CITY OF
ANTIOCH
CALIFORNIA

STAFF REPORT TO THE CITY COUNCIL

DATE: Regular Meeting of June 23, 2020

TO: Honorable Mayor and Members of the City Council

SUBMITTED BY: Forrest Ebbs, Community Development Director FE by cw

SUBJECT: Emergency Shelter (ES) Zoning Ordinance and Map Amendments

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RECOMMENDED ACTION

It is recommended that the City Council introduce an ordinance amending Antioch Municipal Code Sections 9-5.203 and 9-5.3839 regarding emergency shelters and amending the Zoning Map to introduce the Emergency Shelter (ES) Zoning Overlay to the specified properties.

FISCAL IMPACT

The action will allow for the development of an emergency shelter by right at any of the specified properties. However, this action does not compel or fund such a project. As such, there is no fiscal impact associated with this action.

DISCUSSION

In January 2020, Governor Gavin Newsom made available, at no cost, approximately 100 travel trailers to local agencies for the purpose of housing homeless families or individuals. The City of Antioch pursued this opportunity and was awarded five trailers/recreational vehicles (RVs) to provide temporary emergency housing and the delivery of health and social services for people experiencing homelessness. With the RVs, the City intends to launch HOP to Housing, or HOP, a temporary housing program. The City has issued a Request for Proposal seeking suitably qualified community-based providers to provide supportive services. The City is closely collaborating with the Health, Housing, and Homeless Services (H3) Division of the Contra Costa Health Services Department. The target population will serve families with children in the City of Antioch enrolled in and attending the Antioch Unified School District (AUSD) who are experiencing homelessness, particularly families who are currently unsheltered (living outside, in an encampment or in a vehicle).

The City Council previously directed staff to pursue options for the use of City-owned properties for the installation of the trailers. The City has a tentative agreement with Contra Costa County whereby the County would provide all necessary social services

and program management. At this point, the City and County are pursuing a family-serving program for these trailers.

ES Zoning Overlay

The use of travel trailers for temporary housing is not widely permitted in the City of Antioch and is prohibited in residential zones. However, the Zoning Ordinance includes an Emergency Shelter (ES) Zoning Overlay that is intended to allow by-right construction of emergency shelters subject to certain performance standards. This ES Zoning Overlay is a result of an earlier State mandate that all California cities accommodate by-right homeless shelters in at least one zoning district. Presently, the ES Zoning Overlay is only applied to the City-owned property on Delta Fair Boulevard, near Century Boulevard and Los Medanos College, and to the southern portion of the City-owned property on Fulton Shipyard Road. This ES Zoning Overlay is required to construct an emergency shelter anywhere in the City of Antioch.

Proposal

The existing ES Zoning Overlay text in the Zoning Ordinance anticipates a traditional homeless shelter that provides meals and bunk-style accommodations, which were more common at the time of its drafting. Staff recommends a text amendment that would expand the definition of emergency shelters to include temporary structures such as the trailers and other alternatives to the traditional homeless shelter model. The proposal would modify the language to acknowledge alternative emergency shelter types in the definition and to allow for "alternate management and operational plans" for these types of shelters. The proposed changes are as follows:

§ 9-5.203

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. Emergency Shelters may include recreational vehicle and vehicle parks, tiny home communities or other temporary shelters.

§ 9-5.3839 EMERGENCY SHELTERS.

Emergency shelters shall be located, developed, and operated in compliance with the following standards:

(A) *Number of residents/beds.* Each shelter shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.

(B) *Length of occupancy.* Occupancy by an individual or family may not exceed 180 consecutive days unless a management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.

(C) *Hours of operation.* To limit outdoor waiting, the facility must be open each day for at least eight of the hours between 7:00 a.m. and 7:00 p.m.

(D) *Waiting and intake areas.* Each shelter shall include indoor waiting and intake areas for guests. Such intake and waiting areas shall be provided at a rate of ten square feet per bed and in any case, shall be at least 200 square feet in area. Waiting and intake areas may be used for other purposes as needed during operation of the shelter.

(E) *Common facilities.* The development may provide one or more of the following specific common facilities for the exclusive use of the residents:

(1) Laundry facilities.
(2) Central cooking and dining room(s).
(3) Recreation rooms.
(4) Counseling centers.
(5) Childcare facilities.
(6) Other support services.

(F) *Outdoor activities.* All functions associated with the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting must take place within the building proposed to house the shelter. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.

(G) *On-site parking.* Parking spaces shall be provided according to the standards of Article 17, Parking Requirements.

(H) *Lighting.* Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and shall be of an intensity that is comparable to surrounding uses.

(I) *On-site security.* On-site security must be provided at all times that the emergency shelter is in operation and according to the following standards:

(1) A safety and security plan for each shelter shall be submitted to the Community Development Department. The plan shall include information as specified by the Community Development Director.

(2) Security guards shall be provided at a ratio of at least one guard for every 25 shelter beds.

(3) Security guards shall be employed by a private patrol operator (security company) that is currently licensed with the California Department of Consumer Affairs. The following information shall be provided to the city: the name of the security company; proof of its liability insurance, including a copy of all exceptions; its state license number; and the guard registration numbers for all employed guards.

(4) Digital security cameras shall be installed and capture the activities of the shelter's waiting and intake area, as well as the entrance and exit from the shelter and the shelter parking lot. If the shelter includes a childcare area as a common facility, then the childcare area shall also be monitored via a digital camera system. Recordings from digital security cameras shall be maintained for no less than 14 days.

(J) *Noise.* The use must be conducted in conformance with the city's noise regulations pursuant to Article 19, Noise Attenuation Requirements, of this chapter.

(K) *Refuse storage areas.* A refuse storage area shall be provided consistent with the standards of Article 14, Refuse Storage Area Design Guidelines.

(L) *Emergency shelter provider.* The agency or organization operating the shelter shall comply with the following requirements:

(1) The operator shall be local provider designated under the applicable requirements of the State Emergency Housing and Assistance Program.

(2) Staff and services shall be provided to assist residents in obtaining permanent shelter and income.

(3) The operator shall not discriminate in any services provided.

(4) The operator shall not require participation by residents in any religious or philosophical ritual, service, meeting or rite as a condition of eligibility.

(5) The operator of the shelter shall submit a management plan for review by the Community Development Director. The plan must address issues identified by the Director, including transportation, client supervision, security, client services, staffing, and good neighbor issues.

(M) As an alternative to the standards established in Sections A-L above, an operator may submit an alternate management and operational plan to address emergency shelter projects comprised of temporary structures. The alternate plans shall provide comparable security, public safety, noise, parking, and lighting standards, as verified by the Community Development Director
(Ord. 2089-C-S, passed 6-24-14)

City-Owned Properties

Staff initially identified four City-owned properties that could be used to house these trailers and this program. After receiving additional information, the parcels at the corner of northeast corner of A Street and 7th Street has been eliminated because the City actually owns only a small portion of the properties. The three remaining sites each would require an ES Zoning Overlay and are described in the following pages:

Property 1	**Fitzuren Road**
APN	067-342-013, 067-342-002, 067-342-001
Zoning – Current	Neighborhood/Community Commercial District (C-2)
Zoning – Proposed	Neighborhood/Community Commercial District (C-2) with Emergency Shelter (ES) Zoning Overlay
General Plan Land Use	Neighborhood Community Commercial, Medium Low Density Residential
Area	1.74 acres

Property 2	**301 W. 10th Street**
APN	067-080-038
Zoning – Current	Downtown Specific Plan (DSP) with a designation of Neighborhood Commercial (C-N)
Zoning – Proposed	Downtown Specific Plan (DSP) with a designation of Neighborhood Commercial (C-N) with an Emergency Shelter (ES) Zoning Overlay
General Plan Land Use	Downtown Specific Plan Focus Area
Area	0.91 acres

Property 3	**Fulton Shipyard Road**
APN	065-020-002
Zoning – Current	Open Space (OS) and Heavy Industrial (M-2)
Zoning – Proposed	Open Space (OS) and Heavy Industrial (M-2) with an Emergency Shelter (ES) Zoning Overlay
General Plan Land Use	Industrial
Area	12.28 acres

Planning Commission

On June 3, 2020, the Planning Commission considered this item and passed a resolution recommending that the City Council make the proposed text amendments but did not recommend that any of the proposed sites be rezoned to include the ES Zoning Overlay. The Planning Commission sited concerns about each of these properties. On the Fitzuren site, the Commission expressed concerns about the proximity to Highway 4 and the associated noise and pollution. On the 10th Street site, the Commission was concerned about the loss of parking for the adjacent community center. At the Fulton Shipyard site, the Commission felt that the shared use with heavy City operations and the associated truck traffic was inappropriate for family housing, along with the lack of nearby services. The Planning Commission suggested that staff pursue use of the Contra Costa County Event Center (fairgrounds) RV Park for these trailers. The draft minutes of this meeting are attached.

Prior to the meeting, the Planning Commission received over ninety email comments addressing this project. At the time that the public hearing notices were distributed, the Community Development Department did not have adequate information to communicate that the project would be for families with children in the Antioch Unified School District. This information was eventually relayed to each person who delivered an email comment and the resulting responses were mixed.

SUMMARY

In summary, staff recommends that the City Council introduce the ordinance to amend the text of the Zoning Ordinance to accommodate alternative emergency shelter types and to amend the zoning of their preferred site(s) to include the Emergency Shelter (ES) Zoning Overlay.

ATTACHMENTS

A. Proposed Ordinance
B. Draft Planning Commission Minutes

ATTACHMENT "A"

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH AMENDING THE ZONING MAP AND THE ZONING ORDINANCE TO APPLY AN EMERGENCY SHELTER ("ES") ZONING OVERLAY TO SPECIFIED PROPERTIES AND ADDRESS ALTERNATE EMERGENCY SHELTER TYPES

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

SECTION 1:

The City Council determined on _____, that, pursuant to Section 15061(b)(3) of the Guidelines of the California Environmental Quality Act, the project does not have the potential for causing a significant effect on the environment because it is directly implementing land use changes and programs already considered and adopted in the Downtown Specific Plan.

SECTION 2:

At its regular meeting of June 3, 2020, the Planning Commission recommended that the City Council adopt the Ordinance to amend the Zoning Map and Zoning Ordinance to apply an Emergency Shelter ("**ES**") Zoning Overlay to specified properties and address alternate emergency shelter types.

SECTION 3:

The following property/properties are hereby rezoned to include an Emergency Shelter ("**ES**") Zoning Overlay:

1._____
2._____
3._____

SECTION 4:

The text of the Zoning Ordinance is amended as follows:

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. Emergency Shelters may include recreational vehicle and vehicle parks, tiny home communities or other temporary shelters.

§ 9-5.3839 EMERGENCY SHELTERS.

Emergency shelters shall be located, developed, and operated in compliance with the following standards:

(A) *Number of residents/beds.* Each shelter shall contain a maximum of 50 beds and shall serve no more than 50 homeless persons.

(B) *Length of occupancy.* Occupancy by an individual or family may not exceed 180 consecutive days unless a management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.

(C) *Hours of operation.* To limit outdoor waiting, the facility must be open each day for at least eight of the hours between 7:00 a.m. and 7:00 p.m.

(D) *Waiting and intake areas.* Each shelter shall include indoor waiting and intake areas for guests. Such intake and waiting areas shall be provided at a rate of ten square feet per bed and in any case, shall be at least 200 square feet in area. Waiting and intake areas may be used for other purposes as needed during operation of the shelter.

(E) *Common facilities.* The development may provide one or more of the following specific common facilities for the exclusive use of the residents:

(1) Laundry facilities.
(2) Central cooking and dining room(s).
(3) Recreation rooms.
(4) Counseling centers.
(5) Childcare facilities.
(6) Other support services.

(F) *Outdoor activities.* All functions associated with the shelter, except for children's play areas, outdoor recreation areas, parking, and outdoor waiting must take place within the building proposed to house the shelter. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients.

(G) *On-site parking.* Parking spaces shall be provided according to the standards of Article 17, Parking Requirements.

(H) *Lighting.* Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and shall be of an intensity that is comparable to surrounding uses.

(I) *On-site security.* On-site security must be provided at all times that the emergency shelter is in operation and according to the following standards:

(1) A safety and security plan for each shelter shall be submitted to the Community Development Department. The plan shall include information as specified by the Community Development Director.

(2) Security guards shall be provided at a ratio of at least one guard for every 25 shelter beds.

(3) Security guards shall be employed by a private patrol operator (security company) that is currently licensed with the California Department of Consumer Affairs. The following information shall be provided to the city: the name of the security company; proof of its liability insurance, including a copy of all exceptions; its state license number; and the guard registration numbers for all employed guards.

(4) Digital security cameras shall be installed and capture the activities of the shelter's waiting and intake area, as well as the entrance and exit from the shelter and the shelter parking lot. If the shelter includes a childcare area as a common facility, then the childcare area shall also be monitored via a digital camera system. Recordings from digital security cameras shall be maintained for no less than 14 days.

(J) *Noise.* The use must be conducted in conformance with the city's noise regulations pursuant to Article 19, Noise Attenuation Requirements, of this chapter.

(K) *Refuse storage areas.* A refuse storage area shall be provided consistent with the standards of Article 14, Refuse Storage Area Design Guidelines.

(L) *Emergency shelter provider.* The agency or organization operating the shelter shall comply with the following requirements:

(1) The operator shall be local provider designated under the applicable requirements of the State Emergency Housing and Assistance Program.

(2) Staff and services shall be provided to assist residents in obtaining permanent shelter and income.

(3) The operator shall not discriminate in any services provided.

(4) The operator shall not require participation by residents in any religious or philosophical ritual, service, meeting or rite as a condition of eligibility.

(5) The operator of the shelter shall submit a management plan for review by the Community Development Director. The plan must address issues identified by the Director, including transportation, client supervision, security, client services, staffing, and good neighbor issues.

(M) As an alternative to the standards established in Sections A-L above, an operator may submit an alternate management and operational plan to address emergency shelter projects comprised of temporary structures. The alternate plans shall provide comparable security, public safety, noise, parking, and lighting standards, as verified by the Community Development Director

SECTION 5:

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 _____, 2020, and passed and adopted at a regular meeting thereof, held on the _____ of _____, 2020, by the following vote:

AYES:
NOES:
ABSENT:

_____
Mayor of the City of Antioch

ATTEST:

_____
City Clerk of the City of Antioch

A4

ATTACHMENT "B"

CITY OF ANTIOCH
PLANNING COMMISSION

Regular Meeting **June 3, 2020**
6:30 p.m. **Meeting Conducted Remotely**

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

Chair Schneiderman called the meeting to order at 6:30 P.M. on Wednesday, June 3, 2020. She announced that because of the shelter-in-place rules issued as a result of the coronavirus crisis, tonight's meeting was being held in accordance with the Brown Act as currently in effect under the Governor's Executive Order N-29-20, which allowed members of the Planning Commission, City staff, and the public to participate and conduct the meeting by electronic conference. She stated anyone wishing to make a public comment, may do so by submitting their comments using the online public comment form at www.antiochca.gov/community-development-department/planning-division/planning-commission-meetings/. Public comments that were previously submitted by email have been provided to the Planning Commissioners. She stated that all items that can be appealed under 9-5.2509 of the Antioch Municipal Code must be appealed within five (5) working days of the date of the decision. The final appeal date of decisions made at this meeting is 5:00 P.M. on Wednesday, June 10, 2020.

ROLL CALL

Present: Commissioners Parsons, Motts, Soliz, Barrow, Vice Chair Martin and Chair Schneiderman
Staff: Director of Community Development, Forrest Ebbs
Planning Manager, Alexis Morris
Director of Public Works, John Samuelson
City Attorney, Thomas Lloyd Smith
Minutes Clerk, Kitty Eiden

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

None.

DRAFT

NEW PUBLIC HEARING

1. **Emergency Shelter Zoning Amendment/Fitzuren Rezone –** The City of Antioch proposes to amend Title 9, Chapter 5 of the Antioch Municipal Code (Zoning Ordinance) to: a) modify the definition of "Emergency Shelter" to include recreational vehicle parks and other alternative shelters; b) introduce alternative development and operational standards for Emergency Shelters; and c) change the zoning designation of the following parcels as follows: 1). Three parcels located on Fitzuren Road identified as APN 067-342-013, 067-342-002, and 067-342-001. The current zoning is Neighborhood/Community Commercial District (C-2). The proposed zoning is Neighborhood/Community Commercial District (C-2) with an Emergency Shelter (ES) Zoning Overlay. 2.) The parcel located at 301 W. 10th Street (APN 067-080-038). The current zoning is Downtown Specific Plan (DSP) with a designation of Neighborhood Commercial (C-N). The proposed zoning is Downtown Specific Plan (DSP) with a designation of Neighborhood Commercial (C-N) with an Emergency Shelter (ES) Zoning Overlay. 3.) The parcels located at 615 A Street (APN 066-162-038, 007). The current zoning is Downtown Specific Plan (DSP) with a designation of High Density Residential (HDR). The proposed zoning is Downtown Specific Plan (DSP) with a designation of High Density Residential (HDR) with an Emergency Shelter (ES) Zoning Overlay. 4.) The parcel identified as APN 065-020-002 located on Fulton Shipyard Road. The current zoning is Open Space (OS) and Heavy Industrial (M-2). The proposed zoning is Open Space (OS) and Heavy Industrial (M-2) with an Emergency Shelter (ES) Zoning Overlay.

Director of Community Development Ebbs presented the staff report dated June 3, 2020 and PowerPoint Presentation recommending the Planning Commission recommend that the City Council adopt the Ordinance a) making text changes to the Antioch Municipal Code and b) recommend that the City Council rezone any, all, or none of the sites to add an Emergency Shelter (ES) Zoning Overlay.

In response to Commissioner Motts, Director of Community Development Ebbs explained that the 6-month restriction for the use of the trailers would be part of the programmatic details, which would be worked out by the City Council and staff. He noted that the desired outcome was to have all five trailers in one location, under one program. He further noted that the RFP was for a program that would assist families of students in the Antioch Unified School District.

In response to Chair Schneiderman, Director of Community Development Ebbs confirmed that there would be one family per trailer. He apologized that that was new information that he did not have at the time when the public hearing notices were sent out. He commented that each site would be serviceable with water, sewer and electrical to meet City codes.

In response to Vice Chair Martin, Director of Community Development Ebbs stated at this time the City was only considering these four locations. He explained that the proposed text amendments would expand the exception for people living in RVs to emergency shelter zoning overlays.

In response to Commissioner Soliz, Director of Community Development Ebbs stated that he did not have the statistics regarding homeless families in Antioch; however, there were an astounding number in the Antioch Unified School District (AUSD). He commented that the Antioch Police Department had not issued a statement on this proposal; however, he did not believe they were concerned about crime resulting from a family program. He noted the goal was to create a safe environment. He commented that they would verify enrollment in AUSD, prior to participation in the program. He noted that the city was working in partnership with the County to develop a different kind of program at the city-owned parcel on Delta Fair Boulevard.

Commissioner Soliz questioned if the City had discussed the use of the fairground's property for this program with the State.

Commissioner Barrow commented that the Planning Commission had received significant comments and concerns from the community regarding the rezoning of the properties, which he found to be valid. He applauded staff for their findings and discussed the state mandate requiring California cities to accommodate homeless shelters in at least one zoning district. He reported that the City had received five trailers from the State to house homeless families and the City Council directed staff to identify, and pursue options for city owned properties, which had been identified this evening.

In response to Commissioner Barrow, Director of Community Development Ebbs explained that the City Council's project included the placement of five travel trailers on one of the proposed sites, landscaping, fencing, securing of the site, utilities, other amenities, and an operational component. He clarified that the emergency shelter zoning overlay made the future development of the project non-discretionary. He commented that the City of Antioch was the property owner; therefore, the City Council played a duel roll of administering the zoning ordinance of the site and representing their property interest. He noted this evening the Planning Commission was considering zoning and that issues regarding how to manage the property was a decision to be made by the City Council. He further noted that under state law the right to develop an emergency shelter must come with the zoning. He stated the trailers would be positioned as soon as the utilities, infrastructure and operational agreement was in place. He noted the program would continue as long as the trailers were usable, serviceable and there was funding for the operations.

Planning Manager Morris clarified that the definition of emergency shelters limited occupancy to 180 days or less.

Director of Community Development Ebbs added that he believed the trailers would be utilized for the life of the trailer and beyond that, the City Council would decide how to continue to use the sites. He commented that the trailers would be secured but there would not be permanent foundations.

Commissioner Parsons reported that she had heard there were 600 homeless children in AUSD.

In response to Commissioner Parsons, Director of Community Development Ebbs stated he was unsure of the life of the trailer; however, the program would continue until there was no longer a need or something else replaced it.

Chair Schneiderman opened the Public Hearing.

Speaker one thanked Commissioner Barrow for his comments and asking some of her questions. She questioned if there was any mention of the parents of the children in the AUSD being required to be tax paying residents of the city.

Director of Community Development Ebbs responded that he had not heard that residency standards would be a consideration. He apologized and explained that for public comment, they could not have a dialog. He stated her questions should be directed to the Commission.

City Attorney Smith explained that the period for public comment was a time for the speaker to make their statements and not a time for discussion between the speaker and staff or the Commission.

Speaker one stated that the tax paying residents' requirement should be part of the application process. She stated she wanted to know what the application process consisted of and what programmatic means. She noted they wanted to help families and children in need. She further noted there were larger homeless issues in Antioch, and this program may not be in the best interest of the city. She stated that her questions may be for the City Council.

Speaker two stated he looked at all of the sites and he did not believe Fitzuren Road location would be appropriate due to its proximity to the freeway and high voltage lines.

Speaker three, stated the proposed sites were all in the downtown area and she was concerned that it would give a larger discrepancy within Antioch. She stated a permanent program in a residential area was concerning because they were already experiencing a lot of homeless issues. She noted that she did not believe this would solve the homeless issue in Antioch.

Speaker four stated he was a representative from the Antioch Model Railroad Club who rented the building at Fulton Shipyard Road for the past 36 years. He stated they were

objecting to placing the trailers in this area because this location was a city transfer yard for the landfill and vehicles drove through the yard all day long, every day, which was problematic for families with children. Additionally, it was a high crime area so they had installed very bright security lighting, which he believed would not be acceptable to residents and if they turned them off there would be less security in the area. He noted if residents were there, the lot could not be locked which would further reduce security in the area.

The following public comments were read into the record by Planning Manager Morris.

Sheilagh Driscoll expressed concern regarding the plan to rezone the property on "D" Street and Fitzuren Road noting that she did not know what the impact would be on the children and people living in those neighborhoods. She stated she was also concerned that her neighbors had not received the public hearing notice. She noted that she understood the need to help the homeless, however, she believed another area would be more appropriate.

Steven Abfalter stated he did not believe the Fitzuren Road property was a viable location for this program due to its proximity to the freeway.

Htat Aung expressed concern for locating a homeless shelter in a residential neighborhood.

Chair Schneiderman closed the Public Hearing.

Chair Schneiderman stated that she believed that whoever received housing should be a resident of Antioch and the County should be more involved. She reported that she had received and read all the public comments submitted. She noted the property with the least amount of comments was Fulton Shipyard Road; however, she did not believe it was appropriate for the trailer program. She further noted that it may be appropriate for homeless Veteran's housing. She stated the "D" Street property may be appropriate as it would not be very visible, and she did not believe there would be any negative impacts from families living in the area. She expressed concern that Fitzuren Road was a high traffic area and "A" Street was highly visible for anyone traveling to the Marina area.

In response to Commissioner Motts, Director of Community Development Ebbs stated the site design would be based on the site selected by the City Council; however, the minimum would be fencing and landscaping.

Commissioner Motts stated he supported locating the trailers in neighborhoods since they would be occupied by families with children. He noted the RFP would address the impacts that residents were concerned about. He agreed that the trailers with families would not be appropriate at the Fulton Shipyard Road or Fitzuren Road sites; however, those sites may be appropriate for another use. He noted that that was unfortunate because the remaining sites were north of the freeway and the Rivertown area had taken

most of the homeless population for decades. He commented that Governor Newsom had stated that he would make state property available so he believed the Contra Costa County Fairgrounds may be a viable option. He asked that the City Council consider that option.

Chair Schneiderman stated she also believed the fairgrounds may be a viable option.

In response to Vice Chair Martin, Director of Community Development Ebbs explained that this emergency shelter program would be under the definition of recreational vehicle park; however, other alternative housing types were disclosed as options for the future.

Vice Chair Martin stated that Fitzuren Road was not appropriate due to its proximity to the freeway and the negative impacts of noise and pollution. With regards to West 10th Street he stated this program would eliminate at least half of the parking lot and he did not know if it would leave enough room for parking needs of the Antioch Community Resources Building.

Director of Community Development Ebbs responded that the downtown specific plan reduced parking requirements so he would proceed as if a project could work there and provide all the necessary parking.

Vice Chair Martin stated "A" Street was half of a block away from a welcome to Antioch sign and this project at that location could be detrimental as to welcoming people to downtown area of Antioch. With regards to Fulton Shipyard Road, he reported that when he visited the site, he found it to be unsafe due to garbage and dump truck traffic in the area; therefore, he did not feel it was appropriate for families to be living in the area.

Commissioner Parsons stated she did not feel any of the proposed sites were appropriate. She noted Fitzuren Road was located too close to the freeway and there were no sidewalks. She further noted the West 10th Street location was a high traffic area and unsafe for pedestrians. Additionally, she noted the trailers would have to be located too close together and that would be unlivable. She commented that the City was attempting to improve their image and locating the trailers on "A" Street was not conducive to improving the area. She stated that there were trains, dump trucks and marina traffic at Fulton Shipyard Road. She stated if the Contra Costa Fairgrounds were available, it would be appropriate because the infrastructure was in place; however, she was concerned regarding how students would be able to get to school from this area. She discussed the importance of finding the best location for these families to have a home. She noted if the City owned parcel on Delta Fair Boulevard was available it would have been a good area.

Commissioner Barrow stated he had visited all the proposed sites and Fitzuren Road was not appropriate. With regards to the West 10th Street location he did not recommend this area for a homeless shelter. Speaking to the "A" Street location, he noted it was the gateway to downtown and the property should be utilized to its full potential. As for the

Fulton Shipyard Road option, he noted it had 12.28 acres of land and there was a possibility for some sort of activity to occur at that location. He spoke to the importance of having a consolidation of services and noted the County Fairgrounds may be a good option. He stated he could not support the proposal this evening and suggested staff revisit potential locations other than those proposed this evening.

Director of Community Development Ebbs responded that in the past, they had discussed the fairgrounds and it was not a viable option this evening.

In response to Commissioner Barrow, Director of Community Development Ebbs explained that the fairgrounds was owned by the County and the State.

Commissioner Parsons clarified that the fairgrounds were the 23rd Agricultural District of the State of California.

Commissioner Barrow stated that it may be in the City's best interest to have a conversation with the State regarding the use of the fairgrounds since they had provided the City with the trailers and they may be able to work with the City. He suggested staff consider other potential locations that would not create any situational issues in the downtown corridor or existing residential/commercial neighborhoods.

Commissioner Parsons questioned if the Planning Commission had the option to reject all sites and direct staff to bring back alternative locations.

Director of Community Development Ebbs clarified the Planning Commission was being asked to make a recommendation to the City Council, which could be all, some or none of the proposed locations.

Commissioner Soliz thanked everyone for their comments. He stated that it was important that the City address homelessness In Antioch. He commented that he was glad he had brought up the fairground issue as a possibility because he believed it to be a viable option. He noted that they had received the trailers from the State and therefore they should go back to the State to ask them about using some of the fairgrounds property to house these facilities. He voiced his opposition to the Fitzuren Road site because of the traffic and freeway. He noted it would be dangerous for children traveling to school without sidewalks in the area. He stated they had also heard from residents in the neighborhood regarding their concerns related to their property values and while it was important to help people with unfortunate life experiences, they also had to address the issues of those living here now who were supporting the City. He commented that he was opposed to the West 10th Street location due to the parking lot issue and the impact of putting these facilities in a residential neighborhood. He stated the "A" Street location was the entryway to the Rivertown district and he did not feel it was an appropriate location. He noted the property at Fulton Shipyard Road may be the best location as it would have a minimal impact to the area. He recommended directing staff to contact the State regarding the viability of the fairground property. He stated if it was determined not

to be a viable option, he would forward the item to Council with a recommendation for rezoning the property at Fulton Shipyard Road. He commented Tri Delta Transit could be approached regarding a route modification for the fairground's location. He wished the City Council and staff the best in working with the County on addressing the shelter on Delta Fair Boulevard.

A motion was made by Commissioner Soliz to recommend to the City Council approval of an ordinance to amend the zoning map and zoning ordinance to apply an emergency shelter zoning overlay and address alternative emergency shelters at the property at Fulton Shipyard Road APN 065-020-002 with a recommendation that staff approach the State of California on the viability of establishing homeless clusters at the Contra Costa County Fairground property.

City Attorney Smith requested the recommendation to staff be separated from the motion.

Director of Community Development Ebbs added that he would follow up with the State regarding the viability of the fairground's property.

Following discussion, Commissioner Soliz amended his motion as follows:

A motion was made by Commissioner Soliz, seconded by Commissioner Barrow, to adopt the Ordinance a) making text changes to the Antioch Municipal Code and b) recommend that the City Council rezone any, all, or none of the sites to add an Emergency Shelter (ES) Zoning Overlay at the property at Fulton Shipyard Road APN 065-020-002.

Discussion continued with Commissioner Motts stating that he felt the Fulton Shipyard Road parcel would be too dangerous for children.

Commissioner Soliz stated if it were the consensus of the Planning Commission, he would agree to amend his motion to exclude the Fulton Shipyard parcel meaning that none of the four sites would be recommended to the City Council. He questioned if they could recommend this item be tabled and brought back to the Planning Commission once they had established whether the fairgrounds property was feasible.

Director of Community Development Ebbs responded that tabling was not an option because this item was going to the City Council on June 23, 2020. He stated he would forward the minutes, context of the minutes and an explanation of the meeting to the City Council. Additionally, he would be encouraging them to watch this meeting. He noted it was up to the Commission whether they recommended any of the sites or they wanted staff to pursue other options.

Commissioner Motts agreed with Commissioner Soliz that this issue was a crisis and families with children needed to be helped. He noted that a lot of money was being spent on the homeless situation and it was better to spend that money trying to help those in

need. He further noted that provided they had the services and infrastructure in place, he would support either of the residential sites.

Commissioner Parsons commented that she respected the homeless and stated she felt it was important to place them in a location with good livable surroundings. She reiterated that she believed all the sites proposed were not viable locations.

A vote taken on the previous motion failed by the following vote:

AYES: Soliz, Barrow and Schneiderman
NOES: Motts, Parsons, Martin
ABSTAIN: None
ABSENT: None

City Attorney Smith stated that the motion needed four votes to be approved; therefore, it failed.

In response to Commissioner Parsons, Director of Community Development Ebbs stated staffs recommendation was that the Planning Commission make a recommendation to the City Council to adopt the Ordinance making text changes to the Antioch Municipal Code and if they felt none of the sites were suitable, they could recommend that none of the properties be rezoned.

RESOLUTION NO. 2020-12

On motion by Commissioner Martin, seconded by Commissioner Parsons, the Planning Commission recommended that the City Council adopt the Ordinance making text changes to the Antioch Municipal Code with no recommendations to any of the sites presented by staff. The motion carried the following vote:

AYES: Parsons, Soliz, Barrow, Martin and Schneiderman
NOES: Motts
ABSTAIN: None
ABSENT: None

ORAL COMMUNICATIONS

Planning Manager Morris announced that the second Planning Commission in June was cancelled, and the next Planning Commission meeting would be July 1, 2020.

WRITTEN COMMUNICATIONS

None.

COMMITTEE REPORTS

None.

ADJOURNMENT

On motion by Commissioner Barrow, seconded by Commissioner Soliz, the Planning Commission unanimously adjourned the meeting at 8:16 P.M. The motion carried the following vote:

AYES:	***Motts, Parsons, Soliz, Barrow, Martin and Schneiderman***
NOES:	***None***
ABSTAIN:	***None***
ABSENT:	***None***

Respectfully submitted:
KITTY EIDEN, Minutes Clerk