## PLANNING COMMISSION RESOLUTION # 2023-xx

# RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING THE CITY COUNCIL ADOPT BY ORDINANCE TEXT AMENDMENTS TO TITLE 9 "PLANNING & ZONING" AND AMENDMENTS TO THE ZONING MAP TO IMPLEMENT THE 6<sup>TH</sup> CYCLE ANTIOCH HOUSING ELEMENT

**WHEREAS**, the California legislature has found that "California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives." (Gov. Code Section 65589.5.); and

WHEREAS, State Housing Element Law (Article 10.6 of Gov. Code) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Antioch's (City) regional housing need allocation (RHNA) of 3,016 housing units, comprised of 792 (26%) very-low income units, 456 (15%) low-income units, 493 (17%) moderate-income units, and 1,275 (42%) above moderate-income units;

**WHEREAS**, the analysis of available sites to accommodate the City's RHNA of 3,016 housing units necessitates rezoning of sites to allow multifamily housing at densities that accommodate the RHNA and a range of household income levels; and

**WHEREAS,** Title 9, Chapter 5 "Zoning" of the Antioch Municipal Code contains the City's zoning and land use regulations;

WHEREAS, Title 9 "Planning & Zoning" must be amended to address housing needs for special needs populations, streamline review of housing development projects, modify residential densities, and rezone certain parcels to increase residential densities, in order to implement the 6<sup>TH</sup> Cycle Antioch Housing Element ("Housing Element") and support General Plan policies;

**WHEREAS**, the zoning changes reduce minimum densities in one residential district, but rezoning parcels in other locations resulting in an anticipated net gain of potential housing units and therefore meets the "no net loss" statutory requirements under Senate Bill 330 (Government Code 66300(i)) to prevent downzoning;

**WHEREAS,** the City, as lead agency under the California Environmental Quality Act ("CEQA"), has completed the Environmental Impact Report ("EIR") for the Project, which includes Housing Element programs and policies that necessitate amendments to Planning & Zoning regulations as part of the project description;

**WHEREAS,** on January 4, 2023, the Antioch Planning Commission adopted Resolution 2023- recommending that the City Council certify the Housing Element EIR and adopt CEQA findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program;

WHEREAS, recitals and findings from the Antioch Planning Commission adopted

Resolution 2023-xx are incorporated by reference;

**WHEREAS,** the Antioch Planning Commission conducted a public hearing to consider the adoption of the Housing Element on January 4, 2023;

**WHEREAS,** on January 4, 2023, the Antioch Planning Commission adopted Resolution 2023-xx recommending that the City Council adopt the Housing Element; and

**WHEREAS**, recitals and findings from the Antioch Planning Commission adopted Resolution 2023-xx are incorporated by reference;

**WHEREAS,** on December 23,2022, a public hearing notice was published in the East County Times and posted in three public places pursuant to California Government Code Section 65090 for the Planning Commission on January 4, 2023;

**WHEREAS**, the Planning Commission held a public hearing on January 4, 2023, 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 does hereby make the following findings pursuant to Section 9-5.2802 "FINDINGS REQUIRED" of the Antioch Municipal Code for recommendation to the City Council for approval of the proposed zoning change:

1. That the proposed Zoning Code Text Amendments (Exhibit A) and Map Amendments (Exhibits B and C) will allow uses more suitable for the site than the present classification.

**Finding:** The rezonings will accommodate multifamily housing at densities that provide for a range of household income levels, in locations that enjoy access to community amenities and infrastructure, such as parks, transportation, schools, jobs, and services. Additionally, the proposed amendments to Title 9, Chapter 5 "Zoning" of the Antioch Municipal Code implement the policies in the Housing Element and comply with State Law requirements.

2. That uses permitted by the proposed zoning will not be detrimental to adjacent or surrounding properties.

**Finding:** The increased residential densities accommodate the range of housing types currently anticipated including flats and townhomes, while offering opportunities for housing at a range of household income levels. Zoning changes would not create substantial noise, air quality, or traffic impacts, as determined in the EIR prepared for the Housing Element, Environmental Hazards and Environmental Justice Elements and the associated Specific Plan and Zoning amendments and either found to be less than significant with mitigations or acceptable pursuant to a Statement of Overriding Conditions.

3. That evidence has been presented documenting land use changes in the area to warrant a change in zoning.

**Finding:** The Housing Element includes an analysis of housing needs, including for special needs populations, and ways to affirmatively further fair housing within Antioch. These needs have been addressed in the Programs adopted as part of the Housing Element and that the proposed rezoning will support implementation of these Programs and fulfill the required regional housing need allocation of 3,016 housing units, including below-market rate units affordable to a range of income levels.

4. That the requested zoning change is in conformance with the General Plan.

**Finding:** The land use designation density classifications and Housing Element policies that support housing at a range of household income levels.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission does hereby recommend to the City Council **APPROVAL** of the Zoning Code Text Amendments (Exhibit A) and Zoning Map Amendments (Exhibits B and C) and to implement the 6th Cycle Housing Element.

\* \* \* \* \* \* \* \* \* \*

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 4th day of January, 2023, by the following vote:

	FORREST EBBS Secretary to the Planning Commission
ABSTAIN:	
ABSENT:	
NOES:	
AYES:	

## EXHIBIT A ZONING CODE TEXT AMENDMENTS

#### **§ 9-5.203 DEFINITIONS.**

. . .

EMERGENCY SHELTER. A temporary, short-term residence providing housing with minimal support service for homeless families or individual persons where occupancy is limited to six months or less, as defined in Cal. Health and Safety Code § 50801. Medical assistance, counseling, and meals may be provided.

. . .

LOW BARRIER NAVIGATION CENTER. As defined by Government Code Section 65660, which may be updated from time to time: a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. See § 9-5.904 Low Barrier Navigation Center.

. . .

RESIDENTIAL CARE FACILITY. A facility licensed by the state and providing permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes group homes for minors and for persons with disabilities and people in recovery from alcohol or drug addictions.

. . .

SUPPORTIVE HOUSING. As defined in Health and Safety Code 50675.14(b) and/or Health and Safety Code § 53260(d): Dwelling dwelling units with no limit on length of stay that are occupied by the target population as defined in Cal. Health and Safety Code § 53260(d), and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community. Supportive housing as defined by Cal. Health and Safety Code § 50675.14(b) may be provided in a multiple-unit structure or group residential facility.

. . .

TRANSITIONAL HOUSING. Dwelling units with a limited length of stay that are operated under a program requiring recirculation to another program recipient at some future point in time. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as defined in Cal. Health and Safety Code § 50675.2(h). Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of residential housing types (e.g. multiple-unit dwelling, single-room occupancy, group residential, single-family dwelling). This classification includes domestic violence shelters. Transitional housing does not include community reentry center or half-way housing for federal or state inmates nearing release and does not include any facility licensed as a

community care facility by the California State Department of Social Services (SDSS) or defined as such in this chapter.
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#### § 9-5.301 DISTRICTS ESTABLISHED AND DEFINED.

. . .

- (E) *R-20 Medium Density Residential District*. These districts allow multiple-family densities up to 20 dwelling units per gross developable acre respectively. The districts are consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived such as the provision of senior housing or low to moderate income housing units as specified within this chapter and pursuant to applicable requirements of state law.
- (F) *R-25 High Density Residential District*. This district allows multiple-family development at a minimum density of 20 and a maximum density of 25 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low or moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.
- (G) R-35 High Density Residential District. This district allows multiple-family development at a minimum of 25 and maximum of 35 dwelling units per gross acre. This district is consistent with the High Density Residential General Plan Designation of up to 35 dwelling units per gross developable acre and with any Focused Planning Area designated by the General Plan. Higher densities may be allowed where measurable community benefit is to be derived, such as the provision of senior housing or low to moderate income housing units as specified in this chapter and pursuant to applicable requirements of state law. Typical development would include multiple-family dwellings on sites that create an attractive and high-quality living environment and include amenities such as usable open space.

### 9-5.3803 Table of Land Use Regulations

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES9	СВ	ТН	CIH <sup>14</sup>
							RESII	DENT	IAL U	JSES											
Day-care centers (§ 9-5.3832)	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
Day-care: small family (§ 9-5.3817)	P	P	P	P	P	P												*			Р
Senior Group Housing	U	U	U	U	U	U						U					U	*			_
Family care home	P	P	P	P								U									_
Fraternity-sororit y house/dormitory	U	U	U	U	U	U						U						*		_	_
Home occupations	A	A	A	A	A	A						A						*			P
Hospice <sup>10</sup>			U	U	U	U		U	U			U					$U^2$	*		_	

	RE RR	R-4 R-6	R-1 0	R- 2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Low Barrier Navigation Center												P					P	P		P	Р
Manufactured, modular home; mobile home (§ 9-5.3804)	P	Р	P	_	_		_	_	_		-	_	_	_	_		_	*			
Mobile home park			U	U	U	U												*			
Multiple-family: condominium, apartment, town-house (§ 9-5.3820)			P <sup>11</sup>	P <sup>1</sup>	P 11	P 11		_				P <sup>11</sup>	_		_		$U^2$	*			P <sup>15</sup> U <sup>16</sup>
Recreational vehicle park (§ 9-5.3830)		_			_	_		_	_		U		U			U	_	*	_		
Residential care facility <sup>10</sup>		_	U	U	U	U		U	U			U					U	*			
Supportive Housing			P <sup>11, 17</sup>	P <sup>11,</sup>	P <sup>11,</sup> 17	P <sup>11,</sup>						P <sup>11,</sup>					U	P <sup>, 17</sup>		P <sup>, 17</sup>	P 15, 17

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH 14
Residential hotel			U	U	U	U		U	U	U	U	U						*			
Room & boarding house			U	U	U	U		U	U	U	U	U						*	_		
Second residential unit (§ 9-5.3805)	A	A	A	A	A	A	_	_	_	_	_	_	_	_	_		_	*	_		_
Single-family dwelling	P	P	U	$\mathbf{P}^1$	$\mathbf{P}^1$	$\mathbf{P}^1$		_		_		U	U	_				*	_	_	_
Tobacco and paraphernalia retailers (§ 9-5.3843)			_	_			_	_	_	_	U	_	_	_	_		_		_	_	_
Two-family dwelling			P	P	P	P						U				_	_	*	_	_	_
Transitional Housing																_				U	
					P	UBLI	C AN	D SEN	⁄II-PU	BLIC	USES	S									
Bus & transit maintenance facility		_			_								U		U	U		*			_
Bus & train terminal					—								U		U	U		*	_		_

Clubs & Lodges																	
(private &																	
public)	 U	U	U	U	U	U	U	U	U	U	U	U	 	 U	*	 _	

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES9	СВ	ТН	CIH <sup>14</sup>
Convalescent and Extended Care			U	U	U	U						U					U				
Correctional facility <sup>12</sup>						_									U	U					
Cultural institutions							U	U		U	U	U	U		U		U	*	_		
Government offices							U	P	P	P	P	U			U	U		*			
Heliport (§ 9-5.3806)							U						U		U	U	U	*			
Emergency shelter							_							_	U	U		P			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
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—urgent							U	U				U			P	U	P	*			_
Parks	P	P	P	P	P	P	P	P		U	U	U	P	P	U	U		*			
Public assembly	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	*			_
Public utility yard													U		U	U		*		_	_
Religious assembly <sup>3</sup> (§ 9-5.3832)		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	*	_		
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U		U			U	_	U	*	_		

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*		_	
						(	COM	MERC	CIAL U	JSES											
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				*		<u> </u>	_
Appliance maintenance & repair services:																					
Major		_		_		_	_	_		P	P	P	_		P	P	_	*	_	_	_
Minor								P	P	P	P	P			P	P		*			
Amusement center (§ 9-5.3813)		_							U	U	U	U	U					*			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Animal hospital veterinary clinics		_	_	_			U		U	U	U	U	_		U	U		*		_	_
Antique store	_	_		_	_	_			_	P	P	A	U		U	_		*	_		_
Auto sales, rental	_	_		_	_	_	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		*	_		_
Bank or savings & loan			_	_			P	P	P	P	P	P		_			_	*		_	
Bar (§ 9-5.3831)										U	U	U	U					*			
Barber & beauty shop			_		_		_	_	P	P	P	Р		_	_		_	*		—	_

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Bed and breakfast inns (§ 9-5.3819)	U	U	_	_	_			_	_		_	U	U	_	_		_	*		_	_
Boat repair																					
Major							U				U	U	U		U	P		*			
Minor	_	_			_	_	U	_	U	U	U	U	U	_	P	P	_	*	_	_	_
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			_	_	_		*			_
Catering services									_	P	P	P	A		U			*			
Clothing store										P	P	P	A					*		_	

	RE RR	R-4 R-6	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH 14
Combined residential/comm ercial structure											U	U					*		_	_
Computer gaming and internet access business										U									_	
Confectionery stores			 					P	P	P	P	A					*			_
Dance hall		_	 	_					U	U	U			U			*		_	

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH 14
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						*			_
Florist shop	_	_					P	_	P	P	P	P			_	_	P	*	_		
Food stores (§ 9-5.3831):																					
Convenience store									U	U	U	U	U			_	U	*			
Supermarket								_	U	P	P	U			_	_		*	_		_
Fortune-teller's										U	U	U						*			
Funeral parlor & mortuary									U	U	U	U				_		*		_	_
Furniture stores										P	P	U						*			_
Gift shop	_	_		_	_	_	_	_	_	P	P	P	P		_	_		*	_		_
Gun sales (§ 9-5.3833)			_	_			_	_		U	U	U	U					*		_	_
Hardware store					_				U	P	P	U	U			_		*	_		_
Health club/fitness center							U		U	P	P	U			U		U	*			_

	RE RR		R-1 0	R-2 0			PB C	C-0	C-1	C-2	C-3	MC R		os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Hotel & motels	_						$U^5$	U	_	P	P	P	U	_	U5	_	U	*	_		
Jewelry store	_	_	_	_	_	_		_	_	P	P	P	U	_	_	_	_	*	_		_
Kennels	_	_		_	_	_		_	_	U	U	_		_	U	U	_	*	_		_
Laboratories; medical, dental, optical	_				_		P	P	U	U	U	U	_	_	U		P	*		_	_

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Launderette		—			—				P	P	P	P				—		*			
Liquor stores (§ 9-5.3831)									U	U	U	U						*			
Live entertainment									_	U	U	U	U			_		*			
Marina					_								U			_		*			
Miniature golf courses								_	_	U	$U^6$	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	*		_	_
Medical (includes clinics)							P	P	U	P	P	P	U		_	_	P	*			_
Paint store		_								P	P	U			U			*			
Parking lot (commercial) (§ 9-5.3837)		_		_	_	_	A	A	A	A	A	A	A	A	P	P	A	*			_

	RE RR	R-4 R-6		R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH 14
Pawn shops										U	U	U						*			
Pet shop	_	_	_	_	_	_	_	_	P	P	P	P	U	_	_	_	_	*	_		
Pharmacy							U	P	P	P	P	P	A		P	P	P	*			
Photographer						_		P	P	P	P	P	A	_	U			*			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Printing & blue printing			_					P	P	U	U	U			P	P		*			_
Radio & TV sales & repair									U	P	P	P				_		*		_	
Recycling facilities:																					
Reverse vending machines (§ 9-5.3811)									P	P	P	P			P	Р		*		_	
Small collection facility (§ 9-5.3812)									A	A	A	A	_	_	A	A	_	*	_		_
Large collection facility (§ 9-5.3813)									A	A	A	A			A	A		*			
Light processing facility	_		_	_	_	_		_	_	_	_	_	_	_	U	U	_	*	_		_
Heavy processing facility (§ 9-5.3815)		_		_		_				_	_	_	_		U	U		*	_	_	_
Repair service											U	U	$U^7$		P	P		*			

	RE RR		R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Restaurants (§§ 9-5.3823 and 9-5.3831):																				
General		 				P	P	P	P	P	P	P		U <sup>5</sup>			*			
Fast food		 				U			U	U	U	U		U <sup>5</sup>	_		*		_	
Outdoor seating & food service		 				U	U	U	U	U	U	U		U <sup>5</sup>	U		*			_
Take out/delivery		 _	_			P	U	P	P	P	P	U		U <sup>5</sup>	_		*			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	TH	CIH 14
With bar & live entertainment										U	U	U	U					*		_	_
Retail; general and specialty									P	P	P	P	A					*		_	
Secondhand sales											U	U						*		_	
Shoe repair shop	_	_	_		_	_	_	_	P	P	P	P	_	_	_			*		_	
Sign shop	_	_	_		_	_	_	_	_	U	U	_	_	_	U		_	*	_	_	
Studios (e.g., dance, martial arts)			_	_		_	_	_	_	P	P	P	_	_	_	_	_	*		_	_
Tailor shop		_	_		_	_	_	_	_	P	P	P	_	_		_		*	_	_	
Tattoo studio		_	_			_				U	U	U	_	_			_	*			
Theaters	_	_	_		_	_	_	_	_	U	U	U	U	_	_	_	_	*	_	_	
Upholstery shop	_	_	_		_	_	_	_	_	U	U	U	_	_	U	P		*		_	
Wireless Communications Facilities (§ 9-5.3846)								As	subjec	et to §	9-5.3	846									
Variety store										P	P	P	P					*			

	RE RR	R-4 R-6	R-2 0	R-2 5		PB C	C-0	C-1	C-2	C-3	MC R		os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Vehicle/boat/ equipment sales & rental (§ 9-5.3825)			_			$U^8$		_	U	U	U	U		U	U	_	*		_	_
						INDU	JSTR	IAL U	SES											
Animal rendering	_	_	 	_	_	_	_	_	_	_	_	_	_	_	U	_	*	_		_
Bakery- commercial			 											P	P		*		_	_

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
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		*			_
Food processing plant											—				U	Р		*			
Fuel yard; bulk petroleum storage			_					_					_		_	U		*		_	_

	RE RR	R-4 R-6	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Garment manufacture													U	U		*			
Hazardous waste facilities (§ 9-5.3826):														U		*			
Small generator (§ 9-5.3826)			 				_	U	U	U	U	 _	U	U		*			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES9	СВ	ТН	CIH <sup>14</sup>
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		*			

	RE RR	R-4 R-6	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	ТН	CIH <sup>14</sup>
Oil & gas production	_														U		*			_
Photographic plants	_		_	_		_	_						_	U	U	_	*			_
Plastic fabrication	_		_	_		_							_	U	U	_	*		_	_
Research & development	_		_			U					U		_	U	U		*			

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES9	СВ	ТН	CIH <sup>14</sup>
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	Р		*		—	
Truck terminal yard	_		_	_	_		_	_		_				_	U	U		*		_	_
Truck & tractor repair															U	Р		*			
Warehousing & wholesaling			_				U							_	U	Р	_	*		_	
							TEM	PORA	RY U	SES											

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	os	M-1	M-2	Н	ES <sup>9</sup>	СВ	TH	CIH <sup>14</sup>
Removal of earth (§ 9-5.3822)	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	*			_
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	*			_
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	*			_
Christmas tree and pumpkin sale lots (§ 9-5.3829)		_			_		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, R-25, and R-35 zones.
- 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-O, 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 landuse, the regulations of the base zone apply. Emergency shelters are permitted by right in the Emergency Shelter Overlay District ifthey 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 whereresidential uses are allowed.
- 11. Permitted by right subject to compliance with all other applicable standards and design review pursuant to Article 26 and 27.
- 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 PlanningCommission. See § 9-5.3845.
- (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; Am. Ord. 2143-C-S, passed 6-26-18; Am. Ord. 2158-C-S, passed 12-11-18; Am. Ord. 2169-C-S, passed 6-25-19)
- 14. In the Commercial Infill Housing Overlay District, allowable commercial uses and standards remain as determined by the underlying zoning.
- 15. Up to 35 units/acre and building height of four stories or 45 feet permitted by right subject to compliance with all other applicable standards.
- 16. 35 to 50 units/acre and building height above 45 feet permitted with approval of a use permit.
- 17. Supportive housing developments must meet the requirements of Government Code Section 65651.0(a) to be permitted by right and reviewed consistent with Government Code Section 65653(a) and (b). Developments which do not meet such requirements shall require approval of a use permit.

\*

 Table 9-5.601 Height, Area & Setback Regulations for Primary Structure

	HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE													
	Maxi	Minimu	Minimu Width i		Maxim u m Lot	Minimum Density Allowed	Maximum Density Allowed	Fron	Minimum Side Yard Required in Feet <sup>e</sup>		Minimu m Rear			
Zone m um Height Feet <sup>b</sup>		m Building Site Sq. Ft.	i Corner i interior i		Covera g e	(Units per Gross Developable Acre)	Units Per Gross Developable Acre <sup>d</sup>	t Yard Minimum	Corner	Interior	Yard Required in Feet			
RE TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS														
RR	RR TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS													
CIH	IN COMPLIANCE WITH THE COMMERCIAL INFILL HOUSING OVERLAY DISTRICT OBJECTIVE DESIGN STANDARDS DOCUMENT.													
R-4	35	6,000	65	60	40%	NA	4 du/acre	f	f	5 ft.	20 ft.			
R-6	35	6,000	65	60	40%	NA	6 du/acre	f	f	5 ft.	20 ft.			
R-10	45	6,000	65	60	40%	NA	10 du/acre	f	f	5 ft.	10 ft.			
R-20	45	20,000	70	70	40%	NA	20 du/acre	f	f	5 ft.	10 ft.			
R-25	45	20,000	70	70	50%	20 du/acre	25 du/acre	f	f	5 ft.	10 ft. <sup>m</sup>			
R-35	45	20,000	70	70	50%	25 du/acre	35 du/acre	f	f	5 ft.	10 ft. <sup>m</sup>			
PBC	35	20,000	65	60	35%	NA	0	f	f	0 ft.	0 ft.			
C-0	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.			
C-1	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.			

		HEIGHT	, AREA	& SET	BACK RI	EGULATIONS	FOR PRIMA	RY STRUC	CTURE		
Zone	Maxim um	Minimum Building	Minimu Width i		Maximu m Lot	Minimum Density Allowed	Maximum Density Allowed	Front	Minimu Yard R in Feet <sup>e</sup>	Minimu m Rear	
	Height Feet <sup>b</sup>	Site Sq. Ft.	Corner	Interior	Coverag e	(Units per Gross Developable Acre)	Units Per Gross Developable Acre <sup>d</sup>	Yard Minimum	Corner	Interior	Yard Required in Feet
C-2	35	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
C-3	70	20,000	65	60	35%	NA	0	f	f	0 ft.	10 ft.
MCR <sup>j</sup>	45	6,500	65	60	50%	NA	20 du/acre	f	f	5 ft.	10 ft.
RTC <sup>j</sup>	50	2,500	25 <sup>g</sup>	25 <sup>g</sup>	100%	NA	20 <sup>h</sup>	Oi	$O_{i}$	0 ft.	0 ft.
RTR- 10	45	3,500	45	45	50%	NA	12	15	10	5 ft.	15 ft.
RTR- 20	45	20,000	100	100	50%	NA	20	15	10	5 ft.	10 ft.
WF	45	6,500	60	60	60%	NA	0	0	0	0 ft.	0 ft.
M-1	45	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
M-2	70	40,000	100	100	50%	NA	0	f	f	0 ft.	0 ft.
HPD		ТОЕ	BE DETI	ERMINE	D BY CIT	TY COUNCIL T	HROUGH PLA	NNED DE	VELOPI	MENT PI	ROCESS
PD		TO E	BE DETI	ERMINE	D BY CIT	TY COUNCIL T	HROUGH PLA	NNED DE	VELOPI	MENT PI	ROCESS
RRMP		ТОЕ				TY COUNCIL T STENT WITH					
TOD	-	ГО BE DET	ERMIN	ED BY	CITY COU	JNCIL THROU	GH PLANNED	DEVELO	PMENT	PROCES	S
Н	70	SA	ME AS	C-0 ZON	$E^k$						

	HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE													
Zone	Maxim	Minimum Building	Minimum Lot Width in Feet		Maximu m Lot	Allowed	Maximum Density Allowed	Front	_		Minimu m Rear			
	um Height Feet <sup>b</sup>	Site Sq. Ft.	Corner	Interior	Coverag e	(Units per Gross Developable Acre)	Units Per Gross Developable Acre <sup>d</sup>	Yard Minimum	Corner	Interior Yard Required in Feet				
OS	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA			
S	7	TO BE DETERMINED BY CITY COUNCIL THROUGH PLANNED DEVELOPMENT PROCESS												
SH		SAME AS UNDERLYING BASE ZONE												
T					SAME A	AS UNDERLYII	NG BASE ZON	E						

#### HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE Where 40% or more of the frontage (excluding reversed frontage lots) in a block has been improved with buildings, the minimum required front yard for main buildings shall be the average of the improved lots if less than the front yard requirements, but not less than six feet from the property line. Height shall mean the vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the structure, excluding below ground basements, to the topmost point of the roof. Exceptions to the specified height limitation shall include the spires, belfries, cupolas and domes of churches, monuments, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, flag poles, radio towers, excluding wireless communications facilities subject to § 9-5.3846, equipment penthouses encompassing less than 20% of total roof area and less than eight feet in height, and parapets less than 30 inches in height, unless otherwise governed by this chapter. Minimum lot area in all zones shall not apply to the condominium parcelization of a larger project where land is being divided for individual building envelopes. Maximum density allowed is defined in the city General Plan as per the maximum developable gross acreage definition found in this chapter. For at least 25% of the lots in a given subdivision, one side yard of an interior lot shall be 10 feet in width and the other side yard can be five feet. The 10- foot side yard area shall remain as unrestricted open area. This shall also apply to all two-story single-family residential lots. On any parcel of land of an average width of less than 50 feet, which parcel was under one ownership or is shown as a lot on any subdivision map filed in the office of the County Recorder prior to April 11, 1950, when the owner thereof owns no adjoining land, the width of each side yard may be reduced to 10% of the width of such parcel, but in no case to less than three feet. Front yard and street side setbacks shall be reserved for landscaping only, excluding access and egress driveways and shall be determined on a graduated scale based upon type of street and land use as follows: Non-residential uses. (1) Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages. Collector street: minimum 25-foot setback with 25-foot landscaping. Local street: minimum 20-foot setback with 20-foot landscaping. Single-family detached and two-family dwelling uses. (2) Arterial street: minimum 30-foot setback with 30-foot landscaping on all frontages. Collector street: minimum 25-foot setback and landscaping for front yard and 10-foot street side yard setback with landscaping Local street: minimum 20-foot front yard setback with 20 foot of landscaping and 10-foot street side yard setback with landscaping. Multi-family dwelling uses. (3) Arterial street: minimum 15-foot setback with 15-foot landscaping on all frontages. Collector street: minimum 15-foot setback with 15-foot landscaping. Local street: minimum 10-foot setback with 10-foot landscaping.

New construction with frontage in excess of the minimum lot width shall reflect the pattern of building widths in facade design.

		HEIGHT, AREA & SETBACK REGULATIONS FOR PRIMARY STRUCTURE			
h	Within the area bounded by the Burlington Northern Santa Fe Railroad, "I" Street, Second Street, and "E" Street, residential density may be increased to 45 dwelling units per acre provided:				
	(1)	The residential use is part of a mixed use development with the entire first floor devoted to commercial use;			
	(2)	The proposed development provides public amenities as described in § 4 (relating to residential use in RTC); and			
	(3)	The project has received use permit approval from the Planning Commission.			
i	Buildings in the	RTC district shall be placed on the property line except for:			
	(1)	Setbacks to accommodate outdoor dining and plazas, provided that such setbacks do not exceed a depth of one-third of the lot depth;			
	(2)	Courtyards, promenades, and plazas located on any portion of the site; and			
	(3)	Where a setback is necessary to maintain the uniform setback of building facades.			
j	The first floor o	f a building shall extend from property line to property line except:			
	(1)	In setback areas for outdoor dining, plazas; and			
	(2)	For required vehicular or pedestrian access.			
k		g any other provisions of this chapter for yard requirements, in any residential district the front of any garage shall be not less than 20 feet from perty line on which such garage faces.			
1		consist of attached single-family dwellings (townhomes), in which each dwelling occupies its own lots, the minimum lot area is 1,800 square imum required interior side setback is zero.			
m	Where a multi-fa	amily dwelling abuts a lot that is zoned RR, RE, R4 or R6, a minimum rear yard of 20 feet shall be provided.			

### ARTICLE 7: MULTI-FAMILY RESIDENTIAL OBJECTIVE DESIGN STANDARDS § 9-5.701 PURPOSE AND APPLICABILITY.

Multi-family Objective Design Standards apply to residential mixed use and multiple-family dwellings in any district in which they are permitted or conditionally permitted, except for projects in the CIH Overlay which are subject to § 9-5.3848 Commercial Infill Housing Overlay District regulations. Multi-family Objective Design Standards shall be adopted by resolution and may be amended from time to time. The purpose of these regulations is to promote high-quality design and provide a pleasant residential environment within the context of higher-density development; ensure the provision of amenities for residents of multi-family developments; foster pedestrian access; and create visually attractive street frontages that offer architectural and landscape interest.

#### **§ 9-5.702 PROCEDURES.**

The Planning Commission may allow modifications to the dimensional requirements, design standards, and other requirements of the Multi-family Objective Design Standards when so doing is consistent with the purposes of the General Plan and the district and would, because of practical difficulties, topography, and similar physical conditions, result in better design, environmental protection, and land use planning. The Zoning Administrator may review and approve modifications that are requested because a lot is substandard. All other modifications shall require Planning Commission approval. All modifications under this section shall be processed as use permits pursuant to the procedures of Article 27 of this Code.

- (A) Required findings for approval. In addition to any findings required by § 9-5.2703 of this Code, the Administrator or the Planning Commission may only approve a modification to the requirements of this article based on the following findings:
  - (1) The project is consistent with the General Plan and any applicable area or specific plan.
- (2) The modification meets the intent and purpose of the applicable zone district and is in substantial compliance with the district regulations.
- (3) The modification is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including, but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance including the architectural or historical significance of the structure, and building or site features that will demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions.
- (4) There are no alternatives to the requested modification that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.

- (5) The granting of the requested modification will not be detrimental to the health or safety of the public or the occupants of the property or result in a change in land use or density that would be inconsistent with the requirements of this chapter.
- (6) If the modification is requested because it will result in superior or more sustainable design, the review authority must also make the following findings:
- (a) The proposed design is of superior quality or is intended to incorporate features that would demonstrably reduce use of nonrenewable energy resources or greenhouse gas emissions;
- (b) The structure is an existing residential building and the alteration or addition is intended to increase the habitability and function of the structure, is compatible with the existing neighborhood character, will not substantially interfere with the privacy, sunlight, or air available to neighboring residential uses; and
- (c) The proposed design has been reviewed and approved pursuant to Article 26: Design Review Duties and Responsibilities, of this chapter.
- (B) Conditions of approval. In approving a modification, the Planning Commission may impose reasonable conditions deemed necessary to:
- (1) Ensure that the proposal conforms in all significant respects with the General Plan and with any other applicable plans or policies adopted by the City Council;
- (2) Achieve the general purposes of this chapter or the specific purposes of the zoning district in which the project is located;
  - (3) Achieve the findings for a modification granted; or
- (4) Mitigate any potentially significant impacts identified as a result of review conducted in compliance with the California Environmental Quality Act.
  - (C) Appeals, expiration, extensions, and modifications.
- (1) Appeals. The applicant or any other aggrieved party may appeal a decision on a modification in the same manner as a use permit as provided for in Article 27, Design Review, Use Permits, Administrative Use Permits and Variances.
- (2) Expiration, extensions, and modifications. Modifications granted under this chapter are effective and may only be extended or modified as provided for in Article 27.
- (D) Applicability. These procedures are not applicable to a project that is entitled to a density bonus concession or waiver pursuant to Article 34, Senior Housing Overlay District, or Article 35, Density Bonus Program, of this Code and may not be used to approve an increase in maximum density or reduction in required parking or to approve a use that is not permitted on the site proposed for development.

\*

#### **ARTICLE 9: SPECIAL USE REGULATIONS**

#### § 9-5.904 LOW BARRIER NAVIGATION CENTER

- (A) Purpose. The purpose of this subsection is to allow operation of low barrier navigation centers to help people in need of housing that are temporarily homeless and to implement the provisions of Government Code Section 65660 et seq. relating to low barrier navigation centers.
- (B) Definitions. For purposes of this subsection, the following definitions shall apply, as defined by Government Code Section 65660, which may be updated from time to time:
- (1) "Low Barrier Navigation Center" means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.
- (2) "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:
- (a) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
  - (b) Pets.
  - (c) The storage of possessions.
- (d) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- (3) "Coordinated entry system" means a centralized or coordinated assessment system developed pursuant to the applicable provisions of the Code of Federal Regulations as specified in Government Code Section 65662, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
- (C) Allowed Zones. Low barrier navigation center uses shall be allowed by right in non-residential and mixed-use zoning districts that allow multiple-family dwellings, as shown in Table 9-5.3803 Table of Land Use Regulations, requirements of subsection § 9-5.904 (D), below.
  - (D) Requirements. A low barrier navigation center shall meet the following requirements:
- (1) It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- (2) It is linked to a coordinated entry system, so that staff in the interim facility or staff who collocate in the facility may conduct assessments and provide services to connect people to permanent housing.
- (3) It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
- (4) It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.
  - (E) Application Procedure and Review.

- (1) The City shall notify an applicant whether their application for a Low Barrier Navigation Center development, is complete, pursuant to Government Code Section 65943, within 30 days of receipt of an application.
  - (2) The City shall act within 60 days of receipt of a completed application.
- (F) Effective Date. This chapter shall remain in effect until January 1, 2027, and as of that date, is repealed, unless extended by the California Legislature.

\*

### ARTICLE 26: DESIGN REVIEW DUTIES AND RESPONSIBILITIES § 9-5.2607 SITE PLAN AND DESIGN REVIEW REQUIRED.

- (A) Site plan and design review shall be required for the following:
  - (1) Any new building or construction proposed in any zoning district, except for:
    - a. single-family homes in the RE, RR, RTR, R-4, and R-6 Districts
    - b. multiple-family dwellings or residential mixed-use projects within a Commercial Infill Housing Overlay that comply with the Commercial Infill Housing Objective Design Standards;
  - (2) An existing building for which exterior remodeling is proposed in any zoning district, except for:
    - a. single-family homes in the RB, RR, RTR, R-4, and R-6 Districts
    - b. multiple-family dwellings or residential mixed-use projects within a Commercial Infill Housing Overlay that comply with the Commercial Infill Housing Objective Design Standards
  - (3) New signs as required per Article 5, Chapter 5, Title 9 in this Municipal Code.
- (B) In addition, the Council may refer any matter concerning aesthetic site planning or design consideration to the Commission for review and recommendation.
- (C) A building permit shall not be issued until design approval has been obtained for those structures for which approval is required as provided in this article.
- (D) An application for multiple-family dwellings or residential mixed-use projects shall be reviewed by the Planning Commission for consistency with the Multi-family Objective Design Standards.

#### § 9-5.2608 MINOR DESIGN REVIEW.

- (A) Minor design review applications may be approved administratively by the Zoning Administrator with appeal to the Planning Commission. As determined by the Community Development Director, minor design review applications may include:
  - (1) Signage.

- (2) Projects that comply with the City Wide Design Guidelines, have been peer reviewed as required by this article, and do not require other entitlements or involve the preparation of an initial study under the California Environmental Quality Act.
  - (3) Landscape and ancillary features such as fountains, walls, etc.
- (B) However, the Community Development Director may determine that the totality of circumstances require a design review application to be considered by the Planning Commission.

#### § 9-5.2609 DESIGN GUIDELINES.

- (A) The Planning Commission shall have the authority to develop and recommend for Council approval design guidelines to establish criteria for the review of those matters required to come before the Commission. The guidelines may include criteria for site planning, landscape treatment, building design, and signs.
- (B) The Citywide Design Guidelines, prepared by Downtown Solutions and dated October 2009, are herein incorporated by reference. The Zoning Administrator, the Planning Commission and the City Council shall adhere to the adopted guidelines, as amended, in site plan and design review as required in § 9-5.2607, except for multiple-family dwellings or residential mixed-use project, which shall comply with Multi-family Residential Objective Design Standards. Where Design Guidelines apply, an application shall not be approved unless it complies with the adopted guidelines, or unless findings can be made pursuant to division (C) of this section. Findings are not required to be made for applicable development applications deemed complete prior to the adoption of this section. In circumstances where conflicts arise between the design guidelines and specific requirements of the zoning ordinance, then the design guidelines shall supersede the zoning ordinance requirements.
- (C) In order to grant a waiver from adopted design guidelines, the Zoning Administrator, Planning Commission or the City Council shall find at least one of the following:
- (1) That because of special circumstances applicable to the subject property, including, but not limited to, size, shape, topography, location or surroundings, the strict application of the design guidelines is not feasible; or
- (2) That the overall project has a quality design, the majority of the project is consistent with the design guidelines and minor discrepancies with the design guidelines will not create a development that is undesirable or unsightly; or
- (3) That the project features a unique theme or style that is not addressed in the design guidelines, but the overall project is of such extraordinary design quality that the project will not create a development that is undesirable or unsightly.

# EXHIBIT B TABLE OF ZONING MAP AMENDMENTS

Site No.	APN	Address	Existing Zoning	Proposed Rezoning
1	051-061-001	1650 VIERA AVE Antioch CA	S	R-20
2	051-061-002	1700 VIERA AVE Antioch CA	S	R-20
3	051-061-003	1730 VIERA AVE Antioch CA	S	R-20
4	051-062-004	1839 STEWART LN	S	R-20
5	051-062-005	1829 STEWART LN Antioch CA	S	R-20
6	051-062-006	1705 VIERA AVE Antioch CA	S	R-20
7	051-062-010	1853 STEWART LN Antioch CA	S	R-20
8	051-071-001	1524 VIERA AVE Antioch CA	S	R-20
9	051-071-002	1550 VIERA AVE Antioch CA	S	R-20
10	051-071-003	1560 VIERA AVE Antioch CA	S	R-20
11	051-071-004	1574 VIERA AVE Antioch CA	S	R-20
12	051-071-005	1600 VIERA AVE Antioch CA	S	R-20
13	051-071-006	1606 VIERA AVE Antioch CA	S	R-20
14	051-071-008	1588 VIERA AVE Antioch CA	S	R-20

15	051-071-011	1636 VIERA AVE Antioch CA	S	R-20
16	051-071-012	1628 VIERA AVE Antioch CA	S	R-20
17	051-072-005	1537 VIERA AVE Antioch CA	S	R-20
18	051-072-006	1540 WALNUT AVE Antioch CA	S	R-20
19	051-072-007	1554 WALNUT AVE Antioch CA	S	R-20
20	051-072-013	1549 VIERA AVE Antioch CA	S	R-20
21	051-072-014	1565 VIERA AVE Antioch CA	S	R-20
22	051-072-015	1863 BOWN LN Antioch CA	S	R-20
23	051-072-016	1877 BOWN LN Antioch CA	S	R-20
24	051-072-017	1568 WALNUT AVE Antioch CA	S	R-20
25	051-072-018	1580 WALNUT AVE Antioch CA	S	R-20
26	051-073-001	1605 VIERA AVE Antioch CA	S	R-20
27	051-073-002	1601 VIERA AVE Antioch CA	S	R-20
28	051-073-003	1837 VINE LN Antioch CA	S	R-20
29	051-073-004	1845 VINE LN Antioch CA	S	R-20

30	051-073-005	1859 VINE LN Antioch CA	S	R-20
31	051-073-006	1867 VINE LN Antioch CA	S	R-20
32	051-073-007	1881 VINE LN Antioch CA	S	R-20
33	051-073-008	1897 VINE LN Antioch CA	S	R-20
34	051-073-009	1905 VINE LN Antioch CA	S	R-20
35	051-073-011	1965 VINE LN Antioch CA	S	R-20
36	051-073-012	1585 WALNUT AVE Antioch CA	S	R-20
37	051-073-014	1537 WALNUT AVE Antioch CA	S	R-20
38	051-073-015	1523 WALNUT AVE Antioch CA	S	R-20
39	051-073-016	1551 WALNUT AVE Antioch CA	S	R-20
40	051-073-017	1927 VINE LN Antioch CA	S	R-20
41	051-073-018	1945 VINE LN Antioch CA	S	R-20
42	051-073-019	1567 WALNUT AVE Antioch CA	S	R-20
43	051-073-020	1559 WALNUT AVE Antioch CA	S	R-20
44	051-074-001	1966 VINE LN Antioch CA	S	R-20

45	051-074-002	1954 VINE LN Antioch CA	S	R-20
46	051-074-003	1936 VINE LN Antioch CA	S	R-20
47	051-074-005	1898 VINE LN Antioch CA	S	R-20
48	051-074-006	VINE LN & VIERA AVE, Antioch CA	S	R-20
49	051-074-007	1870 VINE LN Antioch CA	S	R-20
50	051-074-008	1854 VINE LN Antioch CA	S	R-20
51	051-074-009	1836 VINE LN Antioch CA	S	R-20
52	051-074-010	1633 VIERA AVE Antioch CA	S	R-20
53	051-074-011	1908 VINE LN Antioch CA	S	R-20
54	051-074-012	1920 VINE LN Antioch CA	S	R-20
55	051-081-001	1400 VIERA AVE Antioch CA	S	R-20
56	051-081-002	1410 VIERA AVE Antioch CA	S	R-20
57	051-081-003	1428 VIERA AVE Antioch CA	S	R-20
58	051-081-004	1452 VIERA AVE Antioch CA	S	R-20
59	051-081-006	1470 VIERA AVE Antioch CA	S	R-20

60	051-081-007	1490 VIERA AVE Antioch CA	S	R-20
- 00	031 001 007	1430 VIEWWAYE AMERICAN	3	11 20
61	051-081-008	1500 VIERA AVE Antioch CA	S	R-20
62	051-082-002	1497 WALNUT AVE Antioch CA	S	R-20
63	051-082-003	1473 WALNUT AVE Antioch CA	S	R-20
64	051-082-004	1957 SANTA FE AVE Antioch CA	S	R-20
65	051-082-005	1915 SANTA FE AVE Antioch CA	S	R-20
66	051-082-006	1887 SANTA FE AVE Antioch CA	S	R-20
67	051-082-007	1859 SANTA FE AVE Antioch CA	S	R-20
68	051-082-008	1831 SANTA FE AVE Antioch CA	S	R-20
69	051-082-009	1429 VIERA AVE Antioch CA	S	R-20
70	051-082-010	WALNUT AV & SANTA FE AV, Antioch CA	S	R-20
71	051-082-011	1939 SANTA FE AVE Antioch CA	S	R-20
72	051-082-012	SANTA FE AV & VIERA AVE, Antioch CA	S	R-20
73	051-082-013	1503 WALNUT AVE Antioch CA	S	R-20
74	051-082-014	1515 WALNUT AVE Antioch CA	S	R-20

75	051-083-001	1528 WALNUT AVE Antioch CA	S	R-20
76	051-083-002	1506 WALNUT AVE Antioch CA	S	R-20
77	051-083-004	1866 SANTA FE AVE Antioch CA	S	R-20
78	051-083-005	1834 SANTA FE AVE Antioch CA	S	R-20
79	051-083-006	1471 VIERA AVE Antioch CA	S	R-20
80	051-083-009	1509 VIERA AVE Antioch CA	S	R-20
81	051-083-010	1487 VIERA AVE Antioch CA	S	R-20
82	051-083-012	1495 VIERA AVE Antioch CA	S	R-20
83	051-100-022	2101 E 18TH ST Antioch CA	S	R-20
84	051-120-020	1650 TREMBATH LN Antioch CA	S	R-20
85	051-120-021	1710 TREMBATH LN Antioch CA	S	R-20
86	051-120-024	1450 TREMBATH LN Antioch, CA	S	R-20
87	051-120-025	1550 TREMBATH LN Antioch CA	S	R-20
88	051-130-001	1305 ST CLAIRE DR Antioch CA	S	R-20
89	051-130-002	1277 SAINT CLAIRE DR Antioch CA	S	R-20

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90	051-140-001	1705 TREMBATH LN Antioch CA	S	R-20
91	051-140-003	1625 TREMBATH LN Antioch CA	S	R-20
92	051-140-006	1501 TREMBATH LN Antioch CA	S	R-20
93	051-140-007	1425 TREMBATH LN Antioch CA	S	R-20
94	051-140-012	1613 ST CLAIRE DR Antioch CA	S	R-20
95	051-140-013	1525 ST CLAIRE DR Antioch CA	S	R-20
96	051-140-014	1423 ST CLAIRE DR Antioch CA	S	R-20
97	051-140-015	1420 ST CLAIRE DR Antioch CA	S	R-20
98	051-140-019	88 MIKE YORBA WAY Antioch CA	S	R-20
99	051-140-020	1675 TREMBATH LN Antioch CA	S	R-20
100	051-140-025	1620 ST CLAIRE DR Antioch CA	S	R-20
101	051-140-026	1520 ST CLAIRE DR Antioch CA	S	R-20
102	051-140-027	1651 ST CLAIRE DR Antioch CA	S	R-20
103	051-140-028	1715 ST CLAIRE DR Antioch CA	S	R-20
104	051-140-035	1575 TREMBATH LN Antioch CA	S	R-20

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105	051-200-076	HOLUB LN & E 18TH ST, Antioch CA	P-D	R-35
109	051-230-028	3200 E 18TH ST, Antioch CA	P-D	R-35
110	051-400-027	WILSON ST AND E 18TH ST	P-D	R-20
111	052-042-044	3901 HILLCREST AVE Antioch CA	P-D	R-35
112	052-342-010	WILDFLOWER DR & HILLCREST AV, Antioch CA	R-6	R-35
116	055-071-106	LONE TREE WAY & COUNTRY HILLS DR, Antioch CA	P-D	R-35
117	055-071-107	LONE TREE WAY & COUNTRY HILLS DR, Antioch CA	P-D	R-35
118	055-071-108	LONE TREE WAY & DEER VALLEY RD, Antioch CA	P-D	R-35
119	055-071-113	LONE TREE WAY & COUNTRY HILLS DR, Antioch CA	P-D	R-20
120	056-130-014	5200 HEIDORN RANCH RD Antioch CA	P-D	R-35
121	056-130-011	5320 HEIDORN RANCH RD Antioch CA	P-D	R-35
122	065-071-020	1205 A St Antioch CA	C-O	R-20
124	065-110-007	701 WILBUR AVE, Antioch CA	R-25	R-35
125	065-161-025	301 E 18TH ST Antioch CA	C-2	R-20
128	067-093-022	A ST & PARK LN, Antioch CA	C-O	R-20

129	067-103-017	A ST Antioch CA	C-O	R-20
133	068-082-057	TERRACE DR & E 18TH ST, Antioch CA	C-2	R-20
134	068-252-041	2721 WINDSOR DR, Antioch CA	R-6	R-35
135	068-252-042	WINDSOR DR & IGLESIA CT, Antioch CA	R-6	R-35
136	068-252-043	WINDSOR DR & IGLESIA CT, Antioch CA	R-6	R-35
137	068-252-045	2709 WINDSOR DR, Antioch CA	R-6	R-35
138	071-370-026	3351 CONTRA LOMA BLVD, Antioch CA	R-6	R-20
139	072-400-036	CACHE PEAK DR & GOLF COURSE RD, Antioch CA	P-D	R-35
140	072-400-039	4655 GOLF COURSE RD, Antioch CA	P-D	R-35
141	072-400-040	CACHE PEAK DR & GOLF COURSE RD, Antioch CA	P-D	R-35
142	072-450-013	DALLAS RANCH RD, Antioch CA	P-D	R-35
147	074-122-016	DELTA FAIR BLVD, Antioch CA	C-3	R-20
148	074-123-004	DELTA FAIR BLVD & FAIRVIEW DR, Antioch CA	C-3	R-35
149	074-123-005	FAIRVIEW DR, Antioch CA	C-3	R-35
150	074-343-034	2100 L ST, Antioch CA	C-1	R-20

151	075-460-001	JAMES DONLON BLVD & CONTRA LOMA BLVD, Antioch CA	C-1	R-25
153	052-061-053	4325 BERRYESSA CT Antioch CA	P-D	R-35
133	032-001-033	4323 BERNIESSA CI AIRIOCH CA	F-0	N-33
154	071-130-026	3195 CONTRA LOMA BLVD Antioch CA	R-20	R-35
155	068-251-012	620 E TREGALLAS RD Antioch, CA	R-25	R-35
156	052-061-014	4215 HILLCREST AVE Antioch CA	S	R-35
157	052-042-037	4201 HILLCREST AVE Antioch CA	R-6	R-35
158	052-140-013	WILDFLOWER DRIVE	P-D	R-25
159	052-140-014	WILDFLOWER DRIVE	P-D	R-25
160	052-140-015	WILDFLOWER DRIVE	P-D	R-25
161	052-140-016	WILDFLOWER DRIVE	P-D	R-25
162	056-120-096	2721 EMPIRE AVE	P-D	R-35
163	072-011-052	3950 LONE TREE WAY	P-D/S-H	R-35
164	051-200-065	3415 OAKLEY RD	P-D	R-35
165	068-091-043	1018 E 18TH ST	R-6	R-35
166	076-231-007	1919 BUCHANAN RD	P-D	R-35

167	065-122-023	APOLLO CT	PBC/Cannabis Overlay	R-35
168	061-122-029	APOLLO CT	PBC/Cannabis Overlay	R-35
169	061-122-030	APOLLO CT	PBC/Cannabis Overlay	R-35
170	061-122-028	APOLLO CT	PBC/Cannabis Overlay	R-35
171	052-370-009	HILLCREST AVE	P-D	R-35
172	051-390-006	3301 JESSICA CT	P-D	R-35
173	051-390-005	3305 JESSICA CT	P-D	R-35
174	051-390-004	3309 JESSICA CT	P-D	R-35
175	051-390-003	3313 JESSICA CT	P-D	R-35
176	051-390-002	3317 JESSICA CT	P-D	R-35
177	051-390-001	3321 JESSICA CT	P-D	R-35
178	051-390-016	3325 JESSICA CT	P-D	R-35
179	051-390-011	3329 JESSICA CT	P-D	R-35
180	051-390-010	3333 JESSICA CT	P-D	R-35
181	051-390-009	3345 OAKLEY RD	P-D	R-35

182		Jessica Court Roundabout	P-D	R-35
183	056-120-098	Empire Ave	P-D	R-25

# EXHIBIT C DIAGRAM OF ZONING MAP AMENDMENTS



