

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

WEDNESDAY, JULY 20, 2016

6:30 P.M.

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

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **WEDNESDAY, JULY 27, 2016**.

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

ROLL CALL

6:30 P.M.

Commissioners

Motts, Chair
Zacharatos, Vice Chair (*absent*)
Parsons
Mason
Hinojosa
Husary

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

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

1. APPROVAL OF MINUTES:

A. May 4, 2016

APPROVED

B. May 18, 2016

APPROVED

* * *

END OF CONSENT CALENDAR * *

STAFF REPORT

NEW PUBLIC HEARINGS

STAFF REPORT

- 2. UP-16-04, AR-16-01 – The Habit Burger Grill** is requesting approval of a use permit and design review application to construct an approximately 3,418 square foot restaurant with a drive-thru, including the demolition of the existing building on site. The project site is located at 2430 Mahogany Way (**APN 074-370-013**).

STAFF REPORT

RESOLUTION NO. 2016-10

- 3. PD-15-03, PW-698 – Laurel Ranch –** Strack Farms Land, LLC, requests approval of an Addendum to the Future Urban Area #2 Specific Plan Environmental Impact Report, a rezone to Planned Development District (PD), a Vesting Tentative Map/Final Development Plan, and a development agreement. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (**APN 053-060-031**).

RESOLUTION NOS. 2016-11, -12, -13, -14

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (8:58 pm)

Notice of Availability of Reports

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

Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

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

Accessibility

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

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**May 4, 2016
City Council Chambers**

Vice Chair Zacharatos called the meeting to order at 6:30 P.M. on Wednesday, May 4, 2016 in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, May 11, 2016.

ROLL CALL

Present: Commissioners Parsons, Husary, Mason, and Vice Chair Zacharatos
Absent: Commissioner Hinojosa and Chair Motts
Staff: Director of Community Development, Forrest Ebbs
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. Approval of Minutes: April 20, 2016

On motion by Commissioner Parsons, seconded by Commissioner Mason, the Planning Commission approved the minutes of April 20, 2016, as presented. The motion carried the following vote:

AYES: Parsons, Husary, Zacharatos, Mason
NOES: None
ABSTAIN: None
ABSENT: Hinojosa, Motts

NEW PUBLIC HEARING

2. **UP-15-13, AR-15-13, V-15-05 – ARCO AM/PM Gas Station/Convenience Store** – PM Design Group, applicant, on behalf of Jagdish Kumar Bhalla, property owner, requests Planning Commission approval of a use permit, design review, and a variance for the demolition of the existing gas station and construction of a new gas station with a 3,769 square-foot convenience store.

The variance request would allow the sale of alcoholic beverages within 500' of another alcohol sales outlet, which is ordinarily prohibited by Municipal Code. The project is located at 2610 Contra Loma Boulevard (APN 076-191-038-9).

Director of Community Development Ebbs presented the staff report dated April 27, 2016 recommending the Planning Commission approve UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution.

In response to Commissioner Mason, Director of Community Development Ebbs stated a pole sign would be visible from east bound Highway 4; however, the canopy sign would not.

Vice Chair Zacharatos opened the public hearing.

Ron Jacobs, PM Design Group, representing Jack Bhalla, stated the rebuild of this station would maximize the site and be an enhancement to the area. He discussed the importance of replacing the pole sign as it would allow them to advertise the business to Highway 4. He noted that when Caltrans removed the original sign; it was with the understanding that they would be able to replace it, after the improvements were completed. He stated if the pole sign was not allowed, they would like to bring back a revised sign program.

In response to Commissioner Mason, Mr. Jacobs clarified if they were to revise the signage program, they would add illuminated ARCO letters to the canopy and increase building signage.

In response to Commissioner Parsons, Mr. Jacobs stated the canopy would not be visible from the freeway.

Jody Knight, representing Reuban, Junius & Rose, LLP, stated Jagdish Bahlia would be a good neighbor and strictly enforce the conditions of approval. She noted this business was isolated and not conducive to loitering. She further noted this project would increase employment, upgrade the site, and provide a benefit to the community.

In response to Commissioner Mason, Director of Community Development Ebbs explained highway signage was coordinated through Caltrans.

Commissioner Parsons added no signs were currently planned indicating this off ramp provided services.

Vice Chair Zacharatos closed the public hearing.

Commissioner Parsons spoke in support of the variance for alcohol sales noting this area was unique with no conflicting businesses. Additionally, she noted the signage

should be allowed as it was an established business that previously had a pole sign on their property.

Commissioner Mason stated he felt it was a good project; however, he had reservations for the pole sign as it may set a precedent. He noted the fact there was a pole sign at the business in the past could be justification.

Commissioner Zacharatos spoke in support of allowing the pole sign and the variance for alcohol sales.

Commissioner Husary voiced her support for the pole sign; however, suggested alcohol sales be limited.

Director of Community Development Ebbs stated if the Planning Commission was compelled to support the pole sign, in order to avoid a precedent, language could be added to the finding indicating that this was a unique circumstance as there was a sign on the property that was taken down and there was generally consistency with the General Plan looking at the overall sum of the project. He stated that the Planning Commission could also limit the hours of alcohol sales.

In response to Commissioner Parsons, the applicant indicated he would abide by decisions made by the Planning Commission this evening.

RESOLUTION NO. 2016-**

On motion by Commissioner Parsons, seconded by Commissioner Husary, the Planning Commission members present unanimously approved UP-15-13, AR-15-13, V-15-05 with the findings and subject to the conditions contained within the staff reports attached resolution. With the following revisions:

- A) Adding a finding that the pole sign shall be allowed as it is a replacement for the previous pole sign located at the business.***
- B) Liquor sales shall be allowed from 6:00 A.M. – 12:00 A.M.***

The motion carried the following vote:

AYES:	<i>Parsons, Husary, Zacharatos, Mason</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>Hinojosa, Motts</i>

ORAL COMMUNICATIONS

Director of Community Development Ebbs reminded the Planning Commission that a General Plan Land Use Element Update would be on the May 18, 2016 agenda.

Vice Chair Zacharatos announced she would not be available for the May 18, 2016 Planning Commission meeting.

Jagdish Bahlia thanked the Planning Commission and staff for allowing him to rebuild his ARCO station and noted it would be the gateway to Antioch.

Vice Chair Zacharatos thanked Mr. Bahlia for his interest in Antioch.

Pastor Henry Kelly, representing Grace Temple Church of God in Christ, reported he had not received a notice regarding this meeting or the variances. He expressed concern for the close proximity of the ARCO station to other businesses selling liquor in the area. He stated they had been attempting to clean up the area; however, it was a challenge with the illegal activity occurring.

Commissioner Parsons responded that a new business opening in the area would create more activity and deter criminal activity.

Director of Community Development Ebbs stated he would be available to discuss this matter with Pastor Kelly after the meeting and reiterated that the business would only be selling beer and wine.

Commissioner Mason added that the business was prohibited from selling single serve beer and wine-derived products.

Pastor Kelly stated he was also concerned with unsafe traffic conditions and the fact that on-street parking had been eliminated in the area.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

Vice Chair Zacharatos adjourned the Planning Commission at 7:08 P.M. to the next regularly scheduled meeting to be held on May 18, 2016.

Respectfully Submitted,
Kitty Eiden

**CITY OF ANTIOCH
PLANNING COMMISSION**

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

**May 18, 2016
City Council Chambers**

Chair Motts called the meeting to order at 6:31 P.M. on Wednesday, May 18, 2016, in the City Council Chambers. He stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, May 25, 2016.

ROLL CALL

Present: Commissioners Mason, Husary, Hinojosa and Chair Motts
Absent: Commissioner Parsons and Vice Chair Zacharatos
Staff: City Attorney, Michael Vigilia
Director of Community Development, Forrest Ebbs
Associate Civil Engineer, Capital Improvements Division, Ahmed Abu-Aly
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes:** **None**

NEW ITEMS

2. **PW-150-16 – THE CITY OF ANTIOCH is requesting a determination that the 2016-2021 Capital Improvement Program is consistent with the Antioch General Plan.**

Associate Civil Engineer, Capital Improvements Division, Ahmed Abu-Aly presented the staff report recommending the Planning Commission determine that the 2016/2021 Capital Improvement Program is consistent with the Antioch General Plan.

In response to Commissioner Hinojosa, Associate Civil Engineer, Capital Improvements Division, Ahmed Abu-Aly explained the transportation impact fee as well as the status of the West Antioch Creek Channel and northeast area annexation improvements.

In response to Chair Motts, Associate Civil Engineer, Capital Improvements Division, Ahmed Abu-Aly clarified public streets were funded by gas tax or Measure J and the remainder were funded from the General Fund.

Chair Motts stated many residents supported the installation of a stop sign at 2nd and E Streets to slow traffic in the area of the senior center. Additionally, he noted the railing along the "A" Street extension needed to be completed as it was a safety issue with the train. He reported CCTA was considering a transportation expenditure plan for a new Measure that would help with return to source funds.

In response to Commissioner Mason, Associate Civil Engineer, Capital Improvements Division, Ahmed Abu-Aly explained a consultant developed a pavement index and the priorities were high traffic areas and major arterials. He stated anyone interested in finding out the schedule for a particular location, could contact the City Engineer. He noted staff accumulated a file to document concerns for streets so that they could be incorporated into larger projects, whenever feasible.

Chair Motts opened and closed the floor to public comment with no speakers requesting to speak.

RESOLUTION NO. 2016-09

On motion by Commissioner Hinojosa, seconded by Commissioner Husary, the Planning Commission members present unanimously determined that the 2016/2021 Capital Improvement Program is consistent with the Antioch General Plan. The motion carried the following vote:

Ayes: Hinojosa, Husary, Mason and Motts

Absent: Parsons and Zacharatos

3. General Plan Update

Director of Community Development Ebbs presented the staff report dated May 10, 2016 recommending the Planning Commission receive the report and provide direction to staff on the ongoing General Plan Land Use Element Update.

In response to Chair Motts, Director of Community Development Ebbs stated he felt the gross density calculation provided more flexibility for the Planning Commission and developer. He noted it would also give the City predictability by determining the total unit count maximum for a given land area. Additionally, the gross density calculation would also give the public an understanding of what was going to be developed. He noted with net density, the City would always be negotiating the setbacks and open space.

In response to Commissioner Hinojosa, Director of Community Development Ebbs stated that beyond the setback for the creek, the City did not have a list for items to be excluded from developable acreage.

Commissioner Mason suggested if the City adopted the average lot size, that fortifying that preservation of the hills was a high priority.

Chair Motts opened the floor to public comment.

Juan Pablo Galvan, Land Use Manager for Save Mount Diablo, discussed their updated comments on the General Plan Land Use Element Update for the Sand Creek Focus Area. He requested that the Environmentally Superior Alternative and the Regional Park-Hillside Preservation Linkage Scenario be given consideration in the project review process.

Allen Payton, Antioch resident, voiced his support for 5000 square foot minimum lot size with a 7000 square foot average lot size. He noted the intent for this area was larger lots and it was important to have the type of housing product to attract executives and business owners to the area. He further noted senior housing was also important. He stated the regional park was the buffer zone and this was the area to provide a mix of housing types to have a long term success economically for Antioch.

Chair Motts closed the floor to public comment.

Commissioner Husary voiced her support for the 5000 square foot minimum and 7000 square foot average lot sizes.

Commissioner Mason also supported 7000 square foot average lot size and questioned if senior housing would be excluded from the 5000 minimum lot size requirement.

In response to Commissioner Mason, Director of Community Development Ebbs stated he would bring back recommendations for senior housing exceptions.

Commissioner Hinojosa expressed concern regarding whether it was fair to allow the acreage within the creek to be calculated in gross density.

Director of Community Development Ebbs explained there could be an exception within the gross density calculation that would designate the creek buffer and kit fox line areas as open space.

Director of Community Development Ebbs stated if the Planning Commission supported the landform development approach; they could direct any grading to look natural. He stated he would look for the GIS of the area for the Planning Commission.

Chair Motts stated with corridors of open space and some hillside preservation, he would support the average lot size of 7000 square feet.

Director of Community Development Ebbs explained with a ridgeline approach there would be two classifications of hills, open space ridgeline preserve on top with the City having the ability to entertain reasonable proposals for the area below. He noted under the development transfer policy, the units could be taken off of the buildable slopes and moved to the flat area.

Commissioner Hinojosa spoke in support of the ridgeline preservation and development transfer policies.

Chair Motts agreed with Commission Hinojosa noting it would give the maximum flexibility with a chance to preserve the hills and open space corridors, while allowing for development to flow within the natural environment. He suggested incorporating some of the ideas suggested by Save Mount Diablo.

In response to Commission Hinojosa, Director of Community Development Ebbs stated with the ridgelines preservation approach, maintenance of those areas would be the responsibility of the property owner.

Commissioner Mason spoke in support of the ridgeline approach and protecting the vistas. Additionally, he felt the idea of excluding the creeks and ridgelines would be predictable for the builder and simplify the process for staff.

Commissioner Husary agreed with Commissioner Mason.

Chair Motts stated he felt preservation of the view would improve the perception of Antioch.

Director of Community Development Ebbs summarized the comments as follows:

- Develop provisions for senior housing and better standards tailored to that product.
- Create an open space corridor along the creek and ridgelines deducting it from gross density calculations.
- Focus on the average lot size approach as a means of acknowledging the market demand and hold true to the City's desire to see larger lot development.

Commissioner Hinojosa stated she believed there would be hillside development and where there is, she did not want it to be to a detriment for developers. She noted developers should receive some incentivizing with the transfer policy to move development onto the flat area.

Director of Community Development Ebbs stated he would be using the summer to develop a rough draft of all of the concepts and then bring back the item in August.

ORAL COMMUNICATIONS

Director of Community Development Ebbs announced there was nothing agendized for the June meetings.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

Chair Motts reported on his attendance at the TRANSPLAN meeting.

ADJOURNMENT

Chair Motts adjourned the Planning Commission at 7:51 P.M. to the next regularly scheduled meeting.

Respectfully Submitted,
Kitty Eiden

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF JULY 20, 2016**

Prepared by: Alexis Morris, Senior Planner
Date: July 15, 2016
Subject: The Habit Burger Grill (UP-16-04, AR-16-01)

RECOMMENDATION

It is recommended that the Planning Commission approve the use permit and design review application, subject to the conditions contained in the attached resolution.

REQUEST

The applicant, The Habit Burger Grill, requests approval of a use permit and design review application to construct an approximately 3,418 square foot restaurant with a drive-thru. The project site is located at 2430 Mahogany Way (APN 074-370-013).

ENVIRONMENTAL REVIEW

The proposed project is an infill project, and is considered exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15332 – Infill Development Projects: 1) The project is consistent with the General Plan as well as the applicable zoning designation and regulations; 2) The proposed development occurs within the city limits on a project site no more than five acres; 3) The project site is already developed with a restaurant building; therefore has no value as habitat for endangered, rare, or threatened species; 4) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality as the site is currently developed with a commercial use; 5) The site is adequately served by all required utilities and public services.

ANALYSIS

Issue #1: Project Overview

The proposed project consists of the demolition of the existing restaurant building on site and the development of an approximately 3,418 square foot restaurant with a drive-thru and outdoor patio. Site improvements include a parking lot with 50 spaces, new landscaping and parking lot lighting. The proposed restaurant would operate from 10 am to midnight seven days a week, with the exception of major holidays. The restaurant would have approximately 30 employees with 10-12 employees working per shift.

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

The General Plan designation for the project site is Commercial and the Zoning designation is Regional Commercial (C-3). Restaurants with a drive-thru are permitted in C-3 with approval of a use permit.

Surrounding land uses and zoning designations are:

North:	Lowe's / Regional Commercial (C-3)
South:	Highway 4 / Freeway (FRWY)
East:	McDonald's / Regional Commercial (C-3)
West:	Ramada hotel / Regional Commercial (C-3)

Issue #3: Site Plan, Circulation and Parking

The site is accessed via an existing driveway on Mahogany Way. The parcel is irregular shaped and has a relatively narrow frontage along Mahogany Way and increases in width towards the rear of the lot. A PG&E easement runs across the front of the parcel. The building is located roughly in the center of the parcel with the parking located on the east and south sides of the building and the drive thru lane wrapping around the entire north, west, and south sides of the building. The restaurant also includes a large outdoor dining patio on the north side of the building.

The project is providing the required 50 parking spaces for the approximately 1,334 s.f. dining room and 32 patio dining seats. The drive-thru lane is relatively long and provides queuing space for approximately 12 cars, which exceeds the 6 car minimum, required in the Municipal Code and should be sufficient to prevent cars from queuing onto Mahogany Way and blocking the street or sidewalk.

Trash Enclosure

The proposed trash enclosure is located south of the building and drive-thru lane exit. Staff assumes the trash enclosure is proposed in this location to be easily accessible to trash pick-up trucks. However, it provides a visual obstruction at the drive aisle exit which could be dangerous for pedestrians parking in the southern part of the site. Staff recommends relocating the trash enclosure further to the west or south so it does not obstruct pedestrian visibility. A condition to this effect is included in the attached resolution. Elevations of the trash enclosure were not provided, therefore staff has included a condition requiring the applicant to submit elevations of trash enclosure and that include a roof and colors that match the restaurant building.

Issue #4: Architecture, Design and Landscaping

Architecture

The proposed building elevations incorporate typical, contemporary commercial architecture while avoiding "theme" or franchise architecture. The building features a flat roof line with slight increase in height of the roof line around the entry and patio

doors. The building is ivory-colored stucco with brown trim, burgundy and metal awnings, stone trim and composite wood siding. The proposed color scheme and finishes are compatible with the adjacent structures to the East. Color and materials boards will be provided at the Planning Commission meeting.

Overall, the building design is consistent with the Citywide Design Guidelines. However, the proposed west elevation is highly visible from the drive-thru lane and the property to the west, but is a relatively blank façade. Staff has included a condition in the attached resolution requiring additional detailing on this elevation such as a metal trellis with climbing vines or the planting of ornamental trees.

The building entrance on the northeast corner of the building would also benefit from a more prominent entrance element to break up the very horizontal roof line. This could be accomplished by increasing the height of the corner element and increasing the depth of its projection from the wall. A condition to this effect has been added to the attached resolution.

Landscape Plan

The conceptual landscape plan includes a variety of drought tolerant trees and shrubs with accent boulders and decomposed granite as ground cover. The proposed Shumard Oak and London Plane Trees drop acorns and large slippery leaves and are not very compatible with parking lots. Staff has included a condition in the attached resolution that these be replaced with two more compatible tree varieties. As discussed above, the attached resolution also includes a condition that the west elevation be enhanced with either trellises and climbing vines or ornamental trees. Staff also recommends that small landscape planters be added in front of the building on the east elevation to break up the large amount of asphalt and concrete on this side of the project site.

Signage

The applicant proposes three wall signs featuring red and yellow letters. Construction details of the proposed wall signage were not provided, but the wall signs will be required to be constructed from individual, internally illuminated letters. No details were provided for the menu and order boards; therefore, staff will review the design and placement of these signs prior to issuance of building permits for the project.

There is an existing Carrows pole mounted freeway sign located on the south side of the project site and a monument sign adjacent to Mahogany Way. The applicant has not indicated whether they would like to reface these signs or construct new monument and freeway signs on the site. If the applicant would like to reface the signs or construct any new signs in the future, they would be subject to a separate administrative design review application. If no refacing of the existing signs is proposed, then they should be removed prior to occupancy of the building.

Lighting

The applicant's photometric plan shows that light levels are very low on the west side of the building in the area of the drive-thru menu and order boards and on the patio north of the building. Staff has included a condition in the attached resolution requiring that a wall sconce or pole light be added in these areas to increase light levels for visibility and security.

Fencing

No new fencing is proposed for the site. The shared property line with the Ramada hotel is partially fenced with portions of tubular steel fence and chain link fence, the majority of which is in disrepair. Staff recommends that a new six foot high, black tubular steel fence be installed along the western property line stepping down to three feet north of the restaurant patio and terminating at the PG&E easement. This will improve the look of the current fence and encourage pedestrian traffic between the hotel and the restaurant to use the sidewalk from Mahogany Way rather than walking through the drive-thru lane.

ATTACHMENT

A. Aerial Photograph

**PLANNING COMMISSION
RESOLUTION NO. 2016-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT AND DESIGN REVIEW FOR THE HABIT BURGER
GRILL PROJECT**

WHEREAS, the City of Antioch did receive a request from The Habit Burger Grill, for approval of a use permit and design review application to construct an approximately 3,418 square foot restaurant with a drive-thru. The project site is located at 2430 Mahogany Way (APN 074-370-013).

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

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

WHEREAS, on July 20, 2016, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Planning Commission makes the following required findings for approval of a Use Permit:

1. The granting of such Use Permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity.

The proposed drive-thru restaurant is located in an existing developed commercial area. Adequate parking for the proposed use is provided on-site. The proposed project will not be detrimental to the public health or welfare or injurious to the property or improvements.

2. The use applied at the location indicated is properly one for which a use permit is authorized.

Fast food restaurants and drive-thru services require a Use Permit. The zoning and General Plan designation for the project site is commercial and the site and surrounding area are developed with commercial uses, including drive-thru restaurants.

3. That the site for the proposed use is adequate in size and shape to accommodate such use, and all yards, fences, parking, loading, landscaping, and other features required, to other uses in the neighborhood.

The site is currently occupied by a vacant former restaurant building and an associated parking lot with landscaping. The site would be adequate in size and shape to accommodate the proposed use, as well as all aspects associated with the use. In addition, the project as conditioned meets the requirements of the zoning standards and is comparable to the surrounding uses in the area.

4. That the site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The project site is bounded by Mahogany Way to the north. Mahogany Way is a collector, which is adequate in width and pavement type to carry the kind of traffic generated by the proposed use. In addition, the proposed use is consistent with the current Regional Commercial (C-3) zoning of the site.

5. That the granting of such use permit will not adversely affect the comprehensive General Plan.

The General Plan designation for the project site is Commercial within the Somersville Road Corridor Focus Area. The proposed restaurant with drive thru use is consistent with the designation and with the surrounding uses and will not adversely affect the comprehensive General Plan.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch does hereby **APPROVE** a use permit and design review for an approximately 3,418 square foot restaurant with a drive-thru located at 2430 Mahogany Way (APN 074-370-013), subject to the following conditions:

A. GENERAL CONDITIONS

1. The Project shall be constructed and operated in compliance with City of Antioch Municipal Code requirements and standards.
2. The site plan shall be corrected to include any conditions required by the Planning Commission which call for a modification or change to the site plan and all standards and requirements of the City of Antioch prior to any submittal for a building permit. No building permit will be issued unless the site plan meets the requirements stipulated by the Planning Commission and the standards of the City.
3. City staff shall inspect the site for compliance with conditions of approval prior to final inspection approval.
4. That this approval expires two years from the date of approval (Expires July 20, 2018), unless a building permit has been issued and construction has diligently

commenced thereon and has not expired, or an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one, one year extension shall be granted.

5. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement or environmental review. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
6. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments and other fees that are due.
7. The applicant shall obtain an encroachment permit for all work to be done within the public right-of-way.
8. This approval supersedes previous approvals that have been granted for this site.
9. All required easements or rights-of-way for off-site improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from any property or easement holders for any work done within such property or easements.

B. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be restricted to weekdays between the hours of 8:00 a.m. and 5:00 p.m., or as approved in writing by the City Manager.
2. The project shall be in compliance with and supply all the necessary documentation for AMC 6-3.2: Construction and Demolition Debris Recycling.
3. Building permits shall be secured for all proposed construction associated with this facility, including any interior improvements not expressly evident on the plans submitted.

C. FIRE REQUIREMENTS

1. All requirements of the Contra Costa County Fire Protection District shall be met:
 - a. The developer shall submit three (3) complete sets of plans and specifications of the subject project, including plans for any of the following required

submittals, to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. The required re-submittals shall include tenant improvement plans, fire sprinklers, and fire alarm (105.4.1) CFC, (901.2) CFC, (107) CBC.

- b. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to "CCCYPD" (Contra Costa County Fire Protection District).

D. FEES

1. The applicant shall pay all fees as required by the City Council.
2. The applicant shall pay the Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance.
3. The applicant shall pay any required Drainage Area fees prior to the issuance of any building permits for this project.
4. The developer shall pay all applicable Delta Diablo Sanitation District fees prior to the issuance of any building permits for this project.

E. PROPERTY MAINTENANCE

1. A parking lot sweeping program shall be implemented that, at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
2. The project shall comply with Property Maintenance Ordinance Section 5-1.204. No final landscape and irrigation plan shall be considered to be complete without an approved maintenance agreement reflective of standards contained in Section 5-1.204(G).
3. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
4. Standard dust control methods shall be used to stabilize the dust generated by construction activities.
5. No signs shall be installed on this site without prior City approval.
6. Any cracked or broken sidewalks shall be replaced as required by the City Engineer.

F. GRADING

1. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.
2. The grading plan for this development shall be approved by the City Engineer.
3. The final grading plan for this development shall be signed by a California licensed civil engineer and approved by the City Engineer.
4. All elevations shown on the improvement plans shall be on the USGS 1929 sea level datum.

G. CONSERVATION/NPDES

1. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved. The SWCP shall be submitted simultaneously with the project plans. An Operation and Maintenance Plan (O&M) for the treatment and flow-controls in the approved SWCP shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits and shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
2. The following requirements of the federally mandated NPDES program (National Pollutant DISCHARGE Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.

- b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).
- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.
- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.
- j. Install on all catch basins "No Dumping, Drains to River" decal buttons.
- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be

3. The following corrections shall be made to the Stormwater Control Plan prepared for the project, dated May 20, 2016, and the revised Stormwater Control Plan shall be submitted with the building permit submittal:
 - a. No geotextile fabric is allowed in the infiltration trench.
 - b. The base of a light pole appears to be encroaching on the drain line in BR1.
 - c. Ensure that overflows are not directly in line or immediately adjacent to curb openings.
 - d. Enough curb openings must be provided for water to flow into the bioretention areas without backing up or creating ponded areas during high rain events. Additional curb openings may be required after field testing.
 - e. Detail of perforated pipe is missing. Key note for 73C on CUP-4 doesn't indicate pipe configuration.
 - f. Only CalTrans Class 2 permeable base shall be used. No substitutes are allowed.
 - g. Submit electronic versions of all documentation (SWCP and O&M plan, maintenance agreement, and output file from IMP sizing calculator).

H. UTILITIES

1. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code, except existing P.G.& E. towers, if any or as approved by the City Engineer.
2. All storm water flows shall be collected onsite and discharged into an approved public storm drain system. The trash enclosure must drain to a sanitary sewer and shall incorporate methods to contain refuse runoff at the front-gate and pedestrian access point to prevent stormwater from entering the enclosure.
3. Underground utilities shall be designed to flow approximately parallel to the centerline of the street, or as approved by the City Engineer.
4. The sewer collection system shall be constructed to function as a gravity system.
5. If necessary, a public utilities easement that encompasses public utilities shall be provided as directed by the City Engineer.
6. All ground mounted utility appurtenances such as transformers, AC condensers, backflow devices, etc., shall be located out of public view and adequately screened in such a manner as to minimize the visual and acoustical impact. Screening may include a combination of landscaping and/or masonry to the satisfaction of the Community Development Department. All gas and electrical meters shall be concealed and/or painted to match the building
7. The applicant shall prepare a final site plan and elevations of all on-site mechanical equipment (including HVAC condensers, transformers, switch boxes, backflow devices, PG&E transformers, etc.) and specifics of how such equipment shall be screened from public view. This plan, with an approval stamp from the City of Antioch shall be submitted to the utility provider for review. Any necessary changes or deviations from the approved utility location and/or screening shall be reviewed by the Community Development Department prior to installation and may be subject to discretionary Design Review processing and fees.
8. Improvements and fees that are required by the Contra Costa County Flood Control District shall be implemented, as approved by the City Engineer.
9. The developer shall provide adequate water pressure and volume to serve this development, as approved by the City Engineer. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi.

10. A reduced backflow prevention device shall be installed on all City water meter services.

I. LANDSCAPING

1. Landscape shall show immediate results. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained as necessary. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved plans.
2. Landscaping and signage shall not create a sight distance problem.
3. That detailed landscaping and irrigation plans for the entire site shall be submitted to the City for review and approval. All landscaping and irrigation shall be installed in accordance with approved plans prior to the issuance of certificates of occupancy for this building.
4. All trees shall be a minimum 15-gallon size and that all shrubs be a minimum 5-gallon size.
5. Landscaping for the project shall be designed to comply with the applicable requirements of the 2015 California State Model Water Efficient Landscape Ordinance (MWELO). Prior to issuance of a building permit, the applicant shall demonstrate compliance with the applicable requirements of the MWELO in the landscape and irrigation plans submitted to the City.

J. PROJECT SPECIFIC CONDITIONS

1. This use permit and design review approval applies to the construction of an approximately 3,418 square foot restaurant with a drive-thru as depicted on the project plans submitted to the City of Antioch on March 23, 2016.
2. Bicycle parking shall be provided consistent with Antioch Municipal Code. Location and number of bicycle parking spaces shall be submitted for the review and approval of the Community Development Department prior to the issuance of building permits.
3. The trash enclosure shall be relocated further to the west or south so that it does not obstruct pedestrian or vehicle visibility, subject to the approval of the Community Development Director. The design of the trash enclosure shall be compatible with the main building and shall comply with AMC §9-5.1401 Refuse Storage Area Design Guidelines.
4. A parking lot striping and signing plan shall be approved by the City Engineer.

5. Driveway access to neighboring properties shall be maintained at all times during construction.
6. All rooftop mechanical equipment shall be screened from the public right-of-way and the residential properties to the east of the subject property. A line of sight study shall be submitted with the building permit submittal confirming the equipment is screened.
7. The rear of all parapets shall be finished in same colors and materials as the exterior of building.
8. All lighting sources shall be shielded, diffused or indirect to avoid glare to pedestrians and motorists.
9. The height and depth of the projection of the corner element on the north east corner of the building shall be increased to provide a more substantial entry feature, subject to the approval of the Community Development Director prior to issuance of building permits.
10. Wall signs shall be constructed from individual mounted, internally illuminated channel letters.
11. Additional detailing shall be added to the west elevation of the building such as a metal trellis with climbing vines or ornamental trees, subject to the approval of the Community Development Director prior to issuance of building permits.
12. No more than 10 percent of parking spaces shall be compact per AMC §9-5.1711.
13. The building permit submittal shall include detailed design plans for the menu and order signage for the drive thru. The location and the design of the menu and order signage shall be subject to the approval of the Community Development Director prior to the issuance of building permits.
14. Wall sconces or pole lights shall be added to the west and north elevations of the building to increase light levels of the drive-thru lane and the outdoor patio for visibility and security. A revised photometric plan shall be submitted with building permit submittal for review and approval prior to the issuance of building permits. A spec sheet for pole lights and wall fixtures shall also be included with the building permit submittal. All lighting shall be installed on site in accordance with the approved plans, and prior to the issuance of certificates of occupancy for this site.

15. A design review application shall be submitted and approved prior to the refacing of the existing monument and freeway sign or construction of any new ground mounted signs. If no refacing of the existing freeway and monument signs are proposed, the signs shall be removed prior to issuance of certificates of occupancy for this site.
16. That the applicant shall show a turning template on the site plan verifying that delivery trucks can safely ingress, egress and successfully maneuver throughout the site.
17. That all existing sidewalks along the property frontage shall be removed and replaced with new City standard monolithic curb, gutter and sidewalk or ADA compliant commercial driveway and approach as approved by the City Engineer.
18. That the edge of the commercial driveway approach flare shall be located a minimum distance of five (5') feet from the existing streetlight pole located at the westerly property line extension.
19. That no monument signage or vertical construction shall be built within the existing PG&E easement onsite.
20. The proposed Shumard Oak and London Plane Trees shall be replaced with two alternate drought tolerant tree varieties, subject to the approval of the Community Development Director prior to issuance of building permits.
21. Additional planting material, such as groundcover vines, shall be added to the slope south of the parking lot, subject to the approval of the Community Development Director prior to issuance of building permits.
22. That erosion control matting or other special measures be installed prior to landscaping the slope at the southern end of the site.
23. Provide a one (1) foot clear step-out area for finger planters adjacent to the parking stalls.
24. A landscape planter shall be added in front of the east elevation of the building, subject to review the approval of the Community Development Director prior to issuance of building permits.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 20th day of July, 2016.

AYES:

NOES:

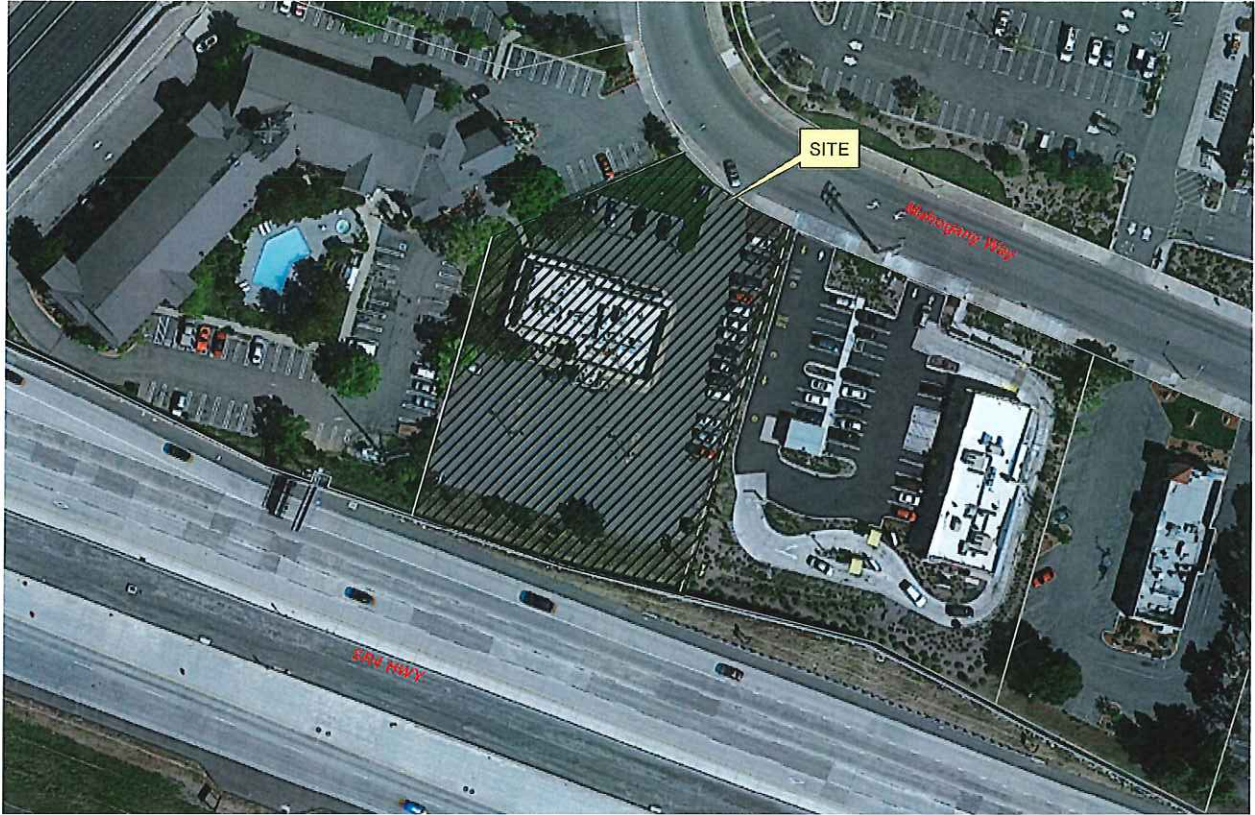
ABSTAIN:

ABSENT:


Forrest Ebbs
Secretary to the Planning Commission

ATTACHMENT “A”

ATTACHMENT A



**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF JULY 20, 2016**

Prepared by: Alexis Morris, Senior Planner 
Date: July 15, 2016
Subject: Laurel Ranch Project (PD-15-03) (PW 698)

RECOMMENDATION

It is recommended that the Planning Commission take the following actions:

1. Approve the resolution recommending approval of the Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report.
2. Approve the resolution recommending approval of a Development Agreement between the City of Antioch and Richland Planned Communities, Inc.
3. Approve the resolution recommending approval of an ordinance rezoning the project site from Planned Development District (PD) to Planned Development District (PD-15-03).
4. Approve the resolution recommending approval of a Vesting Tentative Map/Final Development Plan (PW 698), subject to conditions of approval.

REQUEST

The applicant, Strack Farms LLC (Richland) requests approval an Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report, a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031). (Attachment "A")

Each request is described in detail below:

1. Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report (EIR): The Planning Commission must recommend adoption of the Addendum to the Council prior to taking action on the other resolutions for the project. The Addendum details how the proposed project does not result in any impacts beyond those studied in the Future Urban Area #2 Specific Plan Final EIR.

2. Development Agreement: The Development Agreement approval allows the City and an applicant to enter into an agreement, which will assure the City that the proposed project will proceed to its completion in compliance with the plans submitted by the applicant. The Development Agreement for the proposed project extend the life of the tentative map and would include a special tax or other financing mechanism to fund additional police officers needed to serve the development.
3. Rezoning to Planned Development District (PD-15-03): Rezone to replace the previous Planned Development District standards to the proposed Planned Development District standards.
4. Vesting Tentative Map / Final Development Plan (PW 698): Tentative Map approval is required to authorize the subdivision of the project site into multiple parcels to accommodate up to 180 single-family residential units as well as parks and open space parcels.

BACKGROUND

The subject property was previously entitled by the Bixby Company (Bixby) for a project also named Laurel Ranch. On May 10, 2005, the City Council approved Bixby's request for a planned development rezone and a tentative map for a 209 unit medium density single family subdivision and an approximately 11.3 acre commercial parcel. The Planning Commission approved a use permit for the project on August 15, 2007. The Bixby project's final map was never recorded, thus the original tentative map and use permit have expired.

The Planning Commission reviewed a Preliminary Development Plan for this project on November 5, 2014. Minutes from that meeting are provided as Attachment "B". The Planning Commission provided recommendations for the future development submittal, including: include a park in the project; discuss safety and security design measures with our Police Department; include a trail connection within the development; decrease the density; provide some single story homes; increase the setbacks from Laurel Rd.; implement quality CC&R's to prevent blight. The applicant has not reduced the overall density of the development, but has attempted to address the Planning Commissioner's other comments, as discussed below.

The project is located directly to the north of the Park Ridge subdivision (Davidon), which was approved for approximately 525 single family homes by the City Council in 2010. Park Ridge is currently processing a final map for the first phase of the project, which consists of 123 units on the southern portion of the project site, adjacent to the current terminus of Vista Grande Drive.

ENVIRONMENTAL

An Addendum to the Future Urban Area #2 (FUA2) Specific Plan Environmental Impact Report was prepared for the proposed project. The Addendum without appendices is provided as Attachment "C" to this staff report. Copies of the FUA2 Final EIR and

Addendum are available for review Monday through Friday, at the Community Development Department, between the hours of 8:00 a.m. and 11:30 a.m., or by appointment. The FUA2 Final EIR and Addendum are also available online at <http://ci.antioch.ca.us/CityGov/CommDev/PlanningDivision>.

CEQA Guidelines specify that when an EIR has been certified for a project, a Subsequent EIR shall not be prepared unless the lead agency determines one or more of the following:

- That substantial changes are proposed in the project that will require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- That substantial changes occur with respect to the circumstances under which the project is being undertaken that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- That new information of substantial importance to the project, which was not known and could not have been known at the time the EIR was certified as complete, becomes available.

As explained throughout the attached Addendum, these three “thresholds” for triggering a Subsequent EIR have not been met; therefore, a Subsequent EIR is not required. As a result, an addendum is the appropriate environmental document for the project.

ANALYSIS

Issue #1: Project Overview

The project site is currently one +/- 65.5 acre parcel. The proposed Vesting Tentative map creates a 180 lot residential subdivision north of the future extension of Laurel Road and a future commercial parcel south of Laurel Road. Development of the commercial site is not a part of the current application.

The applicant is proposing two distinct single-family detached residential neighborhoods: Conventional and Private Lane.

The Conventional neighborhood would consist of 88 dwelling units and is proposed to have a minimum lot size of 4,000 square feet, with minimum dimensions of 50 feet (width) and 80 feet (depth). There will be a mix of single and two-story homes. Net density for this neighborhood is approximately 8.5 dwelling units/net acre.

The Private Lane neighborhood would consist of 92 dwelling units arranged in six-unit groupings. Each lot fronts onto a short private lane that takes access from the public streets. A minimum lot size of 2,580 square feet is proposed, providing each home with

an individual driveway, and private side and rear yards for personal use. Net density for this neighborhood is approximately 12.8 dwelling units/net acre.

It is important to note that the applicant will not be the future home builder; therefore, the size and type of homes will eventually be determined through a future design review application. The applicant's project description is provided as Attachment "D"

Issue #2: Consistency with the General Plan, Specific Plan and Zoning

The General Plan designation for the project site is Residential/Open Space and Office/Retail. The zoning designation is Planned Development (PD). The proposed project is located within the East Lone Tree Specific Plan area (ELTSP), which was adopted in 1996. The ELTSP was amended in 2005 to, among other things, revise the locations of Laurel Rd. and the pedestrian trail.

General Plan Performance Standards

Policy 3.5.3.1 of the City's Growth Management Element of the General Plan includes performance standards for police staffing. According to the standard, the City strives to 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. However, the current Antioch Police Department (PD) staffing ratio is approximately 1.0 per 1,000 population, which is unacceptable. Although the project would add population to the Antioch PD service area and the current staffing ratio is unacceptable, the proposed Development Agreement includes a special tax or other financing mechanism to fund additional officers needed to serve development. Due to the recent voter approved Measure C and the Development Agreement financing mechanism, the Antioch PD is anticipated to continue to serve the project site and provide law enforcement services to the new residents upon project build out.

Proposed Planned Development (PD) Standards

Each PD is required to include specific development standards designed for that particular district, to include minimum lot sizes, setbacks and open space requirements, architectural and landscaping guidelines, and maximum building heights and lot coverages. Once approved as part of a final development plan, all standards, densities, and other requirements remain tied to that plan and to the property designated by that PD district, unless formally amended by City Council action.

The residential density and lot sizes proposed for this project are similar to the previously approved Bixby project. However, a rezone to Planned Development (PD) is required for this project because the site plan and development standards are not the same as the PD zone established for the Bixby project. The commercial parcel south of Laurel Rd. is not proposed to be developed as part of this application; therefore, any project on this portion of the site would be required to submit a separate development application in the future. The proposed development standards for the project are as follows:

Standard	Proposed PD Zoning Standards	
	Conventional Neighborhood	Private Lane Neighborhood
Maximum Number of Units	93	94
Minimum Lot Size	4,000 s.f.	2,580 s.f.
Minimum Lot Width	50 feet	43 feet
Minimum Lot Depth	80 feet	60 feet
Minimum Front Yard Setbacks from Property Line (reserved for landscaping only, excluding driveways)	12 feet to house 20 feet to garage	8 feet to house 18 feet to garage
Minimum Side Yard Setbacks from Property Line (reserved for landscaping only)	Interior lot: 4 feet Corner lot: 10 feet street side setback. No part of a house, landscaping, or fence shall obstruct the required clear vision zone at an intersection.	Interior lot: 4 feet minimum. 10 foot minimum adjacent to a sound wall. Corner lot: 10 feet street side setback. No part of a house, landscaping, or fence shall obstruct the required clear vision zone at an intersection.
Minimum Rear Yard Setbacks from Property Line (including patio covers)	15 feet, minimum 10 feet flat area 20 feet adjacent to Laurel Rd.	5 feet 20 feet adjacent to Laurel Rd.
Accessory Structure Setbacks	Interior lot: side yard and rear yard setback is zero Corner lot: street side setback is 20 feet and rear and interior side setback is zero	Attached or detached accessory structures and patio covers are not permitted
Maximum Building Height	35 feet	35 feet
Maximum Lot Coverage (including porches, porticos, trellises and patio covers)	55%	55%
Minimum Parking and Driveways	Attached two car garage minimum 20 feet by 20 feet clear inside dimensions. Minimum 20 foot long driveway. Minimum one 20 foot long on-street guest parking space per house.	Attached two car garage minimum 20 feet by 20 feet clear inside dimensions. Minimum 18 foot long driveway. Minimum one 20 foot long on-street guest parking space per house.
Second Dwelling Unit	Detached second dwelling units are not permitted	Detached second dwelling units are not permitted

Issue #3: Vesting Tentative Map/Final Development Plan

The proposed Vesting Tentative Map and Final Development Plan would create a 180 lot residential subdivision including two park parcels, four storm water basins, open

space and commercial parcels and portions of Laurel Rd. and Country Hills Dr. The major components of the Final Development Plan are described in more detail below.

Parking and Circulation

The site plan shows one main entrance and exit to the residential development via Laurel Road. There is a second exit-only access onto Laurel Road on the eastern edge of the project site. All streets within the project will be private streets maintained by the HOA, which will also enforce parking restrictions. The Conventional Neighborhood includes standard streets with parking and sidewalks on both sides. The Private Lane Neighborhood includes narrower streets with parking either on both sides or on one side of the street depending on the location. This neighborhood also includes five off-street parking areas adjacent to the residential lots. The project is providing 227 guest parking stalls, which is 47 spaces more than the 180 required guest spaces.

Each home is currently required to have three solid waste carts each. The applicant has discussed with Republic Services the possibility of not providing green waste recycling carts so that each home would only have two carts instead of three. However, it is the City of Antioch's responsibility to determine whether a single family project is exempt from the green waste requirement, not Republic Services. The HOA will be maintaining the project's front yard landscaping, but each home has side and rear yard landscaping that will produce waste that needs to be recycled. Furthermore, it is highly probable that food waste recycling will be required for single family homes in the near future. No alternative locations for green waste or food waste recycling have been proposed by the applicant; therefore, staff's determination is that individual green waste recycling carts still need to be provided for the project. A condition of approval is included in the attached resolution requiring that space be provided on the street for three solid waste carts for each home.

Because of the relatively narrow lot widths, on-street parking will be heavily impacted during garbage pick-up days. The HOA may have to enforce parking restrictions during garbage pick-up days to ensure enough room remains for garbage cans in front of each home and private alley. The development plan provides more than one guest parking space per house; therefore, some guest parking could still be accommodated on pick-up days.

The zoning ordinance requires unrestricted access to the rear yard for recreational vehicles (RV) for 25 percent of the lots in "new residential subdivisions". The code allows the developer to provide a separate recreational vehicle parking area as an alternative to on-lot parking. Requiring on-lot RV parking is not feasible for the project due to the smaller lot sizes and the developer has not proposed a separate lot for RV parking. Staff is recommending that rather than providing a separate lot for RV parking, that RV parking be prohibited in the development and these restrictions enforced through the development's CC&Rs.

Open Space and Park

The applicant added two park/recreation areas to the project based on Planning Commission feedback. The project will provide one 10,000-square-foot park containing a play structure, a lawn area, and seating and another 5,200-square-foot sitting park will provide residents with a small lawn area and park furniture. From this small pocket park, there will be a trail connection to the future regional trail that will be constructed as part of the project, paralleling the project's western boundary. The trail is a component of the Specific Plan and it will eventually provide a link between Laurel Road and the Delta De Anza Regional Trail, which is a part of the East Bay Regional Park District trail system. The proposed parks and trail amenities will be private and maintained by the HOA.

Additionally, the proposed project would preserve 10.1 acres of the project site as open space. The bulk of this acreage would be located around the base and immediately south of the water tank site, which are the portions of the project site that have the highest elevation.

The Municipal Code (AMC §9-4.1004) requires 2.7 acres of park for this project, or 0.015 acres of park per dwelling unit. Credit is available for private park facilities, but they must be a minimum of two acres before credit is given. The project includes 15,200 acres of park and is not eligible for credit; therefore, the project will be required to pay park in lieu fees for required 2.7 acres of park in the amount of \$270,000 at the recording of the final map.

Grading

Due to the site's topography, there are a significant number of retaining walls in rear and side yards throughout the project. The walls typically range from 1-4 feet in height, with the tallest retaining wall up to 13 feet on lot 47. All retaining walls are required to be constructed of decorative masonry.

Sound Walls

The project conditions require the project to build eight foot high masonry sound walls along Laurel Rd. and 10 foot high masonry sound walls along the eastern and north-eastern property lines. The design of the sound walls will be reviewed with the future design review submittal. The applicant increased the proposed setback for houses adjacent to the 10 foot high sound walls to a minimum 10 foot wide side yard.

Storm Water Basins

The project will construct four storm water control basins – two within the project boundaries and two south of Laurel Rd. The basins north of Laurel Rd. will be maintained by the HOA (Common Space A and G) and the basins south of Laurel Rd. will be maintained by the City of Antioch through a Lighting and Landscaping District (LLD). Conceptual landscape plans were provided for the internal basins but not for the basin south of Laurel Rd. Detailed landscape, fencing and screening plans will be required to be submitted for design review approval prior to issuance of any construction permits for the project.

Future Lot Line Adjustments

The project will require two lot line adjustments between the property owner and the Contra Costa Water District and the Diablo Water District. These LLAs have not been finalized, but they will be required to be finalized prior to the recordation of the first final map for the project.

Issue #4: Infrastructure and Off-Site Improvements

The developer is required to provide all infrastructure necessary to serve the site. This includes utility tie-ins such as water, streets, sanitary sewer and storm drainage systems.

Laurel Road

The proposed project would extend Laurel Rd. from the SR-4 interchange to its current terminus west of the project site. Laurel Rd. would consist of a 104-foot-wide to a 112-foot-wide section with a center median and two through lanes in each direction. Two new intersections are proposed on this segment: a full access signalized intersection with Country Hills Dr., and a stop-controlled intersection at “D Lane” that would provide right-in right-out access to the site for westbound vehicles. The regional trail along the western boundary of the project would cross Laurel Rd. just west of this intersection in a designated, signalized pedestrian crossing.

The proposed stop-controlled intersection at “D” Lane differs from the four-way signalized intersection that is required as part of the approvals for the Park Ridge subdivision, located on the south side of Laurel Road. With staff’s support, Davidon and Richland are cooperating on requesting a change to the Park Ridge subdivision’s conditions of approval that would eliminate the requirement for the four-way signalized intersection and replace it with a signalized pedestrian crossing on Laurel Rd. in general alignment with the proposed regional trail. This request will be brought before the Planning Commission and City Council at a future date; therefore the conditions of approval relating to Laurel Rd. in the attached resolution reflect the current requirements placed on the Park Ridge project and the potential redesign if the request to remove the signal requirement is approved by City Council.

Trail

The ELTSP requires a pedestrian trail to be incorporated into the plan. The trail is intended to connect the future neighborhood park on Wildhorse Rd. with a future trail running along the east side of the Diablo Water District tank site. To be consistent with the 2005 amendments to the ELTSP and the approved Park Ridge development plan, the proposed alignment for the trail is from Laurel Rd. through the open space along the west side of the development. This trail would eventually connect with the regional Delta De Anza trail to the north.

Issue #5: Design Guidelines

As discussed above, the applicant will not be the future home builder. Therefore, the applicant created design guidelines to provide a guiding document for the design quality and style of the future development. The proposed design guidelines customize the City of Antioch's Citywide Design Guidelines for the Laurel Ranch project and feature conceptual neighborhood landscaping, entry features and architectural renderings. The proposed guidelines will be used along with the Citywide Design Guidelines in evaluating future design review submittals. The future home builder will be required to obtain approval of a use permit and design review application prior to construction of any phase of the project.

Issue #6: Development Agreement

The development agreement gives Richland Planned Communities, Inc., a vested right to develop the property in accordance with the project approvals and vests the term of the Vesting Tentative Map to the term of the agreement. The development agreement also addresses police services funding and reimbursement for improvements such as streets and utilities that may serve other projects. The development agreement is provided as Exhibit A to the attached resolution.

Issue #7: Other Issues

Financing

The East Lone Tree Specific Plan Financial Plan requires residential developers within the Specific Plan area to establish a land-based financing mechanism to construct employment infrastructure east of the Highway 4 Bypass, including participating in the construction of Slatten Ranch Road and all required infrastructure. The financing mechanism has not been established to date. The project will be required to form a financing mechanism, such as a communities facilities district (CFD), or annex into a financing mechanism if it has already been established by another project.

HOA Responsibilities

A homeowner's association (HOA) will be formed for the project, which will be responsible for enforcing parking restrictions and maintaining all open space, internal streets, perimeter landscaping, and water quality basins. Maintenance of front yard landscaping will also be the responsibility of the HOA. The applicant has proposed including restrictions on the ratio of rental vs. owner occupied homes in the future CC&R's for the project. This proposal is included in the draft development agreement for the project.

Police Department Comments

The applicant has met with the Police Department to respond to their expressed concerns regarding the project's density, narrower than normal streets, and shared

driveways. In response to these concerns, the applicant proposes including rental restrictions in the project's CC&R's, increasing lighting in courtyards and providing plans and installing infrastructure to allow the HOA to gate the community in the future if they deem it necessary.

ATTACHMENTS

- A: Aerial Photograph
- B: Planning Commission Minutes
- C: Addendum to the Final EIR for Future Urban Area #2 Specific Plan
- D: Applicant's Project Description

**PLANNING COMMISSION
RESOLUTION NO. 2016-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ADDENDUM TO THE
FINAL PROJECT LEVEL ENVIRONMENTAL IMPACT REPORT FOR THE FUTURE
URBAN AREA #2 SPECIFIC PLAN AS ADEQUATE FOR ADDRESSING THE
ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT**

WHEREAS, in May 1996 the City Council of the City of Antioch certified the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan project as adequate for addressing the environmental impacts of the project; and,

WHEREAS, the City received an application from Strack Farms LLC (Richland) requesting approval of an Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report, a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031); and,

WHEREAS, the City prepared an Initial Study and Environmental Impact Comparison and determined that the appropriate environmental document for the proposed Laurel Ranch project is an Addendum to the Final EIR for Future Urban Area #2 Specific Plan project; and,

WHEREAS, the Planning Commission, after notice, held a public hearing before said Commission on July 20, 2016, and recommended that the City Council adopt the Addendum to the Final EIR for Future Urban Area #2 Specific Plan project.

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

1. The foregoing recitals are true and correct.
2. **THAT THE PLANNING COMMISSION** hereby finds that substantial changes are not proposed to the project that would require major revisions to the 1996 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified effect.
3. **THAT THE PLANNING COMMISSION** hereby finds that substantial changes have not occurred with respect to the circumstances under which the project is undertaken requiring major revisions to the 1996 Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified effect.

4. **THAT THE PLANNING COMMISSION** hereby finds that there is no new information of substantial importance which was not known and could not have been known at the time the 2008 EIR was certified showing any of the following:
- a. The project will have a new significant effect not previously discussed in the 1996 Final EIR.
 - b. The project will not cause any significant effect examined in the 1996 Final EIR to be substantially more severe.
 - c. The mitigation measures in the 1996 Final EIR and adopted in the CEQA Findings for the East Lone Tree Specific Plan remain feasible but some have been modified to reflect the proposed project. All mitigation measures identified in this Addendum and required for the proposed project as identified in the 1996 Final EIR that are necessary to reduce the potentially significant impacts to a level of insignificance will be made a requirement of the project and are acceptable by the project proponent.

NOW THEREFORE BE IT FURTHER RESOLVED that the Addendum to the Final Environmental Impact Report for the Future Urban Area #2 Specific Plan Project is **HEREBY RECOMMENDED FOR ADOPTION** pursuant to the California Environmental Quality Act. All feasible mitigation measures for the project identified in the Environmental Impact Report and accompanying studies are hereby incorporated into this approval.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 20th day of July, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

FORREST EBBS
Secretary to the Planning Commission

**PLANNING COMMISSION
RESOLUTION NO. 2016-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING APPROVAL OF A DEVELOPMENT AGREEMENT BETWEEN
THE CITY OF ANTIOCH AND RICHLAND PLANNED COMMUNITIES, INC., FOR THE
LAUREL RANCH PROJECT**

WHEREAS, the City received an application from Strack Farms LLC (Richland) requesting approval of an Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report, a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031); and,

WHEREAS, to strengthen the public planning process, encourage private participating in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California adopted Section 65864, *et. seq.* of the Government Code, which authorizes the City of Antioch to enter into an agreement with any person having a legal or equitable interest in real property providing for the development of such property in order to establish certainty in the development process; and,

WHEREAS, the City of Antioch previously adopted an implementing ordinance (Article 32 of the Zoning Ordinance) authorizing and regulating the use of Development Agreements; and,

WHEREAS, the City and Richland Planned Communities, Inc., have negotiated the Development Agreement attached as Exhibit 1 to this resolution; and,

WHEREAS, the proposed Development Agreement complies with the requirements of Article 32 of the City of Antioch Zoning Code; and,

WHEREAS, an addendum to the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan was prepared for the project in conformance with the California Environmental Quality Act and considered by the Planning Commission on July 20, 2016; and,

WHEREAS, on July 20, 2016, the Planning Commission recommended adoption of the Addendum to the City Council; and,

WHEREAS, the proposed Development Agreement and the terms contained therein do not amend the project; therefore, in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, a subsequent environmental document is not required; and,

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

WHEREAS, the Planning Commission on July 20, 2016, duly held a public hearing, received and considered evidence, both oral and documentary; and,

WHEREAS, the adoption of this Development Agreement will not adversely affect the comprehensive General Plan and it is consistent with the General Plan and carries out the purposes of the General Plan.

NOW THEREFORE BE IT RESOLVED that in recommending approval to the City Council of the Development Agreement between the City of Antioch and Richland Planned Communities, Inc., the Planning Commission makes the following findings, which are based on its review and consideration of the entire record, including the recitals above and any oral or written testimony provided at the hearing:

1. There have been no substantial changes to the project through the Development Agreement and there are no new significant environmental effects or an increase in previously identified effects. In addition, there is no new information of substantial importance which was not known and could not have been known which shows new significant environmental effects. Therefore, the Addendum to the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan is the appropriate environmental document for the proposed project.
2. The Development Agreement is consistent with the General Plan as it carries out the purposes of the General Plan and is consistent with the land use and development designations in such plans, as amended.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council approve the Development Agreement between the City of Antioch and Richland Planned Communities, Inc., for the Laurel Ranch Project, in the form attached as Exhibit 1, subject to such changes as may be approved by the City Council.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 20th day of July, 2016, by the following vote:

RESOLUTION NO. 2016-**

July 20, 2016

Page 3

AYES:

NOES:

ABSENT:

ABSTAIN:

FORREST EBBS

Secretary to the Planning Commission

EXHIBIT 1
DEVELOPMENT AGREEMENT

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Antioch
200 H Street
Antioch, CA 94509
Attention: City Clerk

(Space Above This Line Reserved For Recorder's Use)

DEVELOPMENT AGREEMENT

BETWEEN

THE CITY OF ANTIOCH

AND

RICHLAND PLANNED COMMUNITIES, INC.

**DEVELOPMENT AGREEMENT
BETWEEN
THE CITY OF ANTIOCH
AND
RICHLAND PLANNED COMMUNITIES, INC.**

THIS DEVELOPMENT AGREEMENT (“**Agreement**”) by and between the City of Antioch, a municipal corporation (“**City**”) and Richland Planned Communities, Inc., a California corporation (“**Richland**”) (each a “**Party**” and collectively the “**Parties**”), pursuant to the authority of Division 1, Chapter 4, Article 2.5, Sections 65864 *et seq.* of the Government Code (the “**Statute**”) is entered into as of _____, 2016 (the “**Effective Date**”) in the following factual context.

R E C I T A L S

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 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. Richland proposes to develop approximately 54 acres of real property located in the City of Antioch, Contra Costa County more particularly described in **Exhibit A** (the “**Property**”) as a single-family residential subdivision, commonly known as the Laurel Ranch Subdivision Project (the “**Project**”).

C. The Project’s history is as follows:

1. On October 13, 1992, pursuant to its 1988 General Plan, the City of Antioch City Council certified the Antioch Infrastructure Plan EIR (SCH No. 91-123021) and adopted the Antioch Infrastructure Plan, which addressed scenarios for development and infrastructure in Antioch’s Future Urbanization Area Nos. 1 and 2.
2. The Property was annexed into Antioch’s City limits on November 9, 1993.
3. On May 28, 1996, the City Council certified the Future Urbanization Area 2 East Lone Tree Specific Plan Environmental Impact Report (SCH No. 93-111069) (“**FUA 2 EIR**”), and adopted Findings of Fact and Statements of Overriding Considerations.
4. On _____, 1996, the City Council adopted the Future Urban Area 2 East Lone Tree Specific Plan.
5. On May 10, 2005, the City Council held a public hearing, considered, and approved a Final Development Plan, Vesting Tentative Map (VTM) and

adopted an Addendum to the FUA 2 EIR for a 209-unit single-family residential subdivision project on the Property. The Council also introduced an ordinance to rezone the Property from SP to Planned Development (PD).

6. On June 14, 2005, the City Council adopted Ordinance No. 1049-C-S, titled ORDINANCE REZONING THE PARCELS MAKING UP THE LAUREL RANCH PROJECT SITE TO THE PLANNED DEVELOPMENT (PD) DESIGNATION. The PD zoning designation remains in effect as of the Effective Date of this Agreement.

7. The VTM approved on May 10, 2005 expired on _____, 20____.

D. Richland submitted an application to the City of Antioch for the following discretionary entitlements: (1) a Final Planned Development; and (2) a Vesting Tentative Map (“**Project Approvals**”), both of which are attached hereto as **Exhibits B-1** and **B-2**, respectively.

E. An Addendum to the FUA 2 EIR was prepared in accordance with CEQA to provide the environmental analysis on the Project Approvals, and this Agreement.

F. In exchange for the covenants contained in this Agreement and the continued commitment of Richland to provide the benefits described in the Project Approvals, when and if the Project proceeds, and in order to encourage the investment by Richland necessary to proceed with the Project, the City is willing to enter into this Agreement to set forth the right of Richland to develop the Project as provided in this Agreement.

G. On _____, 2016, at a duly noted public hearing, the Planning Commission of the City of Antioch considered and recommended approval of the Addendum, Final Development Plan, Vesting Tentative Map, and this Agreement pursuant to Resolution No. _____.

H. On _____, 2016, after a duly noticed public hearing, the City Council considered and took the following actions: (1) adopted the Addendum pursuant to Resolution No. _____; (2) approved the Final Development Plan and Vesting Tentative Map, pursuant to Resolution No. _____; and (3) conducted a first reading of Ordinance No. _____ approving this Agreement.

I. On _____, 2016, at a duly noticed public hearing, the City Council adopted Ordinance No. _____ approving this Agreement.

J. The City Council has found that, among other things, this Agreement and the Project Approvals, are consistent with its General Plan and has be reviewed and evaluated in accordance with the Statute.

AGREEMENT

In this factual context and intending to be legally bound, the Parties agree as follows:

ARTICLE 1 TERM AND APPLICABLE LAW

The term of this Agreement shall commence as of the Effective Date and continue for 20 years, to and including _____, 2036 (the “**Term**”). The expiration of the Term shall not be interpreted to, and shall not affect, terminate or waive any additional rights that Richland may have that exist independently of this Agreement and derive from common law vesting or other laws or regulations of the state or the City. The Term and the term of any Project Approvals, may be extended from time to time pursuant to Section 3.6, or ARTICLE 4.

ARTICLE 2 COVENANTS OF RICHLAND

2.1 Obligations of Richland Generally. Richland shall have no obligation to proceed with, or complete the Project at any particular time or at all. However, if Richland proceeds, it shall comply with the Applicable Law, as defined below in Section 2.2.

2.2 Applicable Law. The rules, regulations, and official policies governing permitted uses of the Property and density and improvement requirements applicable to development of the Property shall be the ordinances, rules, regulations, and official policies in force as of the Effective Date (collectively, the “**City Regulations**”), except as otherwise expressly provided in the Project Approvals or this Agreement. The law applicable to the Project shall be (a) the City Regulations, (b) the Project Approvals and (c) this Agreement (collectively, the “**Applicable Law**”). If there is a conflict between this Agreement and the City Regulations or Project Approvals, this Agreement shall control. If there is a conflict between the Project Approvals and the City Regulations, the Project Approvals shall control.

2.3 Design Review. The Project Approvals do not include design review approval, which Richland has yet to obtain. Richland’s design review application(s) and submittal(s) shall be consistent with the City’s general design review guidelines in effect at the time of its application to the extent such guidelines are consistent with the Project Approvals.

2.4 Fees. Richland shall complete certain road, sewer and storm drain improvements to and in Laurel Road, as described in the Project Approvals. In exchange for such improvements, Richland shall not be subject to any traffic or infrastructure impact fees. However, Richland shall pay processing fees and charges of every kind and nature imposed by City, including planning processing deposits, to cover the actual costs to City of processing applications for subsequent approvals or for monitoring compliance with and review of subsequent submittals for any Project Approvals granted or issued, as such fees and charges are adjusted from time to time. No fees other than processing fees shall be due before approval of the final map unless earlier payment is expressly required by the Project Approvals.

2.5 Homeowners’ Association. Prior to approval of the first Final Map, Richland shall establish a Homeowners’ Association (“**HOA**”) and adopt Covenants, Codes and

Restrictions (“CC&Rs”) for the Project in conformance with the regulations set for by the California Bureau of Real Estate. The CC&Rs shall require the HOA to maintain (a) all private common areas and amenities, including (i) above-ground storm water control facilities along the project frontage, and on Parcel B or Area C.3., as shown on the VTM; and (ii) the surfaces of all interior roads. Additionally, the CC&Rs shall include the following provisions to preserve the character and quality of the subdivision:

2.5.1 No less than 70 percent of the housing units in the Project shall be maintained as owner-occupied homes.

2.5.2 The HOA shall require all homeowners renting their homes to provide copies of proposed prior to execution as well as copies of executed leases within 30 days of execution. The HOA shall ensure and maintain records indicating the homes for rent do not exceed 30 percent of the housing units in the Project.

2.5.3 No lease shall be for a term of less than 90 days, subject to certain exceptions including, seller leaseback situations, job and military transfers, illness, death, divorce, and similar hardship conditions.

2.5.4 Each home shall be occupied as a residence by a single family.

2.5.5 Rules and policies to govern circumstances where more than 30 percent of the homeowners express interest in leasing their homes.

2.5.6 The CC&Rs shall be reviewed and approved by the City Engineer and the City Attorney and shall be recorded concurrently with the first Final Map. No legal challenge to any provision of the CC&Rs provided above in Sections 2.5.1 through 2.5.6 shall invalidate the CC&Rs as a whole or prevent the City Engineer from approving and recording the CC&Rs.

2.6 Improvements. Richland shall construct the public and private improvements required by, and more particularly described in the Project Approvals. Richland shall perform the work in accordance with the standards and specifications established by Applicable Law. To the extent there are no such standards or specifications in the Applicable Law other than this Agreement, the work shall be performed in accordance with industry standards and in a good and workmanlike manner, as approved by the City Engineer.

2.6.1 Design and Construction of Laurel Road. Richland shall design and construct the completion of the western extension of Laurel Road including the infrastructure and traffic signalization, from the Project’s southwestern boundary to SR 4, as more particularly described in the Project Approvals. The City shall cooperate with Richland to provide reimbursement to Richland by other landowners and developers benefitting from such improvements for their fair share of the costs of such improvements as outlined below in Section 3.4.

2.6.2 Trail Improvements. Richland shall construct a public use regional trail commencing at Laurel Road and running north along the Project’s westerly boundary and connecting to the Delta De Anza Trail on the Project’s northerly boundary as outlined in the East Lone Tree Specific Plan. Richland shall be responsible for design and construction of the trail.

Richland shall dedicate the public use regional trail to the City upon completion and sign off of the trail by the City.

2.6.3 Sewer Line and Storm Drain Improvements. Richland shall design and construct the major sewer trunk line and storm drain lines in portions of Laurel Road and Country Hills Drive to locations through the neighboring properties to the south and east to connect to the Project as more particularly described in the Project Approvals, subject to a cost-sharing and/or reimbursement agreement between Richland and benefitting landowners. Richland shall obtain rights-of-way to construct portions of the sewer line and storm drain improvements on neighboring properties. The City shall cooperate with Richland to obtain such rights-of-way as more particularly described in Section 3.2, establish financing mechanisms as outlined in Section 3.3, and collect reimbursement as more particularly described in Section 3.4 of this Agreement. Once constructed, Richland shall dedicate the sewer line improvements to the City.

2.7 Police Services Funding. In order to assist the City in meeting a police force level within a range of 1.2 to 1.5 officers per 1,000 residents as set forth in Performance Standard 3.5.3.1 of the General Plan, Richland shall, at its own cost, establish or annex into (if one has already been established), a land-based financing mechanism to fund police services reasonably related to the Project. The financing mechanism may be in the form of a Community Facilities District (“CFD”) or other means acceptable to the City in consultation with Richland. The CFD or other financing mechanism shall be established prior to the issuance of the first building permit for the Project. The requirements of this Section 2.7 shall be waived by the City if the City imposes a special tax or other form of revenue generation on all City residents dedicated specifically for the purpose of funding police services. If Richland is required to establish and form a CFD, it shall be entitled to reimbursement for those formation costs from other properties annexing into the CFD pursuant to Section 3.4, below. If Richland annexes into an existing CFD, it shall reimburse the City its pro rata fair share costs of formation costs of that CFD.

2.8 Subdivision and Other Agreements; Multiple Final Maps. Richland shall execute and perform its obligations as set forth in any Subdivision Improvement Agreements required or permitted by Applicable Law to obtain approval of final maps. Richland may file multiple final maps in accordance with Section 3.6 below.

2.9 Subcontractor Labor Commitments. Richland shall commit to the hiring of union contractors for the plumbing, electrical and HVAC construction trades on the Laurel Ranch Project.

ARTICLE 3 COVENANTS OF THE CITY

3.1 Obligations of City Generally. The City shall act in good faith to accomplish the intent of this Agreement. City shall cooperate with Richland so that it receives the benefits of and the rights vested by this Agreement, including obtaining from other governmental entities necessary or desirable permits or other approvals for the Project.

3.2 Eminent Domain. Richland shall obtain all real property interests necessary to allow it to construct the sewer trunk line and storm drain improvements required by the Project Approvals, and any subsequent approvals. In the event an affected property owner has rejected an offer by Richland, based upon fair market value as determined by an appraisal prepared by a City-approved appraiser in cooperation with the City, the City shall assist Richland upon its request in obtaining any real property interests necessary for the public improvements. Specifically, the City shall promptly negotiate and seek the purchase of the necessary property, including the possible consideration of the City's use of its power of eminent domain to acquire such real property interests. Richland shall pay all costs associated with any acquisition or condemnation proceedings.

3.3 Establishment of Financing Mechanisms. If Richland requests that a financing mechanism (e.g., Mello-Roos Community Facilities District, Landscaping and Lighting Districts, Statewide Community Infrastructure Program (SCIP), Maintenance Assessment Districts, or any other land-secured financing mechanism) be formed to finance Project facilities or infrastructure through the issuance of debt and the levy of special taxes, the City shall use its best efforts to cause such district to be formed and such bonds to be issued and such special taxes to be levied, to the extent permitted by law. The City's formation and implementation of any financing mechanisms and its issuance of any Project debt shall include all of the usual and customary associated municipal functions, including, without limitation, the formation and administrative of special districts, the issuance of Project debt, the monitoring and collection of fees, taxes, assessments and charges such as utility charges, the creation of administrative or enterprise funds, the enforcement of debt obligations as well as other functions or duties authorized or mandated by Applicable law.

3.4 Reimbursement. The City shall work cooperatively with Richland to ensure Richland is reimbursed for costs related to obtaining rights of way and constructing public improvements as identified in Section 2.6, above. In cooperating with Richland, the City shall require all benefitting properties by condition of approval or inserting a requirement in a development agreement, an obligation on the applicable property owner to reimburse Richland for that property owner's fair share of the improvements. The City shall require this reimbursement obligation to occur at the earlier of the filing of the final map or issuance of a building permit on the affected property. The City shall then collect the reimbursement amount on behalf of Richland, less any administrative costs, and distribute that amount to Richland. The City shall not waive or defer another property owner's obligation to reimburse Richland for its fair share of improvements, unless Richland's consent is obtained in writing prior to the waiver or deferral. Notwithstanding Section 7.1.1, the City's failure to comply with this Section 3.4 shall be deemed a material default for which declaratory relief and/or specific performance would not make Richland whole. As a result, Richland shall have the right to recover from the City any damages resulting from the City's failure to comply with this Section 3.4.

3.5 Vested Development Rights. The City confirms and grants to Richland the vested right to develop the Property in accordance with the Project Approvals and this Agreement. This Agreement shall be enforceable as set forth in Section 9.2 below.

3.6 Permitted Uses. The permitted uses of the Property, including the density and intensity of use of the Property; the maximum height, bulk and size of buildings; and provisions

for reservation or dedication of land for public purposes, are as set forth in the Project Approvals, which the City confirms and vests by this Agreement. City shall not require Richland to reserve or dedicate land for public purposes except as expressly required by the Project Approvals.

3.7 Life of the Project Approvals. By approval of this Agreement, the City extends and vests the term of the Vesting Tentative Map approved by Resolution No. _____ for the Term of this Agreement (including any subsequent extensions). The Term of this Agreement and the term of the Vesting Tentative Map shall be extended automatically by a time period equal to the sum of any periods of time during which a development moratorium, as defined in Government Code section 66452.6(f) of the Subdivision Map Act (the “**Map Act**”), is in effect. The term of each Project Approval shall expire no sooner than (a) this Agreement, or (b) the term otherwise applicable to the Project Approval if this Agreement were not in effect, whichever occurs later. The City shall not require Richland to enter into any subdivision or other agreement that is inconsistent with this Agreement or the Project Approvals or that requires more work than is required by this Agreement; provided, however, the Parties agree and understand that Richland will be required to enter into Subdivision Improvement Agreements as set forth above in Section 2.8. The City shall allow Richland to file multiple final maps in accordance with Section 66456.1 of the Map Act.

3.8 City’s Acceptance of Public Improvements. Once the City has accepted the offers of dedication of the public improvements constructed by Richland as provided in Section 2.6, above, the City shall maintain all such accepted improvements.

3.9 City’s Reservations of Authority. Notwithstanding any other provision of this Agreement to the contrary, the following regulations and provisions shall apply to the development of the Property:

3.9.1 City Regulations regarding processing fees and charges, enacted after the Effective Date, provided such procedures are uniformly applied on a City-wide basis to all substantially similar types of development projects and properties.

3.9.2 City Regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure, enacted after the Effective Date, provided such procedures are uniformly applied on a City-wide basis to all substantially similar types of development projects and properties.

3.9.3 City Regulations governing construction standards and specifications, enacted after the Effective Date, including (a) City’s building code, plumbing code, mechanical code, electrical code, fire code and grading code, (b) all uniform construction codes applicable in City at the time of building permit issuance, and (c) design and construction standards for road and storm drain facilities; provided any such regulation has been adopted and uniformly applied by City on a citywide basis and has not been adopted for the purpose of preventing or otherwise limiting construction of all or any part of the Project.

3.9.4 City Regulations enacted after the Effective Date that may be in conflict with this Agreement or the Project Approvals but that are necessary to protect persons or property from dangerous or hazardous conditions that create a threat to the public health or

safety or create a physical risk, based on findings by the City Council identifying the dangerous or hazardous conditions requiring such changes in the law, why there are no feasible alternatives to the imposition of such changes, and how such changes would alleviate the dangerous or hazardous condition. Changes in laws, regulations, plans or policies that are specifically mandated and required by changes in state or federal laws or regulations that require such to apply to the Project.

3.9.5 As provided in the Statute at Section 65869.5: “In the event that state or federal law or regulations, enacted after [this Agreement] has been entered into, prevent or preclude compliance with one or more provisions of [this Agreement], such provisions of [this Agreement] shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.”

3.9.6 Nothing in this Section 3.5 or this Agreement shall preclude Richland from exercising its right to challenge in court any City ordinance, policy, regulation, or standard that would conflict with Applicable Law or this Agreement or reduce the development rights provided by this Agreement.

ARTICLE 4 AMENDMENT

4.1 Amendment to Approvals. To the extent permitted by state and federal law, any Project Approval or Subsequent Project Approvals (hereafter in this ARTICLE 4, an “**Approval**”) may, from time to time, be amended or modified in the following manner.

4.1.1 Administrative Project Amendments. Upon the written request of Richland 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 Project 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 Project 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 Project, 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 Project, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Project, modifications to the grading design that will not substantially alter the design concepts of the Project, and minor adjustments to the Property diagram or Property legal description shall be treated as Administrative Project Amendments.

4.1.2 Non-Administrative Project Amendments. Any request of Richland for an amendment or modification to an Approval which 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 Agreement.

4.1.3 Project Amendment Exemptions. Amendment of an Approval requested by Richland shall not require an amendment to this Agreement. Instead, the amendment shall automatically be deemed to be incorporated into the Project and the Project Approvals, and vested under this Agreement.

4.2 Amendment of This Agreement. This 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:

4.2.1 Administrative Agreement Amendments. The City Manager and City Attorney are authorized on behalf of the City to enter into any amendments to this Agreement other than amendments which substantially affect (i) the term of this Agreement (excluding extensions of time for performance of a particular act), (ii) permitted uses of the Property, (iii) provisions for the reservation or dedication of land, (iv) the density or intensity of use of the Property or the maximum height or size of proposed buildings, or (v) monetary payments by Richland. Such amendments (“**Administrative Agreement Amendment**”) shall, except to the extent otherwise required by law, become effective without notice or public hearing.

4.2.2 Non-Administrative Agreement Amendments. Any request of Richland for an amendment or modification to this Agreement which is determined not to be an Administrative Agreement Amendment as set forth above shall be subject to review, consideration and action pursuant to the Applicable Law and this Agreement.

ARTICLE 5

ASSIGNMENT, TRANSFER AND MORTGAGEE PROTECTION

5.1 Assignment of Interests, Rights and Obligations. Nothing herein limits the right of Richland to freely alienate or transfer all or any portion of the Property. However, Richland may only transfer or assign all or any portion of its interests, rights or obligations under this Agreement or the Project Approvals, including any amendments thereto (a “**Transfer**”), subject to the requirements for City’s consent set forth in this ARTICLE 5, to any third party who acquires an interest or estate in the Property or any portion thereof including, without limitation, purchasers or ground lessees of lots, parcels or improvements (a “**Transferee**”). City consent shall not be required if Richland transfers all or a portion of the Property to an Affiliated Party. An “**Affiliated Party**” is defined as any corporation, limited liability company, partnership or other entity which is controlling of, controlled by, or under common control with Richland, and “**control**,” for purposes of this definition, means effective management and control of the other entity, subject only to major events requiring the consent or approval of the other owners of such entity.

5.2 Transfer Agreements.

5.2.1 Written Agreement. In connection with a Transfer by Richland (other than a Transfer by Richland to an Affiliated Party to a Mortgagee (as defined below in 5.4) or to a Home Purchaser (as defined below in 5.3)), Richland and the Transferee shall enter into a written agreement (a “**Transfer Agreement**”), with City’s consent in writing to the Transfer, regarding the respective interests, rights and obligations of Richland and the Transferee in and under the Agreement and the Project Approvals. Such Transfer Agreement may (i) release Richland from obligations under the Agreement or the Project Approvals that pertain to that portion of the Project being transferred, as described in the Transfer Agreement, provided that the Transferee expressly assumes such obligations, (ii) transfer to the Transferee vested rights to improve and use that portion of the Project being transferred, and (iii) address any other matter deemed by Richland to be necessary or appropriate in connection with the transfer or assignment. Richland shall notify the City in writing that it plans to execute a Transfer Agreement at least 60 days in advance of the execution date and provide City with such information as may be required by City to demonstrate the Transferee’s qualifications and financial ability to complete the Project. City shall have 30 days from the date of such notice to review the information and provide a determination to Richland. City may withhold its consent if the City reasonably determines that the Transferee, or an entity with similar or related ownership or control as Transferee, is or has been a party to litigation filed against the City or if the Transferee lacks the financial ability to complete the Project. If City does not consent to the Transfer, City shall provide its reasons in writing and shall meet with Richland in good faith to determine what additional information may be necessary for City to provide its consent.

5.2.2 Binding. Any Transfer Agreement shall be binding on Richland, the City and the Transferee, but shall not release Richland absent express language in the Transfer Agreement. Upon recordation in the Official Records of Contra Costa County of any Transfer Agreement, Richland shall be released from those obligations assumed by the Transferee therein, subject to the provisions of 5.2.1 above.

5.3 Home Purchaser. The burdens, obligations and duties of Richland under this Agreement shall terminate with respect to, and neither a Transfer Agreement nor the City’s consent shall be required in connection with, any single-family residence conveyed to a purchaser or leased for a period in excess of one year. The Transferee in such a transaction and its successors (“**Home Purchaser**”) shall be deemed to have no obligations under this Agreement.

5.4 Mortgagee Protection. This Agreement shall be superior and senior to any lien placed upon the Property or any portion thereof after the date of recording of this Agreement, including the lien of any deed of trust or mortgage (“**Mortgage**”). The foregoing notwithstanding, no breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any Mortgage made in good faith and for value, but all of the terms and conditions contained in this Agreement (including, but not limited to, the City’s remedies to terminate the rights of Richland and its successors and assigns under this Agreement, to terminate this Agreement, and to seek other relief as provided in this Agreement) shall be binding upon and effective against any person or entity, including any deed of trust beneficiary or mortgagee

(“**Mortgagee**”) who acquires title to the Property, or any portion thereof, by foreclosure, trustee’s sale, deed in lieu of foreclosure, or otherwise.

5.4.1 Mortgagee Not Obligated. The provisions of 5.4 notwithstanding, no Mortgagee shall have any obligation or duty under this Agreement to construct or complete the Project, or to guarantee such construction or completion; provided, however, that a Mortgagee shall not be entitled to devote the Property to any uses or to construct any improvements other than those uses or improvements provided for or authorized by this Agreement, or otherwise under the Project Approvals.

5.4.2 Notice of Default to Mortgagee. If the City receives a written notice from a Mortgagee or from Richland requesting a copy of any notice of default given Richland and specifying the address for notice, then the City shall deliver to the Mortgagee at the Mortgagee’s cost, concurrently with delivery to Richland, any notice with respect to any claim by the City that Richland has committed an event of default. Each Mortgagee shall have the right during the same period available to Richland to cure or remedy, or to commence to cure or remedy, the event of default claimed or the areas of noncompliance set forth in the City’s notice. The City Manager is authorized on behalf of the City to grant to the Mortgagee an extension of time to cure or remedy, not to exceed an additional 60 days.

ARTICLE 6

COOPERATION IN THE EVENT OF LEGAL CHALLENGE, INDEMNITY

Richland, as the real party in interest, shall defend, indemnify and hold harmless the City, with legal counsel reasonably acceptable to the City Attorney, in any action brought by a third party to challenge concerning (a) the validity, legality, or constitutionality of any term, condition, obligation, fee, dedication, or exaction required or imposed by this Agreement; (ii) the procedures utilized in or the sufficiency of the environmental review associated with this Agreement; and (iii) the implementation of this Agreement through such further actions, measures, procedures, and approvals as are necessary to satisfy the Agreement’s requirements. Richland shall defend the City with qualified legal counsel subject to the approval of the City Attorney, which approval shall not be unreasonably withheld. Richland shall pay all costs, damages, attorney’s fees, and other court-ordered costs awarded to any third party in any legal action in which Richland’s duties to defend, indemnify, and hold the City harmless arise under this Article. The City shall promptly notify Richland of any action filed and the Parties shall cooperate fully in the defense of such action.

The Parties expressly recognize that the obligation stated in this Article do not require or contemplate that Richland shall indemnify or hold harmless or be responsible for any error, omission, intentional act, negligent act, or default of, or any injury caused by, any homeowners association or any City department or dependent special district that is formed by or receives funding as a result of any term or condition of this Agreement.

ARTICLE 7

DEFAULT; TERMINATION; ANNUAL REVIEW

7.1 Default.

7.1.1 Remedies in General; No Damages. Except as provided in Section 3.4, the City and Richland agree that, as part of the bargained for consideration of this Agreement, in the event of default by either Party, the only remedy shall be declaratory relief or specific performance of this Agreement. In no event shall either Party, or any of their officers, agents, representatives, officials, employees or insurers, be liable to the other Party for damages, whether actual, consequential, punitive or special, for any breach or violation of this Agreement. The Parties agree that any action or proceeding to cure, correct or remedy any default or to enforce any covenant or promise under this Agreement shall be limited solely and exclusively to the remedies expressly provided. Following notice and expiration of any applicable cure periods and completion of the dispute resolution process set forth in ARTICLE 8 below, either Party may institute legal or equitable proceedings to cure, correct, or remedy any default, or to enforce any covenant or promise herein, enjoin any threatened or attempted violation, or enforce by specific performance, declaratory relief or writ of mandate the obligations and rights of the Parties. As noted above, in no event shall either Party be liable for any damages. Any legal action to interpret or enforce the provisions of this Agreement shall be brought in the Superior Court for Contra Costa County, California.

7.1.2 Cure Period. Subject to extensions of time by mutual consent in writing of the Parties, breach of, failure, or delay by either Party to perform any term or condition of this Agreement shall constitute a default. In the event of any alleged default of any term, condition, or obligation of this Agreement, the Party alleging such default shall give the defaulting Party notice in writing specifying the nature of the alleged default and the manner in which such default may be satisfactorily cured (“**Notice of Breach**”). The defaulting Party shall cure the default within 30 days following receipt of the Notice of Breach, provided, however, if the nature of the alleged default is non-monetary and such that it cannot reasonably be cured within such 30-day period, then the commencement of the cure within such time period, and the diligent prosecution to completion of the cure thereafter, shall be deemed to be a cure, provided that if the cure is not diligently prosecuted to completion, then no additional cure period shall be provided. If the alleged failure is cured within the time provided above, then no default shall exist and the noticing Party shall take no further action to exercise any remedies available hereunder. If the alleged failure is not cured, then a default shall exist under this Agreement and the non-defaulting Party may exercise any of the remedies available.

7.1.3 Procedure for Default by Richland. If Richland is alleged to be in default hereunder by City then after notice and expiration of the cure period specified above and the dispute resolution process set forth in ARTICLE 8 below, City may institute legal proceedings against Richland pursuant to this Agreement, and/or give notice of intent to terminate or modify this Agreement to Richland pursuant to California Government Code section 65868. Following notice of intent to terminate or modify this Agreement as provided above, the matter shall be scheduled for consideration and review at a duly noticed and conducted public hearing in the manner set forth in Government Code sections 65865, 65867 and 65868 by the City Council within 60 calendar days following the date of delivery of such notice (the “**Default Hearing**”).

Richland shall have the right to offer written and oral testimony prior to or at the time of the Default Hearing. If the City Council determines that a default has occurred and is continuing, and elects to terminate the Agreement, City shall give written notice of termination of the Agreement to Richland by certified mail and the Agreement shall thereby be terminated 30 days thereafter; provided, however, that if Richland files an action to challenge City's termination of the Agreement within such 30-day period, then the Agreement shall remain in full force and effect until a trial court has affirmed City's termination of the Agreement and all appeals have been exhausted (or the time for requesting any and all appellate review has expired). This Section 7.1.3 shall not be interpreted to constitute a waiver of Section 65865.1 of the Government Code, but merely to provide a procedure by which the Parties may take the actions set forth in Section 65865.1.

7.1.4 Procedure for Default by City. If the City is alleged by Richland to be in default under this Agreement, then after notice and expiration of the cure period and completion of the dispute resolution procedures below, Richland may enforce the terms of this Agreement by an action at law or in equity, subject to the limitations set forth above.

7.2 Excusable Delay; Extension of Time of Performance. In addition to specific provisions of this Agreement, neither Party shall be deemed to be in default where delays in performance or failures to perform are due to, or a necessary outcome of, war, insurrection, strikes or other labor disturbances, walk-outs, riots, floods, earthquakes, fires, casualties, acts of God, enactment or imposition against the Project of any moratorium, or any time period for legal challenge of such moratorium by Richland, or similar basis for excused performance which is not within the reasonable control of the Party to be excused. Litigation attacking the validity of this Agreement or any of the Project Approvals or implementing or subsequent approvals, or any permit, ordinance, entitlement or other action of a governmental agency other than the City necessary for the development of the Project pursuant to this Agreement, or Richland's inability to obtain materials, power or public facilities (such as water or sewer service) to the Project, shall be deemed to create an excusable delay as to Richland. Upon the request of either Party, an extension of time for the performance of any obligation whose performance has been so prevented or delayed shall be memorialized in writing. The City Manager is authorized on behalf of the City to enter into such an extension. The term of any such extension shall be equal to the period of the excusable delay, or longer, as may be mutually agreed upon.

7.3 Annual Review. Throughout the Term, at least once every 12 months, the City may request that Richland provide City with a written report demonstrating its good-faith compliance with the terms of this Agreement (the "**Written Report**"). The City Manager and City Attorney shall review the Written Report to determine whether Richland is in good-faith compliance with the terms of the Agreement and, if they have concerns about Richland's compliance, shall schedule a review before the City Council (the "**Periodic Review**"). At least 10 days prior to the Periodic Review, the City shall provide to Richland a copy of any staff reports and documents to be used or relied upon in conducting the review (and, to the extent practical, related exhibits) concerning Richland's performance. Richland shall be permitted an opportunity to respond to the City's evaluation of Richland's performance, either orally at a public hearing or in a written statement, at Richland's election. If before the public hearing, such response shall be directed to the Community Development Director. At the conclusion of the Periodic Review, the City Council shall make written findings and determinations, on the basis

of substantial evidence, as to whether or not Richland has complied in good faith with the terms and conditions of this Agreement. If the City Council finds and determines, based on substantial evidence, that Richland has not complied with such terms and conditions, the City Council may initiate proceedings to terminate or modify this Agreement, in accordance with Government Code section 65865.1, by giving notice of its intention to do so, in the manner set forth in Government Code sections 65867 and 65868. If after receipt of the Written Report, the City does not (a) schedule a Periodic Review within two months, or (b) notify Richland in writing of the City's determination after a Periodic Review, then it shall be conclusively presumed that Richland has complied in good faith with the terms and conditions of this Agreement during the year covered under the Written Report.

7.4 Notice of Compliance. Within 30 days following any written request which Richland or a Mortgagee may make from time to time, the City shall execute and deliver to the requesting party (or to any other party identified by the requesting party) a written "**Notice of Compliance**", in recordable form, duly executed and acknowledged by the City, that certifies: (a) this Agreement is unmodified and in full force and effect, or if there have been modifications, that this Agreement is in full force and effect as modified and stating the date and nature of the modifications; (b) there are no current uncured defaults under this Agreement or specifying the dates and nature of any default; and (c) any other information reasonably requested by Richland or the Mortgagee. The failure to deliver such a statement within such time shall constitute a conclusive presumption against the City that this Agreement is in full force and effect without modification except as may be represented by Richland and that there are no uncured defaults in the performance of Richland, except as may be represented by Richland.

ARTICLE 8 DISPUTE RESOLUTION

8.1 Dispute; Confidentiality. Any controversy or dispute arising out of or related to this Agreement (a "**Dispute**"), shall be subject to private negotiation among the Parties, and if then not resolved shall be subject to non-binding mediation followed by litigation, if necessary, as set forth below. Each Party agrees that any Dispute, and all matters concerning any Dispute, will be considered confidential and will not be disclosed to any third-party except (a) disclosures to a Party's attorneys, accountants, and other consultants who assist the Party in the resolution of the Dispute, (b) as provided below with respect to the mediation, and (c) as otherwise required by law, including without limitation, the California Public Records Act.

8.2 Private Negotiation. If a Dispute arises, the Parties agree to negotiate in good faith to resolve the Dispute. If the negotiations do not resolve the Dispute to the reasonable satisfaction of the Parties within 30 days from a written request for a negotiation, then the Dispute shall be submitted to mediation pursuant to 8.3.

8.3 Mediation. Within 30 days following the written request to negotiate, either Party may initiate non-binding mediation (the "**Mediation**"), conducted by JAMS, Inc. ("**JAMS**") or any other agreed-upon mediator. Either Party may initiate the Mediation by written notice to the other Party. The mediator shall be a retired judge or other mediator, selected by mutual agreement of the Parties, and if the Parties cannot agree within 15 days after the Mediation notice, the mediator shall be selected through the procedures regularly followed by JAMS. The

Mediation shall be held within 30 days after the Mediator is selected, or a longer period as the Parties and the mediator mutually decide. If the Dispute is not fully resolved by mutual agreement of the Parties within 30 days after completion of the Mediation, then either Party may commence an action in state or federal court. The Parties shall bear equally the cost of the mediator's fees and expenses, but each Party shall pay its own attorneys' and expert witness fees and any other associated costs.

8.4 Injunction. Nothing in this ARTICLE 8 shall limit a Party's right to seek an injunction or restraining order from a court of competent jurisdiction in circumstances where such relief is deemed necessary to preserve assets.

ARTICLE 9 MISCELLANEOUS

9.1 Defined Terms; Citations. The capitalized terms used in this Agreement, unless the context obviously indicates otherwise, shall have the meaning given them in this Agreement. Except as otherwise expressly stated, all citations are to the Government Code of the State of California.

9.2 Enforceability. As provided in Section 65865.4, this Agreement shall be enforceable by either Party notwithstanding any change enacted or adopted (whether by ordinance, resolution, initiative, or any other means) in any applicable general plan, specific plan, zoning ordinance, subdivision ordinance, or any other land use ordinance or resolution or other rule, regulation or policy adopted by the City that changes, alters or amends the ordinances, rules, regulations and policies included in the Applicable Law, except as this Agreement may be amended or canceled pursuant to Section 65868 or modified or suspended pursuant to Section 65869.5.

9.3 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 Project Approvals and this Agreement and to provide and secure to the other Party the full and complete enjoyment of its rights and privileges under this Agreement.

9.4 Construction. Each reference in this Agreement to this Agreement or any of the Project Approvals shall be deemed to refer to this Agreement or the Project Approvals, as it may be amended from time to time. This Agreement has been reviewed and revised by legal counsel for both the City and Richland, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

9.5 Covenants Running with the Land. Subject to the Transfer provisions in ARTICLE 5, all of the provisions contained in this Agreement shall be binding upon and benefit the Parties and their respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of, or interest in, the Property, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, Civil Code Section 1468. Each covenant herein to act or refrain from acting is for the benefit of or a burden upon the Property, as appropriate, runs

with the Property and is for the benefit of and binding upon the owner, Richland, and each successive owner of all or a portion of the Property, during its ownership of such property.

9.6 Attorneys' Fees. If any legal action or other proceeding is commenced to enforce or interpret any provision of, or otherwise relating to, this Agreement, the losing party or parties shall pay the prevailing party's or parties' actual expenses incurred in the investigation of any claim leading to the proceeding, preparation for and participation in the proceeding, any appeal or other post-judgment motion, and any action to enforce or collect the judgment including without limitation contempt, garnishment, levy, discovery and bankruptcy. For this purpose, "expenses" include, without limitation, court or other proceeding costs and experts' and attorneys' fees and their expenses. The phrase "prevailing party" shall mean the party which is determined in the proceeding to have prevailed or which prevails by dismissal, default or otherwise.

9.7 No Agency, Joint Venture or Partnership. The City and Richland disclaim the existence of any form of agency relationship, joint venture or partnership between the City and Richland. Nothing contained in this Agreement or in any document executed in connection with this Agreement shall be construed as creating any relationship other than a contractual relationship between the City and Richland.

9.8 No Third Party Beneficiary. This Agreement is made solely and specifically among and for the benefit of the Parties, and their respective successors and assigns subject to the express provisions relating to successors and assigns, and no other party other than a Mortgagee will have any rights, interest or claims or be entitled to any benefits under or on account of this Agreement as a third party beneficiary or otherwise.

9.9 Notices. All notices, consents, requests, demands or other communications to or upon the respective Parties shall be in writing and shall be effective for all purposes: (A) upon receipt on any City business day before 5:00 PM local time and on the next City business day if received after 5:00 PM or on other than a City business day, including without limitation, in the case of (i) personal delivery, or (ii) delivery by messenger, express or air courier or similar courier, or (B) five days after being duly mailed certified mail, return receipt requested, postage prepaid, all addressed as follows:

If to City, to: City of Antioch
 Attention: City Manager
 200 H Street
 Antioch, CA 94509
 Telephone: (925) 779-7011

With a mandatory
copy to: City Attorney
 City of Antioch
 200 H Street
 Antioch, CA 94509
 Telephone: (925) 779-7015

If to Richland, to:

Richland Planned Communities, Inc.
Attention: Aaron Ross-Swain
801 Ygnacio Road, Suite 110
Walnut Creek, CA 94596
Telephone: (925) 271-0676

With a mandatory
copy to:

Richland Planned Communities, Inc.
Attention: General Counsel
3161 Michelson Drive, Suite 425
Irvine, CA 92612
Telephone: (949) 261-7010

In this Agreement “**City business days**” means days that the Antioch City Hall is open for business and does not currently include Fridays, Saturdays, Sundays, and federal and state legal holidays. Either Party may change its address by written notice to the other on five business days’ prior notice in the manner set forth above. Receipt of communication by facsimile shall be sufficiently evidenced by a machine-generated confirmation of transmission without notation of error. In the case of illegible or otherwise unreadable facsimile transmissions, the receiving Party shall promptly notify the transmitting Party of any transmission problem and the transmitting Party shall promptly resend any affected pages.

9.10 Entire Agreement and Exhibits. This 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 Agreement. No oral statements or prior written matter not specifically incorporated in this Agreement shall be of any force and effect. No amendment of, supplement to or waiver of any obligations under this Agreement shall be enforceable or admissible unless set forth in a writing approved by the City and Richland. The following exhibits are attached to this Agreement and incorporated for all purposes:

Exhibit A Property Legal Description

Exhibit B-1 Final Development Plan

Exhibit B-2 Vesting Tentative Map

9.11 Severability. If any part of this Agreement is declared unenforceable or invalid by a court of competent jurisdiction, all remaining provisions shall continue to be valid and enforceable.

9.12 Counterparts. This Agreement may be executed in any number of identical counterparts and each counterpart shall be deemed to be an original document. All executed counterparts together shall constitute one and the same document, and any counterpart signature pages may be detached and assembled to form a single original document. This 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.

9.13 Recordation of Development Agreement. Pursuant to Section 65868.5, no later than ten days after the City enters into this Agreement, the City Clerk shall record an executed copy of this Agreement or a Memorandum of this Agreement in the Official Records of the County of Contra Costa.

This Agreement has been entered into by and between Richland and the City as of the Effective Date.

CITY:

City of Antioch, a municipal corporation

By: _____
_____, City Manager

APPROVED AS TO FORM:

By: _____
_____, City Attorney

ATTEST:

By: _____
_____, City Clerk

RICHLAND:

Richland Planned Communities, Inc., a California corporation

By: _____
Name: _____
Its: _____

APPROVED AS TO FORM:

By: _____

EXHIBIT A

PROPERTY LEGAL DESCRIPTION

(to be inserted)

EXHIBIT B-1

FINAL PLANNED DEVELOPMENT

EXHIBIT B-2

VESTING TENTATIVE MAP

**PLANNING COMMISSION
RESOLUTION NO. 2016-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING APPROVAL OF AN ORDINANCE TO REZONE TO PLANNED
DEVELOPMENT DISTRICT (PD-15-03) FOR THE LAUREL RANCH PROJECT**

WHEREAS, the City received an application from Strack Farms LLC (Richland) requesting approval of an Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report, a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031); and,

WHEREAS, an addendum to the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan was prepared for the project in conformance with the California Environmental Quality Act and considered by the Planning Commission on July 20, 2016; and,

WHEREAS, on July 20, 2016, the Planning Commission recommended adoption of the Addendum to the City Council; and,

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

WHEREAS, on July 20, 2016, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission makes the following findings required for approval of the proposed zone change:

1. That the public necessity requires the proposed zone change. Each project in the East Lone Tree specific Plan is required to rezone to a Planned Development (PD) District and adopt development standards.
2. That the subject property is suitable to the use permitted in the proposed zone change. The subject property is undeveloped land adjacent to existing and approved residential development and is suitable to single family residential development.

3. That said permitted use is not detrimental to the surrounding property. The project is consistent with the adjacent residential development to the west and approved residential development to the south and the project will construct infrastructure and improvements that will benefit surrounding properties.
4. That the proposed zone change modifying development standards is in conformance with the Antioch General Plan. The project conforms to the requirements of the General Plan East Lone Tree Specific Plan Area Focus Area.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend to the City Council APPROVAL of the draft Ordinance (Exhibit A) to rezone the approximately 54 acre project site (APN 053-060-031), located at the northwest corner of the Highway 4 Bypass and Laurel Rd. interchange, to Planned Development District (PD-15-03).

* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 20th day of July, 2016, by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

FORREST EBBS

Secretary to the Planning Commission

EXHIBIT A

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE (APN 053-060-031) TO PLANNED DEVELOPMENT DISTRICT (PD-15-03)

The City Council of the City of Antioch does ordain as follows:

SECTION 1:

The City Council determined on _____ that, pursuant to Section 15164 of the Guidelines of the California Environmental Quality Act, that the appropriate environmental document for the project is an Addendum to the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan.

SECTION 2:

At its regular meeting of July 20, 2016, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property to Planned Development District (PD-15-03).

SECTION 3:

The real property described in Exhibit A, attached hereto, is hereby rezoned to Planned Development District (PD-15-03), and the zoning map is hereby amended accordingly. The Final Development Plan, with attachments consisting of various maps, written documents, and renderings of the proposed development along with all conditions imposed by the City of Antioch are hereby incorporated by reference and made a part of this zoning change. These documents are on file at the City of Antioch Community Development Department.

SECTION 4:

The permitted uses and conditionally permitted uses for the parcels located north of Laurel Rd. shall be single family, detached residential uses. The permitted and conditionally permitted uses for the portion of the project south of Laurel Rd. and east of Country Hills Dr. shall conform to the requirements of the Neighborhood Community Commercial District (C-2) as required in Chapter 5, Section 9, Article 38 of the City of Antioch Municipal Code.

The development standards, as defined below, for the portion of the subject property north of Laurel Rd. **(APN 053-060-031)**, known as the Laurel Ranch Project, are herein incorporated into this ordinance, and are binding upon said property.

Development Standards for the Proposed Laurel Ranch Planned Development District

Standard	Proposed PD Zoning Standards	
	Conventional Neighborhood	Private Lane Neighborhood
Maximum Number of Units	93	94
Minimum Lot Size	4,000 s.f.	2,580 s.f.
Minimum Lot Width	50 feet	43 feet
Minimum Lot Depth	80 feet	60 feet
Minimum Front Yard Setbacks from Property Line (reserved for landscaping only, excluding driveways)	12 feet to house 20 feet to garage	8 feet to house 18 feet to garage
Minimum Side Yard Setbacks from Property Line (reserved for landscaping only)	Interior lot: 4 feet Corner lot: 10 feet street side setback. No part of a house, landscaping, or fence shall obstruct the required clear vision zone at an intersection.	Interior lot: 4 feet minimum. 10 foot minimum adjacent to a sound wall. Corner lot: 10 feet street side setback. No part of a house, landscaping, or fence shall obstruct the required clear vision zone at an intersection.
Minimum Rear Yard Setbacks from Property Line (including patio covers)	15 feet, minimum 10 feet flat area 20 feet adjacent to Laurel Rd.	5 feet 20 feet adjacent to Laurel Rd.
Accessory Structure Setbacks	Interior lot: side yard and rear yard setback is zero Corner lot: street side setback is 20 feet and rear and interior side setback is zero	Attached or detached accessory structures and patio covers are not permitted
Maximum Building Height	35 feet	35 feet
Maximum Lot Coverage (including porches, porticos, trellises and patio covers)	55%	55%
Minimum Parking and Driveways	Attached two car garage minimum 20 feet by 20 feet clear inside dimensions. Minimum 20 foot long driveway. Minimum one 20 foot long on-street guest parking space per house.	Attached two car garage minimum 20 feet by 20 feet clear inside dimensions. Minimum 18 foot long driveway. Minimum one 20 foot long on-street guest parking space per house.
Second Dwelling Unit	Detached second Dwelling units are not permitted	Detached second Dwelling units are not permitted

SECTION 5:

The City Council finds that the public necessity requires the proposed zone change, that the subject property is suitable to the use permitted in the proposed zone change, that said permitted use is not detrimental to the surrounding property, and that the proposed zone change modifying the development standards is in conformance with

the Antioch General Plan.

SECTION 6:

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 foregoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the ____ of _____ and passed and adopted at a regular meeting thereof, held on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

EXHIBIT A
LEGAL DESCRIPTION

**PLANNING COMMISSION
RESOLUTION NO. 2016-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
RECOMMENDING APPROVAL OF A TENTATIVE MAP/FINAL DEVELOPMENT
PLAN FOR THE LAUREL RANCH PROJECT**

WHEREAS, the City received an application from Strack Farms LLC (Richland) requesting approval of an Addendum to the Future Urban Area #2 Specific Plan Final Environmental Impact Report, a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031); and,

WHEREAS, an addendum to the Final Environmental Impact Report (EIR) for Future Urban Area #2 Specific Plan was prepared for the project in conformance with the California Environmental Quality Act and considered by the Planning Commission on July 20, 2016; and,

WHEREAS, on July 20, 2016, the Planning Commission recommended adoption of the Addendum to the City Council; and,

WHEREAS, on July 20, 2016, the Planning Commission recommended approval of a rezone of the project site to Planned Development District (PD-15-03) and a development agreement for the project between the City of Antioch and Richland Planned Communities, Inc.; and,

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

WHEREAS, on July 20, 2016, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission makes the following required findings for approval of a Final Development Plan:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability because each parcel has its own independent parking and access. The uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district due to the General Plan designations for the project site and the requirement to establish a Planned Development Zoning District and receive approval for a Final Development Plan for each project in the East Lone Tree Specific Plan area;

2. The streets and thoroughfares proposed meet the standards of the City's Growth Management Program and adequate utility service can be supplied to all phases of the development because the project will be constructing all the required streets and utilities to serve the project and the ultimate design, location and size of these improvements will be subject to the approval of the City Engineer;
3. Any commercial component of the project is justified. The future commercial parcel south of Laurel Rd. is consistent with the requirements of the East Lone Tree Specific Plan;
4. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted. The project is substantially in conformance with the standard zoning requirements for residential development and the Planned Development District development standards established for the project site;
5. The area surrounding the PD district can be planned and zoned in coordination and substantial compatibility with the proposed development because the proposed development is consistent with the General Plan and the area around the Project is approved to be developed according to the General Plan policies for the East Lone Tree Focus Area and to comply with the requirements of the East Lone Tree Specific Plan; and,
6. The Project and the PD District conform to the General Plan of the City in that the small lot single family residential, park/trail and undeveloped open space uses are consistent with the General Plan designations of Residential/Open Space for those portions of the project site; and,
7. The Conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

BE IT FURTHER RESOLVED that the Planning Commission does hereby make the following findings for approval of a Vesting Tentative Parcel Map:

1. That the subdivision, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The site is designated Residential/Open Space and is zoned Planned Development and the subdivision will accommodate uses that are consistent with the General Plan on each of the lots created by the subdivision; and,

2. That the subdivision proposed by the Vesting Tentative Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The proposed subdivision meets the City's criteria for the map. The City's Planning and Engineering staff have reviewed the Vesting Tentative Map and evaluated the effects of the subdivision proposed and have determined that the Vesting Tentative Map as conditioned complies with and conforms to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.
3. The Conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby recommend **APPROVAL** of a rezone to Planned Development District (PD-15-03), a Vesting Tentative Map/Final Development Plan (PW 698), and a development agreement for the Laurel Ranch project. The project consists of the development of 180 single family homes and associated improvements on a portion of a 54 acre parcel. The project site is located at the northwest corner of the Highway 4 Bypass and Laurel Road interchange (APN 053-060-031), subject to the following conditions:

A. GENERAL CONDITIONS

1. The project shall comply with the City of Antioch Municipal Code, unless a specific exception is granted thereto, or is otherwise modified in these conditions or in the development agreement.
2. This approval expires two years from the date of approval (Expires July 20, 2018) or alternate date as identified in the Development Agreement.
3. Concurrent with the first submittal of grading or improvement plans, the applicant shall submit a site plan exhibit showing the site plan as modified by conditions and approval.
4. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge any land use approval or environmental review for the Project. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
5. A final and unchallenged approval of this project supersedes previous approvals that have been granted for this site.

6. Permits or approvals, whether discretionary or ministerial, will not be considered if the applicant is not current on fees, reimbursement and/or other payments that are due the City.
7. All advertising signs shall be consistent with the Sign Ordinance or as approved by the Community Development Director.
8. Prior to application for building and/or grading permits for any phase of the subdivision, the applicant shall secure use permit approval from the Planning Commission for that phase.
9. The architecture, sound walls, mailboxes, lighting, any accent paving, addressing, and landscaping for the entire project shall be subject to design review and approval by the Planning Commission prior to application for building and/or grading permits for the project. The design details shall conform to the Laurel Ranch Architectural Design Guidelines submitted to the City of Antioch May 2, 2016.
10. Prior to recordation of the first final map, and in conformity with California Vehicle Code 21107.5, the developer shall initiate an amendment to Antioch Municipal Code § 4-5.411, which will allow enforcement of public laws on privately owned and maintained roads.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map approval is subject to the time lines established in the State of California Subdivision Map Act or as extended by the Development Agreement.
2. Approval is based upon substantial conformance with the Vesting Tentative Map dated April 20, 2016, and as conditioned herein.
3. That approval of this Vesting Tentative map shall not constitute the approval of any improvements shown on the Vesting Tentative map and shall not be construed as a guarantee of future extension or re-approvals of this or similar maps, nor is it an indication of future availability of water or sewer facilities or permission to develop beyond the capacities of these facilities.
4. The developer shall comply with all mitigation measures identified in the FUA #2 (East Lone Tree) Specific Plan Final EIR and the supplemental mitigation measures identified in the 2016 Addendum to the FUA #2 (East Lone Tree) Specific Plan Final EIR prepared for the Laurel Ranch project.

5. All required easements or rights-of-way for improvements shall be obtained by the applicant at no cost to the City of Antioch. Advance permission shall be obtained from all pertinent property owners and easement holders, if applicable, for any work done within such property or easements.
6. All easements of record that are no longer required and affect individual lots or parcels within this project shall be removed prior to or concurrently with the recordation of the final map or subsequent separate document as approved by City Engineer.
7. Prior to recordation of the first final map, the developer shall obtain a lot line adjustment with the Contra Costa Water District parcel to the north in order to map open space Parcel 'E' and Lots 48, 49, 54, 55, 60 and 61.
8. The developer shall establish a Home Owners Association (HOA) for this project in conformance with the regulations set forth by the State Bureau of Real Estate. The HOA shall be responsible for maintaining all private common areas and amenities including:
 - Parcel 'A' and Parcel 'B' Parks.
 - Landscaping and entry treatments in rights of way not adjacent to front-on or side-on lots, if any, and HOA owned parcels north of the northerly curb line of Laurel Road. (Parcels 'I', 'J', 'P', and 'R')
 - HOA owned parking parcels. (Parcels 'S', 'T', 'U', and 'V')
 - All C.3 infrastructure north of the northerly curb line of Laurel Road which may include, but is not limited to engineered soil, gravel, cleanouts, pipes, overflows, and flow control orifices. (Parcels 'K', 'O', 'M', and 'N')
 - Storm drain pipes leading into basins on Parcels 'K', 'O', 'M', and 'N' (from the nearest catch basin or manhole) and storm drain pipes leading out of basins on Parcels 'K', 'O', 'M', and 'N' (to the nearest manhole outside of the basin).
 - The City shall be reimbursed if it maintains landscape or C.3 areas that are not maintained by the HOA to an acceptable City level.
 - All sound walls adjacent to the project, including graffiti removal.
 - All private streets and street lighting.
 - All front yard landscaping.
 - Mailboxes.
9. Subject to approval by the State, the CC&Rs shall include a provision indicating that the City of Antioch is named as a third-party beneficiary with the right, but not the obligation, to enforce the provisions of the CC&Rs relating to the maintenance and repair of the property and improvements, including but not limited to landscaping, parking, open

space, storm water facilities and the prohibition of nuisances. The City shall have the same rights and remedies as the Association, Manager or Owners are afforded under the CC&Rs, including but not limited to rights of entry. This right of enforcement is in addition to all other legal and equitable remedies available to the City, including the right to refuse to issue building permits for any building or structure that is not in compliance with applicable federal, state or local laws, regulations, permits or approvals. Neither action nor inaction by the City shall constitute a waiver or relinquishment of any rights or remedies. In addition, the CC&Rs shall include a provision that any design approvals required by the CC&RS for construction, reconstruction and remodeling are in addition to any approvals needed from the City as well. Further, the CC&Rs cannot be terminated or amended materially without the prior written consent of the Community Development Director and City Attorney of the City of Antioch. Material changes are those that would change the fundamental purpose of the development including but not limited to:

- City approvals of uses or external modifications.
 - Property ownership or maintenance obligations including, but not limited to, common areas, storm water and landscaping.
10. The City Attorney and City Engineer shall review and approve the CC&Rs for the development prior to the issuance of building permits for the first phase of residential construction. The CC&Rs shall require the following:
- That each unit shall be required to store garbage cans outside of public view.
 - That the parking within the courtyards and on driveways less than 20 feet in length shall be prohibited in the project's CC&Rs.
 - That on-street and courtyard area RV parking with the exception of active loading and unloading of RVs shall be prohibited.
 - That all homes shall be identified by a decorative addressing method easily visible from the roads within the project in order to aid emergency responders. This method shall be reviewed by the Antioch Police Department and the Design Review Board.
11. That the developer shall install and maintain streetlights and landscaping within the project area at no cost to the City.
12. Prior to recordation of the first final map, the property shall establish and participate in a Lighting and Landscape District (LLD), Maintenance CFD for lighting and landscaping maintenance, or other financial mechanism acceptable to the City Engineer and accept a level of annual assessments sufficient to maintain:

- Street lights and landscaping adjacent to the project area excluding those areas to be maintained by the HOA (generally medians on Laurel Road.
- C.3 infrastructure south of Laurel Road. (Parcels 'H', and 'L')
- Open space parcels. (Parcels 'D', 'E', 'F', and 'G').
- Landscaping (LMP) Parcels 'O' and 'K' fronting Laurel Road.

The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.

13. Prior to recording of the first final map for the project, the developer shall form and participate in, or annex into an existing Public Facility Benefit District (BD) formed pursuant to Antioch Municipal Code Title 9, Chapter 4, Article 21, Communities Facilities District (CFD), or other financing mechanism as approved by the City for the construction of East Lone Tree Specific Plan infrastructure. The current estimate of assessment is \$15,067 per residential lot. This may include the recordation of a BD or CFD Boundary Map, list of approved facilities, development of a Special Tax Formula (Rate and Method of Apportionment - RMA), and recordation of Notice of Special Tax Lien. Should the approved financing mechanism require an RMA, the RMA shall be structured such that, up to the first 45 units constructed, the special tax shall be levied for each home at a time no later than the issuance of building permit (BP). In accordance with the RMA, the special tax will be levied only on each unit at the time of BP; no undeveloped land tax will be levied prior to the issuance of the BP for the 45th unit. Upon issuance of a final map containing the 45th lot, the special tax will be levied upon each lot within said, and any subsequent, final map as well as the undeveloped lands within the district boundary to support debt service on bonds to be sold after the issuance of the BP on the 45th unit if applicable. No bond sale will occur until the recordation of the 45th unit.
14. That Richland Communities Homes shall continue to participate in the new AUSD CFD 2004-1.
15. The commercial property (Parcel 'C') west of State Route 4 shall maintain the slope bank adjacent to the highway to a standard approved by the City Engineer.

C. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration.

2. That use of construction equipment is restricted to weekdays between the hours 8:00 A.M. and 5:00 P.M., or as approved in writing by the City Manager.
3. The project shall be in compliance with and supply all the necessary documentation for AMC 6-3.2: Construction and Demolition Debris Recycling.
4. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The applicant shall post dust control signage with a contact number of the applicant, City staff, and the air quality control board.
5. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.

D. SITE AND PROJECT DESIGN

1. All main entries to the subdivision shall have a significant entry treatment including signage and landscaping, which shall be reviewed and approved as part of the design review process.
2. A minimum of 10% of the homes in the Conventional Neighborhood shall be single story homes.
3. Provisions for mail delivery in the subdivision area shall be reviewed and approved by staff prior to the approval of the final map. Applicant shall install mail box facilities as required by the City Engineer.
4. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage soils and structural engineers, as well as any other professionals, deemed necessary to review and verify the adequacy of the building plans submitted for this project. If deemed necessary by the City Engineer, this condition may include field inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the applicant.
5. Adequate space for the weekly set out of three solid waste carts per home shall be provided on-street in close proximity to each home. Provisions for garbage pick-up shall be reviewed and approved by the Community Development Director prior to the approval of the first final map for the project.
6. Sound wall locations and elevations for each phase of the project shall be included on the grading plan(s).

7. Fencing or other treatment as approved by the City Engineer shall be provided at open space parcel access points to prevent vehicular access.
8. All proposed improvements shall be constructed to City standards or as approved by the City Engineer.
9. All public streets shall intersect at approximately 90 degrees or as approved by the City Engineer.
10. All driveways shall be a minimum of five feet from curb return.
11. That all public road right-of-way be located 10 feet behind the face-of-curb.
12. Monolithic sidewalks with beveled curb in public rights-of-way shall be 6" thick and reinforced as approved by the City Engineer. Detached sidewalks that will be crossed by vehicles at driveway locations shall be 6" thick and reinforced as approved by the City Engineer. Minimum sidewalks widths shall be as follows:
 - Adjacent to beveled curb, 4.5 feet excluding curb (bevel curb to be 12" deep by 3" high with ½" lip and 18" gutter).
 - Adjacent to vertical curb, 4.5 feet excluding curb.
 - Detached sidewalk, 5 feet.
13. A minimum of a 20 foot tangent shall extend beyond the return at intersections, or as approved by the City Engineer.
14. That all public street intersections shall meet the requirements of Caltrans Highway Design Manual for Intersection Design Standards (Topic 405), and private streets to the extent practicable, or as approved by the City Engineer.
15. That all driveways be perpendicular to the street centerline for a minimum distance of 20 feet behind the curb, or as approved by the City Engineer.
16. That all parcels provide satisfactory access to the driveways and garages using standard automobile turn templates. Access to any lot that requires unusual or illegal maneuvers may result in modification or elimination of these lots.
17. That no parking shall be allowed on the Private Alleys.

18. All lot sidelines shall be perpendicular or radial to the fronting street centerline, or as approved by the City Engineer.
19. Sight distance triangles shall be maintained per 9-5.1101, Site Obstructions at Intersections of the Antioch Municipal Code or as approved by the City Engineer.
20. In cases where a fence is to be built in conjunction with a retaining wall, and the wall face is exposed to a side street, the fence shall be setback a minimum of three feet (3') behind the retaining wall per 9-5.1603 or as approved by the City Engineer.
21. The proposed street names shall be approved by Planning Commission. Changes to street names not included in the staff report will require Planning Commission review and approval.
22. The applicant shall provide a "checklist" of universal design accessibility features to home buyers as required by Section 17959.6 of the Health and Safety Code.
23. All improvements for each lot (water meters, sewer cleanouts, etc.) shall be contained outside of the driveway and within the lot and the projection of its sidelines, or as approved by the City Engineer.
24. One on-street or guest parking space per lot shall be located within close proximity to the unit served as approved by the City Engineer.
25. The applicant and then the HOA, once the CC&Rs are operative, shall maintain all undeveloped areas within this subdivision in an attractive manner, which shall also ensure fire safety.
26. The developer shall construct eight foot (8') high masonry sound walls (or sound wall/berm combinations) along the property lines of all proposed residential lots adjacent to Laurel Road, and ten foot (10') high masonry sound walls (or sound wall/berm combinations) along the eastern and northern property lines of all proposed residential lots adjacent to State Route 4, as determined by the acoustical analysis and as approved by the City Engineer. The sound walls along Laurel Road shall wrap around Lots 70, 80 and 81.
27. All fencing adjacent to open space shall be wrought iron, black vinyl clad chain link, masonry, or other material as approved by the City Engineer. Rear and side yard fencing shall be provided for all units. All fences shall be located at the top of slope, or as approved by the City Engineer

28. That all two-car garages be a minimum of 20 feet by 20 feet clear inside dimensions
29. Phasing of the project shall be approved by the City Engineer.
30. A pedestrian trail shall be incorporated into the plan as shown on the Vesting Tentative Map. The trail alignment shall be from Laurel Road through Parcel A (451 M 41) along the west side of the development and open space Parcel 'D' to approximately the north project boundary as shown on the Vesting Tentative Map and approved by the City Engineer. All environmental clearances, right of ways and easements shall be acquired by the developer at no cost to the City. The trail shall be constructed prior to the issuance of any building permit for lots that front or side on to 'D' Lane (Lots 1-22, 43-46, 51, 69, or 70).
31. The developer shall be responsible for the design and construction of Laurel Road from the project's western boundary to State Route 4 and Country Hills Drive from the project's southern boundary to Laurel Road, including all infrastructure and traffic signalization. Full improvement excluding landscaping for the portion of Laurel Road between the SR4 through the westerly curb returns of Country Hills Drive shall be completed prior to the first building permit. The signed improvement plans for the remainder of Laurel Road (including landscaping for all of Laurel Road) and Country Hills Drive shall be completed prior to the recordation of the final map containing the 45th lot; construction shall commence prior to issuance of the 45th building permit; construction shall be completed (signed off by the City Engineer) prior to issuance of the 90th building permit. The City shall cooperate with the developer to provide reimbursement to developer by other landowners and developers benefitting from such improvements for their fair share of the costs of such improvements, as more particularly described in the Development Agreement between the City and the developer. If the improvements are constructed by another developer pursuant to project approvals for a separate project prior to construction by the Laurel Ranch developer pursuant to these conditions, the Laurel Ranch developer shall reimburse the developer that constructed the improvements for their proportionate share of the costs.
 - The project applicant shall construct and install one of the following sets (Option A, Option B or Option C) of road improvements at the intersection of Laurel Road and D Lane (Laurel Ridge Project Access) and Treeline Way (Park Ridge Project Access):
 - a. Signalized intersection; OR

- b. Side Street Stop-Controlled intersection: one stop sign at D Lane and one at Treeline Way, with a westbound left-turn pocket onto Treeline Way (length of storage and deceleration lane shall be as approved by the City Engineer), signage and striping to indicate egress is right turn out only off of Treeline Way onto Laurel Road; pedestrian cross walk across Laurel Road with automatic flashing lights; striping for right turn lane onto D Lane from Laurel Road; signage and striping to indicate egress is right turn out only off of D Lane onto Laurel Road, OR
- c. Signalized intersection at Treeline Way and right-out from D Lane, with distance between misaligned D Lane and Treeline Way intersections to be determined by the City Engineer. All above ground costs for the traffic signal shall be the responsibility of the Parkridge development.

Implementation of Option A, B or C shall be in compliance with COA #91 for the Parkridge development (Tentative Map Resolution No. 2010/21). More specifically, the project applicant shall implement Option A or C if COA #91 for the Parkridge development has not been revised by the time the project applicant submits improvement plans for a final map. However, if COA #91 has been revised to require a side street stop-controlled intersection, Option B shall be implemented by the project applicant.

- A full traffic signal shall be constructed at Laurel Road and Country Hills Drive as approved by the City Engineer with the construction of the third leg of the intersection. Conduits and pullboxes shall be installed at the time of roadway construction.
- In conjunction with the roadway construction, interconnect conduit shall be installed from Cañada Valley Road to the State Route 4 eastbound ramps intersection, including all intervening signals.
- The median island on Laurel Road shall include a left turn pocket for eastbound traffic and a dual left turn pocket for westbound traffic at the Country Hills Drive intersection. The length of storage and deceleration lanes shall be as approved by the City Engineer.
- The subdivider/developer shall design and construct Laurel Road as a 4-lane arterial within a 112' right-of-way (88' curb-to-curb) plus 12' additional as needed for the dual left turn lane onto southbound Country Hills Drive, with a 16' raised median, full street improvements, detached 6' sidewalks, and 20' wide landscape maintenance parcels (LMPs) on each side of the roadway with masonry sound walls at the residential edges of the LMPs, per the Specific Plan and as approved by the City Engineer.

32. The developer shall dedicate right-of-way and easements for Laurel Road and Country Hills Drive to the City of Antioch at no cost to the City. No access to commercial developments (Parcel 'C') shall be permitted off of Laurel Road due to the site's narrow frontage and close proximity to planned intersections.
33. The developer shall construct Country Hills Drive from Laurel Road to the southerly project boundary prior to the 90th building permit or the completion of Country Hills Drive through the Park Ridge development, whichever occurs first. Country Hills Drive improvements shall include two southbound lanes at Laurel Road with Caltrans standard merge lanes to one southbound lane to conform to the future/existing roadway improvements at the property's southerly boundary. Northbound Country Hills Drive shall include a left turn lane at Laurel Road. Bike lanes shall be included northbound and southbound as shown on the tentative map.
34. Except for right-in/right-out access, access to the 9.9-acre commercial parcel (Parcel 'C') from southbound Country Hills Drive shall be a minimum of 800' south of Laurel Road. Based on a traffic study conducted for this commercial site, this access may require signalization. The traffic signal shall be designed and constructed in cooperation with the property owner to the south.
35. Design of Parcel 'A' (Park) and Parcel 'B' (Park) shall be approved by the Park and Recreation Commission and Planning Commission prior to recordation of the final map containing the 45th lot. Construction of Parcel 'A' (Park) shall be completed prior to the issuance of the building permit to construct the 65th "Private Lane Home". Construction of Parcel 'B' (Park) shall be completed prior to the issuance of the 60th "Single Family Home" building permit.
36. The multi-use trail with adjacent rural/native landscaping shall be constructed to Highway Design Manual Standards as shown on the Tentative Map and as approved by the Park and Recreation Commission.

E. UTILITIES

1. That the developer shall install all infrastructure to serve the site. This will involve grading and paving future Country Hills Drive to the extent necessary and over sizing the facilities to accommodate future development to the south. The infrastructure for access to the site (sewer, water, storm, joint trench, and surface improvements) shall be completed prior to issuance of building permits. This may involve over-sizing the facilities to accommodate all future development in the East Lone Tree Specific Plan.

2. Public utilities shall be constructed to their ultimate size and configuration with the road construction in which they are to be located.
3. All existing and proposed utilities shall be undergrounded (e.g. transformers and PMH boxes) and subsurface in accordance with the Antioch Municipal Code.
4. Underground utilities shall be designed to flow approximately parallel to the centerline of the street, or as approved by the City Engineer.
5. All sewage shall flow by gravity to the intersecting street sewer main or as approved by the City Engineer.
6. All public utilities including storm drain pipes and ditches shall be installed in streets avoiding between lot locations. Storm drain lines or ditches not in streets shall be maintained by the HOA. All proposed drainage facilities, including open ditches, be constructed of Portland Concrete Cement or as approved by the City Engineer.
7. Prior to the recordation of the first final map, the applicant shall submit hydrology and hydraulic analyses with a storm water control plan to the City for review and approval and to Contra Costa County Flood Control for review at no cost to the City as directed by the City Engineer.
8. The applicant shall provide adequate water pressure and volume to serve this development. This will include a minimum residual pressure of 20 psi with all losses included at the highest point of water service and a minimum static pressure of 50 psi or as approved by the City Engineer. See Fire Requirements G.3.c. for additional water flow conditions.
9. The houses shall contain rain gutters and downspouts that direct water away from the foundation as approved by the City Engineer.
10. Recycled water mains shall be constructed in arterial roadways and internal streets with significant right of way, park, or other landscaping as approved by the City Engineer. This development is subject to State Laws which may require recycled water to all landscaped area.
11. Prior to acceptance of public utilities, the developer shall provide GPS coordinates of all in and above ground assets. This includes all Water Distribution Utility features, Collection Utility features, Storm Water Utility features, and inverts associated with these features. Developer is to also include GPS coordinates of metal subdivision entryway signs, street signs, light poles, and irrigation controllers. These GPS coordinates must be

taken on a survey-grade sub-meter GPS data receiver/collector, and provided in GIS shapefile format using the North American 1983 Coordinate System.

F. LANDSCAPING

1. Landscaping on all slopes, medians, trail, and open space areas, C.3 basin parcels shall be approved by the Planning Commission. All of these areas north of the northerly curb line of Laurel Road shall be maintained and managed by the applicant or HOA as required by the City Engineer.
2. A minimum of one 15 gallon tree shall be located within 10' of the sidewalk in the front yard of each "single family home" lot and the side yard of corner lots prior to the issuance of the certificate of occupancy. The type and location of the tree shall be as approved by the City Engineer.
3. A minimum of one 15 gallon tree shall be located within 10' of the sidewalk in the front yard of each "private lane home" lot adjacent to the street prior to the issuance of the certificate of occupancy of the unit adjacent to the street. The type and location of the tree shall be as approved by the City Engineer.
4. Based on drought conditions, the City Engineer has the authority to delay some or all of the landscape Conditions of Approval.

G. FIRE REQUIREMENTS

1. All weather access roads and a water supply shall be provided prior to commencing any combustible construction, as required by the Fire Chief.
2. Street widths shall be subject to approval by the Contra Costa County Fire Protection District and the City Engineer.
3. The applicant shall comply with the following conditions provided by the Contra Costa County Fire Protection District:
 - a. Access roadways of less than 28-feet unobstructed width shall have NO PARKING – FIRE LANE signs posted or curbs painted red with the words NO PARKING – FIRE LANE clearly marked, per 22500.1 CVC.
 - b. The cul-de-sacs or turnarounds shall have an outside turning radius of a minimum of a 45' or as approved by the City Engineer. Should the sidewalk be included in the turning radius, it shall be clear of street lights, fire hydrants and other obstructions.

- c. The applicant shall provide an adequate reliable water supply for fire protection with a minimum fire flow of 1750 GPM. Required flow shall be delivered from not more than one hydrant flowing simultaneously for the duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC
- d. The applicant shall provide hydrants of the East Bay type, which shall be maintained by the City. Approximate hydrant locations will be determined by the Fire District and approved by the City Engineer.
- e. Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC. Gravel roads are not considered all-weather roadways for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum sub base materials and capable of supporting the designated gross vehicle weight specified above.
- f. Premises identification shall be provided. Such numbers shall contrast with their background and be a minimum of four inches high with ½-inch stroke or larger as required to be readily visible from the street. (505.1) CFC, (501.2) CBC
- g. Plan review and inspection fees shall be submitted at the time of plan review submittal. Checks may be made payable to Contra Costa County Fire Protection District (CCCFPD).
- h. Submit plans to: Contra Costa County Fire Protection District, 2010 Geary Road, Pleasant Hill, CA 94523.

H. FEES

- 1. The applicant shall pay all City fees which have been established by the City Council and as required by the Antioch Municipal Code.
- 2. The applicant shall pay all pass-through fees. Fees include but are not limited to
 - East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance. (See G.3.g.)
 - Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s). (currently \$50 per lot or parcel).
 - Contra Costa County Flood Control District.

- School Impact Fees.
 - Delta Diablo Sewer Fees.
 - Contra Costa Water Fees.
 - Park-in-Lieu fees in the amount of \$270,000 are due at the recording of the final map (per City Code of Ordinances, Title 9, Chapter 4, Article 10).
3. In order to assist the City in meeting a police force level within a range of 1.2 to 1.5 officers per 1,000 residents as set forth in Performance Standard 3.5.3.1 of the General Plan, Richland shall, at its own cost, establish or annex into (if one has already been established), a land-based financing mechanism to fund police services reasonably related to the Project. The financing mechanism may be in the form of a Community Facilities District ("CFD") or other means acceptable to the City in consultation with Richland. The CFD or other financing mechanism shall be established prior to the issuance of the first building permit for the Project. The requirements of this condition of approval shall be waived by the City if the City imposes a special tax or other form of revenue generation on all City residents dedicated specifically for the purpose of funding police services. If Richland is required to establish and form a CFD, it shall be entitled to reimbursement for those formation costs from other properties annexing into the CFD pursuant as provided in the Development Agreement with the City. If Richland annexes into an existing CFD, it shall reimburse the City its pro rata fair share costs of formation costs of that CFD.
4. The developer shall reimburse the City's Water Fund for their fair share of costs borne by the Water Fund for the construction of the 16" water main over SR4 prior to the issuance of building permits.

I. MODEL HOMES

1. Prior to the placement of any sales trailers, plans shall be submitted to the Engineering Department for review and approval. Any trailer shall be placed out of the public right-of-way and shall have its own parking lot.
2. The model home complex parking lot location and design shall be subject to City Engineer approval.
3. The model home landscaping shall be drought tolerant, with total area of spray irrigation for the complex not to exceed 50 percent of the landscaping area.

J. GRADING

1. The grading operation shall take place at a time, and in a manner, so as not to allow erosion and sedimentation. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan.
2. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
3. The grading for slopes shall be contoured to provide as natural an appearance as possible as required by the City Engineer.
4. All grading shall be accomplished in a manner that precludes surface water drainage across any property line.
5. All lots shall be graded to drain positively from the rear to the street or as approved by the City Engineer.
6. The swales adjacent to the house structure shall have a minimum of a one percent (1%) slope or as directed by the City Engineer.
7. All off-site grading is subject to the coordination and approval of the affected property owners and the City Engineer. The applicant shall submit written authorization to "access, enter, or grade" adjacent properties prior to performing any work.
8. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of this resolution.
9. The grading plan for this development shall be approved by the City Engineer.
10. All elevations shown on the improvement plans shall be on the USGS 1929 sea level datum or as approved by the City Engineer.
11. Retaining walls shall not be constructed in City right-of-way or other City maintained parcels unless approved by the City Engineer.
12. All retaining walls shall be of masonry construction.

13. All retaining walls shall be reduced in height to the maximum extent practicable and the walls shall meet the height requirements in the front yard setback and sight distance triangles as required by the City Engineer.
14. The back to back or side to side grading transitions from lot to lot shall have a maximum slope of 2:1, and shall be accommodated entirely on the lower lot or as approved by the City Engineer.
15. The minimum concrete gutter flow slope shall be 0.75%.
16. All property lines shall be located at the top of slope.

K. CONSERVATION/NPDES

1. Water conservation measures, including low volume toilets, flow restrictors in showers and the use of drought tolerant landscaping, shall be used.
2. The Project shall meet or exceed Tier 1 of the CALGreen Building Code.
3. The project shall comply with all Federal, State, and City regulations for the National Pollution Discharge Elimination System (NPDES) (AMC§6-9). (Note: Per State Regulations, NPDES Requirements are those in affect at the time of the Final Discretionary Approval.) Under NPDES regulations, the project is subject to provision C.3: New development and redevelopment regulations for storm water treatment. Provision C.3 requires that the project include storm water treatment and source control measures, as well run-off flow controls, so that post-project runoff does not exceed estimated pre-project runoff. C.3 regulations require the submittal of a Storm Water Control Plan (SWCP) that demonstrates how compliance will be achieved The SWCP shall be submitted simultaneously with the project plans. For the treatment and flow-controls identified in the approved SWCP, a separate Operation and Maintenance Plan (O&M) shall be submitted and approved before the Building Department will issue Certificate of Occupancy permits. Both the approved SWCP and O&M plans shall be included in the project CC&Rs. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute any agreements identified in the Storm Water Control Plan that pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs. Already stated in COAs below, 5.c and 5.h.w.
4. The following corrections shall be made to the Storm water Control Plan prepared for the project, dated April 20, 2016. A revised Storm water Control Plan shall be submitted with the first final map and improvement plan submittal:

- a. Table 1: Project watershed is East Antioch Creek. Project density should be determined and included.
 - b. Areas indicated as not treated are not correctly categorized and shall be correctly categorized and included in the IMP sizing calculator.
 - c. Indicate whether there is a valley gutter(s) alongside the trail for runoff, and if so, indicate where it discharges.
 - d. There is no discussion of ST-1, 2, or 3, and DMA 7A and B in the text. Those areas are presented in Table 5 and that's it. What do they consist of? Impervious or pervious or both? Descriptions of these areas should also be included in sections IV.A.1 and IV.A.2.
 - e. The value for ST-1 listed in Table 4 (226,055) does not match the value in the IMP sizing calculator printout (225,694).
 - f. Attachment A is missing the IMP sizing calculator "warnings" page.
 - g. An O&M plan shall be submitted and approved prior to acceptance of subdivision improvements.
 - h. An O&M maintenance agreement shall be submitted and recorded with the final versions of the SWCP and O&M plan attached.
 - i. Electronic copies of the SWCP and XML output file from the IMP sizing calculator shall be provided.
5. The following requirements of the federally mandated NPDES program (National Pollutant Discharge Elimination System) shall be complied with as appropriate, or as required by the City Engineer:
 - a. Prior to issuance of permits for building, site improvements, or landscaping, the applicant shall submit a permit application consistent with the applicant's approved Storm Water Control Plan, and include drawings and specifications necessary for construction of site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants.
 - b. The Storm Water Control Plan shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the Storm Water Control Plan shall be registered in the State of California and submit verification of training, on design of treatment measures for water quality, not more than three years prior to the signature date by an organization with storm water treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association), and verify understanding of groundwater

protection principles applicable to the project site (see Provision C.3.i of Regional Water Quality Control Board Order R2 2003 0022).

- c. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall submit, for review and approval by the City, a final Storm Water BMP Operation and Maintenance Plan in accordance with City of Antioch guidelines. This O&M plan shall incorporate City comments on the draft O&M plan and any revisions resulting from changes made during construction. The O&M plan shall be incorporated into the CC&Rs for the Project.
- d. Prior to building permit final and issuance of a Certificate of Occupancy, the applicant shall execute and record any agreements identified in the Storm Water Control Plan which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. Prevent site drainage from draining across sidewalks and driveways in a concentrated manner.
- f. Collect and convey all storm water entering, and/or originating from, the site to an adequate downstream drainage facility without diversion of the watershed. Submit hydrologic and hydraulic calculations with the Improvement Plans to Engineering Services for review and approval.
- g. Prior to issuance of the grading permit, submit proof of filing of a Notice of Intent (NOI) by providing the unique Waste Discharge Identification Number (WDID#) issued from the Regional Water Quality Control Board.
- h. Submit a copy of the Storm Water Pollution Prevention Plan (SWPPP) for review to the Engineering Department prior to issuance of a building and/or grading permit. The general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMP's. Construction site cleanup and control of construction debris shall also be addressed in this program. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a project stop work order.
- i. Install appropriate clean water devices at all private storm drain locations immediately prior to entering the public storm drain system. Implement Best Management Practices (BMP's) at all times.
- j. Install on all catch basins "No Dumping, Drains to River" decal buttons.

- k. If sidewalks are pressure washed, debris shall be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water shall be collected and discharged to the sanitary sewer, subject to the approval of the sanitary sewer District.
 - l. Include erosion control/storm water quality measures in the final grading plan that specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydro seeding, gravel bags and siltation fences and are subject to review and approval of the City Engineer. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to review and approval of the City Engineer. The applicant shall be responsible for ensuring that all contractors and subcontractors are aware of and implement such measures.
 - m. Sweep or vacuum the parking lot(s) a minimum of once a month and prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually.
 - n. Ensure that the area surrounding the project such as the streets stay free and clear of construction debris such as silt, dirt, dust, and tracked mud coming in from or in any way related to project construction. Areas that are exposed for extended periods shall be watered regularly to reduce wind erosion. Paved areas and access roads shall be swept on a regular basis. All trucks shall be covered.
 - o. Clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.
6. Per State Regulations, all impervious surfaces including off-site roadways to be constructed as part of the project, are subject to C.3 requirements.

L. FINAL EIR AND MITIGATION MONITORING AND REPORTING PROGRAM

- 1. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program for the Future Urban Area #2 (FUA2) Specific Plan Environmental Impact Report, as modified by the proposed project Addendum.

2. The applicant shall mitigate any impacts on wildlife, including State and Federally listed threatened and endangered species, and their habitat by compliance with one of the following:
 - a. Implementing, or making enforceable commitments to implement, all applicable mitigation measures in the project environmental documents, as well as any additional measures as may be required by the California Department of Fish & Wildlife (CDFW) or the U.S. Fish & Wildlife Service (FWS), and obtaining a letter(s) from CDFW and FWS stating that the project has fulfilled the requirements of applicable State and Federal wildlife protection laws and regulations; or
 - b. Complying with applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the East Contra Costa County Habitat Conservancy (Conservancy), provided that the City has first entered into an agreement with the Conservancy for coverage of impacts to ECCC HCP/NCCP Covered Species; or
 - c. Complying with a habitat conservation plan and/or natural community conservation plan developed and adopted by the City, including payment of applicable fees, provided that CDFW and FWS have approved the conservation plan.

* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 20th day of July, 2016 by following vote:

AYES:

NOES:

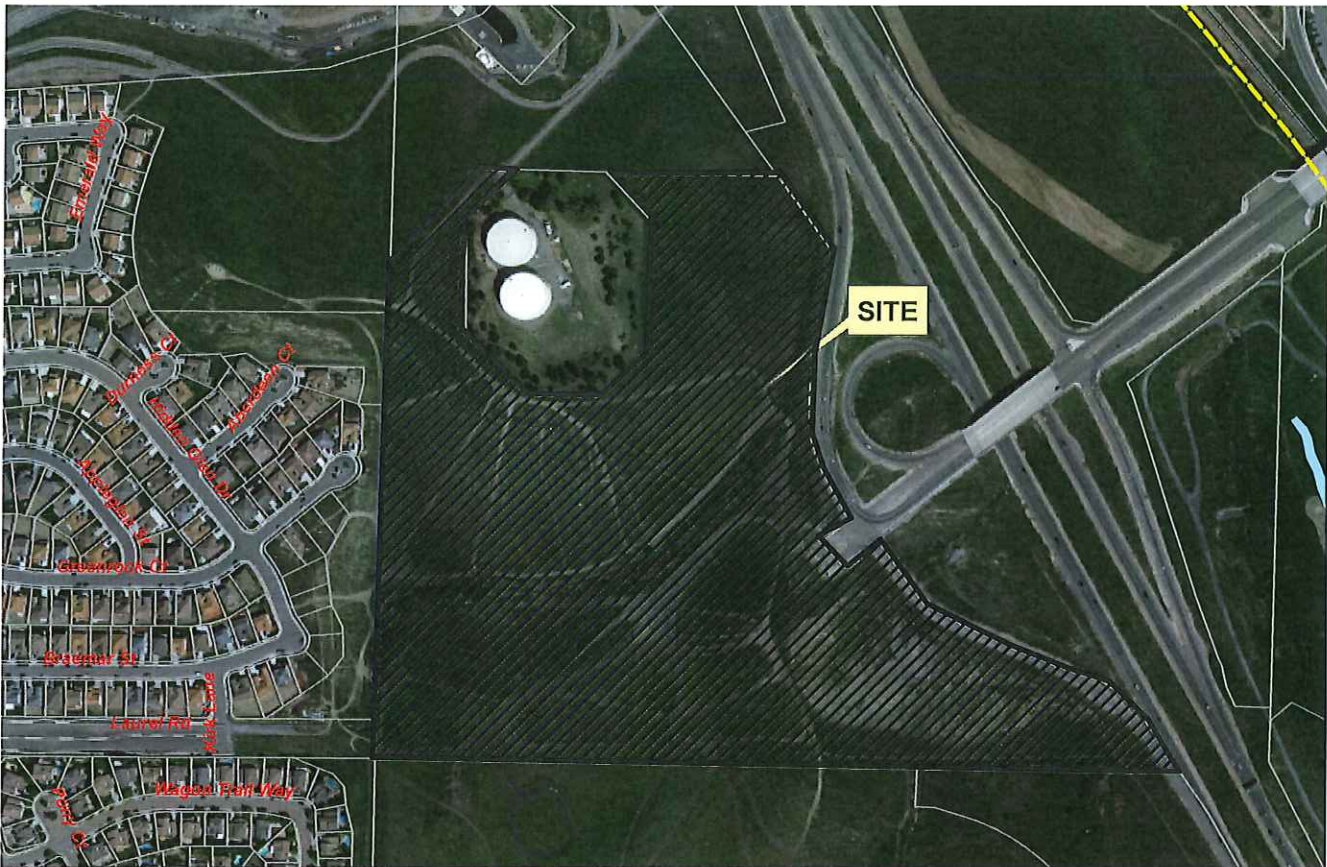
ABSTAIN:

ABSENT:

FORREST EBBS
Secretary to the Planning Commission

ATTACHMENT “A”

ATTACHMENT A



ATTACHMENT “B”

**CITY OF ANTIOCH
PLANNING COMMISSION MINUTES**

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

**November 5, 2014
City Council Chambers**

CALL TO ORDER

Chair Hinojosa called the meeting to order at 6:30 p.m. on Wednesday, November 5, 2014, in the City Council Chambers. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on Monday, November 17, 2014.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Approval of Minutes:** September 17, 2014

On motion by Vice Chair Motts, and seconded by Commissioner Baatrup, the Planning Commission approved the Minutes of September 17, 2014.

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

END OF CONSENT CALENDAR

NEW PUBLIC HEARING

2. **PDP-14-07 - Laurel Ranch Preliminary Development Plan** – Strack Farms LLC requests review of a preliminary development plan, which is not an entitlement, for the development of approximately 191 single family homes on approximately 54 acres. The project site is located to the east of the current terminus of Laurel Road and to the west of the Highway 4 Bypass (**APN 053-060-031**).

Associate Planner Morris provided a summary of the staff report dated October 30, 2014 recommending the Planning Commission provide feedback to the applicant and staff regarding the proposal and to provide direction to the applicant for the Final Development Plan submittal.

OPENED PUBLIC HEARING

Applicant, Aaron Ross Swain of Richland Communities, thanked staff. He gave a presentation to get feedback which included a property description, governing land uses, project description and project approvals.

Architect Jill Williams gave a presentation on neighborhood/architecture on private lane homes and conventional homes.

Applicant, Aaron Ross Swain, continued his presentation on the project highlights.

In response to Vice Chair Motts, applicant said that the four foot side yard along the sound wall is something they would have to research, if they had to adjust it they would have to go back and rework their plan as there is not a lot of room to increase the setbacks; that this is very difficult to address without a complete rework of the product. He said that the CC&Rs will preclude parking in the alleys, that there will be striping on the curbs, that the HOA will be responsible for enforcement of the no parking in the alleys, and that effective lighting at night will help with police concerns. Applicant said that the park was omitted because Parkridge to the south was going to have a large park and there was no need to incorporate a small park in their project but that they will address that. He said that there are two detention basins for storm water.

In response to Chair Hinojosa, applicant said that the setbacks for the private lane project are a minimum four feet on each side, five feet in the rear and ten feet in the front. Because the setbacks of the proposed project does not match the previously approved product, the project would require a rezone. He said that it is very challenging to grade the space around the water district property to incorporate a park and if they are going to incorporate a park, they would have to look at the current development and find a spot. Applicant said that “private” means that elements of the project will be the responsibility of the HOA to maintain, not the City. The applicant had considered a gate but the elements that would be required such as vehicle stacking and the location of the project wouldn’t be fitting for a gate. He said that homeowners will have two spaces to park in their garage and can also park on their driveway; however there may be some

parking issues if guests come on garbage day but that there is still a good amount of guest parking even on garbage day.

In response to Commissioner Pinto, the applicant said that the main entrance street width would be thirty-six feet curb to curb and that there is a secondary exit along the west side of the property and said they will take a look at the second exit to see if it can be an entrance as well as an exit. He said that there is an EVA incorporated into the proposal in the event of emergency and emergency responders will also be able to utilize the trail. The timing of the trail is unknown and up for discussion with staff. Commissioner Pinto recommended that the trail be part of the initial phase rather than later on. The applicant said that they are not able to maintain the City's current standards for setbacks and that they would have to rethink setbacks especially with the private lane product. He said that is why they are pursuing a PD as the City doesn't have standards for this small product. The applicant indicated they would have to go back and incorporate a different product if they were to increase setbacks. He said that there are no single story units proposed for this project.

Commissioner Pinto noted that empty nesters are usually older and typically look for single level homes.

CLOSED PUBLIC HEARING

Chair Hinojosa asked staff's opinion on the setback and density issue to which SP Gentry said that the Commission and staff hasn't seen a six pack product type in recent history and the City does not currently have standards for this product type. The Bluerock project is the most recently constructed project with a four pack product. She said that hopefully standards will be developed but as part of the peer review process, the peer reviewer will be taking standard industry practices into account.

Chair Hinojosa asked staff if they had thoughts about parking and garbage day to which SP Gentry said that staff does have concerns but that staff is looking to the Planning Commission for feedback and noted that high density communities do find a way to make it work.

Commissioner Pinto asked staff if they can require this project to have solar panels or be prewired for solar to which SP Gentry said they haven't been required in the past and that there isn't anything currently in the City's municipal code requiring it. She said that it may be in the purview of the City Council to adopt an ordinance or the Planning Commission can recommend that to the City Council as a condition of approval.

Vice Chair Motts asked staff about the RV parking and the lack of extra parking within 200 feet to which SP Gentry said that there have been other developments that do not have RV storage due to lot size with Bluerock being the best example. She said that she doesn't recall if they had the 200 foot requirement.

Chair Hinojosa asked about Lot 18 on the site plan and how that was accessible to which AP Morris said the tentative map will have to have an easement, they will create a flag lot, or they will have to eliminate that lot.

Chair Hinojosa asked staff about the access to the trail only on the east side to which AP Morris said that this is preliminary, that they don't have the exact trail, that the trail would be accessed by Laurel Road and not internally, and that they don't have final plans which will include engineering and grading.

Commissioner Pinto asked staff to elaborate on the financing paragraph on page 6 of the staff report to which AP Morris said that the Parkridge project and this project are required to establish and participate in a financing district. SP Gentry said that when the East Lone Tree Specific Plan was adopted, Slatten Ranch Road is one of those items included in that mechanism to divvy up the cost amongst the property owners. She said that this mechanism hasn't been established yet and that it is up to the developers.

Commissioner Pinto stated his preference that the City not get into a Mello Roos situation and asked that they make sure we get away from those situations. SP Gentry said that since it hasn't been established, she not sure how that is going to occur. The costs could be upfront and then built into the cost of the house or maybe a tax on the property. Staff will be able to provide a better answer when applicant comes back for entitlement review.

Commissioner Baatrup asked staff about the entitlements for developing on this property and the number of units based on the General Plan and the Specific Plan to which SP Morris said that Bixby was allowed a maximum of 209 units and that the Specific Plan was amended to say it should conform to the Bixby project.

Commissioner Baatrup asked staff how do we keep these smaller six pack projects from turning into projects that become crime impacted areas. SP Gentry said that the Sycamore area does have challenges with design, lots of alley ways, a lot of those properties are four plexes with four different owners, and that sometimes you have investors and probably no HOA. She said that the Police Department can add components to incorporate into CC&Rs to address safety concerns.

CA Nerland interjected that enforcement of the HOA is crucial and that it is more than just having the documents. The HOA may be funded to include a professional management and the HOA can be setup in such a way that they have enough funding to implement professional management.

Commissioner Baatrup stated that he strongly encourages solid CC&Rs for a quality HOA to enforce. He said that he is bothered by the fact that there is no landscaping or open space to break up a very dense project, and that he would like to see more of that incorporated into this project.

Vice Chair Motts agreed with Commissioner Baatrup's concerns on safety issues and wondered if working with the applicant to address design standards and safety standards would work well to which SP Gentry said that it is their hope that through the development standards with feedback from police on crime, there would be no problems down the road.

Vice Chair Motts said that he is very happy to see a trail connection and he thinks it is important to work a park into the project especially with the trail only accessible from one side of the development, and asked if we can utilize funds from the funding mechanisms to help augment other projects in the City. SP Gentry said that there is a Developer Impact Fee, along with the establishment of the CFD, which would be implemented to mitigate their impacts and to address city standards.

Chair Hinojosa said that she has generally been open minded to this higher density project but that she has to say that with regard to this project, she is extremely concerned with the density, that she does not like the proposed setbacks for the private lane properties, that she doesn't like the overall development that does not provide single story homes, and that she would like more consideration to the overall density of the project. She said that she is very familiar with Bluerock, but that she has concerns with garbage and parking but would be willing to flex on the parking within 200 feet. She agreed with staff about the access in and out of the driveways being comfortable to all residents and that with less density could provide RV parking. She said that she isn't on board with the Laurel Road setbacks and that they need to go to fifteen to twenty feet. She doesn't like the fact that houses abut such a major thoroughfare and that she 100% thinks there should be a park and supports that on a revised plan. She said the pedestrian trail is an awesome detail but that additional access should be considered. She agreed with the lack of landscaping and would like to see more to break up the façade and the density. She had concerns regarding the sound walls and the four foot side yard adjacent to it. She was also concerned with the restraints of lot coverage and residents not being able to put up ancillary structures. She said she is tired of projects coming to the Commission and the Commission is asked to flex to that project to make it work and she would like to see guidelines for consistency.

Commissioner Baatrup said that he doesn't see anything in the project that stands out as high quality and having super dense six packs on small properties, he is afraid to see something turn for the worse in this community. He said that we need good quality documents in the CC&Rs to make sure this doesn't turn into one of those embarrassments for the City of Antioch. This project has to stand out and not be a problematic eye sore for the City and that he is not excited about it today. He said it is time to get serious about this and we need to change what we are doing to get change in the City.

ORAL COMMUNICATIONS

Commissioner Baatrup said that he is moving out of the City of Antioch and therefore stepping down from the Commission. That he really appreciates being on the Planning Commission and appreciates the time of his fellow Commissioners.

Vice Chair Motts thanked Greg on his efforts and wise comments and said that he will be sorely missed.

Commissioner Pinto wished Greg the best and said that his contributions have been significant.

ATTACHMENT “C”

Laurel Ranch Subdivision Project Initial Study/Addendum to the Project Level EIR for Future Urban Area #2 Specific Plan City of Antioch, Contra Costa County, California

Prepared for:

City of Antioch

Community Development Department

200 'H' Street

Antioch, CA 94509

925.779.7035

Contact: Alexis Morris, Senior Planner

Prepared by:

FirstCarbon Solutions

1350 Treat Boulevard, Suite 380

Walnut Creek, CA 94597

925.357.2562

Contact: Mary Bean, Project Director

Elizabeth Johnson, Project Manager

Report Date: July 8, 2016

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Table of Contents

Section 1: Introduction	1
1.1 - Initial Study/Environmental Checklist	1
1.2 - Environmental Analysis and Conclusions	1
1.3 - Determination	3
1.4 - Mitigation Monitoring and Reporting Program.....	4
Section 2: Project Description	5
2.1 - Location and Setting	5
2.2 - Project Background	5
2.3 - Project Characteristics.....	6
2.4 - Discretionary Approvals	16
Section 3: CEQA checklist	21
3.1 - Explanation of Checklist Evaluation Categories.....	21
3.2 - Discussion and Mitigation Sections.....	22
I. Aesthetics	23
II. Agricultural Resources.....	26
III. Air Quality.....	29
IV. Biological Resources	44
V. Cultural Resources	57
VI. Geology and Soils	60
VII. Greenhouse Gas Emissions	65
VIII. Hazards and Hazardous Materials.....	71
IX. Hydrology and Water Quality.....	77
X. Land Use	83
XI. Mineral Resources	86
XII. Noise.....	88
XIII. Population and Housing	103
XIV. Public Services	105
XV. Recreation	109
XVI. Transportation	111
XVII. Utilities and Service Systems.....	124
XVIII. Mandatory Findings of Significance	128
Section 4: References.....	131
Section 5: List of Preparers.....	133
5.1 - Lead Consultant.....	133
5.2 - Technical Subconsultant	133
 Appendix A: Air Quality Analysis Data	
A.1 - CalEEMod Output	
A.2 - Health Risk Assessment Output	
 Appendix B: Biological Resources	
B.1 - Biological Resources Assessment	
B.2 - Special-Status Plant Survey Report	
 Appendix C: Traffic Impact Analysis	

List of Tables

Table 1: Construction Criteria Air Pollutants and Precursors Screening Level Sizes	36
Table 2: Construction Regional Emissions (Annual Tons).....	37
Table 3: Construction Regional Emissions Significance Analysis (2017)	37
Table 4: Construction Regional Emissions Significance Analysis (2018)	38
Table 5: Operational Criteria Air Pollutants and Precursors Screening Level Sizes	38
Table 6: Maximum Project Impacts from Project Construction (Without Mitigation).....	40
Table 7: Maximum Project Impacts from the Project Construction (With Mitigation).....	41
Table 8: Identification of TAC Emission Sources within 1,000 feet of the Project	41
Table 9: Summary of Cumulative Health Impacts from TAC Emission Sources within 1,000 Feet of the Project	42
Table 10: Construction Greenhouse Gas Emissions	66
Table 11: Operational Greenhouse Gas Screening.....	67
Table 12: Greenhouse Gas Operational Emissions.....	67
Table 13: Inapplicable Scoping Plan Reduction Measures	68
Table 14: Typical Construction Equipment Maximum Noise Levels, L_{max}	90
Table 15: Construction Noise Model Results Summary (dBA)	92
Table 16: Traffic Noise Level Results	94
Table 17: Trip Generation Summary	114
Table 18: Existing and Existing Plus Project Intersection Operations.....	114
Table 19: Existing Plus Park Ridge Phase 1 and Existing Plus Park Ridge Phase 1 Plus Project Intersection Operations	115
Table 20: Cumulative and Cumulative Plus Project Intersection Operation	116
Table 21: Queuing Summary	118

List of Exhibits

Exhibit 1: Regional Location Map.....	7
Exhibit 2: Local Vicinity Map, Aerial Base	9
Exhibit 3: Site Photographs	11
Exhibit 4: Vesting Tentative Map.....	13
Exhibit 5: Laurel Road Reconfiguration	17
Exhibit 6: Laurel Ranch Preliminary Storm Water Control Plan	19
Exhibit 7: Noise Monitoring Locations	95
Exhibit 8: Modeled Receptor Locations	99

SECTION 1: INTRODUCTION

This Addendum, checklist, and attached supporting documents have been prepared to determine whether and to what extent the Final Environmental Impact Report (1996 Final EIR) for the East Lone Tree Specific Plan (officially known as the Future Urbanization Area #2 East Lone Tree Specific Plan Area Project-Level EIR) remains sufficient to address the potential impacts of the proposed Laurel Ranch Subdivision Project (proposed project), or whether additional documentation is required under the California Environmental Quality Act (CEQA) (Pub. Resources Code, Section 21000, et seq.). The 1996 Final EIR was certified in May 1996, based on the detailed development program identified in the Specific Plan. The City also updated its General Plan in November of 2003, providing additional policy direction for land use, housing, circulation and other long-range community planning issues.

1.1 - Initial Study/Environmental Checklist

Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), the attached initial study/checklist has been prepared to evaluate the proposed project. The attached initial study/checklist uses the standard environmental checklist categories provided in Appendix G of the CEQA Guidelines, but provides answer columns for evaluation consistent with the considerations listed under CEQA Guidelines Section 15162, subd. (a).

1.2 - Environmental Analysis and Conclusions

CEQA Guidelines Section 15164, subd. (a) provides that the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR or Negative Declaration (ND) if some changes or additions are necessary but none of the conditions described in CEQA Guidelines Section 15162 calling for preparation of a subsequent EIR or ND have occurred (CEQA Guidelines, Section 15164, subd. (a)).

An addendum need not be circulated for public review but can be included in or attached to the Final EIR or ND (CEQA Guidelines Section 15164, subd. (c)). The decision-making body shall consider the addendum with the Final EIR prior to making a decision on the project (CEQA Guidelines Section 15164, subd. (d)). An agency must also include a brief explanation of the decision not to prepare a subsequent EIR or ND pursuant to Section 15162 (CEQA Guidelines Section 15164, subd. (e)).

Consequently, once an EIR or ND has been certified for a project, no subsequent EIR or ND is required under CEQA unless, based on substantial evidence:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR [or ND] . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;¹

¹ CEQA Guidelines Section 15382 defines “significant effect on the environment” as “. . . a substantial, or potentially substantial adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance . . .” (see also Public Resources Code, Section 21068).

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR [or ND] . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted . . . shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR [or ND] or negative declaration;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR [or ND];
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR [or ND] would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative (CEQA Guidelines, Section 15162, subd. (a); see also Pub. Resources Code, Section 21166).

This addendum, checklist, and attached documents constitute substantial evidence supporting the conclusion that preparation of a supplemental or subsequent EIR or ND is not required prior to approval of the proposed project by the City of Antioch, and provides the required documentation under CEQA.

1.2.1 - Findings

There are no substantial changes proposed by the Laurel Ranch Subdivision Project or in the circumstances in which the project will be undertaken that require major revisions of the 1996 Final EIR, or preparation of a new subsequent or supplemental EIR or ND, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. As illustrated herein, the project is consistent with the 1996 Final EIR, and would involve only minor changes.

1.2.2 - Conclusions

The impacts of the proposed project remain within the impacts previously analyzed in the EIR (CEQA Guidelines Section 15164).

The current proposed project does not require any major revisions to the 1996 Final EIR. Minor revisions to mitigation measures are proposed to address (1) changes to statutes and regulations that have occurred since adoption of the 1996 Final EIR; (2) acknowledge that certain mitigation measures have already been implemented; (3) to refine mitigation language to more accurately address site conditions or (4) to establish that certain mitigation measures from the 1996 Final EIR

do not apply to the proposed project. No new significant information or changes in circumstances surrounding the project have occurred since the certification of the EIR. Therefore, the previous CEQA analysis completed for the Laurel Ranch Project, as part of the Future Urbanization Area #2 East Lone Tree Specific Plan (FUA #2) in 1996, remains adequate. The applicable mitigation measures from the 1996 Final EIR will be imposed on the proposed project as described herein.

1.3 - Determination

CEQA allows the preparation of an addendum to a previously certified EIR if some changes or additions are made to the previous EIR and no conditions are present that would require the preparation of a subsequent EIR (PRC Section 21166, CEQA Guidelines Sections 15162, 15164). As explained throughout this Addendum and summarized below, no such conditions are present.

1.3.1 - Statement of Findings

1. Substantial changes are not proposed to the project that would require major revisions to the 1996 Final EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified effect.
2. Substantial changes have not occurred with respect to the circumstances under which the project is undertaken requiring major revisions to the 1996 Final EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of a previously identified effect.
3. There is no new information of substantial importance which was not known and could not have been known at the time the 1996 Final EIR was certified showing any of the following:
 - A. The project will have a new significant effect not previously discussed in the 1996 Final EIR.
 - B. The project will not cause any significant effect examined in the 1996 Final EIR to be substantially more severe.
 - C. The mitigation measures in the 1996 Final EIR and adopted in the CEQA Findings for the Project remain feasible but some have been modified to reflect the proposed project. All mitigation measures identified in this Addendum and required for the proposed project as identified in the 1996 Final EIR that are necessary to reduce the potentially significant impacts to a level of insignificance will be made a requirement of the project and are acceptable by the project proponent.

1.3.2 - Evidence Supporting Findings

As discussed in Section 2.3, Project Characteristics, the proposed project represents a net reduction in the development intensity that is allowed by the underlying Planned Development (PD) zoning for the site (209 units). The East Lone Tree Specific Plan included the following proposed designations for the Laurel Ranch site: RL—Low Density Residential at 2 to 4 units per acre and RH—Medium High Density Residential at 11 to 20 units per acre.

An updated Traffic Analysis was prepared as part of this Addendum to evaluate the changes in the traffic conditions in the vicinity of the project area since 1996. As explained in Section XVI

Transportation, the proposed project will not cause any new significant traffic impacts or increase the severity of the traffic impacts already evaluated in the 1996 Final EIR.

All potential impacts that were known or could have been known were adequately analyzed in the 1996 Final EIR (aesthetics, light, and glare; air quality; biological resources; cultural resources; geology and soils; greenhouse gases; hazards and hazardous materials; hydrology and water quality; land use; mineral resources; noise; population and housing; public services; recreation; transportation; and utility systems).

As summarized above and explained throughout this Addendum, this Addendum is appropriate for the proposed project since (1) substantial changes are not proposed in the project which will require major revisions to the 1996 Final EIR, (2) there are no substantial changes with respect to the circumstances under which the project is being undertaken that would require major revisions to the 1996 Final EIR, and (3) there is no new information which was not known or could not have been known at the time the 1996 Final EIR was certified.

1.4 - Mitigation Monitoring and Reporting Program

As required by Public Resources Code Section 21081.6, subd. (a)(1), a mitigation monitoring and reporting program (MMRP) has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. Any long-term monitoring of mitigation measures imposed on the overall development will be implemented through the MMRP.

SECTION 2: PROJECT DESCRIPTION

2.1 - Location and Setting

2.1.1 - Location

The project site is located in the City of Antioch, Contra County, California (Exhibit 1). The project site is bounded by single-family residential uses (west), an Oakley Water District elevated tank site and open space (north), State Route 4 (SR-4) (east), and vacant land (south) (Exhibit 2). A future extension of Laurel Road would bisect the site. The project site is located on the Antioch, California 7.5-minute United States Geological Survey topographical quadrangle, Township 2 North, Range 2 East, Section 6 (Latitude 37° 58'48" North; Longitude 121° 44'24" West).

2.1.2 - Environmental Setting

The 54-acre project site contains undeveloped, rolling terrain. Elevations range from 98 feet above mean sea level near SR-4 to 235 feet above mean sea level in the northern portion of the site. Numerous unpaved roads cross the project site. Weedy vegetation is present throughout the site.

The project site is bisected by a man-made drainage ditch that flows from west to east. The ditch is vegetated with broad-leaved cattail (*Typha latifolia*) and conveys stormwater and nuisance runoff from the residential uses to the west. Approximately 1.43 acres of the ditch is classified as "Isolated/Non-Jurisdictional" wetlands.

Immediately north of the project site is an Oakley Water District elevated tank site. The tank site sits atop a knoll of approximately 177 feet above mean sea level and consists of two tanks, support buildings, and an access road. The tank site is enclosed with two sets of chain link fences, with mature trees planted on the sides of the knoll.

Exhibit 3 provides photographs of the project site.

2.1.3 - Land Use Designations

The City of Antioch General Plan designates the project site as "Residential/Open Space" within the "East Lone Tree Specific Plan Focus Area." The East Lone Tree Specific Plan zones the project site "Low Density Residential (RL) and Medium High Density Residential (RH)."

2.2 - Project Background

2.2.1 - Laurel Ranch Project

In 1988, the Antioch City Council adopted a General Plan Update that designated a 785-acre area- which included the project site-as "Future Urban Area 2." The General Plan Update envisioned various urban uses in this area including business park, office, and light industrial; however, it did not set forth any development targets.

Project Description

In 1992, the Infrastructure Plan Environmental Impact Report (EIR) identified a range of development potential for “Future Urban Area 2” that consisted of 227 to 313 acres of commercial and employment land uses, and 1,300 to more than 2,600 dwelling units. Future Urban Area 2 was annexed into the City of Antioch in two phases, one in 1993, and one in 1995.

In 1996, the City of Antioch adopted the East Lone Tree Specific Plan and certified the associated Final EIR (officially known as “Future Urbanization Area 2 East Lone Tree Specific Plan Area Project-Level EIR”). The Specific Plan contemplated the development of 1,322 dwelling units, regional retail uses, a school, and parks.

In 2005, the Bixby Company, LLC received entitlements from the City of Antioch for the project site, including 86 single-family dwelling units, 131 detached courtyard homes, and 100,000 square feet of commercial uses. The City processed an Addendum to the 1996 Final EIR for this proposal pursuant to the California Environmental Quality Act (CEQA). Although the project was approved, a final map was never recorded and the Tentative Tract Map has since expired.

2.3 - Project Characteristics

2.3.1 - Project Summary

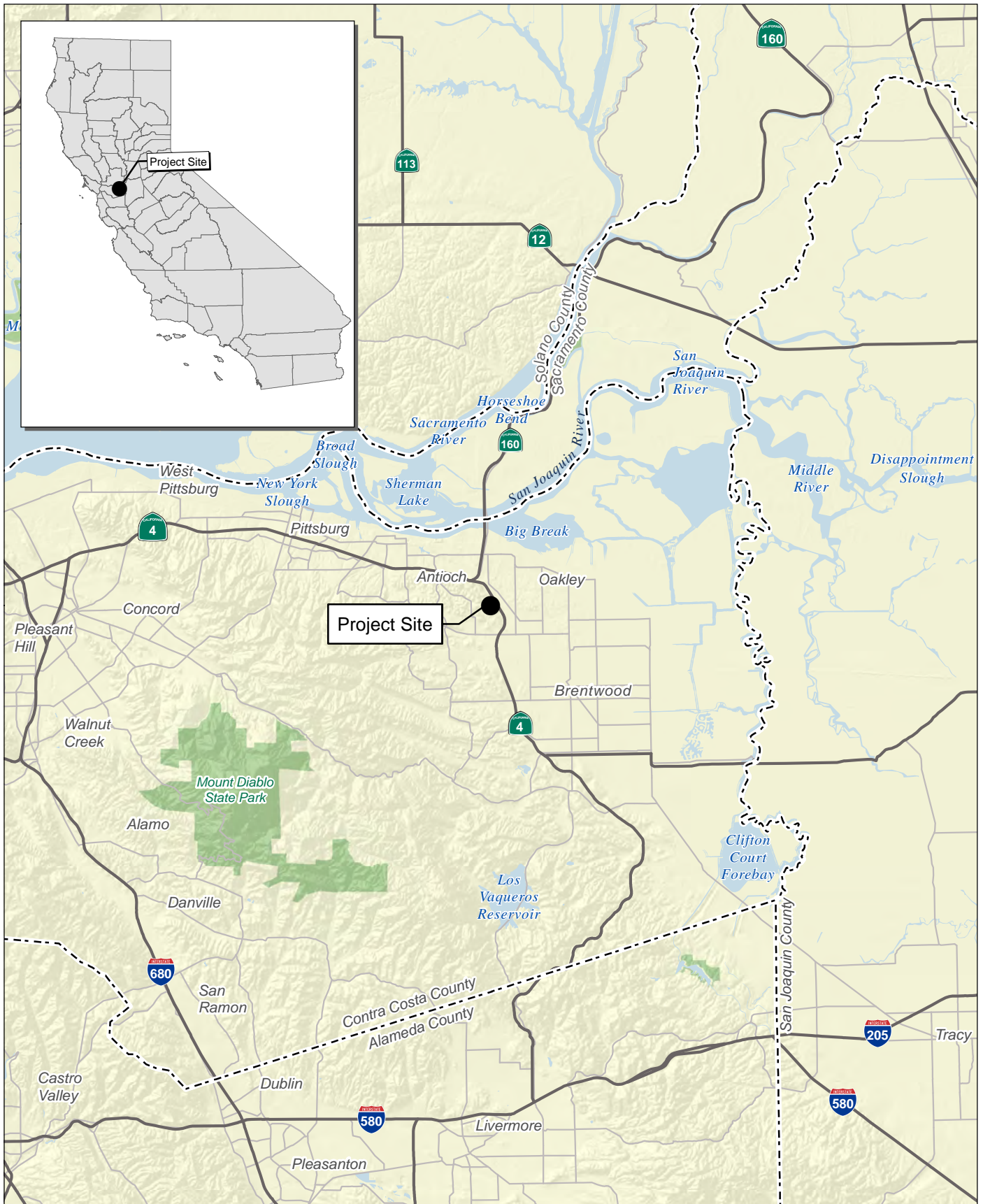
Strack Farms Land, LLC (Richland Communities) is now proposing to develop the project site for residential uses only, with a total of 180 dwelling units. The vesting tentative map is provided in Exhibit 4.

2.3.2 - Residential Uses

The applicant is proposing two distinct single-family detached residential neighborhoods: Conventional and Private Lane.

The Conventional neighborhood would consist of 88 dwelling units and is proposed to have a minimum lot size of 4,000 square feet, with minimum dimensions of 50 feet (width) and 80 feet (depth). There will be a mix of single and two-story homes that are expected to range from approximately 1,750 to 2,800 square feet. Density for this neighborhood is approximately 8.3 dwelling units/net developable acre.

The Private Lane neighborhood would consist of 92 dwelling units arranged in six-unit groupings. Each lot fronts onto a short private lane that takes access from the public streets. A minimum lot size of 2,580 square feet is proposed, providing each home with an individual driveway, and private side and rear yards for personal use. The two-story homes are expected to range in size from 1,800 to 2,100 square feet. Density for this neighborhood is approximately 12.3 dwelling units/net developable acre.



Source: Census 2000 Data, The CaSIL, FCS GIS 2013.



5 2.5 0 5 Miles

Exhibit 1

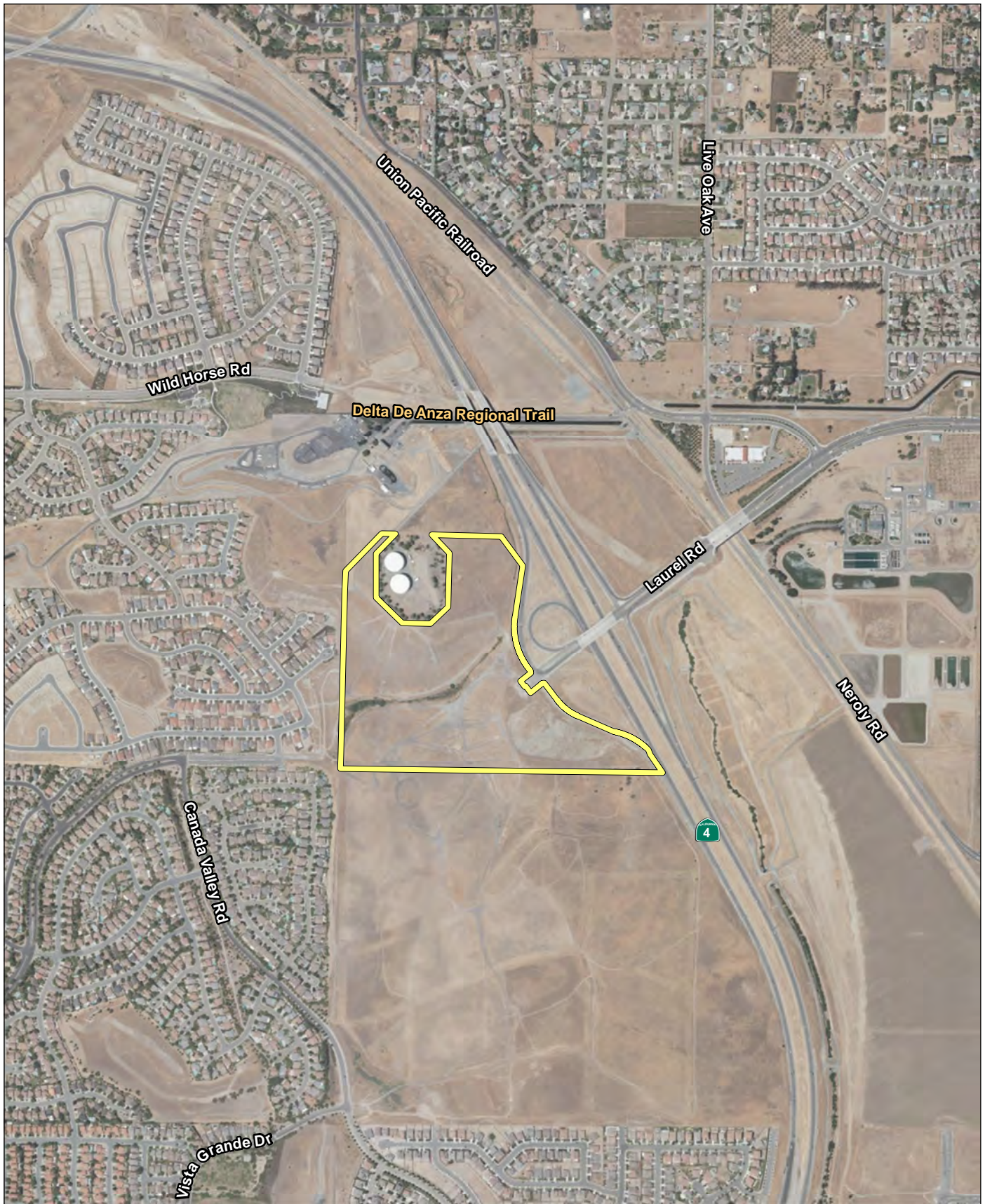
Regional Location Map

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CITY OF ANTIOCH • LAUREL RANCH SUBDIVISION PROJECT
INITIAL STUDY/ADDENDUM TO PROJECT LEVEL EIR FOR EJA #2 SPECIFIC PLAN

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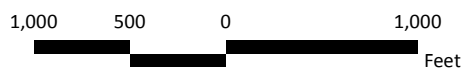


Source: ESRI Imagery, 2014

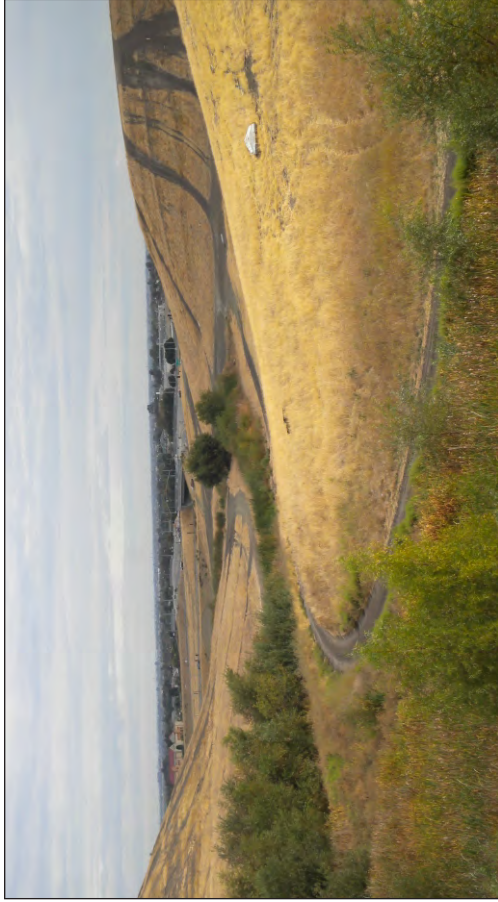
Exhibit 2

Local Vicinity Map

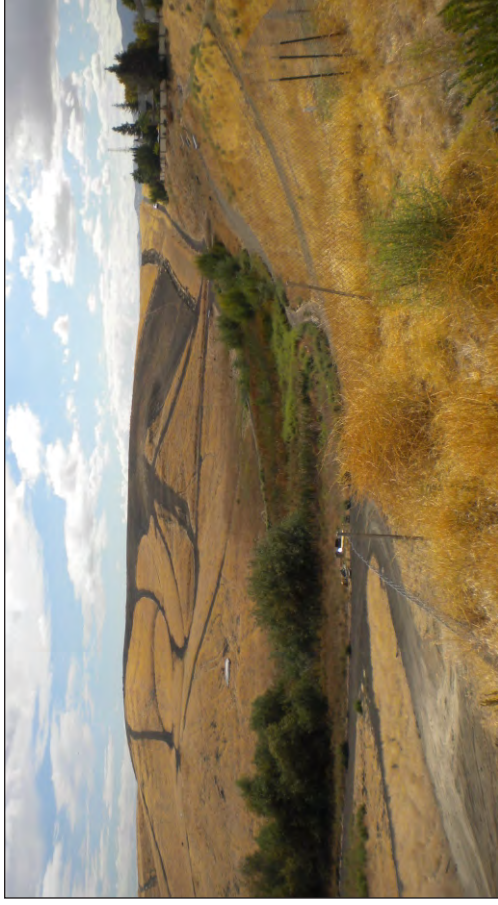
Aerial Base



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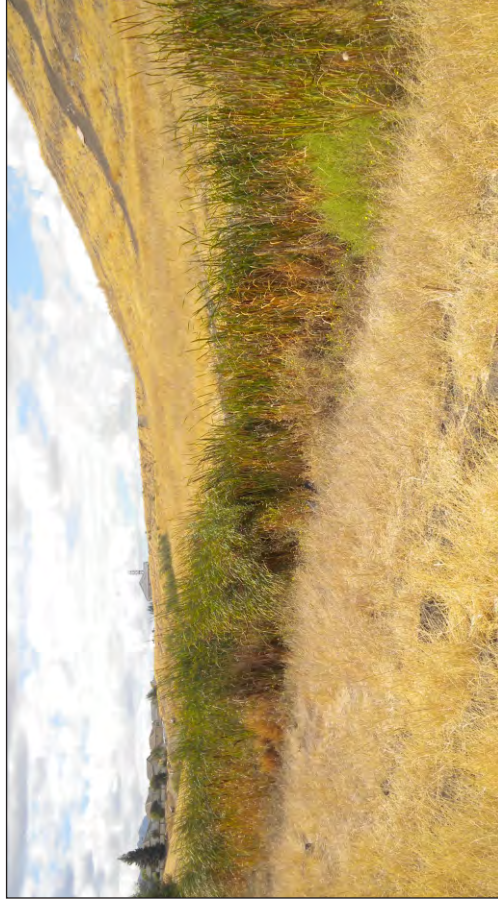
View of project site from dead end of Laurel Road



View of project site Glasgow Court



View of the project site from knoll near State Route 4 / Laurel Road interchange



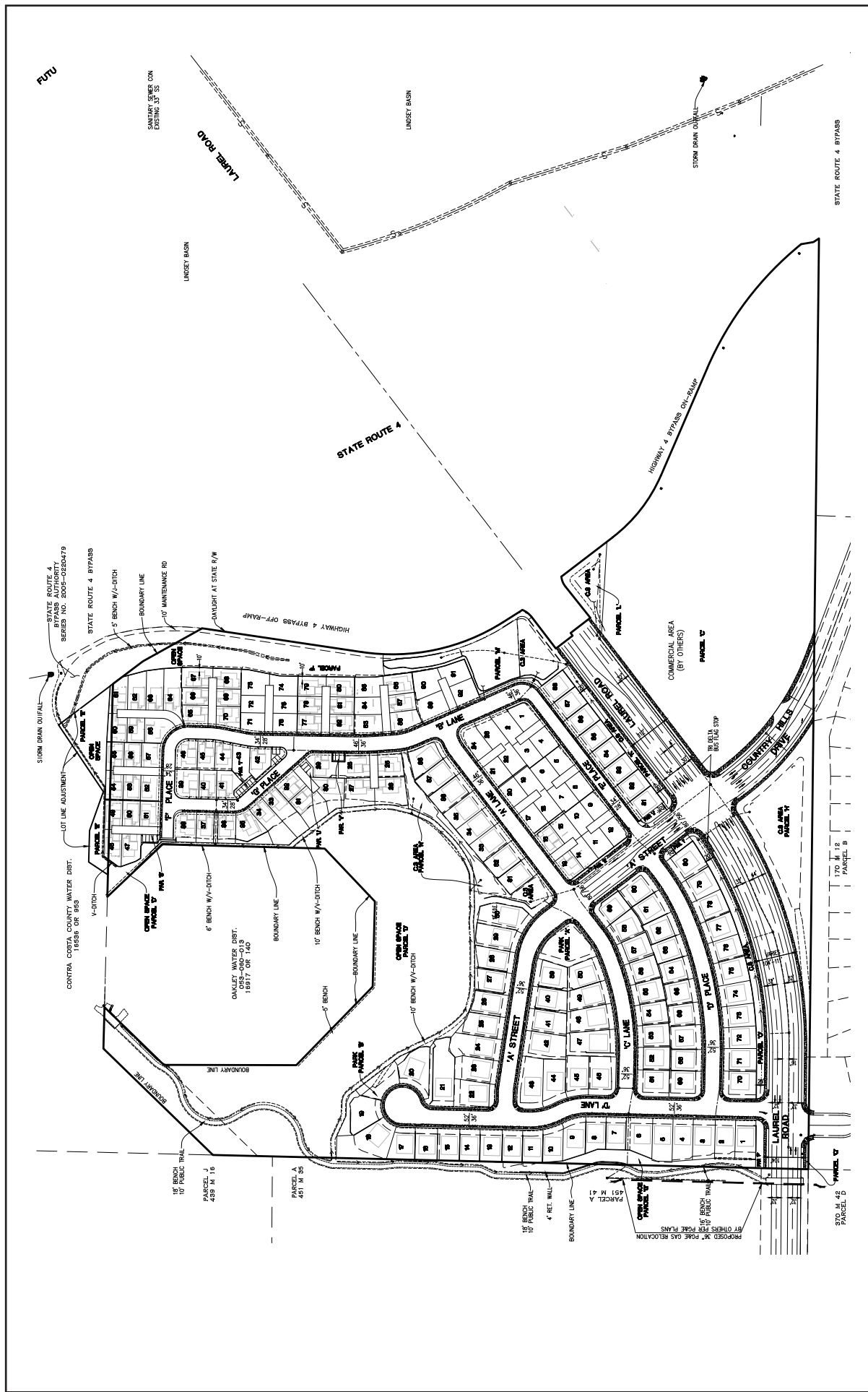
View of the drainage that crosses the project site

Source: FirstCarbon Solutions, 2015.



Exhibit 3 Site Photographs

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Source: DK Consulting, 2016



Exhibit 4 Vesting Tentative Map

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Recreational Facilities

The community will provide residents one 10,000-square-foot park containing a play structure, a lawn area, and seating. Another 5,200-square-foot sitting park will provide residents with a small lawn area and park furniture for informal gatherings. From this small pocket park, there will be a trail connection to the future regional trail that will be constructed as part of the project, paralleling the project's western boundary. The regional trail is a component of the Specific Plan and it will provide a link between Laurel Road and the Delta De Anza Regional Trail,² which is a part of the East Bay Regional Park District trail system. The proposed parks and trail amenities will provide residents with recreation opportunities.

Additionally, the proposed project would preserve 10.1 acres of the project site as open space. The bulk of this acreage would be located around the base and immediately south of the water tank site, which are the portions of the project site that have the highest elevation.

2.3.3 - Access and Circulation

The proposed project would extend Laurel Road from the SR-4 interchange to its current terminus west of the project site. Laurel Road would consist of a 104-foot-wide to a 112-foot-wide section with a center median and two through lanes in each direction. Two new intersections would be included on this segment: a full access signalized intersection with Country Hills Drive, and a stop-controlled access at "D Lane" that would provide right-in right-out access to the site for westbound vehicles, due to the presence of a center median. The regional trail along the western boundary of the project will cross Laurel Road just west of this intersection in a designated pedestrian crossing. Exhibit 5 shows the proposed access at D Lane. The proposed stop-controlled intersection at D Lane differs from the four-way signalized intersection that was included as part of the approvals for the Park Ridge subdivision, located on the south side of Laurel Road. The transportation section of this Addendum includes an analysis of this alternate stop-controlled configuration to determine whether it would operate acceptably under future conditions.

A network of private streets and cul-de-sacs would provide internal circulation within the proposed project.

2.3.4 - Stormwater Control

The project includes six bio-retention basins that will capture sheet flow from rooftops and paved areas. The runoff will briefly flood the surface of the six treatment areas and then percolate through an active soil layer to drain rock below. Exhibit 6 shows the location of the six bio-retention areas.

2.3.5 - Construction

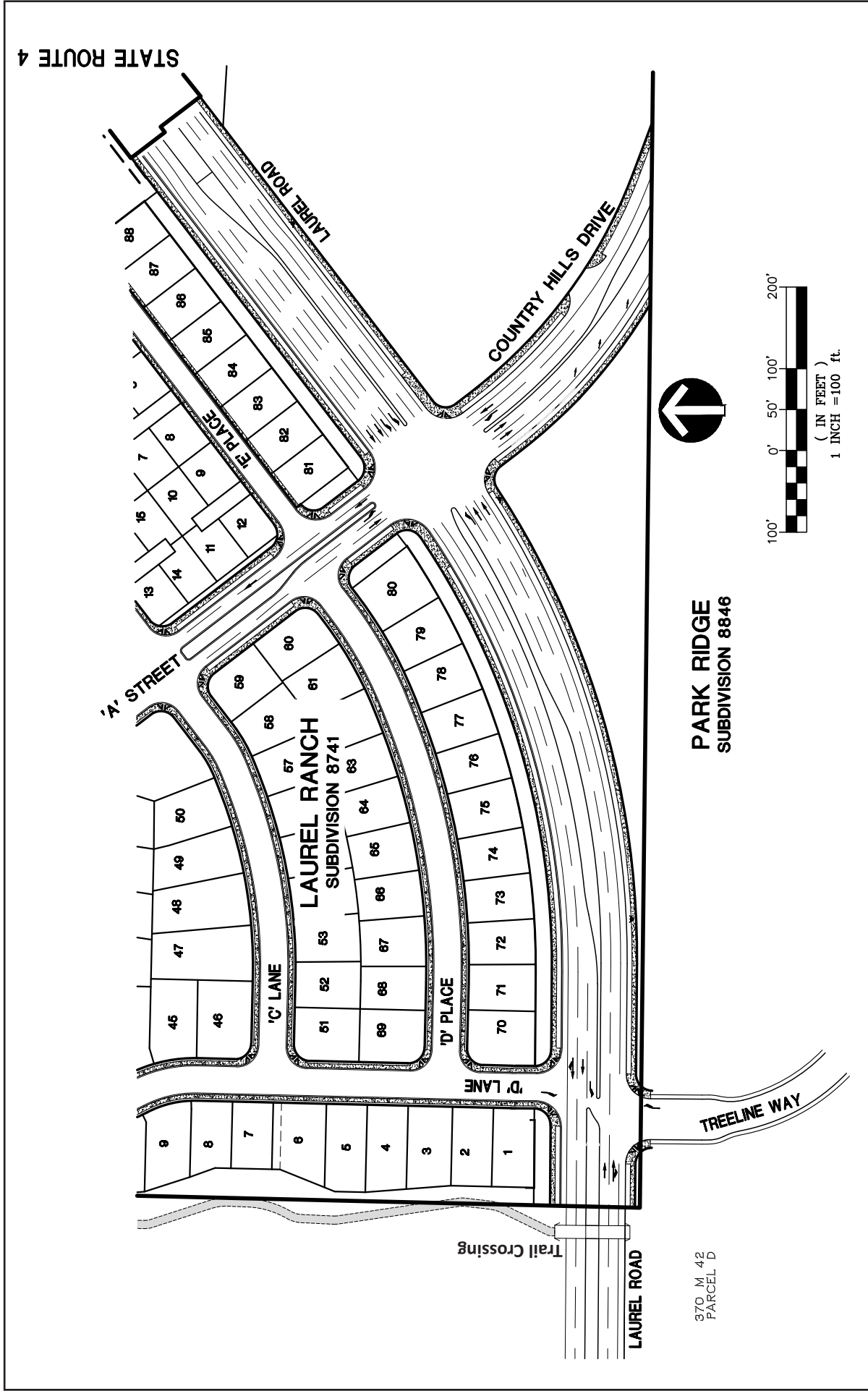
The project would be built over a period of 18 to 24 months, starting as early as 2017 and proceeding into 2018.

² The Delta de Anza Regional Trail is a 15-mile paved, Class I multi-use trail that extends from Bay Point to Oakley.

2.4 - Discretionary Approvals

The proposed project would require the following discretionary approvals:

- Planned Development rezone
- Vesting Tentative Subdivision Map
- Development Agreement

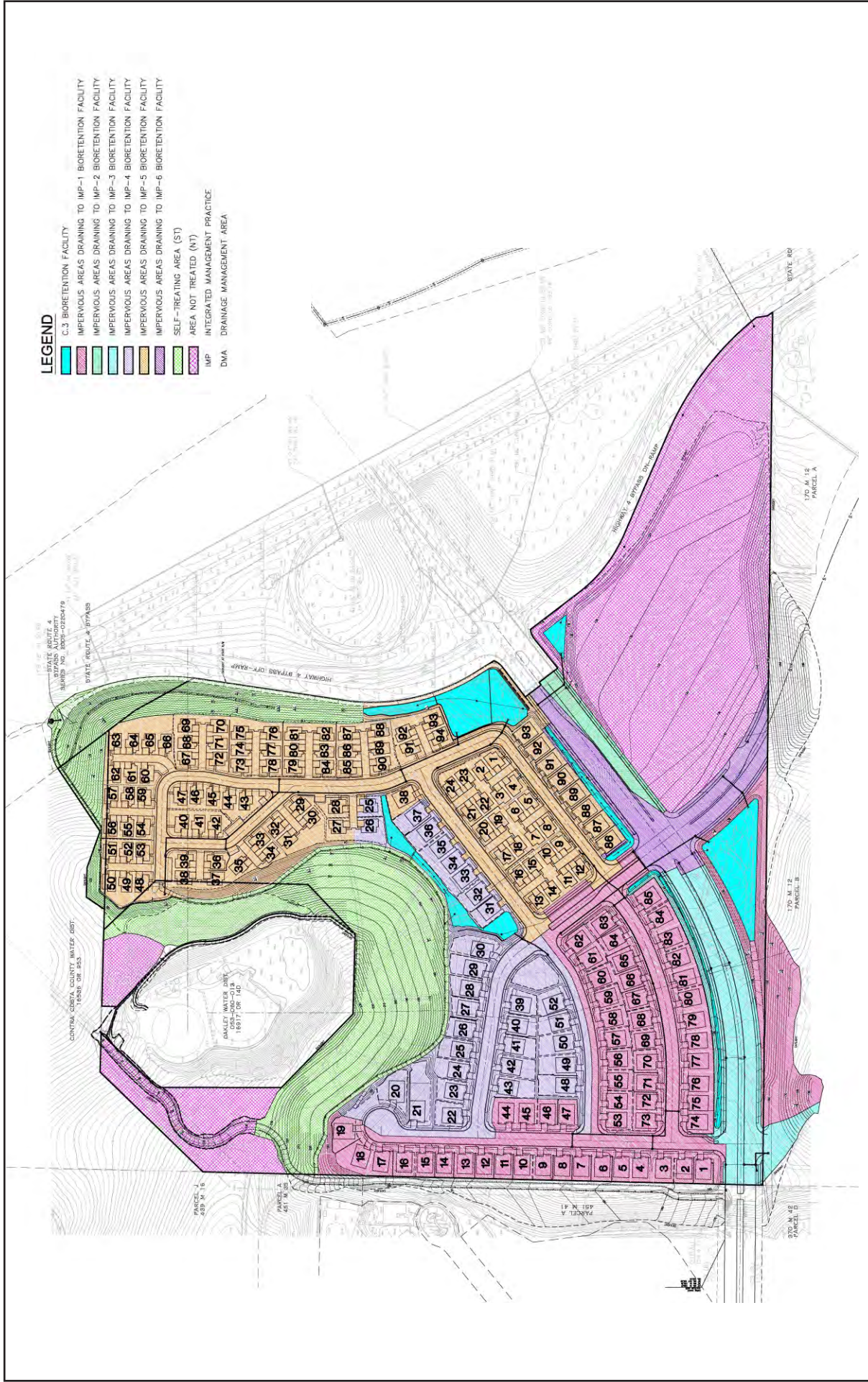


Source: DK Consulting, 2016



Exhibit 5 Laurel Road Reconfiguration

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Source: DK Consulting, 2015



Exhibit 6 Laurel Ranch Preliminary Storm Water Control Plan

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SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines Section 15162).

The questions posed in the checklist come from Appendix G of the CEQA Guidelines. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the Final EIR prepared for the project. These environmental categories might be answered with a “no” in the checklist, since the proposed project does not introduce changes that would result in a modification to the conclusion of the certified EIR.

3.1 - Explanation of Checklist Evaluation Categories

(1) Conclusion in Prior EIR and Related Documents

This column summarizes the conclusion of the EIR relative to the environmental issue listed under each topic.

(2) Do the Proposed Changes Involve New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised Project will result in new significant environmental impacts not previously identified or mitigated by the EIR, or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

(3) New Circumstances Involving New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the Project is undertaken that will require major revisions to the EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A-D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified as complete, shows any of the following:

- (A) The Project will have one or more significant effects not discussed in the previous EIR [or ND];

- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR [or ND];
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the Project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR [or ND] would substantially reduce one or more significant effect of the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the EIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered “no” and no additional environmental document would be required.

(5) Mitigation Measures Implemented to Address Impacts

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the EIR provided mitigation measures to address effects in the related impact category. These mitigation measures will be implemented with the construction of the project, as applicable. If “NA” is indicated, both the 1996 Final EIR and this Initial Study/Addendum have concluded that the impact either would not occur with this project or would not be significant, and, therefore, no additional mitigation measures are needed.

3.2 - Discussion and Mitigation Sections

(1) Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

(2) Relevant Mitigation Measures

Applicable mitigation measures from the EIR that apply to the project are listed under each environmental category.

(3) Conclusions

A discussion of the conclusion relating to the analysis is contained in each section.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
I. Aesthetics					
<i>Would the project:</i>					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new impacts on a scenic vista.	No. There are no new circumstances that would result in new or more severe impacts on a scenic vista.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of scenic vistas.	L1, L2a, L3
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No impact	No. The proposed project does not involve changes that would result in new impacts on State Scenic Highways.	No. There are no new circumstances that would result in new or more severe impacts on State Scenic Highways.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of State Scenic Highways.	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new impacts on visual character.	No. There are no new circumstances that would result in new or more severe impacts on visual character.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of visual character.	L1, L2a, L3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact with mitigation	No. The proposed project does not involve changes that would result in new impacts on light and glare.	No. There are no new circumstances that would result in new or more severe impacts on light and glare.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of light and glare.	

Discussion and Mitigation

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less than significant impact. Mt. Diablo is located southwest of the project site and is the most prominent topographical feature in the Antioch area. Views of Mt. Diablo from the existing residential uses located west of the project site would not be adversely affected by the proposed project by virtue of their location. Additionally, the water tank site and open space lands located north of the project site are located at a higher elevation, and, therefore, views of Mt. Diablo from these areas would not be affected. Finally, as will be discussed in b), no views of Mt. Diablo from SR-4 are available in the project vicinity because the roadway sits at lower elevation than land uses to the west and south. Impacts would remain less than significant with the implementation of Mitigation Measures L1, L2a, and L3 from the 1996 Final EIR:

- MM L1** Site planning grading plans shall respect the integrity of the ridge that is an important visual resourced of the planning area.
- MM L2a** Utilize site plan review and design review to mitigate any adverse aesthetic impacts of the Specific Plan.
- MM L2b** The City of Antioch should take steps, as part of its participation in planning for the SR 4 Bypass, to assure that sound attenuation elements of the Bypass satisfy the city's design guidelines.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No impact. The segment of SR-4 near the project site is classified as an “Eligible” State Scenic Highway. Because of the site topography, views of the project site from SR-4 are limited to the eastern and southern slopes below the water tanks, which are at elevations of approximately 120 to 235 feet above mean sea level, while the roadway sits at an elevation of approximately 98 feet above mean sea level. The Laurel Road overcrossing and southbound off-ramp also obstructs views of the project site. Therefore, the development of the proposed project would not substantially damage scenic resources within view of a state scenic highway. No impact would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less than significant impact. The project site contains weedy vegetation and unpaved roads; it does not support any remarkable visual features. The proposed project consists of the development of 180 dwelling units and the extension of Laurel Road. The project site has been contemplated to support urban development since the late 1980s; thus, it is considered committed to urban development. The proposed project's density and end uses are consistent with those set forth in the East Lone Tree Specific Plan. The 1996 Final EIR considered the visual effects of the construction of

sound walls as well as houses. Moreover, the types of dwelling units contemplated by the project are consistent with character of the existing single-family residential uses to the west. Finally, the proposed project would preserve 10.1 acres of the project site as open space. The bulk of this acreage would be located around the base and immediate south of the water tank site, which are the portions of the project site that have the highest elevation. Overall, the development of the proposed project would not substantially degrade the existing visual character of the project site and its surroundings with the implementation of Mitigation Measure L2a from the 1996 Final EIR. Impacts would remain less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than significant impact. The proposed project would introduce new street lighting and residential lighting. Street light fixtures would employ full cutoff fixtures that intended to prevent lighting from spilling over onto adjoining properties. Residential lighting fixtures would consist of low intensity pedestrian-level and building mounted fixtures for safety and security purposes. No high intensity light fixtures are proposed such as stadium lighting, digital billboards, or similar items. Overall, lighting would similar in scale and intensity to other existing sources of lighting in the project vicinity. Impacts would be less than significant.

Mitigation Measures

Mitigation Measures L1, L2a, and L3 from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
II. Agricultural Resources					
<i>Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	NA	No. The proposed project does not involve changes that would result in new impacts on Important Farmland.	No. There are no new circumstances that would result in new or more severe impacts on Important Farmland.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of Important Farmland.	None
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	NA	No. The proposed project does not involve changes that would result in new impacts on agricultural zoning or Williamson Act contracts.	No. There are no new circumstances that would result in new or more severe impacts on agricultural zoning or Williamson Act contracts.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of agricultural zoning or Williamson Act contracts.	None
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	NA	No.	No.	No.	None

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
d) Result in the loss of forest land or conversion of forest land to non-forest use?	NA	No.	No.	No.	None
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	NA	No. The proposed project does not involve changes that would result in new impacts on surrounding agricultural uses.	No. There are no new circumstances that would result in new or more severe impacts on surrounding agricultural uses.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of surrounding agricultural uses.	None

Discussion and Mitigation

The 1996 Final EIR did not address impacts to agricultural land. The following discussion is provided to support the original EIR.

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No impact. The project site is mapped as “Other Land” with a small area mapped as “Grazing Land” by the Farmland Mapping and Monitoring Program. These mapping designations do not fall under the “Important Farmland” umbrella. This precludes the possibility of the proposed project converting Important Farmland to non-agricultural use. No impact would occur.

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No impact. The East Lone Tree Specific Plan zones the project site “Residential High,” “Residential Low,” and “Open Space,” all of which are non-agricultural zoning designations. Additionally, the project site does not support agricultural activities and, therefore, would not be eligible for a Williamson Act contract. This precludes the possibility of the proposed project conflicting with agricultural zoning or a Williamson Act contract. No impact would occur.

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

No impact. The East Lone Tree Specific Plan zones the project site “Residential High,” “Residential Low,” and “Open Space,” all of which are non-forest zoning designation. This precludes the possibility of the proposed project conflicting with forest zoning. No impact would occur.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

No impact. The project site does not contain any stands of trees that would be considered forest lands. This precludes the possibility of the proposed project converting forest land to non-forest use. No impact would occur.

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

No impact. The project site is surrounded by urban uses, infrastructure, and undeveloped land on four sides; no farmland exists in the project vicinity. This precludes the possibility of the proposed project creating pressures to convert surrounding farmland to non-agricultural use. No impact would occur.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
III. Air Quality					
<i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	N/A	No. The proposed project does not involve changes that would result in new impacts on an applicable air quality plan.	No. There are no new circumstances that would result in new or more severe impacts on an applicable air quality plan.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of an applicable air quality plan.	None
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Less than significant with mitigation	No. The proposed project does not involve changes that would result in new impacts associated with violation of an air quality standard.	No. There are no new circumstances that would result in new or more severe impacts associated with violation of an air quality standard.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of violations of air quality standards.	C1a, C1b
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	N/A	No. The proposed project does not involve changes that would result in new impacts associated with any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.	No. There are no new circumstances that would result in new or more severe impacts associated with any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.	C2

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
d) Expose sensitive receptors to substantial pollutant concentrations?	N/A	No. The proposed project does not involve changes that would result in new impacts on sensitive receptors.	No. There are no new circumstances that would result in new or more severe impacts on sensitive receptors.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of sensitive receptors.	None
e) Create objectionable odors affecting a substantial number of people?	N/A	No. The proposed project does not involve changes that would result in new impacts associated with objectionable odors.	No. There are no new circumstances that would result in new or more severe impacts associated with objectionable odors.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of objectionable odors.	None

Discussion and Mitigation

The 1996 EIR proposed the following mitigations; however, these have been superseded by subsequent City adoption of more rigorous air quality and Climate Action Plan policies:

MM C1a The proposed project shall comply with the air quality policies of the Antioch General Plan.

MM C1b Implement Antioch’s Transportation Demand Management ordinance.

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less than significant impact with mitigation incorporated. The 1996 EIR did not assess whether the project would conflict with or obstruct implementation of the applicable air quality plan. The currently proposed project is smaller in scale than what is allowed by the underlying zoning for the site (209 units). Furthermore, improvements in air quality emissions from vehicles have taken place with the passage of 20 years; therefore, impacts would be less than those of the original Specific Plan as analyzed in the 1996 EIR.

The San Francisco Bay Area Air Basin is currently in non-attainment for ozone (state and federal ambient standards) and particulate matter (PM_{2.5} and PM₁₀) (state ambient standard). While an air quality plan exists for ozone, none currently exists for particulate matter. A project would be judged to conflict with or obstruct implementation of the regional air quality plan if it would result in substantial new regional emissions not foreseen in the air quality planning process. Regional emissions forecasts in the air quality plan are based on population, and employment forecasts are based on city and county general plans.

The BAAQMD's current Clean Air Plan is the 2010 Clean Air Plan (2010 CAP). The 2010 CAP accounts for projections of population growth provided by Association of Bay Area Governments and vehicle miles traveled provided by the Metropolitan Transportation Commission, and it identifies strategies to bring regional emissions into compliance with federal and state air quality standards. The BAAQMD's Guidance provides two criteria for determining if a plan-level project is consistent with the current Air Quality Plan (AQP) control measures. However, the BAAQMD does not provide a threshold of significance for project-level consistency analysis. Therefore, the following criteria will be used for determining a project's consistency with the AQP:

- Criterion 1: Does the project support the primary goals of the AQP?
- Criterion 2: Does the project include applicable control measures from the AQP?
- Criterion 3: Does the project disrupt or hinder implementation of any AQP control measures?

Criterion 1: Support Primary Goals of AQP

The primary goals of the 2010 CAP, the current AQP to date, are to:

- Attain air quality standards;
- Reduce population exposure to unhealthy air and protecting public health in the Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

Section 2.10, Land Use and Planning determined that the project would be consistent with land use designations and applicable goals and policies of the City of Antioch General Plan and site zoning. The City's General Plan designates the project site as "Residential/Open Space." The project site lies within the East Lone Tree Specific Plan Focus Area, which is divided into seven different land use designations. The maximum development intensity for areas shown as "Residential/Open Space" may contain up to 1,100 dwelling units and are subject to the provisions of the Low, Medium Low, and High Density Residential land use category described in Section 4.4.1.1 of the General Plan Land Use element. The "Low Density Residential" allows up to 4 dwelling units/acre; the "Medium Density Residential" designation allows up to 6 dwelling units/acre, and the High Density designation allows up to 20 dwelling units per acre.

As discussed in Section 2.3, impacts b) through e), the project would not create a localized violation of state or federal air quality standards, significantly contribute to cumulative nonattainment pollutant violations, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people after incorporation of Mitigation Measure (MM) AIR-1, which would require the current BAAQMD best management practices in

order to reduce the amount of fugitive dust generated by construction activities. Therefore, the project would not conflict with the 2010 Clean Air Plan and is consistent with Criterion 1.

Criterion 2: Applicable Control Measures of AQP

The 2010 CAP contains 55 control measures aimed at reducing air pollution in the Bay Area. Along with the traditional stationary, area, mobile source, and transportation control measures, the 2010 CAP contains a number of new control measures designed to protect the climate and promote mixed use, compact development to reduce vehicle emissions and exposure to pollutants from stationary and mobile sources (Bay Area Air Quality Management District 2010).

None of the 18 stationary source control measures are applicable to the project. In addition, none of the 10 mobile source measures or six land use and local impact measures applies to the project. Of the transportation control measures, TCM D (Support Focused Growth) measures D-1 through D-3 apply to the project. The project would provide access to pedestrians and bicyclists.

Relative to the Energy and Climate measures contained in the 2010 Plan, the project would be consistent with all applicable measures:

- **Energy Efficiency:** The project applicant would be required to conform to the energy efficiency requirements of the California Building Standards Code, also known as Title 24. Specifically, the project must implement the requirements of the most recent Building Energy Efficiency Standards, which is the current version of Title 24. The 2013 Building Efficiency Standards were adopted, in part, to meet an Executive order in the Green Building Initiative to improve the energy efficiency of buildings through aggressive standards.
- **Renewable Energy.** Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the City. PG&E facilities include nuclear, natural gas, and hydroelectric facilities. PG&E's 2012 power mix consisted of nuclear generation (21.0 percent), large hydroelectric facilities (11.0 percent), and renewable resources (19.0 percent), such as wind, geothermal, biomass, and small hydro. The remaining portion came from natural gas (27.0 percent), and unspecified sources (21.0 percent).
- **Urban Heat Island Mitigation and Shade Tree Planting.** The project would implement landscaping including trees on-site.

In summary, the project would meet all of the applicable Land Use Measures and Energy and Climate Measures contained in the 2010 Clean Air Plan. The project would be consistent with Criterion 2.

Criterion 3: Hinder or Disrupt AQP Control Measures

The project will not preclude extension of a transit line or bike path, propose excessive parking beyond parking requirements, or otherwise create an impediment or disruption to implementation of any AQP control measures. As shown above, the project incorporates several AQP control measures as project design features. The project would be consistent with Criterion 3.

Conclusion

The proposed project would be consistent with all applicable provisions of the 2010 Clean Air Plan, and, therefore, impacts would be less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less than significant impact with mitigation incorporated. The 1996 Final EIR found that the project would exceed regional air quality standards, resulting in a potentially significant impact. This impact relates to localized criteria pollutant impacts. Potential localized impacts would consist of exceedances of state or federal standards for PM_{2.5}, PM₁₀, or carbon monoxide (CO). Particulate matter emissions (both PM₁₀ and PM_{2.5}) are of concern during project construction because of the potential to emit fugitive dust during earth-disturbing activities. CO emissions are of concern during project operation because operational CO hotspots are related to increases in on-road vehicle congestion.

Short-Term Construction Impacts

Construction Fugitive PM₁₀ and PM_{2.5}

The BAAQMD recommends that fugitive PM₁₀ and PM_{2.5} from construction dust be evaluated separately from fugitive PM₁₀ and PM_{2.5} from equipment and vehicle exhaust. Thresholds and impact assessment for exhaust PM₁₀ and PM_{2.5} are provided in impact c). The BAAQMD's Air Quality Guidelines do not include a recommended threshold for construction-generated fugitive dust. For construction dust, the BAAQMD recommends incorporation of best management practices (BMPs) to reduce localized dust impacts to less than significant. Therefore, without application of BMPs, this impact is potentially significant. However, incorporation of MM AIR-1 reduces this impact to less than significant. This mitigation measure is more effective than Mitigation Measure C2 as proposed in the 1996 Final EIR, and replaces it.

MM AIR-1 The following Basic Construction Emission Control Measures shall be included in the project design and implemented during construction:

- a. All active construction areas shall be watered at least two times per day.
- b. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least three times per day and/or non-toxic soil stabilizers shall be applied to exposed nonpaved surfaces.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- d. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of CCR).
 - Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- i. The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The construction contractor shall take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Long-Term Operational Impacts

Operational CO Hotspot

CO emissions from project-related traffic would be the greatest pollutant of concern at the local level, since congested intersections with a large volume of traffic have the greatest potential to cause high, localized concentrations of CO.

BAAQMD recommends a screening analysis to determine whether a project has the potential to contribute to a CO hotspot. The screening criteria identify when subsequent site-specific CO dispersion modeling is necessary.

BAAQMD considers a project's local CO emissions to be less than significant if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans; or
- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; or
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

The project is within the jurisdiction of the Contra Costa Transportation Authority (CCTA). The CCTA was most concerned with projects that require a General Plan Amendment and/or small land use developments and all large developments having 500 vehicle trips in the peak hour; neither of these conditions would be created by the project.

The traffic analysis indicated that the anticipated vehicle volume at the highest volume intersection would be less than the BAAQMD's second and third screening criteria. Furthermore, the adjacent roadways are not located in an area where vertical and/or horizontal mixing, or the free movement of the air mass, is substantially limited by physical barriers such as bridge overpasses or urban or natural canyon walls. Therefore, the project would not result in any impact related to these criteria and would result in a less than significant impact for CO hotspot.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?**

Less than significant impact with mitigation incorporated. The 1996 Final EIR did not directly assess the project's potential to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. However, the FEIR noted a potentially significant impact from fugitive dust generated during the construction period.

The currently proposed project is smaller in scale than the project assessed in the 1996 Final EIR and, therefore, impacts would be less. Non-attainment pollutants of concern include ozone, PM₁₀, and PM_{2.5}. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified thresholds of significance, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. The analysis considers construction and operation period impacts separately, as described below.

Construction Impacts

Emissions from construction-related activities are generally short-term in duration but may still cause adverse air quality impacts. The project would generate emissions from construction equipment exhaust, worker travel, and fugitive dust. These construction emissions include criteria air pollutants from the operation of heavy construction equipment.

A preliminary screening method is provided in the BAAQMD's 2011 Air Quality Guidelines for construction-related impacts associated with criteria air pollutants and precursors. The preliminary screening is used to indicate whether a project's construction-related regional air pollutants could potentially exceed the BAAQMD's thresholds of significance. If a project meets the applicable screening criteria, then it may be assumed that the project would result in a less than significant impact for regional construction emissions. If a project does not meet the applicable screening criteria, then additional analysis is required to demonstrate the project's potential significance. The construction of the proposed project would result in a less than significant impact to air quality if the following screening criteria are met:

1. The project is below the applicable screening level size.
2. All construction-period Standard Project Conditions would be included in the project design and implemented during construction.

3. Construction-related activities would not include any of the following:

- a) Demolition activities inconsistent with District Regulation 11, Rule 2: Asbestos Demolition, Renovation, and Manufacturing;
- b) Simultaneous occurrence of more than two construction phases;
- c) Simultaneous construction of more than one land use type (e.g., project would develop residential and commercial uses on the same site [not applicable to high-density infill development]);
- d) Extensive site preparation (i.e., greater than default assumptions used by the California Emissions Estimator Model (CalEEMod) for grading, cut/fill, or earth movement); or
- e) Extensive material transport (e.g., greater than 10,000 cy of soil import/export) requiring a considerable amount of haul truck activity.

As shown in Table 1, the project would exceed the screening size for construction-related criteria air pollutants and precursors. Therefore, the project would trigger the need for additional analysis to determine the project's potential significance and cannot be deemed less than significant using the screening method. Project construction emissions must be compared with the BAAQMD significance thresholds.

This analysis is based on a project size of 187 dwelling units. Although the applicant subsequently reduced the size of the project to 180 units, this analysis conservatively estimates potential impacts based on a larger project size.

Table 1: Construction Criteria Air Pollutants and Precursors Screening Level Sizes

Land Use Type	Construction-Related Screening Size	Project Size	Project Percent of Screening Size
Single-Family	114 du	187 du	164.04%
Note: du = dwelling units Source of BAAQMD's Screening Threshold: Bay Area Air Quality Management District 2011.			

Table 2 summarizes the construction-generated emissions. Table 3 and Table 4 summarize the construction-generated emissions for years 2017 and 2018, respectively. As shown in Table 3 and Table 4, the BAAQMD's regional emission thresholds for construction exhaust would not be exceeded in any year. Therefore, the project would have a less than significant impact from project construction.

Table 2: Construction Regional Emissions (Annual Tons)

Construction Phase	Air Pollutant Emissions (Tons)			
	ROG	NO _x	PM ₁₀ ¹	PM _{2.5} ¹
2017 Activity				
Site Preparation	0.05	0.52	0.03	0.03
Grading	0.37	4.18	0.20	0.18
Building Construction	0.21	1.71	0.11	0.10
<i>Subtotal 2017 Emissions</i>	0.63	6.41	0.34	0.31
2018 Activity				
Building Construction	0.18	1.51	0.09	0.08
Paving	0.03	0.17	0.01	0.01
Architectural Coating	1.07	0.08	<0.01	<0.01
<i>Subtotal 2018 Emissions</i>	1.28	1.76	<0.01	<0.01
Total Construction Emissions	1.91	8.17	0.10	0.09
Notes: ¹ Exhaust only ROG = reactive organic gases PM ₁₀ = particulate matter 10 microns in diameter Totals based on non-rounded emissions output. Source: FirstCarbon Solutions 2016.				

Table 3: Construction Regional Emissions Significance Analysis (2017)

Parameter	Air Pollutant Emissions (pounds)			
	ROG	NO _x	PM ₁₀ ¹	PM _{2.5} ¹
Total Tons Emissions	0.63	6.41	0.34	0.31
Total lbs Emissions	1,260	12,820	680	620
Average lbs per working day ²	4.85	49.3	2.62	2.38
BAAQMD Average Daily Threshold	54	54	82	54
Significant?	No	No	No	No
Notes: ¹ Exhaust only ² Calculated by dividing the total lbs by the total 260 working days of construction in 2017. ROG = reactive organic gases PM ₁₀ = particulate matter 10 microns in diameter Totals based on non-rounded emissions output. Source: FirstCarbon Solutions 2016.				

Table 4: Construction Regional Emissions Significance Analysis (2018)

Parameter	Air Pollutant Emissions (pounds)			
	ROG	NO _x	PM ₁₀ ¹	PM _{2.5} ¹
Total Tons Emissions	1.28	1.76	<0.01	<0.01
Total lbs Emissions	2,560	3,520	20	20
Average lbs per working day ²	11.9	16.4	0.10	0.10
BAAQMD Average Daily Threshold	54	54	82	54
Significant?	No	No	No	No

Notes:
¹ Exhaust only
² Calculated by dividing the total lbs by the total 215 working days of construction in 2018.
 ROG = reactive organic gases NO_x = oxides of nitrogen
 PM₁₀ = particulate matter 10 microns in diameter PM_{2.5} = particulate matter 2.5 microns in diameter
 Totals based on non-rounded emissions output
 Source of thresholds: Bay Area Air Quality Management District 2011.
 Source: FirstCarbon Solutions 2016.

Long-Term Operational Impacts

Long-term operational emissions would result primarily from project-related traffic. BAAQMD's 2010 Guidelines provide guidance and screening criteria for determining if a project could potentially result in significant air quality impacts. As shown in Table 5, the project is well below BAAQMD's screening threshold, indicating that ongoing project operations would not be considered to have the potential to generate a significant quantity of air pollutants. Therefore, long-term operation impacts associated with criteria pollutant emissions would be less than significant.

Table 5: Operational Criteria Air Pollutants and Precursors Screening Level Sizes

Land Use Type	Operational Criteria Pollutant Screening Size	Project Size	Project Percent of Screening Size
Single-Family	325 du	187 du	57.54%
Note: du = dwelling units Source of BAAQMD's Screening Threshold: Bay Area Air Quality Management District 2011.			

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact with mitigation incorporated. This impact addresses whether the project would expose sensitive receptors to asbestos, construction-generated fugitive dust (PM₁₀ and PM_{2.5}), construction-generated diesel particulate matter (DPM), operational-related TACs, or operational CO hotspots.

A sensitive receptor is defined as the following (from BAAQMD 2010): “Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas.”

Two scenarios have the potential for exposing sensitive receptors to toxic air contaminants. The first (identified as a Type A scenario) is when a project includes a new or modified source of toxic air contaminants and would be located near an existing or proposed sensitive receptor. The second (identified as a Type B scenario) involves a residential or other sensitive receptor development locating near an existing or planned source of toxic air contaminants. As single-family housing, the project itself is a sensitive receptor. Additional sensitive receptors near the project site include existing residences to the west and areas zoned for residential are located to the south of the project. This assessment evaluates the potential health risk impacts from both types of land use projects. This health risk assessment involves the following processes: estimate the TAC emissions of concern, estimate the dispersion of these emissions from the respective emission sources affecting nearby receptors, and estimate the resulting health risk impacts at these receptors.

The following analysis evaluates whether the project would result in construction or operation-period impacts to sensitive receptors.

Asbestos

The Department of Conservation, Division of Mines and Geology (DMG) published a guide for generally identifying areas that are likely to contain naturally occurring asbestos (NOA). The associated DMG map indicates that there are several locations within Contra Costa County that are likely to contain NOA; however these locations are not located in the project vicinity.

Carbon Monoxide Emission Impacts

As noted in the discussion of Impact 3b), the project is not expected to generate a CO hotspot. Therefore, the project would not expose receptors to substantial CO concentrations from operational activities.

Toxic Air Pollutants-On-site Workers

A variety of state and national programs protect workers from safety hazards, including high air pollutant concentrations (California OSHA and CDC 2012).

On-site workers are not required to be addressed through this health risk assessment process. A document published by the California Air Pollution Control Officers Association (CAPCOA 2009), Health Risk Assessments for Proposed Land Use Projects, indicates that on-site receptors are included in risk assessments if they are persons not employed by the project. Persons not employed by the project would not remain on-site for any significant period. Therefore, a health risk assessment for on-site workers is not required or recommended.

Toxic Air Pollutants—Construction

The following information is from the Health Risk Assessment conducted by FirstCarbon Solutions and is attached to Appendix A-1 and A-2 of this Initial Study/Addendum. The potential health impacts to sensitive/residential receptor locations surrounding the project from the construction of the project prior to the application of mitigation are shown in Table 6. As noted from Table 6, the construction of the project would exceed the BAAQMD's cancer risk significance threshold of 10 in one million. These maximum health impacts occur within the area zoned and developed as residential located along the western property line of the project (the area to the south is zoned for residential but is not yet developed). Therefore, without mitigation, the project would result in a significant health risk impact during construction.

Table 6: Maximum Project Impacts from Project Construction (Without Mitigation)

Health Impact	Risk (risk per million)	Significance Threshold (risk/million)	Exceeds Threshold?
Cancer Risk—Child	23.8	10	Yes
Cancer Risk—Adult	0.5	10	No
Health Impact	Hazard Index	Significance Threshold	Exceeds Threshold?
Chronic Non-cancer Hazard Index	0.03	1.0	No
Acute Non-cancer Hazard Index	0.05	1.0	No
Health Impact	Annual Concentration ($\mu\text{g}/\text{m}^3$)	Significance Threshold ($\mu\text{g}/\text{m}^3$)	Exceeds Threshold?
Annual $\text{PM}_{2.5}$	0.12	0.3	No
Source: See Appendix A.			

MM AIR-2 Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier III off-road emissions standards.

Table 7 summarizes the maximum health impacts from project construction after implementing MM AIR-2, which requires that off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier III off-road emissions standards. This is new mitigation beyond Mitigation Measures C1a and C1b as proposed in the 1996 Final EIR. As noted, the maximum impacts with mitigation are less than the significant for cancer risk and annual $\text{PM}_{2.5}$ air concentrations.

Table 7: Maximum Project Impacts from the Project Construction (With Mitigation)

Health Impact	Risk (risk per million)	Significance Threshold (risk/million)	Exceeds Threshold?
Cancer Risk—Child	9.8	10	No
Source: see Appendix A.			

Toxic Air Pollutants-Operation

A Type B assessment examines the potential health impacts from nearby sources of TAC emissions on the project’s residential land uses once the project commences operation. The BAAQMD recommends that the Type B assessment identify all sources of TAC emissions within a 1,000-foot zone of influence of an affected project. The BAAQMD has developed and published a series of internet-based assessment tools that can be used to identify such emission sources and quantify their respective health impacts. These tools include a highway screening tool, a roadway screening tool, and a stationary source screening tool.

Based on a review of the various BAAQMD internet-based assessment tools, there are two sources of TAC emissions that are within the 1,000-foot zone of influence of the project. These emission sources are shown in Table 8.

Table 8: Identification of TAC Emission Sources within 1,000 feet of the Project

Emission Source	Location
Verizon Wireless Generator Facility ID:18888	Adjacent to the Project at the northern boundary
SR-4	Adjacent to the Project along the eastern boundary
Source: BAAQMD Stationary Source Screening Analysis Tool and Google Earth.	

The BAAQMD internet-based stationary source assessment tool was used to estimate the health impacts from the Verizon Wireless facility. However, the BAAQMD highway screening tool does not include a health impact assessment for SR-4. Therefore, it was necessary to develop a health risk assessment for SR-4. This was accomplished by developing an hour-by-hour profile of vehicle traffic along SR-4 using traffic count information collected by the California Department of Transportation (CDOT) as part of its Performance Measurement System (PeMS). The PeMS system collects real-time traffic information from over 39,000 individual detectors. These sensors span the freeway system across all major metropolitan areas of the State of California. The collected data include traffic volumes, vehicle speeds, and truck percentages. The most recent full year of PeMS data is from 2014. Two PeMS monitoring detectors are located near the Laurel Road and SR-4 interchange. From this information, traffic profiles for each hour of the day were prepared for the southbound and northbound lanes of SR-4. The traffic profiles included, for each traffic direction and hour of the day,

vehicle volumes, average vehicle speed, vehicle mix (trucks vs. passenger vehicles), and emissions of DPM and total organic gases. The assessment process for SR-4 is presented in Appendix A.

Table 9 summarizes the estimated cumulative health impacts from both the stationary source (Verizon Wireless generator) and SR-4 on the residential locations within the project. As noted from Table 13, the cumulative health impacts from the two TAC emission sources do not exceed the BAAQMD cumulative health significance thresholds.

Table 9: Summary of Cumulative Health Impacts from TAC Emission Sources within 1,000 Feet of the Project

Health Impact	Risk (risk per million)	Cumulative Significance Threshold (risk/million)	Exceeds Threshold?
Cancer Risk			
Verizon Wireless	0.3		
SR-4	3.2	100	No
Total	3.5		
Health Impact	Hazard Index	Cumulative Significance Threshold	Exceeds Threshold?
Chronic Non-cancer Hazard Index			
Verizon Wireless	0.001	10	No
SR-4	0.001		
Total	0.002		
Acute Non-cancer Hazard Index			
Verizon Wireless	0.001	10	No
SR-4	0.005		
Total	0.006		
Health Impact	Annual Concentration ($\mu\text{g}/\text{m}^3$)	Cumulative Significance Threshold ($\mu\text{g}/\text{m}^3$)	Exceeds Threshold?
Annual $\text{PM}_{2.5}$			
Verizon Wireless	0.0035	0.8	No
SR-4	0.0032		
Total	0.0067		
Source: Appendix A.			

Based on the result of the modeling summarized above, the project would not be exposed to substantial pollutant concentrations; therefore, long-term operation impacts associated with exposure of sensitive receptors to substantial pollutant concentrations would be less than significant.

e) Create objectionable odors affecting a substantial number of people?

No impact. The 1996 Final EIR did not analyze the potential for the project to create objectionable odors affecting a substantial number of people. The proposed project consists of the development of 180 dwelling units and the extension of Laurel Road. Residential uses are not considered sources of objectionable odors by the BAAQMD. Additionally, the Laurel Road extension would be a transportation facility and also would not be a source of objectionable odors. These characteristics preclude the possibility of the proposed project creating objectionable odors that affect a substantial number of people. No additional impact would occur.

Mitigation Measures

Mitigation Measures C1a and C1b from the 1996 Final EIR no longer apply.

The following new mitigation measures are proposed as discussed in this section to fully address potential air quality impacts pursuant to current standards: Mitigation Measures AIR-1 and AIR 2.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
IV. Biological Resources					
<i>Would the project:</i>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on special-status species.	No. There are no new circumstances that would result in new or more severe impacts on special-status species.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of special-status species.	J1
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on riparian habitat.	No. There are no new circumstances that would result in new or more severe impacts on riparian habitat.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of riparian habitat.	J2
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on Section 404 wetlands.	No. There are no new circumstances that would result in new or more severe impacts on Section 404 wetlands.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of Section 404 wetlands.	J1

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	NA	No. The proposed project does not involve changes that would result in new impacts on fish or wildlife movement.	No. There are no new circumstances that would result in new or more severe impacts on fish or wildlife movement.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of fish or wildlife movement.	None.
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	NA	No. The proposed project does not involve changes that would result in new impacts on local biological policies or ordinances.	No. There are no new circumstances that would result in new or more severe impacts on fish or local biological policies or ordinances.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of local biological policies or ordinances.	None.
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	NA	No. The proposed project does not involve changes that would result in new impacts on an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	No. There are no new circumstances that would result in new or more severe impacts on an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of an adopted Habitat Conservation Plan or Natural Community Conservation Plan.	None.

Discussion and Mitigation

This section evaluates potential effects on biological resources that may result from project implementation. Descriptions and analysis in this section are based on a reconnaissance-level

biological survey performed by Monk & Associates (M & A) on November 18, 2013 and July 30, 2015, and subsequent plant surveys on April 7 and May 18, 2016 (Appendix B). These additional surveys were conducted as required by mitigation included in the 1996 Final EIR and to re-confirm potential resources on the site in accordance with current regulations and guidelines. This addendum includes an expanded discussion of biological resources to summarize the findings of M & A surveys. No new impacts were determined as a result of the biological survey and analysis beyond what was evaluated in the 1996 EIR and what is required by uniformly applied policies and standards.

Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Plants

Less than significant impact with mitigation incorporated.

Owing to many years of excessive levels of disturbance that continue today, it is unlikely that federally or state listed plants, or other plants with special-status designations would occur on the project site. Regardless, formal surveys must be conducted at appropriate times of the year when regionally known special-status plants are identifiable to a species level. Late-season focused surveys were performed August 29, 2013 and July 31, 2015; no special-status plant species were observed during this time, dismissing the presence of several late-season blooming species with a potential to occur within the project. Additional surveys were conducted in April and May 2016 by M & A, dismissing the presence of several early-season blooming species with a potential to occur with the project.

The following mitigation from the 1996 Final EIR addresses the potential for habitat modification, and still applies:

- MM J1** Development allowed by the proposed plan would affect a seasonal wetland of approximately 1.7 acres, the exact boundaries of which are uncertain due to the existence of off-site drainage facilities of an interim nature. The developer of any subsequent project(s) shall be required to have a formal wetland delineation undertaken and verified by the Army Corps of Engineers. Base on the delineation, the developer may be required to have wetland replacement plan prepared and shall commit to its implementation in a manner, and on a schedule, acceptable to the Corps and to the City of Antioch.

Wildlife

Less than significant impact with mitigation incorporated. The following mitigation measure was proposed in the 1996 Final EIR to address impacts to nesting raptors, and still applies:

- MM J3** Construction activities during the nesting season (February through July) could disturb nesting raptors and should be preceded by surveys conducted by a qualified

ornithologist. If nesting raptors are located in proposed construction areas such that nesting success will be doubtful, then construction should be postponed until the nesting season is over.

Swainson's hawk

The Swainson's hawk (*Buteo swainsoni*) is a state-listed threatened species. While the Swainson's hawk has no special federal status it is protected from direct take under the Federal Migratory Bird Treaty Act of 1918 (16 U.S.C. 703-711). Swainson's hawks, their nests, eggs, and young are also protected under California Fish and Game Code (Section 3503, Section 3503.5, Section 3513, and Section 3800).

No Swainson's hawk nests were discovered on or near the project site during M&A's project site surveys. The project site, which is surrounded by development and the Highway 4 Bypass, is likely too small to provide adequate foraging habitat necessary to support a nesting pair of Swainson's hawks. However, this species is mobile and can nest in different locations from year to year. In addition, the nesting population appears to be increasing throughout its nesting range in northern California (G. Monk, general observations), and, thus, Swainson's hawks could conceivably nest on or adjacent to the project site in the future.

If Swainson's hawks are found to be nesting on or adjacent to the project site within 1,000 feet of the project site, implementation of the proposed project could be viewed by CDFW as a project that could impact nesting Swainson's hawks. Loss or alteration of foraging habitat or nest site disturbance which results in (1) nest abandonment; (2) loss of young; (3) reduced health and vigor of eggs and/or nestlings (resulting in reduced survival rates), may ultimately result in the take (killing) of nestling or fledgling Swainson's hawks incidental to otherwise lawful activities. The taking of Swainson's hawks in this manner can be viewed by CDFW as a violation of the Section 2080 of the Fish and Game Code.

Typically, CDFW requires that any impact to a Swainson's hawk nest be permitted through a Fish and Game Section 2081 management authorization. If an active nest is found on or adjacent to the project site or within the area of influence of the project site (which is generally considered to be within 1,000 feet of the project site) "to avoid potential violation of Fish and Game Code 2080 (i.e., killing of listed species), project-related disturbance at active Swainson's hawk nesting sites should be reduced or eliminated during critical phases of the nesting cycle (March 1–September 15 annually)" (CDFG 1994). If disturbance would occur, a Fish and Game Section 2081 management authorization may be required. As such, in the absence of survey results the year the project site is developed, it must be concluded that impacts to Swainson's hawk from the proposed project would be potentially significant pursuant to CEQA.

This impact could be mitigated to a level considered less than significant pursuant to CEQA with implementation of the mitigation measure that follows below.

MM BIO-1 Mitigation for potential impacts to Swainson's Hawk

- a. To ensure that there are no impacts to nesting Swainson's hawks, preconstruction surveys should be conducted for 0.5 mile radius around all project related activities and should be completed for at least the two survey periods prior to construction. The first survey should be conducted in April and the second survey in June (CDFG 2000).
- b. If no nesting Swainson's hawks are identified during the April surveys (first survey), project construction can commence. If during the second survey (June), Swainson's hawks are found nesting in the project vicinity and project construction commenced in April/May, it should be assumed that the Swainson's hawks commenced nesting while the project site was under construction and thus, that the hawks are habituated to the ambient level of noise and disturbance emanating from the project site.
- c. If Swainson's hawks nest on or within the area of influence of the project site (which is generally considered to be within 1,000 feet of the project site), impacts to nesting Swainson's hawks would be regarded as significant pursuant to CEQA, and implementation of avoidance measures below would be necessary to ensure the project does not impact the nesting Swainson's hawks.
- d. If Swainson's hawks are found to be nesting on or within 1,000 feet of the project site, a non-disturbance buffer shall be established that keeps all project activities a minimum of 1,000 feet from the nest site. If the 1,000-foot buffer only partially intersects the project site, that intersecting area shall be demarked in orange construction fencing and will ensure that noise/disturbance related impacts emanating from the project site remains at least 1,000 feet from the nest site. No project activities would be allowed in the orange construction fenced off area constituting the buffer.
- e. If a qualified raptor biologist makes a determination that the nesting Swainson's hawks are shielded from disturbance by geographic barriers or are well acclimated to higher levels of disturbance (for example if the nesting attempt commenced after the project was under construction, or the nest site is adjacent to preexisting high levels of disturbance), the biologist may justify a recommendation for a smaller buffer. CDFW shall be consulted regarding the qualified raptor biologists' recommendations for an appropriate non-disturbance buffer. At that time the necessity of acquiring a Fish and Game Section 2081 management authorization would also be determined.
- f. Under all circumstances the nesting buffer must ensure that all project related disturbance remains far enough away from the Swainson's hawk nest site to ensure that the level of construction related disturbance does not result in deleterious effects on the nesting hawks, their eggs, or nestlings. If the nesting buffer is reduced to less than 1,000 feet, a qualified raptor biologist shall monitor the nesting hawks initially for a period long enough to understand the nesting hawks response to disturbance, and thereafter on a routine basis (at least 3 times

a week, or as required by the CDFW) until the nestlings successfully fledge and become independent of the nesting tree. Any buffer that is smaller than 1,000 feet may have to be increased in size again if the nesting hawks respond poorly to a reduced buffer.

- g. No project-related disturbance shall be allowed in the nesting buffer until the young fledge the nest or the nesting attempt is otherwise complete for the year. The buffer should remain in place until the Swainson's hawk young fledge the nest and become independent of the nesting tree. The young can be considered successfully fledged when the hawks no longer return to the nesting tree for several consecutive nights.

Implementation of this mitigation measure would reduce potential impacts to Swainson's hawk to a level considered less than significant pursuant to CEQA.

White-tailed kite

The white-tailed kite (*Elanus leucurus*) is a CDFW fully protected species. Fully protected species are protected under California Fish and Game Code Section 3511, and cannot be taken or possessed at any time. The CDFW cannot issue permits or licenses that authorize the take of any fully protected species, except under certain circumstances (such as scientific research).

White-tailed kites are falcon-shaped birds of prey with long pointed wings and a long white tail. White-tailed kites are found in a variety of habitats, including open groves, marshes, grasslands, and river valleys. Habitat requirements are trees for perching and nesting, and open ground with high rodent and small mammal populations.

No white-tailed kites were observed during project field surveys, but there is a recorded occurrence of white-tailed kite immediately south of the project site, and marginal nesting habitat occurs within the project site.

MM BIO-2 Mitigation for potential impacts to white-tailed kite

To ensure there are no impacts to white-tailed kite, a preconstruction survey is necessary.

- a. If construction is proposed during the nesting season for golden eagle and white-tailed kite (typically March 1 to August 31), a focused survey for active nests of white-tailed kite and migratory birds within and in the vicinity of (no less than 500 feet outside project boundaries, where possible) the project site shall be conducted by a qualified biologist no sooner than 10 days prior to construction activities commencing. If no active nests are found, construction activities may proceed without further mitigation.
- b. If an active nest is located during pre-construction or focused surveys, CDFW shall be notified and consulted regarding the status of the nest. Furthermore, construction activities shall be restricted as necessary to avoid disturbance of the

nest. Restrictions may include establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 500 feet around an active white-tailed kite nest) or alteration of the construction schedule.

Burrowing owl

The western burrowing owl (*Athene cunicularia*) is a California “species of special concern.” Its nest, eggs, and young are also protected under California Fish and Game Code (Section 3503, Section 3503.5, and Section 3800). The burrowing owl is also protected from direct take under the Migratory Bird Treaty Act. Finally, based upon this species’ rarity status, any unmitigated impacts to rare species would be considered a “significant effect on the environment” pursuant to Section 21068 of CEQA and Section 15382 of the CEQA Guidelines. Thus, this owl species must be considered in any project that will, or is currently, undergoing CEQA review, and/or that must obtain an environmental permit(s) from a public agency. When these owls occur on project sites, mitigation requirements are typically mandated in the conditions of project approval from the CEQA lead agency.

Burrowing owl habitat is usually found in annual and perennial grasslands, characterized by low-growing vegetation. Often, the burrowing owl utilizes rodent burrows, typically California ground squirrel (*Spermophilus beecheyi*) burrows, for nesting and cover. They may also on occasion dig their own burrows, or use man-made objects such as concrete culverts or rip-rap piles for cover. They exhibit high site fidelity, reusing burrows year after year. Occupancy of suitable burrowing owl habitat can be verified at a site by observation of these owls during the spring and summer months or, alternatively, its molted feathers, cast pellets, prey remains, eggshell fragments, or excrement (white wash) at or near a burrow. Burrowing owls typically are not observed in grasslands with tall vegetation or wooded areas because the vegetation obscures their ability to detect avian and terrestrial predators. Since burrowing owls spend the majority of their time sitting at the entrances of their burrows, grazed grasslands seem to be their preferred habitat because it allows them to view the world at 360 degrees without obstructions.

The closest CNDDDB records for western burrowing owls is located immediately south of the project site (CNDDDB Occurrence No. 981). Two pairs of owls were observed at this location in 2007, and one pair of owls was observed in 2008. There are 19 additional records for this species within two miles of the project site (see Figure 5). There are California ground squirrel burrows scattered throughout the site providing suitable burrows for this species. M&A observed western burrowing owl on the project site in November of 2013, but none have been observed on-site during more recent surveys. Regardless, western burrowing owl is a highly mobile species and could move onto the project site. Accordingly, impacts to western burrowing owl are regarded as potentially significant pursuant to CEQA. The following mitigation measure would reduce impacts to less than significant.

MM BIO-3 Mitigation for potential impact to western burrowing owl

- a. Based on the recorded presence for this species in the project vicinity and the potential habitat found on the project site, a preconstruction survey for burrowing owls should be conducted 14 days or less prior to initiating ground

disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent avoidance surveys, including but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence. If no owls are found during these surveys, no further regard for the burrowing owl would be necessary.

- b. Burrowing owl surveys should be conducted by walking the entire project site. Systematic survey transects should be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines should be seven meters to 20 meters and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Poor weather may affect the surveyor's ability to detect burrowing owls thus, avoid conducting surveys when wind speed is greater than 20 kilometers per hour and there is precipitation or dense fog. To avoid impacts to owls from surveyors, owls and/or occupied burrows should be avoided by a minimum of 50 meters (approximately 160 ft.) wherever practical to avoid flushing occupied burrows. Disturbance to occupied burrows shall be avoided during all seasons.
- c. If burrowing owls are detected on the site, the following restricted activity dates and setback distances are recommended to ensure that there will be no take of western burrowing owls or impacts to their nest.
 - From April 1 through October 1, low disturbance and medium disturbance activities shall have a 200 meter buffer while high disturbance activities shall have a 500 meter buffer from occupied nests. The size of the buffer may be reduced if a qualified burrowing owl biologist determines that smaller buffers would adequately protect the nesting burrowing owls.
 - No earth-moving activities or other disturbance shall occur within the aforementioned buffer zones of occupied burrows. These buffer zones shall be fenced or otherwise marked to ensure that they are not impacted by the project.
 - From October 1 through February 1 western burrowing owls may be passively evicted from the project site by a qualified biologist in order to ensure that an owl is not harmed by the project.

Implementation of these mitigation measures would reduce potential impacts to burrowing owls to a level considered less than significant pursuant to CEQA.

Nesting Birds

The trees found on and in proximity to the project site provide suitable nesting habitat for many passerine birds (such as jays, juncos, and towhees) and for urban nesting raptors such as the red-tailed hawk (*Buteo jamaicensis*) and red shouldered hawk (*Buteo lineatus*). All of these birds are protected under the Migratory Bird Treaty Act (50 CFR 10.13) and their eggs and young are also protected under California Fish and Game Code Sections 3503, 3503.5. Additionally, fully protected bird species, such as the white-tailed kite and golden eagle (*Aquila chrysaetos*) are protected under California Fish and Game Code Section 3511. Fully protected species cannot be taken or possessed at any time. The CDFW cannot issue permits or licenses that authorize the take of any fully

protected species, except under certain circumstances (such as scientific research). Any project-related impacts to nesting birds would be considered a significant adverse impact. Potential impacts to these species from the proposed project include disturbance to nesting birds, and possibly death of adults and/or young. Impacts to nesting birds from the proposed project would be potentially significant pursuant to CEQA.

This impact would be mitigated to a level considered less than significant with the following new mitigation measure, MM BIO-4, and Mitigation Measure J3.

MM BIO-4 Mitigation for potential impacts to Nesting Birds

- a. In order to avoid impacts to nesting birds, a nesting survey shall be conducted 15 days prior to commencing with construction work or tree removal if this work would commence between February 1 and August 31. The nesting survey shall include examination of all trees within 300 feet of the entire project site (i.e., within a zone of influence of nesting birds), not just trees slated for removal. The zone of influence includes those areas off the project site where birds could be disturbed by earth- moving vibrations and/or other construction-related noise.
- b. If birds are identified nesting on or within the zone of influence of the construction project, a qualified biologist shall establish a temporary protective nest buffer around the nest(s). The nest buffer shall be staked with orange construction fencing or orange lath staking. The buffer must be of sufficient size to protect the nesting site from construction related disturbance and shall be established by a qualified ornithologist or biologist with extensive experience working with nesting birds near and on construction sites. Typically, adequate nesting buffers are 75 feet from the nest site or nest tree dripline for small birds and up to 200 feet for sensitive nesting birds, including several raptor species known in the region of the project site. Upon completion of nesting surveys, if nesting birds are identified on or within a zone of influence of the project site, a qualified ornithologist/biologist that frequently works with nesting birds shall prescribe adequate nesting buffers to protect the nesting birds from harm.
- c. No construction or earth-moving activity shall occur within any established nest protection buffer prior to September 1 unless it is determined by a qualified ornithologist/biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid project construction zones, or that the nesting cycle is otherwise completed. In the region of the project site, most species complete nesting by mid-July. This date can be significantly earlier or later, and shall to be determined by the qualified biologist. At the end of the nesting cycle, and abandonment of the nest by its occupants, as determined by a qualified biologist, temporary nest buffers may be removed and construction may commence in established nesting buffers without further regard for the nest site.

Implementation of this mitigation measure would reduce impacts to nesting birds to a level considered less than significant pursuant to CEQA.

Western red bat

The western red bat (*Lasiurus blossevillei*) is a California “species of special concern.” The “species of special concern” status designation does not provide any special legally mandated protection for this bat species. However, this status designation likely meets the definition of “rare” pursuant to CEQA. As such, potential impacts to this bat species should be considered during any CEQA review.

The riparian trees on the project site are small and only provide marginal roosting habitat for the western red bat. Regardless, preconstruction surveys will be conducted prior to any tree removal to ensure that there are no impacts to this special-status bat species. Accordingly, impacts to western red bat are regarded as potentially significant pursuant to CEQA.

These impacts would be mitigated to levels considered less than significant pursuant to CEQA with implementation of the following mitigation measure.

MM BIO-5 Mitigation for potential impacts to western red bat.

- a. In order to avoid impacts to roosting special-status bats, a tree survey shall be conducted 15 days prior to commencement of project activities that include grading or tree removal. Tree cavities and exfoliated bark that could provide roosting or maternity habitat shall be examined for evidence of use by bats. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If roosts are found, a determination should be made whether there are young. If a maternity site is found, impacts to that tree shall be avoided until the young have reached independence. If adults are found roosting but no maternity sites are found, then the adult bats can be flushed prior to the time the tree in question would be removed or disturbed.

Implementation of this mitigation measure would reduce impacts to western red bat to a level considered less than significant pursuant to CEQA.

American badger

The American badger (*Taxidea taxus*) is a California Species of Special Concern. The species of special concern status designation does not provide any special legally mandated protection for this species. However, this status designation likely meets the definition of “rare” pursuant to CEQA.

Although no evidence of badgers was observed during the site surveys, there is a recorded occurrence of American badger 2.1 miles south of the project site, and marginal suitable habitat exists within the project site. American badger is found in drier open stages of shrub, forest, and herbaceous habitats with friable soils. This species preys on burrowing rodents, and digs extensive burrows as shelter.

MM BIO-6 Mitigation for potential impacts to American badger:

- a. In order to avoid impacts to American badger, a qualified biologist shall conduct a pre-construction field survey to determine if active badger dens are present on or within 200 feet of the project site. The survey shall be conducted no earlier than 14 days prior to any grading activity. If active badger dens are found within the area of disturbance, the biologist shall coordinate with CDFW to develop avoidance or exclusion measures. If active badger dens are found within 200 feet of the project site, the applicant shall work with the biologist to establish an exclusion buffer 150 feet around the den to avoid disturbance.

Implementation of this mitigation measure would reduce impacts to American badger to a level considered less than significant pursuant to CEQA.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Less than significant impact with mitigation incorporated.

The 1996 Final EIR found the water quality in East Antioch Creek would be degraded. Subsequently, CDFW has determined that the on-site ditch includes a bed and bank that supports wildlife and plant communities. Therefore, the CDFW has determined it will regulate impacts to this feature pursuant to Section 1602 of the Fish and Game Code,³ which requires approval of a streambed alteration agreement (SBAA). The applicant is required to connect the stormwater pipe from the development to the west of the project site to the stormwater system that will be constructed within the project site. This will dewater the drainage. Furthermore, the drainage will be filled to bring the project site grades level with the housing development immediately west of the project site. Accordingly, impacts to this man-made drainage feature are regarded as potentially significant pursuant to CEQA.

With the addition of MM BIO-7, this impact would be mitigated to levels considered less than significant pursuant to CEQA.

MM BIO-7 Mitigation for impacts to Section 1602 jurisdictional areas.

- a. Because avoidance is not possible, the applicant has submitted a Streambed Alteration Agreement application to the California Department of Fish and Wildlife (CDFW). CDFW is requiring mitigation to remove this drainage from the site. The applicant shall purchase 1.35 acres of mitigation credits from the Cosumnes River Preserve or other CDFW approved conservation bank to mitigate for project-related impacts to Section 1602 jurisdictional areas on the project site.

³ California Fish and Game Code, Chapter 6. Fish and Wildlife Protection and Conservation, Section 1602.

Implementation of this mitigation measure would reduce significant impacts to Section 1602 jurisdictional areas to a level considered less-than-significant pursuant to CEQA.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No impact. The 1996 Final EIR found that wetland habitats within the planning area would be lost or periodically modified by development envisioned by the proposed plan. In accordance with MM J1, above, from the 1996 Final EIR, a wetland delineation was conducted in February 2014 by Olberding Environmental, Inc. The United States Army Corps of Engineers (USACE) conducted a site verification visit on May 5, 2015. USACE determined there exists on-site 1.33 acres of isolated non-jurisdictional wetlands and 0.05 acre of isolated non-jurisdictional other waters. These wetlands and waters were determined to be isolated by USACE, and are not subject to USACE jurisdiction pursuant to Section 404 of the Clean Water Act. No mitigation is required.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?**

Less than significant impact. The proposed project will not interfere significantly with the movement of native wildlife, on a regional or a local level. The project site is surrounded by single-family residential uses (west), a water tank site (north), SR-4 (east), and undeveloped land (south), precluding the movement of wildlife through this area from distant locations. The presence of the Highway 4 Bypass, a very heavily traveled four- to six-lane road to the east of the project site creates a significant wildlife movement barrier. The undeveloped land to the south of the project site is approved for the development of 525 homes, and further to the south of this area is another housing development. No streams or rivers exist on-site that could act as a migratory corridor for any native or migratory fish. The highly disturbed nature of the project site existing conditions makes it an unlikely wildlife nursery site. As a result, the project will not interfere with the movement or native wildlife, nor impede the use of wildlife nursery sites, and impacts will be considered less than significant pursuant to CEQA.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Less than significant impact with mitigation incorporated.

Protected Trees

The proposed project will remove 14 trees, all of which are all native species. There are nine arroyo willows (*Salix lasiolepis*) and five red willows (*Salix laevigata*) slated for removal which, though native species, are not defined by the City as “indigenous.” Eight of these willows are considered established. All willows are of recent origin, and have germinated and grown in the on-site ditch over the last 5 to 6 years. None have large stature. In total, 14 indigenous trees are currently

identified for removal. Accordingly, impacts to indigenous, protected trees are regarded as significant pursuant to CEQA.

This impact can be mitigated to levels considered less than significant pursuant to CEQA with implementation of the following mitigation measure.

MM BIO-8 Mitigation for impacts to Protected Trees

Mitigation for the impacts to the 14 indigenous trees shall be addressed in the future landscape plan design review application, which shall be submitted by the applicant for review and approval by the Planning Commission prior to any tree removal. The landscape plan is required to show the existing topography with the location of all established trees, clearly labeling those trees and providing a detailed description of all trees on the project site (such as diameter, estimated height, species, and relative condition).

The tree removal landscape plan compensates for all impacts to established trees, in accordance with the City of Antioch tree ordinance:

- Each established tree shall be replaced with two 24-inch box trees.
- Legally removed indigenous trees and landmark trees shall be replaced by box specimens at a rate and size to be established by the decision-making body at the time of regular development application approvals.

Implementation of the landscaping plan would reduce impacts to protected/indigenous trees to a level considered less than significant pursuant to CEQA because it would ensure that every tree removed is not only replaced, but an additional tree is planted.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No impact. The City of Antioch is not within the boundaries of the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). Therefore, the proposed project is not subject the provisions of the HCP/NCCP, which precludes the possibility of conflicts. No impact would occur.

Mitigation Measures

Mitigation Measures J1 and J2 from the 1996 Final EIR still apply.

The following new or refined mitigation measures are proposed as discussed in this section: Mitigation Measures BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, and BIO-8.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
V. Cultural Resources					
<i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on historic resources.	No. There are no new circumstances that would result in new or more severe impacts on historic resources.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of historic resources.	K1
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on archaeological resources.	No. There are no new circumstances that would result in new or more severe impacts on archaeological resources.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of archaeological resources.	K1
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	NA	No. The proposed project does not involve changes that would result in new impacts on paleontological resources.	No. There are no new circumstances that would result in new or more severe impacts on paleontological resources.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of paleontological resources.	None.
d) Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on burial sites.	No. There are no new circumstances that would result in new or more severe impacts on burial sites.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of burial sites.	K2

Discussion and Mitigation

Would the project:

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

No impact. The East Lone Tree Specific Plan area was surveyed for cultural resources as part of the East Lone Tree Specific Plan EIR. The surveys determined that there are no historic resources listed on a federal, state, or local historic register within Future Urban Area 2. Additionally, there are no structures on the project site that could potentially be eligible for a historic register by virtue of their age (i.e., more than 50 years old). This condition precludes the possibility of adverse impacts on a historic resource. No impact would occur.

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

No impact. Future Urban Area 2 was surveyed for cultural resources as part of the previous rounds of environmental review. The surveys determined that there was one documented archaeological resource site within Future Urban Area 2 (CA-CCo-532H); however, it is adjacent to Lone Tree Way and not within the project site boundaries. In the unlikely event that archaeological resources are encountered, standard inadvertent discovery measures would be implemented in accordance with the Public Resource Code. Impacts would be less than significant.

- c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

No impact. Future Urban Area 2 was surveyed for cultural resources as part of the previously rounds of environmental review. The surveys found no evidence of paleontological resources or unique geologic features within the project site. In the unlikely event that paleontological resources are encountered, standard inadvertent discovery measures would be implemented in accordance with industry practice. Impacts would be less than significant.

- d) **Disturb any human remains, including those interred outside of formal cemeteries?**

Less than significant impact. Future Urban Area 2 was surveyed for cultural resources as part of the previous rounds of environmental review. The surveys found no evidence of burial sites within the project site. In the unlikely event that human remains are encountered, standard inadvertent discovery measures would be implemented in accordance with the Public Resource Code. Impacts would be less than significant.

Mitigation Measures

The following mitigation measure was proposed in the 1996 Final EIR to address the potential for subsurface archaeological resources, and still applies:

- MM K1b** Section 7050.5(b) of the California Health and Safety Code should be implemented in the event that human remains or possible human remains are located.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
VI. Geology and Soils					
<i>Would the project:</i>					
a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	NA	No. The proposed project does not involve changes that would result in new impacts on an earthquake fault.	No. There are no new circumstances that would result in new or more severe impacts on an earthquake fault.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of an earthquake fault.	None.
ii) Strong seismic ground shaking?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on strong seismic ground shaking.	No. There are no new circumstances that would result in new or more severe impacts on strong seismic ground shaking.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of strong seismic ground shaking.	E3a, E3b
iii) Seismic-related ground failure, including liquefaction?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on seismic-related ground failure, including liquefaction.	No. There are no new circumstances that would result in new or more severe impacts on seismic-related ground failure, including liquefaction.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of seismic-related ground failure, including liquefaction.	E3a, E3b

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
iv) Landslides?	NA	No. The proposed project does not involve changes that would result in new impacts on landslides.	No. There are no new circumstances that would result in new or more severe impacts on landslides.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of landslides.	None.
b) Result in substantial soil erosion or the loss of topsoil?	NA	No. The proposed project does not involve changes that would result in new impacts on soil erosion.	No. There are no new circumstances that would result in new or more severe impacts on soil erosion.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of soil erosion.	None.
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on unstable geologic units or soils.	No. There are no new circumstances that would result in new or more severe impacts on unstable geologic units or soils.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of unstable geologic units or soils.	E3
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Less than significant after mitigation	No. The proposed project does not involve changes that would result in new impacts on expansive soils.	No. There are no new circumstances that would result in new or more severe impacts on expansive soils.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of expansive soils.	E2
e) Have soils incapable of adequately supporting the use of	NA	No. The proposed project does	No. There are no new circumstances	No. No new information has been disclosed	None

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.		not involve changes that would result in new impacts on septic systems.	that would result in new or more severe impacts on septic systems.	pertaining to the proposed project that would require additional analysis of septic systems.	

Discussion and Mitigation

Would the project:

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

No impact. There are no active earthquake faults or Alquist-Priolo Earthquake Fault Zones located within the project site boundaries. This condition precludes the possibility of impact of fault rupture occurring within the project site. No impacts would occur.

- ii) **Strong seismic ground shaking?**

Less than significant impact after mitigation. The project site is located within a seismically active region of California and, thus, may be susceptible to strong ground shaking during an earthquake. The proposed project would be subject to the latest adopted edition of the California Building Standards Code, which includes structural design requirements intended to mitigate the effects of strong ground shaking. Impacts would be less than significant after implementation of mitigation measures MM E3a and MM E3b from the 1996 Final EIR.

MM E3a Site planning building design shall incorporate provisions to reduce risk to life and property from seismic activity.

MM E3b All buildings, underground utilities, and other improvements shall be designed and constructed in accordance with seismic design criteria presented in the Uniform Building Code.

iii) **Seismic-related ground failure, including liquefaction?**

Less than significant impact. The project site is located within a seismically active region of California and, thus, may be susceptible to seismic related ground failure during an earthquake. The proposed project would be subject to the latest adopted edition of the California Building Standards Code, which includes structural design requirements intended to mitigate the effects of seismic related ground failure. Impacts would be less than significant.

iv) **Landslides?**

Less than significant impact. The northern portion of the project site includes slopes associated with a knoll that supports a tank site. The sides of the knoll are vegetated with plants and mature trees, and would be protected as open space by the proposed project. As such, the likelihood of landsliding occurring is very low. Impacts would be less than significant.

b) **Result in substantial soil erosion or the loss of topsoil?**

Less than significant impact. The proposed project would involve ground disturbing activities that have the potential to cause erosion. Accordingly, the proposed project would be required to prepare and implement a Storm Water Pollution Prevention Plan during construction. The Storm Water Pollution Prevention Plan would identify structural and non-structural management practices intended to prevent erosion. Impacts would be less than significant.

c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Less than significant impact after mitigation. The proposed project would include grading and soil engineering activities to ensure that the underlying soils and geologic units are suitable to support the proposed project. These grading and soil engineering activities would be conducted in accordance with the applicable provisions of the California Building Standards Code which includes structural design requirements intended to mitigate the effects of unstable geologic units or soils. Impacts would be less than significant. The 1996 Final EIR proposed Mitigation Measure E1 to ensure geotechnical engineer recommendations are incorporated into building design and grading plans. Mitigation Measure E1 still applies.

MM E1 A grading plan shall be prepared by the site developer for final design review of the project. Pursuant to Uniform Building Code Requirements, the grading plan shall be prepared by a licensed civil engineer and include soils engineering and engineering geology reports. The grading plan shall accurately show all cut and fill areas and provide calculated earthwork volumes. The grading plan shall also address erosion control and describe drainage facilities. The soil engineering and engineering geology reports required for the grading plan shall specifically address the slope stability of any proposed cut slopes and potentially unstable areas, including north-northeastern slopes, and their suitability for any proposed building, roadway, or

other infrastructure development. Their recommendation shall be included in the grading and building plans prepared for the project. All grading activities shall be continuously inspected by the project geotechnical engineer in order to ensure that recommendations are incorporated during field activities.

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Less than significant impact. The proposed project would include grading and soil engineering activities to ensure that the soils are suitable to support the proposed project. These grading and soil engineering activities would be conducted in accordance with the applicable provisions of the California Building Standards Code which includes structural design requirements intended to mitigate the effects of expansive soils. The 1996 Final EIR also included Mitigation Measure E2, which still applies. Together these measures would ensure that impacts remain less than significant.

MM E2 The soils engineering and engineering geology reports shall identify areas where weak and expansive soil would likely affect proposed development and provide design specifications for minimizing the potential for damage due to weak and expansive soils. A series of measures to be considered in the design of structures is presented on p. 104.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

No impact. The proposed project would be served with sanitary sewer service provided by Delta Diablo Sanitation District. No septic or alternative wastewater disposal systems would be employed. No impacts would occur.

Mitigation Measures

Mitigation Measures E1, E2, E3a, and E3b from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
VII. Greenhouse Gas Emissions					
<i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	NA	No. The proposed project does not involve changes that would result in new impacts on greenhouse gas emissions.	No. There are no new circumstances that would result in new or more severe impacts on greenhouse gas emissions.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of greenhouse gas emissions.	None.
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	NA	No. The proposed project does not involve changes that would result in new impacts on conflicts with a plan, policy, or regulation for reducing greenhouse gas emissions.	No. There are no new circumstances that would result in new or more severe impacts on conflicts with a plan, policy, or regulation for reducing greenhouse gas emissions.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of conflicts with a plan, policy, or regulation for reducing greenhouse gas emissions.	None.

Discussion and Mitigation

Greenhouse gas emissions were not analyzed under CEQA in 1996 when the Specific Plan EIR was written. The following discussion is provided to clarify that there would be less than significant impact due to the project as analyzed using current standards.

Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less than significant impact. This analysis is restricted to greenhouse gases identified by Assembly Bill (AB) 32, which include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The project would generate a variety of greenhouse

gases during construction and operation, including several defined by AB 32 such as carbon dioxide, methane, and nitrous oxide.

BAAQMD currently provides multiple recommended thresholds for project-level greenhouse gas generation from operation of a project and for plan-level analysis of project operations. BAAQMD does not presently provide a construction-related greenhouse gas generation threshold, but recommends that construction-generated greenhouse gases be quantified and disclosed. BAAQMD also recommends that lead agencies make a determination of the level of significance of construction-generated greenhouse gas emissions in relation to meeting AB 32 greenhouse gas reduction goals. The lead agency is also encouraged to incorporate best management practices (BMPs) to reduce GHG emissions during project construction, as feasible and applicable.

Construction

The project would emit greenhouse gas emissions during construction from the off-road equipment, worker vehicles, and any hauling that may occur. As stated previously, the BAAQMD does not have a greenhouse gas threshold for construction emissions. Emissions would occur prior to the year 2020, which is the year by which the State of California is required to reduce its emissions to 1990 levels. Therefore, construction emissions would be less than significant. Greenhouse gas emissions from project construction equipment and worker vehicles are shown in Table 10. The emissions are from all phases of construction.

Table 10: Construction Greenhouse Gas Emissions

2016 Construction Year	MTCO ₂ e
Site Preparation	77
Grading	317
Building Construction (2016)	305
Building Construction (2017)	1,114
Paving	88
Architectural Coating	9
Total	1,910
Source: FirstCarbon Solutions and CalEEMod.	

Operation

The BAAQMD's 2010 Air Quality Guidelines provide screening criteria developed for greenhouse gases emissions assessment. As shown in Table 11, the project's proposed land use is more than the BAAQMD's applicable screening size for operational greenhouse gas emissions. Therefore, the greenhouse gas emissions for the project were estimated. (Emissions were estimated for 187 units, larger than the 180 units currently proposed. Therefore, this analysis is more conservative.)

Table 11: Operational Greenhouse Gas Screening

Land Use Type	Operational Greenhouse Gas Screening Size	Project Size	Project Percent of Screening Size
Single-Family	56 du	187 du	333.93%
Note: du = dwelling units Source of BAAQMD's Screening Threshold: Bay Area Air Quality Management District 2011.			

The BAAQMD provides multiple threshold options for project-level greenhouse gas impact analysis. A significant impact would occur if the project would exceed all of the significance thresholds. Accordingly, the impact would be less than significant if the project were below any of the thresholds. The BAAQMD's 2010 thresholds for operational greenhouse gas emissions are:

- Compliance with Qualified GHG Reduction Strategy, or
- 1,100 MTCO₂e annually, or
- 4.6 MTCO₂e/Service Population/Year

The operational emissions are shown in Table 12. As shown, the project's annual emissions are estimated to be 2,305 MTCO₂e, more than the BAAQMD's threshold of 1,100 MTCO₂e. However, the project has a greenhouse gas efficiency of 4.3 MTCO₂e/Service Population/Year, which is less than the 4.6 MTCO₂e/Service Population/Year established by the BAAQMD. (This threshold number reflects both employee and resident population numbers.) Therefore, impacts associated with operational greenhouse gas emissions are less than significant.

Table 12: Greenhouse Gas Operational Emissions

Source	Annual Emissions (MTCO ₂ e)
Area Sources	37
Energy	653
Mobile	1,505
Waste	77
Water	33
Total Emissions	2,305
Service Population¹	535
Significance Threshold	4.6 MTCO₂e
Project's Greenhouse Gas Efficiency	4.3 MTCO₂e
Does project exceed threshold?	No
Notes: MTCO ₂ e = metric tons of carbon dioxide equivalent ¹ Service population from CalEEMod population estimate for development. Source of Threshold: Bay Area Air Quality Management District 2011. Source: FirstCarbon Solutions and CalEEMod 2013.2.2.	

b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less than significant impact. The City of Antioch adopted a Community Climate Action Plan (CCAP) on May 24, 2011. However, the CCAP did not include project-level emission thresholds or criteria for determining significance for GHG emissions. In addition, the City of Antioch has not completed a GHG inventory, benchmarking, or an adopted project-level goal-setting process required to take advantage of the streamlining provisions contained in the CEQA Guidelines amendments adopted for SB 97. Therefore, AB 32's Scoping Plan is used to determine significance.

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing greenhouse gases (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, the ARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal.

BAAQMD's recommended significance thresholds are based on Executive Order S-3-05 reductions goals. Therefore, project emission less than BAAQMD's significance thresholds demonstrates consistency with Executive Order S-3-05 goals and, by extension, the ARB's Scoping Plan to achieve AB 32 reduction goals. Both construction and operational emissions are below the greenhouse gas thresholds recommended by BAAQMD, as demonstrated in question 7a) above. Therefore, it can be concluded that the project is in compliance with the applicable AB 32 Scoping Plan.

The Scoping Plan contains a variety of strategies to reduce the State's emissions. As shown in Table 13, the strategies are not applicable to the project. Most of the measures target the transportation and electricity sectors. Therefore, the project is consistent with the applicable strategies and would not conflict with the recommendations of AB 32 in achieving a statewide reduction in greenhouse emissions. The impact is less than significant.

Table 13: Inapplicable Scoping Plan Reduction Measures

Scoping Plan Reduction Measure	Reason Why Not Applicable
1. California Cap-and-Trade Program Linked to Western Climate Initiative. Implement a broad-based California Cap-and-Trade program to provide a firm limit on emissions. Link the California cap-and-trade program with other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California's program meets all applicable AB 32 requirements for market-based mechanisms.	When this cap-and-trade system begins, products or services (such as electricity) would be covered and the cost of the cap-and-trade system would be transferred to the consumers.

Table 13 (cont.): Inapplicable Scoping Plan Reduction Measures

Scoping Plan Reduction Measure	Reason Why Not Applicable
2. California Light-Duty Vehicle Greenhouse Gas Standards. Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	This is a statewide measure that cannot be implemented by a project applicant or lead agency. When this measure is initiated, the standards would be applicable to the light-duty vehicles that would access the project site.
3. Energy Efficiency. Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	This is a measure for the state to increase its energy efficiency standards. However, the project would increase its energy efficiency through existing regulation.
4. Renewable Portfolio Standard. Achieve 33 percent renewable energy mix statewide. Renewable energy sources include (but are not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas.	The Pacific Gas and Electric Company, which would provide power to the project, is in the process of increasing the percent of renewable energy in its portfolio. It is required to increase this percentage by the year 2020 pursuant to various regulations.
5. Low Carbon Fuel Standard. Develop and adopt the Low Carbon Fuel Standard.	This is a statewide measure that cannot be implemented by a project applicant or lead agency. When this measure is initiated, the standard would be applicable to the fuel used by vehicles that would access the project site.
6. Regional Transportation-Related Greenhouse Gas Targets. Develop regional greenhouse gas emissions reduction targets for passenger vehicles. This measure refers to SB 375.	The project is not related to developing greenhouse gas emission reduction targets.
7. Vehicle Efficiency Measures. Implement light-duty vehicle efficiency measures.	When this measure is initiated, the standards would be applicable to the light-duty vehicles that would access the project site.
8. Goods Movement. Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.	The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
9. Million Solar Roofs Program. Install 3,000 MW of solar-electric capacity under California's existing solar programs.	This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs.
10. Medium/Heavy-Duty Vehicles. Adopt medium and heavy-duty vehicle efficiency measures.	This is a statewide measure that cannot be implemented by a project applicant or lead agency. When this measure is initiated, the standards would be applicable to the vehicles that access the project site.
11. Industrial Emissions. Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce greenhouse gas emissions	The project is not an industrial land use.

Table 13 (cont.): Inapplicable Scoping Plan Reduction Measures

Scoping Plan Reduction Measure	Reason Why Not Applicable
and provide other pollution reduction co-benefits. Reduce greenhouse gas emissions from fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.	
12. High Speed Rail. Support implementation of a high-speed rail system.	This is a statewide measure that cannot be implemented by a project applicant or lead agency.
13. Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	The state is to increase the use of green building practices. The project develop buildings that would utilize green building practices as to save energy, water, or generation of wastewater.
14. High Global Warming Potential Gases. Adopt measures to reduce high global warming potential gases.	When this measure is initiated, it would be applicable to the high global warming potential gases that would be used by the project (such as in air conditioning and refrigerators).
15. Recycling and Waste. Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	The project would not contain a landfill. The State is to help increase waste diversion. The project would reduce waste with implementation of mitigation.
16. Sustainable Forests. Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation.	The project site is in an urban setting therefore, this measure is not applicable.
17. Water. Continue efficiency programs and use cleaner energy sources to move and treat water.	This is a measure for state and local agencies.
18. Agriculture. In the near-term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020.	No grazing, feedlot, or other agricultural activities that generate manure occur on-site or are proposed to be implemented by the project.
Source of ARB Scoping Plan Reduction Measure: California Air Resources Board 2008. Source of Project Consistency or Applicability: FirstCarbon Solutions.	

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
VIII. Hazards and Hazardous Materials					
<i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant after mitigation.	No. The proposed development does not add any impacts from hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts related to hazardous materials.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of hazardous materials.	G3
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant after mitigation.	No. The proposed development does not add any impacts from hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts related to reasonably foreseeable upset and accident conditions.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of reasonably foreseeable upset and accident conditions.	G1, G2
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	NA	No. The proposed development does not add any impacts from hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts related to hazardous or acutely hazardous materials, substances, or waste.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of hazardous or acutely hazardous materials, substances, or waste.	None.
d) Be located on a site which is included on a list of hazardous	NA	No. The proposed development	No. There are no new circumstances	No. No new information has been disclosed	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		does not add any impacts from hazardous materials.	that would result in new or more severe impacts related to hazardous materials sites compiled pursuant to Government Code Section 65962.5.	pertaining to the proposed project that would require additional analysis of hazardous materials sites compiled pursuant to Government Code Section 65962.5.	
e) Be located within two miles of a public airport or private use airport and result in a safety hazard for people residing or working in the project area?	NA	No. The proposed development does not add any impacts from hazardous materials.	No. There are no new circumstances that would result in new or more severe impacts on airports.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of airports.	None.
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	NA	No. The proposed project would not result in the disclosure of new information that would require additional analysis of private airstrips.	No. There are no new circumstances that would result in new or more severe impacts on private airstrips.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of private airstrips.	None.
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	NA	No. The proposed project would not impair or interfere with emergency evacuation or response.	No. There are no new circumstances that would result in new or more severe impacts on emergency evacuation or response.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of emergency evacuation or response.	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
h) Be located in an area designated as having a high, extreme, or severe fire hazard, or otherwise expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	NA	No. The proposed project would not result in new exposure of people or structures to wildland fires.	No. There are no new circumstances that would result in new or more severe impacts related to wildland fires.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of wildland fires.	None.

Discussion and Mitigation

Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less than significant after mitigation. The proposed project would develop 180 dwelling units on the project site. These uses would not involve the routine transport, use, or disposal of hazardous materials, which precludes the possibility of creating a significant hazard to the public or the environment. The 1996 Final EIR stated that the development of the project would result in an increase in the use, storage and disposal of hazardous materials. With the implementation of Mitigation Measure G3, this was determined to be less than significant.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less than significant after mitigation. The proposed project would develop 180 dwelling units on the project site. These uses would not involve the use of hazardous materials, which precludes the possibility of creating a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions. Because of the presence of fuel pipelines in the area, the 1996 EIR that construction workers and the public may be exposed to potentially hazardous materials during project development. Mitigation Measure G1 has been implemented and the risk is mitigated to less than significant. The 1996 Final EIR posited that impacts could occur from exposure to electromagnetic fields, PCBs, and effects associated with overhead electrical lines. These impacts

were determined to be less than significant with the implementation of Mitigation Measure G2 and G3, which still apply.

MM G2 Because the potential health effects of EMG exposure have not been confirmed by scientific studies, information on the health issues of EMF exposure and the exposure profiles from overhead transmission lines shall be provided by the developer to individuals who may reside near transmission lines with annual updates summarizing the results of the most recent studies pertaining to EMF exposure.

Prior to development plan submittals, all existing transformers shall be checked for the presence of PCBs by PG&E. If PCBs are present, PG&E shall remove and replace the equipment with non-PCB-containing equipment. If any leaks or spills are discovered during this activity during a preliminary site assessment, an investigation shall be conducted by a qualified environmental consultant to assess impacts from the release and propose remedial actions. Any remediation of PCBs shall be completed prior to development of the parcel in question.

All metal structures or objects located adjacent to transmission line easement shall be properly grounded to prevent electrical shocks from person or animals in contact with those objects.

MM G3 Existing federal, state and local hazardous materials laws and regulations, and household hazardous waste programs would mitigate potential hazards associated with hazardous materials management.

Reduction of hazardous materials use by small businesses and households can be encouraged through education.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No impact. The proposed project would develop 180 dwelling units on the project site. These uses would not involve the use of hazardous materials. Moreover, the nearest school, Carmen Dragon Elementary, is located more than 0.75 mile from the project site. These conditions preclude the possibility of exposing schools located within 0.25 mile of the site to hazardous materials. No impact would occur.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No impact. The State Water Resources Control Board GeoTracker database indicates that the project site is not on any hazardous materials site list compiled pursuant to Government Code Section 65962.5. Moreover, the project site is undeveloped and has not supported any previous urban uses,

making it unlikely that there is any residual contamination from past land use activities. No impact would occur.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No impact. The nearest airport to the project site is Byron Municipal Airport, located 10.5 miles to the southeast. This distance precludes the possibility of the proposed project exposing persons residing or working in the project vicinity to aviation safety hazards. No impact would occur.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No impact. There are no private airstrips in the project vicinity. This condition precludes the possibility of the proposed project exposing persons residing or working in the project vicinity to aviation safety hazards. No impact would occur.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than significant impact. The proposed project includes the extension of Laurel Road, from the SR-4 interchange to its current terminus west of the project site that would close a gap in the regional roadway network. This would serve to improve emergency response and evacuation in the project vicinity. Additionally, all internal roadways would comply with the latest adopted edition of California Fire Code. Therefore, the proposed project would not interfere with emergency response or emergency evacuation. Impacts would be less than significant.

- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

No impact. The project site is surrounded by urban development, infrastructure, and undeveloped land on four sides. No areas susceptible to wildland fires exist in the project vicinity. This condition precludes the possibility of the proposed project being exposed to wildland fire hazards. No impact would occur.

Mitigation Measures

MM G1 This mitigation has already been implemented.

Mitigation Measures G2 and G3 from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
IX. Hydrology and Water Quality					
<i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements?	Less than significant after mitigation.	No. The proposed project would not result in the disclosure of new information that would require additional analysis of water quality standards or waste discharge requirements.	No. There are no new circumstances that would result in new or more severe impacts on water quality standards or waste discharge requirements.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of water quality standards or waste discharge requirements.	F1
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	NA	No. The proposed project would not result in the disclosure of new information that would require additional analysis of groundwater.	No. There are no new circumstances that would result in new or more severe impacts on groundwater.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of groundwater.	None.
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Less than significant after mitigation.	No. The proposed project would not result in new impacts involving erosion or siltation.	No. There are no new circumstances that would result in new or more severe impacts on erosion.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of erosion.	F1

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Less than significant after mitigation.	No. The proposed project would not result in new impacts resulting in flooding.	No. There are no new circumstances that would result in new or more severe impacts on flooding.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of flooding.	F2
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant after mitigation.	No. The proposed project would not result in new runoff.	No. There are no new circumstances that would result in new or more severe impacts on runoff.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of runoff.	F3
f) Otherwise substantially degrade water quality	NA	No. The proposed project would not degrade water quality.	No. There are no new circumstances that would result in new or more severe impacts on water quality.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of water quality.	None.
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?		No. The proposed project would not result in the disclosure of new information that would require additional analysis of 100-year flood hazard areas.	No. There are no new circumstances that would result in new or more severe impacts on 100-year flood hazard areas.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of 100-year flood hazard areas.	

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
h) Place within a 100-year flood hazard structures which would impede or redirect flood flows?	NA	No. The proposed project would not result in the disclosure of new information that would require additional analysis of 100-year flood hazard areas.	No. There are no new circumstances that would result in new or more severe impacts on 100-year flood hazard areas.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of 100-year flood hazard areas.	None.
i) Expose people or structures to significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	NA	No. The proposed project does not involve changes that would result in new impacts on dam or levee failure.	No. There are no new circumstances that would result in new or more severe impacts on dam or levee failure.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of dam or levee failure inundation zone.	None.
j) Inundation of by seiche, tsunami, or mudflow?	NA	No. The proposed project does not involve changes that would result in new impacts on seiches, tsunamis, or mudflows.	No. There are no new circumstances that would result in new or more severe impacts on seiches, tsunamis, or mudflows.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of seiches, tsunamis, or mudflows.	None.

Discussion and Mitigation

Would the project:

- a) **Violate any water quality standards or waste discharge requirements?**

Less than significant impact after mitigation. The proposed project would be required to prepare and implement a Stormwater Pollution Prevention Plan during construction. The proposed project

would also be required to design and install an on-site storm drainage system in accordance with City standards that detains and treats runoff over the life of the project. Collectively, these features would ensure that the proposed project would not violate any water quality standards. Impacts would be less than significant after implementation of Mitigation Measure F1.

MM F1 A SWPP should be prepared that, when properly implemented, would reduce or eliminate impacts to surface water quality from all phases of the project. Required elements of the SWPPP are listed on p. 112 of Chapter III [of the 1996 Final EIR.]

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?)

No impact. The proposed project would be served with potable water provided by the City of Antioch. No groundwater wells would be drilled on-site to serve the project. Additionally, the project site does not serve as a groundwater recharge facility. Thus, the proposed project would not have the potential to deplete groundwater supplies or interfere substantially with groundwater recharge. No impact would occur.

c) Substantially alter the existing drainage pattern of area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less than significant impact after mitigation. The proposed project would involve ground disturbing activities that have the potential to cause erosion. Accordingly, the proposed project would be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) during construction. The Stormwater Pollution Prevention Plan would identify structural and non-structural management practices intended to prevent erosion. Impacts would be less than significant with the implementation of Mitigation Measure F1.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less than significant impact after mitigation. The proposed project would install an on-site stormwater collection system consisting of catch basins, inlets, underground piping, and stormwater basins. The system would be designed to detain runoff during a stormwater event and regulate the discharge of runoff into the municipal storm drainage system at a rate less than the pre-development condition of the site. This would ensure that runoff leaving the project site would not inundate downstream drainage facilities in a manner that results in flooding. Impacts would be less than significant with the implementation of Mitigation Measure F3.

MM F3 A tentative map for each phase of development of the project would be submitted to the City of Antioch Department of community Development (ADCD), Building

Division for review. Grading and drainage plans would be reviewed for compliance with City requirements by the ADCD, Engineering Division. Any undersized components in the downstream storm drain system would be identified at that time and new design required prior to plan approval.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than significant impact. The proposed project would install an on-site stormwater collection system consisting of catch basins, inlets, underground piping, and stormwater basins. The system would be designed to detain runoff during a stormwater event and regulate the discharge of runoff into the municipal storm drainage system at a rate less than the pre-development condition of the site. This would ensure that runoff leaving the project site would not inundate downstream drainage facilities in a manner that results in flooding. Thus, no new or expanded storm drainage facilities would be required to serve the proposed project. Impacts would be less than significant.

f) Otherwise substantially degrade water quality?

No impact. The project does not possess any attributes that have the potential to otherwise degrade water quality (e.g., underground storage tanks). No impact would occur.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No impact. The elevation of the project site ranges from 98 feet to 235 feet above mean sea level. The project site is at a higher elevation than most of the surrounding land uses and is not within a 100-year flood hazard area. No impact would occur.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No impact. The elevation of the project site ranges from 98 feet to 235 feet above mean sea level. The project site is at a higher elevation than most of the surrounding land uses and is not within a 100-year flood hazard area. No impact would occur.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No impact. The elevation of the project site ranges from 98 feet to 235 feet above mean sea level. The project site is at a higher elevation than most of the surrounding land uses and is not protected by any levees. Additionally, the project site is not within the dam failure inundation zone of Contra Loma Dam or the Los Vaqueros Reservoir Dam. This condition precludes the possibility of the project being exposed to flooding as a result of levee or dam failure. No impact would occur.

j) Inundation by seiche, tsunami, or mudflow?

No impact. There are no inland bodies of water near the project site, a condition that precludes the possibility of inundation by seiche. The project site is more than 30 miles from the Pacific Ocean, a condition that precludes the possibility of inundation by tsunami. Finally, the sides of the knoll on which the water tanks sit atop are planted with mature trees and vegetation, which makes the likelihood of a mudflow very low. No impact would occur.

Mitigation Measures

Mitigation Measures F1 and F2 from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
X. Land Use					
<i>Would the project:</i>					
a) Physically divide an established community?	N/A	No. The proposed project does not involve changes that would result in new impacts on division of an established community.	No. There are no new circumstances that would result in new or more severe impacts on division of an established community.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of division of an established community.	None
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	N/A	No. The proposed project does not involve changes that would result in new impacts on conflicts with any applicable land use plan, policy, or regulation.	No. There are no new circumstances that would result in new or more severe impacts on conflicts with any applicable land use plan, policy, or regulation.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of conflicts with any applicable land use plan, policy, or regulation.	None
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	N/A	No. The proposed project does not involve changes that would result in new impacts on habitat conservation plans or natural community conservation plans.	No. There are no new circumstances that would result in new or more severe impacts on habitat conservation plans or natural community conservation plans.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of habitat conservation plans or natural community conservation plans.	None

Discussion and Mitigation

Would the project:

a) Physically divide an established community?

The 1996 Final EIR did not directly assess the project's potential to physically divide an established community. However, the 1996 Final EIR found that the primarily residential subdivisions located to the west and north of the planning area would blend with the proposed uses of FUA #2, and that existing open space reserves situated along the western edge of the planning would tie in with open space planned for FUA #2. Ultimately, the 1996 Final EIR found that the 1996 project would not result in any significant land use impacts.

The proposed 54-acre project site is undeveloped and does not contain any dwelling units. The surrounding area includes residential development to the north and west. The future Park Ridge subdivision will result in additional residential development to the south. SR-4 separates the project site from residential development located to the east. Therefore, development of the proposed project would continue the development of planned residential uses, and would not divide an established community. Moreover, the proposed project would extend Laurel Road from the SR-4 interchange to its current terminus west of the project site and close a gap in the regional roadway network. This would serve to better link established communities. There would be no impact that would physically divide an established community.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The 1996 Final EIR did not directly assess the project's potential to conflict with any applicable land use plan, policy, or regulation. However, the 1996 Final EIR noted that the planned FUA #2 uses would be complementary with the Brentwood General Plan.

The City of Antioch General Plan designates the proposed project site as "Residential/Open Space," which allows 4 to 6 dwelling units per gross developable acre; the currently proposed project would develop 180 dwelling units on 18.1 net acres (10.33 units per net developable acre).

The East Lone Tree Specific Plan designation for the project site is "Low Density Residential (RL) and Medium High Density Residential (RH)." The project applicant is seeking approval of a Planned Development to guide the development proposed project as required by the East Lone Tree Specific Plan and, thus, is consistent with the requirements of the planning process. Moreover, the 180 dwelling units are within the 1,322 dwelling-unit cap established by the Specific Plan. Conflicts with any applicable land use plan, policy, or regulation would be less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The 1996 project did not assess potential conflicts with applicable habitat conservation plans (HCPs) or natural community conservation plans (NCCPs). The City of Antioch is not within the boundaries of the East Contra Costa County HCP/NCCP. Therefore, the proposed project is not subject the provisions of the HCP/NCCP, which precludes the possibility of conflicts. No impact would occur.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XI. Mineral Resources					
<i>Would the project:</i>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	NA	No. The proposed project does not involve changes that would result in new impacts on loss of known mineral resources of statewide importance.	No. There are no new circumstances that would result in new or more severe impacts on loss of known mineral resources of statewide importance.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of known mineral resources of statewide importance.	None.
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	NA	No. The proposed project does not involve changes that would result in new impacts on loss of known mineral resources of local importance.	No. There are no new circumstances that would result in new or more severe impacts on loss of known mineral resources of local importance.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of known mineral resources of local importance.	None.

Discussion and Mitigation

Mineral resources were not addressed in the 1996 Final EIR. The following discussion provides additional analysis of this topic.

Would the project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

No impact. Neither the City of Antioch General Plan nor the East Lone Tree Specific Plan identifies the project site as a source of a known mineral of value. Therefore, the development of the proposed project would not result in the loss of availability of a known mineral resource of regional or statewide importance. No impact would occur.

- b) **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

No impact. Neither the City of Antioch General Plan nor the East Lone Tree Specific Plan identifies the project site as a mineral resource recovery site. This condition precludes the possibility of related impacts. No impact would occur.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XII. Noise					
<i>Would the project:</i>					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts associated with noise levels in excess of standards established by applicable local, regional, or national regulations.	No. There are no new circumstances that would result in new or more severe impacts associated with noise levels in excess of standards established by applicable local, regional, or national regulations.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of noise levels in excess of standards established by applicable local, regional, or national regulations.	D1a, D1b, D1c
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	NA	No. The proposed project does not involve changes that would result in new impacts associated with groundborne vibration.	No. There are no new circumstances that would result in new or more severe impacts associated with groundborne vibration.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of groundborne vibration.	None.
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	NA	No. The proposed project does not involve changes that would result in new impacts on associated with a substantial permanent increase in ambient noise levels.	No. There are no new circumstances that would result in new or more severe impacts associated with a substantial permanent increase in ambient noise levels.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of a substantial permanent increase in ambient noise levels.	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts associated with a substantial temporary increase in ambient noise levels.	No. There are no new circumstances that would result in new or more severe impacts associated with a substantial temporary increase in ambient noise levels.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of a substantial temporary increase in ambient noise levels.	D2a, D2b
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	NA	No. The proposed project does not involve changes that would result in new impacts associated with aviation noise.	No. There are no new circumstances that would result in new or more severe impacts associated with aviation noise.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of aviation noise.	None.
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	NA	No. The proposed project does not involve changes that would result in new impacts associated with aviation noise.	No. There are no new circumstances that would result in new or more severe impacts associated with aviation noise.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of aviation noise.	None.

Discussion and Mitigation

Would the project result in:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less than significant impact with mitigation incorporated. Noise levels in the project area would be influenced by construction activities and from the ongoing operation of the project.

Short-Term Construction Impacts

Two types of short-term noise impacts could occur during the construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the project site. Although there would be a relatively high single event noise exposure potential causing intermittent noise nuisance, the effect on longer term (hourly or daily) ambient noise levels would be small. Therefore, short-term construction-related impacts associated with worker commute and equipment transport to the project site would be less than significant.

The second type of short-term noise impact is related to noise generated during construction on the project site. Construction is completed in discrete steps, each of which has its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site and, therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction related noise ranges to be categorized by work phase. Table 14 lists typical construction equipment noise levels, based on a distance of 50 feet between the equipment and a noise receptor. Typical operating cycles for the heaviest types of construction equipment may involve 1 or 2 minutes of full-power operation followed by 3 or 4 minutes at lower power settings. Impact equipment such as pile drivers is not expected to be used during construction of this project.

Table 14: Typical Construction Equipment Maximum Noise Levels, L_{max}

Type of Equipment	Impact Device? ⁴ (Yes/No)	Specification Maximum Sound Levels for Analysis (dBA at 50 feet)
Pumps	No	77
Backhoe	No	80
Front-End Loaders	No	80
Portable Generators	No	82
Dump Truck	No	84
Tractors	No	84

⁴ Impact devices are pieces of construction equipment that create high levels of noise and vibration such as jackhammers and pile drivers.

Table 14 (cont.): Typical Construction Equipment Maximum Noise Levels, L_{max}

Type of Equipment	Impact Device? ⁵ (Yes/No)	Specification Maximum Sound Levels for Analysis (dBA at 50 feet)
Concrete Mixer Truck	No	85
Cranes	No	85
Dozers	No	85
Excavators	No	85
Graders	No	85
Jackhammers	Yes	85
Paver	No	85
Rollers	No	85
Scrapers	No	85
Vibratory Pile Driver	No	95
Source: FHWA 2006.		

The site preparation of the project is expected to require the use of rubber tired dozers, tractors, front-end loaders, and backhoes. The grading and utilities phase is expected to require the use of excavators, graders, rubber tired dozers, scrapers, tractors, front-end loaders, and backhoes. The building construction phase is expected to require the use of cranes, forklifts, portable generators, tractors, front-end loaders, backhoes, and welder torches. The paving phase of construction is expected to require the use of pavers, rollers, concrete mixer trucks, and dump trucks.

The Federal Highway Administration's (FHWA) Roadway Construction Noise Model was used to calculate construction noise levels at nearby sensitive receptors surrounding the project site during each phase of construction. The modeled receptor locations represent the closest residential units to the west and southwest of the project site. The modeled receptor locations are shown in Exhibit 8. The modeled construction phases included the site preparation and grading phase, the building construction phase, and the paving of the internal roadways phase. Construction equipment assumptions are based on the default construction equipment list from the air quality impact analysis for this project. A worst-case scenario was modeled assuming each piece of modeled equipment would operate simultaneously at the nearest reasonable locations to each modeled receptor. Overall, average daily project construction noise levels would be much lower than in this worst-case scenario, because all equipment would not always operate simultaneously and noise levels would also be lower as the equipment operates toward the center of the project site further from off-site receptors. A summary of the modeling results is shown in Table 15.

⁵ Impact devices are pieces of construction equipment that create high levels of noise and vibration such as jackhammers and pile drivers.

Table 15: Construction Noise Model Results Summary (dBA)

Receptor Location	Site Preparation Phase		Grading & Utilities Phase		Building Construction Phase		Paving Phase	
	L _{eq}	L _{max}	L _{eq}	L _{max}	L _{eq}	L _{max}	L _{eq}	L _{max}
R-1: Residence to west of the project on Aberdeen Court	70.2	69.2	72.3	70.2	67.8	68.4	62.0	62.5
R-2: Residence to west of the project on Glasgow Court	76.9	76.1	78.6	77.1	73.4	74.4	66.3	67.0
R-3: Residence to west of the project on Braemar Street	63.7	62.6	65.9	63.6	61.6	62.0	56.2	56.7
R-4: Residence to southwest of the project on Palomino Way	70.1	69.2	72.0	70.2	61.6	62.0	65.1	66.0
Note: L _{max} is the loudest value of any single piece of equipment as measured at the modeled receptor location. Source: FirstCarbon Solutions, 2015.								

The City of Antioch's General Plan Noise Element and the Municipal Code both outline the City's standards for noise producing construction activities. The General Plan limits noise-producing construction related activities to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday, with no construction allowed on Sundays and public holidays. The Antioch Municipal Code limits noise-producing construction activity to weekdays between the hours of 8:00 a.m. and 5:00 p.m. when work is within 300 feet of occupied dwellings, and to weekends between the hours of 9:00 a.m. and 5:00 p.m. irrespective of the distance from occupied dwellings. For the purpose of this analysis, the most conservative combination of these standards has been applied as follows.

The permissible hours of noise producing construction activities should be limited on Monday through Friday to between the hours of 8:00 a.m. and 5:00 p.m. when work is within 300 feet of occupied dwellings, and to between the hours of 7:00 a.m. and 7:00 p.m. when work occurs greater than 300 feet from occupied dwellings. Such activities should be limited on Saturdays to between the hours of 9:00 a.m. and 5:00 p.m., with no construction allowed on Sundays and public holidays.

In addition, the City requires that proposed development adjacent to occupied noise sensitive land uses must 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.

The receptor that would experience the greatest impacts from construction noise is the receptor R-2, located on Glasgow Court. Because of the existing terrain, the western portion of the project site is lower in elevation than existing residential land uses to the west. Therefore, the use of temporary noise attenuation fences along the project's western property line would not result in a significant noise reduction because it would not block the line of sight to the nearest receptors. However, by locating minimum 8-foot-high temporary noise attenuation fences a maximum of 10-

feet from the eastern property line of the residences indicated by receptor locations R-1 and R-2 would reduce the highest construction noise levels by an additional 5 dBA as measured within the rear yards of these land uses.

Therefore, restricting the permissible hours of construction activities as well as implementing the best management noise reduction techniques and practices outlined in Mitigation Measure NOI-1 would ensure that potential short-term construction noise impacts on sensitive receptors in the project vicinity would be reduced to less than significant. This mitigation measure provides more detail than the original mitigation proposed in the 1996 Final EIR but achieves an equivalent or greater reduction in construction noise, and thus would supersede MMs D1a-D1c.

MM NOI-1 The following noise attenuation measures shall be implemented during construction:

- The construction contractor shall limit all noise producing construction related activities, including haul truck deliveries or warming up and idling of heavy construction equipment, to the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday when work is within 300 feet of occupied dwellings, and to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday when work occurs greater than 300 feet from occupied dwellings. Such activities should be limited to the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. No construction shall be allowed on Sundays and public holidays.
- The construction contractor shall use temporary noise attenuation fences at least 8-feet in height to protect sensitive receptors west of the project site. These fences should be located a maximum of 10-feet from the eastern property line of the residences indicated by receptor locations R-1 and R-2.
- 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 and placed so that emitted noise is directed away from adjacent residences.
- The construction contractor shall ensure 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.
- The construction contractor shall ensure that unnecessary idling of internal combustion engines (i.e., idling in excess of 5 minutes) is prohibited.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.

Long-Term Operational Impacts

Mobile-Source Noise Impacts

Implementation of the project would result in a significant impact if it would expose the project to ambient noise levels in excess of the City’s exterior noise standard of 60 dBA CNEL as measured in the back yard of single family residential land uses.

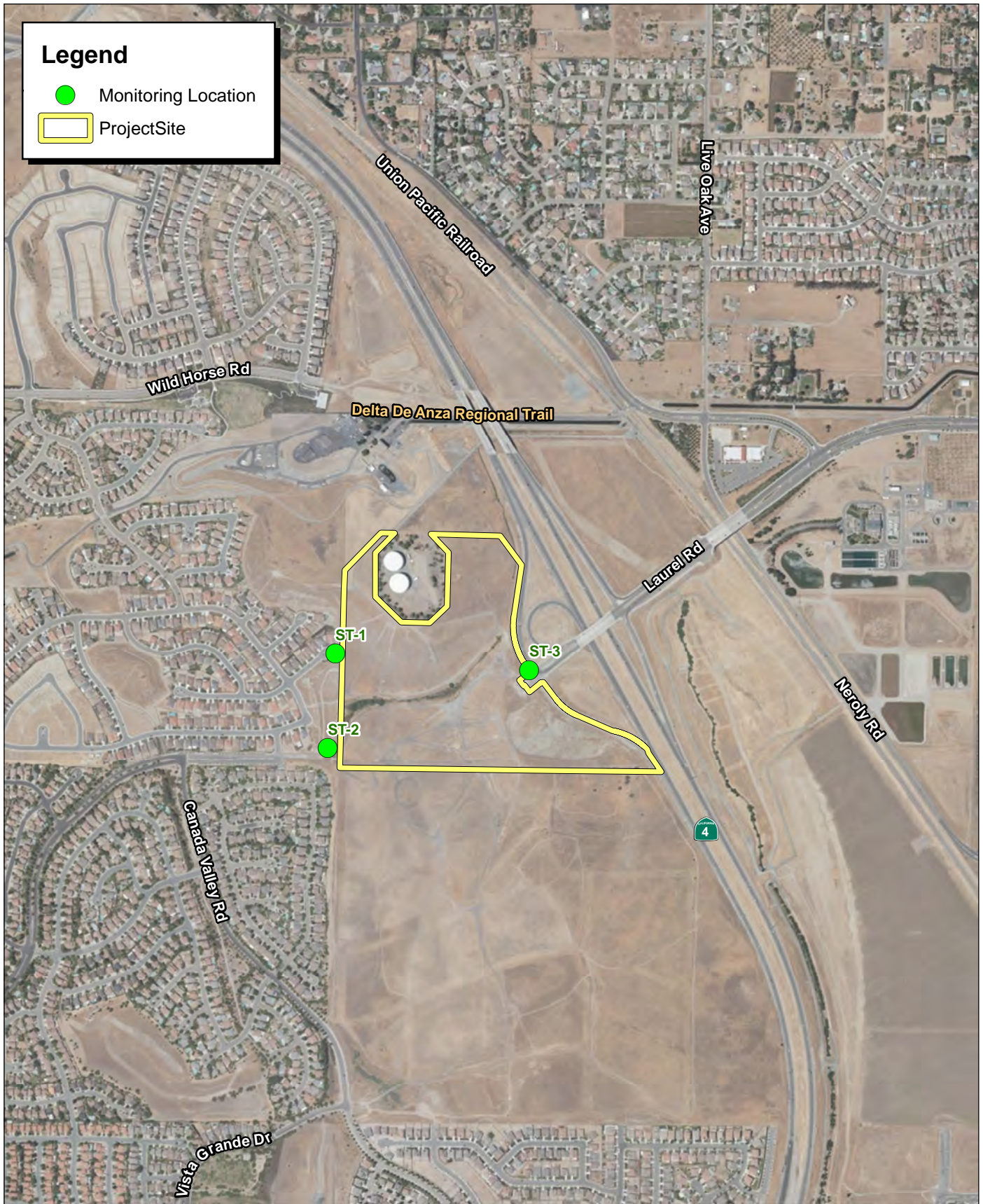
The existing ambient noise environment was documented through the short-term ambient noise measurement effort. Noise measurement locations are shown in Exhibit 7. Measured average ambient noise levels at the project site ranged from 45.4 dBA to 59.6 dBA L_{eq} , with maximum levels of approximately 56 dBA to 69 dBA L_{max} . There are no major noise sources in the project vicinity that would substantially affect the nighttime noise levels above those measured during the daytime peak noise hours. Therefore, the existing noise levels would not exceed the City's standard of 60 dBA CNEL as measured in the back yards of proposed residential units. Consequently, existing noise levels on the project site would result in a less than significant impact on the proposed land use development.

The projected future traffic noise levels adjacent to the project site were also analyzed to determine compliance with the City's noise and land use compatibility standards. Noise from vehicular traffic was modeled using the FHWA Traffic Noise Prediction Model (FHWA-RD-77-108). Site-specific information is entered, such as roadway traffic volumes, roadway active width, source-to-receiver distances, travel speed, noise source and receiver heights, and the percentages of automobiles, medium trucks, and heavy trucks that constitute traffic throughout the day, among other variables. A summary of the traffic noise modeling results are shown in Table 16.

Table 16: Traffic Noise Level Results

Roadway Segment	CNEL (dBA) 50 feet from Centerline of Outermost Lane					
	Existing No Project	Existing + Nearby Project + Project	Increase over Existing No Project (dBA)	Cumulative No Project	Cumulative + Project	Increase over Cumulative No Project (dBA)
Laurel Road—Hillcrest Avenue to Canada Valley Road	60.6	64.6	4.0	68.2	68.3	0.1
Laurel Road—Canada Valley Road to State Route 4 ^a	ND	67.0	ND ¹	69.7	69.8	0.1
Laurel Road—State Route 4 to Neroly Road	69.3	71.0	1.7	70.9	71.0	0.1
Hillcrest Avenue—North of Laurel Valley Road	66.5	66.2	-0.3	71.0	70.8	-0.2
Hillcrest Avenue—South of Laurel Valley Road	65.3	65.1	-0.2	69.9	69.9	0.0
State Route 4—North of Laurel Road	82.6	83.1	0.5	83.3	83.3	0.0
State Route 4—South of Laurel Road	82.1	82.4	0.3	82.1	82.2	0.1
Note: ^a This segment of Laurel Road currently does not exist; thus, noise levels cannot be calculated. Source: FCS, May 2016.						

The traffic noise model results show that projected traffic noise levels along Laurel Road adjacent to the project site would range up to 67.0 dBA CNEL as measured at 50 feet from the centerline of the nearest travel lane under existing plus nearby projects plus project conditions.



Source: ESRI Imagery, 2014



1,000 500 0 1,000 Feet

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Exhibit 7 Noise Monitoring Locations

CITY OF ANTIOCH • LAUREL RANCH SUBDIVISION PROJECT
INITIAL STUDY/ADDENDUM TO PROJECT LEVEL EIR FOR EUA #2 SPECIFIC PLAN

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Traffic noise levels are projected to range up to approximately 69.8 dBA CNEL with implementation of the proposed project under cumulative plus project conditions. At the nearest property line of the proposed residential land uses, these traffic noise levels would attenuate to 65.9 dBA and 68.7 dBA under existing plus project and cumulative plus project conditions, respectively. These noise levels would exceed the City's exterior noise level standards of 60 dBA CNEL as measured within rear yards of single-family residential land uses. With the implementation of a minimum 8-foot-high soundwall (or soundwall/berm combination) along the property lines of all proposed residential lots adjoining Laurel Road, these traffic noise levels would be reduced to below the General Plan residential standard of 60 dBA CNEL, as measured within the rear yards of the single-family residential land uses.

Similarly, projected traffic noise levels along SR-4 would exceed the City's exterior noise level standard of 60 dBA CNEL as measured within rear yards of the nearest proposed residential land uses. Projected traffic noise levels under cumulative plus project conditions would range up to approximately 71 dBA CNEL at the nearest project property line to SR-4. However, with implementation of a minimum 10-foot-high soundwall (or soundwall/berm combination) along the property lines of all proposed residential lots adjoining SR-4 and SR-4 southbound off-ramp, these traffic noise levels would be reduced to below 60 dBA CNEL as measured within the rear yards of the single-family residential land uses.

Therefore, implementation of the Mitigation Measure NOI-2 requiring the construction of soundwalls would reduce potential impacts on the proposed sensitive land uses from traffic noise sources to a less than significant level. MM NO1-2 supersedes Mitigation Measure D2a.

Mitigation Measure D2b provides additional mitigation to bring the indoor CNEL level to 45 dBA.

MM D2b All single-and multi-family housing located within the 60 dBA CNEL contour shall be designed such that the indoor CNEL level shall not exceed 45 dBA. The designs for the housing shall be reviewed by a qualified acoustical engineer and the necessary noise control treatments incorporated into the design. All such units shall be provided with forced air ventilations systems so that windows may be kept closed at the discretion of the occupants for noise control. Additional noise control treatments could include sound-rated windows and doors. A report shall be prepared following the requirements of Title 24, part 2 of the California Administrative Code for all multi-family housing within the 60 CNEL contour distances. A similar report shall be provided for single-family housing to the City of Antioch.

MM NOI-2 The project shall include implementation of a minimum 8-foot-high soundwall (or soundwall/berm combination) along the property lines of all proposed residential lots adjoining Laurel Road. The project shall also include implementation of a minimum 10-foot-high soundwall (or soundwall/berm combination) along the eastern property lines of all proposed residential lots fronting the SR-4 Bypass, and then stepping down to meet the 8-foot-high soundwall for the lots adjoining Laurel Road.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than significant impact. Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. Vibrating objects in contact with the ground radiate vibration waves through various soil and rock strata to the foundations of nearby buildings.

In extreme cases, excessive groundborne vibration has the potential to cause structural damage to buildings. Common sources of groundborne vibration include construction activities such as blasting, pile driving, and operating heavy earthmoving equipment. Construction vibration impacts on building structures are generally assessed in terms of peak particle velocity (PPV). For purposes of this analysis, project related impacts are expressed in terms of PPV. Typical vibration source levels from construction equipment range from 0.001 to 0.210 PPV at a distance of 25 feet.

Of the variety of equipment used during construction, the vibratory rollers that are anticipated to be used in the site preparation phase of construction would produce the greatest groundborne vibration levels. Impact equipment such as pile drivers is not expected to be used during construction of this project. Large vibratory rollers produce groundborne vibration levels ranging up to 0.210 inches per second (in/sec) peak particle velocity (PPV) at 25 feet from the operating equipment.

The nearest off-site receptor to the proposed construction areas where heavy construction equipment would operate is residential land use west of the project on Glasgow Court. This receptor, shown as R-2 in Exhibit 8, is located approximately 85 feet from the nearest construction footprint where heavy construction equipment would potentially operate.

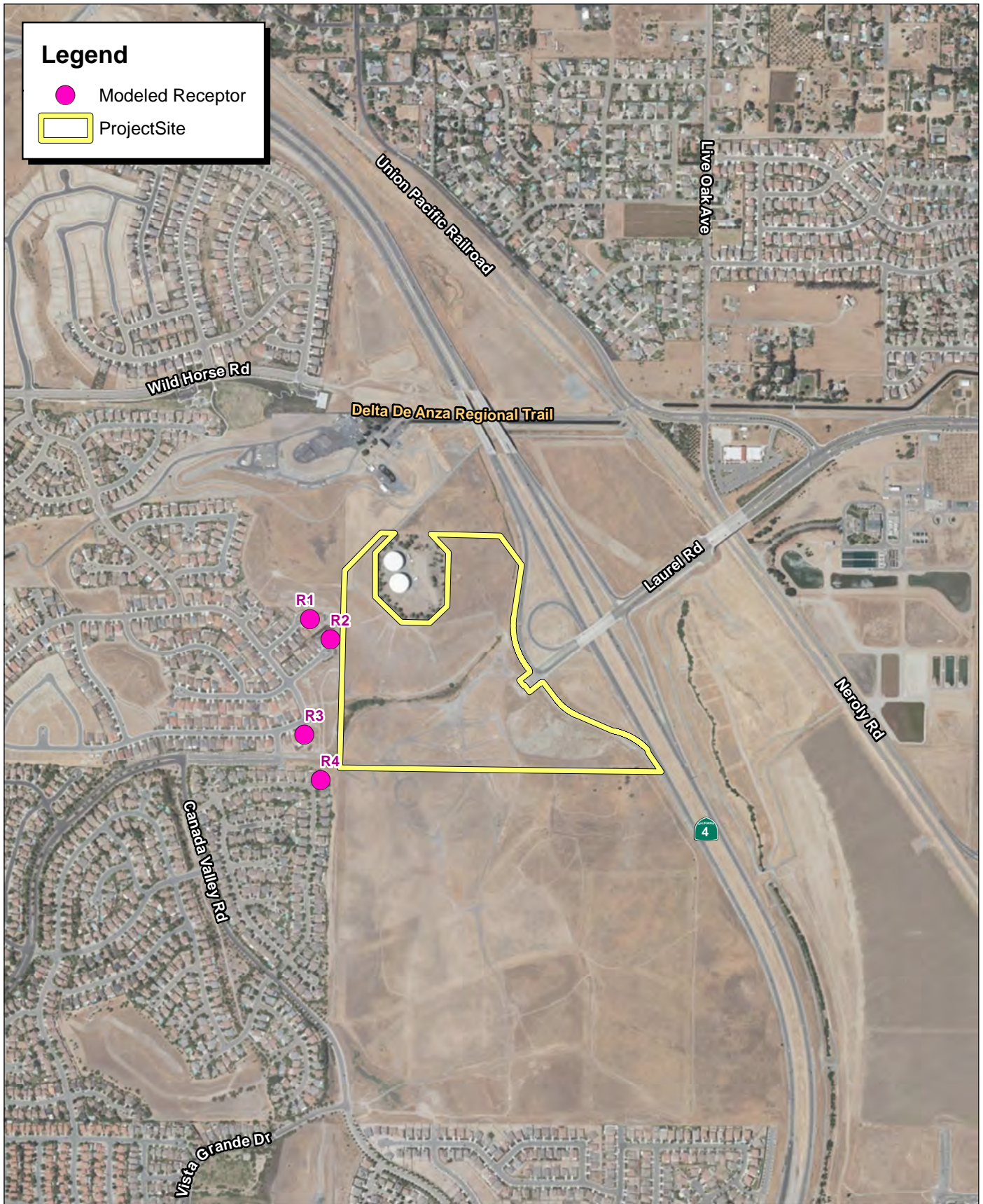
At this distance, groundborne vibration levels could range up to 0.033 PPV from operation of a large vibratory roller. This is below the industry standard vibration damage criteria of 0.2 PPV for residential non-engineered timber framed structures. Therefore, construction-related groundborne vibration impacts would be considered less than significant.

Upon completion of construction, the project would not include any permanent sources of groundborne vibrations. As such, implementation of the proposed project would not expose persons within the project vicinity to excessive groundborne vibration levels. Therefore, project-related groundborne vibration impacts would be considered less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than significant impact. According to the significance criteria of the City of Antioch, a significant impact would occur if the project would result in an audible (3.0 dBA) increase in noise in areas where General Plan noise objectives are already exceeded.

Primary new permanent noise sources associated with implementation of the project would be project related traffic and new stationary noise sources such as new mechanical ventilation systems.



Source: ESRI Imagery, 2014



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Exhibit 8 Modeled Receptor Locations

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INITIAL STUDY/ADDENDUM TO PROJECT LEVEL EIR FOR EJA #2 SPECIFIC PLAN

C103

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As discussed previously, implementation of the proposed project would generate slight increases in traffic noise levels along modeled roadway segments in the project vicinity compared with conditions existing without the project. The greatest increase would occur along the segment of Laurel Road from Hillcrest Avenue to Canada Valley Road. Under the existing plus nearby project plus project conditions, this roadway segment would experience an increase of up to 4 dBA compared with conditions existing without the project. However, existing traffic noise levels along this roadway are below the City's exterior noise level standard of 60 dBA CNEL for receiving single-family residential land uses. This is due to distance attenuation and noise reduction resulting from the existing soundwalls along residential property lines. No other modeled roadway segment would experience increases of 3 dBA or greater with implementation of the project.

Therefore, existing sensitive receptors in the project vicinity would not experience a substantial increase in traffic noise levels with implementation of the proposed project. Therefore, project-related traffic noise level increases would be considered less-than-significant, and impacts would remain the same or less than those identified in the 1996 Final EIR.

Noise levels from project-related stationary noise sources such as operation of new mechanical ventilation equipment could range up to 51 dBA L_{max} as measured at the nearest off-site sensitive receptor. These noise levels are below the City's exterior noise level standard of 60 dBA CNEL for receiving single-family residential land uses. These noise levels are below the measured maximum recorded ambient noise level at this location, ST-1, of 56.5 dBA L_{max} . Therefore, noise levels from new stationary noise sources would not result in a substantial permanent increase in ambient noise levels in the project vicinity compared with conditions existing without the project. Therefore, implementation of the project would result in a less than significant permanent increase in noise levels existing without the project, and impacts would remain the same or less than those identified in the 1996 Final EIR.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than significant impact with mitigation incorporated. Project-related construction activities could result in high intermittent noise levels at the closest noise sensitive land uses surrounding the project site. The modeled construction noise levels for each phase of construction are shown in Table 15. These noise levels would result in increases in daytime ambient noise levels above those existing without the project. However, restricting the permissible hours of construction activities, and by implementing the best management noise reduction techniques and practices outlined in Mitigation Measure NOI-1, would ensure that potential short-term construction noise impacts on sensitive receptors in the project vicinity would be reduced to less than significant, and impacts would remain the same or less than those identified in the 1996 Final EIR.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No impact. The nearest airport to the project site is Byron Municipal Airport, located 10.5 miles to the southeast. This distance precludes the possibility of the proposed project exposing persons residing or working in the project vicinity to excessive aviation noise. No impact would occur.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No impact. There are no private airstrips in the project vicinity. This condition precludes the possibility of the proposed project exposing persons residing or working in the project vicinity to excessive aviation noise. No impact would occur.

Mitigation Measures

Mitigation Measures D2b from the 1996 Final EIR still applies.

The following new or refined mitigation measures are proposed as discussed in this section: Mitigation Measures NOI-1 and NOI-2.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XIII. Population and Housing					
<i>Would the project:</i>					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	NA	No. The proposed project does not involve changes that would result in new impacts associated with growth inducement.	No. There are no new circumstances that would result in new or more severe impacts associated with growth inducement.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of growth inducement.	None.
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?		No. The proposed project does not involve changes that would result in new impacts associated with displacement of housing.	No. There are no new circumstances that would result in new or more severe impacts associated with displacement of housing.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of displacement of housing.	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?		No. The proposed project does not involve changes that would result in new impacts associated with displacement of persons.	No. There are no new circumstances that would result in new or more severe impacts associated with displacement of persons.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of displacement of persons.	

Discussion and Mitigation

The 1996 Final did not address the topic of Population and Housing. The following discussion provides analysis of the current proposal.

Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Less than significant impact. The proposed project would develop 180 dwelling units. Using the City of Antioch's 2015 average household size estimate of 3.25 persons, the proposed project would add 585 persons to the City's population. This figure would represent less than 1 percent of the City's 2015 population estimate of 108,298. Moreover, the project site is within the Antioch city limits and has been contemplated to support urban development since the 1980s; therefore, the addition of the proposed project's residents to the City's population would represent planned growth, not growth inducement. Impacts would be less than significant.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No impact. There are no dwelling units on the project site. This condition precludes the possibility of displacement of housing. No impact would occur.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

No impact. There are no dwelling units on the project site. This condition precludes the possibility of displacement of persons. No impact would occur.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XIV. Public Services					
<i>Would the project :</i>					
a) Fire protection?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on fire protection.	No. There are no new circumstances that would result in new or more severe impacts on fire protection.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of fire protection.	H1
b) Police protection?	NA	No. The proposed project does not involve changes that would result in new impacts on police protection.	No. There are no new circumstances that would result in new or more severe impacts on police protection.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of police protection.	None
c) Schools?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on schools.	No. There are no new circumstances that would result in new or more severe impacts on schools.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of schools.	H3a, H3b, H3c and H3d
d) Parks?	NA	No. The proposed project does not involve changes that would result in new impacts on parks.	No. There are no new circumstances that would result in new or more severe impacts on parks.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of parks.	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
e) Other public facilities?	NA	No. The proposed project does not involve changes that would result in new impacts on other public facilities.	No. There are no new circumstances that would result in new or more severe impacts on other public facilities.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of other public facilities, and impacts would remain the same or less than those identified in the 1996 Final EIR.	None.

Discussion and Mitigation

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?

Less than significant impact. The Contra Costa County Fire Protection District provides fire protection to the City of Antioch. Fire Station No. 88 is located 1.1 miles from the project site at 4288 Folsom Drive, Antioch. Using an average travel speed of 25 miles per hour, it would take a fire engine 2 minutes, 40 seconds to reach the project site. This would be within acceptable response times and, thus, no require new or expanded fire protection facilities. Moreover, the extension of Laurel Drive would be expected to improve emergency responses times by closing a gap in the regional roadway network. Impacts would be less than significant with implementation of MM H1, and impacts would remain the same or less than those identified in the 1996 Final EIR.

MM H1 Projects within the Specific Plan area shall pay CCCFD fees applicable at the time development proceeds. Incorporate CCCFD planning input into project design and approval to ensure that adequate provisions are made for access, water supply, and compliance with Fire Code requirements. Coordinate the timing of development in the Specific Plan area with CCCFD construction and staffing of the new station, in order to prevent excessive response times and the depletion of resources that serve existing development.

b) Police protection?

Less than significant impact. The 1996 EIR did not address police protection. The Antioch Police Department provides police protection to the City of Antioch. The proposed project is located adjacent to an established residential area that is routinely patrolled by police. Standard 3.5.3.1 in the Antioch General Plan requires the staffing ratio for the Antioch PD to be 1.20 to 1.50 officers per 1,000 residents. However, the current Antioch PD staffing ratio is approximately 1.0, which is unacceptable. Although the staffing for the Antioch PD is unacceptable, staffing is not identified as a physical environmental impact. The need to build additional law enforcement facilities, which could cause further environmental impacts is considered a physical environmental impact. The Antioch PD has a state-of-the-art, 67,000-square-foot police facility, located at 300 “L” Street, near the Marina. The police facility features an indoor firing range, weight training and exercise room, spacious locker rooms and a computer aided dispatch system. A new law enforcement facility is not needed to serve the needs of the proposed project’s residents. Impacts would be less than significant.

c) Schools?

Less than significant impact after mitigation. The Antioch Unified School District provides K-12 education to the City of Antioch. Using a standard student generation rate of 0.5 student/dwelling unit, the proposed project would be expected to add 94 students to the School District. The proposed project would provide the school district with development fees in accordance with the latest adopted fee schedule at the time building permits are sought. Government Code Section 65995 prohibits a local agency from either denying approval of a land use project because of inadequate school facilities or imposing school impact mitigation measures other than designated fees. Therefore, payment of development fees to the School District as required by Mitigation Measure H3b would address the proposed project’s impacts on schools and ensure that impacts are less than significant. Impacts would remain the same or less than those identified in the 1996 Final EIR.

MM H3a Accommodate increased enrollment by a variety of strategies, including provision of portable facilities, year-round education, double sessions and construction of new facilities.

MM H3b Require portions of FUA #2 that are within the AUSD to join the current Mello-Roos district or provide an alternate funding mechanism for construction of school facilities.

d) Parks?

Less than significant impact. The proposed project would include two parks: a 10,000-square-foot park containing a play structure, a lawn area, seating, and a 5,200-square-foot sitting park. The development of these park facilities is within the scope of the project and is evaluated in this Initial Study/Addendum. Impacts would be less than significant.

e) Other public facilities?

No impact. The proposed project does not involve the construction of new or expansion of existing other public facilities (libraries, community facilities, etc.). No impact would occur.

Mitigation Measures

Mitigation Measures H1, H3a, and H3b from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XV. Recreation					
<i>Would the project:</i>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	NA	No. The proposed project does not involve changes that would result in new impacts on deterioration of existing park lands.	No. There are no new circumstances that would result in new or more severe impacts on deterioration of existing park lands.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of deterioration of existing park lands.	None.
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	NA	No. The proposed project does not involve changes that would result in new impacts on new or expanded park facilities.	No. There are no new circumstances that would result in new or more severe impacts on new or expanded park facilities.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of new or expanded park facilities.	None.

Discussion and Mitigation

The 1996 Final EIR did not address potential impacts to Recreation. The following discussion provides additional analysis but does not change the conclusions of the 1996 Final EIR.

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less than significant impact. The proposed project would include two parks: a 10,000-square-foot park containing a play structure, a lawn area, seating, and a 5,200-square-foot sitting park. Additionally, the project includes a trail connection to the Delta de Anza Regional Trail, providing residents with easy access to additional recreational opportunities. The development of residential uses on this site was envisioned in the buildout of the General Plan and was analyzed as part of the General Plan EIR. Accordingly, the project would not result in an adverse increase in the use of

existing recreational facilities such that their use would be substantially deteriorated. Impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Less than significant impact. The proposed project would include two parks: a 10,000-square-foot park containing a play structure, a lawn area, and seating, and a 5,200-square-foot sitting park. Additionally, the project includes a trail connection to the Delta de Anza Regional Trail. The development of these recreational facilities is within the scope of the project and is evaluated in this Initial Study/Addendum. Impacts would be less than significant.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XVI. Transportation					
<i>Would the project:</i>					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on measures of effectiveness of transportation.	No. There are no new circumstances that would result in new or more severe impacts on measures of effectiveness of transportation.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of measures of effectiveness of transportation.	B1a–B1c, B2a–B2c, B3, B4a–B4e, B5a–B5f, B6a–B6f, B7a–B7e, B8a–B8e, B9a–B9o, and B10
b) Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for the designated roads or highways?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on congestion management program roadways.	No. There are no new circumstances that would result in new or more severe impacts on congestion management program roadways.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of congestion management program roadways.	B1a–B1c, B2a–B2c, B3, B4a–B4e, B5a–B5f, B6a–B6f, B7a–B7e, B8a–B8e, B9a–B9o, and B10
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety	N/A	No. The proposed project does not involve changes that would result in new impacts on air	No. There are no new circumstances that would result in new or more severe impacts on air	No. No new information has been disclosed pertaining to the proposed project that would require	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
risks?		traffic patterns.	traffic patterns.	additional analysis of air traffic patterns.	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	N/A	No. The proposed project does not involve changes that would result in new impacts on hazards due to a design feature.	No. There are no new circumstances that would result in new or more severe impacts on hazards due to a design feature.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of hazards due to a design feature.	None
e) Result in inadequate emergency access?	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on emergency access.	No. There are no new circumstances that would result in new or more severe impacts on emergency access.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of emergency access.	B16
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Less than significant after mitigation.	No. The proposed project does not involve changes that would result in new impacts on public transit, bicycle, or pedestrian facilities.	No. There are no new circumstances that would result in new or more severe impacts on public transit, bicycle, or pedestrian facilities.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of public transit, bicycle, or pedestrian facilities.	B13, B14, and B19

Discussion and Mitigation

Evaluation of the potential impacts of the currently proposed project is based on the Traffic Impact Analysis for Laurel Ranch, prepared by W-Trans, a traffic engineering and transportation planning consultant. The Traffic Impact Analysis is attached in Appendix C.

Would the project:

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Less than significant impact after mitigation. The 1996 Final EIR did not specifically assess the potential for the project to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. The 1996 Final EIR provided an evaluation of off-site impacts on traffic operation and capacity at different horizon years and a review of on-site circulation issues, which include internal access and circulation, traffic operations and capacity, roadway standards, pedestrian and bicycle circulation, emergency vehicle access and service deliveries, parking, construction impacts and transit. Future traffic operating conditions on study roadways and intersections were evaluated by comparing existing level of service (LOS) results with future LOS results. Aspects of the proposed project concerning access, internal circulation, sight distance, emergency vehicle access, parking, intersection and roadway standards, pedestrian and bicycle circulation and impacts due to construction were evaluated on the basis of commonly accepted traffic engineering standards. Trip generation of the project was calculated using the trip generation equations embedded in the East County Model. The model estimates the amount of different types of travel expected to come from different land uses on a daily basis.

The 1996 Final EIR found that the addition of project traffic would worsen deficient conditions at certain intersections, that the project would deteriorate LOS to unacceptable in certain locations, the new intersection of Sunset Drive Wild/Horse Drive would operate at unacceptable conditions with project traffic, and the project would require a number of intersections to warrant signals. The 1996 Final EIR included several mitigation measures to reduce impacts to a less than significant level (Mitigation Measures B1a–B1c, B2a–B2c, B3, B4a–B4e, B5a–B5f, B6a–B6f, B7a–B7e, B8a–B8e, B9a–B9o, and B10.)

The currently proposed project is smaller in scale than the 1996 project, and, therefore, traffic impacts will be less. The currently proposed project would develop 180 single-family dwelling units on the project site, which is significantly less development than was planned and assessed for this site in the 1996 Final EIR. Table 17 summarizes the trip generation associated with the project. As shown in the table, the proposed project would generate 1,780 daily trips, 140 AM peak-hour trips, and 187 PM peak-hour trips. (Note: the traffic analysis was conducted using an earlier figure of 187 units so presents a more conservative analysis.)

Table 17: Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Proposed											
Single Family Detached Housing	187 du	9.52	1,780	0.75	140	35	105	1.00	187	118	69
Note: du = dwelling unit											

Intersection Operations

Intersection operations were evaluated based on the significance threshold established by the jurisdiction in which they are located or the agency that maintains them. The study area is located in the City of Antioch in Contra Costa County. The East County Regional Transportation Planning Committee, under the Contra Cost Transportation Planning Authority and in conjunction with local agencies, developed the Draft East County Action Plan for Routes of Regional Significance, which establishes objectives for arterial routes. Local agencies, such as the City of Antioch, have adopted the plan and resulting objectives.

In the study area, if one or more legs of the study intersection are ramps for SR-4, the intersection is maintained by Caltrans; otherwise, the intersection falls under the jurisdiction of the City of Antioch. For the intersection of Lone Tree Way/Empire Avenue, the jurisdiction is both the City of Antioch and the City of Brentwood. The Caltrans recommended target LOS is the transition from LOS C to D. The cities of Antioch and Brentwood have the recommended objective target of LOS D.

W-Trans evaluated the proposed project's impacts on intersection operations. Table 18 summarizes Existing (without project) Conditions and Existing Plus Project intersection operations. Note that the Existing Plus Project scenario accounts for the planned extension of Laurel Road from the SR-4 interchange to its current terminus west of the project site, while the Existing Conditions scenario does not. As shown in the table, all intersections would operate at acceptable LOS. Therefore, impacts would be less than significant, and would remain the same or less than those identified in the 1996 Final EIR.

Table 18: Existing and Existing Plus Project Intersection Operations

Study Intersection Approach	Existing Conditions				Existing plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. SR-4 WB Ramps/Hillcrest Ave	7.7	A	8.0	B	7.7	A	8.0	B
2. SR-4 EB Ramps/Hillcrest Ave	26.5	C	25.5	C	26.6	C	25.5	C
3. Hillcrest Rd/Laurel Rd	10.4	B	8.5	A	13.7	B	12.9	A

Table 18 (cont.): Existing and Existing Plus Project Intersection Operations

Study Intersection Approach	Existing Conditions				Existing plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
4. Laurel Rd/Canada Valley Rd	—	—	—	—	9.1	A	8.0	A
5. SR-4 EB Ramps/Laurel Rd	1.4	A	1.0	A	7.8	A	14.4	B
6. SR-4 WB Ramps/Laurel Rd	9.5	A	15.4	B	21.0	C	30.9	C
7. SR-4 EB Ramps/Lone Tree Way	14.7	B	16.3	B	14.7	B	16.3	B
8. SR-4 WB Ramps/Lone Tree Way	8.2	A	10.8	B	8.3	A	10.9	B
9. Lone Tree Way/Empire Ave	15.2	B	18.8	B	15.3	B	18.9	B
10. Laurel Rd/Country Hills Dr	—	—	—	—	4.5	A	4.7	A
Notes: Delay is measured in average seconds per vehicle LOS = Level of Service								

Table 19 summarizes Existing Plus Park Ridge Phase 1 (without project) Conditions (where “Park Ridge Phase 1” refers to the completed Phase 1, of seven phases of the Park Ridge Project) and Existing Plus Nearby Project Plus Project intersection operations. Note that the Existing Plus Nearby Project Plus Project scenario accounts for the planned extension of Laurel Road from the SR-4 interchange to its current terminus west of the project site, as both D Lane and Country Hills Drive—the two access roads into the Laurel Ranch project site—are located along this extension. The Existing Plus Nearby Project scenario would not require this segment of road to be built because access to Phase 1 of the Park Ridge Project is primarily located from Canada Valley Road. Phase 7, the last phase of the Park Ridge project, would primarily be accessed through the Laurel Road extension. As shown in the table, all intersections would operate at acceptable LOS. Therefore, impacts would be less than significant, and would remain the same or less than those identified in the 1996 Final EIR.

Table 19: Existing Plus Park Ridge Phase 1 and Existing Plus Park Ridge Phase 1 Plus Project Intersection Operations

Study Intersection Approach	Existing Plus Nearby Project Conditions				Existing Plus Nearby Project Plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. SR-4 WB Ramps/Hillcrest Ave	7.7	A	8.0	B	7.7	A	8.0	B
2. SR-4 EB Ramps/Hillcrest Ave	26.6	C	25.5	C	26.6	C	25.9	C
3. Hillcrest Rd/Laurel Rd	10.4	B	8.5	A	13.8	B	12.9	A

Table 19 (cont.): Existing Plus Nearby Project and Existing Plus Nearby Project Plus Project Intersection Operations

Study Intersection Approach	Existing Plus Nearby Project Conditions				Existing Plus Nearby Project Plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
4. Laurel Rd/Canada Valley Rd	—	—	—	—	9.6	A	9.0	A
5. SR-4 EB Ramps/Laurel Rd	1.4	A	1.0	A	8.0	A	15.3	B
6. SR-4 WB Ramps/Laurel Rd	9.5	A	15.4	B	22.3	A	32.7	C
7. SR-4 EB Ramps/Lone Tree Way	15.1	B	22.6	B	14.7	B	16.3	B
8. SR-4 WB Ramps/Lone Tree Way	8.3	A	11.1	B	8.3	A	10.9	B
9. Lone Tree Way/Empire Ave	16.0	B	19.6	B	15.7	B	19.0	B
10. Laurel Rd/Country Hills Dr	—	—	—	—	4.5	A	4.7	A
Notes: Delay is measured in average seconds per vehicle LOS = Level of Service								

Table 20 summarizes Cumulative (without project) Conditions and Cumulative Plus Project intersection operations. The Cumulative Conditions represent the projected traffic conditions in the year 2040. This includes the completion of all seven phases of the Park Ridge project as well as the completion of any proposed roadway infrastructure improvements in the study area. Note that both scenarios account for the planned extension of Laurel Road from the SR-4 interchange to its current terminus west of the project site. While the intersections of SR-4 Eastbound Ramps/Hillcrest Avenue and SR-4 Eastbound Ramps/Lone Tree Way would still operate below the desired Caltrans threshold, the intersections would continue to operate acceptably, based on the East County Action Plan. Therefore, impacts would be less than significant, and would remain the same or less than those identified in the 1996 Final EIR.

Table 20: Cumulative and Cumulative Plus Project Intersection Operation

Study Intersection Approach	Cumulative Conditions				Cumulative plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
1. SR-4 WB Ramps/Hillcrest Ave	—	—	—	—	—	—	—	—
2. SR-4 EB Ramps/Hillcrest Ave	13.9	B	51.0	D	13.9	B	51.0	D
3. Hillcrest Rd/Laurel Rd	68.8	E	107.3	F	71.6	E	108.9	F
4. Laurel Rd/Canada Valley Rd	19.6	B	43.7	D	19.9	B	45.4	D

Table 20 (cont.): Cumulative and Cumulative Plus Project Intersection Operation

Study Intersection Approach	Cumulative Conditions				Cumulative plus Project			
	AM Peak		PM Peak		AM Peak		PM Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
5. SR-4 EB Ramps/Laurel Rd	17.4	B	25.4	C	18.8	B	30.3	C
6. SR-4 WB Ramps/Laurel Rd	15.8	B	21.4	C	17.3	B	23.0	C
7. SR-4 EB Ramps/Lone Tree Way	30.2	C	49.7	D	30.3	C	49.7	D
8. SR-4 WB Ramps/Lone Tree Way	13.4	B	21.2	C	13.4	B	21.3	C
9. Lone Tree Way/Empire Ave	18.6	B	27.4	C	18.6	B	27.5	C
10. Laurel Rd/Country Hills Dr	20.3	C	13.9	B	37.6	D	23.2	C
11. Laurel Rd/Slatten Ranch Rd	30.6	C	55.9	E	30.9	C	57.0	E
Notes: Delay is measured in average seconds per vehicle LOS = Level of Service; Bold text = deficient operation								

Queuing

Queuing analysis was performed for the project driveways in order to determine adequacy of turning pocket lengths in reference to projected queue lengths. Analysis for the project driveways were performed under the Cumulative and Cumulative plus project scenarios. As noted in the site plan, there are two project driveways, one is the study signalized intersection of Country Hills Drive/Laurel Road and the second is Laurel Road/D Lane, a side street stop-controlled intersection with only right-in and right-out access, due to the median on Laurel Road.

Under the Cumulative Scenarios, the projected 95th percentile queues in left-turn pockets at the study intersection and the queue at the unsignalized intersection of Laurel Road/D Lane were determined using the SIMTRAFFIC application of Synchro, and averaging the projected 95th percentile queue for each of five runs. The 95th percentile queue represents the peak of the peak, or queues that only have a 5 percent chance of being exceeded. The estimated available storage lengths for the intersections are all approximations based on the site plan for the project. Summarized in Table 11 of the Traffic Impact Analysis (Appendix C) are the predicted queue lengths for approaches to intersections where queues are expected to exceed the existing available storage capacity. The results of the 95th percentile queuing analysis indicate that the estimated available storage lengths, as proposed, would be adequate to accommodate future volumes in addition to proposed Laurel Ranch and Park Ridge project traffic volumes. Impacts would be less than significant.

Alternative Access 2

As part of the Davidon Homes (Park Ridge Subdivision) Addendum to the Project Level EIR, the intersection of D Lane-Treeline Way/Laurel Road had no turning movement restrictions and was analyzed with stop-controlled side streets. Based on the significance criterion for unsignalized

intersections, it did not meet this signal warrant and as such would not result in a significant impact. It was determined that if the intersection were to be signalized, it would operate at an acceptable LOS.

An alternative access was analyzed in which the Laurel Road median would be designed to allow westbound left turns into the Park Ridge project directly to the south of D Lane. The queuing analysis, shown in Table 21 for the proposed left-turn pocket indicated that there would be sufficient length to accommodate the projected queues from the Park Ridge Project.

Table 21: Queuing Summary

Intersection Approach	Estimated Available Storage	95 th Percent Queues			
		AM Peak Hour		PM Peak Hour	
		C	C+P	C	C+P
Laurel Rd/D Lane					
WB Left-Turn	200*	36	52	75	68
Notes: 95 th Percent Queue based on the calculated potential from five averaged SIMTRAFFIC runs * = Estimates of storage length based on potential space according to site plan, measured in feet C = Cumulative Conditions; C+P = Future plus Project Conditions					

According to the queuing calculations, there would be adequate space in the proposed Laurel Road median to incorporate a left-turn pocket at the intersection of Laurel Road and D Lane (Treeline Way). (While the median can accommodate a storage length of approximately 200 feet, the queuing calculations indicate that the storage length could be shorter, if desired). Impacts would be less than significant from queuing at either the study intersections or the alternative design of the intersection of Laurel Road and D Lane (Treeline Way), and impacts would remain the same or less than those identified in the 1996 Final EIR.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Less than significant impact after mitigation. As noted previously, the 1996 Final EIR included several transportation-related mitigation measures to reduce impacts to a less than significant level (Mitigation Measures B1a–B1c, B2a–B2c, B3, B4a–B4e, B5a–B5f, B6a–B6f, B7a–B7e, B8a–B8e, B9a–B9o, and B10.)

The currently proposed project is smaller in scale than the project assessed in the 1996 Final EIR, and, therefore, impacts will be lessened. According to the East County Action Plan, one of the Multimodal Transportation Service Objectives is delay index for all freeway segments in East County. However, following the CCTA Final Technical Procedures (2013), the threshold for analysis of freeway Multimodal Transportation Service Objectives would not be satisfied. As stated, “when the proposed project adds more than 50 net new peak-hour vehicle trips to a freeway ramp, then the impact of the project on freeway Multimodal Transportation Service Objectives should be

evaluated.” Therefore, because the proposed project would not add more than 50 net new peak-hour trips to any one of the ten freeway ramps from the five study intersections under the Cumulative scenario, the freeway Multimodal Transportation Service Objectives were not required to be analyzed and impacts would be consider *de minimis*. Impacts would be less than significant, and would remain the same or less than those identified in the 1996 Final EIR.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No impact. The 1996 Final EIR did not assess impacts resulting in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

The nearest airport to the project site is Byron Municipal Airport, located 10.5 miles to the southeast. This distance precludes the possibility of the proposed project changing air traffic patterns at Byron Municipal Airport. No impact would occur.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than significant impact. The 1996 Final EIR did not specifically assess whether the project would substantially increase hazards due to a design feature or incompatible uses. The currently proposed project is much smaller than the 1996 project, and, therefore, impacts will be less. The project includes the extension of Laurel Road from the SR-4 interchange to its current terminus west of the project site. The Laurel Road extension would provide a roadway section ranging from 104 to 112 feet in width with a center median and two through lanes in each direction. Left-turn lanes would be provided at the two new intersections on this segment to separate left turning movements from through movements. In addition, the two new intersections would consolidate and align the residential access points at these locations, thereby avoiding creating potentially unsafe configurations involving offset or closely spaced access points into each residential development. As such, the proposed project would not increase roadway safety hazards associated with design features or incompatible uses. Impacts would be less than significant.

e) Result in inadequate emergency access?

Less than significant impact. The 1996 Final EIR identified that site planning for the Specific Plan area needs to provide for emergency vehicle access and service delivery facilities. Specific project layout and circulation planning had not yet reached a stage at which compliance with City of Antioch public works and fire standards could be verified. The EIR noted that unless adequately addressed in subsequent plans, this would be a significant impact.

The currently proposed project includes the extension of Laurel Road from the SR-4 interchange to its current terminus west of the project site that would close a gap in the regional roadway network. This would serve to improve emergency access in the project vicinity. Additionally, all internal roadways would comply with the latest adopted edition of California Fire Code. Therefore, the

proposed project would provide adequate emergency access. Impacts would be less than significant.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Less than significant impact after mitigation. For the 1996 Final EIR, pedestrian or bicycle paths had not yet been specified for the project, but incorporation of the Mitigation B13 and B14 has resulted in adequate bike and pedestrian connections.

Tri-Delta Transit Route 380 currently stops on Laurel Road west of the project site. The extension of Laurel Road to SR-4 would be expected to result in the introduction of bus service on this segment of the road in the future. Additionally sidewalks would be installed along Laurel Road and along the internal streets. Finally, a trail connection between the project and the Delta de Anza Regional Trail would be provided. In summary, the proposed project would be accessible to public transit, bicycles, and pedestrians. Impacts would be less than significant.

Mitigation Measures

Mitigation Measures B1a–B1c, B2a–B2c, B3, B4a–B4e, B5a–B5f, B6a–B6f, B7a–B7e, B8a–B8e, B9a–B9o, and B10 from the 1996 Final EIR still apply.

No new or refined mitigation measures are proposed.

Mitigation Measures B1a–B1c The following intersection improvements would be needed to mitigate deficient conditions to an acceptable level:

- B1a—Lone Tree Way/James Donlon Blvd.
 - Add 2nd eastbound right-turn lane or channelized “free-right” and 2nd northbound left-turn lane.
- B1b—Lone Tree Way/Fairview Ave.
 - Will operate at acceptable conditions with planned year 2010 widenings.
- B1c—Lone Tree Way/Dallas Ranch Rd.
 - Add exclusive eastbound right-turn lane.

Mitigation Measures B2a–B2c The following intersection improvements would be needed to mitigate deficient conditions to an acceptable level:

- B2a—SR4 eastbound ramps/Lone Tree Way
 - Add 2nd eastbound right-turn lane or channelized “free-right.”
- B2b—Sunset Drive/Laurel Rd.
 - Add 2nd southbound left-turn lane.
- B2c—Deer Valley Rd./Lone Tree Way
 - Add exclusive eastbound right-turn lane.

- Mitigation Measure B3** This intersection will operate-at acceptable conditions with planned 2010 widenings.
- Sunset Drive/Wild Horse Drive
- Mitigation Measures B4a–B4e** Signalize intersections:
- Deer Valley Rd./Balfour Rd.
 - Sand Creek Rd./Lone Tree Way
 - Fairview Ave./Sand Creek Rd.
 - O’Hara Ave./Lone Tree Way
 - Empire Ave./Lone Tree Way
- Mitigation Measures B5a–B5f** Signalize intersections:
- Sunset Drive/Lone Tree Way
 - Empire Ave./Laurel Rd.
 - Canada Valley Rd./Lone Tree Way
 - Sunset Dr./Laurel Rd.
 - Sunset Dr./Wild Horse Drive
 - Lone Tree Way/Regional Commercial
 - Use Driveway
- Mitigation Measures B6a–B6f** The following intersection improvements would mitigate deficient conditions to an acceptable level:
- B6a SR 4 westbound ramps/Lone Tree Way
 - Add 2nd northbound left-turn lane
 - B6b SR 4 westbound ramps/Hillcrest Ave.
 - Add 2nd northbound left-turn lane
 - B6c SR 4 eastbound ramps/Hillcrest Ave.
 - Channelized “Free-Right” and exclusive northbound right-turn lane
 - B6d Lone Tree Way/James Donlon Blvd.
 - Add exclusive eastbound right-turn lane and 2nd northbound left-turn lane
 - B6e Dallas Ranch Road/Lone Tree Way
 - Add exclusive eastbound right-turn lane and 2nd northbound left-turn lane
 - B6f Hillcrest Ave./Lone Tree Way
 - Add exclusive southbound and westbound right-turn lanes

- Mitigation Measures B7a–B7e** The following intersection improvements would be needed to mitigate deficient conditions to an acceptable level:
- B7a Deer Valley Rd./New Sand Creek Rd
 - Add exclusive southbound right-turn lane and 2nd eastbound left-turn lane
 - B7b Deer Valley Rd./Lone Tree Way
 - Add exclusive eastbound and northbound right-turn lanes
 - B7c Dallas Ranch Rd./New Sand Creek Rd.
 - Add 2nd southbound left-turn lane
 - B7d Hillcrest Ave./Laurel Ave
 - Add exclusive eastbound right turn lane
 - B7e Dallas Ranch Rd./Lone Tree Way
 - See Mitigation Measure B6
- Mitigation Measures B8a–B8e** Signalize intersections
- Lone Tree Way/Sand Creek Rd.
 - Empire Ave./Laurel Rd.
 - O’Hara Ave./Lone Tree Way
 - Sunset Drive/Laurel Rd.
 - Dallas Ranch Rd./Lone Tree Way
- Mitigation Measures B9a-B9o** Signalize intersections
- Deer Valley Rd./New Rd.
 - Sunset Drive/Lone Tree Way
 - Canada Valley Rd./Lone Tree Way
 - Dallas Ranch Rd./New Sand Creek Rd.
 - Hillcrest Ave./New Sand Creek Rd.
 - New Sand Creek Rd./Kaiser Driveway
 - New Sand Creek Rd./Zone 451 Residential Access
 - New Sand Creek Rd./South Dallas Ranch Rd.
 - New Sand Creek Rd./Zone 453 Residential Access
 - Dallas Ranch Rd./Zone 434 Residential Access
 - Deer Valley Rd./Kaiser Access
 - Deer Valley Rd./Zones 434/455 Residential Access
 - Hillcrest Ave./Zones 21:59/460 Residential Access
 - Lone Tree Way/Regional Commercial Driveway
 - Lone Tree Way/Regional Commercial Driveway
- MM B10** Address in subsequent plans. (Access to on-site commercial and employment areas has not yet been developed.)

MM B11, B12, B13	Intersections, roadways, sidewalks and bike lanes will be designed in subsequent plans to meet City standards.
MM B14	Address in subsequent plans. (Provision for bicycle parking, showers in employment centers and other facilities to encourage bicycle use, and bicycle connections to adjacent development are not yet specified for the project.)
MM B15, B16, B17	Address in subsequent plans. (School pedestrian access, emergency vehicle access and parking are not yet specified for the project.)
MM B18	Develop a detailed construction traffic plan.
MM B19	There are two factors that will improve the transit accessibility of the project: (1) The project should be designed to allow for ready access to arterial and collector streets by pedestrians. This means that cul-de-sacs that back onto arterial and collector streets should have a pedestrian/bicycle link between the cul-de-sac and the main road. (2) Bus turnouts and passenger shelters should be provided on major Streets to accommodate future transit service. Transit routes will need to be addressed in subsequent plans.
MM B20	Implement incentives for employment bearing land uses to help assure that employment in FUA #2 will be established in the same general time frame as housing.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XVII. Utilities and Service Systems					
<i>Would the project:</i>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	NA	No. The proposed project does not involve changes that would result in new impacts on wastewater treatment requirements.	No. There are no new circumstances that would result in new or more severe impacts on wastewater treatment requirements.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of wastewater treatment requirements.	None.
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	NA	No. The proposed project does not involve changes that would result in new impacts associated with new water or wastewater treatment facilities.	No. There are no new circumstances that would result in new or more severe impacts associated with new water or wastewater treatment facilities.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of new water or wastewater treatment facilities.	None.
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	NA	No. The proposed project does not involve changes that would result in new impacts on stormwater drainage facilities.	No. There are no new circumstances that would result in new or more severe impacts on stormwater drainage facilities.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of stormwater drainage facilities.	None.
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded	NA	No. The proposed project does not involve changes that would result in new impacts on	No. There are no new circumstances that would result in new or more severe impacts on	No. No new information has been disclosed pertaining to the proposed project that would require	None.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
entitlements needed?		water supply.	water supply.	additional analysis of water supply.	
e) Result in inadequate wastewater treatment capacity to serve the project's projected demand in addition to the provider's existing commitments?	NA	No. The proposed project does not involve changes that would result in new impacts on wastewater treatment capacity.	No. There are no new circumstances that would result in new or more severe impacts on wastewater treatment capacity.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of wastewater treatment capacity.	None.
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	NA	No. The proposed project does not involve changes that would result in new impacts on landfill capacity.	No. There are no new circumstances that would result in new or more severe impacts on landfill capacity.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of landfill capacity.	None.
g) Comply with federal, state, and local statutes and regulations related to solid waste?	NA	No. The proposed project does not involve changes that would result in new impacts on statutes and regulations related to solid waste.	No. There are no new circumstances that would result in new or more severe impacts on statutes and regulations related to solid waste.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of statutes and regulations related to solid waste.	None.

Discussion and Mitigation

The 1996 Final EIR did not evaluate the provision of utilities and service systems using the current Environmental Checklist. The following discussion is provided to expand upon those topics but does

not change the 1996 Final EIR's conclusion that there would be no significant impact to utilities and service systems after mitigation.

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less than significant impact. Delta Diablo Sanitation District provides wastewater treatment to the City of Antioch, City of Pittsburg, and the unincorporated community of Bay Point. The Delta Diablo wastewater treatment plant has a treatment capacity of 16.5 million gallons per day and is in compliance with all applicable water quality permits. The proposed project would demand 108,225 gallons of potable water per day, with indoor water use representing an estimated 40 percent of this figure (45,000 gallons). If it were assumed that all 45,000 gallons represented the amount of effluent generated by the proposed project, it would represent less than 1 percent of the treatment capacity at the plant. Impacts would be less than significant.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No impact. The proposed project would be served with potable water provided by the City of Antioch and wastewater treatment provided by Delta Diablo Sanitation District. Both agencies have sufficient treatment capacity to serve the proposed project and, therefore, new or expanded facilities are not required. No impact would occur.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less than significant impact. The proposed project would install an on-site stormwater collection system consisting of catch basins, inlets, underground piping, and stormwater basins. The system would be designed to detain runoff during a stormwater event and regulate the discharge of runoff into the municipal storm drainage system at a rate less than the pre-development condition of the site. This would ensure that runoff leaving the project site would not inundate downstream drainage facilities. Thus, no new or expanded storm drainage facilities would be required to serve the proposed project. Impacts would be less than significant.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less than significant impact. The City of Antioch provides potable water service to businesses and residents in the city limits. The City's 2010 Urban Water Management Plan projected that the City's water supplies would total 31,062 acre-feet in 2015. Using the Urban Water Management Plan per capita water use rate of 185 gallons per day, the proposed project's 585 residents would demand 108,225 gallons per day or 127 acre-feet annually. This latter figure represents less than 1 percent of the City's 2015 water supply total. Impacts would be less than significant.

- e) **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Less than significant impact. The Delta Diablo wastewater treatment plant has a treatment capacity of 16.5 million gallons per day and is in compliance with all applicable water quality permits. The proposed project would demand 108,225 gallons of potable water per day, with indoor water use representing an estimated 40 percent of this figure (45,000 gallons). If it were assumed that all 45,000 gallons of indoor use represented the amount of effluent generated by the proposed project, it would represent less than 1 percent of the treatment capacity at the plant. Impacts would be less than significant.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Less than significant impact. Solid waste from Antioch is disposed of at various landfills in the region including Altamont Sanitary Landfill, Vasco Road Landfill, and Keller Canyon Landfill. Collectively, these facilities have more than 117 million cubic yards of remaining capacity. Using a waste generation rate of 2.55 cubic yards/dwelling unit/year, the proposed project would generate 405 cubic yards of solid waste annually. This would represent less than 0.01 percent of the remaining capacity at the three landfills. Impacts would be less than significant.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Less than significant impact. The proposed project's residential uses would be served with curbside solid waste, green waste, and recycling services provided by Republic Services. As such, the proposed project would comply with state objectives concerning waste diversion. Impacts would be less than significant.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
XVIII. Mandatory Findings of Significance					
<i>Would the project:</i>					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?		No. The proposed project does not involve changes that would result in new impacts associated with degrading the quality of the environment, substantially reducing the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, reducing the number or restrict the range of a rare or endangered plant or animal, or eliminating important examples of the major periods of California history or prehistory.	No. There are no new circumstances that would result in new or more severe impacts associated with degrading the quality of the environment, substantially reducing the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, reducing the number or restrict the range of a rare or endangered plant or animal, or eliminating important examples of the major periods of California history or prehistory.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of degrading the quality of the environment, substantially reducing the habitat of a fish or wildlife species, causing a fish or wildlife population to drop below self-sustaining levels, threatening to eliminate a plant or animal community, reducing the number or restrict the range of a rare or endangered plant or animal, or eliminating important examples of the major periods of California history or prehistory.	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively		No. The proposed project does not involve changes that would result in	No. There are no new circumstances that would result in new or more severe	No. No new information has been disclosed pertaining to the proposed project that	

Environmental Issue Area	Conclusion in 1996 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	1996 EIR Mitigation Measures
considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		new impacts associated with cumulatively considerable impacts.	impacts associated with cumulatively considerable impacts	would require additional analysis of cumulatively considerable impacts	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings?		No. The proposed project does not involve changes that would result in new impacts associated with environmental effects that will cause substantial adverse effects on human beings.	No. There are no new circumstances that would result in new or more severe impacts associated with environmental effects that will cause substantial adverse effects on human beings.	No. No new information has been disclosed pertaining to the proposed project that would require additional analysis of environmental effects that will cause substantial adverse effects on human beings.	

Discussion and Mitigation

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Less than significant impact with mitigation. The proposed project may result in several impacts associated with biological resources and cultural resources that would be significant if left unmitigated. Mitigation Measures BIO-1 through BIO-8 plus Mitigation Measures J1, J2, and K1b above would fully mitigate all potential impacts to levels of less than significant. With the implementation of these mitigation measures, the proposed project would have less than significant impacts.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than significant impact. All cumulative impacts related to air quality, noise, and traffic are either less than significant after mitigation or less than significant and do not require mitigation. Given the size of the project and its impacts and mitigation measures, the incremental effects of this project are not considerable relative to the effects of past, current, and probably future projects. As discussed previously, the project does not have a significant cumulative traffic impact. Therefore, the proposed project would not result in cumulatively considerable impacts on these areas. Impacts would be less than significant.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than significant impact. All impacts identified in this Initial Study/Addendum are either less than significant after mitigation, or less than significant and do not require mitigation. Therefore, the proposed project would not result in environmental effects that cause substantial adverse effects on human beings either directly or indirectly. Impacts would be less than significant.

Mitigation Measures

None.

Conclusion

The conclusions from the 1996 Final EIR remain unchanged when considering the development of the proposed project.

SECTION 4: REFERENCES

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ATTACHMENT “D”

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APR 29 2015

CITY OF ANTIOCH
COMMUNITY DEVELOPMENT

LAUREL RANCH

Project Description

Introduction:

Strack Farms Land, LLC (Richland) is proposing to develop a 54-acre single-family residential community consisting of 187 dwelling units in the City of Antioch, known as *Laurel Ranch*.

Property Description:

Laurel Ranch is currently a vacant 54 acre parcel located at the northwest corner of Highway 4 Bypass and Laurel Road interchange. The property's rolling terrain is bisected by a man-made non-jurisdictional drainage ditch that flows from west to east. The ditch currently conveys storm water and nuisance runoff from the adjacent residential community to the west.

Existing surrounding land uses are:

- North – Vacant and Public /Quasi-Public
- East – Highway 4 Bypass
- South – Vacant
- West – Residential

Future surrounding land uses are:

- North – Public/Quasi-Public
- East – Highway 4 Bypass
- South – Residential
- West – Residential

Previous Entitlement:

The property was previously entitled by the Bixby Company in 2005 for 209 dwelling units. The 2005 approvals included two single-family detached residential product types, including both Motor Court and Z-Lot products. A Final Map was never recorded and the original Tentative Tract Map has since expired.

Project Description:

Land use For Laurel Ranch is guided by the East Lone Tree Specific Plan (ELTA) which was adopted in May 1996. The project site's land use designation in the ELTA is a combination of Residential High, Residential Low, and Open Space. Consistent with the land uses and the prescribed densities in the ELTA, Richland is proposing 187 dwelling units within two distinct single-family detached residential neighborhoods, *Conventional* and *Private Lane*.

Conventional Neighborhood

This neighborhood has 93 homes and proposed to have a minimum lot size of 4,000 sq. ft, with minimum dimensions of 50' (width) and 80' (depth). There will be a mix of single and two story

homes that are expected to range from approximately 1,750 to 2,800 sq. ft. Density for this neighborhood is approximately 5.8 DU/Acre.

Private Lane Neighborhood

This neighborhood has 94 homes, which are typically arraigned in six-unit groupings. Each lot fronts onto a short private lane that takes access to the lots off of the public streets. A minimum lot size of 2,580 sq. ft. is proposed, providing each home with individual driveways, and private side & rear yards for personal use. The two-story homes are expected to range in size from 1,800 to 2,100 sq. ft. Density for this neighborhood is approximately 10.1 DU/Acre.

The two neighborhood/product types chosen for the project allow for a diverse community, which will appeal to several household types and income levels. The wide range of home square footages and lot sizes/configurations seek to meet the demand for housing in the Antioch area (ie: First Time homebuyers, Young Couples, growing families and Move-down empty-nesters).

The community will offer residents with one 10,000 SF park containing a play structure, a lawn area, and traditional park furniture. Another 5,200 SF sitting park that will provide residents with a small lawn area and park furniture for an informal gathering area. From this small pocket park, there will be a trail connection from the park to the future regional trail that will be constructed with Laurel Ranch and it will parallel the projects western boundary. The regional trail is a component of the ELTA and it provide a link between Laurel Road and the Delta De Anza trail, which is a part of the East Bay Regional Park District trail system. The proposed parks and trail amenities will provide residents with recreation opportunities as well as allow neighbors to socialize and recreate in a safe environment. Guests who visit Laurel Ranch will be greeted with an abundance of guest parking, as the current plan provides 230 off-street guest parking spaces, which exceeds the City's parking requirements by 43 spaces.

Laurel Ranch will have a Homeowners Association (HOA) that will be responsible for maintenance of the common areas (parks, landscaped medians, and internal streets), storm water (C3) facilities, and the enforcement of the Covenants, Conditions & Restrictions (CC&R's). A professional and reputable HOA management company will be selected to manage the HOA and will be helpful in maintaining a quality community. The HOA will be funded by Laurel Ranch residents only.

Offsite Infrastructure:

Laurel Ranch will be responsible for completing the design and construction of Laurel Road, extending the street eastward to Highway 4. The project could potentially contribute approximately \$2.8M towards the completion of Slatten Ranch Road. The total Slatten Ranch Road contribution, the method of payment, and timing are subject to future discussions with the City. The project will also pay into the City's Development Impact Fee (DIF) program. Of these obligations, the completion of Laurel Ranch is paramount, seeing that it will provide the necessary linkage to Highway 4 Bypass from existing residential areas west of the project site.

Entitlements & CEQA:

The proposed entitlements being sought for Laurel Ranch include:

1. Planned Development
2. Vesting Tentative Tract Map
3. Design Guidelines

An initial study will be required to determine the scope of the environmental analysis under CEQA. However, it is likely the project will require an Addendum to the originally certified ELTA Environmental Impact Report (EIR). The proposed land plan contemplates two Lot Line Adjustments (LLA's) between Richland and Contra Costa Water District, and another LLA with Diablo Water District.

Conclusion:

Laurel Ranch is proposed to be a high-quality community and will provide opportunity for 187 new homes in the City of Antioch. The project will provide the much-needed construction of the missing segment of Laurel Road easterly to Highway 4 and take the implementation of the East Lone Tree Specific Plan one significant step further. While the project follows the original intent of the Specific Plan, it makes improvements in product type and lowers overall density. Richland is confident in the merits of the proposed project and is excited to be developing in the City of Antioch.