

**PLANNING COMMISSION
RESOLUTION NO. 2024-15**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ANTIOCH
RECOMMENDING THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING TITLE
9, CHAPTER 5, ARTICLES 2 AND 38 OF THE ANTIOCH MUNICIPAL CODE,
ZONING, TO IMPLEMENT ZONING MODIFICATIONS RELATED TO THE GENERAL
PLAN HOUSING ELEMENT AND UPDATES TO STATE LAW, AND FINDING THE
ACTION NOT A PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY
ACT (CEQA)**

WHEREAS, the state Housing Element Law (Cal. Gov. Code §§ 65580 – 65589.11) requires that the City of Antioch (“Antioch” or “City”) adopt a General Plan Housing Element for the eight-year period of 2023-2031 (“Housing Element”), to accommodate the City’s regional housing need allocation (RHNA), and identify actions that will be taken to accommodate that portion of the City’s share of the regional housing need for each income level, that could not be accommodated on sites identified in the Housing Element inventory without rezoning (Gov. Code § 65583(c)(1)).

WHEREAS, on January 24, 2023, the City adopted the Housing Element and on October 12, 2023, the California Department of Housing and Community Development certified the Housing Element;

WHEREAS, to accommodate the RHNA allocation and increase the production and availability of housing in Antioch, the Housing Element outlines 67 separate Implementing Programs (“Program or Programs”), including Program 3.1.6, Zoning for Employee Housing, and Program 5.1.18, Replacement Housing;

WHEREAS, Title 9, Chapter 5 (Zoning) of the Antioch Municipal Code (“AMC”) contains the City’s zoning and land use regulations;

WHEREAS, to implement these Housing Element Programs, as well as maintain compliance with state housing law, AMC Title 9, Chapter 5, Articles 2 (Definitions) and 38 (Land Use Regulations) must be amended to update requirements for emergency shelters, supportive housing, transitional housing, employee housing, and replacement units required as part of development projects;

WHEREAS, this proposed ordinance (“Ordinance”) amends AMC Title 9, Chapter 5, Articles 2 and 38 to fulfill Housing Element Programs and comply with State law;

WHEREAS, the adoption of this Ordinance is not a project under CEQA, pursuant to CEQA Guidelines section 15378(b)(5) and Public Resources Code section 21065, because it constitutes organizational or administrative activities of the City that will not result in direct or reasonably foreseeable indirect physical changes in the environment. Specifically, the proposed Ordinance would only establish and clarify administrative processes required by the Housing Element and state law and would not approve new

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construction or other groundbreaking activities. Thus, there is no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. Accordingly, this Ordinance is not a project under CEQA, and no further environmental review is required. This determination reflects the City's independent judgment and analysis;

WHEREAS, the Planning Commission duly gave notice of public hearing as required by law;

WHEREAS, on November 6, 2024, the Planning Commission duly held a public hearing on the matter, and received and considered public comments and evidence, both oral and documentary;

WHEREAS, the Planning Commission 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 AND DETERMINED, that the Planning Commission does hereby make the following findings for recommending City Council adoption of an ordinance amending AMC Title 9, Chapter 5, Articles 2 (Definitions) and 38 (Land Use Regulations), per § 9-5.2802(B) of the Antioch Municipal Code:

The public necessity, convenience, and general welfare require these amendments in order to implement the City's Housing Element and comply with state law.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Planning Commission hereby recommends City Council APPROVAL of the proposed ordinance, contained within Exhibit A.

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I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Antioch at a regular meeting thereof held on the 6th day of November 2024, by the following vote:

AYES: Commissioners Riley, Webber, Jones, Lutz and Martin

NOES: None

ABSENT: Commissioner Hills

ABSTAIN: None

Kevin Scudero

KEVIN SCUDERO
Secretary to the Planning Commission

**EXHIBIT A
PROPOSED ORDINANCE**

ORDINANCE NO. XXXX-C-S

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
AMENDING TITLE 9, CHAPTER 5, ARTICLES 2 AND 38 OF THE ANTIOCH MUNICIPAL CODE,
ZONING, TO IMPLEMENT ZONING MODIFICATIONS RELATED TO THE GENERAL PLAN
HOUSING ELEMENT AND UPDATES TO STATE LAW, AND FINDING THE ACTION NOT A
PROJECT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

WHEREAS, the state Housing Element Law (Cal. Gov. Code §§ 65580 – 65589.11) requires that the City of Antioch (“Antioch” or “City”) adopt a General Plan Housing Element for the eight-year period of 2023-2031 (“Housing Element”), to accommodate the City’s regional housing need allocation (RHNA), and identify actions that will be taken to accommodate that portion of the City’s share of the regional housing need for each income level, that could not be accommodated on sites identified in the Housing Element inventory without rezoning (Gov. Code § 65583(c)(1)).

WHEREAS, on January 24, 2023, the City adopted the Housing Element and on October 12, 2023, the California Department of Housing and Community Development certified the Housing Element;

WHEREAS, to accommodate the RHNA allocation and increase the production and availability of housing in Antioch, the Housing Element outlines 67 separate Implementing Programs (“Program or Programs”), including Program 3.1.6, Zoning for Employee Housing, and Program 5.1.18, Replacement Housing;

WHEREAS, Title 9, Chapter 5 (Zoning) of the Antioch Municipal Code (“AMC”) contains the City’s zoning and land use regulations;

WHEREAS, to implement these Housing Element Programs, as well as maintain compliance with state Housing Element Law, AMC Title 9, Chapter 5, Articles 2 (Definitions) and 38 (Land Use Regulations) must be amended to update requirements for emergency shelters, major transit stops, supportive housing, transitional housing, employee housing, and replacement units required as part of development projects;

WHEREAS, this proposed ordinance (“Ordinance”) amends AMC Title 9, Chapter 5, Articles 2 and 38 to fulfill Housing Element Programs and comply with State law;

WHEREAS, on November 6, 2024, the Planning Commission held a duly noticed public hearing to consider the proposed Ordinance related to Zoning code amendments to implement Housing Element Programs, received the staff report and staff presentation, received comments from the public and interested parties, and discussed the matter. Following the public hearing, the Planning Commission adopted Resolution No. Planning Commission Resolution #2024-15] recommending the City Council adopt the proposed Ordinance;

WHEREAS, on [date], the City Council held a duly noticed public hearing to consider the proposed Ordinance related to Zoning code amendments to implement Housing Element Programs, received the staff report and staff presentation, received comments from the public and interested parties, considered the recommendation of the Planning Commission and discussed the matter;

WHEREAS, all legal prerequisites to the adoption of the Ordinance have occurred.

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

SECTION 1: Recitals

The recitals above are true and correct and are hereby adopted as findings as if fully set forth herein.

SECTION 2: Findings

The City Council finds that the Ordinance is necessary to further the public necessity, convenience, and general welfare in that the purpose of the Ordinance is to ensure that the City's Municipal Code will comply with state law, as well as implement Housing Element Programs.

SECTION 3: City Council Review

The City Council has reviewed, considered, and evaluated all of the information prior to acting upon the Ordinance.

SECTION 4: Record of Proceedings

The documents and other materials that constitute the record of proceedings upon which the City Council has based its recommendation are located in and may be obtained from the City of Antioch's Clerk's Office, 200 H Street, Antioch, CA 94509

SECTION 5: Amendment to Section 9-5.203

Section 9-5.203 of the Antioch Municipal Code is hereby amended to read as follows, with additions shown in underline and deletions indicated by strikethrough:

§ 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. An emergency shelter shall include other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

MAJOR TRANSIT STOP. Consistent with California Public Resources Code Section 21064.3, a site containing any of the following:

- (a) An existing rail or bus rapid transit station
- (b) A ferry terminal served by either a bus or rail transit service
- (c) The intersection of two or more major bus routes with a frequency of service interval of ~~15~~ 20 minutes or less during the morning and afternoon peak commute periods.

SECTION 6: Amendment to Section 9-5.3803

Section 9-5.3803 of the Antioch Municipal Code is hereby amended to read as follows, with additions shown in underline and deletions indicated by strikethrough:

§ 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	H	ES 9	CB	TH 14	CIH 14	IH
RESIDENTIAL USES																						
Day-care centers (§ 9-5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	—	—	U	—	—	U*	—	—	—	— ¹⁸
Senior Group Housing ¹⁰	P	P	U	U	U	U	—	—	—	—	—	U	U	—	—	—	—	U*	—	—	—	P
Family care home ¹⁰	P	P	P	P	—	—	—	—	—	—	—	U	U	—	—	—	—	U	—	—	—	P
Fraternity-sorority house/dormitory	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—
<u>Employee Housing (§ 9-5.3809 & § 9-5.3851)</u>	<u>p^{20, 21}</u>	<u>p²⁰</u>	<u>p²⁰</u>	<u>p²⁰</u>	<u>p²⁰</u>	<u>p²⁰</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>p²¹</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	—	—	—	—	—	—	—	—	P	P
Hospice ¹⁰	—	—	U	U	U	U	—	U	U	—	—	U	—	—	—	—	—	U ₂ *	—	—	—	—

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH 14	IH
Low Barrier Navigation Center													P					P	P		P	P	P
Mobile homepark			U	U	U		U												*				
Multiple-family: condominium, apartment, town-house (§9-5.3820)			P ¹¹	P ¹¹	P ¹¹	P ¹¹	P ¹¹						P ¹¹					U ₂	*			P ¹⁵ U ¹⁶	
Recreational vehicle park (§9-5.3830)														U				U	*				
Residential care facility ¹⁰			U	U	U	U	U		U	U	U	U	U					U	*				
Supportive Housing	<u>P^{11,17}</u>	<u>P^{11,17}</u>	P ^{11,17}	P ^{11,17}	P ^{11,17}	P ^{11,17}	P ^{11,17}						P ^{11,17}					U	P,17		P,17	P ¹⁵ , 17	P ¹⁷
Residential hotel			U	U	U	U	U		U	U	U	U	U						*				

	RE RR	R-4 R-6	R-10	R-2 0	R-2 5	R-2 35	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES ⁹	CB	TH	CIH ₁₄	IH
Room & boarding house	—	—	U	U	U	U	—	U	U	U	U	U	—	—	—	—	—	*	—	—	—	—
Accessory Dwelling Unit (§9-5.3805)	A	A	A	A	A	A	—	—	—	—	—	—	—	—	—	—	—	*	—	—	—	—
Cottage Community																						P
Single-family dwelling	P	P	U	P ¹	P ¹	P ¹	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—	—
Tobacco and paraphernalia retailers (§9-5.3843)	—	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	—	—	—	—	—
Two-family dwelling	—	—	P	P	P	P	—	—	—	—	—	U	—	—	—	—	—	*	—	—	—	—
Transitional Housing	<u>P¹¹, P²²</u>	<u>P¹¹, P²²</u>	<u>P¹¹, P²²</u>	<u>P¹¹, P²²</u>	<u>P¹¹, P²²</u>	<u>P¹¹, P²²</u>	—	—	—	—	—	<u>P¹¹, P²²</u>	—	—	—	—	U	<u>P²²</u>	—	U	<u>P¹¹, P²²</u>	—
PUBLIC AND SEMI-PUBLIC USES																						
Bus & transit maintenance facility	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—	—
Bus & train terminal	—	—	—	—	—	—	—	—	—	—	—	—	U	—	U	U	—	*	—	—	—	—
Clubs & Lodges(private)	—	U	U	U	U	U	U	U	U	U	U	U	—	—	—	—	—	U	—	—	—	—

& public)	R E R R	R-4 R-6	R-10	R-2 0	R-2 5	R-35	R-PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	H ES ⁹	CB	TH	CIH ₁₄	IH
Convalescent and Extended Care	—	—	U	U	U	U	—	—	—	—	—	U	—	—	—	—	U	—	—	—	—	—
Correctional facility ¹²	—	—	—	—	—	—	—	—	—	—	—	—	—	—	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-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	IH
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	*	—	—	—	— ¹⁸
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 ³ (§9- 5.3832)	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—	—
Satellite antenna (§ 9-5.3807)	A	A	A	A	A	A	A	A	A	A	A	A	A	—	A	A	A	*	—	—	—	—
Schools, private and preschools	U	U	U	U	U	U	U	U	U	U	—	U	—	—	U	—	—	*	—	—	—	— ¹⁸

	RE RR	R-4 R-6	R-10	R-20	R-2 5	R-35	PB C	C-0	C-1 2	C-3	MC R	WF	OS	M-1	M-2	H	ES 9	CB	TH	CIH 14	IH
Utility substations	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	U	*	—	—	—	—

COMMERCIAL USES

Adult book stores, motion picture arcades, and model studios (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	*	—	—	—	—
Adult entertainment, other (§ 9-5.3808)	—	—	—	—	—	—	—	—	—	U	—	—	—	—	—	—	*	—	—	—	—
Agricultural uses (§ 9-5.3809)	P	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—	*	—	—	—	—
Appliance maintenance & repair services:																					
Major	—	—	—	—	—	—	—	—	—	P	P	—	—	P	P	—	*	—	—	—	—
Minor	—	—	—	—	—	—	—	P	P	P	P	—	—	P	P	—	*	—	—	—	—
Amusement center (§ 9-5.3813)	—	—	—	—	—	—	—	—	U	U	U	U	—	—	—	—	*	—	—	—	—

	RE R R	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	IH
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	P	—	—	—	—	—	*	—	—	—	—

	RE	R-4	R-1	R-20	R-2	R-3	P	C-0	C-1	C-2	C-3	MC	WF	OS	M-1	M-2	H	E	CB	TH	CIH	IH
	RR	R-6	R-0		5	5	B					R					S ⁹				₁₄	
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	—	P	P	—	*	—	—	—	—
Boat, RV— storage facility (§ 9-5.3810)	—	—	—	—	—	—	—	—	—	—	U	U	U	—	U	P	—	*	—	—	—	—
Bowling alleys (§9-5.3831)	—	—	—	—	—	—	—	—	—	U	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	R-4	R-1	R-20	R-2	R-3	R-5	P	C-0	C-1	C-2	C-3	MC	WF	OS	M-1	M-2	H	E	CB	TH	CIH	IH
	RR	R-6	0		5	5		B					R					S ⁹				14	
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	—	—	*	—	—	—	—

	RE	R-4	R-1	R-20	R-2	R-3	R-5	P	C-0	C-1	C-2	C-3	MC	WF	OS	M-1	M-2	H	E	CB	TH	CIH	IH
	RR	R-6	R-0		5	5		B			2		R					S ⁹				14	
Drive-up window (all uses)	—	—	—	—	—	—	U	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-4 R-6	R-1 0	R-20	R-2 5	R-3 5	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	IH
Hotel & motels	—	—	—	—	—	—	U ⁵	U	—	P	P	P	U	—	U ⁵	—	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-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	IH
Laundrette	—	—	—	—	—	—	—	—	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	—	*	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-20	R-2 5	R-3 5	P B C	C-0	C-1	C-2 2	C-3	MC R	WF	OS	M-1	M-2	H S ⁹	CB	TH	CIH 14	IH
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	—	—	—	—	—
Repair service	—	—	—	—	—	—	—	—	—	—	U	U	U ⁷	—	P	P	—	—	—	—	—

	RE	R-4	R-1	R-2	R-2	R-3	R-3	C-0	C-1	C-2	C-3	MC	WF	OS	M-1	M-2	H	E	S ⁹	CB	TH	CIH ₁₄	IH
Restaurants (§§ 9-5.3823 and 9-5.3831):																							
General	—	—	—	—	—	—	P	P	P	P	P	P	P	—	U ⁵	—	—	*	—	—	—	—	—
Fast food	—	—	—	—	—	—	U	—	—	U	U	U	U	—	U ⁵	—	—	*	—	—	—	—	—
Outdoor seating & food service	—	—	—	—	—	—	U	U	U	U	U	U	U	—	U ⁵	U	—	*	—	—	—	—	—
Take out/delivery	—	—	—	—	—	—	P	U	P	P	P	P	U	—	U ⁵	—	—	*	—	—	—	—	—

	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 5	P B C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H	E S ⁹	CB	TH	CIH 14	IH
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	—	—	—	—	*	—	—	—	—

	RE	R-4	R-10	R-2	R-2	R-2	R-3	P	C-0	C-1	C-2	C-3	MC	WF	OS	M-1	M-2	H	E	CB	TH	CIH	IH
	RR	R-6		0	5	5	5	B	C				R					S ⁹					
Vehicle/boat/ equipment sales& rental (\$ 9-5.3825)	—	—	—	—	—	—	—	U ⁸	—	—	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	—	*	—	—	—	—
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	—	*	—	—	—	—

	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	H ES 9	CB	TH	CIH 14	IH
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/slaughthouses	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	*	—	—	—	—
Stone monument works	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	*	—	—	—	—
Truck terminal yard	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	U	*	—	—	—	—
Truck & tractor repair	—	—	—	—	—	—	—	—	—	—	—	—	—	—	U	P	*	—	—	—	—
Warehousing & wholesaling	—	—	—	—	—	—	U	—	—	—	—	—	—	—	U	P	*	—	—	—	—
TEMPORARY USES																					
	RE RR	R-4 R-6	R-1 0	R-2 0	R-2 5	R-3 3	PB C	C-0	C-1	C-2	C-3	MC R	WF	OS	M-1	M-2	H ES	CB	TH	CIH	IH

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 if they meet all standards of § 9-5.3835, Emergency Shelters, of this article.
10. Hospices and residential care facilities providing care for up to six patients are a permitted use in any district where residential uses are allowed.
11. 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 Planning Commission. See § 9-5.3845.
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 (a) to be permitted by right and reviewed consistent with Government Code Sections 65651 and 65653. Pursuant to Government Code Section 65583(c)(3), supportive housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone. Developments which do not meet such requirements shall require approval of a use permit, except that cottage community supportive housing developments may be deed restricted for 20 years instead of 55 years.
18. Permitted as supportive services/community spaces that are accessory to residential land uses in a cottage community.
19. The IH Overlay does not preclude the development of multiple-family residential where otherwise allowed. When multiple-family residential uses are permitted per the underlying zoning, such as with sites identified in the Housing Element, the site may develop in compliance with Articles 26 and 27.
20. Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure. See § 9-5.3851.
21. Any employee housing consisting of 12 units or 36 beds or less designed for use by families or households working for an existing agricultural use, shall also be deemed an agricultural use. See § 9-5.3809.
22. Pursuant to Government Code Section 65583(c)(3), transitional housing shall be considered a residential use of property and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same

zone. Transitional housing developments must meet the definition of Government Code Section 65582 (j). Developments which do not meet such requirements shall require approval of a use permit.

SECTION 7: Amendment to Section 9-5.3809

Section 9-5.3809 of the Antioch Municipal Code is hereby amended to read as follows, with additions shown in underline and deletions indicated by strikethrough:

§ 9-5.3809 AGRICULTURAL USES.

Pre-existing agricultural uses can be continued and not expanded. Employee housing for agricultural uses is also permitted in zones where pre-existing agricultural uses are allowed subject to § 9-5.3851, Employee Housing, of this article.

SECTION 8: Addition of Section 9-5.3851

Section 9-5.3851 is hereby added to Title 9, Chapter 5, Article 38 of the Antioch Municipal Code, to read as follows:

§ 9-5.3851 EMPLOYEE HOUSING.

(A) Pursuant to California Health and Safety Code § 17021.5, employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation. No conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees that is not required of a family dwelling of the same type in the same zone. Employee housing, as defined in California Health and Safety Code § 17008, shall not be included within the definition of a boarding house, rooming house, hotel, dormitory, or other similar term that implies that the employee housing is a business run for profit or differs in any other way from a family dwelling. The provisions of this subdivision shall be interpreted to fulfill the requirements of Cal. Health and Safety Code § 17021.5. Any changes to that Cal. Health and Safety Code § 17021.5 shall be deemed to supersede and govern any conflicting provisions contained herein.

(B) Pursuant to California Health and Safety Code § 17021.6, any employee housing consisting of no more than 36 beds in group quarters, or 12 units or spaces designed for use by a single family or household, working for an agricultural use, shall be deemed an agricultural use. No conditional use permit, zoning variance or other discretionary approval shall be required of this employee housing for up to 12 units or 36 beds that is not required of any other agricultural activity in the same zone. Pursuant to California Health and Safety Code § 17021.8, a new agricultural employee housing development that meets certain criteria is eligible for a streamlined, ministerial approval process and is not subject to a conditional use permit. The provisions of this subdivision shall be interpreted to fulfill the requirements of Cal. Health and Safety Code §§ 17021.6 and 17021.8. Any changes to Cal. Health and Safety Code § 17021.6 and § 17021.8 shall be deemed to supersede and govern any conflicting provisions contained herein.

SECTION 9: Addition of Section 9-5.3852

Section 9-5.3852 is hereby added to Title 9, Chapter 5, Article 38 of the Antioch Municipal Code, to read as follows:

§ 9-5.3852 REPLACEMENT OF DWELLING UNITS.

(A) No project shall be approved that will require the demolition of occupied or vacant protected units, unless the project complies with the applicable replacement requirements of Government Code § 66300.6(b).

(B) A housing development project shall not be approved if it requires demolition of one or more residential dwelling units unless the project will create at least as many units as will be demolished.

(C) For any project on a nonvacant site identified in the General Plan Housing Element inventory of adequate sites, dwelling units shall also be replaced consistent with Government Code § 65915(c)(3).

(D) The terms used in this section are as defined in Government Code § 66300.5, and Antioch Municipal Code § 9-5.203.

SECTION 10: CEQA

The City Council finds that the adoption of this Ordinance is not a project under CEQA pursuant to CEQA Guidelines section 15378(b)(5) and Public Resources Code section 21065, because it constitutes organizational or administrative activities of the City that will not result in direct or reasonably foreseeable indirect physical changes in the environment. Specifically, the proposed Ordinance would only establish and clarify administrative processes required by state law and the City's adopted Housing Element, and would not approve new construction or other groundbreaking activities. Thus, there is no potential to result in either a direct physical change to the environment or a reasonably foreseeable indirect physical change to the environment. This determination reflects the City's independent judgment and analysis.

SECTION 11: Severability

Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unreasonable, or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 12: Publication; Effective Date

This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the City Council at a second reading and shall be posted and published in accordance with the California Government Code.

I HEREBY CERTIFY that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the ___ day of ___ 2024, and passed and adopted at a regular meeting thereof, held on the ___ day of ___ 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAMAR A. HERNANDEZ-THORPE
MAYOR OF THE CITY OF ANTIOCH

ATTEST:

ELIZABETH HOUSEHOLDER
CITY CLERK OF THE CITY OF ANTIOCH






2024-15_Housing Element Ordinance Update

Final Audit Report

2024-11-13

Created:	2024-11-13
By:	Monique Villagrana (mvillagrana@antiochca.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAT8YjAuuZ7li1aS_uoL7pxHe-K1WDCNtb

"2024-15_Housing Element Ordinance Update" History

-  Document created by Monique Villagrana (mvillagrana@antiochca.gov)
2024-11-13 - 4:27:08 PM GMT
-  Document emailed to Kevin Scudero (kscudero@ci.antioch.ca.us) for signature
2024-11-13 - 4:27:20 PM GMT
-  Email viewed by Kevin Scudero (kscudero@ci.antioch.ca.us)
2024-11-13 - 4:56:52 PM GMT
-  Document e-signed by Kevin Scudero (kscudero@ci.antioch.ca.us)
Signature Date: 2024-11-13 - 4:57:19 PM GMT - Time Source: server
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