

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The people of the City of Brentwood do ordain as follows:

Section 1. Title.

This initiative measure shall be known as the “Vineyards at Deer Creek Voter Initiative” (the “Initiative”).

Section 2. Findings and Purpose.

A. Findings. The people of the City of Brentwood (“City”) find and declare the following:

1. This Initiative relates to an approximately 815-acre area located north of Balfour Road in the City of Brentwood’s planning area, just outside and west of the City’s municipal boundaries and sphere of influence (the “Property”).
2. In July 2014, the City Council—after extensive public participation—adopted an updated City of Brentwood General Plan (“General Plan” or “2014 General Plan Update”), which expressly recognized that the Property “may be suitable for annexation [to the City] in the future” and prioritized “the placement of [the Property] within Brentwood’s planned expansion boundary.” The 2014 General Plan Update designated the Property as “Special Planning Area 2” (one of only two Special Planning Areas) and adopted a requirement for the future adoption of a specific plan or planned development zoning for the Property in order to, among other things: facilitate high quality development, provide developments that are more sensitive to the environment, and facilitate the provision of special amenities. Specifically, the 2014 General Plan Update contemplates development in Special Planning Area 2 that includes a significant area of protected open space, residential uses (including age-restricted housing units) and a limited area of local-serving general commercial use.
3. This Initiative implements and fulfills these provisions of the 2014 General Plan Update by approving the Vineyards at Deer Creek Specific Plan (“Specific Plan”), attached hereto and incorporated herein as Exhibit E, facilitating the future development of the Property as a new residential community of up to 2,400 dwelling units, at least 80% of which must be active-adult age-restricted for seniors 55 years of age and older, and qualified permanent residents living with those seniors, as permitted by state law (the “Specific Plan Area”). The Property, Special Planning Area 2, and the Specific Plan Area, as discussed herein, encompass the same area.
4. Consistent with the 2014 General Plan’s vision, the Specific Plan Area shall include a *minimum* of 225 acres of open space, a portion of which will be permanent agricultural crops such as vineyards and olive groves, reinforcing the characteristics of a Mediterranean environment. Further, the Specific Plan requires a 100-foot buffer from existing residential uses along the eastern boundary of the Specific Plan Area, and requires any residential uses immediately adjacent to that buffer to be limited to single-story/single-story profile residential homes.
5. The Specific Plan will also provide numerous benefits to all City residents. Specifically, development of the Specific Plan Area shall require long-desired off-site roadway improvements: (1) the extension of American Avenue, consisting of its continuation west and north to Balfour Road; and (2) the widening of significant portions of Balfour Road from two to four lanes. In addition to these improvements, development of the Specific Plan Area will generate substantial, new transportation funding that will be available for the improvement of the surrounding roadway network, which funds are encouraged to be allocated to safety improvements to Deer Valley Road. Development of the Specific Plan Area will also be required to pay fire facilities fees and, based on the current fee schedule, buildout of the Specific Plan Area will generate approximately two million dollars in new funding for the East Contra Costa Fire Protection District.
6. The Specific Plan, consistent with the 2014 General Plan Update, also allows for a limited, local-serving commercial area of approximately 20 acres, which may only be located on the southwestern corner of Deer Valley and Balfour Roads. This area is

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envisioned for agricultural and farm-to-table related civic uses and functions, such as an outdoor amphitheater; winery; farm-to-table restaurant/bar; a wine barn for tastings, weddings, and other community events; a commercial nursery; an indoor community greenhouse; and outdoor community garden plots, but also allows for other local-serving commercial uses.

7. This Initiative also makes a modest amendment to the City's Urban Limit Line ("ULL"). In 2004, the voters of Contra Costa County adopted Measure J, which requires local jurisdictions to adopt a voter-approved urban limit line (ULL) in order to continue to receive certain County transportation funding. In November 2006, Contra Costa County voters adopted Measure L, which approved a ULL for Contra Costa County. Subsequently, the Contra Costa Transportation Authority adopted a Revised Growth Management Program, providing that local jurisdictions could satisfy Measure J's ULL requirement in various ways, including by adopting their own ULL or by adopting the County's voter-approved ULL if it had been approved by a majority of the local jurisdiction's voters in the 2006 Measure L election. In 2008, therefore, the Brentwood City Council satisfied Measure J's ULL requirement by adopting the County's ULL (which had been approved by a majority of Brentwood voters voting on Measure L) as the City of Brentwood's ULL (see Exhibit F hereto for informational purposes only). In 2014, in connection with the General Plan Update, the City incorporated the ULL into the General Plan by adopting Figure LU-3 ("City Limits, Sphere of Influence, Urban Limit Line, and Planning Area") of the City's General Plan. Because the Specific Plan Area is currently located just outside the City's ULL, this Initiative amends the City's ULL (as set forth in amended Figure LU-3) to bring only the Specific Plan Area within that boundary.
8. This Initiative also includes certain conforming amendments to the City's General Plan and Zoning Ordinance (Title 17 of the Brentwood Municipal Code) in order to facilitate the development of the Specific Plan Area as an attractively designed and highly livable environment primarily for seniors 55 years of age and older. The policies, development standards, and design guidelines in this Initiative, including in the Specific Plan, are intended to ensure that the actions approved by this Initiative will be consistent with the City's General Plan, as amended.
9. Because the development of the Specific Plan Area will require various discretionary actions by the City and others in the future, as set forth in more detail in the Specific Plan, compliance with the California Environmental Quality Act ("CEQA") will be required with respect to those future actions. The voters acknowledge that said compliance will likely include the identification of certain measures intended to avoid or substantially lessen the significant environmental impacts of the development anticipated by the Specific Plan, which measures may be imposed by the City as a condition of approval to such subsequent discretionary actions provided those measures are feasible within the meaning of CEQA.
10. By proposing and adopting this Initiative, the voters are intending to exercise, and hereby do exercise, their right to initiative under the California Constitution, which includes but is not limited to the right to amend their General Plan, amend the City's Urban Limit Line), adopt a Specific Plan, adopt a zoning designation for the Specific Plan Area, and make other important legislative decisions with respect to City of Brentwood land use matters. However, the voters expressly acknowledge: (1) the Specific Plan Area is not currently located within the City of Brentwood's municipal boundaries or Sphere of Influence (SOI); (2) the Specific Plan Area must therefore be annexed into Brentwood's municipal boundaries and SOI prior to the commencement of any development contemplated by the Specific Plan; and (3) any and all changes to the City's municipal boundaries and/or SOI must be reviewed and approved by Contra Costa Local Area Formation Commission (LAFCo) pursuant to a separate process controlled by state law. As such, these future boundary changes, although anticipated, are not made by this Initiative. This Initiative, therefore, shall not be construed as attempting to change or modify the City's municipal or SOI boundaries in any way.

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11. The provisions of this Initiative, including the adoption of the Specific Plan and modification of the ULL, are in the public interest and are consistent with the General Plan as amended by this Initiative.
 12. Implementation of this Initiative, including but not limited to the Specific Plan and its identified off-site, public roadway improvements, is necessary and desirable to protect, and will protect, the public health, safety, welfare, and quality of life for the People of the City of Brentwood, as set forth above.
- B.** Purpose. The purpose of this Initiative is to facilitate the future development of the Specific Plan Area in a manner contemplated by the City of Brentwood 2014 General Plan Update by including the Specific Plan Area within the City’s Urban Limit Line, adopting the Vineyards at Deer Creek Specific Plan, which includes exceptional benefits, high-quality design, and significant traffic circulation improvements, and adopting conforming amendments to the City’s General Plan and Zoning Ordinance.

Section 3. Amendments to the *City of Brentwood General Plan*.

The voters hereby amend the *City of Brentwood General Plan* as follows (new language to be inserted into the General Plan is shown as underlined text and language to be deleted is shown in ~~strike through text~~; language shown in regular, italics or bold (not underlined) type reflects the existing General Plan text and is provided for informational/reference purposes only):

A. Amendments to Chapter 7, “Growth Management.”

The section titled “Overview” of the Growth Management Element (Chapter 7) of the City of Brentwood General Plan is amended as follows:

Overview

Growth management is the use of a wide range of techniques to determine the amount, type, and rate of development desired by the community and to channel that growth into designated areas. A growth management system is commonly organized into a set of goals, objectives, policies, and performance standards that guide the physical development of a community.

Growth management systems promote a variety of environmental, social, and economic goals, including balancing the service costs and revenues associated with development; protecting environmental and aesthetic qualities; encouraging the efficient use of land, water, and energy resources; preserving community identity; and protecting the economic base of the community.

The Growth Management Element is part of the General Plan because the City wants to ensure orderly and fiscally sustainable growth, while maintaining high levels of public services and infrastructure, and because Contra Costa County voters approved a 0.5% sales tax increase in November 1988, commonly known as “Measure C,” that includes both Transportation Improvement and Growth Management Programs (GMP). The overall goals of the Measure C program are:

- To relieve congestion created by past development through road and transit improvements funded by the proceeds of the sales tax increase; and
- To prevent future development decisions from resulting in the deterioration of public services and unacceptable traffic performance standards.

To be eligible for its share of revenue generated under Measure C, the City of Brentwood must commit itself, as a matter of public policy, to carrying out the following objectives:

- Manage congestion by adopting and applying traffic service standards for streets, roads, and Regional Routes; and

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- Adopt policies for fire protection, police, parks, water, flood control, and sanitary sewer service level standards that will be met as the city grows.

The City of Brentwood continues to demonstrate a commitment to growth management while providing adequate levels of public services. This commitment is demonstrated through adoption of the Growth Management Element, which conforms to Measure C (Contra Costa Transportation Improvement and Growth Management Program) and Proposition 111, a State measure that provides funding to local governments on the basis of compliance with the Congestion Management Program (CMP).

In Contra Costa County, the CMP requirements have been incorporated into the Action Plan for East Contra Costa County. Brentwood is participating in the preparation of the Action Plan for East Contra Costa County along with the cities of Antioch and Pittsburg, as well as Contra Costa County.

The key objective of the Action Plan is to maintain levels of service for roads and other public facilities. Failure to meet established standards could result in a reduced level of funding from Measure C and State sources.

In November 2004, voters in Contra Costa County extended the Measure C sales tax until 2034 through the passage of Measure J. While this new measure retained many of the components of the Measure C GMP, some changes were made, most notably the requirement for the adoption of an Urban Limit Line (ULL) for each jurisdiction.

At its January 8, 2008 meeting, the City Council adopted the Contra Costa County Measure L Voter-Approved Urban Limit Line (Resolution No. 2008-3) as the City of Brentwood's Urban Limit Line, which was approved by the majority of Brentwood voters in November 2006. Subsequently, the voters of the City of Brentwood, as permitted by the California Constitution and in compliance with Measure J, amended Brentwood's Urban Limit Line to include the area identified in this General Plan as SPA 2/VDCSP (Special Planning Area 2/Vineyards at Deer Creek Specific Plan). This Urban Limit Line for Brentwood is hereby incorporated within the City's Growth Management Element, and the configuration is as shown in the Land Use Element (Figure LU-3). Any changes to the ULL must be completed in accordance with City Council Resolution No. 2008-3 and consistent with the provisions of Measure J. As with Measure C, compliance with Measure J requires the City to continue to participate in the regional fee program (ECCRFFA & ECFA) and collect regional fees for improvements to regional routes (SR 4 Bypass and SR 4).

The concept of growth management, including the provision of high quality public services and infrastructure, is addressed throughout the General Plan. For example, the Circulation Element includes numerous requirements to ensure that the roadway system in and around Brentwood will meet applicable level of service (LOS) standards, including LOS standards on Routes of Regional Significance identified by the Contra Costa Transportation Authority (CCTA). The Infrastructure Element includes provisions to ensure that future development projects pay their fair-share towards necessary infrastructure improvements, and do not result in adverse impacts to existing development. The Community Services and Facilities Element includes a wide range of policies and actions to ensure the provision of high quality public services, including police, fire, parks, and other governmental services.

The Growth Management Element meets the requirements of Measure C and Measure J, and identifies the applicable General Plan policies and actions that would ensure compliance with local and regional growth management objectives.

B. Amendments to Chapter 9, "Land Use."

A new section titled "Density Calculation for SPA 2/VDCSP" is added to the Land Use Element (Chapter 9) of the City of Brentwood General Plan as follows:

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Density Calculation for SPA 2/VDCSP

Notwithstanding anything to the contrary, and solely for purposes of calculating whether the area designated SPA 2/VDCSP is in compliance with the three dwelling units per acre requirement established in this General Plan and reflected in the Vineyards at Deer Creek Specific Plan, density shall be calculated based on total acreage of the SPA 2/VDCSP area. Under no circumstances shall the total residential unit count in the SPA 2/VDCSP area exceed 2,400 units.

The section titled “Planning Boundaries” of the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Planning Boundaries

There are four key boundary lines addressed by the General Plan. These include the city limits, the Sphere of Influence (SOI), the Urban Limit Line (ULL), and the Planning Area, as shown on Figure LU-3.

City Limits: Includes the area within the City’s corporate boundary, over which the City exercises land use authority and provides public services.

Sphere of Influence (SOI): The probable physical boundary and service area of the City, as adopted by the Local Agency Formation Commission (LAFCO). The SOI includes both incorporated and unincorporated areas within which Brentwood will have the primary responsibility for the provision of public facilities and services. Lands within the SOI but outside existing city limits may be considered for development after annexation. Until that time, the area within the SOI is under the jurisdiction of Contra Costa County and its General Plan; however, City policies will influence the County’s considerations of development proposals for lands within the SOI.

Urban Limit Line (ULL): A countywide growth management tool used to ensure that each jurisdiction in the county regulates the geographic extent of urban growth and has a plan for future transportation improvements and urban services. The establishment of an urban limit line is a requirement of Measure J, which took effect on April 1, 2009. Compliance with Measure J is necessary for local jurisdictions to continue receiving their share of Local Transportation Maintenance and Improvement funds generated by the Measure J transportation sales tax and to be eligible for Contra Costa Transportation for Livable Communities funds. All jurisdictions in the county (including Brentwood) had the option of either adopting the Measure L County voter-approved urban limit line or their own local voter-approved urban limit line. In January 2008, the Brentwood City Council adopted a resolution adopting the Measure L County voter-approved urban limit line. Subsequently, the voters of the City of Brentwood, as permitted by the California Constitution and in compliance with Measure J, amended Brentwood’s Urban Limit Line to include the area identified in this General Plan as SPA 2/VDCSP (Special Planning Area 2/Vineyards at Deer Creek Specific Plan). The ULL is depicted on Figure LU-3.

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Planning Area: For the purposes of the General Plan, the Planning Area is defined as the area surrounding the city limits and SOI that is included in the analysis and planning for the 20- year horizon of the General Plan.

Background information regarding land use is presented in Chapter 1.1 of the General Plan Update Existing Conditions Report.

The subsection titled “Specific Plan and Planned Development Land Use Designations” within Policy LU 1-2 of the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Specific Plan and Planned Development Land Use Designations ¹

Downtown Specific Plan (DSP) – The DSP designation provides for the current and future uses of the Downtown area of Brentwood, in accordance with the Downtown Specific Plan. Its purpose is to create a pedestrian-oriented, economically-viable town center. A variety of uses are allowed in this designation, including entertainment, retail, commercial, residential, civic, cultural, and transit in a compact, walkable, and unique setting that only the Downtown can offer. All new development occurring within the DSP designations required to adhere to the development standards and guidelines established in the Downtown Specific Plan.

Brentwood Boulevard Specific Plan (BBSP) – The BBSP designation provides for the current and future uses along the Brentwood Boulevard corridor, in accordance with the Brentwood Boulevard Specific Plan. The BBSP designation accommodates a range of residential, commercial, office, mixed use, and other complementary uses that encourage the revitalization of the Brentwood Boulevard corridor within the Brentwood Boulevard Specific Plan area.

Planned Development (PD) – The PD designation identifies areas where a master planned project has been approved and entitled, and site specific zoning has been established. The PD land use designation defaults to the zoning that is in place for the subject parcel.

Priority Area One Specific Plan (PA- 1) — The PA- 1 designation provides for development of the area it encompasses as the city’s primary employment center, centered around a vibrant, compact, mixed- used district that supports a future transit station. The PA- 1 designation accommodates a range of local and regional employment opportunities, and a wide variety of uses, including residential; human services; urban agriculture and animal-related; institutional; utility, transportation, and communication; commercial; auto-related; industrial, manufacturing, processing; accessory, and temporary uses, as well as open space.

¹The Vineyards at Deer Creek Specific Plan is covered by the SPA 2/VDCSP designation, below, which provides for the future uses within the SPA 2/VDCSP area, in accordance with the Vineyards at Deer Creek Specific Plan.

The subsection titled “Special Planning Areas” within Policy LU 1-2 of the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Special Planning Areas

Special Planning Area (SPA) - Two Special Planning Areas are designated by the General Plan. These areas have been designated as Special Planning Areas for one or more of the following reasons:

1. To facilitate comprehensive planning of large strategic areas utilizing progressive planning techniques to ensure high quality development and integrate development with the provision of infrastructure;
2. They are located in strategic locations that will be impacted by land use decisions not totally within the control of the City of Brentwood;

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3. A mix of land uses in the area is desirable and the City desires to maintain the flexibility to adjust to changing market conditions; and
4. Effective land use controls are needed to preserve the integrity of existing adjacent development while enabling the property owners to adjust to changing market conditions.

Specific Plans or Planned Development Zoning will be required for the Special Planning Areas. This process is intended to:

1. Facilitate high quality development;
2. Allow for coordination of planning efforts between more than one property owner;
3. Allow for infrastructure cost sharing arrangements;
4. Provide developments which are more sensitive to the environment; and
5. Provide special amenities such as golf courses, lakes, hillside open space, park areas, horse staging areas, agricultural preserves, swimming pools, civic centers, etc.

SPA Planning Process

Development within a Special Planning Area (SPA) shall occur in accordance with the following process:

1. The City shall adopt a specific plan, as defined by Sections 65450-65457 of the California Government Code, or a Planned Development zone district shall be applied with substantially the same contents as a specific plan. This shall address the entire SPA except as noted in (2) below;
2. Preparation of multiple specific plans or planned development zone districts for a SPA may be allowed when the City finds that this would be in the public interest due to ownership pattern, size of the SPA, timing of development, or other similar factors. However, in no case shall a specific plan or Planned Development zone district contain less than 50 acres or represent less than 25% of the developable acreage of a SPA; and
3. Once a specific plan or Planned Development zone district is adopted, discretionary approvals (such as subdivision maps, rezoning, or design review) may be granted by the City.

SPA 1 - SPA 1 is located immediately east of the city limits, north of Chestnut Street, south of Lone Tree Way, and west of Sellers Avenue. SPA 1 is located outside of the existing Urban Limit Line (ULL). The primary land uses within SPA 1 should include Low and Very Low Density Residential, and limited areas of Business Park and General Commercial. Future development within SPA 1 should include adequate buffers and transition areas to avoid land use conflicts with agricultural lands to the east.

SPA 2/VDCSP – SPA 2/VDCSP (SPA 2/Vineyards at Deer Creek Specific Plan) provides for the future uses within the SPA 2/VDCSP area, in accordance with the Vineyards at Deer Creek Specific Plan. SPA 2/VDCSP is located to the west of the current city limits, north of Balfour Road. SPA 2/VDCSP is located outside of the existing Urban Limit Line (ULL), as amended by the Vineyards at Deer Creek Voter Initiative. SPA 2/VDCSP should include a significant area of protected open space, with open space protection prioritized for hillsides, sensitive natural habitat, and areas of exceptional scenic beauty. Provided that overall density does not exceed three dwelling units per gross acre, Residential uses within SPA 2/VDCSP may include Ranchette-Estate and Very Low Density Residential. a mix of residential densities. An increase in

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~~the overall residential density within SPA 2 may be allowed~~ in order to accommodate the development of age-restricted housing units. Density shall be calculated based on total acreage of the SPA 2/VDCSP area. Under no circumstances shall the total residential unit count in the SPA 2/VDCSP area exceed 2,400 units, and at least 80% of the units shall be age-restricted for seniors 55 years of age and older, and qualified permanent residents living with those seniors, as permitted by state law. Development within SPA 2/VDCSP may also include Community Recreation and Open Space uses, as defined in the Vineyards at Deer Creek Specific Plan. Limited areas of local-serving General-Commercial / civic uses may also be allowed within SPA 2/VDCSP, as provided in the Vineyards at Deer Creek Specific Plan.

Table LU-1: General Plan Land Use Designation and Zoning Districts/Combining Zones Compatibility within the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended to add the “VDCSP (Vineyards at Deer Creek Specific Plan)” zoning district as a compatible zone for the “Special Planning Area” General Plan Land Use Designation, but limiting the application of that zone to the Specific Plan Area:

General Plan Land Use Designation	Existing Zoning Districts and Special or Combining Zones ¹	Future Zoning Districts and Special or Combining Zones
Special Planning Area	PD (Planned Development) <u>VDCSP (Vineyards at Deer Creek Specific Plan)²</u>	

¹ PD (Planned Development) is consistent with all land use designations, provided that the PD uses are consistent with the land uses allowed in the General Plan land use designation.

² The DT (Downtown), BB (Brentwood Boulevard), ~~and PA-1~~, and VDCSP (Vineyards at Deer Creek Specific Plan) designations are limited to parcels within the respective specific plan for each area.

Policy LU 1-9 within the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Policy LU 1-9: Support and encourage the annexation of SPA 2/VDCSP (as depicted on the Land Use Map) into the city of Brentwood.

Action LU 1e within the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Action LU 1e: Review and periodically amend, as needed, the existing boundary agreement with the City of Antioch. Prioritize the placement of SPA 2/VDCSP within Brentwood’s planned expansion boundary.

Action LU 6a within the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Action LU 6a: Implement the Commercial and Industrial Design Guidelines and Residential Design Guidelines during the review and permitting of all new development projects, except as may be set forth in any adopted specific plan.

Action LU 6d within the Land Use Element (Chapter 9) of the City of Brentwood General Plan is amended as follows:

Action LU 6d: Implement the Brentwood Boulevard Specific Plan, ~~and Downtown Specific Plan~~, and Vineyards at Deer Creek Specific Plan to ensure quality design of the built environment within these specific plan areas.

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C. Amendments to Chapter 12, “Implementation.”

Table 12-1: General Plan Implementation within the Implementation section (Chapter 12) of the City of Brentwood General Plan is amended to revise “Action LU 1e” as follows (*Note:* Table 12-1 identifies the general timing for the implementation of each General Plan action, the City department responsible for the action’s implementation, and the status of the action; letters “A,” “B,” or “C,” refer to a relative priority for implementation; the letter A implies that the action will be implemented in the relatively short-term (most likely, 1 to 5 years)):

TABLE 12-1: General Plan Implementation			
Implementation Program	Responsible Department	Priority/Timing	Status
Action LU 1e: Review and periodically amend, as needed, the existing boundary agreement with the City of Antioch. Prioritize the placement of SPA 2/ <u>VDCSP</u> within Brentwood’s planned expansion boundary.	Community Development Department	A	☐ Complete ☐ In progress <i>Comments:</i>

Table 12-1: General Plan Implementation within the Implementation section (Chapter 12) of the City of Brentwood General Plan is amended to revise “Action LU 6a” as follows:

TABLE 12-1: General Plan Implementation			
Implementation Program	Responsible Department	Priority/Timing	Status
Action LU 6a: Implement the Commercial and Industrial Design Guidelines and Residential Design Guidelines during the review and permitting of all new development projects, <u>except as may be set forth in any adopted specific plan.</u>	Community Development Department	Ongoing	☐ Complete ☐ In progress <i>Comments:</i>

Table 12-1: General Plan Implementation within the Implementation section (Chapter 12) of the City of Brentwood General Plan is amended to revise “Action LU 6d” as follows:

TABLE 12-1: General Plan Implementation			
Implementation Program	Responsible Department	Priority/Timing	Status
Action LU 6d: Implement the Brentwood Boulevard Specific Plan, and Downtown Specific Plan, <u>and Vineyards at Deer Creek Specific Plan</u> to ensure quality design of the built environment within these specific plan areas.	Community Development Department	Ongoing	☐ Complete ☐ In progress <i>Comments:</i>

D. Amendments to Figure LU-1: General Plan Land Use Map.

The existing “Figure LU-1: General Plan Land Use Map,” a copy of the relevant portion of which is attached hereto for informational purposes only at page A-1 of Exhibit A, is amended to

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rename the approximately 815-acre Specific Plan Area from SPA 2 to SPA 2/VDCSP, as set forth on page A-2 of Exhibit A.

E. Amendment to City of Brentwood’s Urban Limit Line; Amendment to Figure LU-3: City Limits, Sphere of Influence, Urban Limit Line, and Planning Area.

The City of Brentwood’s Urban Limit Line (“ULL”) is hereby amended in order to bring the approximately 815-acre Specific Plan Area within the City’s ULL. The existing “Figure LU-3: City Limits, Sphere of Influence, Urban Limit Line, and Planning Area,” a copy of the relevant portion of which is attached hereto for informational purposes only at page B-1 of Exhibit B, is amended to reflect this amendment to the City’s ULL, as set forth on page B-2 of Exhibit B.

F. Amendments to Figure CIR-1: Circulation Diagram.

The existing “Figure CIR-1: Circulation Diagram,” a copy of which is attached hereto for informational purposes only at page C-1 of Exhibit C, is amended to adopt conforming amendments to certain roadway segments (Hillcrest Avenue and San Jose Avenue) in the vicinity of the Specific Plan Area, as set forth on page C-2 of Exhibit C.

Section 4. Amendments to the City of Brentwood Municipal Code.

The voters hereby amend the City of Brentwood Municipal Code as follows (new language to be inserted into the Municipal Code is shown as underlined text and language to be deleted is shown in ~~strike through text~~; language shown in regular or bold (not underlined) type reflects the existing Municipal Code text and is provided for informational/reference purposes only):

A new Chapter titled “Vineyards at Deer Creek Specific Plan (VDCSP) Zone” is added to Title 17 (“Zoning”) of the Brentwood Municipal Code as follows (Chapter number to be assigned by City staff):

Chapter 17. VINEYARDS AT DEER CREEK SPECIFIC PLAN (VDCSP) ZONE

17. .001 Purpose and intent.

The Vineyards at Deer Creek Specific Plan (VDCSP) provides for the development of a residential community of age-restricted and non-age-restricted neighborhoods supported by recreational amenities and commercial/civic uses set within an agricultural and open space setting.

The purpose and intent of the VDCSP zone is to enable development within the Vineyards at Deer Creek Specific Plan area (“Specific Plan Area”) consistent with the Vineyards at Deer Creek Specific Plan. The Vineyards at Deer Creek Specific Plan establishes the type, intensity and character of development to take place in the Specific Plan Area.

17. .002 Applicability of provisions.

The regulations of this zone shall apply to all property located within the Specific Plan Area, which is reflected in the areas assigned the “VDCSP” zoning designation on the City’s Zoning Map.

17. .003 Regulation of Vineyards at Deer Creek Specific Plan Area.

A. Regulation, Generally. The Vineyards at Deer Creek Specific Plan establishes the primary means of regulating land use and development within the VDCSP zone.

B. Substantial Conformance Review. All applications for new construction, substantial modifications to existing buildings, and for changes in land use, shall be reviewed for substantial conformance with the Vineyards at Deer Creek Specific Plan, as set forth in Chapter 8 (Implementation, Administration & Financing) contained therein.

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C. Conflict(s) with Vineyards at Deer Creek Specific Plan.

1. If there are any inconsistencies or conflicts between the requirements of the Vineyards at Deer Creek Specific Plan and the requirements of this Title or other applicable legislative City rule, regulation, or official policy implementing this Title, as they currently exist or may be amended (collectively, and exclusive of the General Plan, the “City Zoning Regulations”), the provisions of the Vineyards at Deer Creek Specific Plan take precedence, control, and govern in the Specific Plan Area.

2. Any activities regulated by the City Zoning Regulations but not addressed in the Vineyards at Deer Creek Specific Plan shall be subject to the City Zoning Regulations, unless application of those City Zoning Regulations would frustrate the policy, purpose, or objectives of the Vineyards at Deer Creek Specific Plan.

Section 17.820.007 (“Design and site review criteria”) of Chapter 17.820 (“Design and Site Development Review”) of Title 17 (“Zoning”) of the Brentwood Municipal Code is amended as follows:

17.820.007 Design and site review criteria.

The architectural review committee, community development director, and on appeal the city council, in consideration of all applications for design and site development review shall determine whether the proposed project conforms to the following criteria:

A. The proposed development shall create a well-composed urban design, harmoniously related to other facilities in the immediate area and to the total setting as seen from key vantage points in the community;

B. Elements of design which have significant relationship to the exterior appearance of structures and facilities shall be given special consideration; these elements include but are not limited to height, arrangement on the site, texture, lighting, material, color, signs, landscaping, size, bulk and scale, and appurtenances;

C. The proposed development shall be of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area;

D. Where the proposed development is located in an area for which a specific plan, planned development, neighborhood plan or precise plan has been adopted by the city council or the voters, the design of the development shall conform in all significant respects with such plans;

E. Except as set forth in any adopted specific plan, ~~The~~ the proposed development shall conform with all requirements for landscaping, screening, parking, usable open space and off-street loading as set forth in this title;

F. The site development criteria set forth in Section 17.820.008;

G. Except as set forth in any adopted specific plan, “The City of Brentwood Design Guidelines” Draft, dated February 1, 2001, and any other applicable specific design criteria or standards set out in this title or other city ordinance;

H. All applicable regulations of the zoning ordinance and other city ordinances, policies or resolutions.

The City of Brentwood Zoning Map, a depiction of the relevant portion of which is attached hereto for informational purposes only at page D-1 of Exhibit D, is amended to assign the “VDCSP: Vineyards at Deer Creek Specific Plan” zoning designation to the Property, as set forth on page D-2 of Exhibit D.

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Section 5. Adoption of the Vineyards at Deer Creek Specific Plan.

The Vineyards at Deer Creek Specific Plan (the “Specific Plan”), attached as Exhibit E to this Initiative, is hereby adopted.

Section 6. Implementation of this Initiative.

A. This Initiative is considered adopted and effective upon the earliest date legally possible after the elections official certifies the vote on the Initiative by the voters of the City of Brentwood. Upon the effective date of this Initiative, the City is directed to promptly take all appropriate actions needed to implement this Initiative, including but not limited to taking any administrative steps necessary to update any and all City maps, figures, and any other documents maintained by the City so they conform to the legislative policies set forth in this Initiative.

B. Upon the effective date of this Initiative, the General Plan provisions of Section 3 of this Initiative are hereby inserted into the General Plan; except that if the four amendments of any mandatory element 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. The City may reorganize, renumber, and/or reformat the General Plan provisions of Section 3 of this Initiative, provided that the full text is inserted into the General Plan without alteration.

C. The General Plan in effect on the date of filing of the Notice of Intent to Circulate this Initiative (“Filing Date”), and the General Plan as amended by this Initiative, comprise an integrated, internally consistent and compatible statement of policies for the City. To ensure that the City’s General Plan remains an integrated, internally consistent and compatible statement of policies for the City, any provision of the General Plan that is adopted between the Filing Date and the effective date of the General Plan amendments adopted by this Initiative shall, to the extent that such interim-enacted provision is inconsistent with or would diminish, render invalidate, defeat, or impair the General Plan amendments adopted by this Initiative, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this Initiative and other elements of the General Plan.

D. Upon the effective date of this Initiative, the Municipal Code provisions of Section 4 of this Initiative are hereby inserted into the City of Brentwood Municipal Code. The City may reorganize, renumber, and/or reformat the provisions of Section 4 of this Initiative, provided that the full text is inserted into the Municipal Code without alteration.

E. Nothing in this Initiative shall be deemed to in any way constrain or limit the City of Brentwood’s right or obligation to comply with any applicable state or local environmental/planning laws or regulations including, without limitation, the City’s right or obligation to participate in any applicable multi-jurisdictional review process(es). Any mitigation or other measures agreed to by the City during any such process(es) and applicable to the Specific Plan Area, provided such mitigation or measures bear a rough nexus and rough proportionality to the impacts of development of the Specific Plan Area, as required by State law, may be addressed through the CEQA process and subsequent related approvals.

Section 7. Effect of Other Measures on the Same Ballot.

In approving this Initiative, it is the voters’ intent to create a comprehensive regulatory plan to govern the future use and development of the property within the Specific Plan Area. To ensure that this intent is not frustrated, this Initiative is presented to the voters as an alternative to, and with the express intent that it will compete with, any and all voter initiatives or City-sponsored measures placed on the same ballot as this Initiative and which, if approved, would regulate the use or development of the Specific Plan Area in any manner whatsoever (each, a “Conflicting Initiative”). In the event that this Initiative and one or more Conflicting Initiatives are adopted by the voters at the same election, then it is the voters’ intent that only the measure which receives the greatest number of affirmative votes shall control in its entirety and said other measure or measures shall be rendered void and without any legal effect. In no event shall this Initiative be interpreted in a manner that would permit its operation in conjunction with the non-

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

conflicting provisions of any Conflicting Initiative. If this Initiative is approved by the voters at the same election, and such Conflicting Initiative is later held invalid, this Initiative shall be self-executing and given full force of law.

Section 8. Interpretation and Severability.

A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters 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 does not affect any application of this Initiative that can be given effect without the invalid application.

B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People of the City of Brentwood indicate our strong desire that: (i) the City Council use its best efforts to sustain and re-enact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, including adopting or reenacting any such portion in a manner consistent with this Initiative.

C. This Initiative must be broadly construed in order to achieve the purposes stated above. 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 purpose set forth in this Initiative.

Section 9. Amendment or Repeal.

Prior to 20 years after the effective date of the Initiative, the provisions of this Initiative and the amendments that it adopts can be amended or repealed only by a majority of the voters of the City of Brentwood voting in an election held in accordance with state law. On or after 20 years after the effective date of the Initiative, a vote of the people shall not necessarily be required to amend or repeal any portion of the Initiative, and this Initiative and the amendments that it adopts may be amended or repealed by any procedure otherwise authorized by law. These dates shall be tolled for a period equal to the period during which any litigation or a similar action challenging the Initiative has been filed and remains active. The text of existing provisions of the *City of Brentwood General Plan* and the City of Brentwood Municipal Code that are quoted in this Initiative but not modified herein are not subject to this Section.

Section 10. Exhibit List.

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

- Exhibit A: Amendments to City of Brentwood General Plan Figure LU-1: General Plan Land Use Map
- Exhibit B: Amendment to City of Brentwood General Plan Figure LU-3: City Limits, Sphere of Influence, Urban Limit Line, and Planning Area (Amendment to City of Brentwood's Urban Limit Line)
- Exhibit C: Amendments to City of Brentwood General Plan Figure CIR-1: Circulation Diagram
- Exhibit D: Amendments to the City of Brentwood Zoning Map
- Exhibit E: Adoption of the Vineyards at Deer Creek Specific Plan
- Exhibit F: City of Brentwood Resolution No. 2008-3 (for informational purposes only)

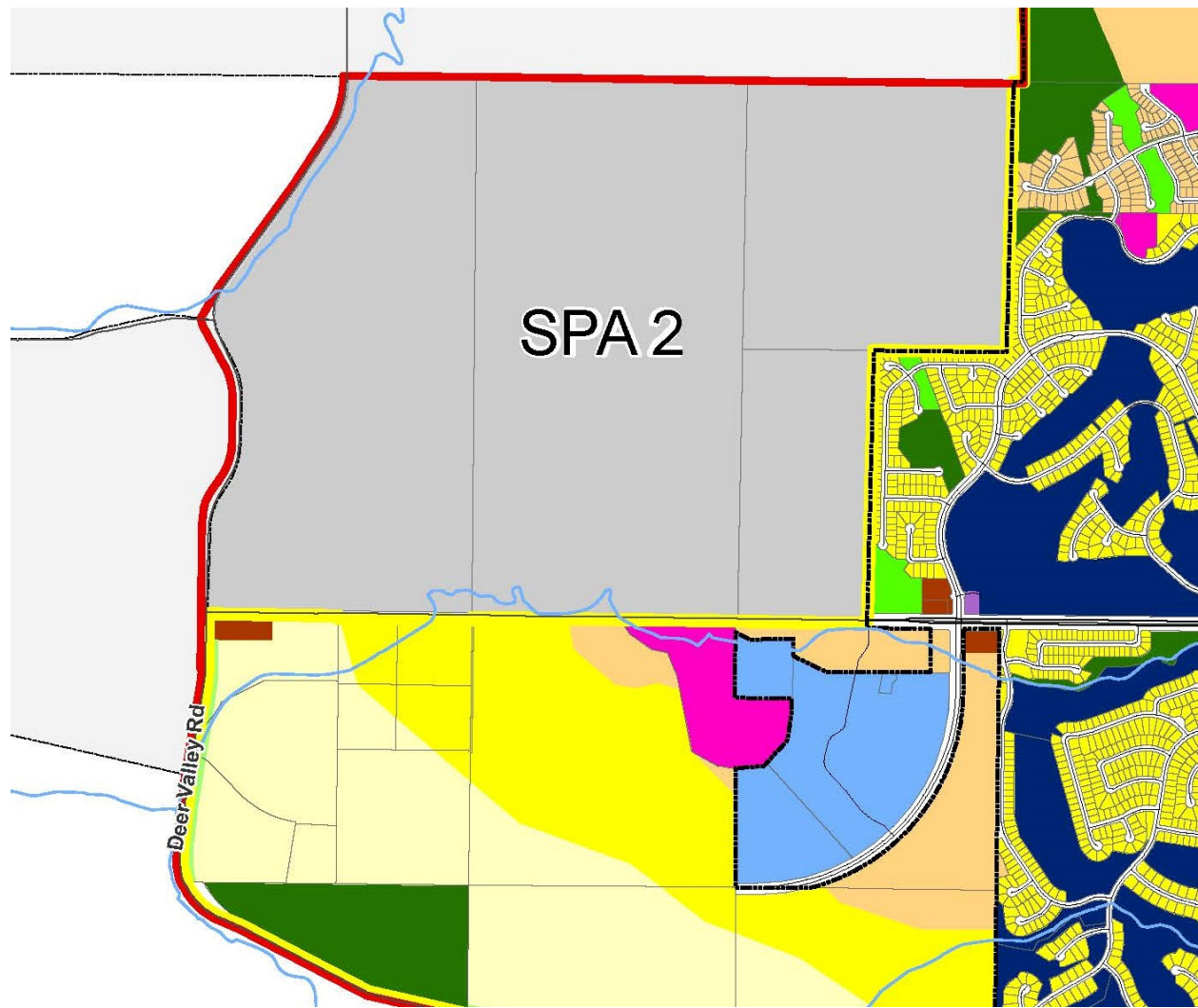
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT A
TO THE INITIATIVE**

**AMENDMENTS TO CITY OF BRENTWOOD GENERAL PLAN
FIGURE LU-1: GENERAL PLAN LAND USE MAP**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The relevant portion of “Figure LU-1: General Plan Land Use Map,” as it exists in the City of Brentwood General Plan as of the filing date of this Initiative, is shown below for informational purposes only:



Land Use Designations

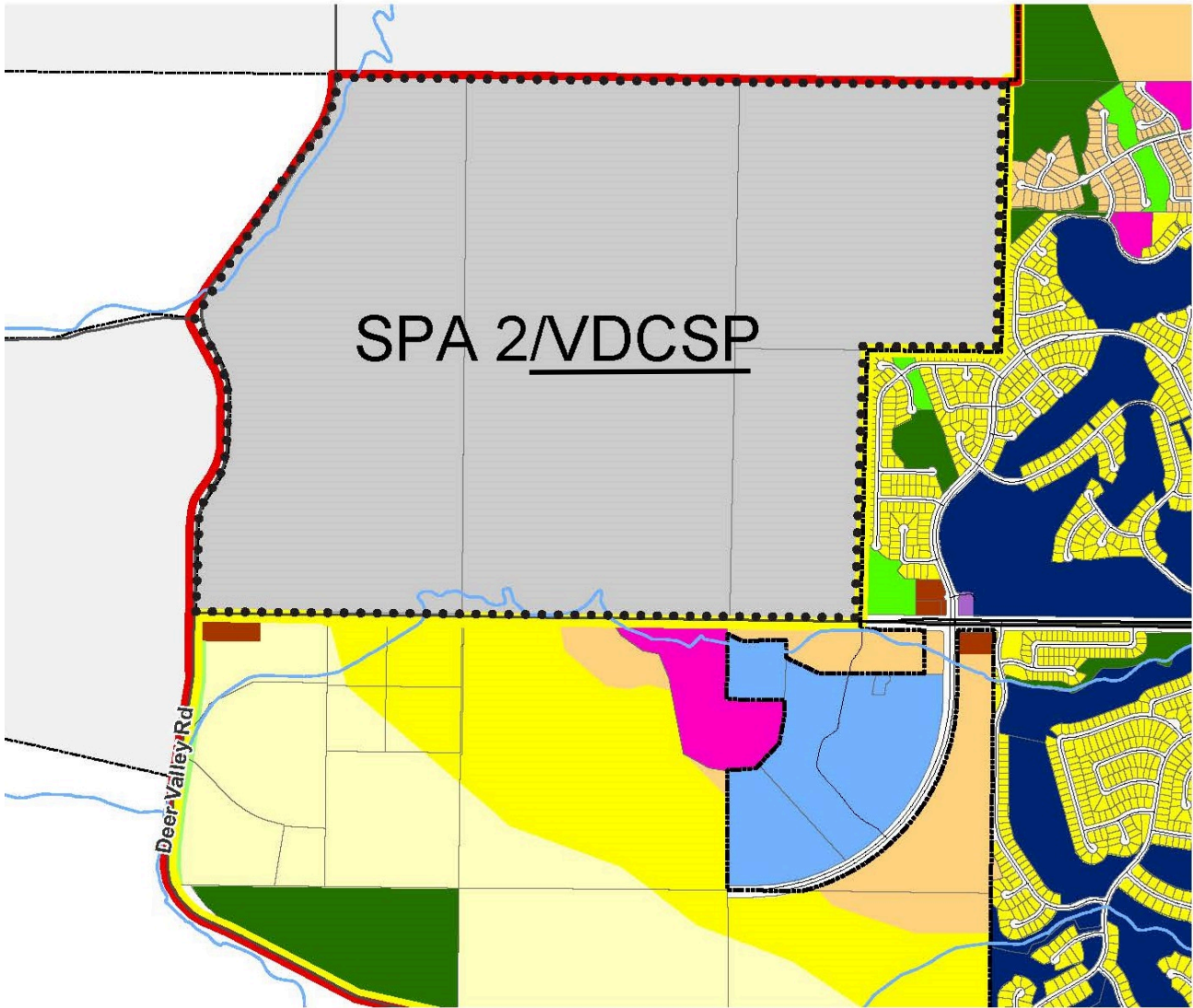
DSP - Downtown Specific Plan	P - Park	PD - Planned Development	R-MD - Residential-Medium Density
BBSP - Brentwood Blvd Specific Plan	P-OS - Permanent Open Space	PF - Public Facility	R-HD - Residential-High Density
CC - Community College	GC - General Commercial	SPF - Semi-Public Facility	R-VHD - Residential-Very High Density
I - Industrial	RC - Regional Commercial	RE - Ranchette Estate	SCH - School
UR - Urban Reserve	BP - Business Park	R-VLD - Residential-Very Low Density	SPA - Special Planning Area
AGCON - Agricultural Conservation	PO - Professional Office	R-LD - Residential-Low Density	PA-1 SP - PA-1 Specific Plan

Planning Areas

Brentwood City Limits
Brentwood Sphere of Influence
Brentwood Planning Area
Brentwood Blvd. Specific Plan Area
Downtown Specific Plan Area
PA-1 Specific Plan Area

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

“Figure LU-1: General Plan Land Use Map” is amended to rename the Property that is the subject of this Initiative from SPA 2 to SPA 2/VDCSP and add the Vineyards at Deer Creek Specific Plan Area to the General Plan Land Use Map, as shown below (new text is shown in underline):



Land Use Designations

DSP - Downtown Specific Plan	P - Park	PD - Planned Development	R-MD - Residential-Medium Density
BBSP - Brentwood Blvd Specific Plan	P-OS - Permanent Open Space	PF - Public Facility	R-HD - Residential-High Density
CC - Community College	GC - General Commercial	SPF - Semi-Public Facility	R-VHD - Residential-Very High Density
I - Industrial	RC - Regional Commercial	RE - Ranchette Estate	SCH - School
UR - Urban Reserve	BP - Business Park	R-VLD - Residential-Very Low Density	SPA - Special Planning Area
AGCON - Agricultural Conservation	PO - Professional Office	R-LD - Residential-Low Density	PA-1 SP - PA-1 Specific Plan

Planning Areas

Brentwood City Limits
Brentwood Sphere of Influence
Brentwood Planning Area
Brentwood Blvd. Specific Plan Area
Downtown Specific Plan Area
PA-1 Specific Plan Area
<u>Vineyards at Deer Creek Specific Plan Area</u>

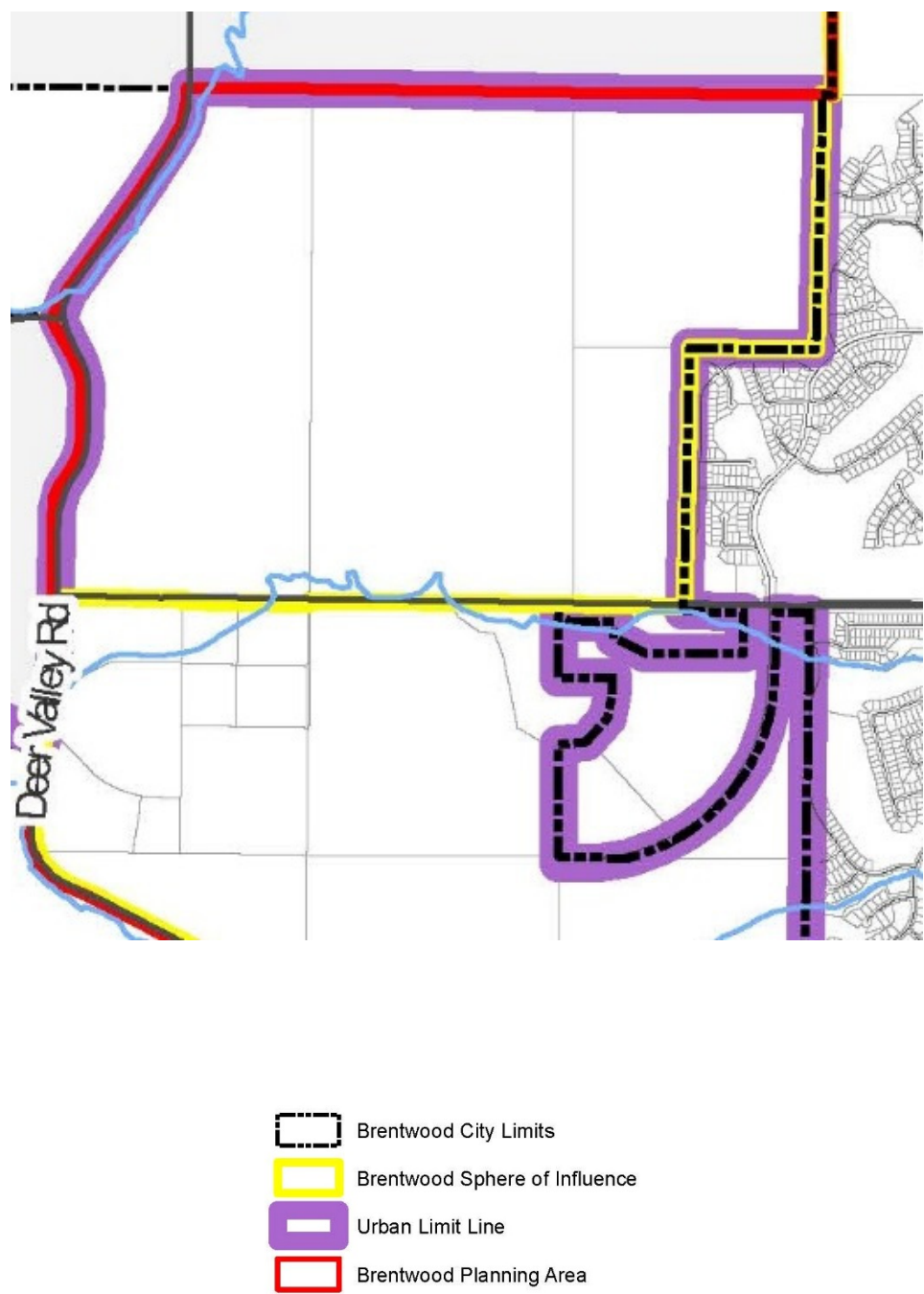
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT B
TO THE INITIATIVE**

**AMENDMENT TO CITY OF BRENTWOOD GENERAL PLAN
FIGURE LU-3: CITY LIMITS, SPHERE OF INFLUENCE,
URBAN LIMIT LINE, AND PLANNING AREA (AMENDMENT
TO CITY OF BRENTWOOD'S URBAN LIMIT LINE)**

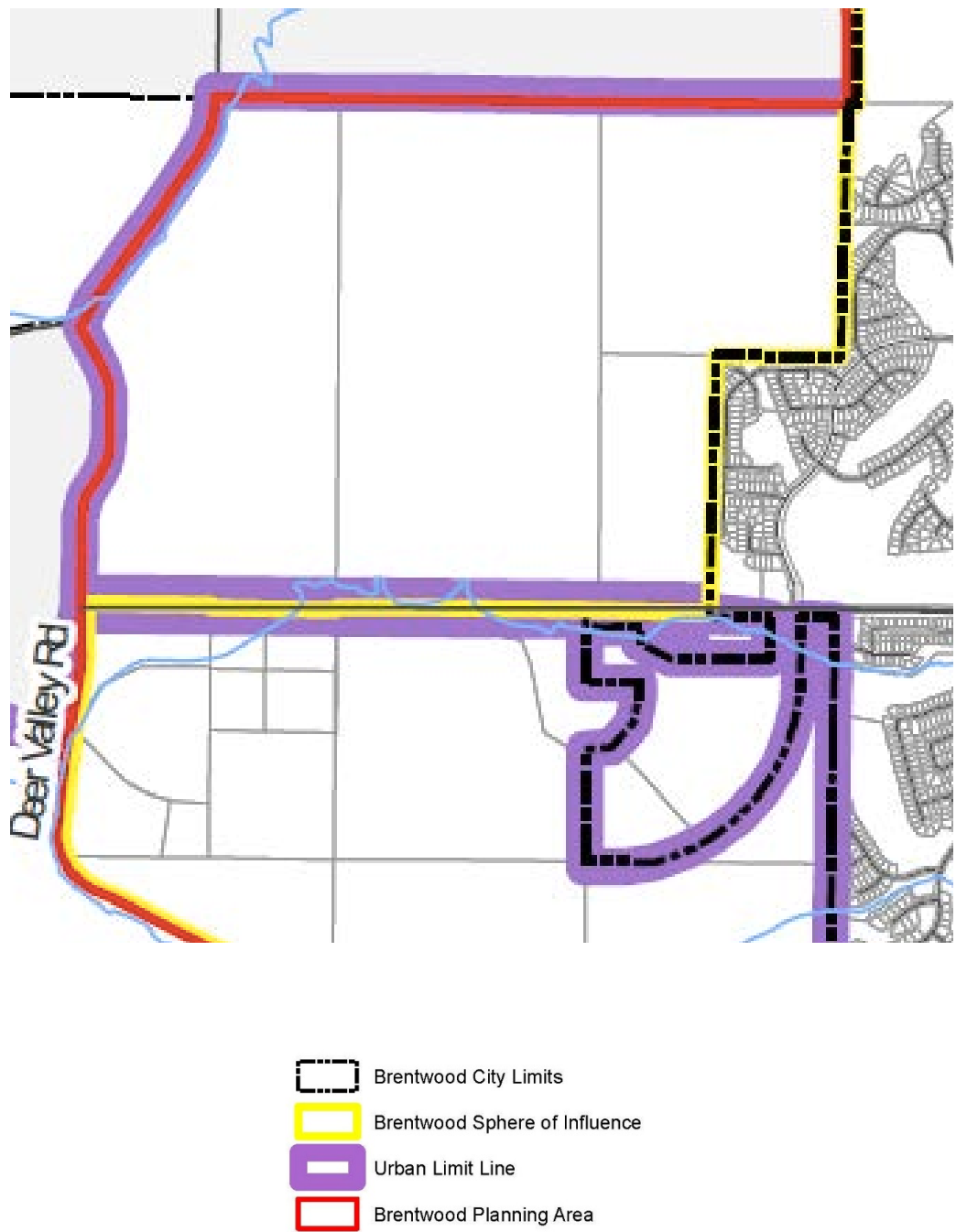
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The relevant portion of “Figure LU-3: City Limits, Sphere of Influence, Urban Limit Line, and Planning Area,” as it exists in the City of Brentwood General Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

“Figure LU-3: City Limits, Sphere of Influence, Urban Limit Line, and Planning Area” is amended to reflect the amendment to the City’s Urban Limit Line (“ULL”) in order to bring the approximately 815-acre Vineyards at Deer Creek Specific Plan Area within the City’s ULL, as follows:



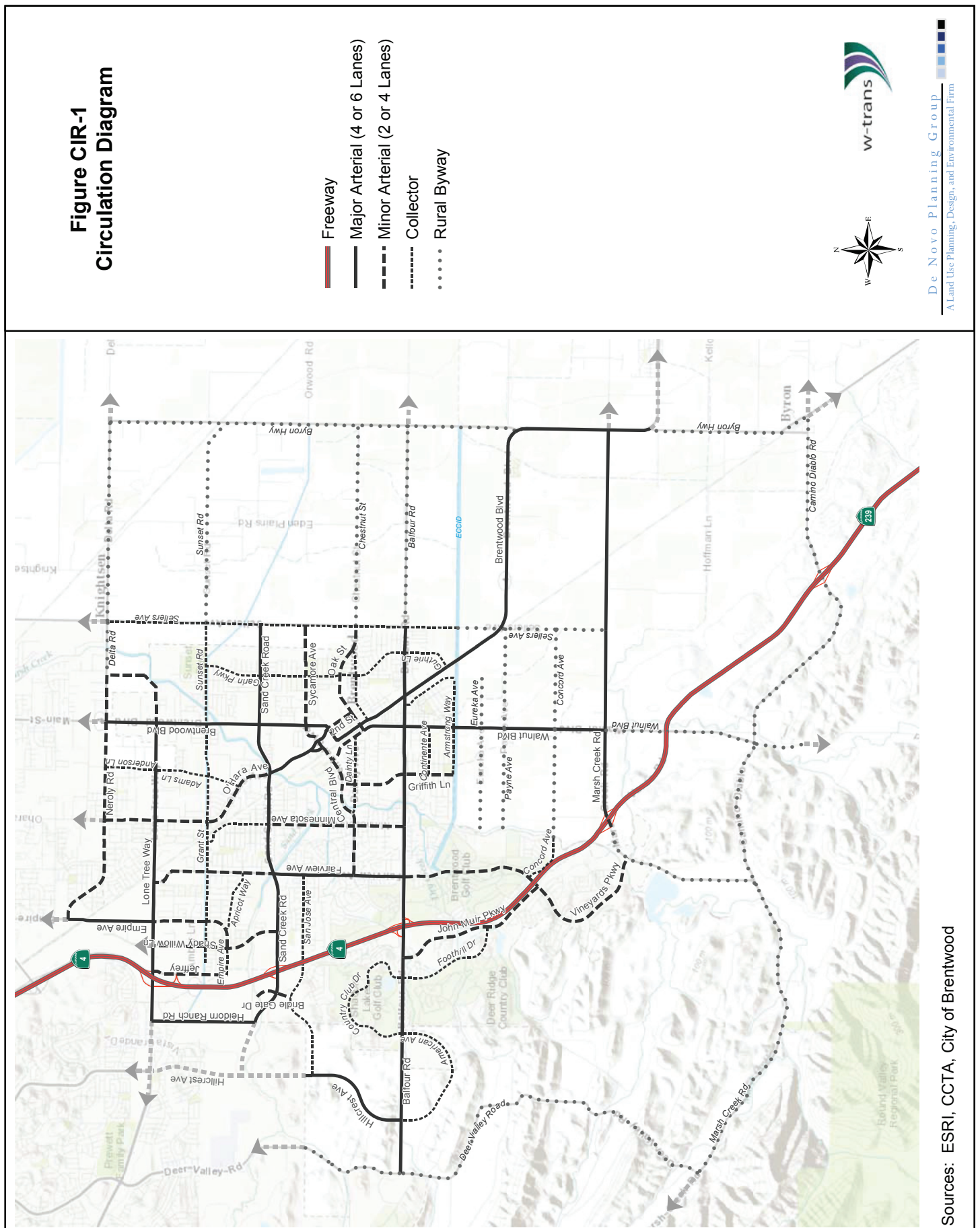
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT C
TO THE INITIATIVE**

**AMENDMENTS TO CITY OF BRENTWOOD GENERAL PLAN
FIGURE CIR-1: CIRCULATION DIAGRAM**

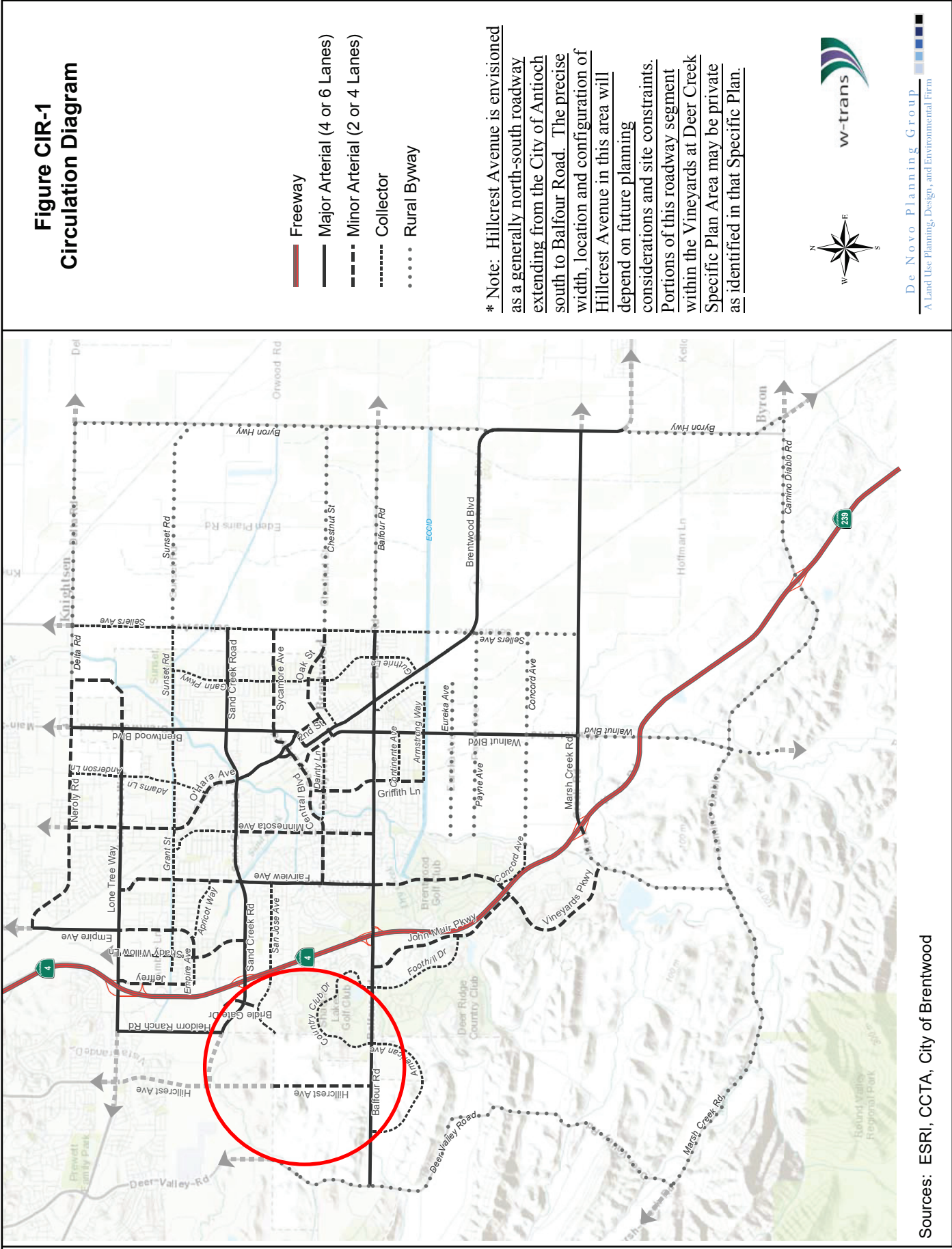
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

“Figure CIR-1: Circulation Diagram,” as it exists in the City of Brentwood General Plan as of the filing date of this Initiative, is shown below for informational purposes only:



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

“Figure CIR-1: Circulation Diagram” of the City of Brentwood General Plan is amended to adopt conforming amendments to certain roadway segments (Hillcrest Avenue and San Jose Avenue) in the vicinity of the Specific Plan Area as follows (the amendments are located within the bold red circle on the diagram for ease of reference, and new text is shown in underline):



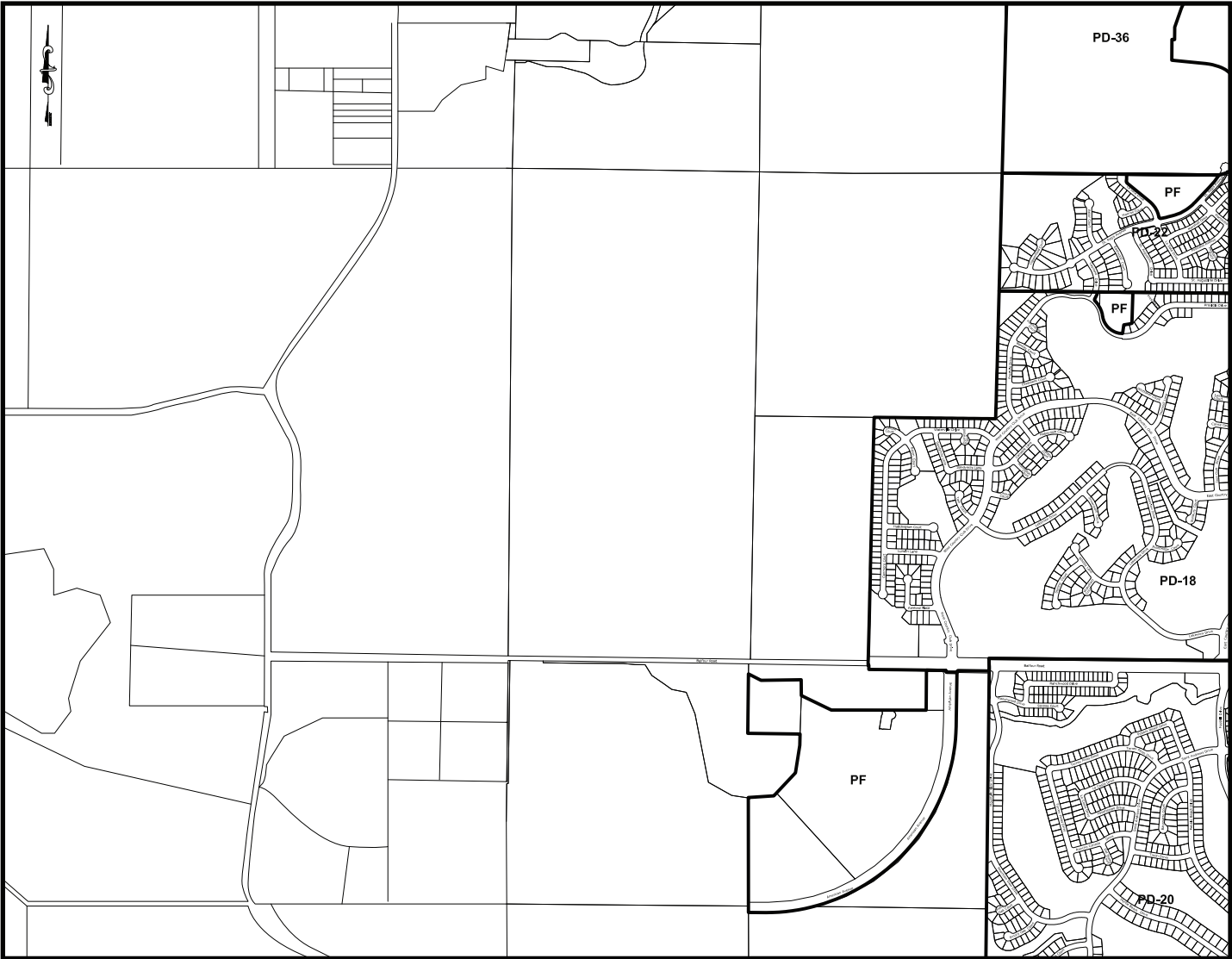
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT D
TO THE INITIATIVE**

**AMENDMENTS TO
THE CITY OF BRENTWOOD ZONING MAP**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

A depiction of the relevant portion of the City of Brentwood's Zoning and the Zoning Map legend, as it exists on the filing date of this Initiative, is shown below for informational purposes only:



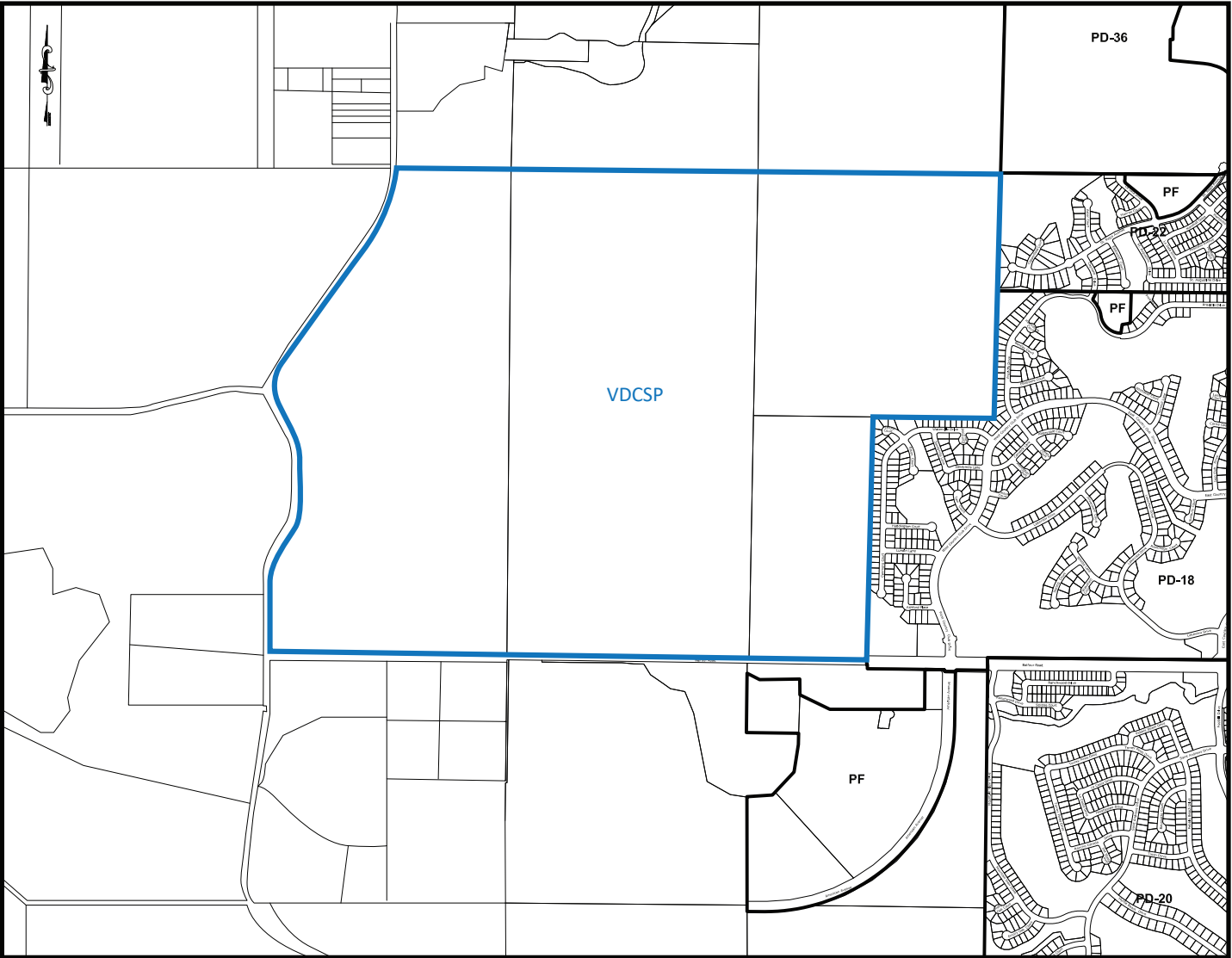
ZONING DISTRICTS:

- C-1: NEIGHBORHOOD COMMERCIAL ZONE** permitting retail commercial uses on 5-10 acre lots and supermarkets as anchor tenants.
- C-2: GENERAL COMMERCIAL ZONE** permitting retail uses for the community as a whole.
- C-3: THOROUGHFARE COMMERCIAL ZONE** permitting highway-related uses along major thoroughfares and Highway 4.
- CB: CENTRAL BUSINESS ZONE** permitting retail and service uses within the Downtown Brentwood Core.
- CO: ADMINISTRATIVE PROFESSIONAL COMMERCIAL OFFICE ZONE** permitting Attorneys, Architects, Engineers, Blueprinters and other similar uses.
- COB: COMMERCIAL/OFFICE/BUSINESS ZONE** permitting convenience retail uses such as pastry shops, book stores, pharmacies, ice cream stores and other similar uses.
- COR: COMMERCIAL/OFFICE/RESIDENTIAL ZONE** permitting uses similar to the CO Zone and residential uses as a conditioned use.
- CR: COMMERCIAL RESIDENTIAL ZONE** permitting Bakeries, Ice Cream Stores, Apparel and Accessory Stores, certain professional businesses, banks and residential uses which are conditionally permitted uses.
- DT: DOWNTOWN ZONE** allowing those mixed-uses specified by the City of Brentwood Downtown Specific Plan.
- IC: INDUSTRIAL/COMMERCIAL ZONE** allows light industry, heavy retail uses and office parks.
- OS: OPEN SPACE ZONE** permitting parks, linear trails, easements and greenways.
- PD: PLANNED DEVELOPMENT ZONE** allows creative designs not associated with straight zoning districts. Density variations are also required.

- PEC: PLANNED EMPLOYMENT CENTER**, a mixed use zone permitting clusters of light industrial, heavy commercial, and office uses within strategic areas within the City. Up to 49% residential may be permitted within the PEC zone.
- PF: PUBLIC FACILITY ZONE** permitting government uses, public schools, and quasi-public um such as utility offices and rights-of-way.
- RE: RANCHETTE ESTATE ZONE** with minimum lot size of one acre.
- R-1-E: SINGLE FAMILY RESIDENTIAL** with average 1/2 acre lot size and minimum lot size of 14,500 square feet.
- R-1: SINGLE FAMILY RESIDENTIAL:**
- 10 Minimum lot size of 10,000 square feet.
 - 8 Minimum lot size of 8,000 square feet.
 - 6 Minimum lot size of 6,000 square feet.
- R-2: MODERATE DENSITY MULTI-RESIDENTIAL ZONE** allowing Single Family Lots, Duplex, Triplex, Townhouses, and Apartments with a density of up to 9 dwelling units per acre, densities not exceeding 12 dwelling units per acre may be considered through PD or Conditional use permit procedure.
- R-3: HIGH DENSITY MULTI-RESIDENTIAL ZONE** allowing Condominiums, Townhouses, and Apartments with density of up to 16 dwelling units per acre, density not exceeding 20 dwelling units per acre may be considered through the PD or conditional use permit procedure.
- SPF: SEMI-PUBLIC FACILITY ZONE** permitting those permitted uses in the PF zone and senior housing projects.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Property that is the subject of the Vineyards at Deer Creek Specific Plan adopted by this Initiative is hereby assigned the “VDCSP: Vineyards at Deer Creek Specific Plan” zoning designation. A depiction of the assigned zoning designation, and the corresponding amendment to the Zoning Map legend, is shown below in blue:



ZONING DISTRICTS:

- C-1: NEIGHBORHOOD COMMERCIAL ZONE** permitting retail commercial uses on 5-10 acre lots and supermarkets as anchor tenants.
- C-2: GENERAL COMMERCIAL ZONE** permitting retail uses for the community as a whole.
- C-3: THOROUGHFARE COMMERCIAL ZONE** permitting highway-related uses along major thoroughfares and Highway 4.
- CB: CENTRAL BUSINESS ZONE** permitting retail and service uses within the Downtown Brentwood Core.
- CO: ADMINISTRATIVE PROFESSIONAL COMMERCIAL OFFICE ZONE** permitting Attorneys, Architects, Engineers, Blueprinters and other similar uses.
- COB: COMMERCIAL/OFFICE/BUSINESS ZONE** permitting convenience retail uses such as pastry shops, book stores, pharmacies, ice cream stores and other similar uses.
- COR: COMMERCIAL/OFFICE/RESIDENTIAL ZONE** permitting uses similar to the CO Zone and residential uses as a conditioned use.
- CR: COMMERCIAL RESIDENTIAL ZONE** permitting Bakeries, Ice Cream Stores, Apparel and Accessory Stores, certain professional businesses, banks and residential uses which are conditionally permitted uses.
- DT: DOWNTOWN ZONE** allowing those mixed-uses specified by the City of Brentwood Downtown Specific Plan.
- IC: INDUSTRIAL/COMMERCIAL ZONE** allows light industry, heavy retail uses and office parks.
- OS: OPEN SPACE ZONE** permitting parks, linear trails, easements and greenways.
- PD: PLANNED DEVELOPMENT ZONE** allows creative designs not associated with straight zoning districts. Density variations are also required.

- PEC: PLANNED EMPLOYMENT CENTER**, a mixed use zone permitting clusters of light industrial, heavy commercial, and office uses within strategic areas within the City. Up to 49% residential may be permitted within the PEC zone.
- PF: PUBLIC FACILITY ZONE** permitting government uses, public schools, and quasi-public um such as utility offices and rights-of-way.
- RE: RANCHETTE ESTATE ZONE** with minimum lot size of one acre.
- R-1-E: SINGLE FAMILY RESIDENTIAL** with average 1/2 acre lot size and minimum lot size of 14,500 square feet.
- R-1: SINGLE FAMILY RESIDENTIAL:**
 - 10 Minimum lot size of 10,000 square feet.
 - 8 Minimum lot size of 8,000 square feet.
 - 6 Minimum lot size of 6,000 square feet.
- R-2: MODERATE DENSITY MULTI-RESIDENTIAL ZONE** allowing Single Family Lots, Duplex, Triplex, Townhouses, and Apartments with a density of up to 9 dwelling units per acre, densities not exceeding 12 dwelling units per acre may be considered through PD or Conditional use permit procedure.
- R-3: HIGH DENSITY MULTI-RESIDENTIAL ZONE** allowing Condominiums, Townhouses, and Apartments with density of up to 16 dwelling units per acre, density not exceeding 20 dwelling units per acre may be considered through the PD or conditional use permit procedure.
- SPF: SEMI-PUBLIC FACILITY ZONE** permitting those permitted uses in the PF zone and senior housing projects.
- VDCSP: VINEYARDS AT DEER CREEK SPECIFIC PLAN ZONE** permitting those uses as described in the Vineyards at Deer Creek Specific Plan.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT E
TO THE INITIATIVE**

**ADOPTION OF
THE VINEYARDS AT DEER CREEK SPECIFIC PLAN**



Vineyards at Deer Creek
— SPECIFIC PLAN —



VINEYARDS AT DEER CREEK SPECIFIC PLAN

The vision of the Vineyards at Deer Creek Specific Plan is to create a special place that blends the beauty of the natural site with understated, authentic and graceful human forms; to create a community with a relaxed, inviting and timeless character. It will allow for development of a residential community of active-adult age-restricted and non-age-restricted neighborhoods supported by recreational amenities and commercial/civic uses set within an extensive agricultural and open space setting that reinforces the region's rich agricultural heritage.

Conceptual Imagery Illustrating the Lifestyle Vision for Vineyards at Deer Creek



EXECUTIVE SUMMARY

Located on ± 815 acres immediately adjacent to the western edge of the City of Brentwood, the Vineyards at Deer Creek is envisioned to become a premier residential community designed to predominantly serve active-adults.

The Vineyards at Deer Creek Specific Plan (“Specific Plan”) provides the framework for a residential community of up to a maximum of 2,400 dwelling units anticipated to be developed in multiple residential neighborhoods within an area identified for housing, open space and amenities within the City of Brentwood (“City”) General Plan.

In addition to the 2,400-unit maximum, the following specific requirements shall apply to development of the Specific Plan:

- The average gross density across the ± 815-acre area covered by the Specific Plan (the “Specific Plan Area”) shall not exceed three dwelling units per acre. This maximum is consistent with the density established under the General Plan as appropriate for the Specific Plan Area.
- At least 80% of all residential units shall be age-restricted to active adults. Occupancy of these residential units is restricted to seniors age 55 and over and qualified permanent residents living with those seniors, as permitted by State law. No more than 20% of the 2,400-unit maximum may be non-age-restricted.
- Any and all multi-family units shall be age-restricted. Multi-family residential shall not be located (i) on hilltops or ridges; or (ii) adjacent to the 100-foot buffer

along the eastern boundary of the Specific Plan Area. Uses along this buffer shall be limited to single-story/single-story profile residential units.

- The Specific Plan will include a community recreation center and/or several smaller neighborhood recreation centers. These recreation center(s) will serve as focal points for the community, providing a wide range of recreation, social, and educational uses and activities.
- The Specific Plan Area shall include a minimum of 225 acres of open space, a portion of which will be permanent agricultural crops such as vineyards and olive groves, reinforcing the characteristics of a Mediterranean environment.
- Two important off-site roadway improvements shall be required during the first phase of development: (i) the extension of American Avenue consisting of its continuation west and north to Balfour Road, and (ii) the widening and improvement of certain portions of Balfour Road from two to four lanes and improvement of an additional portion of Balfour Road. (See Section 4.7: [Off-site Roadway Improvements](#) for additional information regarding the timing and funding of these off-site roadway improvements.)

In addition to these off-site roadway improvements, development of the Specific Plan will generate significant funding, in part through payment of development impact fees, which will be available for the improvement of the surrounding roadway network and can be allocated to future safety improvements to Deer Valley Road.

In addition, consistent with the General Plan’s vision for this area, the Specific Plan allows for a commercial / civic area that, if developed, shall be located on and limited to approximately ± 20 acres in the southwestern corner of the Specific Plan Area off Balfour Road. This area is envisioned for agricultural and farm-to-table related civic uses and functions. Uses of this commercial / civic area could include an outdoor amphitheater, winery, a “farm to table” restaurant/bar, and a wine barn for tastings, weddings, and other community events. In support of this agrarian theme, this area is envisioned to also include a commercial nursery, an indoor community greenhouse, and outdoor community garden plots. Other limited commercial uses are also permitted within this area, all as further described in Chapter 3: Land Use & Development Standards. If not developed with commercial / civic uses, residential use consistent with the Specific Plan’s residential requirements may be permitted in this commercial / civic area.

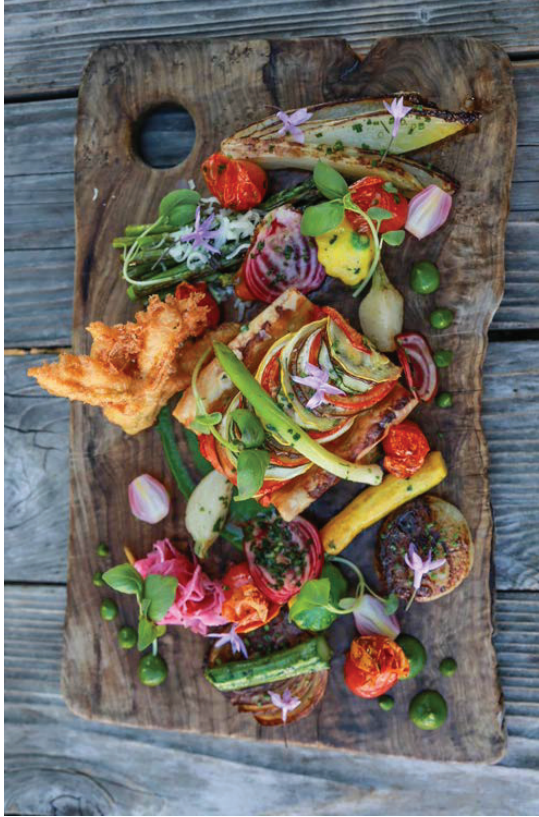


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1

INTRODUCTION

This chapter describes the Specific Plan’s organization, regional setting, authority, purpose and intent, and the policies that will be used to guide future development of the Specific Plan Area.

1.2. Specific Plan Organization

This Specific Plan is organized per the following chapters:

Chapter 1 – Introduction

This chapter describes the Specific Plan’s organization, regional setting, authority, purpose and intent, and the policies that will be used to guide future development of the Specific Plan Area.

Chapter 2 –Context & Setting

This chapter describes the physical site characteristics of the Specific Plan Area, describes the relationship to existing plans and policies, and the existing and planned infrastructure in and around the Specific Plan Area.

Chapter 3 – Land Plan Use Plan & Development Standards

This chapter illustrates the conceptual land use plan for the Specific Plan Area and defines the land use sub-designations unique to the Specific Plan. Development standards and permitted uses within each land use sub-designation are also described.

Chapter 4 – Circulation & Mobility

This chapter describes the conceptual mobility plan for all users including bicyclists, pedestrians, and vehicles. It includes the conceptual roadway hierarchy and conceptual cross-sections for each roadway type. It also describes certain offsite roadway improvements that are required for development of the Specific Plan.

1.1. Voter Initiative

Adoption of this Specific Plan is a part of the citizen’s Vineyards at Deer Creek Voter Initiative (“Initiative”). The Initiative amends the City’s General Plan to rename the Specific Plan Area from Special Planning Area 2 (“SPA 2”) to SPA 2/Vineyards at Deer Creek Specific Plan (“SPA 2/VDCSP”) and make other conforming amendments and includes certain other legislative actions.

Specifically, the Initiative includes the following amendments to City planning documents:

1. Modifies the City’s Urban Limit Line (“ULL”) to incorporate the Specific Plan Area within the ULL;
2. Identifies the Specific Plan Area as “SPA 2/VDCSP” and makes other conforming amendments to the General Plan;
3. Adopts the Vineyards at Deer Creek Specific Plan; and
4. Amends the City of Brentwood Zoning Ordinance (Title 17 of the Municipal Code) to add the Vineyards at Deer Creek Specific Plan (“VDCSP”) zoning district; amends the Zoning Map to assign the Specific Plan Area the VDCSP zoning designation; and makes other conforming amendments to the Municipal Code with respect to design and site development review.

Chapter 5 – Infrastructure & Public Services

This chapter provides a description of the major utility infrastructure improvements needed at build-out of the Specific Plan and the public services anticipated to be available to Specific Plan Area residents.

Chapter 6 – Design Guidelines

This chapter explains the design principles and establishes a set of design guidelines for development within the Specific Plan Area, including site design, architecture, lighting, landscaping and signage.

Chapter 7 – Resource Management

This chapter includes management policies that will help to ensure an integrated and sustainable approach to the long-term stewardship of the Specific Plan Area’s environmental resources.

Chapter 8 – Implementation, Administration & Financing

This chapter addresses the actions that are necessary to implement the Specific Plan by the City of Brentwood, other agencies, and future developer(s) to achieve the goals and objectives outlined in this Specific Plan.

The examples included in this Specific Plan, including figures, illustrations, renderings, and photos, are illustrative only, including with respect to the specific location of land uses (other than the commercial/civic area which, if developed, shall be located on and limited to approximately ± 20 acres in the southwestern corner of the Specific Plan Area off Balfour Road); number of buildings, building location and orientation; alignment and design of streets; placement and size of recreation areas; and configuration of public facilities.

Unless otherwise specified, all graphic illustrations and photos shall be interpreted as conceptual, as one possible design, and shall not be considered definitive.

1.3. Specific Plan Setting

As shown in Figure 1-1: Project Location Within the Brentwood Planning Area, the approximately ±815-acre Specific Plan area is located immediately adjacent to the western boundary of the City of Brentwood (City), in unincorporated Contra Costa County; north of Balfour Road, east of Deer Valley Road, and west of the Shadow Lakes neighborhood (referred to herein as Specific Plan Area). The Specific Plan Area borders the City of Antioch to the north and west and the City of Brentwood to the east.

The Specific Plan Area is currently within the City of Brentwood’s Planning Area, as reflected in the City’s General Plan, which was adopted in 2014. The Specific Plan Area, however, is not currently located within the City of Brentwood’s municipal boundaries or Sphere of Influence (SOI), which changes must be reviewed and approved by Contra Costa County LAFCo pursuant to a separate process under state law. The Specific Plan Area, per that separate process, must be included in Brentwood’s sphere of influence and annexed into Brentwood’s municipal boundaries. Only following annexation approval by LAFCo, will the City consider subdivision maps and other project-level approvals required prior to the commencement of development.

Adjacent land uses include the single-family Shadow Lakes residential neighborhood to the east and interim agricultural and open space to the north, west, and south. The area to the north of the Specific Plan Area is planned for residential development as set forth under the City of Antioch’s General Plan. The area to the south of the Specific Plan Area is

planned for residential development under the City of Brentwood’s General Plan. Heritage High School and Adams Middle School are located southeast of the Specific Plan Area and are accessed from American Avenue.

1.4. Specific Plan Authority

This Specific Plan is authorized by California Government Code sections 65450 through 65457. This law authorizes adoption of a specific plan for the implementation of an area covered by a local general plan. When subsequent project-level proposals for the Specific Plan Area are presented to the City of Brentwood, planning staff will use this Specific Plan as a policy and regulatory guide for subsequent project review, subject to the procedures as described in Chapter 8: Implementation, Administration & Financing.

1.5. Specific Plan Purpose and Intent

The purpose of this Specific Plan is to permit and regulate the orderly development of the area shown in Figure 1-2: Specific Plan Area and related exhibits in accordance with the City of Brentwood General Plan, as amended by the Initiative, for up to 2,400 residential dwelling units (at least 80% age-restricted); a single community recreation center and/or smaller, neighborhood recreation centers; a possible commercial/civic area located along Balfour Road that supports community events and social activities and other limited commercial activities; infrastructure; permanent agriculture crops such as vineyards and olive groves; and associated parks, trails, open space, and landscape areas.

The Specific Plan defines the land use sub-designations unique to the Specific Plan and describes the development standards and permitted uses that shall be applied for each land use sub-designation; circulation and mobility guidelines; applicable design guidelines; conceptual infrastructure improvements; and implementation and financing procedures for future development within the Specific Plan Area. While the General Plan is the primary guide for growth and development in Brentwood, the Specific Plan focuses on the unique characteristics of the Specific Plan Area and sets forth a development process and land use regulations that reflect the specific vision for the Specific Plan Area.

1.6. Interpretation

The terms “shall”, “should”, “may”, and “could” are used within the Specific Plan. The term “shall” is used to denote a standard where compliance is required. The term “should” is used to denote a guideline that is recommended, but not required in all circumstances. The terms “may” and “could” are used to denote something that is allowed or optional, but not required.

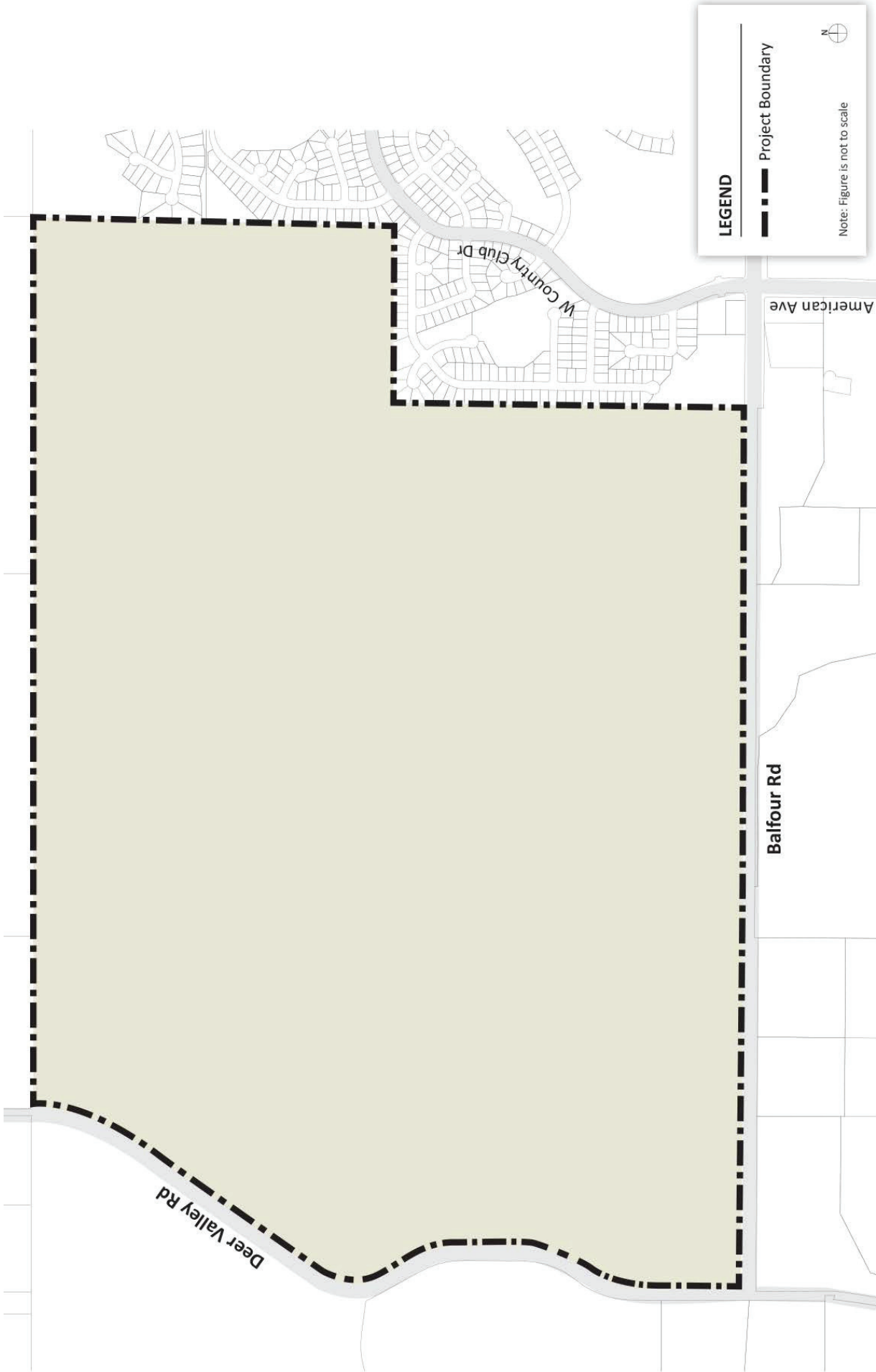
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Figure 1-1: Project Location Within the Brentwood Planning Area



Note: Illustrative as to the alignment of boundaries.

Figure 1-2: Specific Plan Area



1.7. Specific Plan Policies

The following policies form the basis for guiding development within the Specific Plan Area:

1.7.1. Land Use & Housing

- Develop a residential community of up to 2,400 dwelling units, of which at least 80% shall be active-adult age-restricted to seniors age 55 and over and qualified permanent residents living with those seniors, as permitted by State law (age-restricted), and no more than 20% will be non-age-restricted. Any and all multifamily units within the Specific Plan Area shall be age-restricted.
- Establish a community that provides for the social, recreational, and housing needs of active adults who share common interests and lifestyles that will enable residents to remain in the Brentwood community and continue their involvement in its social fabric over time.
- Create a community with high-quality architectural and landscape design and site planning, resulting in a distinctive identity and strong sense of place.
- Provide flexibility in land use regulations to allow for site constraints, variations in housing styles, and market trends that change over time.
- Create a secure environment for active adult living and recreation.



- Provide a mixture of residential unit types appropriate to the active-adult age-restricted and non-age-restricted housing needs of the City of Brentwood and the greater East Contra Costa region.
- Provide space for commercial/civic uses that supports both community-based activities and services and supports the agricultural values of the region.
- Enhance living spaces by integrating the natural and built environments to minimize disruption of natural features, and to the extent practicable, blend with the landforms, trees and water courses within the Specific Plan Area.
- Promote a long-term financially viable project that provides for the creation of new jobs, recreational opportunities, and expanded housing opportunities.
- Maximize the potential for energy conservation through building and landscape designs and orientations which recognize the climatic conditions in the area.

1.7.2. Site Planning & Design

- Utilize landscaping and architectural styles that are characteristic of a Mediterranean environment which is similar to that of Brentwood topography and climate.
- Encourage a consistent high quality of residential and commercial development throughout the community.

- Building scale and landscaping design should recognize and reflect the small town, rural heritage of Brentwood.
- In non-residential areas, development should emphasize the visual prominence of buildings and minimize the visual impacts of parking.
- Along the eastern boundary of the Specific Plan Area there shall be a 100-foot buffer (which may include landscaping and roads). Uses adjacent to this buffer, within the Specific Plan Area, shall be limited to single-story/single-story profile residential units.
- Multi-family residential (which must be age-restricted) shall not be located on hilltops.
- Link neighborhoods into a cohesive community environment that promote both visual continuity and diversity.
- Create a fabric of viable and interrelated neighborhoods.
- Encourage visual variety within subdivisions to create distinct neighborhood identities.
- Facilitate positive landscaped interfaces between the road network and subdivisions, recreation centers and commercial areas.

1.7.3. Mobility & Circulation

- Create a community with a strong sense of place and a range of recreation amenities and mobility options by designing a unique streetscape that will serve to tie the

- neighborhoods together with an integrated design theme(s).
- Provide required rights-of-way and related street improvements adjoining the Specific Plan Area and construct local streets that effectively interface with the surrounding arterial and collector street networks.
- Provide pedestrian and bicycle roadway networks that accommodate both traditional and alternative modes of transportation to minimize auto use for routine activities.
- Encourage land use planning principles that increase bicycle and pedestrian movement and transit use, while reducing energy usage and the emission of air pollutants.
- Construct intersections that effectively balance the needs of all users and reduce pedestrian crossing distances and exposure to moving traffic. This may include traditional designs or roundabout designs that include such measures as; minimizing the number of vehicle lanes to the degree possible, minimizing the width of lanes and using curb extensions and medians.
- Incorporate the construction of roundabouts at arterial roadway intersections where feasible and when justified by a traffic study, within and around the Specific Plan-constructed roadways to maintain traffic flow, regulate vehicle speeds, enhance safety, and incorporate pedestrian and bicyclist movements in a low-speed environment.

- Encourage and work cooperatively with relevant agencies to implement planned regional circulation and safety improvements, including those identified in Chapter 4: Circulation & Mobility in this Specific Plan.
- Create an interconnected system of bikeways, sidewalks, and multi-use paths throughout the Specific Plan Area with connections to regional bike and pedestrian facilities. This may include the construction of a multi-use public path along the east side of Deer Valley Road that provides pedestrian and bike connectivity towards the East Bay Regional Park District to the west, and the City of Antioch to the north.

1.7.4. Infrastructure & Public Services

- Unless as otherwise noted in this Specific Plan, require development and infrastructure projects to be consistent with all applicable City infrastructure master plans, including the Water Master Plan, the Wastewater Master Plan, the Brentwood Standard Plans and Specifications, and the Capital Improvement Program.
- Encourage recycling by all residents and employees in the Specific Plan Area.
- Incorporate energy conserving design and equipment into new development to promote energy conservation.
- Incorporate sustainable stormwater management features, including low impact development (LID) features and swales, permeable pavers where

economically feasible, and other similar features to manage stormwater runoff from public streets.

- Incorporate recreational trails and natural vegetation design adjacent to open channel improvements to the extent feasible.
- Work cooperatively with the Brentwood Police Department, East Contra Costa Fire Protection District, and other first responders in planning for adequate and sustainable police, fire, and emergency service.
- Design any and all roundabouts incorporated within the Specific Plan Area to ensure that all police, fire, and emergency medical service vehicles can safely and efficiently navigate through the intersection.
- Work with the Brentwood Union School District and the Liberty Union High School District in planning for adequate public-school facilities. Coordinate with affected school districts to consider the impacts, although limited due to the primary age-restricted nature of the Specific Plan, of residential development on school facilities and services.

1.7.5. Resource Management

- To the extent practicable and consistent with project objectives, integrate the natural and built environments to minimize the disruption of natural features, and blend with the site’s existing landforms, trees, and drainage courses.
- To the extent practicable and consistent with project objectives, maintain important existing ecological functions and values, including species and habitat

management, stormwater management, and permanent protection areas containing sensitive natural resources. To the extent resources cannot be practicably avoided, mitigate impacts to those resources.

- Reduce the impact of edge effects through the development of transitional or buffer areas between open space resources and development.
- Provide for and enhance agricultural activities within the Specific Plan Area that contribute to the protection of the rural character and agricultural economy of East Contra Costa County.

Tree Preservation

- Ensure that neighborhood lot design, grading, construction and landscaping give priority to the preservation of healthy native oak trees where feasible.

Water Quality Management & Conservation

- Create a community that is sensitive to the environment by maximizing the potential for energy and water conservation through building and landscape designs and features, including using irrigation and recycled water (if available) for landscape irrigation in common areas and, where feasible, capturing and treating irrigation and stormwater runoff through natural, landscape-based processes.

- Integrate technologies and techniques to remove pollutants from site runoff prior to entering the drainage courses.
- Encourage on-site stormwater retention with design features that promote infiltration through techniques such as: reducing street widths, reducing the amount of impervious surfaces in parking lots, adding residential lots towards the street, and covering trash collection areas from exposure to rainfall.
- Encourage reduced water consumption through various water conservation measures, particularly for landscaping and as it relates to home and commercial appliance and fixtures.
- Encourage the use of drought-tolerant or equivalent adaptive vegetation for landscaping that additionally reduces the amount of pesticide and fertilizer that might otherwise be required to maintain the landscaping. Use erosion control measures and landscaping to reduce sediment load in the runoff.

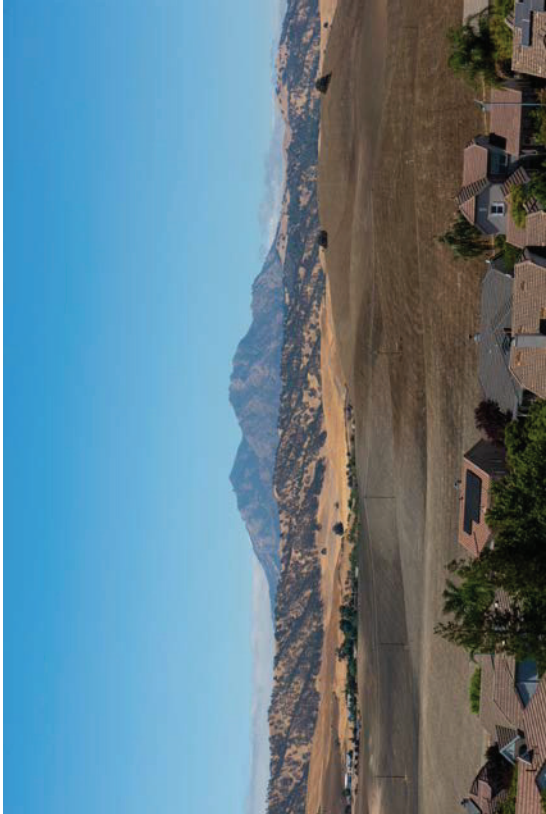


2

CONTEXT & SETTING

This chapter describes the physical site characteristics of the Specific Plan Area, describes the relationship to existing plans and policies, and the existing and planned infrastructure in and around the Specific Plan Area.

Brentwood’s Sphere of Influence. Heritage High School and Adams Middle School are located southeast of the Specific Plan area and are accessed from American Avenue.



VINEYARDS AT DEER CREEK SPECIFIC PLAN | 2-1

2.1. Physical Land Form

As shown in Figure 1-2: Specific Plan Area, the approximately ± 815-acre Specific Plan Area is bounded by Balfour Road to the south, Deer Valley Road to the west, undeveloped properties to the north, and the Shadow Lakes residential neighborhood to the east.

Portions of the Specific Plan Area include gently rolling hills ranging in elevation from approximately 160 to 380 feet above sea level. Deer Creek extends parallel and adjacent to Balfour Road along a portion of the Specific Plan Area. Approximately 100 Blue Oak trees in various condition (good, fair, poor) are located within the westerly portion of the Specific Plan Area.

There are three regional drainage sheds in the Specific Plan Area with the largest generally conveying storm runoff in a northeasterly direction towards Sand Creek. The project will generally maintain the existing drainage patterns.

The Specific Plan Area is undeveloped and currently used for agricultural purposes including dryland farming and limited seasonal cattle grazing. Adjacent land uses include the Shadow Lakes residential neighborhood to the east and interim agricultural and open space to the north, west, and south. The area to the north of the Specific Plan Area is planned for residential development as set forth under the City of Antioch’s General Plan. West of Deer Valley Road and north of the Specific Plan Area is a small cluster of residential lots surrounded by open space. The area to the south of the Specific Plan Area is planned for residential development under the City of Brentwood’s General Plan and is within

2.2. Relationship to Existing Plans, Policies, Agencies and Services

This Specific Plan builds upon the policy framework and direction set forth for Special Planning Area 2 (SPA 2) as described in the City of Brentwood General Plan.

2.2.1. City of Brentwood

General Plan 2014

The City’s General Plan, adopted on July 22, 2014, and subsequently amended, provides overarching policy direction for development throughout the City, including in the Specific Plan Area. The General Plan addresses all aspects of development including land use, transportation, housing, economic development, public facilities and infrastructure and open spaces, among other topics.

Policy LU 1-9 of the General Plan, as adopted in July 2014, supports and encourages annexation of SPA 2 into the City, stating that the City should “[s]upport and encourage the annexation of SPA 2 (renamed SPA 2/VDCSP by the Initiative) into the City of Brentwood.”

The General Plan has long envisioned the future development for SPA 2 (renamed SPA 2/VDCSP by the Initiative).

The General Plan states that the Special Planning Area designation was assigned, in part, to “facilitate comprehensive planning of large strategic areas utilizing progressive planning techniques to ensure high quality development and integrate development with the provision of infrastructure[.]” The General Plan requires that a Specific Plan or Planned

Development Zoning be utilized for development of SPA 2 (renamed SPA 2/VDCSP by the Initiative); adoption of this Specific Plan through the Initiative satisfies this requirement.

As described in the General Plan, development within a Special Planning Area (SPA) shall occur in accordance with the following process:

1. The City shall adopt a specific plan, as defined by Sections 65450-65457 of the California Government Code, or a Planned Development zone district shall be applied with substantially the same contents as a specific plan. This shall address the entire SPA except as noted in (2) below;
2. Preparation of multiple specific plans or planned development zone districts for a SPA may be allowed when the City finds that this would be in the public interest due to ownership pattern, size of the SPA, timing of development, or other similar factors. However, in no case shall a specific plan or Planned Development zone district contain less than 50 acres or represent less than 25% of the developable acreage of a SPA; and
3. Once a specific plan or Planned Development zone district is adopted, discretionary approvals (such as subdivision maps, rezoning, or design review) may be granted by the City.

Citywide Commercial & Industrial and Residential Design Guidelines

Adopted by the City in 2001 and 2006, respectively, and amended by the City from time to time, the City’s generally applicable Commercial & Industrial Design Guidelines and Residential Design Guidelines provide guidance on achieving high-quality architectural and urban design that complements the City’s existing built environment and creates a unique identity and sense of place for the community. **Chapter 6: Design Guidelines** herein builds upon those concepts and shall control and prevail, as set forth in Chapter 6, for future development within the Specific Plan Area.

Parks, Trails, and Recreation Master Plan

Adopted by the City in 2002 and updated in 2018, the City’s Parks, Trails, and Recreation Master Plan provides citywide goals and policies related to the planning and design of parks, trails and other pedestrian and bicycle facilities, and recreational facilities.

City of Brentwood Urban Water Management Plan

Adopted by the City in 2015, the City’s Urban Water Management Plan requires the efficient use of the City’s urban water supply and promotes water conservation. The UWMP discusses not only the availability of water but also water use, reclamation, and water conservation activities. The UWMP complies with the Urban Water Management Planning Act (UWMP Act) (California Water Code [CWC] Section 10610 et seq.), the Water Conservation Act of 2009 (CWC Section 10608), and the 20x2020 Water Conservation Plan, which are being implemented by the California Department of Water Resources (DWR).

City of Brentwood Water Master Plan

Prepared and adopted by the City in 2006, and most recently updated in 2017, the City’s Water Master Plan includes a summary of the City’s system-wide water demands, the planning criteria used to determine water system demands, the City’s water distribution system model, an analysis of the City’s water system, and a summary of existing and future water system facilities. The Specific Plan Area’s water system design is consistent with and implements the Water Master Plan’s direction for the Specific Plan Area.

City of Brentwood Wastewater Collection System Master Plan

Prepared and adopted by the City in 2010, and most recently updated in 2017, the City’s Wastewater Collection System Master Plan includes a description and maps of the City’s wastewater collection system, system-wide flow projections, hydraulic models of system flows, an analysis of the system’s capacity, a summary of system capacity improvements that are needed, and a summary of the current related CIP schedule and costs for wastewater system improvements. The Wastewater Collection System Master Plan includes the Specific Plan Area. The Specific Plan Area’s wastewater system design is consistent with and implements the Wastewater Collection System Master Plan’s direction for the Specific Plan Area.

City of Brentwood Sewer System Management Plan

Prepared and adopted by the City in 2006 to implement the State Water Resources Control Board (SWRCB) Order No. 2006-0003-DWQ and updated in 2015, the City’s Sewer System Management Plan facilitates the overall management

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

of the City of Brentwood’s sewer system. The Specific Plan Area’s sewer system was designed to be consistent with and implement the Wastewater Collection System Master Plan’s direction for the Specific Plan Area.

2.2.2. Other Agencies

East Contra Costa County Habitat Conservation Plan

The Specific Plan Area is located within the boundaries of the East Contra Costa Habitat Conservation Plan / Natural Community Conservation Plan (ECCHCP/NCCP or Plan). The ECCHCP/NCCP provides a framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts on endangered species.

Contra Costa Transportation Authority

Contra Costa Transportation Authority (CCTA) is responsible for funding, planning, and executing projects that manage traffic congestion, improve public safety, and increase easy access to transit for all residents. CCTA administers Contra Costa County’s Growth Management Program.

Contra Costa Local Agency Formation Commission

The Contra Costa Local Agency Formation Commission (LAFCO) is a regulatory agency charged by the State legislature with “discouraging urban sprawl and encouraging the orderly formation and development of local agencies” based on “local circumstances and conditions.” LAFCO’s responsibilities are defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

As further discussed in Chapter 3: Land Use Plan & Development Standards, because the Specific Plan Area is not currently located within the City of Brentwood’s city-limit lines or Sphere of Influence (SOI), development of the Specific Plan will require both SOI expansion and annexation review and approval by Contra Costa County Local Agency Formation Commission (LAFCo) pursuant to a separate process under state law.

East Contra Costa Regional Fee and Finance Authority

The East Contra Costa Regional Fee and Financing Authority (ECCRFFA or the Authority) is a regional planning agency charged with obtaining the funding for regional transportation improvement projects in eastern Contra Costa County. The Authority’s jurisdiction has traditionally encompassed the eastern portion of the County, including unincorporated areas as well as the Cities of Antioch, Brentwood, Oakley, and Pittsburg.

As the program update process was proceeding, a second joint powers authority was established (the East County Transportation Improvement Authority, or ECTIA). The fee structures for both Authorities were finalized in January 2002, and fees were levied by both Authorities to support different lists of improvement projects. A combined Strategic Plan was published in February 2003 outlining the cash flow projections and project prioritization for the regional improvements supported by the fee programs.

In 2005, the two fee Authorities were combined into a single entity by dissolving ECTIA and updating ECCRFFA to cover a comprehensive set of needed improvements to the regional

transportation system. An updated nexus study was conducted and documented in the Final Report: East Contra Costa Regional Fee Program Update, June 2005. All the jurisdictions adopted an updated fee schedule at that time, which has been annually adjusted to account for construction cost changes.

East Contra Costa Fire Protection District

The East Contra Costa Fire Protection District (ECCFPD) provides fire, rescue, and emergency basic life support emergency medical response services to eastern Contra Costa County. The District’s service area spans approximately 249 square miles of rural, suburban and urban development along with lands formerly designated as frontier or wilderness. The District includes three District fire stations and a CAL FIRE station contracted by the District to provide year-round services.

East Contra Costa Irrigation District

The East Contra Costa Irrigation District (ECCID) is an independent special district established in 1926 under the Irrigation District Law (California Water Code §20500 et seq.). The District’s boundaries encompass approximately 40 square miles and include the City of Brentwood, the unincorporated community of Knightsen, portions of the Cities of Oakley and Antioch, and some unincorporated area south of Antioch and east of Brentwood. ECCID’s sphere of influence (SOI) is coterminous with its boundaries. The District supplies irrigation water for agricultural, landscape and recreational use as well as raw water for treatment and delivery to urban areas.

The properties surrounding the Specific Plan Area are within the ECCID’s service area. ECCID will need to annex the Specific Plan Area into its service area boundary, which will need to be reviewed and approved by Contra Costa County LAFCo pursuant to a separate process under state law.

2.3. Existing Infrastructure and Public Services

2.3.1. Utilities

The utility providers identified below are those known to occur at the time this Specific Plan was prepared and may be subject to change due to factors not associated with this Specific Plan.

Water and Wastewater Supply

The City provides potable and recycled water supplies and distribution to customers in the City. The City also provides wastewater collection, treatment, and disposal services for residents and businesses that currently surround the Specific Plan Area. Because the land is currently used only for limited agricultural purposes, none of these services currently exist on site and thus will need to be extended from adjacent areas.

Stormwater Conveyance

The City is responsible for maintenance of the storm drainage collection system serving customers in the City. The Contra Costa County Flood Control and Water Conservation District is responsible for constructing and maintaining regional facilities including flood control basins, channels, and creeks throughout the county, including those within the City of Brentwood. It is anticipated that development within the

Specific Plan will include development of an onsite stormwater system.

Solid Waste

The Solid Waste Division of the City of Brentwood Public Works Department provides municipal solid waste (MSW) collection services, including garbage, yard waste, and recycling, to residents and businesses within the Specific Plan Area. The MSW is hauled to the City’s Solid Waste Transfer Station approximately three miles east of the Specific Plan Area. At the transfer station, the MSW is checked for potentially hazardous waste material, and transferred onto larger trucks for ultimate disposal at a sanitary landfill. The City currently disposes and/or processes MSW (garbage, recycling, and green waste) at the Keller Canyon Landfill located within unincorporated Contra Costa County.

The City maintains contractual agreements with Delta Diablo Sanitary District to provide household hazardous waste collection and disposal services. Household hazardous waste can be taken to the Delta Household Hazardous Waste Collection Facility, located in Pittsburg, or dropped off at one of several community collection events that take place in various locations in the City and throughout eastern Contra Costa County throughout the year.

Gas and Electric

Pacific Gas and Electric Company (PG&E) provides electric and natural gas services in the Specific Plan Area. Utility infrastructure in the Specific Plan Area is located both above ground on utility poles and below ground in public utility easements.

A pipeline easement diagonally bisects the Specific Plan Area and contains a 24-inch Crimson pipeline, an 18-inch Kinder Morgan pipeline, and a 26-inch abandoned PG&E natural gas pipeline.

There is also an existing overhead utility line running north-south through the Specific Plan Area.

Telecommunications

AT&T, Comcast, and Sonic provide telecommunication, cable television, and Internet services to the Specific Plan environs.

2.3.2. Public Services

Parks and Recreation

The Specific Plan Area is not currently served by any City-owned parks but is located close to several parks and other open spaces in the surrounding areas. This includes Balfour-Guthrie Park and Rolling Hills Park both east and adjacent to the Specific Plan Area, and East Bay Regional Park District’s Roddy Ranch property to the west.

Future development of the Specific Plan Area will provide additional park and recreational opportunities consistent with City of Brentwood requirements.

Public Safety

Public safety consists of police, fire protection, and emergency medical services. In the Specific Plan Area, police services are provided by the Brentwood Police Department. The Brentwood Police Department is located approximately three miles southeast of the Specific Plan Area.

Fire, rescue and basic life support are provided by the East Contra Costa Fire Protection District (ECCFPD). The ECCFPD station primarily responsible for serving the Specific Plan Area, Station 52, is located less than one mile east of the Specific Plan Area.

Designated by the County Board of Supervisors, Contra Costa Health Services (CCHS) serves as the local emergency medical services agency (the “EMS Agency”). The County awards exclusive ambulance operating contracts through a competitive process for all Emergency Response Zones (ERZs). The Specific Plan Area is within ERZ “E” which was consolidated with ERZ “D” in January of 2016.

Effective January 2016, a new contract went into effect between ConFire (Contra Costa County Fire Protection District) and AMR (American Medical Response) which provides that ConFire can directly dispatch individual AMR ambulances. Ambulance services are dispatched locally.

Public Education Facilities

The City of Brentwood is served by the Brentwood Union School District (BUSD) (elementary schools serving grades K-5 and middle schools serving grades 6-8) and the Liberty Union High School District (LUHSD) (high schools serving grades 9-12). The BUSD operates eight K-5 elementary schools and three middle schools, while the LUHSD operates four high schools.

R. Paul Krey Elementary School is located in the vicinity of the Specific Plan Area and is less than a mile southeast of the Specific Plan Area. Heritage High School and Adams Middle

School are located immediately south of the Specific Plan Area across Balfour Road.

3

LAND PLAN USE PLAN & DEVELOPMENT STANDARDS

This chapter illustrates the conceptual land use plan for the Specific Plan Area and defines the land use sub-designations unique to the Specific Plan. Development standards and permitted uses within each land use sub-designation are also described.

3.1. Introduction

Chapter 3 of the Specific Plan describes the conceptual land use plan for developing and using land within the Specific Plan Area. The land use plan defines land use sub-designations that are unique to the Specific Plan Area and provides the framework necessary to achieve the mixture of uses that will fulfill the vision and priorities for the Specific Plan Area. The land use plan comprises the text and figures in this chapter, which explains the conceptual locations of the land use sub-designations in the Specific Plan Area. Figure 3-2: Vineyards at Deer Creek Conceptual Land Use Plan shows a conceptual land use plan for the Specific Plan Area.



3.2. Land Use Plan

The Initiative amends the City of Brentwood General Plan Land Use Map from “SPA 2” to “SPA 2/VDCSP” as shown in Figure 3-1: Relevant Portion of the General Plan General Plan Land Use Map As Amended by Initiative. The Initiative includes additional conforming text amendments to the General Plan.

The Initiative also amends the City of Brentwood Zoning Ordinance (currently Title 17 of the Municipal Code), in part, to add the VDCSP zoning district, makes other conforming amendments to the Municipal Code with respect to design and site development review, and amends the Zoning Map to designate the Specific Plan Area as the VDCSP zoning district. The VDCSP zoning district is intended to implement the Specific Plan purpose and objectives described in Chapter 1: Introduction.

The land use plan implements the Specific Plan’s vision and goals, and includes the following four land use sub-designations in the Specific Plan Area:

- 1. Residential (VDC-R)
- 2. Community Recreation (VDC-CR)
- 3. Commercial / Civic (VDC-CC)
- 4. Open Space (VDC-OS)

The land use sub-designations, which are unique to the Specific Plan, form the basis of the Specific Plan’s land use framework. These sub-designations are further described in this chapter below, along with their respective development standards and permitted uses.

3-2 | VINEYARDS AT DEER CREEK SPECIFIC PLAN

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Table 3-1: Land Use Summary, identifies the approximate gross acreages of the four land use sub-designations that apply within the Specific Plan Area.

These Specific Plan land use sub-designations are unique to the Specific Plan Area and implement the policies of the Specific Plan as described in Chapter 1: Introduction. These land use sub-designations as implemented through the VDCSP zoning district (as adopted by the Initiative) prevents the future application of any other zoning districts or planned developments.

These land use sub-designations describe the types of land uses that frame the development character and function of the Specific Plan Area, and also provide a high-level planning context that describes how these land use sub-designations relate to adjoining areas.

The precise locations of the Residential (VDC-R), Community Recreation (VDC-CR), and Open Space (VDC-OS) land use sub-designations are not yet determined and are subject to further refinement as future project-level development plans progress to allow for consideration of site constraints, market trends, and other factors that may change over time. Notwithstanding the foregoing, the Commercial /Civic (VDC-CC) land use sub-designation shall be located on, and limited to, approximately ± 20 acres in the southwestern corner of the Specific Plan Area off Balfour Road. A conceptual land use plan showing possible locations of these land use sub-designations is illustrated in Figure 3-2: Vineyards at Deer Creek Conceptual Land Use Plan.

Calculation of Residential Densities

Densities specified in this Specific Plan are expressed in units per gross acre across the entire Specific Plan Area. Solely for purposes of calculating the three dwelling units per acre density established under the General Plan, as amended by the Initiative, and reflected in this Specific Plan, density shall be calculated based on total acreage of the Specific Plan Area (i.e., ± 815 acres).



Figure 3-1: Relevant Portion of the General Plan Land Use Map As Amended by Initiative

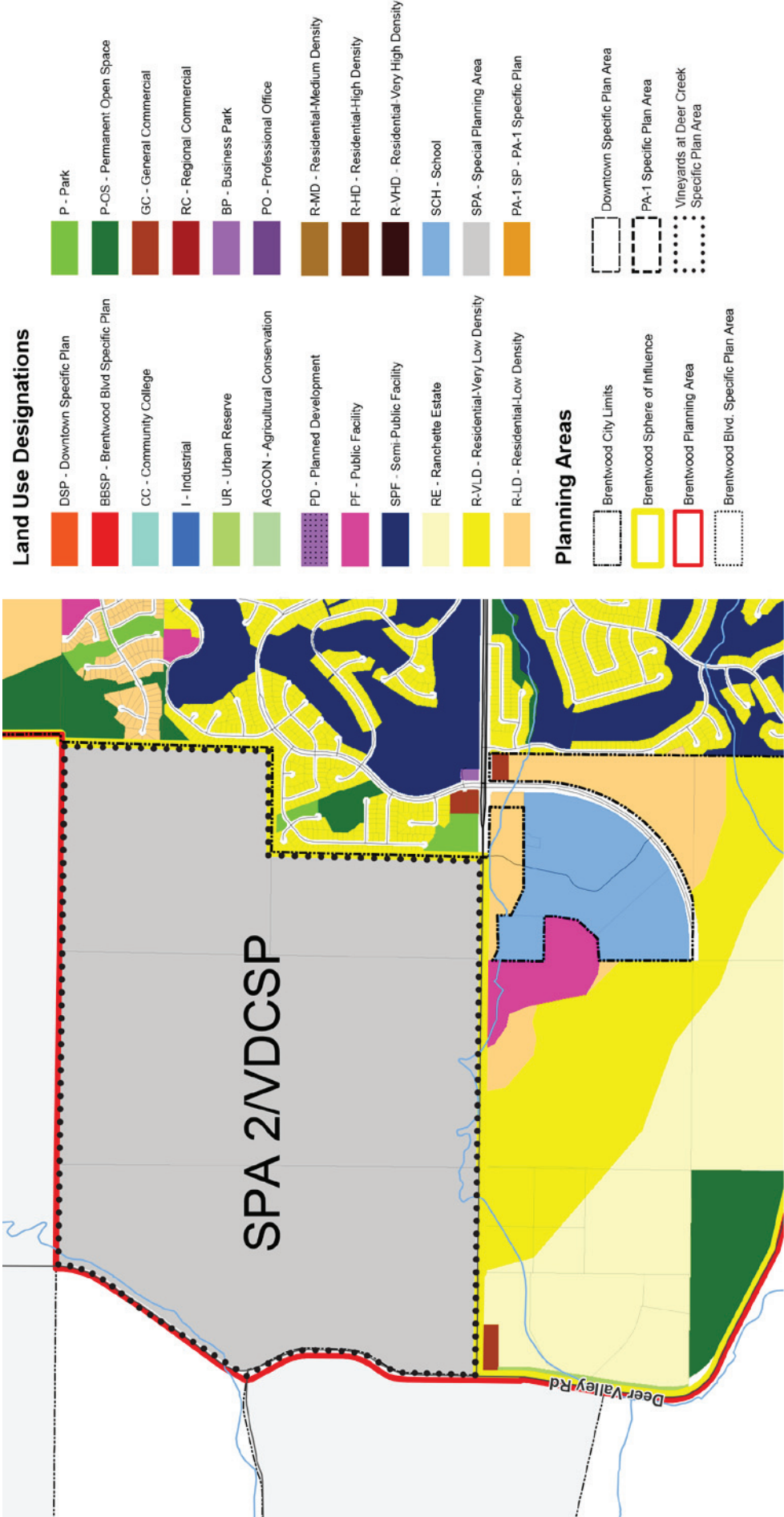


Figure 3-2: Vineyards at Deer Creek Conceptual Land Use Plan

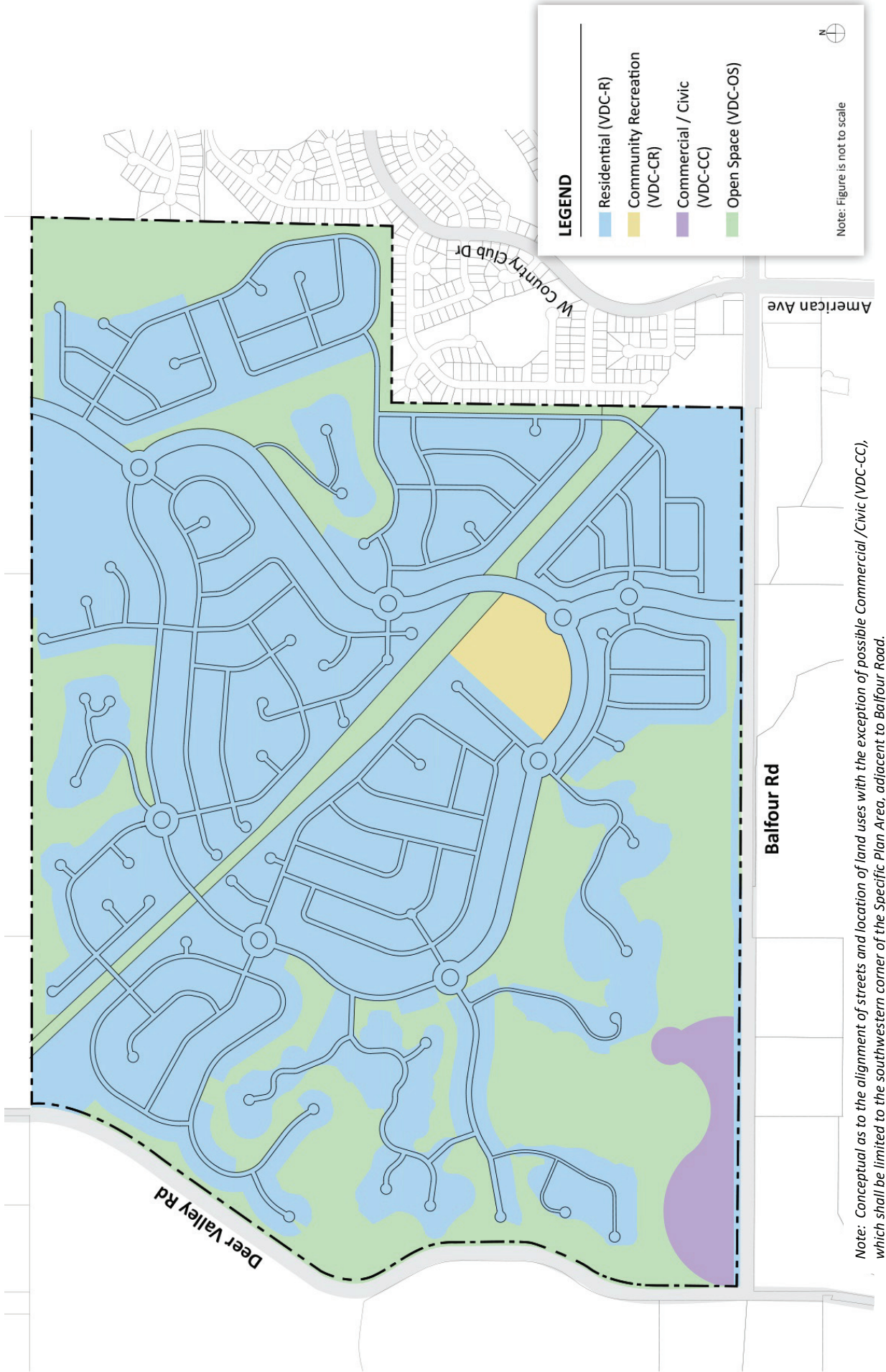


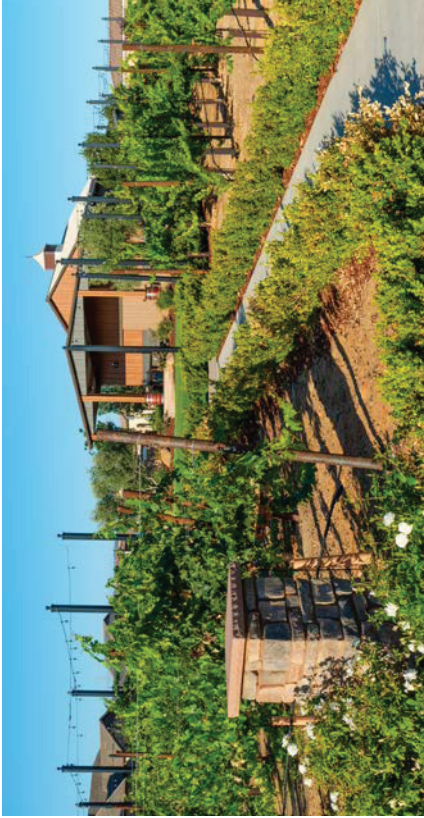
Table 3-1: Land Use Summary identifies the approximate acreages proposed for each land use category, as depicted on the Conceptual Land Use Plan. All numbers are rounded to the nearest whole number. The acreages provided in Table 3-1: Land Use Summary are an approximation only as site conditions and future permitting may affect development within the Specific Plan Area; in no event, however, shall there be less than 225 acres of open space in the Specific Plan Area.

Table 3-1: Land Use Summary

Land Use	Acres
Residential ^{1,2}	± 555
Community Recreation Center ¹	± 15
Commercial / Civic ¹	± 20
Open Space ³	± 225
Total	± 815

Notes:

1. Inclusive of roadways, and other miscellaneous areas; rounded to the nearest whole number.
2. Inclusive of stormwater basins. The total residential acreage may increase by up to and not more than 20-acres if the Commercial/Civic uses are not developed.
3. Consistent with the General Plan, open space may include agricultural, parks, permanent open space, and other similar uses, as well as waterways; per Specific Plan policy, the Specific Plan Area must include at least 225 acres of open space.



3.2.1. Residential (VDC-R)

The purpose of the Residential (VDC-R) land use sub-designation is to allow for the development of a maximum of 2,400 residential units. Of these, at least 80% must be active-adult age-restricted, and no more than 20% will be non-age-restricted. The phasing of age-restricted and non-age-restricted units, respectively, will depend on financing and market considerations. This Specific Plan does not require that the phasing of development satisfy the required 80/20 ratio at any time prior to buildout of the Specific Plan.

Any multi-family units shall be age-restricted only and may be rental or ownership. In no event, however, shall the maximum number of multi-family units (which must be age-restricted per above) exceed 20% of the total maximum number of 2,400 units allowed in the Specific Plan area.

Multi-family residential (which must be age-restricted) shall not be located on hilltops. Furthermore, along the eastern boundary of the Specific Plan Area where it adjoins existing residential development, there shall be a 100-foot buffer (which may include landscaping and roads). Uses adjacent to the buffer and within the Specific Plan Area shall be limited to single-story/single-story profile residential units.

The residential units will be developed on approximately ± 555 acres within the 815-acre Specific Plan Area for a gross density of no more than three dwelling units per acre for the entire Specific Plan Area, consistent with the density indicated as permissible in the General Plan for the SPA 2 (renamed SPA 2/VDCSP by the Initiative). It is anticipated that the active-adult age-restricted neighborhoods will be of a style similar to

the existing Summerset and Trilogy developments, located southeast of the Specific Plan Area.

The housing types are envisioned to include a combination of single-family attached and detached, and multi-family (age-restricted only) residential units. Consistent with City policy, senior care facilities are considered to be a commercial use and therefore shall not be included in the 2,400-unit maximum residential unit limitation. However, for purposes of this Specific Plan senior care facilities may be located in the VDC-R or VDC-CC sub-designations.

With build-out of the Specific Plan Area expected to take 20+ years, the final household types, specific densities and lot locations within the Specific Plan Area will be determined based on-site conditions and market trends.

The Specific Plan contemplates that all active-adult age-restricted neighborhoods proposed in the Specific Plan Area will be gated for privacy, and if so, private streets would be maintained by the residents that use them. Non-age restricted neighborhoods may also be gated for privacy, and if so, these private streets would also be maintained by the residents that use them. Gating of specific development proposals will be evaluated by the City during design review, consistent with Chapter 6: Design Guidelines.

The Specific Plan contemplates that each residential neighborhood may include a smaller private neighborhood recreation center, with denser housing types (e.g., multi-family or attached residential) located adjacent to such neighborhood social areas. Placement of smaller private neighborhood recreation centers could work to create a

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

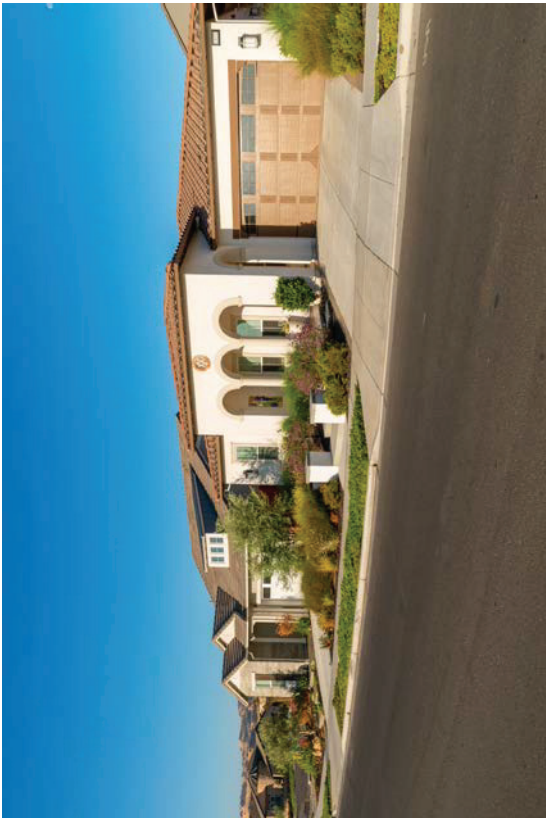
clustered focal point for each neighborhood, although, the final constructed mix of amenity uses will be market-driven.

The approximate acreage identified for residential development also includes acreage for water storage tanks, roads, and utility services, as well as a series of stormwater detention basins designed to improve water quality and regulate off-site flows during storm events.

Conceptual examples of the types of housing envisioned within the Residential (VDC-R) land use sub-designation are shown below.



3-8 | VINEYARDS AT DEER CREEK SPECIFIC PLAN



3.2.2. Community Recreation (VDC-CR)

The purpose of the Community Recreation (VDC-CR) land use sub-designation is to allow for the development of approximately ± 15-gross acres of community recreation uses.

Depending on market trends and to allow a degree of flexibility, the Specific Plan allows for development of one community recreation center, a series of neighborhood recreation centers, or a combination of the two. It is anticipated that the final constructed mix of amenity uses within any recreation center will be market-driven.

Centrally-Located Community Recreation Center

While being recreation focused, the ultimate indoor and outdoor offerings of the community recreation center will be refined based on the mix of housing types, evolving market trends, and programing requirements.

Indoor amenities could include a multi-purpose room for community events, a post office, a fitness center, an indoor pool, locker rooms, a restaurant, a health spa, a demonstration kitchen, and space for various informal recreation activities (e.g. library, craft room, pool table, etc.).

Outdoor recreation amenities could include a separate outdoor pool, tennis/pickleball courts, bocce ball courts, barbeques, informal gardens, parks, trails, dog park, putting greens, etc.

It is anticipated that the community recreation center will additionally be linked to the rest of the Specific Plan Area through pedestrian, bicycle and local use vehicle (e.g., golf cart) accessible connections.

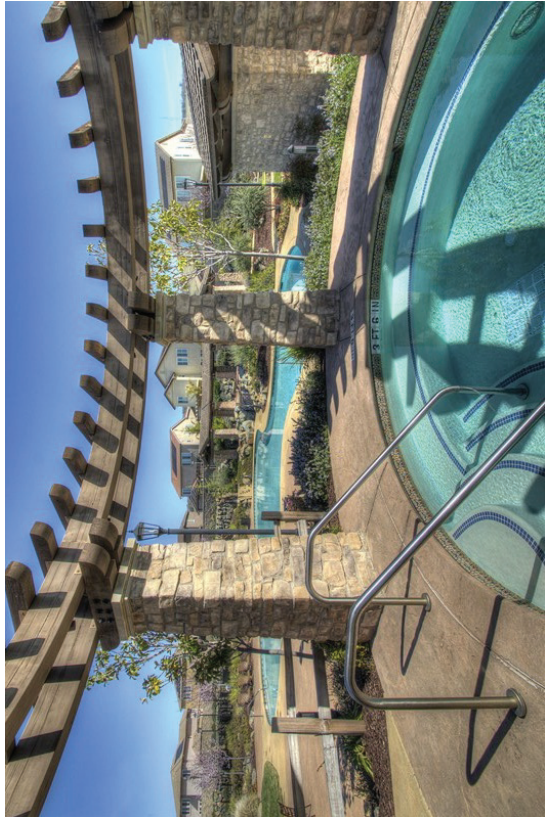
Some portions of the community recreation center may be open to the public while other areas will be restricted to the exclusive private use by the members of the home owner’s association(s) and their guests.

Neighborhood Recreation Centers

The Specific Plan also allows for development of smaller private neighborhood recreation centers associated with different neighborhoods. These smaller private areas could include amenities such as an outdoor swimming pool and patio area associated with a small community building with bathrooms for small private events.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS



3.2.3. Commercial / Civic (VDC-CC)

The purpose of the Commercial / Civic (VDC-CC) land use sub-designation is to allow for the development of a commercial / civic area, that if developed, must be limited to the approximately ± 20 acres in the southwestern corner of the Specific Plan Area off Balfour Road.

This area is envisioned for agricultural and farm-to-table related civic and commercial, uses and functions. Uses of this commercial / civic area could include an outdoor amphitheater, a winery, a “farm to table” restaurant/bar, and a wine barn for tastings, weddings, and other community events. In support of the agrarian theme, this area is envisioned to include a commercial nursery, an indoor community greenhouse, and outdoor community garden plots. Alternative limited commercial uses are also permitted within this area, as further described in this chapter. See Table 3-4: Allowed Uses for a list of the land uses permitted within the VDC-CC sub-designation.

If not developed with commercial uses, residential uses, as described in this Specific Plan, may be permitted in the southwestern corner of the Specific Plan Area off Balfour Road. Consistent with City policy, senior care facilities are considered to be a commercial use and therefore shall not be included in the 2,400-unit maximum residential unit limitation. However, for purposes of this Specific Plan senior care facilities may be located in the VDC-R or VDC-CC sub-designations.

It is a policy of this Specific Plan that any outdoor amphitheater and associated buildings within the VDC-CC sub-

designation should be oriented in such a way to minimize visual and noise impacts to adjacent residential neighborhoods.

Landscaping will help highlight primary entrances and architectural features, and parking and service areas will be screened from distracting views. Parking areas should be located to provide efficient and convenient access to uses and to contribute to an overall efficient circulation pattern.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS



3.2.4. Open Space (VDC-OS)

The purpose of the Open Space (VDC-OS) land use sub-designation is to allow for—and require—a minimum of 225 acres within the Specific Plan Area of open space, a portion of which will be permanent agricultural crops, such as vineyards and olive groves, reinforcing the characteristics of a Mediterranean environment.

Uses may include permanent agricultural crops, natural areas, formal or informal parkland, low-impact (permeable and semi-permeable) trails, and waterways. Other uses may include those that support the maintenance and preservation of the open space uses including barns, maintenance buildings, irrigation facilities, and gravel or improved access roads; as well as underground and above ground utilities. See Table 3-4: Allowed Uses for a list of the land uses permitted within the VDC-OS sub-designation.

It is anticipated that this open space will be privately owned and maintained by a Homeowners Association(s), or a similar entity which is expected to utilize a third-party organization(s) to conduct the farming (i.e. cultivation, pruning, irrigation, harvesting, etc.) and related operations onsite. Similar to the Trilogy development in Brentwood, the permanent agricultural areas could include vineyards and olive groves.

The VDC-OS sub-designation may include areas along existing utility easements and areas surrounding the existing oak trees located within the Specific Plan Area. Where feasible, existing oak trees in good health will be retained, and those identified by a licensed arborist as being in poor health or those that may pose a potential risk will be replaced onsite.

Open space management (i.e., weed abatement, mowing, pest control) and public landscaping will likely be maintained by a Lighting and Landscape District (LLD), or similar entity.



3.3. Development Standards

The section provides the land use development standards that apply to each of the land use sub-designations described in Section 3.2: Land Use Plan.

These development standards are to be used in conjunction with Chapter 6: Architectural Design Guidelines, which describe and illustrate building designs, concepts, and features that will promote the high-quality development that is envisioned for the Specific Plan Area.

Except as otherwise noted, development in the Residential (VDC-R) land use sub-designations shall be consistent with the development regulations as described in Table 3-2: Residential (VDC-R) Development Standards and Table 3-4: Allowed Uses, subject to minor deviations as permitted in Chapter 8: Implementation, Administration & Financing.

Development in the remaining three non-residential land use sub-designations (VDC-CR, VDC-CC, and VDC-OS) shall be regulated by the standards set forth in Table 3-3: Non-Residential Development Standards and Table 3-4: Allowed Uses, subject to minor deviations as permitted in Chapter 8: Implementation, Administration & Financing.

Definitions and graphic illustrations that help to clarify these development standards are addressed in Appendix A: Development Standards – Definitions & Illustrations.

These standards establish rules for the physical development of property, including building placement, scale and form, and lot design. All future development is required to meet the standards for the associated land use sub-designation, with

deviations permitted as noted herein. No lot should be created with size or dimensions rendering it incapable of meeting the land use, public utilities, or development standards of this Specific Plan.

For development proposals that require the approval of one or more planning entitlements (e.g., Design and Site Development Review, Conditional Use Permit, etc.), the determining party, either the Community Development Director or the Planning Commission, shall allow for minor deviations of up to a ± 10 percent variation of the development standard values listed in the tables below, provided such variation(s) fulfills the Specific Plan’s vision and policies, and meets the intent of the development standard(s). See also Section 8.4 Interpretation and Substantial Conformance.

For standards that apply on a generally applicable City-wide basis, the tables reference the Brentwood Municipal Code, as it may be amended from time to time. In any instances where both the Specific Plan and Municipal Code (or other City rule/regulation/guideline) provide a development standard for some aspect of site or building design, the Specific Plan’s standard shall prevail and control. For any specific standard not addressed in this Specific Plan, including in the tables herein, the generally applicable Brentwood Municipal Code and City Residential Design Guidelines, as each may be amended from time to time, assuming the specific standard applies to the Specific Plan Area, shall apply.

Minor modification to these development standards may be necessary to respond to unique site characteristics, regulatory permitting requirements, changes in development

requirements to respond to market trends, or other factors, as described in Chapter 8: Administration, Implementation & Financing.

Unless otherwise established herein, including but not limited to in Appendix A, all definitions and land use terms shall be interpreted consistent with the Brentwood Municipal Code, as may be amended from time to time.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Table 3-2: Residential (VDC-R) Development Standards

Type ¹	Estate	Traditional	Cluster	Duet ²	Townhouse	Multi-Family (Age-Restricted Only)
	Detached			Attached		
Parcel Configuration						
Overall Density ³	This Specific Plan anticipates a range of densities permitted across the Specific Plan Area based upon product type and market demand, but under no circumstances shall overall density across the Specific Plan Area exceed three (3) dwelling units per gross acre and all product types will be developed in accordance with the development standards described in this table.					
Density (min. – max.) du/acres ³	1-5	4-10	6-18	6-14	8-30	15-30
Minimum lot size (sf.)	9,000	4,500	2,500	3,200	n/a	n/a
Minimum lot width (ft.)	70	45	35	30	25	n/a
Setbacks – (ft. min.) ⁴						
Front	20	12	5 to living space	10	10	10
Front, garage	20	18	3 min. / 18 with parking	18	3 min. / 18 with parking	15 (if applicable)
Side, interior	5/15 aggregate	4	4	4/0	4/0	5/15 aggregate
Side, street	10	9	9	9	9	10

Type ¹	Estate	Traditional	Cluster	Duet ²	Townhouse	Multi-Family (Age-Restricted Only)
	Detached			Attached		
Rear, interior	20	8	5	8	15	20
Rear, alley	n/a	n/a	3 min alley / 18 with parking	n/a	3 min alley / 18 with parking	3 min alley / 18 with parking
Building Separation – (ft. min.)						
Front-to-Front	n/a	n/a	n/a	n/a	20	20
Side-to-Side	n/a	n/a	n/a	n/a	10	10
Front-to-Side	n/a	n/a	n/a	n/a	15	15
Off-Street Parking						
Minimum off-street covered parking (spaces)	2	2	2	1 per unit	1 per unit	1 per unit
Guest parking (spaces/unit)	n/a	n/a	n/a	n/a	n/a	0.25
Height						
Maximum stories	2	2	2	2	3	4
Maximum building height (ft.) ⁵	35	35	35	35	35	50
Open Space, Private and Common						
Ground Floor (sf. min.)	n/a	n/a	n/a	n/a	100 ⁶	100 ⁶

Type ¹	Estate	Traditional	Cluster	Duet ²	Townhouse	Multi-Family (Age-Restricted Only)
	Detached			Attached		
Upper floors	n/a	n/a	n/a	n/a	100 ⁶	60 ⁶
Common Open Space	n/a	n/a	n/a	n/a	15%	15%

Notes:

1. With the exception of the Multi-Family housing type (which must be age-restricted only), housing types may be either age-restricted or non-age-restricted.
2. Duets may also include condominium-type product.
3. Densities specified in this Specific Plan are expressed in units per gross acre across the entire Specific Plan Area. Solely for purposes of calculating the three dwelling units per acre density established under the General Plan, as amended by the Initiative, and as reflected in this Specific Plan, density shall be calculated based on total acreage of the Specific Plan Area (i.e., ± 815 acres). Gross acres is defined in Appendix A: Development Standards – Definitions & Illustrations, attached hereto.
4. Setbacks shall be measured from the back of sidewalk. If no sidewalk exists, setback shall be measured from the back of curb. Allowed encroachments into setbacks include: porches and patios, landings, steps, bay windows, media nooks, fireplaces utility boxes, cantilevers, roof eaves, and other similar features. Porches or patio covers open on at least one side (“California Rooms”) on single family detached and attached homes may encroach up to two feet into the required side yard setback and up to four feet into the required rear yard setback. For architectural projections, such as balconies open on at least one side, on multi-family units, the setback may be reduced by up to seven feet on the front and rear setbacks.
5. Building height shall be calculated per generally applicable Brentwood Municipal Code, as it may be amended from time to time.
6. Minimum 15% should be as common open space.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Table 3-3: Non-Residential Development Standards

Standard	Community Recreation (VDC-CR) ¹	Commercial / Civic (VDC-CC)	Open Space (VDC-OS)
Intensity & Lot Coverage			
Floor Area Ratio (max.)	0.6	0.4	0.1
Setbacks (ft. min.)			
Front	10	10	50
Side ²	10	10	25
Street Side	10	10	25
Rear, general ²	10	10	50
Rear, alley ²	10	10	50
Building Separation			
Front-to-front (ft. min.)	20	20	50
Side-to-side with openings (ft. min.)	20	20	50
Side-to-side w/out openings (ft. min.)	15	15	15
Front to side (ft. min.)	20	20	50
Height			
Building (stories / ft. max.)	3 / 45	3 / 45	1 / 25
Façade Configuration & Projections			
Horizontal distance between change in façade planes (ft. max.)	75	75	n/a

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Standard	Community Recreation (VDC-CR) ¹	Commercial / Civic (VDC-CC)	Open Space (VDC-OS)
Towers, turrets, and other roof forms above fascia (ft. max.)	10	10	n/a
Encroachments			
Building entries (ft. max.)	5	5	5
All other	Per BMC ³	Per BMC ³	Per BMC ³
Off-street Parking and Loading			
Automobile (spaces per 1,000 sf. of gross floor area)	4	4	n/a
Bicycle (% of parking space, 4 min.)	5	5	n/a
All other	Per BMC ³	Per BMC ³	Per BMC ³
Other			
Landscaping and screening		Per BMC ³	
Signs		Per BMC ³	
Accessory and service uses		Per BMC ³	

Notes:

1. Residential uses within the VDC-CR sub-designation shall be subject to the applicable development standards as described in Table 3-2: Residential (VDC-R) Development Standards.
2. Where there is abutting residential uses, the minimum side or rear yard setback should be twenty feet. If a public alleyway is separating the two zones, the width of the alleyway may be included as part of the minimum rear yard setback, however, in no case shall the rear yard be less than ten feet.
3. Per generally applicable Brentwood Municipal Code, as it may be amended from time to time.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.4. Allowed Uses

Table 3-4: Allowed Uses, establishes land use and corresponding entitlement requirements for the Specific Plan’s four land use sub-designations.

Within the Specific Plan Area, all land area and structures/facilities therein are intended to be developed, divided, and/or used for those activities listed in Table 3-4: Allowed Uses. The table also includes references to generally applicable Brentwood Municipal Code sections and other ordinances that the City uses to regulate development.

Land uses in the table are grouped into general categories based on common function, product, or compatibility characteristics. These allowed use categories are called “use classifications.” Use classifications describe one or more uses having similar characteristics but do not list every use or activity that may appropriately be within the classification. The following rules apply to use classifications:

Similar Uses. When a use is not specifically listed in Table 3-4: Allowed Uses, it shall be understood that the use may be permitted or conditionally permitted if the City of Brentwood Community Development Director reasonably determines that the use is substantially similar to a use listed in Table 3-4: Allowed Uses. It is further recognized that every conceivable use cannot be identified in Table 3-4: Allowed Uses. Anticipating that new uses will evolve over time, the Community Development Director may make a formal determination based on the proposed use’s impacts and its

compatibility with uses allowed in the given land use sub-designation.

Illegal Uses. No use that is illegal under local, state, or federal law shall be allowed in any land use sub-designation within the Specific Plan Area.

Use regulations in Table 3-4: Allowed Uses are shown using the following symbols:

P land use permitted by right

CUP land use allowed with the approval of a conditional use permit per generally applicable provisions of the Brentwood Municipal Code, as may be amended from time to time.

– land use not allowed

Table 3-4: Allowed Uses

	Residential (VDC-R)	Community Recreation (VDC-CR)	Commercial / Civic (VDC-CC)	Open Space (VDC-OS)
Residential Uses				
Single-family, attached & detached	P	–	P	–
Age-restricted multi-family	P	–	P	–
Senior Care ¹				
Residential care facility, six or fewer persons	P	–	P	–
Assisted living / senior care	P	–	P	–
Residential Accessory Uses and Improvements				
Accessory facilities or buildings related to the primary use	P	–	–	–
Home occupation, subject to obtaining a home occupation permit pursuant to BMC	P	–	–	–
Model home sales facilities	P	P	P	–
Entertainment and Recreation Related				
Community recreation center and related facilities including clubhouse, restaurant, demonstration kitchen, swimming pools, tennis courts, bocce ball courts, spa facilities, fitness gym, social meeting space, limited retails sales, etc.	–	P	–	–
Neighborhood recreation center and related facilities including swimming pool(s), changing rooms, social meeting space, tennis courts, and other similar community-use facilities and open areas	P	P	–	–

	Residential (VDC-R)	Community Recreation (VDC-CR)	Commercial / Civic (VDC-CC)	Open Space (VDC-OS)
Amphitheater that hosts events with dancing and/or live entertainment and amplified sound	–	P	P	–
Accessory facilities including kitchen, offices and parking lots or buildings related to an amphitheater, winery or other similar civic entertainment facility	–	P	P	–
Commercial				
Winery, including tasting rooms, storage, and production and general commercial retail and service businesses which are ancillary to the primary uses	–	P	P	–
Restaurant, including indoor and outdoor seating, which serves or sells alcoholic beverages	–	P	P	–
Tasting room and stores which sell beer and/or wine (packaged goods off-sale)	–	P	P	–
Neighborhood commercial goods and services ²	–	P	P	–
Visitor accommodations and related services ³	–	–	P	–
Gardening nursery and associated facilities	–	–	P	P
Public, Quasi-Public, Civic and Assembly Uses				
Parks, playgrounds and recreational trails	P	P	P	P
Water tanks, pump stations, utility boxes, and other similar infrastructure utilities	P	P	P	P
Agricultural planting areas (e.g. crops) and maintenance and related structures	–	P	P	P

	Residential (VDC-R)	Community Recreation (VDC-CR)	Commercial / Civic (VDC-CC)	Open Space (VDC-OS)
Community space for social events (e. g., weddings) and meetings	P	P	P	P
Outdoor vending - fresh fruits and vegetables	–	P	P	P
Community gardens	P	P	P	P
Temporary and interim uses including produce market, flea market, craft and art fairs, auction gallery and other similar uses	–	P	P	CUP
Other				
Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC ⁴	P	P	P	P
Storm water quality treatment and detention/retention facilities	P	P	P	P
Wireless communication antenna, building mounted; pursuant to BMC ⁴	P	P	P	P
Wireless communication antenna, free standing; pursuant to BMC ⁴	CUP	CUP	CUP	CUP
Solar photovoltaic power system	P	P	P	CUP
Other uses determined by the Community Development Department to be similar to and compatible with described uses	P/CUP	P/CUP	P/CUP	P/CUP

Notes:

- 1 For purposes of the Specific Plan, Senior Care is considered a residential use, however the City applies Commercial development standards. For the purposes of parking, commercial standards shall apply.
- 2 Neighborhood commercial goods and services allows for the sale of convenience goods and personal services for the day-to-day living needs of the immediate neighborhood. Any tenancy greater than 5,000 sf. of occupied building space requires a Conditional Use Permit.
- 3 Visitor accommodations and related services provides for overnight guest accommodations (e.g. boutique hotel, B&B) with supporting services such as a restaurant, spa, meeting space. Any visitor accommodation uses greater than 80 guest rooms for any individual development requires a Conditional Use Permit.
- 4 Per generally applicable provision(s) of the Brentwood Municipal Code, as may be amended from time to time.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

3.5. Project Phasing

This Specific Plan may be implemented over time and in a phased approach. Specific details regarding phasing will be determined by the developer(s) in response to market trends, availability of financing, and other factors.

The anticipated sequence of Specific Plan Area construction is shown in Figure 3-3: *Conceptual Phasing Plan*. This sequencing envisions up to five phases or more developed over the next 20+ years. It is anticipated that the exact boundaries of these phases, sequencing and development timing of the neighborhoods are subject to change due to market trends, site constraints and other factors.

As described in Chapter 8: Implementation, Administration & Financing, any future development will be responsible for the construction of both private and public infrastructure necessary to support each phase within the Specific Plan Area and, in relevant circumstances (e.g. water, sewer, stormwater), in adjacent off-site areas. As each phase with infrastructure is built, the constructed public infrastructure will be dedicated to and accepted by the City of Brentwood.

3.6. Project Approvals

The Initiative includes approval of a modification to the City’s Urban Limit Line (ULL) to include the Specific Plan Area within the ULL. Because the Specific Plan Area is not located within the City of Brentwood’s municipal boundaries or Sphere of Influence (SOI), however, development of the Specific Plan requires SOI expansion and annexation review and approval

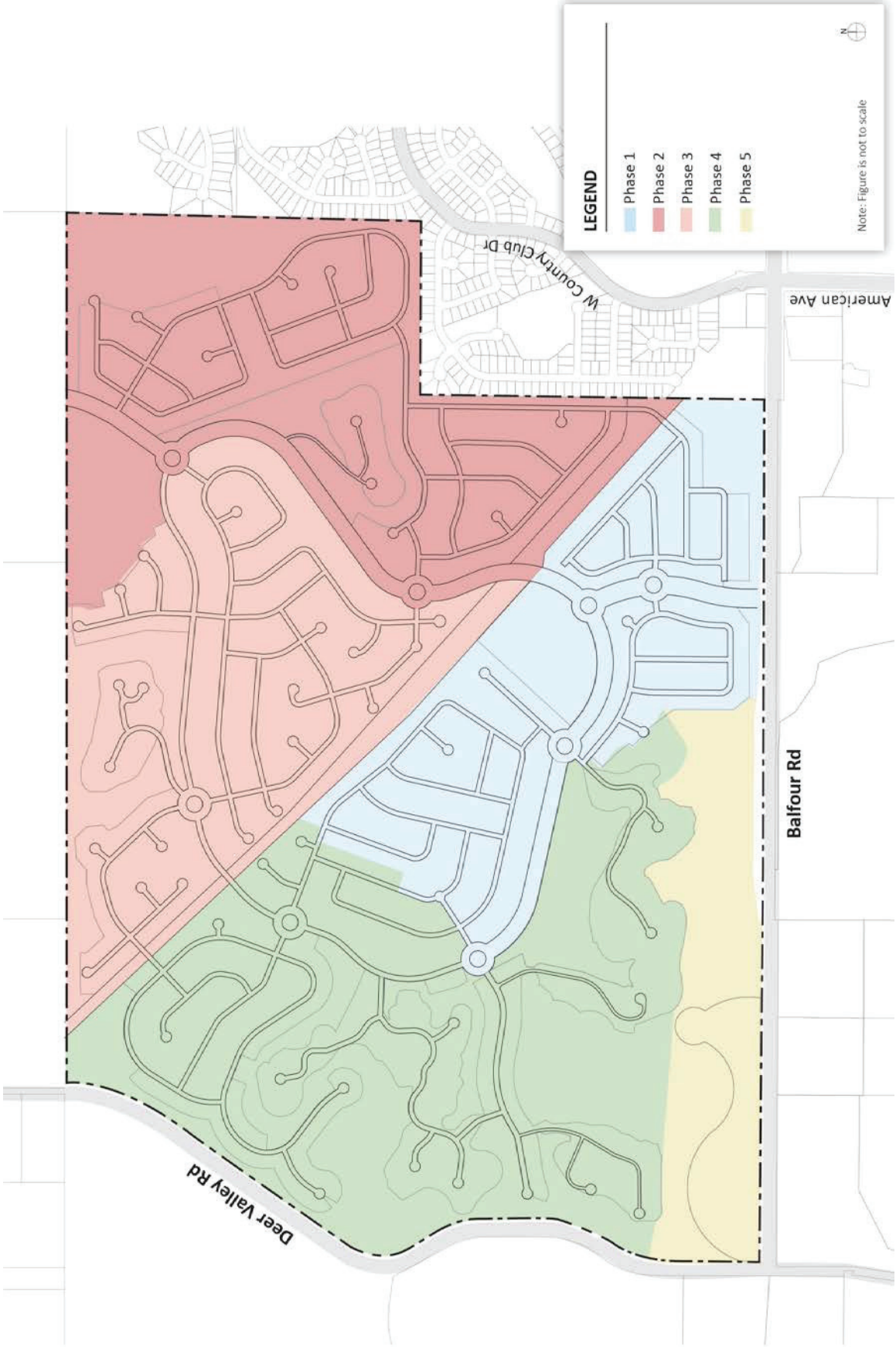
by Contra Costa Local Agency Formation Commission (LAFCo) pursuant to a separate process under state law.

It is anticipated that future development under the Specific Plan would require additional actions or approvals that may include:

- Development agreement(s) between City and developer(s);
- Approval by LAFCo of annexation of the Specific Plan Area to the East Contra Costa Irrigation District; and
- Subsequent discretionary approvals by City may include but are not limited to:
 - Subdivision map(s);
 - Design Review;
 - Conditional Use Permits.

Specific Plan development also may require discretionary approvals or permits from other federal, state, and regional agencies as required by law as further discussed in Chapter 8: Implementation, Administration & Financing.

Figure 3-3: Conceptual Phasing Plan



Note: Conceptual as to the alignment of streets and phasing.

4

CIRCULATION & MOBILITY

This chapter describes the conceptual mobility plan for all users including bicyclists, pedestrians, and vehicles. It includes the conceptual roadway hierarchy and conceptual cross-sections for each roadway type. It also describes certain offsite roadway improvements that are required for development of the Specific Plan.

4.1. Introduction

The circulation system within the Specific Plan Area will be a comprehensive roadway network, designed to provide a full range of effective and proven techniques to promote all forms of mobility including vehicles, bicyclists, and pedestrians. Streets will be designed for multiple modes of transportation, including walking, bicycling, or driving a local use vehicle or automobile. Connections are designed between and throughout the residential, commercial, and open space.

Throughout this Specific Plan, the terms “streets” and “roads” are considered interchangeable.

Research indicates that residents of age-restricted communities drive significantly less than those in non-age restricted single-family residential neighborhoods. Many of these residents are retired or nearing retirement and do not make daily commutes to work. Additionally, as compared with non-age-restricted communities, few daily trips attributed to resident minors to school or after-school activities would be required. Many of the daily trips made by active adult residents remain within the nearby community and may be taken outside of an automobile by way of walking, bicycling, or using local use vehicles (LUVs) (e.g., golf carts, neighborhood electric vehicles).

It is a policy of this Specific Plan that mobility solutions via a network of roadways that support cars and local use vehicles (LUVs) such as golf carts and separated pedestrian and bike pathways should provide for traditional and alternative modes of transportation throughout the Specific Plan Area. This

could include routes and parking for LUVs, and less formal pedestrian/bicycle paths. These varied mobility choices will facilitate travel between the various residential neighborhoods, the community recreation center and the commercial/civic area located along Balfour Road. LUVs and automobiles can safely mix on local/residential streets which have lower speeds and overall traffic volumes. Therefore, LUVs will be able to travel within lanes on all neighborhood streets within the Specific Plan Area, to the extent permitted by state law.



4.2. Street Network and Hierarchy

The conceptual locations of streets that may be constructed within the Specific Plan Area are shown in Figure 4-1: Conceptual Street Network & Hierarchy.

Primary access to the Specific Plan Area will be via a divided minor arterial (Hillcrest Avenue extension in Brentwood) north of Balfour Road. Secondary controlled access for Specific Plan residents will be from Hillcrest Avenue once the northerly section has been constructed, which is anticipated to be completed in the future by other parties and/or agencies. This secondary controlled access will also provide additional emergency vehicle access.

The primary entry road (Hillcrest Avenue extension in Brentwood) will be a divided minor arterial north of Balfour Road. This roadway will provide access to at least two residential neighborhoods. If a community recreation center is developed, it is anticipated that this primary entry road will additionally provide public access to such community recreation center, and further to gated entry(s) to the age-restricted neighborhoods beyond (See Figure 4-2: Conceptual Primary Entry Road (Hillcrest Avenue Extension in Brentwood) Cross-Section).

The Specific Plan contemplates that vehicular access to all active-adult age-restricted neighborhoods proposed in the Specific Plan Area may be gated for privacy, and if so, private streets would be maintained by the residents that use them. Gating of specific development proposals will be evaluated by the City during design review, consistent with Chapter 6: Design Guidelines.

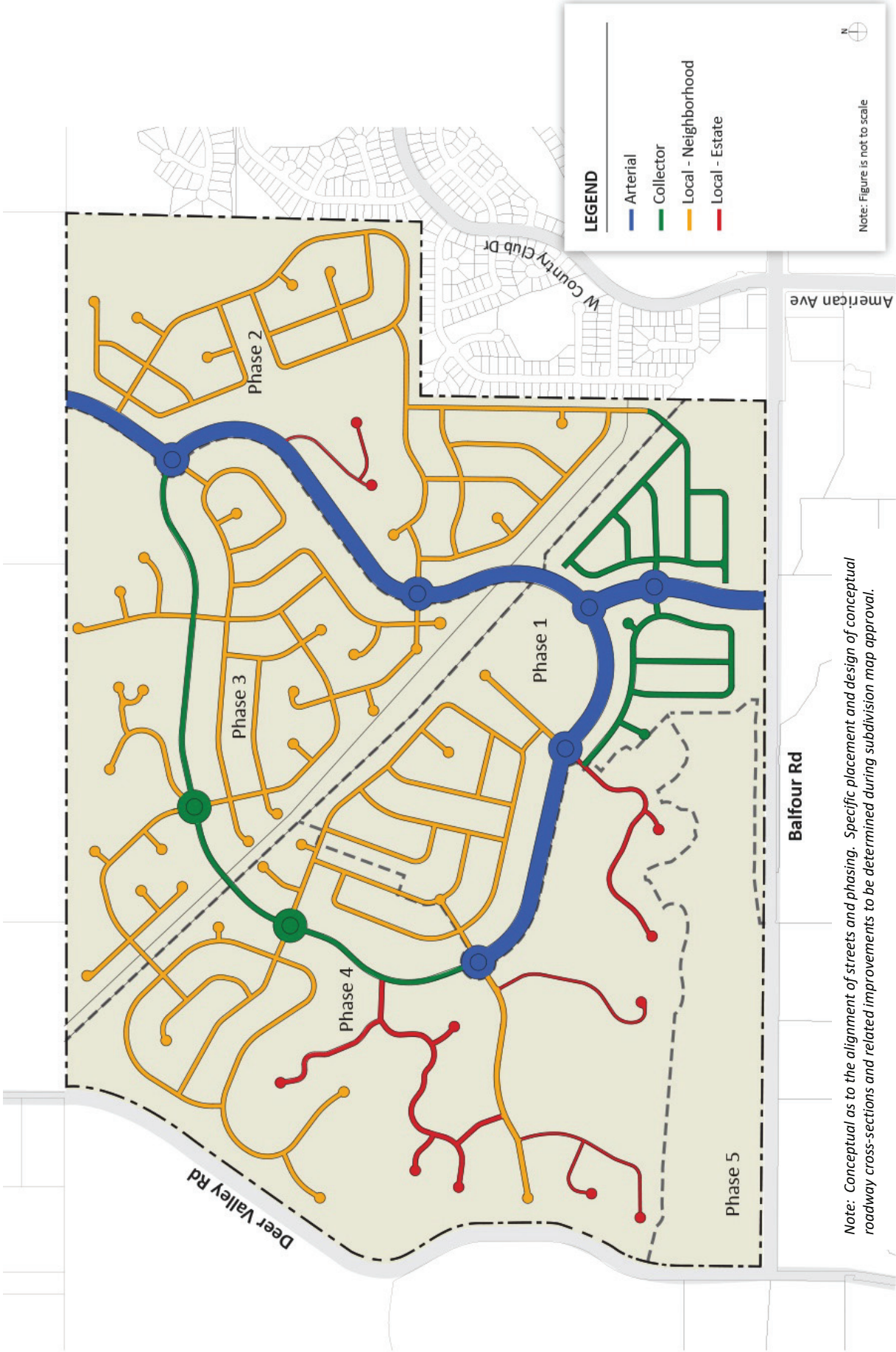
INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Vehicular access to residential areas within the Specific Plan Area should consist of a series of collector and local streets providing access to the residential neighborhoods.

All roadways located behind gates shall be privately owned and maintained by the respective Home Owners Association(s). Such roads should be constructed over time as each neighborhood is developed, and will ultimately create a cohesive, interconnected network that provides all transportation modes with access throughout the Specific Plan Area. The circulation system is oriented to interface effectively with the existing and planned circulation networks beyond the Specific Plan Area’s boundaries. The final alignments, footprints, and exact locations of the conceptual streets are subject to change and refinement as development inside and outside of the Specific Plan Area proceeds.

The residential neighborhoods will be defined by a series of arterial and collector streets. These neighborhoods are further defined by pedestrian/bicycle network, open space common areas, and potentially parks and/or neighborhood recreation centers. Land uses are also visually and physically connected to other uses by efficient circulation infrastructure, continuity of streetscapes, complementary design features, and by the nature of their compatibility.

Figure 4-1: Conceptual Street Network & Hierarchy



4.3. Pedestrian Network

Pedestrian circulation should be emphasized by providing an interconnected network of sidewalks along internal streets and a series of trails in open space. Pedestrian connections should be provided throughout residential neighborhoods and to open space and recreation centers. Sidewalks should be a minimum of four feet in width.

4.4. Bicycle Circulation

Bicycle circulation should be integrated throughout the Specific Plan Area through on-street bike lanes and separated off-street bike or multi-use paths. Where bike lanes are not provided (such as along local roads), bicyclists and slower-moving vehicles will share the road. These streets have less automobile traffic, reducing the need for dedicated bike lanes. Where provided, bike lanes should be a minimum of five feet in width.

4.5. Multi-Use Paths

Multi-use (or shared) paths are envisioned adjacent to arterial and collector roads. A separated multi-use path will be constructed onsite as part of grading concurrent with improvements along the east side of Deer Valley Road.

Multi-use paths are designed to support multiple recreation and mobility opportunities, such as walking, jogging, bicycling, inline skating and people in wheelchairs. They are physically separated from motor vehicle traffic and may include a

landscaped buffer or barrier. Where provided, multi-use paths will be a minimum of ten feet in width.



4.6. On-Site Street Classifications

Conceptual cross-sections are shown below for each of the street classifications shown in Figure 4-1: *Conceptual Street Network & Hierarchy*. These cross-sections apply to all streets, public and private, constructed in the Specific Plan Area.

The conceptual cross-sections for each roadway type are described below and shown in Figures 4-2 through 4-6, the specific placement and design of which will be determined during subdivision map approval.

These conceptual cross-sections implement the Specific Plan vision to create a community with a range of recreation and mobility options by providing a circulation network that is bicycle and pedestrian friendly.

4.6.1. Arterial Roads

For purposes of this Specific Plan, major arterials are defined as major streets that connect town and neighborhood centers to the greater region, often via freeway interchanges. These streets support pedestrians and cyclists, while car traffic, delivery trucks, emergency responders, and transit providers operate with high levels of efficiency. Traffic signals along major arterial streets often operate under coordinated signal timing during the busiest periods of the day to optimize efficiency.

For purposes of this Specific Plan, major arterials are identified as having two or more vehicle travel lanes in each direction (e.g. Balfour Road and American Avenue).

Minor arterials are typically identified as have one or two vehicle travel lanes in each direction (e.g. Hillcrest Avenue). Within the Specific Plan Area, minor arterials will consist of a travel lane and a bike/local use vehicle (LUV) in each direction, separated by a landscaped median. On each side of the roadway will be a parkway that will consist of a separated multi-use path and landscaping.

4.6.2. Collector Streets

For purposes of this Specific Plan, collector streets are defined as moderate capacity roadways that move traffic from neighborhoods to arterial roads. Direct vehicular access to individual parcels and uses will generally be limited, with most access to these areas occurring via local streets. Similar to arterial roads, collector streets serve all modes of transportation.

Neighborhood collector streets will be constructed throughout the Specific Plan Area. These roadways will typically include one travel lane and a parking lane/bike lane in each direction and a sidewalk on one side.

4.6.3. Local Roads

For purposes of this Specific Plan, local roads are defined as low capacity streets that provide direct access to residential lots and land uses and often define the boundaries and characteristics of neighborhoods. These roads have the lowest speed limit and carry low volumes of traffic making them suitable for other “joint” uses such as biking, local use vehicles, and pedestrians.

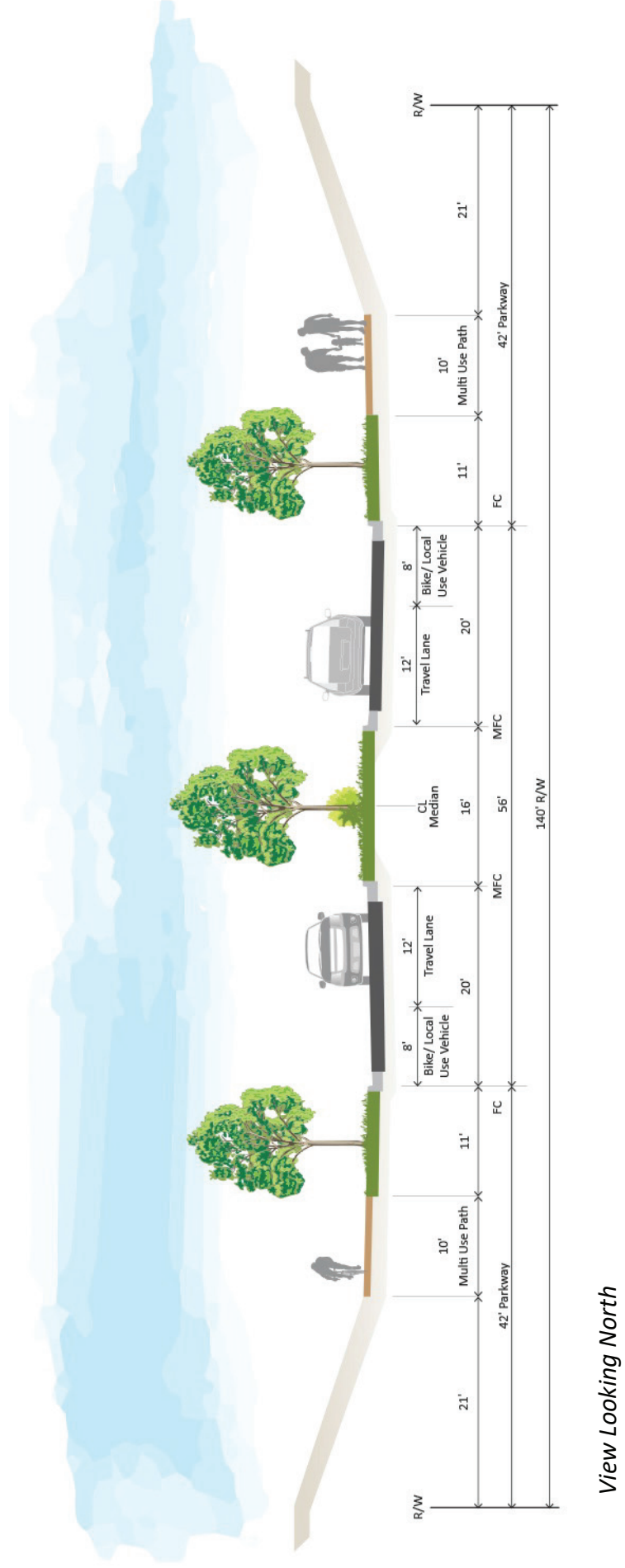
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Within the Specific Plan Area, local roads will be in the residential neighborhoods. The predominant configuration will consist of one travel lane in each direction and, on one side, parking with an adjacent sidewalk. Roads providing access to the Estate lots (Local – Estate) will consist of one travel lane in each direction and three variations of parking; namely none, one side, and both sides. Due to the very low traffic volumes and very slow speeds, Local – Estate roads will not have separated sidewalks.

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

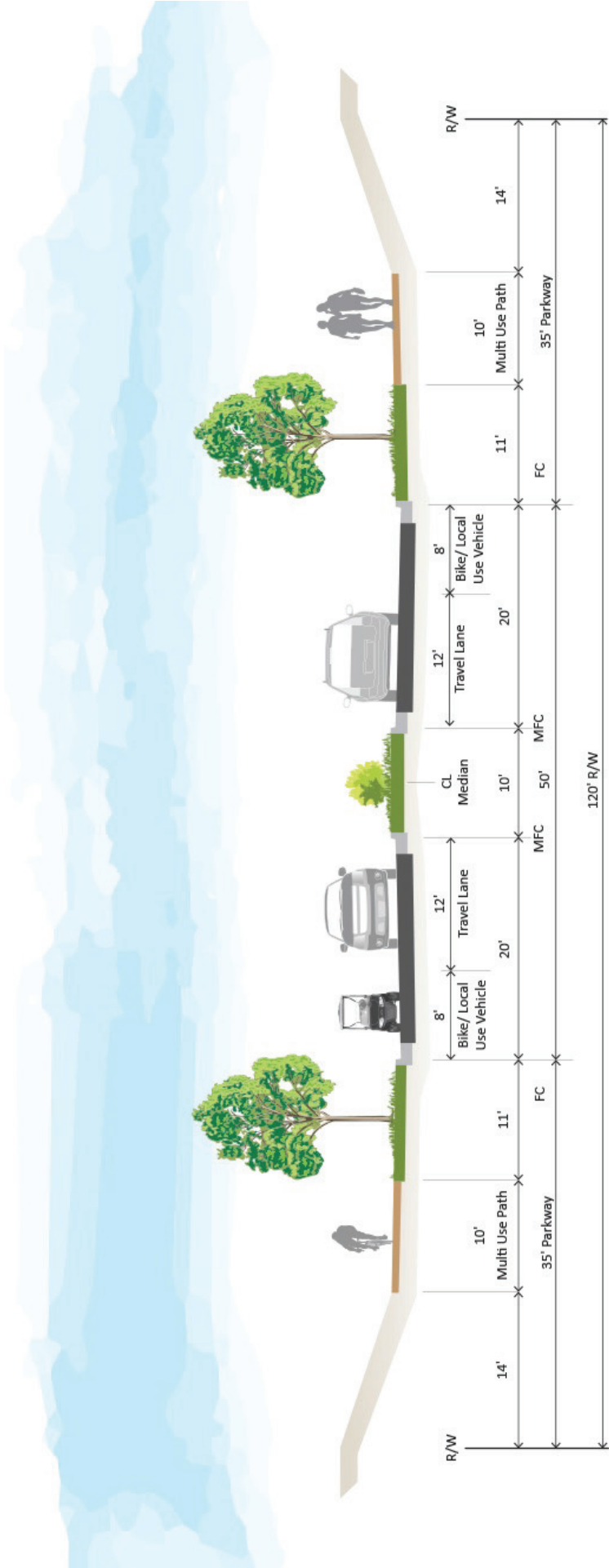
Figure 4-2: Conceptual Primary Entry Road (Hillcrest Avenue Extension in Brentwood) Cross-Section



Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.



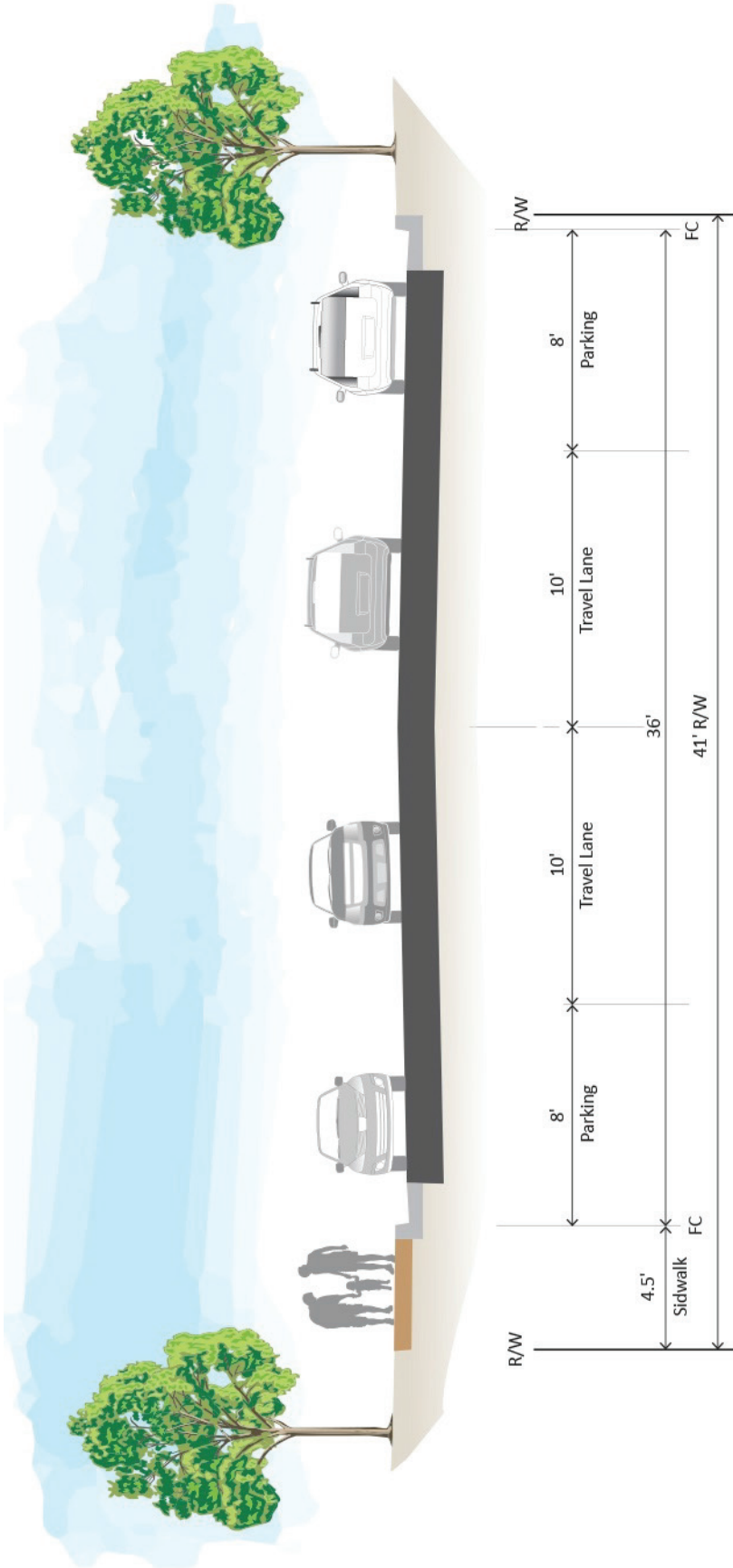
Figure 4-3: Conceptual Collector Street Cross-Section



4-8 | VINEYARDS AT DEER CREEK SPECIFIC PLAN

Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

Figure 4-4: Conceptual Neighborhood Collector Street Cross-Section



Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

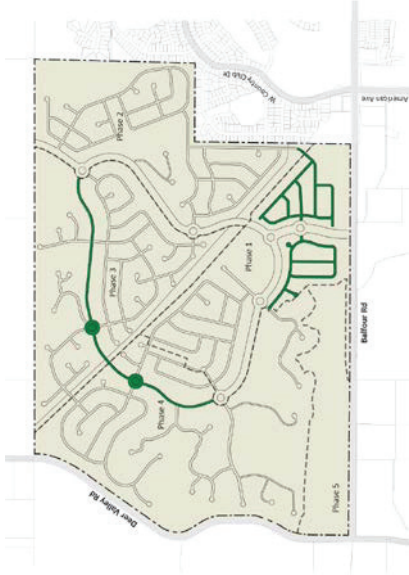
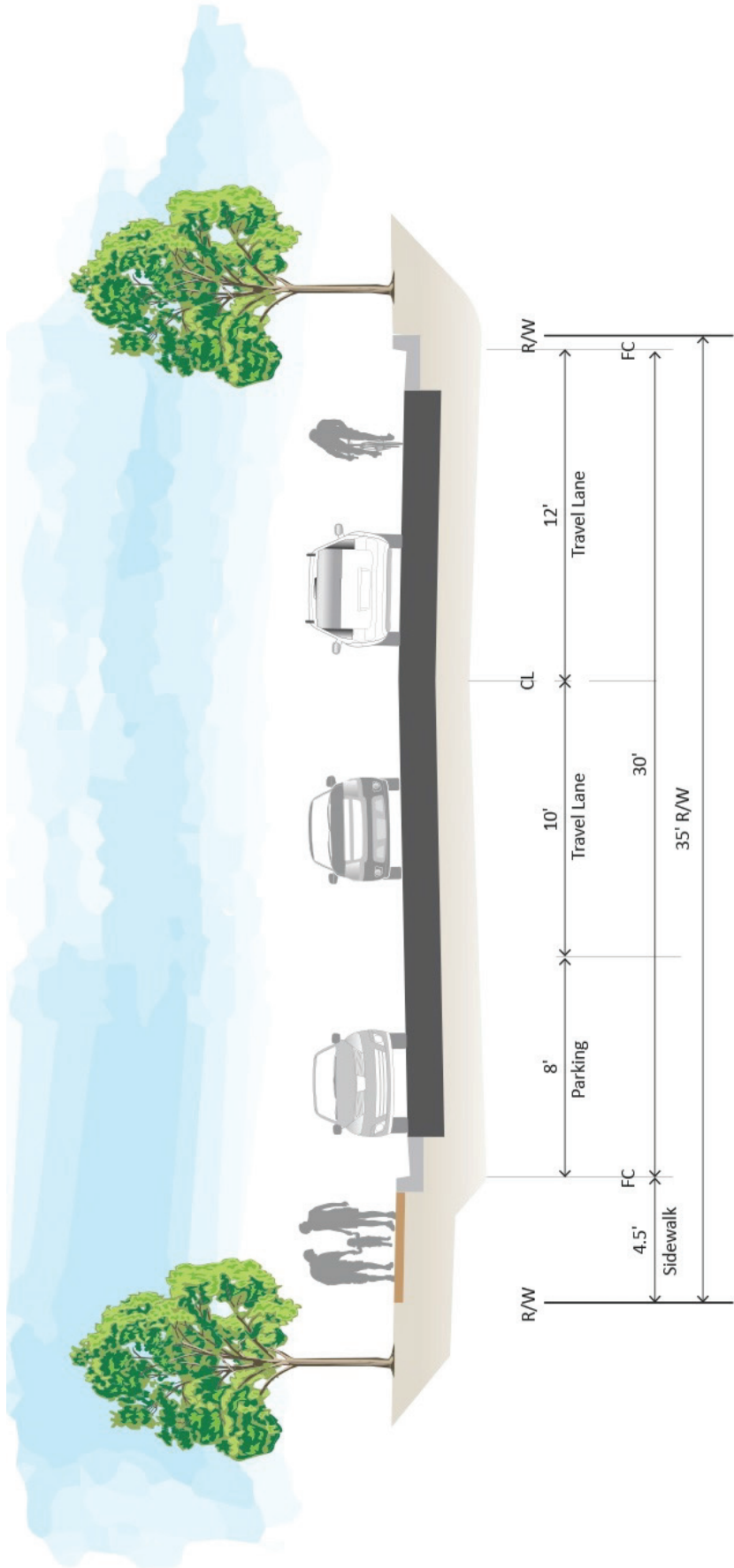
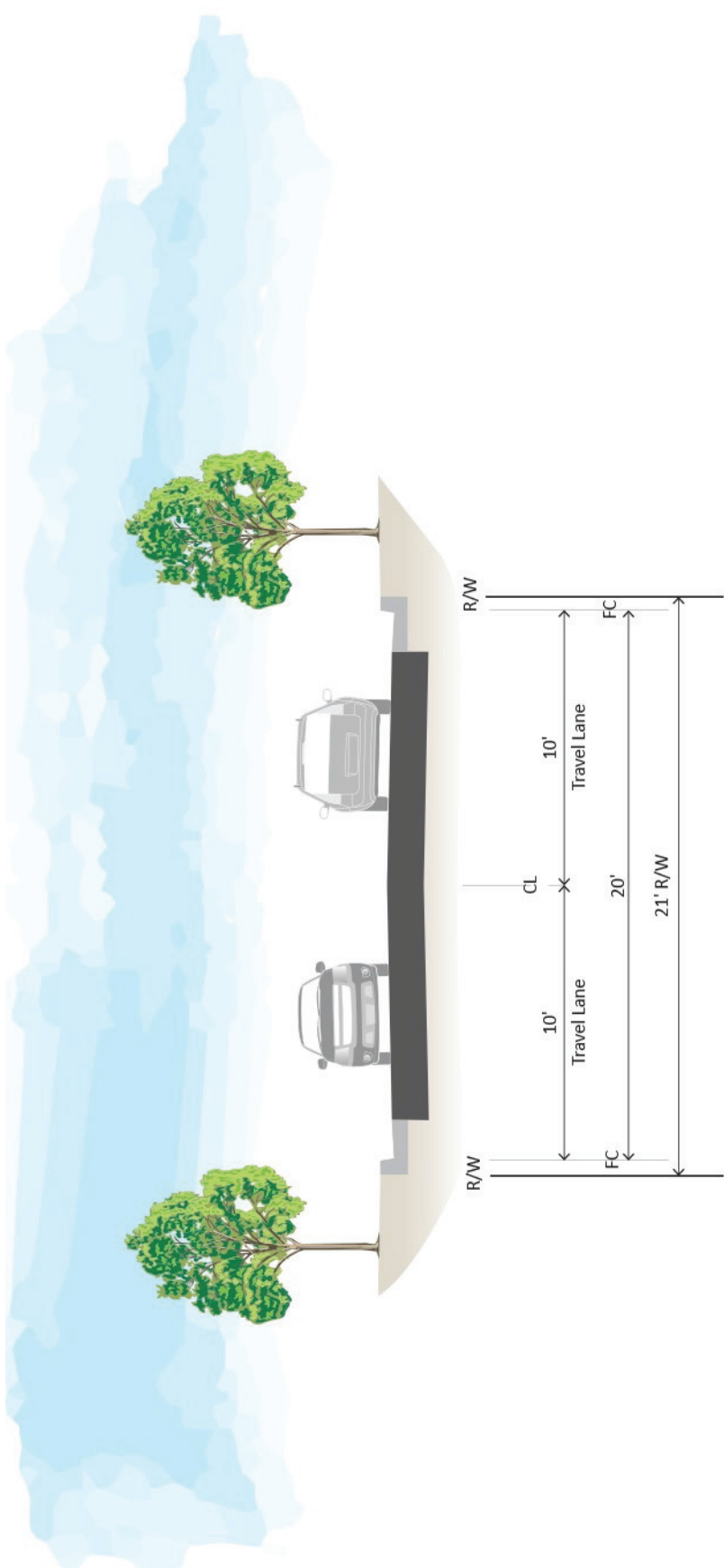


Figure 4-5: Conceptual Local Neighborhood Road Cross-Section



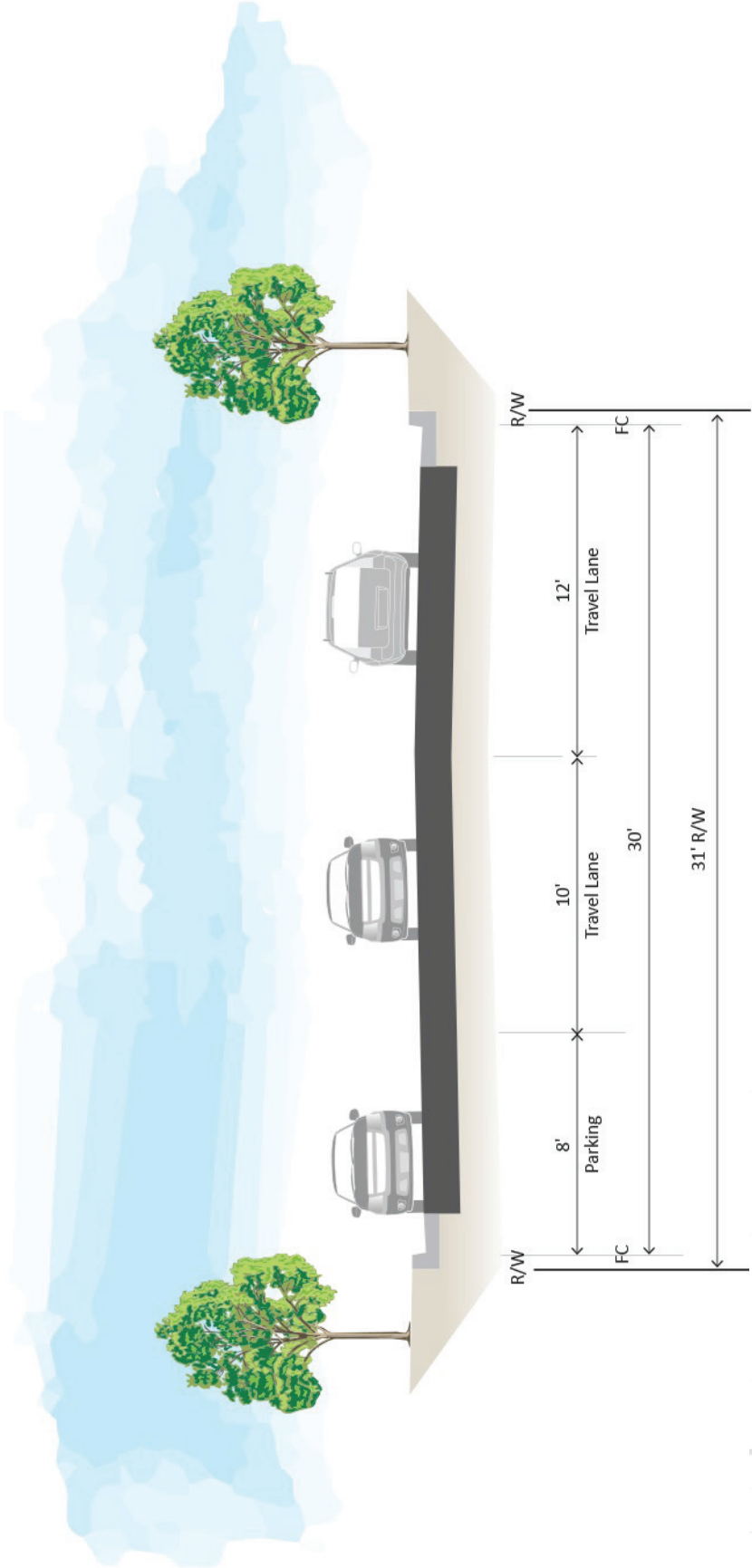
Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

Figure 4-6a: Conceptual Local Estate Road Cross-Section / Type A



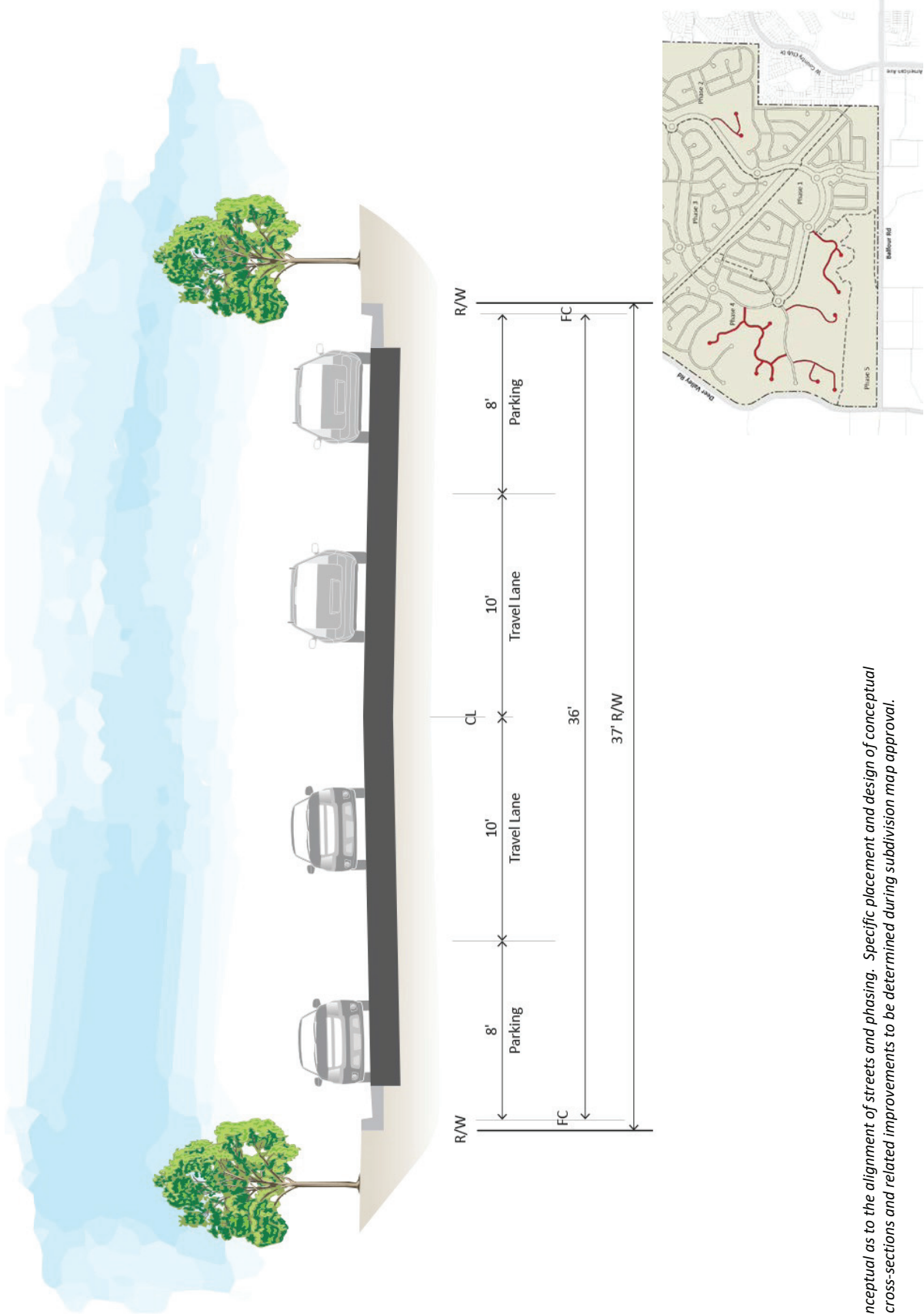
Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

Figure 4-6b: Conceptual Local Estate Road Cross-Section / Type B



Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

Figure 4-6c: Conceptual Local Estate Road Cross-Section / Type C



Note: Conceptual as to the alignment of streets and phasing. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

4.7. Off-Site Roadway Improvements for Public Health and Safety

As shown in Figure 4-7: Off-site Roadway Improvements, development of the Specific Plan shall require two significant off-site roadway improvements: (i) the extension of American Avenue consisting of its continuation west and north to Balfour Road and (ii) the widening of certain portions of Balfour Road from two to four lanes.

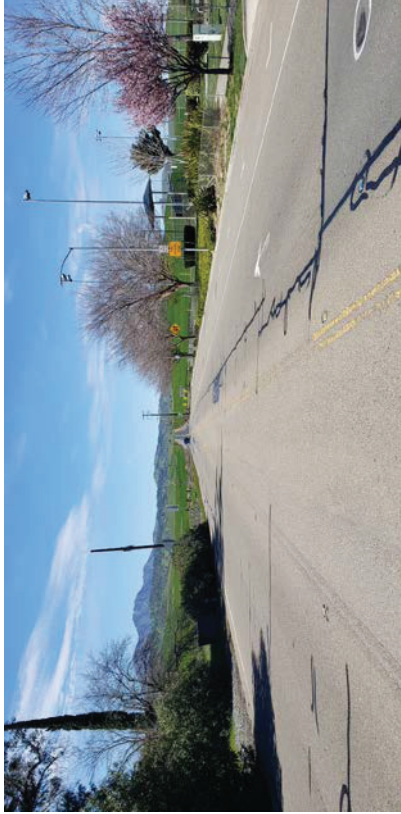
As described below, the American Avenue extension will create two points of connection to Balfour, thus significantly reducing the current traffic congestion associated with the Liberty High School and Adams Middle School drop-off/pick up schedule. Also, as described below, the widening of Balfour Road and related improvements and the western extension of American Avenue will improve traffic circulation and safety for pedestrian, bicycle and vehicular use of these public roadways.

In addition to these improvements, development of the Specific Plan Area will generate significant funding that will be available for the improvement of the surrounding roadway network, which funds can be allocated to future safety improvements to Deer Valley Road. The funding of these improvements will be subject to priorities established by the City Council and other agencies, but this Specific Plan recognizes the considerable benefits that may be provided by those improvements and encourages their construction.

The foregoing improvements are further described below.



Balfour Road looking East, circa 2019



Balfour Road looking West, circa 2019

Figure 4-7: Off-site Roadway Improvements



4.7.1.1. **Balfour Road Improvements**

Consistent with the General Plan (Figure CIR-1: Circulation Diagram), Balfour Road shall be widened from two- to four-lanes from the existing eastern American Avenue intersection west to the new western American Avenue intersection (described above). Improvements to Balfour Road will be completed in at least three phases as set forth below.

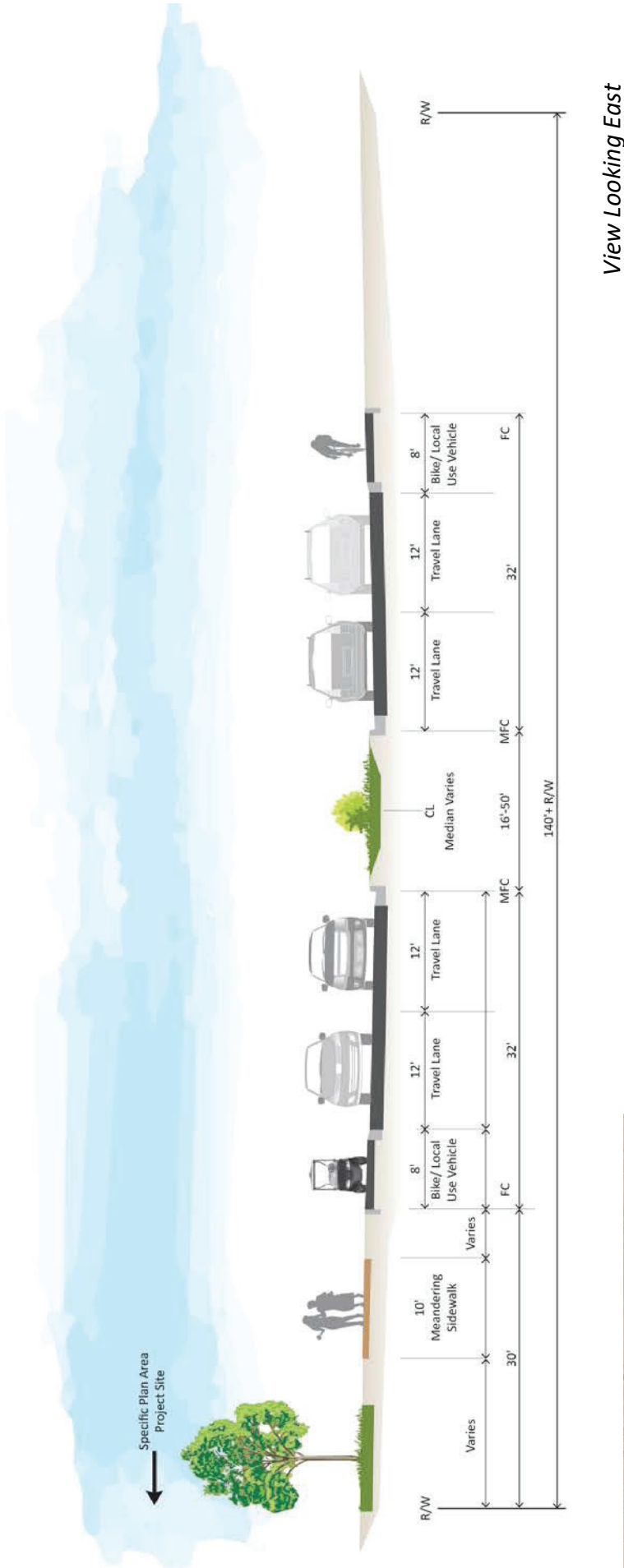
- Balfour Phase 1: Balfour Road will be widened from two- to four-lanes from the existing American Avenue intersection to the primary entry road of the Specific Plan Area and then utilize the existing two-lane roadway west to Deer Valley Road. This widening shall occur concurrently with other improvements required for the first small-lot final subdivision map within the Specific Plan Area. This includes completing the intersection with the new western extension of American Avenue. (Refer to Figure 4-8: Balfour Road Cross-Section / East Segment – Required Condition (Balfour Phases 1 & 2))
- Balfour Phase 2: Balfour Road shall then be widened from two- to four-lanes from the primary entry road of the Specific Plan Area west to the new American Avenue intersection (described above). This improvement shall occur as traffic demand necessitates, which will be evaluated at each small-lot final subdivision map within the Specific Plan Area. (Refer to Figure 4-8: Balfour Road Cross-Section / East Segment – Required Condition (Balfour Phases 1 & 2))
- Balfour Phase 3: Balfour Road shall then be improved as a two-lane road from the new western American

Avenue intersection (described above) west to Deer Valley Road. Balfour Phase 3 improvements to Balfour Road are intended to improve safety for pedestrian, bicycle and vehicular use of these public roadways. This improvement shall occur as traffic demand necessitates, which will be evaluated at each small-lot final subdivision map within the Specific Plan Area. (Refer to Figure 4-9: Balfour Road Cross-Section / East Segment – Required Condition (Balfour Phase 3)). These improvements are consistent with the General Plan (Figure CIR-1: Circulation Diagram) and, although not required for development of the Specific Plan Area, nothing herein precludes this portion of Balfour Road from also being subsequently widened from two- to four-lanes (which could be completed by others).

To assure completion of these improvements, bonds or other improvement security shall be provided at the time of the relevant final map in accordance with the requirements of the Subdivision Map Act. The timing of actual construction is subject to receipt of any needed permits or approvals from relevant public agencies.

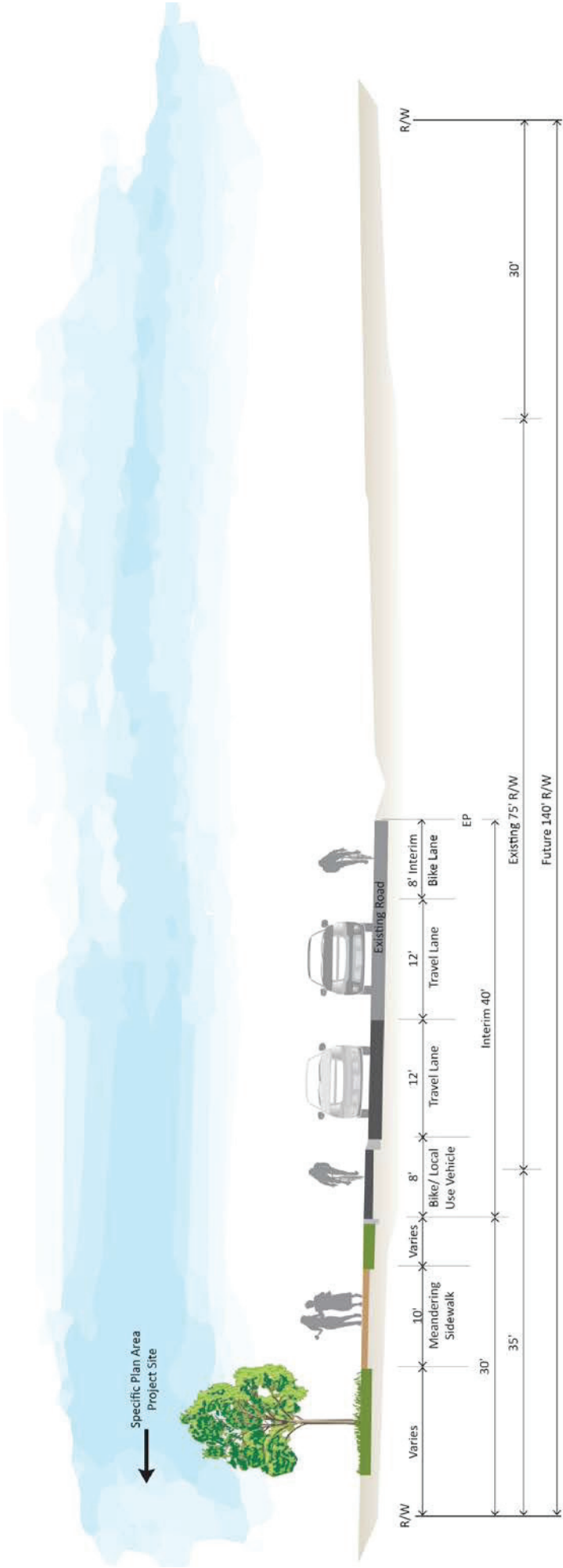
“Required Condition” shall be built or bonded for as required by the Specific Plan. Further future improvement(s) to the roadway as described may be completed by others, as future traffic study warrants, but is not required as a condition of development of the Specific Plan.

Figure 4-8: Balfour Road Cross-Section / East Segment – Required Condition (Balfour Phases 1 & 2)



Note: Conceptual as to the alignment of streets. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

Figure 4-9: Balfour Road Cross-Section / West Segment – Required Condition (Balfour Phase 3)



View Looking East.



Note: Conceptual as to the alignment of streets. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

4.7.2. American Avenue Extension

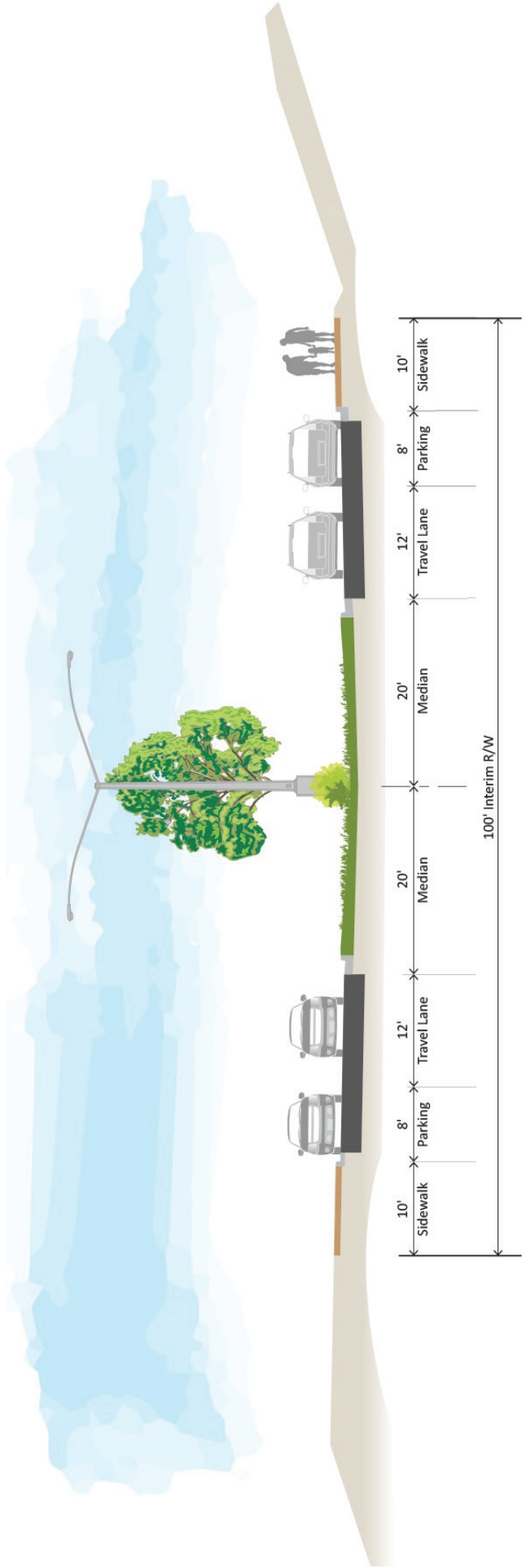
Under existing conditions, American Avenue currently contains two travel lanes in each direction, and a bike lane, parking lane, and sidewalk on the western side. The road terminates south and adjacent to Adams Middle School.

Consistent with the General Plan (Figure CIR-1: Circulation Diagram), this roadway will be extended west and north to reconnect to Balfour Road, creating a continuous loop road. The design shall include a median, and one travel lane, a parking or bike lane, and sidewalk in each direction. The improvements to American Avenue are intended to improve safety for pedestrian, bicycle and vehicular use of these public roadways. (Refer to Figure 4-10: American Avenue Extension Street Cross-Section – Required Condition)

To assure completion of these improvements, bonds or other improvement security shall be provided in accordance with the requirements of the Subdivision Map Act in connection with the first phase of residential development within the Specific Plan Area. The timing of actual construction is subject to receipt of any needed permits or approvals from relevant public agencies.

Although not required by the development of the Specific Plan Area, nothing herein precludes the ultimate buildout of American Avenue, which could include an additional travel lane in each direction, divided by a landscaped median (to be completed by others).

Figure 4-10: American Avenue Extension Street Cross-Section – Required Condition



View Looking West



Note: Conceptual as to the alignment of streets. Specific placement and design of conceptual roadway cross-sections and related improvements to be determined during subdivision map approval.

4.7.3. Funding for Deer Valley Road Safety Improvements

As shown in Figure 4-7: Off-site Roadway Improvements, adjacent to the Specific Plan Area, Deer Valley is located in, and maintained by, the City of Antioch and Contra Costa County.

Under existing conditions, Deer Valley currently contains a travel lane and uneven gravel shoulder in each direction. Public safety concerns associated with the current configuration of Deer Valley Road can be mitigated through modest roadway geometric changes (e.g. to improve line-of-site clearances), roundabouts, and signage. Both the City of Brentwood’s Fee Development Program and the East Contra Costa Regional Fee Program anticipate that Deer Valley Road would undergo various roadway improvements to improve roadway safety conditions.

Development within the Specific Plan Area will require payment by the developer(s) of impact fees to the City of Brentwood’s Development Fee Program and to the East Contra Costa Regional Fee and Financing Authority (ECCRFFA). Subject to the prioritization of these funds by the applicable authorities, it is a policy of this Specific Plan to encourage the allocation of some portion of the development fees generated by development within the Specific Plan Area for these or similar safety improvements to Deer Valley Road.

Conceptual cross-sections for Deer Valley Road are shown in Figure 4-11a: Conceptual Deer Valley Road Cross-Section – South Segment, from Balfour Road north to just north of Empire Mine Road, and Figure 4-11b: Conceptual Deer Valley

Road Cross-Section – North Segment, north of Empire Mine Road to the northern boundary of the Specific Plan Area.

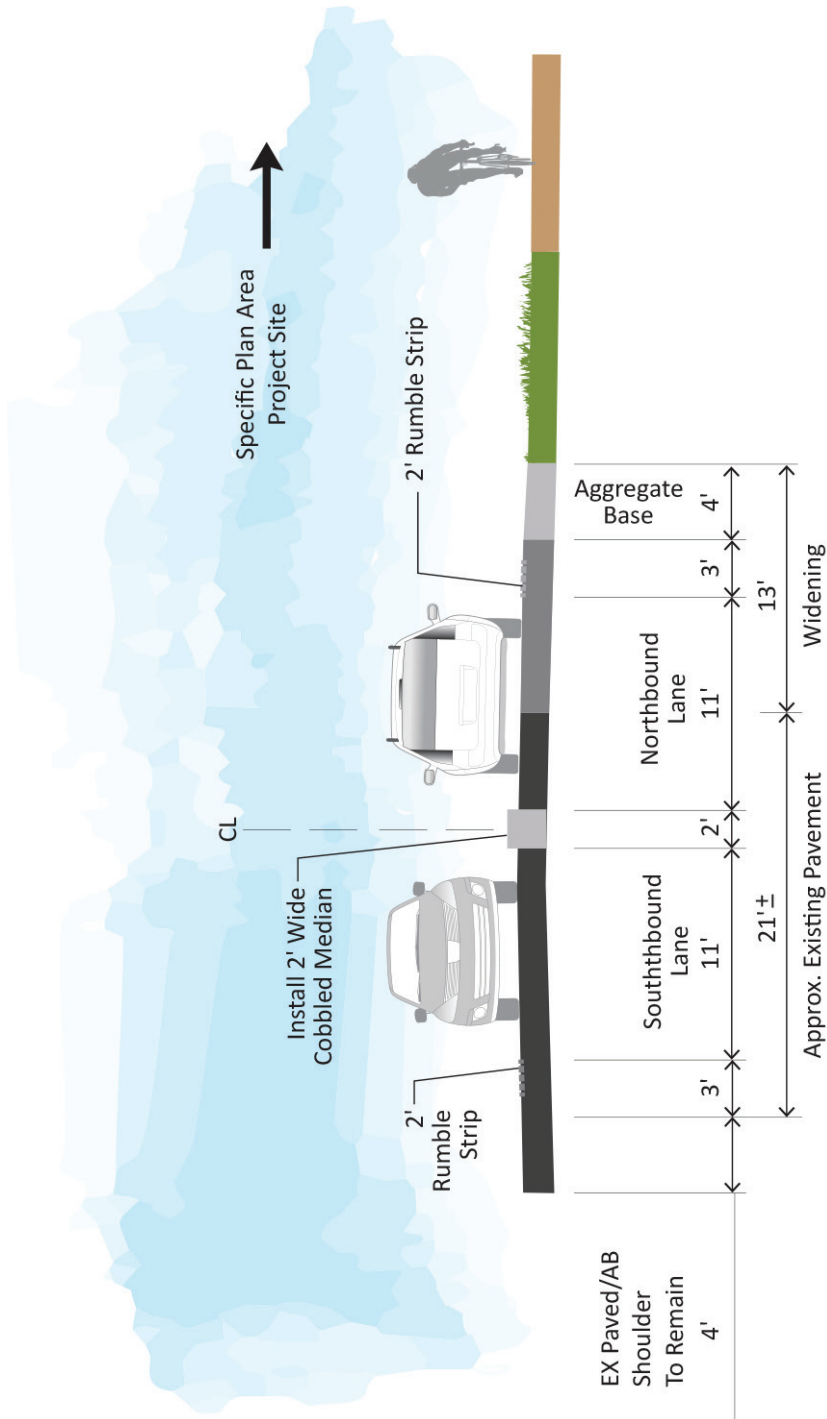


Deer Valley Road- South Segment looking North, circa 2019



Deer Valley Road-North Segment looking South, circa 2019

Figure 4-11a: Conceptual Deer Valley Road Cross-Section – South Segment

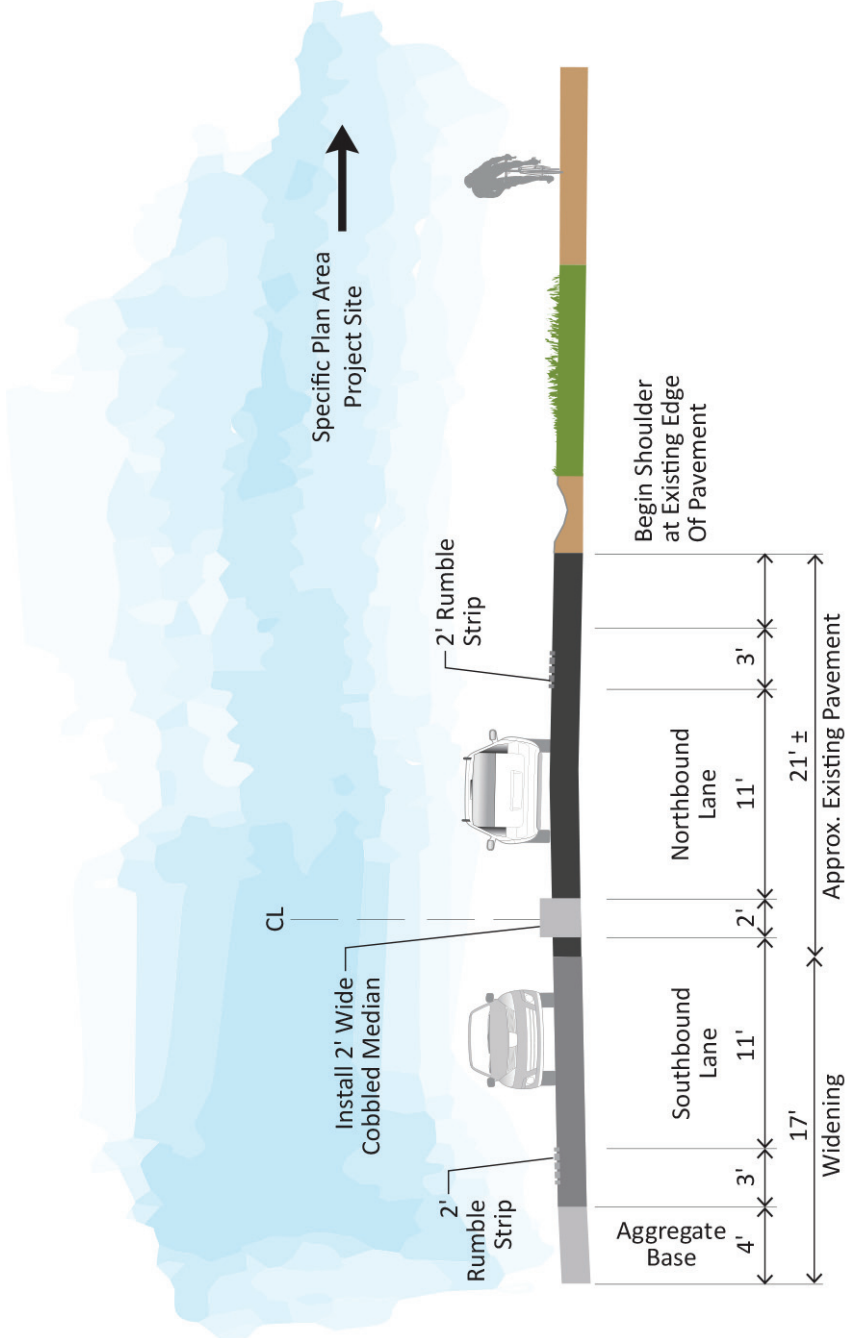


View Looking North



Note: Conceptual as to the alignment of streets and phasing. Deer Valley improvements subject to allocation of development impact fees within the discretion and planning of the City of Brentwood, ECCRFFA, and/or other agencies, which is encouraged by this Specific Plan.

Figure 4-11b: Conceptual Deer Valley Road Cross-Section – North Segment



View Looking North

Note: Conceptual as to the alignment of streets and phasing. Deer Valley improvements subject to allocation of development impact fees within the discretion and planning of the City of Brentwood, ECCRFFA, and/or other agencies, which is encouraged by this Specific Plan.



5

INFRASTRUCTURE & PUBLIC SERVICES

This chapter provides a description of the major utility infrastructure improvements needed at build-out of the Specific Plan and the public services anticipated to be available to Specific Plan Area residents.

5.1. Introduction

Implementation of the Specific Plan will require the construction of infrastructure and provision of public services and utilities to serve the Specific Plan Area in accordance with the development standards in Chapter 3: Land Use Plan & Development Standards, and this chapter. Infrastructure, services and utilities will be designed to meet the standards of the City of Brentwood and other utility agencies with oversight authority. (See Section 8.3: Implementation: Subsequent Project Approvals for further discussion.)

Infrastructure services addressed in this chapter include: water, sewer, storm drainage, and solid waste disposal. Public services addressed in this chapter include the City’s existing fire and police protection, schools, parks, and library services that will serve the residents of the Specific Plan Area, who will subsequently pay taxes to the City for these services. Various development impact fees will also be required for development projects within the Specific Plan Area, consistent with the requirements of the City of Brentwood and relevant provider agencies. Table 5-1: Service Providers lists the anticipated various service providers for the Specific Plan Area; because the Specific Plan Area is anticipated to be developed over the next 20 + years, it is possible that these service providers may change over time.

Table 5-1: Service Providers

Service	Current Provider
Water	City of Brentwood
Irrigation Water	East Contra Costa Irrigation District
Recycled Water	City of Brentwood
Wastewater	City of Brentwood
Storm Drainage	City of Brentwood
Electric Service	Pacific Gas & Electric
Gas Service	Pacific Gas & Electric
Police Protection	City of Brentwood
Fire Protection	East Contra Costa Fire Protection District
Emergency Medical	Contra Costa Health Services
Schools	Brentwood Union School District
Parks	City of Brentwood
Library	City of Brentwood

Existing water, sewer, electrical, gas, communications, and storm drainage utilities are in public roads or utility easements adjacent to the Specific Plan Area. Extension of these existing utilities into the Specific Plan Area will be required as part of Plan implementation. Most wet utility facilities (potable water, recycled water, sanitary sewer, and stormwater) will be

required to be offered for dedication to the respective agency providers as identified in Table 5-1: *Service Providers*.

East Contra Costa Irrigation District may require only the mainline facilities for dedication, while the balance of the distribution system within the Specific Plan would remain private.

Phasing

As described in Chapter 3, it is anticipated that the Specific Plan will be constructed in phases over the next 20 + years. Specific Plan phasing is expected to be developed through up to five phases or more; the anticipated sequence of Specific Plan Area construction is shown in Figure 3-3: *Conceptual Phasing Plan*. It is anticipated that the exact boundary of these phases, sequencing and development timing of the neighborhoods is subject to change due to market trends and the passage of time. As such, the specific timing of installation and sizing of infrastructure and public services is subject to change over time.

Specific requirements regarding timing and sizing of infrastructure will be determined by the City during subdivision map approval and as required under the Brentwood Municipal Code and/or state law. As each phase with infrastructure is built, the constructed public infrastructure will be dedicated to and accepted by the City of Brentwood.

As described in Chapter 8: *Implementation, Administration & Financing*, any future development will be responsible for the construction of both private and public infrastructure, within

the Specific Plan Area and in relevant circumstances (e.g. water, sewer, stormwater) in adjacent off-site areas.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

5.2. Infrastructure

5.2.1. Potable Water

Potable water will be provided by the City of Brentwood, which utilizes ground water and surface water for its fresh water sources. As described in the Water Master Plan, the City of Brentwood’s distribution system consists of six water tanks with a total storage capacity of 18.8 million gallons, three pressure zones, and six water booster pump stations located within the city limits.

The City of Brentwood’s water supply source is primarily treated surface water, ground water, untreated surface water for landscape irrigation, and recycled water.

As shown in Figure 5-1: Existing and Proposed Potable Water, potable water service will consist of a series of 12- and 8-inch water lines located in two “Specific Plan Zones” (2 and 3). The Specific Plan will extend the City’s Zone 2 system from the adjacent lines within Canmore Court in the Shadow Lakes residential neighborhood.

Phasing

As noted above, development within the Specific Plan is anticipated to be developed in phases over time. The Specific Plan includes an overview of how potable water service should be located, sized and delivered through development of the Specific Plan. Specific requirements regarding timing and sizing of infrastructure will be determined by the City during subdivision map approval and as needed to serve each phase of development. For purposes of the Specific Plan, a conceptual proposed potable water phasing approach is provided in Figure 5-1: Existing and Proposed Potable Water.

As part of Phase 1 improvements, a new 8-inch water line should extend from the existing 8-inch line located at the south end of Canmore Court, just east of the Specific Plan Area. A separate 16-inch water line will extend from an existing 20-inch line located within Balfour Road. This improvement will create a looped water system in Phase 1. Also, as part of Phase 1 improvements, a waterline connection within the Foothill Drive extension to John Muir Parkway (700 +/- LF) should be completed.

As part of Phase 2 improvements, a 12-inch water line will extend through Rolling Hills Park from an existing 12-inch line located on Waterville Drive.

As part of Phase 3 improvements, a new off-site Pump Station 2.4 will need to be constructed and be operational. This pump station would be located next to the City’s existing Reservoir 1.3 adjacent to St. Regis Avenue.

As part of Phase 4 improvements, the Specific Plan will create Specific Plan Zone 3 service onsite (above elevation 220) with the installation of a hydropneumatic pump station (3.4) located adjacent to the three-million-gallon water tank (Reservoir 2.4), to provide sufficient pressure to serve Specific Plan Zone 3.

The water connection for Phase 5 will be made by a separate connection to the existing 20-inch water line located on Balfour Road. It is anticipated that the potable water storage and distribution system will be owned and operated by the City of Brentwood.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

LEGEND

- Specific Plan Zone 2
- Specific Plan Zone 3
- Existing Zone 2 Pipe
- Proposed Zone 2 Pipe
- Existing Zone 3 Pipe
- Proposed Zone 3 Pipe

Note: All Proposed Pipes Assumed to be 8" Unless Noted Otherwise
Note: Figure is not to scale

Map Labels: Phase 1, Phase 2, Phase 3, Phase 4, Phase 5, Deer Valley Rd, Balfour Rd, American Ave, W Country Club Dr, Reservoir 2.4 (3 MG), Hydropneumatic Pump Station 3.4.

Pipe Labels: 8" W, 12" W, 16" W, 20" W, Z3 8" W, Z2 12" W, Z3 12" W, Z3 16" W, Z3 24" W, Z3 36" W, Z3 48" W, Z3 60" W, Z3 72" W, Z3 84" W, Z3 96" W, Z3 108" W, Z3 120" W, Z3 132" W, Z3 144" W, Z3 156" W, Z3 168" W, Z3 180" W, Z3 192" W, Z3 204" W, Z3 216" W, Z3 228" W, Z3 240" W, Z3 252" W, Z3 264" W, Z3 276" W, Z3 288" W, Z3 300" W, Z3 312" W, Z3 324" W, Z3 336" W, Z3 348" W, Z3 360" W, Z3 372" W, Z3 384" W, Z3 396" W, Z3 408" W, Z3 420" W, Z3 432" W, Z3 444" W, Z3 456" W, Z3 468" W, Z3 480" W, Z3 492" W, Z3 504" W, Z3 516" W, Z3 528" W, Z3 540" W, Z3 552" W, Z3 564" W, Z3 576" W, Z3 588" W, Z3 600" W, Z3 612" W, Z3 624" W, Z3 636" W, Z3 648" W, Z3 660" W, Z3 672" W, Z3 684" W, Z3 696" W, Z3 708" W, Z3 720" W, Z3 732" W, Z3 744" W, Z3 756" W, Z3 768" W, Z3 780" W, Z3 792" W, Z3 804" W, Z3 816" W, Z3 828" W, Z3 840" W, Z3 852" W, Z3 864" W, Z3 876" W, Z3 888" W, Z3 900" W, Z3 912" W, Z3 924" W, Z3 936" W, Z3 948" W, Z3 960" W, Z3 972" W, Z3 984" W, Z3 996" W, Z3 1008" W, Z3 1020" W, Z3 1032" W, Z3 1044" W, Z3 1056" W, Z3 1068" W, Z3 1080" W, Z3 1092" W, Z3 1104" W, Z3 1116" W, Z3 1128" W, Z3 1140" W, Z3 1152" W, Z3 1164" W, Z3 1176" W, Z3 1188" W, Z3 1200" W, Z3 1212" W, Z3 1224" W, Z3 1236" W, Z3 1248" W, Z3 1260" W, Z3 1272" W, Z3 1284" W, Z3 1296" W, Z3 1308" W, Z3 1320" W, Z3 1332" W, Z3 1344" W, Z3 1356" W, Z3 1368" W, Z3 1380" W, Z3 1392" W, Z3 1404" W, Z3 1416" W, Z3 1428" W, Z3 1440" W, Z3 1452" W, Z3 1464" W, Z3 1476" W, Z3 1488" W, Z3 1500" W, Z3 1512" W, Z3 1524" W, Z3 1536" W, Z3 1548" W, Z3 1560" W, Z3 1572" W, Z3 1584" W, Z3 1596" W, Z3 1608" W, Z3 1620" W, Z3 1632" W, Z3 1644" W, Z3 1656" W, Z3 1668" W, Z3 1680" W, Z3 1692" W, Z3 1704" W, Z3 1716" W, Z3 1728" W, Z3 1740" W, Z3 1752" W, Z3 1764" W, Z3 1776" W, Z3 1788" W, Z3 1800" W, Z3 1812" W, Z3 1824" W, Z3 1836" W, Z3 1848" W, Z3 1860" W, Z3 1872" W, Z3 1884" W, Z3 1896" W, Z3 1908" W, Z3 1920" W, Z3 1932" W, Z3 1944" W, Z3 1956" W, Z3 1968" W, Z3 1980" W, Z3 1992" W, Z3 2004" W, Z3 2016" W, Z3 2028" W, Z3 2040" W, Z3 2052" W, Z3 2064" W, Z3 2076" W, Z3 2088" W, Z3 2100" W, Z3 2112" W, Z3 2124" W, Z3 2136" W, Z3 2148" W, Z3 2160" W, Z3 2172" W, Z3 2184" W, Z3 2196" W, Z3 2208" W, Z3 2220" W, Z3 2232" W, Z3 2244" W, Z3 2256" W, Z3 2268" W, Z3 2280" W, Z3 2292" W, Z3 2304" W, Z3 2316" W, Z3 2328" W, Z3 2340" W, Z3 2352" W, Z3 2364" W, Z3 2376" W, Z3 2388" W, Z3 2400" W, Z3 2412" W, Z3 2424" W, Z3 2436" W, Z3 2448" W, Z3 2460" W, Z3 2472" W, Z3 2484" W, Z3 2496" W, Z3 2508" W, Z3 2520" W, Z3 2532" W, Z3 2544" W, Z3 2556" W, Z3 2568" W, Z3 2580" W, Z3 2592" W, Z3 2604" W, Z3 2616" W, Z3 2628" W, Z3 2640" W, Z3 2652" W, Z3 2664" W, Z3 2676" W, Z3 2688" W, Z3 2700" W, Z3 2712" W, Z3 2724" W, Z3 2736" W, Z3 2748" W, Z3 2760" W, Z3 2772" W, Z3 2784" W, Z3 2796" W, Z3 2808" W, Z3 2820" W, Z3 2832" W, Z3 2844" W, Z3 2856" W, Z3 2868" W, Z3 2880" W, Z3 2892" W, Z3 2904" W, Z3 2916" W, Z3 2928" W, Z3 2940" W, Z3 2952" W, Z3 2964" W, Z3 2976" W, Z3 2988" W, Z3 3000" W, Z3 3012" W, Z3 3024" W, Z3 3036" W, Z3 3048" W, Z3 3060" W, Z3 3072" W, Z3 3084" W, Z3 3096" W, Z3 3108" W, Z3 3120" W, Z3 3132" W, Z3 3144" W, Z3 3156" W, Z3 3168" W, Z3 3180" W, Z3 3192" W, Z3 3204" W, Z3 3216" W, Z3 3228" W, Z3 3240" W, Z3 3252" W, Z3 3264" W, Z3 3276" W, Z3 3288" W, Z3 3300" W, Z3 3312" W, Z3 3324" W, Z3 3336" W, Z3 3348" W, Z3 3360" W, Z3 3372" W, Z3 3384" W, Z3 3396" W, Z3 3408" W, Z3 3420" W, Z3 3432" W, Z3 3444" W, Z3 3456" W, Z3 3468" W, Z3 3480" W, Z3 3492" W, Z3 3504" W, Z3 3516" W, Z3 3528" W, Z3 3540" W, Z3 3552" W, Z3 3564" W, Z3 3576" W, Z3 3588" W, Z3 3600" W, Z3 3612" W, Z3 3624" W, Z3 3636" W, Z3 3648" W, Z3 3660" W, Z3 3672" W, Z3 3684" W, Z3 3696" W, Z3 3708" W, Z3 3720" W, Z3 3732" W, Z3 3744" W, Z3 3756" W, Z3 3768" W, Z3 3780" W, Z3 3792" W, Z3 3804" W, Z3 3816" W, Z3 3828" W, Z3 3840" W, Z3 3852" W, Z3 3864" W, Z3 3876" W, Z3 3888" W, Z3 3900" W, Z3 3912" W, Z3 3924" W, Z3 3936" W, Z3 3948" W, Z3 3960" W, Z3 3972" W, Z3 3984" W, Z3 3996" W, Z3 4008" W, Z3 4020" W, Z3 4032" W, Z3 4044" W, Z3 4056" W, Z3 4068" W, Z3 4080" W, Z3 4092" W, Z3 4104" W, Z3 4116" W, Z3 4128" W, Z3 4140" W, Z3 4152" W, Z3 4164" W, Z3 4176" W, Z3 4188" W, Z3 4200" W, Z3 4212" W, Z3 4224" W, Z3 4236" W, Z3 4248" W, Z3 4260" W, Z3 4272" W, Z3 4284" W, Z3 4296" W, Z3 4308" W, Z3 4320" W, Z3 4332" W, Z3 4344" W, Z3 4356" W, Z3 4368" W, Z3 4380" W, Z3 4392" W, Z3 4404" W, Z3 4416" W, Z3 4428" W, Z3 4440" W, Z3 4452" W, Z3 4464" W, Z3 4476" W, Z3 4488" W, Z3 4500" W, Z3 4512" W, Z3 4524" W, Z3 4536" W, Z3 4548" W, Z3 4560" W, Z3 4572" W, Z3 458

5-4 | VINEYARDS AT DEER CREEK SPECIFIC PLAN

5.2.2. Non-Potable Water

ECCID Irrigation Water

The properties surrounding the Specific Plan Area are within the East Contra Costa Irrigation District’s (ECCID) service area. It is anticipated that the Specific Plan Area will eventually be annexed (by LAFCo pursuant to a separate process under state law) into the East Contra Costa Irrigation District (ECCID) service area boundary to utilize irrigation water for the cultivation of agricultural crops (e.g. vineyards and olive groves). This water source may also be used to irrigate landscaping along roadways, in the recreation centers, parks and open space, and other landscaped common areas.

As an alternative to ECCID water for landscaping, future development of the Specific Plan Area could connect to the City of Brentwood’s existing 20” Roddy pipeline in Balfour Road. This pipeline currently serves ECCID water but is planned to be blended with recycled water in the future.

As shown in Figure 5-2: Existing and Proposed Irrigation and Recycled Water, there are four alternatives being considered to bring ECCID water to the Specific Plan Area:

Alternative 1 (Preferred) would require a new turnout and pump station from the 48” ECCID pipe at the intersection of John Muir Parkway and Balfour Road. A new line would be constructed west on Balfour Road to the Specific Plan Area.

Alternative 2 would utilize the existing ECCID water facilities for either Shadow Lakes or Deer Ridge golf course. This would include utilization of the existing basins and/or modifications

to the existing pumping facilities. A new line would be constructed west on Balfour Road to the Specific Plan Area.

Alternative 3 would require a new pump station at the end of the ECCID irrigation pipe adjacent to Heidorn Ranch Road. The ECCID water would then be directed south through the City of Antioch and into the northeast basin.

Alternative 4 would utilize the City of Brentwood raw water accessed from a 20” line (the Roddy line) located in Balfour Road. In the future though, the city intends to blend this line with recycled water.

Because irrigation water will be utilized during the dry months, it is anticipated that for any alternative, the ECCID irrigation water will be stored in the detention basin; which during these months would typically be at or near empty. Just before and during the rainy season (generally November to March), the basin will gradually be drawn down to allow capacity for storm events.

Within the Specific Plan Area, it is anticipated that the irrigation water system, including all underground pipes and storage tanks, will be owned and operated by the HOA, or other entity.

Recycled Water

Recycled water is a relatively small but important part of the City’s water resources. Recycled water makes up approximately four percent (4%) of the City’s water supply, allowing the City to conserve potable water. The City’s Wastewater Treatment Plant WWTP (described below) is a tertiary treatment plant that provides recycled water for landscape irrigation along roadways and parks.

As shown in Figure 5-2: Existing and Proposed Irrigation and Recycled Water, there is an existing 20” raw water line which runs from the Roddy Ranch Pump Station on Fairview Avenue west along Balfour Road. Ultimately, the City of Brentwood will connect their recycled water system to the Roddy Ranch Pump Station and blend the irrigation and recycled water together.

Even with proposed ECCID service to the Specific Plan Area, a future developer may also choose to connect to the existing 20” line in Balfour at the Entry Road and run an 8-inch recycled water line through the proposed streets. The recycled water line will provide alternate irrigation to public and HOA landscape areas.

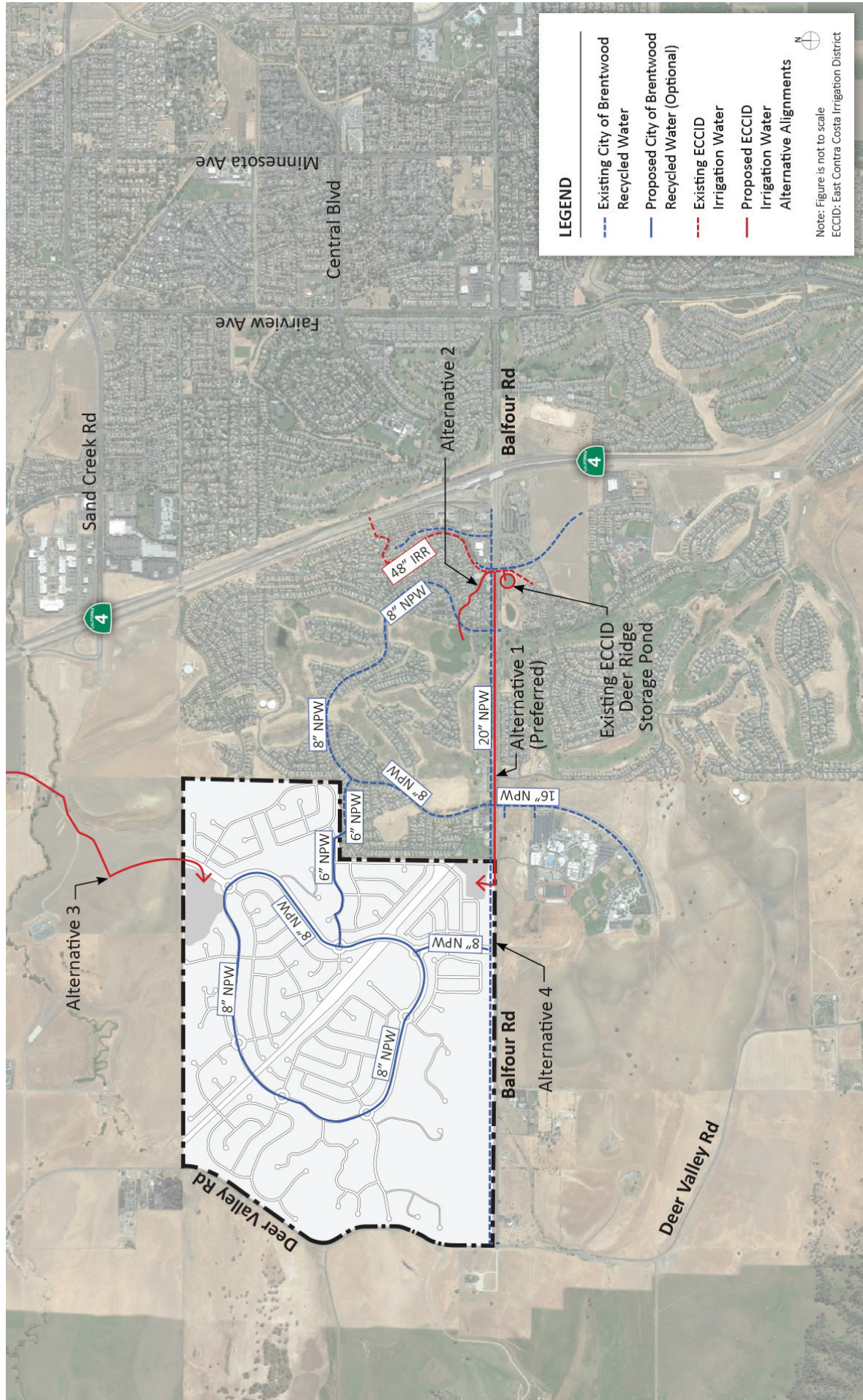
Consistent with build-out assumptions in the City’s General Plan, this Specific Plan anticipates that the City’s potable water system can accommodate the increased water demands associated with buildout of the Specific Plan Area.

Similarly, consistent with build-out assumptions in the City’s General Plan, this Specific Plan anticipates that the City’s non-potable recycled water system and ECCID’s irrigation water

system can accommodate the increased non-potable water demands associated with buildout of the Specific Plan Area.



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS



Note: Conceptual as to the alignment of streets and location of infrastructure.

5.2.3. Sanitary Sewer

The City of Brentwood owns and operates its wastewater collection, treatment, and disposal system. There are approximately 138 miles of sewer mains that convey wastewater to the City’s WWTP, located in the northeast portion of the City, adjacent to Marsh Creek. Wastewater is collected by gravity in a series of mains, trunks, and interceptors that flow to the WWTP. The WWTP has an average dry weather flow capacity of five million gallons per day (mgd) but can expand to 10 mgd (in 2.5 mgd increments) during peak wet-weather flows. Wastewater from the City that if not reused, is treated and discharged to Marsh Creek, which drains to Big Break in the Delta.

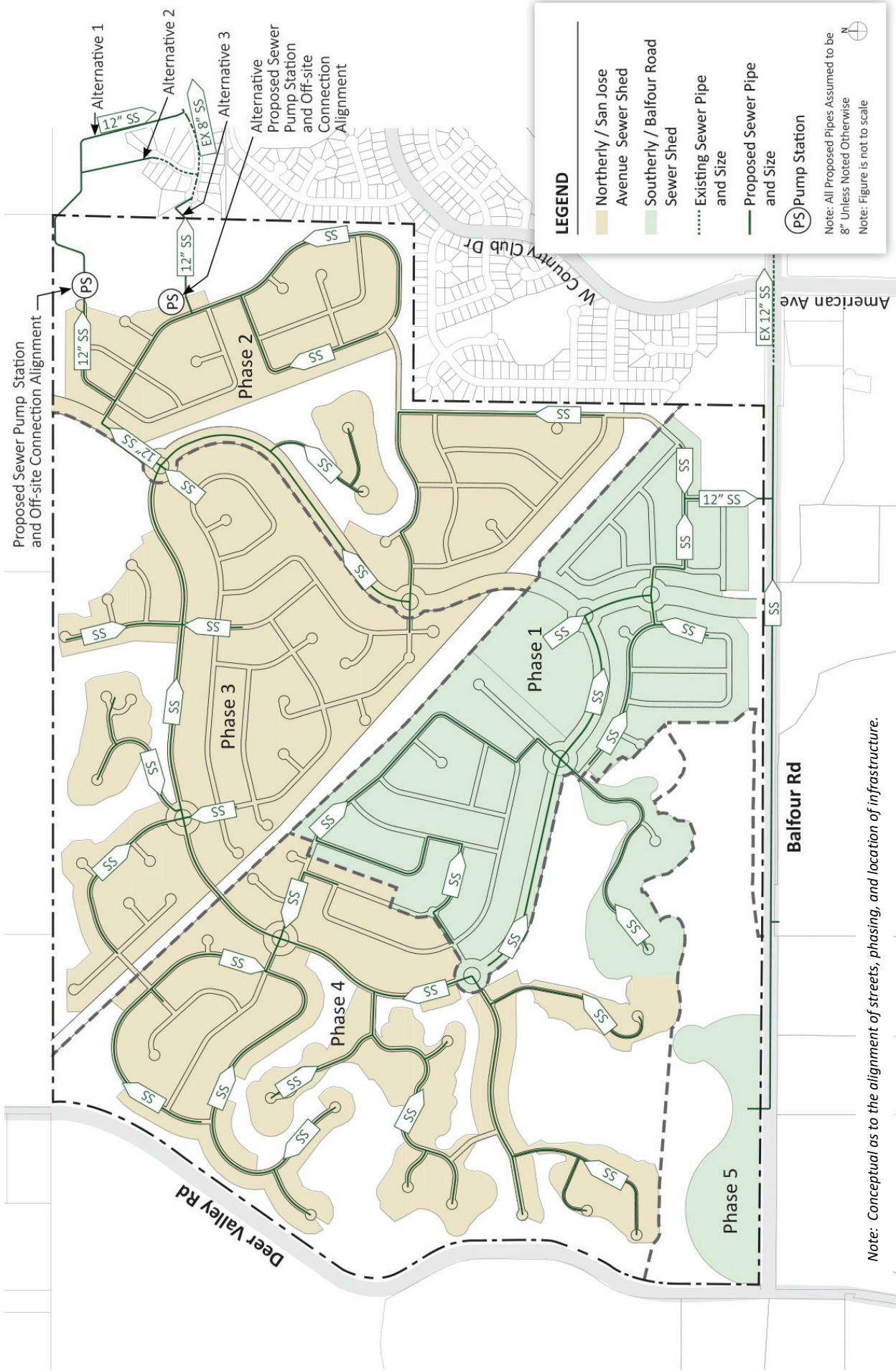
WWTP treats 1,189 million gallons per year (mgy) of wastewater, of which 967 mgy is discharged, and 130 mgy is used as recycled water for landscape irrigation. The City’s WWTP does not treat wastewater generated outside its service area nor does it currently provide recycled water outside of its service area.

As shown in Figure 5-3: Existing and Proposed Sanitary Sewer, the Specific Plan Area will consist of a network of 12- and 8-inch sanitary sewer lines located in two project sewer sheds. The on-site sanitary sewer mains will collect wastewater sending sewer flows south and east. From here, connections to existing sanitary sewer lines will occur at Balfour Road and St. Regis Avenue in the Shadow Lakes neighborhood. Future development will split the sewer flows between the Balfour Road sewer trunk and the San Jose Avenue sewer trunk. Sewer connection on St. Regis Avenue will require the construction of a new sewer pump station within the Specific

Plan Area and either an upgrade to the existing 8-inch line to 12 inches, or a parallel line to ensure sufficient capacity along St. Regis Avenue to the San Jose Avenue force main.

Consistent with build-out assumptions in the City’s General Plan, this Specific Plan anticipates that the City’s sanitary sewer system can accommodate the increased wastewater associated with buildout of the Specific Plan Area.

Figure 5-3: Existing and Proposed Sanitary Sewer



5.2.4. Stormwater Conveyance

The City of Brentwood provides local storm drainage collection within the Specific Plan Area and is responsible for maintenance of the collection system. The Contra Costa County Flood Control and Water Conservation District is responsible for constructing and maintaining regional flood control basins, channels, and creeks throughout the county, including within the City of Brentwood.

All municipalities within Contra Costa County (and the County itself) are required to develop and implement restrictive surface water control standards for new development projects as part of the renewal of the Countywide National Pollutant Discharge Elimination System permit. New development and redevelopment projects that create or replace a specified amount of impervious surface area must contain and treat stormwater runoff from the site. Future development within the Specific Plan Area will be required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures.

The Specific Plan Area is located entirely within the Lower Marsh Creek watershed. Marsh Creek, with a total watershed area of 93.73 square miles (59,990 acres; CCC GIS, 2017), is the largest waterway in the City of Brentwood and is divided between Upper Marsh Creek (51.45 square miles) and Lower Marsh Creek (42.28 square miles) following the portions of the creek upstream and downstream of the Marsh Creek Reservoir. The middle portion of Marsh Creek that forms the Lower Marsh Creek watershed originates at the outlet of the Marsh Creek Reservoir and currently flows generally northeast to its confluence with the San Joaquin River located in the City

of Oakley. The major tributaries entering the middle portion of Marsh Creek include Dry Creek, Sand Creek and Deer Creek.

As shown Figure 5-4: Existing and Proposed Stormwater Conveyance, on-site drainage from the new impervious surfaces (driveways, parking areas, and building rooftops) have been conceptually designed to convey stormwater from four drainage management areas (DMAs) via gravity flow through underground stormwater pipes to four water quality detention basins. Each sub basin will collect and detain runoff, provide water quality treatment, and manage peak flows leaving the Specific Plan Area, consistent with local, state, and federal requirements.

In general, the overall combined watershed area within the Specific Plan Area will remain the same. Future grading plans will strive to maintain existing drainage boundaries to the maximum extent practicable.

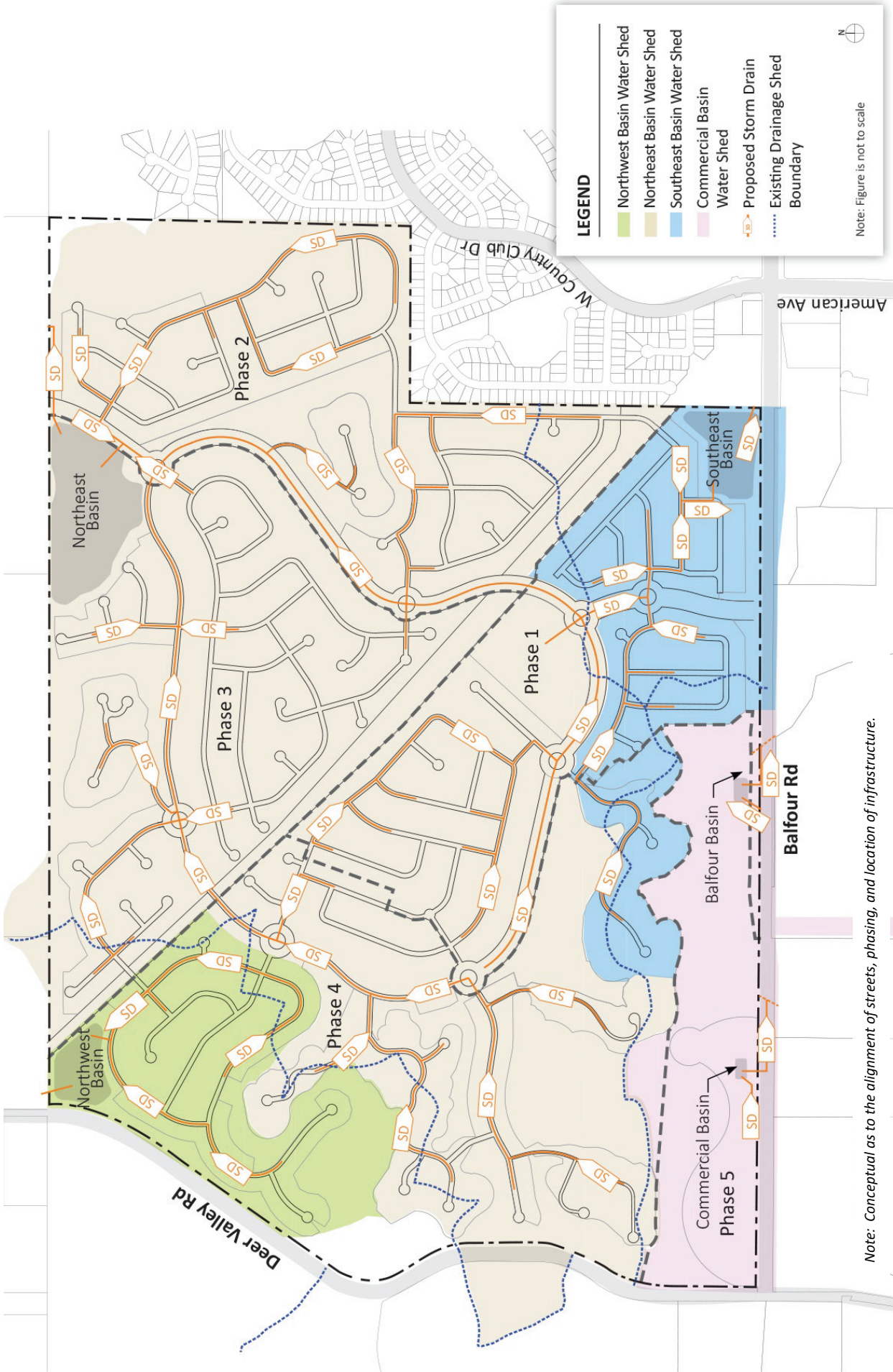
The points of connection will consist of three new outfalls for three of the DMAs. The Northeast DMA will drain to a stormwater basin and outfall at the northeast property boundary. The Northwest DMA will drain via another stormwater basin to a proposed outfall to Horse Valley Creek. The Commercial DMA will likewise drain to a stormwater basin located north of Balfour Road, which will also accommodate runoff from a portion of the Balfour Road and American Avenue improvements. The Commercial DMA basin will discharge to a new outfall to Deer Creek, tentatively to be co-located with replacement of the undersized, upstream culvert on Deer Creek.

The only DMA that will not have a new outfall is the Southeast DMA, which will be connected to an existing 30-inch storm drain line that currently drains to Deer Creek downstream of the Deer Creek Reservoir.

Consistent with build-out assumptions in the City’s General Plan, City’s stormwater services can accommodate the increased storm drainage associated with the Specific Plan.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

Figure 5-4: Existing and Proposed Stormwater Conveyance



Note: Conceptual as to the alignment of streets, phasing, and location of infrastructure.

5.2.5. Solid Waste

The Solid Waste Division of the City of Brentwood Public Works Department provides municipal solid waste (MSW) collection services, including garbage, yard waste, and recycling, to residents and businesses within the Specific Plan Area. All waste is hauled to the City’s Solid Waste Transfer Station, approximately three miles northeast of the Specific Plan Area. At the transfer station, the MSW is checked for potentially hazardous waste material, and transferred onto larger trucks for ultimate disposal at a sanitary landfill or processed elsewhere. The City currently disposes and/or processes MSW (garbage, recycling, and green waste) at the Keller Canyon County Landfill, located within the unincorporated area of Contra Costa County, near the City of Pittsburg.

The City maintains contractual agreements with the Delta Diablo Sanitary District to provide household hazardous waste collection and disposal services in the Specific Plan Area. Household hazardous waste can be taken to the Delta Household Hazardous Waste Collection Facility, located in Pittsburg, or dropped off at one of several community collection events that take place in various locations in the City and throughout eastern Contra Costa County throughout the year.

Consistent with build-out assumptions in the City’s General Plan, this Specific Plan anticipates that the City’s solid waste collection, disposal, and processing services can accommodate the increased waste associated with buildout of the Specific Plan Area.

5.2.6. Dry Utilities

AT&T, Comcast, and Sonic currently provide telecommunication, cable television, and Internet services. Utility infrastructure in the Specific Plan Area is located both above ground on utility poles and below ground in public utility easements.

The Pacific Gas and Electric Company (PG&E) provides electric services in the Specific Plan Area. Electrical infrastructure in the Specific Plan Area is located above ground on utility poles as well as below ground in adjacent subdivisions. PG&E also provides natural gas services in the Specific Plan Area. Natural gas pipelines are located below ground in adjacent streets.

The existing overhead utility line running north-south through the Specific Plan Area will be relocated into the dry utility trenches located in the proposed streets.

Cable, phone, gas and electric infrastructure improvements will be required to adequately serve development projects in the Specific Plan Area. These improvements will be determined on a project-specific basis and required to be constructed as part of future development.

5.3. Public Services

5.3.1. Public Safety

Public safety consists of police, fire protection, and emergency medical services. New development associated with the implementation of the Specific Plan will result in increased demand for police, fire protection, and emergency services

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

staff. The actual need for additional staff will be evaluated by the service providers as development occurs.

While police, fire protection service, and emergency services have planned for the development of the Specific Plan Area, there may be some additional equipment and staffing needs.

It is the policy of this Specific Plan to work cooperatively with the Brentwood Police Department and East Contra Costa Fire Protection District in planning for adequate and sustainable police, fire, and emergency service.

Police

In the Specific Plan Area, police services are provided by the Brentwood Police Department. Their headquarters are located approximately three miles east of the Specific Plan Area. Beat 4 borders the Specific Plan Area on the east to the current City limits.

The increase in property values associated with buildout of the Specific Plan Area would provide additional property tax revenue to the City of Brentwood, a portion of which could be used to fund the demand for additional police protection services.

Fire Protection

The East Contra Costa Fire Protection District (ECCFPD) provides fire, rescue, and Basic life services (BLS) emergency medical response to eastern Contra Costa County. The District’s service area spans 249 square miles of rural, suburban and urban development along with lands formerly designated as frontier or wilderness.

Fire Station 52 is the closest fire station to the Specific Plan Area. It is located less than a mile east, just north of Balfour Road and west of Highway 4.

To facilitate funding the ECCFPD fire facilities, the City of Brentwood imposes a fire facilities fee. As of July 2018, these fees require single- and multi-family residential units to pay \$880.95 per unit and \$0.1737 per square foot of non-residential building.

Future development of the Specific Plan Area would be required to pay these fees. Buildout of the Specific Plan Area under the City’s current fee schedule will therefore generate approximately two million dollars in funding for ECCFPD.

In addition, as provided in [Chapter 8: Implementation, Administration and Financing](#), development of the Specific Plan Area may include the creation of a Community Facilities District, which could be used to provide additional, on-going funding—derived from those within the Specific Plan Area only—for ECCFPD.

Emergency Medical Services

Designated by the County Board of Supervisors, Contra Costa Health Services (CCHS) serves as the local emergency medical services agency (the “EMS Agency”). The County awards exclusive ambulance operating contracts through a competitive process for all Emergency Response Zones (ERZs). The Specific Plan Area is within ERZ “E” which was consolidated with ERZ “D” in January of 2016.

Effective January 2016, a new contract went into effect between ConFire (Contra Costa County Fire Protection

District) and AMR (American Medical Response) which provides that ConFire can directly dispatch individual AMR ambulances. Ambulance services are dispatched locally.

5.3.2. Public Educational Facilities

The City of Brentwood is served by the Brentwood Union School District (BUSD) (elementary schools serving grades K-5 and middle schools serving grades 6-8) and the Liberty Union High School District (LUHSD) (high schools serving grades 9-12). The BUSD operates eight K-5 elementary schools and three middle schools, while the LUHSD operates four high schools.

The Specific Plan Area is served by R. Paul Krey Elementary School which is located within a half-mile to the east of the site, and Adams Middle School and Heritage High School located adjacent to and southeast of the Specific Plan Area on American Avenue.

New development associated with the implementation of the Specific Plan will possibly result in an increased number of students residing in the Specific Plan Area (although limited due to the primarily age-restricted nature of the Specific Plan), and the associated demand for public school services. All students would be associated with the non-age restricted neighborhoods. The actual need for additional services will be evaluated by the school districts as the student population increases, in coordination with future development over the next 20 + years.

Development within the Specific Plan Area will pay the BUSD and LUHSD school fees in accordance with State law. These school fees, which are used for capital improvement projects,

would apply to both the active-adult age-restricted and non-age-restricted neighborhoods. It is anticipated that the Specific Plan will have a very low student generation rate due to the primary age-restricted nature of the Specific Plan.

5.3.3. Parks & Recreation

The Specific Plan Area is located within close proximity to several parks and other open spaces in the surrounding areas. The closest parks today include the Balfour-Guthrie Park and Rolling Hills Park, both in the Shadow Lakes neighborhood to the east.

To accommodate the Specific Plan Area’s new residents and visitors’ recreational needs, new development will be required to provide parks and recreation facilities consistent with the Specific Plan’s open space requirements and the City of Brentwood Parks and Trails standards.

5.3.4. Libraries

The Brentwood Library is the only public library located in the City of Brentwood and is part of the Contra Costa County Library system. This relationship allows the Brentwood Library to access all libraries within the Contra Costa Library system to obtain information not found in the Brentwood Library. The newly relocated Brentwood Library is now adjacent to the Brentwood City Hall.

6

DESIGN GUIDELINES

This chapter explains the design principles and establishes a set of design guidelines for development within the Specific Plan Area, including site design, architecture, lighting, landscaping and signage.

6.1. Introduction

These architectural design guidelines describe and illustrate building designs, concepts, and features meant to promote the high-quality development that is envisioned for the Specific Plan Area. These design guidelines are to be used in conjunction with the development standards described in Chapter 3: Land Use Plan and Development Standards.

Design review for development within the Specific Plan Area will be conducted in accordance with the City’s design and site development review process pursuant to the Brentwood Municipal Code, as amended by the Initiative.

In conducting its review of project proposals within the Specific Plan Area, the City shall apply the design guidelines established in this Chapter 6 and the development standards established in Chapter 3: Land Use Plan and Development Standards as the sole design guidelines and development standards applicable to development within the Specific Plan Area.

These design guidelines serve the following functions:

- Establish design guidelines for site design, architecture, circulation, landscaping, and other distinguishing features.
- Promote cohesive design and community identity.
- Provide developers, builders, planners, architects, landscape architects, and property owners with guidelines and recommendations to aid in maintaining

- a high level of community cohesiveness and unity, while still allowing for a degree of personal expression.
- Create highly desirable neighborhoods that are an asset to the Specific Plan Area and to the City of Brentwood.
- Encourage sustainable design solutions that reduce energy consumption, use water efficiently, and minimize waste.
- Promote mobility while reducing greenhouse gas emissions, encouraging healthier lifestyles, and providing opportunities for social interaction.
- Create simple building designs that result in efficient use of space, materials, and resources while maintaining a high level of design integrity and authentic architectural style.

Graphics and photographic images shown herein are included as a visual reference and should not be interpreted as the only design solution. Creative approaches consistent with the guidelines of this Specific Plan are encouraged.

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS



6.2. Site Design Guidelines

6.2.1. Single-family Attached & Detached Residences

The single-family attached and detached residences include Estates, Traditional, Cluster, Duets, and Townhomes as described in Table 3-2: Residential (VDC-R) Development Standards.

The single-family attached and detached residences should be designed to create functional and pedestrian friendly streetscapes within a series of neighborhoods, each connected by a network of trails and open space providing access to the community and neighborhood recreation centers.

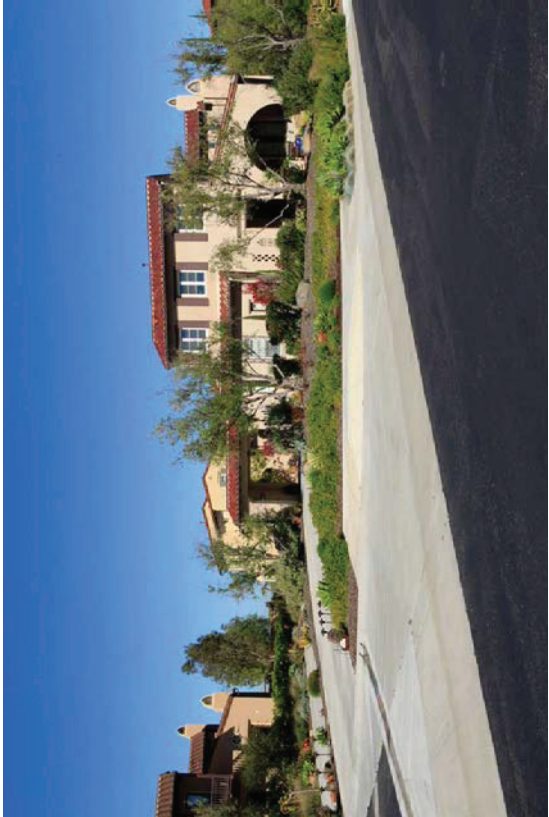
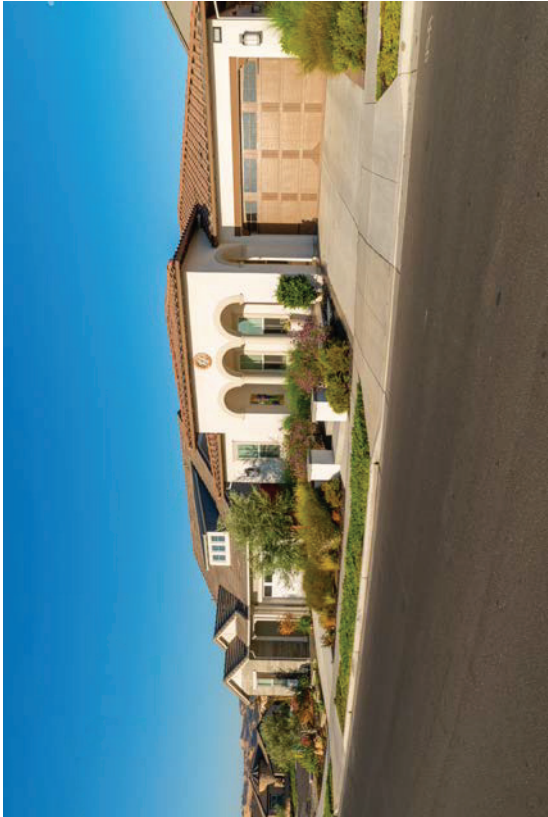
The following guidelines should be considered:

- Create a ‘sense of address’ and a street-facing front door for each unit by providing front court yards, gates, and access to streets and/or private open space.
- All units should feature covered entry areas either in the form of a covered stoop or entry porch.
- Variation of design is encouraged. Specific architectural styles may be grouped by lot size to create a design theme for specific neighborhoods within the plan area.
- Architectural details should be appropriate to the architectural style of the structure.
- All facades facing a street should be treated as high visibility and may feature windows, entries where

appropriate, and other design features normally on the front facade.

- Stepping between units is encouraged to provide a varied building frontage as viewed from the street.

Conceptual Illustrations of Typical Single-Family Detached Residences Site Design



6-4 | VINEYARDS AT DEER CREEK HOMES SPECIFIC PLAN

Conceptual Illustrations of Typical Single-Family Attached Residences



6.2.2. Multi-Family Residences

The multi-family residences (which must be age-restricted) should be designed to promote an active lifestyle, typically clustered around a neighborhood entry or recreation center with generous common open space.

These age-restricted multi-family residences should be designed to create a sense of privacy within the larger community. The orientation and layout of the buildings should respond to the street, while maximizing each dwelling unit’s views of the surrounding landscape and access to natural light.

The following guidelines should be considered:

- Terraces, balconies, and courtyard units should have direct street or common space entry, where appropriate.
- Changes in level between private terraces, front gardens, and dwelling entries above the street level are encouraged to improve visual privacy for ground level dwellings.
- Upper level balconies are encouraged and should overlook the public domain or common open space.
- Balconies, other massing elements, and architectural detailing should be used to avoid façade monotony.
- The length of solid walls should be limited along street frontages.
- Opportunities should be provided for casual interaction between residents. Design solutions may

- include seating at building entries, in private courtyards, or adjacent to streets or common open spaces.
- Visual and acoustical privacy of individual dwelling space should be optimized through sound isolation and avoiding direct lines of sight between windows and balconies of different units.



Conceptual Illustrations of Multi-Family Residences

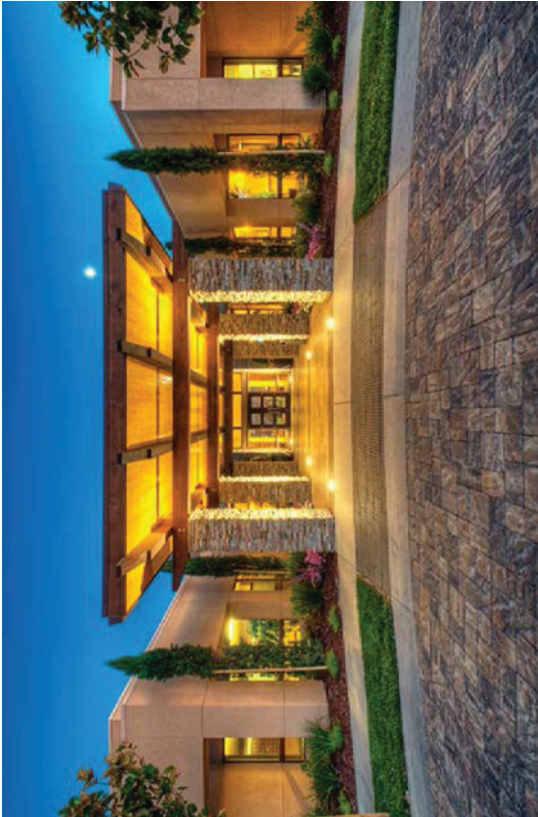


6.2.3. Recreation Centers and Commercial/Civic

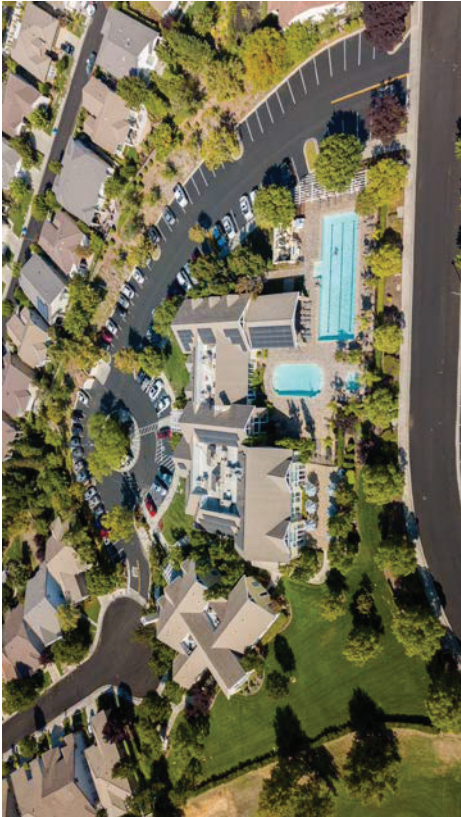
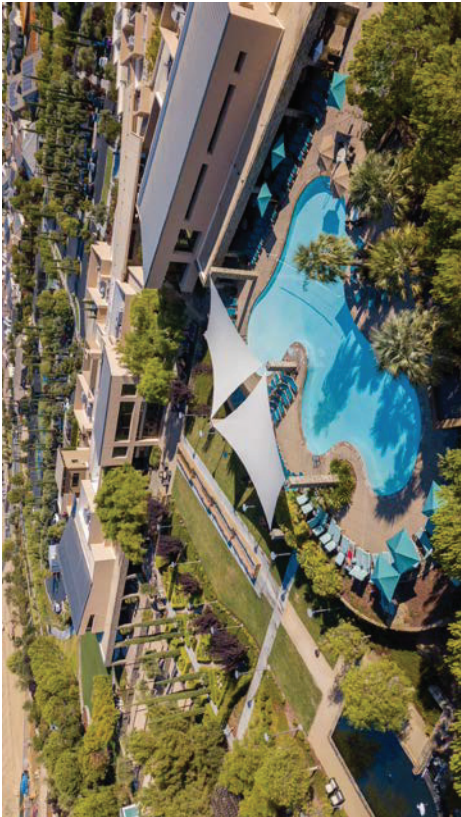
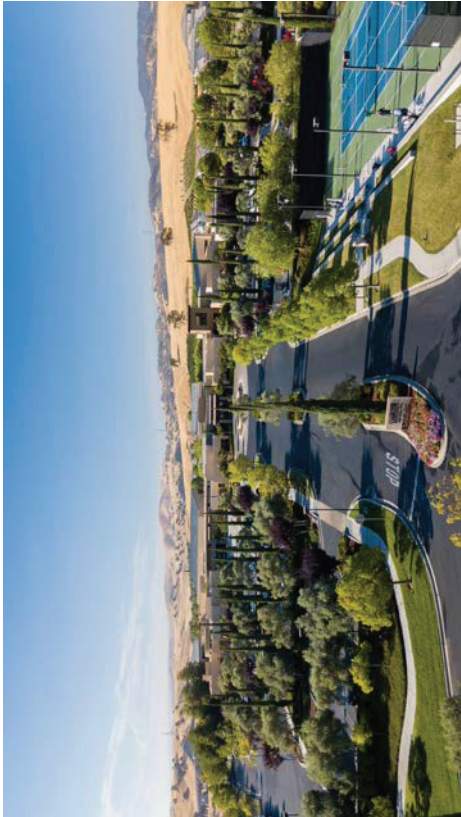
Non-residential site design guidelines apply to recreation centers and commercial facilities. These uses within the Specific Plan Area should be constructed with a compatible and harmonious quality and style that sets the tone for the overall community. Appropriate site planning and architectural design creates friendly and welcoming commercial destinations to continue the vision established in the residential community, including integrating pedestrian-friendly design.

The following guidelines should be considered:

- Orient buildings and building entries that are easily identified from fronting streets.
- Provide direct pedestrian connection between fronting street sidewalks and building entries
- Minimize the amount of parking seen from adjoining streets and other developments.
- Provide areas for landscaping between the street edges and buildings
- Break large parking areas into smaller areas with landscape islands and provide delineated pedestrian walking paths (e.g. pavers, stamped and/or colored concrete) between parking areas and buildings.
- Provide buffers and screening landscaping and attractive screen walls between non-residential and residential land uses.
- Locate transformers, valves and similar elements where they will be least visible from streets, whenever



Conceptual Illustrations of Recreation Centers and Commercial/Civic Site Design



6.3. Architecture

This section applies to all future buildings within the Specific Plan Area, including single- and multi-family residences, the recreation centers, commercial/civic buildings, and other miscellaneous structures. The following guidelines should be considered:

6.3.1. Building Placement and Orientation

- Buildings should be sited and designed to have a strong street presence along community frontages within the Specific Plan Area, except for some areas along the primary entry roads and collector roads, which may incorporate landscaping and masonry walls.
- Buildings should be oriented towards the street, where architectural detail and interactive architecture – including porches, courtyards, entries, and windows – are emphasized.
- Residences should be located within walking distance to neighborhood open space and trails.
- Residences should be sited to work with the natural land forms and minimize alteration to the natural environment to the extent practical.

6.3.2. Building Design

- When siting individual attached and detached single-family residential units, minimize the occurrence of identical plan types adjacent to or directly across the street from one another. When plotting the same floor plan immediately adjacent to and/or across the street from one another, a different elevation style

- should be used. Exterior color schemes should be varied for adjacent units with the same elevation style.
- A range of dwelling unit sizes, floor plans, and elevations should be provided for each lot size. A different roof treatment, window placement, porch or stoop type may be considered a façade variation.
- Residences on corner lots are encouraged to have architectural features such as wrapped porches, side porches, balconies, windows, or façade plane breaks facing the secondary street.
- The main building of the community recreation center may include a central tower or other prominent vertical architectural feature to establish a focal point and enhance this building as an iconic community landmark.



6.3.3. Building Massing

- Varied building setbacks and elements should be used when possible to provide articulation and functional features such as entrances, courtyards, outdoor dining or seating areas, etc.
- Projected windows, stepped building facades, height changes, and setback variations are encouraged between buildings to break up large buildings and create attractive, interesting entries and facades.
- Tower elements or other monumental features are encouraged at community focal points such as the recreation centers and the primary and neighborhood entries. All elevations of a tower element or monument feature should be completely constructed, with no blank walls or partially finished sides.
- Architectural elements such as windows, projections, shutters, pediments, pot shelves, window trim, arcades, awnings, and other similar features should be used to break up the massing of large buildings.
- Roof elements including gables, sheds, hips, parapets, towers, and trim elements may be used to facilitate architectural styles as well as moderate building massing, create interest, and vary the streetscape of the community.



6.3.4. Building Materials, Colors, and Finishes

- A variety of high-quality, durable materials should be used to create interesting and attractive building designs and avoid monotony.
- Exterior colors and materials should be used to define the building form, details, and massing.
- Where multiple buildings are proposed, variation in color schemes should be provided. In general, each color scheme should have one or two complimentary main colors and up to three complimentary accent colors that are appropriate for the architectural style and character of the building.
- Materials and colors used on the front facade may be wrapped along the side facade to an inside plane or to an appropriate transition point several feet beyond the front elevation to avoid the appearance of false facades.
- Building details such as flashing, pipes, and metal vents may be used as an enhancement with complimentary colors/materials or painted to match the building or roof surface.
- The natural color of brick, stone, and tile should be maintained; these materials should not be painted.



6.3.5. Windows and Doors

- Windows should be proportional to the facade and reflect the architectural style and character of the building.
- Window size and shape should provide a balanced relationship with the surrounding roof and walls. All windows should be trimmed with the appropriate materials.
- Accent shutters are encouraged if appropriate to the architectural style of the building. Where used, they should be proportional to the window opening to appear functional and should be placed adjacent to the window frame in a manner that doesn't look "tacked on" or fake.
- Windows should further enhance, not dominate, the overall architectural character. Large unbroken expanses of glazing should be avoided. Mullions should be used where appropriate to the architectural style.
- Operable windows are encouraged in living and bedrooms to provide natural ventilation and to enhance the indoor-outdoor relationship.
- Accent entry doors, traditional French doors, arched windows/doorways, shutters, pot shelves and window boxes, accent trim, and glass sliding doors are encouraged, as appropriate to the architectural style.
- Windows with clear glazing are encouraged. Dark tinted or reflective glass should be avoided.

- Architecturally compatible relief detailing is encouraged on entry doors.
- Upper story windows that are visible from streets, walkways, parks, and common open spaces should be designed with window trims and mullions that match the front elevations of the structure. Mullions may be deleted from main bedroom windows and living spaces which face rear yards.



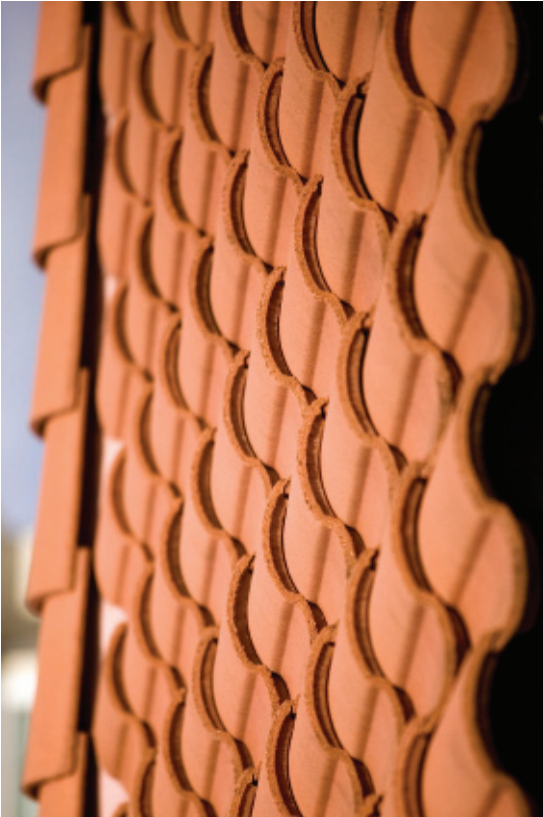
6.3.6. Garages and Driveways Serving Single-Family Attached and Detached Homes

- Garages may be attached or detached to match the conditions of the site and provide variety between floor plans.
- Garage doors should be recessed into the wall plane to provide shadowed relief.
- Garage door styles, materials, and colors should be appropriate to the architectural design.
- Garage door window inserts are encouraged to allow natural light into the garage.
- Special driveway paving treatments and landscaping around the garage are encouraged to create visual interest.
- Garage relationship to the living space should be varied to avoid monotony. Examples of this include flush (garage is at the plane of the living space) and recessed (garage is behind the plane of the living space) garage placement. Garages may be further recessed behind the primary structure or located on the side to provide further variation.
- Additional elements such as trellises and gates are encouraged to vary and enhance garage appearance as appropriate to the architectural style.
- Garages should be sited next to garages and living space next to living space where feasible to undulate the street pattern and improve opportunities for on-street parking.



6.3.7. **Roofs**

- A variety of roofing forms, pitches, slopes, heights or details, as well as high-quality, durable materials, should be used on buildings, and should be compatible with the overall style and character of the building.
- Gable ends should be separated so they are not located adjacent to each other.
- Traditional cupolas and dormer-type elements are encouraged as accents where appropriate to architectural style.
- Roofs should be constructed of high-quality, durable roofing materials and colors that are consistent with the architectural style of the building. Acceptable roofing materials include clay tile, concrete tile, metal, and asphalt shingle. If a roof is flat, acceptable materials also include foam and green roofs. Unacceptable materials include pressed wood, corrugated fiberglass, and asphalt roll roofing.
- Roof colors and materials that meet or exceed Energy Star requirements are encouraged to reduce the heat island effect.



6.4. Equipment Screening and Service Areas

- Onsite temporary storage areas should be provided and designed to minimize impacts on adjacent uses.
- Refuse collection and storage facilities generally should be located away from common areas or screened from public view. Refuse container enclosures should be designed with similar architectural treatments and colors as the adjacent buildings.
- For single- family residential units, refuse bins should be located within a garage or behind a fence, screened from streets or common open spaces.

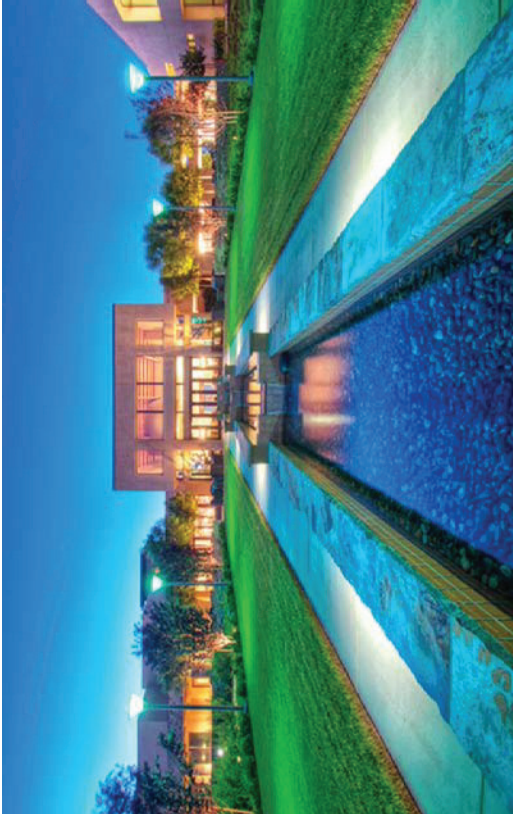
6.4.1. Construction Screening

Onsite temporary construction screening of storage areas should be provided during construction and designed to minimize visual intrusion on views from trails and adjacent residences.



6.5. Exterior Lighting

- Adequate lighting should be provided throughout the site to create an inviting and non-threatening environment. Night lighting of public and common spaces should be kept to the minimum necessary for safety and security purposes.
- The scale, materials, colors, and design detail of light posts and fixtures should reflect the desired character of the Specific Plan Area and the architectural style of the surrounding buildings. Light posts should be appropriately scaled to pedestrians near sidewalks and other areas of pedestrian circulation. Bollard lighting is encouraged to illuminate walkways and trails, while avoiding spillover into adjacent areas.
- Wall-mounted lighting fixtures should be compatible with the architectural style and character of the building. The color, size, placement, and number of fixtures should enhance the overall design and character of the building and site.
- Energy efficient, low voltage lighting is encouraged. Decorative lighting should be low intensity.
- Lighting fixtures should direct illumination downward to minimize light pollution impacts. Up-lighting, spot-lighting, and decorative color lighting may be appropriate for prominent buildings and features, but never near natural areas.
- Exterior lighting should be unobtrusive and not cause glare or spillover into neighboring properties or open space areas.



6.6. Green Building Guidelines

This Specific Plan promotes green building practices to improve the overall quality of life for residents and to encourage innovative and sustainable design and construction techniques that reduce negative environmental impacts. In addition to those provisions already required by state law, the following green building practices are encouraged throughout the Specific Plan Area:

Site Design

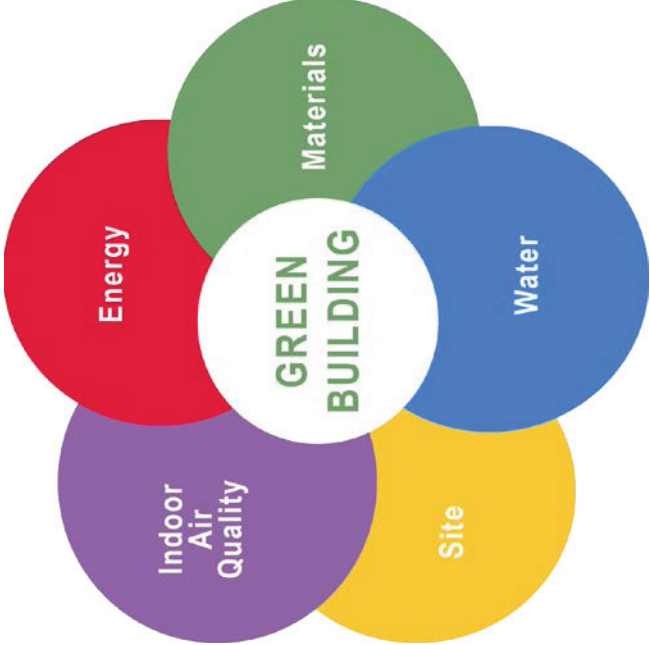
- Incorporate passive solar design by planning subdivision lots and street layouts to optimize solar access to the extent practical without reducing connectivity.
- Reduce solar heat gain through exterior surfaces by using light exterior colors or paints with reflective pigments.
- Use salvaged or recycled materials for landscape elements, where feasible.
- Building design and siting should take advantage of natural ventilation, heating, and cooling, sun and wind exposure, and solar energy opportunities. Passive solar orientation and design is encouraged to capture natural daylight. Building siting should consider solar access for adjacent buildings.
- To minimize the number of earth disturbing events, all lots, roadways, and other improved areas within a phase should be graded sufficiently to accommodate development in that phase. A grading borrow/stockpile area may be established in a future

- phase area on-site, if necessary, to accommodate extra grading material.
- To minimize truck trips, the amount of cut and fill should be balanced to the extent feasible.
- Equipment should be located to maximize energy efficiency, such as by locating cooling equipment in shaded areas that are protected from the hot sun, thus reducing the energy needed to cool the air.



Building Design and Materials

- Buildings should incorporate green building practices beyond what is required by applicable state law to the extent feasible and appropriate, including using low-flow water fixtures, drip irrigation and hydro-zoning irrigation systems, use of formaldehyde free construction materials, and low VOC water-based materials.
- Green materials that withstand local environmental conditions are encouraged, including recycled-content carpet, cellulose insulation, engineered lumber, certified wood, natural floor coverings, and recycled-content interior finishes.
- Concrete roof tile waste, drywall waste, and wood framing waste material should be sent to off-site recycling facilities.
- Consider the use of oriented strand board (OSB) for shear panels and roof sheathing instead of plywood.
- Consider the use of engineered wood products (EWP), including for beams, headers, and roof trusses.
- Consider the use of radiant barrier roof sheathing.
- Consider the use of medium density fiberboard (MDF) made from the waste of other wood products for doors, trim, baseboard, and shelving.
- Roof-top and parking lot solar panels are encouraged.



6.7. Landscape Guidelines

6.7.1. Landscape Vision

The landscape elements (planting, lighting, fencing, walls, etc.) within the public realm of the Specific Plan Area will be designed to reflect landscape style that are characteristic of a Mediterranean environment which is similar to that of Brentwood topography and climate.

Public realm refers to all exterior publicly accessible and common spaces, linkages and built forms, regardless of ownership. These elements may include streetscapes, pedestrian paths and trails, bridges, plazas, and passive and active open space areas. This includes land that is either publicly owned (e.g. some streets) or land that is owned and managed by an HOA(s) or owner of rental property.

Landscaping in the public realm will be maintained in accordance with Chapter 8: Implementation, Administration & Financing.

Landscaping should create a strong visual identity in the Specific Plan Area. This identity will be accomplished through cohesive landscape design of streetscapes, street and outdoor common area furniture, fences and walls, project entry features, plant selection, distinctive street lighting and directional signage, and other similar elements.

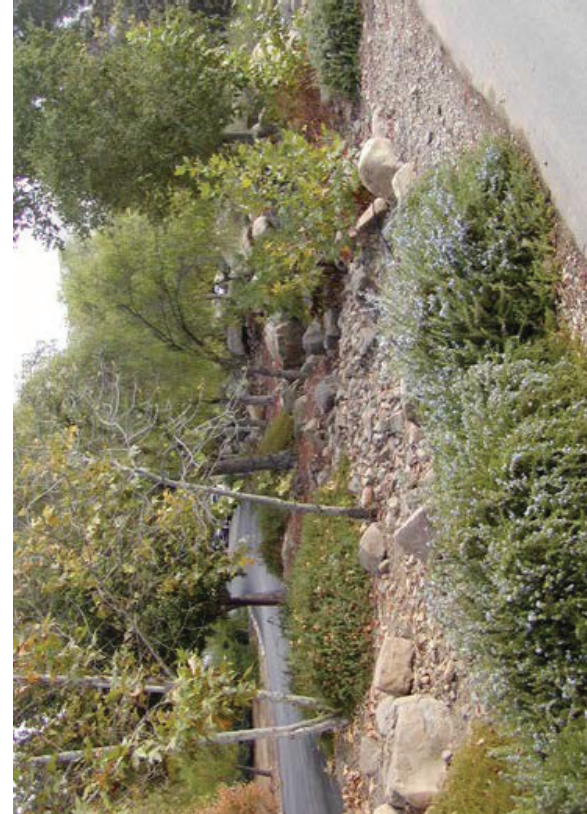
These design guidelines serve to promote cohesive design and community identity. Graphics and photographic images are included as a visual reference and should not be interpreted as the only design solution. Creative approaches are encouraged.



The landscape should be designed to provide easy access to open space and to encourage active and healthy outdoor living for the community. Neighborhoods should be integrated with natural open space and carefully designed streets with generous sidewalks, punctuated by open space areas. Landscape material should emphasize the use of materials and plant communities within natural settings that respond to the site’s ecology to create a unique, nature-rich environment. For this, as well as conservation and functional reasons, planting options should emphasize native and non-native drought-tolerant, hardy materials and compatibility with existing surrounding native and adaptive plants in the region.



The landscape should seek to achieve a balance between natural open space landscaping and more manicured landscapes, composed of both natural and manmade elements, such as streets with streetscape trees and project entry statements, which combine monument signs with plants and flowers. These areas, both natural and more formal, should harmonize to create a single, distinctive community.



6.7.2. Landscape Objectives

The following objectives should guide landscaping in the Specific Plan Area:

- Design landscape features consistent with the character and historical context of the region.
- Employ water conservation measures through use of drought-tolerant plant material and water-conserving irrigation systems and practices.

6.7.3. Single Family Residential Landscape

Landscape guidelines and requirements within this section address unique landscape conditions that occur for the single family residential lots found in the Specific Plan Area.

Objectives

- Landscaping should be used to compliment the architecture.
- Blend landscapes between lots and neighborhood streets as a unified community landscape setting.
- Establish a healthy, sustainable and natural landscape environment.
- Prioritize front yard landscapes to reinforce neighborhood streets as livable, walkable places. The combination of front porches and front yard gardens within the private frontages activate the streetscape, and contribute to a consistent, high quality neighborhood landscape.
- Use low groundcovers with low water requirements where appropriate.

The objectives for front yards are to reinforce and enrich the neighborhood street scene and to provide a transition from the street to the private landscape.



6.7.4. Model Homes

Landscape design for the sales pavilion and model home complexes should be designed to welcome visitors with displays of color and materials that complement the natural setting. Annuals and flowering shrubs displaying abundant colors should be an important part of the landscape theme. The following landscaping guidelines apply to the sales pavilion and/or model home areas:

- Visitor parking areas should be screened from nearby homes and adjacent streets with landscaping.
- Landscaping within the sales complex (sales pavilion, model homes, visitor information building) may be removed at the end of the marketing program or at the time of conversion to another use.



6.7.5. Sustainable Landscape Guidelines

Water-Conserving Plant Materials

Proposed plant materials should emphasize the use of both native and adaptive species of trees, shrubs, and ground cover. “Low” to “very low” water demand, hardiness, functionality, and aesthetics should govern the selection of plant material to be incorporated into the landscape palette.

Lawn and Turf Area Reductions

While lawn and turf areas are necessary for certain active recreational and aesthetic purposes, use of turf areas should be minimized to reduce water use and maintenance requirements.

Turf should generally be limited to areas that are used for active recreational and pedestrian use. In areas that will not receive active foot traffic, such as along streets or other common landscaped areas, native or adaptive grasses, drought-tolerant trees, groundcovers, and shrubs are encouraged.

Low Impact Development

The landscape program should, to the extent practical, reinforce the principles of low impact development (LID) for storm drainage, runoff infiltration and groundwater recharge by such measures as: (1) management of rainfall at the source of a site's predevelopment hydrology by using landscape design techniques and materials that infiltrate, filter, store, evaporate, and/or detain runoff as close to its source as feasible, and (2) storm water capture through small, cost-effective landscape features located at the site level. This may

include not only natural open space, but also streetscapes, parking lots, sidewalks, hardscape areas, and medians. Open space common areas and trails should use low-impact development measures and sustainable practices, if reasonably available, and drought-tolerant plant materials.

Fire Protection

The planting and irrigation program should create appropriate fire protection/fuel modification setback zones to buffer homes and buildings from dry open hillsides and wooded areas. These buffer zones should consist of permanently irrigated tree, shrub, and/or ground cover plantings that exhibit fire resistant qualities.



6.8. Streets, Pedestrian Paths & Trails

Streets in the Specific Plan Area should be designed as a comprehensive road network that provides both vehicular and non-vehicular circulation to allow the efficient movement of people. Most streets should be designed to accommodate multiple modes of transportation, including walking, bicycling, or driving a local use vehicle or automobile.

The following guidelines apply to the design of streets and other mobility networks:

- Design an efficient circulation system appropriate to and easily navigated by active adults.
- Provide direct, convenient, safe and efficient automobile, pedestrian, bicycle, and local use vehicle routes to all uses.
- Encourage non-automobile circulation within the plan area to minimize impacts on regional air quality.
- Encourage a flexible network that can accommodate future transit service.
- Design a circulation system to preserve the site’s most sensitive natural resources as open space.
- Integrate the natural environment and circulation design to minimize the disruption of natural features, and to the extent practicable, blend with the site’s existing landforms, trees, and drainage courses.
- Design a community that is bicycle and pedestrian friendly.

An interconnected network of paths and trails should be built throughout the community, affording a range of activity options including running, hiking, walking, dog walking, biking, and accessibility to various areas in the community. The trails and paths, together with sidewalks, also provide connections to amenities, such as commercial areas and transit stops, outside the community.

Emphasis for trails and paths should be on the use of natural materials and simple landscape treatments that integrate with the natural setting.

Location of pedestrian paths and trails systems should meet the following design objectives:

- Safety
- Connectivity to on-site and off-site destinations
- Diversity in experiences and user types
- Conforms to site attributes, opportunities, and constraints

6.9. Signage

Signage is an important feature that contributes to neighborhood character. Signage design within the Specific Plan Area should be complementary in character, materials, and style to the buildings within the residential setting. Signage, which may be lighted, should be of high quality materials and be of sufficient number to only adequately define, direct, or identify. The guidelines here are in addition to any applicable requirements in the Brentwood Municipal Code, as may be amended from time to time.

6.9.1. Monument Signs

Monument signs should be located within the front setback (generally between the sidewalk and building or between road and sidewalk, or in landscaped medians of Entry Roads).

The following guidelines should be considered:

- Lettering styles should be proportioned, simple, and easy to read.
- Sign materials should complement the overall architectural character of neighborhoods and be constructed using high quality materials, be durable, weatherproof, and treated or painted so that they will not discolor, rust, fade, crack, or corrode.
- Monument signs should be constructed of high-quality materials, such as stone, concrete, plaster, and metal. Materials, finished, and colors should complement the architectural style and character of the buildings and other onsite signs.

- Monument signs near vehicular entrances should be oriented perpendicular to the street. More than one sign per vehicular entrance is discouraged.
- Monument signs should be scaled for pedestrians and drivers.
- Landscaping, especially evergreen and flowering plants, is encouraged around the base of monument signs to highlight and define the base while screening support structures.

6.9.2. Walkway Directional Signs

Walkway directional signage for buildings (e.g., recreation centers), parking, or other key site features is permitted and may be employed as necessary to facilitate identification and directions to areas or buildings. These signs generally should be located to adequately serve way finding and identification purposes. If used, they should be designed at an appropriate pedestrian scale.

The following guidelines for signs should be considered:

- Signs should be oriented to the pedestrian, even if also designed for vehicles.
- Lettering styles should be proportioned, simple, and easy to read.
- Sign materials should complement the overall architectural character of neighborhoods and be constructed using high quality materials, be durable, weatherproof, and treated or painted so that they will not discolor, rust, fade, crack, or corrode.

6.10. Outdoor Furnishings

Site furnishings (e.g., benches, tables, trash / recycle receptacles, mailboxes, drinking fountains, etc.) should be provided in areas of recreation, rest, and social gathering. Site furnishings should complement architectural features of the site architecture and other site and streetscape furnishing. Selection of site furnishings should reinforce the visual continuity of the Specific Plan Area.

Components should be made of durable high-quality materials such as steel (galvanized or stainless), cast iron, aluminum or integral color precast concrete. The use of recycled material is encouraged if the colors and finishes are consistent with the architectural goals stated above. Vertical surfaces should be treated with anti-graffiti coatings. All surfaces should be coated with highly durable finish such as powder coat, color anodized, hot dip or cold galvanized or similar protective process.



6.11. Fences and Walls

Fences and walls may be used through the Specific Plan Area to provide privacy, enhance the aesthetic character, and maintain safety. Maintenance of fences and walls will typically be by the respective property owner (e.g., owner or the HOA).

The following guidelines for fences and walls also should be considered:

- Fences and walls should be constructed using high quality materials, consistent with the contemporary aesthetic of adjacent architecture and landscape.
- Street-adjacent and perimeter wall and fence design, location, and height should reflect the character and overall aesthetic of the respective neighborhood and be consistent in quality and color palette to create a consistent aesthetic.
- Perimeter and street-adjacent walls and fences should be constructed of attractive, durable, and low maintenance materials, including but not limited to precast concrete with textured or stone finishes, wood, wrought iron, tubular steel, wood, or similar.
- Fences and walls along collector and arterial roads should occur behind landscaping: groundcover, shrubs and low plantings, and trees.
- Residential fences, including front yard fences, should be constructed using high quality materials such as wood, masonry, steel, or a combination of these materials. Front yard walls and fences may vary for

- visual interest but should be complementary and retain a harmonious overall aesthetic.
- Landscaping should be required along walls and fences to break up the massing and provide greenery throughout the Specific Plan Area. Long, uninterrupted walls and fences (generally greater than 30 feet) should be avoided along streets and adjacencies with open spaces, trails, and other common spaces unless broken up by pilasters or changes in plane.
- Retaining walls should be constructed of masonry or concrete. Retaining wall design may include pre-cast concrete, concrete block, poured-in place concrete, or keystone type walls. Retaining walls should have a natural appearance including split-face block, stucco over concrete, or other texture, to avoid a smooth concrete or industrial block wall appearance.

7

RESOURCE MANAGEMENT

This chapter includes management policies that will help to ensure an integrated and sustainable approach to the long-term stewardship of the Specific Plan Area’s environmental resources.

7.1. Introduction

This Specific Plan is based on an integrated resource management concept. The essence of this approach is to combine the various man-made and natural elements of the site in a comprehensive management strategy that will enhance and benefit each element. These elements include maintaining the existing drainage patterns, preservation of the existing oak woodlands, improving agricultural quality, mitigating for habitat protection, conserving water use, and incorporating standards to improve stormwater management.

This chapter addresses sustainable uses and protection of natural resources within the Specific Plan Area. Resource management policies and mitigation programs described in this chapter address:

- Open Space
- Tree Preservation
- Habitat Protection
- Stormwater Management
- Geological Hazard Abatement District Formation

Consistent with State law, future discretionary actions required for development within the Specific Plan Area are subject to environmental review in accordance with the California Environmental Quality Act (CEQA). This Specific Plan anticipates that the discretionary actions required for Specific Plan development will include measures intended to avoid or substantially lessen the environmental impacts of the

development anticipated by the Specific Plan as required by CEQA. In addition, this Specific Plan anticipates that resource agency permits required for Specific Plan development will include measures for the avoidance, minimization, and mitigation of impacts on certain natural resources.

7.2. Open Space Preservation

The Specific Plan Area is currently used for dryland farming and very limited seasonal cattle grazing. Due to the relatively poor quality of the soils and no irrigation, there are no croplands under cultivation.

The Specific Plan Area shall include a minimum of 225 acres of open space, a portion of which will be permanent agricultural crops, such as vineyards and olive groves, reinforcing the characteristics of a Mediterranean environment.

Although existing dryland farming practices will cease, the planned agricultural program will create farmland of higher value and production and serve to maintain the economic integrity of the Specific Plan Area for agricultural use.

This land would be privately owned and managed, and would utilize a third-party organization(s) to conduct the farming (i.e. planting, pruning, irrigation, harvesting, etc.) and open space management practices (i.e., weed abatement, mowing, pest control). Agriculture areas are proposed to be commercially viable and professionally managed, not simply ornamental. As such, the project will create water efficient, irrigated agricultural land.



It is anticipated that the agricultural areas would be located predominantly on steeper slopes and are strategically planned throughout the property, particularly around the project’s perimeter where they will serve as both a land use buffer to adjacent properties and enhance aesthetics.

Open space areas would also include the existing transmission line easement, and natural drainage courses (to the extent practical).

To provide a framework for the development and management of agriculture and open space land, the Specific Plan includes an Open Space (VDC-OS) land use sub-designation to preserve and manage open space within the Specific Plan Area. (See Section 3.2.4)



VINEYARDS AT DEER CREEK SPECIFIC PLAN | 7-3

7.3. Tree Preservation

It is the intent of the Specific Plan to ensure that all design, grading, construction and landscaping give priority to the preservation of healthy native oak trees of four-inches in diameter or greater (as measured four and one-half feet from the ground) where feasible, as further described herein.

As inventoried in 2018, there are a total of 107 Blue Oaks (Quercus Douglasii) on the Specific Plan Area. Except for two (which are located in the south-central area), all of these Blue Oaks are located in the north western portion of the Specific Plan Area.

Each tree was assigned a rating of Good, Fair, Poor or Dead for preservation rating as a means to cumulatively measure their health, structural integrity, anticipated life span, location, size and species. The inventory indicated the following conditions for the Blue Oaks:

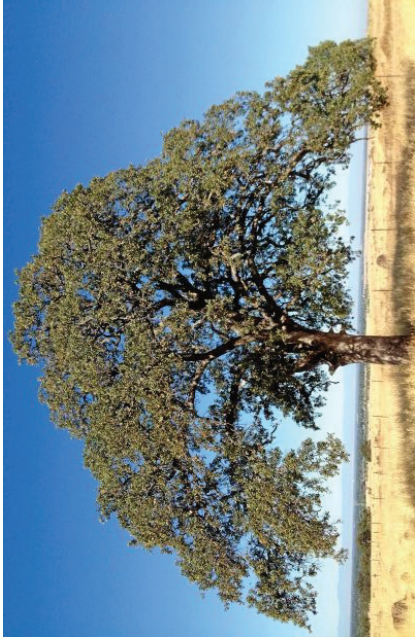
- Good: 64 (60%)
- Fair: 23 (22%)
- Poor: 16 (15%)
- Dead: 4 (3%)
- Total: 107

The following policies will guide preservation of the healthy Blue Oaks and process for adjacent development:

- It is the intent of the Specific Plan to ensure that all design, grading, construction and landscaping give priority to the preservation of healthy native oak trees where feasible. The location and preservation of the

healthy native trees should be a factor in site design. Existing species which are of poor health, as determined by an arborist, may be removed due to associated hazards.

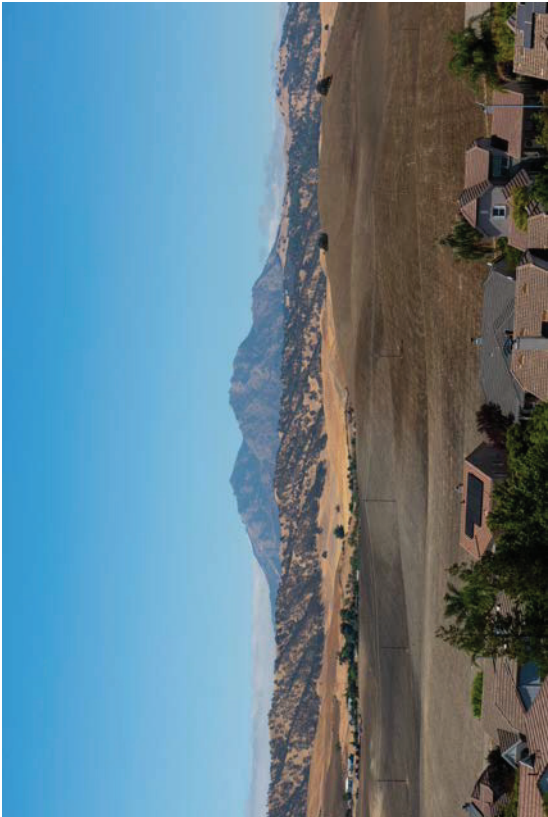
- Trees to be preserved must be protected during construction. No grade cuts can occur within the drip line of the tree to be preserved.
- Prior to issuance of a grading permit for a particular phase of development of the Specific Plan Area, the applicant is to submit a tree removal and protection plan as part of the grading plans for that phase which includes the location, diameter-at-breast-height, and status (good, fair, poor, dead) of native trees to be protected or removed.
- The preservation or removal of native oaks, as well as any regulated activities within the protective zones of native oaks, shall be consistent with environmental review of a specific development proposal within the Specific Plan Area.



7.4. Habitat Protection

The Specific Plan Area is located within the boundaries of the East Contra Costa County Habitat Conservation Plan / Natural Community Conservation Plan (ECCHCP/NCCP). The ECCHCP/NCCP provides a framework to protect natural resources in eastern Contra Costa County, while improving and streamlining the environmental permitting process for impacts on wetlands and endangered species. The Specific Plan has an opportunity to participate in the Plan to mitigate its impacts on special status species, etc.

The Plan allows Contra Costa County, the Contra Costa County Flood Control and Water Conservation District, the East Bay Regional Park District and the Cities of Brentwood, Clayton, Oakley, and Pittsburg (collectively, the Permittees) to control endangered species permitting for activities and projects in the region that they perform or approve. The Plan also



provides for comprehensive species, wetlands, and ecosystem conservation and contributes to the recovery of endangered species in East Contra Costa County. The ECCHCP/NCCP avoids project-by-project permitting that is generally costly and time consuming for applicants and often results in uncoordinated and biologically ineffective mitigation.

Under the ECCHCP/NCCP, new development pays impact fees that are used to conserve wetlands and species habitat in East Contra Costa County. As an alternative to paying some portion or all of these fees, a developer may provide land in lieu of fees.

If required by the resource agencies to avoid or minimize impacts to onsite wetland or other aquatic features, the Specific Plan Area may include on-site preserves that would be permanently protected through deed restrictions or other site protection instruments.

7.5. Stormwater Management

The Specific Plan Area is located within the Lower Marsh Creek Watershed hydrologic area, one of six such areas in the City’s larger planning area. Deer Creek, a small portion of which is within the Specific Plan Area along the southern boundary, still flows as a natural channel during storm conditions. East of the Specific Plan Area, existing development has converted much of the creek into a flood control channel.

At the northwest boundary of the Project site, Horse Valley Creek drains about 1.8 square miles, about 8 percent of which comes from the Specific Plan Area. Horse Valley Creek then continues northeasterly to its confluence with Sand Creek directly upstream of the Upper Sand Creek Basin.

The new stormwater drainage system would include a network of storm drain catch basins, junction boxes, and flow lines that would collect and convey stormwater to existing drainage facilities located on Balfour Road and on the northeastern boundary of the Specific Plan Area.

As mandated by the CA Regional Water Quality Control Board (RWQCB), the new stormwater drainage facilities would be planned and designed to satisfy the RWQCB’s Municipal Regional Permit (MRP) requirements, as they may be amended and subject to those amendments, by:

- Minimizing impervious surfaces, as feasible, and directing flows to Integrated Management Practices (IMPs).

- Integrating appropriately sized IMPs to ensure post-development flows do not exceed pre-development flows.
- Incorporating bio-retention in combination with site planning, minimizing impervious areas, and dispersion of runoff to meet Low Impact Development (LID) requirements.

Future development of the Specific Plan Area will integrate various technologies and techniques to remove pollutants from site runoff prior to entering drainage courses. Such techniques may include (but would not be limited to): reduced slope grading, drainage through vegetative zones (e.g., bio-swales that use natural processes, vegetation, and associated beneficial bacteria and microorganisms to break down pollutants) and other options to intercept pollutants being conveyed toward drainage paths. Technological solutions such as gravelly filter blankets or particulate filters (e.g., fossil filters) may also be installed as pollutant-removal solutions.

Through planning and design, newly installed stormwater drainage facilities would comply with the requirements of the MRP and all other applicable requirements and standards. As a result, development of the Specific Plan Area would ensure that stormwater flows and associated sediments, particulates, and contaminants contained within the runoff would be collected within the Specific Plan Area and discharged appropriately to the existing municipal storm drain system and subsequently conveyed to permitted treatment facilities.

7.6. Geological Hazard Abatement District Formation

As part of this Specific Plan, any future development may propose to create a Geological Hazard Abatement District (GHAD) to provide for long-term monitoring and maintenance of open-space slopes, in-tract slopes, drainages, storm water detention and treatment improvements, and other improvements as appropriate and permitted under applicable law, and to respond to slope maintenance issues in a timely and efficient manner.

Should a future applicant decide to form a GHAD, a “Plan of Control” would have to be prepared that describes the geologic hazards and includes a plan for the prevention, mitigation, abatement, or control of the identified hazards. This Plan of Control is prepared by a Certified Engineering Geologist and would need to be adopted by the GHAD Board of Directors (along with other relevant resolutions) and would set forth the activities to be undertaken by the GHAD and the priorities therefor.

The GHAD, upon taking title to the applicable lands, would assume specified responsibilities in connection with the areas as set forth in the Plan of Control. These include, but are not limited to, the monitoring and maintenance of facilities that enhance site stability, such as drainage facilities and associated improvements. They can also include funding of monitoring and maintenance of biotic resources, as required and consistent with the Plan of Control, within GHAD-owned parcels. The land comprising the GHAD need not be contiguous.

Specifically, the GHAD would assume monitoring and maintenance responsibilities for the following site improvements and activities:

- Slopes
- Debris benches and berms
- Subdrains
- Concrete-lined drainage ditches
- Restored and unaltered creek channels including grade control structures
- Settlement instruments
- Retaining walls
- Emergency vehicle access/maintenance roads
- Detention basin/water quality and bioretention facilities
- Trails and fire roads
- Selected Resource Management Plan activities within the resource areas

Land management activities that are typically the purview of the GHAD manager (e.g., trail maintenance, erosion control) would be coordinated to insure compatibility with habitat management policies and mitigation programs.

8

IMPLEMENTATION, ADMINISTRATION & FINANCING

This chapter addresses the actions that are necessary to implement the Specific Plan by the City of Brentwood, other agencies, and future developer(s) to achieve the goals and objectives outlined in this Specific Plan.

8.1. Policy

The Specific Plan establishes controlling legislative policies regarding the development of the Specific Plan Area. This chapter describes the Specific Plan’s implementation action plan, funding and financing strategy, and administration of those legislative policies.

8.2. Administration

This Specific Plan has been prepared in accordance with California Government Code Section 65451, which sets forth the basic content of specific plans.

The City of Brentwood Community Development Department is primarily responsible for the administration, implementation, and enforcement of this Specific Plan. The primary administrator of the Specific Plan is the City of Brentwood Community Development Director (“Director”). As used herein, Director shall include his/her authorized designee.

Development within the Specific Plan Area shall be subject to this Chapter 8: Implementation, Administration & Financing. This Specific Plan is consistent with the City’s General Plan, as amended by the Initiative. If there are any inconsistencies or conflicts between the requirements of the Specific Plan and the requirements of the Brentwood Municipal Code or other applicable legislative City rule, regulation, or policy, as they currently exist or may be amended (collectively, and exclusive of the General Plan, the “City Zoning Regulations”), the provisions of the Specific Plan take precedence, control, and govern in the Specific Plan Area.

Any activities regulated by the City Zoning Regulations but not addressed in the Specific Plan shall be subject to the City Zoning Regulations, unless application of those City Zoning Regulations would frustrate the policy, purpose, or objectives of the Specific Plan. To the extent any City Zoning Regulations would frustrate the policy, purpose, or objectives of the Specific Plan, such City Zoning Regulations shall not apply.

All references to the Brentwood Municipal Code in this Specific Plan shall be to the Brentwood Municipal Code as may be amended from time to time, unless otherwise specifically set forth in the Specific Plan. All references to the Zoning Code in this Specific Plan shall be to the Zoning chapter of the Brentwood Municipal Code.

Development within the Specific Plan Area shall comply with all federal, state, and local building codes in force at the time of building permit.

8.3. Implementation: Subsequent Project Approvals

Development of the Specific Plan requires SOI expansion, annexation to the City of Brentwood, and annexation to the East Contra Costa Irrigation District, all of which must be approved by the Contra Costa Local Agency Formation Commission (LAFCo) pursuant to a separate process(es) under state law.

Following approval by LAFCo to expand the SOI to include the Specific Plan Area and annex the Specific Plan Area within the City’s municipal boundaries, it is anticipated that future development under the Specific Plan may include or require the following actions or approvals from the City and/or other

federal, state and/or regional agencies, as indicated in Section 8.3.1 through 8.3.3 below.

8.3.1. City of Brentwood Approvals/Permits

The Project may include or require discretionary approvals or permits from the City of Brentwood, including:

- Development agreement between City and developer;
- Subdivision map(s) (See Section 8.3.2 below)
- Design Review (See Section 8.3.3 below)
- Conditional Use Permits

Future projects shall also be reviewed for consistency with the adopted Brentwood General Plan, as the General Plan includes numerous policies and actions to ensure that future development within Brentwood minimizes potential environmental impacts and contributes to the quality of life envisioned by the General Plan.

CEQA Review

Consistent with State law, future discretionary actions required for development within the Specific Plan Area are subject to environmental review in compliance with the California Environmental Quality Act (CEQA). This Specific Plan anticipates that the discretionary actions required for Specific Plan development will include measures intended to avoid or substantially lessen the environmental impacts of the development anticipated by the Specific Plan as required by CEQA.

Subdivision Approval

Implementation of the Specific Plan requires subdivision of the Specific Plan Area, which requires the submission and approval of a tentative (or vesting tentative) tract map(s) pursuant to the City’s Municipal Code and state law.

Subdivision will be accomplished through recordation of multiple phased vesting maps to facilitate the full implementation and build-out of the plan area as required by the City’s Municipal Code and state law. Subdivision maps shall provide for all infrastructure and offsite roadway improvements necessary to support each phase in substantial conformance with the Specific Plan as required by the City’s Municipal Code and state law. Large-lots maps may be appropriate for financing or sale purposes.

Design and Site Development Review Approval

Design review for development within the Specific Plan Area will be conducted in accordance with the City’s design and site development review process pursuant to the Brentwood Municipal Code, as amended by the Initiative.

In conducting its review of project proposals within the Specific Plan Area, the City shall apply the design guidelines established in Chapter 6: Design Guidelines and the development standards established in Chapter 3: Land Use Plan & Development Standards as the sole design guidelines and development standards applicable to development within the Specific Plan Area, except in instances where the Specific Plan is silent and where the City Zoning Regulations would apply as discussed in Section 8.2 above.

8.3.2. Federal Approvals/Permits

Development of the Specific Plan Area may include or require approvals or permits from certain federal agencies, including:

- United States Fish and Wildlife Service
- United States Army Corps of Engineers

8.3.3. State and Regional Agency Approvals/Permits

Development of the Specific Plan Area may include or require discretionary approvals or permits from certain state and regional agencies including:

- Contra Costa County Local Agency Formation Commission (LAFCo)
- Contra Costa County Flood Control and Water Conservation District (CCCFCD)
- Contra Costa Transportation Authority (CCTA)
- Contra Costa Water District (CCWD)
- California Department of Fish and Wildlife (CDFW)
- San Francisco Bay Regional Water Quality Control Board (RWQCB)
- Bay Area Air Quality Management District(BAAQMD)
- California Department of Transportation
- East Contra Costa Irrigation District (ECCID)
- East Contra Costa Fire Protection District (ECCFPD)

- East Contra Costa County Habitat Conservancy (ECCCCHC)

8.4. Interpretation and Substantial Conformance

8.4.1. Purpose

In general, the expectation is that all aspects of an approved development plan are completed and implemented through buildout in substantial conformance with the Specific Plan. The overriding objective is to attain the highest quality plan consistent with the site plan, design, conditions, and commitments associated with any original approval. Thus, all subsequent development plans shall be in substantial conformance with the Specific Plan.

A subsequent development plan may be found to be in substantial conformance with this Specific Plan even if said development does not conform precisely to this Specific Plan. Approval may nonetheless be granted if substantial conformance exists when evaluated in the context of the overall project goals, innovative features, and vision of this Specific Plan.

The Director shall have the responsibility to interpret the provisions of the Specific Plan. If an issue or situation arises that is not sufficiently provided for in the Specific Plan or is outside its scope, the Director shall be guided by the purpose and intent of the Initiative and the interpretation provisions of the City’s Zoning Code.

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If ambiguity arises concerning the appropriate classification of a particular land use, the Director shall have the authority to interpret whether the use is similar to one or more other uses permitted or conditionally permitted by the Specific Plan. If the Director interprets that the use is similar, then the use shall be permitted or conditionally permitted. Where the use is not identified in the Specific Plan and there is no similar use permitted or conditionally permitted by the Specific Plan, the Director shall have the authority to interpret whether the use is consistent with the purpose and intent of the Specific Plan. If consistent with the purpose and intent of the Specific Plan, the Director can permit or conditionally permit the use.

8.4.2. Substantial Conformance Criteria

As indicated above, the Director may find that a subsequent development plan substantially conforms with the Specific Plan when the proposed subsequent development plan is evaluated in the context of the overall project, goals, and innovative features and vision of this Specific Plan.

The Director shall determine that subsequent development plans (including amendments of existing entitlements) are in substantial conformance in cases of:

- Deviations necessary to comply with any environmental mitigation measures associated with the Specific Plan.
- Imposition of any additional conditions or mitigation measures that avoid or minimize environmental effects of the Specific Plan, provided that such features, conditions or measures are feasible, and consistent with the intent and purpose of this Specific Plan.

- One or more adopted conditions that become outdated or infeasible to implement as part of the Specific Plan, but there is one or more roughly equivalent condition(s) or feature(s) that can be substituted in place of the adopted condition(s) or feature(s) and are consistent with the intent and purpose of this Specific Plan.
- Adjustments to the alignment, location and sizing of utilities and facilities or a change in utility and/or public service provider so long as the adjustments or changes are found to be in compliance with applicable plans and standards of the agency responsible for such utilities and facilities and after review and concurrence by the City’s Public Works Department.
- Variation in the number of dwelling units within each phase may occur at the time of final design so long as the total number of units is not exceeded.
- Minor modifications to any of the development standards that are specifically described in this Specific Plan.
- Minor changes to the architectural or landscape design guidelines, which are intended to be flexible in implementation.
- Modification of any design element in this Specific Plan that improves circulation, improves drainage, improves infrastructure, or provides similar utility and reduces operations and maintenance costs.
- Imposition of any codes, regulations, or other requirements by outside agencies that have authority over the Specific Plan.

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- Any health and safety regulations that are required.
- Changes to the plan that would result in an environmentally superior plan.

8.4.3. Minor Deviations

Without limiting the generality of the foregoing, upon written request by an applicant for an Approval, the Director may approve minor deviations from the Specific Plan. Minor deviations are those that do not materially affect the objectives of the Specific Plan and shall not require an amendment to the Specific Plan. Examples of minor deviations include the following:

- Providing equivalent project features;
- Deviations required to meet applicable health and safety regulations; and
- Deviations necessary to respond to actual site conditions.

This list is intended by way of example, and not by way of limitation, and shall not preclude the Director from determining that other deviations requested by an applicant for an Approval constitute minor deviations that do not materially affect the objectives of the Specific Plan.

Under no circumstances shall minor deviations allow for the following:

- An increase in the total number of residential units above 2,400, or an increase in percentage of non-age-

- restricted housing beyond 20% of the total units within the Specific Plan Area.
- Any modification to the requirement that all multi-family units be age-restricted only.
 - Any modification of the maximum number of age-restricted multi-family units.
 - Any modification to the requirement that multi-family residential shall not be located on hilltops or adjacent to the 100-foot buffer (which may include landscaping and/or roads) along the eastern boundary of the Specific Plan area.
 - Any modification to the requirement that uses adjacent to the 100-foot buffer and within the Specific Plan Area shall be limited to single-story/single-story profile residential units.
 - Any modification to the requirement that any Commercial / Civic (VDC-CC) land use sub-designation shall be located on and limited to approximately ± 20 acres in the southwestern corner of the Specific Plan Area off Balfour Road.

8.5. Specific Plan Amendments

Prior to the date that is 20 years after the effective date of the Initiative, the provisions of this Specific Plan can be amended only by a majority vote of the voters of the City of Brentwood voting in an election held in accordance with state law.

Any amendment of this Specific Plan sought on or after 20 years after the effective date of the Initiative may be enacted

without a majority vote of the voters of the City of Brentwood, subject to the procedures required by applicable law.

These dates shall be tolled for a period equal to the period during which any litigation or a similar action challenging the adoption of the Specific Plan has been filed and remains active.

8.6. Severability

If any section, sub-section, sentence, clause, phrase, part or portion of this Specific Plan is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Specific Plan. This Specific Plan, 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 Specific Plan is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Specific Plan that can be given effect without the invalid application.

8.7. Financing Construction and Maintenance of Public Improvements

Implementation of the Specific Plan requires the Specific Plan applicant(s), developer(s), property owner(s) or their designee(s) to assure that all on- and off-site infrastructure, facilities, and improvements required by this Specific Plan are installed, constructed, and completed prior to or concurrent with need.

The improvements contemplated for the Specific Plan Area may consist of elements for use by the public, as well as for exclusive use of the property owners and their guests. Once constructed, long-term maintenance of improvements will be required, and the party responsible for maintaining those improvements may vary depending on whether they are dedicated for public use or privately owned within the Specific Plan Area.

It is anticipated that a significant portion of initial improvements will be constructed with private funding. While a variety of financing techniques are available, Specific Plan development components will be installed or constructed using private financing for the great majority of the development costs. Certain elements of the improvements, however, may use assessments or community facility district mechanisms. If used to fund improvements, the assessment or community facility district will only apply to the Specific Plan Area and only be assessed against the property owner, tenants, or occupants thereof. No resident or property owner outside of the Specific Plan Area will be included in any proposed assessment or community facility district. These provisions ensure that the Specific Plan pays its own way.

This section identifies potential financing methods that may be used individually, collectively, or in combination to fund implementation and maintenance of various improvements identified in this Specific Plan. The Specific Plan's implementation will be complemented by these improvements and directly serve and benefit not only the Specific Plan Area, but also the greater community.

These financing mechanisms are important to assure the timely financing of new improvements concurrent with Specific Plan development. The conceptual Specific Plan financing mechanisms are listed and then described in further detail in the following paragraphs:

- Community Facilities District
- Geologic Hazard Assessment Districts
- Landowner Funding Mechanisms
- Development Impact Fees
- Private Financing

Specific Plan financing mechanisms may also include offers of dedication, fee dedications, and/or easements; assessment districts; infrastructure financing districts (e.g., open space management/maintenance, lighting and landscaping, bridge and thoroughfares); exactions; and reimbursement agreements. In addition, the Specific Plan contemplates and is flexible with respect to the possible use of emerging financing mechanisms, such as payment in lieu of tax (PILOT) assessments.

This summary of allowable financing mechanisms is provided as a guideline; actual implementation of specific financing mechanisms will be accomplished pursuant to established procedures, laws, and regulations applicable to such financing mechanism.

The primary financing mechanisms to be used within the Specific Plan Area are described further below.

8.7.1. Community Facilities District

The Mello-Roos Community Facilities Act of 1982 enables the City to establish community facilities districts and to levy approved taxes to fund a variety of Public improvements required by the Specific Plan. The Mello-Roos Act can provide funding for the purchase, construction, expansion, rehabilitation, or maintenance of, among other services, open space, parks, recreation programs, flood protection, stormwater and drainage systems, streets, roads, parkways, police and fire protection, and ambulance and paramedic services.

If this financing mechanism is utilized, the special tax will likely be structured based on the zoning development intensity of the Specific Plan Area subject to the tax, but in no event shall the tax apply to residents or property owners outside of the Specific Plan Area. Improvements within the Specific Plan Area may be partially funded through the establishment of one or more Community Facilities Districts.

8.7.2. Geologic Hazard Assessment District

A GHAD is created to finance the prevention, mitigation, abatement or control of a geologic hazard. A geologic hazard is defined as an actual or threatened landslide, land subsidence, soil erosion, earthquake, fault movement, or any other natural or unnatural movement of land or earth. A GHAD may also be used to finance the mitigation or abatement of structural hazards that are partly or wholly caused by geologic hazards and may own land. As such, it would be required to assume the attendant responsibility of such ownership (e.g., proper maintenance, management of biological resources, etc.). A GHAD can also be used as a

funding mechanism to properly manage property owned/controlled by a GHAD in accordance with the applicable Plan of Control (discussed further below).

The GHAD’s source of funding would be through the landowner assessments, after the GHAD is formed pursuant to applicable law. These assessments, which attach as liens on property if not timely paid, are collected at the same time in the same manner as general taxes on real property. In the event the GHAD is not formed, a similar funding mechanism will be put in place to manage the resource areas.

8.7.3. Assessment Districts

Special Assessment Districts, pursuant to California state law, provide a method for long term financing of public infrastructure and facilities. A lien based upon a formula for allocating benefit among the properties within an assessment district is placed against each parcel of property within the assessment district. An assessment district would include properties within the Specific Plan Area only. The public entity establishing the assessment district issues and sells bonds to finance the upfront costs of constructing the improvements. The bonds are then repaid over their term from assessments levied against the properties within the assessment district area. The assessments are collected with property taxes on an annual basis. Pursuant to California constitutional and statutory law, an assessment district can only be formed after approval by owners of property within the assessment district area.

8.7.4. Development Impact Fees

The City and other agencies require payments of impact or development fees to finance public improvements associated with new development. These fees are often payable either upon recordation of a final subdivision map or issuance of a building permit, with the proceeds placed in a fund designated by the City or other agency for the construction of certain improvements.

Generally, fees are collected to fund traffic mitigation, parks and recreation facilities, community facilities, fire facilities, schools, drainage and flood control facilities, and water and sewer facilities. Such fees are discussed in various areas of this Specific Plan. Public improvements within the Specific Plan Area may be partially funded through the payment of development impact fees.

8.7.5. Private Financing

It is anticipated that the development of all public and private improvements within and necessary to serve the Specific Plan Area would be financed by the project. The maintenance of public improvements accepted for dedication would be funded by the homeowners via user fees. The maintenance of private, common area improvements within the Specific Plan Area (including private roadways, recreation centers, and passive and active open spaces) would be funded through one or more homeowner’s associations (HOAs).

8.7.6. Home Owners’ Associations

One or more Homeowner’s Associations (“HOA”) is anticipated to be incorporated by a future applicant as

sidewalks, and other private or commonly owned structures, facilities, and improvements.

- Maintenance of residential front yards.

authorized and regulated by the California Bureau of Real Estate.

HOA documents include CC&R's that address governance and maintenance of the community including the enforcement of age-restricted occupancy requirements, maintenance requirements, obligations for private property, and other covenants and restrictions typically included in private residential communities.

HOA documents also include operational and reserve budgets as required by the California Bureau of Real Estate (BRE) for the operation and maintenance of the common area improvements and other obligations. These budgets determine the assessments payable by the residents to the HOA for the operation and maintenance of the project; assessments are collected through payment of individual HOA fees. The HOA documents will be reviewed and approved by the BRE prior to sale of the first for-sale unit within the Specific Plan Area. The BRE will require future applicant(s) to assure completion of all private facilities to be constructed by the future applicant(s) within the Specific Plan Area, whether through completion of construction prior to the sale of residences or the provision of a surety bond or other form of financial assurance approved by the BRE to assure completion after the sale of residences.

The responsibilities of HOA(s) may include:

- Ownership and maintenance of commonly owned facilities including but not limited to perimeter walls, fences and gates, common area landscaping and open space, recreation centers, private streets and

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Appendix A
Development Standards – Definitions & Illustrations

Introduction

This Appendix A: Development Standards – Definitions & Illustrations is to be used as a supplement to Section 3.5 Development Standards of this Specific Plan and in connection with the other chapters of this Specific Plan, including but not limited to Chapter 8: Implementation, Administration, & Financing. They are meant to further clarify the standards and aid in the implementation and design review of subsequent development plans.

Definitions

California Room means a patio or raised platform with a patio cover attached to a building, enclosed on two or three sides and open on at least one side, and an entrance directly into the building.

Coverage means the percentage of the land area covered by buildings on a site including all projections, but exclusive of sills, chimneys, balconies, cornices, and eaves having a projection of three feet or less. Coverage is calculated by dividing the total number of square feet of horizontal area covered by a building, by the total number of square feet of area within the property lines of the site.

Duet means a pair of single-family dwellings that are attached to one another on adjacent individual lots.

Duplex means a multi-family dwelling with two dwelling units on a single site, not including a single-family dwelling with an attached accessory dwelling unit.

Duplexes on Corner Lots. Duplexes are encouraged on corner lots to increase diversity of housing and to provide more affordable housing opportunities. Duplexes on corner lots should comply with the development regulations in the underlying zoning district with the following exceptions and additional provisions:

- a. The entryways and driveway access for each dwelling unit shall be separate and oriented toward different street frontages
- b. At least 10 percent of the ground floor street facing façade should be comprised of glazing (windows, door glazing, etc.).
- c. For maximum density calculations, duplexes on corner lots may be counted as one dwelling unit.
- d. Corner lots with duplexes may be subdivided to create duets, subject to applicable building codes.
- e. When a corner lot is subdivided to create duets, the individual lot sizes may be combined to meet the minimum lot size requirement in the underlying zone.

Floor Area Ratio (FAR) is the relationship between the total amount of usable ground floor area (excluding California room and porch areas) that a building has, or has been permitted to have, and the total area of the lot on which the building stands.

Gross acres includes land utilized for any private and/or public use including but not limited to streets, parks, public and private open space, and detention basins.

Guest parking may be located in a common parking area, a private driveway or on the street. For single-family residential, guest parking should be located no more than 150 feet from each unit.

Lot Depth means the horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line.

Lot Line, Front means any of the following:

- a. For an interior lot with only one frontage, the lot line adjacent to the street.
- b. For an interior lot with frontage on a secondary street, such as an arterial street, where access to that secondary street is legally precluded, the lot line adjacent to the accessible street.
- c. For a corner lot, the lot line adjacent to the narrower street frontage.
- d. As an alternative in unusual circumstances, the lot line(s) designated by the Director to be the front lot line(s).

Lot Line, Interior means a side or rear lot line not abutting a street.

Lot Line, Rear means the lot line farthest or most distant from the front lot line, which adjoins the side property lines. A double frontage lot may not have a rear lot line.

Lot Line, Side means a lot line other than a front or rear lot line.

Lot Width means the diameter of the largest circle that may be inscribed within the lot lines

Lot, Corner means a lot bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.

Lot, Corridor Access means a parcel (i.e. “flag” lot) with access to a street by means of a corridor having not more than 30 feet of frontage and a width less than the required site width, but not less than 20 feet. The area of an access corridor should not be included in determining site area.

Lot, Interior means a lot other than a corner lot.

Lot, Irregular means lots that are non-rectangular, lots with three sides, or more than four sides and require specific definition of lot lines to achieve the purpose of the specific setbacks.

Lot, Reversed Corner means a corner lot, the side line of which is substantially a continuation of the front property line of the first lot to its rear.

Multi-family is defined as a multi-story complex that is occupied by three or more households that share one or more common walls to other units accessible from a common walkway or hallway and have shared parking from a residential street or common driveway. Examples include fourplexes and apartment buildings.

Outdoor Space, Private is that outdoor space provided only for the use of the residents of the living unit to which it is attached. Private outdoor space can occur in the form of a rear yard, patio, porches, balcony, and/or deck, whether covered or uncovered.

Outdoor Space, Common is outdoor space provided for the use and recreation of all residents. It must be usable and only landscaping that enhances its utility is permitted (areas of decorative landscaping are not counted as common outdoor space). Recreation rooms, clubhouses, or other enclosed amenity spaces shall count as common outdoor space. The area of such spaces shall be doubled when applying toward total usable open space requirements.

Senior care facilities is a type of housing designed for senior citizens who need some assistance with daily activities. Facilities may include but are not limited to assisted-living, continuing care, nursing home, and memory care.

Single-family attached is a dwelling unit that is occupied by one household that shares a common wall, is attached to another unit, and provides both front door and garage access from a residential street or common driveway. Examples include duets and townhomes.

Single-family detached is a dwelling unit that is occupied by one household, does not share a common wall, is not attached to another home, and provides both front door and garage access from a residential street or common driveway. Examples include estate, traditional, cluster, and courtyard residential units.

Single-Family Clustered Development means projects consisting entirely of single-family dwelling units, either attached or detached, that are in close proximity to each other generally with common driveways or private streets and

common open areas, which are not a standard lot pattern where each individual lot or unit fronts on a public street.

Wall and fence height. Wall and fence height does not include the height of fence posts, caps, or decorative features on top of the fence that do not extend more than 10 percent of the length of the fence.

- a. **Interior Rear and Side Yards.** Walls and fences within interior side or rear yards should be a maximum height of six feet, or a maximum height of eight feet in the following circumstances:
 - i. Where the side or rear lot line abuts any of the following:
 - a) A non-residential zoning district, or a non-residential use in a residential zoning district;
 - b) Parking facilities of four or more stalls for multi-family residential projects;
 - c) Conditional uses in a residential district;
 - d) Open space.
 - e) An arterial or collector street.
 - ii. Where a wall or fence is used in combination with a retaining wall, with the portion above the retaining wall being no higher than six feet.
 - iii. Where owners of both lots separated by the wall or fence agree in writing and the following standards are met:

- a) The wall or fence is constructed on or within one foot of the interior lot line;

b) Any portion of the fence above six feet is not metal mesh or chain link. Wrought iron is acceptable.

c) Any portion of the fence above six feet is at least 25 percent open and integrated with the lower portion of the fence or wall both structurally and aesthetically.

b. **Front yard.** Walls and fences within the required front yard should not exceed three feet in height.

c. **Street side yards** on corner lots. Walls and fences within street side yards on corner lots (except abutting collector or arterial streets) should comply with the following height standards:

i. Walls and fences closer than five feet from the back of sidewalk, or if no sidewalk exists closer than five feet from the street side lot line, should be a maximum height of three feet.

ii. Walls and fences five feet or further from the back of sidewalk, or if no sidewalk exists five feet or further from the street side lot line, should be a maximum height of six feet.

iii. The portion of the yard that falls outside of the enclosed area must be landscaped at the time the wall or fence is installed, be continuously maintained, and abide by the City’s Water Efficient

Landscape Requirements, as may applicable and amended from time to time.

d. **Visibility triangles** at roadway corners. Walls, fences, and hedges at street intersections and at private driveways should meet the sight visibility triangles as established herein. See Figure A-12: Site Triangles.

Yard means an open space on a site that is required to remain unobstructed from the ground to the sky, except where specifically provided by this code. “Yard” includes a front yard, a side yard, a rear yard, or required space between structures.
- Illustrations
- The illustrations on the following page provide a visual reference to the definitions above and Section 3.5 Development Standards of the Specific Plan.
- E-149
- A-4 | VINEYARDS AT DEER CREEK SPECIFIC PLAN

Figure A-1: Setbacks – Single Family Detached (Estate and Traditional)

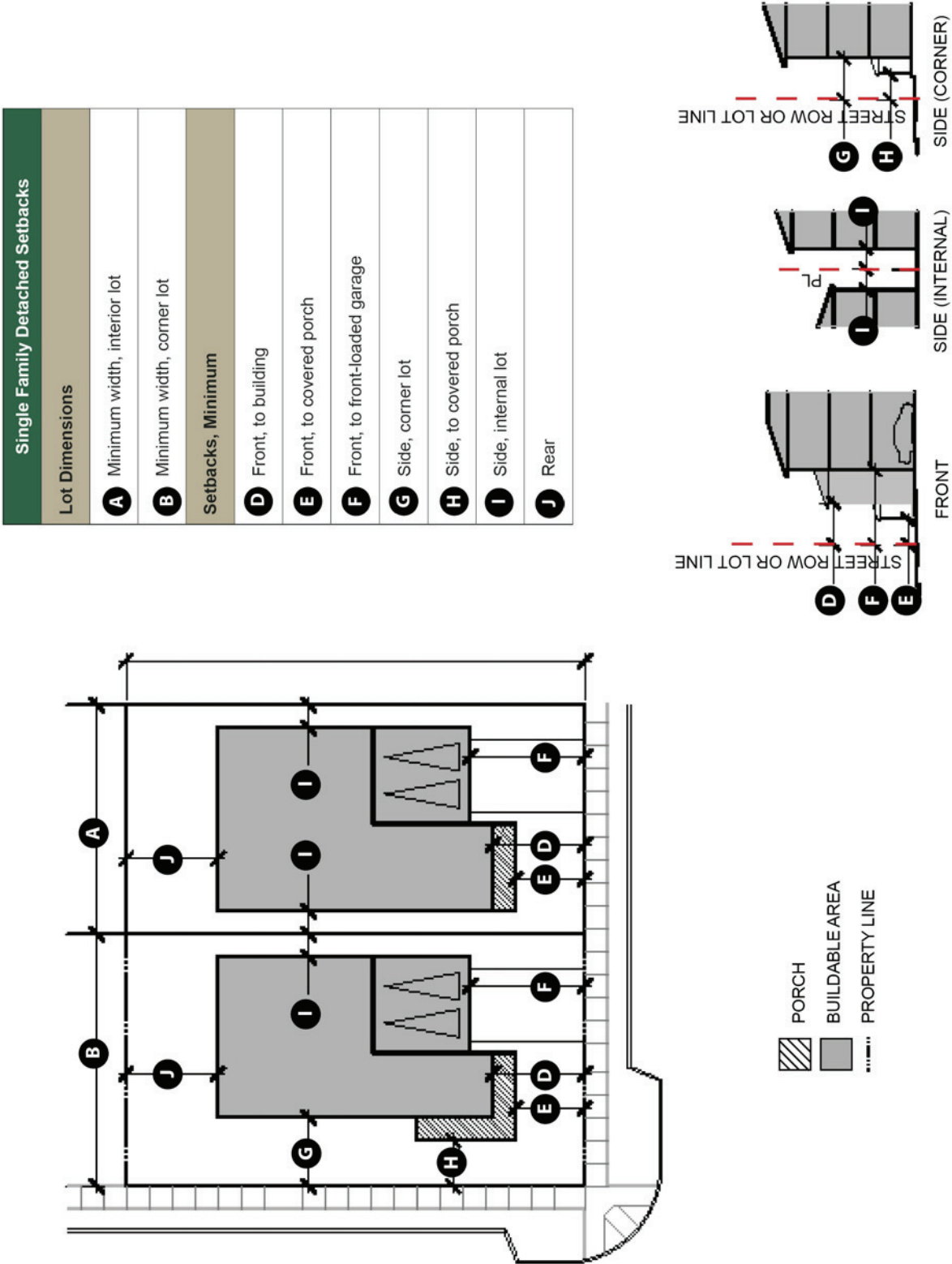
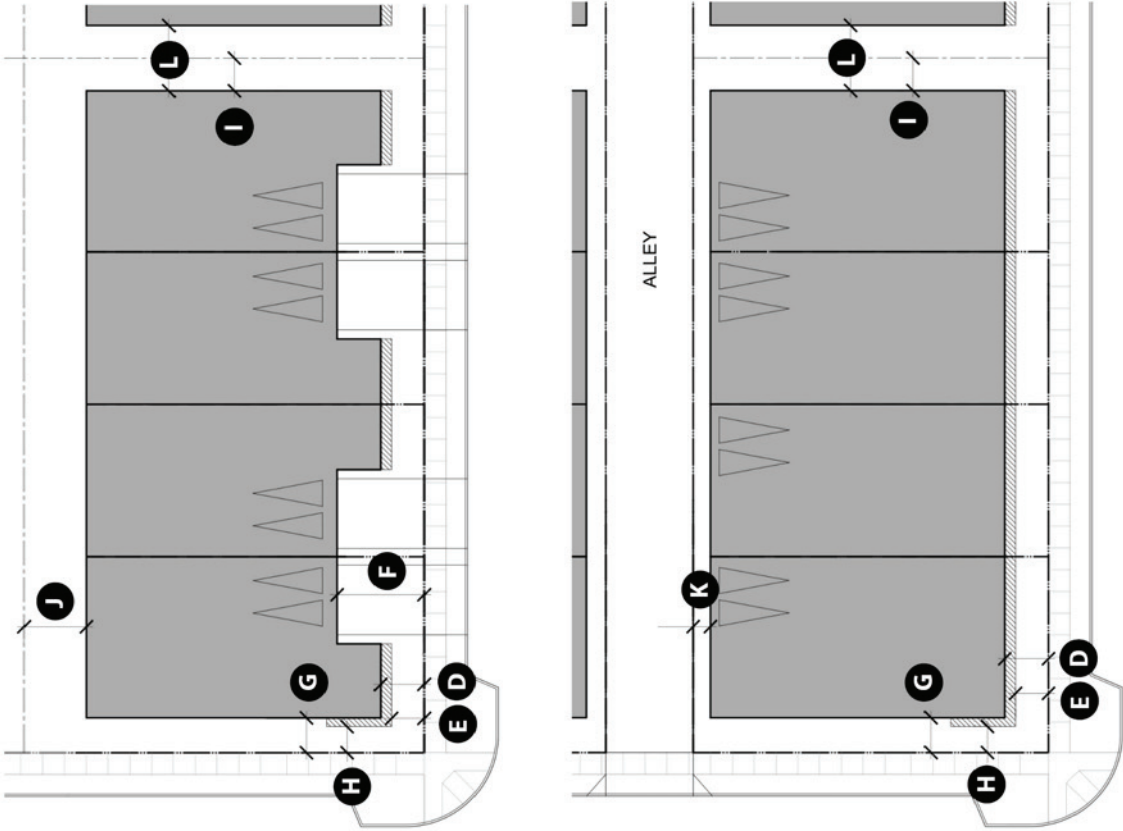


Figure A-2: Setbacks – Single Family Detached



Single Family Attached Setbacks
Setbacks, Minimum
D Front, to building
E Front, to covered porch
F Front, to front-loaded garage
G Side, corner lot
H Side, to covered porch
I Side, internal lot
J Rear
K Rear, alley
L Between buildings

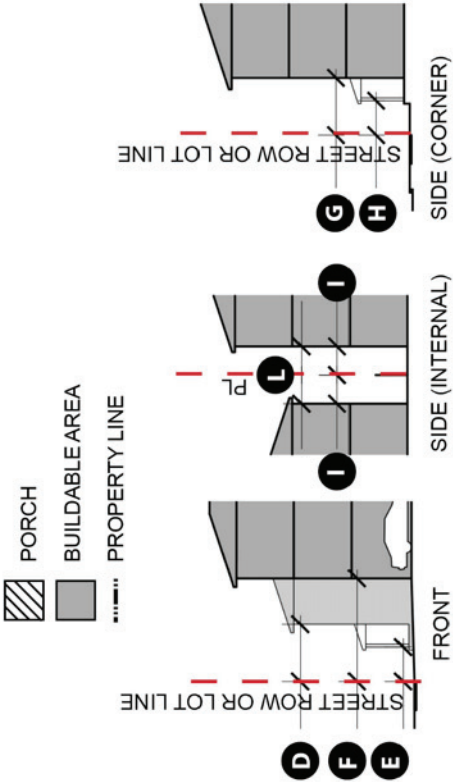


Figure A-3: Setbacks – Multi-Family

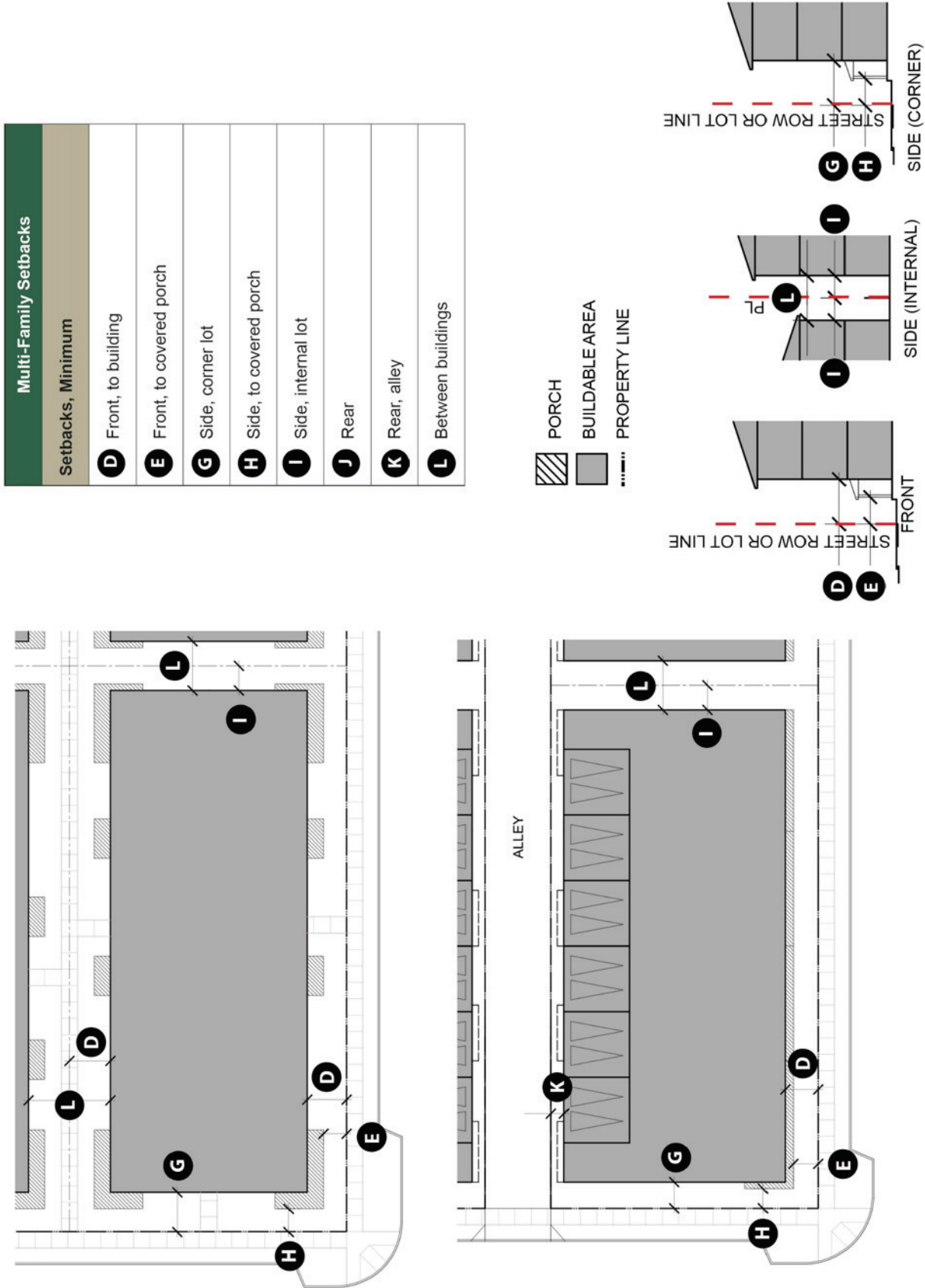


Figure A-4: Alternative Garage Configurations

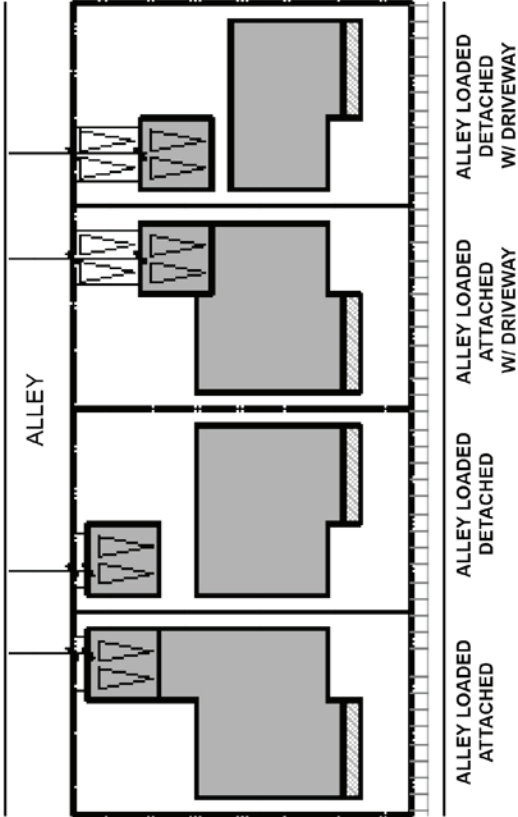
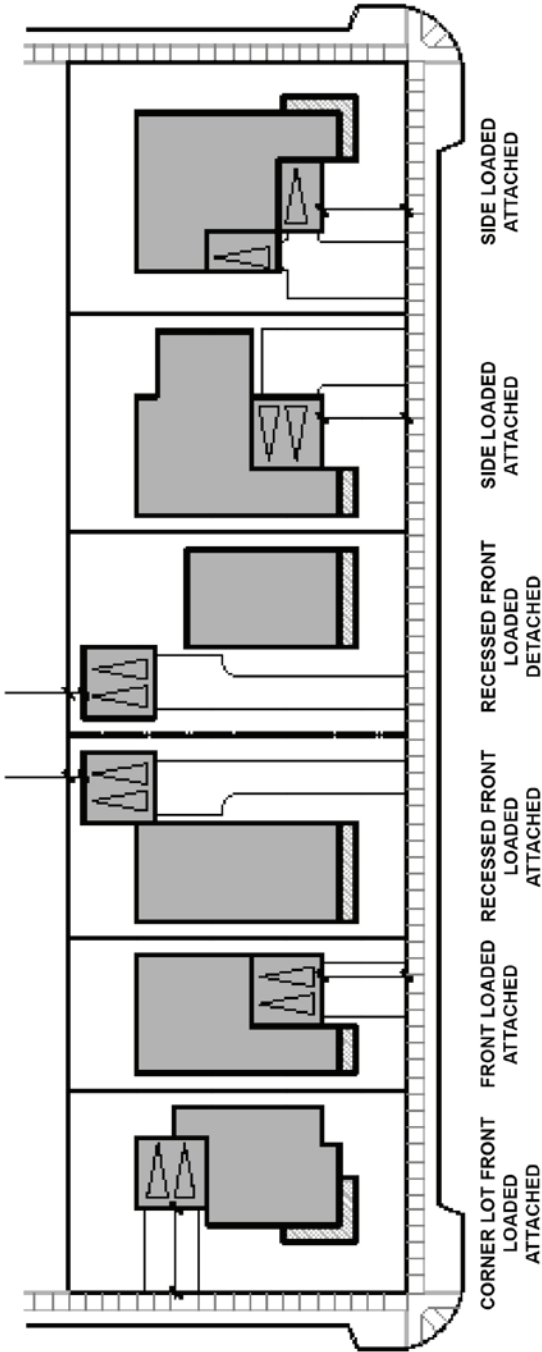


Figure A-5: Site Coverage

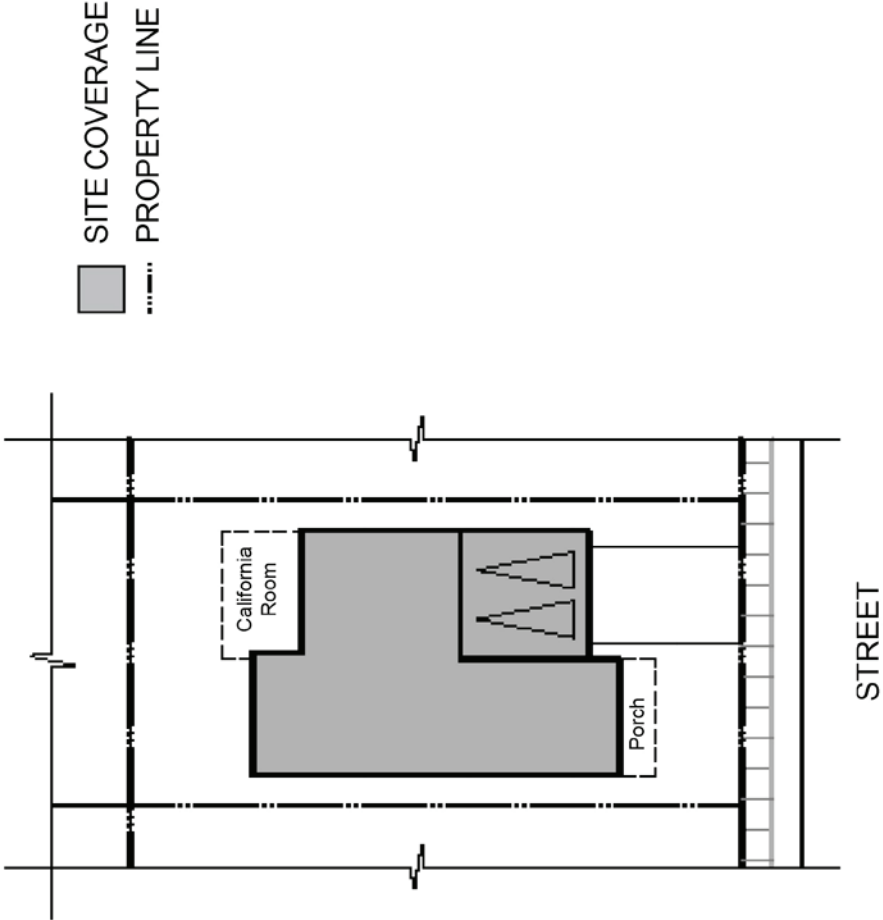


Figure A-6: Lot – Reversed Corner

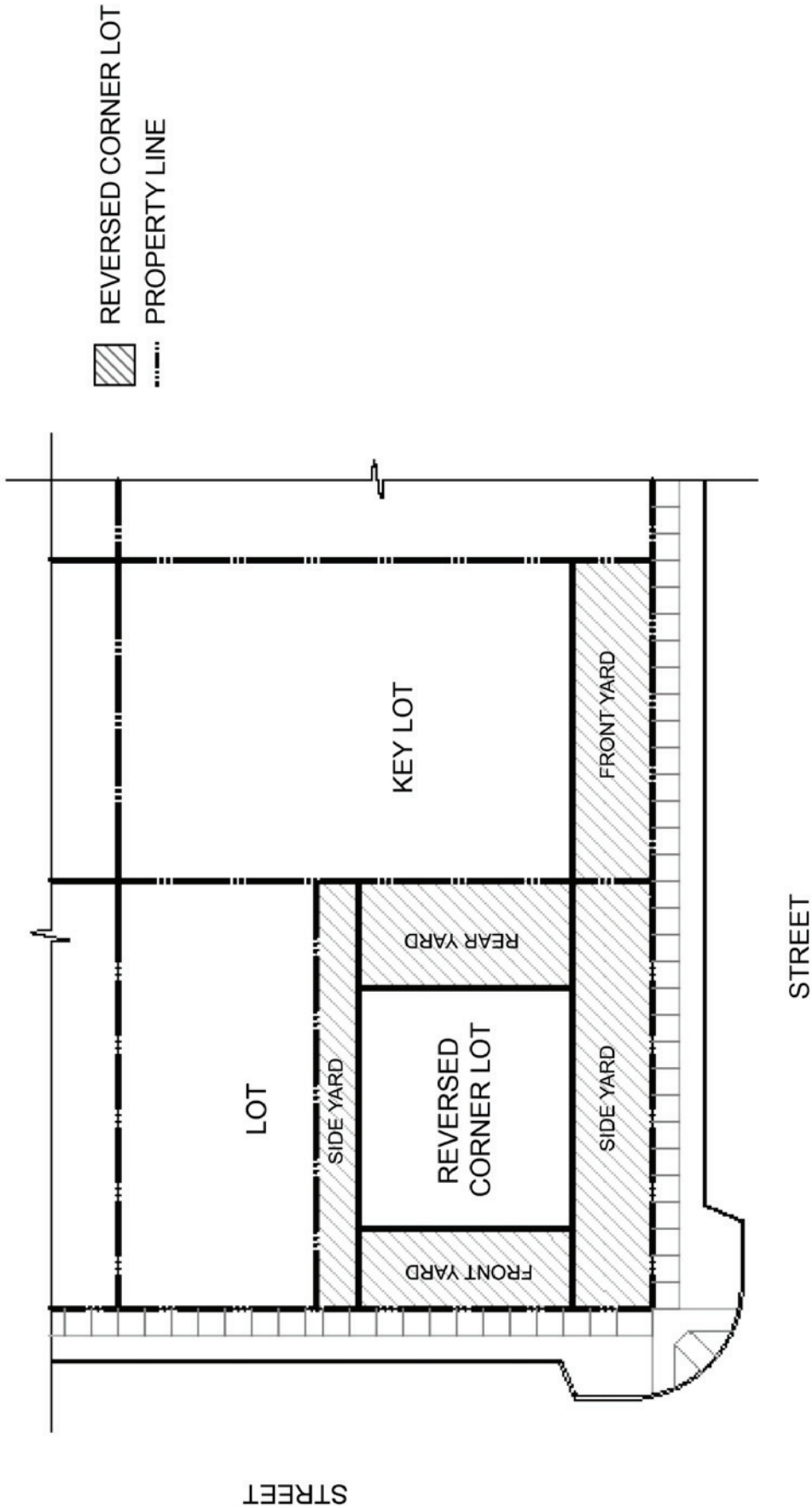


Figure A-7: Conceptual Cluster Housing Configurations

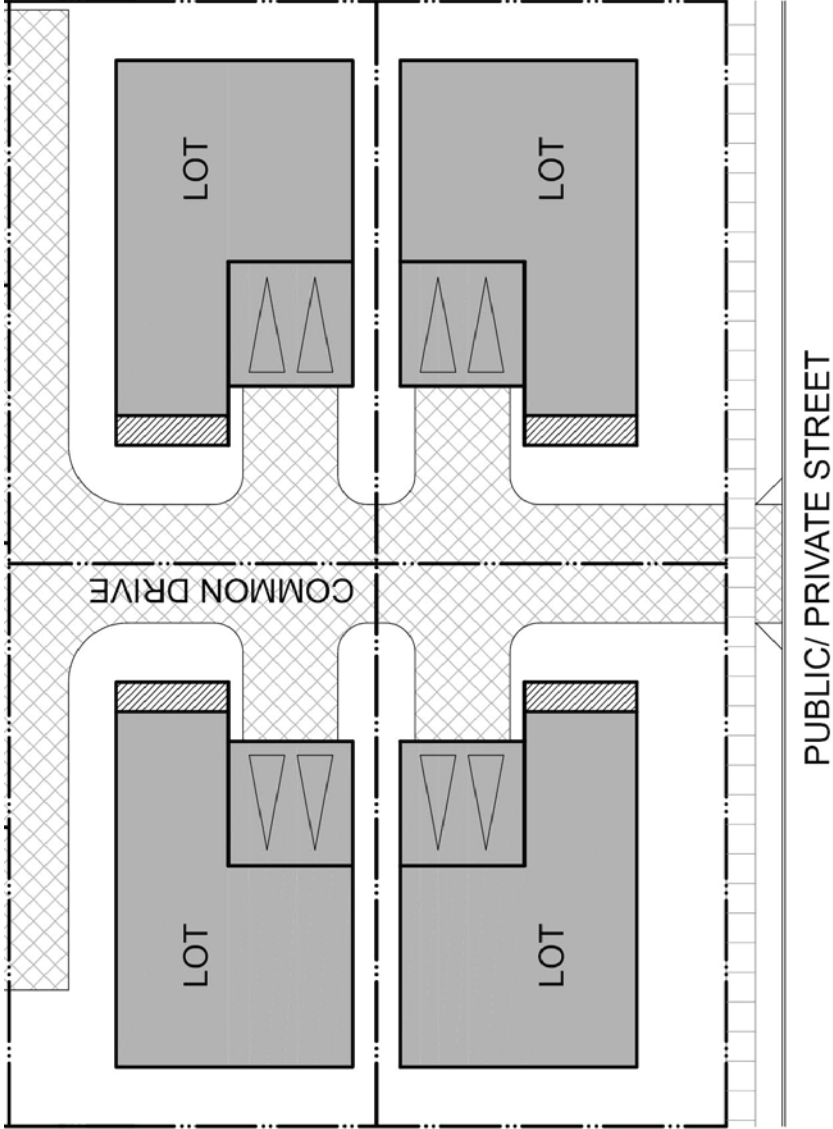


Figure A-8: Duets

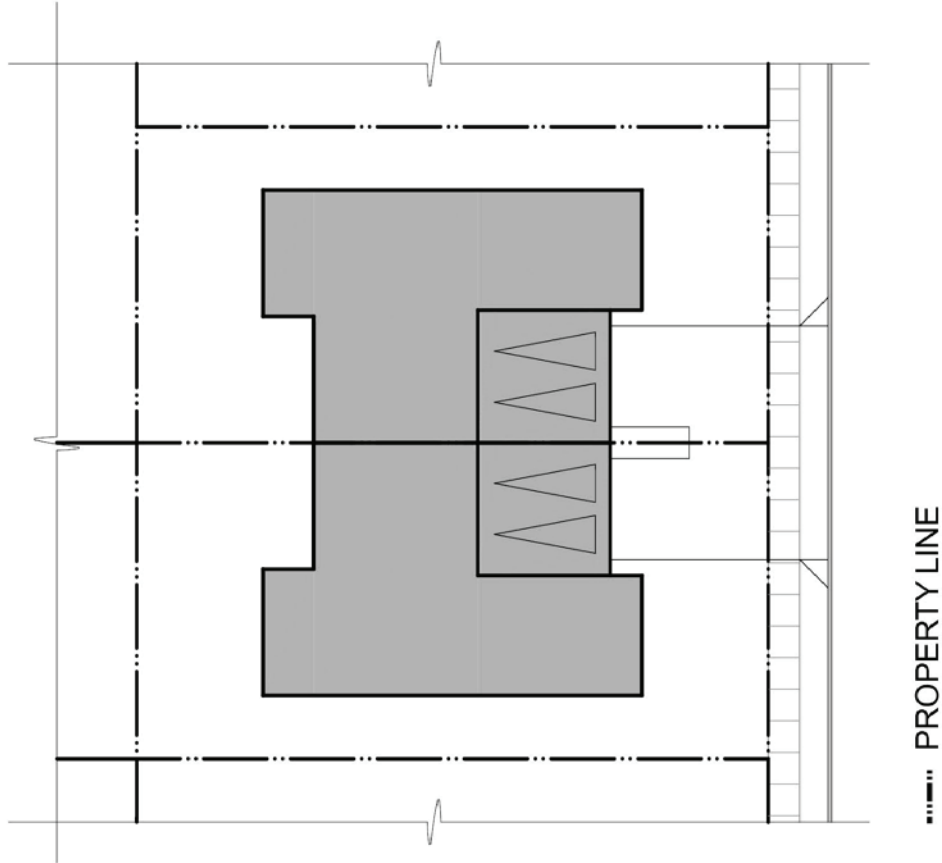


Figure A-9: Alternate Duets on Corner Lots

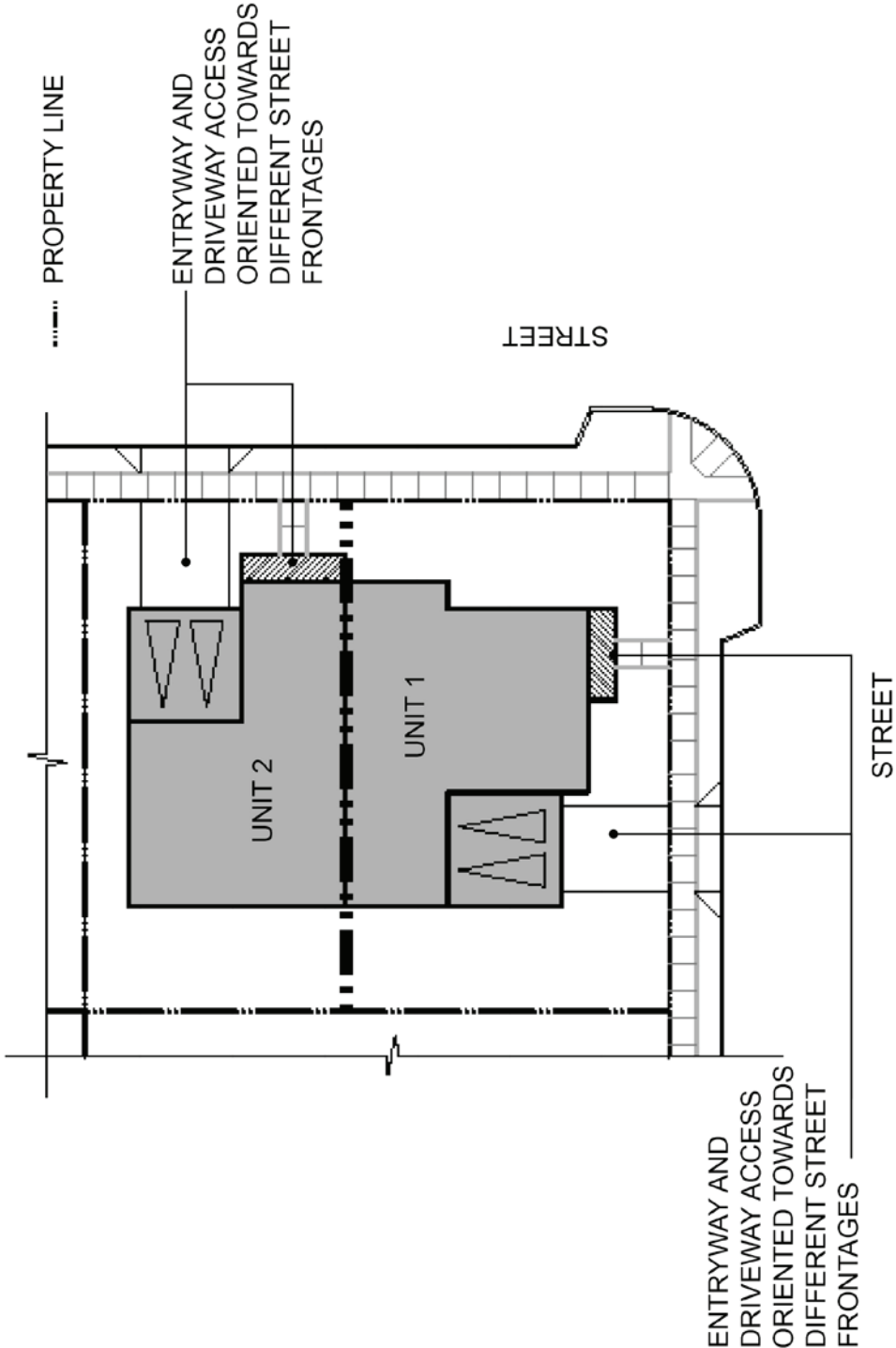
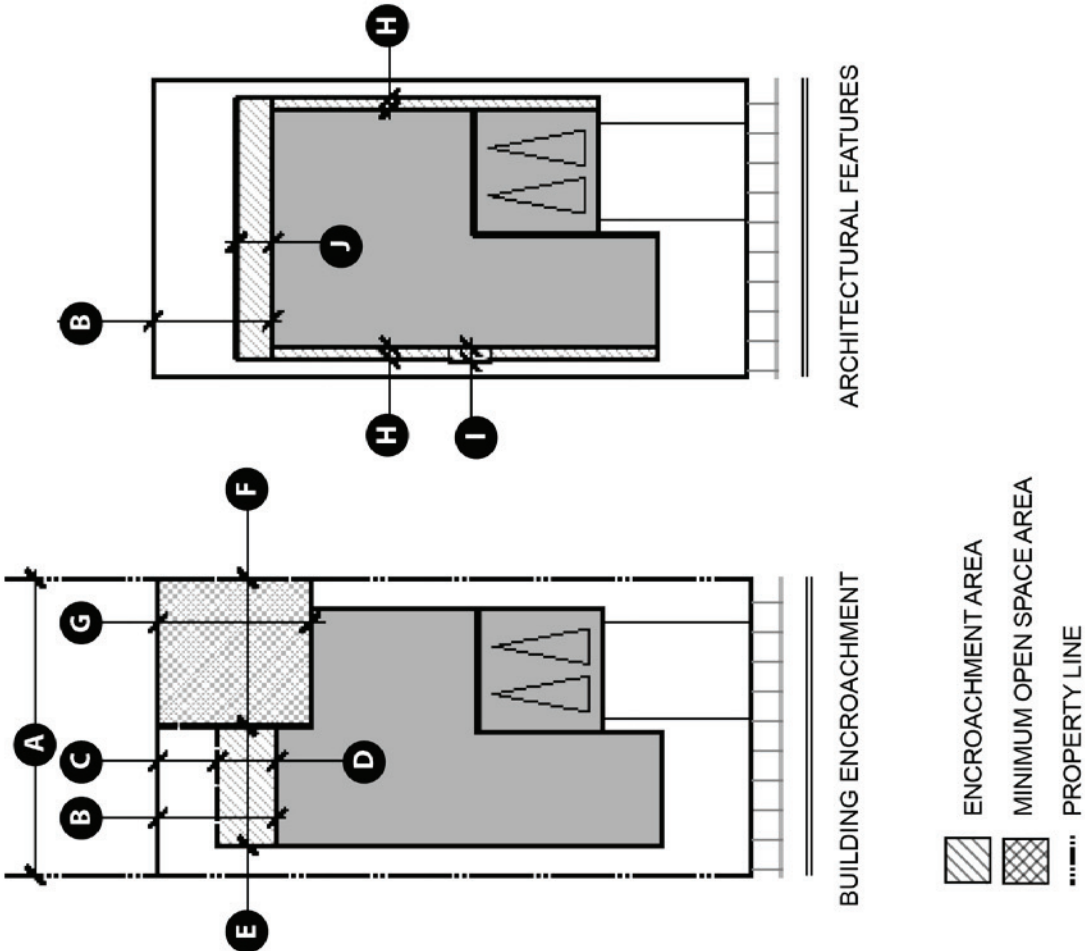
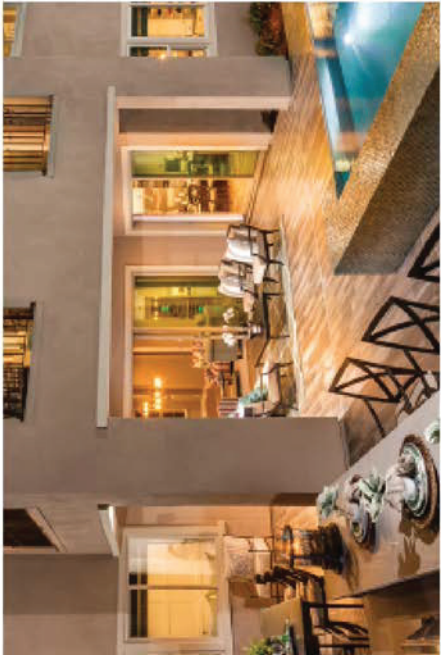
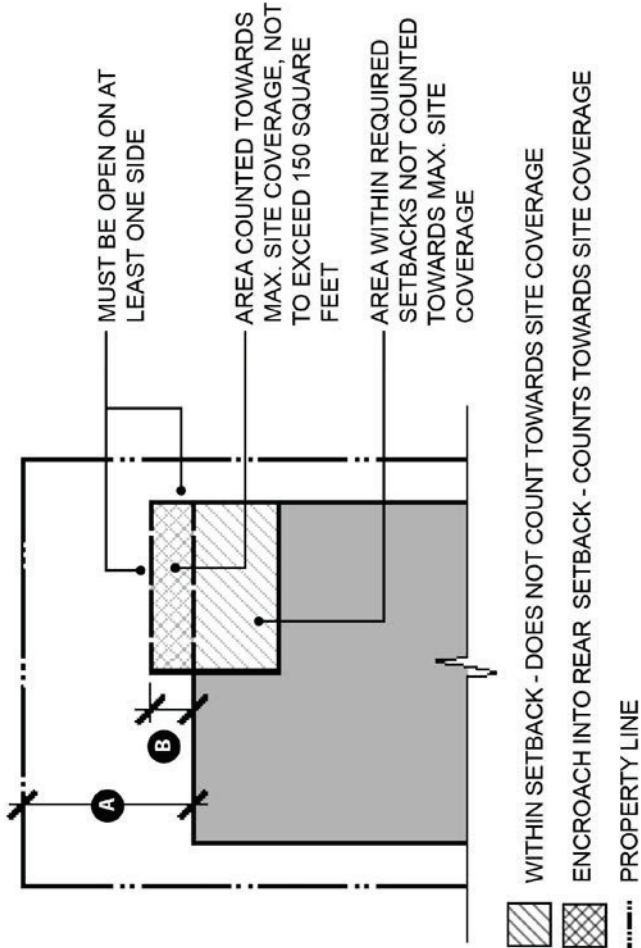


Figure A-10: Allowable Encroachments



Allowable Encroachments		
Building Encroachment		Notes
A Lot width		Refer to Table 3-2
B Rear yard setback		Refer to Table 3-2
C Min. distance from property line		Refer to Table 3-2
D Max. encroachment (depth)		Refer to Table 3-2
E Max. encroachment (width)		Refer to Table 3-2
F Min. open space (width)		Refer to Table 3-2
G Min. open space (depth)		Refer to Table 3-2
Architectural Features		
H Side yard		Refer to Table 3-2
I Side yard (chimney)		Refer to Table 3-2
J Front / Rear yard		Refer to Table 3-2

Figure A-11: Rear Patio Encroachments



CALIFORNIA ROOM



ENCLOSED SOLARIUM

Figure A-12: Site Triangles

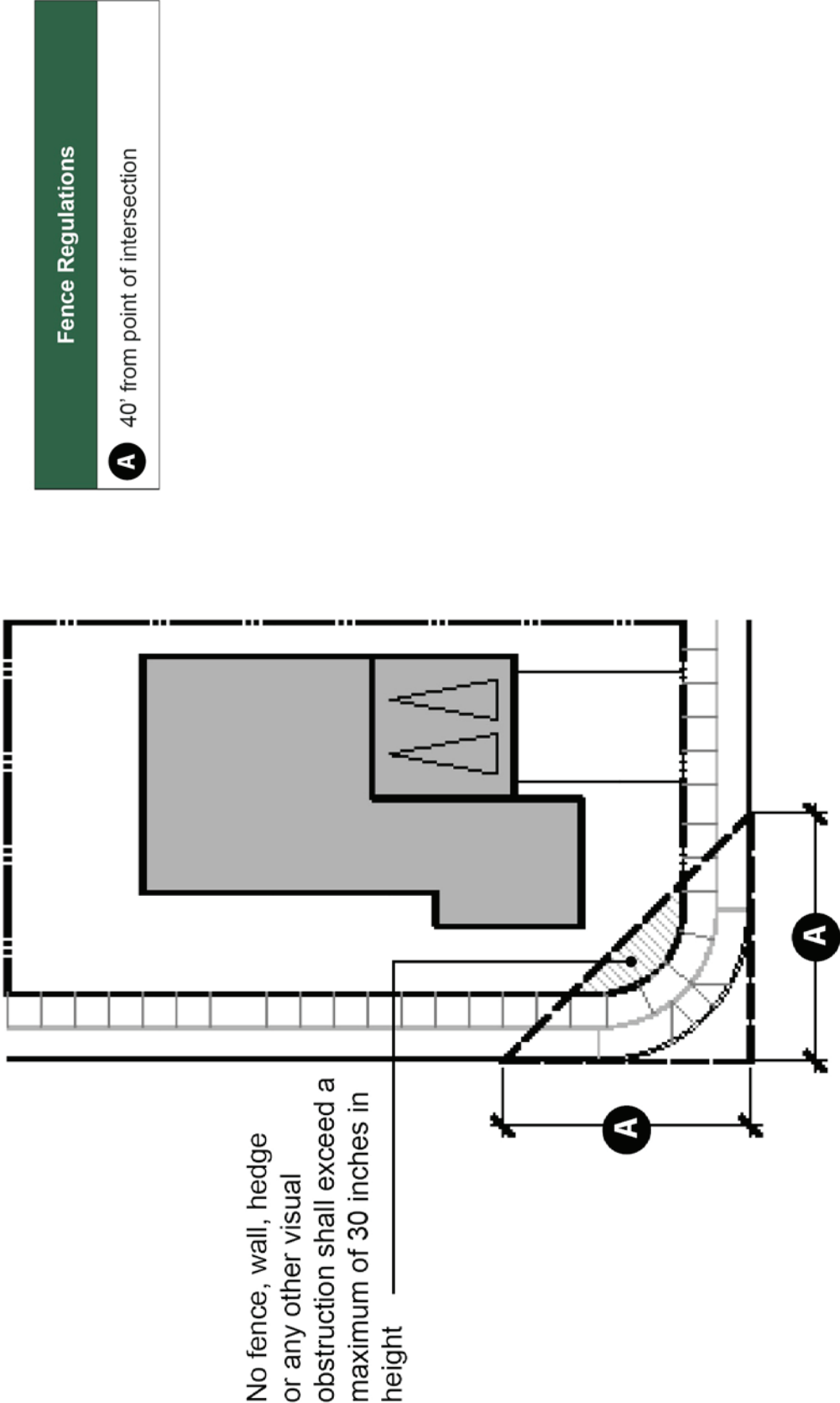
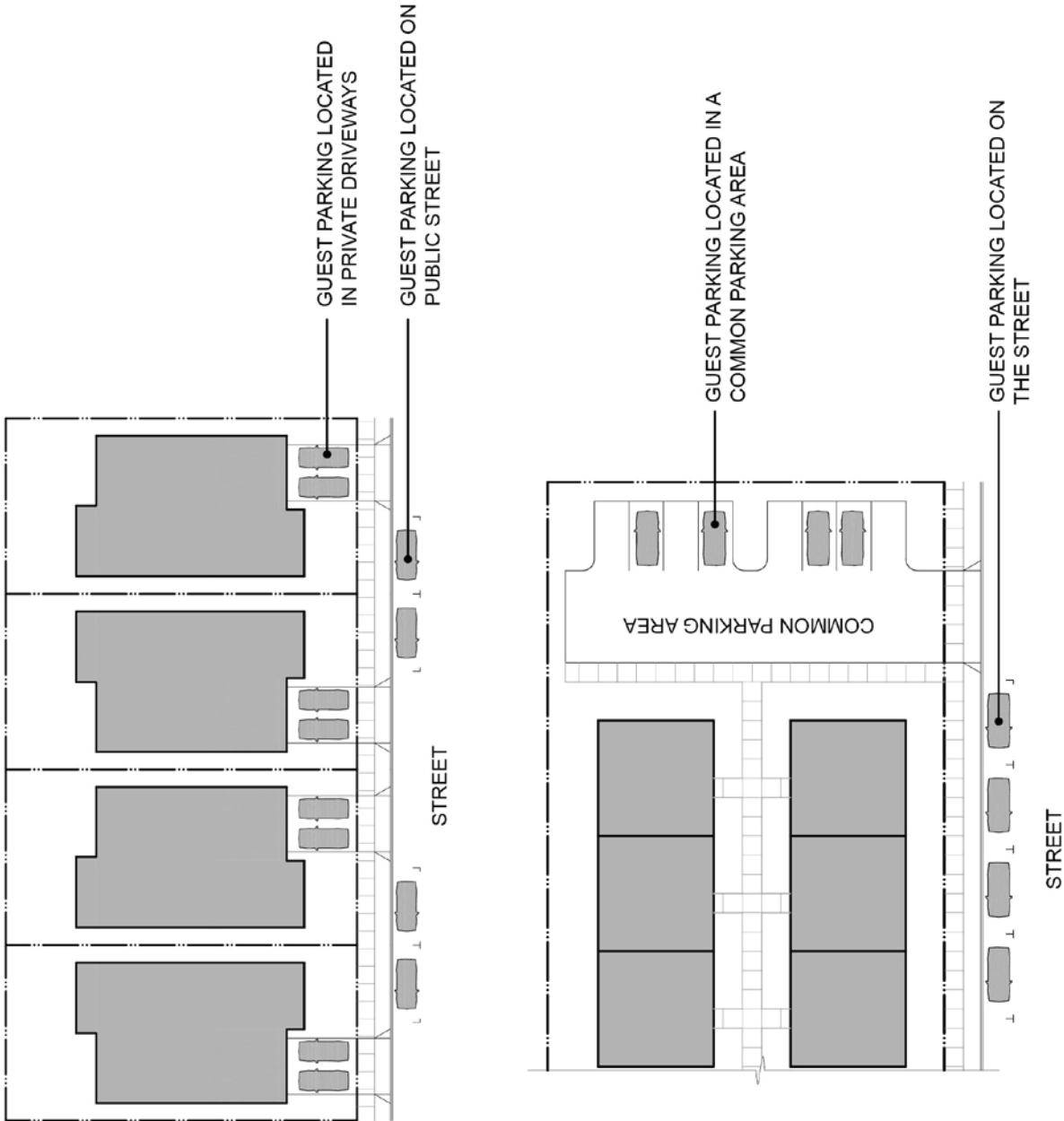


Figure A-13: Guest Parking



INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

**EXHIBIT F
TO THE INITIATIVE**

**CITY OF BRENTWOOD RESOLUTION NO. 2008-3
ATTACHED FOR INFORMATIONAL PURPOSES ONLY**

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

RESOLUTION NO. 2008-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD ADOPTING THE CONTRA COSTA COUNTY MEASURE L URBAN LIMIT LINE AS THE CITY OF BRENTWOOD'S ADOPTED URBAN LIMIT LINE FOR THE PURPOSES OF COMPLIANCE WITH MEASURE J TO ESTABLISH A VOTER-APPROVED URBAN LIMIT LINE

WHEREAS, the Measure J (2004) Transportation Expenditure Plan includes a Growth Management Program which contains an urban limit line component mandating that local jurisdictions must adopt and continuously comply with a voter approved urban limit line no later than April 1, 2009 in order to receive their shares of Measure J Local Street Maintenance and Improvement Funds and to be eligible to receive Measure J Transportation for Livable Community funds; and

WHEREAS, Measure J also includes Principles of Agreement for Establishing the Urban Limit Line (the *ULL Principles*) as Attachment A to the Growth Management Program, incorporated therein by reference; and

WHEREAS, the *ULL Principles*, as amended by the Contra Costa Transportation Authority on November 15, 2006, state that a local jurisdiction may adopt a County Urban Limit Line, which is defined as the Urban Limit Line adopted by the Contra Costa County Board of Supervisors and passed by the voters at a countywide election (after November 2004); and

WHEREAS, Measure L (2006), the Contra Costa County Board of Supervisor Urban Limit Line, was passed by a majority of voters in Contra Costa at the November 7, 2006 election; and

WHEREAS, the Measure L Urban Limit Line was also approved by a majority of the voters in the City of Brentwood at the November 7, 2006 election, as certified by the County Clerk; and

WHEREAS, on October 18, 2007, the City of Brentwood Land Use and Development Committee members recommended that the County voter-approved Urban Limit Line be adopted by the City Council; and

WHEREAS, the City of Brentwood wishes to adopt the Measure L Urban Limit Line (referred hereinafter as the *County Urban Limit Line*) as its Urban Limit Line specifically as it applies to the City of Brentwood boundaries for the purpose of compliance with the Measure J Growth Management Program; and

WHEREAS, The Measure J Model Growth Management Element allows a local jurisdiction's urban limit line to include provisions for minor nonconsecutive adjustments of less than 30 acres and the Contra Costa Transportation Authority clarified the purpose of these provisions, including:

- To prevent the use of multiple boundary adjustments of 30 acres or less to avoid the more-than-30 acres limitation.
- To allow adjustment of 30 acres or less within a limited set of conditions, provided those adjustments were non-contiguous (and not proximate to each other).

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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Resolution 2008-3

- The term “nonconsecutive” is intended to mean that adjustments should not be proximate to each other, and that in combination, these adjustments shall not result in amassing a contiguous parcel (or parcels) in excess of 30 acres.
- The local jurisdiction should avoid the creation of pockets of land outside the urban limit line, specifically to avoid the possibility of wanting to fill in those pockets later on through separate adjustments.
- To allow consideration of more than one local voter approved urban limit line boundary adjustment, each of 30 acres or less, provided they are relatively isolated and well separated from each other.
- The creation of pockets of land outside the urban limit line is to be avoided.
- Contiguous annexations totaling more than 30 acres would require further voter approval
- To allow a minor change in the urban limit line to accurately reflect topographic characteristics or legal boundaries (e.g. when a portion of a legal parcel is within the urban limit line); and

WHEREAS, on July 25, 2006, the Contra Costa County Board of Supervisors, as the lead agency for the project under the California Environmental Quality Act, adopted a Negative Declaration (State Clearinghouse No. 2006012134) on the “November 7, 2006 General Election, Urban Limit Line Ballot Measure Sponsored by Contra Costa Board of Supervisors;” and

WHEREAS, the Negative Declaration determined that the adoption of the Measure L Urban Limit Line would not have any significant impacts on the environment.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Brentwood:

1. The City of Brentwood accepts, adopts, and approves, for the purposes of compliance with the Measure J Growth Management Program, the *County Urban Limit Line* boundary for urban development as its applicable voter-approved Urban Limit Line with regard to the boundaries of the City of Brentwood; and
2. The City of Brentwood acknowledges the conditions for revising the physical boundary of the *County Urban Limit Line* to allow the City of Brentwood to make adjustments of 30 or fewer acres, or to address issues of unconstitutional takings, or to conform to state and federal law; and set forth in Exhibit 1, which is attached hereto and made a part herein; and
3. The City of Brentwood shall not make adjustments of greater than 30 acres to the physical boundary of the adopted *County Urban Limit Line* unless those adjustments have been approved by the voters in accordance with the *ULL Principles*; and
4. The City of Brentwood has considered the environmental effects of the project as shown in the Negative Declaration prepared by the County, determines that the project will not have a significant effect on the environment and shall file a Notice of Determination in accordance with State California Environmental Quality Act Guidelines sections 15075 and 15096(i) within five working days after the approval of this resolution.

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

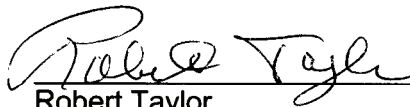
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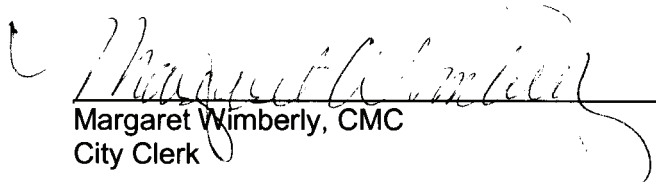
Resolution 2008-3

PASSED AND APPROVED AND ADOPTED by the City Council of the City of Brentwood at a regular meeting held on the 8th day of January 2008 by the following vote:

AYES: Becnel, Brockman, Richey, Stonebarger, Taylor
NOES: None
ABSENT: None
ABSTAIN: None


Robert Taylor
Mayor

ATTEST:


Margaret Wimberly, CMC
City Clerk

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY

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Resolution 2008-3

Resolution Exhibit 1

Conditions for revising the physical boundary of the urban limit line to allow adjustments of 30 or fewer acres, or to address issues of unconstitutional takings, or to conform to state and federal law:

1. To prevent the use of multiple boundary adjustments of 30 acres or less to avoid the more-than-30 acres limitation.
2. To allow adjustment of 30 acres or less within a limited set of conditions, provided those adjustments were non-contiguous (and not proximate to each other).
3. The term “nonconsecutive” is intended to mean that adjustments should not be proximate to each other, and that in combination, these adjustments shall not result in amassing a contiguous parcel (or parcels) in excess of 30 acres.
4. The local jurisdiction should avoid the creation of pockets of land outside the urban limit line, specifically to avoid the possibility of wanting to fill in those pockets later on through separate adjustments.
5. To allow consideration of more than one local voter approved urban limit line boundary adjustment, each of 30 acres or less, provided they are relatively isolated and well separated from each other.
6. The creation of pockets of land outside the urban limit line is to be avoided.
7. Contiguous annexations totaling more than 30 acres would require further voter approval.
8. To allow a minor change in the urban limit line to accurately reflect topographic characteristics or legal boundaries (e.g. when a portion of a legal parcel is within the urban limit line).

THIS EXHIBIT IS ATTACHED FOR INFORMATIONAL PURPOSES ONLY