

**STAFF REPORT TO THE PLANNING COMMISSION**

**DATE:** Regular Meeting of December 1, 2021

**SUBMITTED BY:** Forrest Ebbs, Community Development Director

**SUBJECT:** Transitional Housing Zoning Overlay District Ordinance  
Amendment and Zoning Map Amendment

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**RECOMMENDED ACTION**

It is recommended that the Planning Commission take the following actions:

1. Approve the resolution recommending:
  - a. that the City Council adopt the ordinance amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) to create a Transitional Housing Overlay District; and
  - b. that the City Council adopt the ordinance amending the zoning of the parcel at 515 E. 18<sup>th</sup> Street (APN 065-143-018) to be located within the Transitional Housing Zoning Overlay District; and
  - c. that the City Council approve a Use Permit for Transitional Housing at 515 E. 18<sup>th</sup> Street.

**DISCUSSION**

The City of Antioch is presently working to address its unhoused resident population by pursuing opportunities to provide facilities and services to directly address unmet needs. The City recognizes the importance of connecting unhoused residents with housing solutions while also introducing them to critical services. The goal of this combined effort is to provide the stability and resources to enable unhoused residents to transition into full time housing. This complement of housing and services is commonly referred to as transitional housing.

Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) contains the following definition of Transitional Housing:

**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.

Transitional Housing is a broad term covering a number of programs and purposes. The definition and regulation of Transitional Housing can be summarized as follows:

- There must be a limited length of stay and it must be operated under a program requiring recirculation to another program recipient at some future point in time. There can be no long-term residents and six months is the State standard.
- 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).
  - § 50675.2(h) “Transitional housing” and “transitional housing development” means buildings configured as rental housing developments but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.
- Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently indoors in stable housing.
- 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,
  - any facility licensed as a community care facility by the California State Department of Social Services (SDSS) or defined as such in this chapter.

The definition of Transitional Housing specifically excludes facilities licensed by the California State Department of Social Services (SDSS), which include a number of in-house residential-style group housing types. Presently, the State of California requires cities to allow certain low-impact housing and childcare uses by-right within existing residential neighborhoods, subject to maximum occupancies that vary by program. Though these small programs may offer transitional housing-type services, they are not addressed by the proposed definition or regulations.

Presently, Transitional Housing is defined, but is not otherwise regulated or permitted in the Antioch Municipal Code; additional action is required to create opportunities for transitional housing in the City of Antioch.

## **ANALYSIS**

### **Zoning Amendments**

Staff recommends the creation of a new Transitional Housing (TH) Zoning Overlay District that would allow Transitional Housing with a Use Permit. This would provide distinct areas in the City of Antioch where one could apply for a Use Permit to establish a Transitional Housing land use. To achieve this, the following amendments to the Antioch Municipal Code (AMC) are required:

1. AMC 9-5.3801: TH - Transitional Housing Overlay District is added to the list of zoning districts.
2. AMC 9-5.3803: The Table of Land Use Regulations is modified to create a new column for the TH Overlay District and a new row for Transitional Housing.

In addition, staff recommends that the zoning for the property located at 515 E. 18<sup>th</sup> Street be modified to include the TH Overlay District. This would enable the property owner to pursue a Use Permit for a Transitional Housing project at this site. This property contains the Executive Inn, which is a two-story hotel. The General Plan Land Use Designation is Neighborhood Community Commercial, and the Zoning is Convenience Commercial District (C-1). The C-1 Zoning allows similar uses, such as Residential Care Facility, Residential Hotel, and Room & Boarding House. A variety of commercial uses are also permitted.

This additional step will require the following amendment to the Antioch Municipal Code (AMC):

1. AMC 9-5.3601: The Zoning Map is amended to apply the TH Overlay District to the property at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 19).

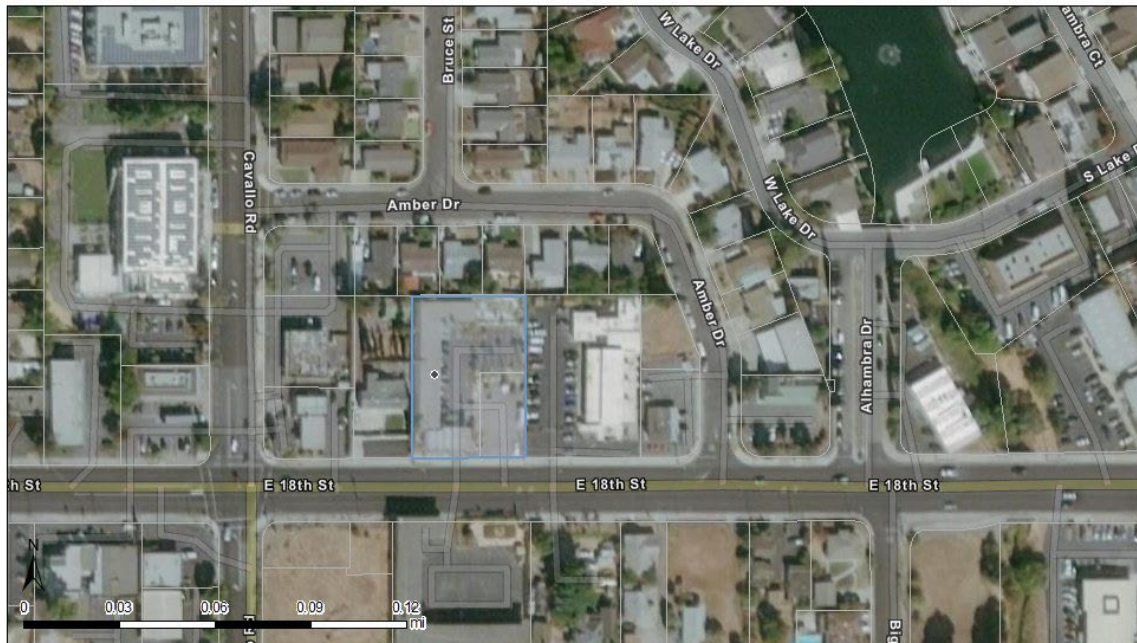
### Use Permit

The City of Antioch has been pursuing an arrangement with the operators of the Executive Inn located at 515 E. 18<sup>th</sup> Street to provide temporary housing of unhoused adults at this location. Additional supportive services would be provided at the site. The operational and business details of the program will be determined by the City Council through its negotiation process. Since the above code amendments would impose a requirement for a Use Permit, staff has included a draft Use Permit and recommends that the Planning Commission recommend its approval by the City Council concurrent with the municipal code amendments.

### Zoning Map Amendments

In addition, Staff recommends that the Zoning Map be amended to apply the newly formed Transitional Housing (TH) Zoning Overlay District to the property at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 019).

#### **515 E.18th Street**



### CEQA

The proposed action does not have the potential to have an impact on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) under the general rule that projects having no potential to impact are not subject to environmental review.

## **RECOMMENDATION**

In summary, staff recommends that the Planning Commission approve the resolution recommending:

- a. that the City Council adopt the ordinance amending Title 9: Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) to create a Transitional Housing Overlay District;
- b. that the City Council adopt the ordinance amending the zoning of the parcel at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 19) to be located within the Transitional Housing Zoning Overlay District; and
- c. that the City Council approve a Use Permit for Transitional Housing at 515 E. 18<sup>th</sup> Street.

## **ATTACHMENTS**

A. Resolution: Planning Commission recommendation.

Exhibit 1: Draft Ordinance amending Municipal Code

Exhibit 2: Draft Resolution approving Use Permit

# **ATTACHMENT A**

**Resolution: Planning Commission Recommendation**

## **ATTACHMENT A**

### **PLANNING COMMISSION RESOLUTION NO. 2021-##**

#### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH RECOMMENDING THAT THE CITY COUNCIL ADOPT THE ORDINANCE AMENDING SECTIONS 9-5.3801 AND 9-5.3803 OF THE ANTIOCH MUNICIPAL CODE REGARDING TRANSITIONAL HOUSING AND REZONING THE PARCEL AT 515 E. 18<sup>TH</sup> STREET (APN 065-143-018,19) TO CONTAIN THE TRANSITIONAL HOUSING ZONING OVERLAY.**

**WHEREAS**, Transitional Housing is defined by Section 9-5.203 and described as a land use providing temporary residence for homeless or recently homeless individuals or families transitioning to permanent housing; and

**WHEREAS**, the Table of Land Use Regulations contained in Section 9-5.3803 does not include Transitional Housing as an allowable land use in any of the existing zoning districts; and

**WHEREAS**, it is in the public interest to provide suitable locations for the development and operation of Transitional Housing to address the needs of the City of Antioch's unhoused population; and

**WHEREAS**, the proposed municipal code amendments are not considered a project under the California Environmental Quality Act under the general rule because the proposed change does not have the potential to impact the environment;

**WHEREAS**, the proposed Use Permit would be exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline §15301 as the use of an existing facility;

**WHEREAS**, the Planning Commission on December 1, 2021, duly held a public hearing, received and considered evidence, both oral and documentary, and made the following findings for the Municipal Code Amendments:

- (1) That the proposed zone reclassification will allow uses more suitable for the area than the present classification. The introduction of transitional housing as an additional privilege will allow a more suitable range of development opportunities than the current zoning, which precludes transitional housing.
- (2) That uses permitted by the proposed zone will not be detrimental to adjacent or surrounding property. Transitional housing requires programmatic management and the requirement for a Use Permit will ensure that appropriate operational conditions are in place to ensure minimal or no impact on the adjacent properties.
- (3) That evidence has been presented documenting land use changes in the area to warrant a change of zone. The growing need for transitional housing has been documented and supports this change.

(4) That the requested zone change is in conformance with the General Plan. Each of the proposed two sites that would receive the Transitional Housing (TH) Zoning Overlay District designation are in areas that promote similar uses. The development of Transitional Housing is consistent with the Neighborhood Community Commercial and High Density Residential land use designations and other text.

**WHEREAS**, the Planning Commission on December 1, 2021, duly held a public hearing, received and considered evidence, both oral and documentary, and made the following findings for the Use Permit:

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

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

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

The concurrent amendments to the zoning map and Municipal Code amendments create a Transitional Housing Overlay District and apply the new zoning to the property at 515 E. 18<sup>th</sup> Street. As such, a transitional housing land use may be permitted with a Use Permit.

3. The site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

The property was evaluated for project suitability and found to be adequate. The proposed land use is functionally comparable to the existing hotel land use.

4. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The project site is located adjacent to 18<sup>th</sup> Street, which is a major thoroughfare in the City of Antioch and capable of accepting traffic resulting from this land use.

5. The granting of such Use Permit will not adversely affect the comprehensive General Plan.

The transitional housing land use is comparable to many other land uses currently anticipated in the Neighborhood Community Commercial General Plan district in the Antioch General Plan, including the existing hotel use. It will not adversely affect this or any other policy of the General Plan.



**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Antioch does hereby **RECOMMEND** that the City Council adopt the ordinance amending Section 9-5.3801 and 9-5.3803 of the Antioch Municipal Code and amending the Zoning Map attached hereto as Exhibit 1.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Planning Commission of the City of Antioch does hereby **RECOMMEND** that the City Council adopt the resolution approving the Use Permit for Transitional Housing at 515 E.18<sup>th</sup> Street attached hereto as Exhibit 2.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 1st day of December 2021.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Forrest Ebbs**  
**Secretary to the Planning Commission**

# **ATTACHMENT A**

## **Exhibit 1**

### **Draft Ordinance Amending Municipal Code**

**ATTACHMENT A  
EXHIBIT 1**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH  
AMENDING SECTIONS 9-5.3801 AND 9-5.3803 OF THE ANTIOCH MUNICIPAL  
CODE REGARDING TRANSITIONAL HOUSING AND AMENDING THE ZONING  
MAP TO APPLY THE TRANSITIONAL HOUSING OVERLAY TO THE PARCEL AT  
515 E. 18<sup>TH</sup> STREET (APN 065-143-018, 019)**

The City Council of the City of Antioch does ordain as follows:

**SECTION 1:**

Transitional Housing is defined by Section 9-5.203 and described as a land use providing temporary residence for homeless or recently homeless individuals or families transitioning to permanent housing.

**SECTION 2:**

The Table of Land Use Regulations contained in Section 9-5.3803 does not include Transitional Housing as an allowable land use in any of the existing zoning districts and it is in the public interest to provide suitable locations for the development and operation of Transitional Housing to address the needs of the City of Antioch's unhoused population.

**SECTION 3:**

Section 9-5.3801 is modified as follows:

**§ 9-5.3801 SUMMARY OF ZONING DISTRICTS.**

The following is a summary of all zoning districts. (Note: The Study District (S) is not included in the proceeding chart as the ultimate land uses for such a district are not determined until all necessary studies are completed and the appropriate land use designations can be applied.)

RE	Rural Estate District: 0-2 du/acre
RR	Rural Residential District: 0-2 du/acre
R-4	Single-Family Low Density Residential District: 2-4 du/acre
R-6	Single-Family Low Density Residential District: 4-6 du/acre
R-10	Medium Density Residential District: 6-10 du/acre
R-20	Medium Density Residential District: 11-20 du/acre
R-25	High Density Residential District: 20-25 du/acre
R-35	High Density Residential District: 30-35 du/acre
PBC	Planned Business Center District
C-0	Professional Office District
C-1	Convenience Commercial District

**ATTACHMENT A  
EXHIBIT 1**

C-2	Neighborhood/Community Commercial District
C-3	Regional Commercial District
SP	Specific Plan
MCR	Mixed Commercial/Residential District
WF	Urban Waterfront District
OS	Open Space/Public Use District
M-1	Light Industrial District
M-2	Heavy Industrial District
H	Hospital/Medical Center Overlay District
PD	Planned Development District
HPD	Hillside Planned Development District
T	Manufactured Housing Combining District
SH	Senior Housing Overlay District
ES	Emergency Shelter Overlay District
S	Study District
MUMF	Mixed Use Medical Facility District
P	Exclusive Parking District
CB	Cannabis Business Overlay District
TH	Transitional Housing Overlay District

**SECTION 4:**

The Table of Land Use Regulations is modified as follows:

# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 – Table of Land Use Regulations - Updated 11/01/2021																				
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
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	*	U	U
Day-care: large family (§9-5.3818)	A	A	A	A	A	A	A	U	U	U	U	U	U	U	U	U	U	*	U	U
Day-care: small family (§9-5.3817)	P	P	P	P	P	P	P	U	U	U	U	U	U	U	U	U	U	*	U	U
Senior Group Housing	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Family care home	P	P	P	P	P	P	P	U	U	U	U	U	U	U	U	U	U	U	U	U
Fraternity-sorority house/dormitory	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Home occupations	A	A	A	A	A	A	A	U	U	U	U	A	U	U	U	U	U	*	U	U
Hospice <sup>10</sup>	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U2	*	U	U
Manufactured, modular home; mobile home (§ 9-5.3804)	P	P	P	P	P	P	P	U	U	U	U	U	U	U	U	U	U	*	U	U
Mobile home park	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Multiple-family: condominium, apartment, town-house (§ 9-5.3820)	U	U	U	U	P <sub>10</sub> U11	P <sub>10</sub> U11	U	U	U	U	U	U	U	U	U	U	U2	*	U	U
Recreational vehicle park (§ 9-5.3830)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Residential care facility <sup>10</sup>	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Residential hotel	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Room & boarding house	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Second residential unit (§ 9-5.3805)	A	A	A	A	A	A	A	U	U	U	U	U	U	U	U	U	U	*	U	U
Single-family dwelling	P	P	U	P1	P1	P1	P1	U	U	U	U	U	U	U	U	U	U	*	U	U
Tobacco and paraphernalia retailers (§ 9-5.3843)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
Two-family dwelling	U	U	P	P	P	P	P	U	U	U	U	U	U	U	U	U	U	*	U	U
Transitional Housing	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U
PUBLIC AND SEMI-PUBLIC USES																				
Bus & transit maintenance facility	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U
Bus & train terminal	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	U	U

# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 - Table of Land Use Regulations - Updated 11/01/2021																				
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
Clubs & Lodges (private & public)	—	U	U	U	U	U	U	U	U	U	U	U	U	—	—	—	U	*	—	—
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	—	—
Correctional facility <sup>1,2</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	*	—	—
Homeless shelter	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	P	—	—
<b>Hospitals (§ 9-5.3827):</b>																				
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	—	*	—	—
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	*	—	—
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—
<b>COMMERCIAL USES</b>																				
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	—	—	—	*	—	—

# ATTACHMENT A EXHIBIT 1

Section 9-5.3803 – Table of Land Use Regulations - Updated 11/01/2021																				
	RE	R-4	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
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	—	—	—	—	*	—	—
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	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	P	—	—	—	—	—	*	—	—
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 )	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	013	u13
Car and vehicle wash	—	—	—	—	—	—	—	—	—	U	U	U	U	—	U	U	—	*	—	—

# ATTACHMENT A EXHIBIT 1

Section 9-5.3803 - Table of Land Use Regulations - Updated 11/01/2021																				
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
Card room	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	—	—	*	—	—
Catering services	—	—	—	—	—	—	—	—	—	P	P	P	A	—	U	—	—	*	—	—
Clothing store	—	—	—	—	—	—	—	—	—	P	P	P	A	—	—	—	—	*	—	—
Combined residential/commercial structure	—	—	—	—	—	—	—	—	—	—	—	U	U	—	—	—	—	*	—	—
Computer gaming and internet access business	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—
Confectionery stores	—	—	—	—	—	—	—	—	P	P	P	P	A	—	—	—	—	*	—	—
Dance hall	—	—	—	—	—	—	—	—	—	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	—	—	—	—	—	*	—	—
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	*	—	—
Hotel & motels	—	—	—	—	—	—	U <sup>5</sup>	U	—	P	P	P	U	—	U <sup>5</sup>	—	U	*	—	—
Jewelry store	—	—	—	—	—	—	—	—	—	P	P	P	U	—	—	—	—	*	—	—
Kennels	—	—	—	—	—	—	—	—	—	U	U	—	—	—	U	U	—	*	—	—
Laboratories; medical, dental, optical	—	—	—	—	—	—	P	P	U	U	U	U	—	—	U	—	P	*	—	—



# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 – Table of Land Use Regulations - Updated 11/01/2021																				
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
Lauderette	—	—	—	—	—	—	—	—	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 <sup>6</sup>	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	*	—	—
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	—	—	*	—	—
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	P	—	*	—	—
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	—	*	—	—

# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 - Table of Land Use Regulations - Updated 11/01/2021																					
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH	
Repair service											U	U	U <sup>7</sup>		P	P		*			
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>			*			
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 subject to § 9.5.3846																					
Variety store										P	P	P	P					*			
Vehicle/boat/ equipment sales & rental (§ 9.5.3825)							U <sup>8</sup>			U	U	U	U		U	U		*			
INDUSTRIAL USES																					
Animal rendering																U		*			
Bakery- commercial															P	P		*			
Beverage bottling plant															U	P		*			
Boat building													U		U	P		*			

# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 - Table of Land Use Regulations - Updated 11/01/2021

	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
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	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 manufacturing or storage of explosives, acid, cement, fertilizer, gas, inflammable fluids, glue, gypsum, lime, liquor, oil, paint, etc.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	—	*	—	—
Mining & quarry; resource extraction	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Oil & gas drilling	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—
Oil & gas production	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	—	*	—	—
Photographic plants	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—
Plastic fabrication	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—

# ATTACHMENT A EXHIBIT 1

Section 9-5.3803 – Table of Land Use Regulations - Updated 11/01/2021																				
	RE RR	R-4 R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	TH
Research & development	—	—	—	—	—	—	U	—	—	—	—	U	—	—	U	U	—	*	—	—
Residual repository (§ 9-5.3826)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—
Salvage/war surplus yards	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	—	*	—	—
Solid waste transfer station	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—
Smelting or processing of iron, tin zinc or other ore	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—
Stockyards/ slaughterhouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	*	—	—
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	*	—	—
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 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 "F" 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.																				
Boat sales and repair only																				

# ATTACHMENT A EXHIBIT 1

Section 9.5.3803 - Table of Land Use Regulations - Updated 11/01/2021																					
	RE	R-4	R-6	R-10	R-20	R-25	R-35	PBC	C-0	C-1	C-2	C-3	MCR	WF	OS	M-1	M-2	H	ES9	CB	III
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 § 9-5.3833, 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/dw are 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. Curable business requires approval of a use permit by the City Council upon recommendation by the Planning Commission. See § 9-5.3845.																					
(Am. Ord. 930-C-S, passed 7-28-97; 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. 2085-C-S, passed 6-24-14; Am. Ord. 2096-C-S, passed 2-24-15; Am. Ord. 2143-C-S, passed 6-25-16; Am. Ord. 2156-C-S, passed 12-11-18; Am. Ord. 2169-C-S, passed 6-25-19)																					

**ATTACHMENT A  
EXHIBIT 1**

**SECTION 5:**

The Zoning Map referenced in Antioch Municipal Code Section 9-5.3601 is amended to apply the Transitional Housing (TH) Zoning Overlay District to the parcel located at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 19).

**SECTION 6: Severability.**

If any section, subsection, provision or part of this ordinance, or its application to any person or circumstance, is held to be unconstitutional or otherwise invalid, the remainder of this ordinance, and the application of such provision to other person or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

**SECTION 7. CEQA.**

The above amendments to the City's Municipal Code are not considered a project under the California Environmental Quality Act under the general exemption (CEQA Guidelines §15061(b)(3)) because the proposed amendments will not have a direct or reasonably foreseeable indirect physical change or effect on the environment. The proposed ordinance does not change the existing underlying zoning in the affected areas; rather, the proposed ordinance is an overlay on the existing underlying zoning, already approved and adopted by the City.

**SECTION 8:**

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

\* \* \* \* \*

**I HEREBY CERTIFY** that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Antioch, held on the \_\_\_\_ of \_\_\_\_\_ 2022, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ day of \_\_\_\_\_ 2022, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTACHMENT A  
EXHIBIT 1**

**\_\_\_\_\_  
Lamar Thorpe, Mayor of the City of Antioch**

**ATTEST:**

**\_\_\_\_\_  
Elizabeth Householder  
City Clerk of the City of Antioch**

DRAFT

# **ATTACHMENT A**

## **Exhibit 2**

### **Draft Resolution Approving Use Permit**



**RESOLUTION NO. 2021-\*\*****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH APPROVING  
THE USE PERMIT FOR A TRANSITIONAL HOUSING FACILITY AT 515 E. 18<sup>th</sup>  
STREET (APN 065-143-018)**

**WHEREAS**, the City of Antioch ("City") requests a Use Permit for the establishment of a Transitional Housing facility at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 19);

**WHEREAS**, the proposed project would be exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline §15301 as the use of an existing facility;

**WHEREAS**, the proposed project would provide transitional housing facilities for unhoused families and individuals;

**WHEREAS**, on December 1, 2021, the Planning Commission duly held a noticed public hearing recommended that the City Council approve the Use Permit;

**WHEREAS**, the City Council duly gave notice of public hearing as required by law; and

**WHEREAS**, on \_\_\_\_\_, the City Council duly held a public hearing, received, and considered evidence, both oral and documentary, and approved a Use Permit.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council does hereby makes the following findings required for the approval of a Use Permit:

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

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

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

The concurrent amendments to the zoning map and Municipal Code amendments create a Transitional Housing Overlay District and apply the new zoning to the property at 515 E. 18<sup>th</sup> Street. As such, a transitional housing land use may be permitted with a Use Permit.

3. The site for the proposed use is adequate in size and shape to accommodate such use, and all parking, and other features required.

The property was evaluated for project suitability and found to be adequate. The proposed land use is functionally comparable to the existing hotel land use.

4. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use.

The project site is located adjacent to 18<sup>th</sup> Street, which is a major thoroughfare in the City of Antioch and capable of accepting traffic resulting from this land use.

5. The granting of such Use Permit will not adversely affect the comprehensive General Plan.

The transitional housing land use is comparable to many other land uses currently anticipated in the Neighborhood Community Commercial General Plan district in the Antioch General Plan, including the existing hotel use. It will not adversely affect this or any other policy of the General Plan.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the City Council of the City of Antioch does hereby **APPROVE** the Use Permit for a Transitional Housing land use located at 515 E. 18<sup>th</sup> Street (APN 065-143-018, 19) subject to the following conditions:

1. This Use Permit shall be valid after the 30-day period following the second reading of the Ordinance amending the Antioch Municipal Code creating the Transitional Housing (TH) Zoning Overlay District, modifying the Table of Land Use Regulations to permit Transitional Housing in the TH Zoning Overlay District, and rezoning the subject property to contain the TH Zoning Overlay.
2. Any forthcoming terms between the City of Antioch and the owner of the subject property and/or business are hereby incorporated as Conditions of Approval of this Use Permit.
3. The project shall be implemented as indicated on the application form and accompanying materials provided to the City and in compliance with the Antioch Municipal Code, or as amended by the Planning Commission or City Council.
4. No building permit will be issued unless the plan conforms to the project description and materials as approved by the City Council and the standards of the City.
5. This approval expires four years from the date of approval by the City Council (\_\_\_\_\_), unless an extension has been approved by the Zoning Administrator. Requests for extensions must be received in writing with the

appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted.

6. City staff shall inspect the site for compliance with conditions of approval prior to the issuance of a Certificate of Occupancy or commencement of the activity.
7. All requirements of the Contra Costa County Fire District shall be met.

\* \* \* \* \*

**I HEREBY CERTIFY** the foregoing resolution was duly adopted by the City Council of the City of Antioch, County of Contra Costa, State of California, at a regular meeting of said City Council held on the \_\_\_<sup>th</sup> day of \_\_\_\_\_ by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

**ELIZABETH HOUSEHOLDER**  
**CITY CLERK OF THE CITY OF ANTIOCH**