

**PLANNING COMMISSION
RESOLUTION # 2022-34**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ORDINANCE AMENDING THE
DOWNTOWN SPECIFIC PLAN TO ALLOW CANNABIS BUSINESSES**

WHEREAS, §§ 9-5.3801 and 9-5.3845 of the Antioch Municipal Code (“AMC”) establish the regulatory requirements for cannabis businesses in the City of Antioch;

WHEREAS, cannabis businesses are an important part of the local economy, offer employment while eliminating commuting and its associated environmental impacts, pay fees and taxes, and make contributions to local non-profit organizations through social equity programs that are required for all cannabis businesses in the City;

WHEREAS, the zoning code amendments establish three additional areas (Cannabis Business (“CB”) districts) where limited types of cannabis businesses may be allowed (§9-5.3801), thus protecting against a concentration of cannabis businesses within any single community;

WHEREAS, the ordinance amendment establishes the “CB 4 Northwest Downtown/Marina” district which conditionally allows cannabis businesses except retail;

WHEREAS, the ordinance is not considered a project under the California Environmental Quality Act under the common sense exemption (CEQA Guidelines 150361(b)(3)) because it will not have a direct or reasonably foreseeable indirect physical change or effect on the environment. The ordinance does not change the existing zoning in the affected areas; rather, the ordinance is an overlay on the existing zoning, already approved and adopted by the City;

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 November 4, 2022 for the public hearing held on November 16, 2022; and

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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Antioch does hereby **RECOMMEND** that the City Council adopt an ordinance amending the Downtown Specific Plan, attached as Exhibit A.

* * * * *


I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 16th day of November 2022, by the following vote:

AYES: Gutilla, Hills, Lutz, Martin, Motts, Schneiderman

NOES:

ABSTAIN:

ABSENT: Riley


Forrest Ebbs (Nov 17, 2022 10:25 PST)

FORREST EBBS
Secretary to the Planning Commission

**EXHIBIT A
DRAFT DOWNTOWN SPECIFIC PLAN AMENDMENTS
(SEPARATE PAGE)**

Table 2.1 Allowable Uses and Permit Requirement

TABLE 2.1 Allowed Uses and Permit Requirements	A	Allowed Use										
	UP	Use Permit Required										
	AUP	Administrative Use Permit Required					HOUP	Home Occupation Use Permit Required				
	—	Use Not Allowed					All application processes are per Antioch Municipal Code					
LAND USE	PERMIT REQUIRED BY DISTRICT										Specific Use Regulations	
	MU	C-N	C-R	MDR	HDR	I	WF	OS/PB	CB4			
	AGRICULTURE AND OPEN SPACE											
	RESIDENTIAL USES											
Accessory residential uses and structures	A	A	—	A	A	—	—	—	—	—		
Caretaker quarters	UP	UP	—	—	—	AUP	UP	—	—	—		
Guest House	A	A	—	A	A	A	—	—	—	—		
Home occupations	HOUP	HOUP	—	HOUP	HOUP	—	—	—	—	—	9-5.901	
Live/work facilities	AUP	AUP	—	—	—	AUP	—	—	—	—		
Mixed Use Projects	AUP	UP	UP	—	—	—	—	—	—	—		
Mobile home park	—	—	—	—	—	—	UP	—	—	—		
Multi-family dwellings (3 or more units)	A	—	UP	—	A	—	—	—	—	—		
Emergency shelters	—	—	—	—	—	UP	—	—	—	—	9-5.3839	
Secondary dwelling units	A	A	—	A	A	—	—	—	—	—	9-5.3805	
Single family dwellings	A	A	—	A	A	—	—	—	—	—		
Transitional and Supportive Housing	—	—	—	—	UP	UP	—	—	—	—		
Two family dwellings (Duplex)	A	A	—	A	A	—	—	—	—	—		
	RETAIL TRADE											
Accessory retail uses	A	A	A	—	—	A	—	—	—	—		
Adult entertainment business	—	—	—	—	—	—	—	—	—	—	9-5.3808	
Alcoholic beverage sales, off-site	UP *	UP *	UP	—	—	—	UP	—	—	—	* 500' separation required between outlets	
Animal sales and grooming	AUP	AUP	AUP	—	—	—	—	—	—	—		
Art, antique, collectible, and giftstores	A	A	A	—	—	—	—	—	—	—		
Auto parts sales	A	A	A	—	—	AUP	—	—	—	—		
Auto sales and rental	—	—	UP	—	—	UP	—	—	—	—		
Building material stores	A	A	A	—	—	A	—	—	—	—		
Cannabis Retail	UP	—	—	—	—	—	—	—	—	—	9-5.3845	
Construction/heavy equipment sales and rental	—	—	UP	—	—	AUP	—	—	—	—		
Convenience stores	UP	UP	UP	—	—	UP	—	—	—	—		
Drive-in and drive-through sales and services	—	UP	UP	—	—	—	—	—	—	—		
Firearms sales	UP	—	UP	—	—	UP	—	—	—	—		
Furniture, furnishings & appliance stores	A	A	A	—	—	AUP	—	—	—	—		
Gas stations	—	—	UP	—	—	UP	UP	—	—	—	9-5.3815	
General retail	A	A	A	—	—	—	—	—	—	—		
Grocery stores	A	A	A	—	—	—	—	—	—	—		
Mobile home and RV sales	—	—	—	—	—	UP	—	—	—	—		

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		UP	Use Permit Required								
		AUP	Administrative Use Permit Required			HOUP			Home Occupation Use Permit Required		
		—	Use Not Allowed			All application processes are per Antioch Municipal Code					
LAND USE	PERMIT REQUIRED BY DISTRICT									Specific Use Regulations	
	MU	C-N	C-R	MDR	HDR	I	WF	OS/PB	CB4		
Night clubs and bars	UP	—	—	—	—	—	—	—	—	—	
Outdoor retail sales, temporary	AUP	AUP	AUP	—	—	AUP	AUP	—	—	—	
Pawn Shops	UP	UP	UP	—	—	—	—	—	—	—	
Plant nurseries and garden supply stores	—	A	A	—	—	A	—	—	—	—	
Restaurants	A	A	A	—	—	AUP	UP	—	—	—	
Tobacco Retailer	—	—	—	—	—	—	—	—	—	—	
Warehouse retail	—	—	—	—	—	AUP	—	—	—	—	
SERVICES – BUSINESS, FINANCIAL, PROFESSIONAL											
Automated teller machines (ATMs)	A	A	A	—	—	A	A	—	—	—	
Banks and financial services	A	A	A	—	—	A	—	—	—	—	
Business support services	A	A	A	—	—	A	—	—	—	—	
Medical services - clinics, offices, and labs	A	A	A	—	—	A	—	—	—	—	
Medical services - extended care	—	—	A	—	—	—	—	—	—	—	
Medical – hospitals	—	—	—	—	—	—	—	—	—	—	
Offices	A	A	A	—	—	A	A	A	—	—	
Professional Services	A	A	A	—	—	A	—	—	—	—	
SERVICES											
Assembly - Major (over 30)	UP	UP	UP	UP	UP	UP	—	UP	—	—	
Assembly - Minor (30 or fewer)	A	A	A	AUP	AUP	AUP	—	UP	—	—	
Auto repair and maintenance	—	—	UP	—	—	UP	—	—	—	—	
Bed and breakfast inns (B&Bs)	UP	UP	—	UP	UP	—	—	—	—	—	
Boat repair and maintenance	—	—	UP	—	—	UP	UP	—	—	—	
Car wash	—	—	UP	—	—	UP	—	—	—	—	
Residential care facility (6 or fewer)	A	A	—	A	A	—	—	—	—	—	
Residential care facility (7 or more)	—	—	—	AUP	AUP	—	—	—	—	—	9-5.3840
Small Family day care home (up to 8)	A	A	—	A	A	—	—	—	—	—	9-5.3817
Large family day care home (9 to 14)	—	—	—	AUP	AUP	—	—	—	—	—	9-5.3818
Day care center	AUP	AUP	UP	UP	UP	—	—	UP	—	—	
Computer gaming and internet access business	—	—	—	—	—	UP	—	—	—	—	
Contractor storage yard	—	—	—	—	—	AUP	—	—	—	—	
Furniture repair and upholstery shops	AUP	AUP	AUP	—	—	AUP	—	—	—	—	
Hotels and motels	UP	—	AUP	—	—	—	—	—	—	—	
Mortuaries & funeral homes	AUP	—	AUP	—	—	A	—	—	—	—	
Personal services	A	A	A	—	—	A	—	—	—	—	
Pharmacies	A	A	A	—	—	—	—	—	—	—	
Recreational vehicle park	—	—	—	—	—	—	UP	UP	—	—	
Research and development	A	A	A	—	—	A	—	—	—	—	

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LAND USE	PERMIT REQUIRED BY DISTRICT									Specific Use Regulations
	MU	C-N	C-R	MDR	HDR	I	WF	OS/PB	CB4	
Storage – indoor	—	—	UP	—	—	UP	—	—	—	
Storage – outdoor	—	—	UP	—	—	UP	—	—	—	
Veterinary clinics, outpatient treatment only	AUP	AUP	AUP	—	—	A	—	—	—	
Veterinary clinics, animal hospitals, kennels	—	—	UP	—	—	AUP	—	—	—	
INDUSTRIAL, MANUFACTURING & PROCESSING, WHOLESALE										
Accessory uses – industrial	—	—	—	—	—	AUP	—	—	—	
Auto dismantling yard	—	—	—	—	—	UP	—	—	—	
Cannabis Business	—	—	—	—	—	—	—	—	UP	9-5.3845
Crop Production	—	—	—	—	—	AUP	—	—	—	
Electronics equipment manufacturing	—	—	—	—	—	UP	—	—	—	
Food and beverage product manufacturing	—	—	UP	—	—	UP	—	—	—	
Furniture/fixtures manufacturing, cabinet shops	—	—	UP	—	—	UP	—	—	—	
Handcraft industries, small-scale manufacturing	AUP	AUP	AUP	—	—	A	—	—	—	
Junkyard	—	—	—	—	—	—	—	—	—	
Laundries and dry cleaning plants	—	—	—	—	—	AUP	—	—	—	
Metal products fabrication, machine/welding	—	—	—	—	—	A	—	—	—	
Industrial manufacturing – light	—	—	—	—	—	A	—	—	—	
Industrial manufacturing - heavy	—	—	—	—	—	—	—	—	—	
Printing and publishing	—	—	—	—	—	—	—	—	—	
Quarry materials storage and processing	—	—	—	—	—	—	—	—	—	
Recycling - reverse vending machines	—	AUP	AUP	—	—	AUP	—	—	—	9-5.3811
Recycling - small collection facility	—	—	UP	—	—	AUP	—	—	—	9-5.3812
Recycling - large collection facility	—	—	—	—	—	UP	—	—	—	9-5.3813
Warehouses, wholesaling and distribution	—	—	—	—	—	A	—	—	—	
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE USES										
Ferry Terminal	UP	—	—	—	—	—	UP	—	—	
Marina	UP	—	—	—	—	—	UP	—	—	
Parking facilities	UP	UP	UP	—	—	UP	UP	UP	—	
Telecommunications facilities	UP	UP	UP	UP	UP	UP	UP	UP	—	17.36.140
Truck and freight terminals	—	—	—	—	—	UP	—	—	—	
Vehicle storage	—	—	—	—	—	UP	—	—	—	
Public utility facility	UP	UP	UP	UP	UP	UP	UP	UP	—	
Cemetery	—	—	—	—	—	—	—	UP	—	
Clubs, lodges, & membership halls	UP	UP	UP	UP	UP	UP	—	—	—	
Community centers	A	A	A	A	A	A	A	A	—	
Health/fitness facilities	AUP	AUP	AUP	—	—	AUP	—	—	—	
Indoor amusement/entertainment facilities	AUP	AUP	AUP	—	—	AUP	—	—	—	Bingo: 9-5.3844
Libraries and museums	A	A	A	A	A	A	—	A	—	

Outdoor recreation facilities	A	A	A	—	—	AUP	A	UP	—	
Parks and playgrounds	A	A	A	A	A	A	A	A	—	
Public safety facilities	A	A	A	A	A	A	A	A	—	
SUBDIVISION AND RESIDENTIAL										
Small lot subdivision – less than 5,000 sf	—	—	—	UP	—	—	—	—	—	
Res. density - greater than 28 units per acre	UP	—	—	—	—	—	—	—	—	

Note: the Specific Use Regulations column in the above table refers to relevant sections within the Antioch Municipal Code, Title 9: Planning and Zoning; Chapter 5: Zoning






Resolution 2022-34 Cannabis DTSP Amendment

Final Audit Report

2022-11-17

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