

**PLANNING COMMISSION
RESOLUTION NO. 2022-19**

**A RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
APPROVING A USE PERMIT (UP-22-10) FOR TRANSITIONAL HOUSING SERVICES AT
515 E. 18th STREET
(APN: 065-143-018, 19)**

WHEREAS, the City of Antioch requests use permit approval for transitional housing services at 515 E. 18th Street (APN 065-143-018, 19);

WHEREAS, on December 1, 2021, the Planning Commission adopted Resolution 2021-30, recommending that the City Council amend Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District

WHEREAS, on February 22, 2022 the City Council introduced amendments to Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and amending the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District;

WHEREAS, the City Council adopted Ord No. 2208-C-S on March 8, 2022, amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance), establishing a Transitional Housing Overlay District and amend the zoning of the parcels at 515 E. 18th Street (APN 065-143-018, 19) to include the Transitional Housing Zoning Overlay District;

WHEREAS, Ord No. 2208-C-S became effective on April 8, 2022;

WHEREAS, the proposed project will provide transitional housing facilities for unhoused individuals;

WHEREAS, this project is Categorically Exempt from the provisions of CEQA, pursuant to Section 15303 “New Construction or Conversion of Small Structures;”

WHEREAS, the Planning Commission held a public hearing and considered all public comments received, the presentation by City staff, the staff report, and all other pertinent documents regarding the proposed request; and

WHEREAS, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 on June 3, 2022 for the public hearing held on June 15, 2022.

NOW, THEREFORE, IT BE RESOLVED that the Planning Commission does hereby make the following findings for recommendation to the City Council for approval of a Use Permit pursuant to Section 9-5.2703 “Required Findings” (B) (1) of the Antioch Municipal Code:

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

Finding: The proposed transitional housing project will be subject to operational restrictions imposed by the City of Antioch through a separate process and agreement. These restrictions will ensure that proper management and property maintenance occur and are sustained for the proposed land use.

- b) The use applied at the location indicated is properly one for which a Use Permit is authorized.

Finding: Ord No. 2208-C-S established amendments to the zoning map and Municipal Code creating a Transitional Housing Overlay District and applies to the property at 515 E. 18th Street. Transitional housing is a permitted land use subject to review and approval of a Use Permit.

- c) That the site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

Finding: The property was evaluated for project suitability and found to be adequate. The proposed land use is functionally comparable to the existing motel land use. Parking will remain available for residents and managed through the program.

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

Finding: The project site is located on E. 18th Street, which is a major thoroughfare in the City of Antioch and has capacity to handle trip generation to and from the site.

- e) The granting of such Use Permit will not adversely affect the comprehensive General Plan.

Finding: The transitional housing land use is comparable to many other land uses currently anticipated in the Neighborhood Community Commercial General Plan district in the Antioch General Plan, including the existing motel land use. Adverse impacts and conflict with the General Plan are not expected.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission of the City of Antioch hereby recommends that the City Council **APPROVE** the use permit for transitional housing at 515 E. 18th Street (APN 065-143-018, 19), subject to the Conditions of Approval attached hereto in Exhibit A.

* * * * *

I HEREBY CERTIFY the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch, at a regular meeting thereof, held on the 15th day of June 2022, by the following vote:

AYES: Gutilla, Lutz, Martin, Riley
NOES:

ABSENT: Hills, Motts, Schneiderman
ABSTAIN:


Forrest Ebbs (Jun 29, 2022 09:49 PDT)

**FORREST EBBS,
SECRETARY TO THE PLANNING COMMISSION**

EXHIBIT A: CONDITIONS OF APPROVAL

General Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
1.	Project Approval. This Use Permit approval is for 515 E. 18 th Street, as substantially shown and described in the staff report and presented to the Planning Commission on June 15, 2022. For any condition herein that requires preparation of a Final Plan where the project applicant has submitted a conceptual plan, the project applicant shall submit final plan(s) in substantial conformance with the conceptual plan, but incorporate the modifications required by the conditions herein for approval by the City.	City of Antioch	On-Going	Planning Department	
2.	Project Approval Expiration. This Use Permit expires on June 22, 2024 (two years from the date of approval) or at an alternate time as specified by a Condition of Approval unless a building permit has been issued and construction has been diligently pursued. An extension may be granted by the Zoning Administrator for a period up to one (1) year, provided that, at least ten (10) days before expiration of one (1) year from the date when the approval becomes effective, an application for renewal of the approval is filed with the Community Development Department.	City of Antioch	On-Going	Planning Department	
3.	City Fees. The applicant shall pay any and all City and other related fees applicable to the property, as may be modified by conditions herein. Fees shall be based on the current fee structure in effect at the time the relevant permits are secured and shall be paid before issuance of said permit or before any City Council final action approval. Notice shall be taken specifically of Plan Check, Engineering, Fire and Inspection Fees. The project applicant shall also reimburse the City for direct costs of planning; building and engineering plan check and inspection, as mutually agreed between the City and applicant. <i>Discretionary or ministerial permits/approvals will not be considered if the</i>	City of Antioch	On-Going	Community Development Department	

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	<i>developer is not current on fees, balances, and reimbursement that are outstanding and owed to the City.</i>				
4.	Pass-Through Fees. The developer shall pay all applicable pass-through fees. Fees include but are not limited to: a. East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee in effect at the time of building permit issuance. b. Contra Costa County Fire Protection District Fire Development Fee in place at the time of building permit issuance. c. Contra Costa County Map Maintenance Fee in affect at the time of recordation of the final map(s). d. Contra Costa County Flood Control District Drainage Area fee. e. School Impact Fees. f. Delta Diablo Sanitation Sewer Fees. g. Contra Costa Water District (CCWD) Fees.	City of Antioch	On-Going	Community Development Department	
5.	Appeals. Pursuant to Section 9-5.2509 of the Antioch Municipal Code, any decision made by the Planning Commission, which would otherwise constitute final approval or denial may be appealed to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk within five (5) working days after the decision. All appeals to the City Council from the Planning Commission shall be accompanied by a filing fee established by a resolution of the City Clerk.	City of Antioch	Within 5 Days of Planning Commission Action	Planning Department	
6.	Requirement for Building Permit. Approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction or demolish an existing structure. An appropriate permit issued by the Community Development Department must be obtained before constructing, enlarging, moving, converting, or demolishing any building or structure within the City.	City of Antioch	On-Going	Building Department	

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7.	Modifications to Approved Plans. The project shall be constructed as approved and with any additional changes required pursuant to the Zoning Administrator or Planning Commission Conditions of Approval. Planning staff may approve minor modifications in the project design, but not the permitted land uses. A change requiring discretionary approval and any other changes deemed appropriate by the Planning staff shall require further Planning Commission approval through the discretionary review process.	City of Antioch	On-Going	Planning Department	
8.	Hold Harmless Agreement/Indemnification. The applicant (including any agent thereof) shall defend, indemnify, and hold harmless, the City of Antioch and its agents, officers and employees, from any claim, action, or proceeding against the City or its agents, officers or employees to attack, set aside, void, or annul the City's approval concerning this application. The City will promptly notify the applicant of any such claim action or proceeding and cooperate fully in the defense.	City of Antioch	On-Going	Planning Department	

Fire Standards		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
9.	All requirements of the Contra Costa County Fire Protection District shall be met.	Contra Costa County Fire Protection District (CCCYPD)	As required by CCCYPD.	Contra Costa County Fire Protection District (CCCYPD)	

EXHIBIT A: CONDITIONS OF APPROVAL

At the Time of Building Permit Issuance		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
10.	Encroachment Permit. The applicant shall obtain an encroachment permit from the Engineering Division before commencing any construction activities within any public right-of-way or easement.	City of Antioch	At the Time of Building Permit Issuance	Public Works Department	

At the Time of Construction		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
11.	Collection of Construction Debris. The applicant shall ensure that all construction debris is gathered on a regular basis and placed in a waste dumpster or other container that is emptied or removed on a weekly basis consistent with the Construction and Demolition Debris Ordinance. When appropriate, ground tarps shall be used to collect fallen debris or splatters that could contribute to stormwater pollution.	City of Antioch	On-Going	Building Department	
12.	Construction Hours. Construction activity shall be as outlined in in the Antioch Municipal Code. Construction activity is limited to 8:00 AM to 5:00 PM Monday-Friday or as approved in writing by the City Manager. Requests for alternative construction hours shall be submitted in writing to the Community Development Director.	City of Antioch	On-Going	Building Department / Public Works	
13.	Demolition, Debris, Recycling. The applicant shall comply be in compliance with and supply all the necessary documentation for Antioch Municipal Code § 6-3.2: Construction and Demolition Debris Recycling.	City of Antioch	On-Going	Building Department / Public Works	

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Prior to Issuance of Occupancy Permit		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
14.	Fire Prevention. A final Fire inspection shall occur to inspect all fire prevention systems constructed as part of the project. Inspections shall occur prior to final occupancy permit issuance.	City of Antioch	Prior to Occupancy Permit	Fire Dept (CCCYPD)	

Project Specific Conditions		Regulation Source	Timing/ Implementation	Enforcement/ Monitoring	Verification (date and signature)
15.	Any forthcoming terms between the City of Antioch and the owner of the subject property and/or business are hereby incorporated as Conditions of Approval of this Use Permit.	City of Antioch	On-Going	Community Development Department	
16.	The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission or City Council.	City of Antioch	On-Going	Community Development Department	