition, Measure K furthered the intent of Measure U by ensuring that the rate of new residential development is phased so that traffic improvements may be constructed to accommodate existing and future Antioch residents within the ULL.

4. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.2, entitled "Goals of the Growth Management Element." That section is amended as follows:

### 3.2 GOALS OF THE GROWTH MANAGEMENT ELEMENT

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

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

This goal is cornerstone of the Growth Management Element. The quantified public services and facilities performance standards delineated in this Element set a benchmark for quantifying the impacts of new development within the ULL, and also represent the measuring tool by which

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

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

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

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

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

The land use map and policies and the ULL contained in the Land Use Element define the City's future land use pattern, along with maximum appropriate development intensities throughout the Antioch Planning Area and ULL. As a result, the General Plan Land Use Element and ULL establish an ultimate buildout for the General Plan.

The policies of the Growth Management Element are intended to recognize that build out of the General Plan within the ULL will occur as the result of numerous individual development decisions and numerous incremental improvements to the public services and facilities serving Antioch. In setting forth public services and facilities and defining the responsibility of individual developments within the ULL to mitigate impacts and pay their own way, the Growth Management Element is intended to provide a system for the expansion of infrastructure that will support build out of the General Plan as expressed by the ultimate buildout within the ULL established in the Land Use Element.

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

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

- *Improve regional cooperation in relation to mitigating the regional impacts of new development.*

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

For many issues (e.g., transportation, air quality, and economic development), a cooperative regional approach to problem solving is the only effective means. Traffic congestion resulting from home-to-work trips is primarily a regional problem resulting from regional imbalances of employment and housing, and can only be solved by concerted efforts at both ends of existing problematic commutes.

The impacts of new development are not always restricted to the municipal boundaries of the jurisdiction approving the development. Often, developments approved by one community impact other communities. In the case of development projects that will exacerbate regional jobs housing imbalances, the traffic, noise, and air quality impacts of such developments can manifest themselves at some distance away from the development itself. "Equitable" mitigation involves not only that projects pay their own way within the jurisdiction where they are approved, but may also mean mitigating impacts in other jurisdictions.

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

5. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.3.1, entitled "Growth Management Provisions in the General Plan." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

### 3.3.1 Growth Management Provisions in the General Plan

Antioch's growth strategy is to undertake a comprehensive program to accommodate planned economic and population growth within the ULL in a manner consistent with community values and the lifestyles of existing and future residents. Thus, growth management is central to the General Plan, and "growth management" provisions appear throughout the General Plan. In effect, the various elements of the General Plan each address specific aspects of managing growth within Antioch, and are intended to work together to function as a comprehensive growth management program. The specific growth management roles of individual General Plan elements are described below.

- The *Growth Management Element* implements the provisions of countywide Measure C, and provides supporting policies for implementation of Antioch's advisory Measure U. This Element establishes a quantified annual cap on residential growth, and sets forth roadway and highway level of service standards, as well as public services and facilities performance standards. This Element also implements the provisions of Measure Measures J, K, and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative by providing general policy direction for achieving a balance between local jobs and housing, as well as for City participation in regional transportation planning efforts and ensuring that future urban development will occur only within the ULL.
- The *Land Use Element* defines acceptable locations and the appropriate intensity for new development within the ULL, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at "build out" of the Antioch Planning Area and ULL. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities' mutual boundary<sup>1</sup>.

This element also addresses the effect of the urban limit line established by the ~~Voter-Approved Urban Limit Line Measure K~~ and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative (Figure 4.12) and directs new development to occur only within the Voter-Approved Urban Limit Line, thereby achieving a compact form of community and preserving and protecting agricultural, natural resource, and open space uses on lands outside the ULL.

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

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

- The *Circulation and Transportation Element* directly addresses the provision of the new and expanded transportation facilities that are needed to support development of the land uses delineated in the Land Use Element and located within the ULL, consistent with the level of service standards set forth in the Growth Management Element. This Element defines the specific improvements that will be made over time to the City's roadway and highway systems in order to maintain the level of service standards set forth in the Growth Management Element.
- The *Public Services and Facilities Element* directly addresses the provision of the new and expanded public services and facilities that are needed to maintain the performance standards set forth in the Growth Management Element. This Element defines the responsibilities of new development projects within the ULL for the provision of expanded services and facilities, and provides policy direction for the manner in which expansion of public services and facilities within the ULL will be financed. This element also addresses avoidance of interim facilities and the financing of large-scale facilities needed to maintain the performance standards set forth in the Growth Management Element.
- The *Resource Management Element* provides policy direction for the management of open space, hillside development, biological resources, water resources and quality, cultural and historical resources, and energy resources in relation to new growth and development.
- The *Environmental Hazards Element* addresses the constraints on growth presented by natural and man-made hazards.
- A *Development Review Program* is included as part of the General Plan implementation programs. The Development Review Program is a compilation of General Plan policies affecting the review of individual development projects within the ULL. This portion of the General Plan presents a comprehensive definition of the General Plan performance standards that will be used to review new



development proposals in order to implement the policies of the General Plan. Thus, the Development Review Program sets for the specific criteria that will be used to determine the consistency of proposed new developments within the General Plan.

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

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

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

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

6. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.4, entitled "Service Standards for Transportation Facilities." That section is amended as follows:

#### **3.4 SERVICE STANDARDS FOR TRANSPORTATION FACILITIES**

This portion of the Growth Management Element sets level of service<sup>1</sup> standards for roadways within the City of Antioch Planning Area **and the ULL**, along with policies to ensure that these standards are maintained. These standards form the basis for the City's circulation policies, and for the ways in which land use and circulation will be correlated with each other. Roadways are grouped into two categories: "Routes of Regional Significance" and "Basic Routes."

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

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

7. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.4.1.1, entitled "Performance Standards for Routes of Regional Significance." That subsection is amended as follows:

##### **3.4.1.1 Performance Standards for Routes of Regional Significance.**

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

8. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.4.4, entitled "Transportation Facilities Policies." That subsection is amended as follows:

#### **3.4.4 Transportation Facilities Policies**

- a. Place ultimate responsibility for mitigating the impacts of future growth and development **within the ULL**, including construction of new and widened roadways with individual development projects. The City's Capital Improvements Program will be used primarily to address the impacts of existing development, and to facilitate adopted economic development programs.
- b. Continue to develop and implement action plans for routes of regional significance (see Circulation Element requirements).
- c. Ensure that development projects **within the ULL** pay applicable regional traffic mitigation fees and provide appropriate participation in relation to improvements for routes of regional significance (see also Circulation Element Policy 5.3.1f).

- d. Consider level of service standards along basic routes to be met if 20-year projections based on the City's accepted traffic model indicate that conditions at the intersections that will be impacted by the project will be equivalent to or better than those specified in the standard, or that the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard.
  - e. The policy set forth in Paragraph d, above, is based on projected, with project traffic conditions and is a more stringent standard than that required by Measure J, which does not require jurisdictions to adopt local LOS standards. In cases where the standard set forth in paragraph d, above, is not met in the no project condition (i.e., projected traffic will not meet the applicable standard, even if the proposed project is not built), General Plan traffic standards for Basic Routes will be considered to be met if (1) the proposed project has been required to pay its fair share of the improvement costs needed to bring operations at impacted intersections into conformance with the applicable performance standard and actual physical improvements will be provided by the project so as to not result in a further degradation of projected level of service at affected intersections.
9. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.5, entitled "Service Standards for Other Community Services." That section is amended as follows:

### **3.5 Service Standards for Other Community Services**

This section of the Growth Management Element sets forth performance standards for public services and facilities within the ULL other than the transportation network. **Consistent with the purposes of the ULL, the City will not extend and will not support the extension of the urban facilities described in this section beyond the ULL as established by the City's voters in Measure K in 2005 and reaffirmed and strengthened by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative in 2018.**

Descriptions of current facilities serving Antioch and its Planning Area, as well as plans and programs for expansion of facilities maintained by the City and the special districts serving the City are described in the Public Services and Facilities Element.

Standards are presented for services and facilities provided by the City of Antioch, as well as those provided by Special Districts other than the City, including fire protection services provided by the Contra Costa County Fire Protection District, school facilities provided by the Antioch Unified School District<sup>1</sup>, and sewage treatment facilities provided by the Delta Diablo Sanitation District. In addition to the fire, police, water, sanitary sewer, flood control, and park performance standards that are set forth in the Growth Management Element, standards are also provided for community centers, schools, and general public services and facilities. The inclusion of these additional standards recognizes the crucial role that community centers, schools and other governmental facilities will play in ensuring a high quality of life for Antioch residents.

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

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

#### **3.5.1 Community Centers<sup>1</sup>**

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

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

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

#### **3.5.2 Fire Protection Facilities**

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

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

#### **3.5.3 Police Service**

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

**3.5.3.1 Performance Standard.** Maintain a force level within a range of 1.2 to 1.5 officers, including community service officers assigned to community policing and prisoner custody details, per 1,000 population. The ratio of community service officers assigned to community policing and prisoner custody details to sworn officers shall not exceed 20 percent of the total number of sworn officers.

#### **3.5.4 Water Storage and Distribution<sup>2</sup>**

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

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

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

#### **3.5.5 Sanitary Sewer Collection and Treatment Facilities**

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

##### **3.5.5.2 Performance Standards.**

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

#### **3.5.6 Flood Control**

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

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

#### **3.5.7 Parks and Recreational Facilities**

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

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

#### **3.5.8 Schools**

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

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

**3.5.8.2 Performance Standard.** Require new development within the ULL to provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities, as determined by the responsible school district.

#### **3.5.9 Entitlement Process and Capital Improvements Program**

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

##### **3.5.9.2 Entitlement Process and Capital Improvements Program Policies**

- a. Ensure that discretionary development projects within the ULL comply with the City's performance standards, by approving such projects only after making one or more of the following findings.
  - The City's adopted performance standards will be maintained following project occupancy; or
  - Project-specific mitigation measures or conditions of approval have been incorporated into the project.

- b. Require new development **within the ULL** to fund public facilities and infrastructure, either directly or through participation in a land-based financing district, as necessary to mitigate the impacts of new development on public services and facilities.
  - c. Levy mitigation requirements in proportion to each development's anticipated impacts. Where infrastructure is required to be installed in excess of a development's proportional mitigation requirement, utilize benefit districts over the area to be benefited by the infrastructure or provide reimbursement to the development for excess cost.
  - d. Maintain a Five-Year Capital Improvement Program, designed, in part, to ensure that traffic and other public service performance standards are met and/or maintained, and to address the needs of existing development. Update capital improvement plans as part of the annual budget process.
10. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.6.1, entitled "Rate of Growth Objectives." That subsection is amended as follows:

**3.6.1 Rate of Growth Objectives**

- a. Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities **within the ULL** for all economic segments of the community as required by State Housing Element law, and that facilitates the ability of public services and facilities provided by the City and outside agencies to expand **within the ULL** at a commensurate rate.
  - b. Manage growth by allowing new development only when infrastructure and service standards are met for traffic levels of service, water, sanitary sewer, fire protection, public protection, parks and recreation, flood control and drainage, and other such services.
  - c. If land is developed within the ULL west of Deer Valley Road, a substantial portion of this land shall be retained for open space, parks, and recreational uses.
  - d. Encourage reinvestment in older neighborhoods in order to increase the efficiency and reduce the costs of providing public services, stabilize older residential neighborhoods, and revitalize the Rivertown area.
11. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a subsection 3.6.2, entitled "Rate of Growth Policies." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

**3.6.2 Rate of Growth Policies**

- a. Prohibit the granting of new residential development allocations for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, limit the issuance of development allocations to a maximum annual average of 600, recognizing that the actual rate of growth will vary from year to year. Thus, unused development allocations issued after December 31, 2010 may be reallocated in subsequent years, and development allocations may be moved forward from future years, provided that the annual average of 600 development allocations may not be exceeded during any given five-year period (i.e., no more than 3,000 development allocations may be issued for any given five-year period).
- b. To move development allocations forward from future years, the following finding must be made:  
  
The constraints posed by needed infrastructure phasing or capital facilities financing require that development allocations be moved forward from future years to avoid jeopardizing the feasibility of existing infrastructure financing mechanisms or the financing of infrastructure for the development allocations that would otherwise be granted during the calendar year.
- c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple-family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single-family dwelling and an allocation for age restricted housing and multiple-family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.
- d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be granted to age-restricted senior housing, single family detached housing, and multifamily housing.
- e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.
- f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.
  - (1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with "density bonus" dwelling units

approved pursuant to the provisions of the Housing Element and the City's Density Bonus ordinance.

- (2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to meet the Housing Element's quantified objectives for housing of special needs groups.
- (3) Dwelling units within development projects having vested rights through a valid (unexpired<sup>1</sup>) development agreement or vesting map.
- (4) Construction of a single dwelling unit by or for the owner of the lot of record on which the dwelling unit is to be constructed.
- (5) Construction of a second dwelling unit on a lot of record.
- (6) Development of a project of four or fewer dwelling units.
- (7) Development projects within the Rivertown Focused Planning Area and Sand Creek Focus Area.
- (8) Smart growth, transit-oriented development projects.
- (9) Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.

<sup>1</sup> The majority of existing development agreements expired on December 31, 2002.

12. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.7, entitled "Regional Cooperation." That section is amended as follows:

### **3.7 REGIONAL COOPERATION**

#### **3.7.1 Regional Cooperation Objectives**

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

#### **3.7.2 Regional Cooperation Policies**

- a. Continue participation in regional transportation planning efforts, including the Contra Costa Transportation Authority, Eastern Contra Costa Transit Authority (Tri-Delta Transit), and TRANSPLAN.
- b. As part of the evaluation of individual development projects within the ULL, address and provide appropriate mitigation for impacts on regional and local transportation facilities.
- c. Maintain ongoing communications with agencies whose activities affect and are affected by the activities of the City of Antioch (e.g., cities of Brentwood, Oakley and Pittsburg; Contra Costa County; Antioch Unified School District; Contra Costa County Fire Protection District; Delta Diablo Sanitation District). The primary objective of this communication will be to:
  - (1) Identify opportunities for joint programs to further common interests in a cost efficient manner;
  - (2) Assist outside agencies and the City of Antioch to understand each other's interests, needs, and concerns; and
  - (3) Resolve differences in these interests, needs, and concerns between Antioch and other agencies in a mutually beneficial manner.
- d. Support and promote inter-jurisdictional programs to integrate and coordinate the land use and circulation plans of area municipalities and the County, and to establish an ongoing inter-jurisdictional process for reviewing development proposals and mitigating their inter jurisdictional impacts based on the principle that it is not appropriate for a jurisdiction, in approving a development project within the ULL to *internalize* its benefits and *externalize* its impacts.
- e. Continue to refer major planning and land use proposals for new development within the ULL to all affected jurisdictions for review, comment, and recommendation.

13. Chapter 3.0 of the General Plan, entitled "Growth Management," contains a section 3.8, entitled "Balancing Employment and Housing Opportunities." That section is amended as follows:

**3.8 BALANCING EMPLOYMENT AND HOUSING OPPORTUNITIES**

**3.8.1 Employment and Housing Balance Objective**

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

**3.8.2 Employment and Housing Balance Policies**

- a. Maintain an inventory of employment generating lands within the ULL, providing for a variety of office-based, industrial, and commercial (retail and service) employment opportunities.<sup>1</sup>
- b. Maintain an inventory of residential lands within the ULL that provides for a broad range of housing types including executive housing in both urban and rural settings, traditional single family neighborhoods, middle to upper end attached housing products, and affordable housing, and age-restricted housing for seniors<sup>2</sup>.
  - (1) Provide a balance between the types and extent of employment-generating lands planned within the City of Antioch ULL with the types and intensity of lands planned for residential development.
  - (2) Encourage businesses to locate and expand within Antioch through an aggressive economic development program that provides essential information to prospective developers and businesses, along with tangible incentive programs for new and expanding businesses.

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

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

**D. LAND USE ELEMENT AMENDMENTS.**

1. The "General Plan Land Use Map," included in the Land Use Element as Figure 4.1, is hereby amended as shown on attached Exhibit L in order to establish the land use overlay designations for the Initiative Area. For reference purposes, the existing General Plan Land Use Map is attached to this Initiative as Exhibit M.
2. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.1, entitled "Introduction and Purpose." That section is amended as follows:

**4.1 INTRODUCTION AND PURPOSE**

The Land Use Element is the cornerstone of the General Plan, setting forth Antioch's fundamental land use philosophy and directing development to the most suitable locations, particularly within certain areas such as the Sand Creek Focus Area east of Deer Valley Road, and in the Limited Development Area west of Deer Valley Road on flatter land appropriate for future development within the existing limits of the voter-approved Urban Limit Line (ULL), which has long been planned to accommodate anticipated future City growth, while maintaining the economic, social, physical, environmental health and vitality of the community. The Land Use Element, required by law since 1955, has the broadest scope of the seven mandatory General Plan elements, synthesizing all General Plan land use issues.

This Element focuses on the organization of the community's physical environment into logical, functional, and visually pleasing patterns, consistent with local values, to achieve Antioch's vision for its future. Of primary concern are the type, intensity, location, and character of land uses that will be permitted in the future. It is the purpose of this General Plan Element to provide appropriate land within the ULL for each of the variety of activities associated with successful urban areas, and to guide the manner in which this land is developed and used. In so doing, the Land Use Element intends to create and regulate compatible and functional interrelationships between the various land uses in the City. Thus, the Land Use Element establishes City policy as to the appropriate use and development intensity for each parcel of land within the City City's ULL, including the City's view of appropriate land uses and development intensity for lands outside of the City City's ULL, but within the General Plan study area.

A key consideration in defining the type, intensity, location, and mix of future land uses within the ULL is achieving a balance between local employment and housing. The Antioch General Plan seeks to achieve such a balance as a means of addressing issues of traffic congestion, air quality, and energy conservation. This balance, along with providing adequate land area within the ULL for the commercial uses needed by local residents and businesses, will help achieve sufficient municipal income to pay for the services and facilities discussed in the Growth Management and Public Services and Facilities elements. The ability to commute only a few short miles to and from work on roadways that resemble the open road more than they do parking lots is an important component of the quality of life Antioch seeks for its residents. As more residents throughout the Bay Area are able to live and work in the same or nearby communities and within the ULL, congestion can be eased, travel speeds increased, substantial amounts of fuel conserved, regional air quality improved. The Land Use Element also seeks to ease congestion and improve regional air quality by providing patterns of land use within the ULL that support the use of transit. Such "transit-oriented" development consists of high density, mixed use development

adjacent to transit nodes. Such transit nodes are proposed within Rivertown (adjacent to the Amtrak platform), at Hillcrest Avenue (surrounding the BART station), and east of the SR-4 Bypass, south of the Laurel Avenue interchange (surrounding the BART station)<sup>1</sup>.

<sup>1</sup> This transit oriented development node is one of three "test sites" for smart growth sponsored by ABAG. It is part of the countywide "Shaping our Future" program.

3. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.1.1, entitled "Existing Land Use." That subsection is amended as follows:

#### 4.1.1 Existing Land Use

Despite substantial development in the past, Antioch has a great deal of land within the ULL available for future development. Much of the land within the City and within the unincorporated portion of the General Plan study area (22,391 acres) is vacant. Additional land is in agricultural use, and, may be available for future development, depending upon its land use designation and so long as such land is appropriate for development and it is within and not outside the ULL. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

Within the developed portion of the City, single-family residential uses cover the largest area (4,963 acres, 26.5%). Industrial uses account for 1,373 acres (7.3% of the land within the study area). Currently, industrial uses are concentrated in the northern portion of the Study Area to the west and east of Rivertown. Existing commercial uses are limited in extent, encompassing 456 acres (2.7% of the land within the Study Area). Commercial use is concentrated within Rivertown, and along major roadway corridors, such as Somersville Road/Auto Center Drive, Hillcrest Avenue, and "A" Street/Lone Tree Avenue.

4. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.1.2, entitled "Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

#### 4.1.2 Contra Costa County 65/35 Land Preservation Plan (Urban Limit Line)

In 1990, the voters of Contra Costa County approved Measure C-1990. This Measure states that urban development within the County is to be limited to no more than 35 percent of the land within Contra Costa County. At least 65 percent of all land in the County is to be preserved for agriculture, open space, wetlands, parks and other non-urban uses. To ensure the enforcement of the "65/35" standard, the County has established an Urban Limit Line (ULL), which is incorporated into the County's General Plan Open Space and Conservation Element and is intended to ensure that new urban development shall occur only on land appropriate for development within the ULL and may not occur outside the ULL. Hence, there shall be a clear distinction between non-urban and urban use areas. The criteria set by the County for determining lands that should be located outside the ULL includes:

- Prime agricultural lands (U.S. Soil Conservation Service Class I and Class II)
- Open space, parks and other recreation areas
- Lands with slopes in excess of 25 percent
- Wetland areas
- Other areas not appropriate for urban growth because of physical unsuitability for development

Measure C-1990 requires that there be no changes made to the ULL that would violate the 65/35 standard. The ULL can be changed by a 4/5 vote of the Board of Supervisors after holding a public hearing and making one or more of the following findings based on substantial evidence in the record:

- A natural or man-made disaster or public emergency has occurred that warrants the provision of housing and/or other community needs within land located outside the ULL.
- An objective study has determined that the ULL is preventing the County from providing its fair share of affordable or regional housing, as required by state law. The Board of Supervisors must find that a change to the ULL is necessary and the only feasible means to enable the County to meet these requirements.
- A majority of the cities are party to a preservation agreement, and the County has approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement.
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries.
- A five-year periodic review of the ULL has determined that, based on the criteria for establishing the ULL, new information is available or circumstances have occurred, warranting a change to the ULL.
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation related environmental or community impacts, or (ii) further the County's aviation related needs.
- A change is required to conform to applicable California or Federal law.

Although the direct land use effects of the Urban Limit Line are limited to unincorporated areas of the County, the Contra Costa Local Agency Formation Commission (LAFCO) has consented to support the County's 65/35 Preservation Standard, Urban Limit Line, and Growth Management Standards in the review of proposed city spheres of influence and annexations. Thus, LAFCO has stated that it would not approve annexation of lands outside of the ULL to a city. Measure 1990-C states that the County is to review the location of the ULL every five years. The County voters approved Measure L in 2006, extending the provisions of Measure C-1990 will remain in effect the ULL until December 31, 2040 2026.

In 2000, the County moved its Urban Limit Line in the East County area Antioch over the objections of the City Council. Within the Antioch area, the Urban Limit Line was moved to coincide with the southern boundary of the City, placing lands in the unincorporated area outside the ULL. This move shifted approximately 1,922 acres out of the ULL within the Antioch area.

In 2005, Antioch voters approved Measure K to create the City's own ULL and to include Roddy Ranch and a portion of the Ginocchio Property within the City ULL and the city City limits. The ULL is intended to preserve and protect agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated. As approved by Antioch voters, the entirety of the Sand Creek Focus Area is within the City ULL and the City limits and certain portions of the Sand Creek Focus Area are thus an appropriate location for future urban development.

In 2017, the County conducted its 5-year review of the ULL. According to the County's review, Antioch is anticipated to need approximately more than 4,000 new residential housing units between the years 2015 and 2040. Antioch's ability to meet this anticipated future residential growth will depend on long-planned development in appropriate locations within the existing boundaries of the City's ULL.

In 2018, Antioch voters adopted the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative to reaffirm and strengthen the ULL and to ensure that future urban development in Antioch occurs only in appropriate locations within the ULL. The Initiative also ensured that City's ULL cannot be changed, except by a vote of the people of Antioch.

5. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.2, entitled "Goals of the Land Use Element." That section is amended as follows:

#### 4.2 GOALS OF THE LAND USE ELEMENT

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

- *Maintain a pattern of land uses that minimizes conflicts between various land uses, and promotes rational utilization of presently undeveloped and underdeveloped land within the ULL, and supports the achievement of Antioch's vision for its future.*

Defining the appropriate uses of land within the General Plan study area in a manner supportive of achieving the vision Antioch has established for its future is at the crux of the Land Use Element. The Land Use Element is responsive to the City's vision because it:

- Promotes expansion of the local employment base and achievement of a balance between local employment and housing. The Land Use Element provides for a wide variety of office-based and industrial employment, including heavier industrial uses along the San Joaquin River, rail-served industries, light industrial uses, commercial services, and retail businesses, and mixed use business and office parks.
- Opens up additional choices of living environment for families. The Land Use Element provides for executive housing in planned community settings, traditional single-family subdivisions, amenity-rich middle to upper end attached housing and age-restricted housing for seniors, high-density housing in transit-oriented, downtown, and mixed-use settings.
- Provides for the revitalization of the Downtown area and waterfront, integrating General Plan policies with revitalization planning efforts undertaken by the City.
- Provides opportunities for achieving quality design and avoiding the relentless sameness present in many suburban communities.
- Aids in stimulating economic revitalization in areas that are having difficulty competing with larger and more diversified development sites in Antioch and other communities.
- Stimulates new options for development at key entry points into the community.

In defining appropriate uses within the ULL, the Land Use Element addresses the future uses of lands that are currently undeveloped, and also sets forth desired changes in existing land uses and development intensities. In most cases, the Land Use Element recognizes existing land uses and development densities, and may recommend urban design improvements. In some cases, such as along the "A" Street corridor north of the SR4 freeway, the Land Use Element proposes changes in basic land use types. In other cases, such as existing residential areas within Downtown, the Land Use Element recommends increases in the overall development intensity of existing land uses. Each of the recommendations contained in the Land Use Element are intended to result in a harmonious pattern of land uses directed toward meeting community objectives and needs.



- *Establish a land use mix which serves to develop Antioch into a balance community in which people can live, work, shop, and have recreation without needing to leave the City.*

The Land Use Element designates lands **within the ULL** for a broad range of residential, commercial, employment-generating, public/institutional, and open space and recreational lands. Residential and employment-generating land use designations are intended to include lands providing housing and employment opportunities for executives, managers, and professionals; highly skilled, semi-skilled, and unskilled workers; and retail and service workers. Residential land use designations are intended to provide housing opportunities for all economic segments of the community, **including seniors**, as well as for the special needs groups identified in the Housing Element. The Land Use Element seeks an array of shopping and commercial service opportunities to meet the needs of Antioch residents and businesses, including daily convenience shopping along with large-scale commercial centers for community and regional markets. The Land Use Element aims to provide a sufficient inventory of lands **within the ULL** for public, institutional, and recreation uses, and seeks to preserve needed open space areas.

- *Establish an overall design statement for the City of Antioch.*

As important as is defining the pattern of future land uses **within the ULL** is maintaining and enhancing Antioch's character and providing a pleasing visual experience to residents and visitors. Thus, Antioch's Land Use Element incorporates "urban design" concepts aimed at ensuring that the built environment is a physical expression of desired community character.

6. Chapter 4.0 of the General Plan, entitled "Land Use," contains a section 4.3, entitled "Community Structure." That section is amended as follows:

#### **4.3 COMMUNITY STRUCTURE**

Throughout much of the General Plan study area, Antioch's land use pattern is well established, and is not intended to change over time. Future growth in the central and northern portions of the City will primarily consist of infill development, existing approved but undeveloped projects, and the expansion of existing uses. As **long-planned** development **in appropriate locations within the ULL** expands into the southern portion of the City and its General Plan study area, Antioch will face significant challenges **and be presented with significant opportunities**.

7. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.3.1, entitled "Community Structure Objective." That subsection is amended as follows:

#### **4.3.1 Community Structure Objective**

Provide adequate land **within the ULL** for present and future urban and economic development needs, while retaining a compact, rather than a scattered, development pattern.

8. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.3.2, entitled "Community Structure Policies." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

#### **4.3.2 Community Structure Policies**

- a. As part of General Plan implementation – including development review, capital improvement planning, and preparation of Specific Plans – foster close land use/transportation relationships to promote use of alternative transportation system modes and minimize travel by single occupant automobiles.
- b. Give priority to new development **within the ULL**, utilizing existing and financially committed infrastructure systems over development needing financing and construction of new infrastructure systems.
- c. Encourage high-density residential development (both freestanding and in mixed use projects) within one-quarter mile of existing and planned heavy and/or light rail transit stops as illustrated in the Circulation Element.
- d. Concentrate large-scale industrial uses along the waterfront east of Rodgers Point and within areas designated for industrial use along existing rail lines. Limit employment-generating uses adjacent to residential areas and within mixed-use planned communities to business parks and office uses.
- e. Concentrate future regional commercial uses along Lone Tree Way, SR4 and SR160 and along the SR-4 bypass.
- f. Recognize the Voter-Approved Urban Limit Line (Figure 4.12) that encompasses up to 1,050 acres of land within the Roddy Ranch and Ginochio Property Focus Areas that were included in **within** the Urban Limit Line as it was **twice** adopted by the voters, **first** in 1990, and **again** in the Voter-Approved Urban Limit Line **2005** as a means of phasing urban and suburban development, preserving open space and maintaining a compact urban form. **The ULL was then reaffirmed and strengthened by the voters, in 2018, in the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**
  - Maintain rural land uses (residential densities less than one dwelling unit per five acres (0.2 du/ac) and compatible open space/recreational uses which do not require urban levels of public services and facilities ~~through 2020~~ in areas outside **the existing boundaries** of the Voter-Approved Urban Limit Line.
  - Limit future urban development within Roddy Ranch and the Ginochio Property ~~through 2020~~ to a total of approximately 1,050 acres (approximately 850 acres within Roddy Ranch and 200 acres

within the Ginocchio Property) that were within the **City** urban limit line as it was **first** adopted by the voters in 1990 and that are also within in the Voter-Approved Urban Limit Line **City voters approved again in 2005 and reaffirmed and strengthened in 2018.**

9. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.A, entitled "Appropriate Land Use Types." That table is amended as shown on attached Exhibit N.
10. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.B, entitled "Anticipated Maximum General Plan Build Out in the City of Antioch." That table is restated, reaffirmed, readopted, and amended as shown on attached Exhibit O.
11. Chapter 4.0 of the General Plan, entitled "Land Use," contains a Table 4.D, entitled "Anticipated Maximum General Plan Build Out in the General Plan Study Area." That table is restated, reaffirmed, readopted, and amended as shown on attached Exhibit P.
12. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.1, entitled "Land Use Designations." That subsection is amended as follows:

#### **4.4.1.1 Residential Land Use Designations.**

~~Six~~ **Seven** residential land use designations are set forth to provide for development of a full range of housing types, in conjunction with residential development within General Plan Focus Areas **within the ULL**. Permitted maximum land use and anticipated population densities are described for each designation. Densities are stated as the maximum permissible number of dwelling units per net acre that exists within the project site prior to any new dedication requirements. Density is assumed to accrue only to lands that are "developable." Developable acres are those **lands within the boundaries of the ULL** that are not encumbered by prior dedications of easements or rights-of-way, and are not so steep (generally over 25%), unstable, floodprone or subject to other hazards as to be unable to support new development. Achievement of the maximum allowable density is neither guaranteed nor implied by the General Plan. The final density of any particular residential development type is dependent upon development design; any physical, geological, or environmental constraints that might be present within the site; available infrastructure and services; and other factors. The development standards that are established in the Antioch zoning ordinance might also limit attainment of maximum allowable densities.

Second units on a residential lot and home occupations are permitted by local regulation. Provision of density bonuses as allowed by State law and City ordinance may result in development densities in excess of the nominal maximum density for any land use designation.

**Estate Residential.** Estate Residential land uses are planned as a transition between urban and rural areas, and for areas that are not suited for a more intensive form of development because of topography, geologic conditions, or urban service limitations. Estate Residential areas will also serve to provide "executive" housing on large lots, thereby expanding the community's range of housing types.

On designated lands where topography is not limiting, the representative form of development would be single-family homes on lots that average one acre in size. For properties so designated that are situated in steeper hillside settings, clustering of units and utilization of other hillside development techniques are anticipated and encouraged. The final approved and built density on lands in the Estate Residential land use designation should reflect the location of these lands as low-density residential transition areas between the urbanized Antioch and the undeveloped Mount Diablo Range of hills.

Since this designation is planned at the urban/non-urban interface, the type and level of development may require different construction standards, such as narrower street widths with parking along only one side of the street or no on-street parking, greater setbacks, limited sidewalk areas, etc. Development may require a different level of services than that required for strictly urban land uses. Projects that minimize the demand for urban services and provide major funding for construction of needed service facilities would be appropriate.

Environmental constraints such as steep slopes, riparian habitats, unstable soil conditions, sensitive flora and fauna, and visual prominence are often found on lands with the Estate Residential designation. These constraints may make development of these areas extremely sensitive, and could require creative and imaginative site planning in all projects. The steepness of the slopes and the visual prominence of these areas make many of these resources important public amenities to be preserved for all of the citizens of Antioch. Finally, as these areas will serve as a buffer between the urbanized City of Antioch and the undeveloped open space to the southwest, development must be at a level, which serves as an appropriate transition between urban and non-urban environments.

Development in this category is generally limited to a maximum of one (1) unit per gross developable acre, unless a density of two (2) units per developable acre is specified on the General Plan land use map or in Focus Area policies. Overall, residential developments within the Estate Residential land use category should provide large lots, and project a semi-rural character.

Neighborhood entry signage is encouraged to create a sense of community, and define Estate Residential neighborhoods as special places. Within hillside areas, dwelling units should be clustered on land that is relatively flat, and no development should occur on slopes exceeding 20 percent. Due to the unique nature of these areas, a clustering of units may be needed to accommodate the unit yield and still maintain the topographic uniqueness of the area. Developments in these areas should be oriented around a major amenity that increases public exposure to the more hilly terrain. Examples of such amenities include golf courses and equestrian centers.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: One dwelling unit per developable acre (1 du/ac) or two dwelling units per developable acre (2 du/ac)

- Anticipated Population per Acre: Four (4) to eight (8) persons per acre

Rural Residential, Agriculture, Open Space. This designation allows single-family rural residential development in the Restricted Development Area as provided by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.<sup>1</sup> This designation, typically involving large parcels, protects agriculture, grasslands, and open space, as well as permitting housing in rural areas. The maximum house size with accessory buildings is 6,000 square feet. The minimum legal parcel size shall be 80 acres.

The following uses only, and their normal and appropriate accessory uses and developments, may be permitted by the City in the Restricted Development Area, provided however that all use and development must comply with the provisions of the General Plan and with other City plans and ordinances:

- (a) One single family dwelling unit on a parcel, secondary dwelling units required by state law, and housing occupied only by bona fide farm workers employed on the parcel or on a farm or ranch which includes the parcel;
- (b) Rental of rooms to lodgers, including board, not exceeding four lodgers in a residence;
- (c) In-home occupations and offices, secondary to residential use and conducted primarily by residents of a parcel;
- (d) Agriculture, including grazing, arboriculture, horticulture, viticulture, research and breeding, rearing, care, use and sale or rental of ruminants, pigs, poultry and bees, but not including feedlots unless most of the feed over a calendar year will be grown in the Restricted Development Area; provided, however, only small scale dairy farms, pig farms, poultry ranches, vineyards, Christmas tree farms and nurseries may be permitted. Agriculture uses shall not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;
- (e) Processing, storage or sale of agricultural produce, most of which over a calendar year is grown in the Restricted Development Area, that has no substantial deleterious effects on the environment, but not including freezing facilities or slaughterhouses;
- (f) Breeding, rearing, boarding, training, care, use and sale or rental of horses, dogs and other animals not covered in paragraph (d), provided that any activity does not cause unnecessary or unreasonable environmental harm, including air or water pollution, noise, or odor;
- (g) Low-intensity outdoor recreation, exercise, and pastimes predominantly for active participants, not spectators, and subordinate auxiliary uses and development, including camps, picnic facilities, provision of food and drink, and safety and sanitary services; these permissible uses and developments do not include, among other things, amusement or theme parks, golf courses, firearm ranges, stadiums or arenas (except equestrian riding rings), motor vehicle tracks, courses or facilities for off-road use, or recreational vehicle parking (other than vehicles for the personal use of the owner of the parcel) for more than 14 days within a month. Uses and developments permitted under this paragraph shall be compatible with a rural environment and not contribute significantly to pollution, noise, or other environmental harm;
- (h) Institutional and other non-profit uses that predominantly serve permitted uses in the Restricted Development Area and adjacent areas, except cemeteries, and facilities for convalescence, rehabilitation and hospice care for not more than six patients, that do not substantially impair the environment;
- (i) Government and public utility uses that are limited to meeting needs created by permitted uses in the Restricted Development Area, except to the extent the City Council reasonably finds substantial public need that cannot practicably be met outside the Restricted Development Area, that do not unnecessarily or unreasonably impair the environment. However, this exception shall not apply to waste disposal, processing or treatment, or to electrical power production or transmission primarily for sale. The Antioch Unified School District may build and use school facilities. Publicly provided outdoor recreation and pastimes and subordinate auxiliary facilities are permitted if similar private uses and development would be allowed;
- (j) Occasional short-term events related to agriculture, animals or outdoor recreation that do not cause significant environmental harm.

<sup>1</sup> Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.

Areas of Special Environmental Concern on Lands Designated Rural Residential, Agriculture, Open Space

- (a) Wetlands: Development or use, except for permissible flood control, is not permitted if by itself or in conjunction with other development or use it would reduce appreciably the quantity or biological quality of wetlands. "Wetlands" are areas permanently or periodically covered or saturated by water, including vernal pools, where hydrophytic vegetation is present under normal conditions, or soils are primarily hydric in nature, or are designated as wetlands by federal or state law.
- (b) Stream Corridors: Development or use is not permitted if by itself or in conjunction with other development or use it would impair appreciably the quantity or quality of water or of native vegetation in a stream corridor, except for permissible flood control, stock ponds, or preservation of special status species. "Stream corridors" are areas within 200 feet of the centerline of a permanent or intermittent stream.
- (c) Grasslands: In permitting uses and developments, the City shall act to preserve a viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch (Marsh Creek) State Park.
- (d) Wildlife: No development or use is permitted that by itself or in conjunction with other development or use would reduce appreciably the number, prevent the recovery in number, or impair the genetic variability of one or more special status species.
- (e) Steep Slopes: No building may be located, in whole or in part, on a slope of 20% or more, unless there is no other site on a parcel. No building may be located on a site that cumulatively has access for more than 50 feet over a slope of 20% or more, unless there is no other site on a parcel. No grading may take place on a slope of 20% or more unless necessary to maintain fire roads or provide access to a permitted residence. Cultivated agriculture may not be conducted on a slope of 20% or more. Slope percentages are based on the steepness of slopes in their natural, unaltered state, and are calculated by dividing altitude increase over each 20 feet of vertical slope by 20.

Development Envelopes on Lands Designated Rural Residential, Agriculture, Open Space

All buildings on a parcel must be located within a contiguous area, as compact as reasonably practicable, not to exceed 2 acres, except for buildings that the Council finds must necessarily be located outside that area for permitted agricultural use, processing, storage, or sale of agricultural produce, breeding, boarding, rearing, care, training, use or sale or rental of animals under Section 10(f), outdoor recreation, exercise and pastimes, institutional or other non-profit uses, government or public utility use, and short-term events.

Maximum Floor Areas on Lands Designated Rural Residential, Agriculture, Open Space

- (a) The maximum aggregate floor areas for all floors in all buildings on a parcel, except basement and cellar floors, may not exceed 10,000 square feet; residential and residential accessory building floors may not exceed 6,000 square feet of this maximum.
- (b) The City Council may increase the maximum floor area by up to 20,000 square feet, in aggregate, if necessary for agricultural use, processing or storage of produce, breeding, rearing, boarding, training, care and use of animals, outdoor recreation, exercises or pastimes, institutional or other non-profit uses, government or public utility use, or short-term events.

Visual Safeguards on Lands Designated Rural Residential, Agriculture, Open Space

- (a) New or reconfigured parcels must be created or drawn, to the extent practicable, to minimize visibility of development from roads, parks and other public places. Structures may not be located on or within 150 feet of any ridgeline or hilltop, or where they will project into the view of a ridgeline or hilltop from public places, unless there is no less intrusive site on the parcel or on a contiguous parcel in legal or de facto common ownership on or at any time subsequent to the date this Ordinance became effective. To the extent practicable, consistent with other provisions of the General Plan, structures shall be located, including by setbacks from parcel boundaries, on the part of a parcel that minimizes visibility from roads, trails, and other public places. Roads shall be consolidated and located, as practicable, where they are least visible from public places.
- (b) Development shall be subordinate to and blend harmoniously with the natural and open space qualities of the area where located. The alteration of natural topography, vegetation, and other qualities by grading, surfacing, excavation, or deposition of material shall be allowed only to the extent necessary for permitted uses. Appropriate landscaping, design, and building materials shall be required by the City in all cases to reduce as much as practicable the visual impact of

development. The height of buildings may not exceed 30 feet, except as necessary for agricultural use.

(c) Visibility of development from roads, parks, and other public places shall be determined from a reasonable, representative sample of vantage points that will accomplish the objectives of this Rural Residential, Agriculture, Open Space land use designation.

**Covenants on Lands Designated Rural Residential, Agriculture, Open Space**

Before a structure requiring City approval may be permitted on a parcel, the City must receive a fully-executed covenant, running with the land, that bars creation of parcels, development, or use on the parcel that would not be permitted under this Initiative. The covenant shall be granted to the City and, if practicable, jointly to an independent land trust (that complies with the standards and practices of the Land Trust Alliance). The covenant shall be negative only. It shall convey no possessory interest to the City or trust, nor confer any right of public access. The owner retains exclusive occupancy and use. The City has no responsibility or liability because of the covenant for acts or omissions on the property, except in good faith and effectually to remedy violations of the covenant. Covenants shall be recorded as appropriate in the Contra Costa County Clerk Recorder's Office.

- **Appropriate Land Use Types:** See Table 4.A
- **Maximum Allowable Density:** Typically less than one single-family dwelling unit per 80 acres (<1 du/ac)
- **Anticipated Population per Acre:** Typically less than one (1) person per acre

**Low Density Residential.** These areas are generally 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 residential neighborhoods of southeast Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Four dwelling units per gross developable acre (4 du/ac)
- Anticipated Population per Acre: Twelve (12) to Fourteen (14) persons per acre

**Medium Low Density.** These areas are generally characterized by single-family homes in typical subdivision development, as well as other detached housing such as zero lot line units and patio homes. Duplex development would generally fall into this development density. Areas designated Medium Low Density are typically located on level terrain with no or relatively few geological or environmental constraints. Older subdivisions within the northern portion of Antioch reflect this residential density.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Six dwelling units per gross developable acre (6 du/ac)
- Anticipated Population per Acre: Fourteen (14) to Eighteen (18) persons per acre

**Medium Density Residential.** A wide range of living accommodations, including conventional single-family dwellings, small lot single-family detached dwellings, mobile homes, townhouses, and garden apartments, characterizes the Medium Density land use designation. Development in these areas can be expected to be a maximum of two (2) stories, and include generous amounts of public or open space for active and passive recreational uses. Lands adjacent to parks, commercial uses, transit routes and rail stations, and arterial roadways would be appropriate for the upper end of the allowable development intensity for this category. Other lands would serve as a buffer or transition between lower density residential areas and higher density residential and commercial areas, as well as areas exhibiting greater traffic and noise levels. At the higher end of the density range for this category, multi-family townhouse and apartment development is expected to be predominant. Where the Medium Density land use designation serves as a transition or buffer, lower density townhouse and small lot, single-family development would be the predominant uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Ten dwelling units per gross developable acre (10 du/ac)
- Anticipated Population per Acre: Twenty (20) to Twenty-five (25) persons per acre

**High Density Residential.** High Density Residential densities may range up to twenty (20) dwelling units per gross developable acre, with density bonuses available for age-restricted, senior housing projects. Two-story apartments and condominiums with surface parking typify this density, although structures of greater height with compensating amounts of open space would be possible. This designation is intended primarily for multi-family dwellings. As part of mixed-use developments within the Rivertown area and designated transit nodes, residential development may occur on the upper floors of buildings whose ground floor is devoted to commercial use. Typically, residential densities will not exceed sixteen (16) to eighteen (18) dwelling units per acre for standard apartment projects, although projects with extraordinary amenities may achieve the maximum allowable density. However, permitted densities and number of housing units will vary, depending on topography, environmental aspects of the area, geologic constraints, existing or nearby land uses, proximity to major streets and public transit, and distance to

shopping districts and public parks. Higher densities will be allowed where measurable community benefit is to be derived (i.e., provision of needed senior housing or low and moderate income housing units). In all cases, infrastructure, services, and facilities must be available to serve the proposed density, and the proposed project must be compatible with surrounding land uses.

- Appropriate Land Use Types: See Table 4.A
- Maximum Allowable Density: Twenty dwelling units per gross developable acre (20 du/ac) and up to a Floor Area Ratio<sup>1</sup> of 1.25 within areas designed for mixed use or transit-oriented development.
- Anticipated Population per Acre: Forty (40) persons per acre. Within transit-oriented development, up to forty-five to sixty (45- 60) persons per acre

<sup>1</sup> Floor Area Ratio (FAR) represents the ratio between allowable floor area on a site and the size of the site. For example, an FAR of 1.0 permits one square foot of building floor area (excluding garages and parking) for each square foot of land within the development site, while an FAR of 0.5 permits ½ square foot of building area for each square foot of land within the development site.

**Residential TOD.** This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the BART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet of commercial space such as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and offices are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Free parking in surface parking lots is not permitted as a primary use.

- Minimum housing density: 20 acres per gross acre
- Maximum housing density: 40 units per gross acre

The provisions of subsection 4.4.1 may be amended by the City Council without a public vote under the following circumstances:

- The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowners' property;
- The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element; or
- Upon application by a landowner or representative of a landowner authorized to apply for such amendment, if the City Council makes a finding, supported by substantial evidence, that such amendment would promote the health, safety, and welfare of the City.

13. The "Sand Creek Focus Area Map," included in the Land Use Element as Figure 4.8, is hereby amended as shown on attached Exhibit Q to establish the base land use designations for the Sand Creek Focus Area west of Deer Valley Road. For reference purposes, the existing Sand Creek Focus Area Map is attached to this Initiative as Exhibit R.

14. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.6.7, entitled "Sand Creek." That subsection is amended as follows:

**4.4.6.7 Sand Creek.** The Sand Creek Focus Area encompasses approximately 2,712 acres in the southern portion of the City of Antioch (Figure 4.8).

This Focus Area is within the boundaries of the voter-approved ULL and bounded by existing residential neighborhoods to the north, Black Diamond Mines Regional Preserve to the west, the city limits and ULL to the south, and the City of Brentwood to the east. Empire Mine Road and Deer Valley Road run in a general north-south direction through the Focus Area, dividing it roughly into thirds.

According to Contra Costa County's 2017 review of the ULL, Antioch is expected to grow within the boundaries of the ULL by more than 4,000 housing units between 2015 and 2040. Long-planned residential development in the Sand Creek Focus Area, within the ULL, will be essential for the City to provide adequate new housing to satisfy anticipated future demand.

**a. Purpose and Primary Issues.** The Sand Creek Focus Area combines two existing policy and planning areas within the ULL identified in the previous General Plan: the southern portion of "Focused Policy Area 18" and the entirety of Future Urban Area 1." Previous General Plan policy tied the timing of development within this Focus Area to progressive build out of the land immediately to the north (the area generally known as Southeast Antioch), and to agreement on an alignment for the SR-4 bypass.

Through the 1990s, build out of Southeast Antioch was largely completed, an alignment for the SR-4 bypass was selected, and financing for construction of the bypass was developed. As a result, the City stepped up its planning efforts for the Sand Creek Focus Area with area landowners. Because of the multiple ownerships within the Sand Creek Focus Area, detailed coordination of access and infrastructure, along with the establishment of workable financing mechanisms was necessary in addition to land use planning.

**Portions of Sand Creek, as well such** as natural hillsides and canyons within the Sand Creek Focus Area, contain habitats for sensitive plant and animal species, as well as habitat linkages and movement corridors. Overall, the **western westernmost** portion of the Focus Area is more environmentally sensitive than the eastern portion in terms of steep topography, biological habitats and linkages, the existence of abandoned coal mines, and proximity to public open space at Black Diamond Mines Regional Preserve. The west end of the Sand Creek Focus Area serves as a linkage between two regionally significant blocks of grassland. Decades of urban and agricultural use have greatly reduced the width of this linkage, substantially increasing the ecological importance of the remaining linkage within the Sand Creek Focus Area. Land has been preserved in regional parks and permanent open space, primarily in extensive grassland to the immediate west and northwest, as well as south of the Sand Creek Focus Area. These preserves represent a significant investment of public resources, and are a valued public asset.

Stream and riparian communities occupy a small portion of the Focus Area, but are widely distributed. Because of their high biotic value, stream and riparian communities within the Focus Area are considered to be a sensitive resource. The Focus Area also includes an oak woodland and savanna community, which, because of its high wildlife value, is considered to be a sensitive resource.

**b. Policy Direction.** The environmental sensitivity of portions of the Sand Creek Focus Area was recognized in the City's previous General Plan; however, policy direction was very general. As an example, the previous General Plan did not provide any indication of the maximum allowable development intensity for Future Urban Area 1. The previous General Plan also stated that while the area between Contra Loma Boulevard and Empire Mine Road was designated Estate Residential, "the actual density should be based on a development plan that ensures that the special characteristics of the area, including steep slopes, riparian habitat, and other environmental constraints, are accommodated.

**As described in more detail below, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative provided more precise direction regarding approximately 1,852 acres of land west of Deer Valley Road by preserving nearly 1,250 acres of environmentally-sensitive land, consisting of more than 65% of West Sand Creek, for open space, hillside preservation, low-density rural residential, and other similar uses.**

The following policy discussion and policies for the Sand Creek Focus Area are intended to provide clear direction for the future development and environmental management of the area.

The Sand Creek Focus Area is **generally** intended to function as a large-scale planned community, providing needed housing and employment opportunities. ~~This Focus Area is also~~ **In particular, the land east of Deer Valley Road is** intended to provide housing and substantial employment opportunities. Up to approximately 280 acres ~~are to~~ **may** be devoted to retail and employment-generating uses, which will result in the creation of up to 6,500 jobs at build out.

**In recognition of the importance of environmentally-sensitive lands in large parts of West Sand Creek, the Initiative designated hillier and more environmentally-sensitive lands west of Deer Valley Road as a Restricted Development Area and flatter and less environmentally-sensitive lands west of Deer Valley Road as a Limited Development Area. These areas shall constitute, and function as, overlay land use designations applicable to West Sand Creek,**

**Land in the Restricted Development Area provides opportunities for low-density rural residential housing and preserves agriculture, grasslands, and open space. The "Rural Residential, Agriculture, Open Space" base land use designation applies to the Restricted Development Area.**

Residential development within the Sand Creek Focus **Limited Development** Area<sup>1</sup> will provide for a range of **single-family** housing types, including upper-income **executive** estate housing, golf-course-oriented, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, and multifamily development **as well as commercial uses, public and quasi-public uses, and substantial open space.** **Subject to the anticipated maximum General Plan build out in Antioch, as set forth in Table 4.B, the following base land use designations shall apply to the Limited Development Area: "Estate Residential;" "Low Density Residential;" "Medium Low Density Residential;" "Medium Density Residential;" "Convenience Commercial;" "Mixed Use;" "Public/Quasi Public;" and "Open Space."**

**1 Development of the land within the Limited Development Area may include corrective grading, detention basins, trails and trail facilities, and other non-urban activities and uses in certain limited portions of the Restricted Development Area. Such incidental activities and uses are consistent with the Initiative.**

The following policies apply to development within the Sand Creek Focus Area.

~~a. Prior to or concurrent with approvals of any development applications other than major employment-generating uses (including, but not limited to a medical facility on the Kaiser property), a specific plan or alternative planning process as determined by the City Council, shall be prepared and approved for the Sand Creek Focus Area. Such specific plan or alternative planning process shall identify and provide for project-related land uses, financing of required public services and facilities, open space preservation, community design, recreational amenities, and community improvements within the area proposed for development.~~

~~ba.~~ Sand Creek Focus Area development shall **can** make a substantial commitment to employment-generating uses. Up to 280 ~~480~~ acres ~~are to~~ **may** be devoted to employment-generating uses within the areas shown for Business Park and Commercial/Open Space, in addition to the area shown as Mixed Use Medical Facility. Appropriate primary land uses within employment-generating areas include:

- Administrative and Professional Offices
- Research and Development

- Light Manufacturing and Assembly
  - Hospital and related medical uses
- eb.** Secondary, support and ancillary uses within employment-generating areas include:
- Banks and Financial Services
  - Business Support Services
  - Eating and Drinking Establishments
  - Health Clubs and Spas
  - Lodging and Visitor Services
  - Storage and Distribution – Light
  - Civic Administration
  - Cultural Facilities
  - Day Care Centers
- ec.** The maximum development intensity for employment-generating lands shall be an overall FAR of 0.5.
- ed.** A maximum of 95 acres of retail commercial uses designed to service the local community may be developed within the areas shown for Commercial/Open Space, with a maximum overall development intensity of a 0.3 FAR.
- fe.** Up to 1.24 million square feet of retail commercial uses may be constructed. Within areas designated for retail use (areas shown for Commercial/Open Space), office development may be developed at a maximum FAR of 0.5.
- gf.** Appropriate uses within the retail portions of this Focus Area include:
- Administrative and Professional Offices
  - Automotive Uses
  - Banks and Financial Services
  - Business Support Services
  - Eating and Drinking Establishments
  - Food and Beverage Sales
  - General Merchandise
  - Health Clubs and Spas
  - Personal Services
  - Personal Instruction
  - Theaters
  - Civic Administration
  - Cultural Facilities
  - Day Care Centers
  - Residential development as part of a mixed-use ~~medical facility~~ **development**
- hg.** Commercial areas shall be designed as cohesive centers, and not in narrow corridors or commercial strips.
- ih.** Each commercial center shall establish an identifiable architectural theme, including buildings, signage and landscaping.
- ji.** Commercial and employment-generating developments shall be designed to accommodate public transit and non-motorized forms of transportation.
- kj.** A maximum of 4,000 dwelling units may be constructed within the Sand Creek Focus Area. Appropriate density bonuses may be granted for development of age restricted housing for seniors; however, such density bonuses may not exceed the total maximum of 4,000 dwelling units for the



Sand Creek Focus Area, subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

- kk. It is recognized that although the ultimate development yield for the Focus Area may be no higher than the 4,000 dwelling unit maximum, subject to the state density bonus law and the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative, the actual development yield is not guaranteed by the General Plan, and could be substantially lower. The actual residential development yield of the Sand Creek Focus Area will depend on the nature and severity of biological, geologic, and other environmental constraints present within the Focus Area, including, but not limited to constraints posed by slopes and abandoned mines present within portions of the Focus Area; on appropriate design responses to such constraints, and on General Plan policies. Such policies include, and but are not limited to, identification of appropriate residential development types, public services and facilities performance standards, environmental policies aimed at protection of natural topography, substantial open space and environmental resources, policies intended to protect public health and safety, and implementation of the Resource Management Plan called for in Policy "u," below.
- mm. As a means of expanding the range of housing choices available within Antioch, ~~three~~ two types of "upscale" housing are to ~~may~~ be provided, including Hillside Estate Housing, east of Deer Valley Road and Executive Estate Housing east of Deer Valley Road and in the Limited Development Area west of Deer Valley Road, and Golf Course Oriented Housing.

Hillside Estate Housing consists of residential development within the hilly portions of the Focus Area east of Deer Valley Road that are designated for residential development. Appropriate land use types include Large Lot Residential. Within these areas, typical flat land roadway standards may be modified (e.g., narrower street sections, slower design speeds) to minimize required grading. Mass grading would not be permitted within this residential type. Rough grading would be limited to streets and building pad areas. Residential densities within Hillside Estate Areas are to be limited to one dwelling unit per gross developable acre (1 du/ac), with typical lot sizes ranging upward from 20,000 square feet. The anticipated population density for this land use type is up to four persons per developed acre. Included in this category is custom home development, wherein semi-improved lots are sold to individuals for construction of custom homes. Approximately 20 percent of Hillside Estate Housing ~~should~~ could be devoted to custom home sites.

Executive Estate Housing consists of large lot suburban subdivisions within the flatter portions of the Focus Area. Appropriate land use types include Large Lot Residential. Densities of Executive Housing areas would typically be 2 du/ac, with lot sizes ranging upward from 12,000 square feet. The anticipated population density for this land use type is up to eight persons per developed acre.

~~Golf Course Oriented Housing consists of residential dwelling units fronting on a golf course to be constructed within the portion of the Focus Area identified as Golf Course/Senior Housing/Open Space in Figure 4.8. Appropriate land use types include Single Family Detached and Small Lot Single Family detached for lots fronting on the golf course. Maximum densities for golf course oriented housing would typically be 4 du/ac, with lot sizes as small as 5,000 square feet for lots actually fronting on the golf course. Given the significant environmental topographic constraints in the portion of the focus area west of Empire Mine Road, the minimum lot size for executive estate housing within this area shall be a minimum of 10,000 square feet. This would allow additional development flexibility in situations where executive estate housing needs to be clustered in order to preserve existing natural features. In no case shall the 10,000 square foot minimum lot size constitute more than 20 percent of the total number of executive estate housing units in the area west of Empire Mine Road. The anticipated population density for this land use type is up to eight to twelve persons per acre developed with residential uses. Should the City determine as part of the development review process that development of a golf course within the area having this designation would be infeasible, provision of an alternative open space program may be permitted, provided, however, that the overall density of lands designated Golf Course/Senior Housing/Open Space not be greater than would have occurred with development of a golf course.~~

- mm. Single-Family Detached housing within suburban-style subdivisions with lot sizes ranging from 7,000 square feet to 10,000 square feet may also be developed within the Sand Creek Focus Area east of Deer Valley Road within areas shown as Residential and Low Density Residential in Figure 4.8. Single-Family Detached housing within suburban-style subdivisions with minimum lot sizes ranging from approximately 5,000 square feet to 10,000 square feet may be developed within the Limited Development Area. The anticipated population density for this land use type is up to eight to ~~twelve~~ eighteen persons per acre developed with residential uses.
- nn. Small Lot Single Family Detached housing at the Aviano planned development and at the Vineyards at Sand Creek planned development with lots smaller than 7,000 square feet may be developed in the Sand Creek Focus Area east of Deer Valley Road within areas shown as Medium Low Density Residential and Low Density Residential in Figure 4.8. Small Lot Single Family Detached housing on the land known as The Ranch with minimum lot sizes from approximately 4,000 square feet may be developed within the Limited Development Area. The anticipated population density for this land use type is fourteen to eighteen persons per acre developed with residential uses.
- oo. A total of 25 to 35 acres is to be reserved for multi-family housing to a maximum density of 20 du/ac. Areas devoted to multi-family housing should be located adjacent to the main transportation routes within the Focus Area, and in close proximity to retail commercial areas. The anticipated population density for this land use type is up to forty persons per acre developed with residential uses.
- pp. Age-restricted senior housing should be developed within the Focus Area as a means of expanding the range of housing choice within Antioch, while reducing the Focus Area's overall traffic and school impacts. Such senior housing may consist of Single Family Detached, Small Lot Single Family Detached, of Multi-Family Attached Housing, and may be developed in any of the residential areas of the Sand Creek Focus Area, including the Limited Development Area. Within areas identified in Figure 4.8 specifically for senior housing, limited areas of non-senior housing may be permitted where environmental or topographic constraints would limit development densities to a range more compatible with estate housing than with senior housing.

- rg. Areas identified as Public/Quasi Public and School in Figure 4.8, and areas within the Limited Development Area, are intended to identify locations for new public and institutional uses to serve the future development of the Sand Creek Focus Area. Development within these areas is to be consistent with the provisions of the Public/Institutional land use category described in Section 4.4.1.4 of the Land Use Element.
- sr. Sand Creek, ridgelines, hilltops, stands of oak trees, and significant landforms shall be preserved in their natural condition. Overall, a minimum of 25 percent of the Sand Creek Focus Area east of Deer Valley Road shall be preserved in open space, ~~exclusive of lands developed for golf course use~~. A minimum of 65 percent of the Sand Creek Focus Area west of Deer Valley Road shall be within the Restricted Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.
- ts. Adequate buffer areas adjacent to the top of banks along Sand Creek to protect sensitive plant and amphibian habitats and water quality shall be provided. Adequate buffer areas shall also be provided along the edge of existing areas of permanently preserved open space adjacent to the Sand Creek Focus Area, including but not limited to the Black Diamond Mines Regional Park. Buffers established adjacent to existing open space areas shall be of an adequate width to minimize light/glare, noise, fire safety, and public safety, habitat, and public access impacts within the existing open space areas, consistent with the provisions of Section 10.5, Open Space Transitions and Buffers Policies of the General Plan.
- tt. Because of the sensitivity of the habitat areas within the Sand Creek Focus Area, and to provide for mitigation of biological resources impacts on lands in natural open space, as well as for the long-term management of natural open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to development of issuance of the first building permit for the Sand Creek Focus Area properties.
- vu. A viable, continuous grassland corridor between Black Diamond Mines Regional Preserve and Cowell Ranch State Park shall be retained in the Restricted Development Area using linkages in the southwestern portion of the Lone Tree Valley (within the Sand Creek drainage area), Horse Valley, and the intervening ridge. The primary goal of preserving such a corridor is to allow for wildlife movement between Black Diamond Mines Regional Preserve and Cowell Ranch State Park. Completion of such a corridor is contingent upon the cooperation with the City of Brentwood and Contra Costa County, each of whom may have land use jurisdiction over portions of this corridor.
- ~~— To preserve this corridor and in view of other significant development constraints, certain lands in the southwestern portion of the Focus Area shall be designated as "Open Space," as depicted in Figure 4.8. Limited future adjustments to the boundaries of this "Open Space" area may occur as part of the Specific Plan and/or project level environmental review processes, provided that such adjustments: (a) are consistent with the goals and policies outlined in the Framework for Resource Management set forth in Appendix A (b) are based upon subsequently developed information and data relating to environmental conditions or public health and safety that is available at the Specific Plan stage, the project level development plan stage, or during the permitting processes with federal, state or regional regulatory agencies; and (c) would not cause the "Open Space" area west of Empire Mine Road to be less than 65 percent of the total lands west of Empire Mine Road. Any open space and otherwise undeveloped areas west of Empire Mine Road that are within the area designated as "Hillside and Estate Residential" shall not count towards meeting this 65 percent minimum "Open Space" requirement.~~
- ~~— All areas designated as "Open Space" within the Focus Area may be utilized for mitigation for loss of grassland and other project level impacts by projects within the Focus Area.~~
- ~~— Due to the varied and complex topography west of Empire Mine Road the exact boundary between the "Hillside Estate" residential area and "Estate" residential area shall be determined as part of the project level entitlement process.~~
- ~~— It is anticipated that there will be only minor adjustments to the boundary between the open space area and the hillside and estate residential area shown in Figure 4.8. Minor adjustments may be made to this boundary provided that such adjustments shall not create islands of residential development within the area designated open space in Figure 4.8.~~
- ~~— In order to ensure adequate buffering of the Black Diamond Mines Regional Park from development in the Sand Creek Focus Area, no residential development shall be allowed north of the Sand Creek channel between the area designated "Hillside and Estate Residential" in Figure 4.8 west of Empire Mine Road and the existing Black Diamond Mines Regional Park boundary.~~
- wy. The construction of facilities necessary to ensure adequate public access across Sand Creek west of Empire Mine Road, including the bridging of Sand Creek, an appropriately sized parking lot and staging area, and any trails needed to ensure public access to Black Diamond Mines Regional Park shall be implemented as an infrastructure component of development in the Focus Area.
- xw. To mitigate the impacts of habitat that will be lost to future development within the Focus Area, an appropriate amount of habitat shall be preserved on- or off-site per the compensatory provisions of the Framework Resource Management Plan prepared for the Sand Creek Focus Area (attached as Appendix A of the General Plan) or other applicable Resource Management Plan.
- yx. Ponds, wetlands, and alkali grassland associated with upper Horse Creek shall be retained in natural open space, along with an appropriate buffer area to protect sensitive plant and amphibian habitats and water quality. If impacts on the Horse Creek stream and riparian downstream are unavoidable to accommodate infrastructure, appropriate compensatory mitigation shall be required off-site per the provisions of the Resource Management Plan attached as Appendix A to this General Plan or other applicable Resource Management Plan.

zy. Chaparral, scrub, and rock outcrop community within the ~~western~~ **westernmost** portion of the Focus Area (west of Empire Mine Road), as well as adjacent grassland community that is suitable habitat for the Alameda whipsnake (*masticophis lateralis euryxanthus*) shall be retained in natural open space. Within other portions of the Focus Area, the chaparral, scrub, and rock outcrop shall be retained in natural open space contiguous to the required grassland linkage to function as a buffer and protect the grassland linkage south of the chaparral, scrub, and outcrop community.

ea. Within the ~~western~~ **westernmost** portion of the Focus Area (west of Empire Mine Road), the oak woodland and savanna community shall be preserved in natural open space. Within other portions of the Focus Area, the oak woodland and savanna community shall be preserved in natural open space where it overlaps the rock outcrop community.

baa. As appropriate and necessary to protect public health and safety, abandoned mines shall be included within required natural open space areas, along with appropriate buffer areas and measures to prevent unauthorized entry.

ebb. Mass grading within the steeper portions of the Focus Area (generally exceeding 25 percent slopes) is ~~to be avoided~~ **prohibited**.

edcc. Impacts of residential development on the Antioch Unified School District and Brentwood school districts will be mitigated, **which may include** pursuant to a developer agreement with the District **or other acceptable means of mitigation**.

eedd. Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of the Sand Creek Focus Area as an identifiable "community" distinct from Southeast Antioch.

fee. The Sand Creek Focus Area is intended to be "transit-friendly," including appropriate provisions for public transit and non-motorized forms of transportation.

~~gg. subject to its financial feasibility (see Policy "m"), a golf course shall be provided within the Focus Area, designed in such a way as to maximize frontage for residential dwellings. The golf course may also be designed to serve as a buffer between development and open space areas set aside to mitigate the impacts of development.~~

~~The golf course shall be designed to retain the existing trail within Sand Creek.~~

~~The golf course and Sand Creek corridor shall function as a visual amenity from the primary access road within the Focus Area (Dallas Ranch Road/Sand Creek Road).~~

~~As part of the golf course clubhouse, banquet and conference facilities shall be provided.~~

hff. A park program, providing active and passive recreational opportunities is to be provided. In addition to ~~a golf course and~~ preservation of natural open space within Sand Creek and the steeper portions of the Focus Area, the development shall meet the City's established park standards. A sports complex is ~~to~~ **may** be developed.

~~A sports complex is to be developed. The sports complex is intended to~~ **would** be located within the Flood Control District's detention basin.

~~Neighborhood park facilities for the exclusive use of project residents may~~ **will** be privately maintained for the exclusive use of project residents. **Public parks for the use of the general public will be publicly maintained.** The sports complex within the Sand Creek Detention Basin ~~will~~ **is anticipated to** be maintained by the City.

gg. Development of an appropriate level of pedestrian and bicycle circulation throughout the community ~~is to~~ **will** be provided, including pathways connecting the residential neighborhoods, as well as non-residential and recreational components of the community. Sand Creek Focus Area development ~~should~~ **will** also provide recreational trail systems for jogging and bicycling, including areas for hiking and mountain biking. Trails along Sand Creek and Horse Valley Creek shall be designed so as to avoid impacting sensitive plant and amphibian habitats, as well as water quality.

**hh. Transferable development credits of residential land use densities are hereby allocated to the property owners of record of land designated Limited Residential Development by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.**

**Transferable residential development credits shall run with the land.**

**Upon the application of an owner of record of land or his or her authorized representative, residential land use densities may be transferred with other residentially-designated land in the Limited Development Area, with the approval of the Director of the Community Development Department or his or her designee, if such transfer (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove a density transfer unless it makes written findings, based on a preponderance of evidence in the record, that the proposed transfer would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without disapproving the proposed transfer.**

**ii. Proponents of new residential development within the Limited Development Area are strongly encouraged to provide extraordinary public benefits to the community, including**

**financial contributions to the Antioch Unified School District for local high school sports facilities and performing arts facilities.**

15. Chapter 4.0 of the General Plan, entitled "Land Use," contains a subsection 4.4.7, entitled "Voter-Approved Urban Limit Line." That subsection is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

Pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative (**Measure K**), the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginocchio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. **The ULL thus preserves and protects agricultural, natural resource, and open space uses on lands outside the ULL by establishing a line beyond which no urban land uses may be designated.** ~~Until December 31, 2020, Pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative,~~ the location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City. The City shall oppose any annexation to the City of any land outside of the Voter-Approved Urban Limit Line.

**E. COMMUNITY IMAGE AND DESIGN ELEMENT AMENDMENTS.**

1. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.1, entitled "Function and Purpose." That section is amended as follows:

**5.1 FUNCTION AND PURPOSE**

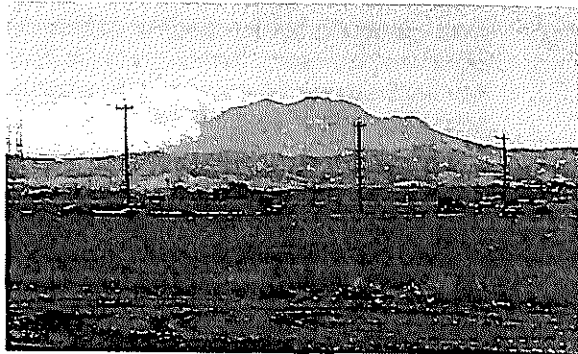
Underlying the livability and economic vitality of a community is its perceived image. Community design quality is not just an aesthetic matter, but has distinct functional dimensions. Persistent attention to the details in the design of the built environment is an investment in the quality of the community. It pays dividends in residents' perception of their quality of life and the perceptions that prospective employers and retailers will have regarding the desirability of Antioch as a location for their businesses.

With rapid growth, the City's appearance has become an increasingly important issue for Antioch's residents. The Community Image and Design Element addresses the visual quality and character of Antioch's built environment, and a continuing process to shape the community's physical form and create a more efficient, attractive, and, at times, dramatic urban environment. As Antioch continues to grow **within the existing boundaries of the voter-approved Urban Limit Line (ULL)**, this Element, along with the Land Use Element, will provide guidance for more detailed design guidelines and standards contained in specific plans and planned community documents, design guideline handouts provided by the City, provisions of the sign ordinance, and other provisions of the zoning ordinance.

2. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.2, entitled "Existing Community Design." That section is amended as follows:

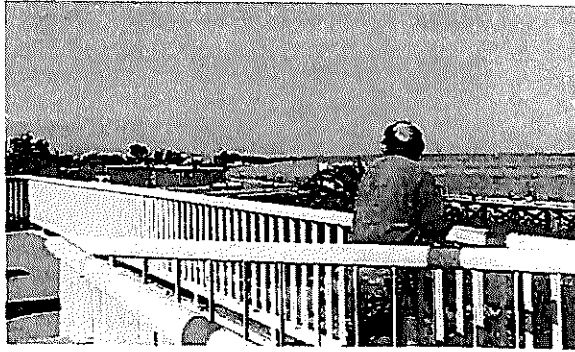
**5.2 EXISTING COMMUNITY DESIGN**

Antioch extends in a roughly square pattern from Pittsburg on the west to the Antioch Bridge on the east, and from the foothills of Mt. Diablo on the south to the San Joaquin River on the north. The City is bisected by State Route 4 (SR 4), an east-west-oriented four-lane freeway. The Southern Pacific Railroad line runs east-west just north of SR 4; the Burlington Northern Santa Fe Railroad line runs east-west along the San Joaquin River waterfront. The Contra Costa Canal is located south of SR 4, and traverses the Planning Area in an east-west direction.



On the north side of SR 4, older residential areas and the historic Downtown area are organized in a traditional grid street pattern. Small lots of vacant, undeveloped land are situated between homes, such as the lots at the intersection of J and Third Streets. There are few large undeveloped parcels, such as the Hickmott site and the land adjacent to Beede Lumber on 2nd Street. Many of these vacant parcels are small or irregular in shape.

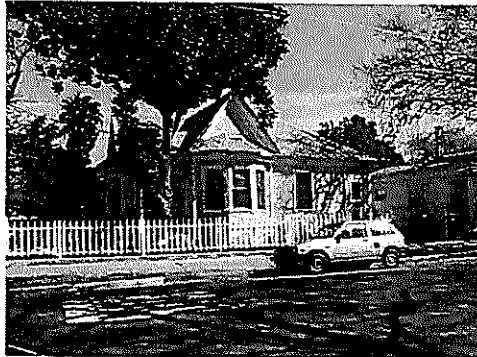
South of SR 4, the suburban street patterns of newer residential areas reflect their development as a series of separate subdivisions. Some vacant or underutilized parcels exist within the subdivisions. The hill and valley areas south of the Contra Costa Canal have grown most recently. In general, growth over the past 30 years has solidified the City's current role as a bedroom community for the San Francisco Bay Area.



South of SR 4, minor ridgelines occur northeast of the Contra Loma Boulevard/James Donlon Boulevard intersection, east and west of Hillcrest Avenue, and in the area separating Lone Tree Way from Lone Tree Valley. Major ridgelines associated with the foothills of Mt. Diablo occur along the entire southwest boundary of the Planning Area within the ULL, from Somersville Road to the City's southeastern boundary adjacent to the City of Brentwood. Most of the open lands in the southwest Antioch are located within the Black Diamond Mines Regional Preserve, Contra Loma Regional Park, or the Sand Creek Focus Area, an area of mostly privately owned ranch land that is planned for development within the ULL.

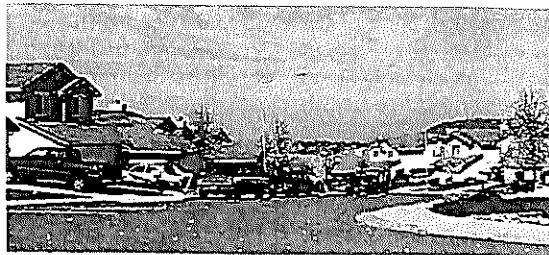
North of SR 4, the majority of the San Joaquin River shoreline is in park or open space uses. North of Downtown, the Antioch Riverfront Promenade, a 1/3-mile urban walkway and linear park, runs adjacent to the River, connecting the Marina and the Barbara Price Marina Park to G Street. To the west of Downtown and bordering Pittsburg, the Dow Wetland Preserve forms part of the City's shoreline. To the east of Downtown, the Antioch Dunes National Wildlife Refuge and other open areas occupy the City's shoreline. The Contra Costa County Fairgrounds and Lake Alhambra are upland open areas among higher-density residential uses north of SR 4.

The City also maintains 31 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. The Delta De Anza Regional Trail, operated by the EBRPD, is a linear open space element that begins at the City of Antioch Community Park, and travels east along the Contra Costa Canal.



3. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.2.1.2, entitled "Residential Districts South of the Route 4 Freeway." That subsection is amended as follows:

**5.2.1.2 Residential Districts South of the Route 4 Freeway**



~~Residential~~ **Existing residential** districts south of SR 4 were built mainly from the 1950s to the present. These newer residential areas tend to be defined by subdivision, each with common architecture and landscaping themes. Single-family housing is the most common type, with a density of approximately five housing units per net acre, which is a typical suburban housing density. Some condominium developments and apartments (such as Flores Apartments, Hudson Townhouse Manor, and Delta View) are located south of SR 4.

4. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a section 5.3, entitled "Existing Community Design." That section is amended as follows:

**5.3 GOALS OF THE COMMUNITY DESIGN ELEMENT**

To provide for a sustained high quality of life and ensure that new development occurs in a logical and orderly manner, it is the goal of the Community Image and Design Element to accomplish the following.

- Create a community design theme and a visual identity for Antioch, recognizing its local as "Gateway to the Delta."

The design quality of a community and its design expectations reflect a critical philosophy regarding community development, whether the community is committed not only to defining the right mix and location of land uses, but to their exceptional quality as well. Community design must reflect Antioch's commitment to the concept that new development within the ULL needs to make a positive contribution to the community. Thus, the Community Image and Design Element aims to:

- Sustain Antioch's identity as "Gateway to the Delta" and provide the visual character of a unique, desirable living environment;
- Contribute to the City's economic development objectives and assist in achieving a local balance between jobs and housing by appealing to investors who value municipal commitments to quality development that will protect private sector investments in their projects;
- Offer incentives for new residential, commercial, office, business park, and industrial developments within the ULL to achieve excellence and make a positive contribution to the community because the quality of the project will be matched or exceeded by subsequent projects within the ULL;
- Stimulate development of pedestrian friendly, appealing enclaves, and provide accessibility for bicyclists;
- Provide a vehicle for reinforcing Antioch's heritage through compatible design and preservation/reuse of historic resources;
- Enhance the quality of existing developed areas as they mature over time, eliminating perceived differences in the quality of newer and older portions of the community;
- Stimulate ongoing pride in Antioch by its citizens and those who work in the community; and
- Help to communicate to others what kind of community Antioch believes itself to be.

5. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.2, entitled "General Design Policies." That subsection is amended as follows:

#### **5.4.2 General Design Policies**

- a. Base the City's review of public and private projects within the ULL on the following general design principles.
- Innovative design, regardless of its style, is more important to the achievement of "quality" than the use of predetermined themes.
  - "High quality" comes from the explicit consideration of all aspects of development design. It is in design details that "quality" is ultimately manifested.
  - Designers need to respect community goals and needs, as well as address their client's economic objectives.
  - Individual buildings and developments within the ULL are not isolated entities, but are part of a larger district and community into which they must fit. While innovation and individual expression are sought, compatibility of design elements is also important.
  - Standardized design solutions, "corporate architecture," and "off the shelf models" cannot always be depended upon. What worked before or was accepted elsewhere may not work or be acceptable in the proposed application in Antioch.
  - Architectural styles, landscaping, and project amenities should complement surrounding development, and convey a sense of purpose, not expediency.
  - All building elevations visible to the public should be given equal attention and detail.
  - The same design solution, no matter how well done, when repeated too often or over too large an area, can become boring, lose its effectiveness, and no longer communicate "quality."
- b. Incorporate Antioch's "Gateway to the Delta" theme and reminders of its community heritage into the design of new residential, commercial, employment generating, and recreational development within the ULL, as well as into public facilities.
- Incorporate nautical/waterway, gateway/entry, industrial or ranching themes into the design details of new developments and community facilities, such as building architecture, signage, lighting standards, site paving and landscaping, street furniture (e.g., benches, trash enclosures and receptacles), fencing, and placement of murals and sculpture in public locations.
  - Maintain a consistent design theme throughout each development project. Each individual development project and area within the project should portray an identifiable design theme.

- Select tree species that are appropriate to their specific applications (e.g., providing shade, framing long-distance views of the San Joaquin River or Mt. Diablo, or framing short-distance views of new development).
- c. Maintain view corridors from public spaces to natural ridgelines and landmarks, such as Mount Diablo and distant hills, local ridgelines, the San Joaquin River, and other water bodies.
- Recognizing that new development within the ULL will inevitably result in some loss of existing views, as part of the City's review of development and commercial and industrial landscape plans, minimize the loss of views from public spaces.
  - Important view corridors to be protected include Somersville Road, Lone Tree Way, Hillcrest Avenue, SR 4, SR 160, James Donlon Boulevard, Deer Valley Road, and Empire Mine Road.
- d. Strengthen and emphasize community focal points, visual landmarks, and features contributing to Antioch's identity using design concepts and standards implemented through the zoning ordinance, design guidelines and design review process, and specific plan and planned community documents.
- e. Create a framework of public spaces at the neighborhood, community, and regional scale.
- Provide for new open space opportunities throughout the City, especially in neighborhoods having minimal access to open space. This includes exploring the potential for creek corridors, bicycle and pedestrian paths, and new small open space and conservation areas.
  - Provide an open space network within the ULL linked by pedestrian and bicycle paths, which preserves and enhances Antioch's significant visual and natural resources.
  - Provide sitting areas within parks and along pedestrian and bicycle paths within the ULL.
  - Restore the San Joaquin Riverfront as a linear park and multi-use trail from the westerly City limits to Rodger's Point/Fulton Shipyard.
  - Utilize existing creeks, such as Sand Creek, as linear parks, providing pedestrian and bicycle paths.
  - Views along utility corridors should be retained and enhanced through the use of planting materials to frame and focus views and to provide a sense of orientation.
- f. Provide for consistent use of street trees to identify City streets, residential neighborhoods, commercial and employment districts, and entry points to the City.
- Select species that enhance the pedestrian character of, and convey a distinctive and high quality visual image for the City's streets; are drought-tolerant, fire- and pest resistant; and complement existing street trees.
  - Use changes in tree species, scale, color and spacing to differentiate the roadway types identified in the Circulation Element.
  - Use a consistent palette of street trees to distinguish Antioch from other communities, and to distinguish individual areas within the community (e.g., Rivertown, East Lone Tree, "A" Street Corridor) from each other.
  - Street trees should relate to the scale, function, and visual importance of the area in which they are located, establishing a hierarchy of street trees for entry locations, intersections, and activity centers.
  - Major accent trees are to be located at City and community entry locations, key intersections, and major activity centers (e.g., County East Mall, Prewett Family Park).
  - Street Trees should be selected as a common tree for street frontages. A single species may be selected for all residential neighborhoods or different species to distinguish different neighborhoods from each other. Within residential neighborhoods, street trees should be full, providing shade and color. In commercial districts, the trees should provide shade but be more transparent at the motorist and pedestrian levels to promote views of store fronts and visual interaction of pedestrians. Within employment districts street trees should provide shade and screening, and be used to frame views of buildings and building entries.
- g. Maintain common community design elements throughout the City.
- Provide a system of well-designed directional signage, facilitating way finding to community features such as shopping areas, marinas, parks, and civic buildings.
  - Incorporate common design elements in community features such as roadway landscaping, streetlights, street signs, traffic lights, and community directional signage.
  - Use design variations in landscaping, street light standards, and street signs as a means of defining special design districts (e.g., Rivertown, Somersville Road and "A" Street corridors).
- h. Wherever feasible, existing above-ground utility lines should be placed underground.
- i. Preserve and strengthen Rivertown as a vital and attractive place.

- Promote activity along Rivertown streets through attractive building designs with street level activity and facade windows, public art, and other landscaping elements that are pedestrian-friendly.
  - Maintain views of the San Joaquin River from buildings within Rivertown, where they are available, by placing windows rather than solid walls along the river side of buildings.
  - Avoid blank parking garage building frontages.
  - Orient buildings along the first street inland from the San Joaquin River toward the river to enhance pedestrian and bicycle activity.
  - Utilize murals to enhance the design quality of existing large blank walls (e.g., Campanile Theater).
  - Seek opportunities for small public spaces throughout Rivertown to provide for the comfort of pedestrians and bicyclists, enhance street level activity, and provide sitting areas and protection from the sun and rain. Small left over spaces between buildings, at street corners, at the edges of parking lots, or along the edges of sidewalks can thus become attractive and lively additions to the street scene.
- j. Within multi-family, commercial, office and business parks, and industrial **within the ULL**, screen enclosures, loading areas, mechanical equipment, and outdoor storage areas from view from public streets, and, as appropriate, from other public views.
- Ground mounted equipment incidental to multi-family, commercial, office, and business park development **within the ULL** shall be appropriately screened with solid walls, trellises, and/or landscaping. Equipment location should be away from the front of the building, and screening must be similar to adjacent architecture and materials.
  - Refuse collection areas are to be large enough to accommodate storage of recyclable materials, and be screened with a solid perimeter wall using materials and colors compatible with those of the adjacent structures. Refuse collection areas should be located on an interior building side yard, and are to be roofed if the contents of the area are visible from a freeway.
  - Loading docks and areas, as well as trash enclosure areas shall be screened from public view areas. When there is adjacent residential development, loading and trash enclosure areas shall be physically separated and screened from adjacent residential structures.
  - Service areas, including storage, special equipment, outdoor work areas, and loading areas, should be screened from public view with landscaping and architectural elements.
  - Screen utility equipment and communication devices so that the project will appear free of all such devices.
- k. Prohibit roof-mounted equipment (with the exception of small satellite dishes and solar panels) for single-family residential development consistent with FCC regulations.
- New residential uses should be pre wired so as to allow for the placement of satellite dishes in a manner that is integrated with the building design, and avoids placement of dishes on chimneys or above the roof line.
  - Where required for commercial, office, and industrial development, screen roof mounted equipment and cellular antennas completely from public view on all sides. Particular attention shall be given to the sides visible from freeways, with the intent of minimizing the need for screening devices to the greatest extent possible.
- l. Screening of roof-mounted equipment and cellular antennas, where provided, should be an integral part of the building design and not appear as a tacked-on afterthought. Ground-mounted mechanical equipment (with appropriate wall or landscape screening) is encouraged as an alternative to roof mounting.
- m. All roof screens must be solid and continuous. Continuous grills or louvers must cover equipment. Roof screens will be sheathed in a matching or complementary material to the exterior building material.
- n. Utilize street lights in commercial, office, and business park areas that are pedestrian-oriented, attractively designed, compatible in design with other street furniture, and provide adequate visibility and security.
- o. Design onsite lighting to improve the visual identification of adjacent structures.
- Within commercial areas, lighting should also help create a festive atmosphere by encouraging evening use of areas by pedestrians.
  - Within commercial and industrial development **within the ULL**, provide design features such as screened walls, landscaping, setbacks, and lighting restrictions between the boundaries of adjacent residential land use designations to reduce the impacts of light and glare.
  - In all projects, lighting fixtures should be attractively designed and of a low profile to complement the overall design theme of the project within which they are located.



- On-site lighting shall create a safe environment adhering to established crime prevention standards, but shall not result in nuisance levels of light or glare on adjacent properties. Limit sources of lighting to the minimum required to ensure safe circulation and visibility.
  - p. Lighting should accommodate night use of streets and promote security while complying with the provision of a dark night sky. Streetscape areas that are used by pedestrians at night should be well lit. Within rural and open space areas, limit street lighting to intersections and other locations that are needed to maintain safe access (e.g., sharp curves).
  - q. The design of new developments within the ULL shall protect residents' privacy by avoiding placement of windows directly opposite each other and avoiding windows overlooking the yard areas of adjacent residences to the maximum feasible extent.
  - r. New multi-family, commercial, office, and business park developments within the ULL shall emphasize pedestrian level activities by utilizing the following techniques.
    - design projects so as to have a central plaza or main visual focus which is oriented toward pedestrians;
    - incorporate plaza areas which can be used as informal gathering places;
    - install "street furniture" (benches, bus shelters, planters, bike racks, trash receptacles, newspaper racks, water fountains, and bollards) to create and enhance small plazas and similar open spaces within urban areas; and
    - within commercial, office, business park, and industrial developments within the ULL, encourage architectural styles that provide covered verandas and other similar pedestrian-oriented shade features.
  - s. Where needed, undertake active programs to minimize or prohibit through traffic from using neighborhood collectors and local streets. Visual deterrents to through traffic will be emphasized, using physical deterrents only as a last resort.
6. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.12, entitled "Development Transitions and Buffering Policies." That subsection is amended as follows:

**5.4.12 Development Transitions and Buffering Policies<sup>1</sup>**

- a. Minimize the number and extent of locations where non-residential land use designations abut residential land use designations. Where such land use relationships cannot be avoided, strive to use roadways to separate the residential and non-residential uses<sup>2</sup>.

<sup>1</sup> These policies are focused on protecting existing and planned residential uses from the effects of adjacent land uses. Policies to provide similar buffers between existing and proposed developments within the ULL and existing open space and agricultural areas are set forth in Section 10.5 of the Resource Management Element.

<sup>2</sup> It is recognized that residential and non residential properties will sometimes abut along a common property line (such as between neighborhood shopping centers and adjacent neighborhoods).

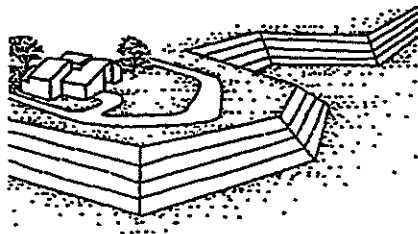
- b. Ensure that the design of new development proposed within the ULL along a boundary between residential and non-residential uses provides sufficient protection and buffering for the residential use, while maintaining the development feasibility of the non-residential use. The burden to provide buffers and transitions to achieve compatibility should generally be on the second use to be developed. Where there is bare ground to start from, both uses should participate in providing buffers along the boundary between them.
- c. Provide appropriate buffering to separate residential and non-residential uses within the ULL, using one or more of the following techniques as appropriate.
- Increase setbacks along roadways and common property lines between residential/non-residential uses.
  - Provide a heavily landscaped screen along the roadway or common property line separating residential and non-residential use.
  - Locate noise-generating activities such as parking areas; loading docks; and service, outdoor storage, and trash collection areas as far from residential uses as possible.
  - Where a multifamily residential use is located adjacent along a common property line with a non-residential use, locate the noise-generating activities of both uses (e.g., parking areas; loading docks; and service, outdoor storage, and trash collection areas) along the common property line.
  - Design the residential area with cul-de-sacs running perpendicular to and ending at the non-residential use, facilitating greater separation of residential and non-residential structures than would be possible if residential streets ran parallel to the boundary of the non-residential use.
- d. Where a difference in residential density is indicated on the General Plan land use map, the size of parcels and character of development facing each other across a street or along a common property line should be similar, creating a transition between the densities in each area.

- e. Where multi-family development is located adjacent to a single-family neighborhood within the ULL, appropriate buffering ~~is to~~ shall be provided.
    - Increase setbacks for multi-family development along common property lines with single family development.
    - Provide a heavy landscaped screen along the property line of the multifamily use.
    - Locate noise-generating activities such as parking and trash collection areas as far from the single family neighborhood area as possible.
  - f. The transition from lower to higher residential density within the ULL should occur within the higher density area.
  - g. Uninterrupted fences and walls are to be avoided, unless they are needed for a specific screening, safety, or sound attenuation purpose.
  - h. Where they are needed, fences or walls should relate to both the site being developed and surrounding developments, open spaces, streets, and pedestrian ways.
  - i. Fencing and walls should respect existing view corridors to the greatest extent possible.
  - j. Fencing and walls should incorporate landscape elements or changes in materials, color, or texture in order to prevent graffiti, undue glare, heat, or reflecting, or aesthetic inconsistencies.
7. Chapter 5.0 of the General Plan, entitled "Community Image and Design," contains a subsection 5.4.14, entitled "Hillside Design Policies." That subsection is amended as follows:

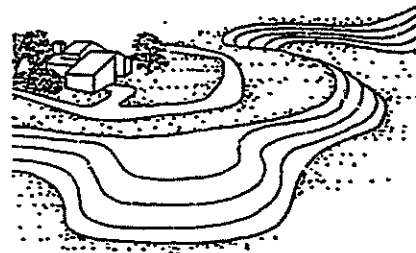
**5.4.14 Hillside Design Policies**

- a. Design hillside development within the ULL to be sensitive to existing terrain, views, and significant natural landforms and features.
- b. Projects within hillside areas within the ULL 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 within the ULL 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 within the ULL shall adapt to the natural hillside topography and maximize view opportunities to, as well as from the development.
- e. Grading of ridgelines within the ULL 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.
  - 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.



Unacceptable



Acceptable

- 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 "hutting 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 overhands 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 closing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
- q. The interface between development areas within the ULL 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 plan 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 within the ULL 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.

**F. ECONOMIC DEVELOPMENT ELEMENT AMENDMENTS.**

- 1. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a section 6.2, entitled "Goals and Strategies of the Economic Development Element." That section is amended as follows:

**6.2 GOALS AND STRATEGIES OF THE ECONOMIC DEVELOPMENT ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Economic Development Element to accomplish the following:

- *Create a sound local economy that attracts investment, increases the local tax base, and generates sufficient public revenues to support desired municipal services and facilities.*

A strong economy not only provides local workers with adequate income to afford a high quality of life, but it also provides local government with sufficient public revenues to provide high levels of municipal services and facilities. To achieve such a local economy requires implementation of an economic development strategy, which includes:

- preparing specialized business marketing materials;
- utilizing appropriate distribution channels to reach the widest market;
- targeting key industries; maintaining a high web site with key economic and site availability information;
- improving relationships with existing local employers; maintaining a business friendly reputation;
- providing appropriate incentives to attract new businesses and facilitate expansion of existing businesses;
- maintaining partnerships with local and regional business organizations;
- expanding the local retail market to maintain a fiscally strong City;
- building adequate infrastructure to maintain an inventory of ready-to-build sites for new and expanding businesses; and
- providing a mix of housing in a quality environment, **including high-quality new housing on lands within the Urban Limit Line (ULL)**, to attract a strong labor force.
- *Promote a diverse range of jobs, businesses, and industries, providing high paying employment and entrepreneurial opportunities, balanced with and well-suited to Antioch's population.*

This goal reflects Antioch's commitment to increase the quality of life of its residents. Increasing the number and types of local employment opportunities in relation to the area's labor force is the first and most important step toward economic self reliance. Currently, East Contra Costa's low jobs/housing ratio and the small number of locally available professional positions make it necessary for 60 percent of the area's residents to commute long distances - often more than 100 miles round trip-to job centers in Pleasanton, San Ramon, Walnut Creek, Oakland, San Francisco, and the Silicon Valley. By increasing local employment opportunities and balance between the number and types of local jobs and residents in the labor force, Antioch residents will be better able to work

close to home, spending more time with their families, and in leisure pursuits, while helping to reduce the traffic congestion and air pollution inherent in those commutes.

- *Maintain a balance of new development with revitalization of existing retail locations.*

2. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a subsection 6.3.4, entitled "Commercial and Industrial Land Availability Objective." That subsection is amended as follows:

**6.3.4 ~~Commercial, and Industrial, and Residential~~ Land Availability Objective**

Provide adequate land **within the ULL** to accommodate planned development, with office, business park, industrial, and commercial areas complementing **high-quality new** residential and public development in location, access, mix of uses, attractiveness, and design quality.

3. Chapter 6.0 of the General Plan, entitled "Economic Development," contains a subsection 6.3.5, entitled "Commercial and Industrial Land Availability Policies." That subsection is amended as follows:

**6.3.5 ~~Commercial, and Industrial, and Residential~~ Land Availability Policies**

- a. Maintain a mix of uses on the General Plan land use map (Figure 4.1) **for land within the ULL**, providing a balance of housing types, commercial development, and employment-generating uses.
- b. Work toward redevelopment of existing heavy industrial areas along Wilbur Road and Fourth Street to increase their overall employment density.
- c. Promote the establishment of workplace alternatives, including home occupations and telecommuting.
  - Continue to permit home occupations in all residential districts.
  - In defined residential mixed-use districts, expand the definition of home occupations, where appropriate, to permit hiring of workers who are not residents of the household.
  - Promote the provision of high-speed telecommunications cabling in new residential development **within the ULL**.
  - Encourage businesses to provide part-time as well as full-time opportunities to accommodate families looking for second income opportunities.
- d. Maintain an inventory of turnkey sites **within the ULL** for commercial and employment-generating development, complete with appropriate zoning, in-place infrastructure, and environmental clearances.
  - Promote the preparation of Specific Plans with associated environmental documentation to facilitate the development of specific local areas **within the ULL**, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plant
    - Chevron property (along with annexation of the site)
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
    - Hillcrest Station Area Focus Area
    - "A" Street Interchange Focus Area
  - Implement assessment districts or other financing mechanisms to facilitate the development of infrastructure for specific local areas **within the ULL**, including, but not necessarily limited to, the following:
    - Business Park areas west of Rivertown
    - Rodgers Point area, including the former City water treatment plan
    - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
    - Hillcrest Station Area Focus Area
- e. Require the provision of fiber optic networks and other advanced telecommunications in new employment-generating developments **within the ULL**.
- f. Maintain space in business parks for distribution and research uses. Attract a wide range of industries, which serve local and regional needs and contribute to the community's economic vitality, and at the same time protect the local environment and quality of life.

- g. Seek innovative ways to reduce the cost of infrastructure provision for employment-generating and commercial development (e.g., providing incentives for the provision of infrastructure serving employment-generating and commercial development areas within the ULL as part of the residential development allocation system).

**G. CIRCULATION ELEMENT AMENDMENTS.**

1. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.1.1, entitled "Existing Roadway Network." That subsection is amended as follows:

**7.1.1 Existing Roadway Network**

State Route (SR) 4 and SR 160 provide direct access to Antioch. SR 4 runs east-west connecting Antioch with Oakley, Brentwood, Pittsburg, 1-680, Martinez, Pinole, and 1-80. SR 4 is a divided freeway from 1-680 east through Concord, Pittsburg, and Antioch, and is currently a two-lane roadway through Oakley and Brentwood. SR 4 has been one of the more congested freeways in Contra Costa, in particular, the segments between Lone Tree Way and Railroad Avenue in the morning and Bailey Road to Lone Tree Way in the afternoon, and is in the process of being widened. On- and off-ramps between SR 4 and Antioch's local street network occur at East Eighteenth Street, Hillcrest Avenue A Street/Lone Tree Way, G Street, L Street/Contra Loma Boulevard and Somersville Road.

SR 160 begins at the East Eighteenth Street/SR 4 junction, and continues north over the San Joaquin River via the Antioch Bridge to Rio Vista and Sacramento. Access to and from SR 160 and Antioch's local street network occurs at Wilbur Avenue south of the Antioch Bridge.

Primary arterials provide access to Pittsburg to the west, Oakley and Brentwood to the east, and rural Contra Costa County to the south. The major thoroughfares in Antioch are identified in Table IV.D-1. Each major arterial is briefly described below.

*A Street/Lone Tree Way.* A Street runs between downtown Antioch and SR 4 providing direct access to the Rivertown District. South of SR 4, A Street becomes Lone Tree Way, and continues southeast into Brentwood.

*Deer Valley Road.* Deer Valley Road runs north-south beginning in the north at the Hillcrest Avenue/Davison Drive junction and ending in the south at Marsh Creek Road south of the City's boundary in Contra Costa County.

*Hillcrest Avenue.* Hillcrest Avenue is located in eastern Antioch on both sides of SR 4 linking the area north of East Eighteenth Street to Prewett Ranch Road.

*L Street/Contra Loma Boulevard.* L Street runs north-south in northern Antioch between SR 4 and West Tenth Street. Contra Loma Boulevard runs north-south in southern Antioch between SR 4 and James Donlon Boulevard.

*Somersville Road.* Somersville Road runs north-south in western Antioch on both sides of SR 4 providing access to the Pittsburg-Antioch Highway and Buchanan Road.

*Eighteenth Street.* Eighteenth Street is located north of SR 4 and runs parallel to SR 4. Eighteenth Street acts as a major arterial between A Street and the SR 4/SR 160 junction.

*James Donlon Boulevard.* James Donlon Boulevard connects Lone Tree Way and Somersville Road, and provides east-west access through the southwest quadrant of Antioch.

*West Fourth Street/A Street Extension.* West Fourth Street and West Sixth Street and the A Street Extension provide east-west access in Downtown Antioch. West Fourth Street is the main arterial between Somersville Road and G Street. The A Street extension is the main connector between the eastern portion of the downtown area and the SR 4 freeway.

*West Tenth Street.* West Tenth Street provides east-west access in downtown Antioch between Somersville Road and A Street. West of Somersville Road, West Tenth Street becomes the Pittsburg/Antioch Highway, serving industrial uses and providing a regional roadway connection to the west of Antioch.

*Wilbur Avenue.* Wilbur Avenue provides east-west access in northeastern Antioch, and becomes a major arterial between A Street and SR 160.

*Dallas Ranch Road.* Dallas Ranch Road provides north-south access between Lone Tree Way and the Sand Creek Specific Plan Focus Area. Dallas Ranch Road will connect to the future extension of Sand Creek Road and serve as one of the primary routes into the Sand Creek Focus Area and to the Kaiser Permanente Antioch Medical Center.

*Buchanan Road.* Buchanan Road runs east-west between Contra Loma Boulevard and the westerly City limit. Buchanan Road serves as one of the primary routes to the west of Antioch.

*Davison Drive.* Davison Drive is located south of Hwy 4 and serves as an east-west connection between Lone Tree Way and Hillcrest Avenue.

Chapter 7.0 of the General Plan, entitled "Circulation," contains a Table 7.A, entitled "Primary Arterials in Antioch." That table is amended as follows:

**Table 7.A – Primary Arterials in Antioch**

Arterial	Activity Centers Served
<b>North/South Direction</b>	
A Street/Lone Tree Way	Antioch City Park, SR 4, Sutter Delta Medical Center, Prewett Park
Deer Valley Road	Prewett Park
Hillcrest Avenue	Hillcrest Park & Ride lot, SR4
L Street/Contra Loma Blvd.	Contra Costa County Fairgrounds
Somersville Road	County East Mall, Black Diamond Mines Regional Preserve
Dallas Ranch Road	Sand Creek <del>Specific Plan</del> <b>Focus Area</b> , including proposed golf course <b>residential</b> and employment-generating areas, <b>and Kaiser Permanente Antioch Medical Center</b>
<b>East/West Direction</b>	
Eighteenth Street	Employment Development Department, County Library, Oak View Memorial Park, SR 4
James Donion Blvd.	Antioch Community Park
West Fourth Street/A Street extension	Downtown
West Tenth Street	Downtown
Wilbur Avenue	SR 160
Davidson Drive	Commercial uses along Lone Tree Way and Hillcrest Avenue
Buchanan Road	Regional connection to the west of Antioch

2. Chapter 7.0 of the General Plan, entitled "Circulation," contains a section 7.2, entitled "Goals of the Circulation Element." That section is amended as follows:

**7.2 GOALS OF THE CIRCULATION ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Circulation Element to achieve and maintain a balanced, safe, problem-free transportation system that:

- *improves present traffic flows, and provides easy and convenient access to all areas of the community, and completes long-planned circulation improvements such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road;*
- *is safe for all modes of motorized and non-motorized transportation;*
- *reduces dependence on single occupant automobile travel by providing a high level of pedestrian, bicycle, and public transit travel opportunities; and*
- *preserves a sense of comfort and well-being throughout the community by reducing the intrusiveness of commercial, business park, and industrial traffic, rail traffic, and regional traffic on neighborhood streets and residents' quality of life.*

Antioch recognizes that even by constantly expanding the local roadway network and providing an ongoing sequence of programmed street improvements, problems of traffic congestion will continue. Providing a real solution to traffic congestion requires a balanced approach to future transportation improvements. An efficient transportation system needs to offer Antioch area residents not only efficient automobile traffic distribution, but also viable alternatives to automobile travel. The General Plan aims to increase the balance between various modes of transportation by increasing the desirability of transit, walking, and bicycling. The General Plan also coordinates land use, transportation, and air quality concepts and strategies. General Plan objectives are designed to improve traffic flow, local air quality, and energy conservation. To achieve this of balance, the City of Antioch will:

- provide for the efficient movement of vehicles by designing, constructing, and maintaining a roadway circulation network, which will function at an acceptable level of service (LOS), as set forth in the Growth Management Element.
- expand the existing roadway system where it is feasible to do so, **such as the connection of Sand Creek Road from Dallas Ranch Road to Deer Valley Road**, increasing its carrying capacity and eliminating congestion;
- regulate the intensity of future development **within the ULL** in relation to the carrying capacity of Antioch roadways as part of ensuring that the performance standards of the Growth Management Element are met;

- provide a mix of land uses **within the ULL** that realistically balances growth in the local employment and housing, increasing local employment opportunities and reducing the need for long commutes to work;
- ensure that each new development **within the ULL** that would cumulatively contribute to the need for improvements provides appropriate mitigation;
- provide a system of bicycle routes and pedestrian links such that pedestrian and bicycle travel become safer and more useful for everyday tasks such as travel to shopping, work, and recreational facilities;
- achieve and maintain an organization of land uses which integrates places of residence, retail commerce, daily service needs, work, education, and recreation, thereby reducing the number and length of vehicular trips;
- require site plans for individual development projects **within the ULL** to minimize or eliminate through traffic within residential neighborhoods;
- to the degree feasible, encourage mixed-use developments **within the ULL** to reduce vehicle trips;
- improve the relationship of roadways with land uses, including regulating driveway access and development intensity where needed;
- improve the carrying capacity of existing roadways through implementation of transportation systems management concepts;
- participate in developing regional circulation improvement measures in cooperation with surrounding cities and Contra Costa County. Such measures may include, but are not limited to, the development of reciprocal traffic improvement fee programs; and
- implement the provisions of the Contra Costa County Congestion Management Program by requiring development projects **within the ULL** to analyze and provide mitigation for traffic impacts on regional circulation facilities.

It is Antioch's intent to require new developments **within the ULL** to mitigate their traffic impacts, either through construction of new roadways or participation in land-based financing mechanisms.

3. Chapter 7.0 of the General Plan, entitled "Circulation," contains a Figure 7.1, entitled "Circulation." Figure 7.1 is hereby amended as shown on the attached Exhibit T. For reference purposes and context only the existing Figure 7.1 is attached to this Initiative as Exhibit U.
4. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.3.2, entitled "Vehicle Circulation Policies." That subsection is amended as follows:

#### **7.3.2 Vehicle Circulation Policies**

- a. Facilitate meeting the roadway performance standards set forth in the Growth Management Element and improving traffic flow on arterial roadways.
  - Work with the UP and BNSF railroads to construct grade separations along the tracks at Somersville Road, Hillcrest Avenue, "A" Street, the proposed Viera Road extension, and the proposed Phillips Lane extension.
  - Promote the design of roadways to optimize safe traffic flow within established roadway configurations by minimizing driveways and intersections, uncontrolled access to adjacent parcels, on-street parking, and frequent stops to the extent consistent with the character of adjacent land uses.
  - Provide adequate capacity at intersections to accommodate future traffic volumes by installing intersection traffic improvements and traffic control devices, as needed, as development occurs.
  - Facilitate the synchronization of traffic signals.
  - Where needed, provide acceleration and deceleration lanes for commercial access drives.
  - Provide for reciprocal access and parking agreements between adjacent land uses, thereby facilitating off-street vehicular movement between adjacent commercial and other non-residential uses.
  - Encourage regional goods movement to remain on area freeways and other appropriate routes.
- b. Design and reconfigure collector and local roadways to improve circulation within and connections to residential and commercial areas.
  - Implement appropriate measures to mitigate speeding and other traffic impacts in residential areas.
  - Implement roadway patterns that limit through traffic on local residential streets.



- c. Require the design of new developments within the ULL to focus through traffic onto arterial streets.
- d. Where feasible, design arterial roadways, including routes of regional significance, to provide better service than the minimum standards set forth in Measure C and the Growth Management Element. Thus, where feasible, the City will strive to maintain a "High D" level of service (v/c -0.85-0.89) within regional commercial areas and at intersections within 1,000 feet of a freeway interchange. The City will also strive where feasible to maintain Low-range "D" (v/c = 0.80-0.84) in all other areas of the City, including freeway interchanges.
- e. Establish Assessment Districts in areas that will require major roadway infrastructure improvements that will benefit only that area of the City, and thereby facilitate the up-front construction of needed roadways.
- f. Design street intersections to ensure the safe passage of through traffic and accommodate anticipated turning movements. Implement intersection improvements consistent with the following lane geometries, unless traffic analyses indicate the need for additional turn lanes.

Number of Through Lanes on Route	Intersection Turn Lanes	
	Left	Right
	Intersections with 4-Lane Arterials	
6 or 8	1	1
4	1	1
2 (Collector)	1	NA
2 (Local)	NA	NA
	Intersections with Collectors	
6 or 8	1	1
4	1	NA
2 (Collector)	1	NA
2 (Local)	NA	NA

- g. Where uses such as commercial centers that generate heavy traffic volumes are located along arterial roadways, provide acceleration and deceleration lanes as needed to maintain the carrying capacity of through traffic lanes.
- h. Require traffic impact studies for all new developments that propose to increase the approved density or intensity of development or are projected to generate 50 peak hour trips or more at any intersection of Circulation Element roadways. The purpose of these studies is to demonstrate that:
  - the existing roadway system, along with roads to be improved by the proposed project, can meet the performance standards set forth in Sections 3.4.1 and 3.4.2 of the Growth Management Element, and
  - required findings of consistency with the provisions of the Growth Management Element can be made.
- i. Require the preparation of a traffic management plan for special event uses to serve major events (e.g. fairs, festivals, sporting events), where traffic volumes that are generated less than 45 times per year would exceed the roadway performance standards set forth in the Growth Management Element. Such special event venues shall be required to provide sufficient manual traffic control as to maintain consistency with Growth Management Element roadway performance standards. Evaluate the traffic impacts of special event uses based on factors specifically related to the special event, rather than those of a typical development (e.g., traffic patterns, hourly flow, and presence of manual traffic controls).
- j. Require that existing driveways that are unnecessary or substandard be removed or upgraded, wherever feasible, in conjunction with any on-site development or any adjacent street construction.
- k. Where single family residences have no feasible alternative but to front on collector or arterial roadways, require, wherever possible, that circular driveways or on-site turnarounds be provided to eliminate the need for residents to back onto the street.
- l. Locate driveways on corner parcels as far away from the intersection as is possible.
- m. Avoid locating driveways within passenger waiting areas of bus stops or within bus bays. Locate driveways so that drivers will be able to see around bus stop improvements.
- n. Use raised medians as a method for achieving one or more of the following objectives: access control, separation of opposing traffic flows, left turn storage, aesthetic improvement, and/or pedestrian refuge.
- o. Where medians are constructed, provide openings at the maximum feasible intervals, typically no less than 1/8 mile.
- p. Where a series of traffic signals are provided along a route, facilitate the coordination of traffic signals to optimize traffic progression on a given route. Traffic signalization should emphasize

facilitating access from neighborhood areas onto the City's primary roadway network, and should work to discourage through traffic from using local streets.

- q. Demand-actuated traffic signals should include push buttons to signal the need for pedestrians to cross, and include audible signals and countdown signs to assist the disabled in crossing streets. Demand-actuated traffic signals corresponding with bicycle routes should include bicycle sensitive loop detectors or push buttons adjacent to the curb.
  - r. Avoid offset intersections along arterials and collectors. Intersections along local and minor residential collector streets may be offset within the subdivision as a means of discouraging through traffic.
  - s. Expand intersections to include additional turning and through lanes at intersections where needed to relieve congestion and improve intersection operation, so long as the intersection can continue to accommodate pedestrians and bicyclists. Avoid traffic system improvements that facilitate vehicular turning and bus movements, but that also discourage pedestrian or bicycle movements. This can be accomplished on wide streets by providing safe stopping places for pedestrian crossing the street.
  - t. Maintain the first priority for public streets of providing safe and efficient travel for the public with parking as a second priority.
  - u. Generally, permit parking on collector streets, with restrictions as needed to accommodate transit stops, on-street bicycle lanes, added lanes at intersections, or other operational requirements.
  - v. Private streets, where permitted, shall provide for adequate circulation and emergency vehicle access. Private streets that will accommodate more than 50 vehicles per hour in the peak hour or that are designed for on-street parking shall be designed to public street standards. The design of other private streets shall be subject to the review and approval of the City Engineer. Private streets shall be improved to public street standards prior to acceptance of dedications to the City.
  - w. Provide arterial and collector roadways within hillside areas with added rights-of-way as needed for roadway slopes, and no on-street parking in order to provide extra safety.
  - x. Require new development within the ULL to construct all on-site roadways, including Circulation Element routes, and provide a fair share contribution for needed offsite improvements needed to maintain the roadway performance standards set forth in the Growth Management Element Contributions for offsite improvements may be in the form of fees and/or physical improvements, as determined by the City Engineer. Costs associated with mitigating off-site traffic impacts should be allocated on the basis of trip generation, and should have provisions for lower rates for income-restricted lower income housing projects needed to meet the quantified objectives of the General Plan Housing Element.
  - y. Where feasible, require permitted General Plan land uses that generate high volumes of traffic to be located along major transportation corridors and near transit facilities to minimize vehicular use, congestion, and traffic delays.
  - z. Provide direct access between industrial areas and freeways, with truck routes avoiding residential areas to the extent possible.
  - aa. Design street systems serving industrial areas, including the primary routes accessing these areas to accommodate the movement of trucks.
  - bb. Pursue construction of public parking facilities within the downtown area to serve projected parking demand and facilitate mixed-use development without the need to meet off-street parking standards on each individual parcel.
5. Chapter 7.0 of the General Plan, entitled "Circulation," contains a subsection 7.4.2, entitled "Non-Motorized Transportation Policies." That subsection is hereby amended as follows:

#### **7.4.2 Non-Motorized Transportation Policies**

- a. Design new residential neighborhoods within the ULL to provide safe pedestrian and bicycle access to schools, parks and neighborhood commercial facilities.
- b. Design intersections for the safe passage of pedestrians and bicycles through the intersection.
- c. Provide street lighting that is attractive, functional, and appropriate to the character and scale of the neighborhood or area, and that contributes to vehicular, pedestrian, and bicycle safety.
- d. Maintain roadway designs that maintain mobility and accessibility for bicyclists and pedestrians.
- e. Integrate multi-use paths into creek corridors, railroad rights-of-way, utility corridors, and park facilities.
- f. Provide, as appropriate, bicycle lanes (Class II) or parallel bicycle/pedestrian paths (Class I) along all arterial streets and high volume collector streets, as well as along major access routes to schools and parks.
- g. Design new roadway bridges to meet Caltrans standards for bridges involving State highways, including bicycle lanes on all new bridges along Circulation Element roadways. Where provision of bicycle lanes is not feasible, undertake measures to provide alternative routes and to prohibit bicycle riding on bridge walkways.

- h. Require the provision of bicycle parking and other support facilities (e.g., racks or lockers) as part of new office and retail developments and public facilities,
- i. Where shopping facilities are located adjacent to residential areas, provide direct access between residential and commercial uses without requiring pedestrians and bicyclists to travel completely around the commercial development.
- j. Permit the sharing or parallel development of pedestrian walkways with bicycle paths, where this can be safely accomplished, in order to maximize the use of public rights-of-way.
- k. Orient site design in non-residential areas to allow for safe and convenient pedestrian access from sidewalks, transit and bus stops, and other pedestrian facilities, in addition to access through required parking facilities.
- l. Require the construction of attractive walkways in new residential, commercial, office, and industrial developments **within the ULL**, including provision of shading for pedestrian paths.
- m. Maximize visibility and access for pedestrians, and encourage the removal of barriers for safe and convenient movement of pedestrians.
- n. Ensure that the site design of new developments **within the ULL** provides for pedestrian access to existing and future transit routes and transit centers.
- o. Pave walks and pedestrian pathways with a hard, all-weather surface that is easy to walk on. Walks and curbs should accommodate pedestrians with disabilities. Walks within open space areas should have specially paved surfaces that blend with the surrounding environment.
- p. In general, design walks to provide a direct route for short to medium distance pedestrian trips, and to facilitate the movement of large numbers of pedestrians. Meandering sidewalks are appropriate in areas where the natural topography or low-density land uses lend themselves to informal landscapes.

**H. PUBLIC SERVICES AND FACILITIES ELEMENT AMENDMENTS.**

1. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.1, entitled "Introduction." That section is amended as follows:

**8.1 INTRODUCTION**

The purpose of the Public Services and Facilities Element is to define the types of levels of public services and facilities Antioch desires for its local taxpayers, and to set forth a well-conceived plan to manage the expansion of these services for a growing population and business community. The focus of this Element is providing the means to ensure that the capital facilities and public services needed to support build out of the land uses identified in the Land Use Element, **within the voter-approved Urban Limit Line (ULL)**, while maintaining the service standards set forth in the Growth Management Element of the Antioch General Plan.

2. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.2, entitled "Goals of the Public Services and Facilities Element." That section is amended as follows:

**8.2 GOALS OF THE PUBLIC SERVICES AND FACILITIES ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Public Services and Facilities Element to accomplish the following:

- *Provide for the timely expansion of high quality public services and infrastructure to serve existing and future residents businesses, recreational facilities, and other facilities within the City of Antioch **within the ULL**, consistent with the service levels set forth in the Growth Management Element.*

Antioch recognizes that it must find a balance between the high quality and level of services desired by the community and the financial ability of the City and other service agencies to provide these services and infrastructure. Thus, Antioch cannot provide all the services and facilities other agencies have found they cannot afford to provide, nor can the City spend more on the provision of services and facilities than it receives in revenues. Recognizing that the City cannot and should not "go it alone," the delivery of public services and facilities within the Antioch Planning Area occurs in one of three methods:

- **Direct Service.** Certain public services and facilities are most appropriately provided directly by the City, or by contractors who provide services pursuant to standards and requirements set by the City Council. The include services provided directly by the City within its boundaries **and within the ULL**, such as police protection, parks and recreation, water service (provided directly by the City), and maintenance of local sewer lines and streets. Solid waste collection and street construction are examples of contracted direct services.
- **Partnerships.** Certain functions are performed in partnership with other organizations. In these cases, Antioch's collaborative role is performed via financial support, technical assistance, coordination, or the creation of new organizations. Examples of such functions and partnerships include the provision of joint school/park sites, the Contra Costa County Transportation Commission, Metropolitan Transportation Authority, Association of Bay Area Governments (ABAG), East Contra Costa Regional Fee and Financing Authority, State Route 4 Bypass Authority, and the East Contra Costa Transportation Authority (Tri-Delta Transit).
- **Supporting the Community Agenda.** In addition to services provided directly by the City and those provided in partnership with other agencies, important public services are provided to the

community by special districts and other outside agencies. Examples of these services include schools, fire protection, sewage treatment, flood control, and solid waste disposal. The City's role in the provision of these services is coordinating land development activities within the ULL with the expansion of services and facilities by the outside agencies providing the services. Although Antioch does not have the final say in the provision of Services provided by outside agencies, in its role as the planning agency for the City, Antioch's policies and actions have substantial capacity to assist in the provision of services to the community.

The availability of adequate public services and facilities within the ULL, including meeting the performance standards established in the Growth Management Element, is integral to permitting new development. As a result, if Antioch is to meet community goals such as maintaining a high quality of life, achieving a balance between local housing and employment opportunities, and providing a wide range of shopping and recreational opportunities, it is critical that services and facilities be expanded in a timely manner. The most direct way of ensuring the timely expansion of services and facilities is for the City to control the provision of the public services and facilities needed to support community goals. Where such direct control is economically or administratively infeasible, a high level of coordination with the outside agencies provided needed and services is necessary.

3. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.4.1, entitled "Water Facilities Objective." That subsection is amended as follows:

**8.4.1 Water Facilities Objective**

Ensure a water system capable of providing high quality water to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch within the ULL, during peak use conditions, with sufficient water in storage reservoirs for emergency and fire protection needs.

4. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.4.2, entitled "Water Facilities Policies." That subsection is amended as follows:

**8.4.2 Water Facilities Policies**

- a. As part of the design of water systems, provide adequate pumping and storage capacity for both drought and emergency conditions, as well as the ability to provide fire flows required by the Contra Costa County Fire Protection District.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy or new development within the ULL, such that (1) new development will not negatively impact the performance of water facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of water facilities.
- d. Maintain existing levels of water service by protecting and improving infrastructure, replacing water mains and pumping facilities as necessary, and improving the efficiency of water transmission facilities.
- e. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- f. Periodically evaluate local water consumption patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- g. Incorporate expected reductions in the need for water facilities resulting from water conservation programs only after several years of experience with the implementation of such programs.
- h. Provide the Contra Costa Water District with timely information on development proposals and projected levels of future growth within the ULL so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.

5. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.5.1, entitled "Wastewater Management Objective." That subsection is amended as follows:

**8.5.1 Wastewater Management Objective**

Ensure a wastewater collection, treatment, and disposal system capable of providing sewer services to existing and future residences, businesses, institutions, recreational facilities, and other uses within the City of Antioch and its ULL during peak use conditions.

6. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.5.2, entitled "Wastewater Management Policies." That subsection is amended as follows:

**8.5.2 Wastewater Management Policies**

- a. As part of the design of sewer systems, provide adequate capacity for average and peak conditions.
- b. Ensure that adequate infrastructure is in place and operational prior to occupancy of new development **within the ULL**, such that new development will (1) not negatively impact the performance of sewer facilities serving existing developed areas, and (2) the performance standards set forth in the Growth Management Element will continue to be met.
- c. Maintain an up-to-date master plan of sewer facilities.
- d. Continue to facilitate economically feasible water conservation programs as a means of reducing sewage generation and the need for expanding sewage treatment capacity.
- e. Work with Delta Diablo Sanitation District to explore and develop uses for treated wastewater. Where reclaimed wastewater can be economically delivered, require the installation of dual water systems permitting the use of reclaimed water supplies for irrigation purposes and industrial purposes.
- f. Incorporate expected reductions in sewage flow projections and the need for sewage treatment capacity resulting from water conservation programs only after several years of experience with the implementation of such programs.
- g. Permit the construction of interim facilities only when it is found that construction of such facilities will not impair the financing or timely construction of master planned facilities.
- h. Periodically evaluate local sewage generation patterns, the adequacy of existing facilities, and the need for new facilities, including this information in the comparison of proposed development projects to the performance standards of the Growth Management Element.
- i. Provide the Delta Diablo Sanitary District with timely information on development proposals and projected levels of future growth so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- j. Work cooperatively with affected agencies to ensure that capacity allocations are adjusted among the agencies swerved by Delta Diablo Sanitation District to optimize plant utilization, avoid unnecessary expansions, and facilitate needed expansions.

7. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.6.2, entitled "Solid Waste Management Policies." That subsection is amended as follows:

**8.6.2 Solid Waste Management Policies**

- a. Continue contracting for garbage and recycling collection services.
- b. Require provision of attractive, convenient recycling bins and trash enclosures in new residential and non-residential development **within the ULL**.
- c. Provide and promote opportunities to reduce solid waste generation at home and in businesses and public facilities, making possible the safe disposal of hazardous materials.
- d. Require builders to incorporate interior and exterior storage areas for recyclables into new commercial, industrial, and public buildings **within the ULL**.
- e. Consider the use of co-generation at appropriate facilities.
- f. Support the identification and selection of new landfill sites in remote locations of the County outside of and not requiring access through the Antioch Planning Area, where such sites would not impact existing or proposed parks or water storage facilities.
- g. Limit the location of solid waste transfer stations to areas where heavy industrial uses would be appropriate, avoiding traffic, odor, and other environmental impacts on the community.
- h. The City of Antioch shall follow State regulations in implementing the goals, policies, and programs in order to achieve and maintain a 50 percent reduction in solid waste disposal through source reduction, reuse, recycling, and composting.
- i. In accordance with State regulations, Antioch shall prepare an annual progress report to determine the City's progress toward meeting its diversion goals and objectives.
- j. The City shall require all development projects **within the ULL** to coordinate with appropriate departments and/or agencies to ensure that there is adequate waste disposal capacity to meet the waste disposal requirements of the project, and the City shall recommend that all development projects incorporate measures to promote waste reduction, reuse, recycling, and composting.

8. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.7.2, entitled "Storm Drainage and Flood Control Policies." That subsection is amended as follows:

**8.7.2 Storm Drainage and Flood Control Policies**

- a. Continue working with the Contra Costa County Flood Control District to ensure that runoff from new development within the ULL is adequately handled.
  - b. Require adequate infrastructure to be in place and operational prior to occupancy of new development within the ULL, such that:
    - new development will not negatively impact the performance of storm drain facilities serving existing developed areas and
    - the performance standards set forth in the Growth Management Element will continue to be met.
  - c. Design flood control within existing creek areas to maximize protection of existing natural settings and habitat.
  - d. Provide retention basins in recreation areas where feasible to reduce increases in the amount of runoff resulting from new development within the ULL.
  - e. Require new developments within the ULL to provide erosion and sedimentation control measures to maintain the capacity of area storm drains and protect water quality.
  - f. Require implementation of Best Management Practices in the design of drainage systems to reduce discharge of non-point source pollutants originating in streets, parking lots, paved industrial work areas, and open spaces involved with pesticide applications.
9. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.8.2, entitled "School Facilities Policies." That subsection is amended as follows:

**8.8.2 School Facilities Policies**

- a. Maintain clear, ongoing communications with area school districts on all matters related to the need for and provision of school sites and other administrative, educational, and recreational facilities.
- b. Coordinate the planning efforts of the City and local school districts by:
  - locating school facilities to facilitate the primary educational purpose of the facility and allow for safe pedestrian, bicycle, and vehicular access, including the provision of traffic calming measures, where appropriate, in the vicinity of schools;
  - maximizing the joint use of facilities by the City and local school district (including, joint school/park sites and, where feasible, joint use of athletic fields, community meeting facilities, and provision of child and senior care facilities) by developing joint funding for such facilities through a combination of school district and City sources, provided that City contributions to joint facilities are consistent with the availability of such joint facilities to meet non-school recreational and other community needs;
  - designing attractive facilities that can also serve as neighborhood and community gathering places, and contribute to neighborhood identity and pride;
  - requiring reasonable reservation of appropriate locations for development of new schools as part of new development within the ULL;
  - regularly exchanging information on (1) the status of development review and construction, (2) the capacity of area schools, (3) the status of site acquisitions by the districts, and (4) applicable student generation factors by type of development.
- c. Require new development within the ULL to pay all legally established fees or participate in land-based financing districts established by local school districts for the acquisition and development of school sites with adequate, permanent classroom space, as required by the local school district.
- d. Maintain land development regulations permitting the development of public and private educational facilities within the ULL at appropriate locations within the Planning Area.
- e. Provide incentives in the City's residential growth management program for the provision of developer assistance to local school districts beyond nominally required mitigation fees. The objective of such incentives is that the combination of required fees and incentives provide a full contribution proportional to the needs of the proposed development for all school-related facilities to serve the proposed project.
- f. Work with Los Medanos College to further accessibility to and the quality of local community college education.
- g. Work with public and private universities (e.g., CSU Hayward, University of Phoenix) to create satellite campuses within Antioch.
- h. Work with trade schools (e.g., DeVry Institute, ITT Technical Institute, Bryman College) to locate new facilities in Antioch.

10. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.10.2, entitled "Fire Protection Policies." That subsection is amended as follows:

**8.10.2 Fire Protection Policies**

- a. Work with the Contra Costa County Fire Protection District to provide high quality fire protection services to area residents and businesses. The City's role should include, but not be limited to:
- Determining the appropriateness of station location sites within the ULL and, in particular, the Sand Creek Focus Area;
  - Enforcement of building codes to reduce fire hazards;
  - Collection of mitigation fees established by the fire district to construct needed additional stations within the Antioch Planning Area.
  - Support the District in providing funding for personnel costs to staff stations within the City;
  - Support the District in establishing fees that are adequate to mitigate the impacts of new development within the ULL and income to support operation of new stations whose construction is financed with development fees; and
  - Requiring reasonable reservation of appropriate sites within the ULL and in, particular, the Sand Creek Focus Area for new fire stations as part of new development.
- b. In cooperation with the Contra Costa County Fire Protection District, conduct an annual assessment of the adequacy of facilities and services serving Antioch, personnel and staffing needs, and capital needs, based on anticipated growth within the ULL and the level of service standard set forth in the Growth Management Element. This assessment should be undertaken as part of the annual review of proposed capital projects required by the California Government code (see Chapter 12, Implementation, Section 12.4b).
- c. Provide the Contra Costa County Fire Protection District with timely information on development proposals and projected levels of future growth within the ULL so that it can maintain appropriate long-term master plans and refine the delivery of service and facilities to maintain the performance standards set forth in the Growth Management Element.
- d. Involve the Fire Protection District in the development review process by referring development requests within the ULL to the Fire District for review and comment.

11. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.11.2, entitled "Police Services Policies." That subsection is amended as follows:

**8.11.2 Police Services Policies**

- a. Provide an adequate police force meeting the performance standards for police services set forth the Growth Management Element.
- As part of the annual budget and capital improvements program, assess crime prevention and law enforcement services, and evaluate the adequacy of Antioch's facilities and services, personnel and staffing needs, and capital needs, based on anticipated growth within the ULL and the level of service standard set forth in the Growth Management Element.
- b. Provide sufficient facilities within the ULL and staffing to ensure the safety of the citizens of Antioch by:
- Providing expedient response to emergency calls.
  - Maintaining an efficient well-trained and adequately equipped force of police personnel.
  - Providing neighborhood watch and crime prevention programs, and attempting to improve the participation of individual neighborhoods and businesses.
  - Continuing to provide a variety of programs within the Police Department (e.g., traffic crime prevention, REACH, narcotics, investigations) to meet the needs of an active community.
- c. Provide basic requirements and incentives for the provision of design features in new development within the ULL to reduce the potential for crime.
- Provide well-lighted and visible streets and street names, entrances, addresses, recreation areas, and parking areas.
  - Limit access into and between buildings to reduce escape routes and undetected entry is made difficult.
  - Provide landscaping which permits surveillance of open areas and entryways, and does not create places for concealment.
  - Within multi-family and non-residential developments within the ULL, design access systems to allow emergency vehicle access around buildings to the greatest extent possible.

- Within multi-family and non-residential developments within the ULL, eliminate the potential for access to roofs by pallets, flag poles, etc.
  - d. Involve the Antioch Police Department in the development review process by referring development requests for projects proposed within the ULL to the Police Department for review and comment.
  - e. Promote community involvement in crime prevention.
    - Promote the establishment and operation of neighborhood watch, park watch, and business watch programs.
    - Work with area schools to maintain educational programs aimed at preventing gang and drug-related activities.
12. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a section 8.13, entitled "Financing Expansion of Public Services and Facilities." That section is amended as follows:

**8.13 FINANCING EXPANSION OF PUBLIC SERVICES AND FACILITIES**

Provision of the services and facilities required by new development within the ULL in a manner that will not impact services and facilities enjoyed by existing residents and businesses is a key to the success of the Antioch General Plan. Several basic approaches to financing the expansion of public facilities within the ULL are available. The basic financing methods include having (1) having developers build infrastructure and also provide facilities, (2) financing facilities and infrastructure through development impact fees, and (3) use of assessment districts.

Developer financing of infrastructure is common for on-site improvements within the development itself. In some cases, however, large-scale facilities are needed that will be shared by more than one development, sometimes involving large portions of the City. When such facilities are needed, it may be difficult or impossible to have one developer construct or provide up-front financing on their own. In response, the City can offer "reimbursement agreements" to promote equity and offset the cost to individual developers of upsizing infrastructure or providing facilities that would serve other developments within the ULL. Pursuant to these reimbursement agreements, developers who provide up-front infrastructure or facilities that would be shared with other, future, development projects within the ULL would be reimbursed for this increased up-front expense by subsequent developments.

Many communities rely on development impact fees to fund such large-scale or "backbone" facilities. Development fees work well at equitably spreading the cost of new facilities among those who create the need. However, development fee systems generally result in gaps between the time that facilities are needed and the time that sufficient money has been collected to pay for them.

Development fee programs also require regular maintenance to ensure that the fees being charged are reasonably related to the impacts of individual development projects, and that they are sufficient to actually build the infrastructure and facilities they are intended for.

Where multiple ownerships or developments within the ULL need to share major infrastructure, and where no individual ownership or development could reasonably afford to provide such major infrastructure on its own, assessment districts provide an attractive means of financing. Antioch has successfully used large-scale assessment districts in the past, and, as a result, has not suffered from infrastructure deficiencies to the extent that other communities have. However, the use of assessment districts can lead to situations where newer portions of the City receive a higher level of facilities than do older areas by virtue of paying higher taxes (in the form of assessments) than other portions of the City.

13. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.13.1, entitled "Financing Expansion of Public Services and Facilities Objective." That subsection is amended as follows:

**8.13.1 Financing Expansion of Public Services and Facilities Objective**

Ensure that the expansion of public facilities occurs in an equitable manner such that new development within the ULL pays for all of the infrastructure and public facilities required to support the development without impacting levels of service provided to existing residents and businesses.

14. Chapter 8.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 8.13.2, entitled "Financing Expansion of Public Services and Facilities Policies." That subsection is amended as follows:

**8.13.2 Financing Expansion of Public Services and Facilities Policies**

- a. Place the ultimate responsibility on the sponsor of proposed development projects within the ULL for ensuring that the services and facilities needed to support the project and maintains applicable performance standards in the Growth Management Element are available at the time they are needed.
- b. Require that new development within the ULL:
  - Participate in a land-based financing district, construct and/or pay for the new onsite capital improvements required to meet the applicable performance standards of the Growth Management Element;
  - Be phased so as to ensure the services and capital facilities used by the new development within the ULL meet the applicable performance standards of the Growth Management Element;
  - Ensure that, in the event public services or off-site capital facilities for new development within the ULL do not meet the applicable performance standards of the Growth Management



Element prior to approval of the project, the level of service provided to existing development will not be further impacted by new development.

- c. Continue to use special assessments as a means of financing infrastructure for future development within the ULL where the establishment of land-based financing would equitably spread infrastructure costs.
- d. Where permitted by law, require that special assessments for single-family residential development be paid off at the time of the initial sale of homes to individuals.
- e. Continue to apply existing policies and regulations precluding City financial assistance for any on-site capital improvements required by new development within the ULL.
- f. As part of new development proposals within the ULL, determine whether any service level deficiencies might result, and place needed conditions on the proposed development to ensure that:
  - Service level standards will continue to be met, and
  - New development within the ULL will not result in any substantial, short- or long-term reduction in the level of municipal services provided by the City to existing developed areas.
- g. Encourage infill development within the ULL which utilizes existing infrastructure, as well as the planning and development of large scale, self-sufficient, mixed use communities within the ULL with integrated phasing and financing of public facilities.

**I. HOUSING ELEMENT AMENDMENTS.**

- 1. Chapter 9.0 of the General Plan, entitled "City of Antioch Housing Element 2015-2023," contains an Action 2.1.4, entitled "Executive Housing." That Action is amended as follows:

<p><b>2.1.4 Executive Housing:</b> Facilitate the development of housing appropriate for executives of businesses seeking to expand within or relocate to Antioch to meet the need for providing above-moderate income housing. Where appropriate, provide requirements in outlying focus areas for the development of executive and upper end housing with appropriate amenities.</p>	<p>The City has <u>previously</u> approved the construction of 50 homes in Sierra Vista, an executive housing development by Suncrest Homes but none of the units are under construction; <u>however, in 2016, Suncrest Homes donated 50 acres of undeveloped land in the Sierra Vista development to the Regional Parks Foundation. Thus, the executive housing will not be built.</u> Plans for development of another 574 estate-style homes at Roddy Ranch were dropped after the property was sold to the East Bay Regional Park District in June 2013. <u>No other executive housing developments are likely to be developed in the immediate future due to current market conditions. The Ranch, a proposed master-planned community within the Sand Creek Focus Area west of Deer Valley Road, may include up to approximately 100 units of executive housing.</u></p>
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**J. RESOURCE MANAGEMENT ELEMENT AMENDMENTS.**

- 1. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.1, entitled "Introduction." That section is amended as follows:

**10.1 INTRODUCTION**

The focus of the Resource Management Element is on conservation and use of environmental resources and open space issues throughout the General Plan Planning Area. While the majority of the privately owned land within the present City limits has been developed or committed to development of urban uses within the voter-approved Urban Limit Line (ULL), significant environmental and open space resources remain. The portion of the Planning Area outside of Antioch's present city boundaries and ULL is largely undeveloped, and also contains significant environmental and open space resources. As Antioch expands to the south within the ULL and its population grows, as future industrial and employment-generating development occurs in the northern portion of the Planning Area, as Rodgers Point and a shoreline trail are developed along the San Joaquin River, the need to wisely manage natural resources will become more acute. This will entail balancing such competing objectives as the need for:

- Conservation of resources;
- Open space preservation,
- Adequate water and energy resources to support future populations:
- Providing public access to open space areas;
- Expanding existing roadway and highway systems;
- Ensuring housing for all economic segments of the community; and
- Ensuring economic development in a manner that protects Antioch's beautiful setting and enhances the quality of life of its residents.

The Resource Management Element addresses the use, management, and protection of environmental resources, including open space, biological resources, air quality, water resources, cultural resources, and energy resources. Combined, these topics cover all major aspects of Antioch's natural setting, and encompass state requirements for preparation of General Plan Open Space and Conservation Elements. In many cases, there are overlaps in the issues addressed here with other elements of the General Plan.

For example, hillside open space issues are addressed in the Community Image and Design Element (Section 5.4.14). Achieving a local balance between jobs and housing, as discussed in the Land Use and Economic Development Elements, and eliminating traffic congestion in the community are key components of maintaining good local air quality. Open space for the protection of public health and safety is addressed in the Hazards Element, while open space for public recreation is addressed in the Public Services and Facilities Element.

2. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.2, entitled "Goals of the Resource Management Element." That section is amended as follows:

### 10.2 GOALS OF THE RESOURCE MANAGEMENT ELEMENT

To provide for a sustained high quality of life, it is the goal of the Resource Management Element to accomplish the following:

- *Conserve and enhance the unique natural beauty of Antioch's physical setting, and control the expansion of urban development by protecting open space where it is important to preserve natural environmental processes and areas of cultural and historical value, including lands within the ULL in the Sand Creek Focus Area west of Deer Valley Road.*

Open space provides a variety of community benefits, including recreation use, visual enjoyment, protection of habitat areas, and hazard protection. In Antioch, this means protecting the San Joaquin and natural creeks, as well as their adjoining natural beaches and shorelines. It also means opening up views of the River, and preserving views of Mt. Diablo and its foothills to protect the beauty of the physical setting of the City.

Inherent in Antioch's open space goal is provision of a wide range of recreational lands and facilities, including parks for active and passive recreation, special purpose and multi-use trails, and preservation of the natural environment for the enjoyment of area residents.

Protection of certain types of open space is required by law. The provisions of the state and federal endangered species acts, the federal Clean Water Act, and state requirements for stream alteration agreements all require mitigation of impacts on natural habitats. The provisions of the California Environmental Quality Act also require analysis and provision of mitigation for physical impacts on habitats and cultural resources. The City of Antioch recognizes its responsibility to act as a responsible steward for the natural environment, and to strike an appropriate balance between preserving that environment and providing lands within the ULL for the housing, employment, and shopping needs of an expanding population.

- *Minimize the use of water and energy resources so as to ensure a sustainable long-term supply.*

The history of settlement in California – from prehistoric native villages to modern urban development – is largely tied to the availability of water. Throughout the state, groundwater resources are being overdrawn, while demands on large-scale water projects to continue supplying urban growth increase. Presently, every major urban area of the state requires the importation of water from distant sources. Without major statewide investment in costly water transport facilities, growth in some urban areas may eventually need to be curtailed for lack of dependable water supplies. During major droughts in the past, public awareness of the need for water conservation grew. This awareness slacked off during wet periods. Water resource projects for the state indicate that the need for significant, permanent water conservation will affect large areas of the State by 2020. Although the Contra Costa Water District indicates that it has sufficient water supplies committed through 2040, the City's desire to achieve a balance between local jobs and housing means that local employment growth must occur in the future at a faster rate than has previously been projected. Thus, water conservation will need to become part of Antioch's overall vision and its economic development program.

The availability of reliable, cheap electrical and natural gas supplies was routinely taken for granted until the summer of 2000, when costs soared and rolling blackouts hit portions of the state. Crisis was averted with the construction of new power generating facilities and higher energy costs. As the immediacy of energy shortages fades, so has the public's willingness to reduce its energy consumption. However, electricity and natural gas demands of a growing statewide population will eventually outstrip the capacity of existing energy-generating facilities, and could plunge the state into another energy crisis. Thus, energy conservation also needs to become part of Antioch's overall vision.

3. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.3, entitled "Open Space Objectives and Policies." That section is amended as follows:

### 10.3 OPEN SPACE OBJECTIVES AND POLICIES

As discussed in the Land Use Element, a great deal of open land remains in the Antioch Planning Area and within the ULL. Approximately 38 percent of the land within the City (6,383 acres) and nearly 46 percent of the land within the unincorporated portion of the General Plan Planning Area (2,240 acres) are undeveloped in open space use. Additional land (928 acres in the City and 381 acres in unincorporated areas) is in agricultural use. Overall, open space uses, including agriculture, open water, recreational lands, and vacant lands account for approximately half of the land within the City, and over 60 percent of the unincorporated land within the General Plan Study Area. Major open space areas include Black Diamond Mines and Contra Loma regional parks, Antioch Dunes National Wildlife Refuge, and municipal parklands.

*Active Recreation Lands.* City residents have access to a variety of local parks, recreational facilities, regional parks, and open space areas. The City oversees the local parks and recreational facilities, while the East Bay Regional Park District (EBRPD) oversees the regional facilities. The following description of open space and recreation facilities within the City of Antioch is divided into four sections: parks and recreation facilities; recreation programs; special use facilities; and regional facilities and trails.

The City owns and administers 28 parks, varying in size and amenities from the 2-acre Deerfield Park to the 99-acre Prewett Family Water Park. Over 400 acres of parks and open space areas are located within the City, 200 acres of which are developed. The remaining 200 acres consist of acreage awaiting development or are areas managed exclusively as open space.

The East Bay Regional Park District operates three facilities in the Antioch area, the largest of which is Black Diamond Mines Regional Preserve, a 5,984-acre open space area accessed by multiple use trails (i.e., pedestrian, bike, and equestrian trails). The Preserve offers naturalist programs, and visitors can tour the underground mining museum and a historic cemetery. Picnic areas and horse staging areas are also available. Two wilderness group camps are located in the southern portion of the park. Additional open space preserves are located to the southeast of Antioch adjacent to the Los Vaqueros reservoir and within the Cowell Ranch, which has recently become a State Park.

Contra Loma Regional Park, adjacent to the Lone Tree Golf Course on the southern edge of the City, is 775 acres in size. The park surrounds the Contra Loma Reservoir, and offers multiple use trails for hiking, biking, and horseback riding. The reservoir is available for fishing, boating, sailboarding, and swimming (in a separate swim lagoon). The Park also provides picnic areas, horseshoe pits, and a food concession stand. EBRPD also maintains the Antioch Regional Shoreline, which consists of 7 acres fronting the San Joaquin River, north of downtown Antioch. The Shoreline has a 550-foot long fishing pier, a small beach, picnic tables and barbeques, and a 4.5-acre meadow. Swimming is not allowed at the Antioch Regional Shoreline Park.

The EBRPD also oversees the Delta DeAnza Regional Trail, which originates at Bay Point in the West Pittsburg area, and runs east to a connection with the Marsh Creek Trail in Oakley, with a connection to the Iron Horse Trail through the Concord Naval Weapons Station along the Contra Costa Canal Right of Way. The Trail crosses Antioch from its western boundary with Pittsburg at approximately Somersville Road, parallels the Contra Costa Canal to Wild Horse Road at Hillcrest Avenue, and runs to the Union Pacific Railroad tracks at Neroly Road in Oakley. An agreement with the railroad to permit a trail crossing is preventing the trail from being opened. When opened, the Delta de Anza Trail will extend from the Marsh Creek Trail in Brentwood to the Iron Horse Trail in Concord. The segment through Antioch is also part of the De Anza National Historic Trail.

*Agriculture.* Antioch is located in an area of Contra Costa County that has traditionally contained areas of land used for grazing, orchards, field and row crops. The City has approximately 5,600 acres of grazing and former agricultural lands.

*Passive Open Space.* Passive open space in and near the City of Antioch consists of hillsides, vacant lands, and the San Joaquin River. Views of natural features both within the City and of the surrounding topography are a valuable resource for many of the City's residents. Natural features that can be viewed from the City include Mt. Diablo, the surrounding ridgelines, and the San Joaquin River. These views contribute a feeling of community identity, as well as visual enjoyment.

The City is located on the southern bank of the San Joaquin River, near its confluence with the Sacramento River. The confluence of these rivers is located in the Sacramento-San Joaquin Delta, an area that is largely level, with views to the north and east. To preserve open space and views along the River, and to attract residents down to the area, the City has developed projects such as the Municipal Public Marina (built in 1988) and the Antioch Riverfront Promenade.

In 1981, the City enacted the Hillside Planned Development (HPD) Ordinance to protect hillsides, ridges, and ridgelines within the City. The Ordinance was revised and adopted in 1994 as part of the Zoning Ordinance and applies to those hillside areas in which one or more of the following apply:

- A predominant portion of the area has slopes in excess of 10 percent;
- A significant area of slopes of 25 percent or greater; or
- A significant ridgeline, hilltop, or exposed slope is located in the area.

The purpose of the Ordinance is to promote a more harmonious visual and functional relationship between the natural and built environments. The HPD Districts are reserved for residential uses that are clustered in a manner that will preserve significant features of hillside areas, such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings, and native vegetation.

As of 1998, the City had three HPD Districts located in the south and southwest portions of the City. This land could be developed or redeveloped at any time with uses as specified in the General Plan or Zoning Ordinance. Areas designated, currently or in the future, as HPD Districts will be developed and should not be considered permanent passive open space. However, these areas will be developed in a manner which preserves valued open space characteristics.

4. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.3.1, entitled "Open Space Objective." That subsection is amended as follows:

#### **10.3.1 Open Space Objective**

Maintain, preserve and acquire open space and its associated natural resources by providing parks for active and passive recreation, trails, and by preserving existing natural, scenic, and other open space resources outside the ULL.

5. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.3.2, entitled "Open Space Policies." That subsection is amended as follows:

**10.3.2 Open Space Policies**

- a. Establish a comprehensive system of open space that is available to the public, including facilities for organized recreation; active informal play; recreational travel along formal, natural, and riverfront trails; passive recreation; and enjoyment of the natural environment.
- b. Implement the design standards of the Community Image and Design Element so as to maintain views of the San Joaquin River, Mount Diablo and its foothills, Black Diamond Mines Regional Preserve and other scenic features, and protect the natural character of Antioch's hillside areas as set forth in the Community Image and Design Element<sup>1</sup>.

<sup>1</sup> Policies related to viewshed protection are set forth in Section 5.4.2, General Design Policies. Hillside design policies are found in Section 5.4.14.

- c. Maintain the shoreline of the San Joaquin River as an integrated system of natural (wetlands) and recreational (trails and viewpoints) open space as set forth in the Land Use Element and Public Services and Facilities Element.
- d. Where significant natural features are present (e.g., ridgelines, natural creeks and other significant habitat areas, rock outcrops, and other significant or unusual landscape features), require new development **within the ULL** to incorporate natural open space areas into project design. Require dedication to a public agency or dedication of a conservation easement, preparation of maintenance plans, and provision of appropriate long-term management and maintenance of such open space areas.
- e. Require proposed development projects **within the ULL** containing significant natural resources (e.g. sensitive or unusual habitats, special-status species, habitat linkages, steep slopes, cultural resources, wildland fire hazards, etc.) to prepare Resource Management Plans to provide for their protection or preservation consistent with the provisions of the Antioch General Plan, other local requirements, and the provisions of State and Federal law. The purpose of the Resource Management Plan is to look beyond the legal status of species at the time the plan is prepared, and provide a long-term plan for conservation and management of the natural communities found onsite. Resource Management Plans shall accomplish the following.
  - Determine the significance of the resources that are found onsite and their relationship to resources in the surrounding area, including protected open space areas, habitat linkages and wildlife movement corridors;
  - Define areas that are to be maintained in long-term open space based on the significance of onsite resources and their relationship to resources in the surrounding area, and
  - Establish mechanisms to ensure the long term protection and management of lands retained in open space.
- f. Encourage public access to creek corridors through the establishment of trails adjacent to riparian resources, while maintaining adequate buffers between creeks and trails to protect sensitive habitats, special-status species and water quality to the maximum extent feasible. **However, trails shall not impair appreciably the quantity or quality of water or native vegetation in a stream corridor.**
- g. Where feasible, incorporate preserve and protect significant existing natural features as part of the design of new development projects **within the ULL** rather than removing them. Where preservation of natural features is not feasible, introduce natural elements into project design, impacts to significant natural features that cannot be preserved or reintroduced into the project design on-site shall be mitigated off-site.

6. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.4, entitled "Biological Resources Objectives and Policies." That section is amended as follows:

**10.4 BIOLOGICAL RESOURCES OBJECTIVES AND POLICIES**

Although it is largely urbanized, portions of remaining undeveloped lands **within the ULL that have long been planned for development** contain vegetation and habitat types the California Department of Fish and Game considers rare and worthy of consideration in the California Natural Diversity Database:

- Native grasslands
- Vernal pools
- Stabilized interior dunes
- Seasonal wetlands
- Freshwater seeps
- Freshwater marshes
- Coastal brackish marshes
- Alkaline floodplains

- Alkali seeps
- Valley oak woodlands
- Riparian woodland

**Grassland.** Native grasslands have been reduced to 90 percent of their former area in California. Native grassland in the Antioch Planning Area would be dominated by purple needlegrass (*Nassella puchra*). A variety of spring wildflowers are also found in native grasslands. Because of the rarity of this once abundant vegetation type, the California Department of Fish and Game may request mitigation for projects that impact native grasslands. Additionally, special-status plants are more likely to be found in undisturbed native vegetation. Native grasslands are most likely to be found scattered in the southern part of the Antioch Planning Area. A number of special-status species has been identified in certain native and non-native grassland habitats within and adjacent to Antioch, including San Joaquin kit fox (*Vulpes macrotis*), California tiger salamander (*Ambystoma californiense*), American badger (*Taxidea taxus*), western burrowing owl (*Athene cunicularia hypugea*), and golden eagle (*Aquila chryseatos*).

**Vernal Pools.** Vernal pools are seasonal wetlands typically occurring in depressions in grasslands. These depressions collect water during the winter and spring rains, and dry once the rains cease. As the ponds dry in the spring, a succession of different plant species bloom around the edges of the pool. A high-quality vernal pool will display concentric rings of different colors of flowers in bloom in mid-spring. Because vernal pools tend to be isolated from each other, they may possess a unique flora that includes special-status, federally protected plants and special-status animals. Vernal pools are most likely to be found in the southern portion of the Antioch Planning Area. Special-status plants and invertebrates are often found within this habitat type.

**Stabilized Interior Dunes.** The Antioch Dunes along the banks of the San Joaquin River contain a unique assemblage of plant and animal species, several of which are found nowhere else in the world. Scattered grasses and forbs, some of which reach shrub size, form the ground cover. The federally endangered Antioch Dunes evening-primrose (*Oenothera deltoides ssp. howellii*) and Contra Costa wallflower (*Erysimum capitatum ssp. angustatum*) are found here amongst more common species. A number of special-status animals occur in this habitat, the most sensitive of which are the insects, including the federally endangered Lange's metalmark butterfly.

**Wetlands.** Seasonal wetlands and ponds hold water for only part of the year, and can be found in any part of the Antioch Planning Area, but are more common along the San Joaquin River and seasonal streams in the southern portion of the Planning Area. Coastal brackish marshes are wet year round and are found along the banks of the San Joaquin River. If pickleweed (*Salicornia sp.*) is present, coastal brackish marshes may contain suitable habitat for the State and Federally endangered salt marsh harvest mouse. Other listed species associated with the coastal brackish marsh in the Antioch Planning Area include California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*).

Alkaline floodplains exist along the banks of the San Joaquin River. These may appear barren because of the difficulty of growing in highly alkaline, frequently disturbed soil. If unprotected, such barren lands tend to attract people seeking recreation in four-wheel drive vehicles, which reduces the vegetation ever further. Stands of pickleweed and saltgrass growing within alkaline floodplains can be habitat for the State and federally endangered salt marsh harvest mouse (*Reithrodontomys raviventris*).

**Open Water.** This category includes the San Joaquin River and permanent waterbodies, such as natural or man-made lakes, ponds, and reservoirs. Although open water does not provide habitat for many plant species, it is important for wildlife and fish. The San Joaquin River is used as a movement corridor, foraging, and breeding habitat for a variety of native and non-native fish including steelhead (*Oncorhynchus mykiss*), Chinook salmon (*Oncorhynchus tshawytscha*), delta smelt (*Hypomesus transpacificus*), striped bass (*Morone saxatilis*), and many others. Water birds and waterfowls use the lakes and rivers for foraging and breeding and stopovers during migration.

**Oak Woodland.** Oak woodlands are important habitat for numerous common and special-status wildlife species. Blue oak woodland is found on north-facing slopes and in shady ravines in the Mt. Diablo foothills. Valley oak woodlands once dominated the edges of the Central Valley in vast park-like stands. Valley oaks are the largest and longest-lived of the California oaks. This habitat type has been much reduced by conversion of land to agriculture and because modern grazing patterns prevent the regeneration of young oaks. Valley oak stands are still found in Antioch in Contra Loma Regional Park and other southern portions of the Antioch Planning Area.

**Riparian.** Riparian vegetation refers to the native scrub or forest occurring along streams and riverbanks. In riparian areas, the roots of trees and other vegetation can easily reach the water table. Such areas are prone to frequent flooding. Riparian vegetation used to be found along most perennial and intermittent streams in the Antioch Planning Area and along the San Joaquin River. This vegetation type has become rare due to disturbance by cattle, riverfront development, and the filling or channelizing of small streams in urban areas. Riparian areas provide important breeding and foraging habitat for many species of birds, mammals, reptiles, and amphibians. The federally-listed California red-legged frog (*Rana aurora draytonii*) occurs along creeks in the Planning Area and the state-listed Swainson's hawk will nest in large trees such as cottonwoods that grow along creeks.

**Special-Status Species.** Special-status species are defined as:

- Species that are listed, or designated as candidates for listing, as threatened or endangered under the Federal Endangered Species Act;
- Species that are listed, or designated as candidates for listing as rare (plants), threatened, or endangered under the California Endangered Species Act;
- Plant species on List 1A, List 1B, List 2, and List 3 in the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California;

- Wildlife species listed by the California Department of Fish and Game as species of special concern or fully protected species;
- Species that meet the definition of rare or endangered under the California Environmental Quality Act (under Section 15380 of CEQA<sup>1</sup>); and
- Considered to be a taxon of special concern by local agencies.

<sup>1</sup> This section of CEQA Guidelines states that any species not included on any formal list, can nevertheless be considered rare or endangered if the species can be shown to meet the criteria for listing.

7. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.4.2, entitled "Biological Resources Policies." That subsection is amended as follows:

#### 10.4.2 Biological Resources Policies

- Comply with the Federal policy of no net loss of wetlands through avoidance and clustered development. Where preservation in place is found not to be feasible (such as where a road crossing cannot be avoided, or where shore stabilization or creation of shoreline trails must encroach into riparian habitats), require 1) on-site replacement of wetland areas, 2) off-site replacement, or 3) restoration of degraded wetland areas at a minimum ratio of one acre of replacement/restoration for each acre of impacted onsite habitat, such that the value of impacted habitat is replaced.
- Preserve in place and restore existing wetlands and riparian resources along the San Joaquin River and other natural streams in the Planning Area, except where a need for structural flood protection is unavoidable.
- For new development within the ULL, require** appropriate setbacks adjacent to natural streams to provide adequate buffer areas ensuring the protection of biological resources, including sensitive natural habitat, special-status species habitats and water quality protection.
- Through the project approval and environmental review processes, require new development projects **within the ULL** to protect sensitive habitat areas, including, but not limited to, oak woodlands, riparian woodland, vernal pools, and native grasslands. Ensure the preservation in place of habitat areas found to be occupied by state and federally protected species.
  - If impacts to sensitive habitat areas are unavoidable, appropriate compensatory mitigation shall be required off-site within eastern Contra Costa County. Such compensatory mitigation shall be implemented through the provisions of a Resource Management Plan ("RMP") as described in Policy 10.3.2.e, except where, in the discretion of the Community Development Director, an RMP is not necessary or appropriate due to certain characteristics of the site and the project. Among the factors that are relevant to determining whether an RMP is necessary or appropriate for a given project are the size of the project and the project site, the location of the project (e.g., proximity to existing urban development or open space), the number and sensitivity of biological resources and habitats on the project site, and the nature of the project (e.g., density and intensity of development).
  - Where preserved habitat areas occupy areas that would otherwise be graded as part of a development project **within the ULL**, facilitate the transfer of allowable density to other, non-sensitive portions of the site.
- Limit uses within preserve and wilderness areas to resource-dependent activities and other uses compatible with the protection of natural habitats (e.g., passive recreation and public trails).
- Through the project review process **for new development within the ULL**, review, permit the removal of healthy, mature oak trees on a case-by-case basis only where it is necessary to do so.
- Preserve heritage trees throughout the Planning Area.
- Within areas adjacent to preserve habitats, require the incorporation of native vegetation and avoid the introduction of invasive species in the landscape plans for new development **within the ULL**.
- Design drainage within urban areas so as to avoid creating perennial flows within intermittent streams to prevent fish and bullfrogs from becoming established within a currently intermittent stream.
- Whenever a biological resources survey is undertaken to determine the presence or absence of a threatened or endangered species, or of a species of special concern identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game, require the survey to follow established protocols for the species in question prior to any final determination that the species is absent from the site.

8. Chapter 10.0 of the General Plan, entitled "Resource Management," contains a section 10.5, entitled "Open Space Transitions and Buffers Objective and Policies." That section is amended as follows:

#### 10.5 OPEN SPACE TRANSITIONS AND BUFFERS OBJECTIVE AND POLICIES

Transition and buffering policies set forth in the Community Image and Design Element focus on protecting existing and planned residential uses from the effects of adjacent land uses. Similar provisions are needed to address the urban edge, where development **within the ULL** will lie adjacent to open space, and provide buffers between existing and proposed developments and existing open space; agricultural areas; lands in public open space; lands subject to conservation easement areas; and land set aside as mitigation from the effects of development **within the ULL**. These buffering policies are intended to avoid creation of significant impacts from adjacent development on preserved open space

lands and conservation areas in terms of aesthetics, light and glare, noise, fire safety, habitat management, and the public's quiet enjoyment of protected areas.

9. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.1, entitled "Open Space Transitions and Buffers Objective." That subsection is amended as follows:

**10.5.1 Open Space Transitions and Buffers Objective**

Minimize the impacts of development within the ULL located adjacent to natural areas, preserved in open space, and protected environmental resources.

10. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.5.2, entitled "Open Space Transitions and Buffers Policies." That subsection is amended as follows:

**10.5.2 Open Space Transitions and Buffers Policies**

- a. Minimize the number and extent of locations where residential, commercial, industrial, and public facilities land use designations abut lands designated for open space and protected resource areas (e.g., lands with conservation easements or set aside as mitigation for development impacts). Where such land use relationships cannot be avoided, use buffers and compatible uses to buffer and protect open space and protected resources from the adverse effects of residential, commercial, industrial and public facilities development within the ULL.
- b. Ensure that the design of development proposed along a boundary with open space or protected resources provides sufficient protection and buffering for the open space and protected resources. The provision of buffers and transitions to achieve compatibility shall occur as part of the proposed development.
- c. In designing buffer areas, the following criteria shall be considered and provided for (when applicable) within the buffer areas to avoid or mitigate significant impacts
  - Aesthetics: How will development of land within the ULL affect views from adjacent open space areas? What are the sensitive land uses and resources within open space areas and how might they be affected by changes in the visual environment?
  - Light and Glare: Will a proposed development result in increased light or glare in open space areas that would impact open space uses or wildlife habitats within that open space?
  - Noise: Will noise generated by the proposed development affect the public's quiet enjoyment of public open space? What are the sensitive noise receptors in open space areas and how can impacts on those sensitive receptors be avoided or mitigated? Can noise-generating uses be located away from noise-sensitive areas?
  - Fire Safety: How will development affect the risk of fire on adjacent open space and resource areas? How would development affect or be affected by existing fire abatement practices on adjacent open space and resource areas, including livestock grazing, prescribed fire, plant pest management, mowing, disking, ecological restoration and other practices?
  - Public Safety: How will development of land within the ULL adjacent to open space or resource areas increase the risk of vandalism, trespass, and theft in adjacent open space and resource areas?
  - Habitat Management: How will proposed development of land within the ULL affect habitat values on adjacent open space and resource areas? How will development prevent the spread of introduced animals and plant pests into adjacent open space and resource areas? How will proposed development affect wildlife migration corridors between or within open space and/or resource areas?
  - Public Access Management: How will development of land within the ULL adjacent to public open space and resource areas affect the maintenance of existing public facilities, such as roads, trails, fences, gates and restrooms? How might development adjacent to open space or resource areas facilitate illegal public access?
  - Buffer Management: How can appropriate management of lands that are set aside as buffers between development of land within the ULL and open space or resource areas be ensured?

11. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.6.2, entitled "Air Quality Policies." That subsection is amended as follows:

**10.6.2 Air Quality Policies**

*Construction Emissions*

- a. Require development projects within the ULL to minimize the generation of particulate emissions during construction through implementation of the dust abatement actions outlined in the CEQA Handbook of the Bay Area Air Quality Management District.

*Mobile Emissions*

- b. Require developers of large residential and non-residential projects within the ULL to participate in programs and to take measures to improve traffic flow and/or reduce vehicle trips resulting in decreased vehicular emissions. Examples of such efforts may include, but are not limited to the following.

- Development of mixed use projects, facilitating pedestrian and bicycle transportation and permitting consolidation of vehicular trips.
  - Installation of transit improvements and amenities, including dedicated bus turnouts and sufficient rights-of-way for transit movement, bus shelters, and pedestrian easy access to transit.
  - Provision of bicycle and pedestrian facilities, including bicycle lanes and pedestrian walkways connecting residential areas with neighborhood commercial centers, recreational facilities, schools, and other public areas.
  - Contributions for off-site mitigation for transit use.
  - Provision of charging stations for electric vehicles within large employment-generating and retail developments.
- c. Budget for purchase of clean fuel vehicles, including electrical and hybrid vehicles where appropriate, and, if feasible, purchasing natural gas vehicles as diesel powered vehicles are replaced.
- d. Support and facilitate employer-based trip reduction programs by recognizing such programs in environmental mitigation measures for traffic and air quality impacts where their ongoing implementation can be ensured, and their effectiveness can be monitored.

*Stationary Source Emissions*

- e. As part of the development review process for non-residential development, require the incorporation of best available technologies to mitigate air quality impacts.
  - f. Provide physical separations between (1) proposed new industries having the potential for emitting toxic air contaminants and (2) existing and proposed sensitive receptors (e.g., residential areas, schools, and hospitals).
  - g. Require new wood burning stoves and fireplaces to comply with EPA and BAAQMD approved standards.
12. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.7.1, entitled "Water Resources Objective." That subsection is amended as follows:

**10.7.1 Water Resources Objective**

Ensure that an adequate supply of water is available to serve existing and future needs of the City, including land long planned for development within the ULL.

13. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.7.2, entitled "Water Resources Policies." That subsection is amended as follows:

**10.7.2 Water Resources Policies**

*Water Supply*

- a. As part of the implementing the City's residential growth management program and its development review process for non-residential development, ensure that adequate long-term water supplies are available to serve the development being granted new allocations, including consideration of peak drought and peak fire fighting needs.
- b. Require new development within the ULL to be equipped with drought tolerant landscaping and water conservation devices.
- c. Work with Delta Diablo Sanitation District to make reclaimed wastewater available for irrigation use. Where reclaimed wastewater can be made available at a reasonable cost, require the installation of dual water systems in development projects and public facilities, using reclaimed wastewater for irrigation.
- d. Protect, where possible, groundwater recharge areas, including protection of stream sides from urban encroachment.
- e. Oppose proposals with the potential to increase the salinity of the Delta and/or endanger the City's rights to divert water from the San Joaquin River.

*Water Quality*

- f. Participate in the Contra Costa Clean Water program to reduce storm water pollution and protect the water quality of the City's waterways.
- g. Require public and private development projects to be in compliance with applicable National Pollution Discharge Elimination System (NPDES) permit requirements, and require the implementation of best management practices to minimize erosion and sedimentation resulting from new development.
- h. Participate in regional watershed planning efforts to enhance area water quality.



- i. Design drainage within urban areas within the ULL to avoid runoff from landscaped areas and impervious surfaces from carrying pesticides, fertilizers, and urban and other contaminants into natural streams.
14. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.8.1, entitled "Energy Resources Objective." That subsection is amended as follows:

**10.8.1 Energy Resources Objective**

Reduce reliance on nonrenewable energy sources in existing and new commercial, industrial, and public structures within the ULL<sup>1</sup>.

- 4 See also Objective 7.4.1, which addresses reducing the use of nonrenewable energy resources by encouraging non-motorized transportation.

15. Chapter 10.0 of the General Plan, entitled "Public Services and Facilities," contains a subsection 10.9.2, entitled "Cultural Policies." That subsection is amended as follows:

**10.9.2 Cultural Policies**

- a. Require new development within the ULL to analyze, and therefore avoid or mitigate impacts to archaeological, paleontological, and historic resources. Require surveys for projects having the potential to impact archaeological, paleontological, or historic resources. If significant resources are found to be present, provide mitigation in accordance with applicable CEQA guidelines and provisions of the California Public Resources Code.

- b. If avoidance and/or preservation in the location of any potentially significant cultural resource is not possible, the following measures shall be initiated for each impacted site:

- A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.
- Prior to the issuance of a grading permit for the project, the project proponent shall develop a test-level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either Register. The research design shall be submitted to the City of Antioch for review and comment. For sites determined, through the Testing Program, to be ineligible for listing on either the California or National Register, execution of the Testing Program will suffice as mitigation of project impacts to this resource.
- After approval of the research design and prior to the issuance of a grading permit, the project proponent shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the City's outline for Archaeological Testing. The Test Level Report shall be submitted to the City for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test-level investigations will have depleted the scientific value of the sites and the project can proceed.
- If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the City for review and comment.
- After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. Typically, a Treatment Program involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report shall be developed. This data recovery report shall be submitted to the City for review and comment.

- c. When existing information indicates that a site proposed for development within the ULL may contain paleontological resources, a paleontologist shall monitor site grading activities with the authority to halt grading to collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the Community Development Department documenting any paleontological resources found during site grading.

- d. As a standard condition of approval for new development projects within the ULL, require that if unanticipated cultural or paleontological resources are encountered during grading, alteration of earth materials in the vicinity of the find be halted until a qualified expert has evaluated the find and recorded identified cultural resources.

- e. Preserve historic structures and ensure that alterations to historic buildings and their immediate settings are compatible with the character of the structure and the surrounding neighborhood.

K. ENVIRONMENTAL HAZARDS ELEMENT AMENDMENTS.

1. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a section 11.2, entitled "Goals of the Environmental Hazards Element." That section is amended as follows:

**11.2 GOALS OF THE ENVIRONMENTAL HAZARDS ELEMENT**

To provide for a sustained high quality of life, it is the goal of the Environmental Hazards Element to accomplish the following:

- *Minimize the potential for loss of life injury, property damage, and economic and social disruption resulting from natural and manmade hazards in the community.*

One of Antioch's fundamental values is that people's lives and properties will be safe from natural and manmade hazards. While there is a practical limit to the level of protection that can be provided in a community, Antioch is committed to minimizing the community's vulnerability to natural and manmade hazards. In accomplishing this goal, the City seeks to offer assurance to those who wish to invest in Antioch, whether as a resident business owner, that their protection and that of their properties has a high priority in the City. This priority is encompassed in the Safety element by:

- incorporating safety considerations into the land use planning and development review process **regarding new development within the voter-approved Urban Limit Line (ULL)**;
- Identifying and mitigating hazards faced by existing and new development **within the ULL**;
- Facilitating the strengthening of existing codes, project review, and permitting processes; and
- Strengthening disaster planning and post-disaster response policies.

2. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.3.2, entitled "Geology and Seismicity Policies." That subsection is amended as follows:

**11.3.2 Geology and Seismicity Policies**

*Seismicity*

- a. Require geologic and soils reports to be prepared for proposed development sites **within the ULL**, and incorporate the findings and recommendations of these studies into project development requirements. As determined by the City of Antioch Building Division, a site-specific assessment shall be prepared to ascertain potential ground shaking impacts on new development. The site-specific ground shaking assessment shall incorporate up-to-date data from government and non-government sources and may be included as part of any site-specific geotechnical investigation. The site-specific ground shaking assessment shall include specific measures to reduce the significance of potential ground shaking hazards. This site-specific ground shaking assessment shall be prepared by a licensed geologist and shall be submitted to the City of Antioch Building Division for review and approval prior to the issuance of building permits. For purposes of this policy, "development" applies to new structures and existing structures or facilities that undergo expansion, remodeling, renovation, refurbishment or other modification. This policy does not apply to second units or accessory buildings.
- b. Provide information and establish incentives for property owners to rehabilitate existing buildings using updated construction techniques to protect against seismic hazards.
- c. Encourage the purchase of earthquake insurance by residents and businesses.
- d. Encourage continued investigation by State agencies of geologic conditions within the Bay Area to update knowledge of seismic hazards and promote public awareness.
- e. Provide expedited review of any seismic-related revisions to the Uniform Building Code proposed by the State.
- f. Work with PG&E, pipeline companies, and industrial uses to implement measures to safeguard the public from seismic hazards associated with high voltage transmission lines, caustic and toxic gas and fuel lines, and flammable storage facilities.
- g. Require that engineered slopes be designed to resist seismically-induced failure.
- h. Require that parcels overlying both cut and fill areas within a grading operation be over-excavated to mitigate the potential for seismically-induced differential settlement.

*Other Geologic Conditions*

- i. Limit development in those areas, which, due to adverse geological conditions, will be hazardous to the overall community and those who will inhabit the area.
- j. Require evaluations of potential slope stability for developments proposed within hillside areas, and incorporate the recommendations of these studies into project development requirements.
- k. Require specialized soils reports in areas suspected of having problems with potential bearing strength, expansion, settlement, or subsidence, including implementation of the recommendations of these reports into the project development, such that structures designed for human occupancy are not in danger of collapse or significant structural damage with corresponding hazards to human

occupants. Where structural damage can be mitigated through structural design, ensure that potential soils hazards do not pose risks of human injury or loss of life in outdoor areas of a development site.

- I. Where development is proposed within an identified or potential liquefaction hazard area (as determined by the City), adequate and appropriate measures such as (but not limited to) designing foundations in a manner that limits the effects of liquefaction, the placement of an engineered fill with low liquefaction potential, and the alternative siting of structures in areas with a lower liquefaction risk, shall be implemented to reduce potential liquefaction hazards. Any such measures shall be submitted to the City of Antioch Building Division for review prior to the approval of the building permits.

#### *Historic Mineral Extraction*

- m. As appropriate and necessary to protect public health and safety, abandoned mines shall be placed in natural open space areas, with appropriate buffer areas to prevent unauthorized entry.
  - n. Within areas of known historic mining activities, site-specific investigations shall be undertaken prior to approval of development to determine the location of any remaining mine openings, the potential for subsidence or collapse, and necessary measures to protect public health and safety, and prevent the collapse or structural damage to structures intended for human occupancy due to mine-related ground failure or subsidence. Such measures shall be incorporated into project approvals.
  - o. All identified mine openings shall be effectively sealed.
  - p. Construction of structures for human occupancy shall be prohibited within areas found to have a high probability of surface collapse or subsidence, unless foundations are designed that would not be affected by such surface collapse or subsidence, as determined by site-specific investigations and engineered structural design.
  - q. The locations of all oil or gas wells on proposed development sites shall be identified in development plans. Project sponsors of development containing existing or former oil or gas wells shall submit documentation demonstrating that all abandoned wells have been properly abandoned pursuant to the requirements of the California Department of Conservation Oil, Gas, and Geothermal Resources.
3. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.4.2, entitled "Flood Protection Policies." That subsection is amended as follows:

#### **11.4.2 Flood Protection Policies**

- a. Prohibit all development within the 100-year floodplain, unless mitigation measures consistent with the National Flood Insurance Program are provided.
  - b. Minimize encroachment of development adjacent to the floodway in order to convey flood flows without property damage and risk to public safety. Require such development to be capable of withstanding flooding and to minimize the use of fill.
  - c. Prohibit alteration of floodways and channelization of natural creeks if alternative methods of flood control are technically and financially feasible. The intent of this policy is to balance the need for protection devices with land use solutions, recreation needs, and habitat preservation.
  - d. Require new development within the ULL to prepare drainage studies to assess storm runoff impacts on the local and regional storm drain and flood control system, along with implementation of appropriate detention and drainage facilities to ensure that the community's storm drainage system capacity will be maintained and peak flow limitations will not be exceeded.
  - e. Where construction of a retention basin is needed to support new development within the ULL, require the development to provide for the perpetual funding and ongoing maintenance of the basin.
  - f. Eliminate hazards caused by local flooding through improvements to the area's storm drain system or creek corridors as resources allow.
4. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a "Flood Hazard Map," described in section 11.4 of Chapter 11 as "Figure 11." For reference purposes and context only, the existing Figure 11 is attached to this Initiative as Exhibit V.
5. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.5.2, entitled "Fire Hazard Policies." That subsection is amended as follows:

#### **11.5.2 Fire Hazard Policies**

- a. Where new development within the ULL borders wildland areas, require appropriate fuel modification and use of fire retardant building materials per the requirements of the Contra Costa County Fire Protection District. Fuel modification may be permitted to extend beyond the boundaries of the site for which wildland fire protection is being provided only if the adjacent owner provides written permission, the proposed fuel modification is consistent with the management practices of the agency controlling such land (if it is in permanent open space), and the off-site fuel modification activity will not significantly impact sensitive habitat areas.
- b. Require that adequate fire protection be available at initial project occupancy, whenever feasible. Thus, stations should be constructed and manned at the outset of new development. If the Contra Costa Fire Protection District finds that a lag time between initial occupancy and operation of new

stations cannot be avoided, the City may consider requiring sprinklers in new homes as an alternative.

6. Chapter 11.0 of the General Plan, entitled "Environmental Hazards," contains a subsection 11.6.2, entitled "Noise Policies." That subsection is amended as follows:

#### **11.6.2 Noise Policies**

##### *Noise Compatible Land Use and Circulation Patterns*

- a. Implementation of the noise objective contained in Section 11.6.1 and the policies contained in Section 11.6.2 of the Environmental Hazards Element shall be based on noise data contained in Section 4.9 of the General Plan EIR, unless a noise analysis conducted pursuant to the City's development and environmental review process **for new development within the ULL** provides more up-to-date and accurate noise projections, as determined by the City.
- b. Maintain a pattern of land uses that separates noise-sensitive land uses from major noise sources to the extent possible, and guide noise-tolerant land uses into the noisier portions of the Planning Area.
- c. Minimize motor vehicle noise in residential areas through proper route location and sensitive roadway design.
  - Provide planned industrial areas with truck access routes separated from residential areas to the maximum feasible extent.
  - Where needed, provide traffic calming devices to slow traffic speed within residential neighborhoods.

##### *Noise Analysis and Mitigation*

- d. Where new development **within the ULL** (including construction and improvement of roadways) is proposed in areas exceeding the noise levels identified in the General Plan Noise Objective, or where the development of proposed uses could result in a significant increase in noise, require a detailed noise attenuation study to be prepared by a qualified acoustical engineer to determine appropriate mitigation and ways to incorporate such mitigation into project design and implementation.
- e. When new development **within the ULL** incorporating a potentially significant noise generator is proposed, require noise analyses to be prepared by a qualified acoustical engineer. Require the implementation of appropriate noise mitigation when the proposed project will cause new exceedences of General Plan noise objectives, or an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded as the result of existing development.
- f. In reviewing noise impacts **of new development within the ULL**, utilize site design and architectural design features to the extent feasible to mitigate impacts on residential neighborhoods and other uses that are sensitive to noise, in addition to sound barriers, design techniques to mitigate noise impacts may include, but are not limited to:
  - Increased building setbacks to increase the distance between the noise source and sensitive receptor.
  - Orient buildings which are compatible with higher noise levels adjacent to noise generators or in clusters to shield more noise sensitive areas and uses.
  - Orient delivery, loading docks, and outdoor work areas away from noise-sensitive uses.
  - Place noise tolerant use, such as parking areas, and noise tolerant structures, such as garages, between the noise source and sensitive receptor.
  - Cluster office, commercial, or multi-family residential structures to reduce noise levels within interior open space areas.
  - Provide double glazed and double paned windows on the side of the structure facing a major noise source, and place entries away from the noise source to the extent possible.
- g. Where feasible, require the use of noise barriers (walls, berms, or a combination thereof) to reduce significant noise impacts.
  - Noise barriers must have sufficient mass to reduce noise transmission and high enough to shield the receptor from the noise source.
  - To be effective, the barrier needs to be constructed without cracks or openings.
  - The barrier must interrupt the line of sight between the noise source and noise receptor.
  - The effects of noise "flanking" the noise barrier should be minimized by bending the end of the barrier back from the noise source.
  - Require appropriate landscaping treatment to be provided in conjunction with noise barriers to mitigate their potential aesthetic impacts.
- h. Continue enforcement of California Noise Insulation Standards (Title 25, Section 1092, California Administrative Code).

*Temporary Construction*

- i. Ensure that construction activities are regulated as to hours of operation in order to avoid or mitigate noise impacts on adjacent noise-sensitive land uses.
- j. Require proposed development **within the ULL** adjacent to occupied noise sensitive land uses to implement a construction-related noise mitigation plan. This plan would depict the location of construction equipment storage and maintenance areas, and document methods to be employed to minimize noise impacts on adjacent noise sensitive land uses.
- k. Require that all construction equipment utilize noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer.
- m. Prior to the issuance of any grading plans **for new development within the ULL**, the City shall condition approval of subdivisions and non-residential development adjacent to any developed/occupied noise-sensitive land uses by requiring applicants to submit a construction-related noise mitigation plan to the City for review and approval. The plan should depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of the project through the use of such methods as:
  - The construction contractor shall use temporary noise-attenuation fences, where feasible, to reduce construction noise impacts on adjacent noise sensitive land uses.
  - During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
  - The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
  - The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. No construction shall be allowed on Sundays and public holidays.
- n. The construction-related noise mitigation plan required shall also specify that haul truck deliveries be subject to the same hours specified for construction equipment. Additionally, the plan shall denote any construction traffic haul routes where heavy trucks would exceed 100 daily trips (counting those both to and from the construction site). To the extent feasible, the plan shall denote haul routes that do not pass sensitive land uses or residential dwellings. Lastly, the construction-related noise mitigation plan shall incorporate any other restrictions imposed by the City.

**L. IMPLEMENTATION ELEMENT AMENDMENTS.**

1. Chapter 12.0 of the General Plan, entitled "Implementation," contains a section 12.2, entitled "Follow-Up Studies and Actions." That section is amended, effective January 1, 2021, upon the expiration of Measure K, as follows:

**12.2 FOLLOW-UP STUDIES AND ACTIONS**

**a. Zoning Ordinance**

As a result of updating the Antioch General Plan, a number of modifications to previous General Plan land use designations are proposed. These modifications to proposed land uses are primarily located within General Plan Focus Areas. As a result of these modifications, not all lands will have zoning consistent with the General Plan, in addition, the General Plan contains provisions calling for modifications of zoning standards.

California Government Code Section 65860 requires that a city's zoning be consistent with its General Plan<sup>1</sup>. Where a city has undertaken a comprehensive update of its General Plan, case law permits the city a reasonable period of time to change its zoning ordinance (zoning map and text) to achieve consistency with its updated General Plan.

<sup>1</sup> This requirement extends to general law cities, such as Antioch. Exceptions are made for charter cities.

The following implementation programs will be undertaken in relation to the City's zoning ordinance.

1. Revise the zoning map to reflect the land use categories of the adopted General Plan, including zoning of lands within focus areas.
2. Prepare a matrix defining the zoning classifications that are considered to be consistent with each General Plan designation.
3. Revise the text of the zoning ordinance to reflect the provisions of the adopted General Plan in relation to the following issues.
  - Modify permitted uses within zoning designations to reflect the delineation of appropriate uses set forth in the Land Use Element.
  - Establish development standards for mixed-use buildings within the downtown area and within transit-oriented development nodes. Typically, a mixed-use building would consist of

residential dwelling units placed on the upper floors of buildings having commercial or office uses on the ground floor.

- Modify zoning standards to reflect appropriate locations for churches and schools as set forth in the Land Use Element.
- Add requirements for the provision of charging stations for electric vehicles in major commercial and employment-generating developments.
- Establish standards for boat storage yards, including standards for stackable storage.
- Establish density bonuses for senior housing projects.
- Establish standards for the development of residential care facilities.
- Modify zoning standards to incorporate standards for open space transitions and buffers.

**b. Development Review Process**

Antioch's development review process involved examining proposed development projects for their conformance with the following.

- policies set forth in the General Plan;
- **the voter-approved Urban Limit Line (ULL)**;
- development standards set forth in the zoning ordinance and (where applicable) subdivision ordinance;
- the provisions of any applicable specific plan;
- for residential projects, the provisions of Antioch's residential growth management program;
- and the provisions of the City's economic development strategy.

**General Plan Consistency Review.** New development projects **within the ULL** that require discretionary actions by the City will be reviewed for consistency with the provisions of the General Plan, including the General Plan land use and circulation maps and all applicable General Plan goals, objectives, and policies. The City will not approve any development project found to be inconsistent with the provisions of the General Plan **or of the ULL**.<sup>1</sup>

<sup>1</sup> See also "Resolution of Competing Objectives" under Section 12.4d.

**Zoning Review.** The City's zoning ordinance sets for a description of specific permitted uses and development standards needed to implement the General Plan. All proposed development **within the ULL** will be reviewed to ensure that the requirements and standards of the City's zoning ordinance are met.

**Subdivision Review.** Whenever a proposed development **within the ULL** requires division of land into separate parcels, such development shall be subject to the provisions of the City's subdivision ordinance. This ordinance sets forth both procedural and substantive requirements for the division of land within the City, implementing both the Antioch General Plan and the California Subdivision Map Act. All divisions of land within the City shall be required to meet the provisions of the City's subdivision ordinance and the Map Act.

**Environmental Review.** The provisions of the California Environmental Quality Act (CEQA) require public agencies to review the potential environmental impacts of discretionary actions they proposed to undertake prior to actually undertaking those actions, including review of proposed development projects. The City will maintain review guidelines in accordance with CEQA and State guidelines to implement CEQA. Environmental review of individual projects (public and private) **within the ULL** will entail preparation of sufficient technical data to determine consistency with General Plan policies related to the physical environment, including, but not limited to, traffic, noise, air quality, biological and cultural resources, public services and facilities, availability of energy and water resources, visual impacts, and flooding and geotechnical hazards.

As part of the environmental review process, mitigation measures needed to achieve consistency with the provisions of the General Plan will be applied to proposed projects.

**c. Maintain Adequate Municipal Services and Facilities**

On an annual basis, coinciding with the Fiscal Year, as part of the General Plan review, the City will conduct an assessment of the municipal services and facilities being provided to Antioch residents and businesses. The assessment will determine whether the performance level of municipal services and facilities meet the performance objectives outlined in the Growth Management Element. This review will also include an evaluation of the adequacy of city facilities and equipment; personnel staffing and program needs; and five-year equipment, facility, and staffing needs based on anticipated growth **within the ULL** and desired levels of service.

Where the performance objectives contained in the Growth Management Element are not being met, the following procedures will be implemented:

- The City will determine the nature and geographic extent of the deficiency.

- Upon the nature and geographic extent of the deficiency, the City Council will direct the City Manager to prepare a program for Council adoption to ensure that the performance objectives will be met at the earliest possible date.
- As part of the program to cure the identified deficiency, appropriate limitations on new development within the ULL will be established within the improvement area so to facilitate elimination of the deficiency. These limitations will remain in effect until the deficiency is eliminated.
- New development within the ULL and within the improvement area will be required to provide such facilities as are necessary to ensure that the services and facilities provided to the new development meet established performance standards, and that the services and facilities provided to existing development will not be further degraded.

**d. Urban Limit Line**

- Prior to the County's review of the Urban Limit Line, request modification of the County's Urban Limit Line to include approximately 1,000 acres within the Roddy Ranch (approximately 850 acres) and Ginochio Property (approximately 150 acres) Focus Areas that were within the Urban Limit Line as it was approved by the voters in 1990 within County's present Urban Limit Line. **The West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative reaffirms and strengthens the City's ULL by ensuring that (1) the ULL can only be changed by Antioch voters, (2) future growth and development will occur only within the ULL established by the voters, (3) development will not occur in areas outside the ULL that are not appropriate for urban growth because of physical unsuitability for development, unstable geological conditions, inadequate water availability, the lack of appropriate infrastructure, distance from existing development, likelihood of substantial environmental damage or substantial injury to fish or wildlife or their habitat, and other similar factors, and (4) development within the ULL in West Sand Creek will only occur on flatter and less environmentally-sensitive lands.**

**e. Actions to Implement Focus Area Policies**

The General Plan Land Use Element sets forth policies specific to individual Focus Areas within the City. To implement these Focus Area policies, the following actions will be undertaken.

- Update plans for the San Joaquin River waterfront, including such issues as appropriate development design; location and design of the proposed waterfront trail and park amenities, and means for providing improved all-weather access to Rodgers Point
- Consider renaming "L" Street to Marina Boulevard and "A" Street to Rivertown Boulevard as a means of increasing the visibility of the waterfront, marina, and downtown area.
- Prepare a design plan and implement design improvements for Somersville Road from its entrance to Rivertown at Fourth Street to the south end of County East Mall.
- Develop zoning overlays, modifying permitted uses within Focus Areas for which a Specific Plan has not been adopted to reflect the identification of appropriate uses set forth within the Land Use Element for each Focus Area.
- Undertake an engineering analysis to determine the feasibility of providing an all-weather vehicular access connection between Rivertown and the Rodgers Point area between Second and Sixth streets, including a grade-separated crossing of the existing railroad line.
- Work with the City of Pittsburg to create a roadway connection from Century Boulevard to Buchanan Road along the western city limits.
- Prepare a Specific Plan for the "A" Street Focus Area.
- Investigate the feasibility of creating a redevelopment project area for the "A" Street Interchange Focus Area, including the feasibility of relocating residents as part of planned conversion of lands within the Focus Area from residential to commercial use.
- Undertake a review of the East Lone Tree (FUA 2) Specific Plan to determine whether its assumed residential buildout is feasible given the area's topography.

**f. Community Design: Streetscapes**

The Community Image and Design Element contains guidelines and policies to improve the visual quality of roadways throughout the City. To implement these policies, the City will undertake the following actions.

- Prepare a landscape manual for roadway rights-of-way, delineating specific street trees to be used to accomplish the purposes outlined in Policy 5.4.2e of the Community Image and Design Element:
  - Differentiate the roadway types outlined in the Circulation Element.
  - Define the hierarchy of entry locations, intersections, and activity centers.
  - Incorporate a full palette of plants, including annual color, to the streetscape.
  - Emphasize drought-resistant landscaping.

- Prepare a plan for utilizing different types of street light within the various Focus Areas of the City to assist in creating a unique character for each of the areas.
- Establish a program for banners on lighting standards to provide visual interest and to announce community events.

**g. Community Design: Community Activity Areas**

The City will establish a program of signage and kiosks throughout the community identifying locations of and directions to important community features and activity areas (e.g., major shopping areas, Rivertown, City marina, Rodgers Point), as well as identifying pedestrian and bicycle paths and trails.

**h. Community Entries and Gateways**

Prepare specific designs for and install gateway improvements at the key locations within Antioch identified in Policy 5.4.3 of the Community Image and Design Element and Policy 6.3.21 of the Economic Development Element.

**i. Screening along State Route 4**

Undertake a joint program with Caltrans to design screening of residential areas along the Route 4 freeway, as set forth in Policy 5.4.5a.

**j. Commercial Lighting**

Develop specific standards for the screening of light sources within commercial developments to avoid spillover of light into adjacent residential areas. Such standards could include height limits for lighting Standards, requirements for use of cut-offs, and performance standards defining the maximum amount of light (expressed in foot-candles) that would be permitted on adjacent properties from a commercial lighting source.

**k. Transportation Improvements**

- Require development projects within the ULL to dedicate and construct roadways indicated on the Circulation map, as well as local roadways, as needed to maintain the performance standards set forth in the Growth Management Element.
- Work with the Contra Costa County Congestion Management Agency to prepare Action Plans and have Eighteenth Street, Wilbur Avenue, Sunset Avenue, Oakley Avenue, and the Pittsburg-Antioch Highway designated as Routes of Regional Significance.
- Undertake design studies and pursue construction of couplets in the Rivertown area for Ninth and Tenth streets and for Second and Fourth streets.
- Undertake annual traffic counts on the Antioch roadways identified on the Circulation Element map (Figure 7.1). For best results, counts should be taken in the spring or fall.
- Support regional efforts to determine the feasibility of and implement (if feasible) waterborne transit.
- Maintain current street standards to be applied to all public streets prior to dedication to the City, as well as to private roadways accommodating more than 50 vehicles per hour.
- Review roadway development standards to ensure that bicycle lanes are included in standard roadway sections.

**l. ABAG Housing and Employment Projections**

Work with the cities of Pittsburg, Oakley, and Brentwood to lobby ABAG to modify regional plans and projections to reflect a more balanced relationship of jobs and housing in eastern Contra Costa County. Such a regional policy would be intended to better reflect the jobs/housing balance policies of these cities' General Plans, recognizing the traffic and air quality imperatives for achieving such a balance.

**m. Review of Annexations**

- Annexation proponents shall demonstrate that facilities, services, and infrastructure within the ULL are adequate to serve the proposed annexation area in accordance with the performance standards set forth in the General Plan Growth Management Element, or that provision has been made to upgrade deficient facilities, services, or infrastructure.
- Small, piecemeal annexations should be avoided. Lands annexed to the City must be within the ULL and should encompass entire neighborhoods or development areas.

**n. Water and Sewer Infrastructure**

- Maintain current master plans for water facilities and sewage collection facilities that are consistent with Federal, State and regional standards.
- On a five-year basis, evaluate local water consumption patterns to determine whether the City's water supplies are adequate to support buildout of the General Plan within the ULL.



- In cooperation with the Delta Diablo Sanitation District and other potential purveyors, undertake an analysis to determine the feasibility of developing a system to use reclaimed wastewater and/or raw (untreated) water, along with creating a market for its use for irrigation and industrial purposes within the community.

**o. Public Safety**

- In cooperation with the Contra Costa County Fire Protection District, and coordinated with the City's annual budget cycle, conduct an annual assessment of the adequacy of facilities and services serving Antioch. This assessment would address personnel and staffing needs, and capital needs, based on anticipated growth and the level of service standard set forth in the Growth Management Element.
- On a five-year basis, have POST undertake an analysis of the Antioch Police Department's staffing needs.

**p. Monitor New Technologies**

The General Plan includes techniques to improve water quality, reduce water consumption and solid waste generation, and conserve energy. However, research is continually being done, which expands our understanding of these issues and suggests new technologies to address the problems. To ensure that the General Plan implementation programs reflect the most current understanding of the issues, it is essential that new technologies be reviewed, and that the General Plan implementation programs be updated to incorporate current technologies. Of particular interest is maintaining an understanding of the commercial viability of new technologies, and when their incorporation into new public and private development projects within the ULL should be encouraged or required. For example, the first year's review should review such new technologies as fiber optic cabling and support of internet broadband services in new developments. Review of solar and photovoltaic cell technologies should, for example, also be examined. As part of the City's annual budget process, accommodation for such monitoring should be included, with results and recommendations placed in the General Plan annual report.

**q. Promote Energy Conservation by Example**

It is the intention of the City of Antioch to set an example for energy conservation by reducing energy consumption in City operations. Techniques for energy conservation include, but are not limited to:

- emphasizing fuel efficiency in the purchase and use of City-owned vehicles;
- periodically reviewing energy use by City operations and implementing programs to conserve energy;
- encouraging the use of bicycles by providing bicycle parking facilities at all City facilities; and
- achieving adopted solid waste source reduction and recycling goals in municipal operations.

**r. Maintain Disaster Preparedness; Upgrade Existing Plan**

- The City will maintain a Multi-Hazard Functional Plan to coordinate disaster recovery activities within the City of Antioch. As part of this effort, the City will actively solicit the input of local disaster preparedness agencies, including, but not limited to, fire, Sheriff and Highway Patrol, and the American Red Cross. The City's existing plan will be expanded to address issues of domestic terrorism, including incident prevention and response.
- On a five-year basis, the City will undertake an analysis of Antioch's Multi-Hazard Functional Plan, emergency response facilities, staffing and capabilities.
- The City will maintain information on emergency and disaster response on its web site, and at least once during each fiscal year, provide information emergency and disaster response information in a City mailing.

**SECTION 6: ANTIOCH MUNICIPAL CODE AMENDMENTS.**

The Municipal Code is hereby amended as follows. Text to be inserted into the Municipal Code is indicated in **bold underlined** type. Text to be deleted from the Municipal Code is indicated in ~~strike through~~ type. Text in standard, **bold**, or *italic* type that currently appears in that fashion in the Municipal Code on the Filing Date remains unchanged by this Initiative and is shown for reference purposes only.

**A. AMENDMENTS TO SUBDIVISION REGULATIONS.**

1. Article 3 of the Subdivision Regulations, entitled "Tentative Maps," contains a section 9-4.312, entitled "Commission Action." That section is amended as follows:

**§ 9-4.312 COMMISSION ACTION.**

The Commission shall consider the tentative map at a duly noticed public hearing within 50 days, unless such time is extended by the mutual consent of the subdivider and the Commission, and the Commission shall make a written report with recommendations to the Council concerning the approval, conditional approval, or disapproval of the map, or any other conditions precedent thereto, and such improvements as may be required. Any application for exceptions, as provided for in § 9-4.311 of this article, shall accompany the tentative map, and the recommendations of the Commission on the tentative map shall include the recommendations on any exception requested. Following the adoption of the recommendations on the tentative map, the map and recommendations shall be transmitted to the Council for action. The applicant, property owners and occupants, and stakeholders who reside in

or own property within 300 feet of the subject site within the Limited Development Area shall be eligible to appeal the Action of the Commission to the City Council.

2. Article 17 of the Subdivision Regulations, entitled "Environmental Impact and General Plan Compliance," contains a section 9-4.1701, entitled "Environmental Impact Reports." That section is amended as follows:

**§ 9-4.1701 ENVIRONMENTAL IMPACT REPORTS. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE.**

No parcel or tentative map filed shall be approved ~~until an environmental impact report is prepared, processed, and considered in accordance with the provisions of~~ **without environmental compliance pursuant to the California** Environmental Quality Act of 1970 (Cal. Pub. Res. Code §§ 21000 et seq. **and 14 Cal. Code Regs. § 15000 et. seq.) (collectively, "CEQA")**. The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of **appropriate** environmental review documents **if any, for purposes of CEQA compliance.**

3. Article 17 of the Subdivision Regulations, entitled "Environmental Impact and General Plan Compliance," contains a section 9-4.1801, entitled "General Plan Conformance; Time for or Waiver of Reports." That section is amended as follows:

**§ 9-4.1801 GENERAL PLAN CONFORMANCE; TIME FOR OR WAIVERS OF REPORTS.**

- (A) The environmental impact report **negative declaration, addendum, or other appropriate environmental review document, if any, required for purposes of CEQA compliance,** shall contain a statement as to the proposed division of territory conforming to the General Plan, which is required pursuant to Cal. Gov't Code § 65402 as the result of a proposed division of land, which may be included as part of and at the same time as the action taken by the Advisory Agency on such division of land.
- (B) Such report **or other appropriate CEQA compliance document or determination** shall not be required for a proposed subdivision which involves:
- (1) The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
  - (2) Acquisitions, dispositions, or abandonments for street widening; or
  - (3) Alignment projects provided the Advisory Agency expressly finds that any such disposition for street purposes, acquisitions, dispositions, or abandonments for street widening, or alignment projects are of a minor nature.

**B. AMENDMENTS TO ZONING CODE.**

1. Article 3 of the Zoning Code, entitled "Establishment of Districts," contains a section 9-3.301, entitled "Districts Established and Defined." That section is amended as follows:

**§ 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.**

(A) *RE Rural Estate Residential District.*

- (1) This district is consistent with the General Plan Designation of Estate Residential, allowing up to one dwelling units per gross developable acre according to divisions (a) through (c), as well as within any Focused Planning Area designated by the General Plan that permits residential development allowing up to one dwelling unit per gross developable acre.
  - (a) A gross developable acre equals 43,560 square feet, exclusive of public and private rights-of-way existing at the time a development application for the subject property is deemed complete.
  - (b) New public or private rights-of-way to be created as part of the proposed development are counted as part of the gross developable acreage of the site.
  - (c) Where a park or school site is to be dedicated as part of a proposed application, the land subject to such dedication may be counted as part of the gross developable acreage of the site, and subsequently yield development density to the proposed project, only if there is no further compensation for the site.
- (2) This district establishes areas for single-family homes on lots that average one-half acre or larger on land that is relatively uneven and constrained by geologic formations, a lack of urban services and unique environmental constraints. Where natural features dictate, clustering of units is appropriate.

- (B) *RR Rural Residential District.* This district is consistent with the General Plan Designation of Estate Residential allowing up to one dwelling units per gross developable acre, as well as with any Focused Planning Area designated by the General Plan that permits residential development, allowing up to one unit per gross developable acre, allowing large custom-built homes on large lots. Typical lot sizes should conform to a minimum of one unit per half acre lot. Lot size and dimensions will depend on topography and surrounding land uses. The district provides areas in close proximity to urban services which may incorporate many characteristics of residential development on the urban fringe including deep front yards, maintenance of existing grade and vegetation.

- (C) *R-4, R-6 Single-Family Residential Districts.* These districts are the standard single-family zones allowing a maximum of four (R-4 District) or six (R-6 District) dwelling units per gross acre respectively. The districts are consistent with the Low Density Residential General Plan Designation, of two to four dwelling units per gross developable acre, and with the Medium-Low Density Residential General Plan Designation of four to six dwelling units per gross developable acre. The R-4 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to four dwelling units per gross developable acre. The R-6 district is also consistent with any Focused Planning Area designated by the General Plan permitting single family residential development up to six dwelling units per gross developable acre.
- (D) *R-10 Medium Density Residential District.* This district allows residential densities for attached single-family and multiple-family units. This district is consistent with the Medium Density Residential General Plan Designation which allows six to 10 dwelling units per gross developable acre. Typical development would include attached and/or cluster-type, ownership, oriented units including some with private yards and common recreation areas.
- (E) *R-20 Medium Density Residential District.* These districts allow multiple-family densities of 11 to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 20 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.
- (F) *R-25 High Density Residential District.* This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low or moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (G) *R-35 High Density Residential District.* This district allows multiple-family development at a minimum of 30 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (H) *C-0 Professional Office District.* This district allows development of business office centers and institutional or professional buildings. This district is consistent with the Office, Neighborhood/Community Commercial, Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting professional office uses.
- (I) *C-1 Convenience Commercial District.* This district usually occupies one to four acres of area and contains a mix of retail uses that provide goods and services to the immediate residential neighborhood area. These uses typically have a service area of a one mile radius or less.
- (J) *C-2 Neighborhood/Community Commercial District.* This district allows limited commercial offices, retail stores and service establishments which are compatible with, and dependent upon residential developments. The neighborhood district may typically occupy four to 10 acres of area and be located at appropriate arterial and/or collector street intersections. The primary purpose of the Neighborhood Commercial District is to provide for the sale of convenience goods, food, drugs, sundries and personal necessities. It meets the daily needs of the neighborhood area of a one to three mile radius. Usually one supermarket is the primary anchor. The Community Commercial District provides for both neighborhood uses and adds a junior department store, large variety store, or discount store as an anchor. This district may occupy 10 acres or more and serves residents within three to five miles. This district is consistent with the Neighborhood/Community Commercial and Transit-Oriented Development General Plan Designations, as well as with Focused Planning Areas permitting commercial land use types.
- (K) *C-3 Regional Commercial District.* This district provides for retail and service commercial uses of a regional nature, including those in and adjacent to large centers with one or more full-time department stores with a typical minimum of 75,000 square feet of floor area. Regional commercial uses typically serve a population residing within an eight to 20-mile radius and occupy 30 to 50 acres or more. This district also provides for highway or travel-oriented functions along freeways, major thoroughfares, and major roadways. This district is consistent with the Regional Commercial, and Transit-Oriented Development General Plan Designations, as well as with Somersville Road Corridor Focused Planning Area and other Focused Planning Areas permitting the types of commercial uses intended for this district.
- (L) *M-1 Light Industrial District.* This district allows light industrial uses and excludes those heavy industrial uses with potentially hazardous or negative effects. This district is consistent with the Business Park, Light Industrial, and Rail-Served Industrial General Plan Designations, as well as with the Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas. Uses include the fabrication, assembly, processing, treatment, or packaging of finished parts or products from previously prepared materials typically within an enclosed building.

- (M) *M-2 Heavy Industrial District.* This district allows heavy industrial uses which may generate adverse impacts on health or safety. This zone applies primarily to existing heavy industrial uses. The district is consistent with the General and Rail-Served Industrial General Plan Designations. Uses include production of and extraction of metals or chemical products from raw materials, steel works and finishing mills, chemical or fertilizer plants, petroleum and gas refiners, paper mills, lumber mills, asphalt, concrete and hot mix batch plants, power generation plants, glassworks, textile mills, concrete products manufacturing and similar uses.
- (N) *PBC Planned Business Center.* This district provides sites in landscaped settings for office centers, research and development facilities, limited industrial activities (including production and assembly, but no raw materials processing or bulk handling), limited warehouse type retail and commercial activities, and small-scale warehousing distribution. Individual business centers would have a common architectural and landscape treatment, while architectural variation is encouraged between centers. The district is consistent with the Business Park and Light Industrial General Plan Designations, as well as with the Somersville Road Corridor, Eastern Waterfront, SR-4/SR-160 Business Park, and East Lone Tree Focused Planning Areas.
- (O) *T Manufactured Housing Combining District.* This combining zone provides a district designation which shall be applied to land uses such as manufactured housing or trailer park uses, establish rules and regulations by which the city may regulate standards of lot, yard, and park area, landscaping, walls or enclosures, signs, access, and vehicle parking in relation to mobile home or trailer parks pursuant to the powers granted to the city under the California Health and Safety Code, and name the Commission as its agent for executing the provisions of this section. The provisions of this section shall apply to travel trailer parks, recreational trailer parks, and temporary trailer parks or tent camps, unless specifically exempted by Cal. Health and Safety Code Part 2 of Division 13 or by the provisions of this chapter. This combining zone is consistent with all principal zones to which it is attached.
- (P) *P-D Planned Development District.* This district accommodates various types of development, such as neighborhood and district shopping centers, professional and administrative offices multiple housing developments, single-family residential developments, commercial service centers, and industrial parks, or any other use or combination of uses which are appropriately a part of a planned development. This district is intended to enable and encourage flexibility in the design and development of land so as to promote its most appropriate use; to allow diversification in the relationship of various uses, structures, and space; to facilitate the adequate and economical provision of streets and utilities; to preserve the natural and scenic qualities of open space; to offer recreational opportunities convenient to residents to enhance the appearance of neighborhoods through the preservation of natural green spaces; and to counteract the effects of urban congestion and monotony. The minimum area required for the establishment of a residential Planned Development shall be three contiguous acres of land and the minimum area for an exclusively non-residential Planned Development shall be one contiguous acre of land.
- (Q) *HPD Hillside Planned Development District.* This district is similar to the Planned Development District. The purpose of this zone is to assure the preservation of the predominant hillsides, ridges, ridgelines, and other natural features and land forms by promoting a more harmonious visual and functional relationship between the existing natural environment and the needs of a growing community.
- (R) *OS Open Space/Public Use District.* This district allows undeveloped public open space and areas for public use where shown on the General Plan and in Specific Plans. This zone also can apply to public utility easements for electrical lines, gas lines and canals to prevent encroachment by urban development. This district is consistent with the Public/Institutional and Open Space General Plan Designations, as well as within Focused Planning Areas.
- (S) *MCR Mixed Commercial/Residential District.* This district allows retail, office, and residential uses to exist in a compatible manner through the use of special design standards. The intent is to allow uses that do not contribute to the furthering of a commercial strip pattern. This district is compatible with the Transit-Oriented Development, General Plan Designation, as well as with Focused Planning Areas that permit mixed use development.
- (T) *RT Rivertown District.* This district applies Planned Development Standards specifically to the downtown area identified in the General Plan as the Rivertown Focused Planning Area. This district allows uses which are supportive of a village setting. Mixes of commercial, retail, employment-generating and residential uses are encouraged. The following four districts are subareas of the Rivertown District.
- (1) *RTC Rivertown Retail District.* This district creates a vital core area of retail businesses, restaurants, personal and professional services, and offices. While retail and restaurant uses are strongly encouraged for the core area, compatible service oriented and office uses are permitted. The intent is to create an area of pedestrian oriented uses and activities that are mutually supportive.
- (2) *RTR Rivertown Residential Districts.*
- (a) *RTR-10 Rivertown Low Medium Density Residential.* This district recognizes and enhances the existing lot patterns and parcel sizes and encourages the preservation and rehabilitation of established lower density, predominantly single-family residential areas. This district also recognizes the potential for medium density residential development to provide new ownership opportunities, better land utilization, and a more urban character close to the downtown area. New development shall occur at densities of from six to ten dwelling units per gross developable acre. Typical development would include both detached and attached and/or clustered, ownership oriented units with private yards and common recreation areas.
- (b) *RTR-20 Rivertown High Density Residential.* This district encourages the assembly of under-utilized parcels and the redevelopment of properties for higher density residential use close to the downtown/waterfront. Development shall occur at densities of from 11 to 20

dwelling units per gross developable acre. These higher density areas should provide significant on-site amenities or integrate public areas into the development so as to create a feeling of continuity within the Rivertown area.

- (U) *WF Urban Waterfront District.* This district applies specifically to the Rivertown/Urban Waterfront and Eastern Employment Area Focused Planning Areas shown on the General Plan. Uses could include a mix of commercial and industrial uses generally restricted to those which are thematically compatible with a waterfront setting. Water related uses include marinas, and boat sales, and maintenance in conjunction with a marina and compatible public uses. This district is consistent with the Urban Waterfront General Plan Designation. Retail uses could include restaurants, commercial, recreation, and other water oriented uses. Public open space, walkways and other elements are also allowed to provide access to the river.
- (V) *H Hospital/Medical Center Overlay District.* This overlay district is intended to protect the Delta Memorial Medical Center area of influence from potentially incompatible land uses to and allow for the expansion of medical services. Compatible uses include medical offices, medical supply and retail sales, laboratories and medical related housing (short and long term care). This overlay zone is consistent with the Delta Memorial Medical Center General Plan Overlay Designation.
- (W) *MUMF Mixed Use Medical Facility District.* This district accommodates medical office buildings, hospitals/acute care facilities, ancillary medical and other complementary uses including professional office, retail (as support to the medical facilities, such as restaurants, convenience shops, and the like) residential (including congregate or convalescent care), parking structures and helicopter pads. Non-medical uses are not permitted unless they are compatible with medical uses, but are otherwise not required with medical uses. The minimum area required for the establishment of a Mixed Use Medical Facility District shall be one contiguous acre of land.
- (X) *SH Senior Housing Overlay District.*
  - (1) This overlay district provides additional densities beyond the minimum required by state law for senior housing projects that include increased percentages for elderly and/or affordable units. See the project calculation example incorporated herein by reference.
  - (2) The Senior Housing Overlay District may be combined with any residential zoning district. The senior housing density bonus applies to housing developments consisting of five or more dwelling units.
- (Y) *S Study District.* This district is intended as an interim designation which is utilized until all necessary detailed land use studies are completed for a given area. This district is most appropriately applied to properties at the time that they are rezoned prior to annexation by the city.
- (Z) *SP Specific Plan District.* This district is intended to provide a base designation to further implement the goals, objectives, and policies of the General Plan with respect to specific areas and uses which, because of their unique character, require a more comprehensive and intense evaluation and planning effort. This district will apply to individual parcel(s) only after the adoption of a specific plan by the City Council, pursuant to Government Code § 65450 et seq. Within the SP zoning district, permitted uses and development standards shall be as specified in the adopted Specific Plan.
- (AA) *TOD Transit-Oriented Development District.* This district is intended to provide for a mix of high-density uses that are oriented toward rail or bus transit stations within and adjacent to the city. This district thus accommodates development of an integrated mix of residential, commercial, and employment-generating uses as appropriate in both horizontal mixed-use (different types of uses located in adjacent buildings) and vertical mixed-use (different types of uses within the same building) patterns.
- (BB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this article, so as to promote its most appropriate use in the context of Roddy Ranch's unique natural qualities and existing recreational uses.
- (CC) *P Exclusive Parking District.* This district designates parcels that are to be used exclusively for parking purposes in the Rivertown area.
- (DD) *ES Emergency Shelter Overlay District.* This overlay district provides sites suitable for the development of emergency shelters. It allows emergency shelters by right when they are developed in accordance with a set of standards and requirements. The allowance for emergency shelters supersedes any land use regulation for shelters of the base zone; otherwise, all regulations of the base zone apply.
- (EE) West Sand Creek Planned Development District (WSC District or West Sand Creek District).**  
**The West Sand Creek District is consistent with the Limited Development Area overlay land use designation within the Sand Creek Focus Area west of Deer Valley Road, as established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative. This district is consistent with the "Estate Residential," "Low Density Residential," "Medium Low Density Residential," "Medium Density Residential," "Convenience Commercial," "Mixed Use," "Public/Quasi Public," and "Open Space" General Plan base land use designations. Consistent with the Initiative, this district allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.**

2. Article 28 of the Zoning Code, entitled "Amendments," contains a section 9-5.2801, entitled "Authorized." That section is amended as follows:

**§ 9-5.2801 AUTHORIZED.**

This chapter may be amended by changing the zoning map or land use regulations. Notwithstanding any provision of the Municipal Code to the contrary, however, this Article shall not apply to any of the land within the Initiative Area of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

3. Article 27 of the Zoning Code, entitled "Design Review, Use Permits, Administrative Use Permits and Variances," contains a section 9-5.2706, entitled "Appeals; Design Review Board." That section is amended as follows:

**§ 9-5.2706 APPEALS; DESIGN REVIEW BOARD.**

In the event the applicant or other person is not satisfied with the architectural design criteria established by the Design Review Board, they may, within five days after such decision, appeal in writing to the Council in the same manner as an appeal for a use permit or variance, except that the appeal to the Council shall not be a public hearing. Notwithstanding the foregoing and any other provision of the Municipal Code to the contrary, the applicant, property owners and occupants, and stakeholders who reside in or own property within 300 feet of the subject site within the Limited Development Area established by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall be eligible to appeal pursuant to this section.

**C. ESTABLISHMENT OF WEST SAND CREEK PLANNED DEVELOPMENT DISTRICT.**

Attached as Exhibit L is a new Article 42 (including sections 9-5.4201 through 9-5.4205) to be known as the "West Sand Creek Planned Development District" ("**WSC District**" or "**West Sand Creek District**") and inserted into the Antioch Municipal Code immediately following existing Article 41 of the Municipal Code.

**SECTION 7: DEVELOPMENT AGREEMENT.**

Attached as Exhibit G is a Development Agreement between the City of Antioch and the holders of legal or equitable interests in the real property shown in DA Exhibit 1 and described in DA Exhibit 2 to the Development Agreement. To implement the provisions of this Initiative, and pursuant to the authority of Government Code sections 65864 *et seq.*, including section 65867.5 specifying that a development agreement is a legislative act that shall be approved by ordinance, the Development Agreement is hereby adopted as an ordinance of the City of Antioch and approved. Not later than ten (10) days following the Effective Date of this Initiative, the City shall complete the intentionally omitted information in the introductory paragraph of the Development Agreement and shall have the Development Agreement recorded with the County Clerk-Recorder.

**SECTION 8: MITIGATION MEASURES.**

To the maximum extent allowed by law, the citizens intend that the development of The Ranch within the Limited Development Area established pursuant to the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall comply with the California Environmental Quality Act, Cal. Code Pub. Res. section 21000 *et seq.* and 14 Cal. Code Pub. Res. section 15000 *et seq.* (collectively, "**CEQA**") and any mitigation measures that may be adopted pursuant to CEQA to ensure full mitigation of any significant environmental impacts of the Project.

**SECTION 9: EXEMPTIONS.**

- A. This Initiative shall not apply to any of the following:
1. Any law that, under federal or state law, is beyond the power of the local voters to enact by the power of initiative reserved to the people of California under the state constitution; and
  2. Any property that, as of the Effective Date, has a vested right under state or local law.
- B. In addition to the foregoing, this Initiative shall not apply to the extent, but only to the extent, that it would violate the constitution or laws of the United States or the State of California, as set forth below:
1. If a property owner contends that any provision of this Initiative effects an unconstitutional taking of that owner's property, the City shall grant an exception to the application of that provision if the City finds, based on substantial evidence, that (a) application of the subject provision would constitute an unconstitutional taking of that owner's property, and (b) that any exception granted will allow additional development only to the minimum extent necessary to avoid such a taking.
  2. This takings subsection is intended to prevent this Initiative from unconstitutionally interfering with property rights and to avoid the potential fiscal impacts to the City of claims for just compensation based on allegations of such interference. This subsection is therefore intended to avoid a taking of property, not to provide a remedy for such a taking.

**SECTION 10: PRE-ELECTION CHALLENGE.**

We, the undersigned, registered, and qualified voters of the City of Antioch, County of Contra Costa, and signatories to the Notice of Intent to Circulate Petition, propose this Initiative to amend the City of Antioch General Plan and Municipal Code with respect to the land within the Initiative Area and to adopt a Development Agreement for a portion of the Limited Development Area commonly known as "The Ranch Property." The Limited Development Area within the flatter lands that comprise The Ranch Property would be developed with a comprehensive master-planned community that thoughtfully balances future development with respect for the site's important natural features, and that includes numerous extraordinary public benefits. We petition that this Initiative be submitted to

the City Council for adoption, without change, or for submission to the voters of Antioch. If a pre-election challenge is filed regarding this Initiative, we request that the severance clause set forth in section 15 of the Initiative be applied to this entire petition, and we declare that we would have signed this petition, and each word of it, irrespective of the fact that any other word, condition, or application to any situation be held invalid.

**SECTION 11: CONFLICT WITH OTHER MEASURES.**

- A. In approving this Initiative, it is the citizens' intent to create a complete regulatory scheme to govern the future use and development of the Initiative Area. To ensure this intent is not frustrated, this Initiative is presented to the citizens as an alternative to, and with the express intent that it will compete with, any and all citizen initiatives or measures adopted by the City Council at the same public hearing or placed on the same ballot as this Initiative and that would, if approved, limit the use or development or otherwise regulate in any way any part of the Initiative Area in any manner whatsoever (each, a "**Conflicting Initiative**").
- B. In the event this Initiative and one or more Conflicting Initiatives are adopted by the City Council at the same public hearing or by the voters at the same election, then it is the citizens' intent that the measure that receives the greatest vote of the City Council or the greatest number of affirmative votes by Antioch voters shall control in its entirety and any such other measure or measures shall be rendered void in its entirety and without any legal effect. It is also the citizens' intent that, if the City Council adopts this Initiative and one or more Conflicting Initiatives at the same public meeting or hearing and each measure receives the same vote, the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative shall control and take effect on all of the lands that comprise the Initiative Area to the maximum extent legally possible.
- C. In no event shall this Initiative be interpreted in a manner that would allow its operation in conjunction with the non-conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the City Council at the same public hearing or the voters at the same election, and such Conflicting Initiative is later held invalid for any reason, this Initiative shall be self-executing and given full force of law.

**SECTION 12: IMPLEMENTATION.**

- A. Upon the Effective Date, the City is directed to promptly take all appropriate administrative and clerical actions needed to implement this Initiative. Subject to the exceptions set forth in Section 4 and Section 12(B), below, this Initiative is considered adopted and effective upon the earliest date legally possible after the City Council adopts this Initiative or the Elections Official certifies the vote on the Initiative by the voters of the City of Antioch.
- B. Upon the Effective Date, the provisions of Section 5 are hereby inserted into the General Plan; except that if the four amendments of the General Plan allowed by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan Amendments set forth here shall be the first amendments inserted into the General Plan on January 1 of the next year. At such time as the General Plan Amendments are inserted in the General Plan, any provisions of City law inconsistent with those General Plan Amendments shall be void and unenforceable to the extent of such inconsistency. Notwithstanding anything contained in this Initiative to the contrary and subject to the requirements of Measure K, the provisions set forth in Sections 5(C)(5), 5(C)(11), 5(C)(13), 5(D)(4), 5(D)(8), 5(D)(15), and 5(L)(1) of this Initiative are amended, effective January 1, 2021, upon the expiration of Measure K.
- C. Upon the Effective Date, the provisions of section 6 of this Initiative are hereby inserted into the Municipal Code, and any provision of the Municipal Code that is inconsistent with the General Plan Amendments adopted by this Initiative shall not be enforced. However, in no event shall the Municipal Code amendments set forth in this Initiative become effective prior to the effectiveness of the General Plan Amendments, as may be applicable. Notwithstanding the foregoing, the Municipal Code amendments set forth in this Initiative are not dependent on the General Plan Amendments that take effect January 1, 2021, upon the expiration of Measure K.
- D. The General Plan in effect on the date of filing of the Notice of Intent to Circulate Petition ("**Filing Date**"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of land use goals and policies for the City. To ensure that the City's General Plan remains an integrated, internally consistent, and compatible statement of goals and policies for the City, any provision of the General Plan that is adopted between the Filing Date and the Effective Date of the General Plan amendments adopted by this Initiative, or that is invalidated by a court of competent jurisdiction at any time following the Filing Date, shall, to the extent that such interim-enacted or judicially-invalidated provision is inconsistent with the General Plan Amendments adopted by this Initiative, be amended as soon as possible, and in the manner and time required by state law, to ensure consistency between the provisions adopted by the Initiative and other elements of the General Plan.
- E. Upon the Effective Date, the Mayor is authorized and directed to sign the Development Agreement on behalf of the City and the City is directed to promptly take all appropriate and required actions pursuant to the Development Agreement.
- F. Upon the Effective Date, City staff are directed to take promptly such administrative and clerical steps as may be required to implement this Initiative. City staff are further directed to reorganize, reorder, and renumber the General Plan and Municipal Code if and as necessary to further the purposes of this Initiative.
- G. The City Council shall take all steps necessary to defend vigorously any challenge to the validity or constitutionality of this Initiative in any pre-election or post-election legal proceeding.
- H. Upon the Effective Date, the City may not take any action, including approving tentative subdivision maps, that is inconsistent with this Initiative. Furthermore, the City is directed to expeditiously and diligently process, in accordance with applicable federal, state, and local law, all subsequent actions to implement the purposes of this Initiative, including but not limited to subdivision maps and issuance of grading and building permits.
- I. To the extent allowed by law, the voters of Antioch hereby authorize and direct City staff and officials to amend any elements or provisions of the General Plan and Municipal Code, including all exhibits and figures and implementation programs or policies, as soon as possible, to implement this Initiative and to ensure consistency and correlation between this Initiative and other elements of the General Plan and Municipal Code. The preceding sentence shall be interpreted broadly pursuant to *Pala Band of Mission Indians v. Board of Supervisors*, 54 Cal.App.4th 565 (1997), to promote the requirements that a general plan constitute an integrated and consistent document.

- J. Upon the Effective Date, any provision of the Municipal Code that is inconsistent with the General Plan Amendments enacted by this Initiative shall be deemed null and void and shall not be enforced.

**SECTION 13: AMENDMENT.**

- A. With the specific exceptions set forth in this Section 13, this Initiative may only be amended or repealed, pursuant to California Elections Code section 9217, by majority of the voters in the City voting in an election held in accordance with state law:
1. The Development Agreement may be amended as provided in Government Code section 65868.
  2. The matters adopted in Sections 5 and 6 of this Initiative may be renumbered, without a vote of the people, so long as doing so effects no substantive change to the contents of this Initiative. Clerical changes to reproduce or relocate any text or diagram of this Initiative may be made, without a vote of the people, so long as doing so effects no substantive change. Text and the portions of diagrams that are included in this Initiative for reference or context purposes only may be amended, supplemented, or repealed according to the same procedures that would apply if this Initiative had not been enacted, without a vote of the people, provided that doing so does not result in any provisions inconsistent with the remainder of this Initiative. Corrections may be made to fix any typographical or clerical errors in this Initiative, without a vote of the people, provided that doing so effects no substantive change.
  3. Provisions of the General Plan amended by this Initiative, and of the West Sand Creek Planned Development District adopted by this Initiative, may be amended without a public vote only under one of the following specific circumstances:
    - (a) The City Council makes a finding, supported by substantial evidence, that failure to amend would constitute an unconstitutional taking of a landowner's property;
    - (b) The City Council makes a finding, supported by substantial evidence, that failure to amend would conflict with the Department of Housing and Community Development's certification of the City's Housing Element or other state housing laws; or
    - (c) Upon application by any person having a legal or equitable interest in real property located within the Limited Development Area established by the Initiative, for the development of property within the Limited Development Area, or representative of any person authorized to apply for such amendment, with the approval of the City Council, if the proposed amendment (1) is consistent with the purposes and intent of the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative and (2) would not cause the anticipated maximum General Plan build out in the City to exceed the maximum number of dwelling units in the Sand Creek Focus Area as set forth in Table 4.B. Notwithstanding the foregoing, the City shall not disapprove an amendment to the General Plan and/or the West Sand Creek Planned Development District unless it makes written findings, based on a preponderance of evidence in the record, that the proposed amendment would have a specific, adverse impact on the public health or safety, and there is no method to satisfactorily mitigate or avoid the specific adverse impact without denying the amendment.

**SECTION 14: INTERPRETATION.**

- A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or a portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters of Antioch declare that this Initiative, each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.
- B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the people of Antioch indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion; and (ii) the City implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with the intent of this Initiative.
- C. This Initiative must be broadly construed and implemented in order to achieve the purposes stated above. It is the intent of the voters that the provisions of this Initiative be interpreted and implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative. To ensure that the voters' intent prevails, words in this Initiative shall be interpreted according to the intent expressed in this Initiative, and shall be applied according to their plain meaning. In the event the plain meaning is not clear, we the people of Antioch declare our intent that this Initiative be interpreted in light of the ballot materials and campaign materials offered in favor of this Initiative. We also declare that we adopt our findings based upon our general knowledge of Antioch geography, planning, development, community needs and desires, and upon those campaign materials that are offered to the public in favor of this Initiative.
- D. Any titles of the sections or subsections of this Initiative are inserted for convenience of reference only and shall be disregarded in interpreting, applying or implementing any part of the provisions of this Initiative.

**SECTION 15: SEVERABILITY.**

If any word or words of this Initiative, or its application to any situation, are held invalid or unenforceable, in a final judgment that is no longer subject to rehearing, review, or appeal by a court of competent jurisdiction, then the word or words are severed, and the remaining parts of this Initiative, and the application of any part of this Initiative to other situations, shall continue in full force and effect to the maximum extent legally possible consistent with the purposes stated herein. We, the people of Antioch, declare that we would have adopted this Initiative, and each word of it, irrespective of the fact that any other word, condition, or application to any situation, be held invalid for any reason. It is our intent that any portion of this Initiative that can lawfully be implemented be implemented, even



if doing so would otherwise appear trivial or inconsequential, and even if the valid portion appears intertwined with the invalidated portion. It is also our intent that if severance is being considered, each enactment (General Plan, Municipal Code, and Development Agreement), each section, each paragraph, each phrase, and each word of this Initiative be interpreted to be complete in itself and functionally and grammatically separate from each other word.

**SECTION 16: STATUTE OF LIMITATIONS.**

Unless a shorter statute is enacted by the state legislature, all provisions of this Initiative shall be deemed subject to Government Code section 65009(c), and no action or proceeding challenging all or any part of this Initiative shall be maintained unless commenced and served within 90 days of the City Council's decision. We intend the date of the City Council's decision to be the date at which the City Council adopts the Initiative, or of the date the City Council declares the vote on this Initiative. If such date cannot lawfully be deemed the date of the City Council's decision, then we intend the date of the City Council's decision to be the earliest possible lawful date.

**SECTION 17: INCORPORATION OF EXHIBITS.**

The following exhibits are incorporated by reference and comprise part of this Initiative for all purposes.

Exhibit A: Initiative Area Property Map.

Exhibit B: Initiative Area Legal Description.

Exhibit C: Restricted Development Area Property Map.

Exhibit D: Restricted Development Area Legal Description.

Exhibit E: Limited Development Area Property Map.

Exhibit F: Limited Development Area Legal Description.

Exhibit G: Development Agreement.

Exhibit H: The Ranch Property Map.

Exhibit I: The Ranch Legal Description.

Exhibit J: Existing Figure 4.12 (Voter Approved Urban Limit Line).

Exhibit K: West Sand Creek Planned Development District.

Exhibit L: Amended General Plan Land Use Map.

Exhibit M: Existing General Plan Land Use Map.

Exhibit N: Table 4.A (Appropriate Land Use Types).

Exhibit O: Table 4.B (Anticipated Maximum General Plan Build Out in the City of Antioch).

Exhibit P: Table 4.D (Anticipated Maximum General Plan Build Out in the General Plan Study Area).

Exhibit Q: Amended Figure 4.8 (Sand Creek Focus Area).










Exhibit R: Existing Figure 4.8 (Sand Creek Focus Area).

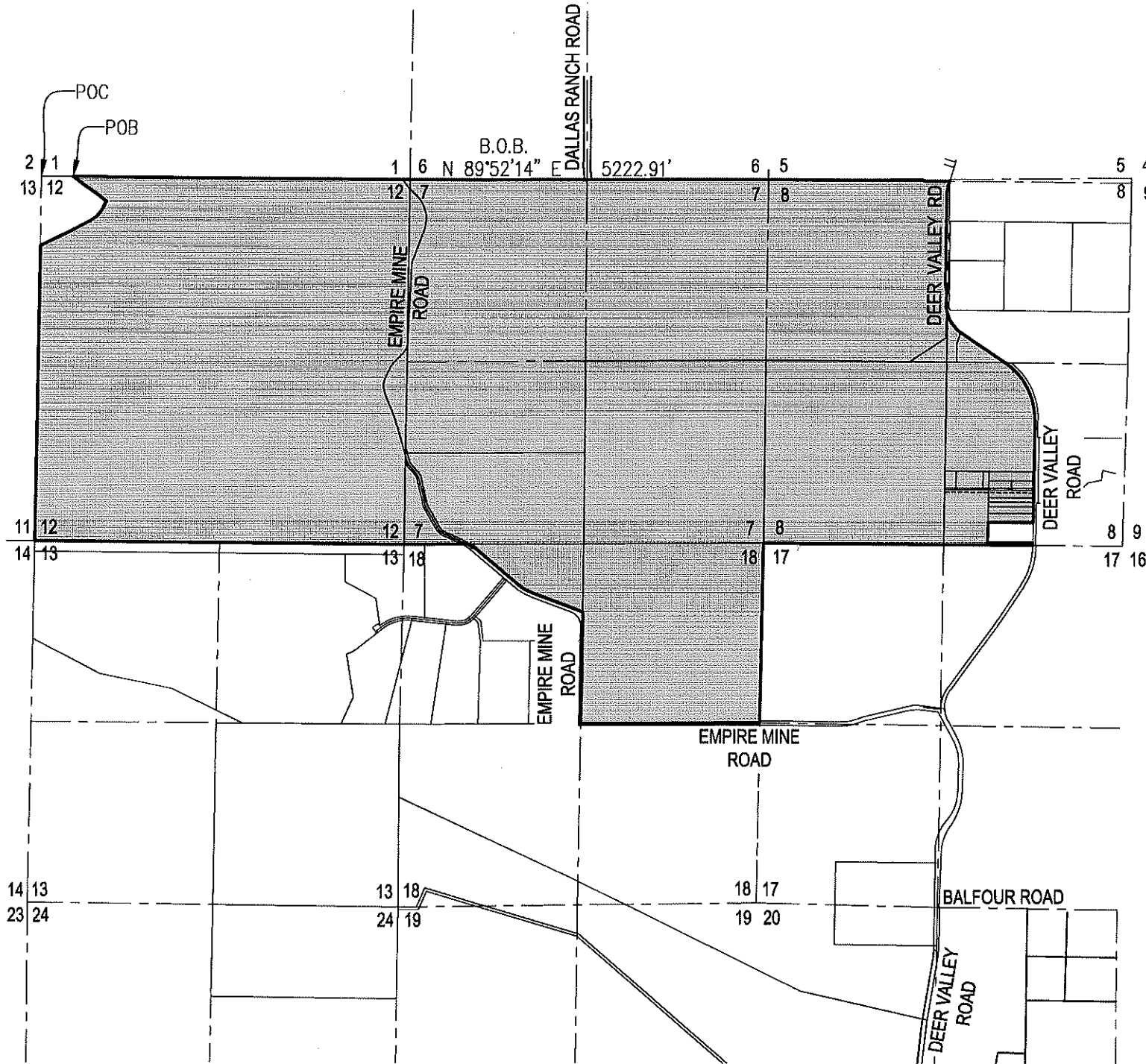
Exhibit S: Amended Figure 7.1 (Circulation).

Exhibit T: Existing Figure 7.1 (Circulation).

Exhibit U: Existing Flood Hazard Map.

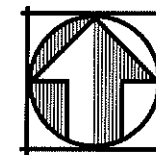
# LEGEND


-  INITIATIVE AREA BOUNDARY
-  PROPERTY LINE
-  SECTION LINE
-  INITIATIVE AREA
-  DEER VALLEY ROAD
-  17
-  POC
-  POB
-  B.O.B.
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS



## EXHIBIT A INITIATIVE AREA PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 2000'





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SACRAMENTO, CALIFORNIA (916) 375-1877

APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'B'**  
**LEGAL DESCRIPTION**  
**INITIATIVE AREA**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.91 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,

- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, THE FOLLOWING NINE (9) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,
- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 191.77 FEET,
- 5) ALONG THE ARC OF A NON-TANGENT 519.99 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 89°58'37" EAST, THROUGH A CENTRAL ANGLE OF 57°40'46", AN ARC DISTANCE OF 523.47 FEET,
- 6) SOUTH 56°07'16" EAST 752.74 FEET,
- 7) ALONG THE ARC OF A NON-TANGENT 975.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 33°50'04" WEST, THROUGH A CENTRAL ANGLE OF 56°48'13", AN ARC DISTANCE OF 966.62 FEET,
- 8) SOUTH 89°21'44" EAST 5.00 FEET,
- 9) SOUTH 00°38'16" WEST 1500.85 FEET, TO THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO NUNN RECORDED SEPTEMBER 29, 2017, AS DOCUMENT NO. 2017-0179324, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°35'54" WEST 659.94 FEET,
- 2) SOUTH 00°38'16" EAST 297.00 FEET,
- 3) SOUTH 89°35'54" EAST 659.99 FEET, TO SAID WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, SOUTH 00°38'16" EAST 33.00 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID WESTERLY LINE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 1,302.44 FEET,
- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZECA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZECA RANCH (183 PM 13), NORTH 00°43'32" EAST

4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET,
- 2) NORTH 62°07'16" EAST 340.60 FEET,
- 3) NORTH 56°34'57" EAST 92.76 FEET,
- 4) NORTH 45°36'25" EAST 71.10 FEET,
- 5) NORTH 36°40'00" EAST 76.07 FEET,
- 6) NORTH 26°34'38" EAST 54.04 FEET,
- 7) NORTH 24°25'18" EAST 79.38 FEET,
- 8) NORTH 53°05'23" WEST 226.60 FEET,
- 9) NORTH 54°45'32" WEST 134.81 FEET,
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID POINT OF BEGINNING.

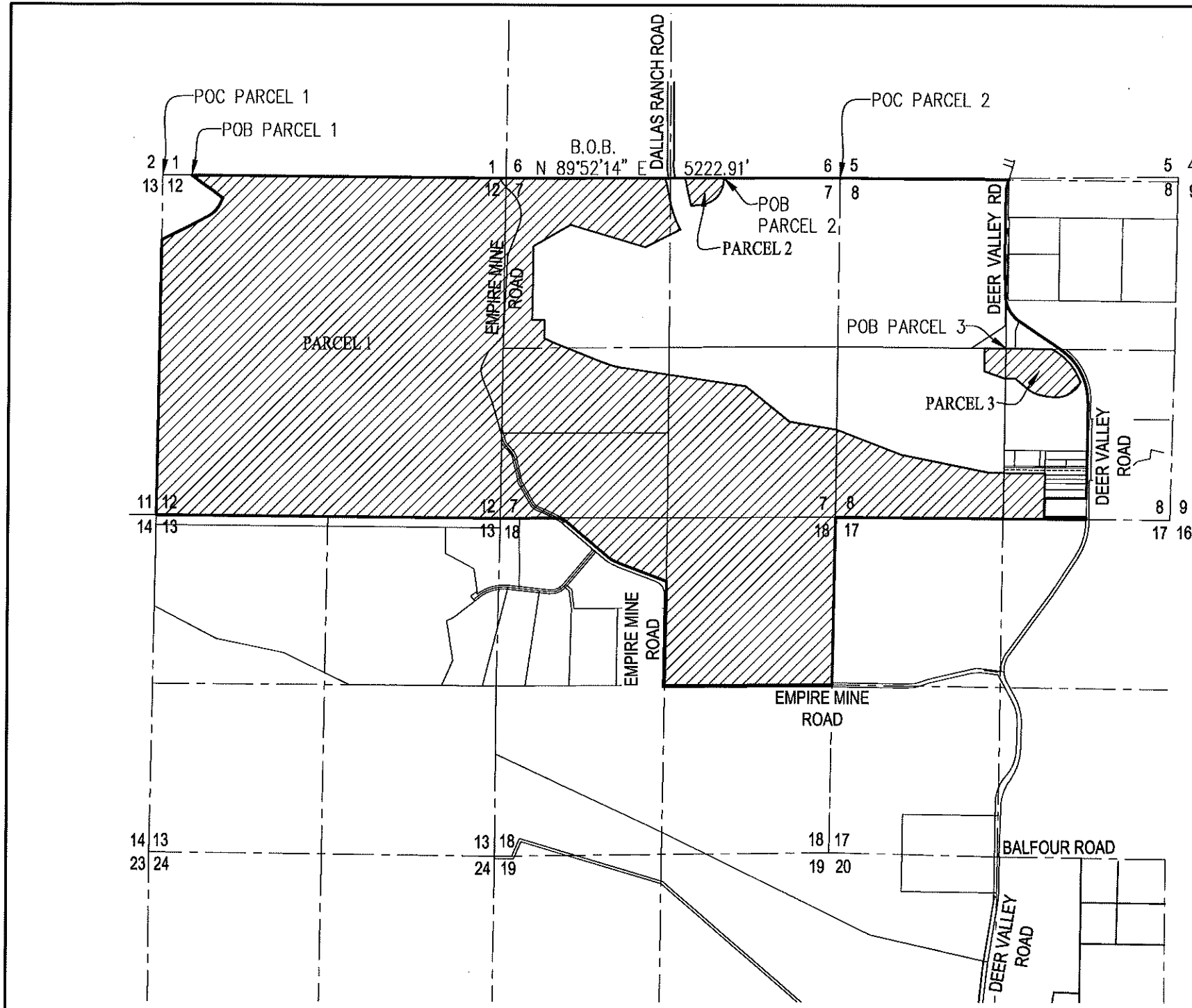
CONTAINING 1,848.19 ACRES OF LAND, MORE OR LESS.












END OF DESCRIPTION

*J G CIA*  
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J G CIA, P.L.S.  
L.S. NO. 5285

*04-26-2018*

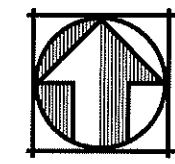



### LEGEND

-  INITIATIVE AREA
-  PROPERTY LINE
-  SECTION LINE
-  RESTRICTED DEV. AREA
-  DEER VALLEY ROAD
-  17
-  POC
-  POB
-  B.O.B.
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS

**EXHIBIT C  
RESTRICTED  
DEVELOPMENT AREA**

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
 DATE: APRIL 26, 2018 SCALE: 1" = 2000'





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 SACRAMENTO, CALIFORNIA (916) 375 - 1877

4/26/2018 1:54 PM

APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'D'**  
**LEGAL DESCRIPTION**  
**RESTRICTED DEVELOPMENT AREA**  
**ANTIOCH, CALIFORNIA**

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, CONSISTING OF THREE (3) PARCELS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**PARCEL 1**

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 2,499.30 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, ALONG THE ARC OF A NON-TANGENT 1,600.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°17'13" EAST, THROUGH A CENTRAL ANGLE OF 02°09'38", AN ARC DISTANCE OF 60.33 FEET;

THENCE, SOUTH 11°52'25" EAST 300.00 FEET;



THENCE, ALONG THE ARC OF A TANGENT 1,666.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°28'09", AN ARC DISTANCE OF 478.88 FEET;

THENCE, SOUTH 63°23'31" WEST 617.60 FEET;

THENCE, NORTH 73°25'57" WEST 1217.14 FEET;

THENCE, SOUTH 60°01'12" WEST 668.76 FEET;

THENCE, SOUTH 00°38'09" WEST 1,148.91 FEET;

THENCE, SOUTH 89°21'51" EAST 190.98 FEET;

THENCE, SOUTH 00°38'09" WEST 284.64 FEET;

THENCE, SOUTH 66°10'27" EAST 183.59 FEET;

THENCE, SOUTH 68°21'23" EAST 778.33 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,756.73 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°44'39", AN ARC DISTANCE OF 390.74 FEET;

THENCE, SOUTH 81°39'41" EAST 1,908.17 FEET;

THENCE, SOUTH 51°01'25" EAST 877.98 FEET;

THENCE, SOUTH 80°27'52" EAST 746.69 FEET;

THENCE, SOUTH 69°04'06" EAST 1,100.07 FEET;

THENCE, SOUTH 78°46'42" EAST 1,408.31 FEET;

THENCE, SOUTH 89°38'59" EAST 850.00 FEET, TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS 'PARCEL THREE' IN THE GRANT DEED TO GRANDIN, RECORDED FEBRUARY 11, 2008, AS DOCUMENT NO. 2008-0028801, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EASTERLY LINE AND THE EASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL TWO IN THE GRANT DEED TO LEUNG RECORDED MARCH 18, 1999, AS DOCUMENT NO. 1999-0074017, IN SAID OFFICE OF THE COUNTY RECORDER, SOUTH 00°38'59" WEST 712.69 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 642.44 FEET,

- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZECA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZECA RANCH (183 PM 13), NORTH 00°43'32" EAST 4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET;
- 2) NORTH 62°07'16" EAST 340.60 FEET;
- 3) NORTH 56°34'57" EAST 92.76 FEET;
- 4) NORTH 45°36'25" EAST 71.10 FEET;
- 5) NORTH 36°40'10" EAST 76.07 FEET;
- 6) NORTH 26°34'38" EAST 54.04 FEET;
- 7) NORTH 24°25'18" EAST 79.20 FEET;
- 8) NORTH 53°05'23" WEST 226.89 FEET;
- 9) NORTH 54°45'32" WEST 134.81 FEET;
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING OR 1,221.14 ACRES OF LAND, MORE OR LESS.

**PARCEL 2**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE CERTIFICATE OF APPROVAL RECORDED JULY 13, 1999, AS DOCUMENT NO. 1999-0183479, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 7, SOUTH 89°52'14" WEST 1814.88 FEET TO THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE ARC OF A NON-TANGENT 388.51 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 85°46'30" WEST, THROUGH A CENTRAL ANGLE OF 91°07'39", AN ARC DISTANCE OF 617.91 FEET;

THENCE, SOUTH 83°42'39" WEST 139.64 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,366.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 72°06'16"

EAST, THROUGH A CENTRAL ANGLE OF 06°01'19", AN ARC DISTANCE OF 143.57 FEET;

THENCE, NORTH 11°52'25" WEST 298.19 FEET;

THENCE, NORTH 89°52'14" EAST 603.48 FEET TO SAID POINT OF BEGINNING.

CONTAINING 4.64 ACRES OF LAND, MORE OR LESS.

PARCEL 3

BEGINNING AT THE CENTER CORNER OF SAID SECTION 8, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE OFFICIAL MAP OF MINOR SUBDIVISION 55-83 (MS 55-83), FILED FOR RECORD MAY 14, 1985, IN BOOK 116 OF PARCEL MAPS, AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE CENTER SECTION LINE SOUTH 89°26'48" EAST 715.42 FEET;

THENCE, LEAVING SAID CENTER SECTION LINE, ALONG THE ARC OF A NON-TANGENT 908.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°21'01" WEST, THROUGH A CENTRAL ANGLE OF 44°39'43", AN ARC DISTANCE OF 707.79 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 440.94 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 62°09'27" WEST, THROUGH A CENTRAL ANGLE OF 66°51'38", AN ARC DISTANCE OF 514.54 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 1,411.26 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 04°42'11" EAST, THROUGH A CENTRAL ANGLE OF 08°07'12", AN ARC DISTANCE OF 200.01 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 486.99 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 12°49'23" EAST, THROUGH A CENTRAL ANGLE OF 26°27'57", AN ARC DISTANCE OF 224.95 FEET;

THENCE, NORTH 50°42'40" WEST 251.03 FEET;

THENCE, WEST 160.00 FEET;

THENCE, NORTH 70°12'29" WEST 348.29 FEET;

THENCE, NORTH 00°33'12" EAST 356.59 FEET TO SAID CENTER SECTION LINE;

THENCE, ALONG SAID CENTER SECTION LINE, SOUTH 89°26'48" EAST 331.46 FEET, TO SAID POINT OF BEGINNING;

LEGAL DESCRIPTION  
PAGE 6 OF 6

April 26, 2018  
JOB NO.: 1133-000

CONTAINING 18.55 ACRES OF LAND, MORE OR LESS.

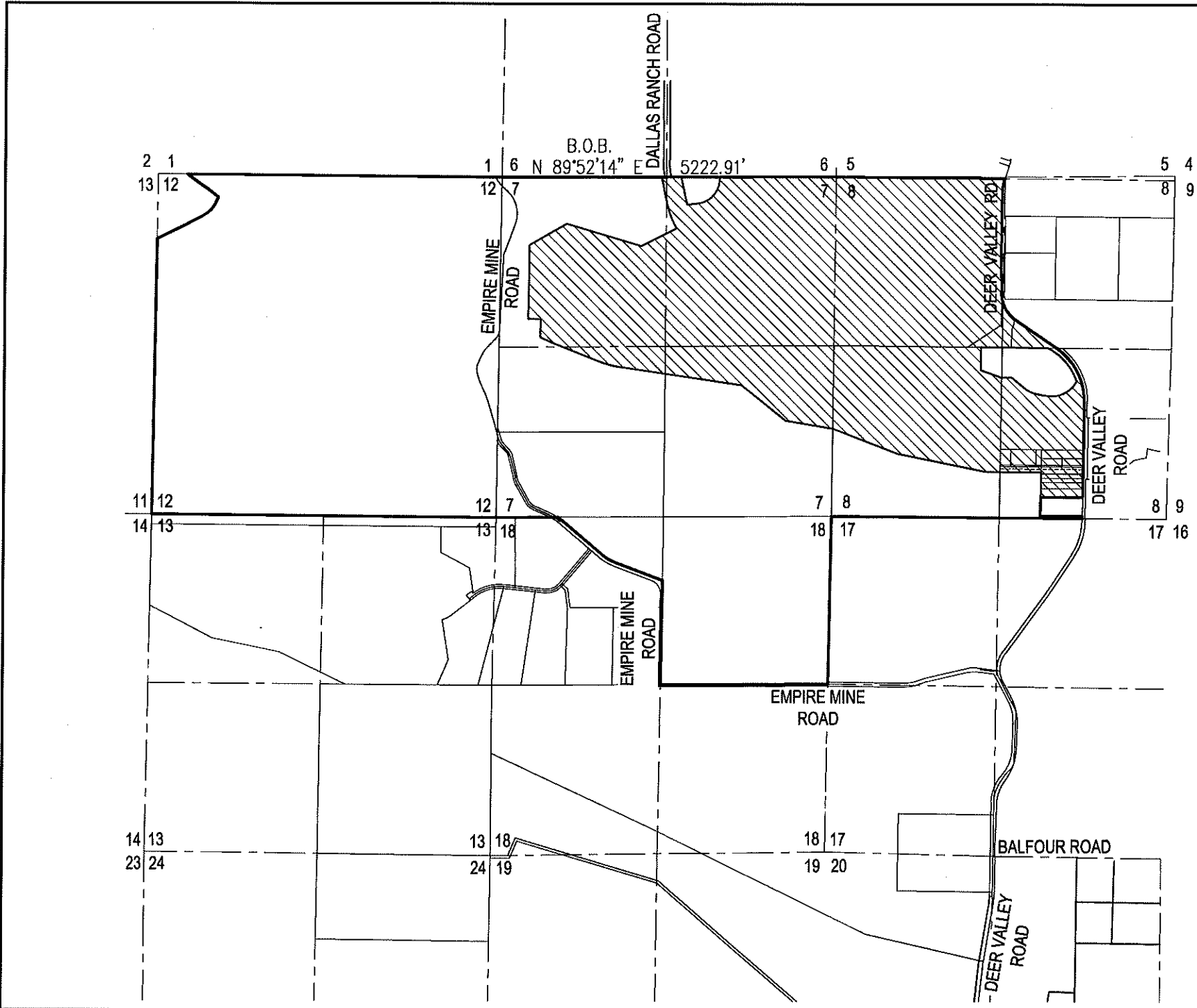
TOTAL RESTRICTED AREA 1,244.33 ACRES

END OF DESCRIPTION



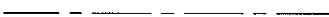
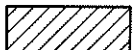







*[Handwritten Signature]*  
E G CIA, P.L.S.  
.S. NO. 5285

*04-26-2018*

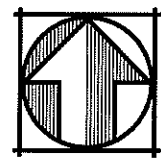



### LEGEND

-  INITIATIVE AREA
-  PROPERTY LINE
-  SECTION LINE
-  LIMITED DEVELOPMENT AREA
-  DEER VALLEY ROAD
-  17
-  POC
-  POB
-  B.O.B.
- INITIATIVE AREA
- PROPERTY LINE
- SECTION LINE
- LIMITED DEVELOPMENT AREA
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS

## EXHIBIT E LIMITED DEVELOPMENT AREA

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 2000'





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SACRAMENTO, CALIFORNIA (916) 375-1877

APRIL 26, 2018  
JOB NO.: 1133-020

EXHIBIT 'F'  
LEGAL DESCRIPTION  
LIMITED DEVELOPMENT AREA  
ANTIOCH, CALIFORNIA

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, TOGETHER WITH ALL OF SECTION 7 AND PORTIONS OF SECTION 8 AND SECTION 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH', FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS AT PAGE 13, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.91 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,

- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, THE FOLLOWING NINE (9) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,
- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 191.77 FEET,
- 5) ALONG THE ARC OF A NON-TANGENT 519.99 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 89°58'37" EAST, THROUGH A CENTRAL ANGLE OF 57°40'46", AN ARC DISTANCE OF 523.47 FEET,
- 6) SOUTH 56°07'16" EAST 752.74 FEET,
- 7) ALONG THE ARC OF A NON-TANGENT 975.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 33°50'04" WEST, THROUGH A CENTRAL ANGLE OF 56°48'13", AN ARC DISTANCE OF 966.62 FEET,
- 8) SOUTH 89°21'44" EAST 5.00 FEET,
- 9) SOUTH 00°38'16" WEST 1500.85 FEET, TO THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO NUMN RECORDED SEPTEMBER 29, 2017, AS DOCUMENT NO. 2017-0179324, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 89°35'54" WEST 659.94 FEET,
- 2) SOUTH 00°38'16" EAST 297.00 FEET,
- 3) SOUTH 89°35'54" EAST 659.99 FEET, TO SAID WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, SOUTH 00°38'16" EAST 33.00 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);



THENCE, LEAVING SAID WESTERLY LINE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH  $89^{\circ}35'54''$  WEST 1,302.44 FEET,
- 2) NORTH  $89^{\circ}33'18''$  WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH  $00^{\circ}50'47''$  WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH  $89^{\circ}43'49''$  WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH  $00^{\circ}45'09''$  EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH  $69^{\circ}18'33''$  WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF  $19^{\circ}32'55''$ , AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH  $49^{\circ}45'38''$  WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF  $05^{\circ}55'10''$ , AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH  $89^{\circ}42'24''$  WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZEKA RANCH (183 PM 13), NORTH  $89^{\circ}33'47''$  WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZEKA RANCH (183 PM 13), NORTH  $00^{\circ}43'32''$  EAST

4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET,
- 2) NORTH 62°07'16" EAST 340.60 FEET,
- 3) NORTH 56°34'57" EAST 92.76 FEET,
- 4) NORTH 45°36'25" EAST 71.10 FEET,
- 5) NORTH 36°40'00" EAST 76.07 FEET,
- 6) NORTH 26°34'38" EAST 54.04 FEET,
- 7) NORTH 24°25'18" EAST 79.38 FEET,
- 8) NORTH 53°05'23" WEST 226.60 FEET,
- 9) NORTH 54°45'32" WEST 134.81 FEET,
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID POINT OF BEGINNING.

CONTAINING 1,848.19 ACRES OF LAND, MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING THREE (3) DESCRIBED PARCELS OF LAND:

PARCEL 1

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON PARCEL MAP MS 303-01, 'ZEKA RANCH' FILED FOR RECORD FEBRUARY 27, 2002, IN BOOK 183 OF PARCEL MAPS  
FFICE OF THE COUNTY RECORDER OF CONTRA COSTA  
COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 12, SOUTH 89°34'28" EAST 455.39 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID NORTHERLY LINE, SOUTH 89°34'28" EAST 4,912.90 FEET, TO THE CORNER COMMON TO

SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 2,499.30 FEET;

THENCE, LEAVING SAID NORTHERLY LINE, ALONG THE ARC OF A NON-TANGENT 1,600.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°17'13" EAST, THROUGH A CENTRAL ANGLE OF 02°09'38", AN ARC DISTANCE OF 60.33 FEET;

THENCE, SOUTH 11°52'25" EAST 300.00 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,666.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°28'09", AN ARC DISTANCE OF 478.88 FEET;

THENCE, SOUTH 63°23'31" WEST 617.60 FEET;

THENCE, NORTH 73°25'57" WEST 1217.14 FEET;

THENCE, SOUTH 60°01'12" WEST 668.76 FEET;

THENCE, SOUTH 00°38'09" WEST 1,148.91 FEET;

THENCE, SOUTH 89°21'51" EAST 190.98 FEET;

THENCE, SOUTH 00°38'09" WEST 284.64 FEET;

THENCE, SOUTH 66°10'27" EAST 183.59 FEET;

THENCE, SOUTH 68°21'23" EAST 778.33 FEET;

THENCE, ALONG THE ARC OF A TANGENT 1,756.73 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 12°44'39", AN ARC DISTANCE OF 390.74 FEET;

THENCE, SOUTH 81°39'41" EAST 1,908.17 FEET;

THENCE, SOUTH 51°01'25" EAST 877.98 FEET;

THENCE, SOUTH 80°27'52" EAST 746.69 FEET;

THENCE, SOUTH 69°04'06" EAST 1,100.07 FEET;

THENCE, SOUTH 78°46'42" EAST 1,408.31 FEET;

**LEGAL DESCRIPTION**

PAGE 6 OF 9

April 26, 2018  
JOB NO.: 1133-000

THENCE, SOUTH 89°38'59" EAST 850.00 FEET, TO THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS 'PARCEL THREE' IN THE GRANT DEED TO GRANDIN, RECORDED FEBRUARY 11, 2008, AS DOCUMENT NO. 2008-0028801, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG SAID EASTERLY LINE AND THE EASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED AS PARCEL TWO IN THE GRANT DEED TO LEUNG RECORDED MARCH 18, 1999, AS DOCUMENT NO. 1999-0074017, IN SAID OFFICE OF THE COUNTY RECORDER, SOUTH 00°38'59" WEST 712.69 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 8 (T1N, R2E, MDB&M);

THENCE, ALONG SAID SOUTHERLY LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 89°35'54" WEST 642.44 FEET,
- 2) NORTH 89°33'18" WEST 2,618.30 FEET, TO THE CORNER COMMON TO SECTIONS 7, 8, 17 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE EASTERLY LINE OF SAID SECTION 18, SOUTH 00°50'47" WEST 2,612.31 FEET, TO THE QUARTER CORNER COMMON TO SECTIONS 18 AND 17 (T1N, R2E, MDB&M);

THENCE, LEAVING SAID QUARTER CORNER, ALONG THE EAST-WEST CENTER SECTION LINE OF SECTION 18, SOUTH 89°43'49" WEST 2,614.12 FEET, TO THE CENTER QUARTER CORNER OF SECTION 18;

THENCE, LEAVING SAID CENTER QUARTER CORNER, ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 18, NORTH 00°45'09" EAST 1,619.49 FEET;

THENCE, LEAVING SAID NORTH-SOUTH CENTER SECTION LINE, ALONG THE NORTHERLY RIGHT OF WAY OF EMPIRE MINE ROAD, THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 69°18'33" WEST 803.21 FEET,
- 2) ALONG THE ARC OF A TANGENT 620.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 19°32'55", AN ARC DISTANCE OF 211.54 FEET,
- 3) NORTH 49°45'38" WEST 851.52 FEET,
- 4) ALONG THE ARC OF A TANGENT 680.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°55'10", AN ARC DISTANCE OF 70.25 FEET, TO THE SOUTHERLY LINE OF SAID SECTION 7 (T1N, R2E, MDB&M)

THENCE, SOUTH 89°42'24" WEST 966.59 FEET, TO THE CORNER COMMON TO SECTIONS 12 AND 13, TOWNSHIP 1 NORTH, RANGE 1 EAST, AND SECTIONS 7 AND 18, TOWNSHIP 1 NORTH, RANGE 2 EAST, MDB&M;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SECTION 12, SAID LINE ALSO BEING THE SOUTHERLY LINE OF SAID ZEKA RANCH (183 PM 13), NORTH 89°33'47" WEST 5,376.31 FEET, TO THE CORNER COMMON TO SECTIONS 11, 12, 13 AND 14, TOWNSHIP 1 NORTH, RANGE 1 EAST, MOUNT DIABLO BASELINE AND MERIDIAN;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE WESTERLY LINE OF SAID SECTION 12 AND SAID ZEKA RANCH (183 PM 13), NORTH 00°43'32" EAST 4,287.98 FEET, TO THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 6, IN THE GRANT DEED TO EAST BAY REGIONAL PARK DISTRICT, RECORDED MARCH 16, 1973, IN BOOK 6890 OF OFFICIAL RECORDS AT PAGE 918, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL (6890 OR 918), AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP (183 PM 13), THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 64°04'40" EAST 470.50 FEET;
- 2) NORTH 62°07'16" EAST 340.60 FEET;
- 3) NORTH 56°34'57" EAST 92.76 FEET;
- 4) NORTH 45°36'25" EAST 71.10 FEET;
- 5) NORTH 36°40'10" EAST 76.07 FEET;
- 6) NORTH 26°34'38" EAST 54.04 FEET;
- 7) NORTH 24°25'18" EAST 79.20 FEET;
- 8) NORTH 53°05'23" WEST 226.89 FEET;
- 9) NORTH 54°45'32" WEST 134.81 FEET;
- 10) NORTH 53°28'56" WEST 243.17 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING OR 1,221.14 ACRES OF LAND, MORE OR LESS.

**PARCEL 2**

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE CERTIFICATE OF APPROVAL RECORDED JULY 13, 1999, AS DOCUMENT NO. 1999-0183479, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHERLY LINE OF SAID SECTION 7, SOUTH 89°52'14" WEST 1814.88 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE ARC OF A NON-TANGENT 388.51 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 85°46'30" WEST, THROUGH A CENTRAL ANGLE OF 91°07'39", AN ARC DISTANCE OF 617.91 FEET;

THENCE, SOUTH 83°42'39" WEST 139.64 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,366.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 72°06'16" EAST, THROUGH A CENTRAL ANGLE OF 06°01'19", AN ARC DISTANCE OF 143.57 FEET;

THENCE, NORTH 11°52'25" WEST 298.19 FEET;

THENCE, NORTH 89°52'14" EAST 603.48 FEET TO SAID POINT OF BEGINNING.

CONTAINING 4.64 ACRES OF LAND, MORE OR LESS.

PARCEL 3

BEGINNING AT THE CENTER CORNER OF SAID SECTION 8, AS SAID CORNER AND SECTION ARE SHOWN AND SO DESIGNATED ON THE OFFICIAL MAP OF MINOR SUBDIVISION 55-83 (MS 55-83), FILED FOR RECORD MAY 14, 1985, IN BOOK 116 OF PARCEL MAPS, AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE CENTER SECTION LINE SOUTH 89°26'48" EAST 715.42 FEET;

THENCE, LEAVING SAID CENTER SECTION LINE, ALONG THE ARC OF A NON-TANGENT 908.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°21'01" WEST, THROUGH A CENTRAL ANGLE OF 44°39'43", AN ARC DISTANCE OF 707.79 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 440.94 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 62°09'27" WEST, THROUGH A CENTRAL ANGLE OF 66°51'38", AN ARC DISTANCE OF 514.54 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 1,411.26 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 04°42'11" EAST, THROUGH A CENTRAL ANGLE OF 08°07'12", AN ARC DISTANCE OF 200.01 FEET;

THENCE, ALONG THE ARC OF A COMPOUND 486.99 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 12°49'23" EAST, THROUGH A CENTRAL ANGLE OF 26°27'57", AN ARC DISTANCE OF 224.95 FEET;

THENCE, NORTH 50°42'40" WEST 251.03 FEET;

THENCE, WEST 160.00 FEET;

THENCE, NORTH 70°12'29" WEST 348.29 FEET;

THENCE, NORTH 00°33'12" EAST 356.59 FEET TO SAID CENTER SECTION LINE;

THENCE, ALONG SAID CENTER SECTION LINE, SOUTH 89°26'48" EAST 331.46 FEET, TO SAID POINT OF BEGINNING;

TOTAL INITIATIVE AREA - 1,848.19 ACRES

TOTAL RESTRICTED DEVELOPMENT AREA - 1,244.33 ACRES

TOTAL LIMITED DEVELOPMENT AREA - 603.86 ACRES

END OF DESCRIPTION



*Joela Garcia*  
JOEL GARCIA, P.L.S.  
L.S. NO. 5285  
04-26-2018

**EXHIBIT G**

REQUESTED BY  
AND WHEN RECORDED MAIL TO:

City of Antioch  
200 H Street  
Antioch, CA 94509  
Attention: City Clerk

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(Space Above This Line Reserved For Recorder's Use)

**DEVELOPMENT AGREEMENT**

**ADOPTED BY**

**A CITIZEN'S INITIATIVE KNOWN AS THE**

**WEST SAND CREEK OPEN SPACE PROTECTION, PUBLIC SAFETY ENHANCEMENT,  
AND DEVELOPMENT RESTRICTION INITIATIVE**

**FOR PROPERTY IN THE SAND CREEK FOCUS AREA WEST OF DEER VALLEY ROAD IN  
THE CITY OF ANTIOCH**



## PREAMBLE

The City of Antioch, a California municipal corporation ("**City**"), has determined to vest the local land use laws applicable to an approximately 551.5-acre portion of the Sand Creek Focus Area in the City within the voter-approved Urban Limit Line ("**ULL**") in the holder of a legal or equitable interest therein ("**Landowner**") pursuant to the authority of Division I, Chapter 4, Article 2.5, sections 65864 *et seq.* of the Government Code ("**Development Agreement Statute**") under the following terms and conditions. The laws will vest, and the following terms and conditions will become a development agreement, under the Development Agreement Statute, between the City and Landowner ("**Development Agreement**") if Landowner provides to City its written notice of acceptance of this Development Agreement, in recordable form, and containing the name(s) and address(es) and electronic mail addresses to which notices or communications to Landowner shall be given pursuant to Article IX below, within 10 days of the date this Development Agreement is approved by the voters or adopted by the City Council pursuant to Elections Code section 9214. The City and Landowner may each be referred to herein as a "**Party**" and collectively as the "**Parties.**"

## RECITALS

- A. To strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic risk of development, the California State Legislature enacted the Development Agreement Statute, which authorizes the City to enter into a development agreement with any person having a legal or equitable interest in real property regarding the development of such property.
- B. Landowner has a legal or equitable interest in approximately 551.5 acres of certain real property located in the City of Antioch, Contra Costa County, more particularly depicted in DA Exhibit 1 and described in DA Exhibit 2 (collectively, "**Subject Property**"). The Subject Property is located within the Sand Creek Focus Area in Antioch and within the voter-approved Urban Limit Line ("**ULL**") in an area the City has long-planned to accommodate future City growth.
- C. A citizen's initiative entitled the "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative" ("**Initiative**") was circulated and enacted in part to: preserve and protect trees, ridgelines, hillsides, and open space areas in an approximately 1,852-acre portion of the Sand Creek Focus Area located west of Deer Valley Road. The Initiative protects, reaffirms, and strengthens the existing boundaries of the ULL by ensuring that the ULL may only be changed by the people of Antioch; preserves agriculture, grasslands, and open space within the ULL; preserves and protects the Sand Creek corridor as permanent open space; and allows for the development of a portion of the land commonly known "The Ranch" as a master planned residential community that thoughtfully balances future development with respect for the site's natural features with the elements included in the Proposed Development (as defined below). The Ranch provides extraordinary community amenities for the citizens of Antioch including the preservation of substantial open space, creation of new recreation and park land, public access with perimeter trails within The Ranch, substantial funding for local high school sports, creation of new housing and retail choices, improved public safety, and needed traffic and other infrastructure improvements. The Initiative accomplished these objectives by amending provisions of the City of Antioch General Plan ("**General Plan**") applicable to the Sand Creek Focus Area west of Deer Valley Road and within the City limits and ULL ("**Initiative Area**") to establish two overlay land use designations, consisting of a "**Restricted Development Area**" that applies to the hillier more environmentally-sensitive lands west of Deer Valley Road (approximately 1,244 acres) and a "**Limited Development Area**" that applies to the flatter and less environmentally-sensitive lands west of Deer Valley Road (approximately 608 acres). The Restricted Development Area provides low-density rural residential housing and preserves agriculture, grasslands, and open space. The Limited Development Area allows a range of single-family housing types, including executive estate housing, age-restricted housing for seniors, suburban single-family detached housing for families or for seniors, as well as commercial uses, public and quasi-public uses, and substantial open space.
- D. The Initiative implements its purposes by and through the following complimentary mechanisms (collectively, "**Legislative Approvals**"):

1. an amendment to the General Plan to ensure that only the citizens of Antioch may amend the existing voter-approved ULL, establish the Restricted Development Area and Limited Development Area land use designation overlays, and allow for the development of The Ranch in a portion of the Limited Development Area;
  2. zoning map and text amendments to Title 9 of the Antioch Municipal Code ("**Zoning Code**") to rezone the Subject Property from Study Area ("**S**") to Planned Development ("**P-D**"); and
  3. adoption of this Development Agreement.
- E. Consistent with the Initiative and the Legislative Approvals, the City anticipates that during the Term of this Development Agreement (as defined below) and subsequent to the Effective Date (as defined below), Landowner will seek from City certain other implementing approvals, entitlements, and permits that are necessary or desirable for the Proposed Development (as defined below) (collectively, "**Subsequent Approvals**"). The Subsequent Approvals are any approvals that may be necessary or desirable to develop the Proposed Development and may include, but are not limited to, subdivision maps, design review approval, tree removal permits, acceptance or vacation of rights-of-way, lot line adjustments, demolition permits, encroachment permits, site development permits, building permits, certificates of occupancy, and any amendments to the foregoing.
- F. This Development Agreement is consistent with the General Plan and the Antioch Municipal Code ("**Municipal Code**"), as amended by the Initiative. The terms and conditions of this Development Agreement are in conformity with public convenience, general welfare, and good land use practice. The terms of this Development Agreement will not be detrimental to the public health, safety, or general welfare, nor will they adversely affect the orderly development of property or the preservation of property values.
- G. Landowner will be required by this Development Agreement to provide the public benefits to the City as described herein, together with the other public benefits that will result from the development of the Proposed Development. Landowner will receive by this Development Agreement assurance that it may proceed with the development of the Subject Property in accordance with the Applicable Law (as defined below).

NOW, THEREFORE, in consideration of the promises covenants, and provisions set forth herein, the receipt and adequacy of which consideration is acknowledged, and provided Landowner provides to City its written notice of acceptance of this Development Agreement, City and Landowner agree as follows.

## AGREEMENT

### Article I. Term and Applicable Law

Section 1.1. Description of Subject Property. This Development Agreement vests laws applicable to the development of the Subject Property. The Subject Property contains approximately 551.5 acres of land within the Sand Creek Focus Area, west of Deer Valley Road, and voter-approved ULL.

Section 1.2. Proposed Development. The Landowner may develop up to 1,177 new homes, including a mix of low-density, medium-density, and age-restricted active adult units, as well as an approximately five (5)-acre mixed-use retail village center with a maximum floor area ratio ("FAR") of 0.30 across from Kaiser Permanente Antioch Medical Center, on the Limited Development Area of the Subject Property (collectively, "**Proposed Development**"), consistent with the Initiative and the West Sand Creek Planned Development District set forth in Exhibit L to the Initiative, so long as it provides the following extraordinary community benefits:

- Donation of approximately two (2) acres of land adjacent to the mixed-use retail village center, within the Subject Property, for a new fire station, prior to the issuance of the first certificate of occupancy;

- Creation of a new Community Facilities District to fund additional police and public safety services for Antioch residents at the City's ratio of 1.35 officers per 1,000 residents, prior to the issuance of the first certificate of occupancy;
- Approximately 22 acres of new public parks and six (6) miles of publicly-accessible trails within and throughout the Proposed Development on the Subject Property;
- Dedication of approximately 1.5 acres of land for an East Bay Regional Parks District ("EBRPD") trail staging area and parking lot, prior to the first certificate of occupancy;
- Connecting Sand Creek Road from Dallas Ranch Road to Deer Valley Road, with no use of City funds;
- Permanent protection of approximately 44% of the site as parks, open space, and trails;
- Permanent protection of all on-site ridgelines and hillsides;
- Permanent protection of 98% of all on-site trees; and
- Donation of at least \$1,000,000 to the Antioch Unified School District ("District") for local high school sports facilities and performing arts facilities at Deer Valley High School through payment of \$1,000 per unit of new residential development, prior to the issuance of each certificate of occupancy ("High School Enhancement Fee"). The High School Enhancement Fee shall only be used for the "hard costs" of construction of high school athletic facilities and performing arts facilities and shall not be used for any other purpose. The High School Enhancement Fee collected shall first be used to convert the existing grass sports infield at Deer Valley High School to a synthetic turf athletic field ("Flagship Project"). Upon completion of the Flagship, all other High School Enhancement Fee funds collected may be used throughout the District for use on other sports facilities and/or performing arts facilities at any District school.

**Section 1.3. Effective Date.** The rights, duties, and obligations hereunder shall be effective and the Term (as defined below) shall commence on the "**Effective Date**," which shall be the earlier of: (a) the date the Antioch City Council adopts the Initiative, including this Development Agreement, pursuant to Elections Code section 9215; or (b) the date the election results on the Initiative approving this Development Agreement are certified by the City Council in the manner provided in the Elections Code.

**Section 1.4. Term.** The term of this Development Agreement shall commence on the effective date and extend twenty (20) years thereafter unless sooner terminated or extended as provided herein. The term shall automatically be extended by: (a) any period of Enforced Delay (as defined below); (b) any period of time during which a lawsuit brought by a third party challenging any aspect of the Proposed Development (including but not limited to any aspect of the Initiative) is pending or otherwise delays development of the Proposed Development; and/or (b) any period of time during which the filing of a referendum petition or initiative petition delays development of the Proposed Development. All such original and extended periods are referred to as the "**Term**." Upon issuance of the 500th certificate of occupancy for residential development and the issuance of certificates of occupancy for at least 50,000 square feet of commercial development, the Term shall automatically be extended by an additional ten (10) years. Pursuant to California Government Code section 66452.6(a), the term of any parcel map or tentative subdivision map shall automatically be extended for the Term unless a longer time period is permitted under other applicable law. All other Subsequent Approvals shall remain in effect for the Term unless a longer time period is permitted under other applicable law.

**Article II. Standards, Laws, and Procedures Governing the Proposed Development.**

**Section 2.1. Vested Right to Develop.** Landowner shall have the right to pursue the Proposed Development in accordance with the Applicable Law (including the Legislative Approvals) and Subsequent Approvals (once they are granted), and the provisions of this Development Agreement, including, without limitation, Landowner's vested right to develop the Proposed Development on the

Subject Property. Notwithstanding the foregoing, City may apply to any development on the Subject Property, at any time during the Term, the then-current Uniform Building Code and other uniform construction codes or standards, to the extent that such code or standard has been adopted by City and is in effect on a City-wide basis. In the event of any conflict or inconsistency between this Development Agreement and the Applicable Law or between this Development Agreement and any Subsequent Approvals, this Development Agreement shall prevail and control to the fullest extent legally possible.

Section 2.2. Development Standards. The permitted uses of the Subject Property; the density and intensity of uses; the maximum height, bulk, and size of the of the Proposed Development; provisions for reservation or dedication of land for public purposes and the location of public improvements; the general location of public utilities; and other terms and conditions of development applicable to the Proposed Development shall be as set forth in the Applicable Law and Subsequent Approvals.

Section 2.3. Applicable Law. “**Applicable Law**” consists of the laws, rules, regulations, and official policies applicable to the Proposed Development in force and effect on the Effective Date, including the Initiative, and Subsequent Approvals once they are approved, and new or modified laws, rules, regulations, or official policies that comply with Section 2.4, all except as otherwise provided in this Development Agreement; and provided that Landowner agrees to pay the amount of any applicable impact fees, connection fees, processing fees, or any other fees, taxes, or assessments in effect at the time of any Subsequent Approval.

Section 2.4. No Conflicting Enactments. City may adopt new or modified rules, regulations, or official policies after the Effective Date, and such new or modified rules, regulations, or official policies shall be included within the Applicable Law; provided, however, such new or modified rules, regulations, or official policies (whether adopted by action of City Council or other body or personnel, by initiative, by referendum, or otherwise) shall be applicable to the Proposed Development, and/or to any development or redevelopment on the Subject Property, only to the extent that such application does not modify the Proposed Development, does not prevent or impede development of the Proposed Development, does not conflict with or impede development or redevelopment of any portion of the Subject Property pursuant to Applicable Law, and does not conflict with this Development Agreement. Any new or modified rule, regulation, or official policy shall be deemed to conflict with this Development Agreement if it seeks to accomplish any one or more of the following results, either with specific reference to the Proposed Development or to any development of the Subject Property, or as part of a general enactment that would otherwise apply to the Subject Property:

- (a) Reduce the density or intensity of the Proposed Development as allowed by the Applicable Law;
- (b) Reduce the density or intensity of development allowed on the Subject Property under the Applicable Law;
- (c) Change any land use designation or permitted use of the Subject Property as described in the Applicable Law;
- (d) Require, for any work necessary to develop the Proposed Development on the Subject Property, the issuance of permits, approvals, or entitlements by City other than those required by Applicable Law; or
- (e) Materially limit the processing of, the procuring of applications for, or approval of Subsequent Approvals.

Notwithstanding the foregoing, City shall not be precluded from applying any new or modified rule, regulation, or official policy to the Proposed Development or the Subject Property where the new or modified rule, regulation, or official policy is: (a) specifically mandated by changes in federal or state laws or regulations adopted after the Effective Date as provided in Government Code section 65869.5; (b) specifically mandated by a court of competent jurisdiction; (c) changes to the California Building Code and similar health and safety regulations that may change from time to time; or (d) required as a result of facts, events, or circumstances presently unknown or unforeseeable that would otherwise have an immediate adverse risk on the health or safety of the surrounding community.

**Section 2.5. Conflict of City and State or Federal Laws.** In the event that federal or state laws or regulations enacted after the Effective Date prevent or preclude compliance with one or more provisions of this Development Agreement, each party shall provide the other party with written notice of such federal or state law or regulation, a copy of such law or regulation, and a statement concerning the conflict with the provisions of this Development Agreement. The parties shall, within thirty (30) days, meet and confer in good faith in a reasonable attempt to modify this Development Agreement so as to comply with such federal or state law or regulation. City, without the obligation to incur costs or liability, shall reasonably cooperate with Landowner in securing of any permits, approvals, or entitlements that may be required as a result of modifications or suspensions made pursuant to this Section 2.05.

**Section 2.6. Life of Legislative Approvals and Subsequent Approvals.** The term of any Legislative Approval and any Subsequent Approval shall be automatically extended for the longer of the Term of this Development Agreement or the term otherwise applicable to such Legislative Approval or Subsequent Approval.

**Section 2.7. Timing of Construction and Completion.** The parties acknowledge that Landowner cannot at this time predict when or the rate at which the Proposed Development will be constructed. The parties agree that there is no requirement that Landowner initiate or complete construction of the Proposed Development within any particular period of time, or at all, and City shall not impose such a requirement on Landowner, the Subject Property, or any Subsequent Approval. In light of the foregoing, the parties agree that Landowner may construct the Proposed Development at the rate and time Landowner deems appropriate within the exercise of its reasonable business judgment, subject to Applicable Law. Further, Landowner may implement the Proposed Development in phases, from east to west, and from north to south, in Landowner's reasonable discretion.

**Section 2.8. Processing Subsequent Approvals.** The Subsequent Approvals shall be deemed mechanisms to implement those final policy decisions reflected by the Legislative Approvals and other provisions of Applicable Law. Upon submission by Landowner of any application for a Subsequent Approval, City shall cooperate and diligently work to promptly process, consider, and approve such application, and shall apply only Applicable Law and any applicable federal or state laws. City shall retain its discretionary authority in its consideration of any and all Subsequent Approvals that involve discretionary decisions; provided, however, such consideration shall be regulated solely by the Applicable Law, any applicable federal or state law, and this Development Agreement.

### **Article III. Obligations of Landowner.**

**Section 3.1. Benefits and Requirements.** Landowner agrees to, waives any right to protest or challenge, and shall comply with the policies, actions, and requirements of the General Plan, as enacted by the Initiative. Landowner's compliance with these measures is part of the consideration for this Development Agreement.

**Section 3.2. Bodily Injury and Property Damage Insurance.** Prior to the commencement of construction of any Proposed Development, Landowner shall furnish, or cause to be furnished, to City duplicate originals or appropriate certificates of bodily injury and property damage insurance policies in the amount of at least One Million Dollars (\$1,000,000) for any person, One Million Dollars (\$1,000,000) for any occurrence, and One Million Dollars (\$1,000,000) for property damage, naming City as an additional insured. Such insurance policies shall contain such other and further endorsements, terms, conditions, and coverages as may be reasonably deemed necessary by City. Such insurance policies shall be maintained and kept in force until construction is completed.

### **Article IV. Amendments.**

**Section 4.1. Amendment of this Development Agreement.** This Development Agreement may be amended from time to time, in whole or in part, by mutual written consent of the Parties or their successors in interest, as follows:

4.1.1 **Administrative Amendments.** The City Manager and City Attorney are authorized on behalf of the City to enter into any amendments to this Development Agreement other than amendments that substantially affect (i) the term of this Agreement (excluding any extensions of time for performance of a particular act), (ii) permitted uses of the Subject Property, (iii) provisions for the reservation or dedication of land, (iv) the density or

intensity of use of the Subject Property or the maximum height or size of proposed buildings, or (v) monetary payments by Landowner. Such amendments ("**Administrative Development Agreement Amendment**") shall, except to the extent otherwise required by law, become effective without notice or public hearing.

4.1.2 Non-Administrative Amendments. Any request of Landowner for an amendment or modification to this Development Agreement that is determined not to be an Administrative Development Agreement Amendment as set forth above shall be subject to review, consideration, and action pursuant to the Applicable Law and this Agreement.

Section 4.2. Amendments of Legislative Approvals or Subsequent Approvals. To the extent permitted by federal and state, any Legislative Approval or Subsequent Approval (collectively, "**Approval**") may, from time to time, be amended or modified in the following manner:

4.2.1 Administrative Proposed Development Amendments. Upon the written request of Landowner for an amendment or modification to an Approval, the Director of Community Development, or his/her designee (collectively, "**Authorized Official**") shall determine: (i) whether the requested amendment or modification is minor when considered in light of the Approvals as a whole; and (ii) whether the requested amendment or modification is substantially consistent with Applicable Law. If the Authorized Official finds that the proposed amendment or modification is minor, substantially consistent with Applicable Law, and will result in no new significant environmental impacts, the amendment shall be determined to be an "**Administrative Proposed Development Amendment**" and the Authorized Official may, except to the extent otherwise required by law, approve the Administrative Project Amendment, following consultation with other relevant City staff, without notice and public hearing. Without limiting the generality of the foregoing, lot line adjustments, non-substantial reductions in the density, intensity, scale or scope of the Proposed Development, minor alterations in vehicle circulation patterns or vehicle access points, substitutions of comparable landscaping for any landscaping shown on any final development plan or landscape plan, variations in the design and location of structures that do not substantially alter the design concepts of the Proposed Development, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Approvals, and minor adjustments to the Property diagram or Property legal description shall be treated as Administrative Project Amendments.

4.2.2 Non-Administrative Amendments. Any request of Landowner for an amendment or modification to an Approval that is determined not to be an Administrative Project Amendment as set forth above shall be subject to review, consideration, and action pursuant to the Applicable Law and this Development Agreement.

4.2.3 Amendment Exemptions. Amendment of an Approval requested by Landowner shall not require an amendment to this Agreement. Instead, the amendment automatically shall be deemed to be incorporated into the Approvals and vested under this Development Agreement.

## **Article V. Defaults; Periodic Review.**

Section 5.1. Default. Any failure by either party to perform any term or provision of this Development Agreement, which failure continues uncured for a period of ninety (90) days following written notice of such failure from the other party (unless such period is extended by written mutual consent), shall constitute a default under this Development Agreement. Any notice given pursuant to the preceding sentence shall specify the nature of the alleged failure and, where appropriate, the manner in which such failure may be cured. If the nature of the alleged failure is such that it cannot reasonably be cured within such 90-day period, then the commencement of the cure within such time period, and the diligent prosecution to complete the cure thereafter, shall be deemed to be a cure within such 90-day period. Upon the occurrence of a default under this Development Agreement, the non-defaulting party may institute legal proceedings to enforce the terms and provisions of this Development Agreement (including, without limitation, seeking injunctive relief) or, in the event of a material default, terminate this Development Agreement. If the default is cured, then no default shall exist and the noticing party shall take no further action.

Section 5.2. Termination. If City elects to consider terminating this Development Agreement due to a material default by Landowner, then City shall give a notice of intent to terminate this Development Agreement and the matter shall be scheduled for consideration and review by the City Council in the manner set forth in the Development Agreement Statute. If the City Council determines that a material default has occurred and elects to terminate this Development Agreement, City shall give written notice of termination of this Development Agreement to Landowner by certified mail and this Development Agreement shall be terminated thereby; provided, however, that Landowner reserves any and all rights it may have to challenge in court City's termination of this Development Agreement and the basis therefor.

Section 5.3. Periodic Review. Landowner and City's Director of Community Development or his or her designee shall meet and review this Development Agreement annually to ascertain the good faith compliance by Landowner with its terms pursuant to the Development Agreement Statute.

Section 5.4. Excusable Delay; Extension of Time of Performance. Neither party shall be deemed to be in default of its obligations under this Development Agreement if a delay or default is due to an act of God, natural disaster, accident, breakage or failure of equipment, third party litigation, strikes, lockouts or other labor disturbances or disputes of any character, interruption of services by suppliers thereof, unavailability of materials or labor, rationing or restrictions on the use of utilities or public transportation, whether due to energy shortages or other causes, war, civil disturbance, riot, or any other severe occurrence that is beyond the reasonable control of that party (collectively, "Enforced Delay"). Performance by a party of its obligations under this Development Agreement shall be excused during, and extended for a period of time equal to, the period (on a day-for-day basis) for which the cause of such Enforced Delay is in effect.

Section 5.5. Legal Action. Either party may, in addition to any other rights or remedies, institute legal action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation hereof, enforce by specific performance the obligations and rights of the parties hereto, or obtain any other remedy consistent with this Development Agreement. Prior to instituting litigation, the parties shall attempt in good faith to submit any disputes to mediation through a mediator mutually agreed upon by the Parties.

Section 5.6. Attorneys' Fees. In any legal action or other proceeding brought by either party to enforce or interpret a provision of this Development Agreement, the prevailing party is entitled to reasonable attorneys' fees and any other costs incurred in that action or proceeding in addition to any other relief to which it is entitled.

Section 5.7. Notice of Compliance. Within thirty (30) days following any written request that Landowner may make from time to time, City shall execute and deliver to Landowner a written "Notice of Compliance" in recordable form, duly executed and acknowledged by City, which certifies:

- (a) This Development Agreement is unmodified and in full force and effect, or if there have been modifications hereto, that this Development Agreement is in full force and effect as modified and stating the date and nature of such modifications;
- (b) There are no known current uncured defaults under this Development Agreement or, in the alternative, specifying the dates and nature of any such default;
- (c) Any other information reasonably requested by Landowner.

The failure to deliver such a statement within such time shall constitute a conclusive presumption against City that this Development Agreement is in full force and effect without modification (except as may be represented by Landowner) and that there are no uncured defaults in the performance of Landowner. Landowner may record the Notice of Compliance.

## **Article VI. Indemnity.**

Landowner agrees to, and shall indemnify, defend, and hold City, its elected and appointed boards, commissions, officers, agents, and employees harmless from any liability or loss for damage or claims for damage for personal injury, including death, as well as from claims for property damage of any nature that may arise from the activities of Landowner or Landowner's contractors, subcontractors, agents, or employees related to development of the Proposed



Development or otherwise arising from the performance of this Development Agreement. Landowner agrees to and shall defend City and its elected and appointed boards, commissions, officers, agents, and employees from any suits or actions at law or in equity for liability or damage caused, or alleged to have been caused, by reason of any of the aforesaid activities.

**Article VII. No Agency, No Joint Venture or Partnership.**

The Proposed Development is a private undertaking. No party is acting as the agent of the other in any respect hereunder. Each party is an independent contracting entity with respect to the terms and provisions contained in this Development Agreement. None of the terms or provisions of this Development Agreement shall be deemed to create a partnership between or among the parties in the businesses of Landowner, or the affairs of City, nor shall they cause City and Landowner to be considered joint venturers or members of any joint enterprise.

**Article VIII. Assignment and Transfer.**

Landowner shall have the right to sell, assign, or transfer this Development Agreement, and all of its rights, duties, and obligations hereunder, to any person or entity at any time during the Term, subject to the prior written approval of the Director of Community Development or his or her designee, which consent shall not be unreasonably withheld. Such approval shall be granted where the buyer, assignee, or transferee has demonstrated the experience, qualifications, and financial resources to complete and operate the Proposed Development, or applicable portions thereof, to the reasonable satisfaction of the Director of Community Development or his or her designee.

**Article IX. Notices.**

Any notice or communication hereunder between City and Landowner shall be in writing and may be given either personally, by facsimile (with original forwarded by regular U.S. Mail), by registered or certified mail (return receipt requested), or by a reputable courier promising overnight delivery to the respective addresses specified by each party.

Such notices or communications shall be given to the City as follows:

City of Antioch  
Community Development Department  
City Hall  
200 H Street  
Antioch, CA 94509  
Telephone: (925) 779-7035  
Facsimile: (925) 779-7034

With copies to:

City of Antioch  
Office of City Attorney  
City Hall  
200 H Street  
Antioch, CA 94509  
Telephone: (925) 779-7015  
Facsimile: (925) 779-7003

Such notices or communications shall be given to Landowner using the name(s) and address(es) and facsimile number(s) reflected in the notice Landowner provided to City of Landowner's acceptance of this Development Agreement.

Any party may at any time, by giving ten (10) days' written notice to the other party, designate any other address or facsimile in substitution of the address or facsimile number to which such notice or communication shall be given.

**Article X. Miscellaneous.**

**Section 10.1. No Third Party Beneficiary Rights.** This Development Agreement is not intended nor shall it be construed to create any third party beneficiary rights in any person who is not expressly made a party and signatory to this Development Agreement.



Section 10.2. Governing Law, Interpretation of Development Agreement. This Development Agreement shall be governed by and interpreted in accordance with the laws of the State of California applicable to contracts entered into and to be performed in California. Any action to enforce or interpret this Development Agreement shall be brought in a court of competent jurisdiction in Contra Costa County or, in the case of any federal claims, in federal court for the Northern District of California.

Section 10.3. Severability. If any word of this Development Agreement, or its application to any situation, is held invalid or unenforceable, in a final judgment that is no longer subject to rehearing, review, or appeal by a court of competent jurisdiction, then the invalid word is severed, and/or the invalid words are severed, and the remaining parts of this Development Agreement, and the application of any part of this Development Agreement to other situations, shall continue in full force and effect. It is the intent of the voters in adopting the Initiative that includes this Development Agreement, and of the Landowner in consenting to this Development Agreement, that any portion of this Development Agreement that can lawfully be implemented be implemented, even if doing so would not permit implementation of the Proposed Development contemplated herein, even if doing so would otherwise appear trivial or inconsequential, and even if the valid portion appears intertwined with the invalidated portion. It is the intent of the parties that if severance is considered, each section, paragraph, phrase, and word of this Development Agreement be interpreted to be complete in itself, and functionally and grammatically separate from each other word.

Section 10.4. Covenants Running with the Land. All of the terms and provisions contained in this Development Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns (including any person or entity acquiring an interest in any portion of the Subject Property or Proposed Development). All of the terms and provisions contained in this Development Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code section 1468.

Section 10.5. Further Acts. Each party shall execute and deliver any and all additional documents and instruments, and perform such further acts, as may be reasonably necessary or proper to achieve the purposes of this Development Agreement.

Section 10.6. Counterparts. This Development Agreement and any and all amendments and supplements to it may be executed in counterparts, each counterpart shall be deemed to be an original document, and all counterparts together shall be construed as one document. This Development Agreement may be executed by signatures transmitted by facsimile, adobe acrobat or other electronic image files and these signatures shall be valid, binding and admissible as though they were ink originals.

Section 10.7. Execution and Recordation of Development Agreement. Not later than ten (10) days after the later of (a) the Effective Date or (b) the date Landowner provides to City its written notice of acceptance of this Development Agreement, City, by and through its Mayor, shall execute and acknowledge this Development Agreement. Provided Landowner has provided to City its written notice of acceptance of this Development Agreement, in recordable form, the City Clerk shall, within five (5) days of the Mayor's execution of this Development Agreement, cause this Development Agreement to be recorded in the Official Records of Contra Costa County. Landowner shall reimburse City for the costs and disbursements associated with its recordation of this Development Agreement.

Section 10.8. Cooperation in the Event of Legal Challenge. In the event of any legal or equitable action or proceeding instituted by a third party challenging the validity of any provision of this Development Agreement or the procedures leading to its adoption or the issuance of any or all of the Legislative Approvals or Subsequent Approvals, the parties agree to cooperate in defending said action or proceeding. Landowner shall diligently defend any such action or proceeding and shall bear the litigation expenses of defense, including attorneys' fees. City shall retain the sole option to employ independent defense counsel at Landowner's expense. Landowner further agrees to hold City harmless from all claims for recovery of the third party's litigation expenses, including attorneys' fees.










Section 10.9. Other Necessary Acts. Each party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out the Legislative Approvals, Subsequent Approvals, or this Agreement and to provide and secure to the other party the full and complete enjoyment of its rights and privileges under this Development Agreement.

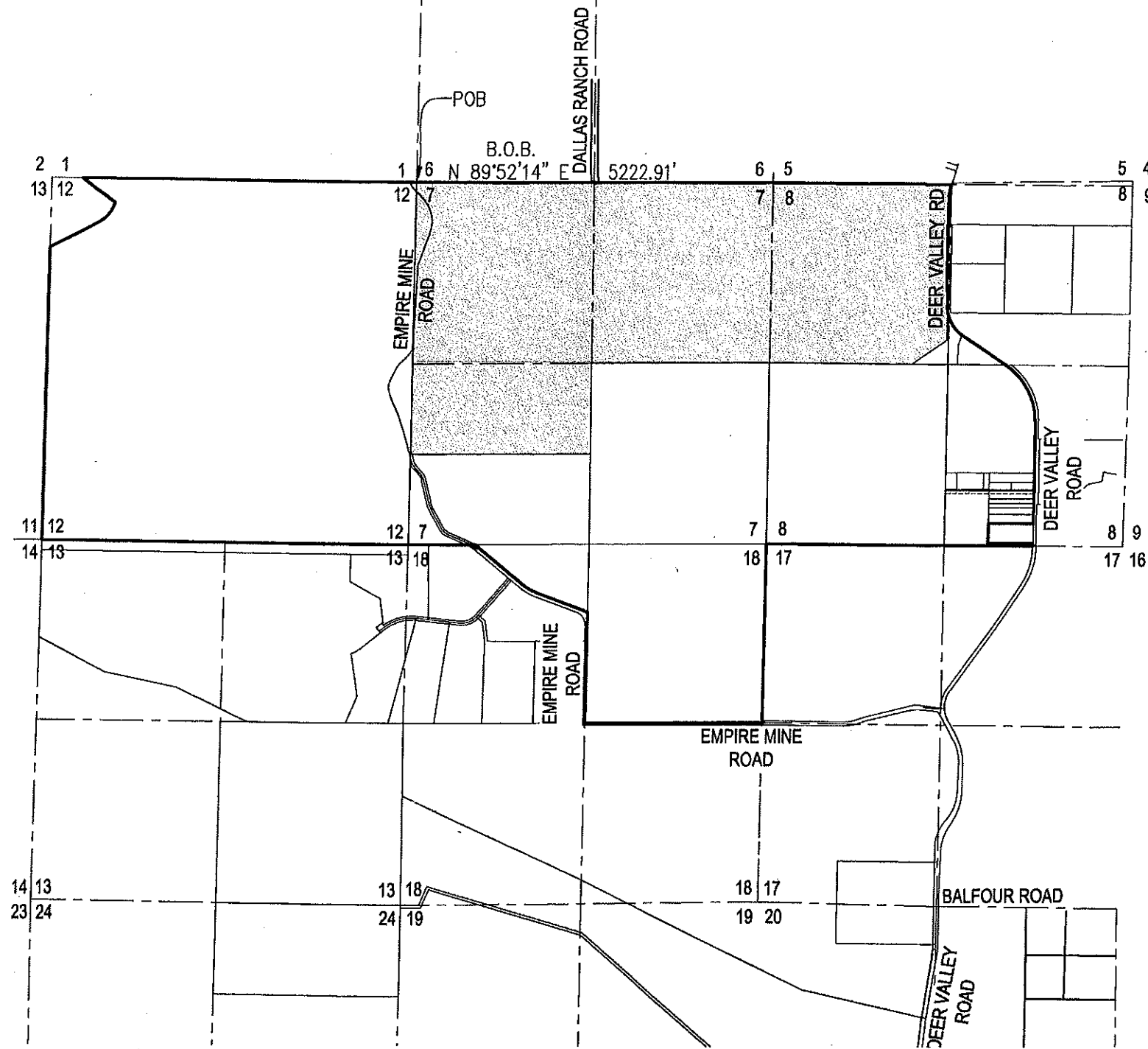
Section 10.09. Entire Agreement and Exhibits. This Development Agreement constitutes in full, the final and exclusive understanding and agreement of the parties and supersedes all negotiations or previous agreements of the parties with respect to all or any part of the subject matter of this Development Agreement. No oral statements or prior written matter not specifically incorporated in this Development Agreement shall be of any force and effect. No amendment of, supplement to, or waiver of any obligations under this Development Agreement will be enforceable or admissible unless set forth in a writing approved by the City and Landowner. The following exhibits are attached to this Development Agreement and incorporated as though set forth in full for all purposes: The following exhibits are attached to this Development Agreement and incorporated herein as though set forth in full for all purposes:

DA Exhibit 1 (Map of the Subject Property)

DA Exhibit 2 (Legal Description of the Subject Property)

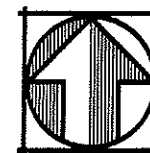
# LEGEND


-  INITIATIVE AREA BOUNDARY
-  PROPERTY LINE
-  SECTION LINE
-  THE RANCH PROPERTY AREA
-  DEER VALLEY ROAD STREET NAME
-  17 SECTION NUMBER
-  POC POINT OF COMMENCEMENT
-  POB POINT OF BEGINNING
-  B.O.B. BASIS OF BEARINGS



## DA EXHIBIT 1 THE RANCH PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018 SCALE: 1" = 2000'





**Carison, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
[www.cbang.com](http://www.cbang.com)

SACRAMENTO, CALIFORNIA (916) 375-1677  
SACRAMENTO, CALIFORNIA (916) 375-1677

APRIL 26, 2018  
JOB NO.: 1133-020

DA EXHIBIT 2  
LEGAL DESCRIPTION  
THE RANCH (10982 OR 441)  
ANTIOCH, CALIFORNIA

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ANTIOCH, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PROPERTY DESCRIBED IN THE GRANT DEED TO THE LEONARDA A. COWAN TRUST OF 1982, RECORDED OCTOBER 26, 1982, IN BOOK 10982 OF OFFICIAL RECORDS AT PAGE 441, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERLY LINE OF SAID SECTION 7, NORTH 89°52'14" EAST 5,222.90 FEET, TO THE CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T1N, R2E, MDB&M, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF SUBDIVISIONS 8312, 'DIABLO WEST- UNIT 7', FILED FOR RECORD OCTOBER 14, 1999, IN BOOK 416 OF MAPS AT PAGE 23, IN SAID OFFICE OF THE COUNTY RECORDER;

THENCE, LEAVING SAID SECTION CORNER, ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 8312 (416 M 23) THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 89°28'20" EAST 1,311.19 FEET,
- 2) NORTH 89°40'03" EAST 928.91 FEET,
- 3) SOUTH 65°02'27" EAST 33.72 FEET,
- 4) SOUTH 89°28'20" EAST 363.60 FEET, TO THE WESTERLY LINE OF DEER VALLEY ROAD;

THENCE, ALONG SAID WESTERLY LINE, AND THE WESTERLY LINE OF SNODGRASS LANE, THE FOLLOWING FOUR (4) COURSES:

- 1) ALONG THE ARC OF A NON-TANGENT 1,408.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 72°57'20" EAST, THROUGH A CENTRAL ANGLE OF 07°12'24", AN ARC DISTANCE OF 177.10 FEET,
- 2) SOUTH 00°35'57" WEST 1,335.56 FEET,

- 3) ALONG THE ARC OF A NON-TANGENT 1,458.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°38'00" EAST, THROUGH A CENTRAL ANGLE OF 03°08'39", AN ARC DISTANCE OF 80.01 FEET,
- 4) SOUTH 00°35'57" WEST 688.21 FEET, TO THE SOUTHERLY LINE OF SAID COWAN TRUST PARCEL (10982 OR 441);

THENCE, ALONG SAID SOUTHERLY LINE, AND THE WESTERLY LINE OF SAID COWAN TRUST PARCEL THE FOLLOWING SIX (6) COURSES:

- 1) SOUTH 56°17'50" WEST 625.56 FEET,
- 2) NORTH 89°26'41" WEST 2092.30 FEET,
- 3) NORTH 89°35'26" WEST 2628.97 FEET,
- 4) SOUTH 00°11'22" WEST 1326.34 FEET,
- 5) SOUTH 89°38'55" WEST 2608.11 FEET,
- 6) NORTH 00°38'08" EAST 3794.62 FEET, TO SAID POINT OF BEGINNING.










CONTAINING 550.46 ACRES OF LAND, MORE OR LESS.

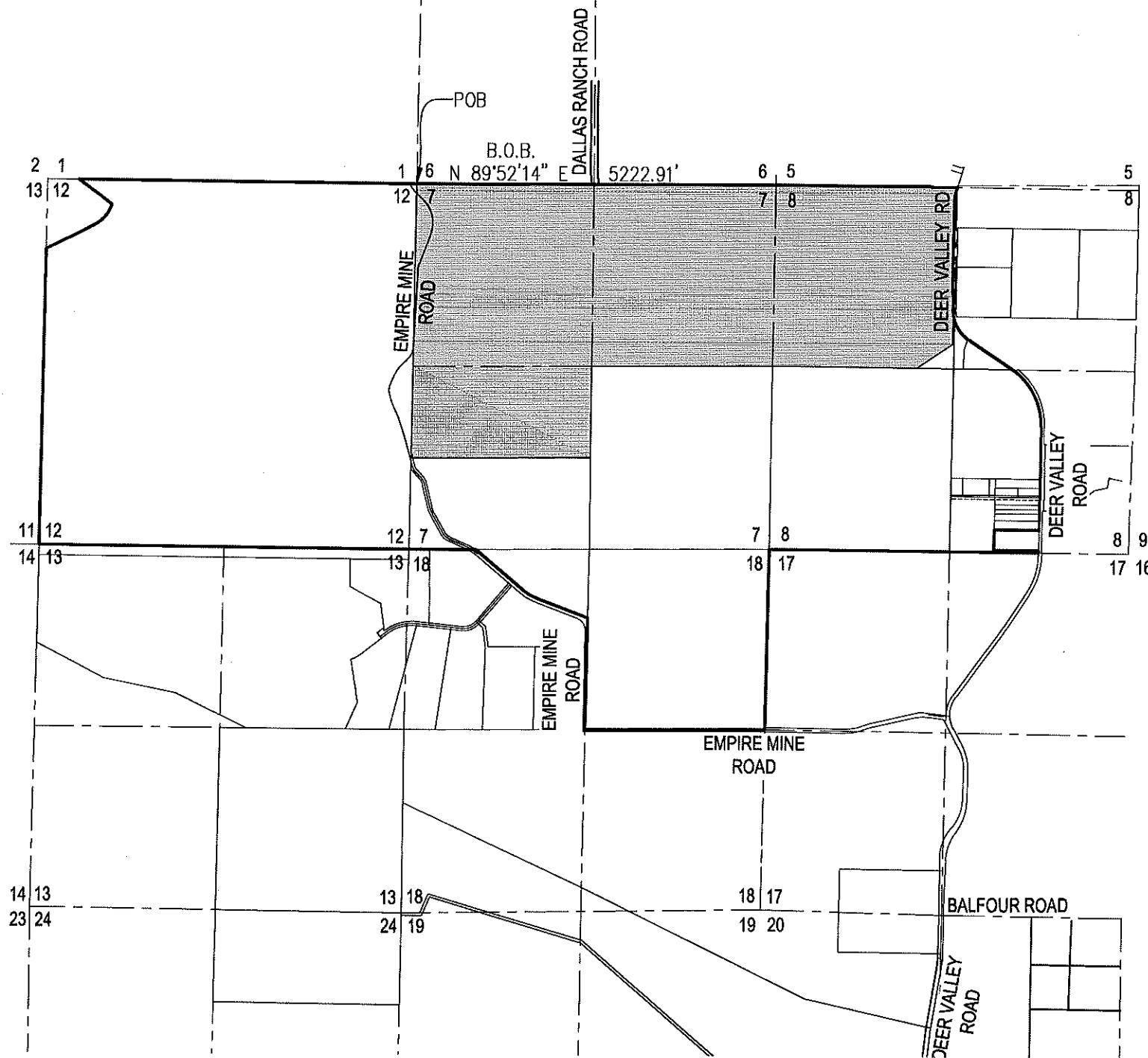
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*Joel Garcia*  
JOEL GARCIA, P.L.S.  
L.S. NO. 5285  
04-26-2018

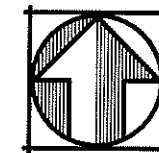
# LEGEND


-  INITIATIVE AREA BOUNDARY
-  PROPERTY LINE
-  SECTION LINE
-  THE RANCH PROPERTY AREA
-  DEER VALLEY ROAD
-  17
-  POC
-  POB
-  B.O.B.
- STREET NAME
- SECTION NUMBER
- POINT OF COMMENCEMENT
- POINT OF BEGINNING
- BASIS OF BEARINGS



## EXHIBIT H THE RANCH PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
 DATE: APRIL 26, 2018 SCALE: 1" = 2000'





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SAN RAMON, CALIFORNIA (925) 666 - 0322  
 SACRAMENTO, CALIFORNIA (916) 375 - 1877

APRIL 26, 2018  
JOB NO.: 1133-020

**EXHIBIT 'I'**  
**LEGAL DESCRIPTION**  
**THE RANCH (10982 OR 441)**  
**ANTIOCH, CALIFORNIA**

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BEING ALL OF THAT PROPERTY DESCRIBED IN THE GRANT DEED TO THE LEONARDA A. COWAN TRUST OF 1982, RECORDED OCTOBER 26, 1982, IN BOOK 10982 OF OFFICIAL RECORDS AT PAGE 441, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE CORNER COMMON TO SECTIONS 1 AND 12, T1N, R1E AND SECTIONS 6 AND 7, T1N, R2E, MDB&M AND THE SOUTHWEST CORNER OF SUBDIVISION 7377, 'DALLAS RANCH 7', FILED FOR RECORD NOVEMBER 22, 1996, IN BOOK 390 OF MAPS AT PAGE 1, IN SAID OFFICE OF THE COUNTY RECORDER;

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CONTAINING 550.46 ACRES OF LAND, MORE OR LESS.

END OF DESCRIPTION



EL GARCIA, P.L.S.  
L.S. NO. 5285

04-26-2018



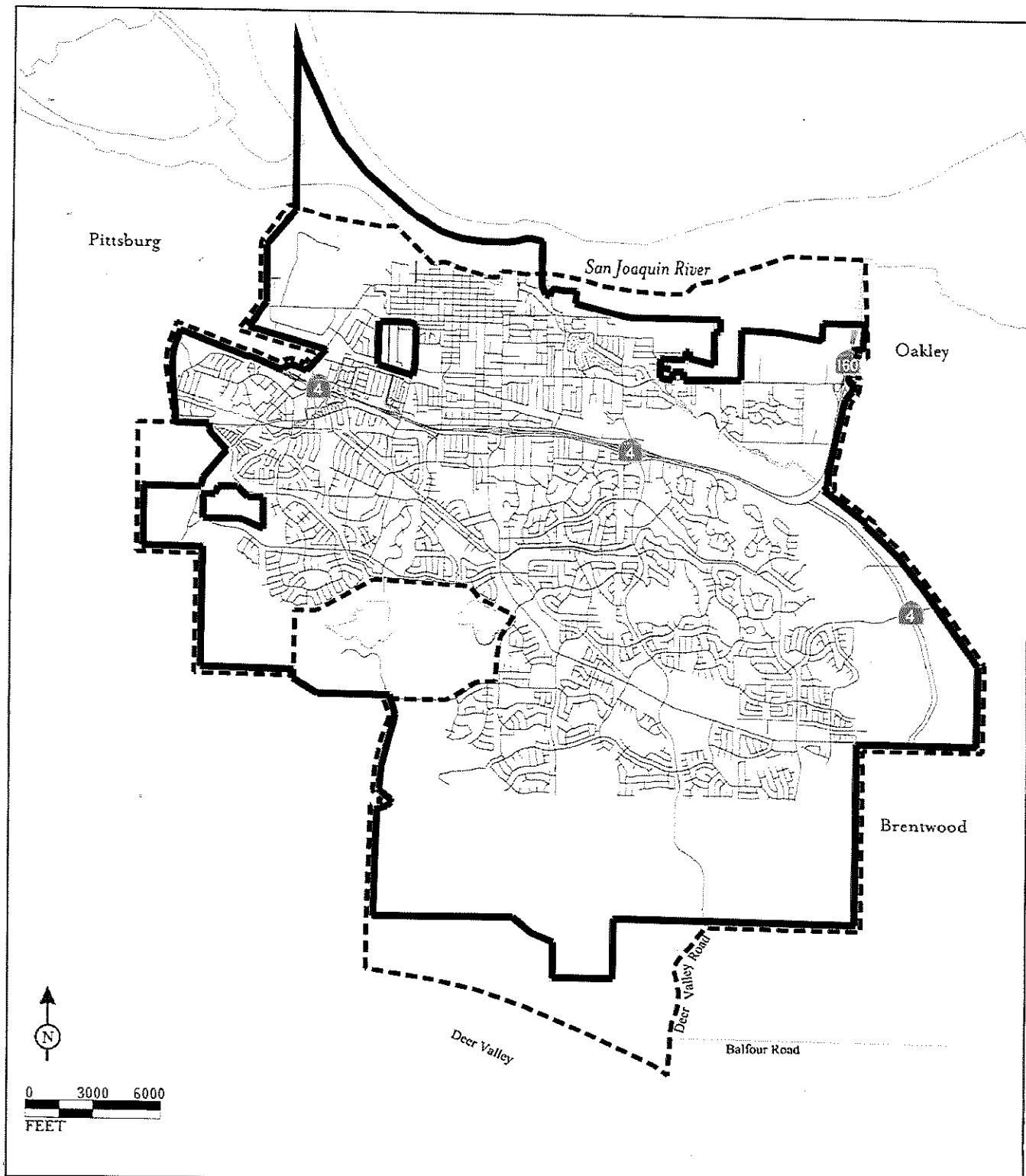







Figure 4.12

-  ROADS
-  CITY BOUNDARY
-  VOTER APPROVED URBAN LIMIT LINE
-  WATER BODIES

### Voter Approved Urban Limit Line

# EXHIBIT J FIGURE 4.12 VOTER APPROVED URBAN LIMIT LINE

CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: APRIL 26, 2018

	<b>Carlson, Barbee &amp; Gibson, Inc.</b> <small>CIVIL ENGINEERS • SURVEYORS • PLANNERS</small> <small>www.cbarg.com</small>
	<small>SAN RAMON, CALIFORNIA    (925) 866 - 0322</small> <small>SACRAMENTO, CALIFORNIA    (916) 375 - 1877</small>

## EXHIBIT K

### ARTICLE 42: WEST SAND CREEK PLANNED DEVELOPMENT DISTRICT

#### § 9-5.4201 Purpose.

- A. The West Sand Creek Master Plan District ("West Sand Creek" or "WSC District") was enacted by the "West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative" to implement the General Plan's stated vision for the development of the land in the Sand Creek Focus Area west of Deer Valley Road inside the existing boundaries of the voter-approved Urban Limit Line ("ULL"). In particular, the West Sand Creek District zoning standards apply to the Limited Development Area established by the Initiative.
- B. The West Sand Creek District provides flexible development standards designed to ensure the development of the District as a master planned community. The WSC District shall be defined principally by single-family residential of various lot sizes on flatter areas on either side of Sand Creek, within the Limited Development Area, along with natural and recreational open spaces. The development standards applicable to the WSC District are provided below.
- C. Notwithstanding any other provision of the Antioch Municipal Code ("Municipal Code"), and to ensure that development within the WSC District is subject to express, objective standards that cannot be changed through subsequent discretionary actions or interpretations without the consent of the landowner pursuant to the provisions of the Initiative, the West Sand Creek District shall be and is deemed a new zoning district that exists independent of other zoning requirements, including the balance of Title 9. Land regulated by the WSC District shall not be subject to any other provision of the Municipal Code that purports to regulate or guide land use or zoning, except those contained in this Article 42.
- D. No development shall occur within the West Sand Creek District unless it is consistent with the Initiative and this Article 42. If an application is presented for development that is consistent with the Initiative, this Article 42, and objective grading and building standards of Title 8 of the Municipal Code that are applicable to all development in the City of Antioch, then the application shall be ministerially granted. Certificates of occupancy shall also issue ministerially provided only that construction conforms to City-wide building and grading requirements for issuance of such certificates, and to the regulations of WSC District. With the exception of subdivision maps and architectural design review, no additional approvals or entitlements, including but not limited to departmental review approval, conditional use permit, land use permit, minor use permit, any approval of requirement of the growth management ordinance, development plan, planned development, variance, zoning clearance, minor use permit, or any other review or entitlement purporting to regulate or guide land use or zoning shall be required by the City to develop the project described in such application unless otherwise specified in the tables of permitted uses below.

#### § 9-5.4202 Residential Uses

##### A. Single-Family Low-Density

###### 1. Purpose and application

- (a) LD-1 Single-family Executive Lot Type 1

This designation is for low-density large lots with a minimum lot size of 8,000 s.f., on a combination of graded, partially graded, or sloping lots.

## EXHIBIT K

(b) LD-2 Single-Family Conventional Lot Type 2

This designation is for low-density lots, with an average lot size of 7,000 s.f. and minimum lot size of 5,000 s.f.

(c) LD-3 Single-Family Conventional Lot Type 3

This designation is for low-density conventional lots, with an average lot size of 7,000 s.f. and minimum lot size of 5,000 s.f. A row of a minimum 8,000 s.f. lots is required on land that abuts single-family development that exists to the north of the Initiative Area as of the Effective Date of the Initiative.

### 2. Property development standards

	LD-1 Executive Lot Type 1	LD-2 Conventional Lot Type 2	LD-3 Conventional Lot Type 3
Minimum lot area in s.f.	8,000	5,000	5,000/8,000 <sup>1</sup>
Average net lot area in s.f.	10,000	7,000	7,000
Maximum lot coverage (1/2 story) <sup>4</sup>	55/45%	55/50%	55/50%
<b>MINIMUM LOT DIMENSIONS</b>			
Lot width (interior/corner)	65'/70'	50'/55'	50'/55'
Lot depth	100'	90'	90'/130' <sup>2</sup>
<b>MINIMUM SETBACKS FROM PROPERTY LINE<sup>5</sup></b>			
Living area at front	15'	15'	15'
Porch at front	10'	10'	10'
Porch at alley/private drive	n/a	n/a	n/a
Garages at front	18'	18'	18'
Side-on garage at front	12'	12'	n/a
Garage at alley/rear (max)	n/a	n/a	n/a
Interior side yard/corner	5'/10'	5'/10'	5'/10'
Rear	20'	20'	20'/35' <sup>3</sup>
<b>MAXIMUM BUILDING HEIGHTS</b>			
Main building	40'	35'	35'
Detached garage	24'	24'	24'

Footnotes:

1. Lots that abut the north property line in LD-3 shall be a minimum of 8,000 s.f in lot area.
2. Lots that abut the north property line in LD-3 shall have a minimum lot depth of 130', except in a side-on lot condition.
3. Lots that abut the north property line in LD-3 shall have a rear yard setback of 35'.
4. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
5. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.

## EXHIBIT K

### 3. Permitted uses

	Single-family LD 1, 2, 3
Day care (§9-5.3817 and 9-5.3818)	P
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
School, public or private	U
Open space	P
Parks and park facilities, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

### B. Single-Family Medium-Density

#### 1. Purpose and application

(a) MD-1 Single-family Standard Lot Type 1

This designation is for medium-density lots in a standard configuration, i.e.; house entry and garage accessed from street in the front. Average lot size is approximately 4,500 s.f.

(b) MD-2 Single-family Greencourt Lot Type 2

This designation is for medium-density lots in a courtyard configuration, i.e.; house entry is located from a greencourt common area in the front and the garage is accessed from alley in the rear. Average lot size is approximately 4,200 s.f.

(c) MD-3 Single-family Motor-court Lot Type 3

This designation is for medium-density lots in a clustered motor-court configuration, i.e.; house entry and garage accessed from a private street in the shape of the letter "T". Average lot size is approximately 4,200 s.f.

(d) MD-4 Single-family Private Lane Lot Type 4

## EXHIBIT K

This designation is for medium-density lots in a cluster configuration around a private lane. The unit entry and garages are oriented to the front of the lot. Average lot size is approximately 4,200 s.f.

### 2. Property development standards

	MD-1 Standard Lot Type 1	MD-2 Greencourt Lot Type 2	MD-3 T-Court Lot Type 3	MD-4 Private Lane Type 4
<b>Minimum lot area in s.f.</b> <sup>1</sup>	4,000	4,000	4,000	4,000
<b>Average lot area in s.f.</b>	4,500	4,200	4,200	4,200
<b>Maximum lot coverage</b> <sup>2</sup>	55%	55%	55%	55%
<b>MINIMUM LOT DIMENSIONS</b>				
<b>Lot width (interior/corner)</b>	45'/50'	40'/45'	See Figure 1	See Figure 2
<b>Lot depth</b>	90'	90'		
<b>MINIMUM SETBACKS FROM PROPERTY LINE</b> <sup>3</sup>				
<b>Living area at front</b>	15'	10'	See Figure 1	See Figure 2
<b>Porch at front</b>	10'	5'		
<b>Porch at alley/private drive</b>	n/a	5'		
<b>Garages at front</b>	18'	n/a		
<b>Side-on garage at front</b>	n/a	n/a		
<b>Garage at alley/rear (max)</b>	n/a	4'		
<b>Interior/corner side yard</b>	4'/8'	4'/8'		
<b>Rear</b>	15'	10'		
<b>MAXIMUM BUILDING HEIGHTS</b>				
<b>Main building</b>	35'	35'	35'	35'
<b>Detached garage</b>	n/a	24'	n/a	n/a

Footnotes:

1. Lot Area is defined as the total area of a fee simple residential lot for a single-family dwelling unit and may include easements for common area access.
2. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
3. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.

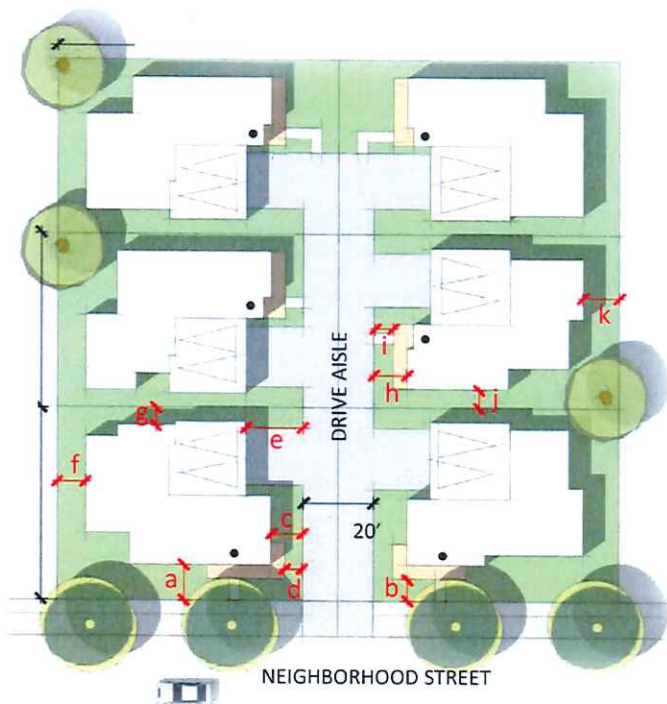
**EXHIBIT K**



\*Setback distance measured from the edge of the drive aisle.

Figure 1: MD-3 Motor-court Lot Standards

\*Setback distance measured from the edge of the drive aisle.



<b>MD-3 Motor-court Lots Development Standards</b>	
<b>LOT DIMENSIONS</b>	
Refer to Figure 1 for minimum lot dimensions	
<b>SETBACKS</b>	
<b>Streetside Lots</b>	
(a) Front, living space	12' min.
(b) Front, porch	8' min.
(c) Drive aisle side, living space*	5' min.
(d) Drive aisle side, garage*	18' min.
(e) Side/rear	5'/10' min.
<b>Rear Corner Lots</b>	
(f) Front, living space & porch	8' min.
(g) Front, garage	18' min.
(h) Side/rear	5'/10' min.
<b>Rear Center Lot</b>	
(i) Front, living space*	8' min.
(j) Front, porch*	5' min.
(k) Front, garage*	16' min.
(l) Side/rear	6' min.
<b>HEIGHT</b>	35' max.

<b>MD-4 Private Lane Lots Development Standards</b>	
<b>LOT DIMENSIONS</b>	
Refer to Figure 2 for minimum lot dimensions	
<b>SETBACKS</b>	
<b>Streetside Lots</b>	
(a) Front, living space	10' min.
(b) Front, porch	5' min.
(c) Drive aisle side, living space*	6' min.
(d) Drive aisle side, porch*	5' min.
(e) Drive aisle side, garage*	18' min.
(f) Side	10' min.
(g) Rear	5' min.
<b>Internal lots</b>	
(h) Front, living space*	5' min.
(i) Front, porch*	5' min.
(j) Side	5' min.
(k) Rear	10' min.
<b>HEIGHT</b>	35' max.

## EXHIBIT K

### 3. Permitted uses

	Single Family MD 1,2, 3,4
Day care (§9-5.3817 and 9-5.3818)	P
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
School, public or private	U
Open space	P
Parks and park facilities, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

### C. Age Restricted

#### 1. Purpose and application

##### (a) AR Single-family Age-Restricted Lot Type

This designation is for lots ranging in size from approximately 4,500 to 5,000 s.f. in a neighborhood that is restricted to residents age 55 and older.

## EXHIBIT K

### 2. Property development standards

	AR Age-Restricted
Minimum lot area in s.f.	4,500
Average net lot area in s.f.	5,000
Maximum lot coverage (1/2 story) <sup>1</sup>	60/55%
<b>MINIMUM LOT DIMENSIONS</b>	
Lot width (interior/corner)	45'/50'
Lot depth	90'
<b>MINIMUM SETBACKS FROM PROPERTY LINE<sup>2</sup></b>	
Living area at front	15'
Porch at front	10'
Porch at private drive	5'
Garages at front	18'
Side-on garage at front	n/a
Garage at private drive (short apron/full arpon) <sup>3</sup>	5'/18'
Interior side yard/corner	4'/8'
Rear	15'
<b>MAXIMUM BUILDING HEIGHTS</b>	
Main building	28'
Detached garage	n/a

Footnotes:

1. Maximum Lot Coverage is defined as the gross first floor living plus garage area divided by the lot area and does not include covered patio/porches.
2. Architectural pop-outs and encroachments to the front, side and rear shall be allowed pursuant to Code Section 9-5.801.
3. Parking is allowed in driveways with full aprons only with a minimum depth of 18' depth. Parking is prohibited on driveways with short aprons (less than 18').



**EXHIBIT K**

**3. Permitted uses**

	<b>Active Adult AA</b>
Day care (§9-5.3817 and 9-5.3818)	U
Home occupations	P
Second residential unit	A
Single-family dwelling	P
Private residential community amenity (community center, fitness center/pool)	P
Public safety facility	U
Public use-Fire, police, library, other civic building	U
Satellite antenna	P
Open space	P
Parks, public and private	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Communication facility	U
Model home complex	A
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**EXHIBIT K**

**§ 9-5.4203 Village Center Uses**

**A. Commercial Zone Village Center (VC)**

**1. Purpose and application**

The Village Center is intended to be located on the land within the Limited Development Area of The Ranch Property to serve primarily the neighborhood and the immediate community, providing retail goods, food/drug, eating establishments, professional services for daily needs, and other similar commercial uses.

**2. Property development standards**

	<b>VC Village Center</b>
Maximum floor area ratio (FAR) <sup>1</sup>	0.35
<b>MINIMUM BUILDING SETBACKS</b>	
From Deer Valley Road	10'
From Sand Creek Road	15'
From local street	10'
Interior	0'
<b>MAXIMUM BUILDING HEIGHTS</b>	
Main building	35'
Towers/feature structure	50'
<b>PARKING</b>	
General commercial uses	1 space/285 s.f.
Banks, professional or medical offices	1 space/250 s.f.
General restaurant/lounge or bar including any outdoor seating	1 space/3 seats
Take out only/no seating	1 space per employee on largest shift

Footnote:

1. The maximum non-residential intensity allowed in the Village Center Commercial zone is defined as the floor area ratio (FAR), which is the ratio of total net floor area of a building to the total lot area.

**3. Permitted uses**

	<b>Village Center VC</b>
Day care (§9-5.3817 and 9-5.3818)	U
Public safety facility	U
Public use-Fire, police, library, other civic building	P
Satellite antenna	A
School, public or private	U
Open space	P
Trail/Trailhead facilities	P
Community Garden	P
Storm Drainage facilities	P
Resource protection / restoration	P
Art/Antique/Artisan store	P
Bakeries—retail	P

**EXHIBIT K**

Bank and financial services	P
Bar (§ 9-5.3831)	U
Barber & beauty shop	P
Catering services	P
Clothing store	P
Communication facility	P
Confectionary store	P
Day care facility	U
Drive-up window (all uses)	U
Drug store/pharmacy	P
Dry cleaner/laundry- self serve and pick-up	P
Florist shop	P
Convenience store	U
Neighborhood food market	P
Furniture, furnishings and appliance store	P
Gift shop	P
Hardware store	P
Health club/fitness center	P
Hotel/motel	U
Jewelry store	P
Parking lot (commercial) (§ 9-5.3837)	A
Offices- business and professional	P
Offices- medical/dental	P
Pet store, animal grooming, sales	P
Restaurant- general	P
Restaurant- fast food	U
Restaurant- with outdoor food service and seating	P
Restaurant- takeout and delivery	P
Restaurant- with bar and live entertainment	U
Retail- general and specialty	P
Studios- dance/martial arts/yoga	P
Theater	P
Removal of earth (§§9-5.3822)	A
Sales, leasing office and trailers	A
Temporary construction building and uses (§§ 9-5.3821)	A
Outdoor display of merchandise (in conjunction with a non-residential use)	A
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A
Christmas tree and pumpkin sale lots (§ 9-5.3829)	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

**EXHIBIT K**

**§ 9-5.4204 Public Uses**

**A. Public Use Zone (PQ)**

**1. Purpose and application**

This zone is to provide for the establishment of public and quasi-public uses, such as safety facilities, utilities, local government offices/facilities and other similar uses. The intent of this zone is to identify appropriate locations for these uses without impacting, disrupting, or otherwise removing other lands for residential or other uses.

**(a) PQ-Fire Station**

This designation is to accommodate a future fire station to serve The Ranch and surrounding neighborhoods, in coordination with the Antioch Fire Department.

**(b) PQ-Trail Staging Area**

This designation is to accommodate a parking lot and regional trail staging area to serve the greater Antioch community.

**2. Property development standards**

N/A

**3. Permitted uses**

	<b>Public Use PQ</b>
<b>Public safety facility and other civic building</b>	<b>P</b>
<b>Satellite antenna</b>	<b>A</b>
<b>School, public or private</b>	<b>A</b>
<b>Open space</b>	<b>P</b>
<b>Parks, public and private</b>	<b>P</b>
<b>Trail/Trailhead facilities</b>	<b>P</b>
<b>Community Garden</b>	<b>P</b>
<b>Storm Drainage facilities</b>	<b>P</b>
<b>Resource protection / restoration</b>	<b>P</b>
<b>Parking lot (commercial) (§ 9-5.3837)</b>	<b>U</b>
<b>Removal of earth (§§9-5.3822)</b>	<b>A</b>
<b>Temporary construction building and uses (§§ 9-5.3821)</b>	<b>A</b>
<b>Special outdoor events (§§ 9-5.3828 and 9-5.3831)</b>	<b>A</b>
<b>Christmas tree and pumpkin sale lots (§ 9-5.3829)</b>	<b>A</b>

P – Permitted      U – Use Permit required      A – Administrative Permit required

**EXHIBIT K**

**§ 9-5.4205 Open Space Uses**

**A. Open Space/Recreation Zones**

**1. Purpose and application**

This category is to provide for the establishment of open space areas to protect natural resources, provide stormwater drainage, to create parks for recreation and community gathering and key landscape areas to provide community enhancement and connectivity.

(a) P-Park

This zone is intended to provide locations for parks. Parks of varying sizes and shapes are provided to meet neighborhood recreation needs, such as informal playing or gathering, strolling, and engaging in active sports. Facilities for private recreation are also provided within the park for the age-restricted community.

(b) OS-Open Space

Open space zoning is applied to the natural resources within the project area, including Sand Creek and its associated seasonal wetlands, swales, marshes, grasslands and other areas of natural vegetation. Stormwater drainage facilities, including detention basins, also occur in the OS zone.

(c) Landscape

This zone is intended to reserve key areas for major landscape corridors to enhance the Project along Deer Valley Road and provide internal connectivity between neighborhoods and parks.

(d) Trails

This zone is intended to provide trails throughout the community to enhance overall mobility and recreation by linking residents to parks, community amenities, and natural open space.

**2. Property development standards**

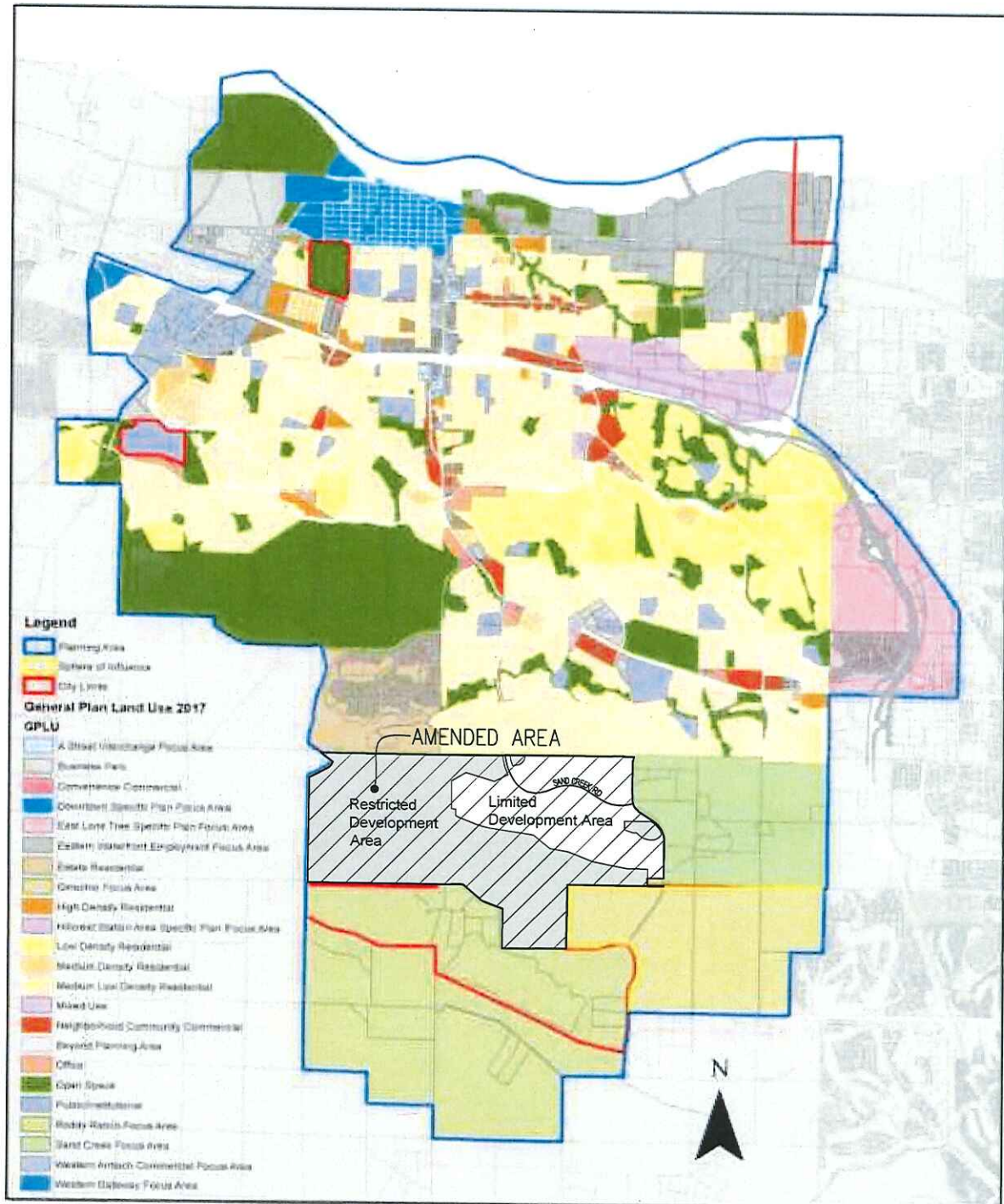
N/A

**3. Permitted uses**

	Open Space OS
<b>Public safety facility</b>	U
<b>Public use-Fire, police, library, other civic building</b>	U
<b>Open space</b>	P
<b>Trail/Trailhead facilities</b>	P
<b>Storm Drainage facilities</b>	P
<b>Resource protection / restoration</b>	P
<b>Removal of earth (§§9-5.3822)</b>	A
<b>Temporary construction building and uses (§§ 9-5.3821)</b>	A
<b>Christmas tree and pumpkin sale lots (§ 9-5.3829)</b>	A

P – Permitted      U – Use Permit required      A – Administrative Permit required

Figure 4.1 - General Plan Land Use Map



# EXHIBIT L AMENDED GENERAL PLAN LAND USE MAP

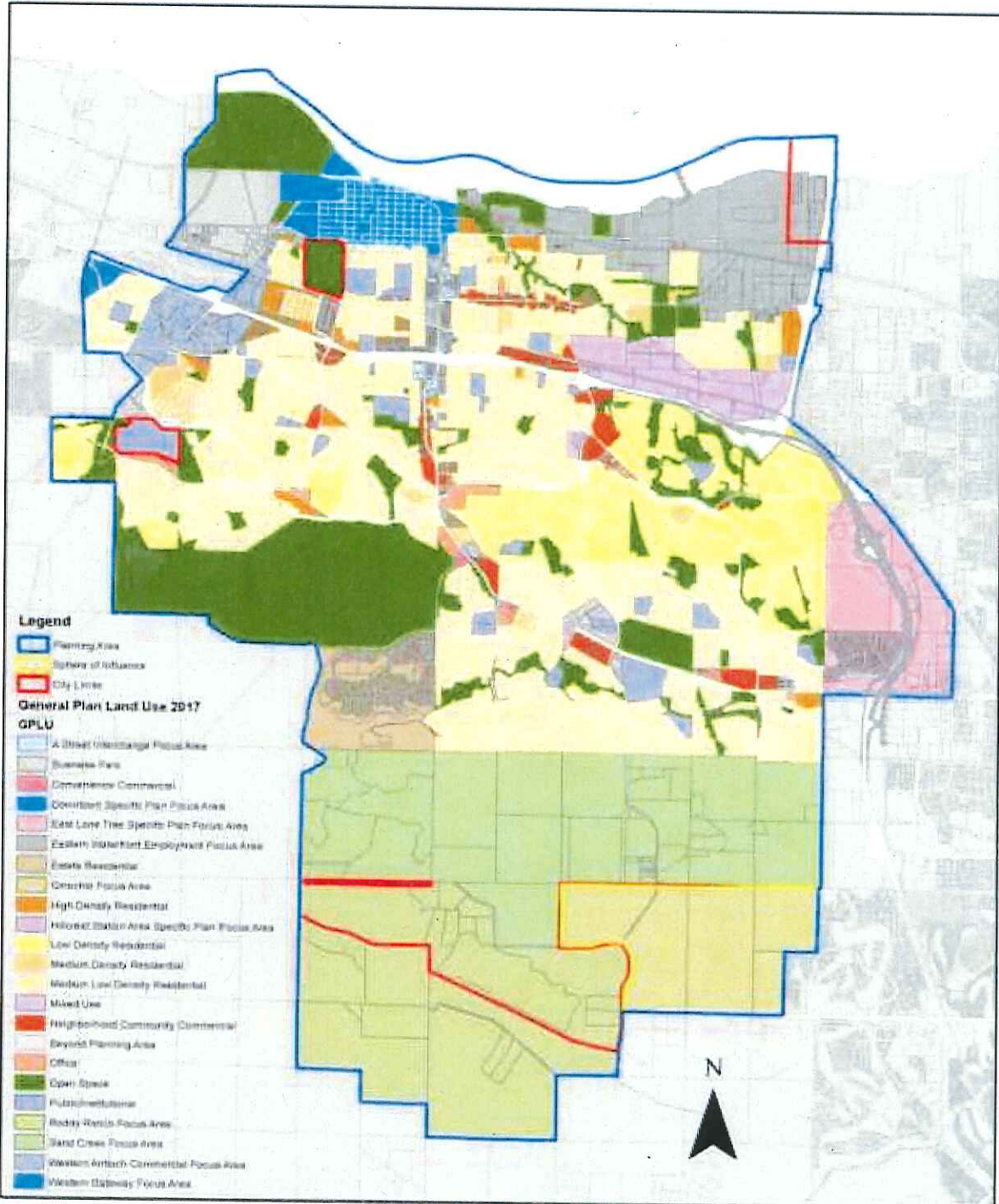
CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018

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Figure 4.1 - General Plan Land Use Map



**EXHIBIT M  
EXISTING GENERAL PLAN  
LAND USE MAP**

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018

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Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Sommerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<p><b>Mobile Homes.</b> Areas of mobile home development typically consist of subdivisions wherein individual mobile homeowners also own their own lots in fee and mobile home parks wherein mobile homeowners rent or lease the space upon which their mobile home is placed. Typically, mobile home subdivisions and parks provide open space and/or recreational amenities for the use of their residents.</p>					✓	✓																							
<p><b>Group Residential.</b> Activities typically include the use of a dwelling unit as a residence by a group or groups of persons without the provision of medical care, supervision, or medical assistance. Typical uses include boarding houses, convents, and religious retreats.</p>						✓								✓	✓														
<p><b>Residential Care Facilities.</b> While largely residential in character, residential care facilities are distinguished from other residential use types in that care facilities combine a variety of medical care, supervision, or medical assistance services with housing. State law exempts certain small residential care facilities from local regulation, and can locate anywhere permitted by law.</p>		✓				✓	✓							✓	✓														
<p><b>Administrative and Professional Offices.</b> Activities typically include, but are not limited to, executive management, administrative, or clerical uses of private firms and public utilities. Additional activities include the provision of advice, design, information, or consultation of a professional nature. Uses typically include, but are not limited, corporate headquarters; branch offices; data storage, financial records, and auditing centers; architect's; lawyer's; insurance sales and claims offices; financial planners; and accountant's offices.</p>							✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			✓							



Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Sommerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>General Merchandise.</b> Activities typically include, but are not limited to, the retail sales from premises, including incidental rental and repair services.							✓	✓	✓	✓	✓		✓	✓	✓														
<b>Health Clubs and Spas.</b> Activities typically include, but are not limited to, sport and health-related activities performed either indoors or outdoors.							✓	✓	✓	✓	✓		✓	✓	✓	✓	✓												
<b>Lodging and Visitor Services.</b> Activities typically include, but are not limited to, providing overnight accommodations and related banquet and conference facilities.								✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	5	5								
<b>Indoor Recreational Facilities.</b> Activities typically include, but are not limited to, commercial recreation uses conducted within enclosed buildings, such as bowling alleys, skating facilities, racquet clubs, and indoor shooting and archery ranges.								✓	✓	✓				✓	✓														
<b>Outdoor Recreational Facilities.</b> Activities typically include, but are not limited to, commercial recreation activities conducted outside of enclosed buildings, such as miniature golf, batting cages, tennis clubs, etc.		✓						✓	✓	✓				✓	✓														✓
<b>Personal Services.</b> Activities typically include establishments primarily engaged in the provision of services for the enhancement of personal appearance, cleaning, alteration of garments, and similar non-business or non-professional services.							✓	✓	✓	✓	✓		✓	✓	✓														
<b>Personal Instruction.</b> Activities typically include instruction in artistic, academic, athletic or recreational pursuits within an enclosed structure.							✓	✓	✓	✓	✓		7	✓	✓	✓													
<b>Recreational Vehicle Park.</b> Activities typically include, but are not limited to, providing overnight accommodations for visitors in recreational vehicles.		7										✓	✓					✓											✓

Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Sommerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>Theaters.</b> Includes structures where the primary use is the exhibition of live or prerecorded theatrical, musical, comedic or other performances. Sale of prepared foods and beverages is permitted ancillary to the primary use.								✓	✓		✓	✓	✓	✓	✓														
<b>Light Manufacturing and Assembly.</b> Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substances into new products, including manufacture of products, assembly of component parts (including required packaging for retail sale), and treatment and fabrication operations. Light manufacturing is conducted wholly within an enclosed building. Light manufacturing activities do not produce odors, noise, vibration, or particulates, which would adversely affect uses within the same structure or on the same site. Also included are watchman's quarters.															✓			✓	✓	✓	✓	✓							
<b>General Manufacturing and Assembly.</b> Activities typically include, but are not limited to, the mechanical or chemical transformation of raw or semi-finished materials or substance into new products, including manufacture of products; assembly of component parts (including required packaging for retail sale); blending of materials such as lubricating oils, plastics, and resins; and treatment and fabrication operations. Uses requiring massive structures outside of buildings such as cranes or conveyer systems, or open-air storage of large quantities of raw or semi-refined materials are also included within this land use type. Also included are watchman's quarters.																					✓	✓							

Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Sommerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating	Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>Research and Development.</b> Activities typically include, but are not limited to, scientific research and theoretical studies and investigations in the natural, physical, or social sciences. Also included is engineering, fabrication, and testing of prototypes developed with the objective of creating marketable end products; and the performance of physical and environmental testing and related activities by or under the supervision of professional scientists and highly trained specialists. Watchman's quarters are included as an ancillary use.															✓	✓		✓	✓	✓	✓	✓							
<b>Operable Vehicle Storage.</b> Activities typically include, but are not limited to the parking and/or storage of operable vehicles. Typical uses include, but are not limited to fleet storage of automobile and trucks, storage lots, and recreational vehicle and boat storage.												✓								✓									
<b>Personal Storage.</b> Activities typically include, but are not limited to storage services and facilities primarily for personal and business effects and household goods with enclosed storage areas having individual access. Typical uses include, but are not limited to mini-warehouses.																			✓	✓		✓							
<b>Storage and Distribution - Light.</b> Activities typically include, but are not limited to, wholesaling, storage, and warehousing services conducted entirely within enclosed buildings. Also included are watchman's quarters.														✓				✓	✓	✓	✓	✓							



Table 4.A - Appropriate Land Use Types

Exhibit N

	Estate Residential	Rural Residential, Agriculture, and Open Space	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Sommerville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial	Rail-Served Industrial	General Industrial	E. Lone Tree Employment-Generating Residential TOD	Office TOD	Town Center Mixed Use	Community Retail	Public/Institutional	Open Space
<b>Cultural Facilities.</b> Activities typically include, but are not limited to, those performed by public and private museums and art galleries, public and private libraries and observatories.								✓	✓	✓	✓	✓	✓		✓	✓	✓	✓									✓	
<b>Day Care Centers.</b> Day care centers consist of facilities defined in California Health and Safety Code Section 1596.76, providing day care and supervision for more than 12 children less than 18 years of age for periods of less than 24 hours per day. Also included are facilities for the care and supervision of seniors for periods of less than 24 hours per day.							✓	✓	✓	✓	✓		✓		✓	✓	✓	✓									✓	
<b>Open Space.</b> Activities typically include, but are not limited to, preservation of lands in their natural condition to protect environmental resources or the public health and safety, agriculture, and active or passive recreation. Recreation areas may include recreational structures such as play equipment, but do not generally include structures for human occupancy.	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					✓	✓
<b>Religious Assembly.</b> Activities typically include religious services and assembly such as customarily occurs in churches, synagogues, and temples.	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1			✓ 1	✓	✓	✓ 1											✓	
<b>Schools, Public and Private.</b> Typical activities include educational facilities for K-8 students provided by public agencies or private institutions.	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1	✓ 1			✓ 1		✓	✓ 1											✓	

Notes to Table 4.A:

1. Permitted subject to the provisions of Land Use Element policy 4.4.2.2b.
2. Automotive sales are not permitted within areas designated Convenience Commercial, Regional Commercial, or Business Park, except that Automotive sales may be allowed within areas designated Business Park that also have frontage on Auto Center Drive.

**Table 4.A - Appropriate Land Use Types**

**Exhibit N**

3. Bars not permitted within areas designated Convenience Commercial.
  4. Automotive uses are limited to sites adjacent to a freeway interchange. Auto sales are not permitted within areas designated Light Industrial or Eastern Waterfront Business Park.
  5. Eating and drinking establishments, as well as Lodging and Visitor Service uses, within the Light Industrial and Eastern Waterfront Business Park designations are limited to sites adjacent to a freeway interchange.
  6. Multi-Family uses are permitted within the Rivertown Commercial designation above the ground floor only.
  7. Administrative and Professional Office and Personal Instruction uses are permitted within the Rivertown Commercial designation above the ground floor only, except along Fourth Street and the area between Fourth Street and Fifth Street, where they may occupy ground floor space.
  8. Funeral Services within the Rivertown Commercial designation are limited to "J" Street, Fourth Street and the area between Fourth Street and Fifth Street.
  9. Auto sales within the Hillcrest Station Focus Area are limited to sites adjacent to the SR-4 and SR-160 freeways.
  10. Limited to locations that are compatible with resource protection needs.
-



**EXHIBIT O**

Table 4.B – Anticipated Maximum General Plan Build Out in the City of Antioch

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
<b>Residential</b>				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential		4,817	-	-
<b>Subtotal</b>	<b>29,023</b>	<b>6,064</b>	-	-
<b>Commercial</b>				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial Office	-	-	4,563,853	-
<b>Subtotal</b>	-	-	<b>2,154,679</b>	-
			<b>7,059,981</b>	-
<b>Industrial</b>				
Business Park	-	-		8,647,651
<b>Special</b>				
Mixed Use	-	279	606,885	
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
<b>Subtotal</b>	-	<b>279</b>	<b>606,885</b>	<b>5,968,350</b>
<b>Focus Areas<sup>1</sup></b>				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	268,051	13,688,023
Ginochio Property Focus Area	-	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Focus Plan		2,500	2,500,000	
Sand Creek Focus Area <sup>2</sup>	3,537	433	1,240,000	-
Western Antioch Commercial Focus Area	-	-	8,67,751	4,195,114
Western Gateway Focus Area	-	460	215,216	-
<b>Subtotal</b>	<b>6,439</b>	<b>5,570</b>	<b>20,845,130</b>	<b>15,922,342</b>
<b>TOTAL</b>	<b>35,462</b>	<b>11,912</b>	<b>28,511,966</b>	<b>30,538,343</b>

Population	150,175
Employed Population	84,098
Total Jobs	107,378
Retail Jobs	21,476
Non-Retail Jobs	85,902
Jobs/Population Ratio	0.72

<sup>1</sup> Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

<sup>2</sup> As amended in 2018 by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.

**EXHIBIT P**

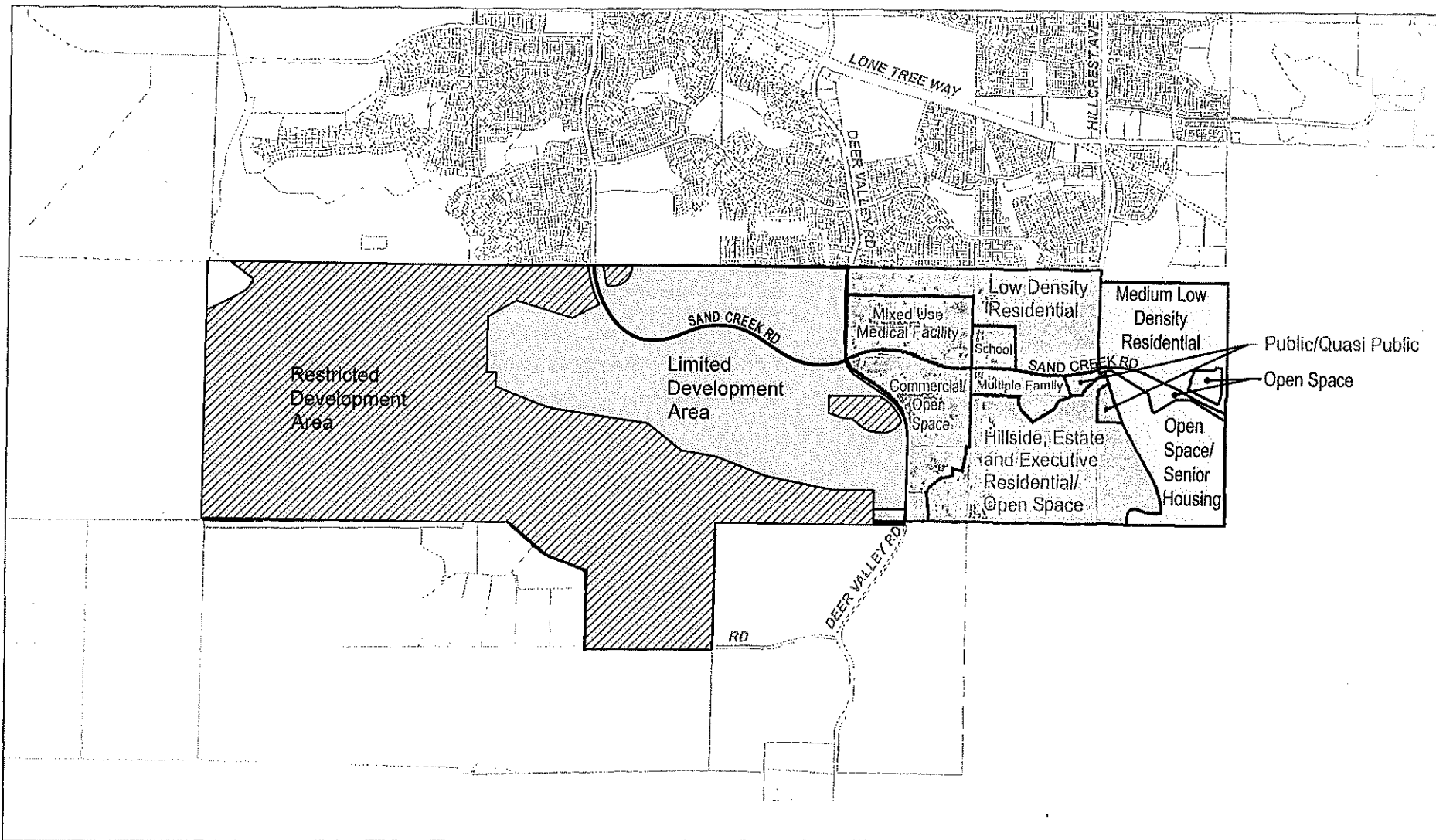
Table 4.D – Anticipated Maximum General Plan Build Out in the General Plan Study Area

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
<b>Residential</b>				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential	-	4,817	-	-
<b>Subtotal</b>	<b>29,023</b>	<b>6,064</b>	-	-
<b>Commercial</b>				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial	-	-	4,563,853	-
Office	-	-	7,059,981	-
<b>Subtotal</b>	-	-	<b>11,965,283</b>	-
<b>Industrial</b>				
Business Park	-	-	-	8,647,651
<b>Subtotal</b>	-	-	-	-
<b>Special</b>				
Mixed Use	-	279	606,885	-
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
<b>Subtotal</b>	-	<b>279</b>	<b>606,885</b>	<b>10,655,359</b>
<b>Focus Areas<sup>1</sup></b>				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	25,000	16,486,808
Ginochio Property Focus Area	400	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Specific Plan Focus Area	-	2,500	2,500,000	-
Sand Creek Focus Area <sup>2</sup>	3,357	433	1,240,000	-
Western Antioch Commercial Focus Area	-	358	9,224,280	-
Western Gateway Focus Area	-	460	215,216	-
<b>Subtotal</b>	<b>6,839</b>	<b>5,570</b>	<b>20,845,130</b>	<b>41,984,779</b>
<b>TOTAL</b>	<b>35,862</b>	<b>11,912</b>	<b>33,417,298</b>	<b>41,984,779</b>

<b>Population</b>	<b>151,443</b>
<b>Employed Population</b>	<b>84,808</b>
<b>Total Jobs</b>	<b>150,804</b>
<b>Retail Jobs</b>	<b>30,161</b>
<b>Non-Retail Jobs</b>	<b>120,643</b>
<b>Jobs/Population Ratio</b>	<b>1.00</b>

<sup>1</sup> Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

<sup>2</sup> As amended in 2018 by the West Sand Creek Open Space Protection, Public Safety Enhancement, and Development Restriction Initiative.



**AMENDED LAND USES WEST OF DEER VALLEY ROAD**

RESTRICTED DEVELOPMENT AREA:	1,244 AC
LIMITED DEVELOPMENT AREA:	604 AC
<b>TOTAL:</b>	<b>1,848 AC</b>

**NOTES:**

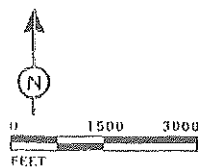
"LIMITED DEVELOPMENT AREA" OVERLAY LAND USE DESIGNATION HAS THE FOLLOWING BASE LAND USE DESIGNATIONS:  
 "ESTATE RESIDENTIAL", "LOW DENSITY RESIDENTIAL", "MEDIUM LOW DENSITY RESIDENTIAL", "MEDIUM DENSITY RESIDENTIAL", "CONVENIENCE COMMERCIAL", "MIXED USE", "PUBLIC/QUASI PUBLIC", AND "OPEN SPACE".

"RESTRICTED DEVELOPMENT AREA" OVERLAY LAND USE DESIGNATION HAS THE FOLLOWING BASE LAND USE DESIGNATIONS:  
 "RURAL RESIDENTIAL, AGRICULTURAL, OPEN SPACE".

LSA

FIGURE 4.8

**FIGURE 4.8**  
 (REVISED BY CBG, 4/26/18)



City of Antioch  
 General Plan  
 Sand Creek Focus Area

**EXHIBIT Q**  
**AMENDED FIGURE 4.8**  
**SAND CREEK FOCUS AREA**

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
 DATE: APRIL 26, 2018

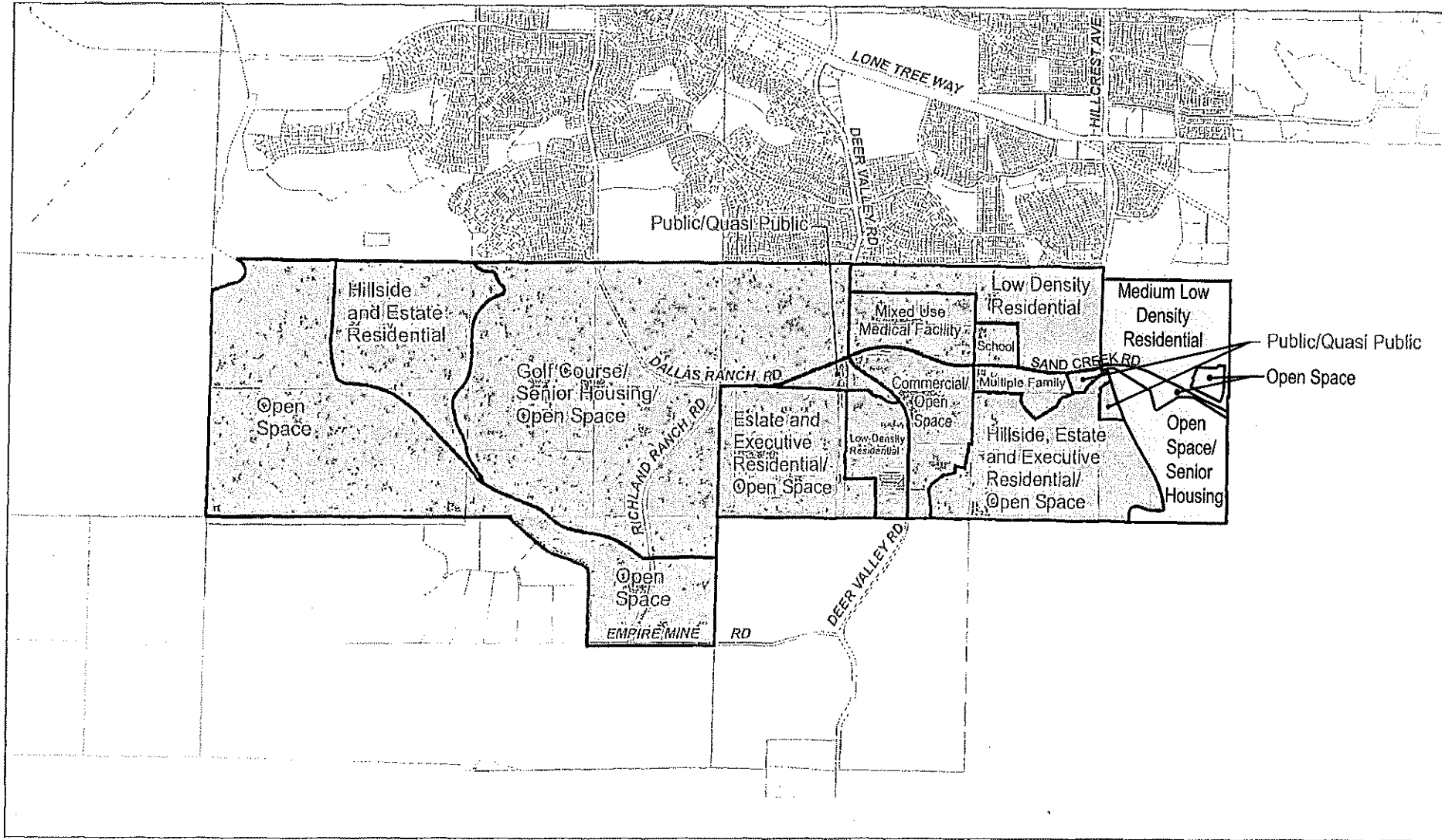


FIGURE 4.8

LSA

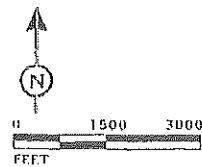


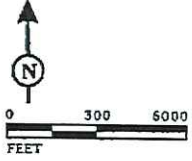
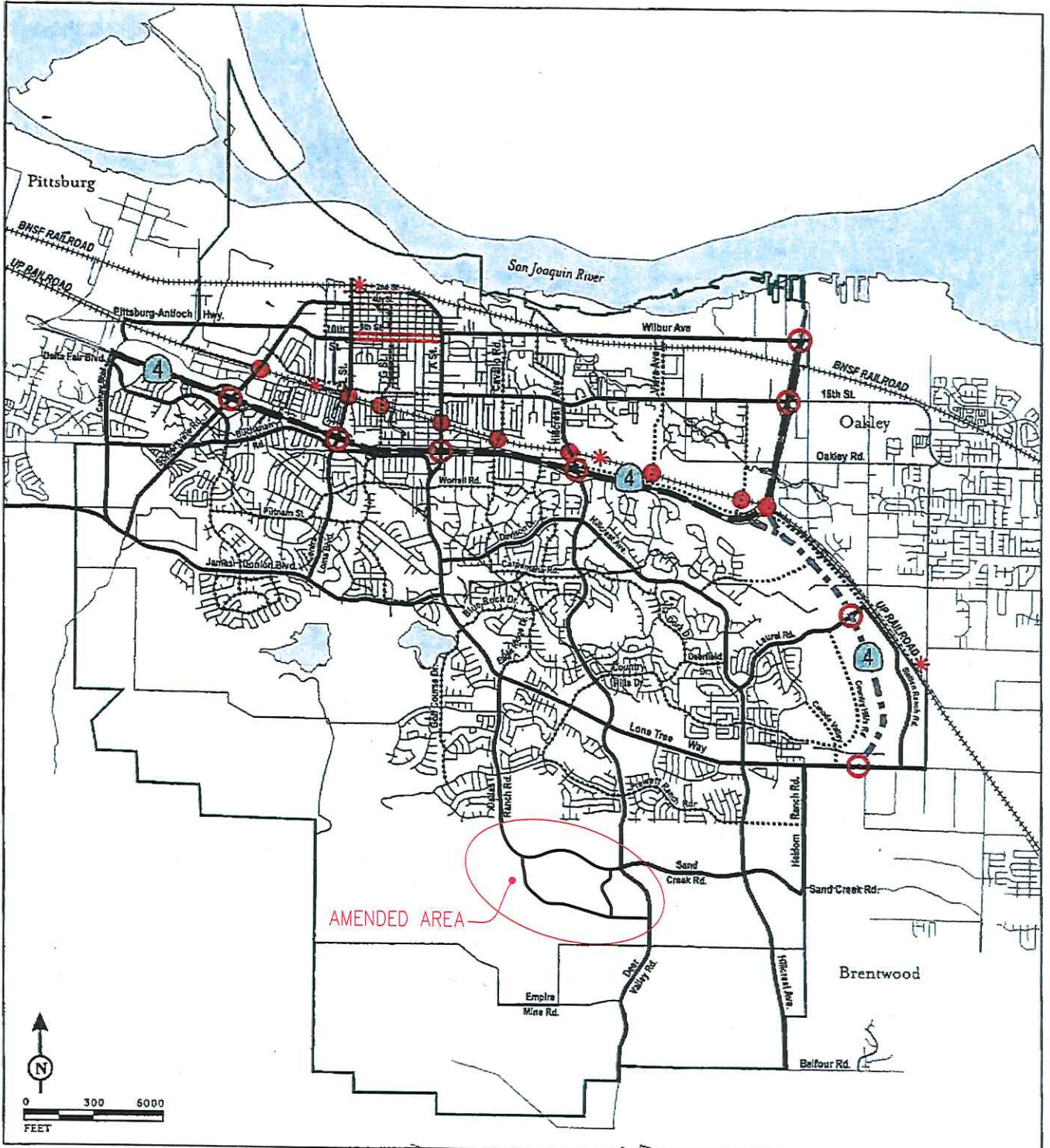
FIGURE 4.8  
(REVISED BY CBG, 11/09/15)

# EXHIBIT R EXISTING FIGURE 4.8 SAND CREEK FOCUS AREA

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA  
DATE: APRIL 26, 2018

City of Antioch  
General Plan  
Sand Creek Focus Area





LSA

- CITY OF ANTIOCH
- PLANNING AREA BOUNDARY

- FREEWAYS
- ARTERIALS
- ARTERIAL (COUPLET)
- MAJOR COLLECTOR
- MAJOR COLLECTOR (COUPLET)
- RAIL
- PROPOSED FREEWAY
- RAILROAD GRADE SEPARATION
- RAIL TRANSIT STATION
- FREEWAY INTERCHANGE

FIGURE 7.1

City of Antioch  
General Plan  
Circulation

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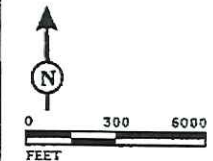
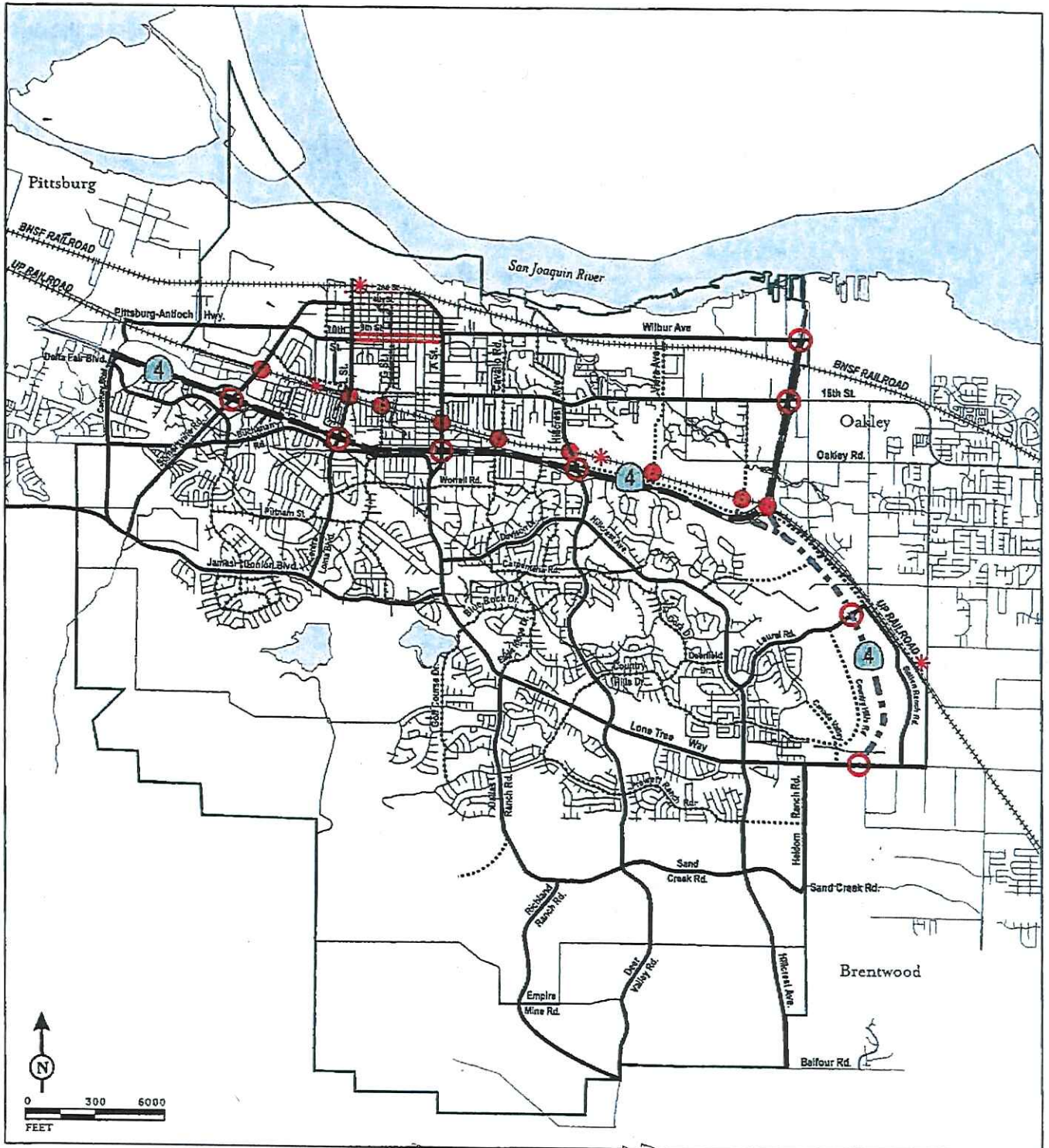
## EXHIBIT S AMENDED FIGURE 7.1 CIRCULATION

CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: APRIL 26, 2018

**Carlson, Barbee & Gibson, Inc.**  
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SACRAMENTO, CALIFORNIA    (916) 375 - 1877





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- CITY OF ANTIOCH
- PLANNING AREA BOUNDARY

- FREEWAYS
- ARTERIALS
- ARTERIAL (COUPLET)
- MAJOR COLLECTOR
- MAJOR COLLECTOR (COUPLET)
- RAIL
- PROPOSED FREEWAY
- RAILROAD GRADE SEPARATION
- RAIL TRANSIT STATION
- FREEWAY INTERCHANGE

FIGURE 7.1

City of Antioch  
General Plan  
Circulation

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## EXHIBIT T EXISTING FIGURE 7.1 CIRCULATION

CITY OF ANTIOCH    CONTRA COSTA COUNTY    CALIFORNIA  
DATE: APRIL 26, 2018

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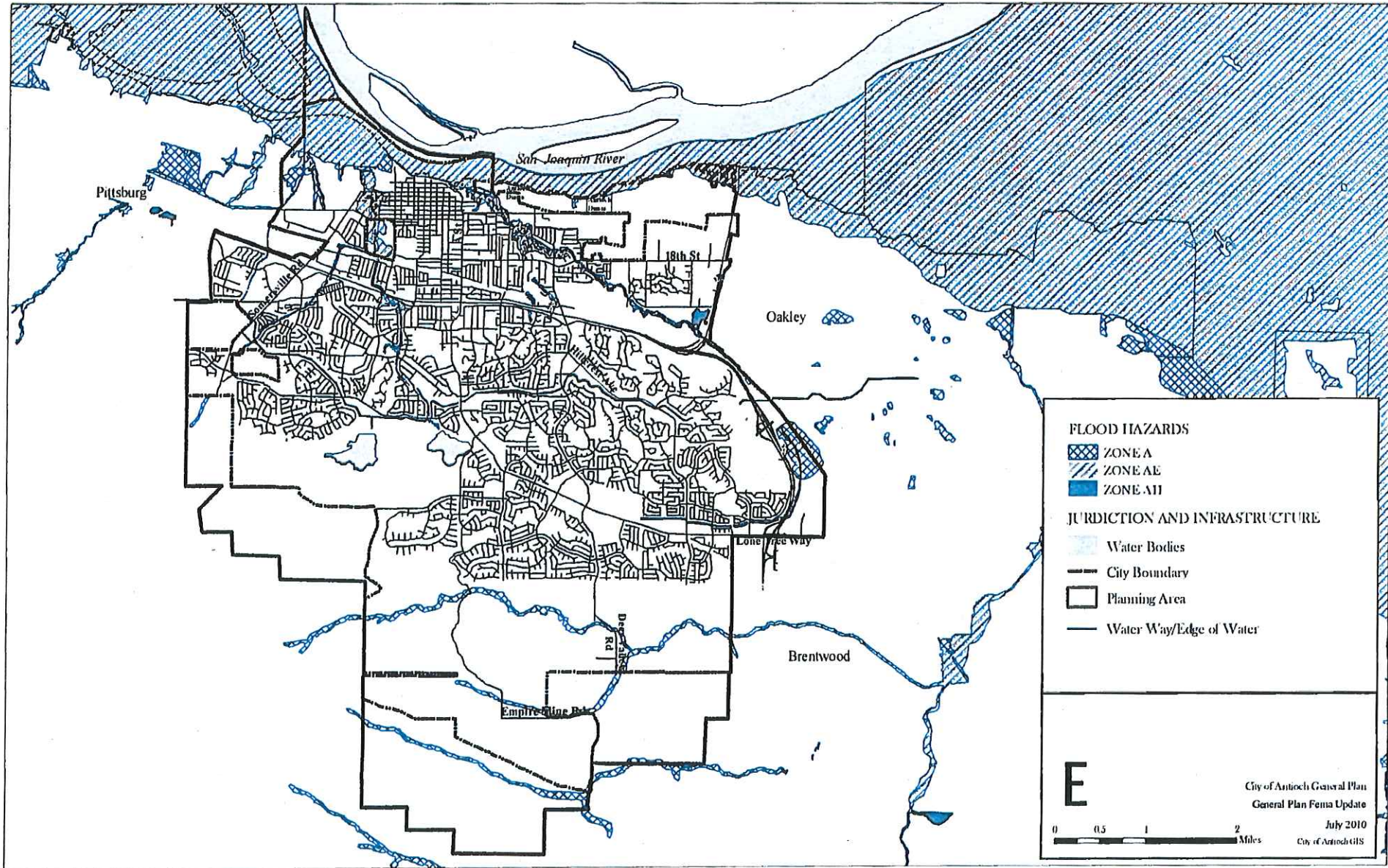


EXHIBIT U





## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018  
**TO:** Honorable Mayor and Members of the City Council  
**SUBMITTED BY:** Forrest Ebbs, Community Development Director *FE*  
**SUBJECT:** Downtown Specific Plan Zoning Amendment

---

### **RECOMMENDED ACTION**

It is recommended that the City Council introduce the Ordinance to rezone those parcels in the Downtown Specific Plan Focus Area and to modify the text accordingly.

### **STRATEGIC PURPOSE**

This action will support Strategy H-2: Update long range planning documents by implementing the Downtown Specific Plan.

### **FISCAL IMPACT**

This action will have no impact on the City budget.

### **BACKGROUND**

On February 13, 2018, the City Council adopted the Downtown Specific Plan. This document provides extensive land use policies, development standards and guidance for the ultimate revitalization of Downtown Antioch. A copy of the Downtown Specific Plan is available at:

<https://www.antiochca.gov/fc/community-development/planning/downtown-specific-plan.pdf>

Prior to adoption of the Downtown Specific Plan, land use and development within the greater downtown Antioch area was governed exclusively by the Zoning Ordinance, which prescribes a series of zoning designations, including Rivertown District (RT), Rivertown Retail District (RTC), and Rivertown Residential District (RTR), which includes Rivertown Low Medium Density Residential (RTR-10), and Rivertown High Density Residential (RTR-20). Also included within the Downtown Specific Plan area are other traditional zoning designations. The existing Zoning Map is provided as Attachment "B".

The adoption of the Downtown Specific Plan introduced new and superior land use and development policies that superseded the existing zoning. However, this adoption did not include a formal action to amend the existing Zoning Map and Zoning Ordinance. As a result, there remain two conflicting regulatory documents, which may create confusion.



## **PROPOSAL**

Staff's proposal would eliminate this confusion by rezoning all of the properties contained within the Downtown Specific Plan Focus Area from their current designations to "Downtown Specific Plan (DSP)". In addition, staff has proposed text amendments throughout the Zoning Ordinance that would eliminate references to the former Rivertown Zoning Designations and, instead, refer readers to the Downtown Specific Plan, where all land use policies will be held.

Finally, the proposed text would resolve some ambiguity that currently remains regarding content and issues that were not specifically addressed in the Downtown Specific Plan. Certain land issues are not addressed in the Downtown Specific Plan, but are addressed elsewhere in the Municipal Code. In these cases, staff wants to be clear that the Municipal Code applies to those subjects where the Downtown Specific Plan is silent. This is accomplished through a new description of the DSP Zoning District, which is as follows:

(T) DSP Downtown Specific Plan District. This district applies to the area contained within the Downtown Specific Plan planning area, adopted by the City Council on February 13, 2018, as amended. Properties with this designation are subject to the land use regulations, development standards, and other policies contained within the Downtown Specific Plan. For general matters not specifically addressed in the Downtown Specific Plan, the Antioch Municipal Code shall apply.

The proposed Zoning Map is provided as Exhibit 1 to the Ordinance and the adopted Downtown Specific Plan Land Use Map is provided as Attachment "C". The Planning Commission considered this item at their October 17, 2018 meeting and recommended that the City Council adopt the ordinance. Their minutes are provided as Attachment "D".

## **ENVIRONMENTAL**

This action is a completion of the adoption of the Downtown Specific Plan, which was approved through an amendment to the General Plan Environmental Impact Report (EIR). As such, additional action under CEQA is not required.

## **SUMMARY**

In summary, staff recommends that the City Council introduce the ordinance amending the Zoning Map and associated text within the Antioch Municipal Code to address those properties contained within the Downtown Specific Plan Focus Area.

## **ATTACHMENTS**

- A. Ordinance with Exhibits
- B. Existing Zoning Map
- C. Downtown Specific Plan Land Use Map
- D. Planning Commission Minutes from October 17, 2018 (Draft)

# ATTACHMENT "A"

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING THE ZONING MAP AND THE ZONING ORDINANCE TO CONFORM TO THE DOWNTOWN SPECIFIC PLAN

The City Council of the City of Antioch does ordain as follows:

### SECTION 1:

The City Council determined on \_\_\_\_\_, that, pursuant to Section 15061(b)(3) of the Guidelines of the California Environmental Quality Act, the project does not have the potential for causing a significant effect on the environment because it is directly implementing land use changes and programs already considered and adopted in the Downtown Specific Plan.

### SECTION 2:

At its regular meeting of October 17, 2018, the Planning Commission recommended that the City Council adopt the Ordinance to amend the Zoning Map and Zoning Ordinance to conform to the Downtown Specific Plan.

### SECTION 3:

The property within the Downtown Specific Plan planning area is hereby rezoned to conform to the modified Zoning Map, attached hereto as Exhibit 1.

### SECTION 4:

The text of the Zoning Ordinance is amended to conform to the modified text, attached hereto as Exhibit 2.

### SECTION 5:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

\* \* \* \* \*

I **HEREBY CERTIFY** that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the 27<sup>th</sup> of November, 2018, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ of \_\_\_\_\_, 2018, by the following vote:

**AYES:**

**NOES:**

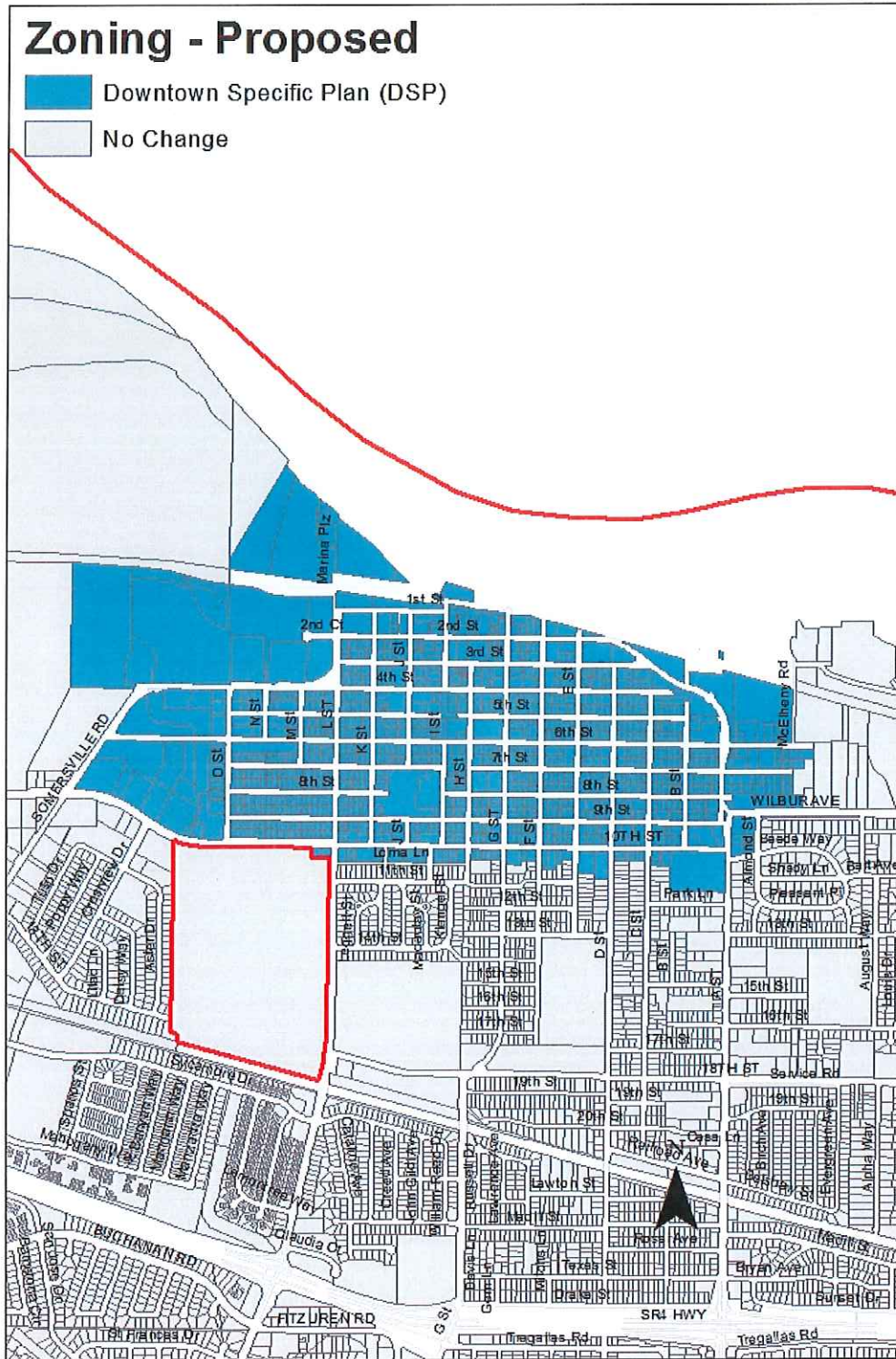
**ABSENT:**

\_\_\_\_\_  
**Sean Wright, Mayor of the City of Antioch**

**ATTEST:**

\_\_\_\_\_  
**Arne Simonsen, CMC**  
**City Clerk of the City of Antioch**

# EXHIBIT 1



## EXHIBIT 2: TEXT AMENDMENTS

### 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.

~~(T) RT Rivertown District. This district applies Planned Development Standards specifically to the downtown area identified in the General Plan as the Rivertown Focused Planning Area. This district allows uses which are supportive of a village setting. Mixes of commercial, retail, employment-generating and residential uses are encouraged. The following four districts are subareas of the Rivertown District.~~

~~— (1) RTC Rivertown Retail District. This district creates a vital core area of retail businesses, restaurants, personal and professional services, and offices. While retail and restaurant uses are strongly encouraged for the core area, compatible service oriented and office uses are permitted. The intent is to create an area of pedestrian oriented uses and activities that are mutually supportive.~~

~~— (2) RTR Rivertown Residential Districts.~~

~~— (a) RTR-10 Rivertown Low-Medium Density Residential. This district recognizes and enhances the existing lot patterns and parcel sizes and encourages the preservation and rehabilitation of established lower density, predominantly single-family residential areas. This district also recognizes the potential for medium density residential development to provide new ownership opportunities, better land utilization, and a more urban character close to the downtown area. New development shall occur at densities of from six to ten dwelling units per gross developable acre. Typical development would include both detached and attached and/or clustered, ownership oriented units with private yards and common recreation areas.~~

~~— (b) RTR-20 Rivertown High Density Residential. This district encourages the assembly of under-utilized parcels and the redevelopment of properties for higher density residential use close to the downtown/waterfront. Development shall occur at densities of from 11 to 20 dwelling units per gross developable acre. These higher density areas should provide significant on-site amenities or integrate public areas into the development so as to create a feeling of continuity within the Rivertown area.~~

~~(CC) P Exclusive Parking District. This district designates parcels that are to be used exclusively for parking purposes in the Rivertown area.~~

~~(T) DSP Downtown Specific Plan District. This district applies to the area contained within the Downtown Specific Plan planning area, adopted by the City Council on February 13, 2018, as amended. Properties with this designation are subject to the land use regulations, development standards, and other policies contained within the Downtown Specific Plan. For general matters not specifically addressed in the Downtown Specific Plan, the Antioch Municipal Code shall apply.~~

\*\*\*\*\*

### 9-5.1001 GENERAL REQUIREMENTS.

~~(B) Individually owned single-family residences not within a Planned Development and commercial projects not requiring landscape areas (such as existing buildings in the Rivertown District) are exempt from the requirements of this section.~~

\*\*\*\*\*

### § 9-5.1703 RIVERTOWN DISTRICT REQUIREMENTS.

~~— (A) Within the Rivertown District, reduced city parking requirements for commercial/office uses from four spaces/1000 Gross Square Feet (GSF) to three spaces/1000 GSF and for retail uses from six spaces/1000 GSF to four spaces/1000 GSF shall be allowed.~~

~~—(B) Within the Rivertown District, on street and off street loading facilities shall be provided as space is available, subject to review by the Zoning Administrator who may waive the requirement for loading facilities.~~

~~(Ord. 897 C S, passed 10-25-94; Am. Ord. 930 C S, passed 7-29-97)~~

~~\*\*\*\*\*~~

§ 9-5.2302 GENERAL PROVISIONS.

(A) Residential P-D Districts.

(1) P-D Districts containing residential components may be established on a parcel or parcels of land having a contiguous area of at least three acres. Within a Specific Plan Area, a P-D District containing residential uses may be designated for properties totaling less than three acres in size, provided the district is in substantial conformance with the Specific Plan. Residential parcels of less than three contiguous acres which are within the "Rivertown" designation of the General Plan may also qualify for P-D status.

~~\*\*\*\*\*~~

§ 9-5.3601 ZONING MAP.

~~(B) (1) Consistent with the provisions and intent of the General Plan pertaining to the Rivertown Focused Planning Area, existing residential development is considered to be consistent with the General Plan. Existing residential uses within the RTR-10 zoning district are to be treated as conforming uses pursuant to the provisions of this title.~~

~~\*\*\*\*\*~~

§ 9-5.3801 SUMMARY OF ZONING DISTRICTS.

~~—RTC— Rivertown Retail District~~

~~—RTR 10— Rivertown Residential Low Medium Density 6-10 du/acre~~

~~—RTR 20— Rivertown Residential High Density: 13-20 du/acre~~

~~\*\*\*\*\*~~

~~§ 9-5.3820 MULTIPLE-FAMILY IN RIVERTOWN AREA.~~

~~—(A) Permitted only by use permit as part of mixed use development with first floor 100% commercial (may be 75% retail/25% office). The maximum permitted density is 20 dwelling units per gross developable acre except in that area bounded by "I," Second and "E" Streets, and the Atchinson, Topeka and Santa Fe Railroad where a maximum density of 45 dwelling units per gross developable acre may be permitted provided that in addition to the above requirements, the project obtains use permit approval through the Planning Commission.~~

~~—(B) In determining the justification for a requested density, the Planning Commission shall base its decision upon the degree to which the project includes the following:~~

~~—(1) Building amenities such as urban spaces, and massing, ground floor retail, retail arcades, artwork, sculptured rooftops, atriums, water features.~~

~~—(2) Pedestrian amenities such as sidewalk canopies and other overhead weather protection devices, streetscape features, landscaping, multiple building entrances, utilization of view sheds, and the provision of public restrooms.~~

~~—(3) Pedestrian movement enhancers such as sidewalk widening, through block connections, handicapped access, and promenade extensions.~~

~~—(4) Human services features such as employment creation and job training.~~

~~—(5) Transportation improvements such as transient and/or tenant parking on site, below grade parking, transit access, and project van service.~~

~~—(6) Cultural amenities such as cinemas, performing arts centers, art galleries, and live theaters.~~

~~—(7) The preservation of historic or architecturally significant structures.~~

~~— (8) The realization of planning objectives such as the provision of uninterrupted retail frontage; the creation of resident population opportunities, a desirable relationship to adjacent uses, and architectural compatibility.~~

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

~~\*\*\*\*\*~~

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RPC	RRR -10	RRR -20	CB
RESIDENTIAL USES																						
Day-care centers (§ 9-5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	-	-	U	-	U	-	U	U	U	-
Day-care: large family (§ 9-5.3818)	A	A	A	A	A	A	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	-
Day-care: small family (§ 9-5.3817)	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-
Senior Group Housing	U	U	U	U	U	U	-	-	-	-	-	U	-	-	-	-	U	-	U	U	U	-
Fraternity-sorority house/dormitory	U	U	U	U	U	U	-	-	-	-	-	U	-	-	-	-	-	-	-	U	U	-
Home occupations	A	A	A	A	A	A	-	-	-	-	-	A	-	-	-	-	-	-	A	A	A	-
Hospice <sup>10</sup>	-	-	U	U	U	U	-	U	U	-	-	U	-	-	-	-	U <sup>2</sup>	-	-	U	U	-
Manufactured, modular home; mobile home (§ 9-5.3804)	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Mobile home park	-	-	U	U	U	U	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-
Multiple-family: condominium, apartment, town- house (§ 9-5.3820)	-	-	U	U	P, U <sup>1</sup>	P, U <sup>1</sup>	-	-	-	-	-	U	-	-	-	-	U <sup>2</sup>	-	U	-	U	-
Recreational vehicle park (§ 9-5.3830)	-	-	-	-	-	-	-	-	-	-	U	-	U	-	-	U	-	-	-	-	-	-
Residential care facility <sup>10</sup>	-	-	U	U	U	U	-	U	U	-	-	U	-	-	-	-	U	-	-	U	U	-
Residential hotel	-	-	U	U	U	U	-	U	U	U	U	U	-	-	-	-	-	-	-	U	P	-
Room & boarding house	-	-	U	U	U	U	-	U	U	U	U	U	-	-	-	-	-	-	-	U	P	-
Second residential unit (§ 9-5.3805)	A	A	A	A	A	A	-	-	-	-	-	-	-	-	-	-	-	-	-	A	-	-

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	FBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES <sup>1</sup>	RFC	RFR -10	RFR -20	CB
Single-family	P	P	U	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	—	—	—	—	—	U	U	—	—	—	—	—	—	P	—	—
Tobacco and paraphernalia retailers (§ 9-5.3843)	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—
PUBLIC AND SEMI-PUBLIC USES																						
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	U	—	—	—
Clubs & Lodges (private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	—	U	—	—	—
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	U	U	U	—
Correctional facility <sup>1,2</sup>	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Cultural institution	—	—	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	—	U	—	—	—
Government offices	—	—	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	—	U	—	—	—
Homeless shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—	—	—
Hospitals (§ 9-5.3827):																						
Acute care	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Rehabilitation	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Psychiatric/chemical dependency	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Medical care—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	P	U	P	—	—	—	—	—

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A7



TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R- 35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES <sup>9</sup>	RTG	RTR -10	RTR -20	CB
Parks	P	P	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	—	U	U	U	—
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	U	U	U	—
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	—	—
Public utility yard	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—	—	—
Religious assembly <sup>3</sup> (§ 9-5.3832)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	—	U	U	U	—
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—	A	A	A	—
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	—	U	U	U	—
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	U	U	U	—
COMMERCIAL USES																						
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—
Appliance maintenance & repair services:																						
Major	—	—	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	—	—	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	—	P	—	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	—	—	—	—	—

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES <sup>9</sup>	RTG	RTR -10	RTR -20	CB
Animal hospital veterinary clinics	-	-	-	-	-	-	U	-	U	U	U	U	-	-	U	U	-	-	-	-	-	-
Antique store	-	-	-	-	-	-	-	-	-	P	P	A	U	-	U	-	-	-	P	-	-	-
Auto sales, rental	-	-	-	-	-	-	U	-	-	U	U	U	-	-	-	-	-	-	U	-	-	-
Auto storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Auto service station (§ 9-5.3815)	-	-	-	-	-	-	-	-	U	U	U	U	-	-	U	U	-	-	-	-	-	-
Auto repair:																						
Major	-	-	-	-	-	-	U	-	-	-	U	U	-	-	U	P	-	-	-	-	-	-
Minor	-	-	-	-	-	-	U	-	U	U	U	U	-	-	P	P	-	-	-	-	-	-
Bakeries—retail	-	-	-	-	-	-	-	-	P	P	P	P	U	-	P	P	-	-	P	-	-	-
Bank or savings & loan	-	-	-	-	-	-	P	P	P	P	P	P	-	-	-	-	-	-	P	-	-	-
Bar (§ 9-5.3831)	-	-	-	-	-	-	-	-	-	U	U	U	U	-	-	-	-	-	U	-	-	-
Barber & beauty shop	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	P	-	-	-
Bed and breakfast inns (§ 9-5.3819)	U	U	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	U	U	-	-
Boat repair:																						
Major	-	-	-	-	-	-	U	-	-	-	U	U	U	-	U	P	-	-	U	-	-	-
Minor	-	-	-	-	-	-	U	-	U	U	U	U	U	-	P	P	-	-	U	-	-	-
Boat, RV—storage facility (§ 9-5.3810)	-	-	-	-	-	-	-	-	-	-	U	U	U	-	U	P	-	-	-	-	-	-
Bowling alleys (§ 9-5.3831)	-	-	-	-	-	-	-	-	-	U	U	U	-	-	-	-	-	-	-	-	-	-
Cannabis business (§ 9- 5.3845)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U <sup>13</sup>

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RTC	RTR -10	RTR -20	CB
Car and vehicle wash	-	-	-	-	-	-	-	-	-	U	U	U	U	-	U	U	-	-	-	-	-	-
Card room	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-	-	U	-	-	-
Catering services	-	-	-	-	-	-	-	-	-	P	P	P	A	-	U	-	-	-	U	-	-	-
Clothing store	-	-	-	-	-	-	-	-	-	P	P	P	A	-	-	-	-	-	P	-	-	-
Combined residential/commercial structure	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	U	-	-	-
Communication facilities	U	U	U	U	U	U	U	P	P	P	P	P	-	U	P	P	-	-	P	U	U	-
Computer gaming and internet access business	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-	-	-	-	-	-
Confectionery stores	-	-	-	-	-	-	-	-	P	P	P	P	A	-	-	-	-	-	P	-	-	-
Dance hall	-	-	-	-	-	-	-	-	-	U	U	U	-	-	U	-	-	-	U	-	-	-
Drive-up window (all uses)	-	-	-	-	-	-	U	U	U	U	U	U	-	-	U	U	U	-	-	-	-	-
Dry cleaning agencies; pick-up and self serve	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	P	-	-	-
Florist shop	-	-	-	-	-	-	P	-	P	P	P	P	-	-	-	-	P	-	P	-	-	-
Food stores (§ 9-5.3831):																						
Convenience store	-	-	-	-	-	-	-	-	U	U	U	U	U	-	-	-	U	-	U	-	-	-
Supermarket	-	-	-	-	-	-	-	-	U	P	P	U	-	-	-	-	-	-	U	-	-	-
Fortune-teller's	-	-	-	-	-	-	-	-	-	U	U	U	-	-	-	-	-	-	U	-	-	-
Funeral parlor & mortuary	-	-	-	-	-	-	-	-	U	U	U	U	-	-	-	-	-	-	U	-	-	-
Furniture stores	-	-	-	-	-	-	-	-	-	P	P	U	-	-	-	-	-	-	P	-	-	-

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES <sup>9</sup>	RTC	RTR -10	RTR -20	CB
Gift shop	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	P	-	-	-
Gun sales (§ 9-5.3833)	-	-	-	-	-	-	-	-	-	U	U	U	U	-	-	-	-	-	U	-	-	-
Hardware store	-	-	-	-	-	-	-	-	U	P	P	U	U	-	-	-	-	-	P	-	-	-
Health club/fitness center	-	-	-	-	-	-	U	-	U	P	P	U	-	-	U	-	U	-	U	-	-	-
Hotel & motels	-	-	-	-	-	-	U <sup>5</sup>	U	-	P	P	P	U	-	U <sup>5</sup>	-	U	-	U	-	-	-
Jewelry store	-	-	-	-	-	-	-	-	-	P	P	P	U	-	-	-	-	-	P	-	-	-
Kennels	-	-	-	-	-	-	-	-	-	U	U	-	-	-	U	U	-	-	-	-	-	-
Laboratories; medical, dental, optical	-	-	-	-	-	-	P	P	U	U	U	U	-	-	U	-	P	-	U	-	-	-
Launderette	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	P	-	-	-
Liquor stores (§ 9-5.3831)	-	-	-	-	-	-	-	-	U	U	U	U	-	-	-	-	-	-	U	-	-	-
Live entertainment	-	-	-	-	-	-	-	-	-	U	U	U	U	-	-	-	-	-	U	-	-	-
Marina	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	U	-	-	-
Miniature golf courses	-	-	-	-	-	-	-	-	-	U	U <sup>6</sup>	U	-	-	U	-	-	-	U	-	-	-
Mini-storage	-	-	-	-	-	-	-	-	-	-	-	U	U	-	U	P	-	-	-	-	-	-
Nurseries (horticulture) (§ 9-5.3824)	-	-	-	-	-	-	-	-	-	P	P	U	U	-	P	P	-	-	-	-	-	-
Offices:																						
Business & professional	-	-	-	-	-	-	P	P	U	P	P	P	U	-	-	-	P	-	U	-	-	-
Medical (includes clinics)	-	-	-	-	-	-	P	P	U	P	P	P	U	-	-	-	P	-	U	-	-	-
Paint store	-	-	-	-	-	-	-	-	-	P	P	U	-	-	U	-	-	-	P	-	-	-

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	FBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RTC	RTR -10	RTR -20	CB
Parking lot (commercial) (§ 9-5.3837)	-	-	-	-	-	-	A	A	A	A	A	A	A	A	P	P	A	-	A	-	-	-
Pawn shops	-	-	-	-	-	-	-	-	-	U	U	U	-	-	-	-	-	-	U	-	-	-
Pet shop	-	-	-	-	-	-	-	-	P	P	P	P	U	-	-	-	-	-	P	-	-	-
Pharmacy	-	-	-	-	-	-	U	P	P	P	P	P	A	-	P	P	P	-	P	-	-	-
Photographer	-	-	-	-	-	-	-	P	P	P	P	P	A	-	U	-	-	-	P	-	-	-
Printing & blue printing	-	-	-	-	-	-	-	P	P	U	U	U	-	-	P	P	-	-	U	-	-	-
Radio & TV sales & repair	-	-	-	-	-	-	-	-	U	P	P	P	-	-	-	-	-	-	P	-	-	-
Recycling facilities:																						
Reverse vending machines (§ 9-5.3811)	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	-	-	P	-	-	-
Small collection facility (§ 9-5.3812)	-	-	-	-	-	-	-	-	A	A	A	A	-	-	A	A	-	-	A	-	-	-
Large collection facility (§ 9-5.3813)	-	-	-	-	-	-	-	-	A	A	A	A	-	-	A	A	-	-	A	-	-	-
Light processing facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Heavy processing facility (§ 9-5.3815)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Repair service	-	-	-	-	-	-	-	-	-	-	U	U	U'	-	P	P	-	-	U	-	-	-

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R- 35	FBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RFC	RFR -10	RFR -20	CB	
Restaurants (§§ 9-5.3823 and 9-5.3831):																							
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U <sup>5</sup>	—	—	—	P	—	—	—	
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U <sup>5</sup>	—	—	—	U	—	—	—	
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U <sup>5</sup>	U	—	—	U	—	—	—	
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U <sup>5</sup>	—	—	—	U	—	—	—	
With bar & live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	
Retail; general and specialty	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	—	P	—	—	—	
Secondhand sales	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	U	—	—	—	
Shoe repair shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—	P	—	—	—	
Sign shop	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	—	—	—	—	—	
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—	P	—	—	—	
Tailor shop	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—	P	—	—	—	
Tattoo studio	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	—	U	—	—	—	
Theaters	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	
Upholstery shop	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	—	U	—	—	—	
Variety store	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—	—	
Vehicle/boat/ equipment sales & rental (§ 9-5.3825)	—	—	—	—	—	—	U <sup>5</sup>	—	—	U	U	U	U	—	U	U	—	—	U <sup>5</sup>	—	—	—	
INDUSTRIAL USES																							
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RTG	RTR -10	RTR -20	CB
Bakery-commercial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-
Beverage bottling plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Boat building	-	-	-	-	-	-	-	-	-	-	-	-	U	-	U	P	-	-	-	-	-	-
Cement or clay products manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Concrete batch plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Contractor's storage yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Dairy products processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Dry cleaners processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Exterminator	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Finished paper production	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Food processing plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Fuel yard; bulk petroleum storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Garment manufacture	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Hazardous waste facilities (§ 9-5.3826)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Small generator (§ 9-5.3826)	-	-	-	-	-	-	-	-	U	U	U	U	-	-	U	U	-	-	-	-	-	-
Large generator (§ 9-5.3826)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-

A14

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES'	RTC	RFR -10	RFR -20	CB
Processor (§ 9-5.3826)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Household hazardous waste facility (§ 9-5.3826)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Junk yard/auto wrecking yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Lumber yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Machine shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	P	-	-	-	-	-	-
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Mining & quarry, resource extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Oil & gas drilling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Oil & gas production	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Photographic plants	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Plastic fabrication	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Research & developmen	-	-	-	-	-	-	U	-	-	-	-	U	-	-	U	U	-	-	-	-	-	-
Residual repository (§ 9-5.3826)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-
Salvage/war surplus yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	U	-	-	-	-	-	-
Solid waste transfer station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	U	-	-	-	-	-	-



TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES <sup>1</sup>	RFC	RTR -10	RTR -20	CB
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Stockyards/ slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
TEMPORARY USES																						
Removal of earth (§ 9-5.3822)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	—	—	—
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	—	—	A	A	A	A	A	A	—	—	A	A	—	—	A	—	—	—

1. Single-family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single-family dwelling units, other than replacement of existing single-family dwellings, are prohibited within the R-20 zone.

ALC

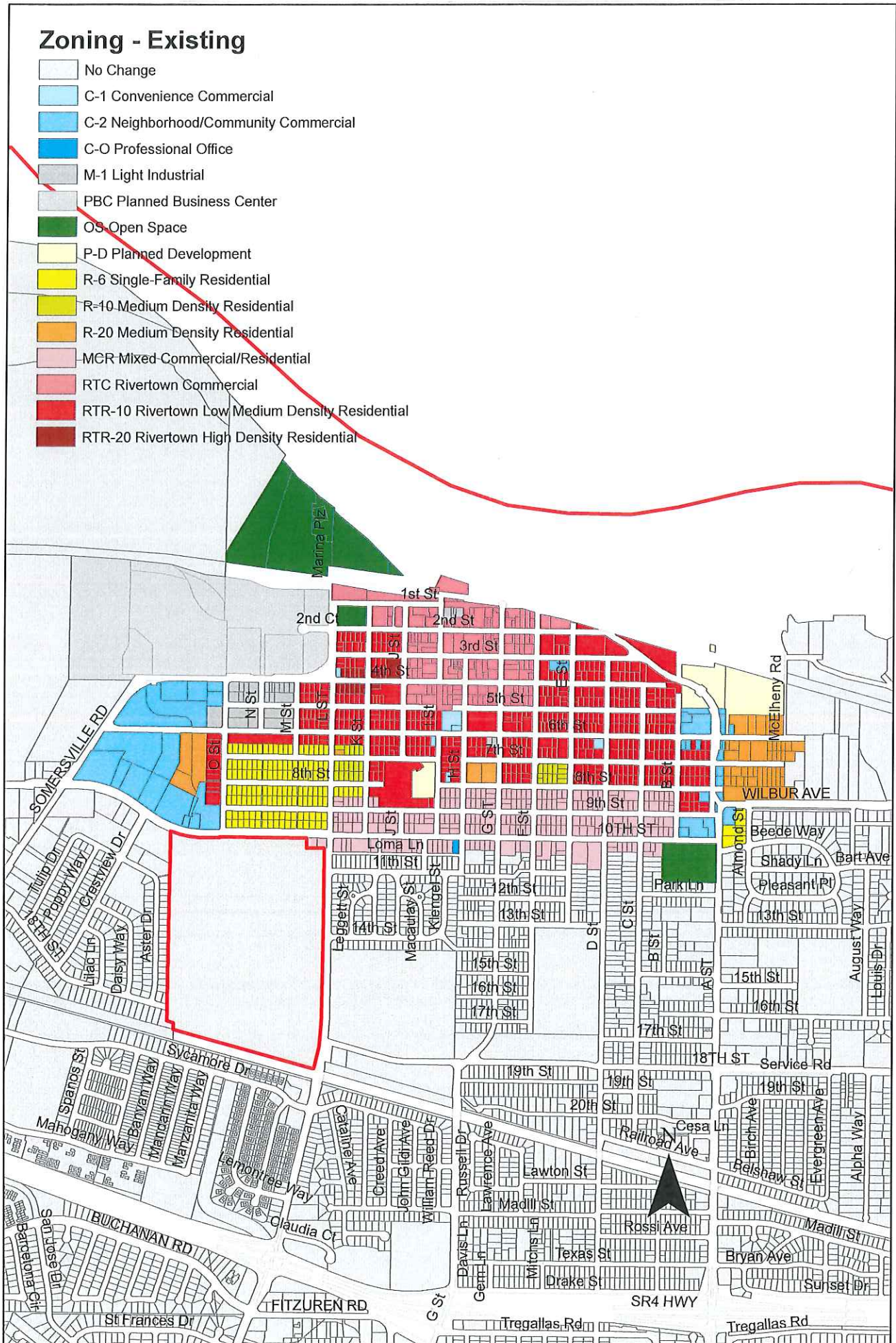
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-O, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.
4. Funeral services are limited to "J" Street, Fourth Street, and the area between Fourth and Fifth Streets.
5. May be located only on sites adjacent to freeway interchanges.
6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.
8. Boat sales and repair only.
9. In the case of the Emergency Shelter Overlay District, where no letter or number is included in the table for a particular land use, the regulations of the base zone apply. Emergency shelters are permitted by right in the Emergency Shelter Overlay District if they meet all standards of § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. Up to 20 units/acre permitted by right subject to compliance with all other applicable standards.
12. Subject to a conditional use permit on a site at least one quarter mile from any type of residential care facility, social service institution, welfare institution, or a similar type of facility; at least one mile from another correctional facility; and at least 1,000 feet from a school, library, public park, recreation area or any property zoned or used for residential development. See § 9-5.3838, Correctional Facilities, for additional requirements.
13. Cannabis Business requires approval of a Use Permit by the City Council upon recommendation by the Planning Commission. See § 9-5.384531

(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06; Am. Ord. 2072-C-S, passed 10-22-13; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2077-C-S, passed 12-10-13; Am. Ord. 2089-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15; Am. Ord. , passed 6-26-18)

# ATTACHMENT "B"

## Zoning - Existing

- No Change
- C-1 Convenience Commercial
- C-2 Neighborhood/Community Commercial
- C-O Professional Office
- M-1 Light Industrial
- PBC Planned Business Center
- OS Open Space
- P-D Planned Development
- R-6 Single-Family Residential
- R-10 Medium Density Residential
- R-20 Medium Density Residential
- MGR Mixed-Commercial/Residential
- RTC Rivertown Commercial
- RTR-10 Rivertown Low Medium Density Residential
- RTR-20 Rivertown High Density Residential





# ATTACHMENT "C"

Downtown Specific Plan Land Use Map



# ATTACHMENT "D"

Planning Commission  
October 17, 2018

Page 2 of 4

***On motion by Commissioner Martin, seconded by Commissioner Turnage, the Planning Commission unanimously continued UP-18-05, AR-18-07 – AT&T Telecommunications Facility to November 7, 2018. The motion carried the following vote:***

**AYES:** Motts, Martin, Turnage, Schneiderman, Soliz and Parsons  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Zacharatos

3. **Downtown Specific Plan Zoning** – The City of Antioch is proposing to rezone those parcels contained within the Downtown Specific Plan Focus Area, as identified in the General Pan, to "Downtown Specific Pan (DSP)". The Downtown Specific Plan Focus Area encompasses the area generally bound by the San Joaquin River to the north, 10th Street to the south, A Street to the east, and Auto Center Drive to the west, as described on the following map. The Planning Commission will be asked to make a recommendation the City Council.

Director of Community Development Ebbs presented the staff report dated October 10, 2018, recommending the Planning Commission adopt the resolution recommending approval of an ordinance to amend the Zoning Map and the Zoning Ordinance to conform to the Downtown Specific Plan.

In response to Commissioner Motts, Director of Community Development Ebbs stated that the recommended action did not introduce any new policy.

Chair Parsons opened and closed the public hearing with no members of the public requesting to speak.

## RESOLUTION NO. 2018-28

***On motion by Vice Chair Turnage, seconded by Commissioner Motts, the Planning Commission adopted the resolution recommending approval of an ordinance to amend the Zoning Map and the Zoning Ordinance to conform to the Downtown Specific Plan.***

***The motion carried the following vote:***

**AYES:** Motts, Martin, Turnage, Schneiderman, Soliz and Parsons  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** Zacharatos



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Dawn Merchant, Finance Director *DM*

**REVIEWED BY:** Ron Bernal, City Manager

**SUBJECT:** Appropriation of Expenditures for Encumbrances and Project Budgets Outstanding as of June 30, 2018 to the 2018/19 Fiscal Year Budget and Other Fiscal Year 2018/19 Budget Amendments

---

### **RECOMMENDED ACTION**

It is recommended that the City Council adopt the resolution appropriating expenditures for encumbrances and project budgets outstanding to the 2018/19 fiscal year budget and approving other amendments to the 2018/19 fiscal year budget.

### **STRATEGIC PURPOSE**

This action falls under Strategic Plan Long Term Goal O: Achieve and maintain financial stability and transparency.

### **FISCAL IMPACT**

Funds were committed and available in the prior fiscal year to pay for encumbrances and project budgets outstanding. This action will carry forward those unspent funds and any related reimbursements into the current fiscal year. Other items requiring amendments are outlined in Exhibits C and D.

### **DISCUSSION**

Fiscal year 2018/19 budget amendments are being requested for the following items:

- Encumbrances are commitments (purchase orders) related to not yet completed contracts or purchases of goods or services. Encumbrances outstanding at June 30, 2018 are reported as assignments of fund balance since they do not constitute expenditures or liabilities and must be re-appropriated in the 2018/19 fiscal year budget. This action affords the appropriate authorization to complete the payment for these prior commitments (Exhibit A).
- Certain projects appropriated in the 2017/18 budget were not complete, and thus require the remaining budget to be carried forward into the 2018/19 budget to pay for remaining project expenditures (Exhibit B).

- Other budget items reflecting changes to the fiscal year 2018/19 budget which occurred after adoption of the budget on June 27, 2017 (Exhibit C). Clarification of these items is provided in the next section.
- Revised Internal Service Charges with the completion of the Cost Allocation and Fee Study (Exhibit D)

### **Other Budget Items Requiring Amendments**

The following items have occurred which need to be accounted for in the budget:

#### **General Fund**

The City has a one-time revenue policy that outlines that a minimum 50% of one-time revenues received by the City, which will include non Police salary savings, be contributed to unfunded liabilities with the remainder to be used on one-time projects as directed by City Council. For fiscal year 2018, the only one-time revenues under this policy not previously addressed was non Police salary savings totaling \$563,335. 50% of this is \$284,668. A budget amendment is included on Exhibit C for this to put 50% towards unfunded liabilities and then an appropriation for the remaining 50% to be allocated to either unfunded liabilities or one-time projects. A discussion about the remaining \$284,667 will occur at a future meeting date, either as part of the upcoming budget cycle or at another meeting date requested by Council.

The remaining General Fund items requiring adjustment are outlined in Exhibit C.

#### **Other Funds**

Refer to Exhibit C for detail of the other funds requiring budget amendments.

### **Revised Internal Service Charges**

The City's adopted 2017-19 budget includes costs to all departments in the City and offsets to other referred to as "Internal Services" in the budget document. These budget line items represent the cost of administrative departments (City Manager, Human Resources, Finance, etc.) allocated out to the departments they serve or oversee (Public Works, Police, etc.). These costs were initially determined as part of a 2005 Cost Allocation and Fee Study and have been adjusted annually based on the adopted budgets. The City undertook a new Cost Allocation and Fee Study completed by Revenue & Cost Specialists, LLC earlier this year. The fee portion of this study was adopted in July 2018 and implemented in September 2018.

The "Cost Allocation" portion now needs to be incorporated into the budget. Previously, all divisions/departments (with the exception of Recreation and Animal Services) within the City received a portion of administrative costs allocable to them. This has been represented in the budget as a reduction of expense of the administrative department and an increase in expense to the receiving department. Revenue & Cost Specialists have recommended that the City discontinue the practice of allocating costs from a General Fund division/department to a General Fund division/department as it the common

practice of other cities not to do so and essentially all it is doing is shifting costs between departments of one fund but ending with the same bottom line. The key purpose of the Cost Allocation Plan is to support our fees charged, but to also obtain cost recovery from other funds outside of the General Fund to help support the General Fund. Although the new study does recommend an allocation to Recreation and Animal Services, there is a bit of a financial repercussion of allocating to those funds and therefore it will be discussed during the upcoming budget cycle. Attachment D reflects the revised Cost Allocation Plan "Internal Services" budgets from the new study and results in an additional \$329,982 in costs recouped by the General Fund from other funds. It also removes the allocation among the General Fund division/departments and removes a previous category called "Building and Equipment Use". The Cost Allocation Plan recommends a new category for building to set aside replacement reserves. This will be brought back for discussion during the upcoming budget.

### **Budget Summary**

The next table reflects fiscal year 2017/18 unaudited closing numbers, fiscal year 2018/19 budget with approved amendments to date, and revised fiscal year 2018/19 budget figures incorporating the requested amendments in this report.



### Budget Summary Table

	2017-18 Unaudited	2018-19 Budget	2018-19 Revised
<b>Beginning Balance, July 1</b>	<b>\$31,015,218</b>	<b>\$15,143,536</b>	<b>\$15,143,536</b>
<b>Revenue Source:</b>			
Taxes	41,460,539	41,053,998	41,870,715
Taxes – Measure C	6,869,294	6,928,325	6,928,325
Licenses & Permits	1,256,270	1,210,000	1,210,000
Fines & Penalties	171,541	135,000	135,000
Investment Income & Rentals	546,950	735,000	735,000
Revenue from Other Agencies	608,948	836,708	843,250
Current Service Charges	2,408,347	1,672,942	1,672,942
Other Revenue	1,374,457	708,540	708,540
Transfers In	3,024,464	2,950,019	2,950,019
<b>Total Revenue</b>	<b>57,720,810</b>	<b>56,230,532</b>	<b>57,053,791</b>
<b>Expenditures:</b>			
<b>One-Time Projects (pending)</b>	-	-	281,667
Legislative & Administrative	957,716	1,196,268	3,168,659
Finance	39,757	235,236	1,543,101
Nondepartmental	22,405,918	906,362	2,723,148
Public Works	7,138,761	8,090,174	7,902,842
Police Services	28,636,074	34,438,726	31,636,971
Police Services-Measure C	8,566,802	7,101,697	7,101,697
Police Services-Animal Support	722,137	1,004,528	1,129,528
Recreation/Community Svs.	1,230,823	1,380,968	1,515,968
Community Development	3,442,543	4,006,880	3,629,812
Code Enforce. – Measure C	451,961	625,084	625,084
<b>Total Expenditures</b>	<b>73,592,492</b>	<b>58,985,923</b>	<b>61,258,477</b>
Surplus/(Deficit)	(15,871,682)	(2,755,391)	(4,204,686)
<b>Ending Balance, June 30</b>	<b>\$15,143,536</b>	<b>\$12,388,145</b>	<b>\$10,938,850</b>
Committed – Police Services	798,456	-	-
Committed-Comp. Absences	112,147	113,691	113,691
Committed-Litigation Reserve	500,000	500,000	500,000
Assigned – Encumbrances & Project Budgets	2,188,771	-	-
<b>Unassigned Fund Balance</b>	<b>\$11,544,162</b>	<b>\$11,774,454</b>	<b>\$10,325,159</b>
<b>Percentage of Revenue</b>	<b>20.00%</b>	<b>20.94%</b>	<b>18.10%</b>

Fiscal year 2017/18 is closing with a 20% unassigned fund balance that meets the City's reserve policy. Council established a Budget Stabilization Fund in March and \$14,872,454 was initially transferred into this fund representing the amount of fund balance at June 30, 2017 above the 20% threshold. With the closing of fiscal year 2017/18, another \$4,571,125 (amount above 20%) was placed into the Budget

Stabilization Fund at June 30, 2018. As a result, fiscal year 2017/18 reflects a substantial deficit, however, this is only due to the creation of the Budget Stabilization Fund.

Factors contributing to the additional \$4,571,125 available to put in the Budget Stabilization Fund include \$2,379,198 more in projected revenues and \$3,106,400 in expenditure savings.

The following are the most significant items contributing to the variances from budget:

➤ **REVENUES**

- Approximately \$351,000 more in property tax revenue due to a redevelopment residual payment. This is an annual payment, but it is a difficult amount to estimate and fluctuates based on monies available for distribution to taxing entities.
- Approximately \$792,000 more in business license taxes mainly due to Measure O increase of prior year collections.
- Approximately \$323,000 more in sales tax than projected.
- Approximately \$61,000 more in state mandated reimbursements than expected.
- Approximately \$248,000 more in gas franchise revenue than projected.
- Approximately \$146,000 more in citation revenue than projected.
- Approximately \$421,000 more in planning and inspection fees than projected.

➤ **EXPENDITURES**

- \$2,188,771 in encumbrances and project budgets outstanding at June 30<sup>th</sup>, that were not spent by June 30<sup>th</sup>, are being re-appropriated into fiscal year 2019 as outlined in Exhibits A and B. This amount is represented as an assignment of fund balance at June 30, 2018 in the General Fund table on the previous page.
- \$563,335 savings in non-Police personnel expenditures due to vacancy savings. As discussed on page 2 of this report, 50% of this is being re-appropriated into the current year to contribute to unfunded liabilities with a discussion of the remaining 50% allocation to occur at a future date.
- Approximately \$564,780 additional savings in Police salaries and supplies and services than anticipated. This is considered part of the Measure C savings in fiscal year 2018 (see chart prior page).

The 2018/19 budget reflects \$2,755,391 in deficit spending, and approval of the requested budget amendments will result in increasing the budget deficit to \$4.2M in this fiscal year. However, the larger deficit spending results from re-appropriating unspent budgeted funds from 2017/18 to 2018/19 (see Budget Summary Table on page 4) that are in reserves at June 30, 2018. The Budget Summary Table reflects reserves at just under 20% with the amendments. At this time, no amendment is being proposed to reflect a transfer in from the Budget Stabilization Fund to increase the unassigned reserves to 20% as no money from Measure W is included yet as well as any other projection updates that will be made for the current fiscal year when the fiscal year 2019-21 two-year budget is prepared and considered. The projected fund balance and any actions needed will be evaluated at that time.

**Measure C**

A revised Measure C table for Police funding is presented below (note that the revised budget includes amendments outlined in Exhibits A through D):

**General Fund Police Department Measure C Funding**

	<b>Police Actuals FY18</b>	<b>Police Budget FY19 - Revised</b>
<b>13/14 Baseline Budget</b>	\$26,560,004	\$26,560,004
Measure C actual/budget	6,417,333	6,303,241
Measure C carryover – FY17(actual)	2,947,925	0
Measure C carryover – FY18(Actual)	0	798,456
<b>Budget Allotment</b>	35,925,262	33,661,701
Actual/Budgeted Expenditures	37,925,012	39,868,196
City Wide Administration	(2,798,206)	-
Net Police Department Expense	35,126,806	39,868,196
<b>Difference under/(over) budget</b>	<b>\$798,456</b>	<b>(\$6,206,495)</b>

Based on the chart above, \$8,566,802 of Measure C Funds was spent by the Police Department during fiscal year 2017/18. This represents the difference between the total Measure C actual fiscal year 2017/18 receipts, plus the carryover from fiscal year 2016/17. The calculation is below:

Measure C Fiscal Year 2017/18 Receipts	\$6,417,333
<b>Plus:</b> Fiscal Year 2016/17 Measure C carryover	2,947,925
<b>Sub-total Available Measure C Monies</b>	<b>\$9,365,258</b>
<b>Less:</b> Difference under Budget (chart above)	(798,456)
<b>CALCULATED TOTAL OF MEASURE C FUNDING SPENT FOR POLICE SERVICES</b>	<b>\$8,566,802</b>

A total of \$451,961 of Measure C was spent on Code Enforcement. This is a total of \$9,018,763 Measure C funds spent on Police and Code Enforcement combined in fiscal year 2017/18.

For fiscal year 2018/19, City Wide Administration is no longer a factor to be removed from the Measure C equation as all City Wide Administration/Internal Service costs are being removed from General Fund divisions as outlined in Exhibit D. The reduced Measure C budget from the 2018 actual figure is not due to a reduction in projected revenues but an increase in allocation to Code Enforcement based on what was approved by Council to be paid from Measure C for Code Enforcement. Based on current projections, all Measure C money and carryover from the prior year will be spent in fiscal year 2018/19.

## **Measure W**

Measure W was successfully passed by Antioch voters on November 6<sup>th</sup>. The additional half-cent sales tax will not go into effect until April 1, 2019 so the City will only collect one quarter of sales tax related to the current fiscal year and the actual cash remittance from the state will not happen until the September 2019 time-frame so an accounting accrual will be made at year end to recognize the revenue the City will receive. Measure W will be discussed during the upcoming budget cycle beginning early next year in coordination of review of the entire General Fund budget and incorporated into the final budget document adopted in June 2019.

## **ATTACHMENTS**

- A. Resolution Appropriating Expenditures for Encumbrances and Project Budgets Outstanding as of June 30, 2018 to the 2018/19 Fiscal Year and Approving Other Amendments to the 2018/19 Budget**
  - Exhibit A to Resolution – Encumbrances to Reappropriate
  - Exhibit B to Resolution – Project Budget Carryovers
  - Exhibit C to Resolution – Other Budget Amendments
  - Exhibit D to Resolution – Revised Internal Services Charges

**RESOLUTION NO. 2018/**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROPRIATING EXPENDITURES FOR ENCUMBRANCES AND PROJECT  
BUDGETS OUTSTANDING AS OF JUNE 30, 2018 TO THE 2018/19 FISCAL YEAR  
BUDGET AND APPROVING OTHER AMENDMENTS TO THE 2018/19 FISCAL YEAR  
BUDGET**

WHEREAS, a number of encumbrances have been reflected in the accounting system to reserve funds which were encumbered in the 2017/18 fiscal year budget, but which are to date unexpended and are required to be re-appropriated to the 2018/19 fiscal year; and

WHEREAS, project budgets outstanding as of June 30, 2018 need to be re-appropriated; and

WHEREAS, other amendments to the 2018/19 fiscal year budget are required;

THEREFORE, BE IT RESOLVED that the appropriations of new expenditures to the 2018/19 fiscal year budget for encumbrances and projects outstanding at June 30, 2018 and revisions to the 2018/19 fiscal year expenditure budgets, as specified in Exhibits A, B, C and D (incorporated herein by reference), are hereby approved and the 2018/19 fiscal year budget shall be deemed to be so amended.

\* \* \* \* \*

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 27th day of November 2018, by the following vote:

AYES:

ABSENT:

NOES:

\_\_\_\_\_  
ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH

**EXHIBIT A  
ENCUMBRANCES AT JUNE 30, 2018 TO REAPPROPRIATE**

<b>Fund/Department</b>	<b>Account Description</b>	<b>PO Number</b>	<b>Vendor</b>	<b>Appropriation Request</b>
<b>GENERAL FUND:</b>				
Human Resources	Contracts Professional	P160299	Worxtime	\$ 3,444.00
Human Resources	Contracts Professional	P180537	Kitty Eiden	9,406.00
City Clerk	Contracts Professional	P170292	NextRequest	11,625.00
City Clerk	Contracts Professional	P180565	American Legal Publishing	7,599.00
City Manager	Public Information	P170237	Folgergraphics	5,296.00
City Manager	Special Projects	P170304	Digital Services	2,438.00
Non-Departmental	Contracts Professional	P170538	Lew Edwards Group	29,673.00
Non-Departmental	Contracts Professional	P180625	Revenue & Cost Specialists	5,000.00
Non-Departmental	Contracts Professional	P180695	Regional Government Services	13,950.00
Non-Departmental	Contracts Professional	P180725	PES Environmental Inc	6,389.00
Community Development	Equipment	P180710	All Star Ford	10,707.00
Community Development	Contracts Professional	P180732	Superion LLC	16,000.00
Police	Contracts Professional	P180022	EBRCS	98,600.00
Police	Contracts Professional	P180042	Hubb Systems LLC Data 911	6,652.00
Police	Contracts Professional	P180031	Toyota Financial Services	1,324.00
			<b>Total General Fund</b>	<u><u>228,103.00</u></u>
<b>VEHICLE REPLACEMENT MAINTENANCE FUND:</b>				
Equipment Maintenance	Repair Parts	P180052	Bill Brandt Ford	9,160.00
			<b>Total Vehicle Maintenance Fund</b>	<u><u>9,160.00</u></u>
<b>INFORMATION SYSTEMS FUND:</b>				
GIS	Contracts Professional	P180739	ESRI, Inc.	10,040.00
			<b>Total Information Services Fund</b>	<u><u>10,040.00</u></u>
<b>WATER FUND:</b>				
Public Works	Equipment	P180687	Diamond Truck Body Mfg	6,518.00
Public Works	Equipment	P180711	Coast Counties Truck and Equip	65,841.00
Public Works	Contracts Professional	P180743	Alta Fence	12,656.00
Public Works	Contracts Professional	P180757	C and J Favalora Trucking	13,300.00
Public Works	Contracts Professional	P180680	ESRI, Inc.	11,951.00
Public Works	Contracts Professional	P180679	Interwest Consulting Group, Inc.	18,705.00
			<b>Total Water Fund</b>	<u><u>128,971.00</u></u>
<b>SEWER FUND:</b>				
Public Works	Contracts Professional	P150196	Municipal Financial Services	9,535.00
Public Works	Contracts Professional	P180757	C and J Favalora Trucking	13,300.00
Public Works	Contracts Professional	P180679	Interwest Consulting Group, Inc.	18,705.00
Public Works	Contracts Professional	P180680	ESRI, Inc.	11,951.00
Public Works	Supplies	P170317	CDW Government	1,811.00
Public Works	Contracts Professional	P180743	Alta Fence	12,656.00
			<b>Total Sewer Fund</b>	<u><u>67,958.00</u></u>
			<b>Grand Total Encumbrances</b>	<u><u>\$ 444,232.00</u></u>

**EXHIBIT B  
PROJECT/OTHER BUDGET CARRYOVERS FROM JUNE 30, 2018**

Description	Project Budget Carryovers			Funding Source
	FY18 Budget	FY18 Expenditures	Balance to Carryover to FY19	
Sister City	\$ 5,000.00	\$ -	\$ 5,000.00	General Fund
Economic Development Contracts	255,107.00	178,661.00	76,446.00	General Fund
Planning/HCP Contracts	729,208.00	337,275.00	391,933.00	General Fund
Landscape Surge	60,000.00	-	60,000.00	General Fund
Street Maintenance Contracts/Equipment	596,949.00	256,244.00	340,705.00	General Fund
Facility Maintenance Contracts	254,617.00	214,628.00	39,989.00	General Fund
Parks Maintenance Contracts	1,042,076.00	906,871.00	135,205.00	General Fund
Paving/Building Materials	513,264.00	465,360.00	47,904.00	General Fund
Striping Contracts	18,000.00	7,968.00	10,032.00	General Fund
Striping/Signing Equipment	21,000.00	15,099.00	5,901.00	General Fund
Community Grants	50,000.00	20,000.00	30,000.00	General Fund
Animal Services HVAC Repairs	125,000.00	-	125,000.00	General Fund
Finance Maintenance Contracts	276,251.00	272,248.00	4,003.00	General Fund
Recreation One Time Revenue Spending	145,000.00	10,000.00	135,000.00	General Fund
City Hall Roof Repairs	150,000.00	-	150,000.00	General Fund
Police - County Jail Services	60,000.00	-	60,000.00	General Fund
Police Equipment	427,453.00	83,903.00	343,550.00	General Fund
Echo Housing CDBG Entitlement	25,000.00	21,603.00	3,397.00	CDBG Fund
Housing Rehab Loan Program	255,000.00	-	255,000.00	CDBG RLF Fund
AD 27 File Storage	5,000.00	3,092.00	1,908.00	AD 27/31 Fund
Police Supplies	343,151.00	-	343,151.00	Federal Asset Seizure
KB Home Reimbursement	338,246.00	-	338,246.00	RDA Fund
Economic Development	31,058.00	5,197.00	25,861.00	RDA Fund
Recreational Facilities	43,748.00	27,683.00	16,065.00	RDA Fund
Prewett Park - Mello Roos	27,204.00	17,977.00	9,227.00	Prewett Mello Roos
Lighting & Landscape Contracts	960,903.00	581,972.00	378,931.00	SLLMD Funds
Antioch Home Ownership Program	67,250.00	20,457.00	46,793.00	Housing Successor Fund
Vehicle Replacements	801,843.00	27,346.00	774,497.00	Vehicle Replacement Fund
Marina Launch Ramp Restroom	100,000.00	13,327.00	86,673.00	Marina Fund
Marina Projects	166,375.00	77,551.00	88,824.00	Marina Fund
East LT Benefit District Fund Contracts	500,000.00	2,296.00	497,704.00	East LT Benefit District Fund
Pavement Management System	18,897.00	4,852.00	14,045.00	Gas Tax Fund
Pavement Prevent. Maint.	36,195.00	12,691.00	23,504.00	Gas Tax Fund
CDBG Downtown Roadway	200,000.00	198,810.00	1,190.00	Gas Tax Fund
New Traffic Signals	428,071.00	404,592.00	23,479.00	Traffic Signal Fund
Contracts-Traffic Calming	75,000.00	9,900.00	65,100.00	Measure J Fund
Sidewalk/Ped/Handicap Impr.	1,758,000.00	837,211.00	920,789.00	Measure J Fund
Traffic Impact Fee Study	49,461.00	4,664.00	44,797.00	Measure J Fund
CDBG Downtown Roadway	50,000.00	46,948.00	3,052.00	Measure J Fund
Lone Tree Way Pavement Overlay	50,000.00	1,874.00	48,126.00	Measure J Fund
L St Improvement Study	24,971.00	1,834.00	23,137.00	Measure J Fund
Trash Capture Devices	200,000.00	950.00	199,050.00	NPDES Fund
Storm Channel Improvements	75,000.00	-	75,000.00	NPDES Fund
Council Chambers Remodel	400,000.00	65,744.00	334,256.00	PEG Fund
Prewett Concrete Improvements	200,000.00	182,532.00	17,468.00	CIP Fund
Sidewalk Repair	319,121.00	206,843.00	112,278.00	CIP Fund
West Antioch Creek	4,206,630.00	2,627,460.00	1,579,170.00	CIP Fund
NE Annexation Infrastructure	287,845.00	153,044.00	134,801.00	CIP Fund
Wildhorse Left Turn Pocket	229,535.00	6,753.00	222,782.00	AD 26 Fund
Vehicles/Equipment	157,930.00	80,304.00	77,626.00	Water Fund
Fulton Yard Clean Up	25,000.00	-	25,000.00	Water Fund
WTP Renovation	950,000.00	-	950,000.00	Water Fund
Water Studies & Planning	411,045.00	194,498.00	216,547.00	Water Fund
River Pumping Station Rehab	250,000.00	-	250,000.00	Water Fund
WTP Electrical Upgrade	45,000.00	665.00	44,335.00	Water Fund
WTP Disinfection Impr.	2,852,576.00	2,434,276.00	418,300.00	Water Fund
Desalination Plant	873,106.00	621,594.00	251,512.00	Water Fund
Catholic Protect. Assessment	250,000.00	134,014.00	115,986.00	Water Fund
Water Main Replacement	1,607,501.00	165,398.00	1,442,103.00	Water System Impr. Fund
WTP Disinfection Impr.	1,000,000.00	5,667.00	994,333.00	Water System Impr. Fund
Corrosion Rehab	196,000.00	3,500.00	192,500.00	Sewer Fund
Trenchless Rehabilitation	833,092.00	603,720.00	229,372.00	Sewer Fund
Fulton Yard Clean Up	25,000.00	-	25,000.00	Sewer Fund
Sewer Main Replacement	438,613.00	273,975.00	164,638.00	Sewer System Impr. Fund

**EXHIBIT C  
OTHER BUDGET AMENDMENTS - FY19**

<u>Fund/Account</u>	<u>FY19 Budget</u>	<u>FY19 Amendment</u>	<u>FY19 Revised Budget</u>	<u>Purpose</u>
<b>General Fund:</b>				
Police Grants	\$ 150,750.00	\$ 6,542.00	\$ 157,292.00	Adjust for actual to be received (COPS/AB109)
Unitary/Other Property Tax	914,000.00	312,420.00	1,226,420.00	Increase projection based on prior year actual
Sales Tax	13,692,903.00	<u>504,297.00</u>	14,197,200.00	Increase projection based on prior year actual
<b>Total General Fund Revenue</b>		<b>823,259.00</b>		
Nondepartmental Expense	906,362.00	413,335.00	1,319,697.00	One time revenue policy - 50% to unfunded liabilities/50% projects/Insurance savings
Transfers Out-2015A Bonds	344,250.00	<u>430.00</u>	344,680.00	Increase for 2015A Bonds fiscal charges
<b>Total General Fund Expense</b>		<b>413,765.00</b>		
<b>Animal Services Fund:</b>				
Contract Expense	-	4,500.00	4,500.00	Appropriation of Maddies grant funds received end of FY18
<b>Water Fund:</b>				
Metered Watered Sales	17,910,000.00	5,590,000.00	23,500,000.00	Increased based on prior year and new FY19 rate
<b>2015A Bond Debt Service Fund:</b>				
Golf Course Reimbursement	350,102.00	(345,192.00)	4,910.00	Golf Course no longer responsible for debt service
Transfers In	344,250.00	430.00	344,680.00	Increase for fiscal charges
<b>Federal Asset Seizure Fund:</b>				
Asset Seizure Revenue	150.00	338,151.00	338,301.00	Re-budget revenues not received in FY18
<b>Marina Fund:</b>				
Grant Reimbursement	-	100,000.00	100,000.00	Re-budget revenues not received in FY18
<b>Capital Improvement Fund:</b>				
Grant Reimbursement	-	2,890,128.00	2,890,128.00	Re-budget revenues not received in FY18



**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET  
FINANCIAL SUMMARIES**



		Internal Services - City Wide Admin 2017-19 Budget		ADOPTED		Reason for Charge
		REVISSED				
General Fund	Fund #	FY2019	FY2019	FY2019	FY2019	
		Credit (Expense Reduction)	Debit (Expense)	Credit (Expense Reduction)	Debit (Expense)	
City Council	100	\$121,525		\$229,040		Allocate cost among user departments
City Attorney	100	263,745		625,092		Allocate cost among user departments
City Manager	100	208,165		1,022,975		Allocate cost among user departments
City Clerk	100	28,890		457,379		Allocate cost among user departments
Human Resources	100	249,361		937,557		Allocate cost among user departments
Non-Departmental	100	753,887		1,983,927		Allocate cost among user departments
Public Works-Maintenance Admin	100	335,923		469,913		Allocate cost among user departments
Public Works-General Maintenance Svcs	100	0		113,470		Allocate cost among user departments
Public Works-Facilities Maintenance	100	152,096		809,980		Allocate cost among user departments
Office of Emergency Services	100	0		28,152		Allocate cost among user departments
Finance Administration	100	32,825		514,811		Allocate cost among user departments
Finance Accounting	100	452,864		1,506,029		Allocate cost among user departments
Finance Operations	100	35,062		642,992		Allocate cost among user departments

**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET  
FINANCIAL SUMMARIES**



		Internal Services - City Wide Admin 2017-19 Budget		ADOPTED		Reason for Charge
		FY2019 Credit (Expense Reduction)	FY2019 Debit (Expense)	FY2019 Credit (Expense Reduction)	FY2019 Debit (Expense)	
	Fund #					
City Council	100		0		71,862	Share of allocated costs
City Attorney	100		0		57,837	Share of allocated costs
City Manager	100		0		148,224	Share of allocated costs
City Clerk	100		0		81,845	Share of allocated costs
City Treasurer	100		0		31,689	Share of allocated costs
Human Resources	100		0		82,340	Share of allocated costs
Economic Development	100		0		56,243	Share of allocated costs
Finance Administration	100		0		119,892	Share of allocated costs
Finance Accounting	100		0		341,460	Share of allocated costs
Finance Operations	100		0		365,205	Share of allocated costs
Non-Departmental	100		0		150,023	Share of allocated costs
Public Works-Maintenance Admin	100		0		221,312	Share of allocated costs
Public Works-General Maintenance Svcs	100		0		63,915	Share of allocated costs
Public Works-Street Maintenance	100		0		373,949	Share of allocated costs
Public Works-Signals/Street Lights	100		0		111,078	Share of allocated costs
Public Works-Striping/Signing	100		0		217,327	Share of allocated costs
Public Works-Facilities Maintenance	100		0		76,618	Share of allocated costs
Public Works-Parks Maintenance	100		0		59,671	Share of allocated costs
Public Works-Medians/General Landscape	100		0		69,741	Share of allocated costs
Police Administration	100		0		847,631	Share of allocated costs
Police Reserves	100		0		8,686	Share of allocated costs
Prisoner Custody	100		0		57,645	Share of allocated costs
Community Policing	100		0		1,439,205	Share of allocated costs
Police Traffic	100		0		93,501	Share of allocated costs
Police Investigations	100		0		221,346	Share of allocated costs
Police Special Operations Unit	100		0		99,815	Share of allocated costs

**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET  
FINANCIAL SUMMARIES**



		REVISED		ADOPTED		Reason for Charge
		FY2018 Credit (Expense Reduction)	FY2018 Debit (Expense)	FY2019 Credit (Expense Reduction)	FY2019 Debit (Expense)	
Fund #						
Internal Services - City Wide Admin 2017-19 Budget						
Police Communications	100	0	0	227,814	227,814	Share of allocated costs
Office of Emergency Services	100	0	0	7,204	7,204	Share of allocated costs
Police Community Volunteers	100	0	0	5,494	5,494	Share of allocated costs
Police Facilities Maintenance	100	0	0	42,041	42,041	Share of allocated costs
Community Development Admin	100	0	0	321,532	321,532	Share of allocated costs
Land Planning Services	100	0	0	147,437	147,437	Share of allocated costs
Code Enforcement	100	0	0	407,979	407,979	Share of allocated costs
Engineering Land Development	100	0	0	311,144	311,144	Share of allocated costs
Building Inspection	100	0	0	40,202	40,202	Share of allocated costs
Engineering Admin	100	0	0	63,635	63,635	Share of allocated costs
Engineering Services	100	0	0	227,814	227,814	Share of allocated costs
<b>Total General Fund Charges</b>			0	7,042,542	7,042,542	
<b>Net General Fund Credit</b>		2,634,343		9,341,317	2,298,775	
<b>Special Revenue Funds</b>						
Federal Asset Forfeiture	210		328	0	0	
Delta Fair Property	211		40	320	320	Share of allocated costs
Gas Tax	213		27,011	12,248	12,248	Share of allocated costs
Civic Arts	215		15,099	3,035	3,035	Share of allocated costs
Park in Lieu	216		0	898	898	Share of allocated costs
Senior Bus	218		18,801	0	0	Share of allocated costs
Traffic Signalization	220		153	18	18	Share of allocated costs
Asset Forfeiture	221		824	5,356	5,356	Share of allocated costs
Measure J	222		12,768	1,232	1,232	Share of allocated costs
Child Care	223		80	1,280	1,280	Share of allocated costs
Tidelands	225		323	341	341	Share of allocated costs
Solid Waste Reduction	226		44,855	13,736	13,736	Share of allocated costs

**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET**



**FINANCIAL SUMMARIES**

		Internal Services - City Wide Admin 2017-19 Budget		ADOPTED		Reason for Charge
		FY2019 Credit (Expense Reduction)	FY2019 Debit (Expense)	FY2019 Credit (Expense Reduction)	FY2019 Debit (Expense)	
Fund #						
227	Housing Successor		15,371		0	Share of allocated costs
228	Abandoned Vehicles		4,189		1,735	Share of allocated costs
229	Pollution Elimination		87,975		22,740	Share of allocated costs
237	Traffic Safety		5		0	Share of allocated costs
238	PEG		4,977		1,908	Share of allocated costs
241	Street Impact		38		0	Share of allocated costs
251	Lone Tree SLLMD		44,317		8,849	Share of allocated costs
252	Downtown Maintenance SLLMD		17,113		2,047	Share of allocated costs
253	Almondridge SLLMD		3,060		2,018	Share of allocated costs
254	Hillcrest SLLMD		59,758		12,126	Share of allocated costs
255	Park 1A SLLMD		3,366		23,721	Share of allocated costs
256	Citywide District 2A SLLMD		34,642		7,157	Share of allocated costs
257	SLLMD Administration		24,534		296,739	Share of allocated costs
259	East Lone Tree SLLMD		7,838		0	Share of allocated costs
270	East Lone Tree Spec. Plan Ben. District		23,795		0	Share of allocated costs
577	Post Retirement Medical - Police		43,527		6,936	Share of allocated costs
578	Post Retirement Medical - Miscellaneous		29,313		6,736	Share of allocated costs
579	Post Retirement Medical - Management		50,704		11,931	Share of allocated costs
	<b>Total Special Revenue Charges</b>		574,804		443,107	
<b>Capital Projects Funds</b>						
311	Capital Improvement		1,580		23,083	Share of allocated costs
321	Development Impact Fee		69		0	Share of allocated costs
361	Hillcrest A.D.		44		860	Share of allocated costs
376	Lone Diamond A.D.		483		2,416	Share of allocated costs
391	Hillcrest Bridge Benefit District		16		35	Share of allocated costs
	<b>Total Capital Projects Charges</b>		2,192		26,394	

CITY OF ANTIOCH  
2017-19 OPERATING BUDGET



FINANCIAL SUMMARIES

		Internal Services - City Wide Admin		ADOPTED	
		2017-19 Budget		FY2019	FY2019
Fund #		FY2019	FY2019	FY2019	FY2019
		Credit (Expense Reduction)	Debit (Expense)	Credit (Expense Reduction)	Debit (Expense)
		Reason for Charge			
<b>Antioch Public Financing Authority</b>					
410	APFA 2015A (ABAG)		305	0	Share of allocated costs
417	APFA 2015A Lease Revenue Bonds (2002 Lease Rev)		33	50	Share of allocated costs
	<b>Total Antioch Public Financing Authority Charges</b>		338	50	
<b>Successor Agency</b>					
239	Redevelopment Retirement Obligation		33,075	0	Share of allocated costs
431	Project Area 1 Debt Service		218	0	Share of allocated costs
	<b>Total Successor Agency Charges</b>		33,293	0	
<b>Debt Service Funds</b>					
416	Honeywell Lease		179	0	Share of allocated costs
	<b>Total Debt Service Charges</b>		179	0	
<b>Internal Service Funds</b>					
569	Vehicle Replacement		434	0	Share of allocated costs
570	Vehicle Maintenance		0	170,605	Share of allocated costs
573	Information Services		96,689	203,556	Share of allocated costs
580	Loss Control		28,180	34,118	Share of allocated costs
	<b>Total Internal Service Charges</b>		125,303	412,711	
<b>Enterprise Funds</b>					
611	Water		1,216,160	1,102,076	Share of allocated costs
612	Water System Improvement		500	1,805	Share of allocated costs
621	Sewer		557,576	235,014	Share of allocated costs
622	Sewer System Improvement		3,051	1,411	Share of allocated costs
631	Marina		121,247	76,207	Share of allocated costs
	<b>Total Enterprise Charges</b>		1,898,534	1,416,513	
	<b>TOTAL INTERNAL SERVICES CHARGES</b>		<b>\$2,634,343</b>	<b>\$9,341,317</b>	<b>\$9,341,317</b>

**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET**



**FINANCIAL SUMMARIES**

**Internal Services-Building & Equipment Use  
2017-2019 Budget**

	Fund #	REVISED FY19 BUDGET	ADOPTED FY19 Credit (Expense Reduction)	Debit (Expense)	Reason for Charge
<b>GENERAL FUND</b>					
Non-Departmental	100	0	\$ 324,886		Allocate cost of building
Non-Departmental	100	0	41,356		Allocate equipment cost
City Council	100	0		\$2,949	Share of building cost
City Council	100	0		802	Share of equipment cost
City Attorney	100	0		1,180	Share of building cost
City Attorney	100	0		125	Share of equipment cost
City Manager	100	0		2,359	Share of building cost
City Manager	100	0		1,262	Share of equipment cost
City Clerk	100	0		1,180	Share of building cost
City Clerk	100	0		684	Share of equipment cost
City Treasurer	100	0		590	Share of building cost
Personnel	100	0		1,769	Share of building cost
Personnel	100	0		100	Share of equipment cost
Economic Development	100	0		1,180	Share of building cost
Finance Administration	100	0		1,180	Share of building cost
Finance Accounting	100	0		2,949	Share of building cost
Finance Operations	100	0		5,309	Share of building cost
Finance Operations	100	0		2,659	Share of equipment cost
Finance Accounting	100	0		565	Share of equipment cost
Non-Departmental	100	0		1,583	Share of equipment cost
Public Works-Maintenance Administration	100	0		736	Share of equipment cost
Public Works-Facilities Maintenance	100	0		15,532	Share of equipment cost
Police Administration	100	0		276,519	Share of building cost
Police Administration	100	0		7,581	Share of equipment cost
Community Policing	100	0		1,248	Share of equipment cost
Police Investigations	100	0		142	Share of equipment cost

**CITY OF ANTIOCH  
2017-19 OPERATING BUDGET**



**FINANCIAL SUMMARIES**

**Internal Services-Building & Equipment Use  
2017-2019 Budget**

	Fund #	REVISED FY19 BUDGET	ADOPTED FY19 Credit (Expense Reduction)	Debit (Expense)	Reason for Charge
Police Communications	100	0		4,161	Share of equipment cost
Community Development Administration	100	0		1,180	Share of building cost
Community Development Administration	100	0		2,557	Share of equipment cost
Land Planning Services	100	0		2,949	Share of building cost
Land Planning Services	100	0		652	Share of equipment cost
Engineering Land Development	100	0		7,668	Share of building cost
Code Enforcement	100	0		1,949	Share of building cost
Building Inspection	100	0		6,308	Share of building cost
Engineering Administration	100	0		1,180	Share of building cost
Engineering Services	100	0		1,769	Share of building cost
Engineering Services	100	0		100	Share of equipment cost
<b>Total General Fund Charges</b>			366,242	360,656	
<b>Net General Fund Credit</b>		\$0	\$ 5,586		
<b>INTERNAL SERVICE FUNDS</b>					
Information Services-Administration	573	0		1,180	Share of building cost
Information Services-Administration	573	0		867	Share of equipment cost
Information Services-Network Support & PCs	573	0		2,359	Share of building cost
Information Services-Telephone	573	0		590	Share of building cost
Information Services-GIS	573	0		590	Share of building cost
<b>Total Internal Service Charges</b>		\$0		\$5,586	



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Ron Bernal, City Manager *RJB*

**SUBJECT:** Consideration and Final Determination of Board of Administrative Appeals Decision regarding: Administrative Citation No. 6037 Appeal Filed by Sergei Sapozhnikov for the Property Located at 3224 Madrone St, Antioch, Regarding Antioch Municipal Code "Business License Required" [§3-1.103]

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### **RECOMMENDED ACTION**

It is recommended that the City Council overturn the Board of Administrative Appeals decision regarding Administrative Citation No. 6037 issued to Sergei Sapozhnikov for violation of the Antioch Municipal Code.

### **STRATEGIC PURPOSE**

**Long Term Goal L: City Administration:** Provide exemplary City administration.

**Strategy L-4:** Implement City Council policies and direction.

### **FISCAL IMPACT**

The Board of Administrative Appeals (BOA) reduced an issued and paid citation amount from \$500 to \$250 for violation of the Antioch Municipal Code (AMC) regarding business licensing. If the decision of the BOA is upheld, the City will lose \$250 collected in citation revenue.

### **DISCUSSION**

On November 7, 2018, the City Manager sent an email to the City Clerk (Attachment A) exercising his right to transfer the Board of Administrative Appeals' decision to uphold the appeal by Sergei Sapozhnikov (Administrative Citation No. 6037, 3224 Madrone St.) to the full City Council in accordance with Ordinance No. 605-C-S.

Measure O was passed by Antioch voters in 2014 which requires landlords that rent property in the City obtain a business license (Ordinance No. 2094-C-S). Sergei Sapozhnikov (landlord) was identified as the owner of a rental property in the City. Contact was first initiated with this landlord in August 2016 by MuniServices, LLC notifying him of the City's requirements and requesting that he complete a business license application. Continued contact to achieve compliance with the City's business license ordinance was made by MuniServices, LLC and the City through December 2017 unsuccessfully. As a result of continued non-compliance, in April of 2018 the landlord



was issued a \$100 citation by the City's business license department for violation of the AMC. In May 2018, a \$200 citation was issued for still failing to comply with the AMC and then a \$500 citation was issued in September 2018 as the landlord still had not complied. Upon receipt of this last citation, the landlord filed an appeal on September 24, 2018 for the \$500 citation.

The appeal was heard by the BOA on November 1, 2018 at 3 p.m. in the City Council Chambers. A presentation was made by Lisa Saunders, the Finance Services Supervisor that oversees the Business License department, detailing the efforts made by the City to gain compliance for over a year. A copy of the report provided to the BOA is attached (Attachment B). After hearing testimony from the appellant and the City, Board Member Faraji expressed sympathy for the amount of the citation issued although she did concur a violation had taken place and made a motion to reduce the amount of the citation to \$250 from \$500. The motion passed on a 3-2 vote of the members. The notice of decision is included in Attachment C.

While the BOA was created to hear appeals regarding administrative decisions made by an official of the City, those decisions should be to determine whether in fact a party filing an appeal violated the AMC and therefore the decision of a City official should be upheld or that there is enough compelling evidence to demonstrate that no violation occurred and the City's decision should be overturned.

In the case of Sergei Sapozhnikov, the City clearly demonstrated that a violation had occurred. While the BOA agreed with this fact, they were sympathetic of the fine to be paid. The BOA is presented with two options when they consider cases before them: deny the appeal and not refund the citation or uphold the appeal and refund the citation. In this case, the BOA created a hybrid decision of the two and voted to partially refund the citation. The fines for citations are outlined in AMC §1-5.06. By allowing the BOA to reduce the amount of the fine, a ruling has been approved that is inconsistent with the municipal code. This decision also sets precedence for any future persons filing an appeal for business license or any other matter in an attempt to get their fines reduced, which will greatly undermine staff efforts to gain compliance with the AMC as the citation process is one of the many effective tools the City uses.

#### **ATTACHMENT**

- A. Email to City Clerk
- B. Staff Report to Board of Administrative Appeals
- C. Notice of Decision
- D. Board of Administrative Appeals "Draft" Minutes

**From:** Bernal, Ron  
**Sent:** Wednesday, November 07, 2018 5:51 PM  
**To:** City Attorney; Simonsen, Arne  
**Cc:** Mastay, Nickie; Merchant, Dawn; Garcia, Christina  
**Subject:** Board of Administrative Appeals notice for Sapozhnikov case

Arne,

This email serves as notice to place the Board of Administrative Appeals decision regarding the Sergei Sapozhnikov made on November 1<sup>st</sup> on the agenda for Council consideration and final determination as allowed per Ordinance 605-C-S.

Thanks.

**Ron Bernal** | City Manager

City of Antioch | email: [rbernal@ci.antioch.ca.us](mailto:rbernal@ci.antioch.ca.us)

925.779.6820 | 200 H Street | Antioch, CA 94509

Follow us on [Facebook](#) | [Twitter](#)





**STAFF REPORT TO THE ADMINISTRATIVE REVIEW PANEL FOR  
CONSIDERATION AT THE HEARING ON November 1, 2018**

**DATE:** October 24, 2018

**PREPARED BY:** Lisa Saunders, Finance Services Supervisor *LS*

**APPROVED BY:** Dawn Merchant, Finance Director

**SUBJECT:** ADMINISTRATIVE CITATION NO. 6037 – Appeal filed by SERGEI SAPOZHNIKOV for the property located at 3224 MADRONE ST, ANTIOCH, Regarding Antioch Municipal Code “BUSINESS LICENSE REQUIRED” [§3-1.103].

**REQUEST:**

SERGEI SAPOZHNIKOV requests to appeal the citation fee issued by the City of Antioch on 9/12/2018 in the amount of \$500. SERGEI SAPOZHNIKOV failed to comply with the Measure O ordinance after several attempts by MuniServices DBA Avenu Insights & Analytics and the City of Antioch were made.

**BACKGROUND INFORMATION:**

Measure O background information can be found in its entirety on the City of Antioch website at <http://www.ci.antioch.ca.us/CityGov/Finance/BusLic.htm> as Attachments A-F. The Council Meeting held on June 24, 2014, adopted Resolution No. 2014/61 to present to Voters a Measure to update the existing Business License Tax Ordinance to include a Residential Landlord Business License Tax (Attachment A). In September 2014, the “Frequently Asked Questions” document (Attachment B), was included and mailed out with water bills. The Contra Costa County Elections Division mailed the November 4, 2014 General Election Sample Ballot and Voter Informational Pamphlet (Attachment C) to all Registered Voters in the City of Antioch. The pamphlet contained the Local Measure Submitted to the Voters for the City of Antioch “Measure O – Business License Tax”. This included the Full Text, Impartial Analysis, Argument For, and Argument Against the Measure. Also included in the November 4, 2014 General Election Sample Ballot and Voter Informational Pamphlet were the Candidates running for Antioch City Council.

- November 4, 2014 General Election

The City Council adopted Resolution No. 2014/97 at the December 9, 2014, Council Meeting confirming canvass by the County Clerk of Contra Costa of ballots cast at the November 4, 2014 General Municipal Election. Measure O – Residential Landlord Business License Tax was approved by the Voters and Ordinance No. 2094-C-S was adopted by Council (Attachment D).

- MuniServices Contract approved by City Council

At the February 24, 2015 Council Meeting, City Council approved the contract with MuniServices after issuing a Request for Proposal (Attachment E-F) to help identify business owners in the City of Antioch.

Their primary functions are to identify owners of both commercial and residential businesses, collect the revenue, and submit the applications with payment to the City of Antioch at which time the Business License Representative enters them in to the City of Antioch's Business License System and collects any money through renewals going forward.

- Regarding Antioch Municipal Code:

**§ 3-1.103 LICENSE REQUIRED.**

(A) Except as provided in § 3-1.120, it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter so to do, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter. Licensees shall promptly inform the city of any change in operation, ownership, location and/or name of licensed businesses. No person who is an employee, or who is the direct representative of a licensee, shall be required to pay a license tax for doing any part of the work of such licensee.

(B) No person may advertise or announce a business activity in the city until he or she has obtained a business license, and where required by this Code, a permit. Advertising or announcement includes, but is not limited to, disseminating pamphlets or handbills, publishing newspaper announcements, electronic advertisement on the internet or otherwise, and purchasing radio and television spots.

(Ord. 2082-C-S, passed 3-25-14)

**§ 3-1.217 RESIDENTIAL LANDLORD.**

(A) In lieu of any other business license tax and subject to division (B) below, all those in the business of renting living quarters, including but not limited to a rental dwelling unit as defined in § 5-20.201 of the Antioch Municipal Code, shall pay the annual license amount indicated in the table immediately below based on the total number of units they are renting or have available for rent within the city and the type of unit as defined in the Municipal Code:

Type of Unit	Annual Tax
Single family dwelling unit	\$250 per unit
Multi-family dwelling unit including duplexes, condominiums and apartments	\$150 per unit

(B) The following living quarters are excepted from this requirement to pay a business license tax based on dwelling units but still must pay the tax based on gross receipts:

- (1) Those that fit within the definition of hospital, hotel, motel, and convalescent and extended care facility and residential care facility as defined in § 9-5.203 of the Antioch Municipal Code;
- (2) Those that are exempt as a matter of law; and
- (3) Those that the Director of Financial Services reasonably determines to be substantially similar in nature to one of the excepted living quarters listed above.

(C) The Director of Financial Services may promulgate policies and procedures to administer this tax.

(Ord. 2094-C-S, passed 12-9-14)

#### RENTAL DWELLING UNIT AS DEFINED IN OUR MUNICIPAL CODE:

“Any building or portion of a building in the city that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, which is hired, rented or leased by a person within the meaning of Cal. Civ. Code § 1940. A "rental dwelling unit" includes a single family dwelling, either attached or detached, or a unit in a multifamily or multipurpose dwelling, or a unit in a condominium or cooperative housing project, or any room or group of rooms located within a dwelling and forming a single unit with facilities that are used or intended to be used for living, sleeping, cooking or eating. The definition of "rental dwelling unit" applies to any dwelling space that is actually used or available for residential purposes whether or not the residential use is legally permitted.”

#### DISCUSSION

SERGEI SAPOZHNIKOV received the following notifications for the rental property located at 3224 MADRONE ST requesting compliance with Measure O:

- 8/16/2016 MuniServices / Avenu Insights & Analytics sent 1<sup>st</sup> letter along with a declaration of information and business license application to the county records address on file at this time. (Attachment G).
- 9/23/2016 MuniServices / Avenu Insights & Analytics sent 2<sup>nd</sup> letter along with a declaration of information and business license application to the county records address on file at this time. (Attachment H).
- 10/22/2016 MuniServices / Avenu Insights & Analytics sent 3<sup>rd</sup> letter along with a declaration of information and business license application to the county records address on file at this time. (Attachment I).
- 9/20/2017 MuniServices / Avenu Insights & Analytics sent a follow up notice of violation to the county records address on file at this time. (Attachment J).

All letters mailed by MuniServices / Avenu Insights & Analytics included an application with instructions to complete and return.

- Per Antioch Municipal Code:

**§ 3-1.203 PENALTIES.**

(A) Unless otherwise specified by the terms of a particular license, taxes are due and payable within 30 days following expiration date of the license.

(B) Any business license tax not paid when it becomes due and payable shall be delinquent and the following penalties added to it as follows:

- (1) Ten percent of the business license tax for a delinquency after 30 days from the expiration date;
- (2) Thirty percent of the business license tax for a delinquency of 60 days from the expiration date plus a new application fee as provided in § 3-1.120; and
- (3) Fifty percent of license tax for a delinquency of 90 days from the expiration date plus a new application fee as provided in § 3-1.120.

(C) Failure to pay the business license tax is a violation of the Antioch Municipal Code and a public nuisance. The city may seek any remedies available to it for such violation and public nuisance.

(D) Any business operating in violation of the Antioch Municipal Code or as a nuisance is subject to water service disconnection, subject to noticing requirements under the law.

(Ord. 2082-C-S, passed 3-25-14)

- Per State statute of limitation:

Section 6501(a) of the Internal Revenue Code (Tax Code) and section 301.6501(a)-1(a) of the Income Tax Regulations (Tax Regulations), the IRS is required to assess tax within 3 years after the tax return was filed with the IRS. Similarly, under 301.6501(a)-1(b) of the Tax Regulations no proceeding in court by the IRS without assessment for the collection of any tax can begin after the expiration of 3 years.

The final letter sent from MUNI Services on 9/20/2017 contained the following statement (fifth and sixth paragraphs) notifying that if compliance was not made, SERGEI SAPOZHNIKOV could be subject to citation from the City:

**Required correction: Within 15 calendar days from the date of this notice, you must contact MuniServices / Avenu Insights & Analytics, LLC by phone at 1-800-987-0999 or in person at 200 H Street, Antioch, CA and obtain a business license for the above property or file an appeal with the office of the City Clerk.**

**I hope you take this one-time opportunity to voluntarily abate the above violation(s) and public nuisance without the need for the City to issue Administrative Citations, which carry fines that range from \$100 to \$1,000 for every day the violation(s) are permitted to remain and/or take other action to compel your compliance.**

The following actions were taken by the City when SERGEI SAPOZHNIKOV continued to fail to comply with the Measure O ordinance for 3224 MADRONE ST;

- 12/19/2017 - No application or payment was received from SERGEI SAPOZHNIKOV through MuniServices / Avenu Insights & Analytics or the City of Antioch. Invoice No. 3403 for \$783 was issued from the Business License system for business license taxes and fees due per Ordinance. The invoice was due 1/2/2018. Contra Costa County property owner information & mailing address information attached here. (Attachment K).
- 1/5/2018 – MuniServices / Avenu Insights & Analytics received a telephone call from SERGEI SAPOZHNIKOV who had received correspondence, SERGEI SAPOZHNIKOV advised he would be contacting the City of Antioch directly.
- 4/30/2018 - No application or payment was received from SERGEI SAPOZHNIKOV through MuniServices / Avenu Insights & Analytics or the City of Antioch. A \$100 Administrative Citation No. 5396 was issued for non compliance with Measure O with a due date of 5/10/2018 (Attachment L).
- 5/22/2018 - Invoice AR153884 for \$783.00 and invoice AR153885 for \$110.00 was created in the City's Accounts Receivable system and sent. (Attachment M).
- 5/23/2018 - No application or payment as agreed was received from SERGEI SAPOZHNIKOV through MuniServices / Avenu Insights & Analytics or the City of Antioch. A \$200 Administrative Citation No. 5718 was issued for non compliance with Measure O with a due date of 6/2/2018. (Attachment N).
- 6/19/2018 - Invoice AR154304 for \$220 was created in the City's Accounts Receivable system and sent. (Attachment O).
- 9/12/2018 - No application or payment was received from SERGEI SAPOZHNIKOV through MuniServices / Avenu Insights & Analytics or the City of Antioch. A \$500 Administrative Citation No. 6037 was issued for non compliance with Measure O with a due date of 9/24/2018. (Attachment P).
- 9/24/2018 - Property owner SERGEI SAPOZHNIKOV came in to office and complied with Measure O ordinance and filed appeal for the \$500 Administrative Citation No. 6037. (Attachments Q & R).

**RECOMMENDATION:**

It is staff's recommendation to uphold the \$500 Administrative Citation No. 6037 issued on September 12, 2018 for violation of the Antioch Municipal Code Business License Required and Residential Landlord Business License Tax (Measure O).

**ATTACHMENTS:**

- A. Resolution No. 2014/61 adopted at the 6/24/14 Council Meeting
- B. "Frequently Asked Questions" mailed out with water bill in September 2014
- C. Contra Costa County Sample Ballot and Voter Information Pamphlet for Nov. 4, 2014 General Election
- D. Resolution 2014/97 and Ordinance No. 2094-C-S adopted at the 12/09/14 Council Meeting
- E. Proposal No. 946-1231-15F for Business License Discovery / Recovery
- F. Contract with MuniServices for Discovery / Recovery

- G.** 8/16/2016 - 1<sup>st</sup> letter mailed from MuniServices / Avenu Insights & Analytics
- H.** 9/23/2016 - 2<sup>nd</sup> letter mailed from MuniServices / Avenu Insights & Analytics
- I.** 10/22/2016 - 3<sup>rd</sup> letter mailed from MuniServices / Avenu Insights & Analytics
- J.** 9/20/2017 - MuniServices / Avenu Insights & Analytics Notice of Violation mailed
- K.** 12/19/2017 - Business License Invoice No. 3403 mailed for \$783  
1/5/2018 - SERGEI SAPOZHNIKOV called MuniServices / Avenu Insights & Analytics
- L.** 4/30/2018 - Administrative Citation No. 5396 mailed for \$100
- M.** 5/22/2018 - Accounts Receivable bill for \$783 and \$110 mailed
- N.** 5/23/2018 - Administrative Citation No. 5718 mailed for \$200
- O.** 6/19/2018 - Accounts Receivable bill for \$220 mailed
- P.** 9/12/2018 - Administrative Citation No. 6037 mailed for \$500
- Q.** 9/24/2018 - Property owner came in and complied with Measure O ordinance
- R.** 9/24/2018 - SERGEI SAPOZHNIKOV filed appeal for \$500 Administrative Citation No. 6037 (3224 MADRONE ST) issued 9/12/2018
- S.** City Clerk Confirmation & Reminder letters



# **ATTACHMENT**

# **G**



PO BOX 27947  
FRESNO CA 93729-7947

PO Box 27947  
Fresno, CA 93729-7947  
800 987 0999  
Fax: 559 275 0289

ADDRESS SERVICE REQUESTED

August 16, 2016

#BWNFTZF #PRH6476211516080#



SAPOZHNIKOV SERGEI  
2357 RANCHITO DR  
CONCORD CA 94520-1411



Reference #: ANT151709237  
3224 MADRONE ST

Dear SAPOZHNIKOV SERGEI:

MuniServices has been retained by the City of Antioch to conduct a business license compliance review. The primary purpose of this evaluation is to identify all businesses that may be operating in the City without a business license.

You have received this notice because our records indicate that you may be conducting business in the City of Antioch without a business license and have not paid a business tax.

The City of Antioch Municipal Code (Section 3-1.103) states that it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter to do so, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter.

If you believe you are not liable to pay these taxes, we still require a reply from you to remove you from future mailings. In order to resolve your account, please assist us by completing one of the following items:

- If you are conducting business in the City of Antioch and **do not have** a current business license, please complete and return the enclosed application in the envelope provided within **30 days** of the date of this letter. An invoice detailing the taxes owed will be mailed to you upon receipt of your application information. **Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.**
- If you already **have** a valid business license, please provide a copy of your business license and return it within **30 days** of the date of this letter in the enclosed envelope, or fax a copy of your license to (559) 275-0289.
- If you believe you are **not required** to procure a City of Antioch business license, please provide a written statement describing your circumstances and explaining your position. Upon review you will be cleared from our system or contacted for additional information.

Thank you for your cooperation. If you need assistance completing the application, require information, or believe that this notice does not apply to you, please contact one of our Tax Specialists Monday through Friday between 8:00 a.m. and 5:00 p.m. Pacific Time at 800-987-0999.

Please refer to your account reference number **ANT151709237** when calling. Please mail your application directly to the **City of Antioch, C/O Business License Processing P.O. Box 27947, Fresno, CA 93729-7947** within **30 days** of the date of this letter. Information obtained during this compliance review will be held in strict confidence.

Sincerely,

Compliance Division  
MuniServices, LLC



## City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

### Section I Demographic Information

Start Date of Business Activity in the City of Antioch: \_\_\_\_\_

Description of Business: \_\_\_\_\_

Is Your Business Home Based? YES / NO

### Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts <sup>1</sup>	Number of Rental Units <sup>2</sup>
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

<sup>1</sup> Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

<sup>2</sup> This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

### Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of person authorized to sign for firm

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at [www.dgs.ca.gov/dsa/home.aspx](http://www.dgs.ca.gov/dsa/home.aspx)
- The Department of Rehabilitation at [www.rehab.cahwnet.gov](http://www.rehab.cahwnet.gov)
- The California Commission on Disability Access at [www.ceda.ca.gov](http://www.ceda.ca.gov)



**CITY OF ANTIOCH  
BUSINESS LICENSE APPLICATION**

REFERENCE#

BUSINESS#

CLASS CODE:

INSTRUCTIONS:  
LLSFD - Landlord - Residential Single Family dwelling  
LLMFD - Landlord - Residential Multi Family dwelling  
THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
10. OWNER'S EMAIL ADDRESS		11. CONTACT'S EMAIL ADDRESS	
12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12c, 13, & 14)			

OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPTS:	PLANNING:	BLDG DEPT:
		ZONING:	

*The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.*

Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.

**Sign  
Here**

\_\_\_\_\_  
SIGNATURE (REQUIRED)

\_\_\_\_\_  
DATE (REQUIRED)

City of Antioch • Finance Department • C/O Business License Processing Center P.O. Box 27947 •  
Fresno, CA 93729-7947 • (800) 987-0999 Fax (559) 275-0289  
website: [www.ci.antioch.ca.us](http://www.ci.antioch.ca.us) email: [BusinessTax@Muniservices.com](mailto:BusinessTax@Muniservices.com)

# **ATTACHMENT**

# **H**



PO BOX 27947  
FRESNO CA 93729-7947

PO Box 27947  
Fresno, CA 93729-7947  
800 987 0999  
Fax: 559 275 0289

ADDRESS SERVICE REQUESTED

September 23, 2016

#BWNFTZF #PRH9860432016094#



SAPOZHNIKOV SERGEI  
2357 RANCHITO DR  
CONCORD CA 94520-1411



## SECOND NOTICE

Reference #: ANT151709237  
3224 MADRONE ST

Dear SAPOZHNIKOV SERGEI:

MuniServices has been retained by the City of Antioch to conduct a business license compliance review. The primary purpose of this evaluation is to identify all businesses that may be operating in the City without a business license.

You have received this notice because our records indicate that you may be conducting business in the City of Antioch without a business license and have not paid a business tax.

The City of Antioch Municipal Code (Section 3-1.103) states that it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter to do so, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter.

If you believe you are not liable to pay these taxes, we still require a reply from you to remove you from future mailings. In order to resolve your account, please assist us by completing one of the following items:

- If you are conducting business in the City of Antioch and **do not have** a current business license, please complete and return the enclosed application in the envelope provided within **30 days** of the date of this letter. An invoice detailing the taxes owed will be mailed to you upon receipt of your application information. **Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.**
- If you already **have** a valid business license, please provide a copy of your business license and return it within **30 days** of the date of this letter in the enclosed envelope, or fax a copy of your license to (559) 275-0289.
- If you believe you are **not required** to procure a City of Antioch business license, please provide a written statement describing your circumstances and explaining your position. Upon review you will be cleared from our system or contacted for additional information.

Thank you for your cooperation. If you need assistance completing the application, require information, or believe that this notice does not apply to you, please contact one of our Tax Specialists Monday through Friday between 8:00 a.m. and 5:00 p.m. Pacific Time at 800-987-0999.

Please refer to your account reference number **ANT151709237** when calling. Please mail your application directly to the City of Antioch, C/O Business License Processing P.O. Box 27947, Fresno, CA 93729-7947 within **30 days** of the date of this letter. Information obtained during this compliance review will be held in strict confidence.

Sincerely,

Compliance Division  
MuniServices, LLC



## City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

### Section I Demographic Information

Start Date of Business Activity in the City of Antioch: \_\_\_\_\_

Description of Business: \_\_\_\_\_

Is Your Business Home Based? YES / NO

### Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts <sup>1</sup>	Number of Rental Units <sup>2</sup>
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

<sup>1</sup> Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

<sup>2</sup> This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

### Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

Signature of person authorized to sign for firm

Date

Phone Number

Title

FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at [www.dgs.ca.gov/dsa/home.aspx](http://www.dgs.ca.gov/dsa/home.aspx)
- The Department of Rehabilitation at [www.rehab.ca.gov/net.gov](http://www.rehab.ca.gov/net.gov)
- The California Commission on Disability Access at [www.cdda.ca.gov](http://www.cdda.ca.gov)



# CITY OF ANTIOCH BUSINESS LICENSE APPLICATION

REFERENCE#

BUSINESS#

CLASSCODE:

## INSTRUCTIONS:

LLSFD - Landlord - Residential Single Family dwelling

LLMFD - Landlord - Residential Multi Family dwelling

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
10. OWNER'S EMAIL ADDRESS		11. CONTACT'S EMAIL ADDRESS	
12a. PROPERTY ADDRESS (PLEASE USE ADDITIONAL SHEET IF NECESSARY)		12b. # OF UNITS	12c. AMOUNT
13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12a, 13, & 14)			

## OFFICE USE ONLY

DATE:

RECEIPT#:

## OFFICE USE ONLY

PLANNING:

BLDG DEPT:

ZONING:

*The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.*

*Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.*

**Sign  
Here**

SIGNATURE (REQUIRED)

DATE (REQUIRED)

City of Antioch - Finance Department - C/O Business License Processing Center P.O. Box 27947 -  
Fresno, CA 93729-7947 - (800) 987-0999 Fax (559) 275-0289  
website: [www.ci.antioch.ca.us](http://www.ci.antioch.ca.us) email: [Businessfax@Muniservices.com](mailto:Businessfax@Muniservices.com)



# **ATTACHMENT**

**I**



PO BOX 27947  
FRESNO CA 93729-7947

PO Box 27947  
Fresno, CA 93729-7947  
800 987 0999  
Fax: 559 275 0289

ADDRESS SERVICE REQUESTED

October 22, 2016

#BWNFTZF #PRH3898466416109#



SAPOZHNIKOV SERGEI  
2357 RANCHITO DR  
CONCORD CA 94520-1411



**FINAL NOTICE**

Reference #: ANT151709237  
3224 MADRONE ST

Dear SAPOZHNIKOV SERGEI:

MuniServices has been retained by the City of Antioch to conduct a business license compliance review. The primary purpose of this evaluation is to identify all businesses that may be operating in the City without a business license.

You have received this notice because our records indicate that you may be conducting business in the City of Antioch without a business license and have not paid a business tax.

The City of Antioch Municipal Code (Section 3-1.103) states that it shall be unlawful for any person to commence, conduct or purport to commence or conduct, either directly or indirectly, any business activity in the city without having an unrevoked license under this chapter to do so, valid and in effect at the time, and without paying the required taxes and fees therefore and complying with any and all regulations of such business provided in this chapter, unless such person is exempt under this chapter.

If you believe you are not liable to pay these taxes, we still require a reply from you to remove you from future mailings. In order to resolve your account, please assist us by completing one of the following items:

- If you are conducting business in the City of Antioch and **do not have** a current business license, please complete and return the enclosed application in the envelope provided within **30 days** of the date of this letter. An invoice detailing the taxes owed will be mailed to you upon receipt of your application information. **Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.**
- If you already **have** a valid business license, please provide a copy of your business license and return it within **30 days** of the date of this letter in the enclosed envelope, or fax a copy of your license to (559) 275-0289.
- If you believe you are **not required** to procure a City of Antioch business license, please provide a written statement describing your circumstances and explaining your position. Upon review you will be cleared from our system or contacted for additional information.

Thank you for your cooperation. If you need assistance completing the application, require information, or believe that this notice does not apply to you, please contact one of our Tax Specialists Monday through Friday between 8:00 a.m. and 5:00 p.m. Pacific Time at 800-987-0999.

Please refer to your account reference number **ANT151709237** when calling. Please mail your application directly to the City of Antioch, C/O Business License Processing P.O. Box 27947, Fresno, CA 93729-7947 within **30 days** of the date of this letter. Information obtained during this compliance review will be held in strict confidence.

Sincerely,

Compliance Division  
MuniServices, LLC



## City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

### Section I Demographic Information

Start Date of Business Activity in the City of Antioch: \_\_\_\_\_

Description of Business: \_\_\_\_\_

Is Your Business Home Based? YES / NO

### Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts <sup>1</sup>	Number of Rental Units <sup>2</sup>
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

<sup>1</sup> Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

<sup>2</sup> This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

### Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of person authorized to sign for firm

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at [www.dgs.ca.gov/dsa/Home.aspx](http://www.dgs.ca.gov/dsa/Home.aspx)
- The Department of Rehabilitation at [www.rehab.cahwnet.gov](http://www.rehab.cahwnet.gov)
- The California Commission on Disability Access at [www.cdda.ca.gov](http://www.cdda.ca.gov)



**CITY OF ANTIOCH  
BUSINESS LICENSE APPLICATION**

REFERENCE#

BUSINESS#

CLASS CODE:

**INSTRUCTIONS:**  
 LLSFD - Landlord - Residential Single Family dwelling  
 LLMFD - Landlord - Residential Multi Family dwelling  
 THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
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13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12a, 13, & 14)			

OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPT#:	PLANNING:	BLDG DEPT:
		ZONING:	

*The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.*

*Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.*

**Sign Here**

\_\_\_\_\_  
SIGNATURE (REQUIRED)

\_\_\_\_\_  
DATE (REQUIRED)

City of Antioch - Finance Department - C/O Business License Processing Center P.O. Box 27947 - Fresno, CA 93729-7947 - (800) 987-0999 Fax (559) 275-0289  
 website: [www.ci.antioch.ca.us](http://www.ci.antioch.ca.us) email: [Businessstax@Muniservices.com](mailto:Businessstax@Muniservices.com)

# **ATTACHMENT**

**J**



SAPOZHNIKOV SERGEI  
1288 PINE CREEK WAY APT L  
CONCORD, CA 94520

Date: 9/20/2017

Reference Number: ANTI51709237

Property Address: 3224 MADRONE ST

Several attempts have been made to contact you by Avenu Insights & Analytics regarding the requirement of a business license for your residential rental property(s) located at 3224 MADRONE ST per Measure O, effective December 9, 2014.

The condition listed below is a violation of the Antioch Municipal Code. As a courtesy to you, the City is providing you with this opportunity to voluntarily abate this violation. In order to do so it will be necessary for you to take the following action:

**Violation:**

**YOU ARE RENTING YOUR RESIDENTIAL PROPERTY(S) LOCATED AT 3224 MADRONE ST WITHOUT A VALID CITY OF ANTIOCH BUSINESS LICENSE**

**AMC Section §3-1.103 BUSINESS LICENSE REQUIRED - It shall be unlawful for any person to be engaged in business in the city without having an un-revoked license from the city, valid and in effect at the time, and without complying with any and all regulations of such business provided in this chapter, unless such person is exempt under the provisions of this chapter.**

**Required Correction: Within 15 calendar days from the date of this notice, you must Contact Avenu Insights & Analytics by phone at 1-800-987-0999 or in person at 200 H Street, Antioch, CA and obtain a business license for the above property or file an appeal with the office of the City Clerk.**

I hope you take this one-time opportunity to voluntarily abate the above violation(s) and public nuisance without the need for the City to issue Administrative Citations, which carry fines that range from \$100 to \$1,000 for every day the violation(s) are permitted to remain and/or take other action to compel your compliance.

We will be following up at the end of the above compliance deadline to confirm your required compliance. Thank you in advance for your cooperation in abating these violation(s). If you have any questions, you may contact Avenu Insights & Analytics at 1-800-987-0999.

Sincerely,

The City of Antioch



## City of Antioch Declaration of Information

Please complete this form in its entirety as it applies to your business activity in the City of Antioch. If you need any assistance completing this application, please contact a MuniServices Representative, Monday through Friday, 8:00am to 5:00pm Pacific Time.

### Section I Demographic Information

Start Date of Business Activity in the City of Antioch: \_\_\_\_\_

Description of Business: \_\_\_\_\_

Is Your Business Home Based? YES / NO

### Section II Business License Information

Please complete the following information table for the applicable tax years. Once this section is complete, please sign the certification and fill out the applicable application(s) and return them to MuniServices in the envelope provided.

- Note: Completed application and acceptance of payment does not constitute an authorization to operate without the required City approvals.

Period	Gross Receipts <sup>1</sup>	Number of Rental Units <sup>2</sup>
January to December 2018 Estimate		
January 1, 2017 – December 31, 2017		
January 1, 2016 – December 31, 2016		
January 1, 2015 – December 31, 2015		
January 1, 2014 – December 31, 2014		

<sup>1</sup> Professional Class Code – as defined in Antioch Municipal Code Sec 3.1.218, the owner of such business shall pay a business license tax based on gross receipts as provided in Sec 3.1.201 provided that the maximum annual tax payable under this section shall be \$312.50 annually.

<sup>2</sup> This column applies to the rental of residential property, which became effective through Measure O as of January 1, 2015.

### Section III Certifications

I certify under the penalty of perjury that the information above is accurate and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature of person authorized to sign for firm

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
FEIN or Social Security Number

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at [www.dgs.ca.gov/dsa/Home.aspx](http://www.dgs.ca.gov/dsa/Home.aspx)
- The Department of Rehabilitation at [www.rehab.cahwnet.gov](http://www.rehab.cahwnet.gov)
- The California Commission on Disability Access at [www.cdda.ca.gov](http://www.cdda.ca.gov)



**CITY OF ANTIOCH  
BUSINESS LICENSE APPLICATION**

REFERENCE#

BUSINESS#

CLASSCODE:

**INSTRUCTIONS:**

LLSFD - Landlord - Residential Single Family dwelling

LLMFD - Landlord - Residential Multi Family dwelling

THIS APPLICATION IS CONSIDERED INCOMPLETE WITHOUT SIGNATURE AND DATE

1. OWNER'S NAME		2. OWNER'S MAILING ADDRESS	
3. TELEPHONE #	4. FAX NUMBER	5. EMAIL ADDRESS	
6. OWNER'S PHYSICAL ADDRESS IF DIFFERENT FROM #1 (NO PO BOX)		7. CONTACT NAME & ADDRESS (I.E. PROPERTY MANAGEMENT COMPANY)	
8. OWNER'S PHONE #		9. CONTACT PHONE #	
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13. STATE MANDATED FEE (PLEASE SEE REVERSE SIDE)		14. APPLICATION FEE	
15. TOTAL AMOUNT DUE (combine boxes 12a, 13, & 14)			

OFFICE USE ONLY		OFFICE USE ONLY	
DATE:	RECEIPT#:	PLANNING:	BLDG DEPT:
		ZONING:	

*The undersigned, being authorized to make this Application, hereby declares to the best of his knowledge and belief that this is a true, correct, and complete information made pursuant to the Antioch Municipal Code. The undersigned also agrees to abide by all considerations and restrictions imposed under the Antioch Municipal Code. This business license does not authorize holder to engage in any business or profession for which other certificates or permits are required.*

*Boxes 1, 2, 3 and 6 are non-confidential information and may be made public.*

**Sign  
Here**

\_\_\_\_\_  
SIGNATURE (REQUIRED)

\_\_\_\_\_  
DATE (REQUIRED)

City of Antioch - Finance Department - C/O Business License Processing Center P.O. Box 27947 -  
Fresno, CA 93729-7947 - (800) 987-0999 Fax (559) 275-0289  
website: [www.ci.antioch.ca.us](http://www.ci.antioch.ca.us) email: [BusinessTax@Muniservices.com](mailto:BusinessTax@Muniservices.com)



# **ATTACHMENT**

# **K**



## CITY OF ANTIOCH BUSINESS LICENSE INVOICE

**Invoice Number: 3403**  
**Issued: 12/19/2017**  
**Due Date: 01/02/2018**

SAPOZHNIKOV SERVEI  
1288 PINE CREEK WAY APT L  
CONCORD, CA 94520-3695

**RE: Account number: 3018388**

Location: 3224 MADRONE ST

**Charges:**

CHARGE	YEAR	DESCRIPTION	AMOUNT
LLSFD	2016	Landlord Single Family Dwelling	\$250.00
APP	2017	Application Fee	\$30.00
SB1186	2016	State Mandated Fee	\$1.00
SB1186	2017	State Mandated Fee	\$1.00
SB1186	2015	State Mandated Fee	\$1.00
LLSFD	2015	Landlord Single Family Dwelling	\$250.00
LLSFD	2017	Landlord Single Family Dwelling	\$250.00
Charges for this invoice			<b>\$783.00</b>

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON OR BEFORE 01/02/2018**

Issuing Officer:

CITY OF ANTIOCH FINANCE DEPARTMENT  
P. O. BOX 5007  
ANTIOCH, CA 94531-5007  
925-779-7059

SAPOZHNIKOV SERVEI

Account Number 3018388  
Invoice Number 3,403  
Due Date 01/02/2018  
Due Amount Due \$ 783.00

Amount Enclosed \_\_\_\_\_

AR153884



1 Property Address: 3224 MADRONE ST ANTIOCH CA 94509-5214

C219276

3018388

**Ownership**

County: **CONTRA COSTA, CA**  
 Assessor: **GUS KRAMER, ASSESSOR**  
 Parcel # (APN): **076-423-036-3**  
 Parcel Status:  
 Owner Name: **SAPOZHNIKOV SERGEI**  
 Mailing Address: **1288 PINE CREEK WAY #APT L CONCORD CA 94520-3695**  
 Legal Description: **TRACT 4252 LOT165&POR 166EX MR&FEE BLW500FT**

**Assessment**

Total Value:	<b>\$135,778</b>	Use Code:	<b>11</b>	Use Type:	<b>RESID. SINGLE FAMILY</b>
Land Value:	<b>\$27,597</b>	Tax Rate Area:	<b>001-006</b>	Zoning:	
Impr Value:	<b>\$108,181</b>	Year Assd:	<b>2017</b>	Census Tract:	<b>3072.05/2</b>
Other Value:		Property Tax:		Price/SqFt:	<b>\$109.43</b>
% Improved:	<b>79%</b>	Delinquent Yr:			
Exempt Amt:		HO Exempt:	<b>N</b>		

**Sale History**

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>06/03/2011</b>			<b>06/03/2011</b>
Document Number:	<b>110789</b>			<b>110789</b>
Document Type:				
Transfer Amount:	<b>\$123,000</b>			
Seller (Grantor):				

**Property Characteristics**

Bedrooms:	<b>3</b>	Fireplace:		Units:	
Baths (Full):	<b>2</b>	A/C:	<b>CENTRAL</b>	Stories:	
Baths (Half):		Heating:		Quality:	
Total Rooms:	<b>7</b>	Pool:		Building Class:	
Bldg/Liv Area:	<b>1,124</b>	Park Type:	<b>GARAGE</b>	Condition:	<b>AVERAGE</b>
Lot Acres:	<b>0.075</b>	Spaces:	<b>2</b>	Site Influence:	
Lot SqFt:	<b>3,280</b>	Garage SqFt:	<b>459</b>	Timber Preserve:	
Year Built:	<b>1978</b>			Ag Preserve:	
Effective Year:	<b>1979</b>				



12 Property Address: 1288 PINE CREEK WAY #L CONCORD CA 94520-3695

### Ownership

County: **CONTRA COSTA, CA**  
 Assessor: **GUS KRAMER, ASSESSOR**  
 Parcel # (APN): **128-190-068-6**  
 Parcel Status:  
 Owner Name: **SAPOZHNIKOV SERGEI**  
 Mailing Address: **1288 PINE CREEK WAY # L CONCORD CA 94520-3695**  
 Legal Description: **TRACT 4032 LOT 23 BLK B**

### Assessment

Total Value: **\$91,760** Use Code: **16** Use Type: **RESID. SINGLE FAMILY**  
 Land Value: **\$24,093** Tax Rate Area: **002-002** Zoning:  
 Impr Value: **\$67,667** Year Assd: **2018** Census Tract: **3361.02/1**  
 Other Value: Property Tax: Price/SqFt: **\$74.84**  
 % Improved: **73%** Delinquent Yr:  
 Exempt Amt: **\$7,000** HO Exempt: **Y**

### Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	<b>01/14/2011</b>	<b>04/30/2010</b>	<b>08/05/2003</b>	<b>01/14/2011</b>
Document Number:	<b>10167</b>	<b>86520</b>	<b>382350</b>	<b>10167</b>
Document Type:	<b>QUIT CLAIM DEED</b>	<b>QUIT CLAIM DEED</b>		
Transfer Amount:	<b>\$81,500</b>		<b>\$220,000</b>	
Seller (Grantor):				

### Property Characteristics

Bedrooms:	<b>2</b>	Fireplace:		Units:	
Baths (Full):	<b>1</b>	A/C:	<b>CENTRAL</b>	Stories:	<b>2.0</b>
Baths (Half):	<b>1</b>	Heating:		Quality:	
Total Rooms:	<b>7</b>	Pool:		Building Class:	
Bldg/Liv Area:	<b>1,089</b>	Park Type:	<b>CARPORT</b>	Condition:	<b>AVERAGE</b>
Lot Acres:	<b>0.018</b>	Spaces:	<b>1</b>	Site Influence:	
Lot SqFt:	<b>792</b>	Garage SqFt:	<b>180</b>	Timber Preserve:	
Year Built:	<b>1970</b>			Ag Preserve:	
Effective Year:	<b>1971</b>				

# **ATTACHMENT**

**L**



**CITY OF ANTIOCH  
ADMINISTRATIVE CITATION**

**Invoice Number: 5396  
Issued: 04/30/2018  
Due Date: 05/10/2018**

SAPOZHNIKOV SERVEI  
1288 PINE CREEK WAY APT L  
CONCORD, CA 94520-3695

**RE: Account number: 3018388**

Starting Balance \$783.00

Location: 3224 MADRONE ST

**Charges:**

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1.103	\$100.00
Charges for this invoice			<b>\$100.00</b>

**Amount Due \$883.00**

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON OR BEFORE 05/10/2018**

Issuing Officer: VR

CITY OF ANTIOCH FINANCE DEPARTMENT  
P. O. BOX 5007  
ANTIOCH, CA 94531-5007  
925-779-7059

SAPOZHNIKOV SERVEI  
Account Number 3018388  
Invoice Number 5,396  
Due Date 05/10/2018  
Due Amount Due \$ 883.00

Amount Enclosed \_\_\_\_\_

110

AR153885

# **ATTACHMENT**

# **M**

**CITY OF ANTIOCH**  
 ATTN: A/R DEPT  
 P.O. BOX 5007  
 ANTIOCH, CA 94531-5007



Invoice Number: AR153884  
 Invoice Date: 05/22/2018  
 Customer ID: C219276

**Bill To:** SERVEI, SAPOZHNIKOV  
 1288 PINE CREEK WAY  
 APT L  
 CONCORD, CA 94520

**Issuing Department**  
 FINANCE DEPARTMENT  
 (925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125041131	RESIDENTIAL LANDLORD INV 3403 RESIDENTIAL LANDLORD BUS LIC REQUIRED 3224 MADRONE ST APN #076-423-036-3	1.00	750.00	750.00
100125041150	APPLICATION FEE RESIDENTIAL LANDLORD BUS LIC REQUIRED 3224 MADRONE ST APN #076-423-036-3	1.00	30.00	30.00
100000025003	STATE FEE RESIDENTIAL LANDLORD BUS LIC REQUIRED 3224 MADRONE ST APN #076-423-036-3	1.00	3.00	3.00
<b>Total Due:</b>				<b>783.00</b>

Invoices Are Due And Payable Upon Receipt.  
 For questions, please call the phone number above for the issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:  
 CITY OF ANTIOCH

Customer ID: C219276  
 Invoice Number: AR153884  
 Invoice Date: 05/22/2018

PAYMENT AMOUNT: \_\_\_\_\_



**CITY OF ANTIOCH**  
 ATTN: A/R DEPT  
 P.O. BOX 5007  
 ANTIOCH, CA 94531-5007



Invoice Number: AR153885  
 Invoice Date: 05/22/2018  
 Customer ID: C219276

**Bill To:** SERVEI, SAPOZHNIKOV  
 1288 PINE CREEK WAY  
 APT L  
 CONCORD, CA 94520

**Issuing Department**  
 FINANCE DEPARTMENT  
 (925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125046020	ADMIN CITE 5396	1.00	100.00	100.00
100125041140	LATE FEE	1.00	10.00	10.00
Total Due:				110.00

Invoices Are Due And Payable Upon Receipt.  
 For questions, please call the phone number above for the issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

*Please make checks payable to:*  
 CITY OF ANTIOCH

Customer ID: C219276  
 Invoice Number: AR153885  
 Invoice Date: 05/22/2018

PAYMENT AMOUNT: \_\_\_\_\_

# **ATTACHMENT**

# **N**



**CITY OF ANTIOCH  
ADMINISTRATIVE CITATION**

**Invoice Number: 5718  
Issued: 05/23/2018  
Due Date: 06/02/2018**

SAPOZHNIKOV SERVEI  
1288 PINE CREEK WAY APT L  
CONCORD, CA 94520-3695

**RE: Account number: 3018388**

Starting Balance \$883.00

Location: 3224 MADRONE ST

**Charges:**

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1.103	\$200.00
Charges for this invoice			<b>\$200.00</b>

**Amount Due \$1,083.00**

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON OR BEFORE 06/02/2018**

Issuing Officer: CA

CITY OF ANTIOCH FINANCE DEPARTMENT  
P. O. BOX 5007  
ANTIOCH, CA 94531-5007  
925-779-7059

SAPOZHNIKOV SERVEI  
Account Number 3018388  
Invoice Number 5,718  
Due Date 06/02/2018  
Due Amount Due \$ 1,083.00

Amount Enclosed \_\_\_\_\_



157304

# **ATTACHMENT**

**O**

**CITY OF ANTIOCH**  
 ATTN: A/R DEPT  
 P.O. BOX 5007  
 ANTIOCH, CA 94531-5007



Invoice Number: AR154304  
 Invoice Date: 06/19/2018  
 Customer ID: C219276

**Bill To:** SERVEI, SAPOZHNIKOV  
 1288 PINE CREEK WAY  
 APT L  
 CONCORD, CA 94520

**Issuing Department**  
 () - FINANCE DEPARTMENT  
 (925) 779-7055

REFERENCE	DESCRIPTION	QUANTITY	UNIT PRICE	EXTENSION
100125046020	ADMIN CITE 5718 RESIDENTIAL LANDLORD BUS LIC REQUIRED 3224 MADRONE ST APN 076-423-036-3	1.00	200.00	200.00
100125041140	LATE FEE RESIDENTIAL LANDLORD BUS LIC REQUIRED 3224 MADRONE ST APN 076-423-036-3	1.00	20.00	20.00
<b>Total Due:</b>				<b>220.00</b>

Invoices Are Due And Payable Upon Receipt.  
 For questions, please call the phone number above for the issuing department.

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

Please make checks payable to:  
 CITY OF ANTIOCH

Customer ID: C219276  
 Invoice Number: AR154304  
 Invoice Date: 06/19/2018

PAYMENT AMOUNT: \_\_\_\_\_

# **ATTACHMENT**

**P**



# CITY OF ANTIOCH ADMINISTRATIVE CITATION

**Invoice Number: 6037**  
**Issued: 09/12/2018**  
**Due Date: 09/24/2018**

SAPOZHNIKOV SERVEI  
 2357 RANCHITO DR  
 CONCORD, CA 94520-1411

*pg 31*

**RE: Account number: 3018388**

Starting Balance \$1,083.00

Location: 3224 MADRONE ST

**Charges:**

CHARGE	YEAR	DESCRIPTION	AMOUNT
Admin Cit	2018	Business License Required 3-1,103	\$500.00
Charges for this invoice			<b>\$500.00</b>

**Amount Due \$1,583.00**

**TO AVOID THE ISSUANCE OF CITATIONS, YOU MUST ABATE THE ABOVE VIOLATIONS ON OR BEFORE 09/24/2018**

Issuing Officer: VR

CITY OF ANTIOCH FINANCE DEPARTMENT  
 P. O. BOX 5007  
 ANTIOCH, CA 94531-5007  
 925-779-7059

SAPOZHNIKOV SERVEI  
 Account Number 3018388  
 Invoice Number 6,037  
 Due Date 09/24/2018  
 Due Amount Due \$ 1,583.00

Amount Enclosed \_\_\_\_\_



# **ATTACHMENT**

# **Q**



**CITY OF ANTIOCH**  
925-779-7055

REC#: 01170183 9/24/2018 10:00 AM  
OPER: RC1 TERM: 001  
REF#:

ACCT #: XXXX-XXXX-XXXX-7468  
AUTH #: 08623D  
TRAN #: 000001170183

TYPE: PURCHASE  
APP NAME: CHASE VISA  
ENTRY MODE: CHIP  
CVM: SIGN

AMOUNT USD\$ 1,663.00

EMV DETAILS:  
AID: A0000000031010  
ARC: 00  
IAD: 06010A03602002  
TSI: FB00  
TVR: 0080008000

TRAN: 89.2000 BUSINESS LICENSE  
SAPOZHNIKOV SERVEI  
C219276 092418  
BUSINESS LICENSE AP 30.00CR  
Business License Pe 30.00CR  
SB1186 BUS LIC \$4.0 3.00CR  
LL Owner Bus Lic 750.00CR  
Business License CI 800.00CR

TRAN: 900.0000 TRUE MISC RECEIPTS  
C219276 SAPOZHNIKOV 092418  
Miscellaneous Reven 50.00CR

TENDERED: 1,663.00 CREDIT CARD  
APPLIED: 1,663.00-

CHANGE:            0.00

# **ATTACHMENT**

# **R**

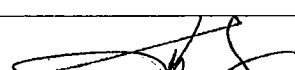


### City of Antioch Citation Appeal Application

**RECEIVED**

SEP 24 2018

CITY OF ANTIOCH  
CITY CLERK

CITY OF ANTIOCH ATTN: CITY CLERK P.O. BOX 5007 ANTIOCH, CA 94531-5007 (925) 779-7009	
Date of Citation: 09/12/2018	Citation #: <del>09/12</del> 6037
Name: Sergei Sapozhnikov	
Property Address: 3224 Madrone St Martinez Antioch, CA 94509	
Mailing Address: 2357 Ranchito Dr Concord, CA 94520	
Home Phone: (925) 788 6136	Work Phone: <sup>cell</sup> (925) 788 6136
<b>REASON FOR APPEAL</b>	
Do not agree with citation, since never received any invoices from City of Antioch to be late in my payments	
Signature 	Date 09/24/2018

# **ATTACHMENT**

# **S**



September 26, 2018

Sergei Sapozhnikov  
2357 Ranchito Drive  
Concord, CA 94520

RE: Board of Administrative Appeals Hearing  
**Property Address: 3224 Madrone Street, Antioch**  
Citation Date: 09/12/18  
Citation No.: 6037

Dear Mr. Sapozhnikov,

This is a follow up to your written appeal filed on September 24, 2018, regarding the above-referenced \$500 Administrative Citation received for Business Licensing.

Please be advised your appeal is scheduled for **Thursday, November 1, 2018, at 3:00 p.m.** in the Council Chambers, 200 H Street, Antioch, CA (across the breezeway from City Hall).

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard and a decision rendered by the Board of Administrative Appeals. A General Information sheet is enclosed to answer any questions you may have regarding the appeals.

The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. To view the Agenda information, simply click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2<sup>nd</sup> Street, and the Antioch Community Center on Lone Tree Way.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Christina Garcia".

CHRISTINA GARCIA, CMC  
Deputy City Clerk

cc: Business License

Enclosures

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Office of the City Clerk  
200 H Street  
P. O. Box 5007  
Antioch CA 94531-5007  
Phone: (925) 779-7009/ Fax: (925) 779-7007



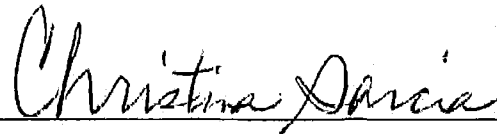
PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On September 26, 2018, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

Sergei Sapozhnikov  
2357 Ranchito Drive  
Concord, CA 94520

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on September 26, 2018, at Antioch, California.

  
\_\_\_\_\_

---

Office of the City Clerk  
200 H Street  
P. O. Box 5007  
Antioch CA 94531-5007  
Phone: (925) 779-7009/ Fax: (925) 779-7007



## CITY OF ANTIOCH ADMINISTRATIVE BOARD OF APPEALS

### General Information for Persons Appealing Citations

The Administrative Board of Appeals is comprised of five Antioch residents, who are appointed by the Mayor and have volunteered their time to hear your appeal. The Board Members do not receive monetary compensation for their time and they are not employees of the City. They do not make or control the law. They are hearing officers who will review your appeal because you have requested the City do so. As the person making the appeal (the appellant) please keep in mind the below:

#### **Schedule of Hearing:**

- When an appeal is requested, it is typically scheduled for the first Thursday of every month.
- You will receive written notice of the date and time of the appeal hearing from the City Clerk's office 10 days after you file your appeal.
- The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date. To view the Agenda information, click on the following link and then double click 'Board of Administrative Appeals': <http://www.ci.antioch.ca.us/CityGov/agendas/>. Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2<sup>nd</sup> Street, and the Antioch Community Center on Lone Tree Way.

#### **When You Don't Show For Your Hearing:**

- If you do not appear at the hearing time and date you have been notified of, and unless you have provided the City Clerk forty-eight (48) hour notice before the hearing that you are requesting a postponement, your appeal will be heard without you being there.

#### **How You Will Act At Your Appeal Hearing:**

- You and anyone else who is attending the appeal at your request will maintain a respectful attitude at all times,
- If you or anyone else does not maintain a respectful attitude, you may be asked to leave the hearing by the Board Chairperson.
- Your appeal is not an opportunity to debate or argue with City staff or Board members. Any questions should be directed to the Board Chairperson.
- When you speak, you should talk about the reasons why you feel the citation was wrongfully issued.

### **How The Appeal Hearing Will Go:**

- The Board will read your item of appeal from its Agenda.
- The Board will then ask City staff to present an oral report with regard to your citation. The Board may ask questions of City staff after the oral report. This oral report will be for **five (5)** minutes.
- After staff has provided its report, and the Board is finished with its questions of staff, you will then be called to the podium to speak. Please come up and speak at the podium, not from the audience.
- You will have **five (5) minutes** to present the reasons why you are appealing the citation.
- Any other additional persons who may oppose or support your appeal can fill out speaker cards and speak for **three (3) minutes**.
- The Board may then ask City staff for a rebuttal to the statements you or others made in support or opposition of your appeal. This rebuttal is only for **three (3) minutes**.
- Then the hearing is completed and the Board will then issue its ruling on your appeal.

### **Your Burden:**

- It is your appeal and therefore you bear the burden to prove that the citation was wrongfully issued.
- To win your appeal, you must have a majority of the Board uphold your appeal (3 of 5, or 2 of 3).
- If the Board determines there was in fact good reason to issue the citation, your appeal will be denied and the citation amount that you deposited to have your appeal will not be refunded.

### **How The Board Will Rule:**

#### **The Board can only rule one of two ways:**

- To uphold your appeal and dismiss the citation.
- To deny your appeal and uphold the citation.

### **Written Findings and Order:**

- The Board will render their findings and recommendations after the hearing is concluded or as soon as possible.
- You will be mailed the written decision of hearing within ten (10) days of the hearing.
- The decision of the Board is the final ruling on your appeal from the City.





October 22, 2018

Sergei Sapozhnikov  
2357 Ranchito Drive  
Concord, CA 94520

RE: Board of Administrative Appeals Hearing  
**Property Address: 3224 Madrone Street, Antioch**  
Citation Date: 09/12/18  
Citation No.: 6037

Dear Mr. Sapozhnikov,

This is a follow up to our letter dated September 26, 2018. Please be advised your appeal is scheduled for **Thursday, November 1, 2018, at 3:00 p.m.** in the Council Chambers, 200 H Street, Antioch, CA (across the breezeway from City Hall). A copy of the Board of Administrative Appeals Agenda is attached.

All people who wish to speak at the hearing, including you, will be required to take an Oath. This case will be heard and a decision rendered by the Board of Administrative Appeals.

The Agenda and Staff Reports will be posted onto our City's Website 72 hours before the Board of Administrative Appeals Hearing date listed above. **Please note: Our City's Website has been updated.** To view the Board of Administrative Appeals Agenda information, simply click on the following new link: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/>.

Other locations to view the Agenda are the City Council Chambers front window, City Clerk's Office, Antioch Branch Library, Senior Center on 2<sup>nd</sup> Street, and the Antioch Community Center on Lone Tree Way.

Thank you.

Sincerely,

CHRISTINA GARCIA, CMC  
Deputy City Clerk

cc: Business License

Enclosures

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Office of the City Clerk  
200 H Street  
P. O. Box 5007  
Antioch CA 94531-5007  
Phone: (925) 779-7009/Fax: (925) 779-7007



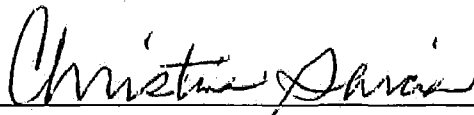
PROOF OF SERVICE BY MAIL

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA) ss

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is Office of the City Clerk for the City of Antioch, 200 "H" Street, P.O. Box 5007, Antioch, California 94531-5007. On October 22, 2018, I served the within Notice, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Antioch, California addressed as follows:

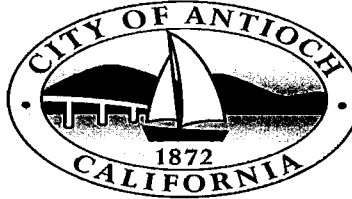
Sergei Sapozhnikov  
2357 Ranchito Drive  
Concord, CA 94520

I, Christina Garcia, certify (or declare), under penalty of perjury, that the foregoing is true and correct. Executed on October 22, 2018, at Antioch, California.

  
\_\_\_\_\_

Agenda prepared by:

Office of the City Clerk  
(925) 779-7009



**BOARD OF ADMINISTRATIVE APPEALS  
ADMINISTRATIVE REVIEW PANEL**

**Council Chambers  
200 "H" Street**

**NOVEMBER 1, 2018  
3:00 P.M.**

**3:00 P.M.    ROLL CALL**    Deborah Simpson, Chairperson  
Ademuyiwa "Ade" Adeyemi, Vice Chairperson  
Farideh Faraji  
Marie Livingston  
Darrell Goodbeer  
*Vacant, Alternate*

**PLEDGE OF ALLEGIANCE**

**1.    CONSENT CALENDAR**

- A.    APPROVAL OF ADMINISTRATIVE APPEALS MEETING MINUTES FOR OCTOBER 4, 2018**

Recommended Action:    Motion to approve the minutes.

- B.    CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTH OF AUGUST 2018**

Recommendation:    The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

**CONSENT CALENDAR – Continued**

- C. **BUSINESS LICENSE** – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF OCTOBER 2018

Recommendation: The Board of Administrative Appeals shall confirm each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board shall also direct that the same be recorded with the Contra Costa County Recorder's Office and thereafter the assessment shall constitute a special assessment and lien against the property.

2. **REGULAR AGENDA**

**OATH** for all intending to testify

- A. **ADMINISTRATIVE CITATION NO. 6037** – APPEAL FILED BY SERGEI SAPOZHNIKOV FOR THE PROPERTY LOCATED AT 3224 MADRONE STREET, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "**BUSINESS LICENSE REQUIRED**" [§3-1.103].
- B. **ADMINISTRATIVE CITATION NO. 6113** – APPEAL FILED BY WINT LWIN FOR THE PROPERTY LOCATED AT 1517 C, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "**BUSINESS LICENSE REQUIRED**" [§3-1.103].

**PUBLIC COMMENTS—*Only unagendized issues will be discussed during this time***  
**WRITTEN/ORAL COMMUNICATIONS**  
**ADJOURNMENT**

**Notice of Availability of Reports**

This agenda is a summary of the discussion items/actions proposed to be taken by the Board of Administrative Appeals. Materials provided regarding the agenda items will be available at the following website: <https://www.antiochca.gov/government/agendas-and-minutes/board-of-administrative-appeals/> or at the City Clerk's Office, City Hall, 200 H Street, Antioch, CA 94509, Monday through Friday, 8:00 a.m. to 5:00 p.m., for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. The meetings are accessible to those with disabilities. Auxiliary aides will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**Notice of Opportunity to Address the Committee**

The public has the opportunity to address the Board on each agenda item. To address the Board, fill out a yellow Speaker Request form, available on each side of the entrance doors, 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. Comments regarding matters not on this Agenda may be addressed during the "Public Comments" section on the agenda. No one may speak more than once on an agenda item or during "Public Comments".

**PLEASE TURN OFF CELL PHONES BEFORE ENTERING COUNCIL CHAMBERS.**

1 CITY OF ANTIOCH  
2 Third and "H" Streets  
3 P.O. Box 5007  
4 Antioch, CA 94531-5007  
5 925-779-7015

6 ADMINISTRATIVE CITATION HEARING

7 PURUSANT TO SECTION 1-5.05 OF ANTIOCH MUNICIPAL CODE

8  
9 In re the Matter of:

10 SERGEI SAPOZHNIKOV [APPELLANT]

Citation No.: 6037  
(3224 MADRONE ST, ANTIOCH, CA)

[PROPOSED] DECISION OF BOARD OF  
ADMINISTRATIVE APPEALS

11  
12  
13  
14 I. GENERAL FINDINGS:

- 15 1. City of Antioch Citation No. 6037 was upheld.  
16 2. City of Antioch Citation No. 6037 (3224 MADRONE ST, Antioch, CA) was duly issued on  
17 September 12, 2018 citing two violations of the Antioch Municipal Code section:

18 Antioch Municipal Code section §3-1.103 which states that, it shall be unlawful for any person to  
19 commence, conduct or purport to commence or conduct, either directly or indirectly, any business  
20 activity in the city without having an unrevoked license under this chapter so to do, valid and in  
21 effect at the time, and without paying the required taxes and fees therefore and complying with  
22 any and all regulations of such business provided in this chapter, unless such person is exempt  
23 under this chapter. Licensees shall promptly inform the city of any change in operation,  
24 ownership, location and/or name of licensed businesses. No person who is an employee, or who is  
25 the direct representative of a licensee, shall be required to pay a license tax for doing any part of  
26 the work of such licensee.

27 Antioch Municipal Code section §3-1.217 which states that all those in the business of renting  
28 living quarters, including but not limited to a rental dwelling unit shall pay the annual license  
amount of \$250 per single family home and \$150 per unit if in a multi family dwelling.

3. Appellant appealed Citation No. 6037 on September 24, 2018.

- 1 4. An Administrative Appeals Board Hearing regarding the appeal was set for November 1, 2018 at  
2 3:00 p.m. at the Antioch City Council Chambers, and the Appellant was duly notified by the City  
3 Clerk.
- 4 5. Chapter 5 of Title 1 of the Antioch Municipal Code allows police officers, as well as other City  
5 officials enumerated in the Municipal Code to issue administrative citations to persons  
6 responsible for a violation of the Antioch Municipal Code.

7  
8 **II. SPECIFIC FINDINGS:**

9 An Administrative Appeals Board Hearing regarding Appellant's appeal of the Citation was duly held  
10 on November 1, at 3:00 p.m. Evidence, both oral and documentary, was taken and based on the  
11 preponderance of said evidence the following specific findings are made:

- 12 1. 8/11/2016 MuniServices/Avenu Insights & Analytics sent 1<sup>st</sup> letter
- 13 2. 9/20/2016 MuniServices/Avenu Insights & Analytics sent 2<sup>nd</sup> letter
- 14 3. 10/20/2016 MuniServices/Avenu Insights & Analytics sent 3<sup>rd</sup> letter
- 15 4. 9/20/2017 MuniServices/Avenu Insights & Analytics sent Notice of Violation
- 16 5. 12/19/2017 \$783 Business License invoice sent with a due date of 1/2/2018
- 17 6. 1/5/2018 SERGEI SAPOZHNIKOV called MuniServices/Avenu Insights & Analytics
- 18 7. 4/30/2018 \$100 citation issued with a due date of 5/10/2018 to comply
- 19 8. 5/22/2018 \$783 and \$110 accounts receivable for delinquent citation due upon receipt sent
- 20 9. 5/23/2018 \$200 citation issued with a due date of 6/2/2018 to comply
- 21 10. 6/19/2018 \$220 accounts receivable for delinquent citation due upon receipt sent
- 22 11. 9/12/2018 \$500 citation issued with a due date of 9/24/2018 to comply
- 23 12. 9/24/2018 came to City Hall and complied with Measure O ordinance
- 24 13. 9/24/2018 filed an appeal
- 25 14. The Board finds that the reasons given by Appellant for these ongoing violations are not credible  
26 and are not mitigations for failing to obtain a Residential Landlord Business License.  
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III. DECISION:

Based on a preponderance of evidence, the Board finds that there was probable cause to issue the citation and the appeal is denied. The citation deposit amount will not be refunded.

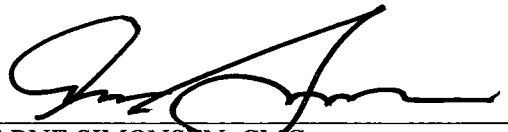
Based on a preponderance of evidence, the Board ruled to uphold the appeal and overturn the citation. The citation deposit amount of \$ 250.00 will be refunded to the Appellant.

IV. NOTICE:

Notice of this decision shall be given to the Appellant, by hand delivering a copy of these Findings and Decision to Appellant or by mailing a copy by first class U.S. Mail, addressed to SERGEI SAPOZHNIKOV, 2357 Ranchito Dr, Concord, CA 94520.

Dated: November 1, 2018

  
\_\_\_\_\_  
CHAIRPERSON OF THE BOARD

  
\_\_\_\_\_  
ARNE SIMONSEN, CMC  
SECRETARY OF THE BOARD

**Notice of Right To Appeal Decision:** Any person aggrieved by an Administrative Board of Appeals may obtain review of the decision by the Contra Costa Superior Court, 725 Court Street, Martinez, CA, 94553, pursuant to Section 53069.4 of the California Government Code.

**BOARD OF ADMINISTRATIVE APPEALS  
ADMINISTRATIVE REVIEW PANEL**

**Regular Meeting  
3:00 P.M.**

**November 1, 2018  
Council Chambers**

Chairperson Simpson called the meeting to order at 3:00 P.M. on Thursday, November 1, 2018 in the Council Chambers.

**ROLL CALL:**

Present: Board Members Faraji, Goodbeer, Livingston, Adeyemi and Chairperson Simpson

Staff Present: Interim City Attorney, David Ritchie  
City Clerk, Arne Simonsen  
Minutes Clerk, Kitty Eiden  
Finance Services Supervisor, Lisa Saunders  
Business License Representative, Claudia Argenal  
Business License Representative, Vanessa Rosales  
Code Enforcement Manager, Curt Michael

**PLEDGE OF ALLEGIANCE**

Chairperson Simpson led the board, staff and public in the Pledge of Allegiance.

**1. CONSENT CALENDAR**

**A. APPROVAL OF ADMINISTRATIVE APPEALS MINUTES FOR OCTOBER 4, 2018**

On motion by Board Member Adeyemi, seconded by Board Member Goodbeer, the Board of Administrative Appeals unanimously approved the Minutes for October 4, 2018.

**B. CODE ENFORCEMENT APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID ADMINISTRATIVE CITATIONS & ABATEMENTS FOR THE MONTH OF AUGUST AND SEPTEMBER 2018.**

On motion by Board Member Livingston, seconded by Board Member Faraji, the Board of Administrative Appeals unanimously confirmed each assessment and the amount thereof, as proposed or as corrected and modified, and order it assessed against the property. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office.

**C. BUSINESS LICENSE – APPROVAL OF THE LEVY OF SPECIAL ASSESSMENTS ON CERTAIN PROPERTIES FOR UNPAID BUSINESS LICENSE TAXES AND/OR ADMINISTRATIVE CITATION(S) FOR THE MONTH OF OCTOBER 2018.**



Finance Services Supervisor Saunders announced there was a supplemental staff report with a revised list and amount totaling \$12,967.00, to reflect payments that had been secured.

On motion by Board Member Adeyemi, seconded by Board Member Faraji, the Board of Administrative Appeals unanimously confirmed each assessment in the amount of \$12,967.00, as proposed or as corrected and modified, and order it assessed against the property. The Board also directed that the same be recorded with the Contra Costa County Recorder's Office.

## **2. REGULAR AGENDA**

City Clerk Simonsen advised that at the request of appellant Ms. Lwin, agenda item 2B had been rescheduled to be heard at the December 6, 2018 Board of Appeals meeting.

Interim City Attorney Richie explained the manner in which the proceedings would be conducted.

### **OATH**

City Clerk Simonsen administered the Oath to all those intending to testify.

#### **A. ADMINISTRATIVE CITATION NO. 6037 – APPEAL FILED BY SERGEI SAPOZHNIKOV FOR THE PROPERTY LOCATED AT 3224 MADRONE STREET, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE "BUSINESS LICENSE REQUIRED" [§3-1.103].**

Finance Services Supervisor Saunders presented the staff report dated October 24, 2018 recommending the Board of Administrative Appeals uphold the \$500 Administrative Citation No. 6037 issued on September 12, 2018 for violation of the Antioch Municipal Code Business License Required and Residential Landlord Business License Tax (Measure O).

Sergei Sapozhnikov requested the Board of Appeals remove the \$500.00 citation because he did not receive any information regarding the Business License except for the final notice, after he had accumulated the \$100.00 and \$200.00 citation fees. Speaking to staff's assertion that he had called muni services and acknowledged letters were received, he noted that he had not contacted anyone and had not received any notifications. He commented that he had forgotten to change his address; however, the City was able to locate his correct address in October.

Finance Services Supervisor Saunders reminded the Board that the City used County records as the availability of address to mail notices, which was done. She noted they had gone above and beyond by trying to search the water data base for an additional address, and it was at that time brought to their attention there were two addresses. She concluded that they had complied with the proper channels in which notifications were sent.

Board Member Goodbeer questioned what occurred when Mr. Sapozhnikov contacted staff regarding this issue.

Mr. Sapozhnikov stated immediately after receiving the letter he contacted the City and spoke with staff who verified that the information had been sent to the incorrect address. He noted at

that time he paid all taxes and citation fees. He further noted the appeal date for the first two citations had passed so he filed the appeal for the final citation fee in the amount of \$500.00. He commented that if he had received the first two citations; he would have appealed those as well.

In response to Board Member Faraji, Mr. Sapozhnikov reiterated that he had not called in January and when he received the final letter he came to the City. He noted he had not paid his business license because he was not informed of the Business License requirements. He explained that he had not changed his address because all of his business with the County was done via email. He noted it was the city's responsibility to make sure notifications were delivered to the proper address which they finally did; however, it was already too late to appeal the first two citations.

In response to Board Member Livingston, Finance Services Supervisor Saunders explained that the appellant was required to pay all of the citations in order to file the appeal.

Board Member Faraji added that the appellant paid the citations and came to the Board seeking a refund of the \$500.00 citation fee. She stated she wanted to make a motion that she always made and because of her culture she wanted to compromise with the appellant since he had made an effort to file the appeal. She suggested refunding him \$250.00 of the \$500.00 citation.

City Clerk Simonsen speaking to Board Member Faraji stated if she was looking at a motion, the motion would be to uphold the appeal in the amount of \$250.00 and denying \$250.00.

Board Member Faraji stated that that would be the motion.

On motion by Board Member Faraji, seconded by Board Member Goodbeer, the Board of Administrative Appeals upheld the appeal in the amount of \$250.00 and denied \$250.00. The motion carried the following vote:

*Ayes: Faraji, Adeyemi, Goodbeer*

*Noes: Livingston, Simpson*

**B. ADMINISTRATIVE CITATION NO. 6113 – APPEAL FILED BY WINT LWIN FOR THE PROPERTY LOCATED AT 1517 C, ANTIOCH, REGARDING ANTIOCH MUNICIPAL CODE “BUSINESS LICENSE REQUIRED” [§3-1.103].**

It was previously noted that this item had been rescheduled to be heard at the December 6, 2018 Board of Appeals meeting.

**PUBLIC COMMENTS** – None

#### **WRITTEN/ORAL COMMUNICATIONS**

Chairperson Simpson wished everyone a Happy Thanksgiving.

**ADJOURNMENT**

Chairperson Simpson adjourned the Administrative Board of Appeals meeting at 3:35 P.M. to the next regularly scheduled meeting on December 6, 2018.

Respectfully Submitted,

\_\_\_\_\_  
Kitty Eiden  
Minutes Clerk


DRAFT



## STAFF REPORT TO THE CITY COUNCIL

**DATE:** Regular Meeting of November 27, 2018

**TO:** Honorable Mayor and Members of the City Council

**SUBMITTED BY:** Nickie Mastay, Administrative Services Director 

**SUBJECT:** Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association for the Period of October 1, 2018 – September 30, 2020

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### **RECOMMENDED ACTION**

It is recommended that the City Council adopt a resolution:

- 1) Approving the Tentative Agreement between the City of Antioch and the Treatment Plant Employees Association (TPEA); and
- 2) Authorizing the Finance Director to make any necessary adjustments to the FY2018/19 budget to implement the provisions of the Tentative Agreement.

### **STRATEGIC PURPOSE**

**Strategy L-8:** Effective and efficient management of all aspects of Human Resources Management, including Employer/Employee Relations, labor negotiations, classification and compensation, recruitment and selection, benefits administration, and staff development.

### **FISCAL IMPACT**

The estimated fiscal impact of the Treatment Plant Employees Association Tentative Agreement for FY2018/19 is \$42,384. Since the Water Treatment Plant is an Enterprise Fund, none of this cost will be charged to the General Fund.

### **DISCUSSION**

The current term of the Memorandum of Understanding (MOU) between the City and the Treatment Plant Employees' Association covered the period of October 1, 2014 – September 30, 2018.

Representatives of the City and TPEA have been meeting and conferring in good faith to negotiate an agreement and finalize the MOU. If the City Council adopts the Tentative Agreement, the parties will continue to prepare an MOU to memorialize and replace the Tentative Agreement. The existing MOU will continue as modified by the terms of the Tentative Agreement until the MOU is completed. When completed, the MOU will be submitted to City Council for approval and adoption.

A Tentative Agreement has been reached. The major terms of the Tentative Agreement are:

- Two-year contract ending September 30, 2020.
- Effective the first full pay period in January 2019, all salaries shall be increased by 3.0%.
- Effective the first full pay period in January 2020, all salaries shall be increased by 3.0%.
- Employees may accumulate no more than a total of 100 compensatory time hours including standby/on-call hours.
- The City shall pay a 5% differential for Water Treatment Plan Operators who possess and maintain a State of California Water Treatment Grade V Certificate
- Flexible Benefits (Cafeteria) Plan.
- Effective for the CalPERS plan year 2019 (starting January 1, 2019) the City will increase its contributions to the Flexible Benefits Plan on behalf of the employees.
  - For each employee who is eligible for employee only medical coverage, the City shall contribute ninety-five percent (95%) of the Kaiser single rate per month.
  - For each employee who is eligible for the two (2) party medical coverage, the City shall contribute ninety-five (95%) of the Kaiser two (2) party rate per month.
  - For each employee who is eligible for family medical coverage, the City shall contribute ninety-five (95%) of the Kaiser family rate per month.
  - 100% of the premium for the most densely populated Dental Plan City-Wide for each coverage level offered by the City.
- Employee's hired by the City after December 31, 2018 cash back in lieu of medical shall be limited to \$250 per month.

Please refer to Exhibit 1 of the Resolution for more details of the Tentative Agreement.

## **ATTACHMENTS**

### **A. Resolution**

#### **Exhibit 1 to Resolution – Tentative Agreement**

**RESOLUTION NO. 2018/\*\*\***

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
APPROVING THE TENTATIVE AGREEMENT BETWEEN THE CITY OF ANTIOCH  
AND THE TREATMENT PLANT EMPLOYEES ASSOCIATION FOR THE PERIOD OF  
OCTOBER 1, 2018 – SEPTEMBER 30, 2020 AND AUTHORIZING THE NECESSARY  
FY2018/19 BUDGET ADJUSTMENTS**

**WHEREAS**, the City and the Treatment Plant Employees Association (TPEA) had a Memorandum of Understanding covering the period of October 1, 2014 – September 30, 2018; and

**WHEREAS**, in accordance with Government Code Section 3505, the City's Negotiating Team met and conferred in good faith with representatives of TPEA to negotiate a successor agreement; and

**WHEREAS**, representatives of the City and the TPEA reached a Tentative Agreement for a successor Memorandum of Understanding for the period of October 1, 2018 through September 30, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Antioch as follows:

**Section 1.** That the Tentative Agreement between the City of Antioch and TPEA for the period of October 1, 2018 – September 30, 2020, as provided in the attached Exhibit 1 and herein incorporated by reference, is approved; and

**Section 2.** The Finance Director is authorized to make the necessary FY2018/19 budget adjustments to implement provisions of the agreement.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 27<sup>th</sup> day of November, 2018, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

---

**ARNE SIMONSEN, CMC  
CITY CLERK OF THE CITY OF ANTIOCH**

**TENTATIVE AGREEMENT**

**between**

**CITY OF ANTIOCH**

**and**

**TREATMENT PLANT EMPLOYEES' ASSOCIATION**

**October 10, 2018**

- Term – October 1, 2018 and ending September 30, 2020
- Salary Adjustments
  - Effective the first full pay period in January 2019, all salaries shall be increased by 3.0%.
  - Effective the first full pay period in January 2020, all salaries shall be increased by 3.0%.
- Flexible Benefits (Cafeteria) Plan
  - A. Effective January 1, 2015, the City shall make the following contributions to the Flexible Benefits Plan on behalf of represented employees:
    1. For each represented employee who is eligible for employee only medical coverage, the City shall contribute \$594.61 per month.
    2. For each represented employee who is eligible for two (2) party medical coverage, the City shall contribute \$1052.96 per month.
    3. For each represented employee who is eligible for family medical coverage, the City shall contribute \$1365.66 per month.
      - a. At least thirty (30) days prior to the beginning of the annual open enrollment period, the City shall determine the flexible benefits/cafeteria plan contributions for the following calendar year.
      - b. The City shall add the dollar value changes in premiums for the Kaiser health plan (single, 2-party, family) and the most costly dental plan.
      - c. The City then shall divide the sum of these changes by

2, to determine a 50%/50% split of the increase/decrease in premiums.

d. The City's contribution toward the flexible spending/cafeteria plan shall be modified by 50% of the premium increase/decrease. ~~Each employee's payroll deduction shall be modified by 50% of the premium increase/decrease.~~ This 50%/50% sharing of premium increases shall be capped at a maximum annual increase of \$1,000 out of pocket per employee (\$2,000 combined total premium increase). In the event that the annual premium increase exceeds \$2,000, the City shall pick up 100% of the premium in excess of \$2,000.

B. Effective January 1, 2019, the City shall make the following contributions to the Flexible Benefits Plan on behalf of the employees. These contributions include the Minimum Employer Contribution (MEC) required by CalPERS:

1. For each employee who is eligible for employee only medical coverage, the City shall contribute ninety five percent (95%) of the Kaiser single rate and per month.
2. For each employee who is eligible for two (2) party medical coverage, the City shall contribute ninety five percent (95%) of the Kaiser two (2) party rate per month.
3. For each employee who is eligible for family medical coverage, the City shall contribute ninety five (95%) of the Kaiser family rate per month.
4. In addition to the City Contributions above, the City shall make an additional contribution to the flexible benefit plan on behalf of the employee equal to 100% of the premium for the most densely populated City-wide dental plan at that level (single, two-party, family).
  - a. The most densely populated dental plan shall be determined at least thirty (30) days prior to the beginning of the annual open enrollment period, the City shall determine which of the City offered dental plans has the highest percentage of employees enrolled on a City-wide basis for each coverage level offered by the City.

C. Each employee shall file an election in writing during the month of Open Enrollment each year as to how the monies in his or her Flexible



Benefits Account are to be expended during the ensuing plan year. Thereafter, except as provided in the Flexible Benefits Program Plan Document, no changes to the designations so made shall be allowed until the enrollment period of the following plan year.

1. During the designated Open Enrollment Period each year, each represented employee must satisfy the conditional enrollment obligations specified in this Article. In addition, each employee may enroll in the various optional programs offered under the Flexible Benefits Plan.

2. If the costs of an employee's selections exceed the City's monthly contributions, the employee may designate a portion of his/her wages to be deposited into the Flexible Benefits Plan to cover the cost of such selections.

3. If the costs of an employee's selections under the Flexible Benefits Plan are less than the City's monthly contribution on that employee's behalf, the unused money will be split, with one-half (1/2) of the unused money going to the employee as wages each month and one-half (1/2) of the money reverting to the City. Or, the employee shall elect to have one hundred percent (100%) of the unused money deposited into his/her deferred compensation account, not to exceed the maximum allowable employee contribution.

Effective January 1, 2019, if the costs of an employee's selections under the Flexible Benefit Plan are less than the City's monthly contribution on that employee's behalf, the unused money will be split, with one-half (1/2) of the unused money going to the employee as wages each month and one-half (1/2) of the money reverting to the City. Except for those employees eligible under E. below. The employee may contribute the wages received under this section to the employee's deferred compensation account subject to the plan limits.

4. Each employee shall be responsible to provide immediate written notification to the City regarding any change to the number of his or her dependents that affects the amount of the City's monthly contributions on the employee's behalf. Changes to the City's contribution rate shall take effect at the start of the first pay period in the month preceding the month in which the eligible dependent is either added or deleted under the plan. In the event an employee does not timely report a change of dependents that affects the amount of the City's monthly contributions, the employee shall

reimburse the City for any overpayment paid by the City via payroll deduction.

5. The City will not treat the employee share of premium payments within the Flexible Benefits Program as compensation subject to income tax withholding unless the Internal Revenue Service or the Franchise Tax Board indicate that such contributions are taxable income subject to withholding. The City shall treat any cash payments to the employee as compensation subject to applicable local, State and Federal tax regulations and shall withhold and report such taxes as required by law. Each employee shall be solely and personally responsible for any Federal, State or local tax liability of the employee that may arise out of the implementation of this section.

D. Employees hired by the City after December 31, 2018~~20~~, cash back in lieu of benefits shall be limited to \$250 per month.

E. Employees who have selected to have the unused money from their Flexible Benefit Plan, as of October 10, 2018, deposited into his/her half cash or deferred compensation account shall continue to have deposited the same amount that they were receiving on November 1, 2018 into their deferred compensation account for the term of this MOU. If the employee makes any changes to their medical plan that would impact this amount, they will no longer be eligible for this exception and shall be entitled to payments in accordance with C.3. above.

- **Compensatory Time**

Employees may accumulate no more than a total of one hundred eighty (100~~80~~) compensatory time hours, including standby/on-call hours.

Employees may cash out accrued compensatory by submitting a written request to their immediate supervisor on the form provided for such purposes. Requests to cash out accrued compensatory time will be paid in the pay period in which it is requested.

Compensatory time off of more than one day in duration should be requested at least five (5) working days in advance of the desired time off. One-day compensatory time off requests shall require twenty-four (24) hours notice. This provision shall not prevent a supervisor from granting a last minute leave for emergency or hardship situations.

- Certificate Pay

The City will pay a five percent (5.0%) differential for Water Treatment Plant

Operators who possess and maintain a State of California Water Treatment Grade V Certificate.

- Bereavement Leave


Time off with pay to attend funerals of immediate family members (spouse, domestic partner, ~~children~~, step children, legal ward, foster child, adopted child, parents~~father~~, ~~mother~~, step parents, individual who stood in loco parentis to the employee when the employee was a child, brothers, step brother, sisters, step sister, mother-in-law, father-in-law, sister-in-law, step sister-in-law, brother-in-law, step brother-in-law, daughter, step daughter, daughter-in-law, step daughter-in-law, son, step son, son-in-law, step son-in-law, grandparents, step grandparents, spouse's grandparents, ~~and~~ grandchildren, step grandchildren, and grandchild-in-law) shall be allowed. The actual amount of time off shall depend on the individual circumstances but normally shall not exceed three (3) workdays. In unusual circumstances or when services will be held more than 500 miles from the City of Antioch, up to five (5) days of Funeral Leave may be approved by the City Manager. Funeral Leave in excess of three (3) days shall be charged against the employee's sick leave balance. Decisions of the City Manager shall be final and will not be grievable. The Department Head involved must be notified in advance. The definition of day for funeral leave purposes shall mean the number of hours in an employee's shift.

For the City of Antioch

For the Association

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A woman with her hair in a bun is seen from the side, looking towards a child in a red shirt who has their arms raised in the air. They are in a vast desert landscape with rolling sand dunes under a clear blue sky. The image has a semi-transparent blue overlay with a circular pattern in the top left corner.

# City of Antioch (COA) Media Strategy Architecture

Nov 27, 2018

**evviva**  
express : impress

**ORANGE22**<sup>TM</sup>  
Integrated Media & Marketing Strategy

# COA Campaign Media Objectives

- Create multi-media brand awareness around the living and business opportunities that the City Of Antioch offers, supporting the notion that:  
*“Opportunity Lives Here”*
- Change perception of the city as a place worth exploring and as the best place to start or expand a business
  - Drive traffic to a website to find out more
  - Leverage an appropriate budget across multiple targets & geographies so we appear to be everywhere

# Our Target(s):

San Francisco, Bay Area CA Adults: 5.8m

## Consumer Demo:

Millennials 25 - 35 Yrs old: 1.4m

With 1+ Kids: 370k

Average age 30.5

## Business Target:

BlueTech + MedTech

Companies/

Entrepreneurs

**ADD**  
**Home Workers**  
**+ Retirees \***

*Pleasanton/Walnut/Concord not Prime markets to drive Opportunity/Growth – leaving some markets off, Business's not fleeing from those places.*

SF/Oakland  
Alameda/Berkeley  
Emeryville  
Richmond/Antioch  
93k

Consumers

On BOTH  
consumer and  
Business lists



# Media Objectives/Strategies

## USE MEDIA THAT “MOVES” OUR TARGET

- Awareness/frequency based – to move the needle
- Influencer based - to compel & Amplify
- Smart Targeting based – to leverage the \$\$
- Consumer media Spills to Business

## TEST & LEARN

- Use multiple variables to get actionable and scalable learning
- Multi-media approach doesn't put all eggs in one basket
- KPI's include:
  - Page visits,
  - Time on Site,
  - Unique Visitors,
  - Arrivals

## MAKE USE OF CONTEXT, INTENT & BEHAVIOR

- Keyword alignment

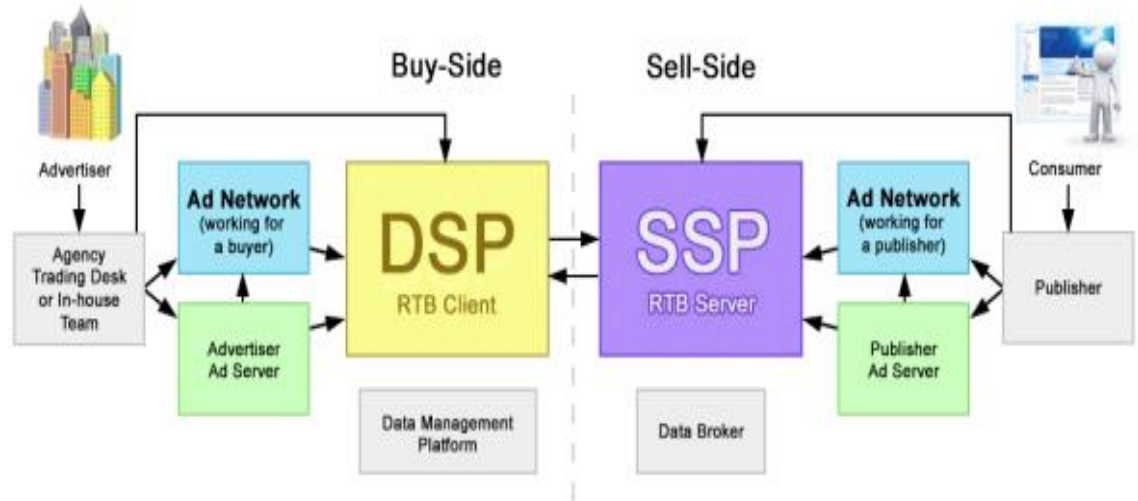
# Glossary of Terms

- **KPI** – Key Performance Indicator
- **CPM** – Cost-Per-Thousand Impressions
- **CPC** – Cost-Per-Click
- **Crafted Audience** – to target an audience based on the content they engage with
- **GeoFencing** – To identify and target, retarget or track a predefined area
- **Pre-Roll** - :15 or :30 ads shown before video content on the web
- **Native** – Advertorial – paid media experience that follows the natural or “native” form of the environment in which it is placed
- **Contextual** – advertising on a website that is relevant to the page’s content
- **Intent** – ads placed based on a consumers intent to adopt, purchase or consume a particular service or offering
- **Look-A-Likes** – way to reach people likely to be interested In Antioch because they are similar to people who already are. Think “Birds of a Feather”.
- **Retargeting** – ads served to a person who has already been to your site
- **Search Retargeting** – using a visitors entire search history to predict his or her interests
- **SEM:** Search Engine Marketing
- **GeoTargeting** – Ads served to a particular location or geography
- **Behavioral Targeting** – ads served based on the targets last Internet actions
- **Smart Targeting = Programmatic** (see next page)



# What is Programmatic Media?

- Programmatic is the use of automation in buying and selling media (can be many types).
- Data and algorithms are used to decide which ads to buy and how much to pay for them
- Data overlays and technologies allow for sophisticated techniques like:
  - Behavioral
  - Contextual
  - Look-A-Likes (Birds of a feather)
  - IP & Site category
  - Personalization
  - Capture and act on Intent
  - Smarter targeting and Retargeting



Programmatic allows us a highly targeted, high volume exposure at a low cost as acts as workhorse across all strategies & targets.

# Recommendation #MoveUs

# What “Moves” them?

Create awareness among consumer targets, with spill to business, from Dec to June 2019, with Media aligned to in some way “Move” our targets.

## TRAFFIC

- Utilize impactful media / creative units strategically-targeted/located near pain-points while in transit to work or home.
- Buy High Profile “can’t miss” digital billboards – Bay Bridge and Bart Station coverage.
- Give them a “reminder” with drive time radio traffic reads on both digital & terrestrial radio. Radio amplifies other messaging.
- Consider promotion with Lyft for free ride home to Bio-entrepreneurs outside med/tech innovation spaces like [IndieBio](#).
- Digital Billboards moved around to key spots across the Geo & Businesses.
  - Switch out messaging for Consumer Vs Business targets. SSF near MedTech.

## STORY TELLING

- In order to change the perception of Antioch, we’d recommend using media that’s a bit more innovative that can tell a story. Snapchat and Spotify will reach the <35 millennial families while Pre-Roll can get in front of work-at-homers and retirees.
- “Native” Advertorial written by top local news (i.e., SFGate, Oakland Tribune) will feature Stories that focus on ease in transportation (“Now on BART-line”), cost of homes, beauty of the area, community, etc.
- Social exposure - stories and video through Facebook/Instagram
- Contextual targeting, search and search retargeting act as foundation for Intent based targets.

## COMMUNITY

- Connect with them in their own communities and at work:
  - IE Promote North Antioch to South Antioch targets
  - Explore Low cost Outdoor including Antioch’s free billboard
- Deep digital reach via Geo-Fencing, geo-targeting, behavioral and Rich programmatic tools.
- Local Pride effort with minimal coverage to Target Antioch influencers with exposure in local sites like AntiochHerald.com and EastCountyToday.net.

# Smart Targeting For Millennials

## 6 million impressions, \$13 CPM

In order to change the perception of Antioch recommend using programmatically available media that's a bit more innovative that can tell a story.

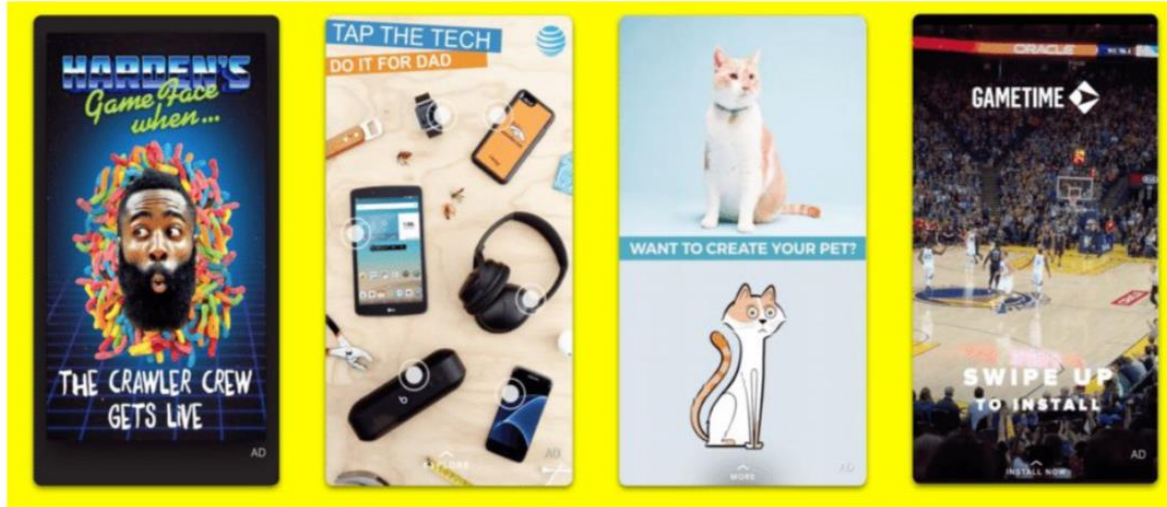
- **Snapchat and Spotify** will reach the <35 millennial families while Pre-Roll can get in front of work-at-homers and retirees
- **Native Ads** placed contextually
  - **Crafted Audiences** - target people based on the types of content they are engaging with. Example: To target incoming Example Growing ethnic groups: Target readers of South Asian Content, Chinese Content, . Other targeting types: Buyers of Home Office Products, Recently Retired Individuals, Home Buyers
- **Retargeting & Search Retargeting**
- **LookAlikes** - based on site visitors, we'll find other who act similar to those visiting the website
- **Contextual keywords**
  - Ads show up on sites with those keywords in the editorial
- **GeoFencing** to track who arrives in market



# SnapChat for Moving Millennials

- Powerful targeting and immersive experience - Snap ads are an exciting, largely untapped advertising channel for marketers.
- 63% of snapchatters are ages 18-34, hitting the millennial audience who are largely influenced by visual data, 70% of those are 25 to 35.

Raise awareness and make an impression on mobile using a huge audience and engaging ad formats.



# Move older targets with Video

- Pre-Roll Video
- Tell the story with a powerful medium that fully immerses and engages the audience.
- 15 or 30 sec. non-skippable video will play before any news stories on sites the audience visits
- With content that inspires and teaches your audience about the area.
- Hyper-targeted



- Includes Facebook/Instagram Video



# Smart Targeting Open for Business

## 12 million impressions, \$5 CPM

Reach business professional using b2b data to find our target audience and reach them in environments where they're most receptive such as public transit or while reading email newsletters from publishers such as WSJ, TechCrunch, Business Insider and local publications.

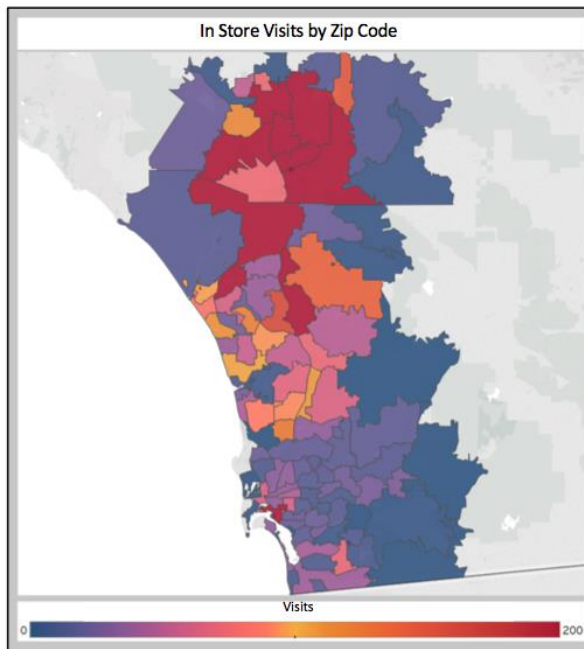
- Creative:
  - Standard and high impact display ad sizes on MediaMath, Dstillery & LiveIntent
- Tactics:
  - Dun & Bradstreet –
    - Account Based Lists (you name the companies)
    - Custom B2B Audiences (job title + company size + industry)
    - Location Targeting – based on lat/long location data, use a custom geo-fence to target commuters. Pull a list of location data from <http://www.bart.gov/schedules/developers/geo>.
  - Crafted Audiences
    - Entrepreneurs
    - Startup Investment Content Readers
    - Contextual: Target local news, business news, real estate publishers

# GeoFencing to track “arrivals”.

- Use “Locations” like in the retail example here. We will be able to see on-site visits and a heat map of the area.
- Could map overall area or break down to high affinity areas like the Waterpark in the South, Festivals, Bart.

## In-Store Location Attribution

## Reporting Examples



Location	Platform	# of users entering
Lexample Location 1	Hyper Local Mobile	1000
Lexample Location 2	Hyper Local Mobile	20
Lexample Location 3	Hyper Local Mobile	3
Lexample Location 4	Hyper Local Mobile	14
Lexample Location 5	Hyper Local Mobile	6546
Lexample Location 6	Hyper Local Mobile	23
Lexample Location 7	Hyper Local Mobile	3434
Lexample Location 8	Hyper Local Mobile	2323
Lexample Location 9	Hyper Local Mobile	234
Lexample Location 10	Hyper Local Mobile	2434
Lexample Location 11	Hyper Local Mobile	324123
Lexample Location 12	Hyper Local Mobile	23
Lexample Location 13	Hyper Local Mobile	23
Lexample Location 14	Hyper Local Mobile	232
Lexample Location 15	Hyper Local Mobile	23
Lexample Location 16	Hyper Local Mobile	2
Lexample Location 17	Hyper Local Mobile	312
Lexample Location 18	Hyper Local Mobile	23

- Store visits by geography in Raw and heatmap formats
- Provides usable data to help guide overall marketing efforts



# Case Study

- Spokane WA, Targeting city of Seattle with 100% Programmatic Effort
- #HackingSpokane



## Here, you still can.

Heading west to the Evergreen State used to promise a better way of life. From snow-capped mountains to lush forests, pristine rivers and plentiful lakes—not to mention four distinct seasons to enjoy it all—Washington was a beacon of livability. Relatively untamed and reasonably uncrowded, it was a place where a person with a dream and an ounce of ambition could make an honest living without compromising quality of life.

This Washington still exists—just not where you think.

While Seattle is still a special place, locals have to work hard to afford a lifestyle that hardly exists anymore. And those living on the outskirts and working in the city are subjected to some of the longest commute times in the country. These trends have Washingtonians



A BETTER WAY WORK + LIFE RESOURCES

Get to know Washington the way it was meant to be enjoyed. Explore the resources below to take a closer look at life in Spokane and the surrounding region.

<b>CITY OF SPOKANE</b> <a href="#">GO ›</a>	<b>VISIT SPOKANE</b> <a href="#">GO ›</a>	<b>ADVANTAGE SPOKANE</b> <a href="#">GO ›</a>
<b>MORE INFO</b> FULL NAME E-MAIL * ZIP CODE <a href="#">GET THE REPORT ›</a>	<b>LET'S TALK SPOKANE</b> 808 W. Spokane Falls Blvd. Spokane, WA 99201 Call us at 1.888.390.HACK (4225). Or if inside the city limits, call 311. Prefer to email? <a href="mailto:hackingwashington@spokanecity.org">hackingwashington@spokanecity.org</a>	

# # HackingSpokane

Here's an example of a LiveIntent ad within the Puget Sound Business Journal newsletter

The screenshot shows a newsletter header for the Puget Sound Business Journal, Morning Edition, dated October 10, 2018. Below the header are five news items, each with a small profile picture and a category label: 'He changed the world:' Business and community leaders remember late Microsoft co-founder Paul Allen (Technology); Real estate fueled Paul Allen's many passions (Commercial Real Estate); Aerospace Futures Alliance awards honor Esterline leader, lawmaker and Boeing lobbyist (Manufacturing); Microsoft co-founder Paul Allen has died (Technology); and WSU's medical school receives initial accreditation to offer residency programs (Health Care). A red rectangular box highlights a LiveIntent advertisement with a green background. The ad text reads: 'BUY A CRAFTSMAN BUNGALOW BY YOUR FAV BREWHOUSE FOR UNDER \$1K/MO.' with a 'FIND OUT WHERE' button. Below the ad is a 'BUSINESS PULSE' section with a photo of two people at a desk and the text 'How far in advance are you planning for your company's future?'. At the bottom, there is a 'MORE STORIES' section with two items: 'What Paul Allen's death might mean for the future of the Trail Blazers in Portland' (Sports Business) and 'Amazon recruits UW professor Siddhartha Srinivasa as director of robotics' (Technology).

**PUGET SOUND BUSINESS JOURNAL** MORNING EDITION  
October 10, 2018

**'He changed the world:' Business and community leaders remember late Microsoft co-founder Paul Allen** ➔  
TECHNOLOGY

**Real estate fueled Paul Allen's many passions** ➔  
COMMERCIAL REAL ESTATE

**Aerospace Futures Alliance awards honor Esterline leader, lawmaker and Boeing lobbyist** ➔  
MANUFACTURING


**Microsoft co-founder Paul Allen has died** ➔  
TECHNOLOGY

**WSU's medical school receives initial accreditation to offer residency programs** ➔  
HEALTH CARE

**BUY A CRAFTSMAN BUNGALOW BY YOUR FAV BREWHOUSE FOR UNDER \$1K/MO.** [FIND OUT WHERE](#)

Powered by **LiveIntent** AllChances

**BUSINESS PULSE**

 How far in advance are you planning for your company's future?

[See All Business Pulse](#)

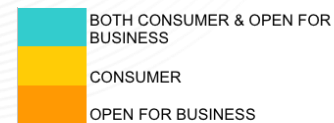
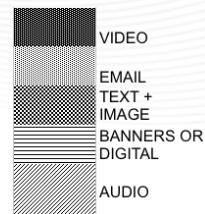
**MORE STORIES**

**What Paul Allen's death might mean for the future of the Trail Blazers in Portland** ➔  
SPORTS BUSINESS

**Amazon recruits UW professor Siddhartha Srinivasa as director of robotics** ➔  
TECHNOLOGY

# “#MoveUs” Thru FY19

## \$340k, 49M impressions \$7 CPM



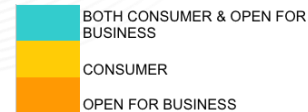
OBJECTIVE	STRATEGIES		EXAMPLE PARTNERS		Q3 18/19				Q4 18/19			CPM/ CPC	Impressions/ Clicks/ Leads	Spend	
					Dec	Jan	Feb	Mar	April	May	June				
AWARENESS	MOVE THROUGH TRAFFIC	OOH - Bay Bridge & Toll Plaza Billboard, Alameda, Subway	CBS Outdoor, Outfront, ClearChannel, BART,									\$30	2,000,000	\$60,000	
		Drive Radio - :15 or :30 Traffic reads, NPR Underwriting	KCBS, Spotify, Pandora, NPR										\$7	3,000,000	\$21,000
		Mobile Billboard	Guerilla at BlueTech Companies (South San Francisco) & Consumer Rush Hour										\$100	200,000	\$20,000
INFLUENCE	MOVE THROUGH STORY TELLING & COMMUNITY	Native Stories, Branded Content	"Best Places to Live - Opportunity Lives Here" native ads - Example SF Gate Stories, BANG, Oakland Tribune									Flat	12,000,000	\$21,000	
		Targeted Email	SFGate (6x)										Flat	12,000,000	\$21,000
		Social Video	FB/Instagram										\$25	616,600	\$15,200
		SEM	Google AdWords										\$5	4,000,000	\$21,000
													\$3	6,667	\$20,000
SMART TARGETING	MOVE THROUGH HYPER TARGETING @ BUSINESS & COMMUNITY	Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	MediaMath Via NWP/Partners - Crafted Audiences, Millennial Families, Geo, Cross Device, Contextual, Retargeting, Local City Mags									\$18	4,500,000	\$80,000	
		Retargeting & Search Retargeting	Keywords like Buy A House Bay area, Good place to Live Bay Area, etc										\$13	400,000	\$5,000
		Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	LINKED IN plus MediaMath Via NWP/Partners										\$5	11,000,000	\$56,000
GRAND TOTAL													7	\$340,200	

Not Including Creative \$



# Option 2: “Smart + Bart”

## \$206k, 18M impressions \$12 CPM



OBJECTIVE	STRATEGIES		EXAMPLE PARTNERS		Q3 18/19			Q4 18/19			CPM/ CPC	Impressions/ Clicks/ Leads	Spend
					Dec	Jan	Feb	Mar	April	May			
AWARE- NESS	MOVE THROUGH TRAFFIC	OOH - Subway	BART or TOP FEEDER MARKET MEDIA								\$30	2,000,000	\$60,000
		Local Pride	Outdoor Billboard, Newspapers (Antioch Herald, etc)								\$10	500,000	\$5,000
		Mobile Billboard	Guerilla at BlueTech Companies (South San Francisco ) & Consumer Rush Hour								\$100	200,000	\$20,000
SMART TARGETING	MOVE THROUGH HYPERTARGETING @ BUSINESS & COMMUNITY	Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	MediaMath Via NWPartners - Crafted Audiences, Millineal Families, Geo, Cross Device, Contextual, Retargeting, Local City Mags								\$17	3,500,000	\$60,000
		Retargeting & Search Retargeting	Keywords like Buy A House Bay area, Good place to Live Bay Area, etc								\$13	400,000	\$5,000
		Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	LINKED IN plus MediaMath Via NWPartners								\$5	11,000,000	\$56,000
	GRAND TOTAL												\$206,000

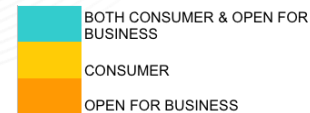
Not Including Creative \$



# Local Pride & Politics

- Instill a sense of place and wonder and pride in people who live in Antioch, particularly those in the South who haven't wandered North to explore opportunity near them.
  - Specific content messages via Smart Targeting
    - I.e. "check out the Performing Arts Center, Restaurants, etc".
  - Outdoor – Ads on a Local Bulletin to instill pride –
    - Highway 4 (2, one in Pittsburg, 1 in Antioch)
    - :8 per minute
  - Coverage in local papers such as Antioch Herald and EastCountyToday.net, Antioch Press

# Annualized “Smart + Bart”



## \$405k, 35M impressions \$12 CPM

OBJECTIVE	STRATEGIES		EXAMPLE PARTNERS		Q3 18/19			Q4 18/19			Q1 19/20			Q2 19/20			CPM/CPC	Impressions/Clicks/Leads	Spend
					Dec	Jan	Feb	Mar	April	May	June	April	May	June	April	May			
AWARE-NESS	MOVE THROUGH TRAFFIC	OOH - Subway	BART or TOP FEEDER MARKET MEDIA													\$30	4,000,000	\$120,000	
		Local Pride	Outdoor Billboard, Newspapers (Antioch Herald, etc)														\$15	1,000,000	\$15,000
		Mobile Billboard	Guerilla at BlueTech Companies (South San Francisco ) & Consumer Rush Hour														\$100	300,000	\$30,000
SMART TARGETING	MOVE THROUGH HYPERTARGETING @ BUSINESS & COMMUNITY	Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	MediaMath Via NWPpartners - Crafted Audiences, Millineal Families, Geo, Cross Device, Contextual, Retargeting, Local City Mags													\$17	7,000,000	\$120,000	
		Retargeting & Search Retargeting	Keywords like Buy A House Bay area, Good place to Live Bay Area, etc														\$13	800,000	\$10,000
		Smart & Scalable Targeting, Measurement and dynamic Creative w/Programmatic	LINKED IN plus MediaMath Via NWPpartners														\$5	22,000,000	\$110,000
	GRAND TOTAL																	\$5,000	

Not Including Creative \$

# Next Steps

- Homework: Where is the largest Feeder market for Antioch?
- COA to approve strategy, budget, timing. Agree on KPI's.
- O22 to submit SOW for planning.
- O22 To work with EVVIVA to integrate media/creative strategies.
- O22 to present plan (needs 2 weeks ideally for a plan).
  - *Plan will include a schedule for results reporting of KPI's*
- O22 to co-ordinate with EVVIVA on common ad sizes/specs.
- Coordinate kick-off meetings for custom content.
- Set tags on the website for tracking, define geo-fenced arrival areas, etc.
- Test Creative. Work with EVVIVA on realistic Timeline (real dates based on that). Discuss website w/David.
- Campaign goes live.



# Partners

# Contextual Native: SFGate Stories

SFGate will create 2 custom stories to provide a bigger storytelling platform to support “Opportunity Lives here”.

- 3-4 million impressions per story, 5,550 guaranteed engagements (1m + time spent).
  - Avg time spent is 3:21 (259% higher than industry avg).
- Be promoted through native placements on SFGATE and other contextually relevant sites
- Extend to Social platforms

Facebook - 544,292 followers

Instagram - 48.2K followers

Twitter - 402.1K followers

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## Highway 1-Metrics

Story Link:

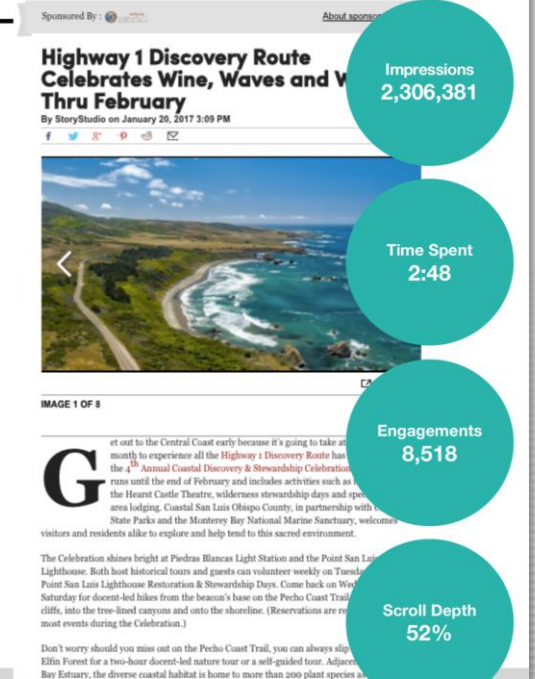
[Highway 1 Discovery Route Celebrates Wine, Waves and Wildlife Thru February](#)

Flight: January 30, 2017 – February 28, 2017

Performance Overview:

With over **2.3 million impressions**, Highway One Discovery Route's custom story earned a total of **8,518 brand engagements**.

With an **average time of 4:12 minutes** spent on the page, 300% higher than the desktop benchmark of 1:03 minutes and 375% higher than the mobile benchmark of 53 seconds, the story has proven to be both **interesting and valuable** to readers.



# SFGate Stories: Across 100's of Partners

## SOCIAL PLATFORMS



## NATIVE + CONTENT DISCOVERY



## PUBLISHER



# Digital Bulletin

- Location: Bay Bridge / Hwy 80
- Facing: East
- Size: 17' x 58'
- Reaches attendees leaving OAK travelling toward SF



## 001341 - San Francisco Bay Area

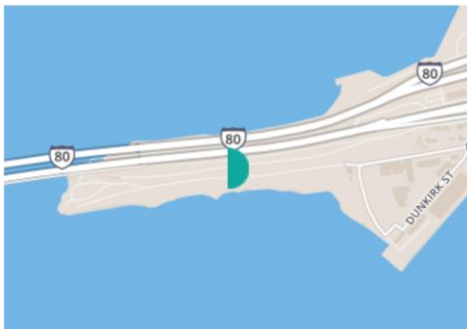
Description:	Bay Bridge (I.80) SS 0.5mi W/O Toll Plaza (%) F/E - 2				
TAB Panel ID:	30549217	City:	OAKLAND	Latitude:	37.822
Media Type:	Digital	State:	CA	Longitude:	-122.324
Display Dimensions:	16"11" x 58"	Zip:	94607	Facing:	E
Physical Dimensions:	16"11" x 58"				





# Digital Bulletin

- Location: Bay Bridge / Hwy 80
- Facing: West
- Size: 17' x 58'
- Reaches attendees leaving SF travelling toward OAK



	Weekly Impressions San Francisco et al, CA (DMA)	
Demo	In Market	Total
18+ yrs - All	718,990	744,279

## 001342 – San Francisco Bay Area

**Description:** Bay Bridge (I.80) SS 0.5mi W/O Toll Plaza (%) F/W - 2

**TAB Panel ID:** 30549216

**Media Type:** Digital

**Facing:** W

**Size:** 16'11" x 58'7"

**City:** OAKLAND

**Zip:** 94607

**Latitude:** 37.821605000

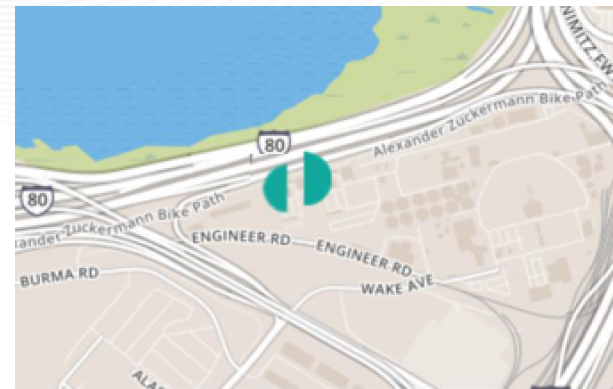
**Longitude:** -122.324422000

**Current Advertiser:**



# Panel Billboards

80 Towards Oakland coming from Richmond - (2) more Bulletins on I-80 on the east bay side- (front and back) are excellent for reach east to west traffic on the I-80.



<b>Description:</b> Bay Bridge (I.80) SS .7 mi E/O Toll Plaza (%) - F/W	
<b>TAB Panel ID:</b> 30549226	<b>Media Type:</b> Bulletin
<b>Facing:</b> W	<b>Size:</b> 14' x 48'
<b>City:</b> OAKLAND	<b>Zip:</b> 94607
<b>Latitude:</b> 37.825645000	<b>Longitude:</b> -122.299672000
<b>Current Advertiser:</b> Alaska Airlines, Inc	



<b>Description:</b> Bay Bridge (I.80) SS .7 mi E/O Toll Plaza (%) - F/E	
<b>TAB Panel ID:</b> 30549227	<b>Media Type:</b> Bulletin
<b>Facing:</b> E	<b>Size:</b> 14' x 48'
<b>City:</b> OAKLAND	<b>Zip:</b> 94607
<b>Latitude:</b> 37.825645000	<b>Longitude:</b> -122.299672000
<b>Current Advertiser:</b> New Tang Dynasty TV	



# Mobile Billboard

## Double Duty

- Consumer & Business Targets
- 2 mobile billboards driving around during key time periods each day
- Double Sided, 100% ownership
- Business Messaging alternates with Consumer

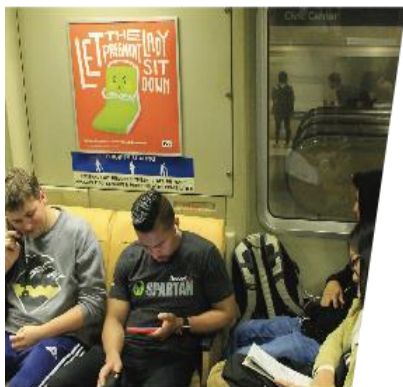




# Bart Station

- 1 or more East Bay Stations

## Train Inventory | Interior Car Cards



Reaching a captive audience, interior car cards are bold media formats, directly in sight of consumers throughout their entire trip. Long rides in and out of downtown San Francisco means commuters can 'take in' your message and identify with your brand.



#### Product Information:

> 22'H x 21"W

#### Coverage:

> BART System-wide

## Station Inventory | Two Sheets

Connect with daily BART riders through two sheet posters spread throughout the system. **Easily send multiple messages to commuters at all their stopping points.**

Situated in the walkways and platforms throughout the Bay Area, **vibrant and detailed two sheets speak directly to consumers.**



#### Product Information:

> 46"H x 60"

#### Coverage:

- > Systemwide
- > Targeted area/demographic on a request basis





# Bart Station Domination

- 1 or more East Bay Stations



## Station Dominations

Station Dominations enable a brand to own an entire Bay Area station with a combination of traditional and direct-application media that cannot be missed. Dominations create buzz and generate tremendous recall with out-of-the-box messaging that stops people in their tracks.



Spots

Station Domination

Sizes Vary

Note: Some Station Dominations offer digital media as well.

# Google Adwords

- **Launch SEM with Brand support**
  - Supports brand messaging and is open and other campaign messaging
  - Custom created Keyword Plan align with website content
  - Strategic messaging for target audience segments
  - Continuously optimized to maximize present and performance to tell an even greater story
  - Further optimized with mobile, location, Callouts, sitelinks, etc.
  - Low Volume
  - \$1 to 2 CPC
  - 8% CTR estimated

The screenshot shows a Google search for 'plumbing nyc'. At the top, the search bar contains 'plumbing nyc' and navigation links for All, Maps, Shopping, News, Images, More, Settings, and Tools. Below the search bar, it indicates 'About 13,000,000 results (1.17 seconds)'. A red box highlights the first result, which is a paid advertisement for 'Roto-Rooter 24/7 Plumbers - \$50 Off Any Service - rotorooter.com'. The ad text includes 'Expert Plumbers Available 24/7. Even Nights and Weekends. Call Now!', 'Services: Installations, Repairs, Cleaning, Maintenance', and 'Types: Basement, Bathroom, Kitchen, Laundry Room, Outdoor, Sump Pump, Water Heater'. Below the ad is a map of Manhattan, New York, with several plumbing-related locations marked. A red arrow points from the text 'Google Ads (Paid)' to the ad box. Below the map, there are organic search results for 'Hub Plumbing & Mechanical', 'Midtown Plumbing NYC', and 'Star Cities Plumbing & Heating'. A red arrow points from the text 'Organic Results (Not Paid)' to these results.

plumbing nyc

All Maps Shopping News Images More Settings Tools

About 13,000,000 results (1.17 seconds)

**Roto-Rooter 24/7 Plumbers - \$50 Off Any Service - rotorooter.com**  
(22) www.rotorooter.com/Plumbing/RotoRooter  
Expert Plumbers Available 24/7. Even Nights and Weekends. Call Now!  
Services: Installations, Repairs, Cleaning, Maintenance  
Types: Basement, Bathroom, Kitchen, Laundry Room, Outdoor, Sump Pump, Water Heater  
270 W 39th St #1001, New York, NY - Open today - Open 24 hours -  
Water Emergency \$40 Off Today      Emergency Plumbers Local Offers

Google Ads (Paid)

Organic Results (Not Paid)

Hub Plumbing & Mechanical  
4.8 ★★★★★ (30) Plumber  
(917) 634-8888 WEBSITE

Midtown Plumbing NYC  
No reviews Plumber  
211 43rd St (212) 682-5874 DIRECTIONS

Star Cities Plumbing & Heating  
5.0 ★★★★★ (1) Plumber  
675 Hudson St #5n (917) 470-9887 WEBSITE DIRECTIONS

More places

Plumbing in New York - Yelp  
https://www.yelp.com/c/nyc/plumbing  
The Best Plumbing in New York on Yelp. Read about places like: Hub Plumbing & Mechanical, Dovia Plumbing & Heating, JCA Mechanical Plumbing & Heating...

**Thank you**