



STAFF REPORT TO THE ANTIOCH PLANNING COMMISSION

DATE: Regular Meeting of November 20, 2024

SUBMITTED BY: Kevin Scudero, Acting Community Development Director
Cindy Gnos, Contract Planner, Raney Planning & Management, Inc.

SUBJECT: Albers Ranch Project (GP-19-04, MDP-19-01)

REQUESTS

The project applicant, Lucia Albers, is seeking approval of the Albers Ranch Project, consisting of 294 single-family units, future development of an assisted living facility, and neighborhood commercial uses and 49.1 acres of open space. Necessary entitlements from the City of Antioch include the following:

1. *The Albers Ranch at Sand Creek Project Environmental Impact Report.* Pursuant to the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) was prepared to evaluate the potential impacts to the environment associated with implementation of the proposed project.
2. *General Plan Amendment.* The proposed project would require approval of a General Plan text and map amendment to the Sand Creek Focus Area of the General Plan to change the land use designations of the site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential (MLDR)/Open Space and Commercial/Open Space. A text amendment to the Sand Creek Focus Area of the General Plan would also be required to add the Albers Ranch Sub Area to the Sand Creek Focus Area.
3. *Master Development Plan/Rezone.* The proposed project would require a rezone from Study Zone (S) to Hillside Planned Development (HPD), subject to a Master Development Plan. The Master Development Plan and HPD would establish the development standards applicable to the project site.
4. *Vesting Tentative Subdivision Map.* The proposed project includes a Vesting Tentative Subdivision Map to subdivide the 96.5-acre project site into 294 single-family residential lots (31.2 acres), 13.2 acres of private roadway improvements, 3.0 acres for the assisted living facility and neighborhood commercial, and 49.1 acres for parks, open space, recreation, and water quality/detention purposes.
5. *Resource Management Plan.* Pursuant to Section 4.4.6.7(t) of the City of Antioch General Plan, the applicant will prepare a Resource Management Plan for City approval.

In addition to approvals from the City of Antioch, the proposed project may require approvals/permits from the following State, federal, or local agencies:

- Bay Area Air Quality Management District (BAAQMD);
- California Department of Fish and Wildlife (CDFW);
- California Division of Safety of Dams (DSOD);
- Central Valley Regional Water Quality Control Board (RWQCB);
- Contra Costa County Flood Control and Water Conservation District (CCCFCD);
- U.S. Army Corps of Engineers (USACE); and
- U.S. Fish and Wildlife Service (USFWS).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Adopt the resolution recommending City Council certification of the Albers Ranch Project EIR, adopting findings of fact and statement of overriding considerations, and adopting the mitigation monitoring and reporting program.
2. Adopt the resolution recommending City Council approval of a General Plan Amendment to amend the City of Antioch General Plan (GP-19-04).
3. Adopt the resolution recommending City Council approval of an ordinance rezoning the property to HPD and adopting the Master Development Plan (MDP-19-01).
4. Approve the resolution recommending City Council approval of a Vesting Tentative Subdivision Map and a Resource Management Plan.

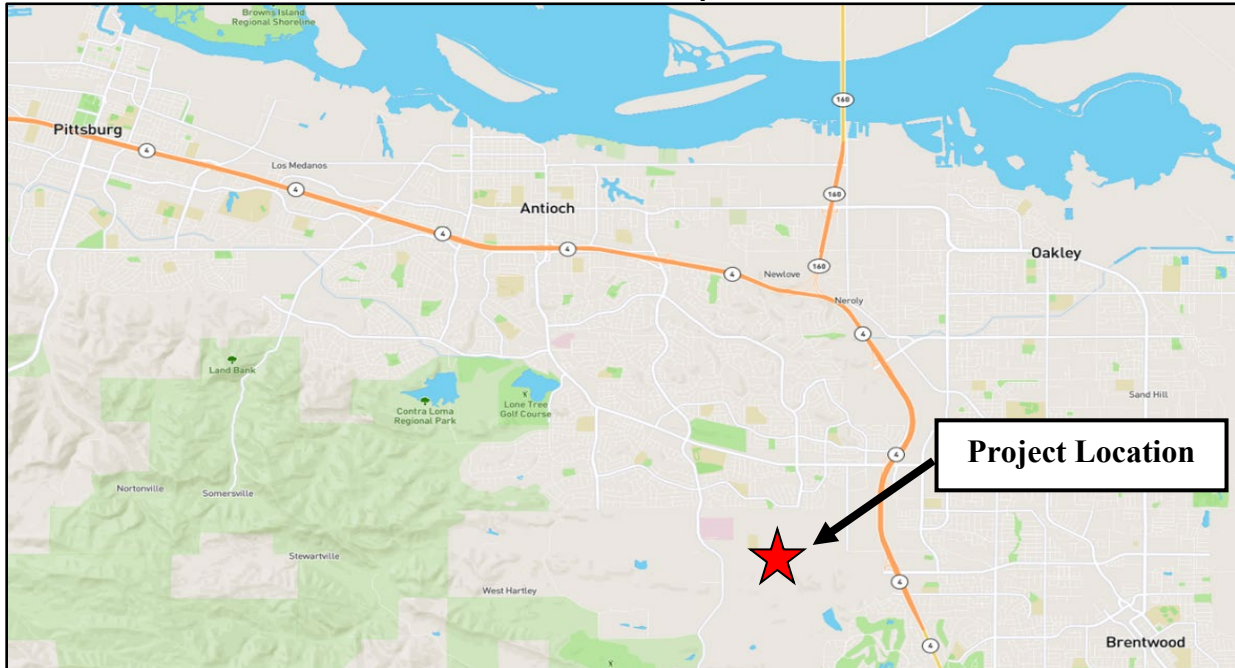
SITE LOCATION

The project site consists of approximately 96.5 acres and is located southeast of the future extension of Sand Creek Road in the southeastern portion of the City of Antioch. The site is identified by Assessor's Parcel Numbers (APNs) 057-042-006 and 057-050-021. The project is bordered by Sand Creek, a tributary to Marsh Creek, along the northern border of the site and a reach of Sand Creek extends through the western portion of the project site. The City of Antioch/Contra Costa County line borders the site to the south.

BACKGROUND

The project site is within the 2,700-acre Sand Creek Focus Area formerly known as FUA-1 located in the southern portion of the City of Antioch. The Sand Creek Focus Area of the General Plan contains lands designated by the Antioch General Plan for open space, residential, commercial, and mixed-use development. Per the City's General Plan, the majority of the site is designated Hillside, Estate and Executive Residential/Open Space, while the western portion of the site, alongside Deer Valley Road, is designated Commercial/Open Space. The project site is zoned S allowing for uses that have otherwise been allowed under the previous county zoning designations. The S zone is an interim zone which the City's General Plan directs be updated or revised either by one or more specific plans or master development plans when a site within the Sand Creek Focus Area is proposed for development. The City Council adopted an Alternate Planning Process for the Sand Creek Focus Area, which requires the submittal of a rezone to Planned Development, including submittal of a Master Development Plan.

Location Map



Project Location



Currently, the project site is undeveloped, consisting primarily of dry-farmed wheat, regularly disked, with native grassland areas and non-native vegetation. A reach of Sand Creek extends through the western portion of the project site, with an existing culvert under an unimproved private access road.

The topography of the site is defined by two large knolls within the western and northeastern portions of the site. Elevations on the project site range from approximately 324 feet above mean sea level (msl) at the top of the western knoll, to 175 feet at the southeastern corner of the site. It should be noted that currently, 16.5-foot-wide and 10-foot-wide utility easements are located parallel to each other along the site's western boundary. In addition, a second pair of utility easements extends from Deer Valley Road diagonally toward the southern site boundary.

The majority of the surrounding area has been approved for residential development. Within the City of Antioch, the area to the north of the site is approved for development with the Aviano Project, the area to the northeast of the site is approved for development with the Promenade/Vineyard at Sand Creek Project, and the area to the east is approved for development for the Creekside/Vineyards at Sand Creek Project. Surrounding existing uses include rural single-family residential development located west of the site, across Deer Valley Road, and vacant CCCFCD property, Upper Sand Creek Basin, and Antioch School District to the north. The area south of the site is undeveloped, consisting of dry farmland outside the City's Sphere of Influence and Planning Area, within unincorporated Contra Costa County.

Preliminary Development Plan

On September 6, 2017 and on January 9, 2018, a Preliminary Development Plan (PDP) for the Albers Ranch Project was presented to the Antioch Planning Commission and City Council, respectively. The purpose of a PDP is to gather feedback from the Planning Commission and others in order for the applicant to become aware of concerns and/or issues prior to Final Development Plan and Tentative Map submittal.

The project submitted as part of the PDP included 301 residential units, 4-acre assisted living facility, a 3-acre park and water quality facility, 45 acres of open space, and 10.9 acres of roadway improvements. The entire project was proposed as a gated, age-restricted senior housing community. The proposed average of the residential development was approximately 1.0 to 2.0 units per net acre dependent on sub-designation. The Planning Commission generally supported the proposed redesignation to MLDR, but did have concerns with hillside development and the increased density from what was originally anticipated. The City Council supported the proposed senior community and the assisted living facility.

ANALYSIS

The proposed project would include development of 294 single-family units, future development of an assisted living facility and neighborhood commercial development upon issuance of a future Conditional Use Permit (CUP). Development of the single-family residential subdivision, assisted living facility, and neighborhood commercial land uses, including proposed roadways, would total approximately 47.4 acres. The remaining 49.1 acres of the site would be retained as open space.

The project would require City approval of the following: General Plan Amendment, Master Development Plan/Rezone, Vesting Tentative Subdivision Map, and Resource Management Plan. The details of the proposed project, including required approvals, are described in further detail below.

Proposed General Plan Amendments

The proposed project would require approval of a General Plan map amendment to the Sand Creek Focus Area of the General Plan to change the land use designations of the site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to MLDR/Open Space and Commercial/Open Space (see Attachment B, Exhibit A). A text amendment to the Sand Creek Focus Area of the General Plan would also be required to add the Albers Ranch Sub Area to the Sand Creek Focus Area (see Attachment B, Exhibit B).

The Sand Creek Focus Area Policy 4.4.6.7(b)(n) states that Single-Family Detached housing within suburban-style subdivisions with lot sizes ranging from 7,000 square feet to 10,000 square feet may be developed within the Sand Creek Focus Area within areas shown as Residential and Low Density Residential. Policy 4.4.6.7(b)(p) encourages the development of age-restricted senior housing which may be developed in any of the residential areas of the Sand Creek Focus Area. The proposed project includes minimum lots ranging from 3,600 square feet (45' x 80') to 4,500 square feet (50' x 90') and is not restricting the development to senior housing. Therefore, the proposed project would require a General Plan Amendment to change the portion of the site designated as Hillside, Estate and Executive Residential/Open Space to MLDR/Open Space. The Sand Creek Focus Area did not include a MLDR designation as a single-family detached residential designation; however, one was created for the Promenade/Vineyards at Sand Creek project to the northeast. The western portion of the site; designated Commercial/Open Space, will retain the existing designations.

MLDR is characterized in the General Plan as a typical subdivision, as well as other detached housing such as zero lot line units and patio homes. Areas designated as MLDR are typically located on level terrain with relatively few geological or environmental constraints. The maximum allowable density is six dwelling units per acre. The density of the proposed project is approximately 3.8 dwelling units per acre, which is below the maximum density allowed under the MLDR General Plan designation.

According to the General Plan, achievement of maximum densities within the Sand Creek Focus Area is not guaranteed nor implied. The final density is determined by development design, any on-site constraints such as physical or environmental, available infrastructure, and other factors.

The requested General Plan Amendment is consistent with those for the Creekside/Vineyards at Sand Creek project to the east and the approved Promenade/Vineyards at Sand Creek Project to the northeast.

Proposed Rezone/Master Development Plan

The proposed project would require approval of a rezone to change the current zoning designation of the site from S to HPD, subject to a Master Development Plan. Pursuant to Section 9-5.2401 of the Antioch Municipal Code, the HPD District is intended to promote a more harmonious visual and functional relationship between the natural and build environments. The HPD District shall generally be reserved for residential uses; however, other uses may be permitted in accordance with the General Plan or any approved Specific Plan and provided such uses are shown on the approved final development plan for that district. In addition, a use permit shall be required prior to the construction of any phase of an approved HPD District and shall follow the same review and approval procedure as outlined for Planned Development (P-D) Districts.

The Master Development Plan and HPD District would establish the development standards applicable to the project site, including setbacks, lot sizes, and building heights for the single-family residential subdivision. The future assisted living facility and neighborhood commercial land uses would be required to comply with the Citywide Zoning Ordinance and would be determined through the future CUP.

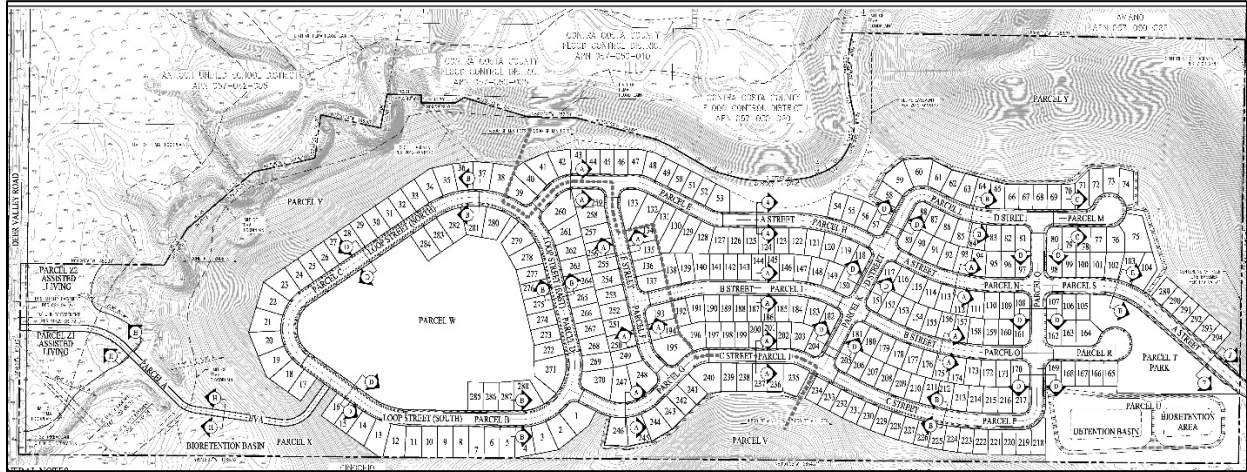
The proposed single-family residential uses would represent a continuation of other planned development in the project vicinity. The average density of the proposed residential development would be approximately 3.8 dwelling units per acre. Thus, the neighborhood design, lot size, density, and house design included in the proposed project would be anticipated to stay similar to surrounding developments (see Attachment C, Exhibit A). At least six different models each with three different elevations would be constructed, on lots ranging from approximately 3,600 square feet (45' x 80') to 4,500 square feet (50' x 90'). The proposed residential units would consist of either non-age-restricted units, senior/active adult units, or a combination of both. The proposed home designs would be subject to a future design review approval.

Vesting Tentative Subdivision Map

The proposed project would include a Vesting Tentative Subdivision Map to subdivide the project site into 294 single-family lots. Of the 96.5-acre site, only 79.9 acres are considered developable due to site constraints (e.g., slopes greater than 25 percent), three acres of which are proposed for future development of an assisted living facility and neighborhood commercial land uses. Approximately 31.2 acres are proposed for development of single-family residential lots, 13.2 acres would be developed with private streets, and 49.1 acres would be used for parks, open space, recreation, and water quality/detention purposes. The following table provides a summary of the proposed land uses.

Proposed Land Uses		
Proposed Land Use	Parcels	Acreage
Single Family Residential	--	31.2
Private Streets/EVA	A-S	13.2
Parks/Open-Space/Recreational/Water Quality	T, V, W, X, Y, U	49.1
Future Assisted Living Facility and Neighborhood Commercial	Z1, Z2	3.0
Total	--	96.5

Vesting Tentative Map



The areas to remain open space would include the hillside within the northeastern portion of the site, the hillside along the center of the southern site boundary, the upper reaches of the existing knoll within the western portion of the site, and a setback between the future development parcels along Deer Valley Road and the proposed homes associated with Sand Creek.

Access and Circulation

The area to the east of the site is planned for future development with the Creekside/Vineyards at Sand Creek Project, which would include extension of a new roadway, Hillcrest Avenue, to the eastern site boundary. Primary access to the proposed project would be provided by a new on-site roadway connecting to the planned Hillcrest Avenue extension east of the site. The connection to Hillcrest Avenue is contingent upon construction of the Creekside/Vineyards at Sand Creek Project. In the event that the Creekside/Vineyards at Sand Creek Project is not constructed, access to the proposed project may be provided by an alternate roadway connecting the northern portion of the project site to the future Sand Creek Road included as an Irrevocable Offer of Dedication (IOD) as part of the Aviano Project. If the developer desires the optional roadway for development, the developer would need to acquire a portion of the right-of-way from the CCCFCD in order to construct the optional road. The sale of right-of-way is at the CCCFCD discretion. An emergency vehicle access (EVA) only roadway would provide secondary access from Deer Valley Road to the western portion of the project site. Within the project site, all proposed internal streets would be private and would be consistent with applicable City of Antioch design standards. Parking would be allowed on both sides of the internal roadways, providing for a total of 362 spaces. In addition, two covered garage parking spaces would be provided within each residential unit, providing a total of 588 spaces.

Parks, Trails, Open Space, Landscaping, and Fencing

As part of the proposed project, a total of 41.9 acres would be reserved for parks and recreational facilities and retained as open space.

Parcel T, located in the southeastern portion of the project site, would include a 1.5-acre park to provide recreational services to the project site. Parcel X, located south of the EVA, would be retained as open space, with a portion of the parcel to be used for water quality/bioretention

purposes. Parcels V, W, and Y would be preserved as open space and would include trails accessible to future residents. Parcel V would be located on the southern border of the project site and would include an open space/maintenance trail. Parcel W is located on the western knoll of the project site surrounded by proposed residential lots and would include an overlook access trail. Parcel Y would be located along the northern portion of the project site and would also include an open space/maintenance trail.

The proposed project would include community trails between lots throughout the project site to provide access to the designated open space/trails in Parcels V, W, and Y. Two community trails, located north of Parcel V, would provide residential access to the designated open space/maintenance trail in Parcel V. Additionally, two community trails, east of Parcel W, would provide residential access to the overlook access trail in Parcel W.

In addition, three community trails, located in the northeast portion of the project site, would provide residential access to the designated open space/maintenance trail in Parcel Y. The designated open space/maintenance trail in Parcel Y would provide community access to Sand Creek. The proposed project would also include an open space picnic area between lots 53 and 54 south of Sand Creek.

Landscaping features would be provided throughout the proposed development area and would conform to the requirements and provisions of Section 9-5.1001 of the City of Antioch Municipal Code. Individual residences would also be landscaped with trees, shrubs, groundcover and some lawns, and would be maintained by the individual owners. Public spaces, open spaces, and private landscaping areas would have an emphasis on drought-tolerant and adaptive plant species. The proposed landscaping for the project would be subject to a future Design Review application that would be reviewed by the Planning Commission.

Utilities

Water supply for the proposed development would be provided by the City. Potable water would be distributed to the project site by an existing 12-inch Zone III trunk line in the future Hillcrest Avenue. The water line would continue south to I Street planned by the Creekside/Vineyards at Sand Creek Project, then head west to the proposed project boundary. The internal private streets within the proposed project would include water lines that would connect to the water line from the Creekside/Vineyards at Sand Creek Project. In addition, a water line would be undergrounded below the proposed EVA road in the western portion of the site and follow Deer Valley Road north to connect to the City's existing water system.

Wastewater conveyance for the proposed development would be provided by the City. The proposed project would include construction of sanitary sewer lines beneath the proposed private streets that would connect to I Street in the Creekside/Vineyards at Sand Creek Project. The Creekside/Vineyards at Sand Creek Project includes a main sewer line that would eventually connect to a planned sewer line in Sand Creek Road. In the event that the Creekside/Vineyards at Sand Creek Project is not constructed, the main sewer line would be constructed by the proposed project.

The project site naturally drains to the east. The proposed project would include construction of a series of drain inlets and underground storm drainpipes to capture stormwater runoff from impervious surfaces created by the project. Runoff would be routed to a detention basin and bio-

retention basin located within the southeastern portion of the project site (Parcel U). The basin would provide for treatment and detention of captured stormwater runoff. The stormwater flows would be metered from the basin to match pre-development rates. A discharge line would be constructed into I Street of the Creekside/Vineyards at Sand Creek Project.

Electricity for the proposed project would be provided by PG&E. Telecommunication services would be provided by AT&T. Comcast and Astound would provide cable television and internet services to the project site. Dry utilities, electrical, gas, and technology lines would be extended from Sand Creek Road beneath future Hillcrest Avenue to the project site.

The proposed project would not conflict with the existing utility easements located along the site's western boundary or southwestern portion of the site.

Off-Site Improvements

Should the Creekside/Vineyards at Sand Creek Project not be developed, an alternative roadway to the north may be constructed as part of the proposed project. As shown on Figure D in Attachment E, the alternative roadway would connect the northern portion of the site to the future Sand Creek Road, following the eastern boundary of the CCCFCD property and Basin and crossing Sand Creek. Any roadway and associated grading of the alternate roadway near the Basin's main dam and/or saddle dike would require DSOD discretionary approval. In addition, the project applicant would be required to obtain a CCCFCD encroachment permit for any work planned within the CCCFCD right-of-way. The optional roadway and the main sewer line was included as part of the adjacent Aviano Project to the north and was analyzed as part of the Aviano EIR.

Resource Management Plan

The Resource Management Element of the City of Antioch's General Plan requires the preparation of a "Resource Management Plan" for the proposed project. The purpose of the Resource Management Plan is to (1) determine the significance of the resources found on-site and their relationship to resources in the surrounding area; (2) define areas that should be maintained as open space, based on the significance of the on-site resources and their relationship to resources in the surrounding area; and (3) identify mechanisms to protect and manage open spaces.

The Resource Management Plan prepared for the proposed project complies with the City of Antioch's General Plan Section 10.0 (Resource Management), which outlines objectives and policies as they relate to biological resources. The overall objective is to preserve natural streams and other habitats that support special-status plant and animal species. While it is preferred to preserve these resources in-situ, the General Plan allows for mitigation off-site within eastern Contra Costa County, if sufficient on-site preservation is not feasible. Whether such resources are preserved on-site within natural open space areas, or are mitigated off-site, the General Plan requires that such preserved areas are managed and maintained pursuant to a Resource Management Plan (Section 10.3.2e and Section 10.4.2d of the General Plan, respectively). The Resource Management Plan identifies four natural communities within the Sand Creek Focus Area that must be considered: (1) Grassland; (2) stream and riparian; (3) chaparral, scrub and

rock outcrop; and (4) oak woodland and savannah, and mimics the environmental mitigation measures identified in the EIR for the Albers Ranch Project (see Attachment D, Exhibit B).

ENVIRONMENTAL REVIEW

An EIR was prepared for this project in accordance with CEQA. A Notice of Preparation (NOP), as well as a detailed Initial Study was prepared for the Draft EIR and was released for a 30-day review from October 15, 2021, to November 15, 2021. In addition, a public scoping meeting was held on October 28, 2021, to solicit public comments regarding the scope of the Draft EIR. During the NOP public review period, the City of Antioch received three comment letters, including Caltrans, CCCFC, and the Native American Heritage Commission (NAHC). Verbal comments were not received at the public scoping meeting held on October 28, 2021.

The Draft EIR prepared for the proposed project analyzed the buildout and addressed all concerns brought forth in the comment letters. Under CEQA, a significant effect on the environment is defined 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, mineral, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Mitigation measures must be implemented as part of the proposed project to reduce potential adverse impacts to a less-than-significant level. Such mitigation measures are noted in the project EIR and are found in the following technical chapters: Air Quality and Greenhouse Gas Emissions; Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology, and Water Quality, Noise, Transportation; and Tribal Cultural Resources. The mitigation measures presented in the EIR form the basis of the Mitigation Monitoring and Reporting Program. Any impact that remains significant after implementation of mitigation measures is considered a significant and unavoidable impact.

Significant and unavoidable impacts that would persist even with mitigation measures are described in detail in the project EIR related Air Quality and Greenhouse Gas Emissions and Transportation.

On July 7, 2023, a Notice of Availability (NOA) of the Draft EIR was posted to the City's website (<https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/>) and printed copies were made available for review at the City's Clerk Office (200 H Street).

On July 7, 2023, the Draft EIR was submitted to the State Clearinghouse for distribution to State agencies for a 45-day public review period from July 7, 2023, to August 21, 2023 (SCH# 2021100264). The City of Antioch received six comment letters during the public comment period on the Draft EIR for the proposed project, including the California Department of Fish and Wildlife (CDFW), the Central Valley Regional Water Quality Control board (CVRWQCB), CCCFCD, Contra Costa Residents for Responsible Development, and two letter from PG&E.

A Final EIR, including response to comments, revisions to the Draft EIR, and the Mitigation Monitoring and Reporting Program was prepared and submitted to the State Clearinghouse for distribution to state agencies for a 10-day public review period from December 13, 2023, to December 26, 2023. The Final EIR was also posted on the City's website. The revisions to the Draft EIR include minor clarifications and amplifications of the analysis contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

Findings of fact and statement of overriding considerations for the EIR have been prepared for the City's certification of the EIR (see Exhibit A to Attachment A). The statement of overriding considerations is required due to significant and unavoidable impacts that persist even with the implementation of mitigation measures and where there are no feasible alternatives.

ATTACHMENTS

A. Albers Ranch Environmental Impact Report Planning Commission Resolution No. 2024-**

Exhibit A Mitigation Monitoring and Reporting Program

The Final EIR is available for public review on the City's website at:
<https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/>

B. General Plan Amendment Planning Commission Resolution No. 2024-**

Exhibit A Proposed General Plan Land Use Map

Exhibit B Proposed General Plan Text Amendment

C. Hillside Planned Development Rezone Planning Commission Resolution No. 2024-**

Exhibit A City Council Hillside Planned Development Rezone Ordinance

Exhibit B Rezone Legal Description

D. Vesting Tentative Map, Master Development Plan, and Resource Management Plan Planning Commission Resolution No. 2024-**

Exhibit A Vesting Tentative Subdivision Map

Exhibit B Resource Management Plan

Exhibit C Conditions of Approval

ATTACHMENT “A”

PLANNING COMMISSION RESOLUTION NO. 2024-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING CITY COUNCIL CERTIFY THE ENVIRONMENTAL IMPACT REPORT FOR THE ALBERS RANCH PROJECT (SCH# 2021200264) AS ADEQUATE FOR ADDRESSING THE ENVIRONMENTAL IMPACTS OF THE PROPOSED PROJECT AND ADOPTI CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the City of Antioch (“City”) received an application from Hillside Group, LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map and General Plan Text Amendments; a Master Development Plan/Rezone; Vesting Tentative Subdivision Map; and Resource Management Plan for the development of 294 single-family residential units, a future assisted living facility, and neighborhood commercial uses on approximately 96.5 acres, known as the Albers Ranch Project (“Project”) (GP-19-04, MDP-19-01); and

WHEREAS, The Project site is in the southeastern section of the City, east of the Deer Valley Road and Deer Hill Lane intersection within the Sand Creek Focus Area (APNs 057-042-006 and 057-050-021); and

WHEREAS, the Project consists of a 294 planned residential community with future development of an assisted living facility and neighborhood commercial development upon issuance of a future Conditional Use Permit (CUP) on approximately 47.4 acres of the total 96.5-acre project site consisting of approximately 31.2 acres of single-family residences, 13.2 acres of private roadway improvements, and 3.0 acres for the assisted living facility and neighborhood commercial. The remaining 49.1 acres would be used for parks, open space, recreation, and water quality/detention purposes; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act (“CEQA”), has completed the Final Environmental Impact Report (“Final EIR” or “EIR”) for the Project; and

WHEREAS, this document contains the City’s certification of the EIR, its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR. The Final EIR has State Clearinghouse No. 2019060012; and

WHEREAS, a Draft Environmental Impact Report (“Draft EIR”) was released for public and agency review on July 7, 2023. The Draft EIR assesses the potential environmental effects of implementation of the Project, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives to the Project; and

**PLANNING COMMISSION
RESOLUTION NO. 2024-****

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WHEREAS, the Final EIR comprises the Draft EIR together with one additional volume that includes the comments on the Draft EIR submitted by interested public agencies, organizations, and members of the public; written responses to the environmental issues raised in those comments; revisions to the text of the Draft EIR reflecting changes made in response to comments and other information; and other minor changes to the text of the Draft EIR. The Final EIR is hereby incorporated in this document by reference; and

WHEREAS, the custodian of the Final EIR is the Community Development Department and the Final EIR is available for public review on the City's website at: <https://www.antiochca.gov/community-development-department/planning-division/environmental-documents/> and at the second floor of City Hall Monday through Friday 8:00 pm - 5:00 pm; and

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 4, 2024, for the Antioch Planning Commission public hearing held on October 16, 2024; and

WHEREAS, on October 16, 2024, the Antioch Planning Commission duly held a public hearing and continued the item to the November 20, 2024 Planning Commission Meeting;

WHEREAS, on November 20, 2024, the Antioch Planning Commission duly held a public hearing on the matter, received presentation by City staff, and considered evidence, both oral and documentary, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, the Antioch Planning Commission recommends the City Council of the City of Antioch (the "City Council") finds as follows:

CERTIFICATION OF THE FINAL EIR

The City Council certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the following findings.

Pursuant to CEQA Guidelines Section 15090 (Title 14 of the California Code of Regulations, Section 15090) the City Council certifies that the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines. The City Council certifies the Final EIR for the Project as described above.

The City Council further certifies that the Final EIR reflects its independent judgment and analysis.

FINDINGS

Having received, reviewed, and considered the Final EIR and other information in the record of proceedings, the City Council hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines:

Part A: Findings regarding the environmental review process and the contents of the Final EIR.

Part B: Findings regarding the significant environmental impacts of the Project and the mitigation measures for those impacts identified in the Final EIR and adopted as conditions of approval, as well as the reasons that some potential mitigation measures are rejected.

Part C: Findings regarding the reasonableness of the range of alternatives evaluated in the Final EIR.

Part D: Statement of Overriding Considerations.

The City Council certifies that these findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental issues identified and discussed in the Final EIR. The City Council adopts the findings and the statements in Parts A, B, C, and D for the Project.

In addition to the findings regarding environmental impacts and mitigation measures, Part E, below, identifies the custodian and location of the record of proceedings, as required by CEQA.

Part F describes the Mitigation Monitoring and Reporting Program for the Project. As described in Part F, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in Exhibit A to these findings.

Part A. Environmental Review Process

Notice of Preparation and Scoping Meeting

On October 15, 2021, the City issued a Notice of Preparation announcing the intended preparation of the Draft EIR and describing its proposed scope. The Notice of Preparation had a 30-day review period until November 15, 2021. The City held a public scoping meeting for the Draft EIR on October 28, 2021, for the purpose of informing the

public and receiving comments on the scope of the environmental analysis to be prepared for the Project. Due to COVID-19 restrictions, the scoping meeting was held online via Zoom. Comments from the public were not received at the scoping meeting.

The City received three comment letters during the comment period on the Notice of Preparation, from State, regional, and local agencies and organizations.

Preparation of the EIR

The City completed the Draft EIR for the Project and, beginning on July 7, 2023, the City made the Draft EIR available for review and comment. A Notice of Availability was published and the period for receipt of comments on the Draft EIR remained open for 45 days. Copies of the Draft EIR document were made available at the City of Antioch Community Development Department, located at Third and "H" Streets, Antioch, and on the City's website at: www.ci.antioch.ca.us. During the comment period, the City received six comment letters, three from State agencies and three others from private groups.

The Final EIR was completed and available to commenting public agencies on or before December 13, 2023.

The Final EIR contains all of the comments received during the public comment period, together with written responses to significant environmental issues raised in those comments, which were prepared in accordance with CEQA and the CEQA Guidelines.

The City Council finds and determines that the Final EIR provides adequate, good faith, and reasoned responses to all comments raising significant environmental issues.

Absence of Significant New Information

CEQA Guidelines Section 15088.5 requires that a lead agency recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of a Draft EIR, but before certification of the Final EIR. New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The Guidelines provide examples of significant new information under this standard, which include the following:

1. A new significant environmental impact that would result from the Project (or any alternative) or from a new mitigation measure proposed to be implemented.

2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project (or an alternative), but the Project's proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Having reviewed all the information in the record, the City Council finds that significant new information has not been added to the Final EIR since public notice was given of the availability of the Draft EIR. New or substantial changes to the Draft EIR were not proposed as a result of the public comment process. The Final EIR responds to comments and makes only minor technical changes, clarifications or additions to the Draft EIR. The minor changes, clarifications, or additions to the Draft EIR do not identify any new significant impacts or substantial increase in the severity of any environmental impacts, and do not include any new mitigation measures that would have a potentially significant impact. Therefore, the City Council finds that recirculation of the EIR is not required.

Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the Final EIR and to approve the Project, the City Council recognizes that a range of technical and scientific opinion exists with respect to certain environmental issues. The City Council acknowledges that it has acquired an understanding of the range of this technical and scientific opinion by its review of the Draft EIR, the comments received on the Draft EIR and the responses to those comments in the Final EIR, as well as testimony, letters, and reports regarding the Final EIR and its own experience and expertise in these environmental issues. The City Council acknowledges that it has reviewed and considered, as a whole, the evidence and analysis presented in the Draft EIR, the evidence and analysis presented in the comments on the Draft EIR, the evidence and analysis presented in the Final EIR, the information submitted on the Final EIR, and the reports prepared by the experts who prepared the EIR, by the City's consultants, and by staff, addressing those comments. The City Council acknowledges that it has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Project. The City Council acknowledges that in turn, this understanding has enabled the City Council to make its decisions after weighing and considering the various viewpoints on these important issues. The City Council accordingly certifies that its findings are based on full appraisal of all of the evidence contained in the Final EIR, as well as the evidence and other information in the record addressing the Final EIR.

Part B. Impacts and Mitigation Measures

The City Council acknowledges that these findings provide the written analysis and conclusions of the City Council regarding the environmental impacts of the Project and the mitigation measures identified by the Final EIR and adopted by the City Council as conditions of approval for the Project. It should be noted that comments made on the Draft EIR by the California Department of Fish and Wildlife included a Draft Mitigation Monitoring and Reporting Program. Please see Chapter 2, Responses to Comments, of the Final EIR for discussion of why such recommended mitigation measures are not included in the Mitigation Monitoring and Reporting Program of the Final EIR.

1. Significant or Potentially Significant Impacts Mitigated to a Less-Than-Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less-than-significant level and are set out below. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the CEQA Guidelines, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen these significant or potentially significant environmental impacts of the Project to a less-than-significant level. The basis for the finding for each identified impact is set forth below.

Air Quality and Greenhouse Gas Emissions

Impact 4.1-1 Conflict with or obstruct implementation of the applicable air quality plan during project construction.

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

4.1-1 *Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, shall achieve a project wide fleet average 28.6 percent NO_x reduction compared to the year 2024 California Air Resources Board (CARB) fleet average. The 28.6 percent NO_x reduction may be achieved by requiring a combination of engine Tier 3 or Tier 4 off-road construction equipment or the use of hybrid, electric, or alternatively fueled equipment. For instance, the emissions presented in Table 4.1-8 were achieved by requiring graders, scrapers, and rubber-tired dozers to be engine Tier 4.*

In addition, all off-road equipment operating at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the In-Use Off-Road Diesel Vehicle Regulation as required by CARB. Clear signage regarding idling restrictions shall be placed at the entrances to the construction site.

Portable equipment over 50 horsepower must have either a valid BAAQMD Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

Conformance with the foregoing requirements shall be included as notes and be confirmed through review and approval of grading plans by the City of Antioch Community Development Department.

Finding: Implementation of Mitigation Measure 4.1-1 would require strategies which would reduce construction-related NO_x emissions sufficiently to achieve the applicable threshold of significance. Thus, the impact would be reduced to a less-than-significant level.

Transportation

Impact 4.2-1 Conflict with a program, plan, ordinance, or policy addressing the circulation system during construction activities.

Mitigation Measure: The following mitigation measure has been adopted to address this impact:

4.2-1 *Prior to issuance of grading and building permits, the project applicant shall submit a construction management plan, subject to review and approval by the City Engineer. The requirements within the construction management plan shall include, but are not necessarily limited to, the following elements:*

- *Project staging plan to maximize on-site storage of materials and equipment;*
- *A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction access routes;*
- *Permitted construction hours;*
- *Location of construction staging;*

- *Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations; and*
- *Provisions for street sweeping to remove construction related debris on public streets.*

Finding: Implementation of Mitigation Measure 4.2-1 would reduce the temporary, significant impacts to the transportation system during the construction period to a less-than-significant level by requiring the preparation and implementation of a construction management plan that would ensure that impacts to local roadways and intersections during construction are minimized.

Impact 4.2-2 Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Mitigation Measure: The following mitigation measure has been adopted to address this impact:

4.2-2 *The following requirements shall be noted on project improvement plans, subject to review and approval by the City of Antioch Community Development Department.*

- *City-standard ADA ramps shall be provided at all internal roadway intersections;*
- *Pedestrian paths shall be identified and marked crosswalks shall be installed at key uncontrolled pedestrian crossing locations, such as trail crossings and park connections;*
- *The project shall install all-way stop control and high visibility pedestrian crosswalks at the intersection of A Street and C Street;*
- *City standard sidewalks shall be installed on A Street connecting the project site to Hillcrest Avenue; and*
- *Bicycle parking shall be provided in accordance with Section 9-5.1707 of the City of Antioch Municipal Code for the retail and assisted living portions of the proposed project.*

Finding: Implementation of Mitigation Measure 4.2-2 would reduce conflicts with applicable plans, ordinances, or policies addressing the circulation system, specifically bicycle and pedestrian facilities, to a less-than-significant level by requiring City-standard Americans with Disabilities Act (ADA) ramps, pedestrian paths and high visibility crosswalks, sidewalks, and bicycle parking to be developed on-site.

Initial Study

Impact IV-a: Would the project 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?

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

Special-Status Plants

IV-1 *During the spring/summer prior to initiation of ground-disturbing activities on the project site and off-site improvement areas, the project applicant shall retain a qualified biologist to conduct focused botanical surveys during the blooming period for Contra Costa goldfields, alkali milk-vetch, heartscale, brittlescale, lesser saltscare, dwarf downingia, Jepson's coyote-thistle, shining navarretia, bearded popcornflower, California alkali grass, long-styled sand spurrey, San Joaquin spearscale, and all plants that are considered locally rare as listed in the East Bay Chapter of the CNPS Database of Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties for the Marsh Creek/Lone Tree Valley area. Project construction shall not be initiated until all special-status plant surveys are completed and the mitigation is implemented, if necessary and required prior to starting construction. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities.*

A special-status plant survey report that includes the methods used, survey participants, and associated findings shall be prepared and submitted to the City no more than 30 days following the completion of the final site visit. A record of any special-status plant species identified within the project site during the preconstruction surveys shall be submitted to the CNDDDB. If new special-status plant populations are not found on the site during the appropriately timed surveys, additional mitigation is not required. If construction is not started within two years after the rare plant surveys are completed, the City may require additional rare plant surveys.

If special-status plants are observed on the site during the survey, the populations shall be avoided to the maximum degree possible during project development, and a Mitigation and Monitoring Plan shall be prepared detailing the measures to be implemented to avoid

the plant population. Measures shall include establishment of appropriate buffers during construction, fencing of the population prior to and during construction, and regular monitoring of the preserved population by a biologist during and after construction activities. The Mitigation and Monitoring Plan shall be implemented prior to the initiation of project grading. If the plant populations cannot be avoided, the applicant shall hire a qualified biologist to prepare a seed collection and replanting plan in coordination with the City of Antioch to reduce impacts to the identified special-status plant populations, subject to review and approval by the City of Antioch Community Development Department.

Swainson's Hawk

IV-2(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a Swainson's hawk is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-2(b) Prior to any project-related ground disturbance that occurs during the nesting season (March 15th to September 15th) within a half-mile of a potential nest tree, a qualified biologist shall conduct preconstruction surveys within the construction zones and adjacent lands to identify any nesting pairs of Swainson's hawks no more than seven days prior to the onset of ground disturbance. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. Preconstruction surveys are not required for construction activities located farther than a half-mile from a potential nest tree. Surveys shall follow the protocol in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000), including the survey period lengths identified therein. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.

If active nests are not found during preconstruction surveys, further mitigation is not necessary. If any active nests are discovered in or near proposed construction zones, the qualified biologist shall

establish a suitable construction-free buffer around the active nest site. The buffer shall be identified on the ground with flagging or fencing and shall be maintained until the qualified biologist has determined that the young have fledged.

As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:

- 1) Comply with the 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 ECCCHCP/NCCP Covered Species; or*
- 2) Comply 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.*

Golden Eagle

IV-3(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a golden eagle is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-3(b) No more than seven days prior to initiation of ground-disturbing activities or tree removal, preconstruction surveys shall be conducted concurrently with the preconstruction surveys for Swainson's hawk nests as required by Mitigation Measure IV-2(b) above. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. The preconstruction surveys shall include a survey radius of one mile surrounding the project's development footprint. However, adjacent parcels under different land ownership within the one-mile survey area shall only be surveyed on foot if access to such areas are granted by the landowners of the parcels. If access is not granted, the qualified biologist shall survey trees on adjacent parcels from the closest

boundary of the project site. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.

If no active nesting golden eagles are identified during survey(s), project construction may commence without further regard for protection of nesting eagles. If active nesting golden eagles are identified during the preconstruction surveys within a half-mile of the site and within the line of sight from disturbance to the nest site, biological monitors shall monitor the nest in order to establish baseline behavioral data. Based on the baseline behavioral data and location of the nest (i.e., whether the nest is remote or in/close to town, and whether existing disturbances are present), a construction-free buffer shall be established. The construction-free buffer shall be a minimum of 800 feet and can be increased based on the biological monitor's observations of the behavior at the nest. Project-related disturbance shall not be allowed within any established buffer until the biologist has determined that the young have fledged.

Burrowing Owl

IV-4(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a burrowing owl is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-4(b) Prior to initiation of ground-disturbing activities, a preconstruction survey for burrowing owls shall be conducted. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. The CDFG's Staff Report on Burrowing Owl Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual

coverage. The results of the survey shall be submitted to the City of Antioch Community Development Department.

If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer (up to 250 feet) shall be established and maintained until a qualified biologist has determined the burrowing owl has abandoned the burrow.

Nesting Migratory Birds, Including Nesting Raptors and Protected Birds

IV-5(a) *Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if an active bird nest is observed on or near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.*

IV-5(b) *Prior to commencement of ground-disturbing activities or tree removal during the breeding season (typically between February 1st and August 31st), the project applicant shall retain a qualified biologist to conduct preconstruction migratory bird and raptor nesting surveys no more than seven days prior to the onset of ground disturbance. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. The nesting migratory bird surveys shall cover the project site and the raptor nesting surveys shall encompass the site and lands within 250 feet of the site, where accessible. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If nesting migratory birds or raptors are not identified during the surveys, further mitigation is not required.*

If nesting migratory birds or raptors are identified during the surveys, an appropriate construction-free buffer shall be established. Active nest sites and protective buffer zones shall be designated as “ecologically sensitive areas” where project-related activities are not allowed and personnel may not enter (while occupied or in use for the season in the case of multi-clutch bearing species) during the

course of nesting bird season with the establishment of a fence barrier or flagging surrounding the nest site. The qualified biologist shall determine the necessary buffer, if any, to protect nesting birds based on existing site conditions, such as construction activity, topography, and line of sight, and will increase buffers as needed to provide sufficient protection of nesting birds and their natural behaviors.

A qualified biologist shall observe any identified active nests prior to the start of any project-related activities to establish a behavioral baseline of the adults and any nestlings. Once project activities commence, all active nests shall either be monitored daily or continuously by a qualified biologist until the biological monitor is confident the established buffer is at an effective distance from the nest, to detect any signs of disturbance and behavioral changes as a result of the project. In addition to direct impacts, such as nest destruction, nesting birds might be affected by noise, vibration, odors and movement of workers or equipment. If signs of disturbance and behavioral changes are observed, the qualified biologist shall halt project activities causing that change until the nestlings have fledged, and the nest is determined to be inactive.

Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp

- IV-6(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a listed shrimp is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.*
- IV-6(b) No more than seven days prior to initiation of ground-disturbing activities, a protocol-level survey shall be conducted to assess the presence or absence of listed fairy shrimp within the project site. Surveys shall occur in a year wet enough to fill ephemeral wetlands for the USFWS to accept the results of the surveys. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. Should the surveys confirm absence of listed fairy shrimp, no further action will be necessary.*

Should the surveys identify listed fairy shrimp, to mitigate for permanent impacts to shrimp habitat, the project applicant shall preserve occupied and potentially occupied habitat at a minimum 2:1 ratio (preserved:impacted) and create additional habitat at a minimum 2:1 ratio (created:impacted). Preservation or created habitat shall be via the purchase of mitigation land in fee title or via recordation of a conservation easement over the mitigation land preserving it in perpetuity as wildlife habitat. The easement shall be granted to a qualified conservation organization as defined by Section 815.3 of the California Civil Code. The preserved or created habitat shall be established at least a year prior to on-site impacts to vernal pool fairy shrimp or vernal pool tadpole shrimp habitat in order to monitor the new habitat's effectiveness, including a comparison to the existing on-site habitat with regards to appropriate hydrology for shrimp. Once the determination has been made that the created habitat supports the appropriate hydrology, the top four inches of topsoil of the on-site habitat planned to be impacted can be transferred to the mitigation site in the same day. Removal and placement of this topsoil shall be done in a systematic fashion that will avoid compaction of the soil.

Prior to the start of construction, the project applicant shall prepare and submit to the City of Antioch a Habitat Mitigation and Management Plan (HMMP), which shall outline the requirements for managing preserved areas and created areas for five years, as well as success criteria for the created habitat. The HMMP will follow the guidelines for mitigation and monitoring of vernal pools issued by the USFWS (1994). The project applicant shall also establish an endowment fund, or other funding mechanism to provide for the long-term management, maintenance, and monitoring of the mitigation site.

In lieu of the above, prior to construction, the project applicant may purchase credits at a 1:1 ratio from an approved mitigation bank.

The project applicant may satisfy the requirements of this mitigation measure by providing the City of Antioch Community Development Department with a copy of a biological opinion issued by the USFWS that includes these, or other functionally equivalent, habitat preservation measures prior to the start of construction.

As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:

1. *Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written “Conditions of Coverage” by the 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*
2. *Comply 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 USFWS have approved the conservation plan.*

If breeding habitat is planned to be removed, in addition to evaluating the potential of the project to affect listed fairy shrimp under CEQA, the applicant would need to comply with provisions of the federal Endangered Species Act and would need to seek take authorization from the USFWS for project-related losses as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (i.e., Section 7 consultation, usually through the USACE or the Bureau of Land Management) or through the HCP process (i.e., Section 10 consultation).

California Tiger Salamander

IV-7(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if California tiger salamander is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-7(b) No more than seven days prior to initiation of ground-disturbing activities, a qualified biologist shall conduct a preconstruction survey of the seasonal wetlands in the eastern portion of the project site during the rainy season in order to determine whether they could be classified as breeding habitat for the California tiger salamander. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If breeding habitat is not identified, further mitigation is not necessary. If the seasonal wetland is determined to be breeding habitat and cannot be avoided, the project applicant

shall compensate for the loss of upland habitat at a minimum of a 3:1 impacts to replacement ratio. Mitigation land shall be permanently protected land within the Central California Distinct Population Segment (DPS) range of the California tiger salamander within 1.3 miles of a known breeding site, or as otherwise approved by CDFW and USFWS. Protection shall be accomplished through the purchase of the mitigation land in fee title or via recordation of a conservation easement over the mitigation land. In lieu of this mitigation prior to construction, the project applicant may purchase California tiger salamander credits at a 1:1 ratio from an approved mitigation bank.

In addition, if breeding habitat is planned to be removed, the applicant shall comply with the provisions of the federal Endangered Species Act and shall obtain take authorization from the USFWS for project-related losses of the California tiger salamander habitat, as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (Section 7 consultation, usually through the U.S. Army Corps of Engineers (USACE) or the Bureau of Land Management. Proof of compliance shall be submitted to the City of Antioch Community Development Department.

As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:

- 1. Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the 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*
- 2. Comply 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 USFWS have approved the conservation plan.*

California Red-Legged Frog

IV-8(a) Prior to initiation of ground-disturbing activities on the project site and off-site improvement areas, the project applicant shall require all construction workers to attend tailgate training that includes a description of California red-legged frog and its habitat and measures to be implemented to protect the frog and minimize take if the frog is observed on or near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and

submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-8(b)

Within 48 hours prior to the initiation of ground-disturbing activities, a qualified biologist shall conduct preconstruction surveys for the presence of California red-legged frog individuals and habitat features within the project site and nearby vicinity, including a 500-foot radius surrounding the project site (to the extent that such areas are accessible). Habitat features include both aquatic habitat, such as plunge pools and ponds, and terrestrial habitat, such as burrows. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities.

The results of the habitat feature assessment shall be submitted to the City prior to starting project activities. Habitat features shall be flagged for avoidance to the extent feasible. If California red-legged frog are not encountered during the preconstruction surveys, further mitigation is not required. If California red-legged frogs are encountered during the assessment, the qualified biologist shall recommend, and the project shall implement, measures to avoid or minimize impacts to individual frogs, such as allowing frogs to move out of the area on their own volition or relocating the frogs. Following preconstruction surveys, work areas adjacent to Sand Creek and the unnamed tributary shall be enclosed with wildlife exclusion fencing with one-way escape doors prior to the commencement of initial ground disturbing activities. If a California red-legged frog is encountered during project construction, all work shall cease until the frog has moved out of harm's way on its own volition or been relocated out of harm's way by a qualified biologist. A qualified biologist shall be on-site during particular times of construction to ensure California red-legged frog are not harmed, injured, or killed during project buildout.

Upland habitats shall be managed via a long-term management plan to maintain the quality of the habitat for the movement and dispersal of California red-legged frog. Potential opportunities include, but are not limited to, enhancement of the channels and riparian corridor (e.g., formation of plunge pools), which would maximize opportunities to disperse from the ponds to even higher-quality habitat off-site.

In addition, if breeding habitat is planned to be removed, the applicant shall comply with the provisions of the federal Endangered Species Act and shall obtain take authorization from the USFWS for project-related losses, as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (Section 7 consultation, usually through the U.S. Army Corps of Engineers (USACE) or the Bureau of Land Management). Proof of compliance shall be submitted to the City of Antioch Community Development Department.

As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:

- 1. Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the 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*
- 2. Comply 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 USFWS have approved the conservation plan.*

Western Pond Turtle

IV-9(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if western pond turtle is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-9(b) Implement Mitigation Measures IV-8(b) for potential western pond turtle nesting habitat. If nesting habitat is identified, in order to exclude any female western pond turtle from laying eggs within a development phase of the project, exclusion fencing shall be placed prior to the egg-laying season (March through August). Exclusion fencing shall be designed to encompass each development phase and maintained regularly until construction activities have been completed. Alternatively, the development footprint can be excluded from western pond turtle use by installing wildlife exclusion fencing prior to the turtle nesting season to prevent turtles from laying eggs

on the project site and protect the nesting turtles and their hatchlings from impacts. If western pond turtle are observed on-site prior to or during construction, they shall be allowed to leave the site on their own. If a western pond turtle is unable to independently move out of harm's way, a qualified biologist shall relocate the species out of harm's way to habitat similar to where it was found. If a western pond turtle nest is observed, a 50-foot construction-free buffer around the nest site shall be established and maintained until a qualified biologist determines the nest is no longer active.

American Badgers

IV-10(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if an American badger is observed on or near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-10(b) The project applicant shall retain a qualified biologist to conduct a preconstruction survey to determine the presence or absence of badgers no more than seven days prior to initiation of ground-disturbing activities. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. If badgers are not identified, further mitigation is not required. If an active badger den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction-free buffer of up to 300 feet around the badger den. Once the biologist has determined that the badger has vacated the burrow, the burrow can be collapsed or excavated, and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den, and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present on-site during construction activities in the vicinity of the burrows to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the badger young are of an independent age and construction activities would not harm individual badgers. A written summary of the survey results shall be

submitted to the City of Antioch Community Development Department.

San Joaquin Kit Fox

IV-11(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a kit fox is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.

IV-11(b) A qualified biologist shall conduct preconstruction surveys no more than seven days prior to site grading to determine the presence or absence of kit fox. Should project construction be delayed or paused for more than 15 days, additional preconstruction surveys shall be conducted prior to recommencing construction activities. If kit fox is not identified during the surveys, further mitigation is not required. If an active kit fox den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction free buffer of up to 300 feet around the San Joaquin kit fox den. Once the biologist has determined that the San Joaquin kit fox has vacated the den, the den can be collapsed or excavated, and ground disturbance can proceed. Should the den be determined to be a natal or reproductive den, a biological monitor shall be present on-site during construction activities in the vicinity of the dens to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the young are of an independent age and construction activities would not harm individual San Joaquin kit fox. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.

Finding: Implementation of Mitigation Measures IV-1 through IV-11 would reduce potential impacts to special-status wildlife species to a less-than-significant level by requiring completion of preconstruction surveys and implementation of appropriate avoidance measures.

Impact IV-b: Would the project 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 Wildlife or US Fish and Wildlife Service?

Impact IV-c: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Mitigation Measures: The following mitigation measures have been adopted to address these impacts:

IV-12(a) Prior to the initiation of ground-disturbing activities, the project applicant shall submit a formal wetland delineation to the USACE for verification to determine the extent of all hydrological features, their jurisdictional status, and the extent of any impacts of the currently proposed project. A summary of the wetland delineation shall be submitted to the City of Antioch Community Development Department.

IV-12(b) Prior to discharging any dredged or fill materials into any waters of the U.S. within the project site and/or the off-site improvement areas, the applicant shall obtain permit authorization to fill wetlands under Section 404 of the federal Clean Water Act (CWA) (Section 404 Permit) from USACE. The Section 404 Permit application shall include an assessment of directly impacted, avoided, and preserved acreages to waters of the U.S. Mitigation measures shall be developed as part of the Section 404 Permit to ensure no net loss of wetland function and values. Mitigation for direct impacts to waters of the U.S. within the project site and/or the off-site improvement areas would occur at a minimum of 1:1 ratio for direct impacts by purchasing seasonal wetland credits from the Cosumnes Mitigation Bank or other wetland mitigation bank that services the project site, as approved by the USACE and the RWQCB.

Alternatively, the project applicant may create, preserve, and manage new seasonal wetlands on or off of the project site that is of equal or greater quality to the habitats being impacted at a minimum 1:1 mitigation ratio. A project-specific Wetland Mitigation and Monitoring Plan prepared by a qualified wetland restoration ecologist that includes the following information shall be provided to the City of Antioch Community Development Department prior to conducting any activity that would result in the placement of any fill material into a water of the U.S. or water of the State:

- *A description of the impacted water;*
- *A map depicting the location of the mitigation site(s) and a description of existing site conditions;*
- *A detailed description of the mitigation design that includes: (i) the location of the new seasonal wetlands; (ii) proposed construction schedule; (iii) a planting/vegetation plan; (iv) specific monitoring metrics, and objective performance and success criteria, such as delineation of created area as jurisdictional waters using USACE published methods; and (v) contingency measures if the created wetlands do not achieve the specified success criteria; and*
- *Short-term and long-term management and monitoring methods.*

If the wetland mitigation site is a separate mitigation property, the project applicant will grant a conservation easement to a qualified entity, as defined by Section 81.5.3 of the California Civil Code, preserving the created seasonal wetland(s) in perpetuity, and establish an endowment fund to provide for the long-term management, maintenance, and monitoring of the created seasonal wetland(s). If the proposed project includes placing fill material into jurisdictional waters of the U.S. or waters of the State, the project applicant shall provide the City of Antioch Community Development Department with a copy of permits issued by the USACE and RWQCB authorizing the fill.

In addition, a Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained for Section 404 permit actions. Proof of compliance with the mitigation measure shall be submitted to the City of Antioch Community Development Department prior to the issuance of grading permits.

IV-12(c) Impacts to riparian habitat within CDFW's Section 1602 jurisdictional areas that would occur during construction shall be mitigated through planting California native trees and/or shrubs within the Sand Creek buffer area. Impacted trees and shrubs shall be mitigated with a 3:1 (replacement:impacts) ratio. Replacement trees and shrubs shall be a minimum of one gallon size trees/shrub replacements.

In addition, the project applicant will implement appropriate BMPs to prevent construction related impacts that could introduce de minimus fill or other pollutants into Sand Creek and the creek's tributaries. The measures shall include the installation of wildlife-friendly hay wattles and/or silt fence that will prevent unintended de minimus fill impacts

during construction activities associated with Sand Creek. In addition, orange silt fencing shall be installed at the top-of-bank of Sand Creek to prevent unintended human and equipment traffic adjacent to Sand Creek. Finally, the dripline of all protected trees within the drainages on the project site, if near work areas, shall be protected through the installation of orange construction fencing.

The project applicant shall satisfy this mitigation by providing the City of Antioch Community Development Department with a fully executed copy of a Streambed Alteration Agreement (SBAA) with the CDFW that includes these, or other functionally equivalent, BMPs, prior to any construction activities associated with Sand Creek. The project applicant shall implement the conditions of the executed SBAA.

Finding: Implementation of Mitigation Measures IV-12(a) through IV-12(c) would reduce potential impacts to riparian habitat or protected wetlands to a less-than-significant level by requiring submittal of a formal wetland delineation to USACE, a Section 404 permit from USACE, planting California native trees and/or shrubs within the Sand Creek buffer area with a 3:1 ratio, and the implementation of appropriate BMPs to prevent construction related impacts that could introduce de minimus fill or other pollutants into Sand Creek and the creek's tributaries.

Impact IV-e: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

IV-13 Prior to issuance of certificates of occupancy, all trees that are legally removed as part of the proposed project shall be replaced according to the following schedule, to the satisfaction of the City of Antioch Community Development Department:

- 1. Each established tree: two 24-inch box trees.*
- 2. Each mature tree: two 48-inch box trees.*

The locations and sizes of the replacement trees shall be clearly shown on the final landscape plans, subject to review and approval by the City of Antioch Community Development Department.

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Finding: Implementation of Mitigation Measure IV-13 would reduce impacts related to conflicting with a tree preservation policy to a less-than-significant level by ensuring that all trees that are removed due to project buildout would be replaced appropriately.

Impact V-a: Would the project cause substantial adverse change in the significant of a historical resource pursuant to Section 15064.5?

Impact V-b: Would the project cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5?

Impact V-c: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Mitigation Measures: The following mitigation measures have been adopted to address these impacts:

V-1 *In the event that a cultural resource is inadvertently discovered during project activities, work shall be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified immediately so that an assessment of potential significance can be undertaken in accordance with City of Antioch General Plan Policy 10.9.2.d (2003). Construction activities may continue in other areas, but shall not resume in the area of the find until the City of Antioch Community Development Department provides written permission.*

If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and would be discussed in consultation with the City of Antioch Community Development Department, any invested tribes, and other relevant regulatory agencies, as appropriate.

V-2 *In the event of the accidental discovery or recognition of any or human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24*

hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.

Finding: Implementation of Mitigation Measures V-1 and V-2 would reduce impacts related to unique archeological resources or human remains to a less-than-significant level by ensuring that any previously unknown cultural resources or human remains that are discovered during ground-disturbing activities are handled appropriately.

Impact VII-a: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- iii. Seismic-related ground failure, including liquefaction?
- iv. Landslides?

Impact VII-c: Would the project 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?

Impact VII-d: Would the project be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Mitigation Measures: The following mitigation measures have been adopted to address these impacts:

VII-1 All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the City of Antioch Building Division prior to issuance of

grading and building permits to ensure that all geotechnical recommendations specified in the Preliminary Geotechnical Exploration prepared for the proposed project are properly incorporated and utilized in the project design.

VII-2 Prior to issuance of any grading permits, the project applicant shall submit to the City of Antioch Engineering Department, for review and approval, a design-level geotechnical exploration study produced by a California Registered Civil Engineer or Geotechnical Engineer and identify grading and building practices necessary to achieve compliance with the latest adopted edition of the California Building Standards Code's geologic, soils, and seismic requirements. Consistent with the Preliminary Geotechnical Exploration prepared for the proposed project, the design-level geotechnical exploration study shall include additional soil borings, test pits, laboratory testing, chemical testing for corrosivity, geologic mapping and fault trenching/evaluation.

Finding: Implementation of Mitigation Measures VII-1 and VII-2 would reduce impacts related to seismic-related ground failure, liquefaction, landslides, lateral spreading, subsidence, and expansive, or otherwise unstable soil to a less-than-significant level by requiring all geotechnical recommendations specified in the project-specific Preliminary Geotechnical Exploration to be properly incorporated and utilized in project design and by requiring a design-level geotechnical exploration study produced by a California Registered Civil Engineer or Geotechnical Engineer and identify grading and building practices necessary to achieve compliance with the latest adopted edition of the California Building Standards Code's geologic, soils, and seismic requirements.

Impact VII-b: Would the project result in substantial erosion or the loss of topsoil?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

VII-3 Prior to issuance of grading and building permits, the project applicant shall submit, for the review and approval by the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Measures shall include, but are not limited to, the following:

- *Hydro-seeding;*
- *Placement of erosion control measures within drainage ways and ahead of drop inlets;*

- *The temporary lining (during construction activities) of drop inlets with “filter fabric” (a specific type of geotextile fabric);*
- *The placement of straw wattles along slope contours;*
- *Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire);*
- *The use of siltation fences; and*
- *The use of sediment basins and dust palliatives.*

Finding: Implementation of Mitigation Measure VII-3 would reduce impacts related to erosion to a less-than-significant level by requiring the preparation and implementation of an erosion control plan for use during construction.

Impact VII-f: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

VII-4 Prior to the initiation of ground-disturbing activities, a qualified paleontologist shall be retained to administer Worker Environmental Awareness Program (WEAP) training to construction personnel so that a basic understanding of local geology and the paleontological sensitivity of the project area will be acquired by those involved in earth-moving activities. The training shall include information on the types of fossils that may be encountered during project work, relevant compliance requirements, and the course to action to be taken in the event of an inadvertent fossil discovery. A sign-in sheet shall be kept with the signatures of all attendees for submission to the City of Antioch Community Development Department.

VII-5 In the event that a paleontological resource is inadvertently discovered during project-related work, regardless of the depth of excavation or location, work shall be halted within 50 feet (15 meters) of the find and a qualified paleontologist (Society of Vertebrate Paleontology [SVP] 2010) notified immediately so that an assessment of the resource’s potential significance can be undertaken in accordance with City of Antioch General Plan Policy 10.9.2.d (City 2003). Construction activities could continue in other areas.

If the find is determined to be significant under SVP criteria, the find shall be left in place without further disturbance, or if avoidance is not feasible, then additional work, such as fossil recovery excavation

(salvage) and curation at a certified repository, such as the University of California Museum of Paleontology (UCMP), may be warranted and would be discussed in consultation with the City of Antioch Community Development Department, and any other relevant regulatory agency, as appropriate.

Finding: Implementation of Mitigation Measures VII-4 and VII-5 would reduce impacts related to unique paleontological resources to a less-than-significant level by requiring awareness training for all construction crew members and ensuring that any uncovered paleontological resources would be properly handled and preserved.

Impact IX-b: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Mitigation Measures: The following mitigation measures have been adopted to address this impact:

IX-1 Prior to final map approval, the project applicant shall submit to the City of Antioch Engineering Department, for review and approval, plans which show that future inhabited structures will not be located over or within the required setback from any active petroleum pipelines in compliance with the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) Construction Site Review Program.

IX-2 Prior to issuance of any grading permits, the project applicant shall coordinate with Conoco Phillips and Chevron to determine the accurate depths and alignment of the existing on-site pipelines and shall conduct field checking and potholing of the pipelines, if necessary. Arrangements for potholing of the pipelines shall be made at least 48 hours in advance. The project applicant shall be responsible for providing a backhoe and operator, as well as a surveyor if needed. All construction plans that involve pipeline easement encroachments shall be submitted to the applicable pipeline owner to allow for review.

After determining the accurate depths and alignments of the existing pipelines, the results shall be noted on all project construction plans, subject to review by the City Engineer. For any work occurring within the pipeline easement, construction plans shall demonstrate compliance with applicable local, State, and federal regulations and

development restrictions, which would include, but would not be limited to, the following:

- *Maintain a minimum of 12 inches of clearance between the pipelines and other cross-lines that intersect at a 90-degree angle, or a minimum of 24 inches of clearance for intersection angles less than 90-degrees;*
- *Maintain a minimum of 24 inches of undisturbed clearance between the top of pipe and bottom of the sub grade for paving and grass or shallow rooted plants within the pipeline easements;*
- *Prohibit deep-rooted trees and structures within pipeline easements;*
- *All excavations within 24-inches of the pipelines shall be accomplished using hand tools only;*
- *Restrict use of heavy vibratory equipment over pipelines; and*
- *Notify Underground Service Alert (USA) at 800-227-2600 at least 48 hours prior to any excavation work.*

Finding: Implementation of Mitigation Measures IX-1 and IX-2 would reduce impacts related to the accidental release of hazardous materials to a less-than-significant level by requiring that future inhabited structures are not located over or within the required setback from any active petroleum pipelines. After determining the accurate depths and alignments of the existing pipelines, the results shall be noted on all project construction plans, subject to review by the City Engineer.

Impact X-a: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

- X-1 *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide*

for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.

Finding: Implementation of Mitigation Measure X-1 would reduce impacts related to water quality to a less-than-significant level by requiring the preparation and implementation of a SWPPP.

Impact X-civ. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

X-2 *Prior to issuance of grading permits, the project applicant shall prepare a site-specific hydraulic analysis to determine the BFE within Zone A in the vicinity of the proposed EVA. If the analysis determines that the portion of the proposed EVA within the floodplain would be less than one foot above the BFE, the elevation of the portion of the EVA within the floodplain shall be raised to at least one foot above the BFE or to the satisfaction of the CCCFCD. The site-specific hydraulic analysis and proof of CCCFCD satisfaction shall be submitted to the City of Antioch Community Development Department.*

Finding: Implementation of Mitigation Measure X-2 would reduce impacts related to flood flows by requiring the elevation of the emergency vehicle access road within the 100-year floodplain to be raised at least one foot above the BFE, or to the satisfaction of the CCCFCD.

Impact XIII-a: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

XIII-1 *Prior to approval of grading permits, the City shall establish the following requirements, via written notation on final improvement plans, subject to review and approval by the City of Antioch Community Development Department:*

- *Construction activities shall be limited to the hours of 7:00 AM and 6:00 PM Monday through Friday, and 9:00 AM and 5:00 PM on weekends.*
- *The construction contractor shall use temporary noise attenuation fences to protect sensitive receptors west of the project site.*
- *The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.*
- *Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.*
- *When not in use, motorized construction equipment shall not be left idling for more than five minutes.*
- *Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.*

Finding: Implementation of Mitigation Measure XIII-1 would reduce impacts related to the generation of noise to a less-than-significant level by requiring compliance with specific construction hours and the implementation of noise-reduction practices.

Impact XVIII-a: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is: listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Impact XVIII-b: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision

(c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

XVIII-1 Implement Mitigation Measures V-1 and V-2.

Finding: Implementation of Mitigation Measures V-1 and V-2 would reduce impacts related to tribal cultural resources to a less-than-significant level by ensuring that any previously unknown tribal cultural resources that are discovered during ground-disturbing activities are handled appropriately.

Impact XXI-a: Does the project have the potential to substantially 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, substantially 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?

Mitigation Measures: The following mitigation measure has been adopted to address this impact:

XXI-1 Implement Mitigation Measures IV-1 through IV-13, V-1, and V-2.

Finding: Implementation of Mitigation Measures IV-1 through IV-13 would reduce potential impacts related to the following: 1) degradation of the quality of the environment; 2) substantial reduction of or impact to the habitat of fish or wildlife species; 3) causing fish or wildlife populations to drop below self-sustaining levels; 4) threatening to eliminate a plant or animal community; 5) reduction of the number or restrict the range of a rare or endangered plant or animals to a less-than-significant level by requiring completion of preconstruction surveys and implementation of appropriate avoidance measures, requiring submittal of a formal wetland delineation to USACE, requiring a Section 404 permit from USACE, requiring the planting California native trees and/or shrubs within the Sand Creek buffer area with a 3:1 ratio, requiring the implementation of appropriate BMPs to prevent construction related impacts that could introduce de minimus fill or other pollutants into Sand Creek and the creek's tributaries, and by requiring all trees that are removed due to project buildout to be replaced appropriately. Implementation of Mitigation Measures V-1 and V-2 would reduce impacts related to the elimination of important examples of the major periods of California history or prehistory to a less-than-significant

level by ensuring that any previously unknown cultural resources or human remains that are discovered during ground-disturbing activities are handled appropriately.

2. Significant and Unavoidable Impacts.

The following significant environmental impacts of the Project, including cumulative impacts, are unavoidable and cannot be mitigated in a manner that would reduce the significant impact to a less-than-significant level. Notwithstanding disclosure of these impacts, the City Council elects to approve the Project due to overriding considerations as set forth below in Part D, Statement of Overriding Considerations.

Air Quality and GHG Emissions

Impact 4.1-6 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

4.1-6(a) Prior to the approval of project improvement plans, the applicant shall implement the following measure:

- *Consistent with the BAAQMD's Buildings standard a., natural gas shall be prohibited in proposed structures.*

Compliance with the foregoing measure shall be ensured by the City of Antioch Community Development Department.

4.1-6(b) Implement Mitigation Measures 4.2-3(a) and 4.2-3(b).

Finding: Implementation of Mitigation Measure 4.1-6(a) would require the project to be consistent with the BAAQMD's Building standard of prohibiting natural gas. Implementation of Mitigation Measure 4.1-6(b) would require the applicant to develop a Transportation Demand Management (TDM) plan that identifies trip reduction strategies for both the residential components of the project and the assisted living component of the proposed project. Consequently, with implementation of the mitigation measure, the Project's incremental contribution to the cumulatively significant effects of GHG emissions and global climate change would be reduced. However, the reduction cannot be quantified with certainty at this time. Additional mitigation measures to further reduce the impacts were determined to be infeasible. Thus, the impact remains cumulatively considerable and significant and unavoidable.

Transportation

Impact 4.2-3 Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

Mitigation Measures: The following mitigation measures have been adopted to address this impact to the extent feasible:

4.2-3(a) *Prior to issuance of residential building permits, the project applicant shall develop a Transportation Demand Management (TDM) Plan for the residential components of the proposed project, including any anticipated phasing, and shall submit the TDM Plan to the City for review and approval. The TDM Plan shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the residential portions of the proposed project may include, but are not limited to, the following:*

- *Increase Transit Accessibility;*
- *Provide Traffic Calming Measures;*
- *Provide Carpooling Programs;*
- *Implement Car-Sharing Program;*
- *Provide a Transit Riders Guide;*
- *Provide an Online TDM Information Center;*
- *Increase Bicycle and Pedestrian Facilities/Amenities;*
- *Free Trial Rides on Transit Services; and*
- *Implement a Subsidized or Discounted Transit Program.*

4.2-3(b) *Prior to issuance of building permits for the assisted living facility, the project applicant shall develop a TDM Plan for the assisted living component of the proposed project, including any anticipated phasing, and shall submit the TDM Plan to the City for review and approval. The TDM Plan shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the employment portions of the proposed project may include, but are not limited to, the following:*

- *Provide Bicycle Maintenance Facilities;*
- *Price and Unbundle Parking;*
- *Provide Carpooling Programs;*
- *Implement Car-Sharing Program;*
- *Implement Loaner Bike Program;*

- *Provide a Transit Riders Guide;*
- *Provide a Dedicated Transportation Coordinator;*
- *Provide an Online TDM Information Center;*
- *Increase Bicycle and Pedestrian Facilities/Amenities;*
- *Increase Transit Accessibility;*
- *Provide Secure and Accessible Bike Parking;*
- *Free Trial Rides on Transit Services; and*
- *Implement a Subsidized or Discounted Transit Program.*

Finding: Implementation of Mitigation Measures 4.2-3(a) and 4.2-3(b) would require the applicant to develop a TDM plan that identifies trip reduction strategies for both the residential components of the Project and the assisted living component of the proposed Project. Consequently, with implementation of the mitigation measure, the Project's incremental contribution to the cumulatively significant effects of GHG emissions and global climate change would be reduced, but cannot be quantified with certainty at this time. Additional mitigation measures to further reduce the impacts were determined to be infeasible. Thus, the impact remains cumulatively considerable and significant and unavoidable.

The City Council acknowledges that in making these findings, the City Council has considered the opinions of other agencies and members of the public, including opinions that disagree with some of the analysis and significance thresholds used in the EIR. The City Council finds that the determination of significance thresholds is a judgment within the discretion of the City Council; the significance thresholds used in the EIR are supported by substantial evidence in the record, including the expert opinion of the EIR preparers and City staff; and the significance thresholds used in the EIR provide reasonable and appropriate means of assessing the significance of the adverse environmental effects of the Project.

In particular, the EIR relied on significance criteria for evaluating impacts that are tailored to this type of project. The criteria used in this EIR to determine whether an impact is or is not "significant" are based on (a) CEQA-stipulated "mandatory findings of significance" listed in CEQA Guidelines section 15065; (b) the relationship of the Project effect to the adopted policies, ordinances and standards of the City and of responsible agencies; and (c) commonly accepted practice and the professional judgment of the EIR authors and City staff.

A full explanation of the environmental findings and conclusions can be found in the Final EIR and these findings hereby incorporate by reference the discussion and analysis in the Final EIR supporting the Final EIR's determinations regarding the Project's impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts, and incorporates the analysis and explanation in the Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Final EIR relating to environmental impacts and mitigation

measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

The City Council adopts, and incorporates as conditions of approval of the Project, the mitigation measures set forth in the Mitigation Monitoring and Reporting Program attached to these findings as Exhibit A to reduce or avoid the potentially significant and significant impacts of the Project. The City Council acknowledges that in adopting these mitigation measures, the City Council intends to adopt each of the mitigation measures recommended for approval by the Final EIR. Accordingly, in the event a mitigation measure recommended in the Final EIR has inadvertently been omitted from Exhibit A, such mitigation measure is hereby adopted and incorporated in the findings below by reference. In addition, in the event the language describing a mitigation measure set forth in Exhibit A fails to accurately reflect the mitigation measures in the Final EIR due to a clerical error, the language of the mitigation measure as set forth in the Final EIR shall control, unless the language of the mitigation measure has been specifically and expressly modified by these findings.

The City Council hereby finds that the adopted mitigation measures are changes or alterations that have been required in, or incorporated into, the Project which reduce or avoid significant effects on the environment to the maximum extent feasible.

Changes to mitigation measures were not made in response to any comments on the Draft EIR.

Part C. Alternatives

Summary of Discussion of Alternatives in the Final EIR

The Draft EIR evaluates four potential alternatives to the Project. The Draft EIR examines the environmental impacts of each alternative in comparison with the Project and the relative ability of each alternative to satisfy Project objectives.

Findings Relating to Alternatives

In making these findings, the City Council certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR, including the information provided in comments on the Draft EIR and the responses to those comments in the Final EIR. The Draft EIR's discussion and analysis of these alternatives is not repeated in these findings, but the discussion and analysis of the alternatives in the Draft EIR is incorporated in these findings by reference.

The Draft EIR describes and evaluates in detail four alternatives to the Project. The City Council acknowledges that the reasons for the City Council's decision to approve the Project instead of the remaining alternatives are presented below. The City Council finds that the Project would satisfy the Project Objectives, and the remaining alternatives

are unable to satisfy the Project objectives to the same degree as the Project. The City Council further finds that, on balance, none of the remaining alternatives has environmental advantages over the Project that are sufficiently great to justify approval of such an alternative instead of the Project, in light of each such alternative's inability to satisfy the Project objectives to the same degree as the Project. Accordingly, the City Council determines to approve the Project instead of approving one of the remaining alternatives.

Description of Project Objectives

The Project objectives are the following:

1. To create the only intentionally designed multi-generational community in the east Bay Area with active adult seniors that may age-in-place in the same neighborhood as traditional family homes.
2. To maximize the opportunity for development of housing and help the City of Antioch provide its fair share of housing, and help alleviate a regional housing shortage, by providing a mix of housing types and sizes, some moderately affordable, and that can meet the needs of a variety of different and growing household sizes.
3. To provide onsite amenities, such as parks space, a clubhouse, and recreational and social opportunities for residents.
4. To permanently protect nearly 50% of the project site as undeveloped open space.
5. To create public meeting places and pedestrian trails and exercise opportunities throughout the site with connections between new open space amenities including preserved areas of Sand Creek and planned City facilities, including the Sports Complex.
6. To implement the County's Growth Management Program by providing for urban development within the Urban Limit Line.
7. To contribute to the City of Antioch's economic and social viability by creating a community that attracts investment and positive attention by adding residents who tend to shop locally, maintain high volunteerism, and travel less frequently during peak traffic hours.
8. To provide for various infrastructure improvements that would benefit the community, including the extension of Hillcrest Avenue in conjunction with Subdivision 9501, public roadway improvements to serve the project,

extension of utilities within those roadways, and drainage facilities to appropriately collect and convey storm water runoff to designated detention basins.

9. To create, preserve, and maintain open space and critical biological habitat on- and off-site so as to responsibly address the environmental sensitivity of the site.
10. To create an economically viable project that provides a fair share contribution of infrastructure to the community through payment of fees, and/or land-based financing, and/or construction of required capital improvements, while providing a well-designed community of the type and style desired by current and future active adult citizens and families of Antioch and the greater Bay Area.

Discussion and Findings Relating to the Alternatives Evaluated in the Draft EIR

Chapter 6 of the Draft EIR evaluates the following four alternatives, which are summarized below:

- No Project (No Build) Alternative;
- Buildout Pursuant to Existing Land Use Designations Alternative;
- Reduced Density Alternative; and
- Reduced Footprint Alternative.

No Project (No Build) Alternative.

Under CEQA, a “no-project alternative” compares the impacts of proceeding with a proposed project with the impacts of not proceeding with the proposed project. A no-project alternative describes the environmental conditions in existence at the time the Notice of Preparation was published, along with a discussion of what would be reasonably expected to occur at the site in the foreseeable future, based on current plans and consistent with available infrastructure and community services.

The No Project (No Build) Alternative is defined in the Draft EIR as the continuation of the existing conditions of the project site, which currently consists primarily of ruderal grasses with a lack of structures. Because implementation of the No Project (No Build) Alternative would result in the site remaining under current conditions, physical environmental impacts associated with the proposed project would not occur. Therefore, implementation of the No Project (No Build) Alternative would result in fewer overall impacts compared to that of the Project. However, the City’s General Plan identifies the site as an area suitable for development; as such, the No Project (No Build) Alternative

would not fulfill the stated aims of the City's General Plan. In addition, the alternative would not fulfill any of the project's objectives.

On balance, the environmental benefits that might be achieved with the No Project (No Build) Alternative are outweighed by the failure to achieve any of the Project objectives, and the City Council rejects this alternative.

Buildout Pursuant to Existing Land Use Designations Alternative.

The Buildout Pursuant to Existing Land Use Designations Alternative, which is considered another type of "no-project alternative," would consist of buildout of the project site per the current City of Antioch General Plan land use designations at the maximum allowable densities. Pursuant to the City's General Plan, the majority of the site is designated Hillside, Estate and Executive Residential/Open Space, while the western portion of the site is designated Commercial/Open Space. It should be noted that the project site contains substantial constraints to development, such as excessive slopes and the Sand Creek corridor. Under the Buildout Pursuant to Existing Land Use Designations Alternative, a total of 63.7 acres of the project site would be developed with 127 units. In addition, 65,340 square feet (sf) of commercial uses would be developed on three acres, and 13.2 acres of streets would be developed. The remaining portions of the site would be retained as open space.

The Draft EIR determined that the Buildout Pursuant to Existing Land Use Designations Alternative would not be capable of meeting project Objective #1 because the Alternative would not include a mix of housing types, including senior housing. However, because the Alternative would include the development of a mix of both housing and commercial uses within the Sand Creek Focus Area as well as associated infrastructure improvements, the remaining project objectives would be fully or partially met.

Total project-generated VMT would be reduced by reducing the number of proposed units. Because the City's VMT threshold is a per capita rate, the Alternative's reduced intensity of units would not avoid the project's potential to exceed the City's VMT threshold, and the Alternative would still require Mitigation Measures 4.2-3(a) and 4.2-3(b). However, total project-generated VMT would be reduced and, consequently, the Alternative's impacts related to transportation would be fewer as compared to the proposed project. Nonetheless, although impacts related to transportation would be reduced, the Buildout Pursuant to Existing Land Use Designations Alternative would not eliminate the significant and unavoidable impact related to the City's VMT threshold. Additionally, the Alternative would result in similar impacts related to air quality and GHG emissions as the proposed project. As a result, the significant and unavoidable impacts identified for the Project would still be expected to occur under the Alternative.

Although the Alternative would generally achieve most of the project objectives, the significant and unavoidable impacts determined for the Project would not be avoided. As such, the City Council rejects this alternative.

Reduced Density Alternative.

The Reduced Density Alternative would consist of buildout of the project site with half as many residences as the Project. As such, the Alternative would develop 147 single-family residential units on a total disturbance area identical to the Project. With development of 147 residential units on 31.2 acres of land, the overall residential density would be reduced compared to the Project. The parks, open space features, and off-site improvements included as part of the Project would remain the same.

The Draft EIR determined that the Reduced Density Alternative would be capable of fully or partially achieving the Project's objectives and would result in similar impacts related to air quality and GHG emissions, and fewer impacts related to transportation. Total project-generated VMT would be reduced by reducing the number of proposed units. Because the City's VMT threshold is a per capita rate, the Alternative's reduced intensity of units would not avoid the project's potential to exceed the City's VMT threshold. The Alternative would still require Mitigation Measures 4.2-3(a) and 4.2-3(b). However, total project-generated VMT would be reduced and, consequently, the Alternative's impacts related to transportation would be fewer as compared to the proposed project. Because feasible mitigation to reduce the per capita VMT to less than 15 percent below regional averages does not exist, even with implementation of Mitigation Measures 4.1-6(a) and 4.1-6(b), the Alternative would not comply with the BAAQMD's Transportation standard c. Thus, although impacts related to transportation would be fewer, the Reduced Density Alternative would not eliminate the significant and unavoidable impact related to the City's VMT threshold. Therefore, the significant and unavoidable impacts determined for the Project would still be expected to occur under the Alternative.

Although the Alternative would generally achieve all of the project objectives, the significant and unavoidable impacts determined for the Project would not be avoided. As such, the City Council rejects this alternative.

Reduced Footprint Alternative.

Under the Reduced Footprint Alternative, development within the western knoll on the project site would not occur. As such, the disturbance area would be reduced by 19.2 acres. The remaining 12 acres of land would be developed at the maximum density allowed under the Medium Density Residential/Open Space land use designation. As such, the Reduced Footprint Alternative would include the development of 120 single-family residential uses. Similar to the proposed Project, the Alternative would include future development of an assisted living facility and neighborhood commercial

development on three acres. However, the amount of streets developed as part of the Alternative would be reduced, and the amount of parks/open space/recreational/water quality uses would be increased as compared to the proposed Project. Off-site improvements would be identical to the proposed Project.

The Reduced Footprint Alternative would be designed to reduce construction emissions and emissions from vehicle trips. However, the total average daily trips and overall VMT per capita would result in similar impacts related to the emission of GHGs as compared to the proposed Project, and impacts would remain significant and unavoidable.

The Draft EIR determined that the Reduced Footprint Alternative would be capable of partially or fully achieving all of the Project's objectives. The Alternative would result in fewer impacts than the Project to both resource areas. However, the significant and unavoidable impacts determined for the Project would still be expected to occur under the Alternative. Thus, the City Council rejects this alternative.

Findings Regarding Reasonable Range of Alternatives

The City Council finds that the range of alternatives evaluated in the EIR reflects a reasonable attempt to identify and evaluate various types of alternatives that would potentially be capable of reducing the Project's environmental effects, while accomplishing most but not all of the Project objectives. The City Council finds that the alternatives analysis is sufficient to inform the City Council and the public regarding the tradeoffs between the degree to which alternatives to the Project could reduce environmental impacts and the corresponding degree to which the alternatives would hinder the City's ability to achieve the Project objectives.

Part D. Statement of Overriding Considerations

Pursuant to CEQA Guidelines Section 15092, the City Council finds that in approving the Project it has eliminated or substantially reduced all significant and potentially significant effects of the Project on the environment where feasible, as shown in the EIR and described in these findings.

In the City Council's judgment, the Project and its benefits outweigh its unavoidable significant effect. The following Statement of Overriding Considerations identifies the reasons why, in the City Council's judgment, the benefits of the Project, as approved, outweigh its unavoidable significant effect.

Any one of the stated reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason set forth in this Statement is supported by substantial evidence, the City Council finds that any individual reason is separately sufficient. This Statement is supported by the substantial evidence set forth in

the Draft EIR, Final EIR, and the findings set forth above and, in the documents, incorporated by reference above.

The following considerations support approval of the Project:

1. The Project would provide citywide and regional economic benefits through tax revenues and project fees. The Project would be required to pay Development Impact Fees for police facilities per Section 9-3.50 of the City's Municipal Code, and the project site would be required to annex into a Community Facilities District (CFD) for financing police services. Furthermore, the Project would be required to pay applicable fire protection fees per the City's Master Fee Schedule, development fees towards the Brentwood Unified School District (BUSD), and sewer connection fees towards the Delta Diablo Wastewater Treatment Plant.
2. The Project would create jobs for local residents through construction. Construction of the Project would create jobs by increasing the number of construction workers in the project area. Considering the nature and size of the Project, a substantial amount of construction workers would likely be needed in construction of the proposed residential uses and other proposed improvements. Additionally, building materials would most likely be purchased in the area, stimulating the local economy and businesses.
3. The Project would provide additional housing opportunities in the City of Antioch. Based on the City's 2015-2023 Housing Element Update, the Regional Housing Needs Allocation (RHNA) for the years 2014-2022 would require 1,448 residences. The Project would contribute an additional 294 residential units to increase the City's housing supply, which would help the City satisfy its RHNA goals.
4. The Project would preserve potential habitat for special-status species by preserving 49.1 acres of open space areas. The Project would preserve and protect an open space corridor along Sand Creek, including a buffer area for sensitive species and habitats to the south of the creek.

The City Council has considered these benefits and considerations and has considered the significant unavoidable environmental effects of the Project. The City Council has determined that the economic, legal, social, technological, and other benefits of the Project outweigh the identified impacts. The City Council has determined that the Project benefits set forth above override the significant and unavoidable environmental costs associated with the Project.

The City Council adopts the mitigation measures in the final Mitigation Monitoring and Reporting Program, incorporated by reference into these findings, and finds that any

residual or remaining effects on the environment resulting from the Project, identified as significant and unavoidable in the Findings of Fact, are acceptable due to the benefits set forth in this Statement of Overriding Considerations. The City Council makes this Statement of Overriding Considerations in accordance with Section 15093 of the CEQA Guidelines in support of approval of the Project.

Part E. Record of Proceedings

Various documents and other materials constitute the record upon which the City Council bases these findings and the approvals contained herein. The location and custodian of these documents and materials is: Kevin Scudero, Acting Community Development Director, City of Antioch, 200 H Street, Antioch, CA 94531.

Part F. Mitigation Monitoring and Reporting Program

In accordance with CEQA and the CEQA Guidelines, the City Council must adopt a mitigation monitoring and reporting program to ensure that the mitigation measures adopted herein are implemented. The City Council hereby adopts the Mitigation Monitoring and Reporting Program for the Project attached to these findings as Exhibit A.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby recommend the Antioch City Council make the necessary findings in compliance with CEQA and the CEQA Guidelines to certify the Albers Ranch EIR and adopt the Mitigation Monitoring and Reporting Program for the Project.

* * * * *

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 20h day of November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

KEVIN SCUDERO
Secretary to the Planning Commission

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to an EIR.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Albers Ranch Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the EIR and Initial Study (IS) for the Albers Ranch Project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the project applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Albers Ranch Project prepared by the City of Antioch. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR and IS that were prepared for the proposed project.

The Albers Ranch Project EIR and IS present a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Antioch. The table in Section 4.3 identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.



4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
4.1 Air Quality and Greenhouse Gas Emissions					
4.1-1	Conflict with or obstruct implementation of the applicable air quality plan during project construction.	<p>4.1-1 <i>Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that the heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, shall achieve a project wide fleet average 28.6 percent NOX reduction compared to the year 2024 California Air Resources Board (CARB) fleet average. The 28.6 percent NOX reduction may be achieved by requiring a combination of engine Tier 3 or Tier 4 off-road construction equipment or the use of hybrid, electric, or alternatively fueled equipment. For instance, the emissions presented in Table 4.1-8 were achieved by requiring graders, scrapers, and rubber-tired dozers to be engine Tier 4.</i></p> <p><i>In addition, all off-road equipment operating at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the In-Use Off-Road Diesel Vehicle Regulation as required by CARB. Clear signage regarding idling restrictions shall be placed at the entrances to the construction site.</i></p>	City of Antioch Community Development Department	Prior to approval of grading plans and during construction	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	construction activities.	<p><i>requirements within the construction management plan shall include, but are not necessarily limited to, the following elements:</i></p> <ul style="list-style-type: none"> • <i>Project staging plan to maximize on-site storage of materials and equipment;</i> • <i>A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak hours; lane closure proceedings; signs, cones, and other warning devices for drivers; and designation of construction access routes;</i> • <i>Permitted construction hours;</i> • <i>Location of construction staging;</i> • <i>Identification of parking areas for construction employees, site visitors, and inspectors, including on-site locations; and</i> • <i>Provisions for street sweeping to remove construction related debris on public streets.</i> 			
4.2-2	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.	<p>4.2-2 <i>The following requirements shall be noted on project improvement plans, subject to review and approval by the City of Antioch Community Development Department:</i></p> <ul style="list-style-type: none"> • <i>City-standard ADA ramps shall be provided at all internal roadway intersections;</i> 	City of Antioch Community Development Department	Prior to approval of project improvement plans	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • Pedestrian paths shall be identified and marked crosswalks shall be installed at key uncontrolled pedestrian crossing locations, such as trail crossings and park connections; • The project shall install all-way stop control and high visibility pedestrian crosswalks at the intersection of A Street and C Street; • City standard sidewalks shall be installed on A Street connecting the project site to Hillcrest Avenue; and • Bicycle parking shall be provided in accordance with Section 9-5.1707 of the City of Antioch Municipal Code for the retail and assisted living portions of the proposed project. 			
4.2-3	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	<p>4.2-3(a) Prior to issuance of residential building permits, the project applicant shall develop a Transportation Demand Management (TDM) Plan for the residential components of the proposed project, including any anticipated phasing, and shall submit the TDM Plan to the City for review and approval. The TDM Plan shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the residential portions of the proposed project may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Increase Transit Accessibility; 	City of Antioch Community Development Department	Prior to the issuance of residential building permits	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • Provide Traffic Calming Measures; • Provide Carpooling Programs; • Implement Car-Sharing Program; • Provide a Transit Riders Guide; • Provide an Online TDM Information Center; • Increase Bicycle and Pedestrian Facilities/Amenities; • Free Trial Rides on Transit Services; and • Implement a Subsidized or Discounted Transit Program. <p>4.2-3(b) Prior to issuance of building permits for the assisted living facility, the project applicant shall develop a TDM Plan for the assisted living component of the proposed project, including any anticipated phasing, and shall submit the TDM Plan to the City for review and approval. The TDM Plan shall identify trip reduction strategies as well as mechanisms for funding and overseeing the delivery of trip reduction programs and strategies. Trip reduction strategies applicable to the employment portions of the proposed project may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> • Provide Bicycle Maintenance Facilities; • Price and Unbundle Parking; • Provide Carpooling Programs; 	City of Antioch Community Development Department	Prior to issuance of building permits for the assisted living facility	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • Implement Car-Sharing Program; • Implement Loaner Bike Program; • Provide a Transit Riders Guide; • Provide a Dedicated Transportation Coordinator; • Provide an Online TDM Information Center; • Increase Bicycle and Pedestrian Facilities/Amenities; • Increase Transit Accessibility; • Provide Secure and Accessible Bike Parking; • Free Trial Rides on Transit Services; and • Implement a Subsidized or Discounted Transit Program. 			
Initial Study					
IV-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?	<p><i>Special-Status Plants</i></p> <p><i>IV-1 During the spring/summer prior to initiation of ground-disturbing activities on the project site and off-site improvement areas, the project applicant shall retain a qualified biologist to conduct focused botanical surveys during the blooming period for Contra Costa goldfields, alkali milk-vetch, heartscale, brittlescale, lesser saltscale, dwarf downingia, Jepson's coyote-thistle, shining navarretia, bearded popcornflower, California alkali grass, long-styled sand spurrey, San Joaquin spearscale, and all plants that are considered locally rare as listed in the East Bay Chapter of the CNPS</i></p>	City of Antioch Community Development Department	<p>During the spring/summer prior to initiation of ground-disturbing activities on the project site and off-site project improvement areas</p> <p>Special-status plant survey report submitted to the City no more than</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Database of Rare, Unusual and Significant Plants of Alameda and Contra Costa Counties for the Marsh Creek/Lone Tree Valley area. Project construction shall not be initiated until all special-status plant surveys are completed and the mitigation is implemented, if necessary and required prior to starting construction.</i></p> <p><i>A special-status plant survey report that includes the methods used, survey participants, and associated findings shall be prepared and submitted to the City no more than 30 days following the completion of the final site visit. A record of any special-status plant species identified within the project site during the preconstruction surveys shall be submitted to the CNDDDB. If new special-status plant populations are not found on the site during the appropriately timed surveys, additional mitigation is not required. If construction is not started within two years after the rare plant surveys are completed, the City may require additional rare plant surveys.</i></p> <p><i>If special-status plants are observed on the site during the survey, the populations shall be avoided to the maximum degree possible during project development, and a Mitigation and Monitoring Plan shall be prepared detailing the measures to be implemented to avoid the plant population. Measures shall include establishment of appropriate buffers</i></p>		<p>30 days following the completion of the final site visit</p> <p>During project development</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>during construction, fencing of the population prior to and during construction, and regular monitoring of the preserved population by a biologist during and after construction activities. The Mitigation and Monitoring Plan shall be implemented prior to the initiation of project grading. If the plant populations cannot be avoided, the applicant shall hire a qualified biologist to prepare a seed collection and replanting plan in coordination with the City of Antioch to reduce impacts to the identified special-status plant populations, subject to review and approval by the City of Antioch Community Development Department.</p> <p>Swainson's Hawk</p> <p>IV-2(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a Swainson's hawk is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</p> <p>IV-2(b) Prior to any project-related ground disturbance that occurs during the nesting season (March</p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Community</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p> <p>No more than seven days prior to any</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>15th to September 15th) within a half-mile of a potential nest tree, a qualified biologist shall conduct preconstruction surveys within the construction zones and adjacent lands to identify any nesting pairs of Swainson’s hawks no more than seven days prior to the onset of ground disturbance. Preconstruction surveys are not required for construction activities located farther than a half-mile from a potential nest tree. Surveys shall follow the protocol in the Recommended Timing and Methodology for Swainson’s Hawk Nesting Surveys in California’s Central Valley (Swainson’s Hawk Technical Advisory Committee 2000), including the survey period lengths identified therein. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>If active nests are not found during preconstruction surveys, further mitigation is not necessary. If any active nests are discovered in or near proposed construction zones, the qualified biologist shall establish a suitable construction-free buffer around the active nest site. The buffer shall be identified on the ground with flagging or fencing and shall be maintained until the qualified biologist has determined that the young have fledged.</i></p> <p><i>As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:</i></p>	Development Department	<p>project-related ground disturbance that occurs during the nesting season (March 15th to September 15th)</p> <p>During construction period</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>1) <i>Comply with the 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 ECCCHCP/NCCP Covered Species; or</i></p> <p>2) <i>Comply 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></p> <p><i>Golden Eagle</i></p> <p><i>IV-3(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a golden eagle is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of</i></p>	<p>City of Antioch Community Development Department</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p>	



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		<p><i>Antioch Community Development Department within two weeks of training completion.</i></p> <p><i>IV-3(b) No more than seven days prior to initiation of ground-disturbing activities or tree removal, preconstruction surveys shall be conducted concurrently with the preconstruction surveys for Swainson's hawk nests as required by Mitigation Measure IV-2(b) above. The preconstruction surveys shall include a survey radius of one mile surrounding the project's development footprint. However, adjacent parcels under different land ownership within the one-mile survey area shall only be surveyed on foot if access to such areas are granted by the landowners of the parcels. If access is not granted, the qualified biologist shall survey trees on adjacent parcels from the closest boundary of the project site. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>If no active nesting golden eagles are identified during survey(s), project construction may commence without further regard for protection of nesting eagles. If active nesting golden eagles are identified during the preconstruction surveys within a half-mile of the site and within the line of sight from disturbance to the nest site, biological monitors shall monitor the nest in order to establish baseline behavioral data. Based on</i></p>	<p>City of Antioch Community Development Department</p>	<p>No more than seven days prior to initiation of ground-disturbing activities or tree removal</p> <p>Concurrently with preconstruction measures identified in MM IV-2(b)</p> <p>During construction period</p>	



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		<p><i>the baseline behavioral data and location of the nest (i.e., whether the nest is remote or in/close to town, and whether existing disturbances are present), a construction-free buffer shall be established. The construction-free buffer shall be a minimum of 800 feet and can be increased based on the biological monitor's observations of the behavior at the nest. Project-related disturbance shall not be allowed within any established buffer until the biologist has determined that the young have fledged.</i></p> <p><i>Burrowing Owl</i></p> <p><i>IV-4(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a burrowing owl is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p> <p><i>IV-4(b) Prior to initiation of ground-disturbing activities, a preconstruction survey for burrowing owls shall be conducted. The CDFG's Staff Report on Burrowing Owl</i></p>			
			City of Antioch Community Development Department	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p>	
			City of Antioch Community Development Department	Within 14 days prior to ground-disturbing activities	



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		<p><i>Mitigation (CDFG 2012) states that take avoidance (preconstruction) surveys shall be conducted within 14 days prior to ground disturbance. As burrowing owls may recolonize a site after only a few days, time lapses between project activities trigger subsequent take avoidance surveys, including, but not limited to, a final survey conducted within 24 hours prior to ground disturbance to ensure absence of the species. Surveys shall ensure 100 percent visual coverage. The results of the survey shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>If burrowing owls or fresh sign of burrowing owls are not observed during preconstruction surveys, further mitigation is not required and construction may proceed. If burrowing owls or their recent sign are detected on the site, occupied burrows shall be identified by the monitoring biologist and a construction-free buffer (up to 250 feet) shall be established and maintained until a qualified biologist has determined the burrowing owl has abandoned the burrow.</i></p> <p><i>Nesting Migratory Birds, Including Raptors and Protected Birds</i></p> <p><i>IV-5(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training</i></p>	<p>City of Antioch Community Development</p>	<p>Final survey conducted within 24 hours prior to ground disturbance</p> <p>During construction period</p> <p>Prior to initiation of ground-disturbing activities</p>	



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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if an active bird nest is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</p>	Department	Written summary of the training submitted to the City within two weeks of training completion	
		<p>IV-5(b) Prior to commencement of ground-disturbing activities or tree removal during the breeding season (typically between February 1st and August 31st), the project applicant shall retain a qualified biologist to conduct preconstruction migratory bird and raptor nesting surveys no more than seven days prior to the onset of ground disturbance. The nesting migratory bird surveys shall cover the project site and the raptor nesting surveys shall encompass the site and lands within 250 feet of the site, where accessible. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If nesting migratory birds or raptors are not identified during the surveys, further mitigation is not required.</p> <p>If nesting migratory birds or raptors are identified during the surveys, an appropriate construction-free buffer shall be established. Active nest sites and protective buffer zones</p>	City of Antioch Community Development Department	<p>No more than seven days prior to commencement of ground-disturbing activities or tree removal during the breeding season (typically between February 1st and August 31st)</p> <p>During the construction period</p>	



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		<p><i>shall be designated as “ecologically sensitive areas” where project-related activities are not allowed and personnel may not enter (while occupied or in use for the season in the case of multi-clutch bearing species) during the course of nesting bird season with the establishment of a fence barrier or flagging surrounding the nest site. The qualified biologist shall determine the necessary buffer, if any, to protect nesting birds based on existing site conditions, such as construction activity, topography, and line of sight, and will increase buffers as needed to provide sufficient protection of nesting birds and their natural behaviors.</i></p> <p><i>A qualified biologist shall observe any identified active nests prior to the start of any project-related activities to establish a behavioral baseline of the adults and any nestlings. Once project activities commence, all active nests shall either be monitored daily or continuously by a qualified biologist until the biological monitor is confident the established buffer is at an effective distance from the nest, to detect any signs of disturbance and behavioral changes as a result of the project. In addition to direct impacts, such as nest destruction, nesting birds might be affected by noise, vibration, odors and movement of workers or equipment. If signs of disturbance and behavioral changes are observed, the qualified biologist shall halt project activities</i></p>			



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		<p><i>causing that change until the nestlings have fledged, and the nest is determined to be inactive.</i></p> <p><i>Vernal Pool Fairy Shrimp and Vernal Pool Tadpole Shrimp</i></p> <p><i>IV-6(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a listed shrimp is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p> <p><i>IV-6(b) No more than seven days prior to initiation of ground-disturbing activities, a protocol-level survey shall be conducted to assess the presence or absence of listed fairy shrimp within the project site. Surveys shall occur in a year wet enough to fill ephemeral wetlands for the USFWS to accept the results of the surveys. Should the surveys confirm absence of listed fairy shrimp, no further action will be necessary.</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p> <p>No more than seven days prior to the initiation of ground-disturbing activities</p> <p>Preserved or created habitat shall be established at least a year prior to on-site impacts</p>	



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		<p><i>Should the surveys identify listed fairy shrimp, to mitigate for permanent impacts to shrimp habitat, the project applicant shall preserve occupied and potentially occupied habitat at a minimum 2:1 ratio (preserved:impacted) and create additional habitat at a minimum 2:1 ratio (created:impacted). Preservation or created habitat shall be via the purchase of mitigation land in fee title or via recordation of a conservation easement over the mitigation land preserving it in perpetuity as wildlife habitat. The easement shall be granted to a qualified conservation organization as defined by Section 815.3 of the California Civil Code. The preserved or created habitat shall be established at least a year prior to on-site impacts to vernal pool fairy shrimp or vernal pool tadpole shrimp habitat in order to monitor the new habitat's effectiveness, including a comparison to the existing on-site habitat with regards to appropriate hydrology for shrimp. Once the determination has been made that the created habitat supports the appropriate hydrology, the top four inches of topsoil of the on-site habitat planned to be impacted can be transferred to the mitigation site in the same day. Removal and placement of this topsoil shall be done in a systematic fashion that will avoid compaction of the soil.</i></p> <p><i>Prior to the start of construction, the project applicant shall prepare and submit to the City of Antioch a Habitat Mitigation and</i></p>		<p>Prior to the start of construction</p>	



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		<p><i>Management Plan (HMMP), which shall outline the requirements for managing preserved areas and created areas for five years, as well as success criteria for the created habitat. The HMMP will follow the guidelines for mitigation and monitoring of vernal pools issued by the USFWS (1994). The project applicant shall also establish an endowment fund, or other funding mechanism to provide for the long-term management, maintenance, and monitoring of the mitigation site.</i></p> <p><i>In lieu of the above, prior to construction, the project applicant may purchase credits at a 1:1 ratio from an approved mitigation bank.</i></p> <p><i>The project applicant may satisfy the requirements of this mitigation measure by providing the City of Antioch Community Development Department with a copy of a biological opinion issued by the USFWS that includes these, or other functionally equivalent, habitat preservation measures prior to the start of construction.</i></p> <p><i>As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:</i></p> <ol style="list-style-type: none"> <i>1. Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of</i> 			



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		<p><i>Coverage” by the 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</i></p> <p><i>2. Comply 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 USFWS have approved the conservation plan.</i></p> <p><i>If breeding habitat is planned to be removed, in addition to evaluating the potential of the project to affect listed fairy shrimp under CEQA, the applicant would need to comply with provisions of the federal Endangered Species Act and would need to seek take authorization from the USFWS for project-related losses as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (i.e., Section 7 consultation, usually through the USACE or the Bureau of Land Management) or through the HCP process (i.e., Section 10 consultation).</i></p> <p><i>California Tiger Salamander</i></p> <p><i>IV-7(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all</i></p>	City of Antioch Community	Prior to initiation of ground-disturbing	



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		<p><i>construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if California tiger salamander is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p> <p>IV-7(b) <i>No more than seven days prior to initiation of ground-disturbing activities, a qualified biologist shall conduct a preconstruction survey of the seasonal wetlands in the eastern portion of the project site during the rainy season in order to determine whether they could be classified as breeding habitat for the California tiger salamander. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department. If breeding habitat is not identified, further mitigation is not necessary. If the seasonal wetland is determined to be breeding habitat and cannot be avoided, the project applicant shall compensate for the loss of upland habitat at a minimum of a 3:1 impacts to replacement ratio. Mitigation land shall be permanently protected land within the Central California Distinct Population Segment (DPS) range of</i></p>	<p>Development Department</p> <p>City of Antioch Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	<p>activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p> <p>No more than seven days prior to initiation of ground-disturbing activities</p>	



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		<p><i>the California tiger salamander within 1.3 miles of a known breeding site, or as otherwise approved by CDFW and USFWS. Protection shall be accomplished through the purchase of the mitigation land in fee title or via recordation of a conservation easement over the mitigation land. In lieu of this mitigation prior to construction, the project applicant may purchase California tiger salamander credits at a 1:1 ratio from an approved mitigation bank.</i></p> <p><i>In addition, if breeding habitat is planned to be removed, the applicant shall comply with the provisions of the federal Endangered Species Act and shall obtain take authorization from the USFWS for project-related losses of the California tiger salamander habitat, as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (Section 7 consultation, usually through the U.S. Army Corps of Engineers (USACE) or the Bureau of Land Management. Proof of compliance shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:</i></p>			



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		<p>1. Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written “Conditions of Coverage” by the 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</p> <p>2. Comply 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 USFWS have approved the conservation plan.</p> <p><i>California Red-Legged Frog</i></p> <p>IV-8(a) Prior to initiation of ground-disturbing activities on the project site and off-site improvement areas, the project applicant shall require all construction workers to attend tailgate training that includes a description of California red-legged frog and its habitat and measures to be implemented to protect the frog and minimize take if the frog is observed on or near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</p>	<p>City of Antioch Community Development Department</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p>	



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		<p><i>IV-8(b) Within 48 hours prior to the initiation of ground-disturbing activities, a qualified biologist shall conduct preconstruction surveys for the presence of California red-legged frog individuals and habitat features within the project site and nearby vicinity, including a 500-foot radius surrounding the project site (to the extent that such areas are accessible). Habitat features include both aquatic habitat, such as plunge pools and ponds, and terrestrial habitat, such as burrows.</i></p> <p><i>The results of the habitat feature assessment shall be submitted to the City prior to starting project activities. Habitat features shall be flagged for avoidance to the extent feasible. If California red-legged frog are not encountered during the preconstruction surveys, further mitigation is not required. If California red-legged frogs are encountered during the assessment, the qualified biologist shall recommend, and the project shall implement, measures to avoid or minimize impacts to individual frogs, such as allowing frogs to move out of the area on their own volition or relocating the frogs. Following preconstruction surveys, work areas adjacent to Sand Creek and the unnamed tributary shall be enclosed with wildlife exclusion fencing with one-way escape doors prior to the commencement of initial ground disturbing activities. If a California red-legged frog is encountered during project</i></p>	<p>City of Antioch Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	<p>Within 48 hours prior to and during the construction period</p>	



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		<p><i>construction, all work shall cease until the frog has moved out of harm's way on its own volition or been relocated out of harm's way by a qualified biologist. A qualified biologist shall be on-site during particular times of construction to ensure California red-legged frog are not harmed, injured, or killed during project buildout.</i></p> <p><i>Upland habitats shall be managed via a long-term management plan to maintain the quality of the habitat for the movement and dispersal of California red-legged frog. Potential opportunities include, but are not limited to, enhancement of the channels and riparian corridor (e.g., formation of plunge pools), which would maximize opportunities to disperse from the ponds to even higher-quality habitat off-site.</i></p> <p><i>In addition, if breeding habitat is planned to be removed, the applicant shall comply with the provisions of the federal Endangered Species Act and shall obtain take authorization from the USFWS for project-related losses, as required by law. To obtain a take permit, consultation with the USFWS would need to be initiated either through a federal nexus (Section 7 consultation, usually through the U.S. Army Corps of Engineers (USACE) or the Bureau of Land Management). Proof of compliance shall be submitted to the City of</i></p>			

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		<p><i>Antioch Community Development Department.</i></p> <p><i>As an alternative to completion of this mitigation measure, the project applicant could comply with one of the following conditions:</i></p> <ol style="list-style-type: none"> <i>1. Comply with the applicable terms and conditions of the ECCC HCP/NCCP, as determined in written "Conditions of Coverage" by the 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</i> <i>2. Comply 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 USFWS have approved the conservation plan.</i> <p><i>Western Pond Turtle</i></p> <p><i>IV-9(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if western pond turtle is observed</i></p>	<p>City of Antioch Community Development Department</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the</p>	



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		<p><i>on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p> <p><i>IV-9(b) Implement Mitigation Measures IV-8(b) for potential western pond turtle nesting habitat. If nesting habitat is identified, in order to exclude any female western pond turtle from laying eggs within a development phase of the project, exclusion fencing shall be placed prior to the egg-laying season (March through August). Exclusion fencing shall be designed to encompass each development phase and maintained regularly until construction activities have been completed. Alternatively, the development footprint can be excluded from western pond turtle use by installing wildlife exclusion fencing prior to the turtle nesting season to prevent turtles from laying eggs on the project site and protect the nesting turtles and their hatchlings from impacts. If western pond turtle are observed on-site prior to or during construction, they shall be allowed to leave the site on their own. If a western pond turtle is unable to independently move out of harm's way, a qualified biologist shall relocate the species out of harm's way to habitat similar to where it was found. If a western pond turtle nest is observed, a 50-foot construction-free buffer around the nest site shall be established</i></p>	<p>City of Antioch Community Development Department</p> <p>CDFW</p> <p>USFWS</p>	<p>City within two weeks of training completion</p> <p>Prior to and during the construction period</p>	



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		<p style="text-align: center;"><i>and maintained until a qualified biologist determines the nest is no longer active.</i></p> <p><i>American Badgers</i></p> <p><i>IV-10(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if an American badger is observed on or near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p> <p><i>IV-10(b) The project applicant shall retain a qualified biologist to conduct a preconstruction survey to determine the presence or absence of badgers no more than seven days prior to initiation of ground-disturbing activities. If badgers are not identified, further mitigation is not required. If an active badger den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction-free buffer of up to 300 feet around the badger den. Once the biologist has determined that the badger has vacated the burrow, the burrow can be collapsed or</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Community Development Department</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p> <p>No more than seven days prior to initiation of ground-disturbing activities</p>	



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		<p><i>excavated, and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den, and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present on-site during construction activities in the vicinity of the burrows to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the badger young are of an independent age and construction activities would not harm individual badgers. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</i></p> <p>San Joaquin Kit Fox</p> <p><i>IV-11(a) Prior to initiation of ground-disturbing activities, the project applicant shall require all construction workers to attend tailgate training that includes a description of the species, a brief summary of the species biology, and minimization measures and instructions of what to do if a kit fox is observed on a near the construction zone. A sign-in sheet shall be distributed to all participants of the training program and submitted, along with a written summary of the training, to the City of Antioch Community Development Department within two weeks of training completion.</i></p>	<p>City of Antioch Community Development Department</p>	<p>Prior to initiation of ground-disturbing activities</p> <p>Written summary of the training submitted to the City within two weeks of training completion</p>	



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		<i>IV-11(b) A qualified biologist shall conduct preconstruction surveys no more than seven days prior to site grading to determine the presence or absence of kit fox. If kit fox is not identified during the surveys, further mitigation is not required. If an active kit fox den is identified during preconstruction surveys within or immediately adjacent to an area subject to construction, a qualified biologist shall establish a construction free buffer of up to 300 feet around the San Joaquin kit fox den. Once the biologist has determined that the San Joaquin kit fox has vacated the den, the den can be collapsed or excavated, and ground disturbance can proceed. Should the den be determined to be a natal or reproductive den, a biological monitor shall be present on-site during construction activities in the vicinity of the dens to ensure that the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required to be present until it is determined that the young are of an independent age and construction activities would not harm individual San Joaquin kit fox. A written summary of the survey results shall be submitted to the City of Antioch Community Development Department.</i>	City of Antioch Community Development Department	No more than seven days prior to initiation of grading activities During the construction period	
IV-b., IV-c.	Have a substantial adverse effect on any riparian habitat or other	<i>IV-12(a) Prior to the initiation of ground-disturbing activities, the project applicant shall submit a formal wetland delineation to the USACE for</i>	USACE	Prior to the initiation of ground-disturbing activities	



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	<p>sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.</p> <p>Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	<p><i>verification to determine the extent of all hydrological features, their jurisdictional status, and the extent of any impacts of the currently proposed project. A summary of the wetland delineation shall be submitted to the City of Antioch Community Development Department.</i></p> <p><i>IV-12(b) Prior to discharging any dredged or fill materials into any waters of the U.S. within the project site and/or the off-site improvement areas, the applicant shall obtain permit authorization to fill wetlands under Section 404 of the federal Clean Water Act (CWA) (Section 404 Permit) from USACE. The Section 404 Permit application shall include an assessment of directly impacted, avoided, and preserved acreages to waters of the U.S. Mitigation measures shall be developed as part of the Section 404 Permit to ensure no net loss of wetland function and values. Mitigation for direct impacts to waters of the U.S. within the project site and/or the off-site improvement areas would occur at a minimum of 1:1 ratio for direct impacts by purchasing seasonal wetland credits from the Cosumnes Mitigation Bank or other wetland mitigation bank that services the project site, as approved by the USACE and the RWQCB.</i></p> <p><i>Alternatively, the project applicant may create, preserve, and manage new seasonal wetlands on or off of the project site that is of</i></p>	<p>City of Antioch Community Development Department</p> <p>USACE</p> <p>RWQCB</p> <p>City of Antioch Community Development Department</p>	<p>Prior to discharging any dredged or fill materials into any waters of the U.S.</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>equal or greater quality to the habitats being impacted at a minimum 1:1 mitigation ratio. A project-specific Wetland Mitigation and Monitoring Plan prepared by a qualified wetland restoration ecologist that includes the following information shall be provided to the City of Antioch Community Development Department prior to conducting any activity that would result in the placement of any fill material into a water of the U.S. or water of the State:</i></p> <ul style="list-style-type: none"> • <i>A description of the impacted water;</i> • <i>A map depicting the location of the mitigation site(s) and a description of existing site conditions;</i> • <i>A detailed description of the mitigation design that includes: (i) the location of the new seasonal wetlands; (ii) proposed construction schedule; (iii) a planting/vegetation plan; (iv) specific monitoring metrics, and objective performance and success criteria, such as delineation of created area as jurisdictional waters using USACE published methods; and (v) contingency measures if the created wetlands do not achieve the specified success criteria; and</i> • <i>Short-term and long-term management and monitoring methods.</i> 			



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>If the wetland mitigation site is a separate mitigation property, the project applicant will grant a conservation easement to a qualified entity, as defined by Section 81.5.3 of the California Civil Code, preserving the created seasonal wetland(s) in perpetuity, and establish an endowment fund to provide for the long-term management, maintenance, and monitoring of the created seasonal wetland(s). If the proposed project includes placing fill material into jurisdictional waters of the U.S. or waters of the State, the project applicant shall provide the City of Antioch Community Development Department with a copy of permits issued by the USACE and RWQCB authorizing the fill.</i></p> <p><i>In addition, a Water Quality Certification or waiver pursuant to Section 401 of the CWA must be obtained for Section 404 permit actions. Proof of compliance with the mitigation measure shall be submitted to the City of Antioch Community Development Department prior to the issuance of grading permits.</i></p> <p><i>IV-12(c) Impacts to riparian habitat within CDFW's Section 1602 jurisdictional areas that would occur during construction shall be mitigated through planting California native trees and/or shrubs within the Sand Creek buffer area. Impacted trees and shrubs shall be mitigated with a 3:1 (replacement:impacts) ratio.</i></p>	<p>City of Antioch Community Development Department</p> <p>CDFW</p>	<p>Prior to the construction period</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Replacement trees and shrubs shall be a minimum of one gallon size trees/shrub replacements.</i></p> <p><i>In addition, the project applicant will implement appropriate BMPs to prevent construction related impacts that could introduce de minimus fill or other pollutants into Sand Creek and the creek's tributaries. The measures shall include the installation of wildlife-friendly hay wattles and/or silt fence that will prevent unintended de minimus fill impacts during construction activities associated with Sand Creek. In addition, orange silt fencing shall be installed at the top-of-bank of Sand Creek to prevent unintended human and equipment traffic adjacent to Sand Creek. Finally, the dripline of all protected trees within the drainages on the project site, if near work areas, shall be protected through the installation of orange construction fencing.</i></p> <p><i>The project applicant shall satisfy this mitigation by providing the City of Antioch Community Development Department with a fully executed copy of a Streambed Alteration Agreement (SBAA) with the CDFW that includes these, or other functionally equivalent, BMPs, prior to any construction activities associated with Sand Creek. The project applicant shall implement the conditions of the executed SBAA.</i></p>			



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
IV-e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	<p><i>IV-15 Prior to issuance of certificates of occupancy, all trees that are legally removed as part of the proposed project shall be replaced according to the following schedule, to the satisfaction of the City of Antioch Community Development Department:</i></p> <ol style="list-style-type: none"> <i>1. Each established tree: two 24-inch box trees.</i> <i>2. Each mature tree: two 48-inch box trees.</i> <p><i>The locations and sizes of the replacement trees shall be clearly shown on the final landscape plans, subject to review and approval by the City of Antioch Community Development Department.</i></p>	City of Antioch Community Development Department	Prior to issuance of certificates of occupancy	
V-a-c.	<p>Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.</p> <p>Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5.</p> <p>Disturb any human remains, including those</p>	<p><i>V-1 In the event that a cultural resource is inadvertently discovered during project activities, work shall be halted within 100 feet (30 meters) of the find and a qualified archaeologist (36 CFR Part 61) notified immediately so that an assessment of potential significance can be undertaken in accordance with City of Antioch General Plan Policy 10.9.2.d (2003). Construction activities may continue in other areas, but shall not resume in the area of the find until the City of Antioch Community Development Department provides written permission.</i></p> <p><i>If the discovery proves to be significant, additional work, such as data recovery</i></p>	City of Antioch Community Development Department	During the construction period	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	interred outside of dedicated cemeteries.	<p><i>excavation, may be warranted and would be discussed in consultation with the City of Antioch Community Development Department, any invested tribes, and other relevant regulatory agencies, as appropriate.</i></p> <p>V-2 <i>In the event of the accidental discovery or recognition of any or human remains, further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent human remains shall not occur until compliance with the provisions of CEQA Guidelines Section 15064.5(e)(1) and (2) has occurred. The Guidelines specify that in the event of the discovery of human remains other than in a dedicated cemetery, no further excavation at the site or any nearby area suspected to contain human remains shall occur until the County Coroner has been notified to determine if an investigation into the cause of death is required. If the coroner determines that the remains are Native American, then, within 24 hours, the Coroner must notify the Native American Heritage Commission, which in turn will notify the most likely descendants who may recommend treatment of the remains and any grave goods. If the Native American Heritage Commission is unable to identify a most likely descendant or most likely descendant fails to make a recommendation within 48 hours after notification by the Native American Heritage Commission, or the landowner or his</i></p>	<p>City of Antioch Community Development Department</p> <p>County Coroner</p> <p>NAHC</p>	During the construction period	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>authorized agent rejects the recommendation by the most likely descendant and mediation by the Native American Heritage Commission fails to provide a measure acceptable to the landowner, then the landowner or his authorized representative shall rebury the human remains and grave goods with appropriate dignity at a location on the property not subject to further disturbances. Should human remains be encountered, a copy of the resulting County Coroner report noting any written consultation with the Native American Heritage Commission shall be submitted as proof of compliance to the City's Community Development Department.</i>			
VII-a-iii., aiv., c.,d.	<p>Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?</p> <p>Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?</p> <p>Be located on a geologic unit or soil that is</p>	<p>VII-1 <i>All grading and foundation plans for the development shall be designed by a Civil and Structural Engineer and reviewed and approved by the City of Antioch Building Division prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the Preliminary Geotechnical Exploration prepared for the proposed project are properly incorporated and utilized in the project design.</i></p> <p>VII-2 <i>Prior to issuance of any grading permits, the project applicant shall submit to the City of Antioch Engineering Department, for review and approval, a design-level geotechnical exploration study produced by a California Registered Civil Engineer or Geotechnical Engineer and identify grading and building</i></p>	<p>City of Antioch Building Division</p> <p>City of Antioch Engineering Department</p>	<p>Prior to issuance of grading and building permits</p> <p>Prior to issuance of any grading permits</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<p>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?</p> <p>Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<p><i>practices necessary to achieve compliance with the latest adopted edition of the California Building Standards Code's geologic, soils, and seismic requirements. Consistent with the Preliminary Geotechnical Exploration prepared for the proposed project, the design-level geotechnical exploration study shall include additional soil borings, test pits, laboratory testing, chemical testing for corrosivity, geologic mapping and fault trenching/evaluation.</i></p>			
VII-b.	<p>Result in substantial soil erosion or the loss of topsoil?</p>	<p>VII-3 <i>Prior to issuance of grading and building permits, the project applicant shall submit, for the review and approval by the City Engineer, an erosion control plan that utilizes standard construction practices to limit the erosion effects during construction of the proposed project. Measures shall include, but are not limited to, the following:</i></p> <ul style="list-style-type: none"> • <i>Hydro-seeding;</i> • <i>Placement of erosion control measures within drainage ways and ahead of drop inlets;</i> • <i>The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);</i> 	City Engineer	Prior to issuance of grading and building permits	



**MITIGATION MONITORING AND REPORTING PROGRAM
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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> • The placement of straw wattles along slope contours; • Directing subcontractors to a single designation “wash-out” location (as opposed to allowing them to wash-out in any location they desire); • The use of siltation fences; and • The use of sediment basins and dust palliatives. 			
VII-f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<p>VII-4 <i>Prior to the initiation of ground-disturbing activities, a qualified paleontologist shall be retained to administer Worker Environmental Awareness Program (WEAP) training to construction personnel so that a basic understanding of local geology and the paleontological sensitivity of the project area will be acquired by those involved in earth-moving activities. The training shall include information on the types of fossils that may be encountered during project work, relevant compliance requirements, and the course to action to be taken in the event of an inadvertent fossil discovery. A sign-in sheet shall be kept with the signatures of all attendees for submission to the City of Antioch Community Development Department.</i></p> <p>VII-5 <i>In the event that a paleontological resource is inadvertently discovered during project-related work, regardless of the depth of excavation or location, work shall be halted within 50 feet (15 meters) of the find and a qualified paleontologist (Society of Vertebrate</i></p>	<p>City of Antioch Community Development Department</p> <p>City of Antioch Community Development Department</p>	<p>Prior to the initiation of ground-disturbing activities</p> <p>During any project-related work</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Paleontology [SVP] 2010) notified immediately so that an assessment of the resource's potential significance can be undertaken in accordance with City of Antioch General Plan Policy 10.9.2.d (City 2003). Construction activities could continue in other areas.</i></p> <p><i>If the find is determined to be significant under SVP criteria, the find shall be left in place without further disturbance, or if avoidance is not feasible, then additional work, such as fossil recovery excavation (salvage) and curation at a certified repository, such as the University of California Museum of Paleontology (UCMP), may be warranted and would be discussed in consultation with the City of Antioch Community Development Department, and any other relevant regulatory agency, as appropriate.</i></p>			
IX-b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	IX-1 <i>Prior to final map approval, the project applicant shall submit to the City of Antioch Engineering Department, for review and approval, plans which show that future inhabited structures will not be located over or within the required setback from any active petroleum pipelines in compliance with the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) Construction Site Review Program.</i>	City of Antioch Engineering Department	Prior to the final map approval	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p>IX-2 <i>Prior to issuance of any grading permits, the project applicant shall coordinate with Conoco Phillips and Chevron to determine the accurate depths and alignment of the existing on-site pipelines and shall conduct field checking and potholing of the pipelines, if necessary. Arrangements for potholing of the pipelines shall be made at least 48 hours in advance. The project applicant shall be responsible for providing a backhoe and operator, as well as a surveyor if needed. All construction plans that involve pipeline easement encroachments shall be submitted to the applicable pipeline owner to allow for review.</i></p> <p><i>After determining the accurate depths and alignments of the existing pipelines, the results shall be noted on all project construction plans, subject to review by the City Engineer. For any work occurring within the pipeline easement, construction plans shall demonstrate compliance with applicable local, State, and federal regulations and development restrictions, which would include, but would not be limited to, the following:</i></p> <ul style="list-style-type: none"> <i>Maintain a minimum of 12 inches of clearance between the pipelines and other cross-lines that intersect at a 90-degree angle, or a minimum of 24</i> 	City Engineer	<p>Prior to issuance of any grading permits</p> <p>Arrangements for potholing of the pipelines shall be made at least 48 hours in advance</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>inches of clearance for intersection angles less than 90-degrees;</i></p> <ul style="list-style-type: none"> <i>Maintain a minimum of 24 inches of undisturbed clearance between the top of pipe and bottom of the sub grade for paving and grass or shallow rooted plants within the pipeline easements;</i> <i>Prohibit deep-rooted trees and structures within pipeline easements;</i> <i>All excavations within 24-inches of the pipelines shall be accomplished using hand tools only;</i> <i>Restrict use of heavy vibratory equipment over pipelines; and</i> <i>Notify Underground Service Alert (USA) at 800-227-2600 at least 48 hours prior to any excavation work.</i> 			
X-a.	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	X-1 <i>Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP). The developer shall file the Notice of Intent (NOI) and associated fee to the SWRCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. The SWPPP shall be submitted to the Director of Public Works/City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the</i>	Director of Public Works/City Engineer	Prior to issuance of grading permits	



**MITIGATION MONITORING AND REPORTING PROGRAM
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Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<i>contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</i>			
X-civ.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows.	X-2 <i>Prior to issuance of grading permits, the project applicant shall prepare a site-specific hydraulic analysis to determine the BFE within Zone A in the vicinity of the proposed EVA. If the analysis determines that the portion of the proposed EVA within the floodplain would be less than one foot above the BFE, the elevation of the portion of the EVA within the floodplain shall be raised to at least one foot above the BFE or to the satisfaction of the CCCFCD. The site-specific hydraulic analysis and proof of CCCFCD satisfaction shall be submitted to the City of Antioch Community Development Department.</i>	City of Antioch Community Development Department	Prior to issuance of grading permits	
XIII-a.	Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.	XIII-1 <i>Prior to approval of grading permits, the City shall establish the following requirements, via written notation on final improvement plans, subject to review and approval by the City of Antioch Community Development Department:</i> <ul style="list-style-type: none"> • <i>Construction activities shall be limited to the hours of 7:00 AM and 6:00 PM Monday through Friday, and 9:00 AM and 5:00 PM on weekends.</i> • <i>The construction contractor shall use temporary noise attenuation fences to</i> 	City of Antioch Community Development Department	Prior to approval of grading permits	



**MITIGATION MONITORING AND REPORTING PROGRAM
Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>protect sensitive receptors west of the project site.</i></p> <ul style="list-style-type: none"> • <i>The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</i> • <i>Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.</i> • <i>When not in use, motorized construction equipment shall not be left idling for more than five minutes.</i> • <i>Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.</i> 			
XVIII-a., b.	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape	XVIII-1 Implement Mitigation Measures V-1 and V-2.	See Mitigation Measures V-1 and V-2	See Mitigation Measures V-1 and V-2	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<p>that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).</p> <p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe,</p>				



**MITIGATION MONITORING AND REPORTING PROGRAM
 Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	<p>and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>				
XXI-a.	<p>Does the project have the potential to substantially 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, substantially reduce the number or restrict the</p>	<p><i>XXI-1 Implement Mitigation Measures IV-1 through IV-13, V-1, and V-2.</i></p>	<p>See Mitigation Measures IV-1 through IV-13, V-1, and V-2</p>	<p>See Mitigation Measures IV-1 through IV-13, V-1, and V-2</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM
 Albers Ranch Project**

Impact Number	Impact	Mitigation Measure	Monitoring Agency	Implementation Schedule	Sign-off
	range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				



ATTACHMENT “B”

PLANNING COMMISSION RESOLUTION NO. 2024-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING CITY COUNCIL APPROVAL OF A GENERAL PLAN MAP AND TEXT AMENDMENT AMENDING THE LAND USE DESIGNATION FOR THE ALBERS RANCH PROJECT FROM HILLSIDE, ESTATE AND EXECUTIVE RESIDENTIAL/OPEN SPACE AND COMMERCIAL/OPEN SPACE TO MEDIUM LOW DENSITY RESIDENTIAL/OPEN SPACE AND COMMERCIAL/OPEN SPACE AND AMENDMENTS TO THE GENERAL PLAN TEXT TO THE SAND CREEK FOCUS AREA OF THE GENERAL PLAN TO ADD THE ALBERS RANCH SUB AREA TO THE SAND CREEK FOCUS AREA

WHEREAS, the City of Antioch (“City”) received an application from Hillside Group, LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map and General Plan Text Amendments; a Master Development Plan/Rezone; Vesting Tentative Subdivision Map; and Resource Management Plan for the development of 294 single-family residential units, a future assisted living facility, and neighborhood commercial uses on approximately 96.5 acres, known as the Albers Ranch Project (“Project”) (GP-19-04, MDP-19-01); and

WHEREAS, The Project site is in the southeastern section of the City, east of the Deer Valley Road and Deer Hill Lane intersection within the Sand Creek Focus Area (APNs 057-042-006 and 057-050-021); and

WHEREAS, the Project consists of a 294 unit planned residential community with future development of an assisted living facility and neighborhood commercial development upon issuance of a future Conditional Use Permit (CUP) on approximately 47.4 acres of the total 96.5-acre project site consisting of approximately 31.2 acres of single-family residences, 13.2 acres of private roadway improvements, and 3.0 acres for the assisted living facility and neighborhood commercial. The remaining 49.1 acres would be used for parks, open space, recreation, and water quality/detention purposes; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act (“CEQA”), has completed the Final Environmental Impact Report (“Final EIR” or “EIR”) for the Project; and

WHEREAS, on November 20, 2024 the Antioch Planning Commission recommended City Council certify the Final EIR (SCH # 2019060012), its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR; and

WHEREAS, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan; and

**PLANNING COMMISSION
RESOLUTION NO. 2024-****

November 20, 2024

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WHEREAS, the primary purpose of the General Plan Amendment is to ensure consistency between the City of Antioch General Plan and the Project; and

WHEREAS, the proposed project requires amendments to the General Plan Land Use Map to the Sand Creek Focus Area of the General Plan to redesignate the project site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential/Open Space and Commercial/Open Space as attached hereto as Exhibit A, and amendments to the General Plan Text to the Sand Creek Focus Area of the General Plan to add the Albers Ranch Sub Area to the Sand Creek Focus Area as attached hereto as Exhibit B; and

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 4, 2024 for the Antioch Planning Commission public hearing held on October 16, 2024; and

WHEREAS, on October 16, 2024, the Antioch Planning Commission duly held a public hearing and continued the item to the November 20, 2024 Planning Commission Meeting;

WHEREAS, on November 20, 2024, the Antioch Planning Commission duly held a public hearing on the matter, received presentation by City staff, and considered evidence, both oral and documentary, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby make the following findings for recommending City Council approval of the proposed General Plan Amendment:

1. The proposed project conforms to the provisions and standards of the General Plan because the proposed amendment is internally consistent with all other provisions of the General Plan and does not conflict with any of the previously adopted Goals, Policies and Programs of the General Plan; and
2. The proposed Amendment is necessary to implement the goals and objectives of the General Plan because the project will provide additional residences and jobs to the City; and
3. The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City because the Amendment will result in a logical placement of land uses consistent with the overall intent of the General Plan; and

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4. The proposed project will not cause environmental damage because the Albers Ranch Project Final EIR (SCH# 2021200264) is adequate for addressing the environmental impacts of the proposed project.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby recommend the Antioch City Council APPROVE the General Plan Land Use Map Amendment to the Sand Creek Focus Area of the General Plan to redesignate the project site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential/Open Space and Commercial/Open Space and amendments to the General Plan Text to the Sand Creek Focus Area of the General Plan to add the Albers Ranch Sub Area to the Sand Creek Focus GP-19-04).

* * * * *

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 November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

KEVIN SCUDERO
Secretary to the Planning Commission

LOW DENSITY
RESIDENTIAL

APN 057-042-023
COMMERCIAL/
OPEN SPACE

ANTIOCH UNIFIED SCHOOL
DISTRICT

APN 057-042-005
APN 057-050-009

COMMERCIAL/
OPEN SPACE

CONTRA COSTA COUNTY
FLOOD CONTROL DISTRICT
APN 057-050-019

CONTRA COSTA COUNTY FLOOD
CONTROL DISTRICT
(CCCFCD)
APN 057-050-010

CCCFCD
APN 057-050-008

CCCFCD
APN 057-050-020

ALBERS PROPERTY
APN 057-042-006
APN 057-050-021

PG&E
APN 057-050-015
APN 057-050-016

CCCFCD
APN 057-050-019
APN 057-050-023

APN 057-050-022
HILLSIDE, ESTATE &
EXECUTIVE RESIDENTIAL

VINEYARDS AT SAND
CREEK/CREEKSIDE PROJECT

APN 057-050-024

EXISTING GENERAL PLAN
DESIGNATION: SAND CREEK FOCUS
AREA WITH SUB-DESIGNATIONS OF
"OPEN SPACE/SENIOR HOUSING"

PROPOSED GENERAL PLAN
DESIGNATION: SAND CREEK FOCUS
AREA WITH SUB-DESIGNATIONS OF
"MEDIUM LOW DENSITY RESIDENTIAL"
AND "OPEN SPACE"

(NOT A PART OF
ALBERS PROPERTY PROJECT)

EXISTING GENERAL PLAN DESIGNATION: SAND CREEK FOCUS AREA WITH
SUB-DESIGNATIONS OF "HILLSIDE, ESTATE AND EXECUTIVE
RESIDENTIAL/OPEN SPACE" AND "COMMERCIAL/OPEN SPACE"
PROPOSED GENERAL PLAN DESIGNATION: MEDIUM LOW DENSITY RESIDENTIAL

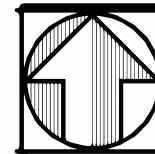
APN 019-120-008
COUNTY AL
(AGRICULTURAL LANDS)

APN 019-120-002
COUNTY AL
(AGRICULTURAL LANDS)

PROPOSED GENERAL PLAN AMENDMENT EXHIBIT SAND CREEK FOCUS AREA ALBERS PROPERTY

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

DATE: JANUARY 28, 2020 SCALE: 1" = 600'



CIVIL ENGINEERS • SURVEYORS • PLANNERS

SAN RAMON (925) 866-0322
SACRAMENTO (916) 375-1877
WWW.CBANDG.COM

B4

EXHIBIT A

1/28/2020 5:58 PM

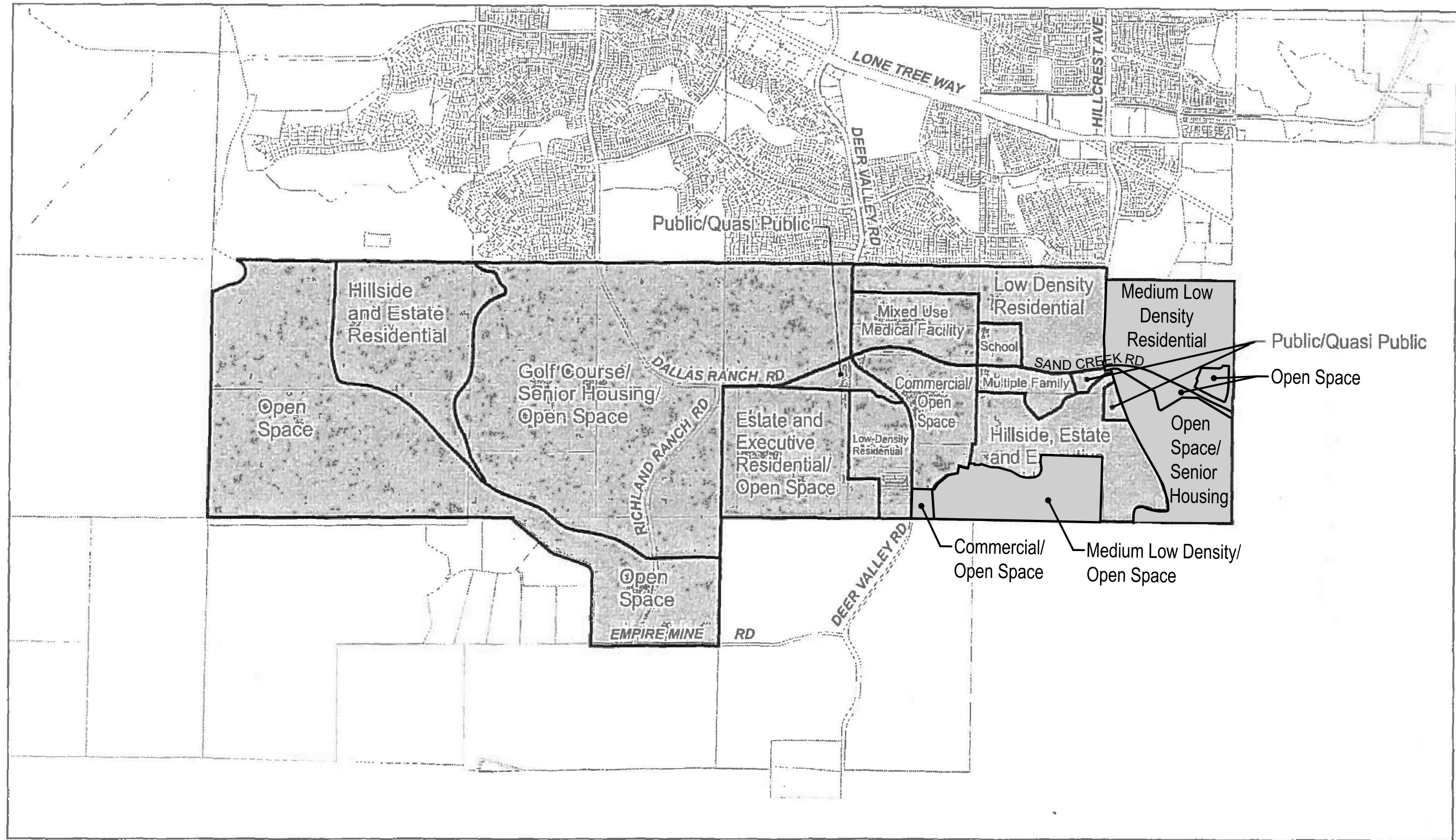


FIGURE 4.8

FIGURE 4.8

(REVISED BY CBG, 11/09/15)
 (REVISED BY CBG, 02/25/21)

City of Antioch
 General Plan

Sand Creek Focus Area

LSA

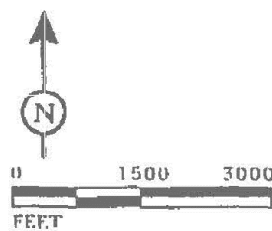


EXHIBIT “B”

Albers Ranch Sub-Area

4.4.6.7.1 Albers Ranch. The Albers Ranch Sub-Area encompasses approximately 96.5 acres of the Sand Creek Focus Area in the southern portion of the City of Antioch (Figure 4.8).

This Sub-Area is located immediately east of Deer Valley Road, south of Sand Creek.

a. Purpose and Primary Issues. The Albers Ranch Sub-Area is generally rectangular, with the southern, western, and eastern boundary lines linear, and the north property line meandering in and out towards the west and linear towards the east. Albers Ranch consists of generally rolling terrain that falls from west to east. Albers Ranch borders the Contra Costa County Flood Control and Water Conservation District Upper Sand Creek Basin to the north, the Shadow Lakes development in Brentwood to the East, Deer Valley Road to the immediate west, and unincorporated, undeveloped property to the south. Slopes vary from less than 25 percent near the center and northeast corner of the property to less than 10 percent on the west side and eastern valley floor. The Albers Ranch property has been primarily covered with native vegetation, and historic aerial photos show the property has been dry-land farmed and/or disked for the majority of the last 100 years.

b. Policy Direction. The Albers Ranch Sub-Area is part of the large-scale planned community intended for the Sand Creek Focus Area. Albers Ranch is intended to be a diverse multi-generational community consisting of up to 300 homes with neighborhoods for families and seniors and, upon issuance of a conditional use permit, could include an assisted living facility and neighborhood commercial land uses, all on approximately 52.8 acres of the property (~ 55%). The remaining approximately 43.7 acres of the property (~ 45%) will be preserved as open space.

Within the Albers Ranch Sub-Area, assisted living is housing with no limit on the length of stay, that is occupied by a target population. Assisted living is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Within the Albers Ranch Sub-Area, neighborhood commercial consists of retail uses that provide goods and services to the immediate residential neighborhood area.

This community will create its “fair share” of infrastructure within the Sand Creek Focus Area with primary access from Hillcrest Avenue to the east and secondary access off Deer Valley Road to the west, and emergency vehicle access from the property to the southern extension of Hillcrest Avenue to the east.

The following policies apply to development within the Albers Ranch Sub-Area.

1. As a means of expanding the range of housing choice within Antioch, 300 units of Medium Low Density single-family homes with different lot sizes from 3,600 to 9,201 square foot lots may be constructed in the Albers Ranch Sub-Area. The anticipated population density for this land use type is fourteen to eighteen persons per acre developed with residential uses. In addition, upon the issuance of a conditional use permit and appropriate compliance with the California Environmental Quality Act, the project may also include an assisted living facility and neighborhood commercial land uses.

2. Albers Ranch Sub-Area landforms with slopes of greater than 50% shall be preserved in their natural condition with no mass grading. Overall, a minimum of 45 percent of the Albers Ranch Sub-Area shall be preserved in open space.
 3. Because of the sensitivity of the habitat areas within the Albers Ranch Sub-Area and to provide for mitigation of biological resources as well as for the long-term management of open space, a project-specific Resource Management Plan based on the Framework Resource Management Plan attached as Appendix A to this General Plan shall be prepared and approved prior to development of the property.
 4. All areas designated as "Open Space" within the Albers Ranch Sub-Area may be utilized for mitigation for loss of grassland and other project-level impacts by projects within the Sub-Area.
 5. Chaparral, scrub, and rock outcrop shall be retained in natural open space contiguous to the required grassland linkage to function as a buffer and protect the grassland linkage south of the chaparral, scrub, and outcrop community.
 6. Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of the Albers Ranch Sub-Area as an identifiable "community" distinct from Southeast Antioch.
 7. Neighborhood amenities may be privately maintained for the exclusive use of project residents.
 8. Development of an appropriate level of pedestrian and bicycle circulation throughout the community is to be provided, including pathways connecting the residential neighborhoods, as well as non-residential and recreational components of the community. Trails shall be designed so as to avoid impacting sensitive plant and amphibian habitats, as well as water quality.
- c. Albers Ranch Hillside Design Policies.** The following Hillside Design Policies shall apply within the Albers Ranch Sub-Area:
1. Design hillside development to be sensitive to existing terrain, views, and significant natural landforms and features.
 2. Development within hillside areas shall be designed to protect important natural features and to minimize the amount of grading to the extent feasible to support the project objectives. To this end, surface grading shall conform to the following guidelines. Remedial grading such as repair of a landslide or corrective work needed to achieve soil stability will be as directed by the project geotechnical engineer.
 - Slopes less than 25%:

Redistribution of earth over large areas may be permitted.

 - Slopes between 25% and 35%:

Some grading may occur, but landforms need to retain their natural character. Split-level designs and clustering are encouraged as a means of avoiding the need for large padded building areas.

- Slopes between 35% and 50%:

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

- Slopes greater than 50%:

Except in small, isolated locations, development in areas with slopes greater than 50% should be avoided.

3. Manufactured slopes in excess of five vertical feet (5') shall be landform graded. "Landform grading" is a contour grading method which creates artificial slopes with curves and varying slope ratios in the horizontal and vertical planes designed to simulate the appearance of surrounding natural terrain. Grading plans shall identify which slopes are to be landform graded and which are to be conventionally graded.
4. The overall project design/layout of hillside development shall adapt to the natural hillside topography and maximize view opportunities to, as well as from the development.
5. Grading of ridgelines is to be avoided wherever feasible, siting structures sufficiently below ridgelines so as to preserve unobstructed views of a natural skyline. In cases where application of this performance standard would prevent construction of any structures on a lot of record, obstruction of views of a natural skyline shall be minimized through construction techniques and design, and landscaping shall be provided to soften the impact of the new structure.
6. Hillside site design should maintain an informal character with the prime determinant being the natural terrain. This can be accomplished by:
 - utilizing variable setbacks and structure heights, innovative building techniques, and retaining walls to blend structures into the terrain, and
 - allowing for different lot shapes and sizes.
7. Buildings should be located to preserve existing views and to allow new dwellings access to views similar to those enjoyed from existing dwellings.
8. Streets should follow the natural contours of the hillside to minimize cut and fill, permitting streets to be split into two one-way streets in steeper areas to minimize

grading and blend with the terrain. Cul-de-sacs or loop roads are encouraged where necessary to fit the terrain. On- street parking and sidewalks may be eliminated, subject to City approval, to reduce required grading.

9. Clustered development is encouraged as a means of preserving the natural appearance of the hillside and maximizing the amount of open space. Under this concept, dwelling units are grouped in the more level portions of the site, while steeper areas are preserved in a natural state.
10. Project design should maximize public access to open space areas by:
 - providing open space easements between lots or near the end of streets or cul-de-sacs; and
 - designating public pathways to scenic vistas.
11. Permit the use of small retaining structures when such structures can reduce grading, provided that these structures are located and limited in height so as not to be a dominant visual feature of the parcel.
 - Where retaining walls face public streets, they should be faced with materials that help blend the wall into the natural character of the terrain.
 - Large retaining walls in a uniform plane should be minimized. Break retaining walls into elements and terraces, and use landscaping to screen them from view.
12. Lot lines shall be placed at the top of slopes to facilitate maintenance by the down slope owner, who has the greater “stake” in ensuring the continued integrity of the slope.
13. The overall scale and massing of structures shall respect the natural surroundings and unique visual resources of the area by incorporating designs which minimize bulk and mass, follow natural topography, and minimize visual intrusion on the natural landscape.
 - The overall height of a building is an important aspect of how well it fits into the existing character of the neighborhood and its hillside environment. Houses should not be excessively tall so as to dominate their surroundings or create a crowded appearance in areas of small lots. Structures should generally be stepped down hillsides and contained within a limited envelope parallel to the natural grade, rather than “jutting out” over natural slopes.
 - Building forms should be scaled to the particular environmental setting so as to complement the hillside character and to avoid excessively massive forms that fail to enhance the hillside character.
 - Building facades should change plane or use overhands as a means to create changing shadow lines to further break up massive forms.

- Wall surfaces facing towards viewshed areas should be minimized through the use of single story elements, setbacks, roof pitches, and landscaping.
14. Collective mass rooflines and elements should reflect the naturally occurring topographical variation, or create an overall variety, that blends with the hillside.
 15. Based upon the graphic principle that dark colors recede and light colors project, medium to dark colors which blend with the surrounding environment should be used for building elevations and roof materials in view-sensitive areas.
 16. Architectural style, including materials and colors, should be compatible with the natural setting. The use of colors, textures, materials and forms that will attract attention by contrasting or clashing with other elements in the neighborhood is to be avoided. No one dwelling should stand out.
 17. The interface between development areas within the ULL and open space is critical and shall be given special attention. Slope plantings should create a gradual transition from developed slope areas into natural areas. By extending fingers of planting into existing and sculptured slopes, the new landscape should blend in with the natural vegetation.
 18. For fire prevention purposes, a fuel modification zone shall be provided between natural open space and development.
 19. New development shall be conditioned upon:
 - the preparation and recordation of a declaration of covenants, conditions and restrictions providing for the development and maintenance of manufactured slopes;
 - in the case of a parcel map or subdivision, the subdivider supplying a program and/or staff for preventive maintenance of major manufactured slope areas. Such program must be approved prior to approval of a final map, and shall include homeowner slope maintenance requirements and guidelines to be incorporated into the declaration of covenants, conditions and restrictions.

Table 4.A - Appropriate Land Use Types

	Estate Residential	Low Density Residential	Medium Low Density Residential	Medium Density Residential	High Density Residential	Convenience Commercial	Neighborhood/Community Comm.	Regional Commercial	Somersville Road Commercial	SR-4/SR-160 Frontage Comm.	Marina/Support Services	Rivertown Commercial	"A" Street Commercial/Office	Mixed Use	Mixed Use Medical Facility	Office	Business Park	Eastern Waterfront Business Park	Light Industrial
<p>Residential Care Facilities. While largely residential in character, residential care facilities are distinguished from other residential use types in that care facilities combine a variety of medical care, supervision, or medical assistance services with housing. State law exempts certain small residential care facilities from local regulation, and can locate anywhere permitted by law.</p>			✓ ¹		✓	✓								✓	✓				

1 Allowed only upon the issuance of a conditional use permit.

Table 4.B – Anticipated Maximum General Plan Build Out in the City of Antioch

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
Residential				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential	-	4,817	-	-
Subtotal	29,023	6,064	-	-
Commercial				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial	-	-	4,563,853	-
Albers Ranch Assisted Living/Neighborhood Commercial ²	-	-	-	-
Office	-	-	2,154,679	-
Subtotal	-	-	7,059,981	-
Industrial				
Business Park	-	-	-	8,647,651
Special				
Mixed Use	-	279	606,885	-
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
Subtotal	-	279	606,885	5,968,350
Focus Areas¹				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	268,051	13,688,023
Ginocchio Property Focus Area	-	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Focus Plan	-	2,500	2,500,000	-
Sand Creek Focus Area	3,537	433	1,240,000	-
<i>Albers Ranch Sub-Area</i>	<i>300³</i>	-	-	-
Western Antioch Commercial Focus Area	-	-	8,67,751	4,195,114
Western Gateway Focus Area	-	460	215,216	-
Subtotal	6,439	5,570	20,845,130	15,922,342
TOTAL	35,462	11,912	28,511,966	30,538,343

Population	150,175
Employed Population	84,098
Total Jobs	107,378
Retail Jobs	21,476
Non-Retail Jobs	85,902
	0.72

¹ Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

² Allowed only upon issuance of a conditional use permit.

³ Figure indicated represents a subset of the maximum permitted development intensity in the Sand Creek Focus Area.

Jobs/Population Ratio

Table 4.D – Anticipated Maximum General Plan Build Out in the General Plan Study Area

Land Uses	Single-Family (Dwelling Units)	Multi-Family (Dwelling Units)	Commercial/ Office (sq.ft.)	Business Park/ Industrial (sq.ft.)
Residential				
Estate Residential	915	-	-	-
Low Density Residential	4,944	-	-	-
Medium Low Density Residential	22,333	-	-	-
Medium Density Residential	831	1,247	-	-
High Density Residential	-	4,817	-	-
Subtotal	29,023	6,064	-	-
Commercial				
Convenience Commercial	-	-	341,449	-
Neighborhood Community Commercial	-	-	4,563,853	-
Albers Ranch Assisted Living/Neighborhood Commercial ¹	-	-	-	-
Office	-	-	7,059,981	-
Subtotal	-	-	11,965,283	-
Industrial				
Business Park	-	-	-	8,647,651
Special				
Mixed Use	-	279	606,885	-
Public Institutional	-	-	-	5,968,350
Open space	-	-	-	-
Subtotal	-	279	606,885	10,655,359
Focus Areas²				
A Street Interchange Focus Area	124	-	2,110,165	-
East Lone Tree Specific Plan Focus Area	1,100	250	1,135,000	2,152,300
Eastern Waterfront Employment Focus Area	12	248	25,000	16,486,808
Ginochio Property Focus Area	400	-	-	-
Downtown Specific Plan Focus Area	1,065	1,221	3,927,420	82,019
Roddy Ranch Focus Area	600	100	225,000	-
Hillcrest Station Area Specific Plan Focus Area	-	2,500	2,500,000	-
Sand Creek Focus Area	3,537	433	1,240,000	-
<i>Albers Ranch Sub-Area</i>	<i>300³</i>	-	-	-
Western Antioch Commercial Focus Area	-	358	9,224,280	-
Western Gateway Focus Area	-	460	215,216	-
Subtotal	6,839	5,570	20,845,130	41,984,779
TOTAL	35,862	11,912	33,417,298	41,984,779

Population	151,443
Employed Population	84,808
Total Jobs	150,804
Retail Jobs	30,161
Non-Retail Jobs	120,643
	1.00

Jobs/Population Ratio

¹ Allowed only upon issuance of a conditional use permit.

² Figures indicated represent the maximum permitted development intensity. The actual yield of future development is not guaranteed by the General Plan, but is dependent upon appropriate responses to General Plan policies. The ultimate development yield may be less than the maximums stated in this table.

³ Figure indicated represents a subset of the maximum permitted development intensity in the Sand Creek Focus Area.

ATTACHMENT “C”

PLANNING COMMISSION RESOLUTION NO. 2024-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING CITY COUNCIL APPROVAL OF AN ORDINANCE TO REZONE TO HILLSIDE PLANNED DEVELOPMENT FOR THE ALBERS RANCH PROJECT

WHEREAS, the City of Antioch (“City”) received an application from Hillside Group, LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map and General Plan Text Amendments; a Master Development Plan/Rezone; Vesting Tentative Subdivision Map; and Resource Management Plan for the development of 294 single-family residential units, a future assisted living facility, and neighborhood commercial uses on approximately 96.5 acres, known as the Albers Ranch Project (“Project”) (GP-19-04, MDP-19-01); and

WHEREAS, The Project site is in the southeastern section of the City, east of the Deer Valley Road and Deer Hill Lane intersection within the Sand Creek Focus Area (APNs 057-042-006 and 057-050-021); and

WHEREAS, the Project consists of a 294-unit planned residential community with future development of an assisted living facility and neighborhood commercial development upon issuance of a future Conditional Use Permit (CUP) on approximately 47.4 acres of the total 96.5-acre project site consisting of approximately 31.2 acres of single-family residences, 13.2 acres of private roadway improvements, and 3.0 acres for the assisted living facility and neighborhood commercial. The remaining 49.1 acres would be used for parks, open space, recreation, and water quality/detention purposes; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act (“CEQA”), has completed the Final Environmental Impact Report (“Final EIR” or “EIR”) for the Project; and

WHEREAS, on November 20, 2024 the Antioch Planning Commission recommended City Council certify the Final EIR (SCH # 2019060012), its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR; and

WHEREAS, on November 20, 2024 the Antioch Planning Commission recommended City Council approve the General Plan Land Use Map Amendment to the Sand Creek Focus Area of the General Plan to redesignate the project site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential/Open Space and Commercial/Open Space and amendments to the General Plan Text to the Sand Creek Focus Area of the General Plan to add the Albers Ranch Sub Area to the Sand Creek Focus; and

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WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 4, 2024, for the Antioch Planning Commission public hearing held on October 16, 2024; and

WHEREAS, on October 16, 2024, the Antioch Planning Commission duly held a public hearing and continued the item to the November 20, 2024 Planning Commission Meeting;

WHEREAS, on November 20, 2024, the Antioch Planning Commission duly held a public hearing on the matter, received presentation by City staff, and considered evidence, both oral and documentary, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby make the following findings for recommending City Council approval of the proposed zone change:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and 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. The Albers Ranch Project has been proposed as a master-planned community of different neighborhoods. The HPD and Master Development Plan have been established for the purpose of creating a sustainable community compatible with existing and proposed surrounding development.
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. Arterial and collector streets through the project are designed to be consistent with the City's Growth Management Program as well as the General Plan Circulation Element. As shown in the project's Final EIR, adequate utility service can be supplied for all phases of the development.
3. Any commercial component is justified economically at the location(s) proposed. The proposed commercial use is three acres located at a primary intersection and is designed to be neighborhood serving retail for the proposed community.
4. Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than permitted by the General Plan. The project includes a variety of lot sizes

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and housing types that are consistent with the overall intent of the Sand Creek Focus Area of the General Plan.

5. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the final development plan which offer certain usual redeeming feature to compensate for any deviations that may be permitted. The proposed standards allow flexibility in development standards in order to accommodate the variety of lot types and to protect the on-site natural resources.
6. The area surrounding the HPD District can be planned and zoned in coordination and substantial compatibility with the proposed development. The proposed project future street access and trail access to surrounding areas in order to ensure future development consistent with the Sand Creek Focus Area.
7. The HPD District conforms with the General Plan of the City. The amendments to the General Plan for the proposed project center on allowing smaller lot sizes. However, the overall intent of the Sand Creek Focus Area and the maximum number of units allowed, is being maintained.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby recommend the Antioch City Council APPROVE the draft Ordinance (Exhibit A) to rezone the approximately 96.5-acre project site located in the Sand Creek Focus Area of the General Plan, east of the Deer Valley Road and Deer Hill Lane intersection (APNs 057-042-006 and 057-050-021) from Study Zone (S) to Hillside Planned Development (HPD) for the Albers Ranch Project.

* * * * *

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 November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

KEVIN SCUDERO
Secretary to the Planning Commission

EXHIBIT A

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE THE APPROXIMATELY 95.6-ACRE PROJECT SITE (APNs 057-042-006 AND 057-050-021), FROM STUDY ZONE TO HILLSIDE PLANNED DEVELOPMENT (MDP-19-01) FOR THE ALBERS RANCH PROJECT

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

SECTION 1:

Pursuant to Section 15074 of the Guidelines of the California Environmental Quality Act (CEQA), on _____, the Antioch City Council certified the Environmental Impact Report, Mitigation Monitoring and Reporting Program, AND Statement of Overriding Considerations for the Albers Ranch Project.

SECTION 2:

At its regular meeting of November 20, 2024, the Planning Commission recommended that the City Council adopt the Ordinance to rezone the subject property from Study Zone (S) to Hillside Planned Development (HPD) District (MDP-19-01) for the Albers Ranch Project.

SECTION 3:

The Master Development Plan, adopted by City Council Resolution No. 2024-** establishes the land plan to implement the proposed HPD zoning. The real property is attached hereto in Exhibit B [attached hereto, is hereby rezoned from S to HPD District (MDP-19-01) for the Albers Ranch Project, and the zoning map is hereby amended accordingly.

SECTION 4:

The development standards, as defined below, for the subject property (APNs 057-042-006 and 057-050-021), known as the Albers Ranch Project, are herein incorporated into this ordinance, and are binding upon said property.

ALBERS RANCH HILLSIDE PLANNED DEVELOPMENT DISTRICT

§ 9-5.xxxx Purpose.

- A. The Albers Ranch Hillside Planned Development District (“Albers Ranch District”) is intended to implement the General Plan's stated vision for the development of the land in the Sand Creek Focus Area east of Deer Valley Road, adjacent to Dozier Libby High School, the Aviano residential project, and the Vineyard residential project on Heidorn

Ranch Road, and inside the existing boundaries of the voter-approved Urban Limit Line (“ULL”).

- B. The Albers Ranch District provides flexible development standards designed to ensure the development of the District as a master planned community that preserves significant features of hillside areas such as drainage swales, streams, steep slopes, ridgelines, rock outcroppings, and native vegetation. The Albers Ranch District shall be defined principally by medium low-density single-family residential along with natural and recreational open spaces. The development standards applicable to the Albers Ranch District are provided below.

§ 9-5.xxxx Residential Uses

A. Single-Family Medium Low-Density

1. Purpose and application

- (a) 45’ x 80’ lots

This designation is for medium low-density lots with a minimum lot size of 3,600 square feet, on a combination of graded, partially graded, or sloping lots consistent with the retention of the natural character of the terrain.

- (b) 50’ x 90’ lots

This designation is for medium low-density lots with a minimum lot size of 4,500 square feet on a combination of graded, partially graded, or sloping lots consistent with the retention of the natural character of the terrain.

2. Property development standards

	45’ x 80’ lots	50’ x 90’ lots
Minimum Lot Size	3,600 sf	4,500 sf
Minimum width, internal lot	45 ft.	50 ft.
Minimum width, corner lot	50 ft.	55 ft.
Minimum lot depth	80 ft.	90 ft.
Minimum setbacks¹		
Front (covered porch)	10 ft.	10 ft.
Front (living area)	12 ft.	12 ft.
Front (garage w/o sidewalk)	18 ft.	18 ft.

Front (garage w/ sidewalk) ²	20 ft.	20 ft.
Rear (average)	12 ft.	12 ft.
Rear	10 ft.	10 ft.
Side ³	4 ft.	4 ft.
Side (corner lot)	9 ft.	9 ft.
Side (porch at corner lot)	5 ft.	5 ft.
Rear (covered patio)	5 ft.	5 ft.

Footnotes:

1. Chimneys, fireplaces, accent walls or pilasters, bay windows, eaves, or similar architectural projections may encroach 2' into the required setback.
2. Second floor living space located above a garage may adhere to front setback guidelines.
3. Air conditioning condensers are allowed in side yard setbacks.

3. Permitted uses

Home occupations	P
Second residential unit	P
Single-family dwelling	P
Age-restricted housing	P
Residential community amenity (community center, fitness center/pool)	P
Open space	P
Parks and park facilities, public and private	P
Trail/Trailhead facilities	P
Storm Drainage facilities	P
Resource protection / restoration	P
Model homes	P
Sales, leasing office, and trailers	P
Temporary construction building and uses	P

§ 9-5.xxxx Assisted Living/Neighborhood Commercial Uses

A. Assisted Living

The Assisted Living zone is intended to serve primarily the Albers Ranch neighborhood and the immediate community

1. Property development standards

Determined through the conditional use permit process.

2. Permitted uses

Determined through the conditional use permit process.

B. Neighborhood Commercial

1. Purpose and application

The Neighborhood Commercial zone is intended to serve primarily the Albers Ranch neighborhood and the immediate community, providing retail goods, food/drug, eating establishments, professional services for daily needs, and other similar commercial uses.

2. Property development standards

Consistent with the C-2 Neighborhood Commercial zoning district standards in the City's existing zoning ordinance or equivalent zoning district should the zoning ordinance be updated at the time of development.

3. Permitted uses

Consistent with C-2 Neighborhood Commercial zoning district standards in the City's existing zoning ordinance or equivalent zoning district should the zoning ordinance be updated at time of development.

§ 9-5.xxxx Open Space Uses

A. Open Space/Recreation

1. Purpose and application

The Open Space/Recreation zone is to provide for the establishment of open space areas to protect natural resources, provide stormwater drainage, to create parks for recreation and community gathering, and key landscape areas to provide community enhancement and connectivity.

2. Property development standards

N/A

3. Permitted uses

Open space	P
Trail/Trailhead facilities	P

Storm Drainage facilities	P
Resource protection / restoration	P

SECTION 5:

The City Council finds that the public necessity requires the proposed zone change; that the subject property is suitable to the uses permitted in the proposed zone change; that said permitted uses are not detrimental to the surrounding property; and that the proposed zone change is in conformance with the Antioch General Plan, as amended.

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 forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the _____ of _____, 2024, and passed and adopted at a regular meeting thereof, held on the _____ of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

EXHIBIT B

REZONE LEGAL DESCRIPTION

LEGAL DESCRIPTION

The land referred to is situated in the County of Contra Costa, City of Antioch, State of California, and is described as follows:

Parcel D, as shown on the Parcel Map M.S. 55-83, filed May 14, 1985, Book 116 of Parcel Maps, Page 1, Contra Costa County Records.

EXCEPTING THEREFROM the parcel of land described in the Deed to John T. Camara et ux, recorded July 23, 1987, Book 13791, Page 835, Official Records; said parcel of land being also shown on the Record of Survey Lot Line Adjustment filed June 30, 1987, Book 83 of Licensed Surveyor's Maps, Page 50, Contra Costa County Records.

FURTHER EXCEPTING THEREFROM: That portion of land as described in the Final Order of Condemnation by the Contra Costa County Flood Control and Water Conservation District, recorded August 16, 2012, Series No. 2012-0198173, Official Records.

Also Excepting therefrom:

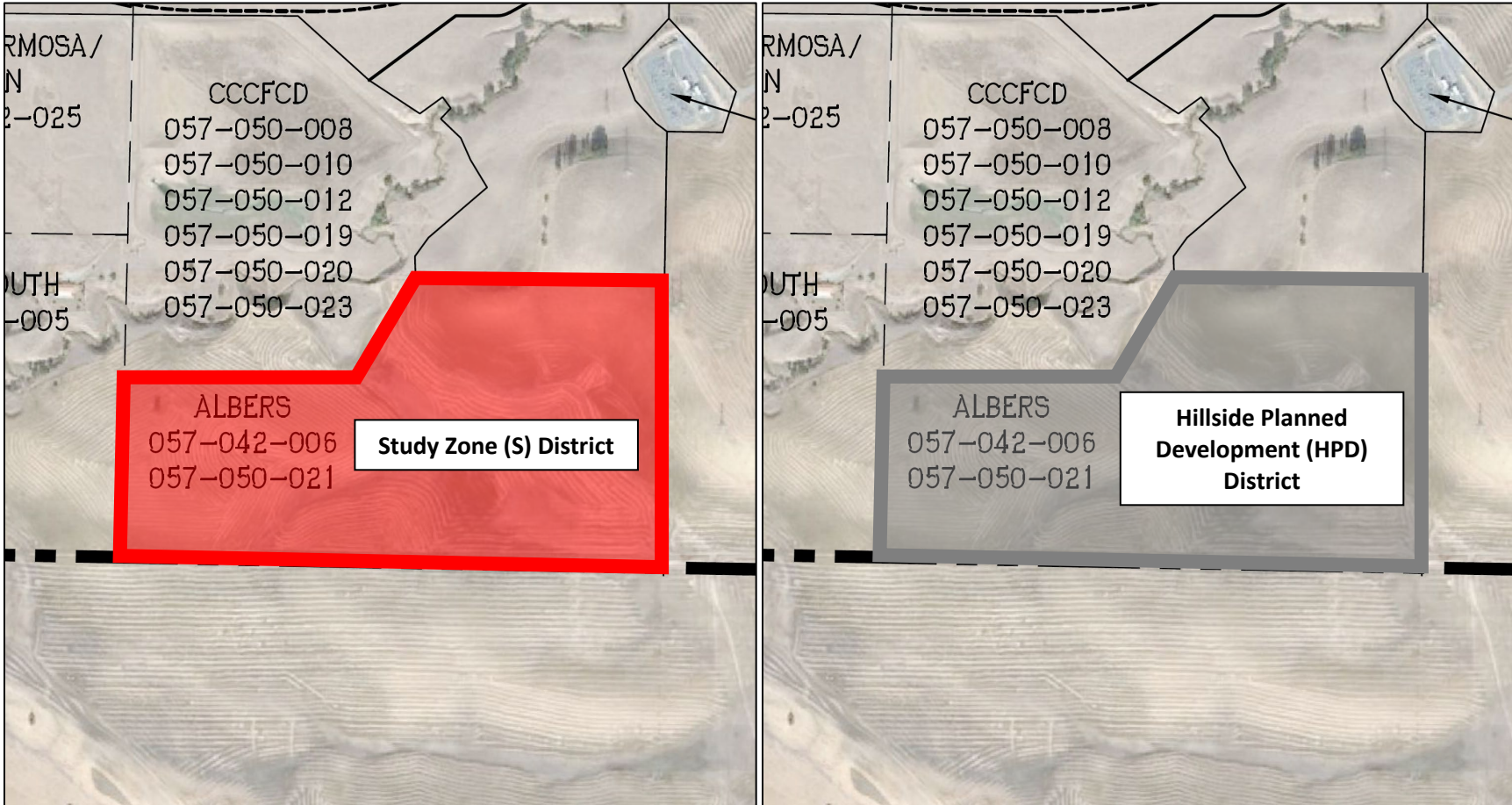
All oil, gas, casinghead gas, asphaltum and other hydrocarbons and all chemical gas and minerals, now or hereafter found, situated or located in all or any part or portion of the lands described herein lying more than five hundred feet (500') below the surface thereof, together with the right to slant drill for and remove all or any of said oil, gas, casinghead gas, asphaltum and other hydrocarbons and chemical gas and minerals, lying below a depth of 500 feet (500') below the surface thereof; but without rights whatsoever to enter upon the surface thereof, as reserved in the Grant Deed recorded August 31, 2010, Series No. 2010-0182953, Official Records.

APN: 057-050-021 and 057-042-006

Proposed Rezone Exhibit

Existing Zoning

Proposed Zoning



ATTACHMENT “D”

PLANNING COMMISSION RESOLUTION NO. 2024-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING CITY COUNCIL ADOPTION OF THE VESTING TENTATIVE SUBDIISION MAP, MASTER DEVELOPMENT PLAN (MDP-19-01), AND RESOURCE MANAGEMENT PLAN FOR THE ALBERS RANCH PROJECT

WHEREAS, the City of Antioch (“City”) received an application from Hillside Group, LLC (“Applicant”) seeking City approval of the following: a General Plan Amendment for purposes of amending the City of Antioch General Plan Land Use Map and General Plan Text Amendments; a Master Development Plan/Rezone; Vesting Tentative Subdivision Map; and Resource Management Plan for the development of 294 single-family residential units, a future assisted living facility, and neighborhood commercial uses on approximately 96.5 acres, known as the Albers Ranch Project (“Project”) (GP-19-04, MDP-19-01); and

WHEREAS, The Project site is in the southeastern section of the City, east of the Deer Valley Road and Deer Hill Lane intersection within the Sand Creek Focus Area (APNs 057-042-006 and 057-050-021); and

WHEREAS, the Project consists of a 294 unit planned residential community with future development of an assisted living facility and neighborhood commercial development upon issuance of a future Conditional Use Permit (CUP) on approximately 47.4 acres of the total 96.5-acre project site consisting of approximately 31.2 acres of single-family residences, 13.2 acres of private roadway improvements, and 3.0 acres for the assisted living facility and neighborhood commercial. The remaining 49.1 acres would be used for parks, open space, recreation, and water quality/detention purposes; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act (“CEQA”), has completed the Final Environmental Impact Report (“Final EIR” or “EIR”) for the Project; and

WHEREAS, on November 20, 2024, the Antioch Planning Commission recommended City Council certify the Final EIR (SCH # 2019060012), its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR; and

WHEREAS, on November 20, 2024 the Antioch Planning Commission recommended City Council approve the General Plan Land Use Map Amendment to the Sand Creek Focus Area of the General Plan to redesignate the project site from Hillside, Estate and Executive Residential/Open Space and Commercial/Open Space to Medium Low Density Residential/Open Space and Commercial/Open Space and amendments to the General Plan Text to the Sand Creek Focus Area of the General Plan to add the Albers Ranch Sub Area to the Sand Creek Focus; and

**PLANNING COMMISSION
RESOLUTION NO. 2024-****

November 20, 2024

Page 2

WHEREAS, on November 20, 2024, the Antioch Planning Commission recommended City Council approve the ordinance to rezone the project site from Study Zone (S) to Hillside Planned Development (HPD) for the Project; and

WHEREAS, the proposed project requires approval of a Vesting Tentative Subdivision Map (attached hereto as Exhibit A) to subdivide the 96.5-acre project site into 294 single-family residential lots, 13.2 acres of private roadway improvements, 3.0 acres for assisted living and neighborhood commercial uses, and 49.1 acres of parks, open space, recreation, and water quality/detention purposes; and

WHEREAS, the applicant has prepared a Resource Management Plan for the Project as called for in Section 10.3.2.(e) of the Antioch General Plan and consistent with the “Framework for a Resource Management Plan for the Sand Creek Focus Area” contained in General Plan Appendix A. The Resource Management Plan incorporates the biological resources mitigation measures identified in the Final Environmental Impact Report (attached hereto as Exhibit B); and

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on October 4, 2024, for the Antioch Planning Commission public hearing held on October 16, 2024; and

WHEREAS, on October 16, 2024, the Antioch Planning Commission duly held a public hearing and continued the item to the November 20, 2024 Planning Commission Meeting;

WHEREAS, on November 20, 2024, the Antioch Planning Commission duly held a public hearing on the matter, received presentation by City staff, and considered evidence, both oral and documentary, and all other pertinent documents regarding the proposed request.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby make the following findings for recommending City Council approval of the Vesting Tentative Subdivision 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 project site has a General Plan Designation of Medium Low Density Residential/Open Space and Commercial/Open Space and is zoned Hillside 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,

**PLANNING COMMISSION
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November 20, 2024

Page 3

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 conform 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 FURTHER RESOLVED AND DETERMINED, that the Antioch Planning Commission does hereby recommend the Antioch City Council APPROVE the proposed Vesting Tentative Subdivision Map, Master Development Plan (MDP-19-01), and Resource Management Plan for the Albers Ranch Project, subject to the conditions of approval attached hereto as Exhibit C.

* * * * *

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 November 2024, by the following vote:

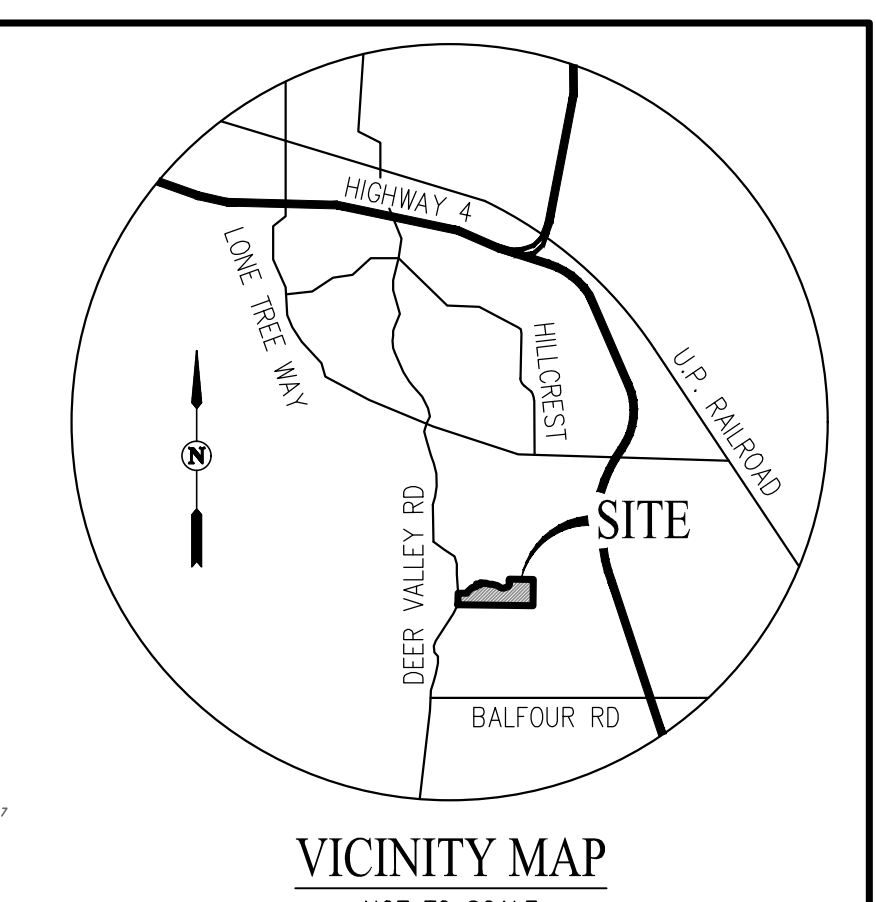
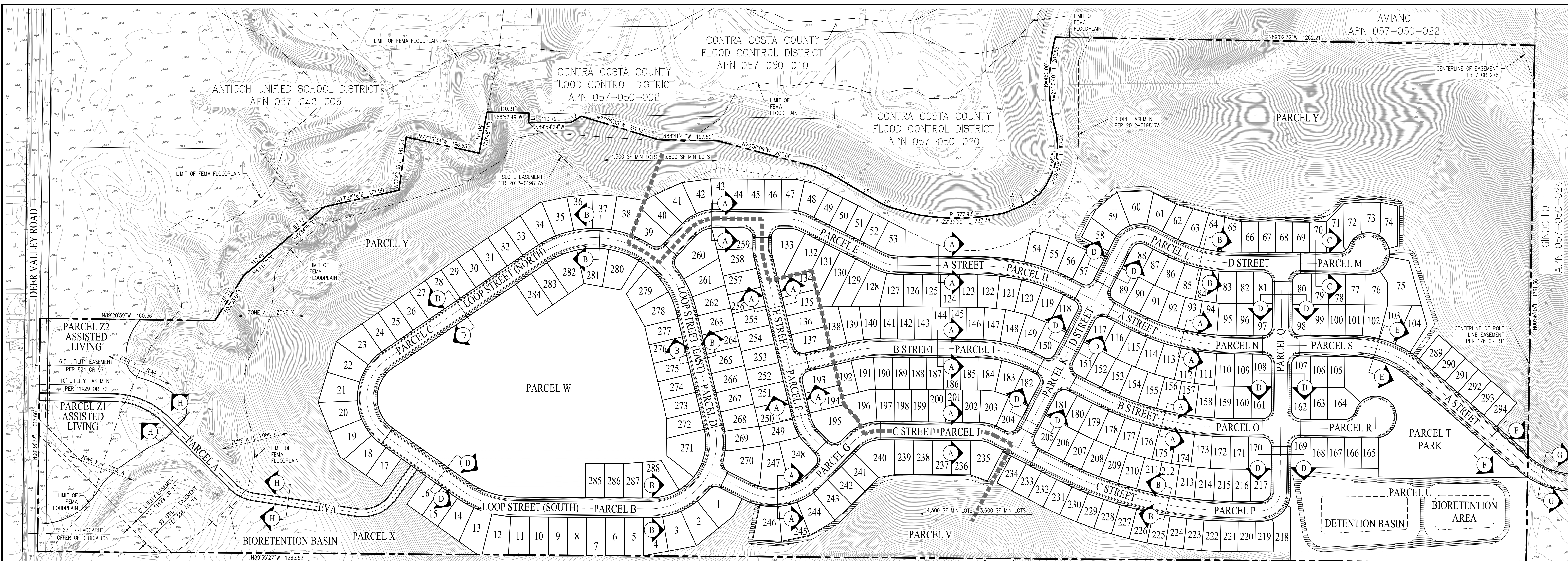
AYES:

NOES:

ABSENT:

ABSTAIN:

KEVIN SCUDERO
Secretary to the Planning Commission



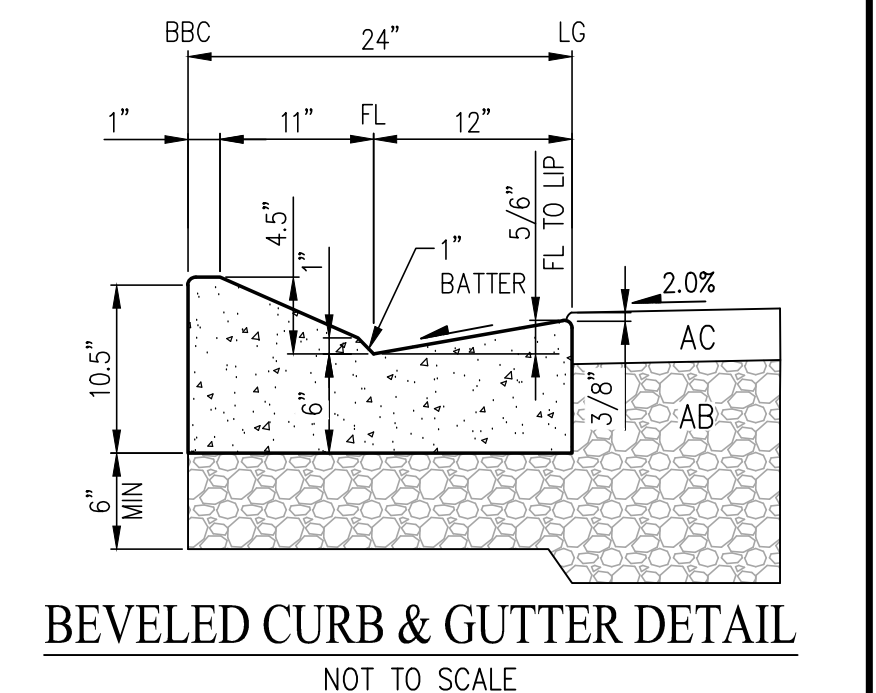
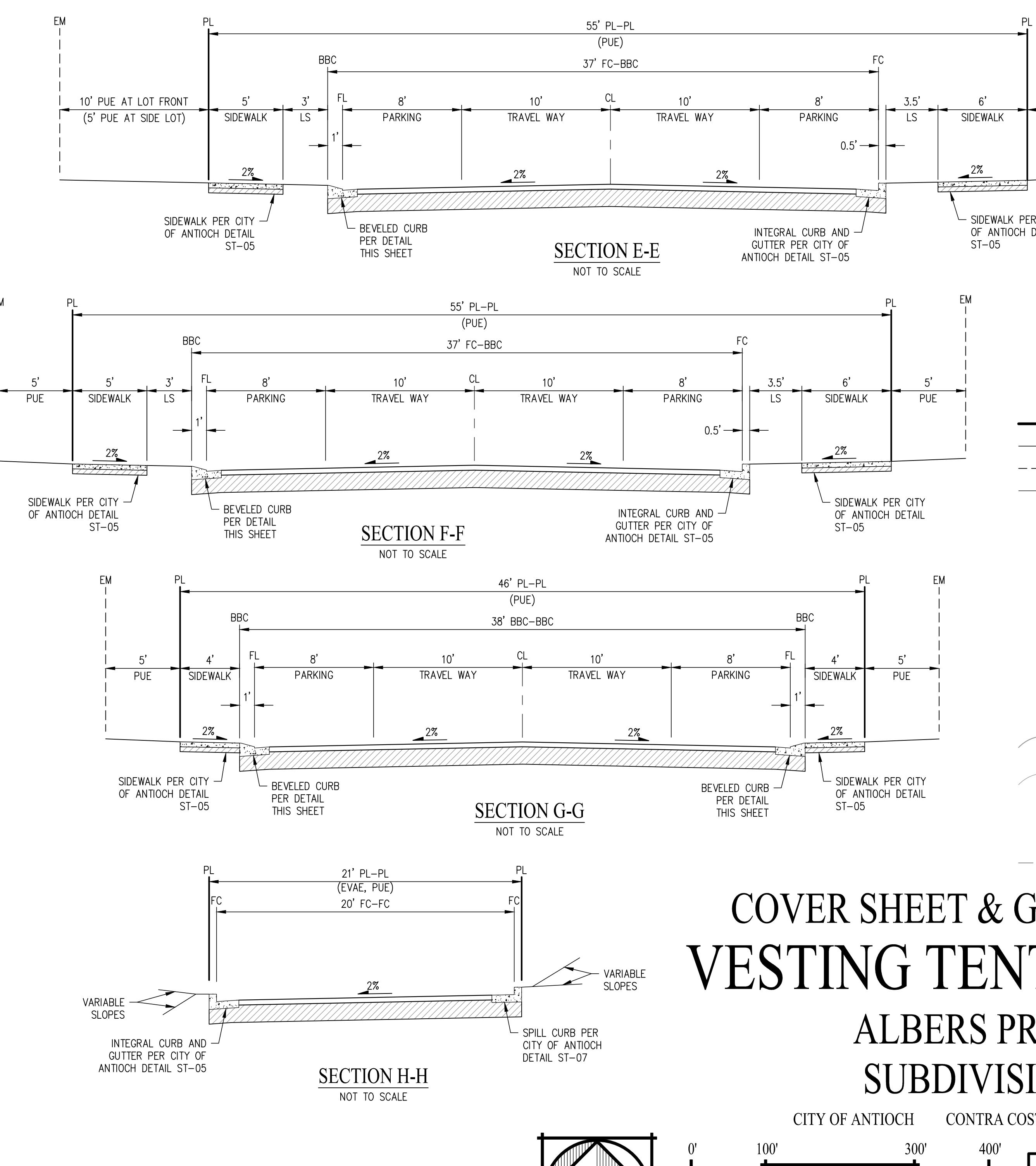
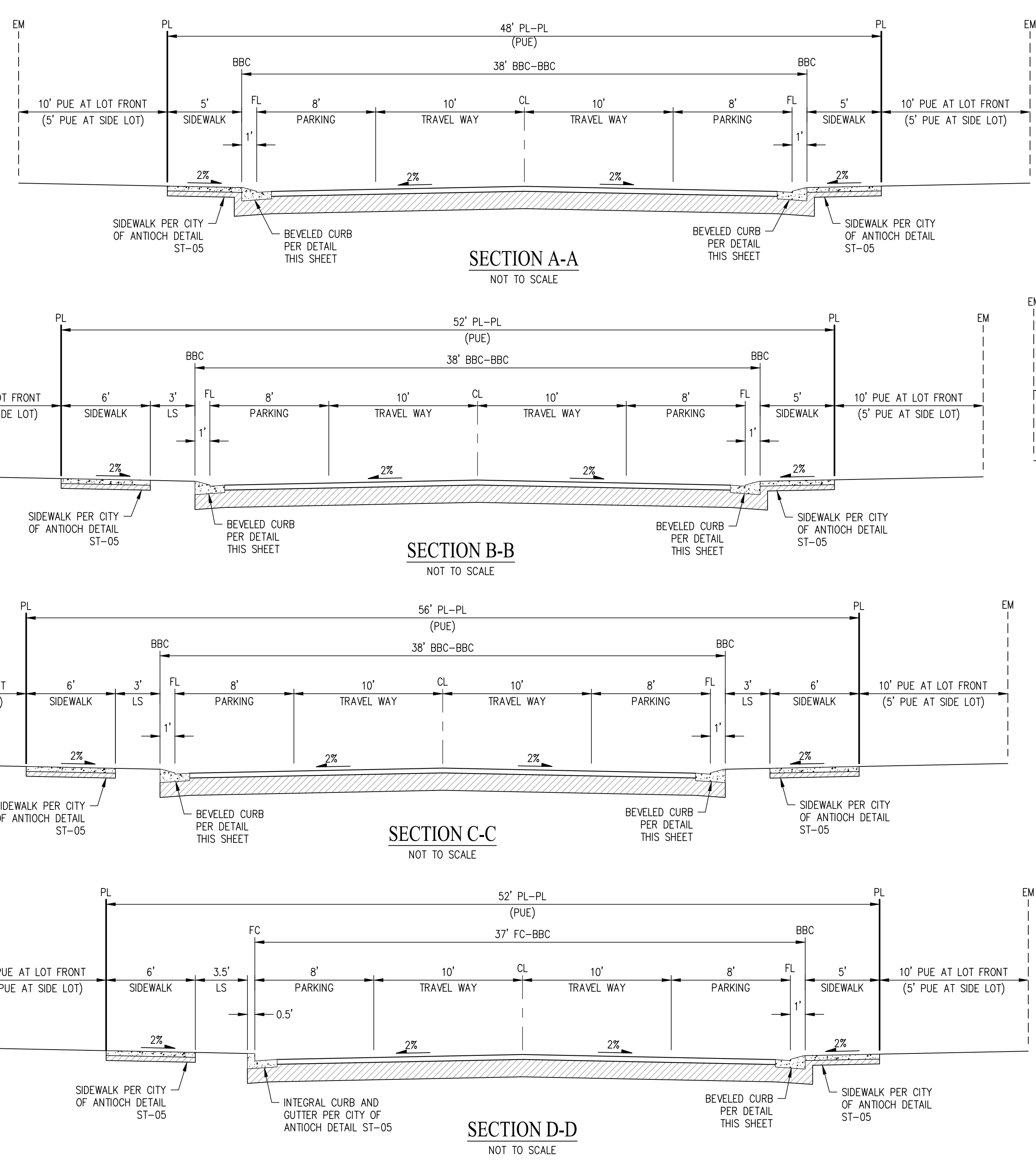
ABBREVIATIONS

LINE TABLE	NO	BEARING	LENGTH	DESCRIPTION
	L1	N01°23'33"E	25.26'	AB
	L2	N88°48'21"E	32.32'	AC
	L3	N85°48'53"W	47.58'	BC
	L4	N59°40'54"W	51.57'	BD
	L5	N59°54'48"W	101.46'	CD
	L6	N66°20'16"W	25.52'	DE
	L7	N75°13'58"W	77.73'	DF
	L8	N68°08'34"E	50.42'	EG
	L9	N63°24'02"E	13.30'	EH
	L10	N66°42'10"E	23.66'	FI
	L11	N48°15'31"E	23.66'	FJ
	L12	N11°23'19"W	31.80'	FK

- GENERAL NOTES:**
- OWNER: MONTE ALBERS AND LUCIA ALBERS TRUST & ELIZABETH ANN IANNACCONE LIVING TRUST (925) 779-0397 LUCIA ALBERS
 - APPLICANT/DEVELOPER: HILLSIDE GROUP LLC (925) 779-0397 LUCIA ALBERS
 - CIVIL ENGINEER: CARLSON, BARRETT & GIBSON, INC. 2633 CAMINO RAMON, SUITE 350 SAN RAMON, CA 94583 (925) 866-0322 JASON D. VOGAN, RCE 592299
 - SOILS ENGINEER: ENGELO, INC. 2010 CROWN CANYON PLACE, SUITE 250 SAN RAMON, CA 94583 (925) 866-9000 ZAC CRAWFORD
 - TOPOGRAPHIC SOURCE: GEOMAPS INC. 3362 WATHER FIELD ROAD RANCHO CORDOVA, CA 95670 (916) 361-9133
 - CONTOUR INTERVAL: 1 - FOOT BASED ON NAVD88 (EXISTING & PROPOSED)
 - BENCHMARK: CONTRA COSTA COUNTY BENCHMARK NO. 3583, BEING A BRASS DISK SET IN MONUMENT WELL APPROXIMATELY ONE MILE SOUTH ALONG HEDORN RANCH ROAD (FORMERLY SAND CREEK ROAD) FROM ITS INTERSECTION WITH LOOP TREE WAY, ON THE SOUTH SIDE OF THE ENTRANCE TO THE FORMER SHELL OIL PUMPING PLANT. HAVING A COUNTY OF CONTRA COSTA PUBLISHED ELEVATION OF 152.825 FEET (NGVD29) (TO CONVERT TO NAVD88, ADD 2.98 FEET)
 - FLOOD ZONE: ZONE A & ZONE X REFER TO FLOOD INSURANCE RATE MAP PANEL 0601300335F (JUNE 16, 2009)
 - SITE ADDRESS: DEER VALLEY ROAD ANTIPOCH, CA 94513
 - ASSESSORS PARCEL NO: 057-042-006 AND 057-050-021
 - USE: EXISTING: AGRICULTURE PROPOSED: MARKET RATE/SENIOR HOUSING AND ASSISTED LIVING
 - GENERAL PLAN: EXISTING: SAND CREEK FOCUS AREA WITH SUB-DESIGNATIONS OF "HILLSIDE, ESTATE AND EXECUTIVE RESIDENTIAL/OPEN SPACE" AND "COMMERCIAL/OPEN SPACE" PROPOSED: MEDIUM LOW DENSITY/OPEN SPACE AND COMMERCIAL/OPEN SPACE
 - ZONING: EXISTING: STUDY DISTRICT PROPOSED: HILLSIDE PLANNED DEVELOPMENT (HPD)
 - EXISTING LOTS: 2 LOTS. TOTAL NUMBER OF PROPOSED LOTS SHALL BE NO MORE THAN 294. PROPOSED PARCELS: 27 PARCELS.
 - MINIMUM LOT SIZE: 45'x80' (195 LOTS AT 3,600 SF) & 50'x90' (99 LOTS AT 4,500 SF)
 - SITE AREA: 96.5± AC
 - LAND AREA SUMMARY: RESIDENTIAL LOT AREA: 31.2± ACRES PRIVATE STREETS/EVA: 13.2± ACRES FUTURE ASSISTED LIVING: 3.0± ACRES PARKS/OPEN SPACE/RECREATIONAL/WATER QUALITY: 49.1± ACRES
 - SLOPE ANALYSIS: AREA LESS THAN 25% = 79.9± ACRES AREA GREATER THAN 25% = 16.6± ACRES
 - GROSS RESIDENTIAL DEVELOPABLE ACRES: 96.5± GROSS ACRES -16.6± ACRES STEEPER THAN 25% -3.0± ACRES FUTURE ASSISTED LIVING ACRES -76.9± ACRES
 - RESIDENTIAL DENSITY: 294 DWELLING UNITS/76.9 ACRES = 3.8 DWELLING UNITS/AC
 - EXISTING CONDITIONS: ALL EXISTING TREES, FENCING, UTILITIES AND STRUCTURES WITHIN THE DEVELOPED AREA ARE TO BE REMOVED UNLESS OTHERWISE NOTED.
 - STREETS: ALL STREETS WITHIN THE DEVELOPMENT SHALL BE PRIVATE AND WILL BE PRIVATELY OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. ALL STREET RIGHT-OF-WAYS SHALL HAVE UTILITY EASEMENT DEDICATED TO THE CITY OF ANTIPOCH.
 - STREET LIGHTS: ALL STREET LIGHTS WITHIN THE DEVELOPMENT WILL BE PRIVATE AND PRIVATELY OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
 - PUBLIC UTILITIES: PROPOSED UTILITIES WILL BE PUBLIC AND PUBLICLY OWNED AND MAINTAINED BY THE CITY.
 - UTILITY PROVIDER: SEWER: CITY OF ANTIPOCH WATER: CITY OF ANTIPOCH STORM DRAIN: CITY OF ANTIPOCH GAS & ELECTRIC: PACIFIC GAS & ELECTRIC TELEPHONE: AT&T CABLE TV: COMCAST
 - LANDSCAPE: ALL LANDSCAPE WITHIN THE PROJECT BOUNDARY SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
 - PROPOSED GRADING AS SHOWN IS PRELIMINARY. FINAL GRADING IS SUBJECT TO FINAL DESIGN.
 - ALL GRADING WILL BE IN CONFORMANCE WITH THE RECOMMENDATIONS AND CONDITIONS OF THE GEOTECHNICAL ENGINEER AND REPORT REGARDING THIS PROJECT.
 - MAXIMUM CUT OR FILL SLOPE IS 2:1.
 - BOUNDARY IS PER FIELD SURVEY.
 - MULTIPLE FINAL MAPS MAY BE FILED ON THE LANDS SHOWN ON THIS MAP. A LARGE LOT FINAL MAP MAY BE FILED TO CREATE SELLABLE PARCELS.

PARCEL SUMMARY

PARCEL	LAND USE	AREA	OWNER
A-S	PRIVATE STREETS/EVA	13.2± AC	HOA
T	PARK	1.5± AC	HOA
U	WATER QUALITY	3.3± AC	HOA
V	OPEN SPACE	3.9± AC	HOA
W	OPEN SPACE	7.1± AC	HOA
X	OPEN SPACE/WATER QUALITY	3.9± AC	HOA
Y	OPEN SPACE	29.4± AC	HOA
Z1	ASSISTED LIVING	1.7± AC	DEVELOPER
Z2	ASSISTED LIVING	1.3± AC	DEVELOPER



SHEET INDEX

Sheet Number	Sheet Title
TM1	COVER SHEET & GENERAL NOTES
TM2	DIMENSIONED SITE PLAN
TM3	DIMENSIONED SITE PLAN
TM4	CONCEPTUAL GRADING PLAN
TM5	CONCEPTUAL GRADING PLAN
TM6	UTILITY PLAN
TM7	UTILITY PLAN
TM8	PARKING PLAN
TM9	PARKING PLAN
TM10	ALBERS & CREEKSIDE SHARED INFRASTRUCTURE

LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROJECT BOUNDARY
---	---	LOT LINE
---	---	EASEMENT
---	---	CENTURLINE
---	---	CURB, GUTTER AND SIDEWALK
---	---	WATER PIPE
---	---	STORM DRAIN PIPE
---	---	STORM DRAIN MANHOLE
---	---	STORM DRAIN CATCH BASIN
---	---	STORM DRAIN FIELD INLET
---	---	SANITARY SEWER MANHOLE
---	---	VALVE
---	---	FIRE HYDRANT
---	---	MAJOR CONTOUR
---	---	MINOR CONTOUR
---	---	RETAINING WALL
---	---	UTILITY POLE
---	---	FENCE

COVER SHEET & GENERAL NOTES
VESTING TENTATIVE MAP
ALBERS PROPERTY
SUBDIVISION 9515

CITY OF ANTIPOCH CONTRA COSTA COUNTY CALIFORNIA

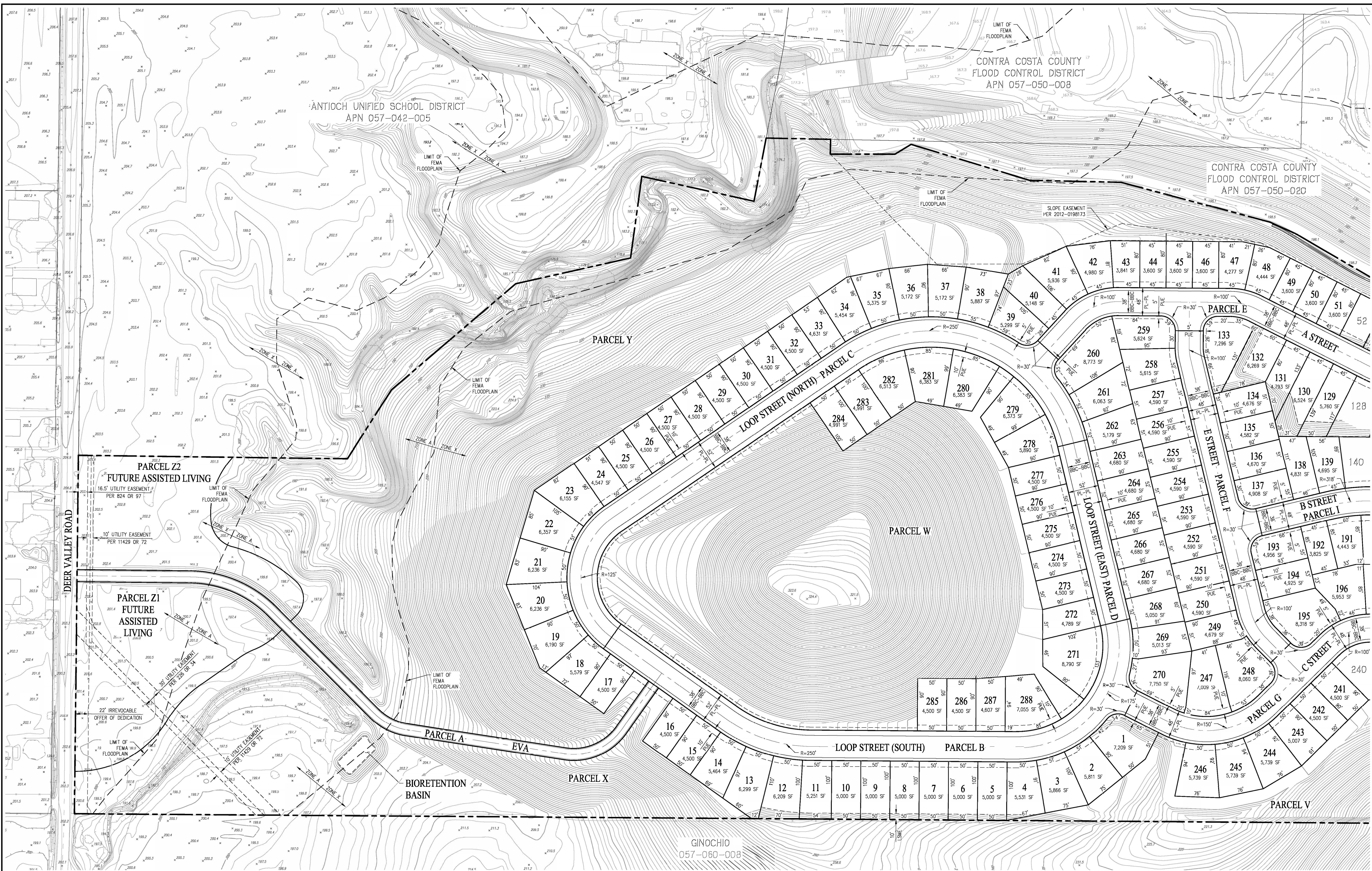
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JOB NO.: 1319-30

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SHEET NO. **TM1** OF 10 SHEETS



SEE SHEET TMS

DIMENSIONED SITE PLAN
VESTING TENTATIVE MAP
 ALBERS PROPERTY
 SUBDIVISION 9515

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

SCALE: 1" = 60' DATE: SEPTEMBER 23, 2022 JOB NO.: 1319-30

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SHEET NO. **TM2**
 OF 10 SHEETS



DIMENSIONED SITE PLAN
VESTING TENTATIVE MAP
 ALBERS PROPERTY
 SUBDIVISION 9515

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

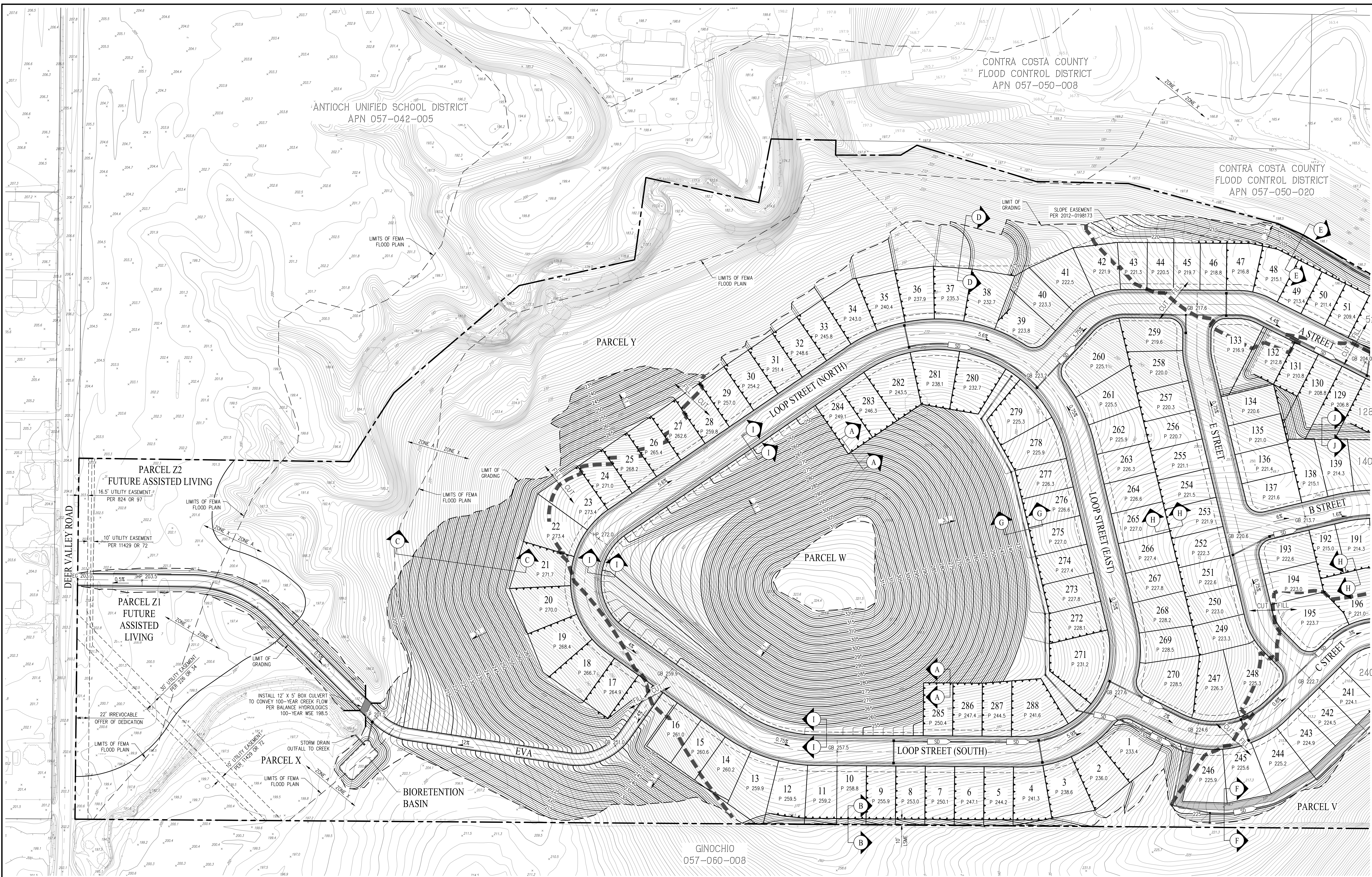
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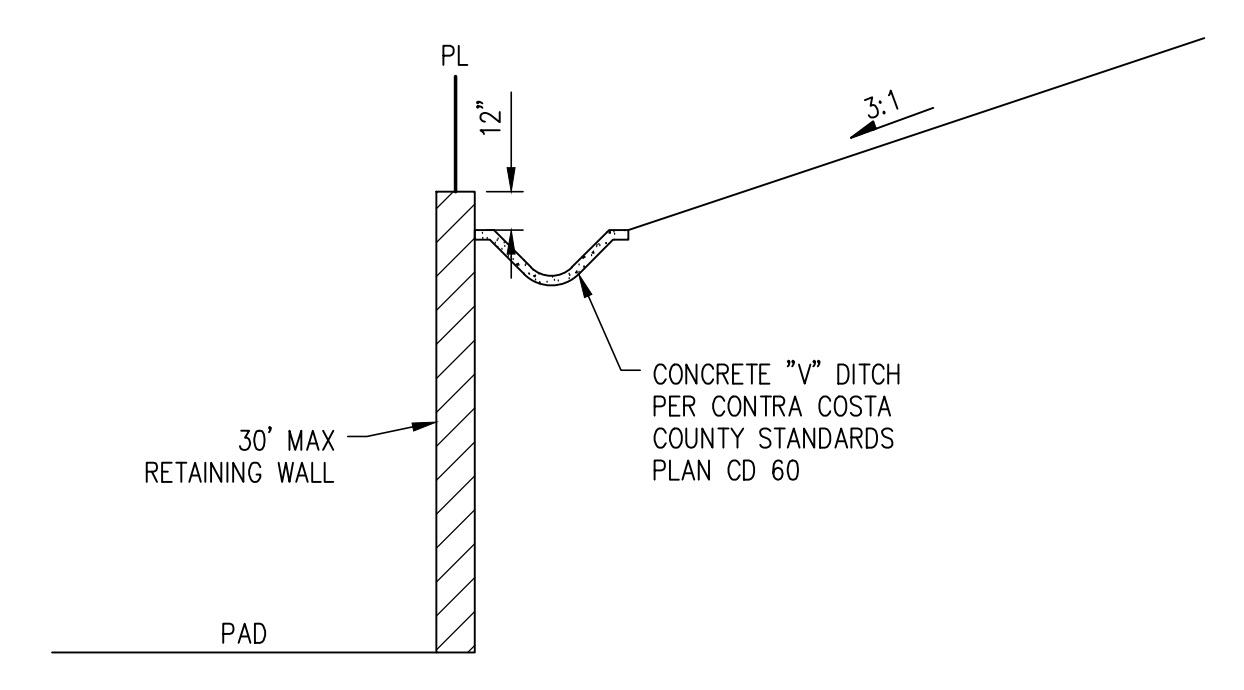
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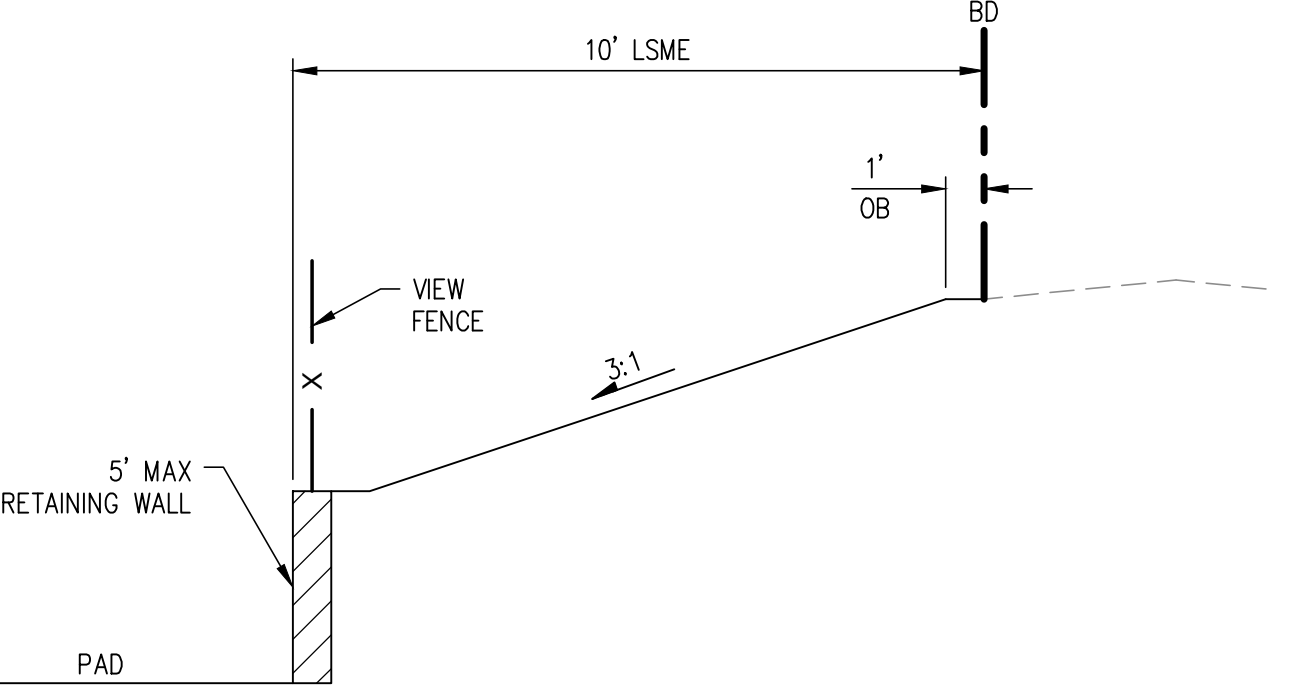
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APPROXIMATE EXPORT	---	308,100
TOTAL	952,100	952,100
		NET: 0 CY

- NOTES:
- THE ABOVE ROUGH GRADING EARTHWORK VOLUMES ARE PRELIMINARY AND SUBJECT TO CHANGE.
 - THE ABOVE EARTHWORK VOLUMES ARE RAW VOLUMES FOR ROUGH GRADING ONLY AND DO NOT INCLUDE ANY REMEDIAL GRADING THAT MAY BE REQUIRED BY THE GEOTECHNICAL ENGINEER OR ANY EXPANSION OR CONTRACTION OF NATIVE SOIL.
 - THE EARTHWORK SUMMARY ABOVE DOES NOT INCLUDE RETAINING WALL SPOLS, BOREPITMENT UNDERLUT SPOLS, UTILITY SPOLS, PAD SPOLS GENERATED FROM BUILDING PLUMBING AND FOOTING INSTALLATION OR SPOLS GENERATED FROM THE INSTALLATION OF UNDERGROUND UTILITIES OR LANDSCAPE FEATURES.
 - THE GRADING CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF SAID EARTHWORK QUANTITIES PRIOR TO THE START OF THE GRADING OPERATION.

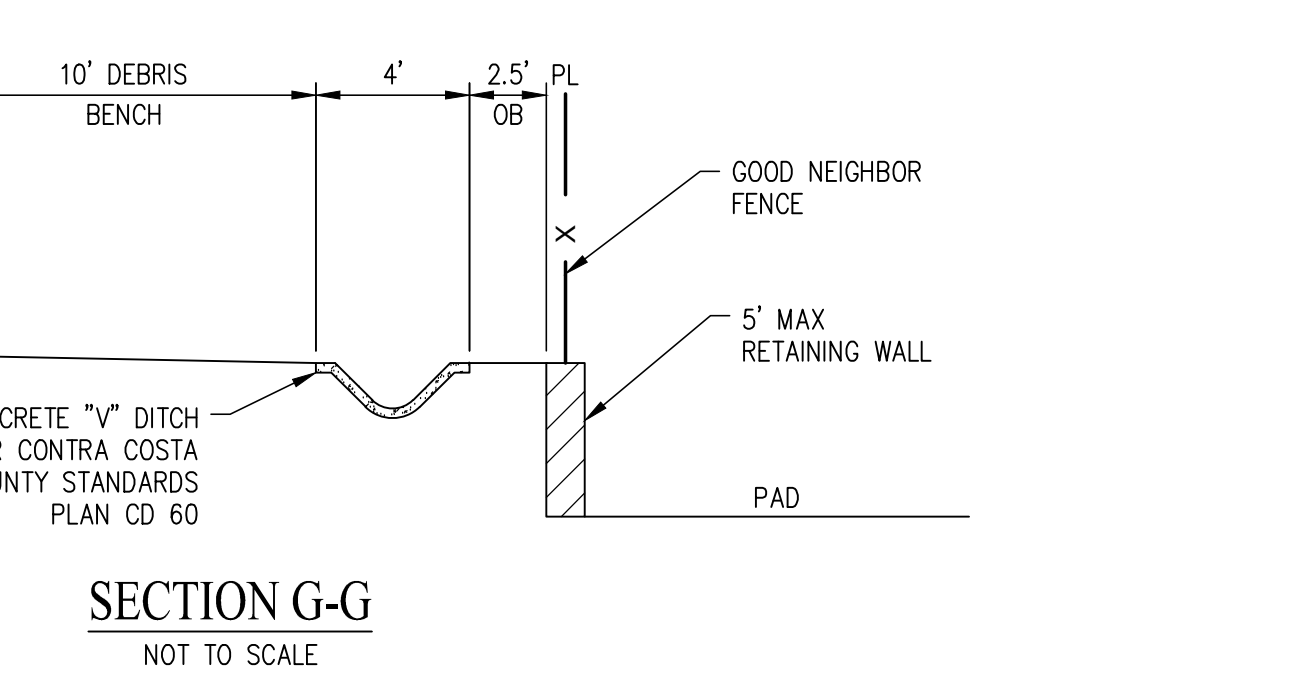
SEE SHEET TMS



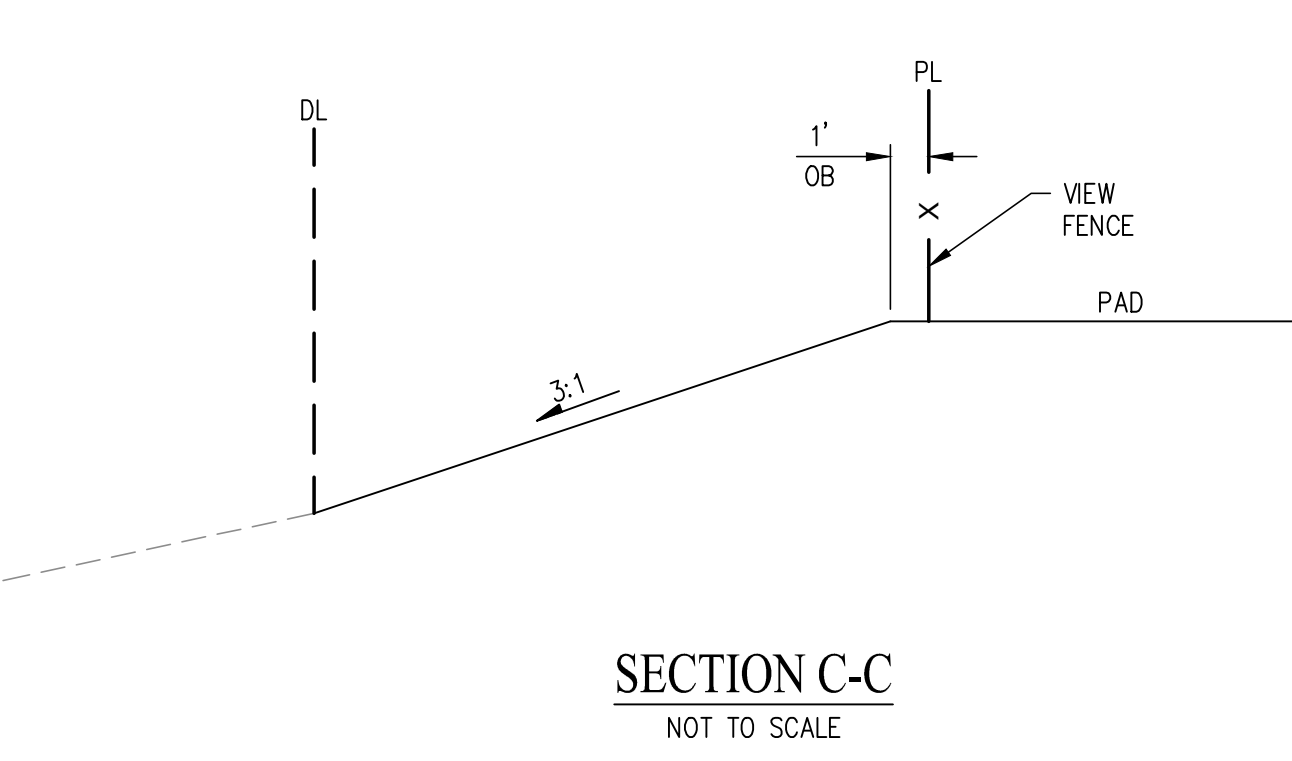
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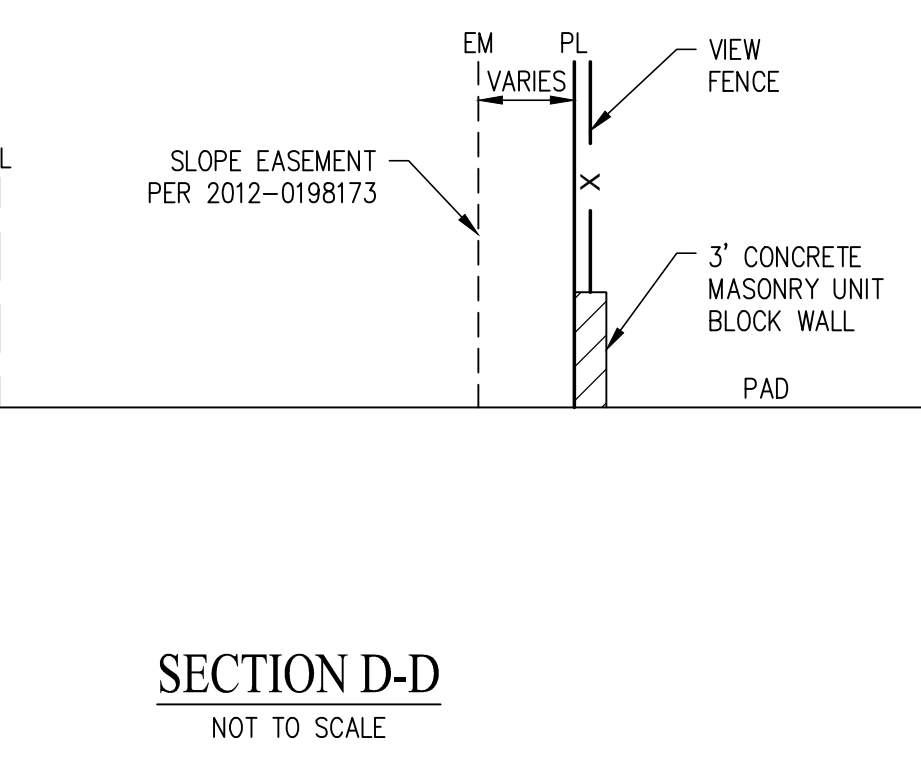
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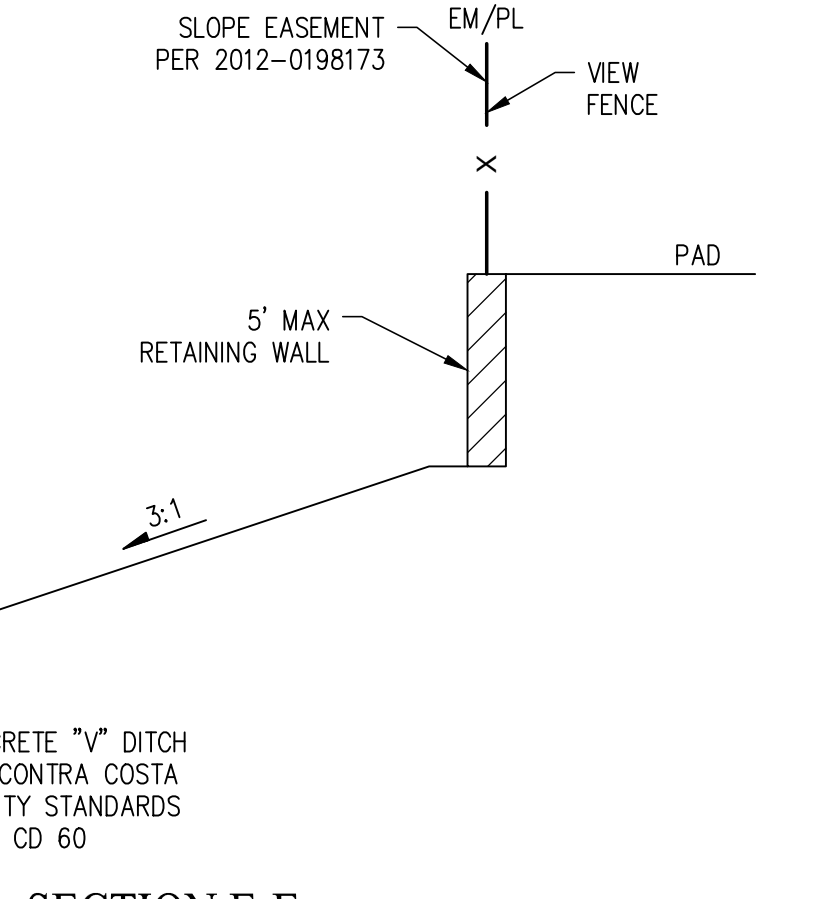
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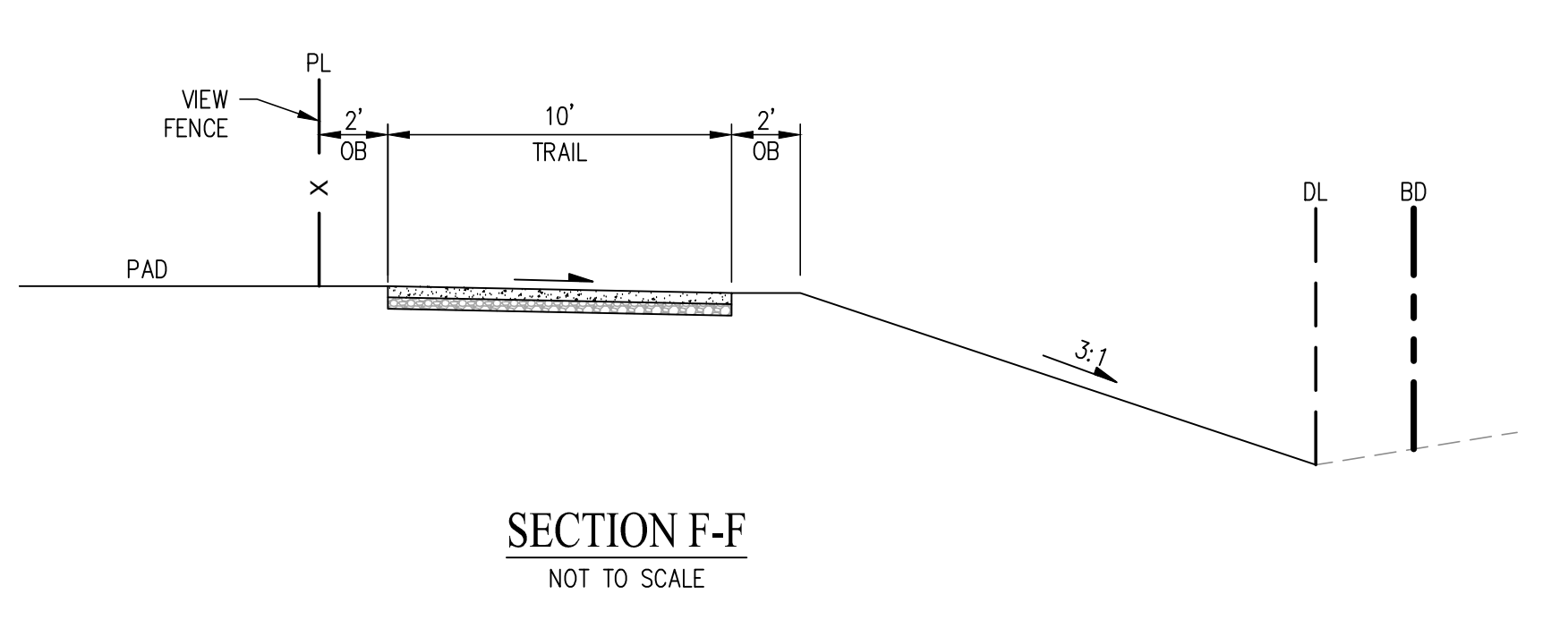
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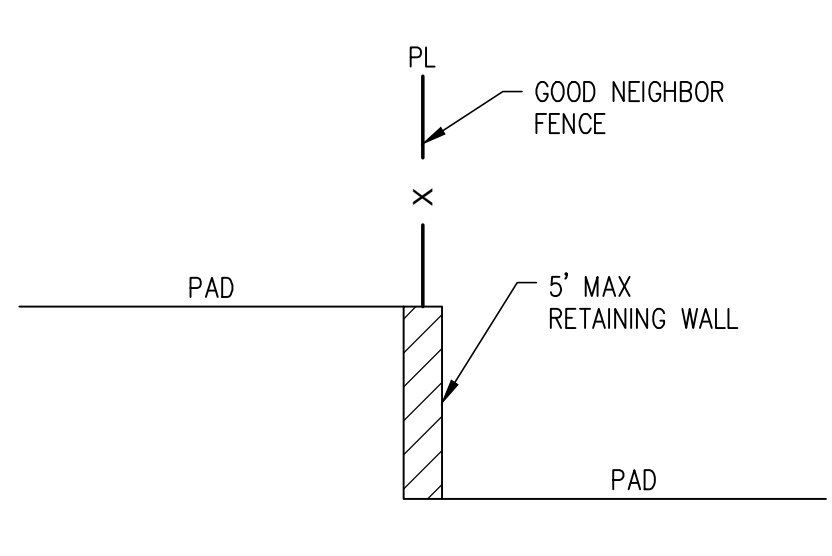
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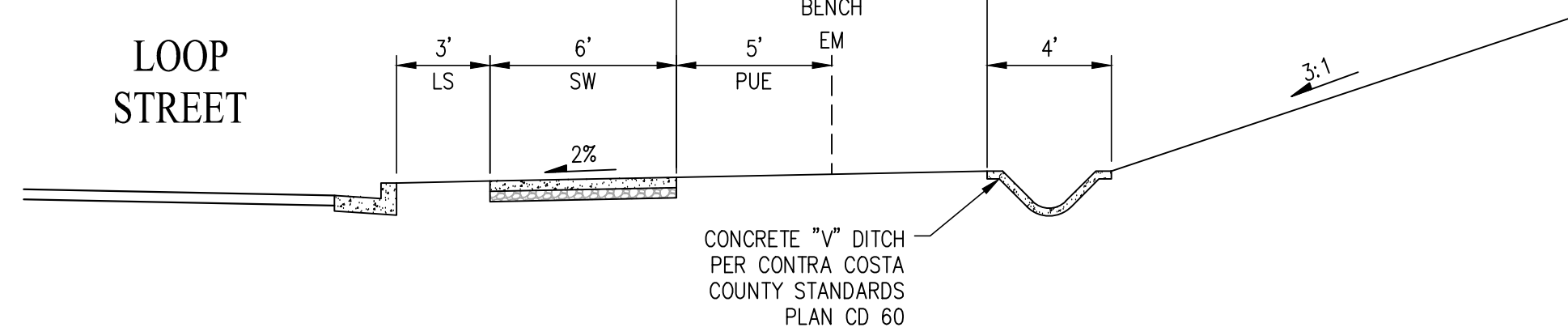
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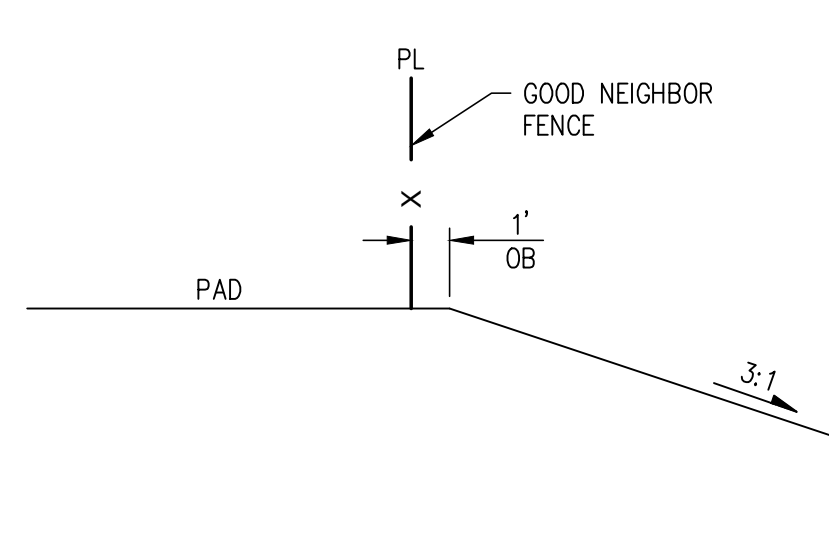
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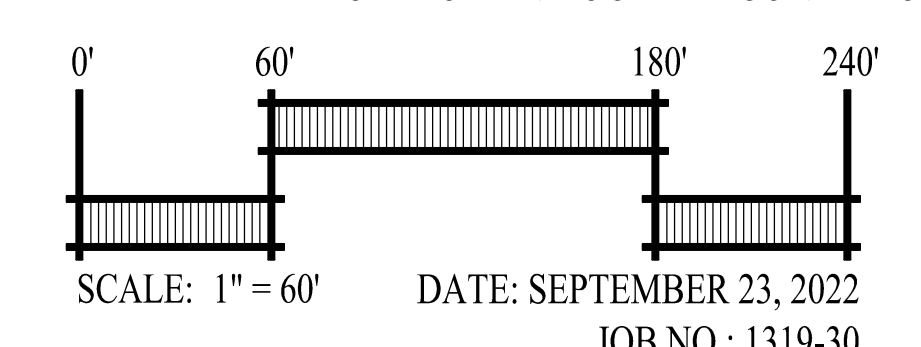
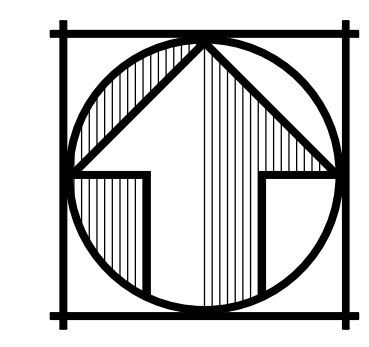


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CONCEPTUAL GRADING PLAN VESTING TENTATIVE MAP ALBERS PROPERTY SUBDIVISION 9515



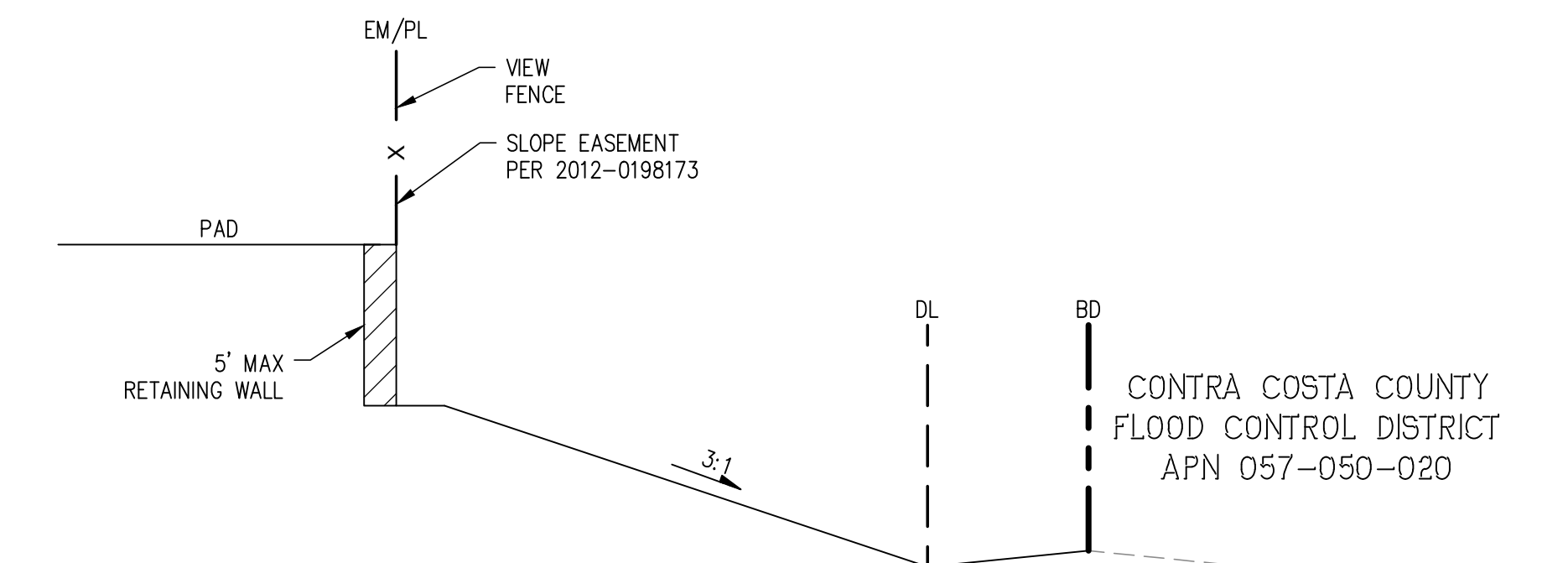
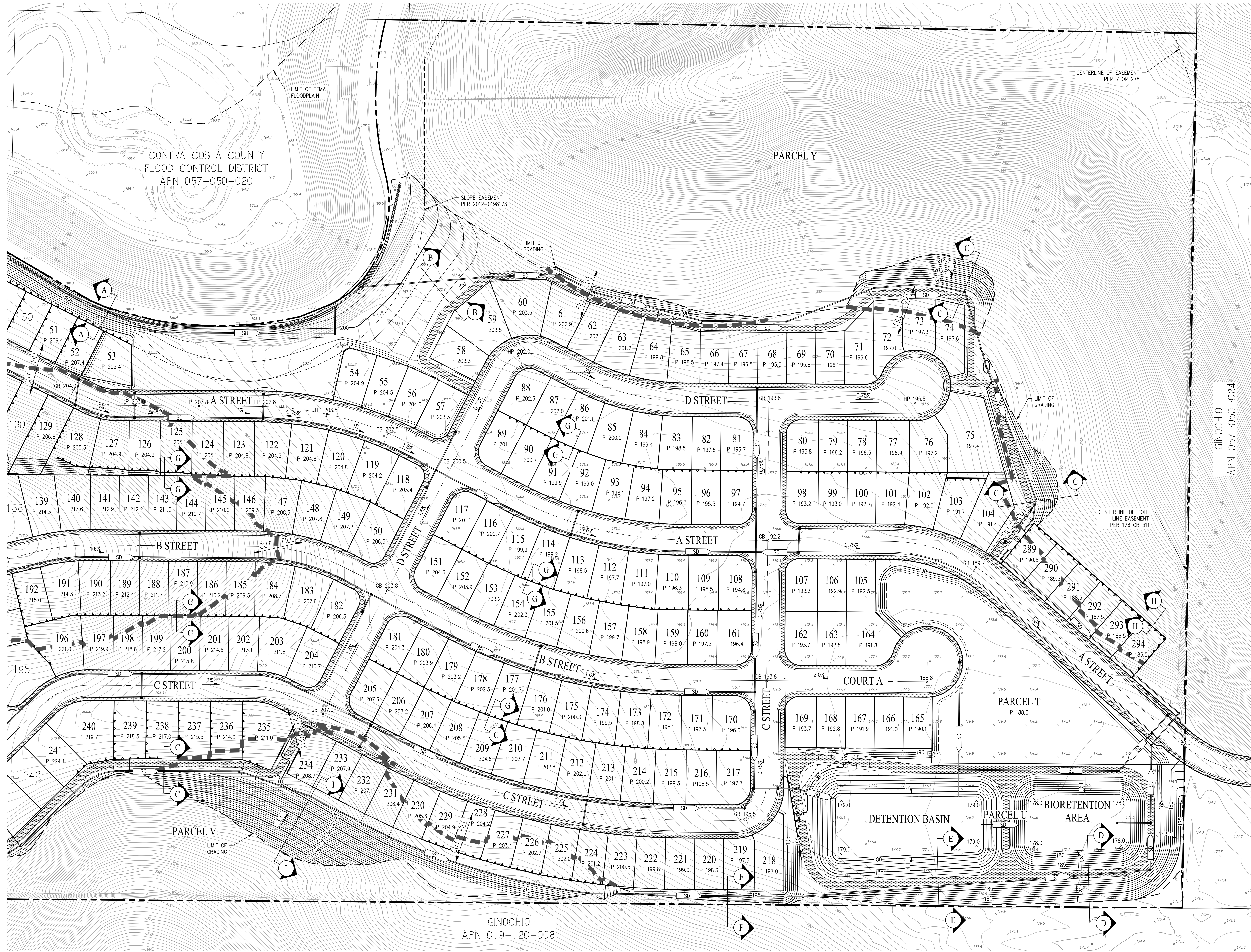
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DATE: SEPTEMBER 23, 2022
JOB NO.: 1319-30

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

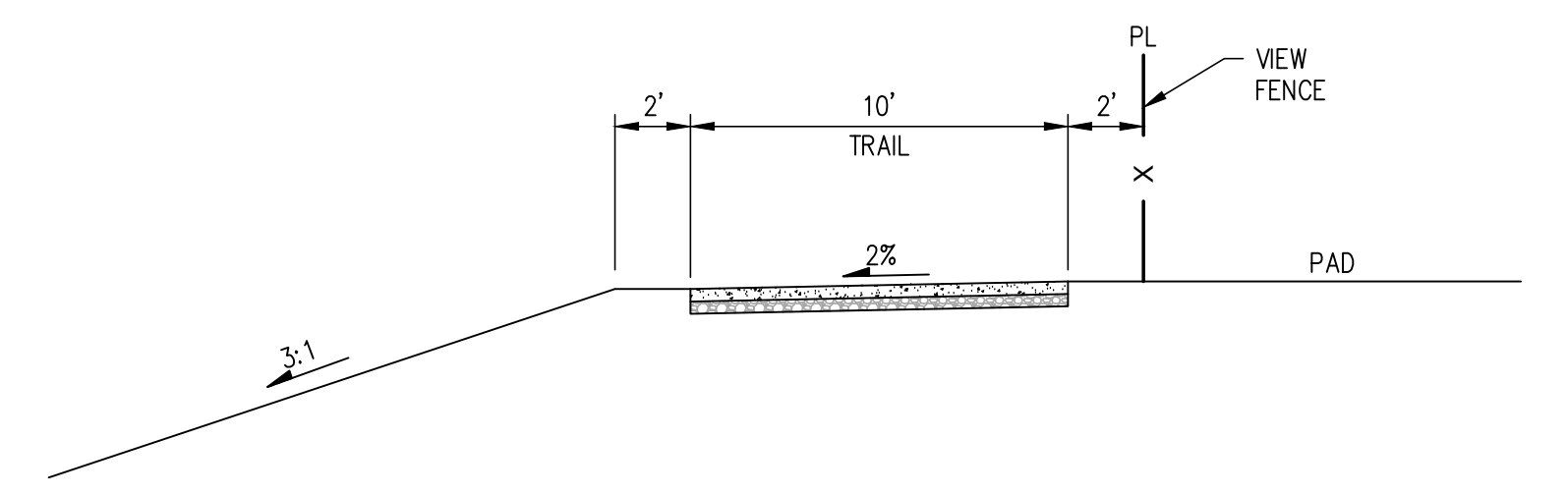
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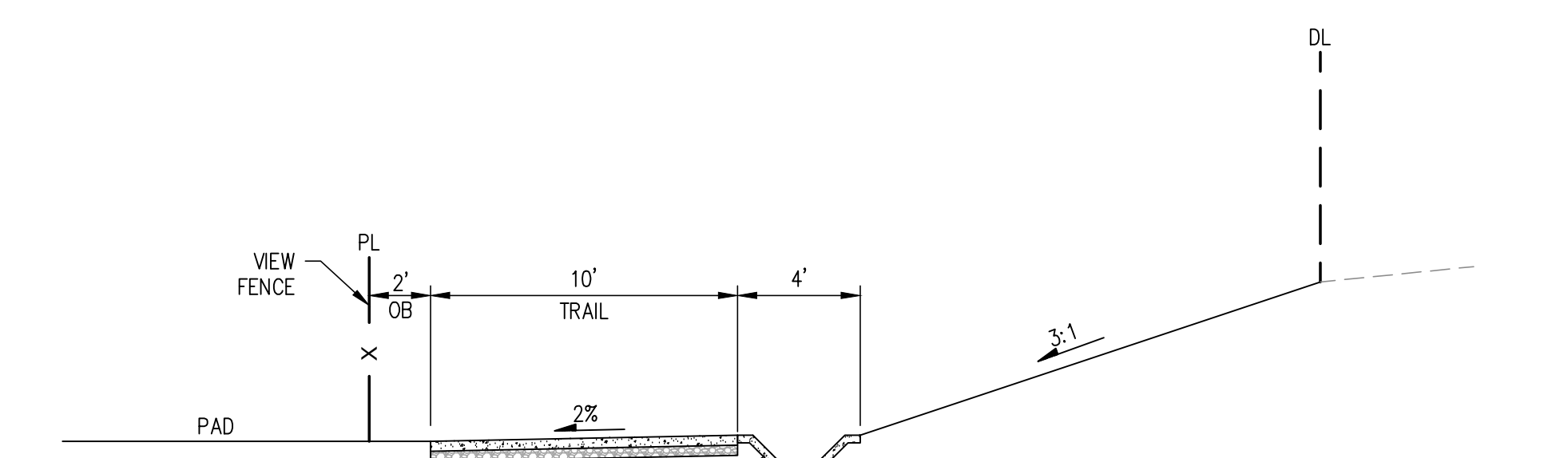
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OF 10 SHEETS



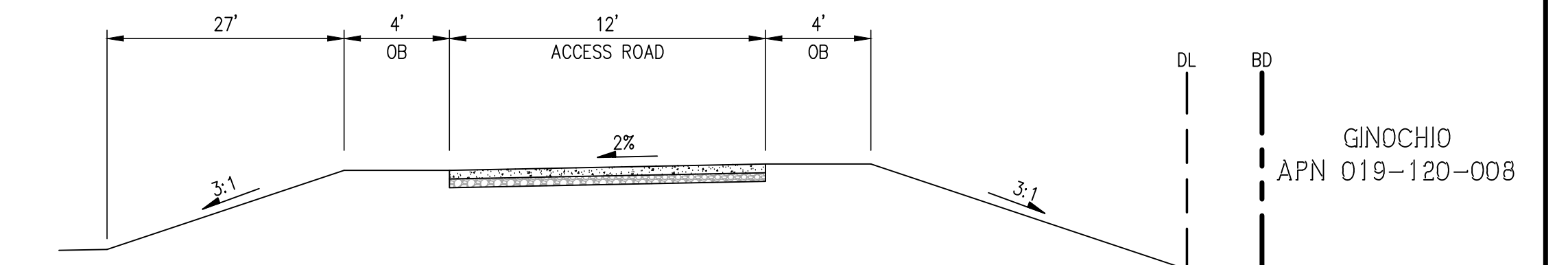
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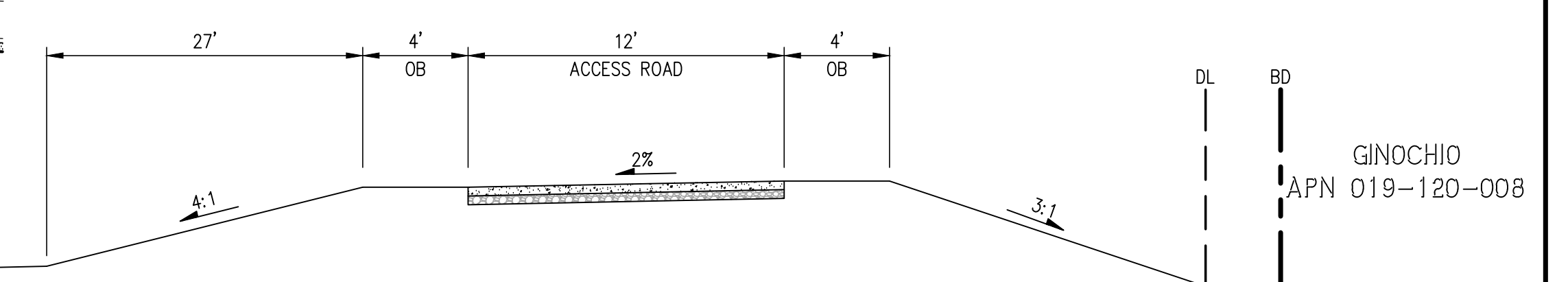
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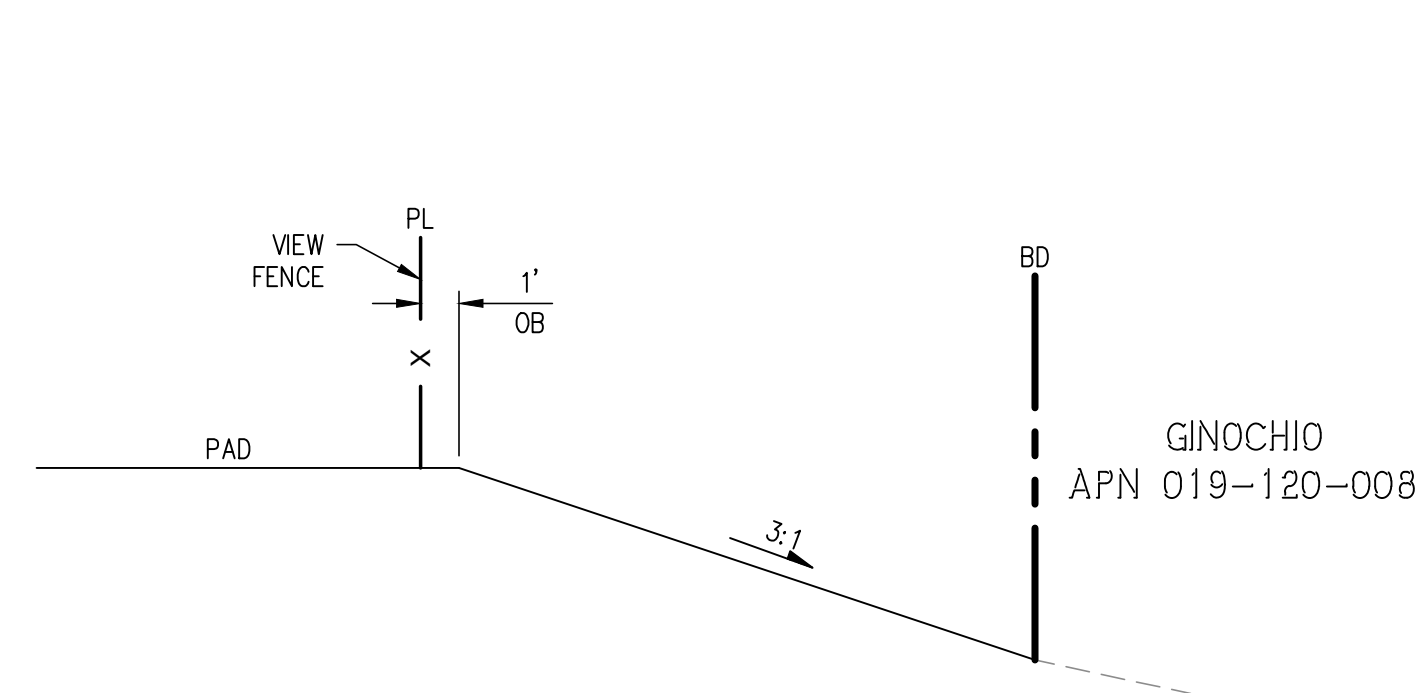
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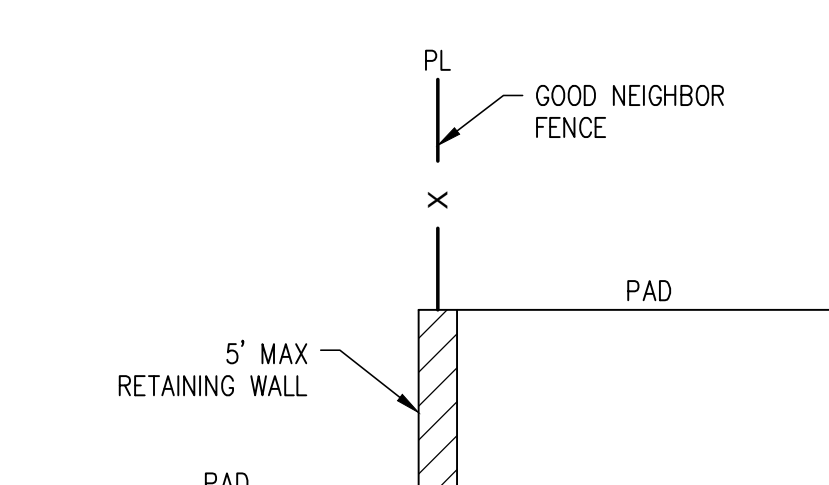
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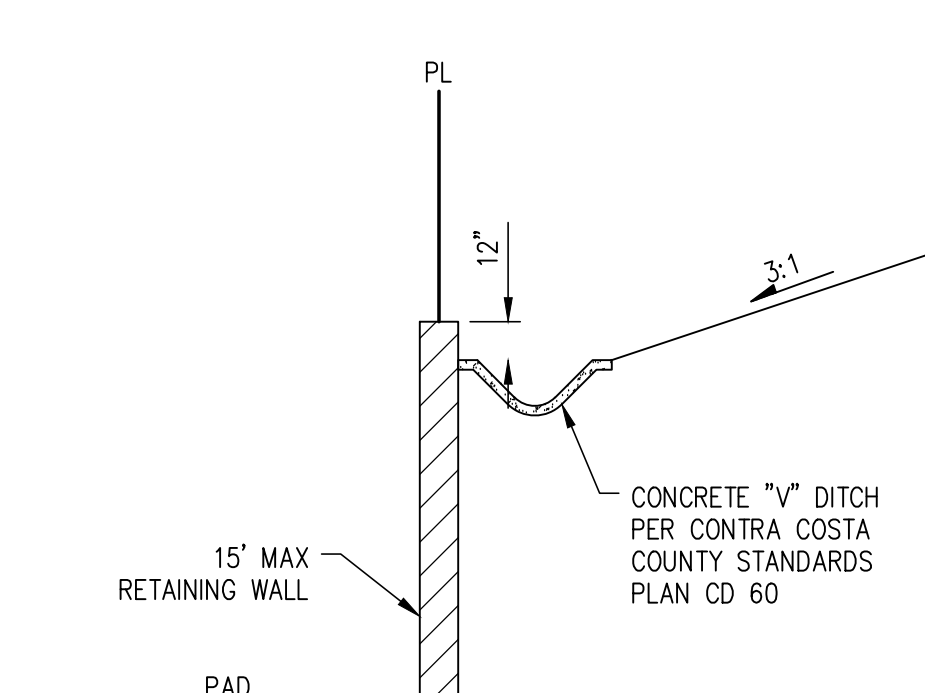
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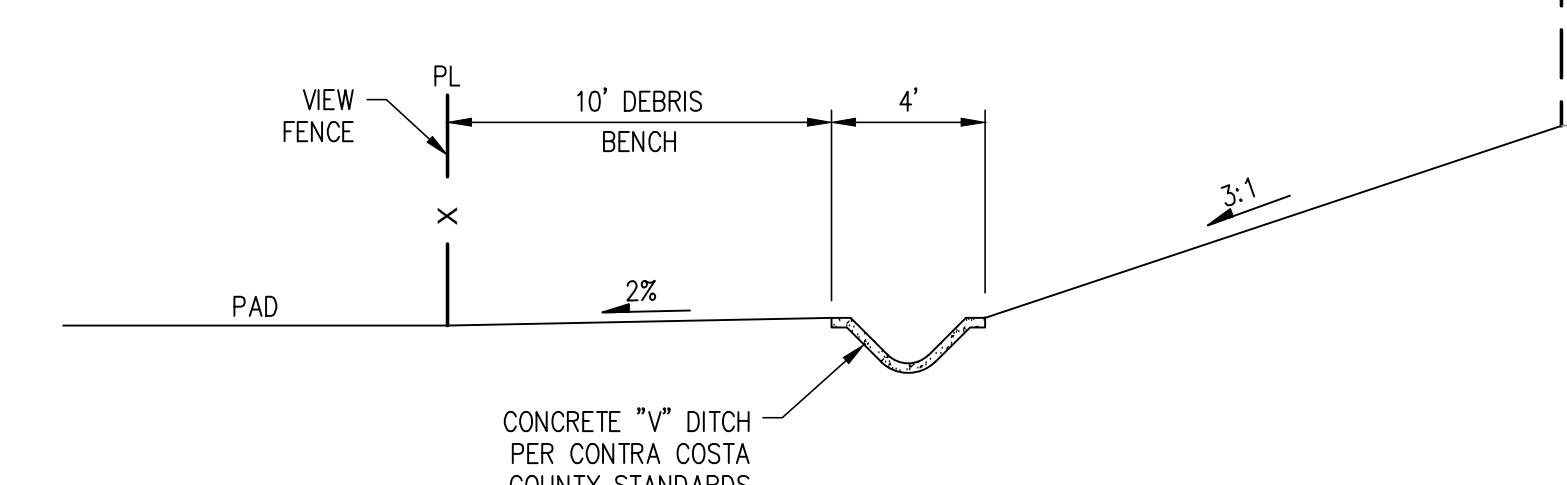
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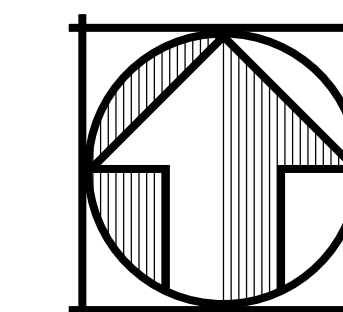
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CONCEPTUAL GRADING PLAN VESTING TENTATIVE MAP ALBERS PROPERTY SUBDIVISION 9515

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

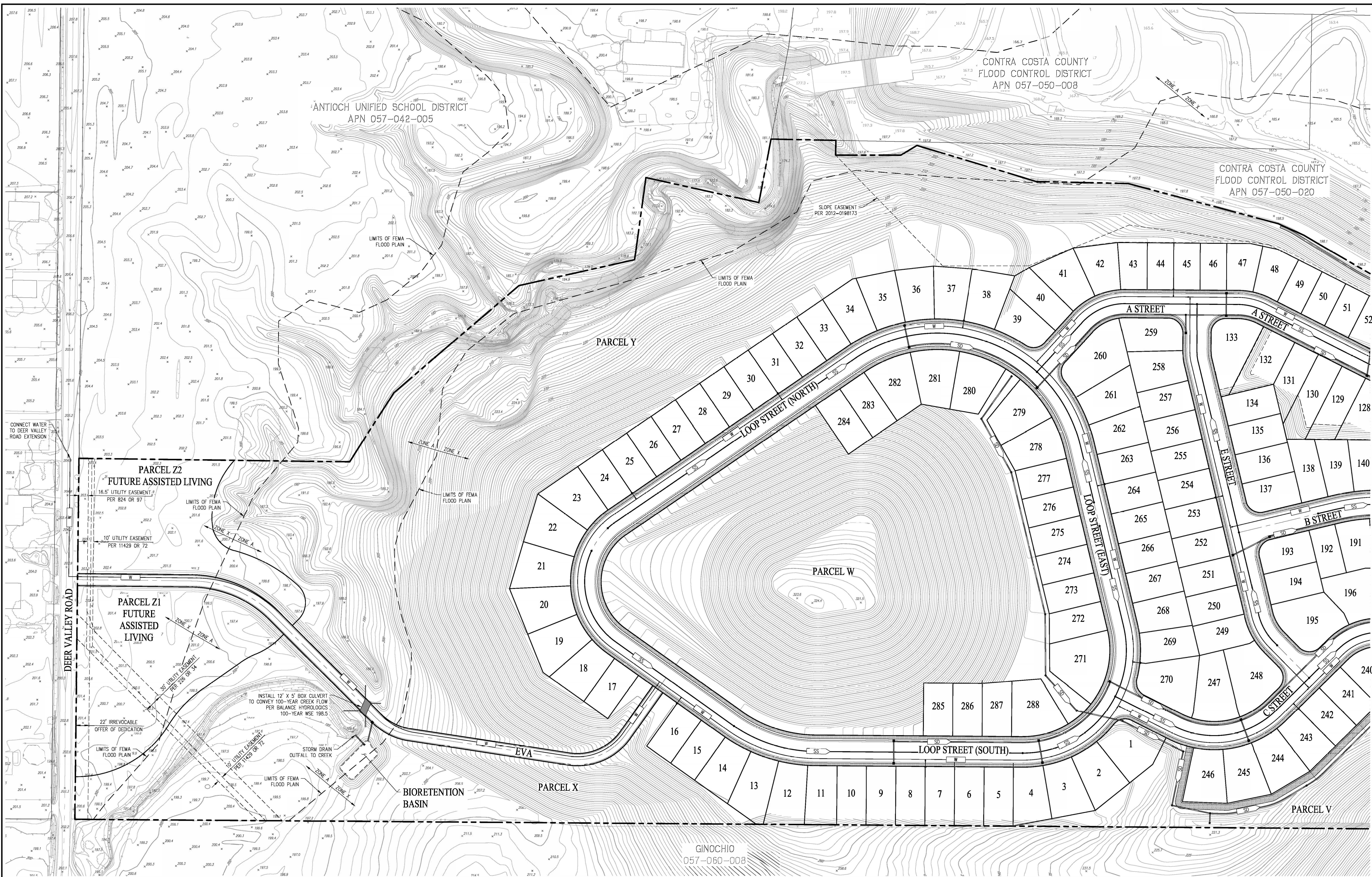


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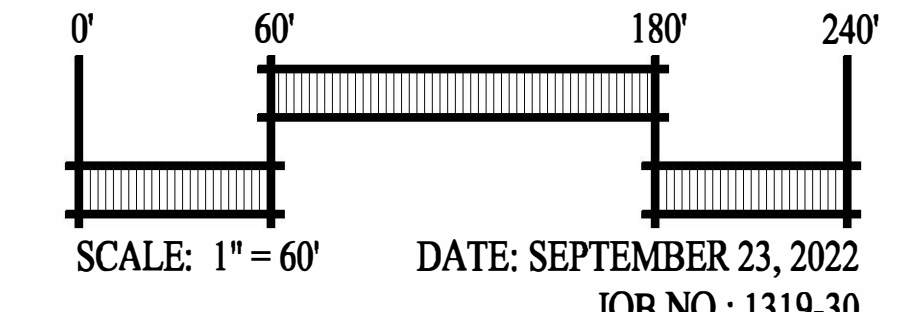
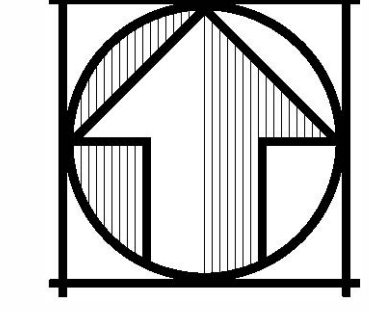
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OF 10 SHEETS



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UTILITY PLAN
VESTING TENTATIVE MAP
ALBERS PROPERTY
SUBDIVISION 9515

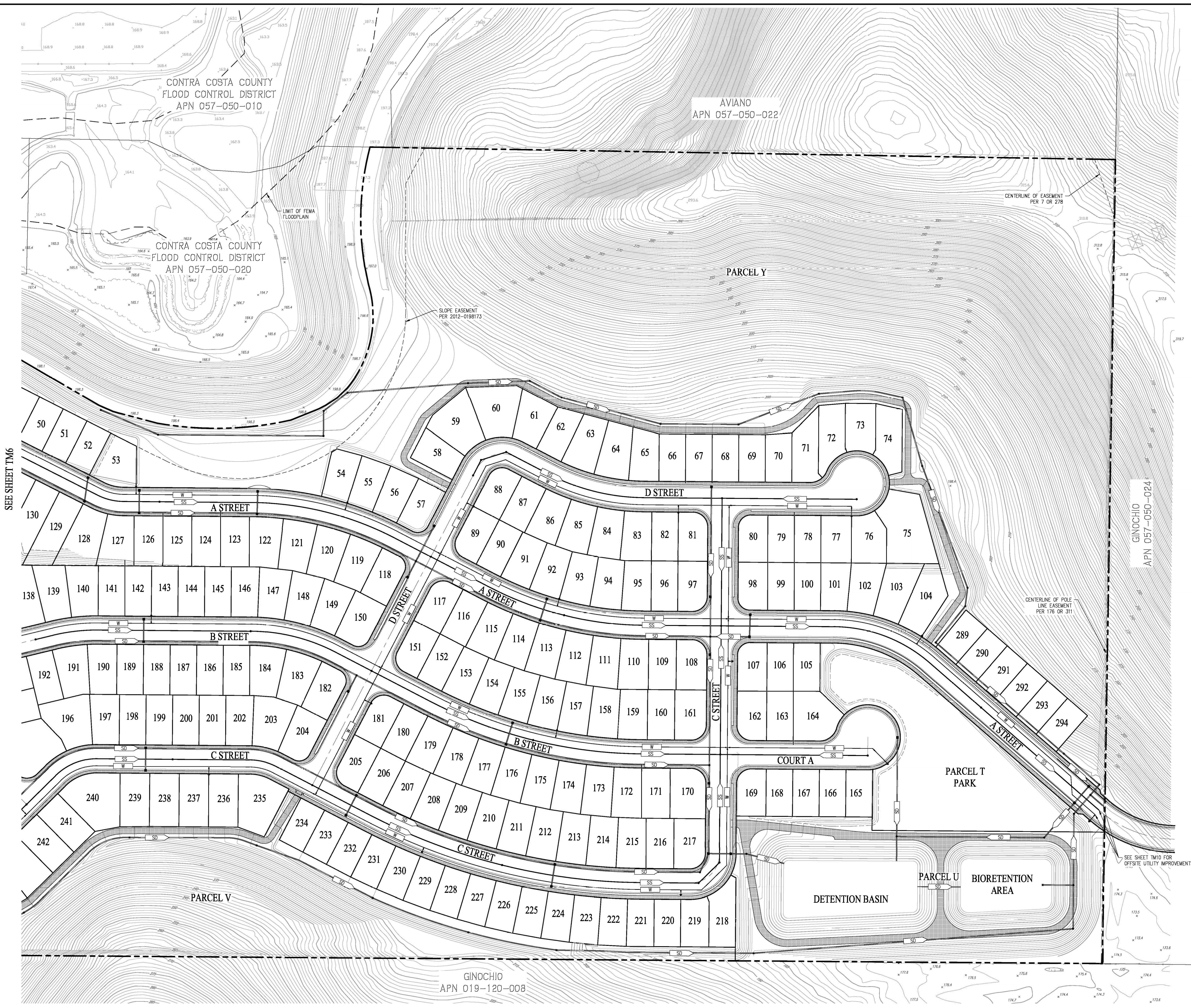
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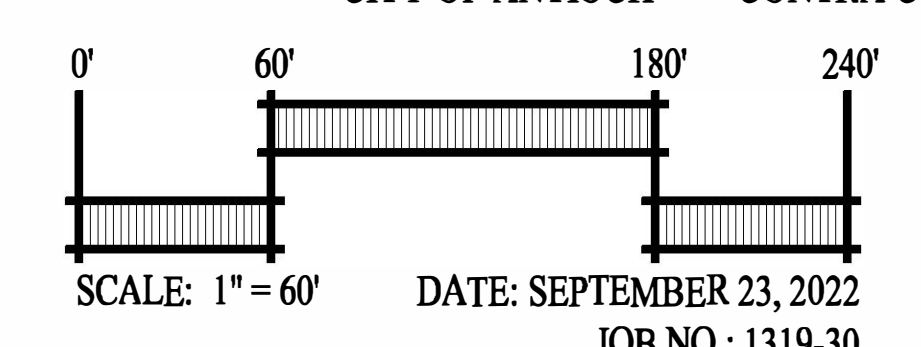
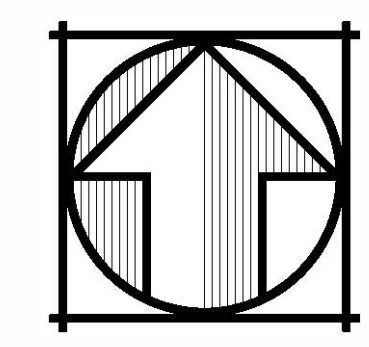
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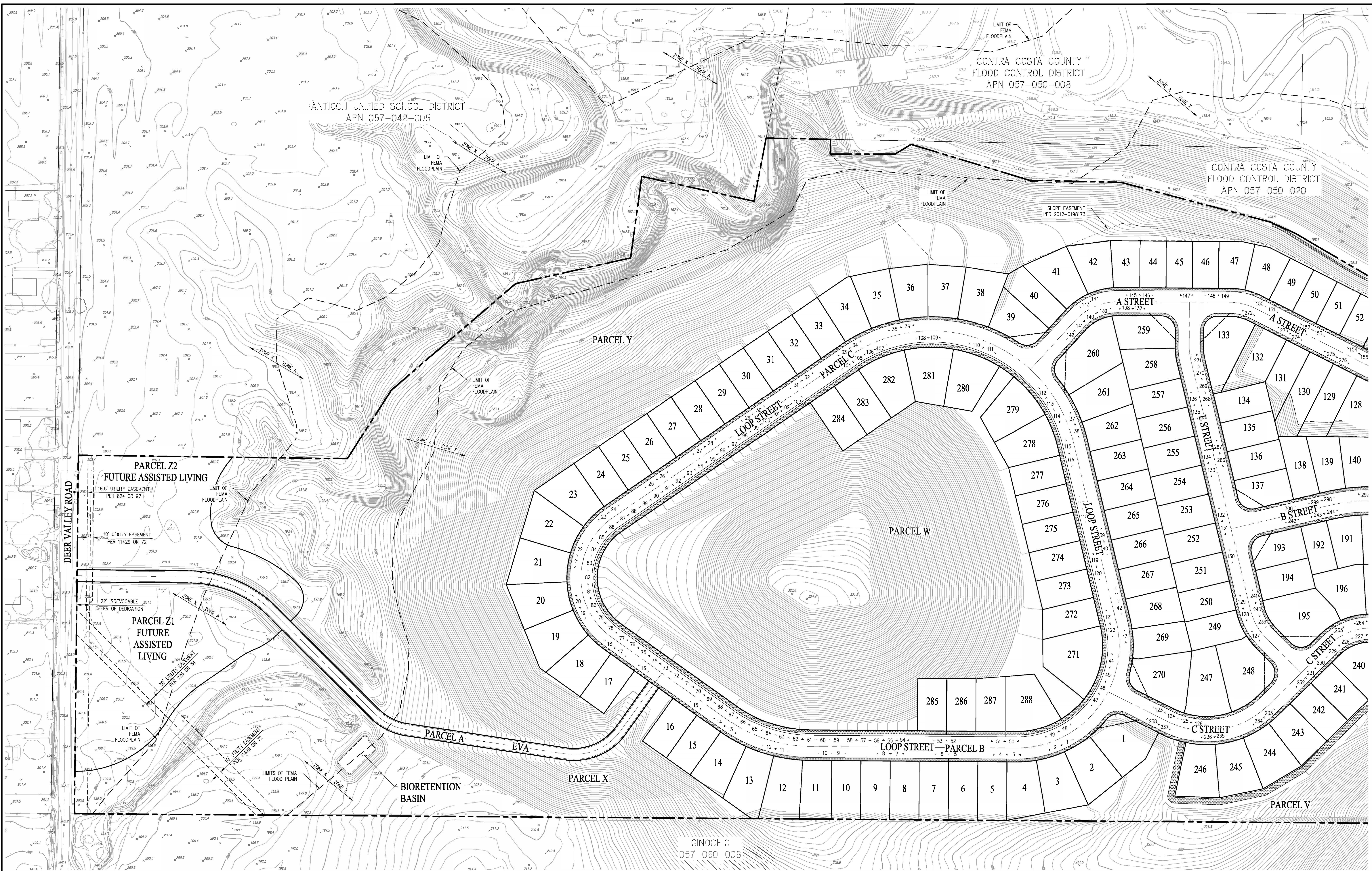
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GINOCHIO
 APN 057-050-024

SEE SHEET TM10 FOR
 OFFSITE UTILITY IMPROVEMENTS

D10



SEE SHEET TM9

LEGEND

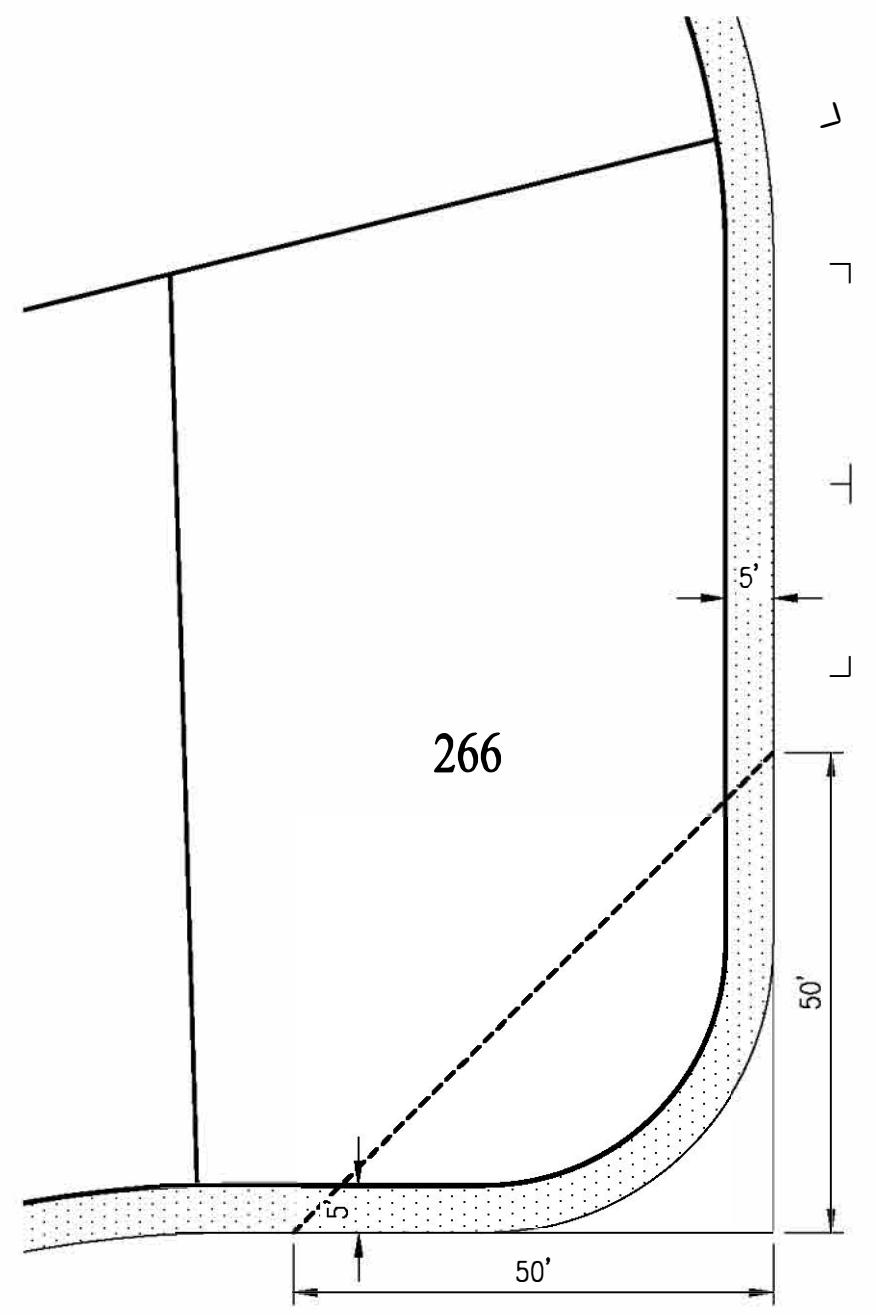
	SUBDIVISION BOUNDARY
	PROPERTY LINE
	LOT LINE
	TOP OF CURB
	FIRE HYDRANT
	LOT NUMBER
	STALL NUMBER
	CORNER SIGHT VISIBILITY LINE

PARKING TYPE	PARKING REQUIRED		PARKING PROVIDED	
	RATIO	NUMBER OF SPACES	RATIO	NUMBER OF SPACES
GARAGE (COVERED)	2 SPACES/DU	588 SPACES	2 SPACES/DU	588 SPACES
GUEST PARKING (ON-STREET)	1 SPACE/DU	294 SPACES	-	294 SPACES
ADDITIONAL ON-STREET PARKING	-	-	-	68 SPACES
TOTAL	-	882 SPACES	-	950 SPACES

GUEST PARKING (PARALLEL SPACES) DIMENSIONS

INTERIOR:	8' X 23'
END OF ROW:	8' X 20'

- NOTES:**
- BASED ON THE PROPOSED PROJECT ZONING AND ARTICLE 17, PARKING REQUIREMENTS OF THE CITY OF ANTIOCH MUNICIPAL CODE, THE PROJECT IS ONLY REQUIRED TO PROVIDE THE NUMBER OF PARKING SPACES AS INDICATED IN TABLE 9-5.1703.1 OFF-STREET PARKING FOR ELDERLY RESIDENTIAL (SENIOR HOUSING OVERLAY).
 - BASED ON TABLE 9-5.1703.1, OFF-STREET PARKING REQUIREMENTS THE REQUIRED GUEST PARKING IS TO BE DETERMINED DURING PROJECT PROCESS REVIEW, HOWEVER ONE SPACE IS PROPOSED WHICH IS EQUIVALENT TO THE NUMBER OF GUEST PARKING SPACES REQUIRED FOR SINGLE-FAMILY RESIDENTIAL (DETACHED) USE CLASSIFICATION.



50' SIGHT TRIANGLE
SCALE 1" = 20'

PARKING PLAN
VESTING TENTATIVE MAP
ALBERS PROPERTY
SUBDIVISION 9515

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DATE: SEPTEMBER 23, 2022
JOB NO.: 1319-30

SHEET NO. **TM8**
OF 10 SHEETS

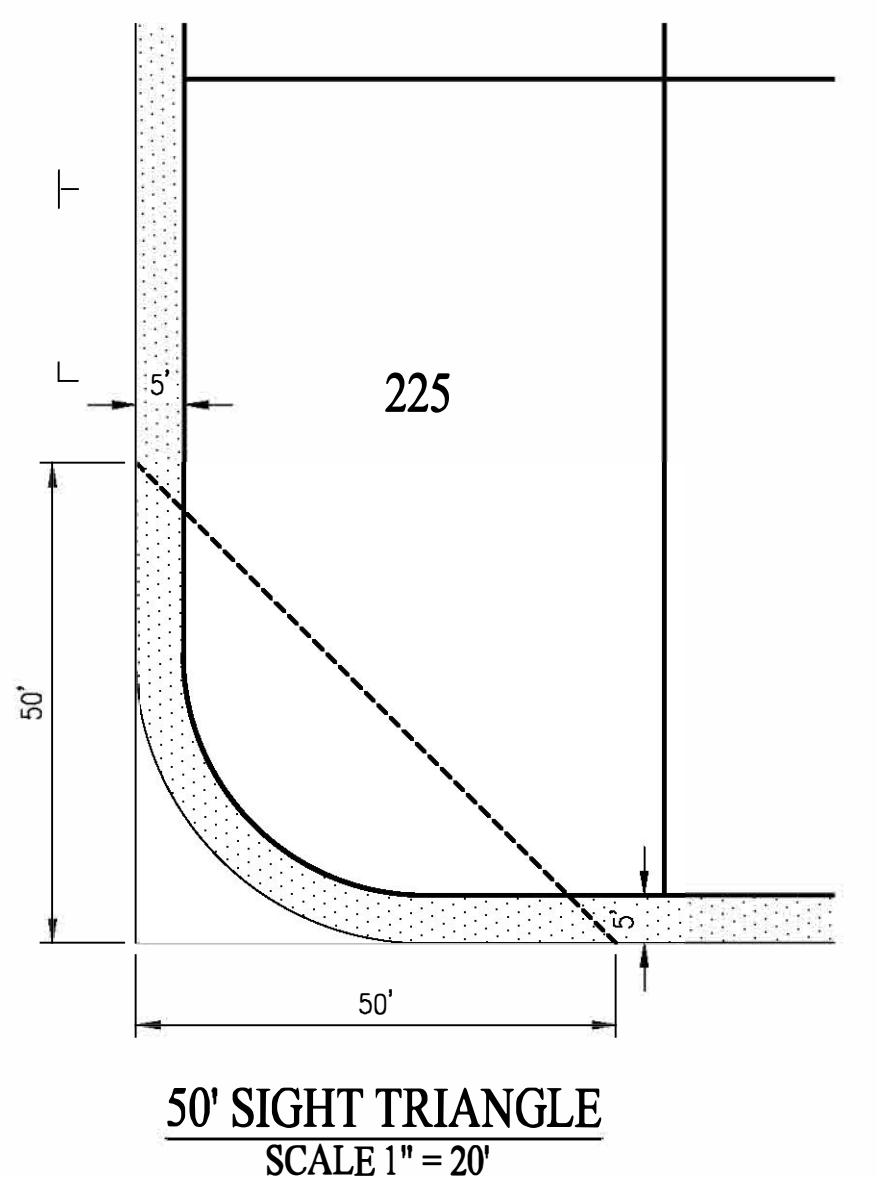


SEE SHEET TMS

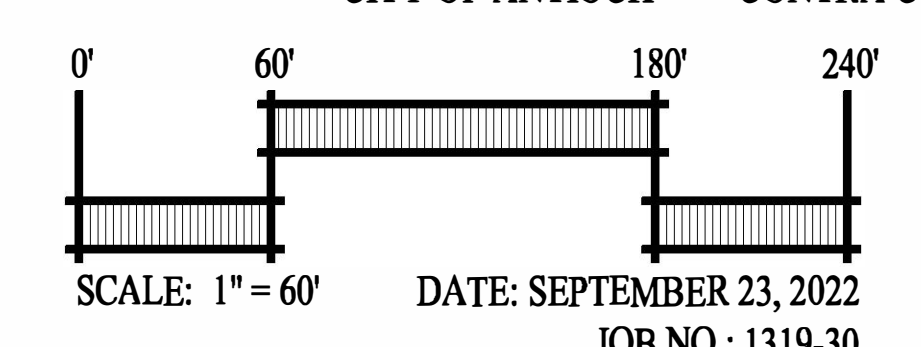
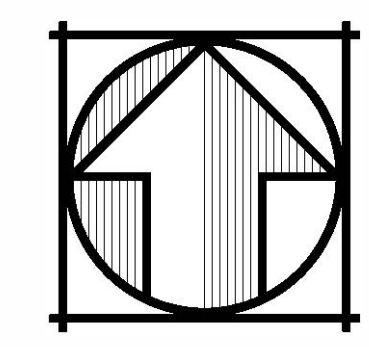
GINOCHIO
APN 057-050-024

- LEGEND**
- SUBDIVISION BOUNDARY
 - PROPERTY LINE
 - LOT LINE
 - TOP OF CURB
 - FIRE HYDRANT
 - LOT NUMBER
 - STALL NUMBER
 - CORNER SIGHT VISIBILITY LINE

NOTE:
SIGHT VISIBILITY TRIANGLE DOES NOT APPLY AT ELBOWS AND KNUCKLES



PARKING PLAN
VESTING TENTATIVE MAP
ALBERS PROPERTY
SUBDIVISION 9515

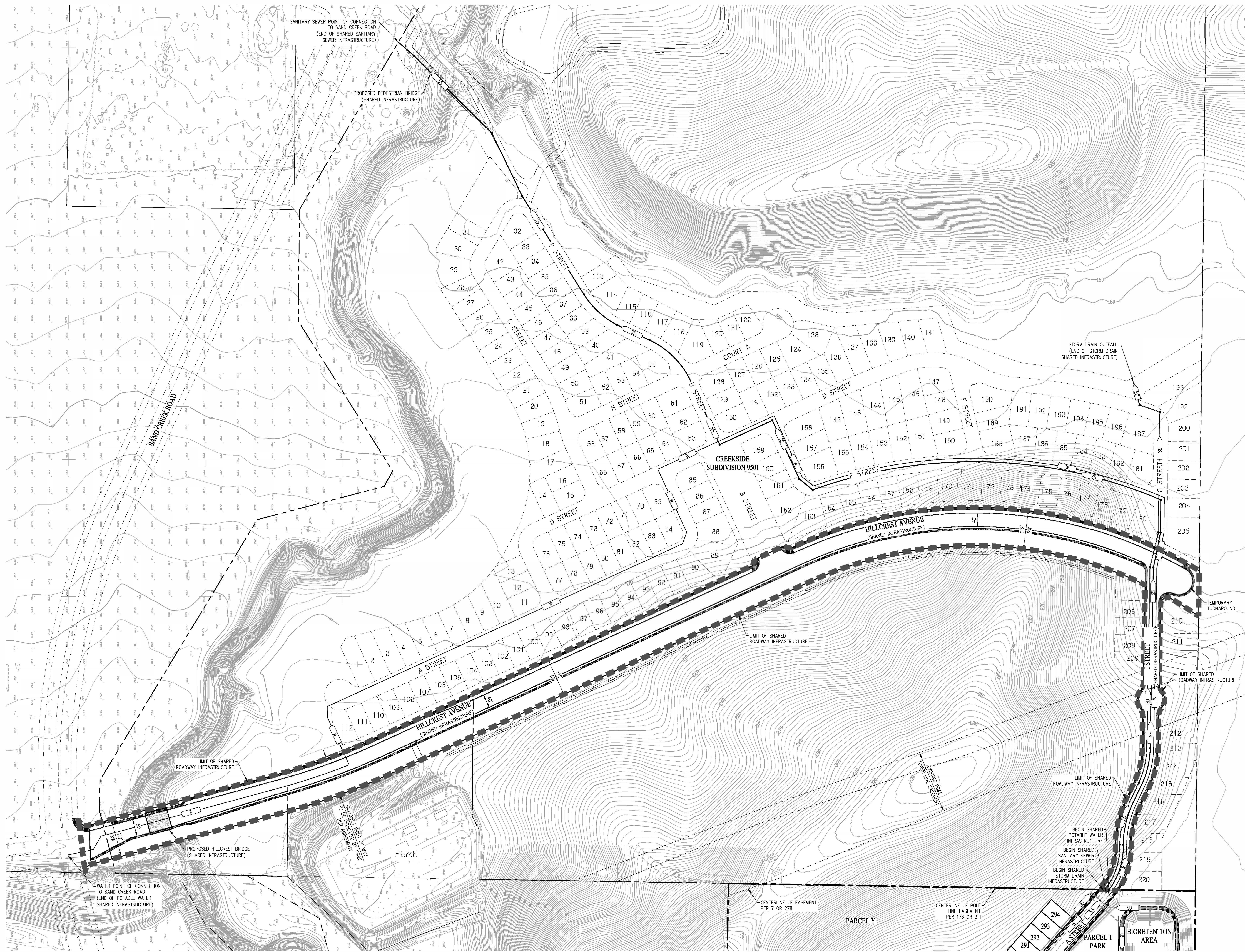


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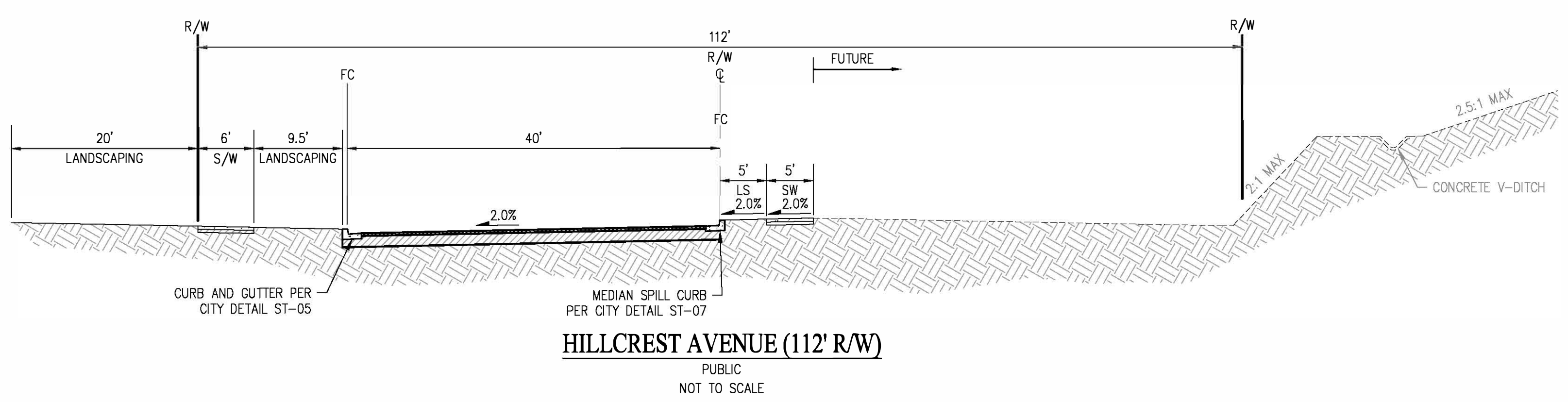
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OF 10 SHEETS



LEGEND

	LIMIT OF SHARED ROADWAY INFRASTRUCTURE
	SHARED STORM DRAIN INFRASTRUCTURE
	SHARED SANITARY SEWER INFRASTRUCTURE
	SHARED POTABLE WATER INFRASTRUCTURE

- NOTES:**
- HILLCREST AVENUE IMPROVEMENTS SHOWN ARE CONSISTENT WITH EXHIBIT B FROM SETTLEMENT AGREEMENT BETWEEN THE CITY OF ANTIOCH AND GSN PARTNERS, LLC.
 - I STREET IMPROVEMENTS SHOWN ARE CONSISTENT WITH THE CREEKSIDE VINEYARDS AT SAND CREEK (SUBDIVISION 9501) VESTING TENTATIVE MAP. PURSUANT TO CONDITION OF APPROVAL P.10 FROM THE CREEKSIDE VINEYARDS AT SAND CREEK CONDITIONS OF APPROVAL, I STREET SHALL BE A PUBLIC STREET AND HAVE A FULL RIGHT-OF-WAY WIDTH OF 60'.
 - SHARED STORM DRAIN, SANITARY SEWER AND POTABLE WATER INFRASTRUCTURE ARE CONSISTENT WITH IMPROVEMENTS SHOWN ON THE CREEKSIDE VINEYARDS AT SAND CREEK (SUBDIVISION 9501) VESTING TENTATIVE MAP.



**ALBERS & CREEKSIDE SHARED INFRASTRUCTURE
VESTING TENTATIVE MAP**
ALBERS PROPERTY
SUBDIVISION 9515

CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA

SCALE: 1" = 100'

DATE: SEPTEMBER 23, 2022
JOB NO.: 1319-30

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SHEET NO. **TM10**
OF 10 SHEETS

RESOURCE MANAGEMENT PLAN
ALBERS RANCH
ANTIOCH, CALIFORNIA

February 2020

Prepared for

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9601 Deer Valley Road
Brentwood, California 94513
Attention: Ms. Lucia Albers

Prepared by

Monk & Associates, Inc.
1136 Saranap Avenue, Suite Q
Walnut Creek, California 94595

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FIGURES

(Behind Tab at Back of Report)

Figure 1. Regional Map of the Albers Ranch Project Site.

Figure 2. Albers Ranch Project Site Location.

Figure 3. Aerial photograph of the Albers Ranch Project Site.

Figure 4. Known Special-Status CNDDB Species Within 3 Miles of the Albers Ranch Project Site.

ATTACHMENTS

(Behind Tab at Back of Report)

Figure E. Project Programming: Albers Ranch Project. Prepared by CBG, January 31, 2020.

1. INTRODUCTION

The Resource Management Element of the City of Antioch’s General Plan generally requires the preparation of a “Resource Management Plan.” The purpose of the Resource Management Plan is to (1) determine the significance of the resources found onsite and their relationship to resources in the surrounding area; (2) define areas that should be maintained as open space, based on the significance of the onsite resources and their relationship to resources in the surrounding area; and (3) identify mechanisms to protect and manage open spaces.

The General Plan includes a “Framework Resources Management Plan” (Framework) [City of Antioch General Plan, Appendix A]. The Framework provides the criteria that subsequent Resource Management Plans should use to evaluate the significance of any onsite natural resources within the Sand Creek Focus Area, and their relationship to the surrounding area, and to determine the appropriate amount and type of mitigation for impacts to onsite natural resources.

2. PROPOSED PROJECT

An active adult community complete with parks, a central mixed use area and open space areas along the property’s periphery are planned for the project site. To treat surface runoff before it exits the site, water storage detention basins are also included in the project design (see Figure E. Project Programming: Albers Ranch Project, prepared by CBG, January 31, 2020).

A Deed Restriction will provide for the permanent protection of a 28.8-acre creek open space area on the northern portion of the project site, as shown in Figure E. The Sand Creek Open Space Preserve will be managed pursuant to this Resource Management Plan.

3. NATURAL COMMUNITIES

The Framework identifies four natural communities within the Sand Creek Focus Area that must be considered: (1) Grassland; (2) stream and riparian; (3) chaparral, scrub and rock outcrop; and (4) oak woodland and savannah. According to the Framework, these natural communities support “umbrella” and other special status species. The Framework addresses the relationship between these natural communities and the existing preserved lands located in regional proximity to the Focus Area. Resource Management Strategies for each of the natural communities are also addressed by the Framework. Each of the natural communities, their presence on the Albers Ranch project site, and the applicability of the Framework’s Resource Management Strategies are discussed below.

3.1 Grassland Community

The Framework defines grassland communities as areas that are vegetated by both annual and perennial grasses, with lesser amounts of forbs that are commonly used as rangeland. Grassland communities include areas that have been “lightly cultivated for dryland farming in some years, which retain key ecological characteristics of grassland under this use.” The Framework excludes areas “that have been intensively cultivated in most years” from grassland communities. In the east Contra Costa County area immediately surrounding the Focus Area, the Framework recognizes relatively narrow bands of grasslands that extend west from the Altamont

Pass area to the southeast of the Focus Area, through the cities of Brentwood and Antioch, and along the north flank of Mt. Diablo and into EBRPD lands to the west of the Focus Area.

Habitats and species the Framework typically associated with the grassland community include a small number of vernal pools (some with vernal pool fairy shrimp, *Branchinecta lynchi*) located in the eastern part of the Focus Area, San Joaquin kit fox (*Vulpes macrotis mutica*), California tiger salamander (*Ambystoma californiense*), western burrowing owl (*Athene cunicularia hypugaea*), and Alameda whipsnake (*Masticophis lateralis euryxanthus*) (in grasslands within several hundred feet of chaparral, scrub and rock outcrops). The San Joaquin kit fox and burrowing owl are considered “umbrella” species by the Framework, although the Framework recognizes that the Focus Area is at the northerly edge of the kit fox’s range and the kit fox’s presence within the Focus Area would only be on an irregular basis in very small numbers. The Framework describes the distribution of burrowing owls in and around the Focus Area as variable.

Significant areas of grasslands west, northwest and south of the Focus Area have been set aside in regional parks and permanent open spaces. The Framework recommends preserving grasslands in and around the Focus Area that are connected to these existing grasslands. Within the Focus Area, the Framework classifies strategic grassland communities that should be targeted for preservation. Grasslands east of Deer Valley Road are classified as the least important for preservation, areas in the Lone Tree Valley between Deer Valley Road and Empire Mine Road have intermediate strategic value (where adjoining land uses are urban on one side), and areas west of Empire Mine Road and in Horse Valley have the highest strategic value (where adjoining parkland and open space are preserved for natural values). **The Albers Ranch project site is east of Deer Valley Road in an area that is classified as the least important for preservation.**

3.1.1 GRASSLAND COMMUNITIES AT THE ALBERS RANCH PROJECT SITE

The project site has a long history of agricultural use varying between hay farming and cattle grazing. At the time of M&A’s 2018 field work, the majority of the project site could be characterized as hay farm/ruderal grassland. This community onsite is dominated by non-native grasses such as wild oats (*Avena* spp.), wheat (*Triticum aestivum*), ripgut grass (*Bromus diandrus*), soft chess (*Bromus hordeaceus*), Italian ryegrass (*Lolium multiflorum*), foxtail barley (*Hordeum murinum leporinum*), and forbs (broad-leaved plants) such as rose clover (*Trifolium hirtum*), hairy vetch (*Vicia villosa*), California burclover (*Medicago polymorpha*), and non-native thistles including Italian thistle (*Carduus pycnocephalus*), bull thistle (*Cirsium vulgare*), yellow star thistle (*Centaurea solstitialis*), and milk thistle (*Silybum marianum*).

The project site’s hay field/ruderal grassland community provides habitat for granivorous (seed-eating) birds such as mourning dove (*Zenaida macroura*), savannah sparrow (*Passerculus sandwichensis*), grasshopper sparrow (*Ammodramus savannarum*), and house finch (*Carpodacus mexicanus*), among others, and insectivorous birds such as Say’s phoebe (*Sayornis saya*), western kingbird (*Tyrannus verticalis*), northern mockingbird (*Mimus polyglottos*), loggerhead shrike (*Lanius ludovicianus*), western meadowlark (*Sturnella neglecta*), and European starling (*Sturnus vulgaris*). Raptors such as American kestrel (*Falco sparverius*), red-tailed hawk (*Buteo jamaicensis*), and great horned owl (*Bubo virginianus*), which prey on the smaller birds and

mammals also occur on the project site and use the hay field/ruderal grassland habitat for hunting. Other animals observed in the grassland during the surveys included gopher snake (*Pituophis melanoleucus*), California ground squirrel (*Spermophilus beechyi*), Botta's pocket gopher (*Thomomys bottae*), and coyote (*Canis latrans*).

M&A observed burrowing owls on the adjacent property to the north of Sand Creek. In addition, there are numerous records for this species surrounding of the project site (Figure 4). The project site provides suitable habitat for the burrowing owl.

Figure 5-5 in the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan (ECCCC HCP 2006) indicates that the project site is within the "Suitable Core Habitat" of the San Joaquin kit fox. Suitability does not infer the presence of this fox species, only that the model used indicates there is suitable habitat in which the species could occur. Since the project site supports ruderal grassland and small mammal burrows, and lies within CDFG's mapped kit fox range, the proposed project site may provide migration habitat for the San Joaquin kit fox. The closest CNDDDB record for this species was recorded in the 1970s and is located 3.0 miles south from the project site (Occurrence No. 936). The on-going disturbance and cultivation of the project site would likely preclude the presence of an occupied den. However, independently conducted surveys cited in *Relative Abundance of Endangered San Joaquin Kit Fox (Vulpes macrotis mutica) Based on Scat-Detection Dog Surveys* (Smith et. al. 2006) were unable to document presence of San Joaquin kit fox in Contra Costa County, suggesting that it is likely that San Joaquin kit fox is extirpated from Contra Costa County.

Closest record for CTS is in a former pond that was located adjacent to the project site (Occurrence No. 854); however, that pond no longer exists. The closest extant record for CTS to the project site is approximately one mile southeast of the project site (CNDDDB Occurrence No. 856) (Figure 4). The USFWS considers suitable CTS habitat to occur in all undeveloped habitats within 1.3 miles of a known breeding pool. Hence, both USFWS and CDFW will regard the project site as CTS habitat.

3.2 Stream and Riparian Community

The Framework defines the stream and riparian community as areas where water flows in discrete paths, ranging from small swales to substantial streams. Within the Focus Area, this community comprises less than 2% of the landscape, but is widely distributed. The stream and riparian community in the Focus Area flows from west to east and drains to watersheds located outside of the Focus Area. Sand Creek is the primary stream community, and a portion of upper Horse Valley Creek is located in the southern extension of the Focus Area. The stream and riparian community within the Focus Area does not provide a key linkage and movement corridor for many species, but the California red-legged frog is identified as a species associated with the Focus Area's riparian community.

The Resource Management Strategies for stream and riparian communities within the Framework recommends an open space corridor on both sides of Sand Creek, within which no grading or other development would occur. The Framework does not require complete avoidance of the creek or specify the size of the open space corridor, but it does suggest evaluating whether the General Plan's recommended 250 foot creek corridor (roughly 125 feet on either side of the

creek centerline) is sufficient to buffer the creek from any adjoining golf and residential development.

3.2.1 STREAM AND RIPARIAN COMMUNITIES AT THE ALBERS RANCH PROJECT SITE

Sand Creek and the unnamed tributary support some open water habitat while the banks support a scattered, narrow band of an herbaceous wetland plant community. Plant species observed growing in and along the edges of the tributary included creeping wild rye grass (*Elymus triticoides*), rabbit's foot grass (*Polypogon monspeliensis*), curly dock (*Rumex crispus*), cocklebur (*Xanthium strumarium*), and Bermuda grass (*Cynodon dactylon*). The southeastern bank of Sand Creek near where this creek exits the project site to the north supports a homogenous growth of California sage (*Artemisia californica*). This sage cover is sparse and limited in area, providing well less than an acre of plant cover. Sand Creek's bank are also dotted with fruit trees (*Prunus* sp.) and a few blue oak trees (*Quercus douglasii*).

Sand Creek and the unnamed tributary provide foraging and nesting habitat for black phoebe (*Sayornis nigricans*), killdeer (*Charadrius vociferus*), red-winged blackbird (*Agelaius phoeniceus*), and the mallard (*Anas platyrhynchos*). In addition, the open water pools provide habitat for Sierran tree frog (*Pseudacris sierra*), California toad (*Anaxyrus boreas halophilus*), and California red-legged frog (*Rana aurora draytonii*), all of which have been observed by M&A during site surveys. Sand Creek may also provide habitat for western pond turtle (*Actinemys marmorata*), and other common wildlife associated with creek habitats.

Closest record for California red-legged frog is located in Sand Creek adjacent to the project site (Figure 4). California red-legged frog was observed in the unnamed tributary of Sand Creek by M&A staff on May 13, 2005, and at least six (6) California red-legged frogs were observed by M&A staff in Sand Creek and the unnamed tributary on June 1, 2005. In addition, M&A identified California red-legged frog in a reach of Sand Creek located upstream from the project site. Based upon these records of California red-legged frogs in Sand Creek and the unnamed tributary, Sand Creek is regarded as occupied, and the lands adjacent to the creek including the project site constitute potential upland dispersal habitat for this frog.

The project will preserve linkages and wildlife corridors; Sand Creek provides a valuable wildlife corridor with suitable cover, foraging, water resources, and migration pathways that lead to other natural habitats. Wildlife corridors are linear and/or regional habitats that provide connectivity to other natural vegetation communities within a landscape fractured by urbanization and other development. Wildlife corridors have several functions: 1) they provide avenues along which wide-ranging animals can travel, migrate, and breed, allowing genetic interchange to occur; 2) populations can move in response to environmental changes and natural disasters; and 3) individuals can recolonize habitats from which populations have been locally extirpated (Beier and Loe 1992). All three of these functions can be met if both regional and local wildlife corridors are accessible to wildlife.

The Albers Ranch project site is bordered by open land on all sides. To the north of the project site is the County Flood Control District lands which includes a few buildings and a newly realigned reach of Sand Creek but is otherwise open and undeveloped. The Sand Creek corridor along a portion of the northern project site boundary extending east has been preserved in

perpetuity to protect this creek channel and its habitats. North of the County Flood Control District lands is the Dozier Libbey Medical High School and the Aviano Development. East and south of the project site are actively managed hay cropped farmland; these lands are in private ownership and could be developed in the future. Immediately west of the project site is Deer Valley Road and smaller ranchettes but open land extends west beyond these parcels.

3.3 Chaparral, Scrub and Rock Outcrop Community

According to the Framework, the chaparral, scrub and rock outcrop community occurs on thin-soiled areas that may contain chaparral, grasses, and broadleaved herbs, or may support minimal vegetation. The rock outcrop community is generally limited to ridgetops, and excludes grassland and oak woodland or savannah on deeper soils. Within the Focus Area, this community is found primarily in the western part of the Focus Area, and otherwise extends eastward only on the ridges on either side of Sand Creek. The Framework associates the Alameda whipsnake with this community, in the southwestern part of the Focus Area.

3.3.1 CHAPARRAL, SCRUB AND ROCK OUTCROP COMMUNITIES AT THE ALBERS RANCH PROJECT SITE

The project site does not support a chaparral, scrub or rock outcrop community. The project site does not provide “core habitat” for the Alameda whipsnake (i.e., there are no chaparral and coastal scrub communities within the project site), and the closest core habitat is located approximately 3 miles from the project site. As such, no suitable Alameda whipsnake habitat will be affected by the proposed project.

4. MITIGATION FOR IMPACTS TO NATURAL COMMUNITIES

As described in the Framework, impacts to natural communities and their associated special status species from development within the Sand Creek Focus Area is unavoidable. The Framework recommends in-kind mitigation, with a minimum 1:1 mitigation ratio. By way of example, the Framework explains that mitigation for impacts to California tiger salamander breeding and estivation habitat “would be required to preserve grassland habitats that support conditions for the tiger salamander in an amount that is equal to or greater than the acreage of the impacted site. Conversely, if the tiger salamander was absent from that site, the preservation lands would not need to contain the specific habitat values for this species.”

Under the Framework, mitigation for the project’s permanent impacts to farmed fields/grasslands and stream and riparian habitats should consist of at least 67.7 acres of grasslands/cropland, and less than an acre of stream and riparian habitat. To compensate for impacts to federally listed species and their habitats, the applicant will dedicate and preserve an off-site mitigation property at a mitigation ratio determined by the resource agencies. The proposed mitigation site will be managed to benefit a complement of known locally occurring listed species, including California red-legged frogs, the California tiger salamander, and San Joaquin kit fox. In addition, the applicant will record a Deed Restriction over the Sand Creek Open Space Preserve that will provide for the permanent protection of a 28.8-acre creek open space area on the northern portion of the project site, as shown in Figure E.

5. PROTECTION OF THE OPEN SPACE PRESERVE IN PERPETUITY

The 28.8-acre Sand Creek Open Space Preserve will be recorded on the Development Site "Final Map." A permanent deed restriction will be recorded over this preserved land within one year of breaking ground at the Development Site.

This deed restriction will preserve 28.8-acres of land south of Sand Creek in perpetuity as open space. Proof of the recordation of the deed restriction shall be provided to the City, USFWS and CDFW upon the recordation of the deed. This document shall be recorded as Exhibit B of the "Declaration of Restrictions" recorded over the Open Space Preserve. The Declaration of Restrictions shall follow the title of the land in perpetuity.

6. LONG-TERM (IN PERPETUITY) MANAGEMENT PLAN**6.1 Natural Conditions**

The Open Space Preserve shall be maintained in its naturalized condition (as it is today) in perpetuity with the exception of management actions that are implemented to improve the habitat values for native wildlife and plants.

6.2 Allowed Uses

The following uses and practices will be permitted on the Open Space Preserve under the Deed Restriction. They are not to be precluded, prevented, or limited by the Deed Restriction, provided that all applicable governmental permits are properly obtained. All allowed and prohibited uses shall be made a condition of the Conditions, Covenants and Restrictions (CC&Rs) that the residents agree to when they purchase a home and will also be recorded as part of the Final Subdivision Map.

- A pedestrian trail can be constructed along the northern edge of the Open Space Preserve. If constructed, a wood wire view fence shall be installed and maintained in perpetuity along the edge of the pedestrian trail to separate it from the balance of the Open Space Preserve.
- The qualified biologist may access the Open Space Preserve as necessary to monitor and as necessary manage the site in its naturalized condition
- The HOA may grant permission to parties to access the Open Space Preserve for scientific study purposes only.
- Existing pipelines, fencing and easements may continue to be maintained.
- A Sand Creek Road General Plan easement extends through the Open Space Preserve. This road may be constructed at some time in the future.
- The Open Space Preserve may be used for the conservation of wildlife and California native plant habitats.

6.3 Prohibited Uses

Except as specifically allowed in this Management Plan, all uses within the Open Space Preserve specified in the conservation easement are prohibited. Prohibitive uses are elaborated as follows:

- The legal or de facto subdivision or use of the Open Space Preserve including, but not limited to, any such subdivisions or establishment of separate legal parcels by (i) certificates of compliance or (ii) lot line adjustments.
- The placement or construction of any buildings, structures, or other improvements of any kind, other than those described in the allowed uses above (fences, road or trail).
- Any agricultural, commercial, residential or industrial use or activity except for grazing for fire control.
- Any use of chemicals including insecticides, rodenticides, and fertilizers. A qualified biologist may, with approval from the Department of Fish and Wildlife and the Service, approve use of herbicides to control noxious weeds to benefit western burrowing owls and/or other native California flora and fauna.
- Any use as horse pasture (i.e., no horse boarding allowed).
- Any use by dogs or other pets.
- The installation of new, or the extension of existing utilities including, without limitation, water, sewer, power, fuel, and communication lines and related facilities.
- The operation of any motorized vehicle for any purpose, except for emergency use, fire control, or for maintenance, repair and restoration of the Open Space Preserve permitted facilities.
- The pruning, felling, or other destruction or removal of dead or living native trees and shrubs or other native vegetation, except as necessary to control or prevent hazards, disease, or fire.
- Any alteration of the surface of the land, including, without limitation, the excavation or removal of soil, sand, gravel, rock, peat, or sod.
- Any use or activity that causes or is likely to cause soil degradation or erosion, or pollution of any surface or subsurface waters.
- The storage, dumping or other disposal of wastes, refuse, and/ or debris.

7. LITERATURE CITED

- Beier, P. and S. Loe. 1992. "In my experience.." a checklist for evaluating impacts to wildlife movement corridors. *Wildlife Society Bulletin* Vol. 20(4): 6.
- California Invasive Plant Inventory (CAL-IPC). (<http://www.cal-ipc.org/ip/inventory/>)
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Figure 1. Albers Ranch Project Site
 Regional Map
 Antioch, California



Monk & Associates
 Environmental Consultants
 1136 Saranap Avenue, Suite Q
 Walnut Creek, California 94595
 (925) 947-4867

Figure 2. Albers Ranch Project Site
 Location Map
 Antioch, California

D25

37.941325 -121.766371
 Section: 8, 9; T1N R2E
 7.5-Minute Antioch South quadrangle
 Aerial Photograph Source: ESRI
 Map Preparation Date: January 12, 2018

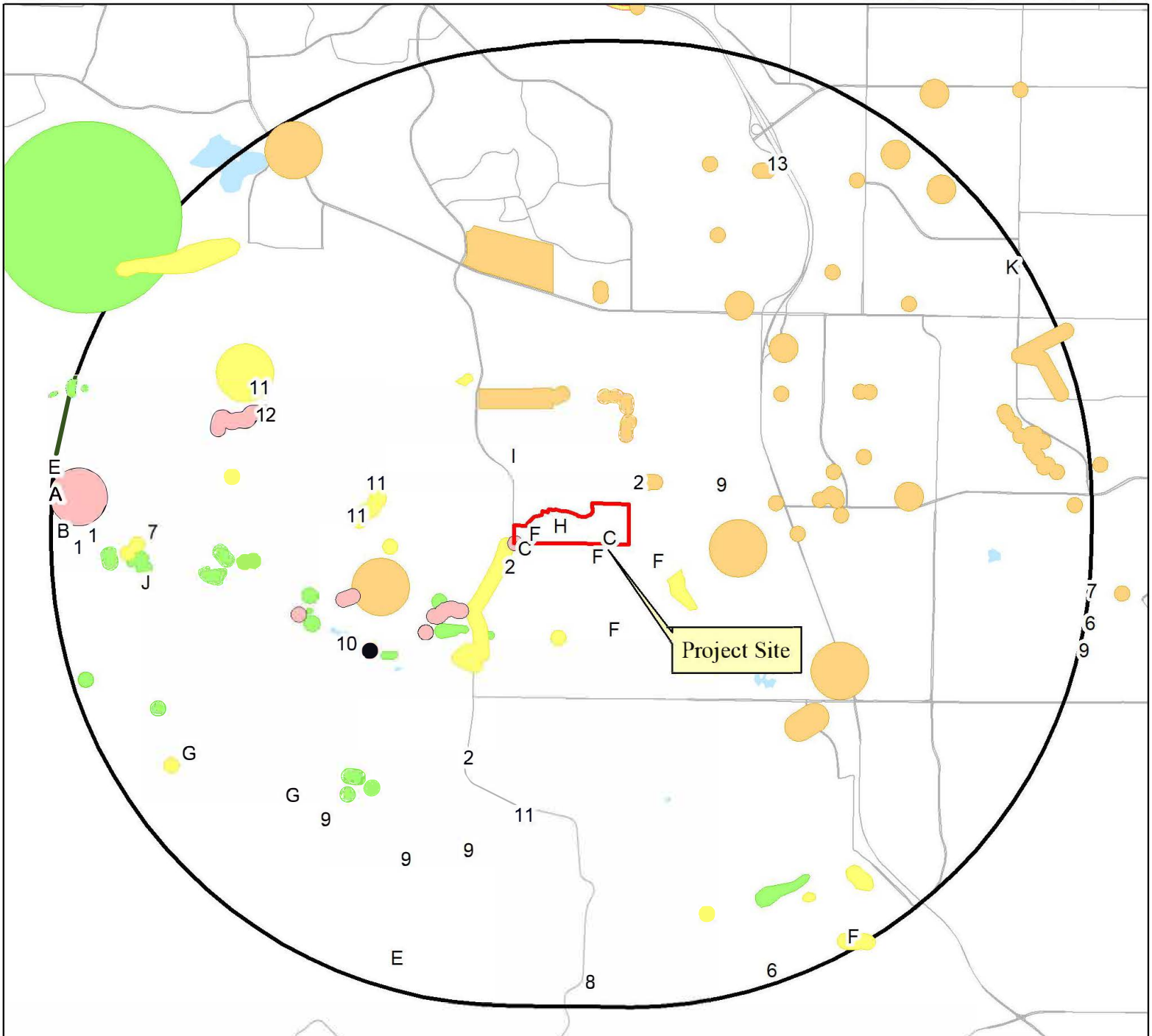


Monk & Associates
Environmental Consultants
1136 Saranap Avenue, Suite Q
Walnut Creek, California 94595
(925) 947-4867

D26

Figure 3. Aerial Photograph of the
Albers Ranch Project Site
Antioch, California

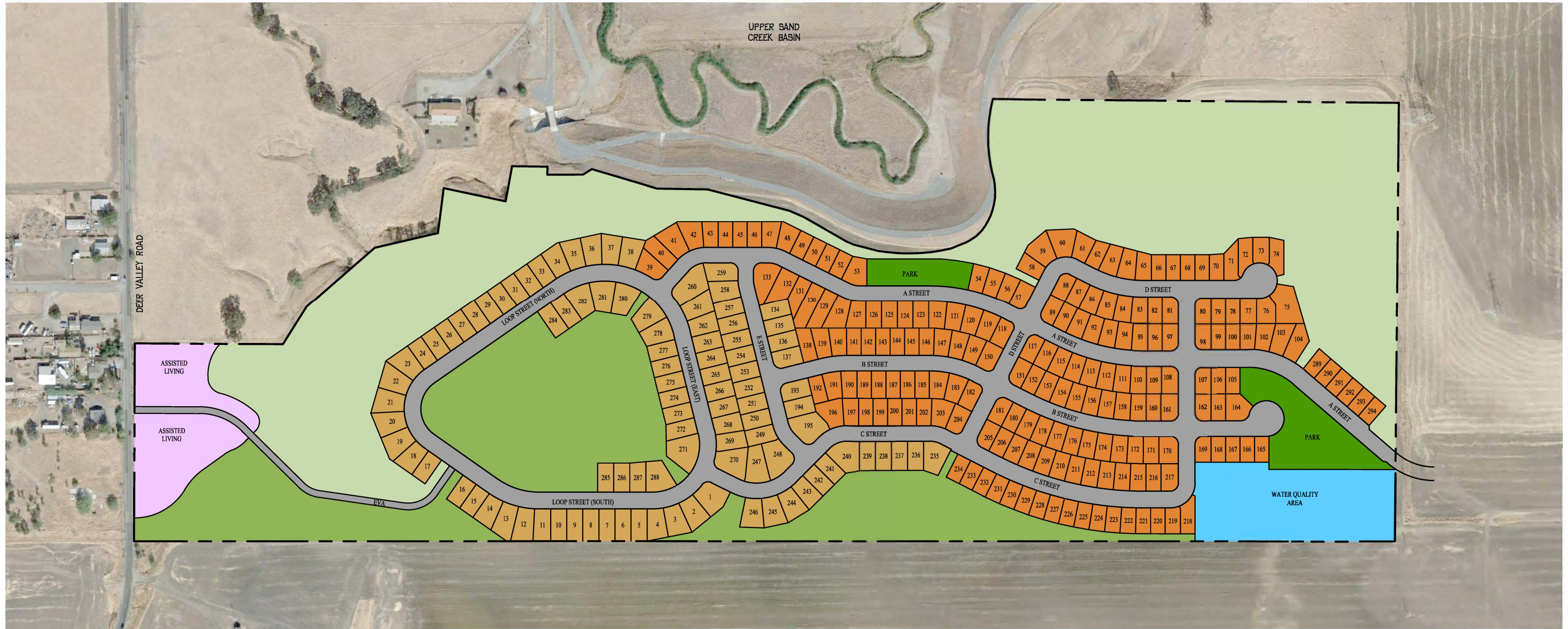
Aerial Photograph Source: ESRI
Map Preparation Date: January 12, 2018







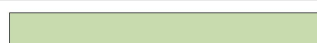



1 Alameda whipsnake	9 Swainson's hawk	Blepharizonia plumosa
2 American badger	10 Tricolored blackbird	E Eriogonum truncatum
Burrowing owl	11 Vernal pool fairy shrimp	F Extriplex joaquinana
California red-legged frog	12 Vernal pool tadpole shrimp	G Helianthella castanea
California tiger salamander	13 White-tailed kite	H Hesperolinon breweri
6 Molestan blister beetle	A Amsinckia grandiflora	I Madia radiata
7 Northern California legless lizard	B Arctostaphylos auriculata	J Navarretia nigelliformis ssp. radians
8 San Joaquin kit fox	C Atriplex depressa	K Oenothera deltoides ssp. howellii



Figure 4. Known Special-Status CNDDDB Species
Within 3 Miles of the
Albers Ranch Project Site

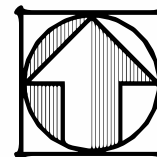


LAND USE SUMMARY

	LAND USE	AREA (AC)	AREA (%)
	45'X80' LOTS	19.1	20%
	50'X90' LOTS	12.1	13%
	ASSISTED LIVING	3.0	3%
	PARK	2.1	2%
	SAND CREEK OPEN SPACE PRESERVE	28.8	30%
	DEVELOPMENT OPEN SPACE	14.9	15%
	WATER QUALITY	3.3	3%
	ROAD / EVA	13.2	14%
	TOTAL	96.5	100.0%

**FIGURE E
PROJECT PROGRAMMING**

ALBERS RANCH PROJECT
CITY OF ANTIOCH CONTRA COSTA COUNTY CALIFORNIA
DATE: JANUARY 31, 2020 SCALE: 1" = 300'



SAN RAMON (925) 866-0322
SACRAMENTO (916) 375-1877
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS

EXHIBIT C

ALBER'S PROPERTY SUBDIVISION 9515 DRAFT CONDITIONS OF APPROVAL

As used herein, the terms "development", "project", "Project", and "subdivision" refer to the Albers Ranch Project. The terms "applicant", "developer", and "Developer" refer to Lucia Albers or her successors in interest with respect to the Project (except where such terms expressly apply to a different project or developer). The term "City" shall refer to the City of Antioch.

A. GENERAL CONDITIONS

1. The development shall comply with the City Municipal Code, unless a specific exception is granted thereto, or is otherwise modified in these conditions.
2. 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 approvals.
3. This approval expires two years from the date of approval (Expires _____), 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 except as provided by law or pursuant to a written agreement between City and Developer.
4. The applicant shall defend, indemnify, and hold harmless the City in any action brought challenging any land use approval or environmental review for the Project. In addition, the applicant shall pay all costs associated with any challenge to the land use approval or environmental review for the Project, including, without limitation, the costs associated with any election challenging the Project.
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 delinquent on permit fees, reimbursement and/or other payments that are due to the City related to the Project.
7. All advertising signs shall be consistent with the Sign Ordinance or as approved by the Community Development Director.

8. All utility and similar easements of record that burden the subject property that are no longer in use, are not required for the use and benefit of the Project, and that do not affect individual lots or parcels within the Project shall be removed prior to or concurrently with the recordation of the first large map final map or subsequent separate document as approved by City Engineer.

B. VESTING TENTATIVE MAP CONDITIONS

1. The Vesting Tentative Map approval is subject to the timelines established in the State of California Subdivision Map Act, unless modified by applicable law or other written agreement with the City.
2. Approval is based upon substantial conformance with the Vesting Tentative Map 9515 dated Sept 23, 2022.
3. 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 may file a large lot master final map subdividing the original acquired 96.5 acres into a maximum of 13 parcels based on substantial conformance with the Vesting Tentative Map 9515 dated on Sept 23, 2022, received by the Community Development Department. This master final map shall be the first final map and shall comply to these conditions of approval and mitigations measures of this approved "The Albers Property Subdivision 9515" project prior to recording this first final map of the development. Part of the master map or first final map shall be the creation of emergency vehicle access easement (EVAE) shown as parcel A, Park parcel T, Water Quality parcel U, Open Space parcels V, W, X and Y, future development parcels Z1 and Z2, and up to six (6) large lots for future residential subdivision that will be further subdivided into future residential lots and private streets on subsequent final maps. With this large lot final map, all residential lots of said project Tentative Map 9515 may be included in the up to six large lot parcels to be constructed in up to six or more subsequent phases to be reviewed and approved by the City Engineer.
5. With creation of the large lot subdivision final map as stated above or the first final map of the said tentative map 9515, the Developer shall offer to the City a 22-foot irrevocable offer of dedication (IOD) for east side future widening of Deer Valley Road. Along with the offer of dedication shall be a ten-foot (10') wide public utility easement (PUE) starting from the new right of way into the site to the satisfaction of the City Engineer for future undergrounding of the overhead electrical and telephone and internet lines located along the east side of the existing Deer Valley roadway.

6. With the large lot final map or 1st final map of the subdivision, the Developer shall create future development parcels Z1 and Z2 located along east side of Deer Valley Road, on the southwest corner of the existing project parcel for future development. Development within these two parcels shall be in compliance with the City's Flood Plain Ordinance. The Developer shall submit a separate and complete submittal package for processing the development of these Z1 and Z2 parcels at a future time and follow City planning procedures and ordinances for processing these parcels for new zoning, and development.
7. All required easements or rights-of-way for improvements as shown on the Tentative Map 9515 shall be dedicated by the Developer at no cost to the City. Temporary construction easements or advance permission shall be obtained from adjacent property owners if improvements are required to be installed with development of this project. All work of improvements specified by these conditions shall be completed within the project, which included any new right of ways purchased, easements or temporary construction easements acquired by the Developer from adjacent landowners for the construction of all needed improvements for the development of this project.

C. DISTRICTS AND ANNEXATION

1. Prior to filing of a large lot final map and subsequent final maps for recording, the development shall annex the entire project into CFD 2018-02 (Police Protection).
2. Prior to filing of a large lot final map or first final map and subsequent final maps for recording, this project Vesting Tentative Map site shall annex into CFD 2018-01 (Public Services) and accept a level of annual assessments to maintain public facilities in the vicinity of the project area at no cost to the City. The annual assessment shall cover the actual annual cost of maintenance as described in the Engineer's Report.
3. Prior to filing of a large lot final map or first final map and subsequent final maps for recording, the Development will annex into the existing Contra Costa County Fire Protection District (CCCYPD) Community Facilities District (CFD) No. 2022-1 (Antioch Fire Protection and Emergency Response Services) to fund the incremental cost of fire protection and emergency response service delivery. The Developer shall contact the Office of the Fire Chief for specific details on the annexation into this existing CFD.
4. If needed by the City and concurrent with submittal of the first final subdivision map, the applicant may need to annex into an existing adjacent landscape and lighting districts in this area of the City for maintenance of adjacent City major roadways and City facilities in the area.

D. HOMEOWNERS ASSOCIATION AND CC&RS

1. The applicant shall establish a Homeowners Association (HOA) for this project in conformance with the regulations set forth by the California Department of Real Estate. The HOA shall be responsible for maintaining:
 - All HOA owned parcels of private streets: Parcels ‘A’ through ‘S.’
 - All storm drain lines, water quality, detention basins, retention basins within Parcel U and constructed by the project.
 - All EVAEs, trails, and fire access road (pipes, structures, fences, and Parcel ‘U’).
 - All dedicated park Parcels “T “for private use.
 - Open space Parcels V, W, X, and Y.
 - All streetlights located within the common areas maintained by the HOA.
 - All landscaping along common areas of residential lots within the private streets, except to the extent the CC&Rs or other agreements require a homeowner or other person to maintain such areas.
 - If needed, and requested by the residents, the City shall be reimbursed for maintenance of landscape, roadway (including striping and signing), concrete (including sidewalk, curb, gutter, and curb ramps), storm drain facilities, street lighting, and all other HOA facilities and amenities maintained by the HOA to an acceptable City level within the project area.

2. Subject to approval by the state, the Conditions, Covenants and Restrictions (CC&Rs) for the subdivision shall include a provision indicating that the City is named as a third-party beneficiary with the right of way, but not the obligation, to enforce the provisions of street lighting to the maintenance and repair of the property and improvements, including but not limited to landscaping, streets, curbs, gutters, street lights, 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 a provision in the CC&Rs cannot be materially amended if the provision relates specifically to the language contained in this Homeowners Association and CC&Rs condition #2 without the prior written consent of the Community Development and

Public Works Directors and City Attorney of the City. 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.

The CC&Rs for this project shall be reviewed and approved by the City Attorney and the Community Development Director prior to the issuance of the first building permit.

E. CONSTRUCTION CONDITIONS

1. The use of construction equipment shall be as outlined in the Antioch Municipal Code and 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. Requests for alternative days/time may be submitted in writing to the City Engineer for consideration and approval.
2. The project shall be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.
3. Standard dust control methods and designs (use of water truck sprays and straw) shall be used to stabilize the dust generated by construction activities. The applicant shall post “keep out” signage, fences and concrete barriers to the general public with the contact number of the applicant, City staff, and the air quality control board to be seen by the general public when approaching the site construction area.
4. The project site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times and be kept in safe condition with adequate fencing and safety measures in place for constructor and City personal that will be allowed on the premises during construction.

F. SITE AND PROJECT DESIGN

1. All proposed public and private improvements within this development shall be constructed to City standard plans, specifications or Contra Costa County or State of California Transportation Department (Caltrans) standard plans or specifications as otherwise approved by the City Engineer.
2. All public and private streets shall intersect at approximately 90 degrees with another public and private streets and shall be widened and reconfigured to allow two full size passenger vehicles to be able to pass

each other in a continuous turning movement of a fire engine design vehicle that meets the geometric requirements of this said vehicle to make a 90 degree turn with in the street pavement per the latest Caltrans Highway Design Manual for Intersection Design Standards (Topic 400 & 405), and the latest MUTCD manual as approved by the City Engineer.

3. The location of all driveways shall be perpendicular or radial to the street centerline, and geometrics reviewed and approved by the City Engineer prior to construction.
4. The maximum driveway slope shall be 12 percent or as approved by the City Engineer.
5. The construction of all driveways shall be a minimum of five feet (5') from the point of the begin curve (BC) or point of the end of curve (EC) of any street curb returns or EVAEs.
6. The dedication of all private street rights-of-way shall be located at least from behind the back- of-curb or behind the sidewalks or greater as shown on the various sections of the Vesting Tentative Map 9515.
7. The construction of all curbs and curb returns shall comply with the latest American disability act (ADA) ramps and driveways per the latest version of City standard plans and/or Caltrans standard plans to the satisfaction of the City Engineer.
8. Vehicle drivers' line of sight and safe sight stopping distance at intersections, driveways and at roadway turns shall be maintained per Antioch Municipal Code § 9-5.1101 Site Obstructions at Intersections, or as defined by Caltrans design manual and MUTCD manual for 25 mph design speed, and as approved by the City Engineer. The geometric design of all roadways shall be reviewed and approved prior to building permit and constructed prior to occupancy of the first residential lot with each phase of development.
9. All lot residential lot property sidelines shall be perpendicular or radial to the fronting street face of curb line for a minimum distance of 5 feet from the face of curb, and/or configuration is approved by the City Engineer.
10. All rear and side yard fencing shall be constructed by the Developer prior to occupancy of each residential lot, as approved by Director of Community Development and the City Engineer.
11. 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 Antioch Municipal Code § 9-5.1603, or as approved by the City Engineer.

12. All proposed street names of the listed below streets shall be approved by the Planning Commission prior to recordation of the first final map. Changes to street names shall require Planning Commission review and approval. These streets are the following:
 - Hillcrest Avenue (Existing).
 - Streets 'A,' 'B,' 'C,' 'D,' 'E,' 'F,' 'G' 'H' and 'I,' and looped street.
 - Parcels A to S shown on the Vesting Tentative Map 9515.
13. All water meters, sewer clean outs, CATV boxes and other utility infrastructure for each residential lot (water meters, sewer cleanouts, etc.) shall be outside of the driveway and sidewalks, within the 5' wide 'PUE' behind the sidewalk or curb but within the projection of its sidelines, as shown in City standard plans or as approved by the City Engineer.
14. All fencing adjacent to the open space (trails and basins) shall be tubular steel or other fence or wall material as approved by the City Engineer. All fences shall be located a minimum of one foot (1') from the top of slope, or three feet (3') from the bottom of slope as approved by the City Engineer.
15. The Developer shall maintain all undeveloped areas within this subdivision in an attractive manner and in accordance with City grading, fire protection and erosion control ordinances. At least once a year the Developer shall cut down the natural grasses and weeds to ensure proper fire safety within the subdivision until the HOA is created and is fully operative and functioning to maintain the undeveloped and open space areas of the subdivision.
16. The Developer shall prepare a street parking plan that provides one (1) street parking space provided per residential lot shall be located within a reasonable distance from each residential unit that it serves, as shown on the Vesting Tentative Map prepared by CBG and associates and stamped received by the Planning Division on Sep 23, 2022 and as approved by the City Engineer. This street parking plan shall provide parking stall dimensions, parking stall marks, which identifies the location of each residential unit parking stall with each phase of development for review and approval prior to grading and building permit. The parking plan shall also provide stopping bars and stop legends at each various street intersections, center line striping, and all other street striping that is to be installed within the pavement of all residential streets of all phases of the project.
17. If not constructed by another party, and prior to the issuance of the 1st building permit of the first final map or the large lot master map of Tentative Map 9515, the Developer shall design and construct the fourth leg of the traffic signal at Hillcrest and Sand Creek Road. This may include design and construction of curb returns, ADA ramps, sidewalks, left turn lanes, street lighting, signage and striping, pedestrian push buttons, and any other

improvements to a fully operable traffic signal at the Intersection of Hillcrest Avenue and Sand Creek Road. The design shall utilize the protected phasing for the eastbound and westbound left turn movements and optimize the signal timings of the new four-way intersection to the satisfaction of the City Engineer.

18. At the following locations, the Developer shall post CAMUTCD R-26L” No Stopping” signs at every 300 feet in accordance with City sign standards:
 - Full Length of Hillcrest Avenue extension
19. The construction of mailbox facilities shall be by the Developer at locations shown on the improvement plans for a cluster of residents and shall be reviewed and approved by the USPS, and the City Engineer, and designed prior to the approval of the improvement plans and constructed prior to occupancy of first residential lot in each phase of development.
20. Any damage to existing streets or proposed improvements during construction or damage to adjacent private property improvements, shall be repaired to the satisfaction of the City Engineer at the full expense of the Developer. This shall include sidewalks, streets, storm drain, water utilities, sewer utilities, signage, and striping, retaining walls, fences or other improvements constructed by Developer, as may be required by the City Engineer.
21. The provisions of this Condition F-21 shall apply if the Creekside developer has commenced or completed the “Revised Hillcrest Improvements”, as described in that certain Settlement Agreement entered into between the City and GBN Partners, LLC, as of January 31, 2022, prior to issuance of a grading permit or recordation of the first final subdivision map for the Project. Otherwise, the provisions of Condition Q-2 and Q-4 shall apply.

The Developer, as a “Contributing Project”, shall reimburse GBN partners, LLC, a Delaware limited liability company, or successor, funds in a collective amount equal to the “Reimbursable Share” of the cost of design, permitting and construction of the Revised Hillcrest Improvements including, without limitation, grading, roadway and utility improvements and the value of all right of way dedicated by GBN for the Hillcrest Improvements (including the Ultimate Hillcrest Improvements) (the “Hillcrest Costs”). The Reimbursable Share of the Hillcrest Costs, including any interest on costs incurred by GBN at the annual rate of five (5) percent, shall be paid to GBN upon the earlier to occur of issuance of a grading permit or recordation of the first final subdivision map for the Contributing Project. The currently estimated cost of the design, permitting and construction of the Revised Hillcrest Improvements (i.e., the Hillcrest Costs) is described in that certain Engineer’s Report, dated December 2021 and prepared by Carlson, Barbee & Gibson, Inc.

The amount of the Reimbursable Share shall be based on the predicted proportionate usage of the Revised Hillcrest Improvements by the Creekside Project and the Contributing Project (i.e., in accordance with Section 66487(b) of the Subdivision Map Act) described in the Engineer's Report together with that certain report, dated December 2021 and prepared by Fehr & Peers (the "Traffic Study"). Since the Contributing Project unit count differs from the assumptions in the Settlement Agreement, the Reimbursable Share shall be adjusted proportionately based upon an engineer's report prepared to the satisfaction of the City Engineer prior to approval of the Contributing Project, or within a reasonable time following such approval.

Developer shall pay for the cost of preparation of the engineer's report to determine the Reimbursable Share.

G. UTILITIES

1. Unless otherwise stated in these conditions, all private and public street and storm drain improvements shall be designed and constructed per City standard plans, specifications or Contra Costa County or State of California Transportation Department (Caltrans) standard plans or specifications as otherwise approved by the City Engineer in writing. Compliance with City standard plans shall have priority over the other two standards. The design of all improvements shall be reviewed and approved prior to grading permit and building permit of the first final map of each phase.
2. The Developer shall implement the sewer system analysis of the proposed sewer system of the project dated [] and then prepare the design of the sanitary sewer system for the project in compliance with City standard plans and Central Contra Costa Sanitary District standard plans and specifications to the satisfaction of the City Engineer with submittal with the improvement plans. The sewer system shall be constructed in phases: for each phase of residential development, the sewer system for those residential lots shall be constructed prior to issuance of a 1st building permit for that phase. The sewer system shall be designed and constructed in accordance with the City standard details first and then if not specified shall designed and modeled be in accordance with Central Contra Costa Sanitary District standard plans and specifications. The Developer shall also submit the proposed subdivision sewer system analysis to City Sewer system consultants, and Centra Contra Costa Sanitary District for review and incorporation into the City sewer system model for further analysis to check the adequacy of the City downstream sewer system. The Developer shall pay for such sewer analysis to the satisfaction of the City engineer prior to improvement plan approval and construction.

3. Unless otherwise stated in these conditions, all private and public water line improvements shall be designed and constructed per City standard plans, City of Antioch Water Master Plan and as approved by the City Engineer. Compliance with City standard plans shall have priority over the other City master plan standards. The design and construction of all water line improvements shall be reviewed and approved by the City engineer prior to grading permit and building permit for each phase of development. The Developer shall also submit the proposed subdivision water system analysis to City water system consultants, for review and incorporation into the City water system model for further analysis to check the adequacy of the City water network and storage tank system. The Developer shall pay for such water analysis to the satisfaction of the City engineer prior to improvement plan approval and construction.
4. All Public utilities shall be constructed to their ultimate size, location and in the configuration shown on the Vesting Tentative Map 9515 and per the water, sewer and drainage, and electrical plan master plans previous established for development of the project in the southeast section area of Antioch. Each utility shall be designed prior to building permit and constructed prior to construction of all surface road improvements shown or not shown on the Vesting Tentative Map 9515.
5. Except for Deer Valley Road, all existing overhead electrical (to the extent approved by PG&E and provided transformers are reasonably available), phone and internet lines and proposed dry utilities shall be undergrounded and installed in subsurface concrete vaults or boxes in accordance with the Antioch Municipal Code section 7-3 "Underground Utility Districts" of the Antioch Municipal Code, except the existing PG&E high voltage lines and towers or as approved by the City Engineer. Overhead Utilities along east side Deer Valley Road will be underground when the Z1 and Z2 parcels of Vesting Tentative Map 9515 develop or as agreed up by the City and Developer with the development of Z1 and Z2 parcels.
6. All residential sewage shall flow by gravity to the east of project to the closest intersecting sewer line in Hillcrest Avenue of the adjacent Creekside Development, Tentative Map 9501, or if not constructed, to the closest public street sewer main located in Heidorn Ranch Road in accordance with City standard plans and CCCSD specifications. This sewer main trunk line shall drain by gravity, connecting to other sewer lines within the project, and through the adjacent Creekside Development, Tentative Map 9501, crossing Sand Creek stream, extend down Sand Creek Road to the existing 15-inch public sewer main located in Heidorn Ranch Road and as approved by the City Engineer. This sewer alignment and sewer design shall be approved prior to the building permit and constructed before occupancy of the first residential lot of the first phase of construction in the residential development.

7. If not constructed by the adjacent Creekside Development, Tentative Map 9501, the Developer will design and construct a sewer gravity pipe crossing of "Sand Creek" stream in accordance with City standard plans and criteria and to the satisfaction of the City engineer. As an alternative, this sewer line stream crossing may consist of attachment of a sewer forced main on the existing bridge that crosses Sand Creek or construction of sewer pump station and forced main under the existing creek to the satisfaction of City Engineer. Another 2nd alternative may consist of the design and construction of a sewer pump station and forced main to adequately transfer sewer under "Sand Creek". This Sand Creek stream crossing shall be designed prior to the building permit of the first residential unit and constructed prior to 1st occupancy of the first residential unit of the 1st phase of the development.
8. At the base of all open space slopes, the Developer shall design and construct a concrete "V" ditch per standard plan CD60 shown in Contra Costa Public Works Department standard plans as approved by the City Engineer, designed prior to grading permit, and constructed prior to occupancy of each phase of development. At the base of smaller slopes, the Developer shall construct these same concrete "V" ditches or 3' wide concrete valley gutters per City standard plans ST-08 in accordance with City and the Contra Costa County Flood Control (FC) District and California State Department of transportation standard plans and specifications. These open ditches and valley gutters shall be connected to storm drain inlet structures and underground storm drainpipe systems that eventually drain to the project storm water detention facilities. For each phase of residential development, the Developer shall design and construct the subdivision drainage system for that phase of residential development prior to the issuance of a certificate of occupancy for the first residential unit of such phase to the satisfaction of the City Engineer.
9. Prior to the first building permit of the first phase of final map, the applicant shall submit storm drain hydrology and hydraulic system analyses in the storm drainage report of a proposed stormwater system and stormwater control plan to the City for review and approval in accordance with City requirements.
10. The storm drain system shall flow by gravity generally in the easterly direction to a detention and retention basin system located at the east end of the project as shown on the Vesting Tentative Map 9515. From these basins the drainage system shall flow by underground pipe easterly through Street I, through Creekside Development to a storm drain outfall located in a small drainage swale that flows to Sand Creek (stream) shown on the tentative map 9515. The entire system shall be designed prior to site grading permit of the large map subdivision with respect to the first small lot residential final map.

11. The Developer shall provide the project water system analysis of the complete proposed subdivision water system (both pipe, tank, and pump), that will provide adequate water pressure and volume to serve this residential development in compliance with City and county fire flow for domestic water and fire service requirements prior to the first building permit or grading permit. This system will be designed to at a minimum residual pressure of 20 psi at the highest point of water service and at a minimum static pressure of 20 psi or as approved by the City Engineer. The system shall not exceed 80 psi pressure or pressure reducing devices on each lot will be installed. See Fire and City Water Requirements for additional water flow conditions. The Developer shall also submit the proposed subdivision water analysis to City Water system consultants, Brown and Caldwell, or other selected consultant for incorporation into the City water system model for further analysis and compliance with City water requirements. The Developer shall pay for such water analysis to the satisfaction of the City engineer prior to improvement plan approval and construction.
12. Water systems shall be designed as a looped distribution system, if not already connecting as a looped system, the Developer shall be responsible for installing any water mains to create a looped system at no cost to the City.
13. All residential houses shall drain to the front residential street of each unit. The Developer shall connect each residential building's downspout directly to the local storm drain system of each lot that will also drain the back yard of each residential lot to the street curb as approved by the City Engineer. The Developer shall grade each lot to drain to the public street at the front of the lot at a 1% minimum drainage grade. If a 1% minimum grade cannot be maintained the Developer shall provide an underground drainage pipe system at minimum grade of 0.35% slope grade to the flow line of the gutter in the private street to the satisfaction of the City Engineer prior to occupancy of the residential unit.
14. Prior to acceptance of public utilities, the Developer shall provide the City as built AutoCAD CAD drawings of all improvements of the subdivision to the satisfaction of the City Engineer. GPS coordinates of all existing and proposed utilities shall be shown on all drawings. This includes all water lines and valves, fire hydrants, and any other water facilities, all sewer pipes and structures, all storm water pipes and structures, including inverts and clearance of pipes, or other water line features. Developer shall also include GPS coordinates of signs, street signs, light poles, water meters and irrigation controllers. These GPS coordinates must be provided in GIS shapefile format using NAVD 88 (with conversion information) prior to release of bonds.
15. The Developer shall design and construct storm drain facilities for all improvements constructed in open space parcels (including open concrete

ditches, slopes, trails, EVAEs access roads, park parcel) to adequately collect and convey stormwater within each parcel within the development to the nearest adequate man-made drainage facility or natural watercourse, without diversion of the watershed.

- a. All public utilities, including storm drainpipes and ditches, shall be installed in the streets avoiding any private connections between lot locations. All proposed drainage surface facilities, including open ditches, shall be constructed of Portland Concrete Cement, per City standards as approved by the City Engineer.
 - b. The residential subdivision storm drain system shall flow by gravity to the bioretention water treatment basin and the detention basin as shown within the Vesting Tentative Map 9515 with no diversion out of existing watershed(s) to the satisfaction of the City Engineer.
 - c. Both bioretention and detention basins and associated improvements shall be constructed and operational prior to issuance of the first residential building permit of the first phase of development.
 - d. All water quality and bioretention and detention basins shall be designed to the satisfaction of the City Engineer with an emergency spillway to provide controlled overflow relief for the 10 year and 100-year storm events, and a low flow outfall for 2-year event and prepare an Operations and Maintenance Manual (for each basin) shall be submitted to the City for basins prior to the issuance of the first building permit. The Developer shall construct a 12 feet wide access road to each of the water quality and bioretention basins. A black metal rod fence shall be installed surrounding the basin with an access gate prior to occupancy of the first residential unit within the first phase of construction.
 - e. The main storm drain system shall be designed to flow generally in a northeasterly direction into Sand Creek subject to the approval of the City. Developer shall obtain all other permits as may be required by law from other government agencies with jurisdiction over the Project.
 - f. If not constructed by the adjacent Creekside Development, Tentative Map 9501, the storm drain system shall be designed for ultimate widening of Hillcrest Avenue and generally flow in a northerly direction into a 48" storm drain and outfall into Sand Creek stream subject to the approval of the City.
16. The water system for this Vesting Tentative Map 9515 development shall be designed as a looped distribution system along with the adjacent Creekside Development, Tentative Map 9501, and other adjacent developments that are approved prior to construction of the first phase of this Vesting Tentative

Map and the City existing water system. As stated previously, on the east side of the project, the Developer shall design and construct a 12-inch water main located in the extension of Hillcrest Avenue and Sand Creek Road to a water line located within the project to the satisfaction of the City Engineer. As stated previously stated on west side of the project, the Developer shall design and construct a 12-inch water line starting from the existing water line in Deer creek road, through the EVA located on the west side of the project, to an 8-inch water main located within the project to the satisfaction of the City Engineer. The exact location of connection into the subdivision will depend on the phase of construction.

17. As stated earlier and shown on the Vesting Tentative Map, with the construction of 12-inch water line is construction of a 21-foot-wide paved EVAE from Deer Valley Road elevated out of the 100-year floodplain. With the construction of this EVAE is the installation of a minimum of 12-foot by 5-foot concrete box culvert to convey the 100-year creek flows of Sand Creek around and through this culvert under the roadway. This new culvert will require stream modeling of existing stream using HEC HMS and DEC RAS creek analysis engineering software by a competent consulting engineer approved by the City and require review and approval of the new culvert analysis and design by City. Developer shall obtain all other permits as may be required by law from other government agencies with jurisdiction over the Project. This EVAE will also trigger the construction of bioretention basin located close to Sand Creek as shown on the Vesting Tentative Map 9515, to handle drainage from the EVAE to the existing creek.

H. LANDSCAPING

1. Landscaping on all slopes, medians, bioretention basins, detention basins (C.3) basins and open space areas shall be approved by the City Engineer or his or her designee and shall be installed, at no cost to the City and installed by the Developer prior to first phase of occupancy of the first phase of first residential unit.
2. A minimum of one (1) 15-gallon tree shall be located within ten feet (10') of the sidewalk in the front yard of each 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 or his or her designee and installed prior to occupancy of the fronting residential unit.
3. Prior to issuance of residential building permits, Developer shall submit typical front yard landscape plan(s) to demonstrate compliance with water conserving landscape requirements. Developer shall submit a landscape plan for each residential lot that the City shall review for compliance with typical landscape plan(s) and approve prior to issuance of building permit.

4. If development is caught in drought conditions during construction, the City Engineer has the authority to delay some, or all the landscape improvements as described in these Conditions of Approval.
5. The Developer shall submit final landscape plans that identify specific plant materials to be planted, including all shrubs and groundcover, providing both common and botanical names, sizes, and quantities at the time of building permit submittal. The project shall emphasize local and native species of plants in the landscape design. The landscape design shall be submitted prior to the building permit of each phase of construction prior to occupancy of the first residential unit.
6. Landscaping shall be provided on all slopes, medians, bioretention and retention basins and open space areas as approved by the City Engineer or his or her designee, with the landscaping design to be completed prior to building permit of the first residential unit within each phase (and such landscaping thereafter to be installed at the Developer's expense).
7. As recommended by the Parks and Recreation Commission, the "Park" shall meet all the City's Park design standards current at the time of park construction. All final park designs shall be reviewed and approved by the Parks and Recreation Commission prior to the issuance of a building permit for any building surrounding the park.

I. FIRE REQUIREMENTS

1. The applicant shall comply with the following conditions provided by the CCCFPD dated June 2021:
 - a. Fire 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 unless approved by the Fire Department and the City Engineer.
 - b. The cul-de-sacs or turnarounds shall have an outside turning radius of a minimum of 44 feet (44') or as approved by the City Engineer. Should the sidewalk be included in the turning radius, it shall be clear of streetlights, 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 per one (1) fire hydrant flowing at 20 PSI residual pressure simultaneously 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 access roadways and fire hydrants shall be installed, and in service, prior to construction of any 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 subbase 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 one-half-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 CCCFPD.
- h. All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 13D or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans for each model home to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CFC.
- i. The Developer shall submit a computer-aided design (CAD) digital file copy of the site plan to the Fire District upon final approval of the site improvements plans or subdivision map. CAD files shall be saved in the latest AutoCAD file format. (501) CFC
- j. Submit plans to: CCCFPD, 4005 Port Chicago Highway, Suite 250, Concord, CA 94520-1180.
- k. Developer shall maintain the open space areas until at such time the hillside parcel taken over by the maintenance of the future HOA of the subdivision

J. FEES AND REIMBURSEMENTS

- 1. Unless timely challenged by the applicant as permitted by law, the applicant shall pay all City fees which have been established by the City of Antioch City Council and as required by the Antioch Municipal Code prior to building permit.
- 2. Project shall comply with City Council Resolution No. 2006/79; the Developer shall pay all costs and fees and accumulated interests apportioned by Public Benefits District (PW 628-BD) for this development.
- 3. As recommended by the Parks and Recreation Commission, the Developer can pay Park-in-lieu fees in the amount of park improvement installed and

pay to the City full park fees to meet the Project's Park land dedication obligation requirements prior to building permit.

4. The applicant shall pay all pass-through fees. Fees include but are not limited to:
 - a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance.
 - b. CCCFPD Fire Development Fee in place at the time of building permit issuance.
 - c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s).
 - d. Contra Costa County FC Drainage Area fee.
 - e. School Impact Fees.
 - f. Delta Diablo Sanitation Sewer Fees.
 - g. Contra Costa Water District Fees.
5. The applicant shall pay their fair share payment to be determined in accordance with the terms of the "Aviano Sanitary Sewer Reimbursement Agreement" (dated March 9, 2021). The costs of the Sanitary Sewer Improvements subject to the fair share payment include all costs of the design and construction thereof and all costs incidental to such design and construction.

The City Engineer shall calculate and determine the fair share payment amount owed by applicant for the Sanitary Sewer Improvements, and shall provide such determination to applicant. The fair share payment for the Sanitary Sewer Improvements shall be due prior to recordation of the first final map for the Project.

6. The applicant shall pay their fair share payment to be determined in accordance with the terms of the "Aviano Roadway Reimbursement Agreement" (dated March 9, 2021) The costs of the Supplemental Roadway Improvements and Sand Creek Extension Project Improvements subject to the fair share payment include all costs of the design and construction thereof and all costs incidental to such design and construction.

The City Engineer shall calculate and determine the fair share payment amount owed by applicant for the Supplemental Roadway Improvements and the Sand Creek Extension Project Local Share, and shall provide such determination to applicant. The fair share payment for the Supplemental

Roadway Improvements and Sand Creek Extension Project Local Share shall be due prior to recordation of the first final map for the Project.

K. MODEL HOMES

1. If the Developer requests model homes, a sales trailer, or construction trailer, can be proposed and the Developer shall submit a site plan showing the exact location of the trailer with adequate parking free from the installation of any gravel private road improvements and if needed drainage basins. The plan shall be submitted to the Antioch Engineering and Building Departments for review and approval prior to installation of any homes. All sales or construction trailers shall be placed out of the private or public rights-of-way to the satisfaction of the City Engineer.
2. The model home complex paved parking lot shall be in an empty residential lot, not in the private street subject to review and as approved by the City Engineer.
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.

L. GRADING

1. Prior to the approval of the grading plan(s), the City Engineer shall determine if it is necessary to engage a soils and structural engineer, as well as any other professionals, deemed necessary to review and verify the adequacy of the soils in the grading of the project to the design grades and slopes, and the placement of the various streets and residential structures to the configuration shown on the Vesting Tentative Map 9515. A geotechnical investigation and report shall be prepared and submitted to the City for review and approval prior to grading permit and grading construction. If deemed necessary by the City Engineer, this may include field boring, test pits and site inspections by such professionals to verify implementation of the plans. Costs for these services shall be borne by the applicant.
2. All mass and rough grading of all cut and fill operations shall not allow erosion and sedimentation to occur anywhere outside and within the project. The slopes shall be hydroseeded as soon as possible during and after mass and rough grading operation ceases. Erosion control and clean water control measures shall be implemented as soon as possible during all phases of construction in accordance with a State, and local approved erosion and sedimentation control measures and site inspections.
3. Rough and final grading permits shall be obtained from the City prior to any grading operations. Retaining walls shall be structurally designed with concrete and concrete masonry or other approved methods and made to

blend into the hill side development. The design of all retaining walls shall be reviewed and approved by the City Engineer, planning department and local building official to the satisfaction of the City Engineer prior to construction.

4. All lots and slopes shall drain to approved drainage facilities as approved by the City Engineer.
5. All grading shall be accomplished in a manner that precludes surface water drainage across any property line or roadway.
6. All lots shall be graded to drain positively from the rear of the lot to the street or as approved by the City Engineer.
7. The swales adjacent to the house structure shall have a minimum of a one percent (1%) slope or as directed by the City Engineer.
8. All grading is subject to the coordination and approval of the affected existing property owners and the City Engineer. The applicant shall submit written authorization to “access, enter, or grade” adjacent properties prior to performing any work.
9. Any sale of a portion (or portions) of this project to multiple developers shall include the necessary developer agreement and/or grading easements to assure that project-wide grading conforms to the approved map and conditions of approval with this resolution.
10. The grading plan for this development shall be approved by a competent Geotechnical engineer that will supervise the grading operations and the City Engineer.
11. All elevations shown on the plans shall be on NAVD 88 as approved by the City Engineer.
12. Any retaining or sound walls shall not be constructed in the City right-of-way or other City maintained parcels unless approved by the City Engineer.
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 longitudinal concrete gutter flow slope shall be 0.75 percent.

16. Prior to the approval of the grading plan(s), the City Engineer shall determine if a soils or structural engineer, are required to review the building permit plan set submitted for this project. If deemed necessary by the City Engineer, field inspections by such professionals will be required to verify compliance with the approved plans. Costs for these consulting services shall be incurred by the Developer.
17. All grading on adjacent properties is subject to the coordination and approval of the affected property owners and the City Engineer. The Developer shall submit written authorization to “access, enter, and/or grade” adjacent properties prior to issuance of the grading permit.
18. The grading operation shall not allow erosion and sedimentation to occur into the private or public storm drain system or on private properties. The slopes shall be landscaped and reseeded as soon as possible after the grading operation ceases and rain events. Erosion measures shall be implemented during all construction phases in accordance with an approved erosion and sedimentation control plan and implementing proper erosion control detail techniques and completed prior to occupancy of the units within each phase of the subdivision.
19. All residential lots and public parcels shall drain to closest public street, or public parcel or approved drainage facilities as approved by the City Engineer.
20. The Developer shall implement Project-specific Geotechnical Recommendations Prior to issuance of any grading permits, all recommendations and specifications set forth in the project specific Geotechnical Exploration Report prepared for the proposed project shall be reflected on the project grading and foundation plans (inclusive of seismic design parameters), subject to review and approval by the City of Antioch Engineer.
21. All Grading, Foundation Plan Review and Construction Inspection /Monitoring Program shall be completed prior to issuance of any grading permits. The Developer/ project Applicant shall retain a design geotechnical engineering firm to review the final grading and foundation plans and specifications to evaluate whether recommendations have been implemented from the project-specific Geotechnical Exploration Report, and to provide additional or modified recommendations, as needed. Construction monitoring shall be performed by a California Registered Geologist and/or Engineer to check the validity of the assumptions made in the geotechnical investigation. Earthwork operations shall be performed under the observation of a California Registered Geologist and/or Engineer to check that the site is properly prepared, the selected fill materials are satisfactory, and that placement and compaction of the fills has been performed in accordance with recommendations and the project specifications.

M. CONSERVATION/NPDES

1. The Developer 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 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 SWCP 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.
2. Additional information regarding the project SWCP is necessary and modifications to the SWCP shown on the proposed Vesting Tentative Map may be required to comply with C.3 regulations.
3. The following requirements of the federally mandated NPDES program 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 Developer shall submit a permit application consistent with the applicant's approved SWCP, 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 SWCP shall be certified by a registered civil engineer, and by a registered architect or landscape architect as applicable. Professionals certifying the SWCP 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 for the first house in the subdivision, the Developer 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 for the first house in the subdivision, the Developer shall execute and record any agreements identified in the SWCP which pertain to the transfer of ownership and/or long-term maintenance of storm water treatment or hydrograph modification BMPs.
- e. To prevent site drainage from draining across sidewalks and driveways in a concentrated manner, the Developer shall install curb drains under sidewalks. 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 Engineer Division for review and approval prior to grading.
- f. Prior to issuance of the grading permit, the Developer shall 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.
- g. The Developer shall install appropriate clean water devices at all storm-drain inlets immediately prior to entering the public storm drain system. Always implement Best Management Practices (BMPs).
- h. The Developer shall install on all catch basins “No Dumping, Drains to River” decal buttons.
- i. If sidewalks are to be 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.

- j. 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 seedling, 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.
 - k. 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.
 - l. The Developer shall ensure that the area surrounding the project such as the streets, creek or adjacent properties 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 truck loads shall be covered.
- 4. With the creation of Parcel U for drainage purposes, the Developer shall construct a drainage treatment bioretention basin and drainage detention basin to handle drainage from lots 54 to 181,205 to 234 and their adjacent street and open space drainage. This includes installation of all needed storm drain lines, grading, drainage inlets and outlet structures, drainage treatment and detention basins, weirs, pathways, maintenance access roads, fencing, gates, trash racks, and any other needed improvements for the parcel to function as drainage treatment and detention basins for the entire project shown on the Vesting Tentative Map 9515.
- 5. Per State Regulations, the Developer shall comply with all impervious surfaces including off-site roadways to be constructed as part of the project are subject to C.3, County and State requirements prior to occupancy of the first residential unit of the first phase of construction.
- 6. Prior to the issuance of grading permits, the project Applicant shall prepare and submit to the City Engineering Department and Central Valley Regional Water Quality Control Board (RWQCB), a SWPPP detailing measures to control soil erosion and waste discharges during construction. The SWPPP shall include an erosion control plan, a water quality monitoring plan, a hazardous materials management plan, and postconstruction BMPs.
 - a. Design Details.

- i. The Developer shall prevent any residential lot drainage from draining across other residential lots, private sidewalks, and driveways in a concentrated manner.
- b. On-Going Maintenance.
 - i. The Developer shall clean all on-site storm drain facilities a minimum of twice a year, once immediately prior to October 15th and once in January. Additional cleaning may be required if found necessary by City Inspectors and/or City Engineer.

N. FINAL SUBDIVISION BOND REQUIREMENTS

1. As stated above the Developer may file a large lot master final Map subdividing the original acquired 96.5 acres into maximum of 13 parcels or first final map based substantial conformance with the Vesting Tentative Map 9515 prepared on Sept 23, 2022 received by the Community Development Department and shall be in compliance to these conditions of approval and mitigations measures of this approved “The Albers Property subdivision 9515” project prior to recording the first final map of the individual residential lot subdivision. All residential lots shall be included in not more than six (6) large parcels to be constructed in three subsequent phases.
2. These subsequent subdivision final maps shall be submitted to subdivide the large lots into individual residential lots within each phase of development. The large final map is intended for the subdivision of parcels for phasing, shall include all the required information described in Title 9, Chapter 4, Article 5: Final Maps, of the Antioch Municipal Code, including, but not limited to:
 - a. Improvement security shall be in one of the following forms:
 - i. Bond or bonds issued by one or more duly authorized corporate securities in an amount equal to 100% of the total estimated costs of the improvements for faithful performance, and in an amount equal to 100% of the total estimated costs of the improvements for labor and materials.
 - ii. A deposit, either with the City or a responsible escrow agent or trust company, at the option of the City Engineer, of money or negotiable bonds of the kind approved for securing deposits of public moneys, in the amounts and for security as specified above, to be

released in the same manner as described above for bonds.

An irrevocable letter of credit in form acceptable to the City Attorney issued by a financial institution acceptable to the City Attorney in an amount equal to 100 percent of the total estimated costs of the improvements for faithful performance, no part thereof to be released until such time as specified by state law.

- b. An original, signed subdivision agreement, to be executed by the subdivider or his agent, guaranteeing the completion of the construction of the improvements required by the governing body within a specified time and payment therefore, satisfactory to the City engineer and City Attorney as to legality and satisfactory to the City Engineer as to amount.
- c. A letter from the Tax Collector showing that all payable taxes have been paid and a bond for the payment of taxes but not yet payable, as required by the Subdivision Map Act.
- d. A cash payment, or receipt therefore, of all the fees required for the checking and filing of the maps and the inspections of the construction; payment for the street signs to be furnished and installed by the City, if required by the subdivider; a cash deposit for the payment of such fire hydrant rental fees as may be established by the respective fire districts or water company or district having jurisdiction; and any other applicable fees or deposits.
- e. Deeds for the easements or rights-of-way for road purposes map.
- f. Written evidence acceptable to the City, in the form of rights of entry or permanent easements across private property outside the subdivision, permitting or granting access to perform the necessary construction work and permitting the maintenance of the facility.
- g. Agreements acceptable to the City, executed by the owners of existing utility easements within the proposed roads rights-of-way, consenting to the dedication of roads or consenting to the joint use of the rights-of-way as may be required by the City for the purpose use and convenience of the roads.
- h. A surety bond acceptable to the City, guaranteeing the payment of the taxes and assessments which will be a lien on the property, as set forth in the Subdivision Map Act, when applicable.
- i. Payment of map maintenance fee.

- j. A preliminary soil report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations of every subdivision, as defined in Cal. Gov't Code §§ 66490 and 66491. The preliminary soil report may be waived if the City Engineer shall determine that, due to the knowledge of such department as to the soil qualities of the subdivision, no preliminary analysis is necessary.

O. MITIGATION MONITORING AND REPORTING PROGRAM

- 1. The Developer shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program provided in the CEQA approval documentation.

P. CONTRA COSTA COUNTY FLOOD CONTROL

- 1. Developer shall comply with the three Recommended Conditions of Approval stated in the email dated August 22, 2023, to Kevin Scudero of City of Antioch from Alexander Zandian, Staff Engineer, Contra Costa County Flood Control, listed below as follows:
 - a. The Developer shall pay Drainage Area 130 fees prior to filing the first final map of tentative Map 9515.
 - b. The Developer shall apply for and obtain a Flood Control (FC) District Encroachment Permit for any work planned within the FC District's right-of-way, including slope easements, or any work that affects the FC District's right-of-way.
 - c. If the Developer is unsuccessful in securing access for extension of Hilcrest Avenue for construction of the project, and a roadway crossing the dam and across the eastern edge of the basin is ultimately needed for access to the development could be an acceptable alternative. The Developer shall provide conceptual access exhibits to the County Public works department for review, including grading plans for the FC District's review and consideration. The FC District, in conjunction with the State of California Division of Safety of Dams (DSOD), will consider the possible impacts of the grading and operation of this temporary roadway, and determine if a sale of access rights to this development is in the public interest.

Q. PROJECT SPECIFIC CONDITIONS

1. All private streets shall have five-foot (5') wide sidewalks with concrete curbs and gutters located on both sides of the street to the satisfaction of the City Engineer. Rolled or battered curbs shown on the Vesting Tentative Map 9515 are not approved by the City Engineer and shall be redesigned using City standards plans and presented to the City for approval prior to submittal of any improvement plans.
2. If the adjacent Creekside Development, Tentative Map 9501 (APN 057-050-024), does not develop before this Project starts construction (if Condition F-21 does not apply), the City shall cause the owner of the Creekside Development to convey to Developer 112 feet of the Hillcrest Avenue right of way and Developer shall construct those roadway improvements described as the "Revised Hillcrest Improvements" in that certain Settlement Agreement entered into between City and GBN Partners, LLC, as of January 31, 2022, or any portion thereof not yet designed or constructed at the time of Project commencement. In such event that Developer is obligated to design and construct such improvements, Developer shall fully construct the access road and concrete sidewalk of Hillcrest Road from Sand Creek Road to "I" street as described in the Revised Hillcrest Improvements prior to the issuance of the 1st Building Permit of the subdivision. These improvements shall be subject to the requirements of the reimbursement obligations as described in Condition Q.4 below.
3. The Developer shall construct a minimum 21-foot-wide paved EVAE from Deer Valley Road to the project looped street (south). This shall be designed and constructed to the satisfaction of CCCFPD and as approved by the City Engineer prior to construction of the 75th building permit of the first phase of construction. The Developer shall install 21-foot-wide temporary access roads to paved streets in Phases 1 and 2 prior to construction of any residential homes within each Phase.
4. If the adjacent Creekside Development, Tentative Map 9501, does not develop prior to the Project (if Condition F-21 does not apply), City shall either require the Creekside developer to enter into a reimbursement agreement with Developer or establish a benefit district consistent with the Settlement Agreement referenced in Condition 2, above, for the fair share reimbursement to this Developer for the design (if not completed by the Creekside developer) and construction of improvements benefiting the adjacent properties (APNs 057-050-024 & 057-042-006), including without limitation the reimbursement for the fair share cost of design (if not completed by the Creekside developer) and construction costs of the extension of Hillcrest Avenue, 'I' street, 12-inch waterline, 8-inch Sanitary sewer line and creek crossing, storm drain lines in Hillcrest Avenue and

other wet and dry utilities benefiting the Creekside development (including all items listed in Sections Q.2 and Q.4). Total costs of these improvements shall be submitted to the City in a benefit district report after completion of construction and fair share amounts shall be determined and approved by the City Engineer and taken to City Council for approval and recordation.

5. The Developer shall construct 10-foot-wide paved trail system/pathways with asphalt or concrete.
6. Fencing around stormwater detention basin, Parcel 'U' shall be wrought iron fencing or as approved by the City Engineer.
7. All park landscaping, equipment and materials are to follow current City standards or as approved by the City Engineer and be constructed prior to the first building permit in the first phase of development.
8. Provisions for mail delivery and locations of mailbox facilities shall be reviewed by the USPS and approved by the City Engineer prior to the approval of each final map. The Developer shall install an approved mailbox facility for mail delivery of the future residential lots at locations reviewed by the USPS and the City Engineer prior to the approval of each final map and improvement plans. These mailbox facilities shall be installed with the construction of residential units within each phase of the subdivision.
9. Developer shall prepare and submit Signing and Striping Plans using the latest version of the MUTCD and Caltrans Standard Plans of Pavement Markers and Traffic Lines Typical Details as depicted in the standard plan A20 and A24 and the latest version of the California MUTCD's standards. The striping shall be compliant with the latest version of Caltrans Standard Plans A90 series of plan sheets. Lane widths to be finalized through Signing and Striping Plans subject to approval by the City Engineer. All striping of paved streets shall be completed prior to occupancy of the first unit within each phase of development.
10. The Developer shall design and submit a street light photometric analysis and street light layout plan of the placement of streetlights at every 180 to 200 feet per St-18 City standard plans. The improvement plan submittal shall include the photometric calculations for average, minimum, maximum, and uniformity illuminance values for the street to the satisfaction of the City Engineer. All streetlights shall be constructed with the construction of road system of each phase and installed prior to the first residential unit with each phase of development.
11. The Developer shall prepare a construction traffic control plan and construction phasing plan be submitted for review and approval with the

improvement plans by the City engineer. All Street improvements for access to the first phase shall be fully completed prior to occupancy of the first building permit of that phase as approved by the City Engineer and implemented prior to start of construction.

12. The Developer shall design and submit an on-site, street light Photometric Analysis Plan of the placement of streetlights 180 to 200 feet spacing per St-18 City standard plans in the corridor that include the photometric calculations for average, minimum, maximum, and uniformity illuminance values for the street to the satisfaction of the City Engineer. All streetlights shall be constructed with the road system of each phase and installed prior to the first residential unit with each phase of development.
13. A construction traffic control plan shall be submitted for approval with the improvement plans for approval by the City. All Street improvements for access to the first phase of building permits shall be fully improved prior to the first building permit along street improvements as approved by the City Engineer and implemented prior to start of construction of each phase of development.
14. On all private lanes/streets/drives, consistent with California Fire Code standards, the Developer shall post CAMUTD R26 “no parking signs” every 300 feet or install red curb (fire lane) that will be enforced by the subdivision HOA(s) and install prior to occupancy of the residential unit within each phase of development.

All curb ramps shall be designed and constructed per current ADA standards on the corners of the intersections or as approved by the City Engineer.

15. The Developer shall consult with the project geotechnical engineer in determining the pavement section thickness by testing the existing soil and conduct the standard state of California (Caltrans) R tests based on Traffic index provided by the City and provide a pavement section based on the test results to the City for review. The minimum pavement section shall be as follows:
 - a. Public Streets ('I' Street): width of 60-foot, TI = 6, and four-inch (4") AC over 12-inch Class II AB.
 - b. Private Streets (Streets labelled 'A,' 'B,' 'C,' 'D,' 'E,' 'F,' 'G' and 'H'): widths may vary subject to the approval of the City Engineer, TI = 6, four-inch (4") and AC over 12-inch Class II AB.
 - c. Hillcrest Ave shall have a minimum traffic index (TI) of 8 and a minimum pavement thickness of six-inch (6") AC over 16-inch Class II AB.

16. The Developer shall comply with all recommendations from the Project Traffic Impact Analysis (TIA) and Environmental Impact Report (EIR) by making the following improvements.
 - a. If not constructed by another party, the Sand Creek Road/Hillcrest Avenue traffic signal shall be modified to add a fourth leg to the traffic signal by modifying the traffic signal, constructing traffic related modifications such as traffic lane transitions, bike lanes, left and right turn lanes as identified in the TIA, add additional curb returns, ADA ramps, crosswalks, signage and striping, pedestrian signals to the satisfaction of the City Engineer.
17. All park equipment, plant materials and irrigation system shall follow current City standards as approved by the City Engineer.
18. No in-between lot gate openings shall be allowed for ingress/egress or utility crossings.
19. As recommended by the Parks and Recreation Commission, the following conditions shall apply:
 - a. The “private park” shall meet all the City’s Park Design Standards current at the time of the park’s construction.
20. If not completed by previous developer, the right-of-way of the existing access road for PG&E electrical sub-station shall be vacated by Pacific Gas & Electric (PG&E) for the construction and dedication of the future Hillcrest Avenue to be used as the new access to their existing substation facility at no cost to the City.

R. PRIVATE STREET IMPROVEMENTS

1. The Developer shall prepare the design and construct all private streets, trails, access easements, dry utilities, grading and drainage, sewer, water, storm drainage, project improvements and dedications as shown in Tentative Map 9515 dated September 22, 2022 prepared by CBG Engineers (job no 1319-30).

S. CONSTRUCTION PHASING

1. The Developer shall submit a phasing plan for the entire proposed residential development of the project to the Engineering and Planning Departments prior to submittal of any improvement plans, reports, construction documents and final maps to the City for review. The phasing plan shall provide an implementation schedule that will be in compliance with these conditions of approval. The proposed phasing plan shall include rough grading, installation

of the various back bone sewer, water and drainage, and dry utilities, and roadway improvements needed for the entire project development. It will also consist of those improvements that could be constructed within each phase of development of various residential lots. These phasing plans shall be part of the first set of improvement plans for review and approved by the City Engineer prior to the issuance of any building or site improvement permits.