



Planning Commissioner Handbook

The Antioch Planning Commission Handbook is intended to help Planning Commissioners by providing information on planning and guidance on the conduct of the Planning Commission's activities. This handbook is for reference and is not a formally adopted City of Antioch document, nor does it set forth official City policy. Instead, it is intended to be a practical overview of the Planning Commission function and duties.

INTRODUCTION

Welcome to the City of Antioch Planning Commission. You are now part of an important City function that will help chart the course of Antioch for years to come.

The Planning Commission derives its authority and duties through California Government Code Section 65101. California Planning and Zoning Law allows cities and counties to establish Planning Commissions and provide for planning, subdivision and land use regulation. The Planning Commission helps set the direction for the future of Antioch and makes decisions that will improve the community's future. The Commission serves as an advisory body to the City Council on issues and policies related to planning, land use regulation and community development.

Commissioner Duties

Being a Planning Commissioner requires a commitment to attend evening meetings and reading staff reports. In your role, you will be asked to evaluate projects and proposals and make decisions about development projects and the interpretation of City policies. Additionally, it is strongly encouraged that you be proactive with staff in seeking clarity or guidance on project and policy issues in advance of the meeting to ensure a smooth review.

Working with staff to answer questions results in better time management of the meeting as well as providing clarification/additional information to help the Commission.

MEETING DETAILS

Regular Schedule

Planning Commission meetings are held on the first and third Wednesdays of each month at 6:30 pm. Staff prepares an agenda, staff reports and related attachments. The packet is posted to the City's website and an email is sent to the Commission once it is available and ready for public review. Typically, the packet is published 5 days prior to the hearing date.

Cancellation

Meetings may be cancelled if there are no items to review. A cancellation notice will be sent to the Commission in advance informing them of the cancellation.

Attendance

Pursuant to 2-5.206 of the Antioch Municipal Code, Planning Commissioners may not have more than three (3) consecutive absences, nor miss 20% of regularly scheduled meetings during any rolling 12 month period.

ARTICLE 2: APPOINTMENTS, TERMS 2-5.206 ATTENDANCE.

*(A) Regular meeting attendance is critically important. No member of a board or commission may have more than **three consecutive absences, nor miss 20% or more of regularly-scheduled meetings during any rolling 12-month period** (except the Administrative Appeals Board). A person in violation of these standards may apply to the Mayor for relief from these requirements based on unusual or extenuating circumstances.*

Working with City Staff

The Community Development Director and planning staff support the Planning Commission as a City advisory body. However, staff is not supervised by the Planning Commission. Staff planners report to the Community Development Director who reports to the City Manager. It is within the Planning Commission's authority to request information from planning staff. However, the final decision on how much staff resources to devote to a request will be made by the Community Development Director.

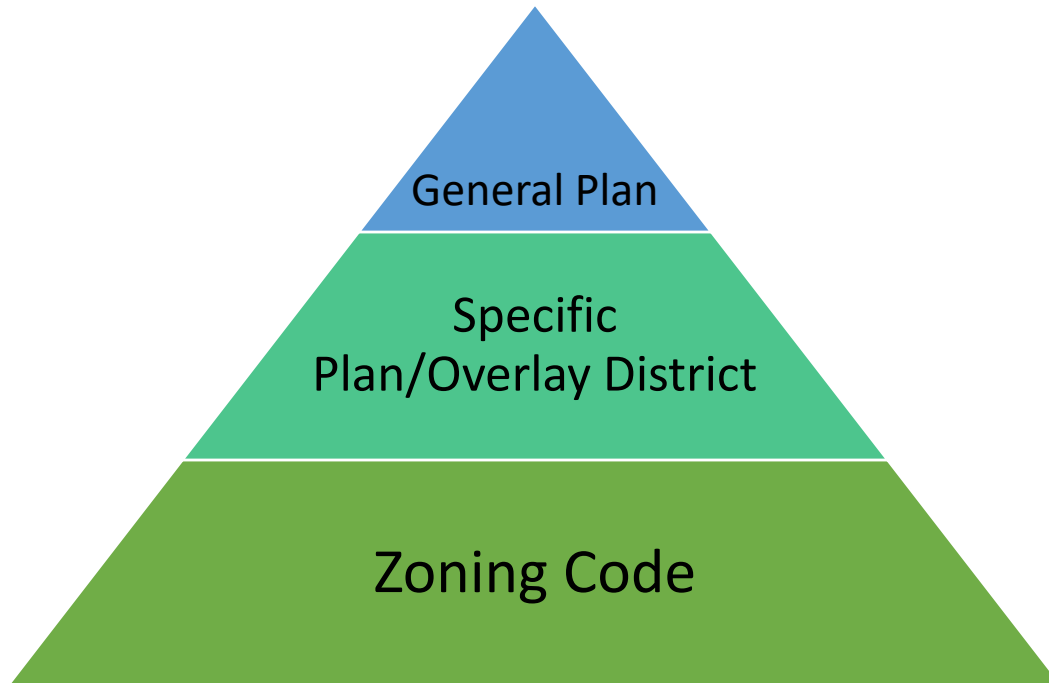
PLANNING COMMISSION DUTIES

Duties of the Planning Commission include, but are not limited to:

- **Regular Meetings.** Holding regular public hearings and meetings.
- **General Plan.** Review and recommended updates to the General Plan.
- **Zoning.** Review and recommendations to the zoning code.
- **General Plan Amendments.** Recommendation on General Plan amendments and Zoning changes for a property or project.
- **Specific Plans.** Review and recommendations for specific plans.
- **Subdivisions/Tentative Maps.** Approval of subdivision maps.
- **Project Entitlements.** Approval of conditional use permits, development plans and variances.
- **CEQA.** Certification of California Environmental Quality Act determinations.
- **Special Studies.** Reviewing and recommending special planning studies.

KEY PLANNING DOCUMENTS

As a Planning Commissioner, you will rely on the City's General Plan, Specific Plans, Zoning Map and Zoning Ordinance to understand land use policies and designations as well as zoning regulations. The graphic below shows the hierarchy of land use policies with the General Plan at the top as the base policy that establishes land use classifications.



Graphic 1. Land Use Policy Hierarchy

General Plan

The City's General Plan serves as the lead document that establishes a comprehensive strategy for development in the City. This is considered a long-range document as it envisions the future of the City over a 25 year horizon. The General Plan establishes land use policies in the City. The General Plan Land Use Map identifies land use categories and identifies properties the corresponding categories.

The General Plan can be accessed [here](#).

The General Plan Land Use Map can be accessed [here](#)

Specific Plan/Overlay District

A Specific Plan is a tool for the systematic implementation of the General Plan. It effectively establishes a link between implementing policies of the general plan and the individual development proposals in a defined area. The Plan may be as general as setting forth broad policy concepts, or as detailed as providing direction to every facet of development. This includes the type of development, location and intensity of uses to the design and capacity of infrastructure. A Plan could also identify the resources used to finance public improvements and design standards.

An Overlay District is a regulatory tool that creates a special zoning district, placed over an existing base zone which identifies special provisions in addition to those in the underlying base zoning district. Overlays are implemented through rezoning and do not change the base general plan land use or zoning. It is depicted on a zoning map with a hatching detail over the base zoning.

Zoning Map & Ordinance

The City's Zoning Map shows property zoning which corresponds to the General Plan Land Use Map. The Zoning Ordinance contains allowable, conditionally allowable, and prohibited uses that correspond to property zoning. Property zoning can be accessed [here](#).

The Zoning Ordinance implements the General Plan policies through detailed development regulations including specific types of uses and building requirements. The Zoning Ordinance can be accessed [here](#).

PLANNING COMMISSION REVIEW ACTIONS

Legislative & Quasi-Judicial Decisions

There are two types of action that the Planning Commission acts on in the course of review.

- **Legislative Decisions-** Policy decisions that are made during the development of a comprehensive plan and zoning ordinances affect all citizens. These are recommendations to City Council who have the final decision-making authority. This includes:
 - General Plan Amendments
 - Zoning Ordinance Amendments
 - Zoning Map Amendments
 - Specific Plans
- **Quasi-Judicial Decisions** – Property specific requests that affect the development/use of the site. The Planning Commission exercises discretion to review the request, hold a public hearing, weigh evidence, draw conclusions, and make findings as a basis for their official decision. Planning Commission has the final decision authority, though decisions may be appealed to the City Council. Examples include:
 - Conditional Use Permits (CUP)
 - Development plans
 - Parcel Maps
 - Tract Maps
 - Variances
 - CEQA document certification

CEQA REVIEW & COMPLIANCE

The California Environmental Quality Act (CEQA), Public Resources Code 21000 *et. seq.*, requires local governmental agencies disclose to the public significant environmental impacts of a proposed project subject to discretionary review. The City and the Planning Commission must consider the environmental consequences of their action before approving plans or projects. The City serves as a lead agency and typically works with a consultant to complete a thorough analysis of impacts based on the project scope. In some cases, projects may be Categorical Exempt from CEQA due to minimal or no physical impacts associated with the scope.

In enacting CEQA, the Legislature explained that the CEQA process is intended to:

1. Inform governmental decision makers and the public about the potential environmental effects of proposed activities;
2. Identify the ways that environmental damage can be avoided or significantly reduced;
3. Prevent significant, avoidable environmental damage by requiring changes in projects, either by the adoption of alternatives or imposition of mitigation measures; and
4. Disclose to the public why a project was approved if that project would have significant environmental effects.

Compliance is satisfied through an exemption or preparing an environmental analysis. Examples of analyses include a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR). MNDs and EIRs contain an analysis of a project's significant environmental effects and includes mitigation measures to minimize impacts. EIRs also analyze a range of potential alternatives to the proposed project that would reduce the project's significant impacts.

PLANNING COMMISSIONER BEST PRACTICES

Recusal

When Planning Commissioners have an interest in a business, a piece of real property, as source of income related to a matter coming before the Planning Commission, they should consult with the City Attorney prior to the meeting. Also, if a Planning Commissioner lives with 500 feet of a project location coming before the Planning Commission, a conflict of interest is presumed to exist, and the Planning Commissioner should disclose their disqualification.

When a Commissioner has a conflict of interest, they are required to announce the conflict and turn off their video if on Zoom or if in-person, physically leave the room for the duration of the item hearing.

When an official has a conflict, the official must not only disqualify himself from voting, but must also refrain from participating in any debate on the matter. The disqualification must be made on the record.

Conflict of interest may arise from time to time and it is perfectly normal. It is illegal to fail to declare a substantial conflict of interest or to participate in discussions on issues or decisions where such conflict exists. It is in a Planning Commissioner's and the Planning Commission's best interests to avoid public challenges on conflict of interest charges by following transparent protocol.

Ethics Training

The statutes governing ethics training requirements are located at Gov. Code section 53234 et seq. Each Planning Commissioner is required to receive two (2) hours of Ethics Training every other year to satisfy AB 1234. Ethics training cover topics including:

- Laws relating to personal financial gain by public servants prohibiting bribery and conflict-of-interest laws.
- Laws relating to claiming perquisites ("perks") of office, including, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes.

- Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws.
- Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.
- General ethical principles relating to public service.

Planning Division staff coordinates ethics training for the Planning Commission. For additional information, please access the Fair Political Practices Commission website link.

<https://www.fppc.ca.gov/learn/public-officials-and-employees-rules-/ethics-training.html>

FORM 700

Every elected official and public employee who makes or influences governmental decisions is required to submit a Statement of Economic Interest, also known as the Form 700. As a Planning Commissioner, you will be required to file a Form 700 annually. The City Clerk's Office will provide you with the Form 700. The Form 700 provides transparency and ensures accountability in two ways:

1. It provides necessary information to the public about an official's personal financial interests to ensure that officials are making decisions in the best interest of the public and not enhancing their personal finances.
2. It serves as a reminder to the public official of potential conflicts of interest so the official can abstain from making or participating in governmental decisions that are deemed conflicts of interest.

GLOSSARY

ABAG:	Association of Bay Area Governments
BMP:	Best Management Practice, Bike Master Plan
CC&Rs:	Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)
CDBG:	Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)
CEQA:	California Environmental Quality Act
CFD:	Community Facilities District
CUP:	Conditional Use Permit
EIR:	Environmental Impact Report
Ex Parte:	Communication between Planning Commissioners and applicants outside of a public meeting
FEMA:	Federal Emergency Management Agency
GHG:	Greenhouse gas
Greenfield:	A large area in which properties are either mostly vacant or in agricultural use, but is planned for urban or suburban development
HCP:	Habitat Conservation Plan
HCD:	State Department of Housing & Community Development
HUD:	U.S. Department of Housing and Urban Development
INFILL:	Existing site served utilities, access, and infrastructure
LAFCO:	Local Agency Formation Commission
LLA:	Landscaping and Lighting District, Lot Line Adjustment
LOS:	Level of Service (a measurement of traffic efficiency used by CalTrans)
MOU:	Memorandum of Understanding
MND:	Mitigated Negative Declaration
NEG DEC:	Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)
NEPA:	National Environmental Policy Act

PD: Planned Development

RHNA: Regional Housing Needs Allocation contained in the City's Housing Element

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood (CA Government Code 65906)

VMT: Vehicle Miles Traveled