

**CITY OF ANTIOCH
PLANNING COMMISSION
REGULAR MEETING**

**Regular Meeting
6:30 p.m.**

**November 3, 2021
Meeting Conducted Remotely**

The City of Antioch, in response to the Executive Order of the Governor and the Order of the Health Officer of Contra Costa County concerning the Novel Coronavirus Disease (COVID-19), held Planning Commission meetings live stream (at <https://www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/>). The Planning Commission meeting was conducted utilizing Zoom Audio/Video Technology.

Chairperson Schneiderman called the meeting to order at 6:30 P.M. on Wednesday, November 3, 2021. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners. She stated that 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, November 10, 2021.

ROLL CALL

Present: Commissioners Motts, Parsons, Barrow, Riley, Gutilla, Vice Chairperson Martin and Chairperson Schneiderman

Staff: City Attorney, Thomas Lloyd Smith
Director of Community Development, Forrest Ebbs
Lieutenant, Desmond Bittner Forest
Associate Planner, Jose Cortez
Community Development Technician, Hilary Brown
Outside Legal Counsel, Ruthann Ziegler
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS - None

CONSENT CALENDAR

1. Approval of Minutes: September 15, 2021
October 6, 2021

On motion by Vice Chair Martin, seconded by Commissioner Parsons the Planning Commission approved the minutes of September 15, 2021, as presented. The motion carried the following vote:

AYES: Motts, Parsons, Barrow, Gutilla, Martin and Chairperson
Schneiderman
NOES: None
ABSTAIN: Riley
ABSENT: None

On motion by Vice Chair Martin, seconded by Commissioner Parsons the Planning Commission approved the minutes of October 6, 2021, as presented. The motion carried the following vote:

AYES: Parsons, Barrow, Riley, Gutilla, Martin and Chairperson
Schneiderman
NOES: None
ABSTAIN: Motts
ABSENT: None

NEW PUBLIC HEARING

2. **Delta Labs, Inc. (UP-21-06)** – The Applicant, Delta Labs, requests approval of a Use Permit to operate a cannabis operation facility within an existing multi-tenant building with non-volatile manufacturing. The proposed project would be developed in a 1,263 square foot suite. The subject property is located at 2101 W 10th Street Unit A (APN 074-051-005). This project has been determined to be Categorically Exempt from the provisions of CEQA, pursuant to Section 15301 – Class 1 (Existing Facilities), because the cannabis business will occupy space within an existing commercial building and involves negligible expansion of the use.

Associate Planner Cortez presented the staff report dated November 3, 2021, recommending the Planning Commission adopt the resolution recommending that the City Council approve a Use Permit (UP-21-06) for a cannabis operations facility (non-volatile manufacturing), subject to conditions of approval.

Rick Hoke introduced Richard Hoke and John Miller, Delta Labs, Inc. who gave a PowerPoint presentation that included the proposed floor plan, extraction process and examples of products.

In response to Commissioner Riley, Mr. Hoke explained that water and ice were the solvents, and water was recycled afterward.

In response to Commissioner Parsons, Mr. Hoke clarified that it the processing and storage area was 1890 square feet.

In response to Vice Chair Martin, Mr. Hoke stated they expected cultivation to come online in February 2022. He explained the product would be moved through third party licensed distribution and was required to go through testing.

In response to various inquiries from Commissioner Gutilla, Mr. Hoke explained that the original plan was scaled incorrectly, and the floor plan was 36 ft long. Associate Planner Cortez clarified that project condition #19 related to signage requirements was applied to all cannabis projects in Antioch. Director of Community Development Ebbs added that project specific condition #19 was consistent with the City Council adopted cannabis guidelines. Mr. Hoke reported that they had applied for a distribution license.

Chairperson Schneiderman opened the public hearing.

In response to Chairperson Schneiderman, Lieutenant Bittner stated he had reviewed the site and security plan for the project and associated building and their security plan was sufficient for the use permit.

Chairperson Schneiderman closed the public hearing.

On motion by Commissioner Parsons, seconded by Commissioner Gutilla the Planning Commission adopted the resolution recommending that the City Council APPROVE a Use Permit (UP-21-06) for a cannabis operations facility (non-volatile manufacturing), subject to conditions of approval. The motion carried the following vote:

AYES:	<i>Motts, Parsons, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

Chairperson Schneiderman congratulated Mr. Hoke and wished him luck with his expansion.

NEW ITEM

- 3. Planning Commission Information** – This is a presentation of helpful information regarding qualifications and responsibilities of Planning Commissioners in the City of Antioch. No action is necessary.

Director of Community Development Ebbs presented the staff report dated November 3, 2021, recommending the Planning Commission receive the report.

During discussion Director of Community Development Ebbs clarified the following:

- Recruitments for vacancies were announced, applications were given to the Mayor and interviews were scheduled
- Director of Community Development Ebbs participated as technical advisor and drafted the staff report once the selection was made
- Mayor nominated and made a recommendation to the City Council who approved the nomination
- The City Clerk could provide terms of the Commissioners
- The City Clerk coordinated all FPPC form 700s which were due when assuming a position, annually and when leaving office
- There was no mandatory training for Commissioners
- The Planning Commissioner Academy would be held on March 16-18, 2022, in San Ramon (information to be forwarded to the Commission)
- Each Commission term represented 4-years
- Commissioners with expired terms may stay in the position until reappointed or replaced
- Partial terms do not count toward the two full term limit
- Conference fees and lodging were arranged through the Planning Department
- Meals, mileage, parking etc. were subject to the City's training policy and reimbursed according to federal schedule upon submission of receipts
- The Planning Commissioner Academy rotates between San Ramon and Monterey and were currently being conducted in person
- Brown Act training was not required; however, discussion had been occurring with regards to the City Attorney providing this item
- Discussions were currently underway regarding returning to in-person/hybrid meetings
- The Governors Executive Order affected the way the Brown Act was applied for COVID-19
- New legislation continued the discretion of Cities or public agencies to meet by zoom as opposed to in-person; however, if the decision was to continue a resolution needed to periodically be adopted by the City Council authorizing that action
- The date for the Planning Commission to resume in-person meetings had yet to be determined
- The changes made to the Brown Act via the Governor's executive order pertained to insuring access to public meetings

Commissioner Gutilla stated she had surgery scheduled for the end of December so she would probably be able to participate remotely during her recovery period.

Director of Community Development Ebbs stated he would bring the situation to the attention of staff to determine if there could be a policy regarding remote participation.

Chairperson Schneiderman added that they could delay in person meetings until 2022.

Commissioner Motts reported he was currently out of state working on his education so he would like to work out he details on how he could continue.

ORAL COMMUNICATIONS

Commissioner Riley questioned what community outreach had been done for the Housing Element Scoping meeting scheduled for November 17, 2021.

Director of Community Development Ebbs explained that the scoping session was a technical process to gather specific information on environmental impacts. He noted once they gathered all the information, extensive public outreach would take place.

Director of Community Development Ebbs announced a Planning Manager may be hired very soon and they would be very involved in the General Plan update.

WRITTEN COMMUNICATIONS – None

COMMITTEE REPORTS

Commissioner Motts reported on his attendance at the TRANSPLAN/TRANSPAC meeting.

ADJOURNMENT

On motion by Commissioner Motts, seconded by Commissioner Barrow the Planning Commission unanimously adjourned the meeting at 7:30 P.M. The motion carried the following vote:

AYES:	<i>Motts, Parsons, Barrow, Riley, Gutilla, Martin and Chairperson Schneiderman</i>
NOES:	<i>None</i>
ABSTAIN:	<i>None</i>
ABSENT:	<i>None</i>

Respectfully submitted:

Kitty Eiden
KITTY EIDEN, Minutes Clerk