



## COMMUNITY DEVELOPMENT DEPARTMENT

(925) 779-7035

[www.antiochplanning.com](http://www.antiochplanning.com)

### Procedures for Obtaining a Use Permit to Occupy an Existing Building

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Thank you for choosing the City of Antioch for your project. This application brochure contains important information regarding the process, required plans, and application/consent forms.

#### **What is a Use Permit?**

The City has discretionary control over certain uses which have site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with surrounding uses and properties. A Use Permit application is the method used to review and regulate such uses. Other names for a Use Permit include "Conditional Use Permit", "CUP", or "Special Use Permit." The Use Permit process also allows for public input during the review of your application.

Uses that require Use Permit approval are specified in the Zoning Ordinance. A Planner can help you determine if a Use Permit is required. This Use Permit application is intended to streamline application submittal and processing for certain uses that require a Use Permit but will be occupying existing buildings and are proposing minor, if any, changes to the building or project site. It should be noted that new building construction and exterior modifications will also require Design Review. To submit a Use Permit or combined Use Permit / Design Review application please follow the instructions contained in this document. For more information on Use Permits please visit:

[http://www.ceres.ca.gov/planning/cup/condition.htm#top\\_anchor](http://www.ceres.ca.gov/planning/cup/condition.htm#top_anchor).

#### **How do I Apply?**

##### **Step 1 - Project Consideration**

A prospective applicant should review the Municipal Code requirements for the proposed project with the Planning Division staff. You will typically be given a copy of this application at this time. Please carefully consider time and cost as discussed in this brochure when making your decision to move forward with a Use Permit application. An additional cost variable is preparation of the plans required to complete this application. Hiring a design professional such as an architect, engineer, or surveyor is highly recommended.

##### **Step 2 – Pre-application Conference**

A pre-application conference is required. Prior to this meeting the team of staff members that will be assigned to your project will be chosen, including representatives of the Planning,

Engineering, and Building Divisions. These staff members will be with you throughout the life of your project and are a valuable resource as questions arise. The pre-application conference is your opportunity to receive comprehensive information from each Division regarding City requirements. You will also be given information on which outside agencies to consult prior to submitting your application such as the Fire Department or Environmental Health for example. It is strongly recommended that your design professional attend this meeting with you and that you bring any draft drawings that may have been prepared.

**A pre-application conference can be scheduled by calling 925.779.7035 and asking for the Planning Secretary.**

□ **Step 3 – Preliminary Review of Plans**

This is an optional step. Your assigned staff member can informally review a draft copy of your plans. Note that because all Divisions will not be reviewing the draft plans, this is not a comprehensive review and comments may be made later in the process.

□ **Step 4 - Submit your Application**

Please make an appointment with your assigned staff member (contact information provided at pre-application conference) to submit your application. Necessary forms and material checklists are provided in this brochure.

**What Happens to My Application Now?**

- ✓ Staff will check your application for completeness against the requirements contained in the following pages. You will receive either a complete or incomplete letter from staff. **Please note the “complete” letter marks the point your application is deemed to be complete for processing timelines.** An “incomplete” letter will provide documentation of items that must be submitted/resubmitted prior to your project being deemed complete.
- ✓ Environmental review will start once the application is complete. State Law requires that all applications processed by the City be in compliance with the California Environmental Quality Act, known as CEQA. Your assigned staff member gave you preliminary information about what type of CEQA document is expected to be required for your project if not exempt. For additional information on CEQA please visit: <http://ceres.ca.gov/ceqa/>
- ✓ Your plans will be routed to departments and divisions within the City and to applicable outside agencies for review and comment. Your assigned staff member will contact you with a summary of the comments that are received.

At this point, depending on the comments, your project will either require adjustments or responses to comments or will be ready to be scheduled for a hearing(s).

### **How Long Does All This Take?**

Typically, it will take 8- 12 weeks from the time an ***application is deemed to be complete*** for a project to be scheduled for a hearing. The exact timing will depend on the complexity of the project and the type of environmental review (see CEQA information above) required for the project.

### **How Much Does it Cost?**

The deposit/fee schedule can be found at:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/deposit-fee-schedule.pdf>

or can be provided by staff. Staff charges time and materials to your project account monthly. You will receive a bill for services based on an hourly rate as identified in the master fee schedule:

([http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/masterfee\\_community\\_development.pdf](http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/masterfee_community_development.pdf)).

The initial deposit is not a fee and monthly charges will not be drawn from this deposit. Actual charges may be in excess of the deposit. The deposit will be returned at the conclusion of the process after all invoices have been paid. If invoices are not paid on a monthly basis, processing will be terminated until all past due amounts have been paid.

Costs to prepare environmental documents or necessary studies are required to be paid by the applicant along with a 35% administration fee.

Money saving tips can be found at:

<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/money-savings.pdf>

### **Preparing for Public Hearings**

Use Permits are subject to the review of either the Planning Commission or, in some instances, the Zoning Administrator. You will be informed by staff as to the appropriate hearing body. The Planning Commission meets on the first and third Wednesdays of the month at 6:30 p.m. in the City Council Chambers. The Zoning Administrator meets on the second and fourth Thursdays of the month at 3 p.m. in the City Council Chambers.

Use Permit applications require public hearings. Property owners within 300 feet will be notified of the hearing, and the notice will also be published in the newspaper.

At the hearing staff will present a summary of your project and the recommendation. Staff will take clarification questions from the hearing body. The selected project spokesperson will then have 10 minutes to speak. This can be the property/business owner, design professional, or any other person best suited to explain your proposal and answer questions. All other persons wishing to speak regarding your item will then have an

opportunity to speak. This includes members of the public who may be for or against your project. Once all speakers are heard, the project representative will have an opportunity for a five minute rebuttal. **Prior to your hearing, you are strongly encouraged to read and understand all conditions staff has proposed for your project.** These conditions may have significant impacts on project cost and timeliness.

After the public has spoken on the item the public hearing will be closed and the hearing body will discuss the item. A decision will be made to do one of the following:

1. Approve or conditionally approve the project.
2. Postpone action pending receipt of additional information or amended plans.
3. Deny the application.

A copy of the findings and decision will be provided to the applicant following the hearing.

### **Right to Appeal**

The decision on your project can be appealed within five working days of the hearing. The specific deadline for appeal will be on the hearing agenda. Appeals may be filed by the project proponent or a member of the public. Appeals must be submitted in writing to the City Clerk with the applicable fee. Appeals of Planning Commission items will be heard by the City Council and appeals of Zoning Administrator items will be heard by the Planning Commission.

## **USE PERMIT APPLICATION SUBMITTAL CHECKLIST**

- Application forms submitted and signed, including:
  - Development Application (attached);
  - Statement of Understanding (attached); and
  - Environmental Assessment (attached).
  
- City of Antioch deposit and appropriate State Department of Fish and Game fee, if applicable (refer to the separate deposit / fee schedule for exact amount). A copy of the deposit/fee schedule is available at:  
<http://www.ci.antioch.ca.us/CityGov/CommDev/PlanningDivision/docs/deposit-fee-schedule.pdf>.
  
- A detailed written summary (on a separate sheet and attached to the application) describing the characteristics of the proposal use including but not limited to hours of operation, type of business and number of employees, area coverage of structure, parking and open space, calculations of required parking. This information is critical for staff to fully understand your project and how you wish it to operate. Much of this information will be used to explain the project to the reviewing body and to develop conditions for project approval.
  
- Addressed and stamped (not metered postage) envelopes for the list of all property owners within 300 feet of the project site. Do not put a return address on the envelopes; this will be done by staff. See attached for instructions on how to prepare the property owners' list.
  
- Building and site photographs\*: Submit twelve (12) 8.5" x 11" sized copies of photographs of all sides of the exterior of the existing building and photographs of the surrounding property. Site photos must include photos of the parking area.
  
- Floor plans\*: Submit twelve (12) 11" x 17" sized copies of floor plans that show the total floor area of project. The floor plan must be a scaled drawing.
  
- Other information, such as colored elevations or rendered perspectives, may be required to fully represent the proposal at a public hearing. City staff will inform the applicant during the review process if such additional information is required.

\* Staff may request additional materials if necessary. Additional copies of plan sets will be required if the project is appealed.

## **ATTACHMENTS**

- Development Application Form
- Statement of Understanding
- Environmental Assessment
- How to Compile Property Owner Mailing List



# DEVELOPMENT APPLICATION

Community Development Department

P.O. Box 5007

Third & "H" Streets

Antioch, CA 94531-5007

Phone: (925) 779-7035 Fax: (925) 779-7034

**SITE LOCATION:** \_\_\_\_\_

**ASSESSORS PARCEL NO. (S):** \_\_\_\_\_ **TOTAL ACREAGE:** \_\_\_\_\_

**BRIEF DESCRIPTION OF REQUEST:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## PROPERTY OWNER OF RECORD

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

**Signature:** \_\_\_\_\_

## APPLICANT

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

**Signature:** \_\_\_\_\_

## ANY OTHER PERSON THAT YOU WOULD LIKE THE CITY OF ANTIOCH TO NOTIFY OF THE PUBLIC HEARING

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

## AGENT/DESIGNER

Name: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No. \_\_\_\_\_

Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

*For Office Use Only*

Date Received: \_\_\_\_\_ File No: \_\_\_\_\_

Title: \_\_\_\_\_

Planner: \_\_\_\_\_ Account No. \_\_\_\_\_

**Type of Application:**

- |  |   |                                       |   |
|--|---|---------------------------------------|---|
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Amend General Plan | <input type="checkbox"/> Minor Subd   | <input type="checkbox"/> 2 <sup>ND</sup> Unit AUP |
| <input type="checkbox"/> Use Permit    | <input type="checkbox"/> Amend Spec Plan    | <input type="checkbox"/> Lot Line Adj | <input type="checkbox"/> Rezone/Final             |
| <input type="checkbox"/> Variance      | <input type="checkbox"/> Amend Zoning Map   | <input type="checkbox"/> Subdivision  | <input type="checkbox"/> Dev. Plan                |
| <input type="checkbox"/> Signage       | <input type="checkbox"/> Prelim PD          | <input type="checkbox"/> Other _____  | <input type="checkbox"/> Annexation               |

*Return comments no later than* \_\_\_\_\_

- |   |                                   |                                 |
|---|-----------------------------------|---------------------------------|
| <input type="checkbox"/> Engineering/PW | <input type="checkbox"/> Building | <input type="checkbox"/> Police |
| <input type="checkbox"/> Engineering    | <input type="checkbox"/> Fire     | _____                           |
| <input type="checkbox"/> Engineering/CD | <input type="checkbox"/> PHBS     | _____                           |
| <input type="checkbox"/> Maintenance    | <input type="checkbox"/> DDSD     |                                 |

**STATEMENT OF UNDERSTANDING**

**PLEASE SIGN AND RETURN WITH YOUR APPLICATION**

In signing this Statement of Understanding in conjunction with the attached application to the City of Antioch, Department of Community Development for the Project titled \_\_\_\_\_.

I understand that charges for materials and staff time spent processing this application will be billed monthly and is based on an hourly rate as identified in the current fiscal year fee schedule. Application processing includes but is not limited to plan checking and processing, meetings, phone calls, research, e-mail, and staff report preparation. Further, I understand that my initial deposit is not a fee and actual charges may be in excess of the deposit. The deposit will be returned to me at the conclusion of the process after all invoices have been paid. If invoices are not paid on a monthly basis, processing will be terminated until all past due amounts have been paid. Failure to pay invoices on a monthly basis may also result in an application being deemed incomplete; postponement of hearings or meetings; and/or inability to obtain a building permit. Failure to pay invoices on a monthly basis may also result in the placement of a lien on the subject property.

I assume full responsibility for all costs incurred by the City in processing this application.

Further, I understand that approval of my project is NOT guaranteed and may be denied. In the case of a denial, I understand that I am still responsible for all costs incurred by the City in processing this application.

I hereby authorize employees, officials and agents of the City of Antioch to enter upon the subject property, as necessary, to inspect the premises and process this application.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

.....  
Property owner signature for authorization to enter property and process the application. This is required only if the applicant is not the property owner.

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

# ENVIRONMENTAL ASSESSMENT

(To be completed by Applicant)

To Accompany Application for:

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## APPLICANT INFORMATION

Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Parcel No. \_\_\_\_\_

Telephone No. \_\_\_\_\_

File No. \_\_\_\_\_

Completeness and accuracy of the information provided by this form will help assure that your application can proceed without unnecessary delay. Attach additional sheets if necessary.

## GENERAL INFORMATION

1. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

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2. Existing zoning and general plan districts: \_\_\_\_\_

3. Proposed use of site (project for which this form is filed):

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## PROJECT DESCRIPTION

4. Site size: \_\_\_\_\_

5. Building square footage: \_\_\_\_\_

6. Number of floors of construction: \_\_\_\_\_

7. Amount of off-street parking provided: \_\_\_\_\_

8. Percentage of landscaping: \_\_\_\_\_

9. Projects associated with this project:

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10. Schedule of construction:

11. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected:

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12. If commercial, indicate the types of tenants, and whether neighborhood, city or regionally oriented:

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13. If industrial, indicate the type of tenants, hours of operation and estimated employment per shift:

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14. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, and community benefits to be derived from the project:

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15. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required:

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Are the following items applicable to the project or its effects?

		YES	NO
16.	Change in existing features of any wetlands, tidelands, beaches, or hills, or substantial alteration of ground contours		
17.	Change in scenic views or vistas from existing residential areas or public lands or roads		
18.	Change in pattern, scale or character of general area of project		
19.	Create significant amounts of solid waste or litter		
20.	Change in dust, ash, smoke, fumes or odors in vicinity		
21.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns		
22.	Create substantial change in existing noise or vibration levels in the vicinity		
23.	Site on filled land or on slope of 10% or more		
24.	Use or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives		
25.	Create a substantial change in demand for municipal services (police, fire, water, sewage etc.)		
26.	Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)		
27.	Project related to a larger project or series of projects		

Discuss below all items checked "YES" (attach additional sheets as necessary)

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**ENVIRONMENTAL SETTING**

28. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Polaroid photos or digital photos will be accepted.

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29. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Polaroid photos or digital photos will be accepted.

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**CERTIFICATION**

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: \_\_\_\_\_

Name of Agency: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Phone: \_\_\_\_\_

## HOW TO COMPILE THE PROPERTY OWNERS' MAP AND LISTING

### PURPOSE

Most applications to the City of Antioch Department of Development Services require notification of surrounding property owners. This is a requirement of State law which gives an opportunity for property owners on surrounding lands to comment on the application at a public hearing. Applicants are required to provide the names of the property owners and addressed, pre-stamped envelopes. Postal Service and City policy makes the use of predated and undated **METERED POSTAGE UNACCEPTABLE**. Please use current U.S. postage stamps. Envelopes with ***metered postage will be returned to the applicant.***

### ASSESSOR ROLL METHOD

Contra Costa County Assessor's office prepares both a set of tax maps and a tax roll. A person's property can be identified by an assessor's parcel number which resembles a Social Security Number. An example of an assessor's parcel number is 068-102-15. In this example the first set of numbers (068) is the book, the second set of numbers (102) is the block/page and the third set of number (15) is the parcel. The full number represents the assessor's parcel number or APN.

- Step 1 - Identify the assessor's parcel number and locate a series of assessor map books available at Contra Costa County Offices. Locate the parcel in the map book.
- Step 2 - Assemble a map showing a 300 foot radius around the subject site. Multiple assessor pages may be necessary. Identify parcels which fall wholly or partially within 300 feet of the subject parcel. Include this map with the application.
- Step 3 - List all the parcels **IN NUMERIC ORDER** by book, page and parcel on the attached sheet.
- Step 4 - Using the parcel numbers identified in Step 3, use the assessment roll to find the names and addresses of the owners of the properties and write these in the spaces provided on the attached sheet along with the site address.
- Step 5 - Submit this list to the Department of Development Services as part of the application. Sheets that are not legible will be returned. It is the applicant's responsibility to make sure these sheets are correct. Incorrect noticing could cause a delay to the processing of the project.

## **TITLE COMPANIES**

Most title companies have this information on computer and charge a nominal fee for this service. An applicant may wish to use a title company instead of following the above process; however, we will still require that the "PROPERTY OWNERS' NOTIFICATION LISTING" be accurately filled out and included with each application.

## **MAILING**

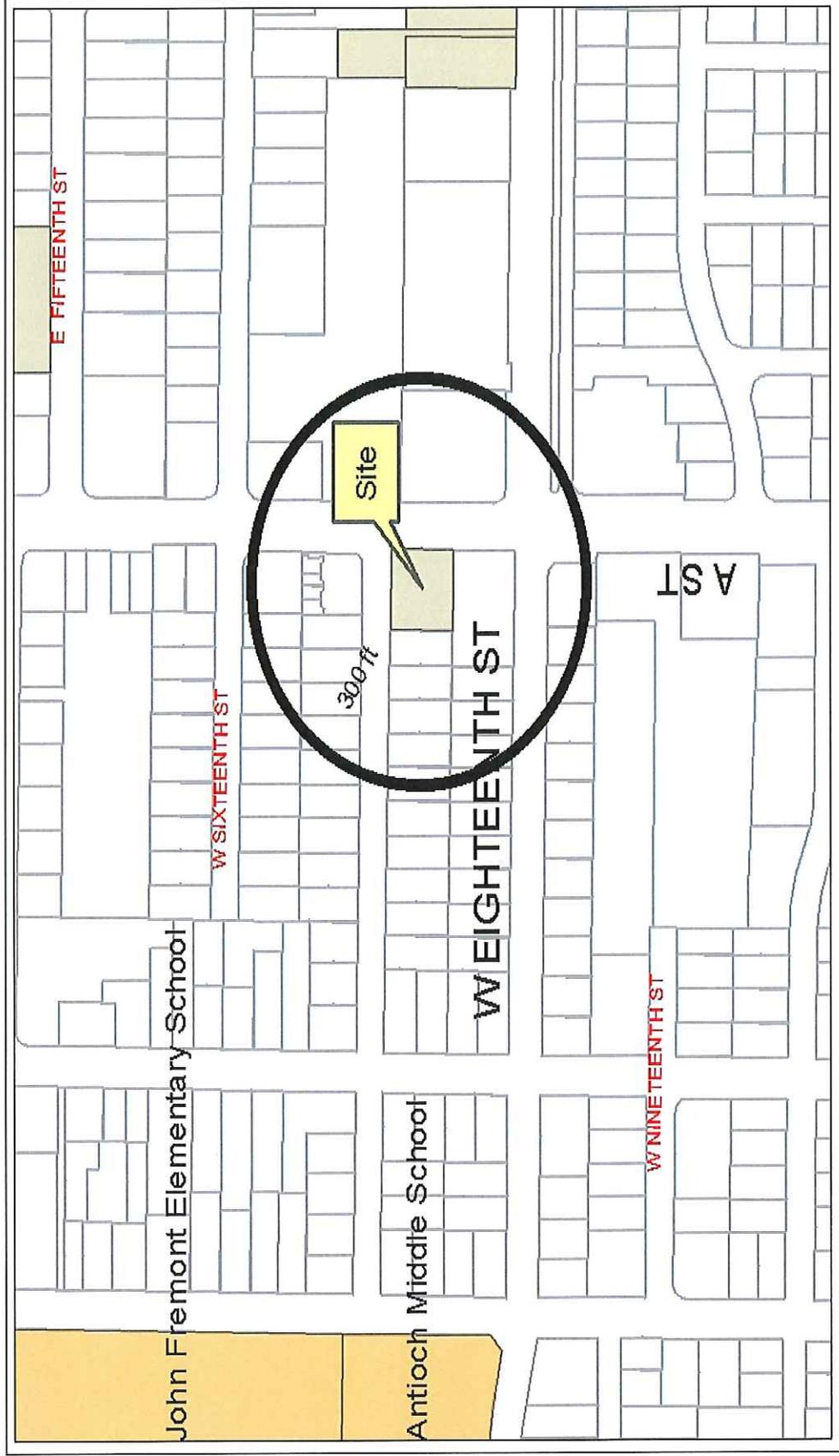
As part of the application, applicants will be required to supply a set of envelopes to be used by the City to mail the required notices:

- The envelopes shall be legal size, addressed, pre-stamped **(METERED POSTAGE CANNOT BE ACCEPTED)** envelopes.
- Bundle the envelopes in the same order as they appear on the Property Owners' Listing. ***Envelopes that are out of order will be returned to the applicant.***
- Property owners with multiple properties need only one envelope. Properties owned by the City of Antioch do not require envelopes.
- The upper left-hand corner of the envelope must be left blank so the City's return address may be placed on the envelope. In the event the Post Office is unable to deliver the notice of public hearing, it will be returned to the City for the file.
- If you are making an application for a planned development, zoning, general plan or specific plan change, you should submit two (2) sets of envelopes.
- If an appeal is filed on an otherwise final decision, you will need to submit an additional set of envelopes for the required noticing.

See the examples in the following pages. Staff will be happy to answer any questions.

## Example of Map

Parcels that are within the 300 foot radius are to be  
Notified of the public hearing



Site = Applicants Property  
Parcels in radius are parcels affected by the 300' radius that need to be notified

**EXAMPLE OF PROPERTY OWNERS' NOTIFICATION LISTING**

Within 300 feet of property located at: \_\_\_\_\_ Page 1 of 1

Project Address: 123 A St. Project Assessor Parcel No: 000-100-123

099-134-181-0	Smith Construction Company	SITE: 10134 A St., Antioch, CA 94509 MAIL: P.O. Box 134, Antioch, CA 94587
099-134-182-0	Buyer, Bill and Betty Jo	SITE: 10138 A St., Antioch, CA 94509 MAIL: (SAME)
099-134-183-9	Developer, Joe	SITE: 10142 A St., Antioch, CA 94509 MAIL: (SAME)
099-135-001-0	DevCo Commercial	SITE: Deer Valley Road MAIL: 123 El Camino Real, Los Altos, CA 94022

**EXAMPLE**

I certify that the above is from the most recent Contra Costa County tax assessment rolls.

I. M. Broker \_\_\_\_\_ January 1, 2003  
 Applicant (Print Name) (Signature) Date