

REVISED AGENDA

RIVERBANK PLANNING COMMISSION MEETING AGENDA

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

***THIS MEETING WILL BE HELD AT THE REGULAR LOCATION
CITY HALL COUNCIL CHAMBERS 6707 THIRD STREET, RIVERBANK, CA***

IN AN EFFORT TO CONTROL THE SPREAD OF COVID-19, THE CITY WILL IMPOSE SOCIAL DISTANCING MEASURES FOR ALL INDIVIDUALS PRESENT AND REQUIRE INDIVIDUALS TO MAINTAIN AT LEAST SIX FEET OF DISTANCE FROM OTHERS PRESENT. THEREFORE, THIS WILL MEAN VERY LIMITED SEATING AVAILABILITY. ALTERNATIVE MEANS OF ACCESS TO THE MEETING MAY BE NECESSARY AS CIRCUMSTANCES ARISE. ALL INDIVIDUALS WHO ARE AT HIGHER RISK FOR SEVERE ILLNESS FROM COVID-19 ARE STRONGLY ENCOURAGED TO CONSIDER SUCH ALTERNATIVE MEANS OF ACCESS.

ALL MEETINGS ARE OPEN TO THE PUBLIC BUT IN KEEPING WITH RECOMMENDATIONS OF PUBLIC HEALTH OFFICIALS, THE CITY OF RIVERBANK STRONGLY ENCOURAGES REMOTE PARTICIPATION.

***OTHER MEANS OF ACCESS ARE:
GOVERNMENT TELEVISED CHANNEL – CHARTER CHANNEL 2
GOVERNMENT TELEVISED CHANNEL – AT&T CHANNEL 99***

***PUBLIC COMMENTS TO ITEMS OF CONSIDERATION:
WRITTEN PUBLIC COMMENTS WILL BE RECEIVED VIA EMAIL BEFORE AND DURING THE TIME THE ITEM BEING CONSIDERED IS OPEN FOR COMMENTS BY THE CHAIR.
EMAIL dkenney@riverbank.org
PUBLIC COMMENT VIA PHONE CALL WILL BE RECEIVED ONLY DURING THE TIME THE CHAIR OPENS THE HEARING OR OPENS THE ITEM FOR COMMENTS
YOU MAY CALL (209) 863-7172. (ONE CALL AT A TIME WILL BE RECEIVED).***

THE CHAIR HAS THE RIGHT TO STOP ANY UNCIVIL DECORUM.

THE NORMAL ALLOTMENT OF 5 MINUTES FOR COMMENTS WILL BE ALLOWED; HOWEVER, THIS REMAINS AT THE DISCRETION OF THE CHAIR DUE TO THE NEW PROCESS OF COMMENT SUBMISSIONS.

***THE VIDEO RECORDING OF THIS MEETING IS USUALLY POSTED ON YOUTUBE WITHIN 24 HOURS OF THE MEETING (IF THERE ARE NO TECHNICAL DIFFICULTIES).
GO TO <http://www.riverbank.org/agendacenter>***

FOR QUESTIONS CONTACT PLANNING AND BUILDING MANAGER DONNA KENNEY AT (209) 863-7124; dkenney@riverbank.org, OR THE RECORDING CLERK JANET SMALLEN AT (209) 863-7128; jsmallen@riverbank.org

REVISED AGENDA



City of Riverbank
PLANNING COMMISSION MEETING
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA 95367

AGENDA TUESDAY, MARCH 17, 2020 – 6:00 P.M.

CALL TO ORDER: Chair: Mallorie Fenrich

ROLL CALL: Chair Mallorie Fenrich
Vice Chair Joan Stewart
Commissioner John Dinan
Commissioner Steve Link
Commissioner Natasha Basso

Commissioner Benjamin Reuben (Alternate Member)

CONFLICT OF INTEREST

Any Planning Commission Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.

PUBLIC COMMENT

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Planning Commission. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the Planning Commission.

WRITTEN PUBLIC COMMENTS WILL BE RECEIVED VIA EMAIL BEFORE AND DURING THE TIME THE ITEM BEING CONSIDERED IS OPEN FOR COMMENTS BY THE CHAIR.
EMAIL dkenney@riverbank.org

PUBLIC COMMENT VIA PHONE CALL WILL BE RECEIVED ONLY DURING THE TIME THE CHAIR OPENS THE HEARING OR OPENS THE ITEM FOR COMMENTS.
YOU MAY CALL (209) 863-7172. (ONE CALL AT A TIME MAY BE RECEIVED).

THE NORMAL ALLOTMENT OF FIVE (5) MINUTES FOR COMMENTS WILL BE ALLOWED; HOWEVER, THIS REMAINS AT THE DISCRETION OF THE CHAIR DUE TO THE NEW PROCESS OF COMMENT SUBMISSIONS.

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2. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the Planning Commission Board unless otherwise requested by an individual Planning Commissioner Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 2.1: Posting of the Agenda. The Agenda for the March 17, 2020 Planning Commission Meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, city website, and emailed to the Library on March 13, 2020.

Item 2.2: Approval of the March 17, 2020 Agenda. This provides an opportunity for the Planning Commission or Staff to recommend that an item be placed on the agenda for discussion or to adjust the proposed agenda to allow an item to be taken out of order.

Public Comment.

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

3. PUBLIC HEARINGS

Item 3.1: Development Agreement No. 01-2020 - McRoy Wilbur Communities, Inc – Diamond Bar East Subdivision - The project consists of a Development Agreement for the previously approved Diamond Bar East subdivision project (TM, GPA, Rezone) located at Santa Fe and Snedigar Avenues. The project site has a General Plan Land Use Designation of Low Density Residential (LDR) and is zoned Planned Development (PD). The adoption of a Development Agreement is exempt from environmental review because it is not a project within the meaning of Section 15378 of the State CEQA Guidelines.

Recommendation: It is recommended that the Planning Commission conduct the public hearing and consider approval of proposed Resolution No. 2020-003 by:

1. Requesting questions or comments by the Planning Commissioners;
2. Open the public hearing;
3. Receive comments in person or via phone call;
4. Inquire for the record if any written comments were received by staff for this item before or during the open hearing;
5. Close the public hearing after comments; and
6. Consider approval by roll call vote

1st _____ 2nd _____

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Item 3.2 Conduct the Public Hearing, and Table Consideration to Approve Planning Commission Resolution No. 2020-004 Recommending Approval to the City Council of a Proposed Ordinance and Development Agreement No. 03-2019, and Resolution No. 2020-005 Recommending Approval of Conditional Use Permit No. 01-2020-Aeriz to Permit Commercial Cannabis Activities at 2906 Santa Fe Street (APN: 132-034-012, 132-023-020, 132-034-017, and 132-010-027)

Recommendation: It is recommended that the Planning Commission conduct the public hearing and table the matter by:

1. Requesting questions or comments by the Planning Commissioners;
2. Open the public hearing;
3. Receive comments in person or via phone call;
4. Inquire for the record if any written comments were received by staff for this item before or during the open hearing;
5. Close the public hearing after comments; and
6. By roll call vote, table the public hearing until further notice (tentatively at the next regular meeting of April 21, 2020).

1st _____ 2nd _____

4. PRESENTATION (Information only)

Item 4.1: GP and HE Report Yearly Presentation.

5. PLANNING COMMISSIONER COMMENTS

There are no comments.

6. COUNTY REFERRAL/CORRESPONDENCE/INFORMATION (Information Only – No Action)

There is no information.

7. STAFF COMMENTS (Information Only – No Action)

Item 7.1: City Council Meetings Update.

8. ADJOURNMENT - Regular Planning Commission meeting – April 21, 2020 @ 6:00 p.m.

Any documents that are not privileged or part of a Closed Session provided to a majority of the Planning Commission Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office, 6707 Third Street, Suite A, Riverbank, CA, during normal business hours.

REVISED AGENDA

AFFIDAVIT OF POSTING

I, hereby certify under penalty of perjury, under the laws of the State of California that the foregoing revised agenda was posted 72 hours prior to the hearings and/or meeting in accordance to the California Ralph M. Brown Act.

Posted this 13th day of March 2020

/s/Annabelle Aguilar, CMC, City Clerk, City of Riverbank

NOTICE REGARDING AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Development Services Department at (209) 863-7128 or jsmallen@riverbank.org. Notification 72-hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

NOTICE REGARDING NON-ENGLISH SPEAKERS: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Planning Commission shall be in English and anyone wishing to address the Planning Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

GENERAL INFORMATION

MEETING SCHEDULE: The Riverbank Planning Commission meets on the third Tuesday of each month at 6:00 p.m.

COMMISSION AGENDA & REPORTS: The Planning Commission agenda is posted pursuant to the California Brown Act, which only requires agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when technologically able, on the City's website. Additional documents, that are not privileged, may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the Development Services Department, 6617 Third Street, Riverbank, CA and at www.riverbank.org upon distribution to a majority of the Planning Commission. A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.

PUBLIC HEARINGS: In general, a public hearing is an open consideration within a meeting of the Planning Commission Board, for which special notice has been given and may be required. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration.

Televised/Video of Meetings: Charter – Channel 2; AT&T Uverse – Channel 99
Visit www.riverbank.org to connect to meeting videos. (Note: Technical difficulty occurs on occasion preventing the televising or recording of the meeting.)

City Hall Hours: City Hall is open Monday – Thursday: 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays.

QUESTIONS: Contact the Developmental Services Department at (209) 863-7128.

Any documents that are not privileged or part of a Closed Session provided to a majority of the Planning Commission Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office, 6707 Third Street, Suite A, Riverbank, CA, during normal business hours.