

**ANNOTATED
AGENDA
CITY OF ANTIOCH PLANNING COMMISSION
ANTIOCH COUNCIL CHAMBERS
200 “H” STREET**

WEDNESDAY, MAY 2, 2018

6:30 P.M.

**NO PUBLIC HEARINGS WILL BEGIN AFTER 10:00 P.M.
UNLESS THERE IS A VOTE OF THE PLANNING COMMISSION
TO HEAR THE MATTER**

APPEAL

All items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 p.m. on **WEDNESDAY, MAY 9, 2018**.

If you wish to speak, either during “public comments” or during an agenda item, fill out a Speaker Request Form and place in the Speaker Card Tray. This will enable us to call upon you to speak. Each speaker is limited to not more than 3 minutes. During public hearings, each side is entitled to one “main presenter” who may have not more than 10 minutes. These time limits may be modified depending on the number of speakers, number of items on the agenda or circumstances. No one may speak more than once on an agenda item or during “public comments”. Groups who are here regarding an item may identify themselves by raising their hands at the appropriate time to show support for one of their speakers.

ROLL CALL

6:33 P.M.

Commissioners

Parsons, Chair (**absent**)
Turnage, Vice Chair (**absent**)
Zacharatos – Acting Chair
Motts
Conley
Martin
Schneiderman

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

CONSENT CALENDAR

All matters listed under Consent Calendar are considered routine and are recommended for approval by the staff. There will be one motion approving the items listed. There will be no separate discussion of these items unless members of the Commission, staff or the public request specific items to be removed from the Consent Calendar for separate action.

1. APPROVAL OF MINUTES: None

* * * END OF CONSENT CALENDAR * * *

NEW ITEM

- 2. PW-150-18 – THE CITY OF ANTIOCH** is requesting a determination that the 2018-2023 Capital Improvement Program is consistent with the Antioch General Plan, which includes a determination that any acquisition or disposition of property identified in the project description for each project in the Capital Improvement Program is consistent with the General Plan.

RESOLUTION NO. 2018-14

NEW PUBLIC HEARING

STAFF REPORT

- 3. Cannabis Ordinance** – The Community Development Department has recommended amendments to Chapter 5 of Title 9 of the Antioch Municipal Code (Zoning Ordinance) to create a Cannabis Business (CB) Overlay District within the City of Antioch. The amendments would establish an overlay zoning district wherein an applicant could apply for a Use Permit from the City Council to operate a cannabis business. The amendment will also include applicable definitions, setback requirements, and procedures.

RESOLUTION NO. 2018-15

ORAL COMMUNICATIONS

STAFF REPORT

WRITTEN COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT (8:32 PM)

Notice of Availability of Reports

This agenda is a summary of the discussion items and actions proposed to be taken by the Planning Commission. For almost every agenda item, materials have been prepared by the City staff for the Planning Commission's consideration. These materials include staff reports which explain in detail the item before the Commission and the reason for the recommendation. The materials may also include resolutions or ordinances which are proposed to be adopted. Other materials, such as maps and diagrams, may also be included. All of these materials are available at the Community Development Department

located on the 2nd floor of City Hall, 200 “H” Street, Antioch, California, 94509, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday for inspection and copying (for a fee). Copies are also made available at the Antioch Public Library for inspection. Questions on these materials may be directed to the staff member who prepared them, or to the Community Development Department, who will refer you to the appropriate person.

Notice of Opportunity to Address the Planning Commission

The public has the opportunity to address the Planning Commission on each agenda item. You may be requested to complete a yellow Speaker Request form. Comments regarding matters not on this Agenda may be addressed during the “Public Comment” section on the agenda.

Accessibility

The meetings are accessible to those with disabilities. Auxiliary aids will be made available for persons with hearing or vision disabilities upon request in advance at (925) 779-7009 or TDD (925) 779-7081.

**STAFF REPORT TO THE CITY OF ANTIOCH PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF MAY 2, 2018**

PREPARED BY: Tracy Tope, Civil Engineer *TT*
REVIEWED BY: Scott Buening, Project Manager *SB*
APPROVED BY: Lynne B. Filson, Assistant City Engineer II *LBF*
SUBJECT: Determination of the 2018-2023 Capital Improvement Program
Consistency with the Antioch General Plan, P.W. 150-18

RECOMMENDATION

It is recommended that the Planning Commission determine that the 2018-2023 Capital Improvement Program is consistent with the Antioch General Plan, which includes a determination that any acquisition or disposition of property identified in the project description for each project in the Capital Improvement Program is consistent with the General Plan.

BACKGROUND

The attached Capital Improvement Program (CIP) outlines the 2018-2023 expenditure and revenue projections provided for planning purposes only. Any California Environmental Quality Act (CEQA) requirements will be determined on a project by project basis prior to final approval and construction of each project. As required by Section 65401 of the California Government Code, the Planning Commission is asked to determine whether the projects included in the Five-Year Capital Improvement Program (CIP) are consistent with the current Antioch General Plan.

The General Plan may be viewed at the following website:
[http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/Antioch Adopted General Plan.pdf](http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/Antioch_Adopted_General_Plan.pdf)

Staff believes the CIP is consistent with the following General Plan Sections:

CIP CATEGORY	GENERAL PLAN SECTION
Community Facilities	Community Facilities Objective (page 8-2)
Parks and Trails	Parks and Recreation Objective (page 8-8)
Roadway Improvements	Circulation (page 7-1 to page 7-6)
Traffic Signals	Vehicular Circulation Objective (page 7-8)
Wastewater & Storm Drain System	Wastewater Management Objective (page 8-3 to page 8-6)
Water System	Water Facilities Objective (page 8-3)

ATTACHMENT

- A. Draft of the 2018-2023 Five Year Capital Improvement Program (for Planning Commission Members Only)

RESOLUTION NO. 2018/**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING ADOPTION OF FINDING THAT THE PROPOSED 2018/19 - 2022/23
CAPITAL IMPROVEMENT PROGRAM (CIP) IS CONSISTENT WITH THE ADOPTED
GENERAL PLAN OF THE CITY OF ANTIOCH AS REQUIRED BY SECTIONS 65401 AND
65402 OF THE GOVERNMENT CODE.**

WHEREAS, Section 65401 of the Government Code requires the Planning Commission of cities and counties to review any proposed Capital Improvement Program (CIP) in its jurisdiction for conformance with the agency's adopted General Plan and Specific Plans; and

WHEREAS, Section 65402 of the Government Code requires the Planning Commission of cities and counties to review any proposed acquisition or disposition of real property for conformity with the agency's adopted General Plan; and

WHEREAS, the projects proposed reflect the major need for roadways, public utilities, and other community facilities during the next five years in concert with anticipated growth areas as noted in the adopted General Plan and Specific Plans;

WHEREAS, pursuant to 14 CFR section 15378, a project under the California Environmental Quality Act (CEQA) does not include government fiscal activities like the budget and Capital Improvements Program, as each project in the Capital Improvements Program will be reviewed for compliance with CEQA before the project is undertaken and a determination made whether the project is not a project under CEQA.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Antioch finds that

1. The proposed 2018/19 - 2022/23 Capital Improvement Program (CIP) is consistent with the adopted General Plan; and
2. Any acquisition or disposition of real property required to effectuate the CIP and has been described in the CIP is consistent with the adopted General Plan.

* * * * *

I HEREBY CERTIFY the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said Planning Commission held on the 2nd day of May, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Secretary to the Planning Commission

**STAFF REPORT TO THE PLANNING COMMISSION
FOR CONSIDERATION AT THE MEETING OF MAY 2, 2018**

Prepared by: Forrest Ebbs, Community Development Director

Date: April 24, 2018

Subject: Cannabis Business Overlay District

RECOMMENDATION

Staff recommends that the Planning Commission adopt the resolution recommending that the City Council approve the proposed amendments to the Zoning Ordinance.

REQUEST

The City Council has solicited input from the community and has requested options for amendments to the Zoning Ordinance that would facilitate the establishment of cannabis businesses in the City of Antioch. The proposed amendments to the Zoning Ordinance would create a distinct zoning overlay that would allow cannabis businesses under certain conditions. The proposed amendments are intended to be a basic framework and can be modified to suite the preferences of the Planning Commission and/or the City Council.

ENVIRONMENTAL

The proposed project is exempt from the California Environmental Quality Act (CEQA), per Section 15061(b)(3) as it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment.

ANALYSIS

Background

With the passage of Proposition 64 in November of 2016, the possession, sale and distribution of cannabis became legal under California State law, subject to provisions contained in the law, including a licensing requirement. The law did not mandate that local agencies accommodate any or all forms of cannabis businesses and much discretion remains with cities and counties. Several Bay Area cities have accommodated cannabis businesses through local ordinances and others have prohibited such businesses.

Cannabis Definitions

The Zoning Ordinance does not currently address cannabis uses and, as such, there are no corresponding definitions. Those cities that have addressed cannabis land uses

have generally separated the industry into two distinct categories: cannabis business and cannabis retail. The recommended ordinance contains distinct definitions for both “cannabis business” and “cannabis retail”. Whereas, cannabis retail generally includes the sale or gift of cannabis products directly to the consumer, cannabis business generally includes the supporting industries dedicated to the production of cannabis, including manufacturing, testing, cultivation, research and development, and similar non-retail uses. The ordinance also includes definitions for “cannabis”, and “cannabis product”.

These recommended definitions are as follows:

CANNABIS BUSINESS. A person, partnership, corporation, company, association, collective, or cooperative which engages in commercial cannabis use(s).

CANNABIS RETAIL. A cannabis business that distributes, dispenses, stores, exchanges, packages, re-packages, labels, sells, makes available, transmits, or gives away cannabis or cannabis products for either medical or recreational use and is operated in accordance with state and local laws and regulations. Cannabis retail includes, but is not limited to, selling and/or delivering cannabis or cannabis products as part of a sale, pursuant to a Type 10 cannabis license, or a cannabis license subsequently established.

CANNABIS. All parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or be discovered, or developed, that has psychoactive or medical properties, whether growing or not, including but not limited to the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by California Health and Safety Code section 11018 and Business and Professions Code section 26001(f), as both may be amended from time to time. Any reference to cannabis or cannabis products shall include medical and nonmedical cannabis and medical and nonmedical cannabis products, unless otherwise specified. Cannabis or cannabis product does not mean industrial hemp as defined by Health and Safety Code section 11018.5, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. Cannabis does not include the mature stalks of the plant; fiber produced from the stalks; any compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom); fiber, or the sterilized seed of the plant which is incapable of germination.

CANNABIS PRODUCT. Cannabis that has undergone a process whereby the plant material has been transformed into concentrate, including, but not limited to

concentrated cannabis, or an edible or topical product containing cannabis and other ingredients.

Zoning Overlay

Staff is recommending the use of a Zoning Overlay specifically dedicated to cannabis uses. This approach is already in use for Emergency Shelters through the ES Zoning Overlay. A Zoning Overlay operates in addition to the underlying zoning designation and allows certain uses not specifically addressed by the traditional zoning.

Staff has provided three options for application of a Cannabis Business (CB) Zoning Overlay. The first would generally apply to the area bound by the San Joaquin River to the north, SR 160 to the east, 18th Street to the south, and the residential neighborhoods and railroads to the west. This would be the most conservative approach and would require any cannabis use to be located in this industrial area of Antioch.

Option 2 would expand the CB Overlay to all existing commercial, office, industrial, and business park areas of the City. Within this expanded area, the City could entertain applications for all types of cannabis uses, but would likely need to refine the land use restrictions to better coincide with the underlying zoning designations. For example, a cannabis industrial use would not be appropriate in a neighborhood commercial area.

Option 3 would expand the CB Overlay to include the non-residential areas identified in Option 2, but would also include areas within the Sand Creek Focus Area, which may prove to be suitable for cannabis cultivation or processing.

Use Permit Requirement

The CB Zoning Overlay would allow cannabis uses only upon approval of a Use Permit from the City Council, following recommendation by the City Council. As the nature of cannabis uses is evolving, this approach will allow for a case-by-case review of each user. State law already imposes a minimum separation requirement of 600' between a cannabis business and a school. The proposed zoning amendment will integrate and restate this requirement and will also expand it to include public parks and residential uses. For comparison, the City already requires a 500' separation between liquor stores and residential uses. The City may eventually decide to introduce additional development or operational standards or guidelines. Any such standards or guidelines would be brought before the Planning Commission and City Council prior to adoption. The proposed ordinance also includes a specific finding for cannabis Use Permits that would be in addition to the standard findings required for an ordinary Use Permit. These findings refer to compliance with all State laws and any forthcoming standards or guidelines.

Next Steps

The Planning Commission recommendation will be brought to the City Council in the coming month and a final version of the ordinance is expected to be adopted by July 31. In addition, the City may pursue other licensing or permitting processes outside of the

traditional land use regulatory process. The City Council remains open to input and the Planning Commission is encouraged to provide any new recommendations or comments through this current recommendation process.

ATTACHMENT

- A. Cannabis Business (CB) Zoning Overlay District Map Options

**CITY OF ANTIOCH PLANNING COMMISSION
RESOLUTION NO. 2018-****

**RESOLUTION OF THE CITY OF ANTIOCH PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL AMEND CHAPTER 5 OF TITLE 9 OF
THE ANTIOCH MUNICIPAL CODE TO ADOPT A CANNABIS BUSINESS (CB)
ZONING OVERLAY**

WHEREAS, the City of Antioch proposes to modify Chapter 5 of Title 9, Zoning, to address cannabis land uses; and,

WHEREAS, the proposed project is exempt from the California Environmental Quality Act (CEQA), per Section 15061(b)(3) as it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment; and,

WHEREAS, the passage of Proposition 64 permitted the sale, possession, processing and cultivation of cannabis under California State law; and,

WHEREAS, the City of Antioch retains authority to regulate land uses, including cannabis land uses; and,

WHEREAS, the use of a zoning overlay and requirement for a Use Permit will provide the public, the Planning Commission, and the City Council opportunity to review applications for cannabis businesses; and

WHEREAS, the Planning Commission on May 2, 2018, duly held a public hearing, received, and considered evidence, both oral and documentary.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does determine:

1. The proposed Cannabis Business (CB) Zoning Overlay will allow uses more suitable for the area than the present classification because the City does not currently recognize or identify cannabis uses in the Zoning Ordinance; and
2. The cannabis land uses identified and defined will require the issuance of a Use Permit and, as such, will be conditioned so as not to be detrimental to adjacent or surrounding property; and
3. The CB Zoning Overlay is warranted to comply with California State law and ensure local land use authority and regulation of cannabis land uses.
4. The proposed CB Zoning Overlay is in conformance with the General Plan as it would permit the establishment of cannabis land uses with a Use Permit only within previously identified land use districts where similar retail, office, light industrial, cultivation, or similar uses are currently permitted.

NOW THEREFORE BE IT RESOLVED the Planning Commission of the City of Antioch, after reviewing the staff report and considering testimony, does hereby **RECOMMEND** that the City Council amend Chapter 5 of Title 9 of the Antioch Municipal Code as follows:

1. **Add the following definitions to Section 9-5.203 DEFINITIONS**

CANNABIS BUSINESS. A person, partnership, corporation, company, association, collective, or cooperative which engages in commercial cannabis use(s).

CANNABIS RETAIL. A cannabis business that distributes, dispenses, stores, exchanges, packages, re-packages, labels, sells, makes available, transmits, or gives away cannabis or cannabis products for either medical or recreational use and is operated in accordance with state and local laws and regulations. Cannabis retail includes, but is not limited to, selling and/or delivering cannabis or cannabis products as part of a sale, pursuant to a Type 10 cannabis license, or a cannabis license subsequently established.

CANNABIS. All parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or be discovered, or developed, that has psychoactive or medical properties, whether growing or not, including but not limited to the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by California Health and Safety Code section 11018 and Business and Professions Code section 26001(f), as both may be amended from time to time. Any reference to cannabis or cannabis products shall include medical and nonmedical cannabis and medical and nonmedical cannabis products, unless otherwise specified. Cannabis or cannabis product does not mean industrial hemp as defined by Health and Safety Code section 11018.5, or the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. Cannabis does not include the mature stalks of the plant; fiber produced from the stalks; any compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom); fiber, or the sterilized seed of the plant which is incapable of germination.

CANNABIS PRODUCT. Cannabis that has undergone a process whereby the plant material has been transformed into concentrate, including, but not limited to concentrated cannabis, or an edible or topical product containing cannabis and other ingredients.

2. **Add the following text to Section 9-5.301 DISTRICTS ESTABLISHED AND DEFINED**

(EE) *CB Cannabis Business Overlay District*. This overlay district provides sites suitable for the establishment of a cannabis business when compatible with the underlying zoning designation and upon approval by the City Council.

3. **Add the following text to the end of Section 9-5.3801 SUMMARY OF ZONING DISTRICTS**

CB Cannabis Business Overlay District

4. **Amend Table 9-5.3803 as follows:**

RESOLUTION NO. 2018-**

May 2, 2018

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TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ¹	RTC	RTR 10	RTR 20	CB
RESIDENTIAL USES																						
Day-care centers (§ 9-5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	—	—	U	—	U	—	U	U	U	—
Day-care: large family (§ 9-5.3818)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	—	—	A	A	—
Day-care: small family (§ 9-5.3817)	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—
Senior Group Housing	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	U	U	U	—
Fraternity-sorority house/dormitory	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	—	—	U	U	—
Home occupations	A	A	A	A	A	A	—	—	—	—	—	A	—	—	—	—	—	—	A	A	A	—
Hospice ¹¹	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	U ¹	—	—	U	U	—
Manufactured, modular home; mobile home (§ 9-5.3804)	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—
Mobile home park	—	—	U	U	U	U	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—
Multiple-family: condominium, apartment, town- house (§ 9-5.3820)	—	—	U	U	P, U ¹	P, U ¹	—	—	—	—	—	U	—	—	—	—	U ¹	—	U	—	U	—
Recreational vehicle park (§ 9-5.3830)	—	—	—	—	—	—	—	—	—	—	U	—	U	—	—	U	—	—	—	—	—	—
Residential care facility ¹²	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	U	—	—	U	U	—
Residential hotel	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	—	—	U	P	—
Room & boarding house	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	—	—	U	P	—
Second residential unit (§ 9-5.3805)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	—	—	A	—	—
Single- family	P	P	U	P ¹	P ¹	P ¹	—	—	—	—	—	U	U	—	—	—	—	—	—	P	—	—
Tobacco and paraphernalia retailers (§ 9-5.3843)	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—
PUBLIC AND SEMI-PUBLIC USES																						
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	U	—	—	—
Clubs & Lodges (private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	—	U	—	—	—
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	U	U	U	—
Correctional facility ¹³	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Cultural institution	—	—	—	—	—	—	U	U	—	U	U	U	U	—	U	—	U	—	U	—	—	—
Government offices	—	—	—	—	—	—	U	P	P	P	P	U	—	—	U	U	—	—	P	—	—	—
Homeless shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—	—	—
Hospitals (§ 9- 5.3827):																						
Acute care	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Rehabilitation	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Psychiatric/ chemical dependency	—	—	—	—	—	—	U	U	—	—	—	U	—	—	U	—	U	—	—	—	—	—
Medical care—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	P	U	P	—	—	—	—	—
Parks	P	P	P	P	P	P	P	P	—	U	U	U	P	P	U	U	—	—	U	U	U	—
Public assembly	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	U	U	U	—
Public safety facilities	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	—	—

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES	RTC	RTR 10	RTR 20	CB
Public utility yard	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	—	—	—	—	—
Religious assembly (§ 9-5.3832)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	—	U	U	U	—
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—	A	A	A	—
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	U	—	U	U	U	—
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	—	U	U	U	—
COMMERCIAL USES																						
Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	—	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—	—
Appliance maintenance & repair services:																						
Major	—	—	—	—	—	—	—	—	—	P	P	P	—	—	P	P	—	—	—	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	P	—	—	P	P	—	—	P	—	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	—	—	U	—	—	—
Animal hospital veterinary clinics	—	—	—	—	—	—	U	—	U	U	U	U	—	—	U	U	—	—	—	—	—	—
Antique store	—	—	—	—	—	—	—	—	—	P	P	A	U	—	U	—	—	—	P	—	—	—
Auto sales, rental	—	—	—	—	—	—	U	—	—	U	U	U	—	—	—	—	—	—	U	—	—	—
Auto storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Auto service station (§ 9-5.3815)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	—	—	—	—	—
Auto repair:																						
Major	—	—	—	—	—	—	U	—	—	—	U	U	—	—	U	P	—	—	—	—	—	—
Minor	—	—	—	—	—	—	U	—	U	U	U	U	—	—	P	P	—	—	—	—	—	—
Bakeries—retail	—	—	—	—	—	—	—	—	P	P	P	P	U	—	P	P	—	—	P	—	—	—
Bank or savings & loan	—	—	—	—	—	—	P	P	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Bar (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—
Barber & beauty shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Bed and breakfast inns (§ 9-5.3819)	U	U	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	U	U	—	—
Boat repair:																						
Major	—	—	—	—	—	—	U	—	—	—	U	U	U	—	U	P	—	—	U	—	—	—
Minor	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	P	—	—	U	—	—	—
Boat, RV—storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	—	—	U	U	U	—	U	P	—	—	—	—	—	—
Bowling alleys (§ 9-5.3831)	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	—	—	—	—	—
Cannabis business (§ 9-5.3845)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U ¹³
Car and vehicle wash	—	—	—	—	—	—	—	—	—	U	U	U	U	—	U	U	—	—	—	—	—	—
Card room	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	—	U	—	—	—
Catering services	—	—	—	—	—	—	—	—	—	P	P	P	A	—	U	—	—	—	U	—	—	—
Clothing store	—	—	—	—	—	—	—	—	—	P	P	P	A	—	—	—	—	—	P	—	—	—
Combined residential/commercial structure	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	U	—	—	—

Page 6

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁵	RTC	RTR 10	RTR 20	CB
Communication facilities	U	U	U	U	U	U	U	P	P	P	P	P	—	U	P	P	—	—	P	U	U	—
Computer gaming and internet access business	—	—	—	—			—	—	—	—	U	—	—	—	—	—			—	—	—	—
Confectionery stores	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	—	P	—	—	—
Dance hall	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	—	—	—	U	—	—	—
Drive-up window (all uses)	—	—	—	—	—	—	U	U	U	U	U	U	—	—	U	U	U	—	—	—	—	—
Dry cleaning agencies, pick-up and self serve	—	—			—	—	—	—	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Florist shop	—	—	—	—	—	—	P	—	P	P	P	P	—	—	—	—	P	—	P	—	—	—
Food stores (§ 9-5.3831):																						
Convenience store	—	—	—	—	—	—	—	—	U	U	U	U	U	—	—	—	U	—	U	—	—	—
Supermarket	—	—	—	—	—	—	—	—	U	P	P	U	—	—	—	—	—	—	U	—	—	—
Fortune-teller's	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	—	U	—	—	—
Funeral parlor & mortuary	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	—	U ⁴	—	—	—
Furniture stores	—	—	—	—	—	—	—	—	—	P	P	U	—	—	—	—	—	—	P	—	—	—
Gift shop	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—	—
Gun sales (§ 9-5.3833)	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—
Hardware store	—	—	—	—	—	—	—	—	U	P	P	U	U	—	—	—	—	—	P	—	—	—
Health club/fitness center	—	—	—	—	—	—	U	—	U	P	P	U	—	—	U	—	U	—	U	—	—	—
Hotel & motels	—	—	—	—	—	—	U ⁵	U	—	P	P	P	U	—	U ⁵	—	U	—	U	—	—	—
Jewelry store	—	—	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	—	P	—	—	—
Kernels	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	U	U	—	—	—	—	—
Laboratories, medical, dental, optical	—	—	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	—	U	—	—	—
Laundrette	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Liquor stores (§ 9-5.3831)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	—	U	—	—	—
Live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—
Marina	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	U	—	—	—
Miniature golf courses	—	—	—	—	—	—	—	—	—	U	U ⁶	U	—	—	U	—	—	—	U	—	—	—
Mini-storage	—	—	—	—	—	—	—	—	—	—	—	U	U	—	U	P	—	—	—	—	—	—
Nurseries (horticulture) (§ 9-5.3824)	—	—	—	—	—	—	—	—	—	P	P	U	U	—	P	P	—	—	—	—	—	—
Offices:																						
Business & professional	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	—	U	—	—	—
Medical (includes clinics)	—	—	—	—	—	—	P	P	U	P	P	P	U	—	—	—	P	—	U	—	—	—
Paint store	—	—	—	—	—	—	—	—	—	P	P	U	—	—	U	—	—	—	P	—	—	—
Parking lot (commercial) (§ 9-5.3837)	—	—	—	—	—	—	A	A	A	A	A	A	A	A	P	P	A	—	A	—	—	—
Pawn shops	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	—	U	—	—	—
Pet shop	—	—	—	—	—	—	—	—	P	P	P	P	U	—	—	—	—	—	P	—	—	—
Pharmacy	—	—	—	—	—	—	U	P	P	P	P	P	A	—	P	P	P	—	P	—	—	—
Photographer	—	—	—	—	—	—	—	P	P	P	P	P	A	—	U	—	—	—	P	—	—	—
Printing & blue printing	—	—	—	—	—	—	—	P	P	U	U	U	—	—	P	P	—	—	U	—	—	—
Radio & TV sales & repair	—	—	—	—	—	—	—	—	U	P	P	P	—	—	—	—	—	—	P	—	—	—
Recycling facilities:																						

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ¹	RTC	RTR 10	RTR 20	CB
Reverse vending machines (§ 9-5.3811)	—	—	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	—	P	—	—	—
Small collection facility (§ 9-5.3812)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	—	A	—	—	—
Large collection facility (§ 9-5.3813)	—	—	—	—	—	—	—	—	A	A	A	A	—	—	A	A	—	—	A	—	—	—
Light processing facility	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Heavy processing facility (§ 9-5.3815)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Repair service	—	—	—	—	—	—	—	—	—	—	U	U	U ²	—	P	P	—	—	U	—	—	—
Restaurants (§§ 9-5.3823 and 9-5.3831)																						
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U ³	—	—	—	P	—	—	—
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U ³	—	—	—	U	—	—	—
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U ³	U	—	—	U	—	—	—
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U ³	—	—	—	U	—	—	—
With bar & live entertainment	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—
Retail; general and specialty	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	—	P	—	—	—
Secondhand sales	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	U	—	—	—
Shoe repair shop	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	—	P	—	—	—
Sign shop	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	—	—	—	—	—	—	—
Studios (e.g., dance, martial arts)	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—	P	—	—	—
Tailor shop	—	—	—	—	—	—	—	—	—	P	P	P	—	—	—	—	—	—	P	—	—	—
Tattoo studio	—	—	—	—	—	—	—	—	—	U	U	U	—	—	—	—	—	—	U	—	—	—
Theaters	—	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—
Upholstery shop	—	—	—	—	—	—	—	—	—	U	U	U	—	—	U	P	—	—	U	—	—	—
Variety store	—	—	—	—	—	—	—	—	—	P	P	P	P	—	—	—	—	—	P	—	—	—
Vehicle/boat/equipment sales & rental (§ 9-5.3825)	—	—	—	—	—	—	U ⁴	—	—	U	U	U	U	—	U	U	—	—	U ⁴	—	—	—
INDUSTRIAL USES																						
Animal rendering	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Bakery-commercial	—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	P	—	—	—	—	—	—
Beverage bottling plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Boat building	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	P	—	—	—	—	—	—
Cement or clay products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Concrete batch plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Contractor's storage yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Dairy products processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Dry cleaners processing	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Exterminator	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Finished paper production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES	RTC	RTR 10	RTR 20	CB
Food processing plant	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Fuel yard; bulk petroleum storage	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Garment manufacture	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Hazardous waste facilities (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Small generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	U	U	—	—	—	—	—	—
Large generator (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Processor (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Household hazardous waste facility (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Junk yard/auto wrecking yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Lumber yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Machine shop	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, plaster of paris	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Research & development	—	—	—	—	—	—	U	—	—	—	—	U	—	—	U	U	—	—	—	—	—	—
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Stockyards/ slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	U	P	—	—	—	—	—	—
TEMPORARY USES																						
Removal of earth (§ 9-5.3822)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Temporary construction building and uses (§ 9-5.3821)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Outdoor display of merchandise (in conjunction with a non-residential use)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	—	—	—

RESOLUTION NO. 2018-**

May 2, 2018

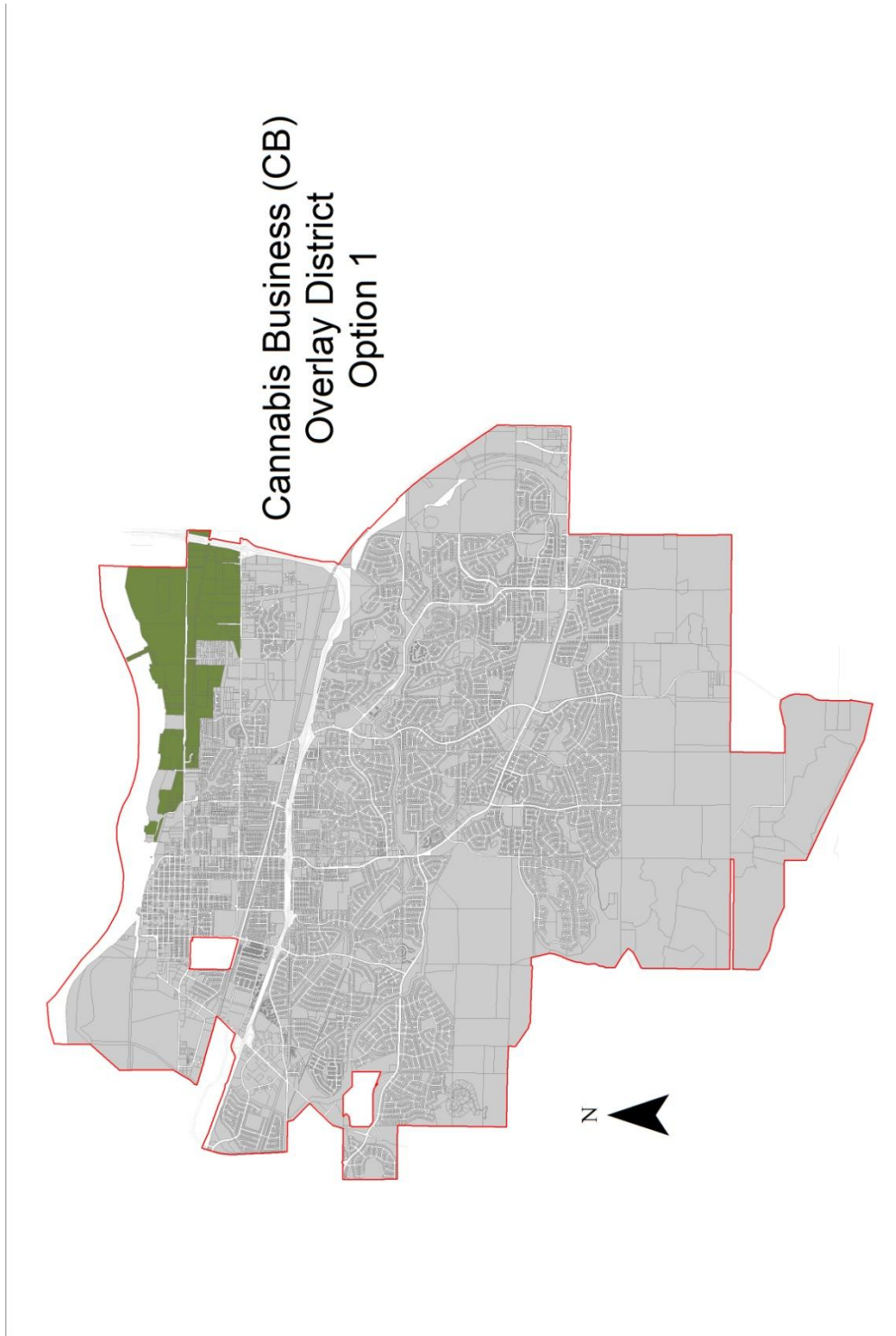
Page 9

TABLE 9-5.3803	RE R	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ¹	RTC	RTR 10	RTR 20	CB
Special outdoor events (§§ 9-5.3828 and 9-5.3831)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	—
Christmas tree and pumpkin sale lots (§ 9-5.3829)	—	—	—	—	—	—	A	A	A	A	A	A	—	—	A	A	—	—	A	—	—	—

1. Single-family dwellings existing prior to the effective date of this section are permitted uses, conforming to the R-20 zone; however, development of new single-family dwelling units, other than replacement of existing single-family dwellings, are prohibited within the R-20 zone.
2. Use may be permitted as an ancillary use if it is incidental to an otherwise permitted or conditionally permitted use within this zoning district.
3. Legally established churches existing prior to the effective date of this section are permitted uses, conforming to the PBC, C-0, C-1, C-2, and C-3 zone; however, development of new religious assembly uses, other than replacement of existing uses, is prohibited within these zoning districts.
4. Funeral services are limited to "J" Street, Fourth Street, and the area between Fourth and Fifth Streets.
5. May be located only on sites adjacent to freeway interchanges.
6. May be located along Somersville Road north of the SR-4 freeway.
7. Marine repair only. Permitted as an ancillary service for waterfront activities.
8. Boat sales and repair only.
9. In the case of the Emergency Shelter Overlay District, where no letter or number is included in the table for a particular land use, the regulations of the base zone apply. Emergency shelters are permitted by right in the Emergency Shelter Overlay District if they meet all standards of § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. Up to 20 units/acre permitted by right subject to compliance with all other applicable standards.
12. Subject to a conditional use permit on a site at least one quarter mile from any type of residential care facility, social service institution, welfare institution, or a similar type of facility; at least one mile from another correctional facility; and at least 1,000 feet from a school, library, public park, recreation area or any property zoned or used for residential development. See § 9-5.3838, Correctional Facilities, for additional requirements.
13. Cannabis Business requires approval of a Use Permit by the City Council upon recommendation by the Planning Commission. See § 9-5.384531

(Am. Ord. 930-C-S, passed 7-29-97; Am. Ord. 1080-C-S, passed 10-24-06; Am. Ord. 2072-C-S, passed 10-22-13; Am. Ord. 2075-C-S, passed 11-26-13; Am. Ord. 2077-C-S, passed 12-10-13; Am. Ord. 2089-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15)

5. **Modify the Zoning Map to include the Cannabis Business (CB) Zoning Overlay District as follows:**



Add the following text:

Section 9-5.3845 CANNABIS BUSINESSES

A Cannabis Business may be established within the Cannabis Business (CB) Zoning Overlay District only under the following conditions:

- (A) A Use Permit from the City Council is required for all cannabis land uses, including cannabis businesses and cannabis retail. The application shall be considered by the Planning Commission who shall make a recommendation to the City Council.
- (B) A cannabis business shall be located no closer than 600' from the following:
 - (1) Any private or public school serving students grade kindergarten through high school;
 - (2) Any public park owned or operated by the City of Antioch;
 - (3) Any property occupied by a residential land use or with a residential or General Plan Land Use Designation or zoning designation.
- (C) In addition to the standard findings for approval of a Use Permit, the City Council shall make the following additional finding in support of approval of a Use Permit for a cannabis business.
 - (1) That the location and site characteristics of the proposed cannabis business are consistent with all applicable State laws and City standards or guidelines, that all provisions have been made to ensure that the operation of the cannabis business will not create excessive demands for police service or other public services, and that the cannabis business will benefit the City of Antioch.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 2nd day of May 2018.

AYES:

NOES:

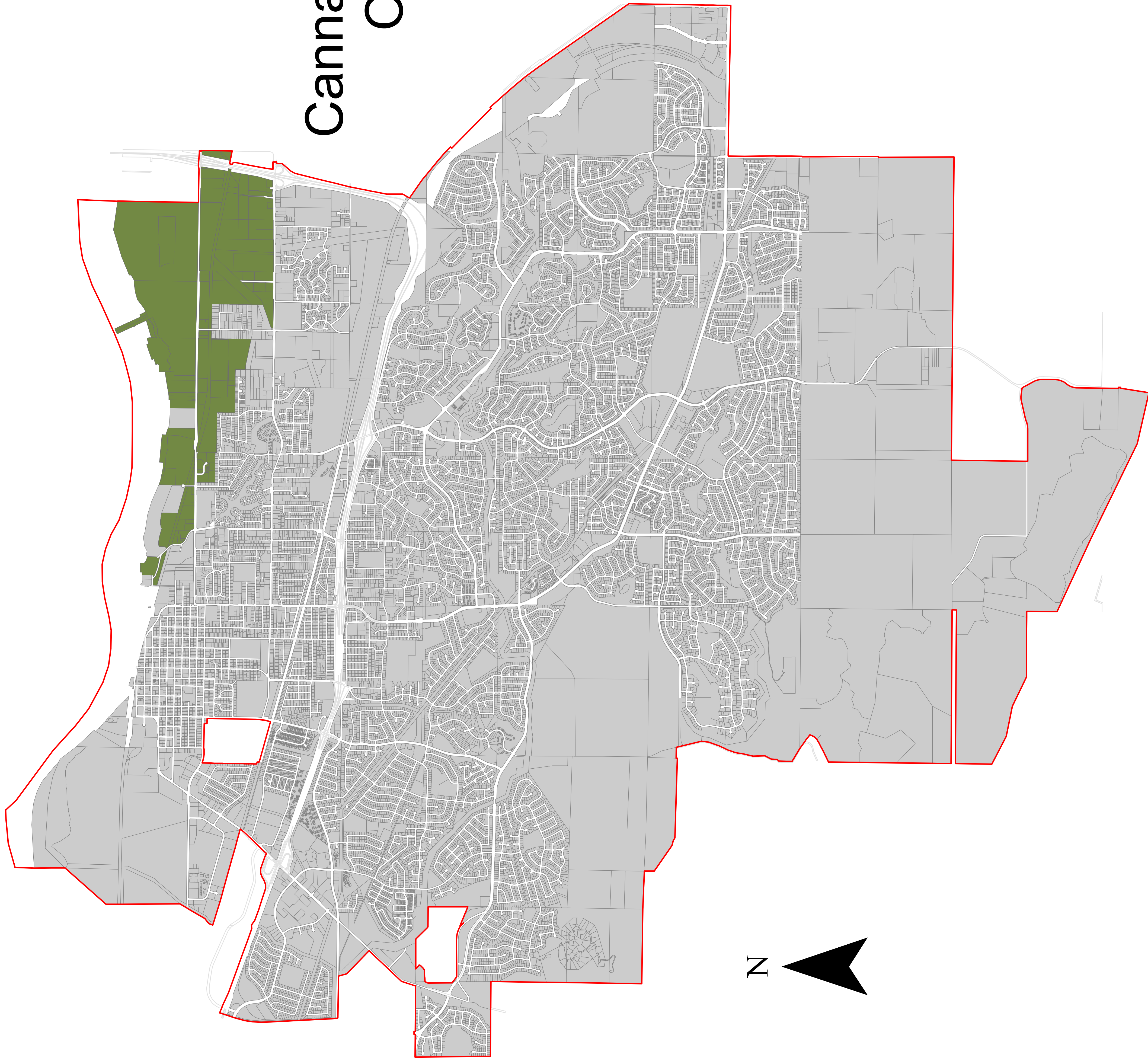
ABSTAIN:

ABSENT:

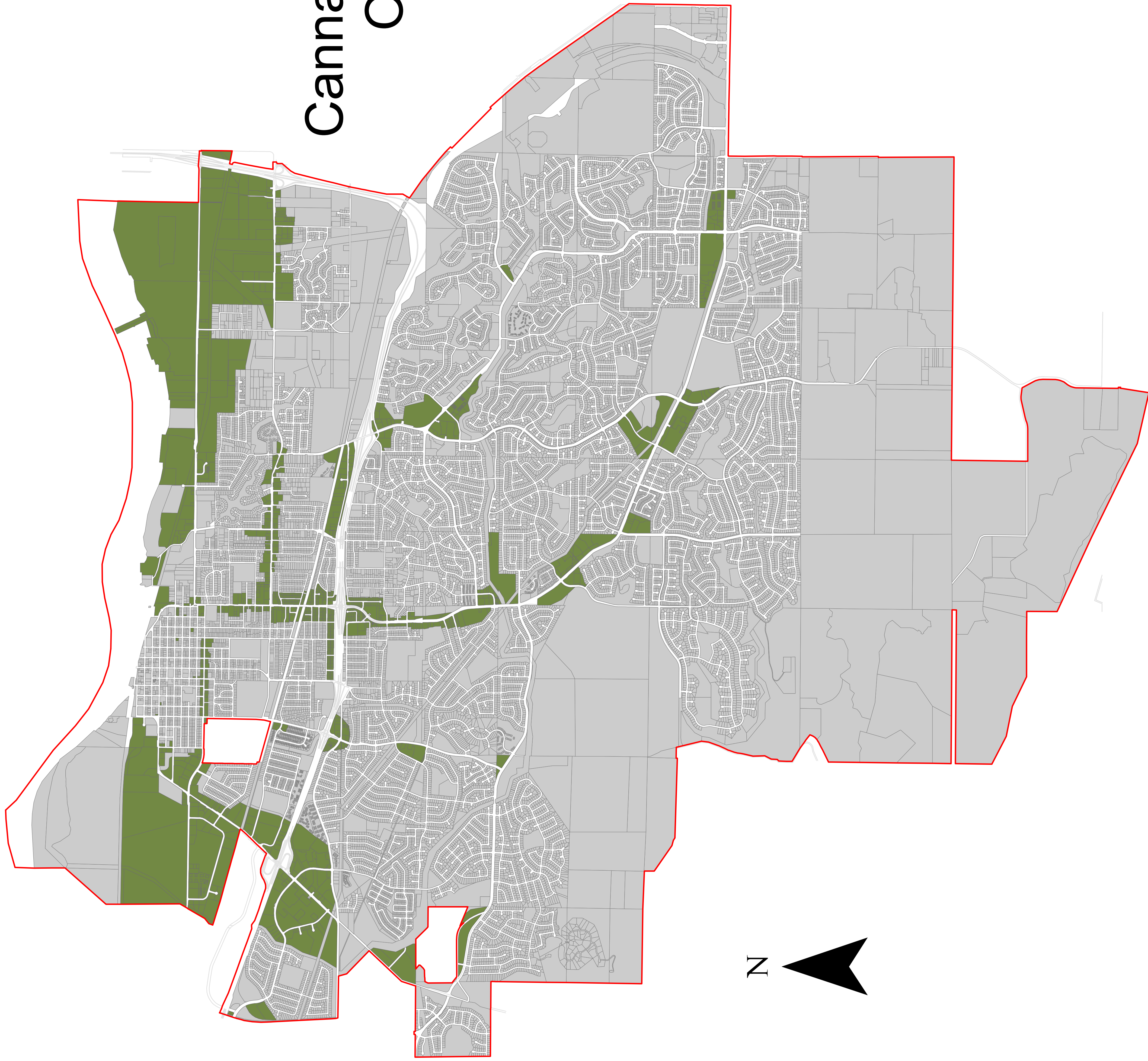
FORREST EBBS, SECRETARY TO THE
PLANNING COMMISSION

ATTACHMENT “A”

Cannabis Business (CB) Overlay District Option 1



Cannabis Business (CB) Overlay District Option 2



Cannabis Business (CB) Overlay District Option 3

