



CITY OF RIVERBANK
PLANNING COMMISSION HYBRID MEETING
(In-Person: Face Covering Required, and Virtual via ZOOM)
Tuesday, October 19, 2021 AT 6:00 P.M.

PLANNING COMMISSION AGENDA

TUESDAY, OCTOBER 19, 2021 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE PLANNING DEPARTMENTS OFFICE AND AT WWW.RIVERBANK.ORG)

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 59453, SUBDIVISION (e) OF THE RALPH M. BROWN ACT (CALIFORNIA GC § 54950, ET SEQ.), THE FEDERAL AMERICANS WITH DISABILITIES ACT AND THE RECENT STANISLAUS COUNTY HEALTH OFFICER'S MANDATORY FACE COVERING ORDER (SEPT.2, 2021). WHILE THIS MEETING WILL BE PHYSICALLY OPEN TO THE PUBLIC, GIVEN THE STATE OF EMERGENCY REGARDING THE THREAT OF COVID-19, MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE AND COMMENT VIA THE ZOOM VIRTUAL PLATFORM. REFER TO THE LAST PAGE OF THE AGENDA FOR PARTICIPATION INFORMATION.

CALL TO ORDER: Chair: Joan Stewart

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

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.

1. PUBLIC COMMENTS (No Action Can Be Taken)

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 Board. 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 Board.

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 Commission Member or member of the public for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by motion of the Planning Commission Board.

Item 2.1: Posting of the Agenda. The Agenda for the October 19, 2021 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 October 6, 2021.

Item 2.2: Approval of the October 19, 2021 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.

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

3. PLANNING COMMISSION PUBLIC HEARINGS

The public notice for Item 3.1 was published on October 6, 2021 in the Riverbank News.

Item 3.1: **ZONING ORDINANCE AMENDMENT 01-2021** – An Ordinance of the City Council of the City of Riverbank, California, amending Riverbank Municipal Code Sections §153.003, DEFINITIONS and §153.325, ACCESSORY DWELLING UNITS, by repealing these Sections in their entirety and substituting them with new Sections §153.003 and §153.325. The Ordinance amendment is to be consistent with State Law that became effective on January 1, 2020 (Senate Bill 13, Assembly Bill 68, Assembly Bill 881, Assembly Bill 670, and Assembly Bill 687) and November 18, 2020 (Assembly Bill 3182). The proposed Ordinance will add provisions and standards for the development of accessory dwelling units and junior accessory dwelling units pursuant to recommendations from the Planning Commission workshop held on September 21, 2021. Development regulations include but are not limited to size, location, setbacks, off-street parking, utilities and impact fees, and processing and timing. The proposed project is exempt from analysis under the California Environmental Quality Act (CEQA) under the “Common Sense Exemption” that CEQA applies only to projects that have the potential for causing significant environmental effects, as specified in Section 15061(b)(3).

Recommendation: Approve Resolution 2021-018 to recommend the approval of Ordinance No. 2021-XXX to amend the Riverbank Municipal Code, by repealing Sections §153.003 and §153.325 and substituting new Sections §153.003 and §153.325.

1st _____ 2nd _____

5. PLANNING COMMISSION COMMENTS

None.

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

Item 6.1: San Joaquin County. Create a new General Plan Designation of Agriculture-Industrial (A/I) and new zoning of Agriculture-Industrial (AI) to address the shortage of truck parking and truck sales locations in the County.

7. STAFF COMMENTS (Information Only – No Action)

Item 7.1: Project updates

8. ADJOURNMENT

Next Regular Planning Commission meeting – November 16, 2021 @ 6:00 pm

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act. Posted this 6th day of October, 2021

/s/ Gabriel Salazar, Associate Planner, 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 Administration Dept. at (209) 863-7122 or the City Clerk at aaquilar@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements. A notification of 48 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. (Exception: When a State statute requires that at a public hearing that includes a substantial number of the population that are not able to speak or understand English, the City should provide interpreters. This determination is left at the discretion of the City.)

GENERAL INFORMATION

MEETING SCHEDULE: The 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.

City Hall Hours: City Hall is open to the public Monday through Thursday, 7:30 am – 5:30 pm.

QUESTIONS: Contact the Developmental Services Department at (209) 863-7191.

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 **immediately** made available for public inspection at the City Clerk's Office, 6707 Third Street, Suite A, Riverbank, CA, during normal business hours and **posted on the City's Planning Commission agenda webpage <http://www.riverbank.org/agendacenter>.**



PUBLIC PARTICIPATION PROCEDURES FOR THE PLANNING COMMISSION MEETINGS HELD IN A IN CONFORMANCE WITH THE BROWN ACT AS AMENDED BY SB 361

PUBLIC "LIVE" VIEWING

- Charter Government Channel - 2
- AT&T U-VERSE Government Channel - 99
- YouTube Live <https://www.youtube.com/channel/UCq2x8QChEcknBq7uuJLcZow>
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS

Written Comments via Mail Service: Mail comments to City of Riverbank, Attn. Planning and Building Manager, 6707 Third Street, Suite A, Riverbank, CA 95367. **(Must be received by 4:00 p.m. on the day of the meeting. To ensure receipt call the Manager at (209) 863-7124.)**

Written Comments via Email to cityclerk@riverbank.org:

- Written comments must be received by 4:00 p.m. on the day of the meeting (Indicate Agenda Item # in the *subject line*.) Comments received will not be read aloud at the meeting, however, will be made part of the record and distributed to the Planning Commission prior to consideration of the matter.
- **Technology is not a 100% proven communication tool; therefore, you are asked to call the Planning and Building Manager at (209) 863-7124 to verify receipt of your comments.**

Join via ZOOM Platform:

- **Learn about using ZOOM** - visit <https://support.zoom.us/hc/en-us/categories/201146643>
- visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.
- Join by this link: <https://us02web.zoom.us/j/87155148475>
- Join by accessing website: <https://zoom.us/join>
 - **Webinar ID: 871-5514-8475**
- Join by telephone: **1 669 900 9128 or 1 346 248 7799, plus Webinar ID**

ORAL COMMENTS VIA ZOOM: The Chair will announce when public comments may be made for the agenda item being considered, at which time you will:

- Using a computer - click on the "raise hand" feature in the webinar controls. This will let us know you wish to speak.
 - Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.
- Using a Phone - press ***9** to "raise the hand".

- Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.

ORAL COMMENTS IN-PERSON: The Chair will ask the audience if anyone wishes to comment, at that time you may approach the podium.