

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The People of the City of Antioch Do Hereby Ordain as Follows:

Section 1. Title.

This initiative measure (this “Initiative”) shall be known as the “City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative.”

Section 2. Purposes and Findings.

A. Purposes. The purposes of this Initiative are as follows:

1. In order to protect the public health, safety, and welfare and to allow anticipated traffic improvements to be constructed prior to significant additional development, to amend the Antioch General Plan, adopted November 23, 2003, as amended, (the “General Plan”) to impose (i) a moratorium on the granting of new residential development allocations for calendar years 2006 and 2007 so that 0 allocations will be granted during that time and (ii) to reduce by 1,000, from the levels currently permitted by the General Plan, the total number of residential development allocations the City may issue in the five-year period from 2006 to 2010. A residential development allocation must be issued before a residential building permit may be issued unless the General Plan provides a specific exemption.
2. To amend the General Plan to create Antioch’s own voter-approved urban limit line (the “Voter-Approved Urban Limit Line”) in the location shown on Exhibit A. With respect to Roddy Ranch, the Voter-Approved Urban Limit Line is established in the same location as the urban limit line adopted by the voters in 1990 but subsequently moved by the County Board of Supervisors in 2000 over the objections of the City. The Voter-Approved Urban Limit Line is a line beyond which the City’s General Plan land use designations cannot be amended to allow uses other than open space uses. Until December 31, 2020, the location of the Voter-Approved Urban Limit Line cannot be amended, except by the voters of the City.
3. To protect Deer Valley from development by placing it outside the Voter-Approved Urban Limit Line.
4. To amend the General Plan to reduce by approximately 60% (from 1,700 to 700 units) the maximum number of residential units potentially developed in the Roddy Ranch Focus Area, as shown on Exhibit B-1 to this Initiative. This Initiative is not a final approval to develop the Roddy Ranch Focus Area. If any portion of the Roddy Ranch Focus Area is annexed into the City (“Roddy Ranch”), the City Council retains the discretion to approve development plans and subdivisions within Roddy Ranch, consistent with the provisions of this Initiative.
5. To ensure that prior to development of Roddy Ranch, the City prepares, at the developer’s expense, an environmental impact report evaluating the environmental

impacts associated with such development, in accordance with the provisions of the California Environmental Quality Act (“CEQA”). To the extent required by CEQA, the environmental impact report will propose mitigation measures to reduce project impacts.

6. To enter into a development agreement consistent with state law covering the long term planning and development of Roddy Ranch. The development agreement includes the following terms:
 - (a) Prohibit the issuance of any building permits for Roddy Ranch until State Highway 4 is widened to four lanes in the peak hour direction between the existing interchanges of Railroad Avenue and L Street or until January 1, 2009, whichever is the first to occur.
 - (b) Require the Roddy Ranch developer to contribute \$1,000,000 for improvements to State Highway 4 Bypass and/or Vasco Road and \$50,000 to the City to study the feasibility of locating a business park in the City to bring high-quality jobs to Antioch residents. In addition, the Roddy Ranch developer must pay all traffic fees otherwise imposed on the Roddy Ranch development. These contributions are in addition to those traffic fees otherwise imposed on the Roddy Ranch development. Under the current fee structure, the development of 700 units in Roddy Ranch would generate approximately \$6,000,000 in traffic fees, a substantial portion of which would go to State Highway 4 and State Highway 4 Bypass improvements.
 - (c) Although students living in Roddy Ranch will not attend Antioch public schools, require the developer of Roddy Ranch to contribute \$1,000,000 to the Antioch Unified School District to be used exclusively for performing arts, music, and sports programs, in addition to mitigating school impacts in Brentwood resulting from development of Roddy Ranch.
7. To encourage smart growth, transit-oriented development projects within the Voter-Approved Urban Limit Line by excluding such projects from the numerical limits on the City’s issuance of residential development allocations.
8. To amend the Antioch Municipal Code, as amended, (the “Municipal Code”) to adopt pre-zoning governing the future development of Roddy Ranch.
9. To preserve and protect agricultural, natural resource, and open space uses on lands outside the Voter-Approved Urban Limit Line.
10. To allow the City to continue to meet its housing needs for all economic segments of the population.
11. To allow the City to provide high quality and reliable public services and infrastructure for the people of Antioch.

B. Findings. The people of the City find and declare the following:

1. This Initiative will protect the City's quality of life by:
 - (a) Providing traffic relief for Antioch residents.
 - (b) Protecting open space.
 - (c) Reducing the amount of new residential development contemplated by the existing General Plan
 - (d) Imposing a moratorium on the granting of new residential development allocations for calendar years 2006 and 2007 so that 0 new allocations may be granted during that time.
 - (e) Reducing by 1,000 the total number of residential development allocations the City may issue in the five-year period from 2006 to 2010.
2. These restrictions on residential development allocations are necessary because the public health, safety, and welfare of the City is jeopardized by the failure of new road and transportation improvements to keep pace with the demands created by new residential development in the City. The traffic impacts faced by residents of Antioch and surrounding communities are identified in various documents, including but not limited to the City's General Plan and General Plan Environmental Impact Report and the Contra Costa Transportation Authority's recent Strategic Plans and its Environmental Impact Statement for the 2004 Update to the Contra Costa Countywide Comprehensive Transportation Plan. Local and regional roads must not be overburdened by new residential development. The restrictions on residential development allocations established by this Initiative will allow time for new road and transportation improvements to be funded or built in order to provide traffic relief to Antioch families and workers. For example, during this time the widening of State Highway 4 to Somersville Road and the completion of State Highway 4 Bypass from Highway 4 to south of Balfour Road are anticipated to occur. In addition, during this time the City and other transportation entities are expected to continue to pursue aggressively efforts to secure \$140,000,000 in federal funding to complete the widening of State Highway 4 to State Highway 160.
3. In 1998, in response to overcrowding in Antioch schools and unacceptable levels of traffic congestion within the City, 69% of Antioch voters approved Measure U. Measure U called for the City to phase the rate of new residential development in Antioch and in response the City Council adopted the residential development allocation program. Antioch residents continue to be plagued by unacceptable levels of traffic congestion. This Initiative furthers the intent of Measure U by ensuring that the rate of new residential development is phased so that traffic improvements may be constructed to accommodate existing and future Antioch residents.
4. Traffic impacts from local and regional residential development have exceeded the capacity of local and regional roadways, resulting in unacceptable levels of traffic congestion for Antioch residents on these roadways. This Initiative will help alleviate

traffic congestion by (i) imposing a moratorium on the granting of new residential development allocations for each of the calendar years 2006 and 2007 so that 0 allocations may be granting during that time, (ii) reducing by 1,000 the total number of residential development allocations the City may issue in the five-year period from 2006 to 2010, (iii) reducing the number of vehicle trips generated by the development of Roddy Ranch by reducing by approximately 60% the maximum potential residential units developed in Roddy Ranch under the City's current General Plan, and (iv) requiring the developer of Roddy Ranch to contribute \$1,000,000, no later than the issuance of the first residential building permit in Roddy Ranch, for improvements to State Highway 4 Bypass and/or Vasco Road.

5. Development in Roddy Ranch, if approved by the City Council following annexation of Roddy Ranch into the City, must occur in an environmentally responsible manner. By requiring an environmental impact report to be prepared prior to development of Roddy Ranch, this Initiative helps to ensure that development of Roddy Ranch occurs in a manner that protects the environment. This Initiative will also prevent residential development from encroaching into certain environmentally sensitive lands currently designated for development in the General Plan. The Voter-Approved Urban Limit Line ensures the continued viability of agriculture, protects water quality, contributes to flood control, and protects wildlife and environmentally sensitive areas beyond the line.
6. The lack of high-quality jobs in Antioch results in a lower quality of life for most people in Antioch since many Antioch residents must travel considerable distances to find high-quality jobs. This Initiative contributes to the efforts to bring high-quality jobs to Antioch by requiring the developer of Roddy Ranch to contribute \$50,000 to the City, at the issuance of the first residential building permit in Roddy Ranch, to study the feasibility of locating a business park in the City to bring high-quality jobs to Antioch residents.
7. This Initiative allows the City to continue to meet the housing needs of all economic segments of its population, while encouraging sound planning.
8. The Voter-Approved Urban Limit Line established by this Initiative is consistent with the General Plan, as amended by this Initiative.
9. The pre-zoning adopted by this Initiative is consistent with the General Plan and Municipal Code, both as amended by this Initiative.
10. The development agreement adopted by this Initiative is consistent with the General Plan, as amended by this Initiative, and complies with state and local laws regarding development agreements.
11. This Initiative does not prohibit the issuance of residential building permits in connection with lawfully granted residential development allocations or otherwise excluded projects.
12. For all of the foregoing reasons, this Initiative serves the public health, safety, and welfare of the City.

Section 3. General Plan Amendments.

The General Plan is hereby amended as follows:

A. General Plan Figure and Table Amendments.

1. Study Area.

In order to correct the southern portion of the Planning Area Boundary, Figure 1.1 to the General Plan (Study Area) is hereby amended to establish a new Planning Area Boundary, as shown on attached Exhibit C-1. For reference purposes, the existing Figure 1.1 to the General Plan is attached to this Initiative as Exhibit C-2.

2. Land Use Map.

In order to correct the southern portion of the plan area, Figure 4.1 to the General Plan (Proposed General Plan Land Use) is hereby amended as shown on attached Exhibit D-1. For reference purposes, the existing Figure 4.1 to the General Plan is attached to this Initiative as Exhibit D.

3. Anticipated Maximum General Plan Build Out in the Unincorporated Area.

In order to reflect the reduction in the anticipated maximum General Plan build out in the Roddy Ranch and Ginocchio Focus Areas established by this Initiative, Table 4.C (Anticipated Maximum General Plan Build Out in the Unincorporated Area) to the General Plan is hereby amended as shown on Exhibit E. Text to be inserted into Table 4.C is indicated in underscore type, while text to be deleted is indicated in ~~strikeout~~. All text that is neither in underscore nor ~~strikeout~~ type currently appears in Table 4.C, is not amended by this Initiative, and is shown for reference purposes only.

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

In order to reflect the reduction in the anticipated maximum General Plan build out in the Roddy Ranch and Ginocchio Focus Areas established by this Initiative, Table 4.D (Anticipated Maximum General Plan Build Out in the General Plan Study Area) to the General Plan is hereby amended as shown on Exhibit F. Text to be inserted into Table 4.D is indicated in underscore type, while text to be deleted is indicated in ~~strikeout~~. All text that is neither in underscore nor ~~strikeout~~ type currently appears in Table 4.D, is not amended by this Initiative, and is shown for reference purposes only.

5. Roddy Ranch Focus Area.

In order to correct a graphic error in the boundary of the Roddy Ranch Focus Area, Figure 4.10 (Roddy Ranch Focus Area) to the General Plan is hereby deleted and a new Figure 4.10, which is attached to this Initiative as Exhibit B-1, is added to the General Plan. For reference purposes, the existing Figure 4.10 to the General Plan is attached to this Initiative as Exhibit B-2.

6. Voter-Approved Urban Limit Line.

In order to establish the Voter-Approved Urban Limit Line for the City, a new Figure 4.12 showing the location of such line is hereby added to the General Plan. The new Figure 4.12 is attached to this Initiative as Exhibit A.

7. Circulation.

In order to correct a graphic error in Figure 7.1 (Circulation) to the General Plan, City staff is hereby authorized and directed to amend Figure 7.1 to establish the Planning Area Boundary in the same location as is shown on Exhibit C-1 to this Initiative (Amended General Plan Figure 1.1). For reference purposes, the existing Figure 7.1 to the General Plan is attached to this Initiative as Exhibit G.

8. Lands Designated for Residential Development.

In order to reflect the reduction in the acreage designated for residential development in the Roddy Ranch and Ginochio Focus Areas established by this Initiative, Table 9.U (Lands Designated for Residential Development (in acres)) to the General Plan is hereby amended as shown on Exhibit H. Text to be inserted into Table 9.U is indicated in underscore type, while text to be deleted is indicated in ~~strikeout~~. All text that is neither in underscore nor ~~strikeout~~ type currently appears in Table 9.U, is not amended by this Initiative, and is shown for reference purposes only.

B. General Plan Text Amendments.

Text to be inserted in the General Plan is indicated in **bold** type, while text to be deleted is indicated in ~~strikeout~~. Text in standard type currently appears in the General Plan, is not amended by this Initiative, and is shown for reference purposes only. To avoid confusion, headings or text that presently appear in **bold** in the existing General Plan are shown here as underline type.

1. Amendment to Growth Management Provisions in the General Plan.

General Plan Growth Management Element section 3.3.1 is hereby amended as shown below:

- “• The *Land Use Element* defines acceptable locations and the appropriate intensity for new development, and sets forth policies regarding development design and land use compatibility. By defining acceptable locations and appropriate intensities for new development, the Land Use Element establishes the maximum allowable development intensity for the City at “build out” of the Antioch Planning Area. Incorporated into the Land Use Element are the provisions of a boundary agreement Antioch maintains with the City of Brentwood. The agreement is intended to establish an agreed upon boundary between the two cities, and provide for compatible land uses along the cities’ mutual boundary.¹

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

This element also addresses the effect of the urban limit line established by ~~Contra Costa County~~, **the Voter-Approved Urban Limit Line (Figure 4.12)** and directs new development to occur within ~~that urban limit line~~, **the Voter-Approved Urban Limit Line**, thereby achieving a compact form of community. ~~The Land Use Element acknowledges that the location of the Urban Limit Line is not permanently fixed, and that it can be reviewed and moved by the County every five years. As a result, the Land Use Element provides policies relating to development outside of the Urban Limit Line, enforcing rural development intensities. At the same time, the Land Use Element provides for long term planning of areas outside of the Urban Limit Line, providing for the conversion of some areas to urban development intensities, should such lands be included within the Urban Limit Line at some time in the future.~~

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

2. Amendment to Rate of Growth Policies.

General Plan Growth Management Element section 3.6.2 is hereby amended as shown below:

"3.6.2 Rate of Residential Growth Policies

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

The constraints posed by needed infrastructure phasing or capital facilities financing require that development allocations be moved forward from future

years to avoid jeopardizing the feasibility of existing infrastructure financing mechanisms or the financing of infrastructure for the development allocations that would otherwise be granted during the calendar year.

- c. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, age-restricted housing and multiple-family dwellings shall be counted as less than one single family dwelling unit for the purposes of residential development allocations. The relationship between an allocation for a single-family dwelling and an allocation for age-restricted housing and multiple-family dwellings shall be based on such factors as differences in traffic generation, school impacts, and demand for new recreation facilities.
- d. In order to avoid a predominance of any one housing type, limits shall be placed on the number of annual allocations that may be granted to age-restricted senior housing, single family detached housing, and multifamily housing.
- e. Permit residential projects that are subject to limitations on development allocations to proceed with other necessary approvals not directly resulting in the division of land or construction of residential dwelling units (e.g., General Plan amendments, rezoning, environmental review, annexation, etc.). The processing of such applications is not, however, a commitment on the part of the City that the proposal will ultimately receive development entitlements or allocations.
- f. To facilitate the development of housing required to meet the needs of all economic segments of the community and special needs groups identified in the Housing Element, exempt the following types of developments from limitations on the annual issuance of development allocations, whether for single-family or multi-family residential development. Dwelling units approved pursuant to the following exemptions shall not be counted against the established maximum annual development allocation.
 - (1) Income-restricted housing needed to meet the quantified objectives for very low and low income housing set forth in the Housing Element, along with “density bonus” dwelling units approved pursuant to the provisions of the Housing Element and the City’s Density Bonus ordinance.
 - (2) Dwelling units designed for one or more Special Needs Groups, as defined in the Housing Element (i.e., handicapped, income-restricted senior housing), pursuant to programs set forth in the Housing Element as needed to meet the Housing Element’s quantified objectives for housing of special needs groups.
 - (3) Dwelling units within development projects having vested rights through a valid (unexpired¹) development agreement or vesting map.

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

¹ The majority of existing development agreements expired on December 31, 2002.”

3. Amendment to Community Structure Policies.

Policy “f” in General Plan Land Use Element section 4.3.2 is hereby amended as shown below:

- “f. ~~Recognize an Urban Limit Line~~ **the Voter-Approved Urban Limit Line (Figure 4.12)** that encompasses up to ~~4,000~~ **1,050** acres of land within the Roddy Ranch and Ginochio Property Focus Areas that were included in the Urban Limit Line as it was adopted by the voters in 1990 **and in the Voter-Approved Urban Limit Line** as a means of phasing urban and suburban development, preserving open space and maintaining a compact urban form.
- Maintain rural land uses (residential densities less than one dwelling unit per five acres (0.2 du/ac) and compatible open space/recreational uses which do not require urban levels of public services and facilities through 2020 in areas outside of the **Voter-Approved Urban Limit Line** ~~ULL described above~~.
- Limit future urban development within Roddy Ranch and the Ginochio Property through 2020 to a total of ~~4,000~~ **approximately 1,050** acres (approximately 850 acres within Roddy Ranch and ~~450~~ **200** acres within the Ginochio Property) that were within the **urban limit line** ~~ULL~~ as it was adopted by the voters in 1990 **and that are also within in the Voter-Approved Urban Limit Line.**”

4. Amendment to Roddy Ranch Focus Area.

General Plan Land Use Element section 4.4.6.9 is hereby amended as shown below:

“4.4.6.9 Roddy Ranch. Roddy Ranch is located in the southerly portion of the General Plan study area, within unincorporated territory. **A portion of Roddy Ranch is inside the Voter-Approved Citywide Urban Limit Line (Figure 4.12).** ~~outside of the existing Urban Limit Line (Figure 4.10).~~ This Focus Area encompasses over 2,100 acres of rolling land used for grazing and ranching. Other existing land uses include a golf course, clubhouse, and open space. As a condition of approval for the golf course, development rights on 875 acres of land were dedicated to the County in 1999. These lands will be retained in permanent Open Space.

a. Purpose and Primary Issues. The striking natural beauty of the Roddy Ranch area, along with its large size and single ownership, represent both a significant opportunity and a substantial challenge. Roddy Ranch provides Antioch with the opportunity to establish a unique high-end, recreation-oriented planned community. Because of the site’s natural setting and relative isolation, it should be possible to create an “exclusive” community identity for Roddy Ranch, which is the intent of the General Plan. Consistent with Policy 4.3.2f, through 2020, development within Roddy Ranch that is outside of the **Voter-Approved Urban Limit Line** ~~Urban Limit Line~~ as it was approved by the voters of the City in 1990 may be limited to rural land uses consistent with the ~~Contra Costa County General Plan.~~ **and compatible open space/recreational uses.**⁺

⁺~~See Land Use Element Policy 4.3.2 for a discussion of the circumstances under which the Urban Limit Line might be reviewed and expanded.~~

Key issues in the development of Roddy Ranch will be preservation of natural open space areas, financing the development of new infrastructure to serve the site, and managing project-related traffic. Roddy Ranch is currently devoid of the services needed to support urban and suburban development of the type envisioned in the long-term for this Focus Area. Water, sewer, drainage, and other utility systems will need to be developed essentially “from scratch.” ~~New school facilities will be needed, however. While Roddy Ranch may be able to support development of a new elementary school, it~~ **Roddy Ranch most likely** will not ~~likely~~ **generate sufficient students to** support its own **elementary,** middle or high schools.

Currently, two- lane rural roads serve Roddy Ranch. Development of this Focus Area will require not only the development of an extensive on-site roadway system, but also widening of off-site roadways within existing developed and undeveloped areas.

b. Policy Direction. As noted in Land Use Element Policy 4.3.2, the General Plan recognizes ~~the County’s Urban Limit Line as it was adopted by the voters in 1990~~ **the Voter-Approved Urban Limit Line** as a means of phasing urban and

suburban development preserving open space, and maintaining a compact urban form.

It is the intent of the Antioch General Plan that Roddy Ranch be developed as a master planned enclave nestled in the rolling hills south of the present City of Antioch. The visual character of Roddy Ranch should be defined principally by suburban density residential development clustered within natural and recreational open spaces, along with the preservation of the steeper natural hillsides and the canyon bottoms containing riparian resources within the site. The existing golf course, as a major recreational amenity, should be the central focus of the planned community.

The following policies shall guide development of the Roddy Ranch Focus Area, pursuant to the **Voter-Approved Urban Limit Line**~~Urban Limit Line~~ provisions of Policy 4.3.2f.

- a. Prior to approvals of any development applications, a Final Development Plan for the Roddy Ranch Focus Area is to be prepared and approved. Such Final Development Plan shall provide detailed guidance for project-related land use, provision and financing of required public services and facilities, open space preservation, community design, recreational amenities, and community improvements. Development within the Roddy Ranch shall be predicated upon extension of infrastructure from the north through the Sand Creek Focus Area.
- b. Residential development within Roddy Ranch shall not exceed a maximum of **700** ~~2-3~~ dwelling units ~~per developable acre~~ **within the portion of Roddy Ranch located generally on lands not committed to open space and having steep slopes or significant environmental constraints, which lands shall not exceed 500 acres within the Voter-Approved Urban Limit Line** (6-9 persons per developable acre **on average**) **consistent** with the ~~permitted development area set forth in Policy 4.3.2f., and shall include a range of Estate Residential and~~ **Of these 700 units, all or substantially all shall be Estate Residential and any the balance shall be** Multi-Family Attached residential product types (as defined in Table 4.A) in a resort-style setting. ~~Senior, age-restricted residential development is appropriate, but is not to be the dominant focus of Roddy Ranch residential development. For purposes of determining density within the Roddy Ranch focus area, a “developable acre” shall be defined as lands not committed to open space and having steep slopes or other significant environmental constraints. These lands will be mapped in the Final Development Plan.~~
- c. Residential neighborhoods within Roddy Ranch should be designed to provide high quality housing attractive to a broad spectrum of buyers, including upper end housing that provides “move-up” opportunities for local residents. Multifamily, for-rent housing should be limited to a central “town center” location within the site, adjacent to commercial uses and along the golf course.

- d. Residential development should incorporate residential village themes, providing identifiable neighborhood areas within the planned community. The identity of individual neighborhoods should be reinforced with differing architectural styles and location within the community.
- e. Commercial uses within Roddy Ranch are intended to serve local neighborhood needs (e.g., supermarket, drug store, and personal services), and are to be limited to that which can be supported by residential and recreational uses within Roddy Ranch (10 to 20 acres, approximately 100,000 to 225,000 square feet of gross leasable area).
- f. Visitor-serving commercial uses (e.g., hotel and restaurants) may also be developed within Roddy Ranch. Such visitor-serving uses would be oriented toward the golf course. The hotel may include a maximum of 250 rooms with ancillary retail, conference, restaurant, and recreational uses. Visitor-serving commercial uses may occupy a total of 20 acres at a maximum building intensity of 0.50.
- g. Primary access to Roddy Ranch is to be from both Deer Valley Road and Empire Mine Road, with secondary connections to Balfour Road and Sand Creek Road.
- h. Development of an appropriate level of pedestrian and bicycle circulation throughout the community is to be provided, including pathways connecting each residential neighborhood, as well as non-residential and recreational components of the community. Roddy Ranch development should also provide recreational trail systems for jogging and bicycling, including areas for hiking and mountain biking.
- i. Development of the Roddy Ranch shall provide such on- and off-site road improvements on City of Antioch streets as to ensure that applicable performance standards set forth in the Growth Management Element are met.
- j. Public services and facilities, including needed on site and off site facilities, shall be provided and financed by the project as needed to meet the public services performance standards set forth in the Growth Management Element for each increment of project development.
- k. Performance standards for emergency response services (police and fire) are to be met at the time the first increment of development is occupied and for each subsequent increment of development.
- l. Project development shall provide full mitigation of impacts on school facilities to affected school districts.
- m. The timing of new development shall be correlated with the installation of water, sewer, electrical, and natural gas utility systems, provision of municipal services (including emergency services), and project open space and amenities with land development in a manner that is economically feasible and that

ensures adequate service to uses within the site starting with the time the first increment of development is occupied.

- n. Project entry, streetscape, and landscape design elements are to be designed to create and maintain a strong identification of Roddy Ranch as an identifiable “community.”
- o. Development of an attractive, but natural-appearing landscape is to be provided with groves of trees, earth tone walls colors, and drifts of flowering shrub material.
- p. A central open space area, which may include the golf course, is to be provided to serve as the dominant visual feature of the Roddy Ranch, as well as to provide recreational opportunities.
- q. Because of the sensitivity of the habitat areas within the Roddy Ranch Focus Area, preparation and approval of a Resource Management Plan to provide for mitigation of biological resources impacts, as well as for the long-term management of natural open space, shall be required prior to development of the Roddy Ranch Focus Area. The Resource Management Plan shall provide for appropriate habitat linkages consistent with General Plan policies and Resource Management Plan provisions for the Sand Creek Focus Area.”

5. Amendment to Ginochio Property Focus Area.

a. Amendment to Introductory Paragraph of Section 4.4.6.10.

The introductory paragraph to General Plan Land Use Element section 4.4.6.10 is hereby amended as shown below:

“4.4.6.10 Ginochio Property. The Ginochio Property is located in the southerly portion of the General Plan study area, within unincorporated territory ~~outside of the existing urban limit line~~ (Figure 4.11). This Focus Area encompasses nearly 1,070 acres of rolling lands and canyon areas. The site is currently vacant. **A portion of Ginochio Property is located within the Voter-Adopted Urban Limit Line (Figure 4.12).**”

b. Amendment to First Paragraph of Section 4.4.6.10(b).

The first paragraph to General Plan Land Use Element section 4.4.6.10(b) is hereby amended as shown below:

“b. Policy Direction. ~~The Ginochio Property is currently located outside of the County’s Urban Limit Line as it was adopted by the voters in 1990.~~ **Urban development within the Ginochio Property is limited to property within the Voter-Approved Urban Limit Line** ~~—As noted in Land Use Element Policy 4.3.2, the General Plan will recognize the 1990 Urban Limit Line as a means of phasing urban and suburban development preserving open space, and maintaining a compact urban form, and extend its provisions through 2020 if the~~

~~County will move the lands within Antioch's General Plan study area that were approved by the voters as being within the Urban Limit Line back within the Line. (see Policy 4.3.2f). Thus, the policy direction that follows is predicated on compliance with the provisions of Policy 4.3.2f."~~

c. Deletion of Policy "f" of Section 4.4.6.10(b).

Policy "f" in General Plan Land Use Element section 4.4.6.10(b) is hereby deleted in its entirety as shown below:

~~"Commercial uses within the Ginochio Property are intended to serve local neighborhood needs (e.g., supermarket, drug store, and personal services), and are to be limited to that which can be supported by residential and recreational uses within the Ginochio Property (10 to 15 acres, approximately 100,000 to 175,000 square feet of gross leasable area."~~

6. Amendment to Establish Voter-Approved Urban Limit Line.

The General Plan Land Use Element is hereby amended by adding the following new section 4.4.7, Voter-Approved Urban Limit Line, immediately following the existing section 4.4.6.10, as follows:

"4.4.7. Voter-Approved Urban Limit Line. Pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative, the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginochio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. Until December 31, 2020, the location of the Voter-Approved Urban Limit Line may be amended only by the voters of the City. The City shall oppose any annexation to the City of any land outside of the Voter-Approved Urban Limit Line."

7. Amendment to Section 9.4.2.1 of the General Plan Housing Element.

General Plan Housing Element section 9.4.2.1 is hereby amended as shown below:

"9.4.2.1 Development Requirements

Required on-site improvements for residential development are determined largely by the zoning of the property. The Antioch Zoning Ordinance has the following zones that permit residential development:

- *Rural Estate Residential*, allowing up to two dwelling units per gross acre.
- *Rural Residential*, allowing up to two dwelling units per gross acre.

- *R-4, R-6 Single-family Residential Districts*, designed for single-family residential development, up to four and six dwelling units per gross acre, respectively.
- *R-10 Residential District*, allowing up to ten dwelling units per gross acre, primarily for single-family attached and multi-family dwelling units.
- *R-15, R-20 Residential Districts*, allowing 11-15 and 16-20 dwelling units per gross acre, respectively.
- *Planned Development District*, permitting various types of residential development within a mixed use, planned community setting.
- *Hillside Planned Development District*, permitting residential development, while protecting natural hillside areas.
- *Mixed Commercial/Residential District*, allowing residential development within a mixed-use setting.
- *Rivertown Residential Districts*, providing higher density development potential within Antioch's downtown area. There are three Rivertown Residential Districts, with allowable densities of 6-9 dwelling units per gross acre, 10-12 dwelling units per gross acre, and 13-20 dwelling units per gross acre, respectively.
- *Senior Housing Overlay District*, permitting a density bonus in all residential zones of five dwelling units per gross acre. The Senior Housing Overlay District does not restrict any housing of any type within the city and does not conflict with any residential General Plan land use designation. The intent of this district is to define areas in the city where the development of senior housing receives an automatic density bonus. This district is located in areas of the City that would benefit seniors. For example, the district is located near shopping, social services, and public transportation.
- ***RRMP District, permitting residential and commercial mixed-use development within the Roddy Ranch Focus Area.***

The Zoning Ordinance establishes lot dimension and setback requirements for structures in each residential zoning district. Until otherwise provided for in the RRMP District, the regulations for a dwelling unit within the Estate Residential, Rural Residential, and planned development zones are determined by the City Council through the planned development process, and therefore are not listed on Table 9.X. For all other residential zones the required front setback is 20 feet to the garage or front of the house. Side yard setback requirements are for a minimum of 5 feet (refer to Table 9.X).?

In addition, the Planned Development (PD) zoning district permits modifications to development standards to promote the efficient use of land and to provide for innovative designs for residential development.

Antioch's requirements for off-site improvements (e.g., water, sewer, drainage, streets, curb, gutter, and sidewalk) are typical of suburban communities throughout the Bay Area. To a greater extent than most communities, the City of Antioch has committed to the use of land-based financing district to construct and ensure the up-front adequacy of public infrastructure. Thus, within the developing portions of the City, backbone infrastructure is typically financed or is in place prior to development of individual residential development projects. See also Section 9.4.3.6 for a discussion of public services and facilities level of service standards.

Table 9.Y shows parking requirements for residential units as established by the Zoning Ordinance. Antioch's requirements for on-site improvements as expressed in the Zoning Ordinance are typical of California communities, and are not considered to be unusually restrictive as a constraint on the development of housing. Antioch's maximum lot coverage and set back standards do not constrain the maximum density allowable within the various residential districts. The relationship between maximum allowable density, minimum lot sizes, and allowable types of residential development set forth in the Zoning Ordinance permits the maximum allowable density to be achieved in all residential zones."

8. Amendment to Section 9.4.3.4 of the General Plan Housing Element.

General Plan Housing Element section 9.4.3.4 is hereby amended as shown below:

"9.4.3.4 Residential Growth Management

In response to Antioch's Measure "U" (a 1998 voter advisory initiative), the City has adopted a residential development allocation program to regulate the rate of residential growth within the City. The stated purposes of the Residential Growth Allocation Program are to:

- Implement the City's goal that new residential development make a positive contribution to the community, and not just mitigate impacts;
- Help ensure that the City's infrastructure and public facilities keep pace with the demands created by new residential development;
- Provide for a reasonable rate of residential growth that ensures the ability of the City to provide housing opportunities for all economic segments of the community;
- Ensure that the City meets its regional allocation of housing needs; and
- Encourage investment in older neighborhoods in order to increase the efficiency and reduce the costs of providing services, stabilize older neighborhoods, and revitalize the Rivertown area.

In general, the growth management program sets an average annual residential growth allocation of 600 dwelling units. **However, as described in section 3.6.2**

of the Growth Management Element, no residential growth allocations will be granted for the years 2006 and 2007. This two year cap was imposed to assist the City's ongoing effort to ensure that infrastructure keeps pace with development. Under the program, Single-family dwellings are counted as one unit allocation, age-restricted senior housing is counted as 0.5 unit allocation, and multi-family dwelling units are counted as 0.63 unit allocation. Thus, depending upon the number of age-restricted and multi-family dwelling proposed, the actual average annual number of dwelling units given allocations can exceed 600. In order not to create a predominance of any one housing type, the growth management plan specifies that not more than 200 of the 600 average annual allocations (400 actual units) may be granted to market rate age-restricted housing, not more than 500 annual allocations may be granted to single-family detached housing, and not more than 75 average annual allocations (119 actual dwelling units) may be granted to market rate multi-family housing. To facilitate implementation of the Housing Element, the residential growth management program exempts the following types of residential development:

- Income-restricted housing needed to meet the quantified objectives for very low-and low-income housing set forth in the Housing Element, as well as any density bonus units approved by the City.
- Dwelling units intended for one or more special needs groups (e.g., handicapped, income-restricted senior housing) as defined in the Housing Element.
- Construction of a single dwelling unit by or for the owner of a lot of record.
- Construction of second dwelling units.
- Development of projects of four or fewer units.
- Residential development within the Rivertown/Urban Waterfront Focus Area.
- **Properties outside the City limits, as shown on the General Plan Land Use Map, that subsequently annex to the City and otherwise provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. However, residential development in Roddy Ranch shall be subject to the residential development allocation program.**
- **Smart growth, transit oriented development projects.**

The City's residential growth allocation program was designed so as not to present a constraint to the production of needed housing. This was accomplished through a combination of the following measures.

- Setting an average annual limit on the granting of residential allocations of 600 (roughly equivalent to the 595 unit per year annual average regional

housing need identified by ABAG), **with the exception of years 2006 and 2007;**

- Basing growth limits on an annual average over a five-year period and permitting the number of allocations in any given year to exceed the annual average provided the five year average is not exceeded, thereby permitting flexibility to meet short-term market demands. **For the five-year period from 2006 to 2010, however, no more than 2,000 development allocations may be issued;**
- Counting each non-exempt age-restricted senior dwelling unit as 0.5 of a residential allocation and each non-exempt multifamily dwelling unit as 0.63 of a residential allocation; and
- Providing exemptions from the residential growth allocation program for income restricted housing, dwelling units for special needs groups, second units, small residential projects, and residential development within the Rivertown/Urban Waterfront Focus Area.”

9. Amendment to Add Section 9.4.3.9 to the General Plan Housing Element.

The General Plan Housing Element is hereby amended by adding the following new section 9.4.3.9, immediately following the existing section 9.4.3.8, as follows:

“9.4.3.9 Voter-Approved Urban Limit Line. As described in section 4.4.7 of the Land Use Element, pursuant to the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative, the voters amended the General Plan to establish the urban limit line as shown on Figure 4.12. This Voter-Approved Urban Limit Line establishes a line through the Roddy Ranch and Ginocchio Property Focus Areas beyond which the General Plan land use designations cannot be amended to allow uses other than open space uses. The Voter-Approved Urban Limit Line provides the potential for increased housing opportunities within the City and, therefore, does not pose a significant constraint on the production of housing within Antioch.”

Section 4. Municipal Code Amendments.

The Municipal Code is hereby amended as follows:

A. Amendment to Residential Development Allocations.

Text to be inserted in the Municipal Code is indicated in **bold** type, while text to be deleted is indicated in ~~strikeout~~. Text in standard type currently appears in the Municipal Code, is not amended by this Initiative, and is shown for reference purposes. To avoid confusion, headings or text that presently appear in **bold** in the existing Municipal Code are shown here as underline type.

1. Amendment to Municipal Code § 9-5.4008.

Section 9-5.4008 of the Municipal Code is hereby amended as shown below:

“§ 9-5.4008 NUMERICAL LIMITS ON RATE OF GROWTH.

(A) The **granting of new residential development allocations shall be prohibited for the calendar years 2006 and 2007. For the five-year period from 2006 to 2010, no more than 2,000 development allocations may be issued. Thereafter, the** issuance of allocations shall be limited to a maximum annual average of 600 residential units. The annual average may vary, but it shall not exceed the 600 allocation restriction for any continuous, sequential five-year period, i.e. no more than 3,000 allocations may be issued for any given five-year period.

(B) If any part of the 600 unit allocation **issued after December 31, 2010** remains unused, then such unused allocations shall be reallocated, subject to the Council’s exercise of its discretion under section 9-5.4007(C), providing that the five-year maximum is not exceeded.

(D) Single family dwellings shall be counted as one unit allocation. An age restricted senior housing unit shall be counted as 0.5 unit allocations, given the reduced impacts on traffic congestion and schools created by such units. Multi-family units shall be counted as 0.63 unit allocations, based on the ratio of average persons per dwelling unit in multi-family dwellings to single family dwellings from the parkland dedication section of the Subdivision Ordinance.

(E) In order to not create a predominance of any one housing type, during any 5-year period, not more than 200 of the 600 average annual allocations (an average of 400 actual units per year) may be granted to market rate age restricted-senior housing; not more than 500 average annual allocations may be granted to single family detached housing; and not more than 75 average annual allocations may be granted to multi-family detached housing (an average of 119 actual units per year).”

2. Amendment to Municipal Code § 9-5.4009.

Section 9-5.4009 of the Municipal Code is hereby amended as shown below:

“§ 9-5.4009 EXEMPTIONS.

The following housing types are exempt from the requirements of this article:

(A) Income-restricted housing needed to meet the quantified objectives for very low and low income housing, set forth in the Housing Element, as well as density bonus dwelling units approved pursuant to the density bonus provisions of this chapter.

(B) Dwelling units intended especially for one or more special needs groups, i.e. handicap, income- restricted senior housing, etc., as defined in the Housing

Element. This exemption does not apply to market rate age restricted-senior housing.

(C) Projects with unexpired vesting tentative maps approved prior to the adoption of this article, unless such map had a condition that the development be subject to an allocation regulation.

(D) Projects with unexpired development agreements restricting the ability of the City to impose allocation systems of the type created by this article.

(E) Construction of a single dwelling unit by or for the owner of the lot of record on which the unit is to be constructed.

(F) Construction of a second unit on a parcel as authorized by the second unit provisions of this Chapter.

(G) Development of a project of four or fewer dwelling units.

(H) Development projects within the Rivertown/Urban Waterfront Focus Area, as designated in the 2003 General Plan.

(I) Properties outside the City limits at the time of adoption of this ordinance (March 22, 2005), that subsequently annex to the City and **otherwise** provide positive impacts to the City consistent with this article. Approval of such an exemption shall be at the sole discretion of the Council, and the details shall be memorialized by a statutory development agreement or other binding instrument. **However, residential development in Roddy Ranch shall be subject to the residential development allocation program.**

(J) **Smart growth, transit-oriented development projects.”**

B. Addition of Roddy Ranch Zoning District.

Attached as Exhibit I is a new Article 41 (including sections 9-5.4101 through 9-5.4108) to be inserted into the Antioch Municipal Code, immediately following existing Article 40 of the Municipal Code.

C. Amendment to City’s Zoning Map.

The City’s zoning map is hereby amended to show the new RRMP District zoning designation established by this Initiative. The RRMP District zoning shall be shown on the zoning map as covering the same property identified on Exhibit B-1 to this Initiative as the “Roddy Ranch Focus Area” and covering the same property identified on Exhibit D-1 to this Initiative as “Roddy Ranch.” The property identified on Exhibit B-1 as the “Roddy Ranch Focus Area” is coextensive with the property identified on Exhibit D-1 as “Roddy Ranch.”

D. Amendment to Municipal Code § 9-5.601.

Section 9-5.601 of the Antioch Municipal Code is hereby amended to include a reference to the “RRMP” zoning designation as shown in underscore type on the attached Exhibit J. All other text in Exhibit J currently appears in § 9-5.601, is not amended by this Initiative, and appears for reference purposes only.

E. Amendment to Municipal Code § 9-5301.

Text to be inserted in the Municipal Code is indicated in **bold** type, while text to be deleted is indicated in ~~strikeout~~. Text in standard type currently appears in the Municipal Code, is not amended by this Initiative, and is shown for reference purposes. To avoid confusion, headings or text that presently appear in **bold** in the existing Municipal Code are shown here as underline type.

Section 9-5.301 of the Antioch Municipal Code, entitled “Districts Established and Defined,” is amended to include the following new subsection (AB) immediately following the existing subsection (AA), entitled “S Study District”, as follows:

(AB) *RRMP Roddy Ranch Master Plan District.* This zoning designation applies to the Roddy Ranch Focus Area, as described and defined in the General Plan. This district accommodates various types of development, consistent with the General Plan, including residential, neighborhood and district shopping centers, visitor serving commercial uses as well as significant open space and recreational uses. This district is intended to enable and encourage flexibility in the design and development of the land, pursuant to a discretionary non-legislative final development plan prepared according to the regulatory zoning requirements described in this Article, so as to promote its most appropriate use in the context of Roddy Ranch’s unique natural qualities and existing recreational uses.

Section 5. Development Agreement.

Attached as Exhibit K is a Development Agreement between the City and the holders of legal or equitable interests in the real property described in the DA Exhibit A to the Development Agreement. In order to implement the provisions of this Initiative, and pursuant to the authority of Government Code Section 65867.5 specifying that a development agreement is a legislative act, the Development Agreement attached as Exhibit K is hereby adopted as an ordinance of the City and approved. Not later than five days following the effective date of this Initiative, the City shall complete the intentionally omitted information in the Introductory Paragraph of the Development Agreement and the City shall enter into and record the Development Agreement in accordance with Section 1.02 thereof.

Section 6. Exemptions for Certain Projects.

This Initiative shall not apply to any of the following: (1) any project that has obtained as of the effective date of this Initiative a vested right pursuant to state or local law; (2) any land that, under state or federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people under the California Constitution, (3) any projects that are otherwise exempt under the City’s existing residential development allocation program, and (4) any property that has been granted a residential development allocation by the City prior to the effective date of this Initiative.

Section 7. Implementation of this Initiative.

- A. Upon the effective date of this Initiative, the provisions of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of the mandatory elements of the General Plan permitted by state law for any calendar year have already been utilized in the year in which this Initiative becomes effective, the General Plan amendments set forth in this Initiative shall be the first amendments inserted into the General Plan on January 1 of the next year.
- B. Upon the effective date of this Initiative, the provisions of Section 4 of this Initiative are hereby adopted as an ordinance of the City and inserted into the Municipal Code. Upon the effective date of this Initiative, any provisions of the Municipal Code, as reflected in the Code itself or the City's zoning map, that are inconsistent with the General Plan amendments adopted by this Initiative, shall not be enforced. However, in no event shall the Municipal Code amendments set forth in this Initiative become effective prior to effectiveness of this Initiative's General Plan amendments.
- C. Upon the effective date of this Initiative, City staff is directed to take promptly such administrative and clerical steps as may be required to implement this Initiative, including but not limited to revising any General Plan or Municipal Code figures or tables.
- D. The Antioch General Plan in effect at the time the Notice of Intent to circulate this Initiative was submitted to the Antioch City Clerk on June 27, 2005 (the "Submittal Date"), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent, and compatible statement of policies for the City. In order to ensure that the General Plan remains an integrated, internally consistent, and compatible statement of policies for the City as required by state law and to ensure that the actions of the voters or the City Council in enacting this Initiative are given effect, any provision of the General Plan that is adopted between the Submittal Date and the date that the General Plan is amended by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Section 3 of this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.
- E. To the extent permitted by law, the voters of the City hereby authorize and direct the City to amend any elements or provisions of the General Plan and Municipal Code, including all exhibits and figures, and all other City ordinances, policies, and implementation programs or policies, as soon as possible, in order to implement this Initiative and to ensure consistency and correlation between this Initiative and other elements of the General Plan and Municipal Code. The preceding sentence shall be interpreted broadly pursuant to *Pala Band of Mission Indians v. Board of Supervisors* (1997) 54 Cal.App.4th 565, to promote the requirement that a general plan constitute an integrated and consistent document.
- F. The City shall reorganize, reorder, and renumber the General Plan and the Municipal Code as necessary to further the purposes of this Initiative.

Section 8. Interpretation and Severability.

- A. This Initiative shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Initiative. The voters hereby declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity shall not affect any application of this Initiative that can be given effect without the invalid application.
- B. This Initiative shall be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth herein.

Section 9. Amendment and Repeal.

Until December 31, 2020 and unless specifically provided for otherwise in this Initiative, this Initiative may be amended or repealed only by a majority of the voters of the City voting in an election held in accordance with state law. After December 31, 2020, this Initiative may be amended or repealed by any procedure authorized by state and local law.

Section 10. Exhibits.

The following exhibits are attached to this Initiative and incorporated herein for all purposes:

Exhibit A - New General Plan Figure 4.12
Exhibit B-1 - Amended General Plan Figure 4.10
Exhibit B-2 - Existing General Plan Figure 4.10
Exhibit C-1 - Amended General Plan Figure 1.1
Exhibit C-2 - Existing General Plan Figure 1.1
Exhibit D-1 - Amended General Plan Figure 4.1
Exhibit D-2 - Existing General Plan Figure 4.1
Exhibit E - Amended General Plan Table 4.C
Exhibit F - Amended General Plan Table 4.D
Exhibit G - Existing General Plan Figure 7.1
Exhibit H - Amended General Plan Table 9.U
Exhibit I - New Municipal Code Article 41
Exhibit J - Amended Municipal Code § 9-5.601
Exhibit K - Development Agreement

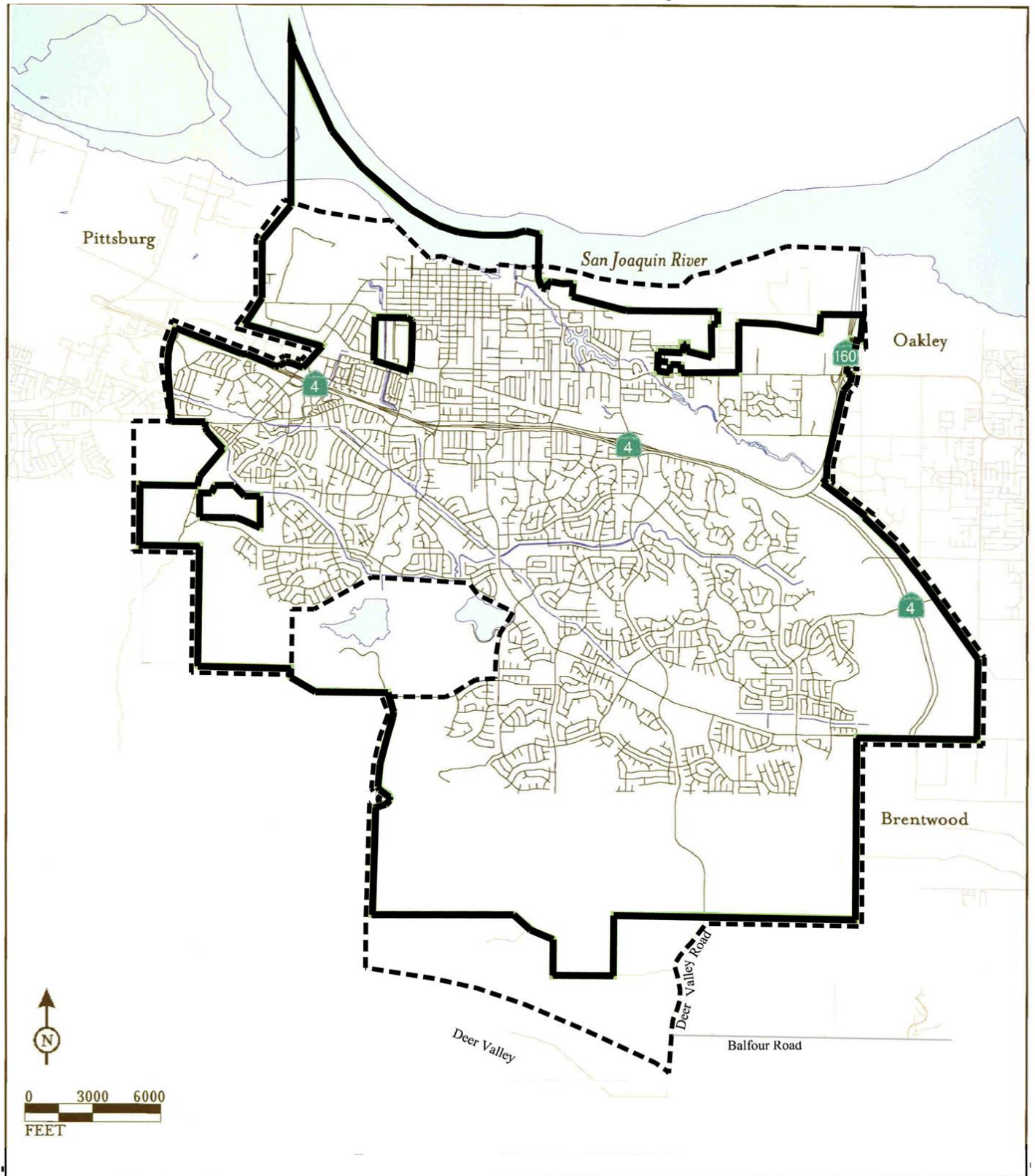
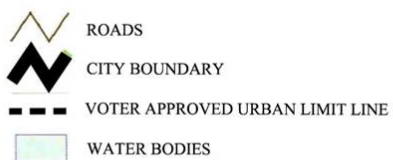


Figure 4.12



Voter Approved Urban Limit Line

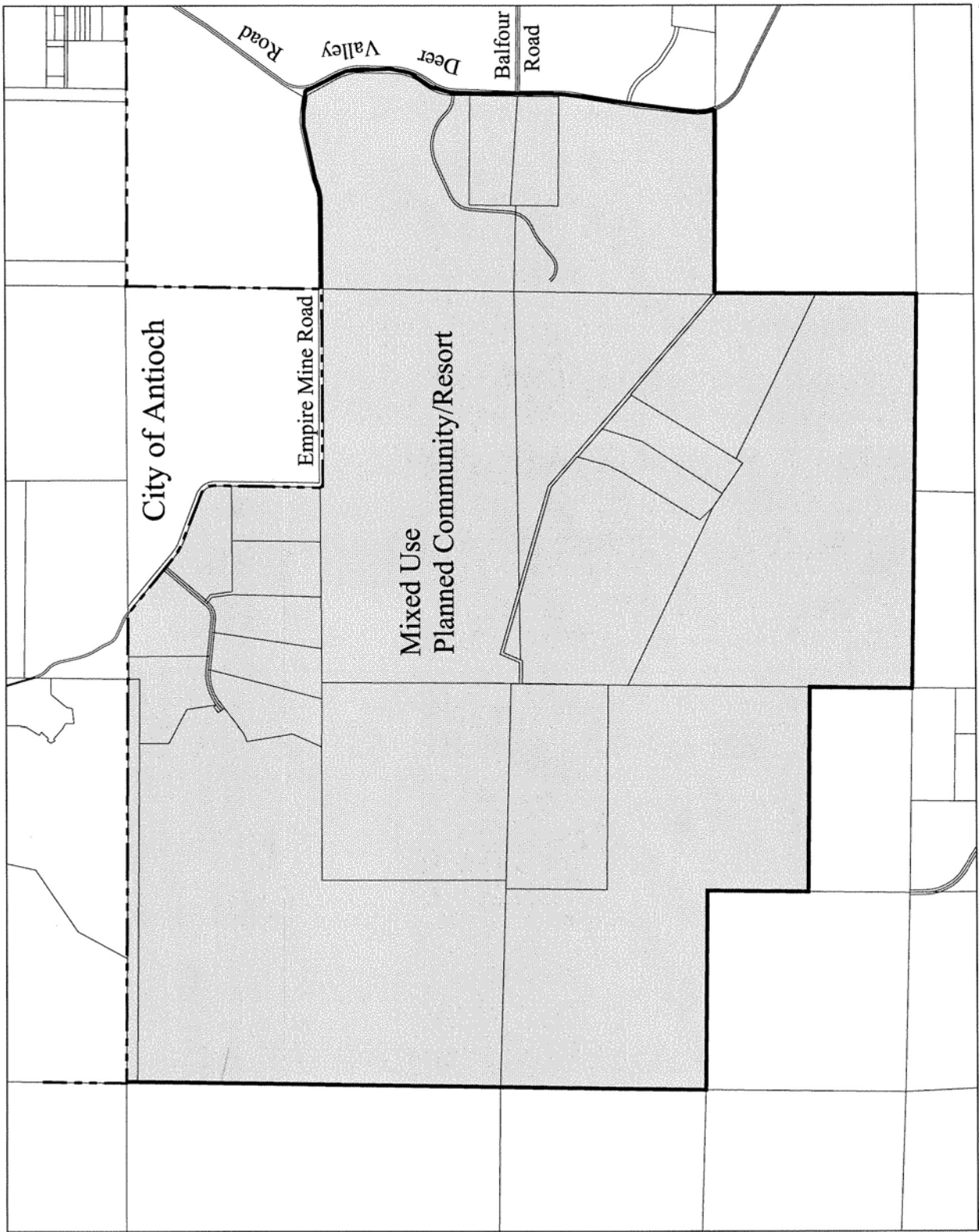
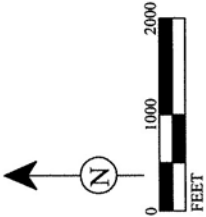


Figure 4.10

Roddy Ranch Focus Area



--- ANTIOCH CITY LIMITS



FIGURE 4.10

City of Antioch
General Plan

Roddy Ranch Focus Area

Exhibit C-1: Amended General Plan Figure 1.1

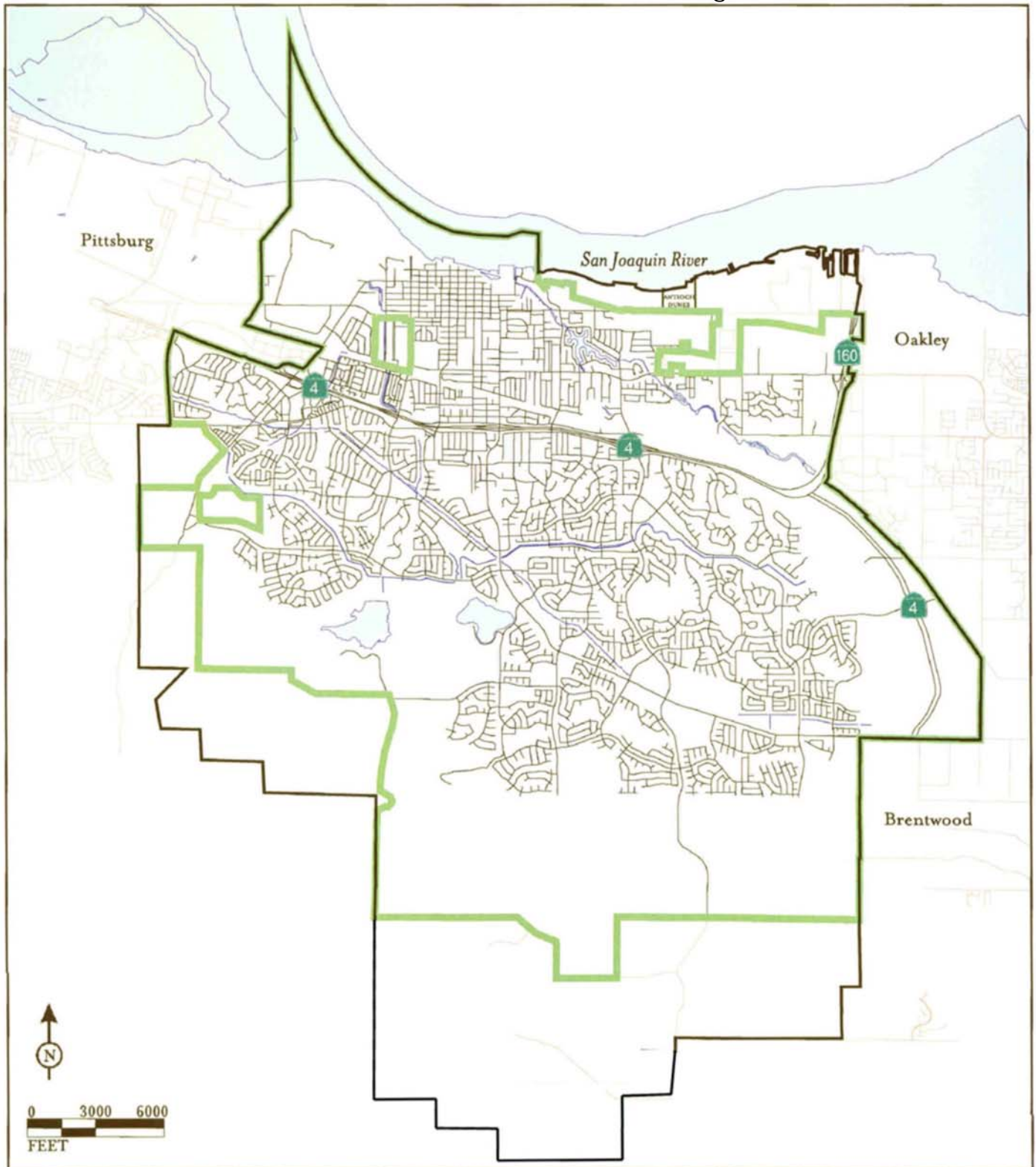






FIGURE 1.1

LSA

-  ROADS
-  CITY BOUNDARY
-  PLANNING AREA BOUNDARY
-  WATER BODIES

City of Antioch
General Plan
Study Area

Exhibit C-2: Existing General Plan Figure 1.1

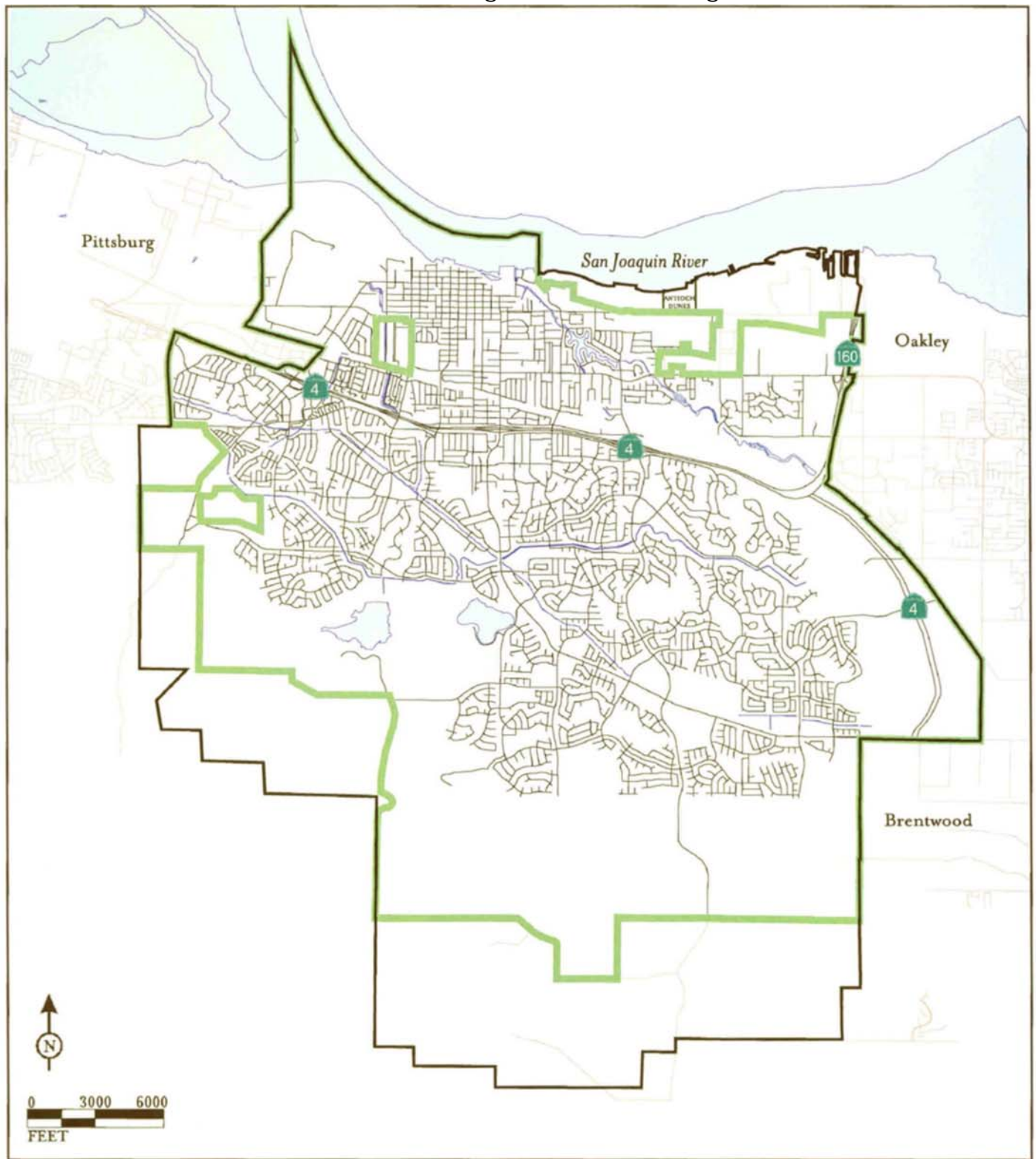






FIGURE 1.1

LSA

-  ROADS
-  CITY BOUNDARY
-  PLANNING AREA BOUNDARY
-  WATER BODIES

City of Antioch
General Plan
Study Area

Exhibit D-1: Amended General Plan Figure 4.1

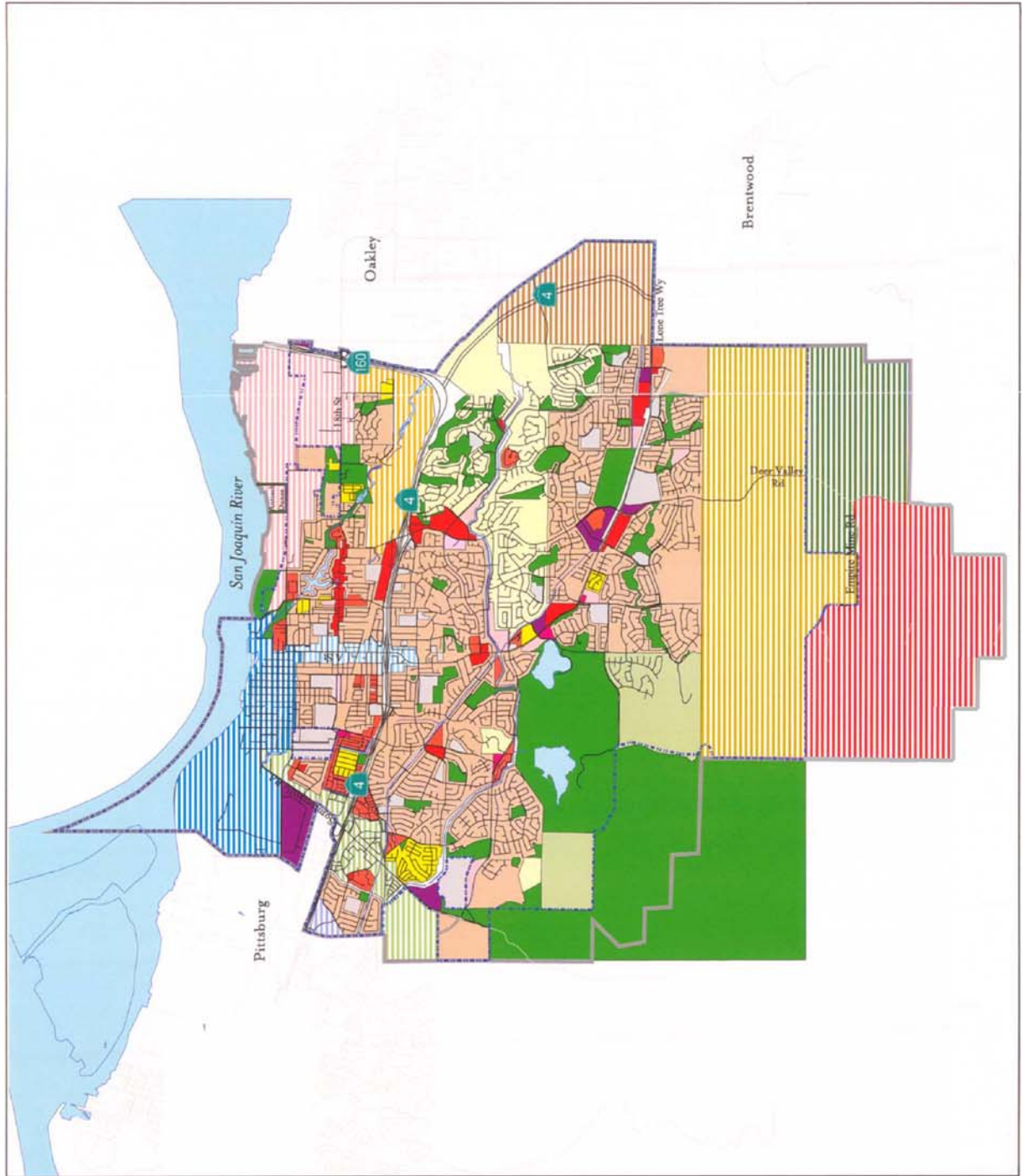
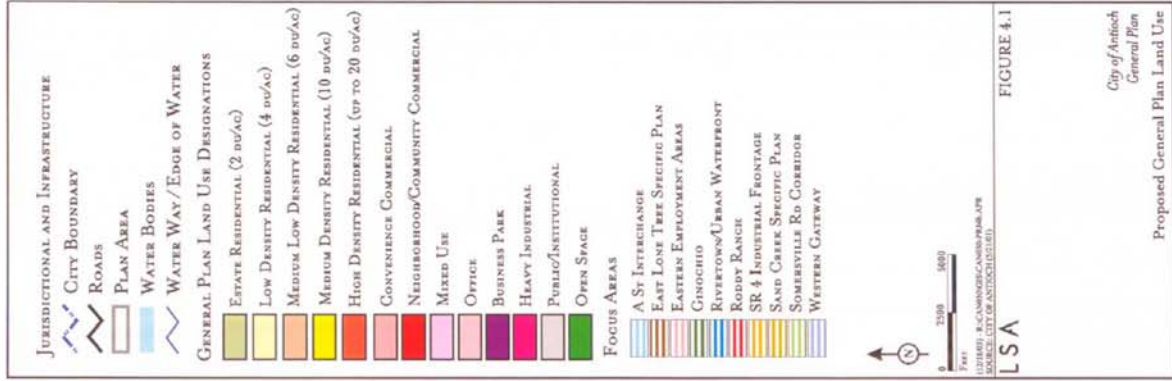


Exhibit D-2: Existing General Plan Figure 4.1

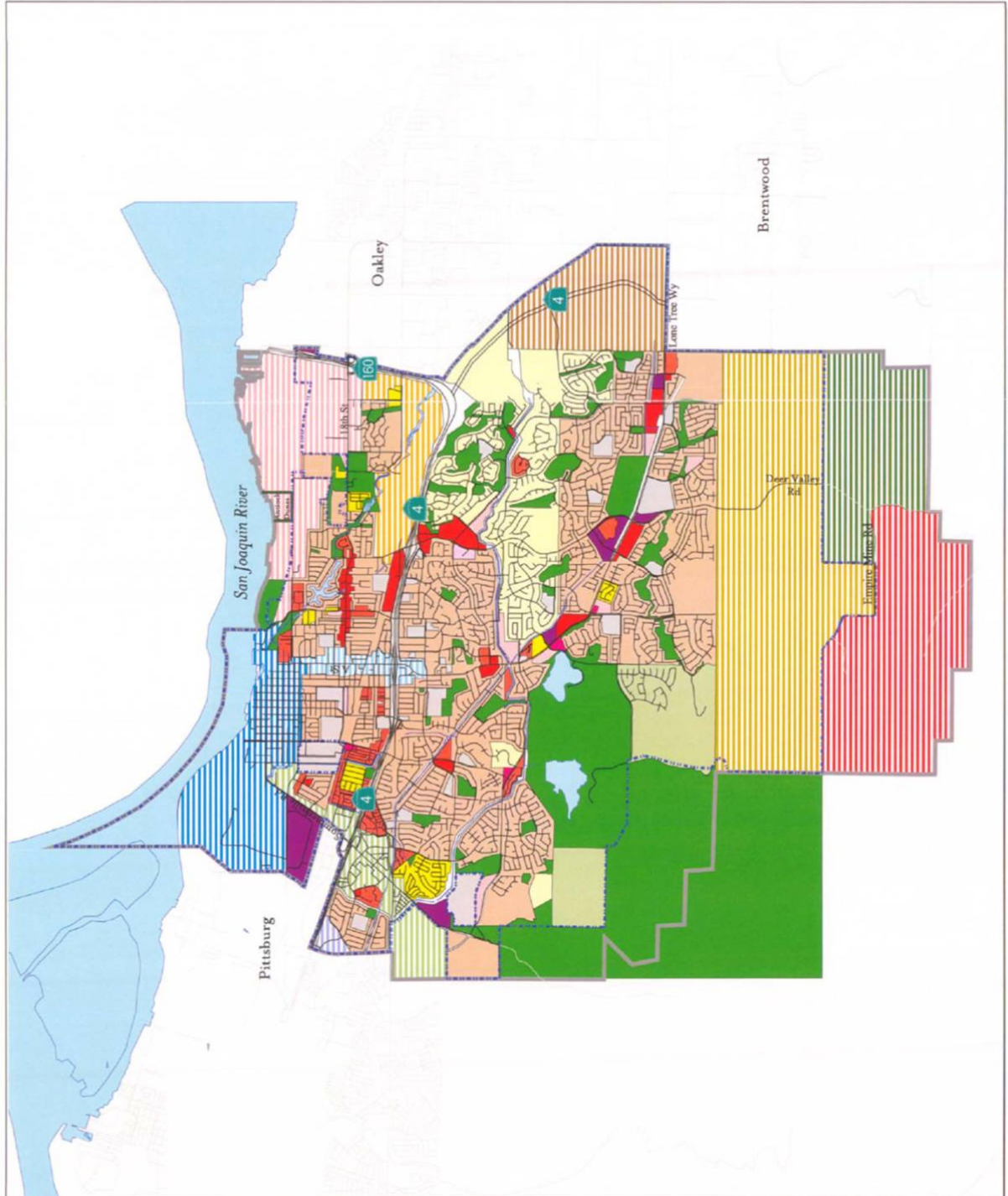
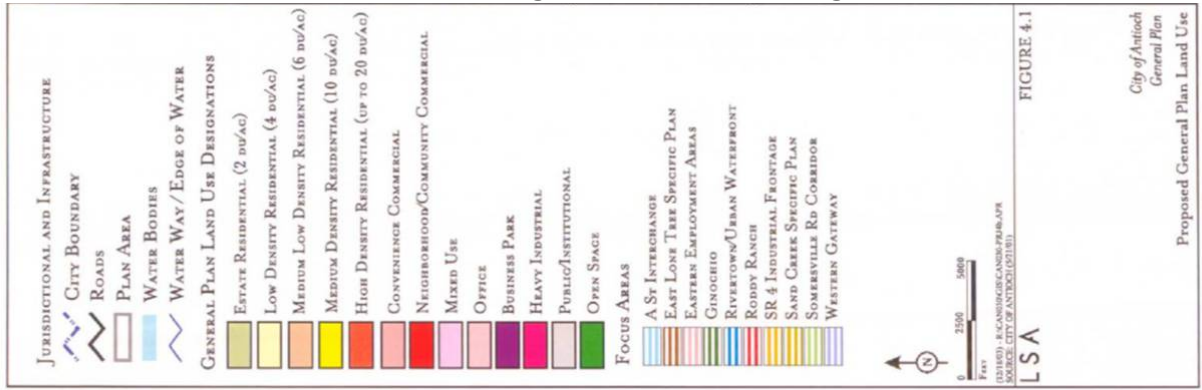


Exhibit E: Amended General Plan Table 4.C

Table 4.C - Anticipated Maximum General Plan Build Out in the Unincorporated Area

Land Uses	Single-Family (Dwelling Unit)	Multi-Family (Dwelling Unit)	Commercial/ Office (sq. ft.)	Business Park/ Industrial (sq. ft.)
<i>Residential</i>				
Estate Residential	15	--	--	--
Low Density Residential	--	--	--	--
Med Low Density Residential	250	--	--	--
Medium Density Residential	30	--	--	--
High Density Residential	--	--	--	--
<i>Subtotal</i>	<i>295</i>	<i>--</i>	<i>--</i>	<i>--</i>
<i>Commercial</i>				
Convenience Commercial	--	--	--	--
Neighborhood Commercial	--	--	--	--
Service Commercial	--	--	--	--
Commercial Office	--	--	--	--
<i>Subtotal</i>	<i>--</i>	<i>--</i>	<i>--</i>	<i>--</i>
<i>Industrial</i>				
Business Park	--	--	--	--
<i>Special</i>				
Mixed Use	--	--	--	--
Public Institutional	--	--	--	--
Open Space	--	--	--	--
<i>Subtotal</i>	<i>--</i>	<i>--</i>	<i>--</i>	<i>--</i>
<i>Focus Areas¹</i>				
"A" Street Interchange	--	--	--	--
East Lone Tree Specific Plan	--	--	--	--
Eastern Employment Areas	--	--	--	7,137,875
Ginocchio Property ¹	<u>400</u> 1,215	-- 135	-- 175,000	
Rivertown/Urban Waterfront	--	--	--	--
Roddy Ranch ²	<u>600</u> 1,500	<u>100</u> 200	425,000	--
SR-4 Frontage	--	--	--	--
Sand Creek	--	--	--	--
Somersville Road Corridor	--	240	--	1,581,690
Western Gateway	--	--	--	--
<i>Subtotal</i>	<i><u>1,000</u> 2,715</i>	<i><u>340</u> 575</i>	<i><u>425,000</u> 600,000</i>	<i>8,719,565</i>
TOTAL	<u>1,295</u> 3,010	<u>340</u> 575	<u>425,000</u> 600,000	8,719,565

Population	<u>4,476</u>	<u>9,815</u>	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.
Employed Population	<u>2,506</u>	<u>5,495</u>	
Total Jobs	<u>5,777</u>	<u>8,155</u>	
Retail Jobs	<u>220</u>	<u>310</u>	
Non-Retail Jobs	<u>5,557</u>	<u>7,845</u>	
Jobs/Population Ratio	<u>2.31</u>	<u>1.51</u>	² Urban development is dependent upon future revisions to the Urban Limit Line (see Policy 4.3.2F).

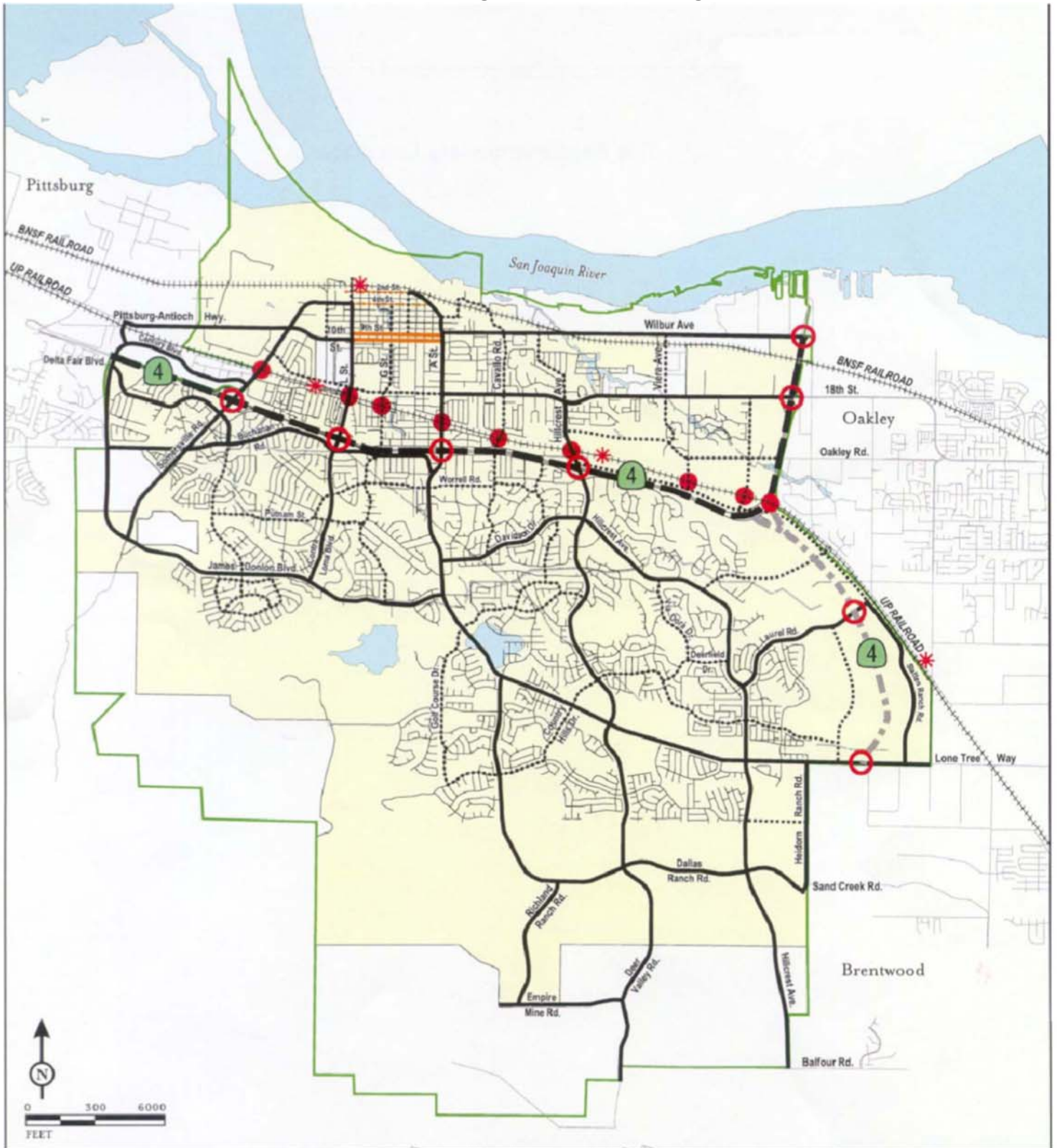
Exhibit F: Amended General Plan Table 4.D

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

Land Uses	Single-Family (Dwelling Unit)	Multi-Family (Dwelling Unit)	Commercial/ Office (sq. ft.)	Business Park/ Industrial (sq. ft.)
<i>Residential</i>				
Estate Residential	920	--	--	--
Low Density Residential	4,100	--	--	--
Med Low Density Residential	15,134	--	--	--
Medium Density Residential	6,520	4,330	--	--
High Density Residential	--	5,310	--	--
<i>Subtotal</i>	<i>26,674</i>	<i>9,640</i>	<i>--</i>	<i>--</i>
<i>Commercial</i>				
Convenience Commercial	--	--	277,900	--
Neighborhood Commercial	--	--	1,781,100	--
Service Commercial	--	--	776,680	--
Commercial Office	--	--	1,482,650	--
<i>Subtotal</i>	<i>--</i>	<i>--</i>	<i>4,318,330</i>	<i>--</i>
<i>Industrial</i>				
Business Park	--	--	--	3,353,210
<i>Special</i>				
Mixed Use	--	325	--	324,950
Public Institutional	--	--	--	5,968,350
Open Space	--	--	--	--
<i>Subtotal</i>	<i>--</i>	<i>325</i>	<i>--</i>	<i>9,646,510</i>
<i>Focus Areas¹</i>				
"A" Street Interchange	120	--	894,960	--
East Lone Tree Specific Plan	1,100	250	1,135,000	2,152,300
Eastern Employment Areas	12	248	25,000	13,064,000
Ginochio Property ¹	<u>400</u> 1,215	<u>--</u> 135	<u>--</u> 175,000	--
Rivertown/Urban Waterfront	1,755	2,225	1,028,325	3,489,100
Roddy Ranch ²	<u>600</u> 1,500	<u>100</u> 200	425,000	--
SR-4 Frontage	109	--	--	5,878,900
Sand Creek	3,537	500	1,240,000	2,600,000
Somersville Road Corridor	--	--	2,045,530	1,581,690
Western Gateway	--	340	--	560,350
<i>Subtotal</i>	<u>7,633</u> 9,348	<u>3,663</u> 4,181	<u>7,354,165</u> 7,529,165	<u>29,326,340</u>
TOTAL	<u>34,307</u> 36,002	<u>13,628</u> 14,396	<u>11,672,495</u> 11,847,495	<u>38,972,850</u>

Population	<u>131,291</u>	138,037	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.
Employed Population	<u>73,518</u>	77,295	
Total Jobs	<u>74,996</u>	75,255	
Retail Jobs	<u>15,100</u>	15,160	
Non-Retail Jobs	<u>59,896</u>	60,095	
Jobs/Population Ratio	<u>1.02</u>	0.97	² Urban development is dependent upon future revisions to the Urban Limit Line (see Policy 4.3.2F).

Exhibit G: Existing General Plan Figure 7.1



LSA

CITY OF ANTIOCH

PLANNING AREA
BOUNDARY



FREEWAYS



ARTERIALS



ARTERIAL (COUPLET)



MAJOR COLLECTOR



MAJOR COLLECTOR
(COUPLET)



RAIL



PROPOSED FREEWAY



RAILROAD GRADE SEPARATION



RAIL TRANSIT STATION



FREEWAY INTERCHANGE

FIGURE 7.1

City of Antioch
General Plan
Circulation

Exhibit H: Amended General Plan Table 9.U

Table 9.U - Lands Designated for Residential Development (in acres)

Land Uses	City of Antioch	Unincorporated Areas	Total
<i>Residential</i>			
Estate Residential	1,507.43	15.72	1,523.15
Low Density Residential	1,488.56		1,508.56
Med Low Density Residential	4,114.13	69.84	4,183.97
Medium Density Residential	1,082.80	5.36	1,088.16
High Density Residential	368.98		368.98
Subtotal	8,561.20	90.92	8,652.12
Mixed Use	23.31		23.31
<i>Focus Areas</i>			
"A" Street Interchange	180.26		180.26
East Lone Tree Specific Plan	795.87		795.87
Eastern Employment Areas			
Ginochio Property		<u>200</u> 1,068.26	<u>200</u> 1,068.26
Rivertown/Urban Waterfront	962.77		962.77
Roddy Ranch		<u>500</u> 1,710.72	<u>500</u> 1,710.72
SR-4 Frontage			
Sand Creek	2,700.74		2,700.74
Somersville Road Corridor			
Western Gateway			
Subtotal	4,639.64	<u>700</u> 2,778.98	<u>5,339.64</u> 7,418.62
TOTAL	13,224.15	<u>790.92</u> 2,869.90	<u>14,015.07</u> 16,094.05

Exhibit I: New Municipal Code Article 41 (Prezoning)

Article 41: RRMP Roddy Ranch Master Plan District

§ 9-5.4101 Purpose.

The RRMP District is intended to implement the General Plan's stated vision for the development of the Roddy Ranch Focus Area. The RRMP District shall encourage the use of flexible development standards designed to ensure the development of the District as a master planned community. The RRMP District shall be defined principally by large-lot estate residential development, in a resort style setting, clustered within natural and recreational open spaces and focused on the existing Roddy Ranch Golf Course. The general development standards applicable to the RRMP District are defined below. Specific development standards designed for the RRMP shall be implemented pursuant to a discretionary non-legislative final development plan prepared according the regulatory zoning parameters described in this Article. Unlike the Planned Development Districts contemplated by Article 23 or the Hillside Planned Development Districts contemplated by Article 24, the RRMP District zoning designation is not an overlay district and is depicted on the city's zoning map.

§ 9-5.4102 Uses Permitted.

The following uses are permitted within the RRMP District:

(A) Residential development is permitted within the RRMP District, provided it does not exceed a maximum of 700 dwelling units generally located lands not committed to open space nor having significant steep slopes or other significant environmental constraints. Of these 700 units, all or substantially all shall be Estate Residential; any balance shall be Multi-Family Attached residential project types, as defined in the General Plan, in a resort style setting. Residential neighborhoods within the RRMP District are encouraged to be designed to provide high quality housing, including large-lot estate housing that provides "move up" opportunities for local residents. Residential development is encouraged to incorporate residential village themes, providing identifiable neighborhood areas within the planned community. The identity of individual neighborhoods should be reinforced with differing architectural styles and locations within the community.

(B) Commercial uses are permitted within the RRMP District provided they primarily serve local neighborhood needs (e.g., grocery, drug store, and personal services) and are limited to that which can be supported by residential and recreational uses within the District (e.g., 10 to 20 acres, approximately 100,000 to 225,000 square feet of gross leaseable area). Visitor-serving commercial uses (e.g., hotel and restaurants) oriented toward the District's existing golf course are also permitted within the RRMP District. The hotel may include a maximum of 250 rooms with ancillary retail, conference, restaurant, and recreational uses. Visitor-serving commercial uses may occupy a total of 20 acres at a maximum building intensity of 0.50 floor area ratio.

(C) Uses otherwise permitted in the City may be included in the RRMP District, provided such uses are shown on the approved final development plan for the District and are in accordance with the General Plan.

Exhibit I: New Municipal Code Article 41 (Prezoning)

§9-5.4103 Procedure.

(A) A proposed final development plan for the RRMP District shall be submitted to City staff for review and recommendation by the Planning Commission and approval by the City Council. The Community Development Department shall, from time to time, issue reasonable application content requirements with which the proposed final development plan application must comply. The final development plan shall be subject to the Residential Development Allocation Program set forth in Article 40. Following a public hearing, the Planning Commission shall make a recommendation to the City Council based on substantial consistency with the General Plan and this Article and a review of the environmental impacts of the plan, the appropriateness and interrelationship of the proposed uses, any effects on traffic circulation due to development of the plan, the quality of the suggested site plan design and other details of the proposed development plan. In considering the final development plan at its public hearing, the Commission shall also determine its appropriateness based on its ability to meet the purpose of this Article. A favorable recommendation must include the findings listed in this Article for the RRMP final development plan and any proposed conditions. In addition, the Design Review Board must review the design features of the proposal (e.g., architecture, landscaping, signage) and any conditions of approval imposed by the Design Review Board shall be included in the recommendation to the Council. At its public hearing, the Council may decide to approve, conditionally approve, or deny the final development plan or return the matter to the Planning Commission or the Design Review Board, as appropriate, for further evaluation.

(B) (1) A use permit shall be required prior to the construction of any phase of the approved final development plan for the RRMP District. It is the intent of the use permit to further clarify the details of the development phase being considered and to ensure that each component complies with the established provisions of the final development plan, including any conditions of approval attached to the final development plan. The use permit is not intended to obtain further exactions of the developer but it is to refine the final development plan and implement the conditions of approval attached to the final development plan. Use permit approval shall be required prior to final map recordation for all projects within the RRMP District.

(2) A use permit may be granted by the Zoning Administrator or the Planning Commission, provided that the proposed development phase is in substantial conformance with the approved final development plan and the conditions thereof.

§ 9-5.4104 Relationship to Land Subdivision.

In situations where a subdivision of land (e.g., a tentative map) is undertaken in conjunction with the approval of the final development plan, such subdivision and approval may be processed concurrently.

§ 9-5.4105 Findings Required.

Prior to recommending the final development plan to the City Council, and prior to the City Council's approval of the final development plan, the following findings shall be made, based on substantial evidence in the entire administrative record:

Exhibit I: New Municipal Code Article 41 (Rezoning)

(A) The final development plan is substantially consistent with the requirements of the General Plan of the City.

(B) The final development plan is substantially consistent with the requirements of this Article.

(C) The residential portions of the final development plan are substantially consistent with the following development guidelines:

(1) Single Family Units (Estate Residential):

Lot Area	- Minimum: 15,000 sq.ft.
Lot Width	- Average: 100 feet
Lot Depth	- Minimum: 100 feet
Front Yard Setback	- Minimum: 20 feet to Garage - Minimum: 15 feet to Living Area or Porch
Side Yard Setback	- Aggregate: 25 feet - Minimum: 10 feet
Rear Yard	- Minimum: 20 feet
Building Height	- Maximum: 35 feet (two and one-half stories)
Off Street Parking Requirement	- Two off-street uncovered parking spaces

(2) Attached Units (Multi-Family Attached):

Lot Area	- N/A
Lot Width	- N/A
Lot Depth	- N/A
Front Yard Setback	- Minimum: 4 feet
Side Yard Setback	- Aggregate: 8 feet - Minimum: 4 feet (2nd or 3rd story may encroach 1.5 feet) - Side facing Street minimum: 10 feet
Rear Yard (Garage)	- Minimum: 4 feet
Garage Door Separation	- Minimum: 28 feet
Building Height	- Maximum: 35 feet (three stories)
Streets	- Major: public - Alleys: private (HOA maintained)

Exhibit I: New Municipal Code Article 41 (Prezoning)

Landscaping	<ul style="list-style-type: none">- Front yard & common areas<ul style="list-style-type: none">o To be installed by the Developer within 90 days of occupancy of each home- Common area landscaping<ul style="list-style-type: none">o Maintained by the HOA
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(D) The commercial portions of the final development plan are substantially consistent with the height and area regulations for the C-3 Service Commercial District zoning designation, as set forth in Chapter 5, Article 6, § 9-5.601 of the City's Municipal Code.

§ 9-5.4106 Lapse of Approval.

The RRMP District's final development plan shall expire 5 years after the date of its approval, unless there has been activity within the RRMP District (e.g., a use permit has been approved or a building permit issued for any development phase contemplated by the final development plan), an extension has been granted, or as otherwise provided by a development agreement.

§ 9-5.4107 Extension and Renewal.

A final development plan approval may be extended by the Zoning Administrator for a two-year period without notice or public hearings, if the required findings remain valid.

§ 9-5.4108 Plan Modifications.

A request for modifications to the final development or any conditions of approval thereof shall be treated as a new application, unless the Zoning Administrator finds that the changes proposed are minor in the context of the overall final development plan and are consistent with the intent of the original approval.

Exhibit J: Amended Municipal Code § 9-5.601

§ 9-5.601 INTRODUCTION.

The following chart and text are adopted as the city's basic height and area regulations. First find the appropriate zoning district on the left hand side of the table. Read across the chart opposite the specific zone in question and the height or area requirement for that zone, or a number, will appear in the appropriate column. If a number appears in the column, the requirement is listed by that number in the following listing of footnotes.

(Ord. 897-C-S, passed 10-25-94; Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1003-C-S, passed 2-25-03)

HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE										
Zone	Maximum Height Feet ^b	Minimum Building Site Sq. Ft.	Minimum Lot Width in Feet		Maximum Lot Coverage	Maximum Density Allowed per Gross Developable Acre ^d	Front Yard Minimum ^m	Minimum Side Yard Required in Feet ^e		Minimum Rear Yard Required in Feet
			Corner	Interior				Corner	Interior	
RE	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS									
RR	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS									
R-4	35	6,000	65	60	40%	4 du/acre	f	f	5 ft.	20 ft.
R-6	35	6,000	65	60	40%	6 du/acre	f	f	5 ft.	20 ft.
R-10	45	6,000	65	60	40%	10 du/acre	f	f	5 ft.	10 ft.
R-15	45	20,000	65	60	40%	15 du/acre	f	f	5 ft.	10 ft.
R-20	45	20,000	70	70	40%	20 du/acre	f	f	5 ft.	10 ft.
PBC	35	20,000	65	60	35%	0	f	f	0 ft.	0 ft.
C-0	35	20,000	65	60	35%	0	f	f	0 ft.	10 ft.
C-1	35	20,000	65	60	35%	0	f	f	0 ft.	10 ft.
C-2	35	20,000	65	60	35%	0	f	f	0 ft.	10 ft.
C-3	35	20,000	65	50	30%	0	f	f	0 ft.	10 ft.
C-4	70	20,000	65	60	30%	0	f	f	0 ft.	10 ft.
MCR ^j	45	6,500	65	60	50%	20 du/acre	f	f	5 ft.	10 ft.
RTC ^j	50	2,500	25 g	25 g	100%	20 h	0 i	0 i	0 ft.	0 ft.

Exhibit J: Amended Municipal Code § 9-5.601

RTR-20	45	20,000	100	100	50%	20	15	10	5 ft.	10 ft.
RTR-12	45	3,500	45	45	50%	12	15	10	5 ft.	15 ft.
RTR-9	35	5,000	50	50	50%	9	20	10	5 ft.	15 ft.
WF	45	6,500	60	60	60%	0	0	0	0 ft.	0 ft.
M-1	45	40,000	100	100	50%	0	f	f	0 ft.	0 ft.
M-2	70	40,000	100	100	50%	0	f	f	0 ft.	0 ft.
HPD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS									
PD	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS									
<u>RRMP</u>	<u>TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS IN A MANNER CONSISTENT WITH ARTICLE 41 OF THE MUNICIPAL CODE</u>									
B	SAME AS UNDERLYING BASE ZONE ^k									
H	70	SAME AS C-0 ZONE ^l								
OS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
S	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS									
SH	SAME AS UNDERLYING BASE ZONE									
T	SAME AS UNDERLYING BASE ZONE									
^a Where 40% or more of the frontage (excluding reversed frontage lots) in a block has been improved with buildings, the minimum required front yard for main buildings shall be the average of the improved lots if less than the front yard requirements, but not less than six feet from the property line.										
^b Height shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Exceptions to the specified height limitation shall include the spires, belfries, cupolas and domes of churches, monuments, watertowers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter.										
^c Minimum lot area in all zones shall not apply to the condominium parcelization of a larger project where land is being divided for individual building envelopes.										
^d Maximum density allowed is defined in the city General Plan as per the maximum developable gross acreage definition found in this chapter.										

Exhibit J: Amended Municipal Code § 9-5.601

^e For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10 foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three feet.

^f Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows:

	(1)	Non-residential and multi-family uses. Arterial street: minimum 30 foot setback with 30 foot landscaping on all frontages. Collector street: minimum 25 foot setback with 25 foot landscaping. Local street: minimum 20 foot setback with 20 foot landscaping.
	(2)	Single and two-family dwelling uses. Arterial street: minimum 30 foot setback with 30 foot landscaping on all frontages. Collector street: minimum 25 foot setback and landscaping for front yard and 10 foot street sideyard setback with landscaping. Local street: minimum 20 foot front yard setback with 20 foot of landscaping and 10 foot street sideyard with landscaping.

^g New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.

^h Within the area bounded by the Burlington Northern Santa Fe Railroad, "I" Street, Second Street, and "E" Street, residential density may be increased to 45 dwelling units per acre provided:

	(1)	The residential use is part of a mixed use development with the entire first floor devoted to commercial use;
	(2)	The proposed development provides public amenities as described in § 4 (relating to residential use in RTC); and
	(3)	The project has received use permit approval from the Planning Commission.

ⁱ Buildings in the RTC district shall be placed on the property line except for:

	(1)	Setbacks to accommodate outdoor dining and plazas, provided that such setbacks do not exceed a depth of one-third of the lot depth;
	(2)	Courtyards, promenades, and plazas located on any portion of the site; and
	(3)	Where a setback is necessary to maintain the uniform setback of building facades.

^j The first floor of a building shall extend from property line to property line except:

Exhibit J: Amended Municipal Code § 9-5.601

	(1)	In setback areas for outdoor dining, plazas; and
	(2)	For required vehicular or pedestrian access.
^k The B Combining Zone may add more restrictive or less restrictive requirements, including, but not limited to, height, area, setback or other requirements depending on the nature of the use, as determined by the Commission.		
^l In the H (Hospital) Combining Zone, all requirements shall be the same as the C-0 Zone.		
^m Notwithstanding any other provisions of this chapter for yard requirements, in any residential district the front of any garage shall be not less than 20 feet from the exterior property line on which such garage faces.		

Exhibit K: Development Agreement

THIS DEVELOPMENT AGREEMENT (the “Agreement”) is made and entered into in the City of Antioch on this ____ day of _____, 2005, by and between the City of Antioch, a municipal corporation (the “City”), and the holders of legal or equitable interests in the land located within the unincorporated area of Contra Costa County within the City’s sphere of influence and commonly known as “Roddy Ranch” (the “Applicant”), pursuant to the authority of California Government Code §§ 65864 *et seq.*

RECITALS

A. On November 23, 2003 the City of Antioch adopted its updated General Plan which approved a long term planning vision for the Roddy Ranch Focus Area (as defined therein), in part to further the City Council’s goals of attracting jobs and businesses to Antioch and reducing commute times for residents of Antioch. The Roddy Ranch Focus Area covers approximately 2,100 acres bordering the City. The development rights covering approximately 875 acres of the Roddy Ranch Focus Area have already been deeded to Contra Costa County for permanent open space and approximately 230 acres are currently used for the operations of the Roddy Ranch Golf Course. The voters of the County in 1990 approved Measure C-1990, which directed creation of a County urban limit line that included approximately 850 acres of the Roddy Ranch Focus Area. Over the objections of the City, the County in 2000 excluded the entire Roddy Ranch Focus Area from the County’s urban limit line.

B. The Contra Costa County Local Agency Formation Commission completed proceedings to bring the Roddy Ranch, defined below, within City’s sphere of influence.

C. To provide the City with greater control over the future of this important area, a citizen’s initiative entitled the City of Antioch Growth Control, Traffic Relief, Voter-Approved Urban Limit Line, and Roddy Ranch Development Reduction Initiative (the “Initiative”) was circulated to affirm the Council’s planning vision for the Roddy Ranch Focus Area while proposing additional development restrictions. The Initiative includes 1) a general plan amendment reducing the potential maximum buildout of the Roddy Ranch Focus Area from approximately 1,700 potential units to not more than 700 large-lot estate residential and multi-family attached residential units, 2) a general plan amendment to adopt the City’s own voter-approved urban limit line which, with respect to the Roddy Ranch Focus Area, is in the same location as the urban limit line adopted by the voters in 1990, (collectively (1) and (2) herein are the “General Plan Amendments”), 3) a rezoning of the Roddy Ranch Focus Area and Roddy Ranch, as defined below, to Roddy Ranch Planned District (the “RRMP Rezoning”) and 4) this Agreement. The General Plan Amendments, the RRMP Rezoning and this Agreement shall be referred to as the “Legislative Project Approvals” and the mixed use and open space project consistent with these Legislative Project Approvals shall be referred to as the “Project”. This Agreement is consistent with the City’s General Plan, as amended by the Initiative.

D. Consistent with the Initiative and the Legislative Project Approvals, the parties anticipate that during the term of this Agreement and subsequent to the “Effective Date,” defined below, Applicant will seek from City certain other implementing non legislative project level land use approvals, entitlements, and permits that are necessary or desirable for the Project (the “Subsequent Approvals”). The Subsequent Approvals may include, without

Exhibit K: Development Agreement

limitation, project-level final development plans, residential development allocations issued pursuant to Article 40 of the Antioch Municipal Code, vesting tentative subdivision maps, final subdivision maps, design review approvals, improvement agreements, development permits, lot line adjustments, use permits, and any amendments to the foregoing.

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Applicant agree as follows:

AGREEMENT

Article I Description of Roddy Ranch, Effective Date and Term.

Section 1.01. Description of Roddy Ranch. The real property which is the subject of this Agreement is described in the attached DA Exhibit A and is referred to herein as “Roddy Ranch”. More particularly, the term “Roddy Ranch,” as used herein, shall mean only that real property described in the attached DA Exhibit A that is within the City’s sphere of influence and subsequently annexed to the City. To the extent any portion of the real property described on DA Exhibit A is not within the City’s sphere of influence and annexed to the City (the “Excluded Property”), this Agreement shall be null and void only as to such Excluded Property. Following the annexation of all or any portion of the property described in DA Exhibit A to City, the City shall ensure that DA Exhibit A is revised, at Applicant’s expense, to exclude any Excluded Property.

Section 1.02. Effective Date. This Agreement shall be entered into and dated within ten (10) days of the later of the effective date of the Initiative or the Legislative Project Approvals (the “Execution Date”). The rights, duties and obligations of the parties hereunder shall be effective, and the term shall commence on the later of (i) the Execution Date, (ii) the date the election results on the Initiative approving this Agreement and the Legislative Project Approvals are certified by the City Council in the manner provided by the Elections Code, or (ii) the completion of annexation proceedings annexing Roddy Ranch to the City (the “Effective Date”). If annexation proceedings annexing Roddy Ranch to the City are not completed within ten (10) years following the Effective Date, this Agreement shall be null and void. Not later than ten (10) days after the Effective Date, City, by and through its Mayor, shall execute and acknowledge this Agreement, and, provided this Agreement is first executed and acknowledged by Applicant, not later than (10) days after the Effective Date, the City Clerk shall cause this Agreement to be recorded in the Official Records of Contra Costa County.

Section 1.03. Term. The term of this Agreement shall commence on the Effective Date and extend fifteen (15) years thereafter (the “Term”).

Article II Standards, Laws and Procedures Governing the Project.

Section 2.01. Vested Right To Develop. Applicant shall have a vested right to develop the Project on Roddy Ranch in substantial conformance with the terms and conditions of the Legislative Project Approvals, the Subsequent Approvals (as and when issued), the Applicable Law (defined below) and amendments as shall, from time to time, be approved pursuant to this Agreement. Specifically, subject to compliance with CEQA covering the Subsequent

Exhibit K: Development Agreement

Approvals, federal and state laws, and the City's remaining discretion in connection with the Subsequent Approvals, Applicant shall have the vested right to develop the commercial, hotel, and resort uses and 700 residential units, all or substantially all of which shall be Estate Residential and any balance shall be Multi-Family Attached, in accordance with the Legislative Project Approvals.

Section 2.02. Permitted Uses. The permitted uses of Roddy Ranch; the density and intensity of use of the Roddy Ranch; the maximum height, bulk and size of the proposed buildings; provisions for reservation or dedication of land for public purposes and the location of public improvements; the general location of public utilities; and other terms and conditions of development applicable to the Project, shall be as set forth in the Legislative Project Approvals and, as and when they are issued (but not in any limitation of any right to develop as set forth in the Legislative Project Approvals), the Subsequent Approvals.

Section 2.03. Applicable Law. "Applicable Law" shall mean the existing rules, regulations, official policies, standards and specifications governing permitted uses of the Roddy Ranch, governing density, and governing the design, improvements, the City's Residential Development Allocation Program (as set forth in Article 40 of the Antioch Municipal Code), and construction standards and specifications applicable to the Project and the Roddy Ranch, as set forth in this Agreement and the Legislative Project Approvals, and in force and effect on the Effective Date. Nothing in this Agreement is intended to address the applicability of City development-related impact fees, processing fees or other fees that may be imposed by City against the Project. The parties acknowledge that the Project will be subject to the City's residential development allocation program as of the Effective Date.

Section 2.04. Moratorium, Initiatives and Conflicting Enactments. To the extent consistent with state law (and excepting a declaration of a local emergency or state emergency as defined in Government Code § 8558), if any ordinance, resolution or other measure is enacted subsequent to the Effective Date, whether by action of City, by initiative, referendum, or otherwise, that imposes a building moratorium, a limit on the rate of development, or a voter-approval requirement which would otherwise affect the timely development of the Project on all or any part of Roddy Ranch, City agrees that such ordinance, resolution or other measure shall not apply to the Project, Roddy Ranch, this Agreement, the Legislative Project Approvals, or the Subsequent Approvals, if any, during the Term.

Section 2.05. Life of Legislative Project Approvals or Subsequent Approvals. The term of any Legislative Project Approval or Subsequent Approval shall automatically be extended for the longer of Term of this Agreement or the term otherwise applicable to such Legislative Project Approval or Subsequent Approval if this Agreement is no longer in effect. The Term of this Agreement, any other Legislative Project Approval or Subsequent Approval shall not include any period of time during which any applicable development or utility moratorium, lawsuit or the actions of other public agencies that regulate land use, delays construction of the Project.

Section 2.06. Development Timing. Subject to Applicable Law, including the City's Residential Development Allocation Program (as set forth in Article 40 of the City's Municipal Code), Applicant shall have the right to develop the Project in such order and at such rate and

Exhibit K: Development Agreement

at such times as Applicant deems appropriate within the exercise of its subjective business judgment. Notwithstanding the foregoing, Applicant has agreed that it shall not apply for, and City shall not issue, any building permits for the Project prior to January 1, 2009.

Section 2.07. Verification of Water Supply. To the extent any vesting tentative maps or tentative maps approved for the Project would trigger the application of Government Code § 66473.7, the Project shall comply with provisions of Government Code § 66473.7.

Section 2.08. Compliance with State and Federal Law. This Agreement is subject to Applicant's compliance with all applicable federal and state laws and regulations and compliance with the California Environmental Quality Act, Public Resources Code § 21000 *et seq.* ("CEQA").

Article III Applicant Obligations.

Section 3.01. Funding of Environmental Review. Applicant agrees, to the extent permitted by law, that prior to City's approval of any discretionary Subsequent Approval, it will fund at its expense, an environmental impact report evaluating the environmental impacts associated with the Project in accordance with CEQA.

Section 3.02. School District Contribution. Although the Project will not be served by the Antioch Unified School District (the "District"), to improve the quality of schools in Antioch, Applicant agrees to contribute to District One Million Dollars (\$1,000,000), payable at City's issuance of the first residential building permit for the Project. This District contribution shall be used by District exclusively for performing arts, music, and sports programs.

Section 3.03. Funding of State Highway 4/Vasco Road Improvements. In order to further reduce any traffic impacts resulting from the Project, Applicant agrees to contribute \$1,000,000 to the City for improvements to State Highway 4 Bypass/Vasco Road, which amount shall be paid upon City's issuance of the first residential building permit for the Project. This obligation shall be addition to Applicant's obligation to comply with applicable regional and subregional transportation fees.

Section 3.04. Business Park Feasibility Study. In order to study the feasibility of locating a business park in the City to create high-quality jobs for Antioch residents, Applicant agrees to contribute \$50,000 to the City to fund such a feasibility study. Applicant shall make such contribution no later than City's issuance of the first residential building permit for the Project.

Article IV City Obligations.

Section 4.01. Processing Subsequent Approvals. The Subsequent Approvals shall be deemed tools to implement those final policy decisions reflected by the Legislative Project Approvals and shall be issued by City so long as they comply with this Agreement and Applicable Law and are not inconsistent with the Legislative Project Approvals. Consistent with the Initiative, unless agreed to by Applicant, the City shall not require any further legislative level entitlements to enable Applicant to build out the Project.

Exhibit K: Development Agreement

Article V Miscellaneous.

Section 5.01. Amendment to Subsequent Approvals. Any Subsequent Approval or amendment to a Subsequent Approval shall, upon approval or issuance, be automatically vested and incorporated into this Agreement.

Section 5.02. Amendment to this Agreement. Amendments to this Agreement shall be in accordance with state law and Article 32, § 9-5.3208 of the Antioch Municipal Code.

Section 5.03. Cooperation in Event of Legal Challenge. In the event of an administrative, legal or equitable action or other proceeding instituted by any person not a party to this Agreement challenging the validity of this Agreement or any Legislative Project Approval or Subsequent Approval, the parties shall cooperate in defending such action or proceeding. The parties shall use best efforts to select mutually agreeable legal counsel to defend such action, and Applicant shall pay compensation for such legal counsel; provided, however, that such compensation shall include only compensation paid to counsel not otherwise employed as City staff and shall exclude, without limitation, City Attorney time and overhead costs and other City staff overhead costs and normal day-to-day business expenses incurred by City. Applicant's obligation to pay for legal counsel shall not extend to fees incurred on appeal unless otherwise authorized by Applicant. In the event City and Applicant are unable to select mutually agreeable legal counsel to defend such action or proceeding, each party may select its own legal counsel at its own expense.

Section 5.04. Defaults. In the event City or Applicant defaults under the terms of this Agreement, City or Applicant shall have all rights and remedies provided under law.

Section 5.05. Periodic Review. Throughout the Term of this Agreement, at least once every twelve (12) months following the execution of this Agreement, City shall review the extent of good-faith compliance by Applicant with the terms of this Agreement in accordance with the City's Development Agreement enabling ordinance and consistent with Article 32, § 9-5.3205.

Section 5.06. California Law. This Agreement shall be construed and enforced in accordance with California Law.

Section 5.07. Attorneys Fees. In any legal action or other proceeding brought by either party to enforce or interpret a provision of this Agreement, the prevailing party is entitled to reasonable attorney's fees and any related costs incurred in that proceeding in addition to any other relief to which it is entitled.

Section 5.08. Severability. If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the parties.

Section 5.09. Covenants Running with the Land. All of the provisions contained in this Agreement shall be binding upon the parties and their respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Project, or any

Exhibit K: Development Agreement

interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code § 1468.

Section 5.10. Notices. Any notice or communication required hereunder between City and Applicant must be in writing, and may be given either personally, by telefacsimile (with original forwarded by regular U.S. Mail) by registered or certified mail (return receipt requested), or by Federal or other similar courier promising overnight delivery to the respective addresses specified by each party. Any party hereto may at any time, by giving ten (10) days written notice to the other party hereto, designate any other address in substitution of the address to which such notice or communication shall be given.

Section 5.11. Exhibits. The following exhibit is attached to this Agreement and incorporated herein for all purposes:

DA EXHIBIT A—Legal Description of RODDY RANCH FOCUS AREA

IN WITNESS WHEREOF, this Agreement has been entered into by and between Applicant and City as of the day and year first above written.

CITY:

City of Antioch, a California municipal corporation

By: _____
Name: _____
Title: _____

APPLICANT:

By: _____
Name: _____
Title: _____

Exhibit K: Development Agreement

DA Exhibit A **Legal Description**

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

PARCEL B, AS SHOWN ON THE PARCEL MAP FILED JULY 26, 1979, BOOK 79 OF PARCEL MAPS, PAGE 18, CONTRA COSTA COUNTY RECORDS.

EXCEPTING THEREFROM THOSE PORTIONS THEREOF LYING WITHIN LOT 9, AS SHOWN ON THE MAP OF SUBDIVISION 6402, FILED NOVEMBER 26, 1985, MAP BOOK 296, PAGE 47, CONTRA COSTA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN PARCEL B, AS SHOWN ON THE MAP OF SUBDIVISION M.S. 98-86(A), FILED SEPTEMBER 21, 1988, BOOK 135 OF PARCEL MAPS, PAGE 45, CONTRA COSTA COUNTY RECORDS.