LEAD AGENCY DETERMINATION:

On the basis of this initial evaluation:

X	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

for	12/2/15
Donna Kenney, Planning & Building Manager	**Date**

SECTION 2.0 EVALUATION INSTRUCTIONS:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance

SECTION 3.0 INITIAL STUDY CHECKLIST

This section of the Initial Study incorporates the most current Appendix "G" Environmental Checklist Form, contained in the CEQA Guidelines.

I. AESTHETICS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

DISCUSSION:

I-a-d) The Housing Element Update identifies a need for 1,280 additional housing units during the nine year RHNA planning period (2014-2023). This level of development is consistent with what was planned for under the 2005-2025 General Plan Land Use Element and no change to land use types or intensity is proposed. As noted in the Project Description, adoption of the Housing Element Update would not allow or approve specific development projects. Consequently, the proposed project would not directly create new sources of light or glare that would adversely affect day or night-time views in areas of the City. Any new residential development within the City would be required to comply with the policies outlined in the 2005-2025 General Plan, and be subject to site-specific CEQA analysis where the appropriate design review, standards, conditions, and mitigation measures would be determined at that time. Therefore, the Housing Element Update alone would not directly result in physical changes in the City and would not degrade the existing visual character or quality of the City. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

II. AGRICULTURE AND FORESTRY RESOURCES: WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION:

II-a) The most recent data (2014) from the California Department of Conservation's Farmland Mapping and Monitoring Program reports there are approximately 252,700 acres of Prime Farmland, 105,630 acres of Unique Farmland, and 32,182 acres of Farmland of Statewide Importance in Stanislaus County, of which a large majority is contained outside of the urban areas such as Riverbank. Adoption of the Housing Element will not result in any specific project development that could result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. All new residential development projects will be required to comply with the City's 2005-2025 General Plan, and will be subject to site-specific CEQA analysis and review. Therefore, the Housing Element Update alone will not result in physical changes in the environment that would result in the conversion of farmland within these categories. Therefore, the 2014-2023 Housing Element will have **No Impact.**

II-b) No change or conflict to existing zoning for agricultural use is proposed under this Housing Element Update. The 2014-2023 Housing Element Update alone does not allow for or proposed specific development, which could create conflicts with Williamson Act properties. Any new residential development within the City would be required to comply with the policies outlined in the 2005-2025 General Plan, and be subject to site-specific CEQA analysis where the appropriate design review, standards, conditions, and mitigation measures would be determined at that time. Therefore, the 2014-2023 Housing Element will have **No Impact**.

II-c, d) There is not forest or timber land identified in the City of Riverbank. Therefore, the loss or conversion of forestland to non-forest uses or conflicts with existing zoning for forestland or timberland would not occur. Therefore, the 2014-2023 Housing Element will have **No Impact**.

II-e) Adoption of the Housing Element Update would not change existing land use designations or result in any project-specific developments or physical changes in the environment that could result in conversion of farmland to non-agricultural uses. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

III. AIR QUALITY -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	
e) Create objectionable odors affecting a substantial number of people?			X	

BACKGROUND DISCUSSION:

The proposed project is located in east Stanislaus County, which is a portion of the San Joaquin Valley Air Basin (SJVAB). Air quality management under the federal and state Clean Air Acts is the responsibility of the San Joaquin Valley Air Pollution Control District (SJVAPCD).

The federal and state governments have adopted ambient air quality standards (AAQS) for the primary air pollutants of concern, known as "criteria" air pollutants. Air quality is managed by the SJVAPCD to attain these standards. Primary standards are established to protect the public health; secondary standards are established to protect the public welfare. The attainment statuses of the SJVAB for Stanislaus County with respect to the applicable AAQS are shown in the following table.

The SJVAB is considered non-attainment for ozone and particulate matter (PM10 and PM2.5), because the AAQS for the pollutants are sometimes exceeded. The SJVAB is Attainment/Unclassified for carbon monoxide, but select areas, not including the City of Riverbank, are required to abide by adopted carbon monoxide maintenance plans.

The California Air Resources Board (CARB) through the Air Toxics Program is responsible for the identification and control of exposure to air toxics, and notification of people that are subject to significant air toxic exposure. A principal air toxic is diesel particulate matter, which is a component of diesel engine exhaust.

The SJVAPCD has adopted regulations establishing control over air pollutant emissions associated with land development and related activities. These regulations include:

Regulation VIII (Fugitive Dust Rules)
Rule 4101 (Visible Emissions)
Rule 9510 (Indirect Source Review)

SAN JOAQUIN VALLEY FEDERAL AND STATE AAQS ATTAINMENT STATUS

Pollutant	Designation / Classification	
	Federal Standards[a]	State Standards[b]
Ozone, 1-hour	No federal standard[f]	Nonattainment / Severe
Ozone, 8-hour	Nonattainment / Extreme[e]	Nonattainment
PM10	Attainment[c]	Nonattainment
PM2.5	Nonattainment[d]	Nonattainment
Carbon Monoxide	Attainment / Unclassified	Attainment / Unclassified
Nitrogen Dioxide	Attainment / Unclassified	Attainment
Sulfur Dioxide	Attainment / Unclassified	Attainment
Lead (particulate)	No designation	Attainment
Hydrogen Sulfide	No federal standard	Unclassified
Sulfates	No federal standard	Attainment
Visibility-Reducing Particles	No federal standard	Unclassified
Vinyl Chloride	No federal standard	Attainment

[a]See 40 CFR Part 81
[b]See CCR Title 17 Sections 60200-60210
[c]On September 25, 2008, EPA redesignated the San Joaquin Valley to Attainment for the PM10 National AAQS and approvd the PM10 Maintenance Plan
[d]The SJV is designated nonattainment for the 1997 PM2.5 NAAQS. EPA designated the SJV as nonattainment for the 2006 PM2.5 on November 13, 2009 (effective December 14, 2009).
[e]Though the SJV was initially classified as serious nonattainment for the 1997 8-hour ozone standard, EPA approved reclassification of the SJV to extreme nonattainment in the Federal Register on May, 2010 (effective June 4, 2010.
[f]Effective June 15, 2005, the EPA revoked the federal 1-hour ozone standard, including associated designations and classifications. EPA has previously classified the SJV as extreme nonattainment for this standard. EPA approved the 2004 Extreme Ozone Attainment Demonstration Plan on March 8, 2010 (effective April 7, 2010). Many applicable requirements for extreme 1-hour ozone nonattainment areas continue to apply to the SJVAB.

The SJVAPCD has adopted a CEQA impact analysis guideline titled *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). The GAMAQI is utilized in the following air quality impact analysis where applicable. The GAMAQI establishes impact significance thresholds for the non-attainment pollutant PM10 and precursors to the non-attainment pollutant ozone: reactive organic gases (ROG) and oxides of nitrogen (NOx).

ROG	10 tons/year
NOx	10 tons/year
PM10	15 tons/year

Projects that do not generate emissions in excess of these thresholds are considered to have less than significant air quality impacts. In accordance with Table 5-3(a) of GMAQI, the proposed zoning ordinance is not considered a Small Project Analysis Level (SPAL), as it will not result in any type of development or units. Because the proposed project does not qualifies as SPAL, GMAQI notes that it has no possibility of exceeding emission thresholds.

The 2014-2023 Housing Element Update alone does not allow for or propose specific development, which could generate any new on-road traffic and associated ROG, NOx and PM emissions nor will result in any substantial air emissions.

DISCUSSION:

III-a-c) The City of Riverbank is located within the San Joaquin Valley Air Basin (SJVAB), which is within the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAB is in non-attainment for the federal 8-hour ozone standard, the State 1-hour and 8-hour ozone standards, the PM10 and PM2.5 24-hour State standards, and the Federal PM2.5 standard. All new residential development projects in the City of Riverbank would be required to comply with the policies identified in the 2005-2025 General Plan (Policies Air-1.1 through Air-1.11, Air-2.1 through Air-2.5 and Air-3.1 through Air-3.5) that address air quality in order to minimize emissions.

Future residential development anticipated under the 2014-2023 Housing Element would generate pollutant emissions due to new vehicle trips, stationary equipment (heating, cooling, and lighting of residential units), and residential unit construction. Future residential developments could also violate air quality standards, including those that could contribute to cumulatively considerable air quality impacts. However, because the 2014-2023 Housing Element would not result in changes to any land uses within the 2005-2025 General Plan, the

level of, and emissions associated with residential development under the Housing Element is assumed and mitigated for within the 2005-2025 General Plan and EIR.

As stated previously, the 2014-2023 Housing Element does not result in any direct physical changes to the environment, including air quality. Each new residential development project would be subject to its own environmental review where project-specific impacts associated with air quality would be analyzed and if necessary, mitigated for. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

III-d,e) The 2014-2023 Housing Element will ultimately allow new residential development that could potentially have a significant impact on sensitive receptors (i.e. hospitals, schools, nursing homes, etc.). Emissions and odors could also result from the construction emissions from construction equipment exhaust during grading and construction activities and operation of new residential development. However, because the 2014-2023 Housing Element would not result in any land use changes to the City's 2005-2025 General Plan, the level of, and emissions associated with residential development under the Housing Element are assumed and as necessary, mitigated for, under the 2005-2025 General Plan and EIR. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

IV. BIOLOGICAL RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION:

IV-a-d) The 2014-2023 Housing Element identifies a need for an additional 1,280 residential units during the 2014-2023 planning period. The proposed Housing Element sets forth goals and policies that support new and infill residential development throughout the City and in accordance with the land use designations set forth under the 2005-2025 General Plan. The 2005-2025 General

Plan indicates that natural habitats consist primarily of isolated wetlands, as well as wetlands and riparian habitat associated with the Stanislaus River corridor along the northernmost part of the City. The Stanislaus River corridor area is the largest and most important area for sensitive habitat and wildlife in the Riverbank planning area.

As previously stated, the 2014-2023 Housing Element does not directly result in any physical changes to the environment, and contemplates residential land uses consistent with those set forth under the 2005-2025 General Plan. Therefore, any new residential development projects developed as a result of the 2014-2023 Housing Element will be required to comply with Policies CONS-4.1 through CONS-4.3 and CONS-5.1 through CONS-5.7 of the 2005-2025 General Plan. These policies address potential impacts to biological resources, including wetlands, riparian habitat, and candidate, sensitive, or special status species, and the movement of any migratory fish or wildlife species. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

IV-e) All new residential development projects within the City of Riverbank will be required to comply with the policies of the 2005-2025 General Plan, and address biological resources in order to minimize impacts. General Plan Goals CONS-4 and CONS-5 as well as the associated policies established requirements in which Fish and Wildlife Habitat shall be preserved and protected within the Riverbank planning area. Adoption of the Housing Element will be done in compliance with the 2005-2025 General Plan, and thus, minimize any potential impacts to local policies related to biological resources. In addition, adoption of the Housing Element will not directly create new development projects that may conflict with the City's policies related to biological resources. As new development occurs within the City, site-specific CEQA review and analysis will be prepared to address any potential impacts to these policies. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

IV-f) There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other local, regional, or state Habitat Conservation Plan within the City of Riverbank. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

No mitigation is required for this topic.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

DISCUSSION:

V-a-d) The Riverbank Branch Library, also referred to as the Riverbank Carnegie Library, located at 3237 Santa Fe Street, is the only structure within the City to be identified on the National Register for Historic Places. According to the California Office of Historic Preservation (www.ohp.parks.ca.gov), there are no other properties or structures identified on either the National Register or State Register of Historic Places.

The City's 2005-2025 General Plan EIR determined that with the policies included as part of the General Plan (Policies CONS-1.1 through CONS-1.4, CONS-2.1 through CONS-2.5 and DESIGN-9.1 through DESIGN-9.4), development contemplated under the General Plan would result in a less than significant impact to historic resources. The 2014-2023 Housing Element is consistent with the policies of the 2005-2025 General Plan, as well as the residential land use designations guided by the 2005-2025 General Plan.

In addition, as discussed previously, the 2014-2023 Housing Element does not include specific development projects, and instead, provides the framework for the City's anticipated future residential growth and housing demand. Therefore, the 2014-2023 Housing Element would not cause a substantial adverse change in the significant of any cultural resources, including archeological, paleontological, and human remains. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

VI. GEOLOGY AND SOILS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

DISCUSSION:

VI-a-d) The Housing Element Update identifies a need for 1,280 additional housing units during the 2014-2023 planning period. The Housing Element Update does not include specific development projects, and instead, only provides a framework for the City's anticipated future residential growth and housing need for all economic segments. The Housing Element would not directly result in physical changes in the City that would expose people or structures to seismic activity or landslides, result in the loss of soil or substantial erosion, or locate structures on unstable or expansive soils. Future development projects will be analyzed when applications are submitted to the City and appropriate requirements and mitigation measures will be identified at that time. Impacts related to geology and soils can generally be addressed through compliance with applicable State and/or Local policies and regulations including; California Building Code (Title 24), Riverbank Municipal Code, Alquist-Priolo Earthquake Fault Zoning Act, California Public Resources Code (Seismic Hazards Mapping Act), CEQA, and the National Pollution Discharge Elimination System (NPDES). Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

VI-e) All future residential development within the City of Riverbank would be required to connect to the City's Wastewater System. Therefore, no new septic tanks or on-site septic systems would be permitted and the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

VII. GREENHOUSE GAS EMISSIONS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation*	*Less Than Significant Impact*	*No Impact*
a) Generate greenhouse gas emissions, either directly or in directly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

BACKGROUND DISCUSSION:

Human-generated emissions greenhouse gases (GHGs) are understood to be an important cause of global climate change, which is a subject of increasing scientific, public concern, and government action. Atmospheric concentrations of GHGs that trap heat in the earth's atmosphere and lead to a variety of effects, including increasing temperature, changes in patterns and intensity of weather and various secondary effects resulting from those changes, including potential effects on public health and safety.

California AB 32 identifies global climate change as a "serious threat to the economic well-being, public health, natural resources and the environment of California." As a result, global climate change is an issue that needs to be considered under CEQA.

GHGs include carbon dioxide (CO2), the most abundant GHG, as well as methane, nitrous oxide and other gases, each of which have GHG potential that is several times that of CO2. GHG emissions result from combustion of carbon-based fuels; major GHG sources in California include transportation (40.7%), electric power generation (20.5%), industrial (20.5%), agriculture and forestry (8.3%) and others (8.3%).

The State of California is actively engaged in developing and implementing strategies for reducing GHG emissions. State programs for GHG reduction include a regional cap-and-trade program, new industrial and emission control technologies, alternative energy generation technologies, advanced energy conservation in lighting, heating, cooling and ventilation, reduced-carbon fuels, hybrid and electric vehicles, and other methods of improving vehicle mileage reduction programs. Using these and other strategies, the State's Global Climate Change Scoping Plan, adopted in December 2008, proposes to achieve a 29% reduction in projected business-as-usual emission levels for 2020.

The SJVAPCD adopted a Climate Change Action Plan in 2008, and issued guidance for development project compliance with the plan in 2009. The guidance adopted an approach that relies on the use of Best Performance Standards to reduce GHG emissions. Projects implementing Best Performance Standards would be determined to have a less than cumulatively significant impact. For projects not

implementing Best Performance Standards, demonstration of a 29% reduction in GHG emissions from business-as-usual conditions is required to determine that a project would have a less than cumulatively significant impact.

DISCUSSION:

VII-a-b) Over the last five (5) years, the California Legislature adopted two bills that focus on reducing greenhouse gas emissions in the State. Assembly Bill (AB) 32 (California Global Warming Solutions Act of 2006), charged the California Air Resources Board to develop regulations to address climate change. Senate Bill (SB) 375 was signed into Law in 2008 to address implementation of the Global Warming Act. AB 32 requires that statewide greenhouse gas (GHG) emissions be reduced to 1990 levels by 2020. SB 375 coordinates regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. Continued participation by the City with StanCOG in regional planning efforts in accordance with SB 375 will occur.

The 2014-2023 Housing Element Update assumes that future residential development would occur consistent with the levels planned for and evaluated under the 2005-2025 General Plan Land Use Element, the City's growth forecast, and StanCOG's Regional Housing Needs Allocation Plan. Without specific information regarding future residential development, it is difficult to impossible to accurately quantify GHG emissions resulting from the implementation of the Housing Element Update.

However, Goal-6 (Promote Energy Conservation) of the 2014-2023 Housing Element contains Policies and Programs (located in Section IX – Housing Goals & Policies) focused on energy conservation, that may assist in reducing GHG emissions for new residential developments. Policies 6.1 through 6.2 calls for City to include energy-efficient and energy conservation development standards for Specific Plan areas or for new Planned Development zoning districts. Furthermore, Policy 6.3 calls on the City to provide "weatherization assistance" to low-income households as part of the City's housing rehabilitation program.

Lastly, all new residential projects in the City would be required to adhere to Federal, State, and local plans, policies, and regulations that address emissions of GHG in order to minimize impacts. As stated previously, the Housing Element Update does not include specific development projects, but rather, only includes a framework for the City's anticipated future residential growth and housing demand. Additional environmental review of potential environmental effects in compliance with CEQA, including those related to GHG emissions, would be required prior to the development of future projects. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland			X	

fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				

DISCUSSION:

VIII-a-c) Compliance with Federal, State, and local policies and regulations would minimize risks and potential hazards associated with the routine transport, use, or disposal of hazardous materials to the public, including school sites, and the environment. Policies contained in the 2005-2025 General Plan (Policies AIR-3.1 through AIR-3.5 and SAFE-1.9 through SAFE-1.10) related to Hazardous Materials would further ensure that new development would not result in the release of hazardous materials into the environment.

Future residential development associated with the implementation of the Housing Element Update would not be expected to introduce any unusual hazardous materials that would create a significant hazard to the public or the environment, introduce any unusual hazardous materials that would result in reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment, or pose an increased risk of hazardous materials emissions within one-quarter mile of an existing or proposed school. Additional environmental review of any future residential projects would be required which would evaluate potential impacts associated with the use, storage, and/or transportation of hazardous materials. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

VIII-d) All future residential projects would be required to comply with existing Federal, State, and local policies and regulations related to hazardous sites. All future residential sites and projects identified in the 2014-2023 Housing Element would be subject to a site-specific CEQA review in order to address whether the site is listed as a hazardous materials site in accordance with Government Code Section 65962.5. The 2014-2023 Housing Element does not include any specific development projects that could be listed on said sites. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

VIII-e) The project site is not within two miles of a public airport (or public use airport), nor is it situated within an adopted Airport Land Use Plan, Airport Clear Zone or Accident Potential Zone. As such, the 2014-2023 Housing Element will have **No Impact**.

VIII-f) The City of Riverbank is not located within the vicinity of any known or documented private airstrips. Therefore, the 2014-2023 Housing Element will have **No Impact**.

VIII-g) The 2014-2023 Housing Element does not consist of any site-specific development projects that impair implementation of or physically interfere with an adopted emergency response plan. Rather, the Housing Element provides framework in which future residential development will occur in order to meet the City's regional housing need. As site-specific projects for residential development are submitted to the City for review and consideration, a site-specific CEQA review will be prepared. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

VIII-h) A majority of the City of Riverbank has been developed into urban land uses, and as such, there is minimal wildlands located throughout the City. Most of the dense brush susceptible to wildlands fires is located along the Stanislaus River, which borders the north end of the City. However, the 2014-2023 Housing Element does not propose any specific development projects, and any future site-specific residential projects will be subject to CEQA review. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

Mitigation Measures:

No mitigation is required for this topic.

IX. HYDROLOGY AND WATER QUALITY -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard			X	

Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?				X

Discussion:

IX-a-e) All future residential development will be required to comply with the applicable Federal, State, and local policies and regulations related to water quality including; Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) program, and the Riverbank Municipal Code. Potential water quality issues related to the violation of applicable water quality standards or waste discharge requirements would be analyzed upon the submittal of a site-specific development application. The 2014-2023 Housing Element does not include site-specific development projects, rather, it provides a framework in which future residential growth will occur in order to meet the City's regional housing needs. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

IX-f-h) The 100-year flood event is primarily contained within the Stanislaus River channel, which includes the northern portion of the City of Riverbank. The City's 2005-2025 General Plan incorporated Policies PUBLIC-4.3, SAFE-1.6 through SAFE-1.7 in order to protect new development in this area from flood damage. The 2014-2023 Housing Element does not consist of any site-specific development that would be required to comply with these policies in order to minimize impacts caused by flooding. Instead, the Housing Element provides the policy framework in which future residential growth occurs in order to meet the City's regional housing need. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

IX-i) Existing Federal and State oversight and inspections render the likelihood of dam failure as remote. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**

IX-j) Inundation by a tsunami is unlikely due to the location of Riverbank and its proximity to the Pacific Ocean. And, although the topography of Riverbank is relatively flat, mudflows along the banks of the Stanislaus River could be possible. However, as noted previously, the 2014-2023

Housing Element would not directly result in any physical changes in the City. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

X. LAND USE AND PLANNING - Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?			X	
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

DISCUSSION:

X-a) Implementation of the 2014-2023 Housing Element will provide the policy framework for residential growth anticipated between 2014 and 2023. The residential growth, and specifically, sites identified in Table V-1 and Table V-2 of the 2014-2023 Housing Element are consistent with the type of residential growth contemplated under the City's 2005-2025 General Plan. Therefore, the 2014-2023 Housing Element does not suggest to divide the City of Riverbank, but rather, implement the policy framework necessary to successfully comply with State Housing Law, as well as the other Elements of the 2005-2025 General Plan. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

X-b) The proposed 2014-2023 Housing Element is an update to the City's 2009 Housing Element, and consists of new technical data (Riverbank demographics, household characteristics, employment, etc.) and updated policies and implementation programs necessary to comply with new State legislation. The Housing Element does not grant entitlements to future development projects. New residential development would be required to comply with all applicable plans and regulations including the City's 2005-2025 General Plan, adopted Specific/Master Plans, and the Riverbank Municipal Code, and would be subject to site-specific environmental review in accordance with CEQA. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**

X-c) The 2014-2023 Housing Element will not conflict with an adopted habitat conservation plan or natural community conservation plan as none is present. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XI. MINERAL RESOURCES -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

DISCUSSION:

XI-a,b) The 2014-2023 Housing Element would not result in the loss of availability of any known mineral resources or resource recovery site as none are identified in the 2005-2025 General Plan. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XII. NOISE -- WOULD THE PROJECT RESULT IN:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

DISCUSSION:

XII-a-f) Construction noise associated with demolition, grading, and excavation activities could result in temporary or short-term noise impacts including ground-borne vibration or an increase in noise levels, while operational noise associated with vehicular traffic, outdoor activities, and stationary mechanical equipment could result in a permanent ambient increase in noise levels. Noise attenuation standards and requirements are regulated by the 2005-2025 General Plan, as well as Chapter 93 of the City's Municipal Code (Noise Ordinance). Any new residential development would be required to comply with the policies and standards contained Health and Safety Element of the 2005-2025 General Plan, Chapter 93 of the Riverbank Municipal Code, and are subject to site-specific CEQA analysis as residential development applications are submitted to the City for consideration.

The 2014-2023 Housing Element does not consist of any new site-specific residential development, but rather, provides a policy framework in which the City's regional housing need is accommodated for. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XII-e) As noted previously, the 2014-2023 Housing Element does not include specific development projects, and instead, provides a policy framework in which the City's regional housing needs between 2014-2023 will be accommodated for. Potential impacts related to future development would be analyzed at the time a specific development application is submitted for review and consideration. This process, along with any appropriate mitigation, will ensure that future residential development would not be located in an area that would result in exposure of people residing or working in Riverbank to excessive noise levels. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XII-f) There are no documented or known private airstrips within the City of Riverbank. Therefore, the 2014-2023 Housing Element will have **No Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XIII. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X	
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X	

DISCUSSION:

XIII-a-c) The 2014-2023 Housing Element provides the policy framework necessary to meet the City's identified Regional Housing Need Allocation (RHNA) of 1,280 residential units between 2014 and 2023. These anticipated residential units are expected to occur within the City's existing City Limits and Sphere of Influence.

Additionally, the 2014-2023 Housing Element is consistent with the 2005-2025 General Plan, and does not require the need to amend any of the site-specific land use designations provided under the General Plan in order to meet the RHNA. Because the 2014-2023 Housing Element only provides the policy framework necessary to meet the RHNA, and implement the land use and population assumptions under the 2005-2025 General Plan, it does not result in any direct increase in population growth, as it does not propose any new site-specific residential development.

Although the 2014-2023 Housing Element does not provide entitlements for the development of any site-specific residential projects, it could indirectly result in the displacement of existing housing or people, which would necessitate the construction of replacement housing in the City. Any new housing created as a result of the 2014-2023 Housing, however, will be done in accordance with the 2005-2025 General Plan, and will include a separate site-specific CEQA review and analysis. Therefore, any induction of population growth, displacement of people and/or housing, which would create the need for new housing, created as a result of the 2014-

2023 Housing is considered to be less than significant. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XIV. PUBLIC SERVICES

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			X	
Fire protection?			X	
Police protection?			X	
Schools?			X	
Parks?			X	
Other public facilities?			X	

DISCUSSION:

XIV-a) The Stanislaus Consolidated Fire Protection District provides fire protection and first response services for emergencies within the City of Riverbank. All law enforcement services in the City are performed under contract by the Stanislaus County Sheriff's Department. The Riverbank Unified School District (RUSD) provides elementary, junior high, and high school level education services to students within its District boundary. However, the Sylvan Union School District (SUSD) and Modesto City Schools provides schooling to some children within the City of Riverbank, particularly west Riverbank and the Crossroads area. The Riverbank Parks and Recreation Department is responsible for administering and operating the sixteen (16) parks located throughout the City.

As previously discussed, the 2014-2023 Housing Element would not directly result in physical changes in the City. However, any new residential development that is created as a result of the Housing Element would be expected to affect and potentially increase the demand for public services. As new residential development occurs, the City collects Public Facilities Fees on a per unit basis. These Fees, which include fees for fire protection, police protection, and parks, are intended to mitigate any potential impact created by new residential development. In addition,

RUSD and SUSD collect a school impact fee in accordance with SB 50 for each residential unit developed within its boundary. This fee also mitigates potential impacts to the RUSD and SUSD facilities created as a result of new residential development. In addition, as part of planning and application review process, all new residential development projects would be evaluated to determine the level of and demand public services that would be impacted by the project. All projects are subject to the City's 2005-2025 General Plan and any mitigation measures, as appropriate, to ensure adequate service levels would be maintained. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XV. RECREATION

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

DISCUSSION:

XV-a,b) Implementation of the 2014-2023 Housing Element would not result in any direct physical changes to the City's parks and recreation facilities. However, new residential development created as a result of the Housing Element would increase the use of existing parks facilities and require the expansion of, or construction of new parks and recreation facilities. As new development occurs, site-specific projects are reviewed for their consistency with the City's 2005-2025 General Plan, and evaluated in accordance with CEQA. As such, any future impacts that may occur to the City's parks and recreation facilities as a result of the 2014-2023 Housing Element will be mitigated, as appropriate, upon review of a specific project. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

MITIGATION MEASURES:

Mitigation is not required for this topic.

XVI. TRANSPORTATION/TRAFFIC -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account tall modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards establishes by the county congestion management agency for designated roads or highways?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities:			X	

DISCUSSION:

XVI-a,b) According to the 2005-2025 General Plan, the City has adopted a Level of Service (LOS) "D" on roadways within the General Plan build-out area. The type and density of residential development assumed for the 2014-2023 Housing Element is consistent with the residential land uses contemplated under the 2005-2025 General Plan Land Use Element and the Circulation Element, and as well as the 2005-2025 General Plan EIR.

Future residential development that would be permitted as a result of implementation of the 2014-2023 Housing Element would not be expected to exceed the capacity of the circulation system contemplated under the 2005-2025 General Plan or conflict with an applicable congestion management program. Additional environmental review in accordance with CEQA will occur as future residential development and site-specific projects occur. Impacts to the City's existing circulation system and mitigation measures, as appropriate, will be analyzed and identified at that time. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVI-c) Implementation of the 2014-2023 Housing Element will not result in a change in air patterns. Therefore, the 2014-2023 Housing Element will have **No Impact**.

XVI-d,e) Any future residential development that is a result of the 2014-2023 Housing Element will be done in accordance with the City's 2005-2025 General Plan, Riverbank Municipal Code, and the City's Standards & Specifications (Section 3 - Streets). In addition, the Housing Element will not cause inadequate emergency access to occur. Future residential development created as a result of the Housing Element will be built in compliance with any improvement standards and specifications of the City's Public Works Department, and the Police/Sheriff and Fire District. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVI-f) The 2014-2023 Housing Element is a policy document that provides the framework necessary for the City to meet and achieve their RHNA, and does not conflict with any adopted policies, plans, or programs supporting alternative transportation. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XVII. UTILITIES AND SERVICE SYSTEMS -- WOULD THE PROJECT:

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the providers existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	

DISCUSSION:

XVII-a,b,e) New residential growth and development anticipated under the 2014-2023 Housing Element would result in population growth assumed under and consistent with the City's 2005-2025 General Plan.

As noted previously, adoption of the 2014-2023 Housing Element would not directly result in any physical changes to the City that would place a higher demand on existing water or wastewater facilities and improvements. However, new residential development that occurs as

a result of the Housing Element would place a higher demand on these facilities and their capacity. As new residential development occurs, the City will prepare an additional site-specific environmental review in accordance with CEQA. This review will determine the specific project's impacts on the City's existing water and wastewater facilities, and any mitigation measures, as appropriate, will be incorporated into the project to mitigate any potential impacts to such facilities. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVI-c) Adoption of the 2014-2023 Housing Element does not require, or result in, the construction of new stormwater facilities. Rather, the Housing Element provides the policy framework necessary for the City to meet and achieve its regional housing need. As new site-specific residential development occurs, additional environmental review in accordance with CEQA shall be prepared. This review will evaluate the site-specific project and determine the need for new stormwater facilities and improvements. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVI-d) Potable water services within the City are provided by the City of Riverbank. At this time, the City relies on the Modesto Groundwater Sub-basin, which comprises an area of approximately 240,000 acres. The City presently maintains ten (10) municipal water wells, and approximately 44 miles of water lines. In addition to the ten (10) water wells, the City also has two above-ground water storage tanks *(located at 2nd Street & Saxon Way)* including a booster pump at each storage facility, which are utilized to pump additional water during high demand periods. It is anticipated that the City has sufficient groundwater supply to provide potable water services to the 1,280 residential units contemplated as part of the 2014-2023 Housing Element and the City's regional housing needs. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVI-f,g) Solid waste disposal in the City of Riverbank is provided via a franchise agreement with Gilton Solid Waste. Solid waste generated within the City is collected and then delivered to the Fink Road Landfill located in Crows Landing (Stanislaus County). The Fink Road Landfill has the capacity to provide solid waste services to the City of Riverbank through the 2014-2023 Housing Element time-frame.

In addition, future residential development created as a result of the 2014-2023 Housing Element will comply with all Federal, State, and local policies and regulations related to solid waste. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

MITIGATION MEASURES:

Mitigation is not required for this topic.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

DISCUSSION:

XVIII-a) The City of Riverbank is required by State Law to prepare a Housing Element that incorporates and identifies how the City would accommodate its total identified Regional Housing Needs Allocation (RHNA), which is contained in StanCOG's Regional Housing Needs Allocation Plan. As mentioned previously, the City's total share of the RHNA is 1,280 units between 2014-2023.

The City's 2014-2023 Housing Element is a policy document that reflects and anticipates development as described in other City plans and ordinances. It does not regulate or provide entitlements for new development, and would not directly result in any physical changes to the environment. As a result, no new environmental effects that would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory are anticipated. Additional environmental review of potential environmental impacts in compliance with CEQA would be required prior to any new development that occurs as a result of the 2014-2023 Housing Element. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

XVIII-b) Under the 2014-2023 Housing Element, no specific development projects would occur. Rather, the Housing Element would update policies and implementation programs that guide future population growth and housing demand within the City. Therefore, these less than significant impacts would not combine with impacts from other projects to cause a cumulative impact. In addition, the Housing Element is guiding future anticipated residential development, and is not considered growth inducing or a document that provides entitlements to this anticipated development. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact.**

XVIII-c) As noted previously throughout this Initial Study, the 2014-2023 Housing Element would not have an environmental effect that would cause substantial adverse effects on human beings either directly or indirectly. Therefore, the 2014-2023 Housing Element will have a **Less Than Significant Impact**.

SECTION 4.0 REFERENCES

In accordance with Section 15063(a)(3) of the CEQA Guidelines, the following expert opinion, technical studies, and substantial evidence has been referenced and/or cited in the discussion included in Section 3.0, Initial Study Checklist:

1. City of Riverbank 2005 – 2025 General Plan, dated April 2009.
2. City of Riverbank 2005 - 2025 General Plan Environmental Impact Report (EIR), dated April 2009.
3. City of Riverbank Zoning Ordinance.
4. City of Riverbank Noise Control Ordinance, Article IX, Chapter 93.
5. California Department of Transportation Online Database of State Scenic Highways (www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm).
6. California Department of Conservation Farmland Mapping and Monitoring Program, published October 2007.
7. Guide for Assessing and Mitigating Air Quality Impacts, adopted August 20, 1998, and as revised January 10, 2002, prepared by the San Joaquin Valley Air Pollution Control District.
8. Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA, dated December 17, 2009, prepared by the San Joaquin Valley Air Pollution Control District.
9. Flood Insurance Rate Map (FIRM) No. 06099C0335E, dated September 26, 2008, and No. 06099C0330E, dated September 26, 2008 prepared by the Federal Emergency Management Association (FEMA).
10. Riverbank Municipal Service Review, dated June 26, 2013
11. Stanislaus Council of Governments (StanCOG) Final Regional Housing Needs Plan for Stanislaus County 2014-2023, dated June 18, 2014

Attachment 4

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

July 13, 2015

Mr. John B. Anderson, Director
Community Development Department
City of Riverbank
6617 Third Street
Riverbank, CA 95367

Dear Mr. Anderson:

RE: City of Riverbank's 5th Cycle (2015-2023) Draft Housing Element

Thank you for submitting the City of Riverbank's draft housing element update which was received for review on May 14, 2015, along with revisions received on July 7 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review.

Our review was facilitated by various communications including a conversation with Mr. Mark Niskanen and Mr. David Niskanen, of J.B. Anderson Consulting, on July 1, 2015. Pursuant to GC Section 65585(c), the Department considered comments from California Rural Legal Assistance, Inc.

The revised draft housing element addresses some of the statutory requirements; however, revisions will be necessary to comply with State housing law (GC, Article 10.6). The enclosed Appendix describes the revisions needed to comply with State housing element law. Further information can be found on our Department's website at http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) Riverbank must adopt its housing element within 120 calendar days from the statutory due date of December 31, 2015 for StanCOG localities. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline.
For information on housing element adoption requirements, please visit our website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including commenters on the draft housing element and organizations that represent lower-income and special needs households, by making information regularly available, considering and incorporating comments where appropriate.

The Department appreciates the dedication Mr. David Niskanen and Mr. Mark Niskanen of J.B. Anderson Land Use Planning provided in preparation of the housing element and looks forward to receiving Riverbank's adopted element. We are committed to assisting the City of Riverbank in addressing all statutory requirements of housing element law. If you have any questions or need technical assistance, please contact Greg Nickless, of our staff, at (916) 274-6244.

Sincerely,

for

Glen A. Campora
Assistant Deputy Director

Enclosures

APPENDIX
CITY OF RIVERBANK

The following changes would bring the City of Riverbank's housing element into compliance with Article 10.6 of the Government Code (GC). Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on the Department's website at; www.hcd.ca.gov/hpd. Among other resources, the Housing Element section contains the technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at: www.hcd.ca.gov/hpd/housing_element2/index.php and includes the Government Code addressing State housing element law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites (Section 65583(a)(3)). The inventory of land suitable for residential development shall be used to identify sites that can be developed for housing within the planning period (Section 65583.2).*

   Unaccommodated Need: Pursuant to Chapter 614, Statutes of 2005 (AB 1233), if the City of Riverbank failed to make adequate sites available to accommodate the regional housing need in the prior planning period including failure to implement rezoning, the City must zone or rezone sites to accommodate any unaccommodated need within the first year of the 2015-2023 planning period. As you know, Program 1.1a was critical to demonstrate compliance with the adequate site requirement in the previous planning period. Since Program 1.1a was not implemented (page VIII-3), the housing element must include an analysis of programs to demonstrate compliance with these statutory requirements. Further information can be found on the Department's website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/ab_1233_final_dt.pdf.

   Sites Listing and Analysis: The housing element appears to be relying on sites in the Downtown Specific Plan and the Crossroads West Specific Plan. The element must list these sites by parcel number of unique reference, zoning, general plan, existing use for non-vacant sites and realistic residential capacity for each identified sites. For plan areas pending adoption such as the Crossroads West Specific Plan, the element may list the sites by proposed parcel numbers or other detailed site reference.

   In addition, the above sites must be analyzed for suitability pursuant to GC Section 65583(a)(4) and 65583.2. Please see the Building Blocks at http://www.hcd.ca.gov/housing-policy-development/housing-element/sia_home.php.

Zoning Appropriate to Accommodate Housing for Lower Income Households: The element does not clearly identify which zones are being utilized to accommodate the housing needs for lower-income households. If utilizing densities less than 20 units per acre, the element must demonstrate the densities are appropriate based on factors such as market demand, financial feasibility and development experience within zones. Please see the Building Blocks at http://www.hcd.ca.gov/housing-policy-development/housing-element/sia_zoning.php.

2. *Analyze potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (7) (Section 65583(a)(5)).*

   Land Use Controls: The element identifies various residential development standards, then generally concludes the standards are not viewed as a constraint. However, the element must include an analysis of their potential impacts on the cost and supply of housing or add implementation actions to address and remove or modify the standards as constraints on development. This analysis must also demonstrate the cumulative impacts of development standards on the ability to achieve maximum densities. At a minimum, the analysis must address heights and parking requirements and the element should include programs to address and remove or modify these requirements.

   In addition, the element notes zoning was amended to permit emergency shelters without discretionary review pursuant to GC Section 65583(a)(5) and continues that emergency shelters are subject to a six-person limit. This constitutes a constraint on the development of emergency shelters and special needs populations. The development standards must be analyzed and removed or modified as appropriate.

   Fees and Exactions: The element lists various fees and then shows the cumulative impact of fees of development costs as exceeding 20 percent of development costs. Given the significance of this impact on development costs, the element should include a detailed discussion of the impact and add or modify programs as appropriate.

Permit Processing and Procedures: The element mentions site plan review is subject to Planning Commission approval concurrently with all other related project approvals and therefore is not a constraint. However, the element must also describe the review process, including approval findings and analyze impacts on cost and approval certainty.

3. *Analyze any special housing needs such as elderly; persons with disabilities, including a developmental disability; large families; farmworkers; families with female heads of households; and families and persons in need of emergency shelter (Section 65583(a)(7)).*

   The identification and analysis of special needs should be expanded beyond the basic information and general description of the various groups. An analysis of special needs groups helps identify those with the most serious housing needs in order to develop and prioritize responsive programs. The element could also better utilize local officials, survey special needs service providers, representatives of special needs populations or County social and health service providers to include a complete description of special housing needs. This is particularly important given the comments received on the draft housing element. Specifically, the element should include a detailed quantification and analysis and programs as appropriate of persons with development disabilities, elderly, farmworkers and homeless.

4. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contract, mortgage prepayment, or expiration of use restrictions (Sections 65583(a)(8) through 65583(a)(9)(d).*

   The element mentions units with affordability terms through the housing authority but must still include an inventory and analysis of units at-risk of converting to market rate uses in the 10 year planning period. The housing element must also analyze their risk for conversion, particularly including an estimate of the total cost of producing new rental units compared to replacing the units and a listing of qualified entities to preserve at-risk units. Information and sample analyses are available in the Building Blocks' section on Identification and Analysis of Developments At-risk at http://www.hcd.ca.gov/hpd/housing_element2/EHN_atrisk.php.

B. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions (Section 65583(c)).*

   To address the program requirements of Government Code Section 65583)(c) (1-6), and to facilitate implementation, programs should include: (1) a description of the City's specific role in implementation; (2) definitive implementation timelines; (3) objectives, quantified where appropriate; and (4) identification of responsible agencies and officials. Programs to be revised include the following:

   - Program 2.1b (Assist Developers): Add more discrete timing such as annually or bi-annually.
   - Program 2.2b (Non-profit Outreach): Add more discrete timing such as annually or bi-annually.
   - Program 4.1c (Housing Conditions): Add specific actions to be taken after the housing conditions survey such as expanded rehabilitation or targeted efforts.

2. *Identify adequate sites which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage the development of a variety of types of housing for all income levels, including rental housing, factory-built housing, mobilehomes, emergency shelters and transitional housing. Where the inventory of sites, pursuant to paragraph (3) of subdivision (a), does not identify adequate sites to accommodate the need for groups of all household income levels pursuant to Section 65584, the program shall provide for sufficient sites with zoning that permits owner-occupied and rental multifamily residential use by-right, including density and development standards that could accommodate and facilitate the feasibility of housing for very low- and low-income households (Section 65583(c)(1)).*

As noted in finding A1, the element does not include a complete site listing and analysis and therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites, unaccommodated need from the prior planning period or zoning available to encourage a variety of housing types.

Specifically, if necessary, the element must include a program to provide sites with zoning that permits owner-occupied and rental multifamily uses by-right sufficient to accommodate the unaccommodated need from the prior planning period and the remaining need for lower-income households from the current 5th cycle planning period. By-right, pursuant to 65583.2(h) and (i) means (a) local government review must not require a CUP, planned unit development or other discretionary review or approval, (b) a minimum of 16 units per site, (c) a minimum density of 20 units per acre, and (d) at least 50 percent of the lower-income need must be accommodated on sites designated for residential use only, unless otherwise meeting statutory requirements for mixed use.

In addition, the element must demonstrate zoning for a variety of housing types, as follows:

- *Farmworker/employee housing*: The element must address whether the City's zoning is consistent with the Employee Housing Act (Health and Safety Code Section 17021). Specifically, Health and Safety Code Section 17021.5 requires employee housing to be permitted by-right, without discretionary action, in single-family zones for six persons or less. The element should either include an analysis or program to revise zoning consistent with Health and Safety Codes 17021.5.

- *Transitional and Supportive Housing*: Pursuant to Government Code Section 65583(a)(6), transitional and supportive housing must be permitted as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. The housing element indicates that transitional and supportive housing are limited to the R-3 zone (page IV-19) and not permitted in other zones allowing residential uses. The element should demonstrate consistency with these requirements and include a program as appropriate.

3. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households (Section 65583(c)(2)).*

   As noted in finding A3, the element requires an analysis of special needs populations. Depending upon the results of that analysis, the City may need to revise or add programs, such as persons with developmental disabilities and farmworkers, as appropriate.

   In addition, the provision of adequate housing for farmworkers is a critical issue, both seasonal and permanent. As a result, the element must add specific actions, beyond complying with the Employee Housing Act (Health and Safety Code Section 17021) to assist in the development of housing for farmworkers. For example, the element could include actions to partner with developers, assist with site identification and apply or support applications for funding including the Department's Joe Serna Jr. Farmworker Housing Grant Program. Other programs include working with growers and stakeholders to identify strategies or establishing prototype plans for employee housing.

   For your information, Government Code Section 65589.7 requires water and sewer providers to establish specific procedures and grant priority water and sewer service to developments with units affordable to lower-income households. The statute also requires local governments to immediately deliver the housing element to water and sewer providers. The Department recommends including a cover memo describing the City's housing element, including the City's housing needs and share of the regional housing need (see enclosed memo).

4. *The housing element shall contain programs which address, and where appropriate and legally possible, remove governmental constraints to the maintenance, improvement, and development of housing (Section 65583(c)(3)).*

   As noted in finding A2, the element requires an analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

5. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (8) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (8) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance (Section 65583(c)(6)).*

   As noted in finding A4, the element requires an analysis of potential governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

C. Public Participation

1. *Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort (Section 65583(c)(8)).*

   While the element includes a general summary of the public participation process, it does not demonstrate how the City has or will make or demonstrate a diligent effort to include all segments of the community. For example, there is little to no discussion of comments received or any further effort to obtain input. In addition, the element notes the document was made available to the public essentially at the same time as submittal to the Department; leaving little time for public review or comment. The housing element and efforts to include all segments of the community must be revised to demonstrate diligent efforts such as describing the success of outreach efforts, public comments and how the element incorporated public comments. Also, the City should make a specific effort to reach out to commenters on the housing element.

   In addition, the Department has encouraged the City to consider the San Joaquin Valley Fair Housing and Equity Assessment as part of the housing element update. For more information, please see http://www.hcd.ca.gov/housing-policy-development/docs/san-joaquin-fair-housing020915.pdf.

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY EDMUND G. BROWN JR., *Governor*

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December 30, 2015

Ms. Donna Kenney, Manager
Planning and Building Department
City of Riverbank
6707 Third Street
Riverbank, CA 95367

Dear Ms. Kenney:

RE: Review of Riverbank's 5th Cycle (2015-2023) Revised Draft Housing Element

Thank you for submitting the City of Riverbank's revised draft housing element update which was received for review on November 10, 2015, along with additional revisions received on August 12, October 16, November 2 and December 21, 2015. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by a telephone conversation on December 18, 2015 with Mr. David Niskanen, Assistant Planner at JB Anderson Land Use Planning. In addition, the Department considered comments from California Rural Legal Assistance, Inc. pursuant to GC Section 65585(c).

The revised draft element meets the statutory requirements described in the Department's July 13, 2015 review. This finding was based on, among other reasons, various programs to promote transitional and supportive housing, farmworker housing, and strategies sufficient to accommodate the regional housing need and encourage the development of a variety of housing types, particularly multifamily. The revised element will comply with State housing element law (GC, Article 10.6) when adopted and submitted to the Department, in accordance with GC Section 65585(g).

The element now identifies adequate sites to accommodate the City's regional housing need for lower-income households demonstrated by Programs 1.1a and 1.1b. These programs commit to making sufficient zoning available to accommodate the housing need prior to the end of year 2017. In addition, these sites must permit multifamily uses without discretionary action, and require minimum densities of 20 units per acre.

Please be aware, for the element to continue to demonstrate adequate sites after December 31, 2016, the City must complete Program 1.1c actions. This program commits to rezone sites to accommodate the 17 unit carryover of housing need not met in the 4th cycle. Pursuant to GC Section 65584.09, a jurisdiction that failed to identify or make available adequate sites to accommodate all of the previous cycle's housing need must zone or rezone adequate sites to accommodate all of the previous cycle's unmet housing need within the first year of the next housing element cycle. The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to GC Section 65400. To remain on an eight year planning

cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) Riverbank must adopt its element within 120 calendar days from the statutory due date of December 31, 2015 for StanCOG localities. If adopted after this date, GC Section 65588(e)(4) requires the housing element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For more information on housing element adoption requirements, please visit the Department's website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

Please note, the City of Riverbank meets housing element requirements for the Housing Related Parks Program (HRP). The HRP Program, funded by Proposition 1C, provides grant funds to eligible local governments for every qualifying lower income unit permitted since 2010. The HRP Program 2015 Notice of Funding Availability (NOFA), released October 26, 2015, announced the availability of approximately $30 million in grant funds to eligible applicants. Applications are due **February 4, 2016**. Information about the HRP Program is available on the Department's website at http://www.hcd.ca.gov/hpd/hrpp/.

For your information, some other elements of the general plan must be updated on or before the next adoption of the housing element. The safety and conservation elements of the general plan must include analysis and policies regarding fire and flood hazard management (GC Section 65302(g)). Also, the land-use element must address disadvantaged communities (unincorporated island or fringe communities within spheres of influence areas or isolated long established "legacy" communities) based on available data, including, but not limited to, data and analysis applicable to spheres of influence areas pursuant to GC Section 56430. The Department urges the City of Riverbank to consider these timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/SB244_Technical_Advisory.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates the hard work and dedication Mr. David Niskanen and Mr. Mark Niskanen, of JB Anderson Land Use Planning, provided in preparation of the housing element and looks forward to receiving the City of Riverbank's adopted housing element. If you have any questions or need additional technical assistance, please contact Greg Nickless, of our staff, at (916) 274-6244.

Sincerely,

Glen A. Campora

Glen A. Campora
Assistant Deputy Director

Attachment 5

CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

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June 8, 2015

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Re: *Comments to the City of Riverbank's 2014-2023 Draft Housing Element*

California Rural Legal Assistance, Inc. (CRLA) is a nonprofit legal services provider serving low-income clients and communities throughout California. CRLA clients lack access to affordable, decent housing and suffer the consequences associated with lack of housing and high housing cost burden. CRLA represents clients from Riverbank displaced because of the lack of affordable housing in Riverbank.

There are an ever increasing number of working poor, who are unable to afford housing despite working full-time jobs, thus Riverbank's existing need for affordable housing is acute and will continue to grow. Riverbank has not undertaken meaningful efforts to address the need for affordable housing. The previous housing element cycle and this draft Housing Element (draft HE) indicate that the needs of low-income households, especially extremely low-income households, farmworkers, the homeless, and large families have languished unmet and it appears that they will continue to go unaddressed or addressed at a pitiful rate compared to the needs of higher income households.

The current draft HE demonstrates that through the years covered by the 2007-2014 Housing Element (previous HE), zero housing was developed to meet the housing need for extremely low-income housing, zero housing was developed to meet the housing need for very low-income housing, and only 58% of the housing

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need for low-income households was met, with the development of 85 of the 146 needed units. Even the housing needs for moderate income households were ignored, with the development of only 3 of the 172 needed units. Riverbank by comparison, met 79% of the housing need for above moderate income households, i.e., 291 of the 367 housing units.

The pattern of providing for the housing needs of higher income households at a much greater rate than for low-income households continues in the 2014-2023 draft Housing Element. Riverbank's stated objectives are to develop 140% of the moderate housing units needed, well above the identified need for moderate income housing (objective is 300 when the RHNA need is 217), to again develop almost all of the above-moderate housing units needed (500 of the needed 536), but to meet only 30% of the extremely/very low-income units needed (100 of 321) which have been combined instead of separated out as two separate requirements. There is no clear indication that the needs of extremely low income households will be met. State Housing Element Law requires Riverbank to plan to meet the housing needs for all economic segments of the community, thus the draft HE fails to comply with governing law in letter or spirit, and the failure further implicates a failure to comply with housing equity requirements in housing element law, or to affirmatively further fair housing or to comply with federal and state fair housing laws. The populations that are adversely affected by not planning to meet the needs of lower income households at the same rate as other households are the most vulnerable. They are people with disabilities, farmworkers, the homeless, large households, racial and ethnic groups and other special populations.

We submit these comments as part of the required review process in an effort to ensure that the HE complies with State Housing Element and Fair Housing laws, and to ensure that Riverbank plans to meet the affordable housing needs of all economic segments of the community, including the most disadvantaged segments of the population. The following key areas, including the lack of adequate analysis of special housing needs, the need for policies that encourage the development of affordable housing, and the need for meaningful public participation aimed at engaging residents require significant revisions if the draft HE is to comply with applicable law. The Riverbank 2014-2023 Draft Housing Element must be revised in accordance with current law to meet the housing needs of all segments of its population.

I. Special Housing Needs Lacking Adequate Analysis

One requirement of Housing Element Law is that jurisdictions analyze the existing and projected housing needs for all income levels, including an analysis of special housing needs.

a. Very Low and Extremely Low-income Housing

We commend the City for planning to allow a priority for the development of extremely low-income housing when assisting developers in the grant preparation process through Program

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2.1b. Given that the need for extremely low-income housing has not been addressed, it is unlikely that the draft HE will result in the development of such housing unless further incentives to develop extremely low-income housing are considered. Financial incentives, regulatory concessions, and density bonuses can be tiered, awarding more incentives for developments that include very low-income housing and even more incentives for developments that include extremely low-income housing.

Housing Element Law requires that the jurisdiction adopt, as a minimum goal, a share of the projected regional growth in lower- (80% or less of median) and moderate-income households as determined by the respective council of governments. Riverbank has failed to adopt, as a minimum goal, its share of lower-income households by failing to plan for the development of the housing need for very low- and extremely low-income households.

The City's stated objective for very low- and extremely low-income households is to meet only 30% of the Extremely/Very Low-income need (100 of 321). The information provided does not quantify how many units would be for extremely low-income and how many would be very-low-income households. The Housing Element, unlike the RHNA, clearly distinguishes extremely low-income from very low-income households, treats them as separate income categories, and lists each as a separate housing need that must be analyzed and addressed. Housing that is affordable to very low-income households is still out of reach for extremely low-income households. Programs and policies that allow incentives for low-income or even very low-income housing do not automatically address extremely low-income housing. Extremely low-income housing needs and very low-income housing needs must be addressed separately when determining policies, programs, and quantifiable objectives. Here, the draft HE continues to combine the two categories, failing to adequately address the needs of extremely low-income and very low-income households. Given that during the last Housing Element cycle Riverbank met 0% of the RHNA need for these two groups, it is clear that there is an unmet existing housing need that the draft HE does not address, and that Riverbank must plan to meet the projected needs of each category, extremely low-income households and very low-income households.

b. Farmworker Housing

Farmworkers are a population category that might be difficult to count, especially seasonal farmworkers who often work in Riverbank and the surrounding lands for fewer than six months at a time. They also tend to be undercounted for various other reasons. Riverbank's reliance on employment reports from employers however, is misplaced and will not yield an accurate count, especially because employers tend to under report the number of workers they hire. Riverbank's reliance on the USDA Ag Census, which identifies the number of employees in a given occupation group, is not sufficient to give an accurate count of farmworkers and thus analyze their housing needs. There are other sources of data available to Riverbank, including but not limited to NAWS data, migrant child education data, EDD data, Farm Labor Survey data and local knowledge from schools, health clinics, social service agencies and others. There is a 2000

farmworker health enumeration that could provide information as well. The undercount of farmworkers should be addressed and the housing needs analyzed with that in mind.

Even using the USDA Ag Census data, the draft HE fails to analyze the housing needs of farmworkers. There are at least 14,000 farmworkers identified by the Ag Census, and only 42 farmworker housing units available in Riverbank. The draft HE fails to adequately analyze the housing needs of farmworkers and fails to provide specific programs that would result in the development of farmworker housing.

Riverbank did nothing in the previous HE cycle to provide for the housing needs of farmworkers and has even less specific plans to address farmworker housing needs during the 2014-2023 HE cycle. Program 2.1f in the previous HE was to assist in the development of housing for farmworkers, including specifically identifying a partner and development opportunity, and applying for grant funding by June 2010. The Housing Element Annual Progress Report for the 2014 year shows that no progress was made toward this goal. Additionally, in the current draft HE the City struck all the specific actions and benchmarks (identifying a partner and development opportunity, and applying for grant funding by a deadline) in Program 2.1f. There are now no concrete actions that must be taken by any certain date.

The HCD review of the previous HE required Riverbank to include specific actions to assist in the development of housing for farmworkers such as partnering with developers, assisting with site identification, applying for or supporting applications for funding, and working with growers and stakeholders to identify strategies like allowing bunkhouses for unaccompanied workers, ensuring the provision of family housing and allowing farmworker housing in agriculture zones.

Riverbank must comply with Health and Safety Code sections 17021.5 and 17021.6 and it must analyze the need for farmworker housing, identify specific sites for farmworker housing, in addition to providing specific programs with time lines, milestones, commitment, and responsible staffing, to accommodate the need for farmworker housing.

c. Homeless Population

Riverbank identified zero homeless persons in the City in the previous housing element and again, the draft Housing Element alleges that there are no homeless persons in Riverbank. There are a number of issues with this assertion. First, the homeless population is difficult to count and routinely undercounted. Second, Riverbank relied on the "routine observations of the Riverbank Police Department" instead of attempting to count the homeless population through more traditional means. Third, among our current and former clients, we have homeless individuals that reside in Riverbank. Fourth, homeless individuals and families, also include those who are doubled and tripled up and at imminent risk of becoming homeless, who are not even contemplated in the draft HE. CRLA is well aware that there is at least one mostly vacant housing property in Riverbank that continuously deals with the issue of homeless individuals

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breaking in for showers, shelter, and other necessities. Such break-ins have been reported to the Riverbank Police Services, who has responded multiple times within the last year. CRLA also is well aware that there is at least one substandard hotel in Riverbank in the process of displacing tenants who have no decent, affordable housing available to them. It is well known that the homeless population in Riverbank can frequently be found by the river.

Housing Element Law requires an analysis of special housing needs including homeless needs. Failing to account for the needs of Riverbank's homeless population is in direct violation of the law. Riverbank must identify its homeless population, analyze their needs, and plan to address those needs. A jurisdiction is required to address the needs of all segments of its population.

Emergency Shelters are now a permitted use in the Multiple Family Residential District R-3 Zone and a permitted use with a use permit in the Neighborhood Commercial District C-1 Zone, General Commercial C-2, and Commercial-Industrial C-M Zone. The draft HE states that these housing facilities are permitted by right in any residential district only if they serve 6 or fewer occupants; as such, there is no place for a larger emergency shelters by right and no discussion of whether six-bed shelters are sufficient to address the need for emergency shelters.

d. Large Families

One consequence of a lack of affordable housing is an increase in crowded living conditions among low-income households. The rate of overcrowding is greatest for low-income large families and those most affected by overcrowding are children, who tend to make up the greater part of large families. Affordable housing suitable for large families is a special need that must be addressed in the Housing Element.

According to the draft HE, Riverbank has traditionally provided more modest-sized homes but lacks larger, move-up homes needed by growing and large families. The approval of the Crossroads Community Specific Plan in 1998 might have helped alleviate the need for larger homes, but the housing that has been developed has tended to be unaffordable to low-income families, the families with the greatest need for larger homes. The draft HE does not provide the number of larger, move-up houses that are needed in Riverbank and thus cannot plan to meet those needs. That analysis should not be difficult given the data on overcrowding the City included in its draft HE and should be included to adequately plan for the needs of large families. The absence of this analysis and a specific program to meet the needs of these households indicates a lack of compliance with State Housing Element Law and raises significant fair housing and equity concerns.

II. Policies to Encourage and Maintain Affordable Housing

a. Rehabilitation Program

Affordable housing rehabilitation is an effective tool to maintain current units and is especially needed when new affordable housing development is at a standstill. Approximately 30% of housing units surveyed are in need of at least moderate repair and 291 of housing units need substantial repair or are dilapidated. The City only approved two rehabilitation projects during the last 2007-2014 HE cycle. We understand that the City was required to revise its process prior to awarding rehabilitation funds, and cited this as the reason the program was dormant from 2009 to 2013, but 5 years to revise a process when there is such need for affordable housing that is not being otherwise addressed is excessive. We are encouraged to see the City aims to rehabilitate 100 very low-income and extremely low-income housing this HE cycle. This is essential to meeting existing housing need, but will not address projected need.

b. Inclusionary Zoning

Program 2.2a of the 2009-2014 Housing Element was to develop an inclusionary zoning ordinance for the City of Riverbank by June 2011. It was meant to assist the City to comply with State Housing Element Law. This program was not implemented and was struck from the current Housing Element citing the dissolution of Redevelopment Agencies. Without that stream of funding, the costs would be incurred by developers, which according the draft HE would hinder the development of single-family homes. While the dissolution of Redevelopment Agencies is a setback, it should not completely prevent a City from implementing an inclusionary zoning ordinance. The City is able to set its own regulations and can balance the burden on developers with the public need. Even if such an ordinance does hinder single-family housing, it will not completely eliminate the development of single-family housing, and the development of affordable housing may incentivize households to move to the affordable housing leaving single-family homes available. The City's formerly proposed inclusionary zoning ordinance could be an effective tool that can be used to make up for the lack of affordable housing, especially for a City with such a high unaddressed need.

c. Fee Waivers

We commend Program 3.1b which waives fees for increased density General Plan amendments and defers fees for developments with lower-income housing. The cost of building new housing continues to increase, hinder the development of affordable housing especially at the lowest levels. Planning adequately to address the acute shortage of extremely low-income and very low-income housing, and counter the impact of building costs and fees, is likely to require greater incentives reserved for developments with very low-income housing and even more for developments with extremely low-income housing. This would bring the City closer to complying with law.

d. Density Bonus

We are glad to see that the City adopted a Density Bonus Ordinance to comply with statutory amendments to State Density Bonus Law. (Government Code Section 65915, statutory amendments Chapter 1928, Statutes 2004) Additional density bonuses within the Crossroads West Specific Plan for affordable housing development projects, and more specifically, the City's commitment to rezone higher density sites within six months if the Crossroads area is not annexed is encouraging. These are significant for compliance with State Housing Element Law.

a. Prioritizing Sewer and Water for Affordable Housing

SB 1087 establishes a process to ensure the effective implementation of Government Code Section 65589.7. This statute requires local governments to provide a copy of the adopted HE to water and sewer providers. Water and sewer providers must then grant priority for service allocations to developments that include lower-income housing. They are also required to have written policies and procedures that grant priority to developments with lower-income housing. The purpose is to facilitate the development of affordable housing. HCD recommends that local governments consult with water and sewer providers to ensure adequate water and sewer capacity is available to accommodate housing needs, especially housing needs for lower-income households. This is yet another tool that Riverbank can use and promote to comply with Housing Element Law encourage the development of affordable housing.

III. Public Participation

State Housing Element Law requires jurisdictions to engage the public through a public participation strategy aimed at reaching all segments of the population. The City stated that it held one workshop and then mailed out questionnaires to certain organizations. Only 5 people and 1 organization attended or responded. It is clear that the outreach efforts need to be improved in order to comply with the State Housing Element Law public participation obligation.

a. Improving Public Participation

The City must implement public participation efforts aimed at reaching the entire community including those most affected by the Housing Element process like low-income residents and farmworkers. HCD provides guidance on how to meaningfully engage the public. One method that is simple and more effective is to go where people congregate. Asking churches, community groups, clubs, and other established groups to be placed on their agenda to do a presentation is a more effective approach. Mailing out self-addressed postcards giving information about an upcoming meeting and requesting input may also be effective. In many

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areas this can be accomplished through a partnership with water or utility providers who can agree to include the post card in their utility bill.

Allowing adequate time for comments and informing the community of the public comment period are also necessary for public participation. There is no readily accessible notice on Riverbank's website that the draft HE was released and no notice of the beginning of a public comment period on the draft HE. Further, as of May 12, 2015 all agendas, presentations, and meetings stated that the Draft HE was going to be submitted to HCD and released to the public for a 60-day review period, after which HCD would provide feedback. It was only *after* the draft HE had been submitted to HCD that we were informed that the draft HE had been submitted for the streamlined review process and consequently a shortened 30-day public review period.

b. Language Access

Language access also is a grave concern. According to the 2010 U.S. Census, 52.1% of Riverbank's residents are Hispanic, the largest group in Riverbank followed only by White non-Hispanic which makes up 39.5% of Riverbank's population. The Hispanic population is projected to continue to increase while all other groups except Asian continue to decrease. Census data show that 46.5% of residents speak a language other than English at home. Taking this into consideration, Riverbank's failure to provide information in a language other than English or to provide interpreters for its meetings undermines nearly half of its residents' ability to participate equally in the governance of their City. The Planning Commission's notice to non-English speakers found in the Planning Commission's agendas from 2015 is reprinted below. The same notice is on the City Council agendas.

> 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[1], 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."

The Housing Element public hearings, discussions and process are undertaken at the Riverbank local government meetings. The absence of an interpreter means that Spanish speaking Riverbank residents are excluded from full participation. An estimated 52.1% of Riverbanks

[1] A city council or departmental meeting is not a "proceeding before any State Court" for the Code of Civil Procedures to apply.

residents are Latino or Hispanic and 46.5% speak a language other than English at home. These Riverbank residents, like all others, have a right to participate in Riverbank's local government meetings and should not have to bring their own interpreter to do so.

The Riverbank City Council and Planning Commission are subject to State and Federal Laws that require local government entities to provide certain public information and interpretation of meetings in languages that are spoken by a substantial number of non-English speaking people. This includes Title VI, Government Code 11135 and the Dymally-Alatorres Bilingual Services Act which requires that public entities provide translation if more than 5% of the population served speaks a language other than English. (Cal. Gov't Code § § 7291, 7293, 7295.2, 7296.2.) Riverbank's local government meetings are also subject to the Brown Act, which requires transparency, access to information, and the right of all residents to participate in public meetings. (Brown Act, California Gov't Code § 54950, et seq.)

The City of Riverbank, which includes any Commission, as a recipient of state and federal funds, is prohibited from discriminating against meeting attendees on the basis of ethnic group identification. California law states that "no person in the State of California shall on the basis of… ethnic group identification, be unlawfully denied full equal access to the benefits of, or be unlawfully subjected to discrimination under any program that receives any financial assistance from the State. (Cal. Gov't §11135.) Title VI of the Civil Rights Act also prohibits discrimination against any individual on the ground of race, color, or national origin under any programs or activity receiving Federal financial assistance. (42USC § 2000(d)) Pursuant to these and other laws, Riverbank's local government meetings are obligated to provide language access in its meetings and to provide written translation of its meeting agendas.

The City of Riverbank must address these omissions in order to comply with State Housing Element Law, and related State and Federal laws.

Very truly yours,

CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Marisol F. Aguilar
Attorney, CRLA

cc: Ilene J. Jacobs, Director of Litigation Advocacy and Training, CRLA
Christina N. Teixeira, Staff Attorney, CRLA

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June 17, 2015

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Re: *Comments on Streamlined Review of Riverbank's 2014-2023 Draft Housing Element*

California Rural Legal Assistance, Inc. (CRLA) submitted comments on Riverbank's Draft Housing Element on June 8, 2015.

We supplement the comments because the draft Housing Element has been submitted for streamlined review, for which it appears that Riverbank is not eligible because public participation has not been adequate (as we noted in our earlier comments) and Riverbank would have to answer no to the following questions in the Implementation Review.

A. Does zoning permit emergency shelters without discretionary action or has a multijurisdictional agreement pursuant to Section 65583(d) been approved?
B. Does zoning permit transitional and supportive housing as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone?
C. Are policies, ordinances or procedures established to allow reasonable accommodation for persons with disabilities in the application of zoning and land use policies, ordinances or procedures?

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LSC

The review addresses all three areas, however, emergency shelters are allowed by right in residential areas if the shelters serve six or less individuals, transitional and supportive housing also is permitted in the multiple-family residential zone though it is unclear whether the six-occupant restriction also applies to transitional and supportive housing, care homes and alternate housing for persons with disabilities also are limited to six-occupants to be allowed by right. These restrictions do not comply with the eligibility requirements for streamlined review.

Very truly yours,

CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Marisol F. Aguilar
Attorney, CRLA

cc: Ilene J. Jacobs, Director of Litigation Advocacy and Training, CRLA
Christina N. Teixeira, Staff Attorney, CRLA

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Attachment 6

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Re: *Comments to the City of Riverbank's August 12, 2015 Revisions to the 2014-2023 Draft Housing Element*

California Rural Legal Assistance, Inc. (CRLA) submitted comments on Riverbank's Draft Housing Element on June 8, 2015 and on June 17, 2015.

We submit these comments after reviewing the August 12, 2015 revisions submitted by Riverbank to HCD (August Revisions). We include by reference the concerns raised in our previous comments submitted to both the City of Riverbank and HCD which were not addressed in the August Revisions.

We continue to be concerned about the lack of analysis of the needs of homeless individuals. In the August Revisions, Table IV-16 Homeless Facilities continues to show the available facilities for the Turlock/Modesto/Stanislaus County Continuum of Care for which Fresno County is a participating member. The numbers represent the homeless facilities for the total Continuum of Care area. They are not specific to Riverbank. A homeless facility in Fresno County cannot feasible be available to homeless individuals in Riverbank. Riverbank must analyze what facilities are available in Riverbank, analyze the need for homeless facilities in Riverbank, and plan to address any shortfall.

It is not clear whether emergency shelters will no longer be subject to a six-person restriction and be allowed by right in the R-3 zone. The language in the August

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Revision is not clear. The August Revisions state that Emergency shelters, transitional housing, and supportive housing are permitted by right in any residential district and that facilities that serve 7 or more are permitted with a use permit in the R-3 zone. (V-13) Yet that same paragraph and page IV-19 state that there are no population limits and that these facilities are allowed without a conditional use permit in the R-3 zone. It seems like the issue was resolved by Ordinance No 2015-002, though further revisions must clarify exactly where emergency shelters are allowed and whether there are any permit requirements or restrictions.

For persons with development disabilities we are encouraged to see the identification by age group in Riverbank. Riverbank must now analyze the special housing needs of these individuals and include programs to address those needs.

The City of Riverbank must address these concerns and those raised in previous letters in order to comply with State Housing Element Law and related State and Federal laws. We look forward to reviewing Riverbank's next revision.

Very truly yours,

CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Marisol F. Aguilar
Attorney, CRLA

cc: Ilene J. Jacobs, Director of Litigation Advocacy and Training, CRLA

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December 18, 2015

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Re: *Comments to the City of Riverbank's November, 2015 Revisions to the 2014-2023 Draft Housing Element*

California Rural Legal Assistance, Inc. (CRLA) submitted comments on Riverbank's Draft Housing Element on June 8, 2015, June 17, 2015, and October 7, 2015. We submit these comments after reviewing the November 25, 2015 revisions submitted by Riverbank to HCD.

CRLA also met with the City of Riverbank and JB Anderson Land Use Planning, Riverbank's Housing Element consultants, on November 12, 2015 to review and discuss our comments. We thank them for their willingness to meet and look forward to working with them in the future.

We appreciate the substantive revisions to the Housing Element. We are aware that many cities are understaffed and must prioritize their time to meet the most pressing needs of their communities. It is essential for Riverbank to provide for the housing needs of all income segments in order to comply with state and federal fair housing laws, housing equity requirements in the housing element law, and with the requirement to affirmatively further fair housing.

We are encouraged to see a number of programs that address the need for affordable housing, farmworker housing, homeless needs, public participation, and specifically for extremely low-income housing. The programs to assist in the

development of farmworker housing such as Program 2.1e to contact farmworker housing developers to identify the constraints to farmworker housing development within the city, is a positive approach that can help address the need for farmworker housing, but requires a commitment of staff time, program implementation and location of sites and funding. Programs such as Program 2.1b to prioritize funding for development of ELI housing and Program 3.1b to waive fees for General Plan amendments to increase housing density are good ways to encourage affordable housing and similarly require considerable work in implementation. The Table VII-2 Summary of Financial Resources for Housing is especially helpful for affordable housing developers after the dissolution of redevelopment agencies and again requires implementation in the form of applications and partnerships and actual funding and programs.

The city also can continue to consider inclusionary zoning as an additional program to help alleviate the need for affordable housing and to comply with housing element law and its obligation to affirmatively further fair housing. Given the unmet need for affordable housing in the last two housing element cycles, it is imperative that Riverbank do as much as possible to address the housing needs of low-income residents. Affordable housing will not be developed sufficiently unless it is provided in new developments. It is Riverbank's responsibility to provide for all segments of the population.

Another way to ensure that there is sufficient housing for all income groups is to maintain existing affordable housing. Program 4.1c to conduct a Housing Condition Survey and contact homeowners identified as having a home that qualifies for rehabilitation is an excellent example of the city taking the initiative to maintain housing stock. Riverbank can also ensure code enforcement is actively working to maintain current properties and any that are rehabilitated through its new program. This too requires a specific plan for program implementation in order to address deficiencies and comply with housing element law.

We and our client communities are eager to see the implementation of these programs and of the improved communication with residents, stakeholders, developers, and the agricultural community. We look forward to following Riverbank's progress through the Housing Element Annual Progress Report.

Very truly yours,

CALIFORNIA RURAL LEGAL ASSISTANCE, Inc.

Marisol F. Aguilar
Attorney, CRLA

cc: Ilene J. Jacobs, Director of Litigation Advocacy and Training, CRLA

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CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT

ITEM NO:	**3.3**	**January 19, 2016**

APPLICANT: City-Initiated

PROJECT: An Ordinance Of the City of Riverbank amending the Riverbank Municipal Code by Repealing in its Entirety Chapter 153: Variance of Title XV: Land Usage, and Substituting it with a new Chapter 153: Variance. Project Description: The proposed project is an Ordinance Amendment to the City's Zoning Code to make the Planning Commission the deciding body of a variance request.

LOCATION: City-wide

ENVIRONMENTAL DETERMINATION: The Ordinance regarding Variances is not a project within the meaning of Section 15378 (B)(5) of the State CEQA Guidelines because it has no potential for resulting in a physical change in the environment, directly or ultimately. Therefore, no CEQA analysis of the ordinance is required.

PROJECT PLANNER: Donna M. Kenney, Planning and Building Manager

RECOMMENDATION: It is recommended that the Planning Commission approve Resolution No. 2016-003, recommending the City Council find the project exempt under Section 15378 (B)(5) of the CEQA Guidelines, the Project is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment, and approve the proposed Ordinance Amendment.

ACRONYMS: RMC – Riverbank Municipal Code
CEQA – California Environmental Quality Act

I. EXECUTIVE SUMMARY

The proposed project is an Ordinance Amendment to the City's Zoning Code to make the Planning Commission the deciding body of a variance request. Currently, variance applications must be heard first by the Planning Commission, with their recommendation for approval or denial and any conditions sent to the City Council. The

City Council then conducts a second public hearing and makes the decision to approve or deny the variance application based on findings provided by the Planning Commission.

II. BACKGROUND

On July 10, 2006, Morrison Homes received City Council approval for a 115 lot subdivision located at Cornerstone at Crossroads on Oakdale Road. KB Home eventually took over the project and began submitting batches of building permit applications, including one for Lot 99 issued in June 2015. In July 2015, planning staff was notified by KB Home that there was a problem with a setback for Lot 99: the approved development plan and their building permit plan showed a three (3) foot setback where a four (4) foot setback is required. Staff began discussing a Lot Line Adjustment with KB Home but it was determined a Variance would be required since the adjacent lot could not accommodate a Lot Line Adjustment without becoming nonconforming itself.

A public hearing was held by the Planning Commission on October 20, 2015 and the vote was 4-0 to recommend approval of the KB Home Variance to the City Council. A public hearing was then held by the City Council on November 10, 2015 and the variance was approved. During this meeting, the City Council questioned why they were hearing this item and staff explained that the process in RMC Section 153.217 Variance required both bodies to review the variance request. Council directed staff to bring back an amendment to the ordinance to make the Planning Commission the deciding body.

III. ANALYSIS

<u>General Plan Consistency</u>
Policy LAND-4.1: The City will encourage, through incentives, streamlining, flexible standards, and other means, development of employment-generating uses.
By removing the requirement that a variance must be heard by the Planning Commission and the City Council, the Council is in effect streamlining the variance process and allowing projects (home construction jobs) to avoid a second public hearin and move forward.

IV. ENVIRONMENTAL DETERMINATION

The Ordinance regarding Variances is not a project within the meaning of Section 15378 (B)(5) of the State CEQA Guidelines because it has no potential for resulting in a physical change in the environment, directly or ultimately. Therefore, no CEQA analysis of the ordinance is required.

V. FISCAL IMPACT

The ordinance amendment will require less staff time to process a variance because there will be one less public hearing involved, including the newspaper posting and mailing of notices. Therefore, staff expects a small, but positive fiscal impact.

VI. PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News on January 6, 2016 and posted at City Hall North and South (6707 Third Street and 6617 Third Street, Riverbank) on January 6, 2016.

VII. RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2016-003, recommending that the City Council of the City of Riverbank finds the project exempt under Section 15378 (B)(5) of the CEQA Guidelines and approves the proposed Ordinance Amendment.

VIII. ATTACHMENTS:

1. Planning Commission Resolution 2016-003
   Exhibit A - Proposed City Council Ordinance No. 2016-XXX (Redline)

Respectfully Submitted By:

Donna M. Kenney

Donna M. Kenney
Planning and Building Manager

Attachment 1

PLANNING COMMISSION

RESOLUTION NO. 2016-003

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF AN ORDINANCE AMENDING THE RIVERBANK MUNICIPAL CODE BY REPEALING IN ITS ENTIRETY CHAPTER 153: VARIANCE OF TITLE XV: LAND USAGE AND SUBSTITUTING IT WITH A NEW CHAPTER 153: VARIANCE

WHEREAS, Pursuant to Riverbank Municipal Code Section 153.217 Variance, an application for a variance in the City of Riverbank is required to be heard in public hearing by the Planning Commission, which then makes recommendation to the City Council on approving or denying the variance during a second public hearing; and

WHEREAS, During the City Council's hearing on the last variance proposal, staff was questioned about the variance process and the need for a second public hearing; and

WHEREAS, Staff was then directed to work on an ordinance amendment to make the Planning Commission the deciding body on variances; and

WHEREAS, The Planning Commission held a public hearing on January 19, 2016, to consider said ordinance and take public comment pursuant to Section 153.232 (A); and

WHEREAS, The Planning Commission reviewed and considered, pursuant to the California Environmental Quality Act (CEQA), that the Ordinance regarding Variances is not a project within the meaning of Section 15378 (B)(5) of the State CEQA Guidelines because it has no potential for resulting in a physical change in the environment, directly or ultimately; and

WHEREAS, the proposed ordinance is consistent with the following aspect of the General Plan:

> Policy LAND-4.1: The City will encourage, through incentives, streamlining, flexible standards, and other means, development of employment-generating uses. *By removing the requirement that a Variance must be heard by the Planning Commission and the City Council, the Council is in effect streamlining the variance process by allowing projects (home construction jobs) to avoid a second public hearing and move forward.*

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Ordinance No. XXX-2016 is hereby recommended for approval to the City Council as illustrated in Exhibit A.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 19th of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

_____
Patricia Hughes
Chairperson, Planning Commission

Attest:

_____
Donna M. Kenney, Secretary
Planning and Building Manager

Exhibit "A"

CITY OF RIVERBANK
IN THE CITY COUNCIL
ORDINANCE 2016-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, AMENDING THE RIVERBANK MUNICIPAL CODE BY REPEALING IN ITS ENTIRETY CHAPTER 153: VARIANCE OF TITLE XV: LAND USAGE AND SUBSTITUTING IT WITH A NEW CHAPTER 153: VARIANCE

WHEREAS, Pursuant to Riverbank Municipal Code Section 153.217 Variance, an application for a variance in the City of Riverbank is required to be heard in public hearing by the Planning Commission, which then makes recommendation to the City Council on approving or denying the variance during a second public hearing; and

WHEREAS, During the City Council's hearing on the last variance proposal, staff was questioned about the variance process and the need for a second public hearing; and

WHEREAS, Staff was then directed to work on an ordinance amendment to make the Planning Commission the deciding body on variances.

NOW, THEREFORE THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1: Chapter 153: Variance of Title XI: Land Usage of Riverbank's Municipal Code shall be amended as follows:

153.217 VARIANCE

When practical difficulties, unnecessary hardship and results inconsistent with the general purpose of this title may result from the strict application of certain provisions thereof, a variance may be granted as provided in this section except for uses not permitted by zoning district regulations.

A. Form: Application for variance shall be made in writing on a form prescribed by the Planning Commission and shall be accompanied by a fee (to be set from time to time by the City Council) and statement, plans and evidence showing:

1. Because of special circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives the subject property of the privileges enjoyed by other properties in the vicinity and under identical zone classifications.

2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner and will not constitute a grant of special privileges.

3. The granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not, under the circumstances of the particular case be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

B. Public Hearing: Whenever an application for a variance is submitted to the Planning Commission, the Planning Commission shall give notice of hearing thereof in the same manner and for the same period of time as required for use permits under Section 153.216(B) of this Title.

C. Action by the Planning Commission: After the conclusion of the public hearing, the Planning Commission shall made a finding of facts indicating whether the circumstances enumerated in Division A hereof apply to the land, buildings or use for which a variance is sought. <u>If the variance is in harmony with the general purpose of this title, it shall grant, by resolution, such variance.</u>

~~1.~~ The Planning Commission may impose such conditions in connection with the variance as it deems necessary to secure the purposes of this chapter and may require a bond guarantee or other assurances that such conditions are being or will be complied with.

~~2. If the Planning Commission, after receiving and considering the evidence, and any proposed conditions, is unable to make the foregoing findings of facts, it shall recommend to the City Council that the variance be denied.~~

~~D. Action by the City Council: The Council shall consider the application for variance at a public hearing held within 60 days after receipt of the Planning Commission's recommendation.~~

~~1. If the Council finds that the qualifications under this Section apply to the land, building or use for which a variance is sought and that such variance is in the harmony with the general purpose of this Title, the Council shall, by resolution grant such variance.~~

~~2. The Council may designate such conditions in connection with the variance as it deems necessary to secure the purpose of this Title and may require a bond, guarantee or other evidence that such conditions are being or will be complied with.~~

<u>D. Appeal Hearing</u>

<u>The applicant, or any interested party, may appeal a decision of the Planning Commission to grant or deny a zoning variance application. An interested party is anyone who, in person or through a representative, presented testimony at a</u>

public hearing in connection with the decision being appealed, or who otherwise informed the city in writing of the nature of their concerns prior to the hearing. The appeal must be filed with the City Clerk within ten (10) days of the Planning Commission's determination. The City Clerk shall set a date for the public hearing and give notice to the Planning Commission of such appeal; whereas the Planning Commission shall submit a report to the City Clerk, setting forth the reasons for action taken by the Commission prior to the appeal hearing. The City Council shall render its decision within thirty (30) days of said hearing.

E. Effect

1. No application for a variance which has been denied shall be resubmitted for a period of l year from the date of said order of denial became final, except on grounds of new evidence or proof of change of conditions found to be valid by the City Council. (Ord. 82-07)

2. Any variance granted shall be null and void 12 months from the date of final approval thereof unless prior to such expiration date, the property is being used as stated in the variance, or unless a valid building permit is in effect for the construction of buildings or appurtenances to such variance. The Planning Commission may defer expiration of the variance for a period not exceeding one year upon application, in writing, by the owner of the property prior to expiration provided the conditions for granting the variance have not changed. (Ord. 83-09)

SECTION 2: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least fifteen (15) days prior to its effective date.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Riverbank held on _____, 2016. Said ordinance was given a second reading at a regular meeting of said Council on _____, 2016, and Councilmember _____ seconded by Councilmember _____, moved the adoption of said ordinance, and upon roll call was carried by the following vote:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

ATTEST:

Annabelle Aguilar, CMC
City Clerk

APPROVED:

Richard O'Brien
Mayor

CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT

ITEM NO: **3.4** **January 19, 2016**

APPLICATION: **General Plan Amendment 01-2015, Rezone 01-2015, and Vesting Tentative Map (VTM) Application 01-2015. Project Description:** Request for the development of 28 single family parcels, a private street and a drainage basin on 2.42 acres to be re-designated as Medium Density Residential (MDR) and rezoned to Planned Development. Property is located at 2912 Ward Avenue, west of Roselle Avenue, APN 132-036-003 within an R-1 Single Family Residential Zoning District. The existing General Plan designation for the site is LDR (Low Density Residential).

OWNERS: Rachel Garcia and Mary Chavez
2912 Ward Avenue
Riverbank, California 95367

APPLICANT: Troy Wright
135 S. 5th Street
Riverbank, California 95367

ENGINEER: Rodrick Hawkins PE
436 Mitchell Road
Modesto, California 95354

LOCATION/APN: The proposed project is located at 2912 Ward Avenue, on the south side of Ward Avenue, just west of Roselle Avenue, APN 132-036-003, 2.42 acres of project site.

GENERAL PLAN: LDR Low Density Residential

ZONING: R-1 Single Family Residential

ENVIRONMENTAL DETERMINATION: Pursuant to the California Environmental Quality Act, Staff has determined that the proposed VTM is exempt pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines. The proposed Vesting Tentative Map meets the conditions prescribed by CEQA Section 15332(a-e).

PROJECT PLANNER: Donna M. Kenney, Planning and Building Manager

RECOMMENDATION: Adoption of Resolutions No. 2016-004, 2016-005, and 2016-006 (Attachments 1, 2, and 3) conditionally approving the request of Troy Wright for a General Plan Amendment, Rezone, and Vesting Tentative Map to create 28 single family lots at a density of 16 dwelling units per net acre, a private street lot, and a basin/EVA lot on 2.42 acres.

ACRONYMS:

ADA – Americans with Disabilities Act
CEQA – California Environmental Quality Act
EVA – Emergency Vehicle Access
GPA – General Plan Amendment
HOA – Home Owners Association
LID – Low Impact Development
LDR – Low Density Residential
MDR – Medium Density Residential
PD – Planned Development
R-1 – Single Family Residential District
RMC – Riverbank Municipal Code
SF - Square Feet
VTM – Vesting Tentative Map

SUMMARY

The proposed General Plan Amendment (GPA), Rezone and Vesting Tentative Map (VTM) project consists of a request for the development of 28 single family lots, a private street lot, and a storm water basin and emergency vehicle access (EVA) lot on 2.42 acres with an overall density of sixteen (16) dwelling units per net acre. The General Plan designation for the site is Low Density Residential (LDR) to be re-designated as Medium Density Residential (MDR) with 8-16 units allowed per net acre. The property is zoned Single Family Residential (R-1) to be rezoned to Planned Development (PD). Approval of the three resolutions (Attachments 1, 2, and 3) is recommended if all Conditions of Approval are adopted and all GPA, Rezone, and VTM findings can be met to ensure consistency with the General Plan, Zoning Ordinance, and State mapping requirements.

BACKGROUND

The subject property is located on the south side of Ward Avenue, just west of Roselle Avenue. The property is currently occupied by one single family dwelling unit. The site is surrounded on all sides by existing single family dwelling units. VTM 01-2015 (Attachment 4) proposes subdividing 2.42 acres into Lot A, which is the storm water basin and EVA; Lot B, which is the private street; and 28 buildable lots with attached dwelling units.

PROJECT INFORMATION AND ANALYSIS

A. Site Design

The design of the project as proposed is a small lot, attached, single family residential subdivision. Units are attached in pairs. Because the proposed lot sizes are below the Riverbank Municipal Code (RMC) R-1 standard of 6,000 square feet (sf), the applicant proposes a rezone to Planned Development to accommodate 2,730 – 3,731 sf lots. The subdivision has been drawn so that all interior lots front the proposed stubbed private street. The street is narrow with no bulb or hammerhead turn-around but does have an emergency vehicle access (EVA) that connects it to Don Rafael Avenue to the west. It does not incorporate new City Street Designs, Low Impact Development (LID) Standards, or encourage Complete Streets for vehicles, bicycles and pedestrians. The proposed VTM has two (2) out lots which will be dedicated to the private street and a basin with EVA for the treatment of storm water generated from the project. Current State regulations require new projects to retain as much water as possible for percolation on site and to only discharge overflow into a canal.

B. Architecture / Design Guidelines

The developer has provided colors and materials, and elevations and floor plans (Attachment 5) but no Design Guidelines document as requested. Key information that staff has compiled from the submitted plans include:

1. Setbacks – The project proposes setbacks which meet or exceed R-1 single family residential standards. For example, the R-1 district requires a minimum ten (10) foot front setback and the developer proposes a twenty (20) foot minimum front setback. Side setbacks meet the R-1 minimum of five (5) feet and rear setbacks, at sixteen (16) feet exceed the R-1 minimum of five (5) feet.

2. Lot and Building Variation – Except for the two (2) larger corner lots that are adjacent to Ward Avenue, lots are a standard 30′ x 91′ (2,730 sf), less than half the size of a minimum R-1 district lot. The two (2) corner lots are approximately 3,700 sf in size. Dwelling units range in size between 1,860 sf and 2,275 sf. Two building types are proposed with two styles each. The styles are differentiated by colors and architectural details, such as rounded windows, decorative wrought iron, and shutters.

3. General Building Design – The dwelling units are attached in pairs but each unit is on its own lot and are labeled "A and B" or "C and D." Only unit C has a bedroom on the first floor, allowing those occupants to be able to age in place.

The other three (3) units have straight staircases to the second floor which would allow the installation of a chair lift for seniors with mobility problems.

4. Colors and Materials (Attachment 5) – The developer proposes the following colors and materials for the dwelling units:

    a. Building 1, Style 1 – There are two (2) "body colors" proposed for this building and style: "Sand Dollar" and "Natural Bridge." Trim colors for Building 1 include "Spice Cake" and "Log Cabin." These colors span from a tan shade to deep brown.

    b. Building 1, Style 2 – Like Style 1, the developer proposes two (2) body colors: "Sand Dollar" and "Graham Cracker," which appears a little lighter than the "Natural Bridge" color of Style 1. Trim colors for this style are proposed as "Cellar Door" and "Log Cabin." Out of the eight (8) proposed colors for Building 1, the two (2) styles share two (2) colors, "Sand Dollar" and "Log Cabin."

    c. Building 2, Style 1 – Style 1 has two (2) body colors proposed: "Bungalow Taupe" and "Spice Cake." Three (3) trim colors are proposed: "Cellar Door," "Canadian Lake," and "Weathered Brown." The color palate is in browns like Building 1 but brings in a little blue to the palate through "Canadian Lake."

    d. Building 2, Style 2 – There are two (2) body colors proposed for this building: "Bungalow Taupe" and "Even Growth," which brings some green into the palate. The three (3) trim colors are "Cellar Door," "Wells Gray," and "Weathered Brown." Out of the ten (10) proposed colors for Building 2, the two (2) styles share three (3) colors, "Bungalow Taupe," "Cellar Door," and "Weathered Brown." Buildings 1 and 2 share "Spice Cake" and "Cellar Door." Browns appear to be the unifying colors for the subdivision.

    e. All dwelling units are proposed to have the same "Walnut Creek Blend" color of concrete tile roofing. The two (2) dwelling units that front Ward Avenue will have "Saddleback" colored stone on their facades.

5. Porches, Entries, and Courts – Neither style of Building 1 or 2 has a front porch. All unit entries face the side setbacks; only garage doors and upper floor windows face the private street. Only the two (2) units adjacent to Ward Avenue that are on the larger lots have entries that face Ward Avenue. These two (2) units are the only ones with a rock façade. All entries have tall covered doorways and there are no courts.

6. Garage Frontage and Placement – As mentioned above, all the garages face the private street. Each dwelling unit has two (2) covered spaces in the garage. One (1) garage on each of the attached units is slightly staggered by approximately three (3) feet.

7. Driveways and Parking – Three (3) existing driveways on Ward Avenue which currently serve the property will be removed. Proposed driveways are large enough to park two (2) vehicles. Driveways are approximately twenty (20) feet wide, twenty (20) feet long, and span approximately 2/3 of the lot frontage of thirty (30) feet. There is no on-street parking proposed as all curbs are shown painted red. Since this is a private street, it will be the responsibility of the Home Owners Association (HOA) to enforce the parking restriction. Only the west side of the private street is proposed by the developer to have sidewalks, which makes the east side noncompliant with the Americans with Disabilities Act (ADA). There is no planting strip proposed between the curb and sidewalk.

8. Fences, Walls, and Entry Features - There is no entry feature or signage proposed for the project. Plans show a six (6) foot wooden fence along the east, south and west property lines except along Don Rafael Avenue which will have a wrought iron fence and emergency gate with a Knox Box. Staff is requiring vinyl fencing instead of wood, which fades unevenly, and is a proposed amenity for a deviation in zoning standards.

9. Landscaping – Six (6) existing trees with trucks exceeding twelve (12) inches are proposed to be removed (Attachment 4, sheet 1 of 3). A Major Tree Conservation Permit is required pursuant to RMC 156.12 (D) Permit Applications. A tree survey shall be completed which must be dated within six (6) months of the Tree Removal Permit application. A Tree Protection Plan is required which may be part of the landscape plan required as a condition of project approval. A cash bond equal to the cost of the conservation efforts in the Major Tree Conservation Permit shall be held for the purpose of assuring that the conservation efforts are implemented. The developer is required to design and install drought-tolerant landscaping in the front yards of the dwelling units and in the stormwater basin (Attachment 6). Home owners are required to maintain the landscaping on their lots and the HOA is responsible for maintaining the basin.

10. Mailboxes –Existing mailboxes belonging to the neighboring properties on Ward Avenue at the northwest and northeast corners of the site will remain, protected in place. A new mailbox cluster is proposed on the private street between lots 26 and 27. Staff will verify the new location and mailbox type with the Post Office and approve the design.

11. Lighting – LED street lights will be provided in locations approved by the City Engineer.

12. Utilities, Infrastructure & Easements – All utilities will be provided within the subdivision. The water line will be looped per the Fire Department, entering the site at Rocky Lane and exiting at the EVA and Don Rafael Avenue. A ten (10) foot water line easement has been provided from Rocky Way, between lots 10 and 11, to the private street.

13. Low Impact Development (LID) – The City developed LID guidelines in anticipation of new storm water discharge standards being implemented by the State of California through the SM4 permit process. Since the project does not propose a landscape strip/swale between the curb and sidewalk, it will not meet LID guidelines. To meet these guidelines, the developer is required to work with staff to determine appropriate swale locations to serve as a primary filtration device for storm water generated by the project. All project storm water will be collected and percolated on-site through the use of a terminal storm water retention basin. While the project can be designed to retain storm water collected within the boundaries of the map, the system will be maintained by the HOA and there is concerned that the system may fail at some point in the future. To address this potential failure (and other concerns), the City requires the developer to annex into its Community Facilities District (CFD).

C. Transportation and Circulation

Pursuant to RMC 152.026 (H) Street Design and Standards, "Dead-end streets where necessary to give access to, or permit a satisfactory future subdivision of adjoining land, shall extend to the boundary of the property and the resulting dead-end street may be approved without a turnaround. In all other districts a cul-de-sac or a comparable area in another form shall be required, separated to the depth of one (1) lot from the exterior boundary line or other topographical feature of the subdivision. No dead-end street shall be more than five hundred (500) feet in length." The proposed private, dead-end street is four hundred ninety (490) feet in length and will not connect to any other street at the south property line where there is existing housing. A fire hydrant is proposed at the dead-end of the private street. Since this is a private street, its maintenance will be the responsibility of the Home Owners Association (HOA).

Pursuant to RMC section 152.026 (P)(4) Local streets shall have a minimum right-of-way of fifty (50) feet and a minimum paved street width of thirty-six (36) feet between curb faces. During the agency comment period, both Gilton Solid Waste Management and the Fire Department expressed concern with the narrowness of the private street at

thirty-four (34) feet, the lack of a cul-de-sac or hammerhead, and the use of the EVA (20′ wide) to turn trucks around. Both eventually conceded the smaller width, without parking could work for them. The developer refuses to connect the private street to Don Rafael Avenue and has collected signatures from its residents stating they agree with him and want Don Rafael Avenue and the private street to remain as dead-ends (Attachment 7).

D. General Plan Amendment

The existing General Plan designation for this project is Low Density Residential (LDR) which allows 1-8 dwelling units per net acre. The proposed General Plan Amendment re-designating the project from LDR to Medium Density Residential (MDR) would allow the project to be built at 8-16 dwelling units per net acre. The project proposes 28 dwelling units on 1.75 net acres for a total of 16 dwelling units per net acre ("net" means excluding the basin, EVA, and private street square footage). Thus, the project"s density is consistent with the MDR designation of the General Plan.

General Plan Amendment Questions: Pursuant to California Government Code section 65358 and the Riverbank General Plan, the Planning Commission must have answers to the GPA implementation questions (IMP-2) below before approving a project:

1. Is the proposed amendment in the public interest? *The General Plan Amendments are in the public interest because the amendment will change the General Plan Land Use Map to comply with the proposed tentative map densities.*

2. Is the proposed amendment consistent and compatible with the goals and the vast majority of policies of the General Plan? *The amendment is not consistent as proposed with the vast majority of policies of the General Plan. Adopting the recommended Conditions of Approval will create consistency and compatibility with the goals and vast majority of the policies of the General Plan.*

3. Have the potential effects of the proposed amendment been evaluated and determined not to be detrimental to the public health, safety, or welfare? *The potential effects of the proposed amendments have been evaluated in the CEQA document on the project and have been found to be not detrimental to the public health, safety, or welfare.*

4. Has the proposed amendment been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act? *The proposed amendments have been processed in accordance with the California Government Code, the Riverbank Municipal Code, and the California Environmental Quality Act.*

General Plan Consistency Findings

As part of their recommendation to the City Council, the Planning Commission must find the project consistent with the City"s adopted General Plan per question #2 above. The project site"s density is sixteen (16) dwelling units per net acre. At this density, the Project is consistent with a General Plan designation of Medium Density Residential (MDR, net density of 8-16 units per acre). Below is a discussion of General Plan Policies with which the proposed project is consistent or inconsistent:

1. **Policy DESIGN-1.3**

"The City will ensure frequent street and trail connections between new residential developments and established neighborhoods." *There are no trail connections within the Ward Villas subdivision but foot traffic can use the emergency vehicle access (EVA) route to Don Rafael Avenue to the west. The private street will only connect to Ward Avenue and there is no connectivity to adjacent established neighborhoods via Don Rafael Avenue or unimproved Rocky Lane. Therefore, the Project is inconsistent with this General Plan policy of providing street connectivity between new residential developments and established neighborhoods. A Condition of Approval to connect the two (2) dead end streets would make the proposal consistent with this General Plan Policy.*

2. **Policy DESIGN-1.6**

"Approved projects, plans, and subdivision requests shall connect with adjacent roadways and stubbed roads and shall provide frequent stubbed roadways in coordination with future planned development areas." *The private street does not connect to adjacent Don Rafael Avenue or unimproved Rocky Lane. Therefore, the Project is inconsistent with this General Plan policy of connecting adjacent roadways and stubbed roads. A Condition of Approval to connect the two (2) dead end streets would make the proposal consistent with this General Plan Policy.*

3. **Policy DESIGN-2.5**

"The City will require visually attractive streetscapes with street trees and sidewalks on both sides of streets, planting strips, attractive transit shelters, benches and pedestrian-scale streetlights in appropriate locations." *The project will provide required street trees and streetlights but no transit shelter is required. The developer does not want to provide sidewalks or planting strips on the private street but has added sidewalks without planting strips to the west side of the street at the insistence of staff. The side of the street without sidewalks will not be ADA compliant. Therefore, the Project is inconsistent with this General Plan policy of providing sidewalks and planting strips. A*

Condition of Approval requiring sidewalks on both sides of the private street would make the proposal consistent with this General Plan Policy.

4. **Policy DESIGN-2.7**

"In general, the City will require the construction of sidewalks on both sides of all new streets." *The developer does not want to provide sidewalks or planting strips on the private street but has added sidewalks without planting strips to one side of the street at the insistence of staff. The side of the street without sidewalks will not be ADA compliant. Therefore, the Project is inconsistent with this General Plan policy in regards to providing sidewalks on both sides of a street. A Condition of Approval requiring sidewalks on both sides of the private street would make the proposal consistent with this General Plan Policy.*

5. **Policy DESIGN-2.8**

"The City will coordinate with transit providers and, as appropriate, require land and amenities to accommodate transit." *When staff circulated these plans to outside agencies for comment, Riverbank Unified School District requested that the developer provide a concrete pad on Ward Avenue for children to use when waiting for the school bus. This has not been provided by the developer who indicated to staff the children could stand on the sidewalk. Therefore, the Project is inconsistent with this General Plan policy in regards to providing an amenity to accommodate transit. A Condition of Approval requiring a concrete pad on Ward Avenue would make the proposal consistent with this General Plan Policy.*

6. **Policy DESIGN-3.1**

"The City will limit block lengths and encourage continuity of streets among neighborhoods to facilitate access, increase connectivity, and support safe pedestrian, bicyclist, and vehicular movement in residential neighborhoods." *The developer refuses to connect Ward Avenue to Don Rafael Avenue or unimproved Rocky Way via his private street. Therefore, the Project is inconsistent with this General Plan policy in regards to connectivity. A Condition of Approval to connect the two (2) dead end streets would make the proposal consistent with this General Plan Policy.*

7. **Policy DESIGN-3.2**

"Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive, pedestrian-friendly environment along neighborhood streets. Approved plans, projects and subdivision requests will minimize the visual prominence of garages and instead incorporate porches, stoops, active rooms, and functionally opening windows that face the street." *While the two (2) types of housing products incorporate many architectural details that enhance the elevations, the*

front elevations facing the private street only contain garage doors and second story bedroom windows – the main entrance door is on a side elevation. There are no proposed porches, stoops, active rooms, and functionally opening windows facing the private street. Therefore, the Project is inconsistent with this General Plan policy in regards to prominent garages, porches, stoops, active rooms, and functionally opening windows that face the street. A Condition of Approval to add porches, stoops, active rooms or functionally opening windows would make the proposal consistent with this General Plan Policy.

8. **Policy DESIGN-3.5**

"The City will ensure that smaller residential lots, including those with widths of less than approximately 50 feet, shall minimize driveway widths, set garages back from the home structure, and minimize garage widths." *This project has lots that are approximately 30 feet wide which provides 600 sf of front yard within the 20 foot setback. Driveways are a standard 20 feet wide and take up 400 sf or 66% of the front yards. In addition, garages are even with the home structure (not set back) and do not have a minimized width. Therefore, the Project is inconsistent with this General Plan policy in regards to driveways and garages. A Condition of Approval to minimize driveway and garage door widths would make the proposal consistent with this General Plan Policy.*

9. **Policy DESIGN-5.2**

"The City will encourage the use of porches, stoops, and other elements that provide a place to comfortably linger and thereby provide „eyes on the street," helping to maintain a sense of security within neighborhoods." *There are no porches or stoops provided on the front elevations for people to linger. Building 1, Style 1's front elevation shows a small second floor deck but it is unclear to staff if it is decorative or usable. The Project is inconsistent with this General Plan policy in regards to porches and stoops. A Condition of Approval to add porches, stoops, active rooms or functionally opening windows to provide "eyes on the street" would make the proposal consistent with this General Plan Policy.*

10. **Policy CONS-4.2**

"Approved projects, plans and subdivisions shall provide for collection, conveyance, treatment, detention, and other storm water management measures in a way that does not decrease water quality or alter hydrology in the Stanislaus River or associated groundwater recharge areas." *The Developer has provided a stormwater basin within the project to keep the water on-site for percolation. He will be working with the City Engineer to ensure it is an appropriate size for the project. The developer is required to annex into the city's CFD for back up in case of failure. Therefore, the Project is consistent with this General Plan policy concerning storm water.*

11. Policy CONS-8.6

"The City will encourage compact development to achieve more efficient use of resources and provision of public facilities and services." *The project proposes maximum 2,275 sf homes on 2,730 sf lots at a density of 16 homes per net acre. Therefore, the Project is consistent with this General Plan policy concerning more compact development.*

12. Policy CONS-8.9

"Approved projects, plans, and subdivision requests shall include native, drought-tolerant landscaping." *Based upon the City's Model Standards and Specifications for Low Impact Development Practices, conditions of project approval will include a condition that "Three sets of landscape and irrigation plans shall be prepared and submitted with a fee for review and approval by a landscape architect." This condition will ensure the project contains native, drought-tolerant landscaping and, therefore, is consistent with General Plan policy. Therefore, the Project is consistent with this General Plan policy concerning native, drought-tolerant landscaping.*

13. Policy SAFE-2.2

"The City will consult with fire protection service providers in reviewing development proposals. Development proposals will include City conditions that respond to concerns of fire protection service providers." *During the review process for this project, Fire required, and the developer complied with looped water lines for the project, connected to both Rocky Lane and Don Rafael Avenue. Therefore, the Project is consistent with this General Plan policy concerning fire protection service provider comments.*

E. Rezone

The developer is requesting relief from Single Family Residential (R-1) standards through rezoning the property as Planned Development (PD). The Table below compares the standards of the existing and proposed districts, seven (7) of which propose smaller minimums than the R-1 zone does (*):

Type of Standard	LDR Zoning Standards	Proposed PD Standards
Lot Size	6,000 square feet minimum	2,730 square feet minimum *
Lot Width	50 feet minimum	30 feet minimum *
Lot Depth	100" minimum	91" minimum *
Density	8 units per net acre	16 units per net acre *
Height	35 feet maximum	35 feet maximum
Front Setback	10 feet minimum	20 feet minimum
Garage Setback	20 feet minimum	20 feet minimum

Side Setback	5 feet minimum	5 feet minimum
Rear Setback	5 feet minimum	16 feet minimum
Lot Coverage	50% maximum	50% maximum
Accessory Height	15 feet maximum	15 feet maximum
Local Street Width	34 feet between curbs	36 feet between curbs*
Sidewalks	Both sides of street	One side of street *
Onsite Parking	2 covered spaces	2 covered spaces
Street Parking	Both sides of street	One side of street*

Pursuant to RMC section 153.162 (E)(3), staff has requested that the developer offer amenities to compensate the neighborhood for deviating from the modified minimum standards above. These amenities could include enhanced landscaping, a colored concrete or brick crosswalk, electric charging stations in the garages, upgraded front doors and garage doors, decorative wrought iron fencing in the front, open space furniture, French doors instead of sliders, etc. Other suggestions would be considered. The developer proposed four (4) amenities for the seven (7) deviations: enhanced landscaping, a colored concrete or brick crosswalk across the private street at Ward Avenue, upgraded garage doors and two benches at the stormwater basin. Staff has added an additional three (3) amenities to bring the total to seven (7): French doors instead of sliding doors in the living rooms; outdoor outlets to support electric mowers, trimmers, and Christmas lights; and upgraded exterior light fixtures.

Per Riverbank Municipal Code section 153.161 (A), no combination of parcels less than one (1) acre in size may be rezoned PD. The combination of parcels proposed for development in this project totals 2.42 acres. Therefore, the project meets this requirement.

Rezone Findings

The Planning Commission may recommend approval, conditional approval, or disapproval of the rezone to PD to the City Council. To do so, the project must meet the required findings of fact:

1. Each individual unit of the development if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development. *The development could be built in stages and exist as independent units capable of creating a good environment.*

2. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect. *The site is currently a mostly vacant parcel with one residential*

dwelling unit and a social trail. A new subdivision will reduce any blighted conditions on the property.

3. Any deviation from the standard ordinance requirements is warranted by the unusual design and additional amenities incorporated in the development plan which offers certain redeeming features to compensate for any deviations that may be permitted. *Amenities proposed by the developer and staff for the seven (7) deviations include: enhanced landscaping, a colored concrete or brick crosswalk across the private street at Ward Avenue, upgraded garage doors, two benches at the storm water basin, French doors instead of sliding doors in the living rooms, exterior outlets to support electric mowers, trimmers, and Christmas lights; and upgraded exterior light fixtures.*

4. The principles incorporated in the proposed master plan identify unique characteristics which could not otherwise be achieved under other zoning districts. *Smaller lots could not be achieved under other zoning districts.*

5. Where a PD rezone is initiated by the City, the previous findings are not required, nor is a master plan required. *This PD was not initiated by the City.*

F. Vesting Tentative Map

The Vesting Tentative Map proposes 28 buildable single family residential lots. A proposed street name, Chavez Court will be reviewed by staff and outside agencies such as Fire and 911 to see if it is currently in use. The use of "Court" will not be permitted as this is a stubbed street and not a court. Per RMC section 152.026 (L) all street names shall be approved by City Council. Duplication of existing names within the County will not be allowed unless the streets are obviously in alignment with existing streets and likely to sometime be a continuation of the other street. This is not the case in this situation. A blanket public utilities easement will be created within the private street for City access to the sanitary sewer and water lines.

<u>Vesting Tentative Map Findings</u>

A tentative map shall not be approved or conditionally approved by the City Council if it makes any of the following findings:

1. The proposed map is not consistent with applicable general and specific plans. *The proposed map is only consistent with the General Plan if the recommended Conditions of Approval are adopted.*

2. That the design or improvement of the proposed subdivision is not consistent with

applicable general and specific plans. *The proposed map is only consistent with the General Plan if the recommended Conditions of Approval are adopted as they relate to connectivity, sidewalks, and the provision of amenities.*

3. That the site is not physically suitable for the type of development. *The site is suitable for a new subdivision of this type.*

4. That the site is not physically suitable for the proposed density of the development. *The site is physically suitable for a proposed density of sixteen (16) dwelling units per net acre.*

5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitats. *The design of the subdivision should not injure fish, wildlife, or their habitats, none of which are present on the site.*

6. That the design of the subdivision or the type of improvements is likely to cause serious public health problems. *The design of the subdivision should not cause serious health problems.*

7. That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. In this connection, the City Council may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This division shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction. *The design of the subdivision should not conflict with any easements of record.*

G. Park-in-lieu Fee

Pursuant to RMC Section 11-3-12(c), the Project has an obligation to dedicate park land or pay a Park-in-lieu Fee. The developer has set aside 10,517 square feet for a stormwater basin and calls it a dual use park basin. Staff does not consider this a dual-use park basin because the sides at 5:1 have little recreational use, the flat bottom is small in area and will be under water at times during the year, and there is no recreational equipment proposed, just two benches offered as an amenity for the PD zoning. Park-in-lieu calculations below show the obligation for this project is .24 acres to be paid based on values of land at the time the Final Map is recorded.

RMC SECTION 11-3-12(C) FIVE (5) ACRES PER 1000 POPULATION	CONVERTS TO ONE (1) ACRE/200 PERSONS. REFER TO RESOLUTION NO. 99-45 FOR LISTING OF SUBDIVISIONS WHICH ARE CALCULATED AT ONE (1) ACRE/402.5 PERSONS, OR FIVE (5) ACRES/2012.5 POPULATION

DWELLING TYPE	ZONING	DENSITY	STANDARD ACRES/DU
SINGLE FAMILY	R-1	3.5 PERSONS PER DU	1 ACRE/58 UNITS
DUPLEX/MULTIPLE	R-2 AND R-3	2.5 PERSONS PER DU	1 ACRE/80 UNITS

PARK LAND DEDICATION CALCULATION FOR MULTIPLE FAMILY DEVELOPMENT – 2016 2.5 PERSONS PER UNIT 2015.5 POPULATION = 402.5 POPULATION PER ACRE = 115 UNITS PER ACRE 115 UNITS PER ACRE 1-ACRE = 0.0087 ACRE PER DWELLING UNIT

PARK LAND DEDICATION CALCULATIONS FOR WARD VILLAS	TOTAL PARK LAND DEDICATION REQUIRED 28 UNITS X 0.0087 ACRES PER DWELLING UNIT = .24 ACRES
TOTAL IN-LIEU FEE CALCULATION AT FINAL MAP RECORDATION	$_____ PER ACRE X .24 = $_____ TOTAL IN-LIEU FEE $_____ DIVIDED BY 28 LOTS = $_____ TOTAL IN-LIEU FEE PER UNIT

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act, staff has determined that the proposed Vesting Tentative Map is exempt pursuant to Section 15332 (Class 32) In-Fill Development Projects of the State CEQA Guidelines. The proposed Vesting Tentative Map meets the conditions prescribed by CEQA Section 15332(a-e):

a. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. *As discussed above, at sixteen (16) dwelling units per net acre, the project is consistent with a General Plan designation of MDR. As also discussed above, the adoption of recommended Conditions of Approval will ensure the project is consistent with General Plan policies.*
b. The proposed development occurs within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses. *The project at 2.42 acres is within city limits and substantially surrounded by existing single family residential dwelling units.*
c. The project site has no value as habitat for endangered, rare, or threatened species. *The project site is currently developed with a single family residential*

dwelling unit and has a social trail between Rocky Lane and Don Rafael Avenue. It has no value as habitat for endangered, rare or threatened species.

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. *Adoption of the project's recommended Conditions of Approval will ensure connectivity to prevent traffic issues, there are no proposed commercial or industrial uses to create excessive noise or air pollution, and water quality will be addressed by LID Guidelines for storm water.*

e. The site can be adequately served by all required utilities and public services. *Water and sanitary sewer connections are all available at the property line. Storm water will be handled on site. Electric and gas are available from PG&E and telephone is available through AT&T.*

FISCAL IMPACT

No negative fiscal impact. However, concern has been raised by Riverbank Police Services as it relates to what potential impacts new growth may have on enforcement services for the City of Riverbank. The Riverbank City Council in adopting Resolutions 2006-115 and 116 on October 23, 2006, set policy to require all new development to participate in the formation of a Community Facilities District (CFD) for police protection. Therefore, in light of the obligation for future residential projects to participate in the above mentioned CFD, the proposed project should not have a negative fiscal impact on the City.

PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News on January 6, 2016 and posted at City Hall North, South, Post Office, Community Center and website on January 6, 2016. In addition, the Applicant posted a Notice of Development Permit Application at 2912 Ward Avenue on January 9, 2016 and notices were distributed to residents and business within 300-feet of the Project site in accordance with City standard practices on January 6, 2016. At the time of writing this Staff Report (January 13, 2016), the City has received one (1) written public comment by email. Written comments received by the City shall be supplied to the Commission on the day of the meeting.

ATTACHMENTS

1. Planning Commission Resolution No. 2016-004 General Plan Amendment
2. Planning Commission Resolution No. 2016-005 Zoning Ordinance Amendment
   Exhibit A – Draft Ordinance No. 2016-XXX
3. Planning Commission Resolution No. 2016-006 VTM 01-2015
4. Vesting Tentative Parcel Map No. 01-2015
5. Floor Plans and Elevations
6. Basin and Landscaping

7. Don Rafael Avenue Petition

Respectfully Submitted By:

Donna M. Kenney

Donna M. Kenney
Planning and Building Manager

Attachment 1

City of Riverbank
Planning Commission
Resolution No. 2016-004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT REDESIGNATING 2.42 ACRES TO MEDIUM DENSITY RESIDENTIAL (MDR) LOCATED AT 2912 WARD AVENUE APN: 132-036-003, A PROJECT KNOWN AS WARD VILLAS

WHEREAS, an application has been received from Troy Wright, with a proposal to subdivide approximately 2.42 acres into 28 single family lots with a density of 16 units per net acre, a storm drain basin/EVA and private street parcel; and

WHEREAS, the project site is currently zoned Single Family Residential (R-1) to be rezoned Planned Development (PD) with a current General Plan Land Use designation of Low Density Residential (LDR); and

WHEREAS, the applicant is proposing a General Plan Amendment to designate the project site as Medium Density Residential (MDR); and

WHEREAS, Government Code Section 65353 requires the Planning Commission to hold at least one noticed, public hearing on any proposed General Plan Amendment; and

WHEREAS, the Government Code further requires that the City Council receive input from the Planning Commission on any proposed General Plan Amendment; and

WHEREAS, the notice of the public hearing on the General Plan Amendment was published in the *Riverbank News*, a newspaper of general circulation, on January 6, 2016; and

WHEREAS, the notices of the public hearing on the General Plan Amendment were mailed to all property owners within 300 feet of the property, according to the most recent assessor's roll, on January 6, 2016; and

WHEREAS, the Planning Commission has reviewed the General Plan Amendment and conducted a public hearing on January 19, 2016 in the manner prescribed by law; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF RIVERBANK HEREBY RECOMMENDS CITY COUNCIL CONDITIONAL APPROVAL OF GENERAL PLAN AMENDMENT NO. 01-2015, BASED ON THE FOLLOWING FINDINGS:

1. General Plan Amendment Findings: That pursuant to California Government Code section 65358 and the Riverbank General Plan, the Planning Commission finds as follows:

a. The General Plan Amendment is in the public interest because the General Plan Amendment will change the General Plan Land Use Map to comply with the proposed tentative map densities.
b. The General Plan Amendment with adopted Conditions of Approval is consistent and compatible with the goals and vast majority of the policies of the General Plan.
c. The potential effects of the proposed amendment has been evaluated in the CEQA Notice of Exemption on the project and has been found to be not detrimental to the public health, safety, or welfare.
d. The proposed amendment has been processed in accordance with the California Government Code, the Riverbank Municipal Code, and the California Environmental Quality Act.

2. That, based on the findings set forth in this resolution, the CEQA resolution and evidence in the City Staff Report and such other evidence as received at the public hearings on this matter before the Planning Commission, the Planning Commission hereby recommends conditional approval of the General Plan Amendment.

3. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Riverbank hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more section(s), subsection(s) , sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

4. The City finds that Pursuant to the California Environmental Quality Act (CEQA), the Lead Agency (Riverbank) has prepared a Notice of Exemption after determining the project is exempt pursuant to Section 15332 (Class 32) In-Fill Development Projects.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 19th of January, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Donna M. Kenney
Planning and Building Manager

Approved:

Patricia Hughes, Chairperson
Planning Commission

Attachment 2

City of Riverbank
Planning Commission
Resolution No. 2016-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL THE APPROVAL OF ORDINANCE NO. 2016-XXX TO REZONE 2.42 ACRES, KNOWN AS WARD VILLAS TO PLANNED DEVELOPMENT, LOCATED AT 2912 WARD AVENUE APN: 132-036-003

WHEREAS, an application was received from Troy Wright,/Applicant and Rachel Garcia and Mary Chavez/Owners, with a proposal to subdivide approximately 2.42 acres into twenty-eight (28) single-family residential lots, with a density of sixteen (16) dwelling units per net acre; and

WHEREAS, the project site is currently zoned Single Family Residential (R-1) with a General Plan Land Use designation of Low Density Residential (LDR); and

WHEREAS, the applicant is proposing to rezone the property to Planned Development (PD); and

WHEREAS, the Planning Commission held a public hearing on January 19, 2016, to consider Zoning Ordinance Amendment (Rezone) 2016-005; and

WHEREAS, notices of the public hearing on the Rezone was published in the *Riverbank News*, a newspaper of general circulation on January 6, 2016; and

WHEREAS, notices of the public hearing on the Rezone were mailed to all property owners within three hundred (300) feet of the property, according to the most recent assessor's roll, on January 6, 2016; and

WHEREAS, the Planning Commission has reviewed the proposed Rezone and conducted a public hearing on January 19, 2016; and

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

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF RIVERBANK HEREBY RECOMMENDS CITY COUNCIL APPROVAL OF ORDINANCE NO. 2016-XXX, REZONING 2.42 ACRES TO THE PLANNED DEVELOPMENT ZONE, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN BY THIS REFERENCE, BASED ON THE FOLLOWING FINDINGS:

1. Pursuant to California Government Code Section 65855, the recommendation to City Council shall include the relationship to the applicable general or specific plan.

    a. The property identified in this action has a General Plan Land Use Designation of Low Density Residential (LDR) and a current zoning of Single Family Residential

(R-1). The project proposes a General Plan Amendment re-designation to Medium Density Residential (MDR) and a Rezone to Planned Development.

b. The proposed General Plan Amendment to MDR and the proposed Rezone to PD will maintain consistency between the General Plan and Zoning Code, pursuant to Government Code Section 65860.

2. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Riverbank hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, or word thereof, irrespective of the fact that any one or more section(s), subsection(s) , sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

3. The City finds that Pursuant to the California Environmental Quality Act (CEQA), the Lead Agency (Riverbank) has prepared a Notice of Exemption after determining the project is exempt pursuant to Section 15332 (Class 32) In-Fill Development Projects.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 19th of January, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:	**Approved:**
Donna M. Kenney Planning and Building Manager	Patricia Hughes, Chairperson Planning Commission

Attachment: Exhibit “A” – Draft City Council Ordinance No. 2016-XXX

Exhibit "A"

DRAFT
CITY OF RIVERBANK
ORDINANCE NO. 2016-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK APPROVING REZONING OF 2.42 ACRES TO PLANNED DEVELOPMENT, LOCATED AT APN 132-036-003 – A PROJECT KNOWN AS WARD AVENUE VILLAS

WHEREAS, the City of Riverbank received an application from Troy Wright requesting a Rezone from Single Family Residential (R-1) to Planned Development (PD) for APN 132-036-003; and

WHEREAS, the City of Riverbank Planning Commission conducted a Public Hearing on Tuesday, January 19, 2016 to consider the proposed Zoning Ordinance Amendment in Riverbank; and

WHEREAS, the City Council for City of Riverbank has made the following findings for adoption:

1. An application has been received from Troy Wright with a proposal to subdivide approximately 2.42 acres into twenty-eight (28) single-family residential lots, with a density of 16 dwelling units per net acre; and

2. The project site is currently zoned Single Family Residential (R-1) with a General Plan Land Use Designation of LDR Low Density Residential; and

3. The applicant is proposing to rezone the subject property to Planned Development P-D; and

4. Notice of the public hearing on the proposed Zoning Ordinance Amendment was published in the *Riverbank News*, a newspaper of general circulation, on January 6, 2016; and,

5. Notices of the public hearing on the proposed Zoning Ordinance Amendment were mailed to all property owners within 300 feet of the property, according to the most recent assessor's roll, on January 6, 2016; and

6. The City finds that per the California Environmental Quality Act (CEQA), the Lead Agency (Riverbank) has prepared a Notice of Exemption pursuant to Section 15332 (Class 32) In-Fill Development Projects of the State CEQA Guidelines.

NOW, THEREFORE, THE CITY OF RIVERBANK CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1: The City Council of the City of Riverbank approves Rezoning 2.42 acres to the Planned Development zone district, located at APN 132-036-003.

Section 2: Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The Planning Commission of the City of Riverbank hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

Section 3: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least fifteen (15) days prior to its effective date or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at lease fifteen (15) days prior to its effective date.

The foregoing was introduced at a regular meeting of the City Council of the City of Riverbank held on the _____ day of _____, 2016; motioned by Councilmember _____, seconded by Council Member _____, and upon roll call was carried by the following vote ___:

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:	**APPROVED:**
_____	_____
Annabelle Aguilar, CMC **City Clerk**	**Richard D. O'Brien** **Mayor**

Attachment 3

City of Riverbank
Planning Commission
Resolution No. 2016-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK RECOMMENDING APPROVAL OF THE REQUEST OF TROY WRIGHT FOR A VESTING TENTATIVE MAP 01-2015 TO SUBDIVIDE 2.42 ACRES INTO 28 PLANNED DEVELOPMENT SINGLE FAMILY RESIDENTIAL LOTS, LOCATED AT 2912 WARD AVENUE APN: 132-036-003

WHEREAS, a vesting tentative map application has been received from Troy Wright/ Applicant and Rachel Garcia and Mary Chavez/Owners, to divide a parcel (APN 132-036-003) of 2.42 acres, into 28 Planned Development single family residential lots, a private street and a basin/emergency vehicle access; and

WHEREAS, the City Subdivision Ordinance, Section 152.037 states that as a condition of approval of a tentative map, the subdivider shall dedicate and develop parkland, pay a fee in lieu thereof, or both, at the option of the City. In this case the City has chosen to accept the payment of an in-lieu fee for parkland dedication based on values of land at the time the Final Map is recorded. The obligation for this project is the value of .24 acres; and

WHEREAS, public facilities represent the public's investment in the development of the complex, urban infrastructure that is necessary to support the physical operation of the city; and

WHEREAS, the proposed tentative map is consistent with the following General Plan policies discussed at length in the staff report: CONS 4.2 (storm water), CONS 8.6 (compact development), CONS 8.9 (drought-tolerant landscaping) and SAFE 2.2 (fire protection); and

WHEREAS, with modification by adopted Conditions of Approval, the proposed tentative map will become consistent with the following General Plan policies discussed at length in the staff report: DESIGN 1.3 (connectivity), DESIGN 1.6 (connectivity), DESIGN 2.5 (sidewalks), DESIGN 2.7 (sidewalks), DESIGN 2.8 (transit amenity), DESIGN 3.1 (connectivity), DESIGN 3.2 (porches), DESIGN 3.5 (driveway and garage widths), and DESIGN 5.2 (porches); and

WHEREAS, Vesting Tentative Map 01-2015 was reviewed by the Riverbank Planning Commission at a regular meeting held on January 19, 2016 in the manner prescribed by law; and

WHEREAS, The Planning Commission did consider a proposed Exemption pursuant to the California Environmental Quality Act and considers this to be the appropriate level of environmental review in this case. The Planning Commission finds that the proposed project meets the conditions prescribed in Section 15332 (a-e) (Class 32, In-Fill Development Projects) of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission recommends approval of the requested Vesting Tentative Map date-stamped January 13, 2016 prepared by Hawkins and Associates Engineering, Inc. and modified by adopted Conditions of Approval, and incorporated herein as a part

of this Planning Commission Resolution; and

WHEREAS, The Planning Commission of the City of Riverbank hereby finds and adopts the following findings:

A. The project is consistent with the General Plan with modification by the adopted Conditions of Approval.

B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code was provided.

C. Pursuant to the California Environmental Quality Act, the proposed project is exempt pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines. The proposed Project meets conditions prescribed by CEQA Section 15332 (a-e).

D. The approval of Vesting Tentative Map 01-2015 to divide parcel APN 132-036-003 of 2.42 acres, into 28 single family lots will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood in that the project is similar to, and compatible with, neighboring uses in the area.

WHEREAS, The request for the Vesting Tentative Map is hereby recommended for conditional approval by the Planning Commission of the City of Riverbank, subject to and modified by the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in Planning Commission Resolution 2013-013 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and

2. All frontage improvements (curb, gutter, and sidewalk) along Ward Avenue and the private street shall be designed, completed, and inspected by the City prior to Final Map Recordation.

3. Fencing along the east, west, and south property lines except along Don Rafael Avenue, which shall have a wrought iron fence and emergency gate with Knox Box, and separating individual lots shall be six (6) feet tall and made of vinyl.

4. A Major Tree Conservation Permit including a Tree Removal Permit Application, Tree Survey and Tree Protection Plan is required before a grading permit can be issued.

5. The private street name, Chavez Street shall be approved by City Council unless a street with that name already exists in Stanislaus County.

6. The developer shall minimize driveway and garage widths.

7. The Park-in-lieu fee obligation for this project is .24 acres to be paid based on values of land at the time the Final Map is recorded.

8. Three (3) sets of landscape and irrigation plans shall be prepared and submitted with fee for review and approval by the City's contract landscape architect.

9. To make the project consistent with General Plan policies DESIGN 1.3 (connectivity) and DESIGN 3.1 (connectivity), the developer shall connect the private street to Don Rafael Avenue and remove the emergency vehicle access (EVA).

10. To make the project consistent with General Plan policies DESIGN 3.2 (porches) and CONS 5.2 (porches), the developer shall add porches, stoops, functionally opening windows, and/or other elements that provide a place to comfortably linger and/or provide "eyes on the street" to the satisfaction of the Community Development Director.

11. To make the project consistent with General Plan policies DESIGN 2.5 (sidewalks) and DESIGN 2.7 (sidewalks) and Americans with Disabilities Act (ADA) requirements, the developer shall install sidewalks on both sides of the private street.

12. To make the project consistent with DESIGN 2.8 (transit amenities), the developer shall install a concrete pad on Ward Avenue for school children to wait on to the satisfaction of the Community Development Director.

13. All structures shall be designed and oriented for passive energy savings.

14. The developer shall record a ten (10) foot water line easement between Lot 10 and Lot 11, from Rocky Lane to the private street to loop the water system

.

15. Pursuant to RMC section 153.162 (E)(3) the developer shall provide seven (7) amenities for the seven (7) deviations from standard ordinance requirements: enhanced landscaping (i.e. larger size plants, more dense plantings); a colored concrete or brick crosswalk across the private street at Ward Avenue; vinyl instead of wooden fencing; upgraded garage doors; French doors instead of sliding doors in the living rooms; outdoor outlets to support electric mowers, trimmers, and Christmas lights; and two (2) benches at the storm water basin.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission recommends for approval Vesting Tentative Map No. 01-2015, subject to those Conditions of Approval established by Resolution No. 2016-006 and to be recorded as modified.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 19th of January, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

_____

Donna M. Kenney
Planning and Building Manager

Approved:

_____

Patricia Hughes, Chairperson
Planning Commission

Attachment 4

GENERAL NOTES:

1. ASSESSOR'S PARCEL NUMBER 132-036-003
2. TOTAL AREA: 2.42 ACRES
3. TOTAL NUMBER OF RESIDENTIAL LOTS: 28, BASIN LOT: 1
4. CURRENT ZONING : R-1 (SINGLE FAMILY RESIDENTIAL); CURRENT GENERAL PLAN DESIGNATION: LOWER DENSITY RESIDENTIAL
5. PROPOSED ZONING: PLANNED DEVELOPMENT; PROPOSED GENERAL PLAN DESIGNATION: PLANNED DEVELOPMENT RESIDENTIAL
6. SEWER SERVICE: CITY OF RIVERBANK
7. WATER SERVICE: CITY OF RIVERBANK
8. ELECTRIC & GAS SERVICE: PG&E
9. TELEPHONE SERVICE: AT&T
10. STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN/CITY FACILITIES.
11. ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS. 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
12. THE PROJECT SITE SLOPES FROM NORTH TO SOUTH WITH ELEVATIONS FROM 137.5 TO 137.0.
13. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM ASSESSOR'S DATA, RECORD INFORMATION, AND FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL SURVEY.
14. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED.

STATEMENT OF SUBDIVIDER:

A. ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER CITY OF RIVERBANK'S STANDARD SPECIFICATIONS.

B. STORM DRAINAGE: BY POSITIVE SYSTEM TO A STORM DRAINAGE BASIN.

C. SEWAGE DISPOSAL: CITY OF RIVERBANK SYSTEM.

D. WATER SUPPLY: CITY OF RIVERBANK SYSTEM.

E. STREET LIGHTING: LIGHTING SHALL BE INSTALLED AS PER THE CITY OF RIVERBANK'S STANDARD SPECIFICATION.

F. WARD AVENUE VILLAS HOME OWNERS ASSOCIATION RESPONSIBILITIES:

A HOME OWNERS ASSOCIATION AND CC&RS WILL BE ESTABLISHED FOR THIS PROJECT. THE HOA WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL THE COMMON AREAS. THIS WOULD INCLUDE THE INTERIOR STREET, THE DUAL USE BASIN, PARK AREA, ON-SITE STREET LIGHTING AND THE CLUSTER MAIL BOX. A BLANKET PUBLIC UTILITY EASEMENT WILL BE CREATED IN THE STREET RIGHT OF WAY FOR PUBLIC UTILITIES SUCH AS SANITARY SEWER AND CITY WATER. THE STORM DRAINAGE LNES AND FACILITIES WILL BE RESPONSIBILITY OF THE HOA.

EACH INDIVIDUAL HOME OWNER WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THEIR FRONT YARDS.

OWNER

RACHEL LYNN GARCIA & MARY M. CHAVEZ JOINT TENCANCY

BUYER: WESTWOOD COUNTRY VENTURE, LLC

CONTACT:
WINDWARD PACIFIC BUILDERS
TROY WRIGHT
135 S. 5TH AVENUE, OAKDALE, CA 95361
(209) 521-0803

SUBDIVIDER:

WINDWARD PACIFIC BUILDERS
CONTACT: TROY WRIGHT
135 S. 5TH AVENUE, OAKDALE, CA 95361
(209) 521-0803

ENGINEER:

HAWKINS & ASSOCIATES ENGINEERING INC.
436 MITCHELL ROAD, MODESTO, CA 95354
(209) 575-4295

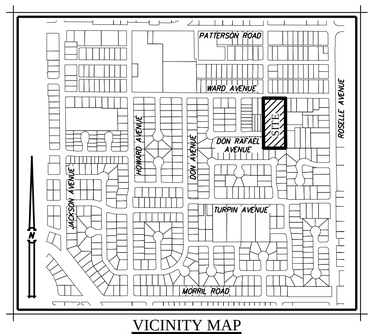
LEGAL DESCRIPTION:

THE LAND REFERED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF STANISLAUS, CITY OF RIVERBANK, AND DESCRIBED AS FOLLOWS:

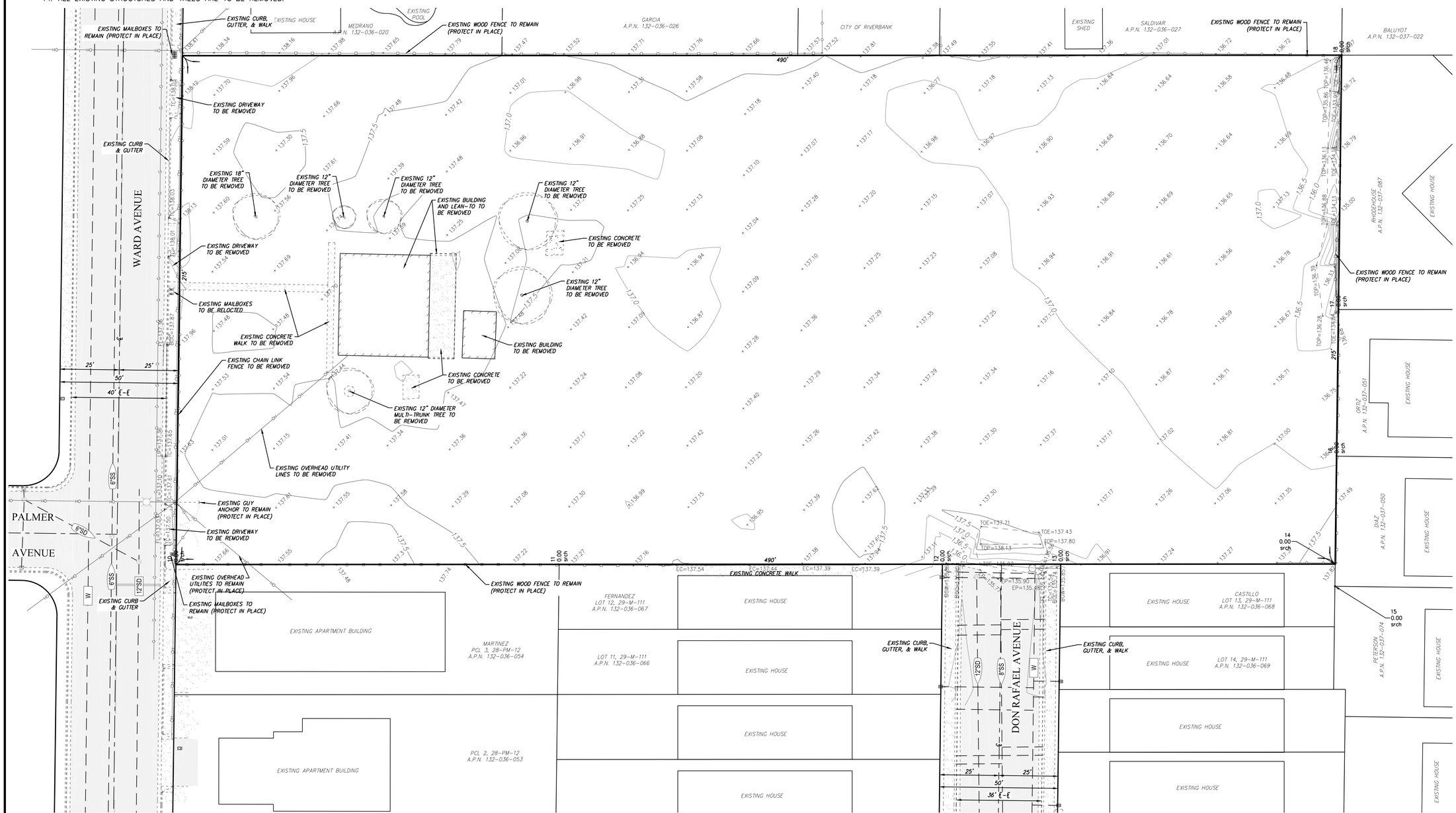
THE EAST HALF OF LOT 96 OF RIVERBANK ACREAGE TRACT AS PER MAP FILED MARCH 23, 1912 IN VOLUME 6 OF MAPS, AT PAGE 33, STANISLAUS COUNTY RECORDS

20 0 10 20 40

SCALE : 1"= 20'



VICINITY MAP
NO SCALE



EXISTING TOPOGRAPHY
WARD AVENUE VILLAS
VESTING TENTATIVE SUBDIVISION MAP

A.P.N. 132-036-003
2912 WARD AVENUE
RIVERBANK, CALIFORNIA

RODRICK H. HAWKINS	R.C.E. 50188
CROLIE E. LINDSAY	R.C.E. 31900, P.L.S. 4709
KEVIN J. GENASCI	P.L.S. 8660

SYM	DATE	DESCRIPTION OF REVISION	APPD

811 Know what's below. Call before you dig.

BY: RCS
CHK: RHH
DATE: APRIL 2015

HAWKINS & ASSOCIATES ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

DATE:

SHEET 1 OF 3

3232

GENERAL NOTES:

1. ASSESSOR'S PARCEL NUMBER 132-036-003
2. TOTAL AREA: 2.42 ACRES
3. TOTAL NUMBER OF RESIDENTIAL LOTS: 28, BASIN LOT: 1
4. CURRENT ZONING: R-1 (SINGLE FAMILY RESIDENTIAL)
5. SEWER SERVICE: CITY OF RIVERBANK
6. WATER SERVICE: CITY OF RIVERBANK
7. STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN/CITY FACILITIES.
8. ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS. 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
9. THE PROJECT SITE SLOPES FROM NORTH TO SOUTH WITH ELEVATIONS FROM 137.5 TO 137.0.
10. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM ASSESSOR'S DATA, RECORD INFORMATION, AND FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL SURVEY.
11. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED.

FLOOD ZONE CLASSIFICATION

THE SUBJECT PROPERTY FOR THE VESTING TENTATIVE SUBDIVISION MAP, SHOWN HEREON, LIES WHOLLY WITHIN FLOOD ZONE X – AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN ACCORDING TO THE FLOOD INSURANCE RATE MAP OF STANISLAUS COUNTY, CALIFORNIA AND INCORPORATED AREAS, COMMUNITY #060391, PANEL 0330 E, EFFECTIVE SEPTEMBER 26, 2008 (MAP #06099C0330E).

OWNER

WINDWARD PACIFIC BUILDERS
CONTACT: TROY WRIGHT
135 S. 5TH AVENUE, OAKDALE, CA 95361
(209) 521-0803

SUBDIVIDER:

WINDWARD PACIFIC BUILDERS
CONTACT: TROY WRIGHT
135 S. 5TH AVENUE, OAKDALE, CA 95361
(209) 521-0803

ENGINEER:

HAWKINS & ASSOCIATES ENGINEERING INC.
436 MITCHELL ROAD, MODESTO, CA 95354
(209) 575-4295

STATEMENT OF SUBDIVIDER:

A. ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER CITY OF RIVERBANK'S STANDARD SPECIFICATIONS.

B. STORM DRAINAGE: BY POSITIVE SYSTEM TO A STORM DRAINAGE BASIN.

C. SEWAGE DISPOSAL: CITY OF RIVERBANK SYSTEM.

D. WATER SUPPLY: CITY OF RIVERBANK SYSTEM.

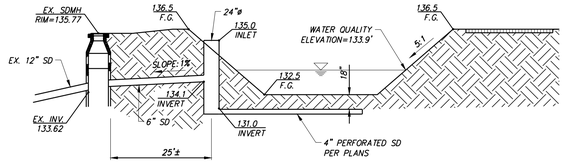
E. STREET LIGHTING: LIGHTING SHALL BE INSTALLED AS PER THE CITY OF RIVERBANK'S STANDARD SPECIFICATION.

F. WARD AVENUE VILLAS HOME OWNERS ASSOCIATION RESPONSIBILITIES:

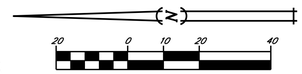
A HOME OWNERS ASSOCIATION AND CC&RS WILL BE ESTABLISHED FOR THIS PROJECT. THE HOA WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL THE COMMON AREAS. THIS WOULD INCLUDE THE INTERIOR STREET, THE DUAL USE BASIN, PARK AREA, ON-SITE STREET LIGHTING AND THE CLUSTER MAIL BOX. A BLANKET PUBLIC UTILITY EASEMENT WILL BE CREATED IN THE STREET RIGHT OF WAY FOR PUBLIC UTILITIES SUCH AS SANITARY SEWER AND CITY WATER. THE STORM DRAINAGE LNES AND FACILITIES WILL BE RESPONSIBILITY OF THE HOA.

EACH INDIVIDUAL HOME OWNER WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THEIR FRONT YARDS.

G. PROPOSED 6' WOOD FENCE ALONG ENTIRE LENGTH OF EAST, SOUTH & WEST PROPERTY LINES EXCEPT ALONG DON RAFAEL AVE., WHICH WILL HAVE A WROUGHT IRON FENCE AND EMERGENCY GATE WITH A KNOX BOX.



STORM DRAIN PROFILE
NTS

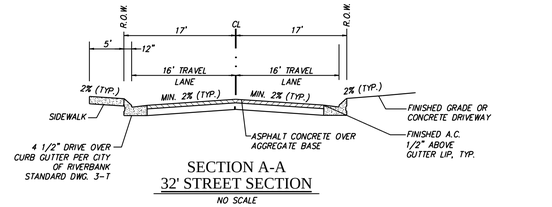


LOT SUMMARY

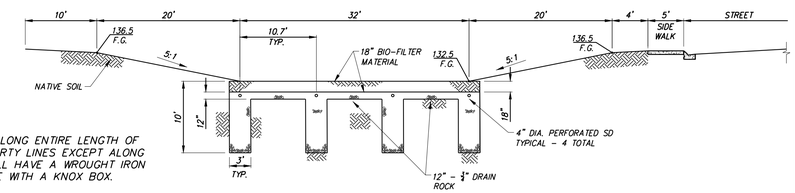
LOTS 1-28: RESIDENTIAL

LOT A: DRAINAGE BASIN/OPEN USE/E.V.A./P.U.E.

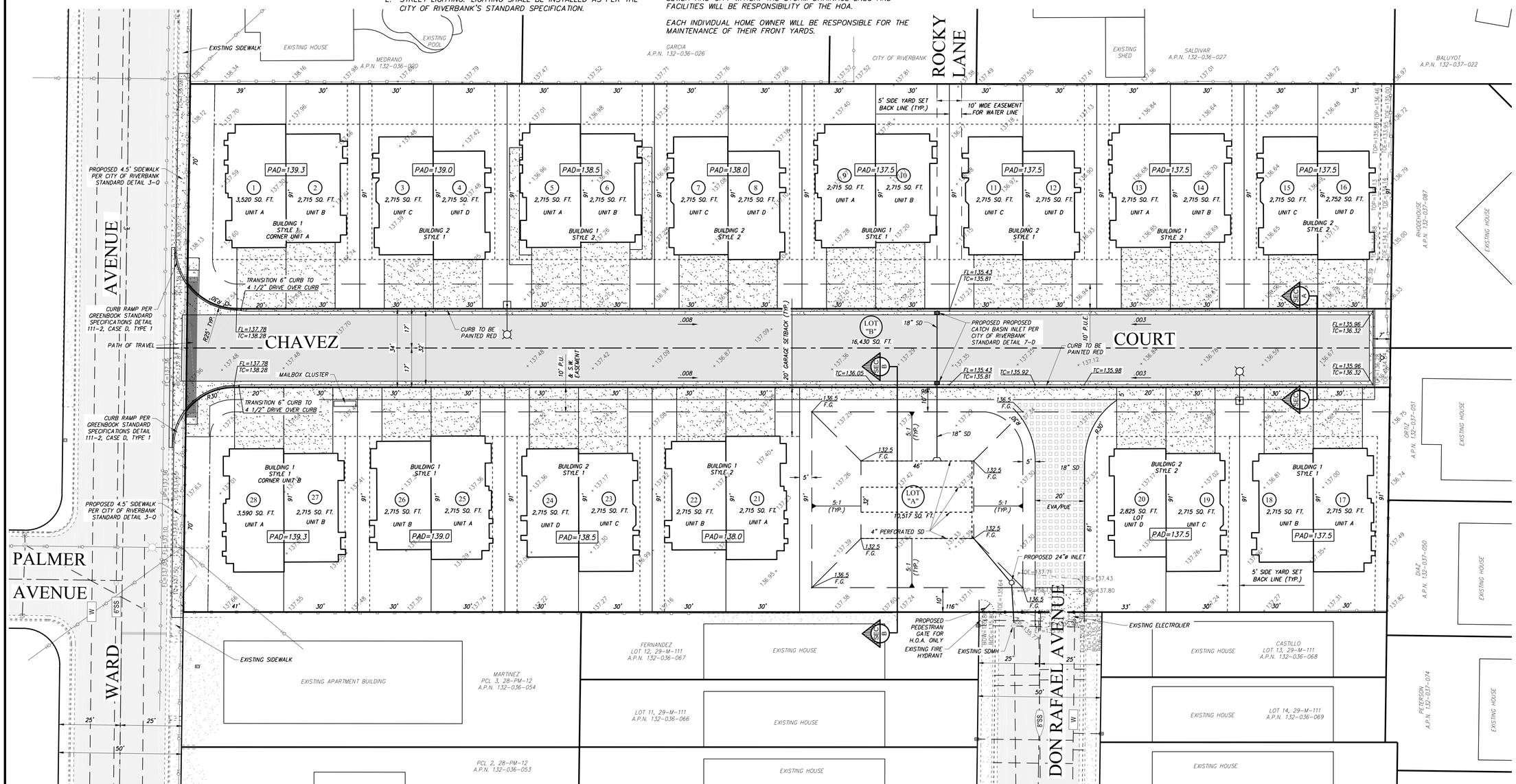
LOT B: PRIVATE STREET/P.U.E.



SECTION A-A
32' STREET SECTION
NO SCALE



CROSS SECTION - BB
NTS



SYM	DATE	DESCRIPTION OF REVISION	APP'D

RODRICK H. HAWKINS R.C.E. 50188
CIROLE E. LINDSAY R.C.E. 31900, P.L.S. 4709
KEVIN J. GENASCI P.L.S. 8660

Know what's below. Call before you dig.

BY: RCS
CHK: RHH
DATE: APRIL 2015

HAWKINS & ASSOCIATES ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

GRADING & DRAINAGE PLAN

WARD AVENUE VILLAS VESTING TENTATIVE MAP

A.P.N. 132-036-003
2912 WARD AVENUE
RIVERBANK, CALIFORNIA

DATE:

SHEET 2 OF 3

3232

GENERAL NOTES:

1. ASSESSOR'S PARCEL NUMBER 132-036-003
2. TOTAL AREA: 2.42 ACRES
3. TOTAL NUMBER OF RESIDENTIAL LOTS: 29, BASIN LOT: 1
4. CURRENT ZONING: R-1 (SINGLE FAMILY RESIDENTIAL)
5. SEWER SERVICE: CITY OF RIVERBANK
6. WATER SERVICE: CITY OF RIVERBANK
7. STORM DRAINAGE: POSITIVE DRAINAGE SYSTEM TO DRAINAGE BASIN/CITY FACILITIES.
8. ALL NEW PUBLIC UTILITIES ARE TO BE INSTALLED UNDERGROUND IN EASEMENTS. 10 FOOT WIDE PUBLIC UTILITY EASEMENTS SHALL BE DEDICATED ALONG ALL ROAD FRONTAGES.
9. THE PROJECT SITE SLOPES FROM NORTH TO SOUTH WITH ELEVATIONS FROM 137.5 TO 137.0.
10. ALL DIMENSIONS, DISTANCES, AREAS, ETC. ARE TAKEN FROM ASSESSOR'S DATA, RECORD INFORMATION, AND FIELD OBSERVATIONS BY OFFICE PERSONNEL AND DO NOT REFLECT AN ACTUAL SURVEY.
11. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED.

N

20 0 10 20 40

SCALE : 1"= 20'

STATEMENT OF SUBDIVIDER:

A. ALL IMPROVEMENTS SHALL BE CONSTRUCTED PER CITY OF RIVERBANK'S STANDARD SPECIFICATIONS.

B. STORM DRAINAGE: BY POSITIVE SYSTEM TO A STORM DRAINAGE BASIN.

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OWNER

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(209) 521-0803

SUBDIVIDER:

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ENGINEER:

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436 MITCHELL ROAD, MODESTO, CA 95354
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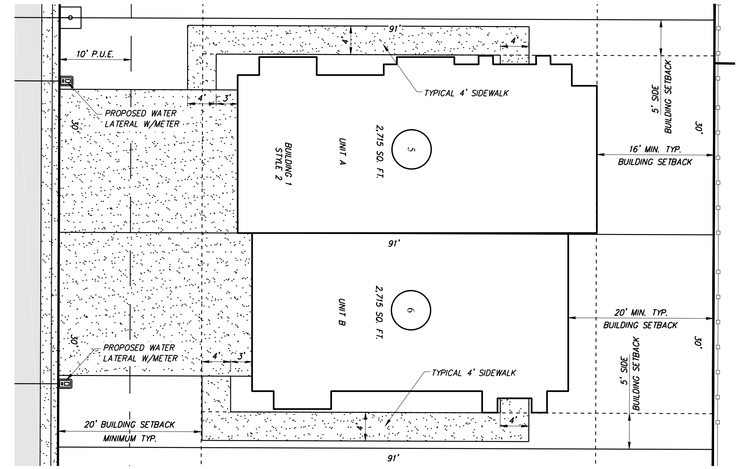
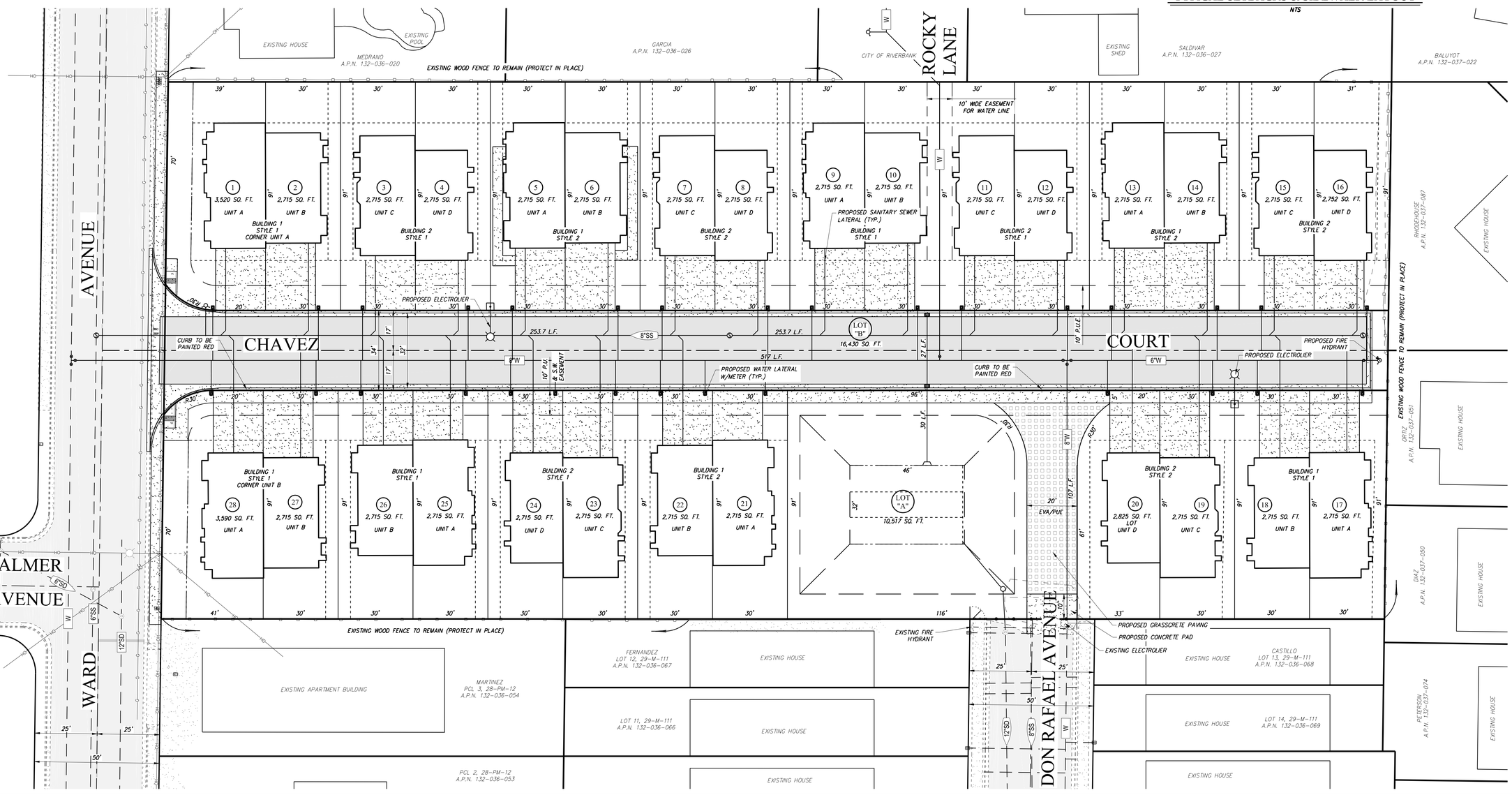


TYPICAL SETBACKS & SIDEWALK LAYOUT

NTS



UTILITY PLAN
WARD AVENUE VILLAS
VESTING TENTATIVE SUBDIVISION MAP

A.P.N. 132-036-003
2912 WARD AVENUE
RIVERBANK, CALIFORNIA

SYM	DATE	DESCRIPTION OF REVISION	APPD

RODRICK H. HAWKINS R.C.E. 50188
CIROLE E. LINDSAY R.C.E. 31900, P.L.S. 4709
KEVIN J. GENASCI P.L.S. 8660

811 Know what's below. Call before you dig.

BY: RCS
CHK: RHH
DATE: APRIL 2015

HAWKINS & ASSOCIATES ENGINEERING, INC.
436 MITCHELL ROAD
MODESTO, CA. 95354
PH: (209) 575 - 4295
FX: (209) 578 - 4295

DATE:

SHEET 3 OF 3

3232

Attachment 5

BUILDING 1

Building 1, Style 1

Body Color 1, Dunn Edwards, DE 6171 Sand Dollar

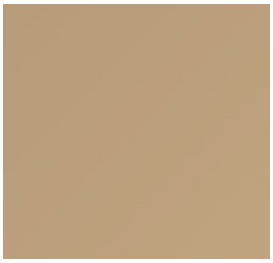
Body Color 2, Dunn Edwards, DE 6194 Natural Bridge

Trim/Accent, Dunn Edwards, DE 251 Spice Cake

Trim/Base, Dunn Edwards, DEA 162 Log Cabin

Building 1, Style 2

Body Color 1, Dunn Edwards, DE 6171 Sand Dollar



Body Color 2, Dunn Edwards, DE 6144 Graham Cracker

Trim/Accent, Dunn Edwards, DEA 157 Cellar Door

Trim/Base, Dunn Edwards, DEA 162 Log Cabin

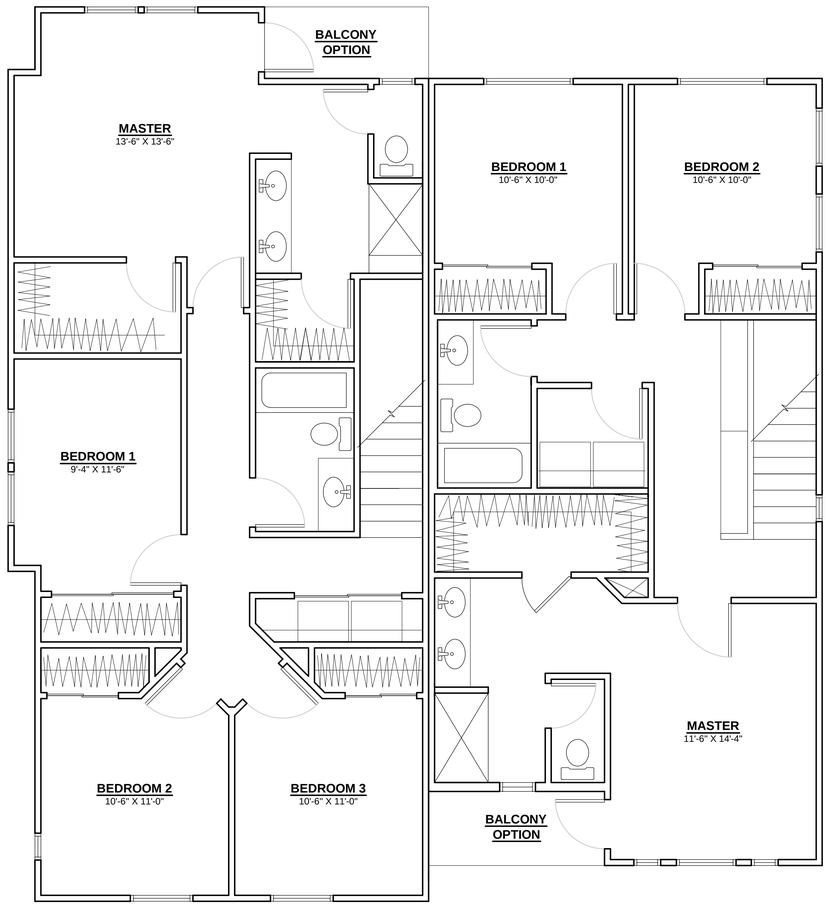
Stone & Roofing

Stone

El Dorado Stone, Rustic Ledge, Saddleback

Concrete Tile Roofing

Eagle Roofing, Bel Aire, SHE8773 Walnut Creek Blend



2 BUILDING 1 - FLOOR PLAN - SECOND FLOOR

SCALE: ¼" = 1'-0"

UNIT A

FIRST FLOOR:	700 SQ. FT.
SECOND FLOOR:	1,105 SQ. FT.
TOTAL:	1,805 SQ. FT.
GARAGE AREA:	470 SQ. FT.
TOTAL AREA INCLUDING GARAGE:	2,275 SQ. FT.

UNIT B

FIRST FLOOR:	525 SQ. FT.
SECOND FLOOR:	928 SQ. FT.
TOTAL:	1,453 SQ. FT.
GARAGE AREA:	470 SQ. FT.
TOTAL AREA INCLUDING GARAGE:	1,923 SQ. FT.

BUILDING ONE FOOTPRINT TOTAL:

2,165 SQ. FT.

1 BUILDING 1 - FLOOR PLAN - FIRST FLOOR

SCALE: ¼" = 1'-0"

REVISIONS	BY

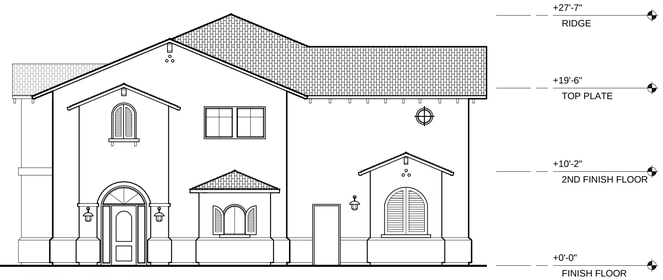
COMMERCIAL ARCHITECTURE INC.
THEODORE J. BRANDVOLD, ARCHITECT
616 14TH STREET, MODESTO, CA 95354
PH (209) 571-8158 FAX (209) 571-8160

PROJECT : DUPLEX HOMES
RIVERBANK SUB-DIVISION

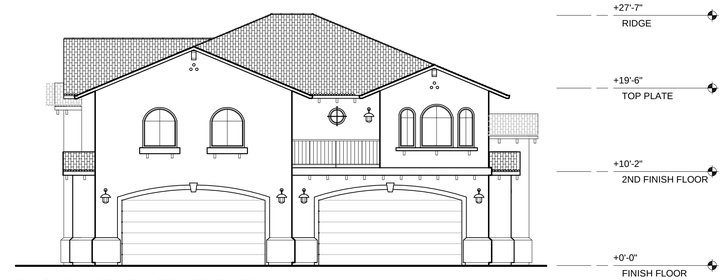
CLIENT : WINWARD PACIFIC
TROY WRIGHT

LOCATION : WARD AVE AND PALMER DR.
RIVERBANK, CA 95367

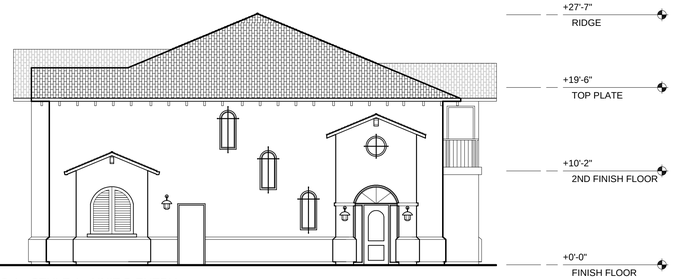
DRAWN	KRM
CHECKED	TJB
DATE	1/16/15
SCALE	AS SHOWN
JOB NO.	14-202
SHEET	A-1.0
OF	SHEETS



BUILDING 1 - STYLE 1 - UNIT A ENTRY



BUILDING 1 - STYLE 1 - FRONT ELEVATION

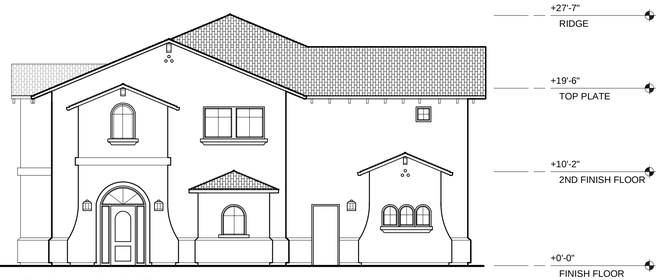


BUILDING 1 - STYLE 1 - UNIT B ENTRY

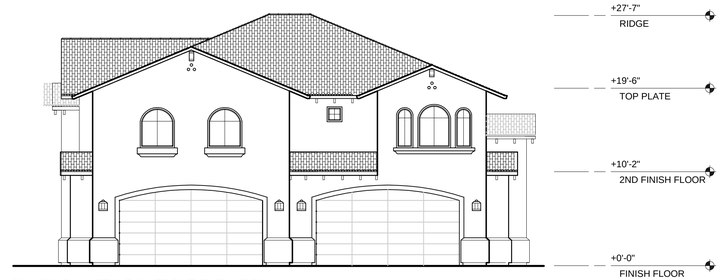
BUILDING 1 - STYLE 1 - REAR ELEVATION

1 BUILDING 1 - EXTERIOR ELEVATIONS - STYLE 1

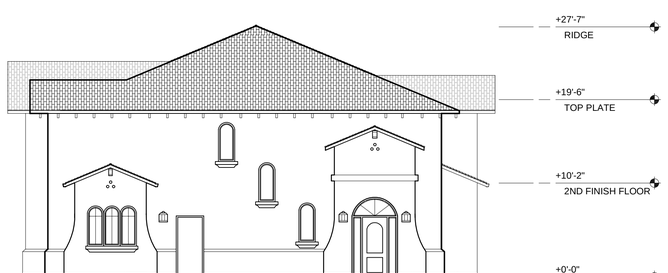
SCALE: ⅛" = 1'-0"



BUILDING 1 - STYLE 2 - UNIT A ENTRY



BUILDING 1 - STYLE 2 - FRONT ELEVATION



BUILDING 1 - STYLE 2 - UNIT B ENTRY

BUILDING 1 - STYLE 2 - REAR ELEVATION

2 BUILDING 1 - EXTERIOR ELEVATIONS - STYLE 2

SCALE: ⅛" = 1'-0"

REVISIONS	BY

COMMERCIAL ARCHITECTURE INC.
THEODORE J. BRANDVOLD, ARCHITECT
616 14TH STREET, MODESTO, CA 95354
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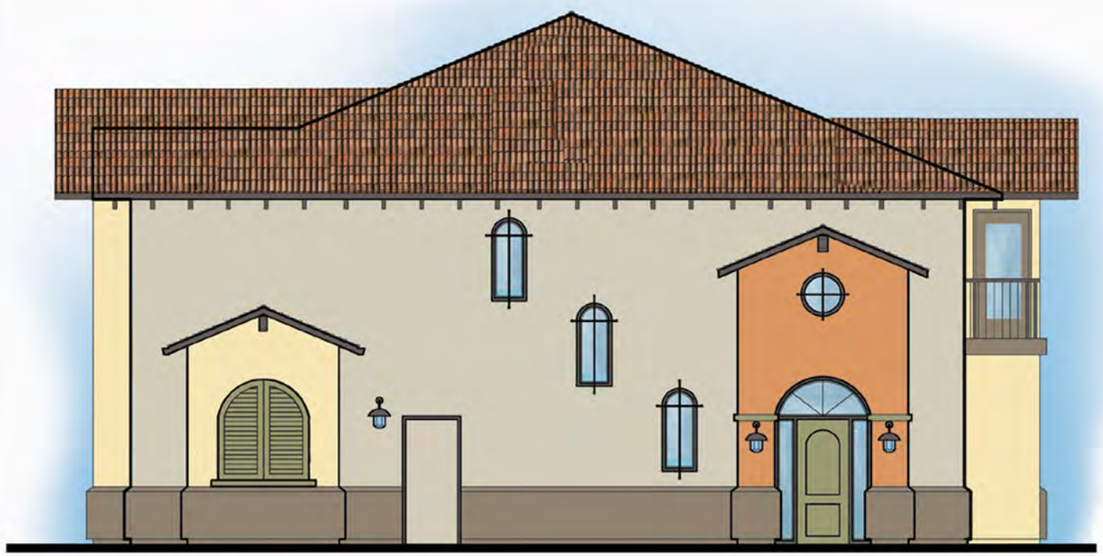
RIVERBANK SUB-DIVISION
WINWARD PACIFIC
CLIENT : TROY WRIGHT
LOCATION : WARD AVE AND PALMER DR.
RIVERBANK, CA 95367

DRAWN	KRM
CHECKED	TJB
DATE	1/16/15
SCALE	AS SHOWN
JOB NO.	14-202
SHEET	A-1.1
OF	SHEETS

BUILDING 1 - STYLE 1 - UNIT A ENTRY

BUILDING 1 - STYLE 1 - FRONT ELEVATION



BUILDING 1 - STYLE 1 - UNIT B ENTRY

BUILDING 1 - STYLE 1 - REAR ELEVATION

BUILDING ONE: STYLE ONE

RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

BUILDING 1 - STYLE 2 - UNIT A ENTRY

BUILDING 1 - STYLE 2 - FRONT ELEVATION

BUILDING 1 - STYLE 2 - UNIT B ENTRY

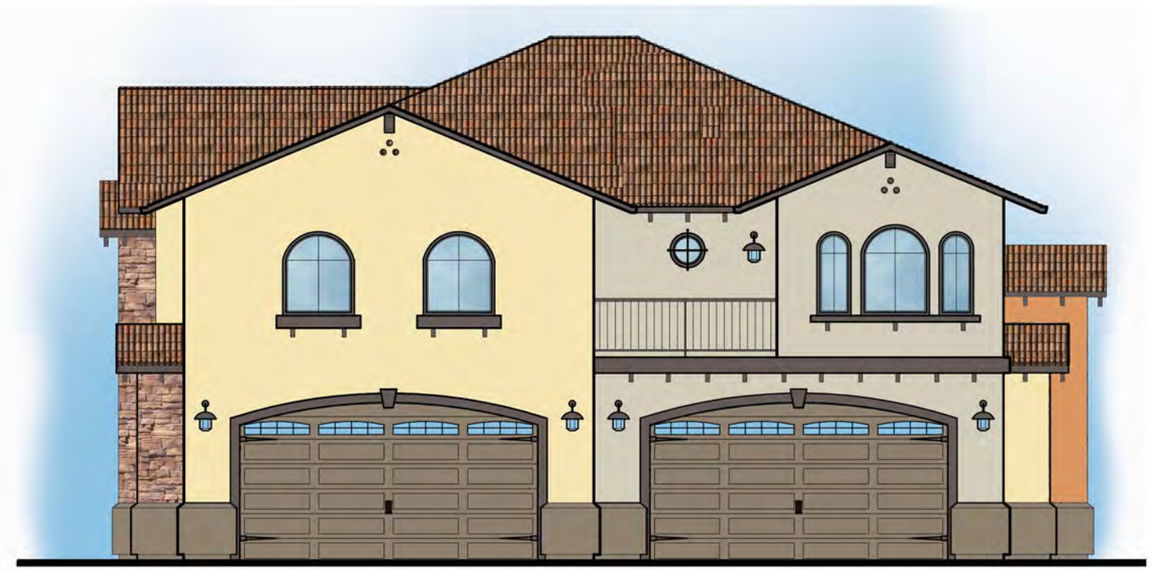
BUILDING 1 - STYLE 2 - REAR ELEVATION

BUILDING ONE: STYLE TWO

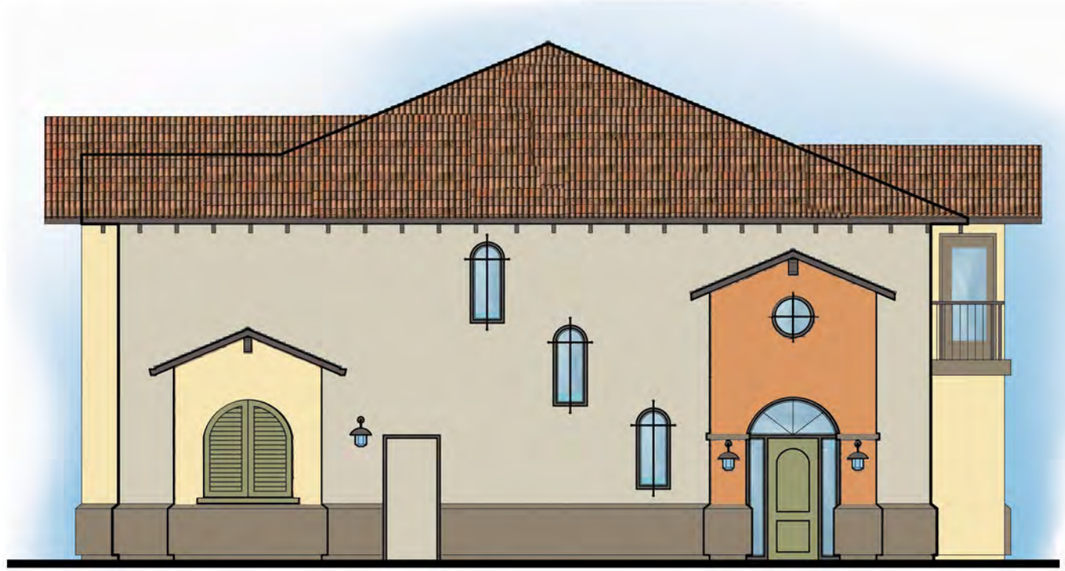
RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

BUILDING 1 - STYLE 1 - UNIT A ENTRY - WARD AVE. VIEW



BUILDING 1 - STYLE 1 - FRONT ELEVATION



BUILDING 1 - STYLE 1 - UNIT B ENTRY

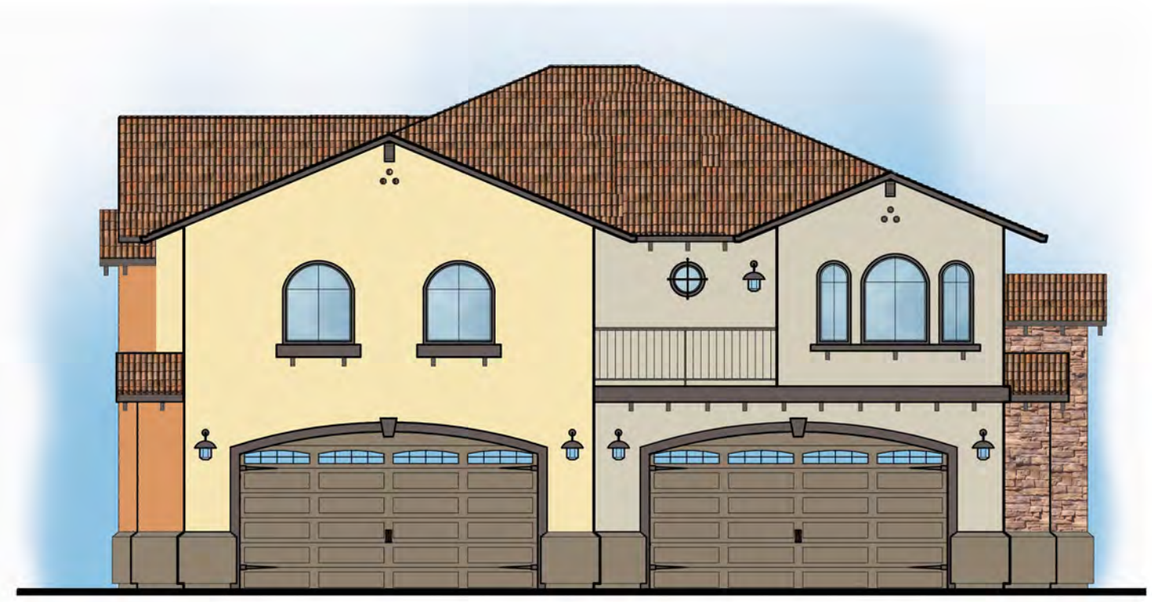
BUILDING 1 - STYLE 1 - REAR ELEVATION

BUILDING ONE: STYLE ONE - WARD AVE. CORNER, UNIT A

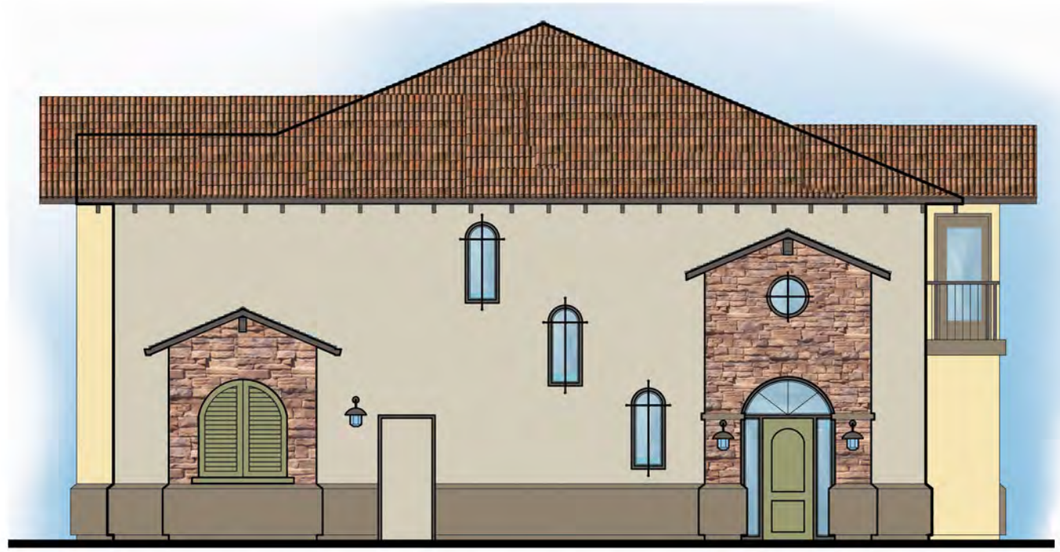
RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

BUILDING 1 - STYLE 1 - UNIT A ENTRY



BUILDING 1 - STYLE 1 - FRONT ELEVATION



BUILDING 1 - STYLE 1 - UNIT B ENTRY - WARD AVE. VIEW

BUILDING 1 - STYLE 1 - REAR ELEVATION

BUILDING ONE: STYLE ONE - WARD AVE. CORNER, UNIT B

RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

BUILDING 2

Building 2, Style 1

Body Color 1, Dunn Edwards, DE 6172 Bungalow Taupe

Body Color 2, Dunn Edwards, DE 251 Spice Cake

Trim/Accent, Dunn Edwards, DEA 157 Cellar Door

Trim/Accent, Dunn Edwards, DEA 6340 Canadian Lake

Trim/Base, Dunn Edwards, DEA 756 Weathered Brown

Building 2, Style 2

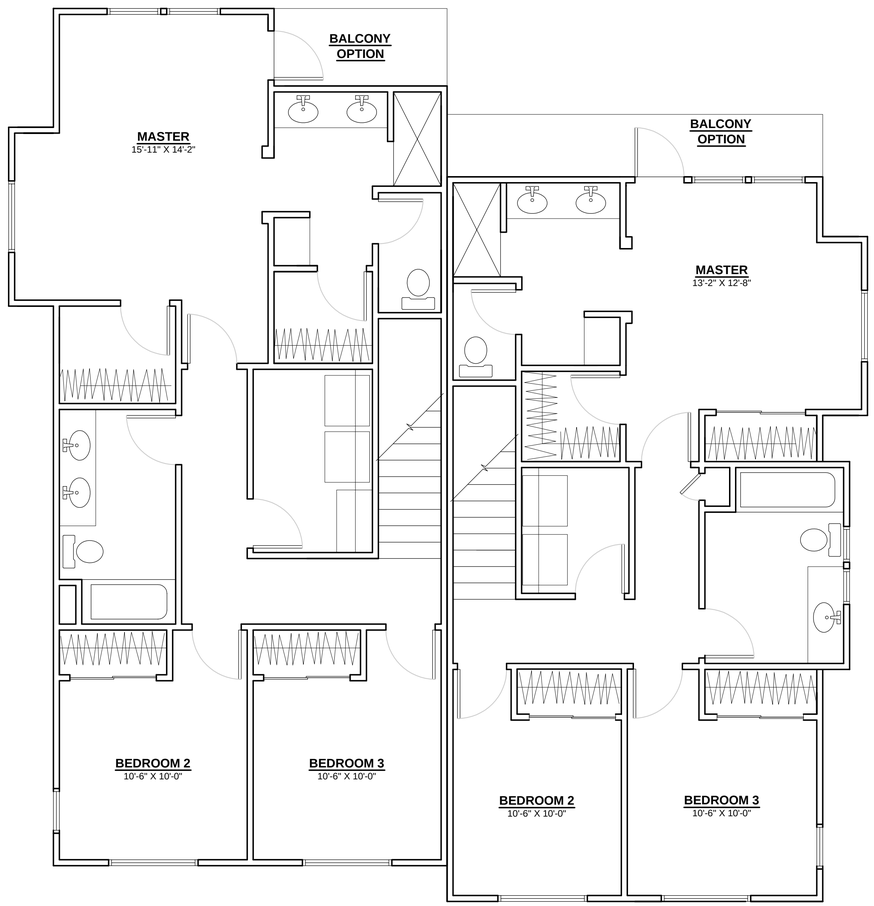
Body Color 1, Dunn Edwards, DE 6172 Bungalow Taupe

Body Color 2, Dunn Edwards, DE 5494 Even Growth

Trim/Accent, Dunn Edwards, DEA 157 Cellar Door

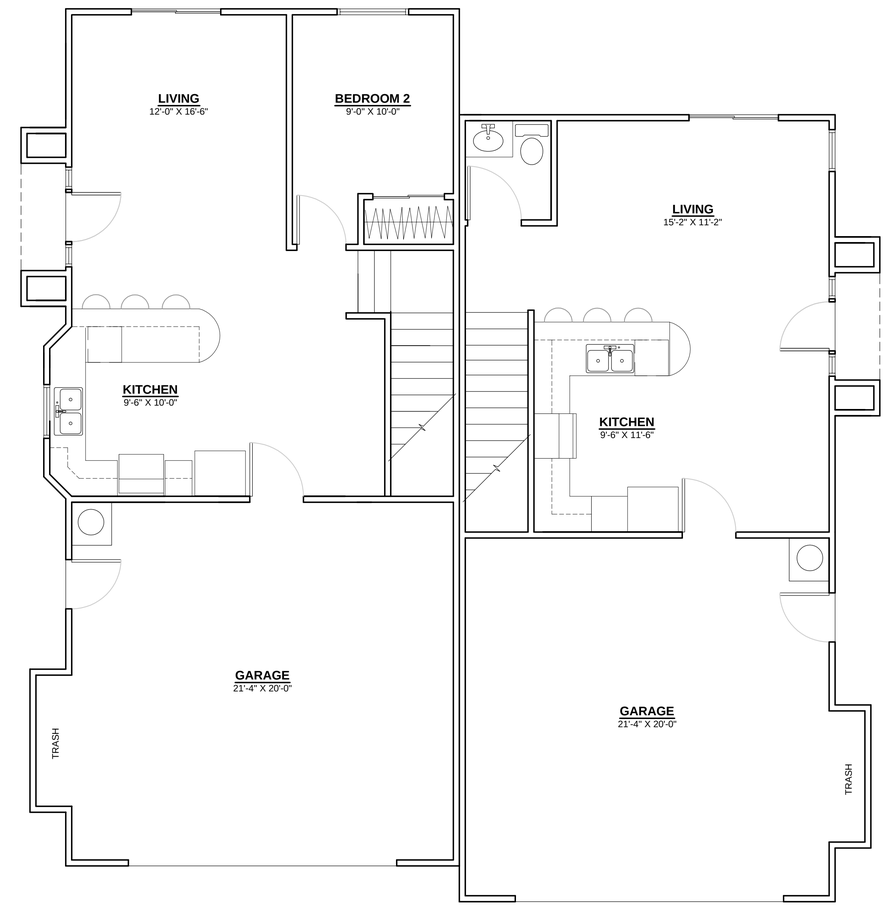
Trim/Accent, Dunn Edwards, DE 6242 Wells Gray

Trim/Base, Dunn Edwards, DEA 756 Weathered Brown



2 BUILDING 2 - FLOOR PLAN - SECOND FLOOR

SCALE: ¼" = 1'-0"



UNIT C

FIRST FLOOR:	617 SQ. FT.
SECOND FLOOR:	1,038 SQ .FT.
TOTAL:	1,655 SQ. FT.
GARAGE AREA:	470 SQ. FT.
TOTAL AREA INCLUDING GARAGE:	2,125 SQ. FT.

UNIT D

FIRST FLOOR:	497 SQ. FT.
SECOND FLOOR:	893 SQ .FT.
TOTAL:	1,390 SQ. FT.
GARAGE AREA:	470 SQ. FT.
TOTAL AREA INCLUDING GARAGE:	1,860 SQ. FT.

BUILDING TWO FOOTPRINT TOTAL:

2,054 SQ. FT.

1 BUILDING 2 - FLOOR PLAN - FIRST FLOOR

SCALE: ¼" = 1'-0"

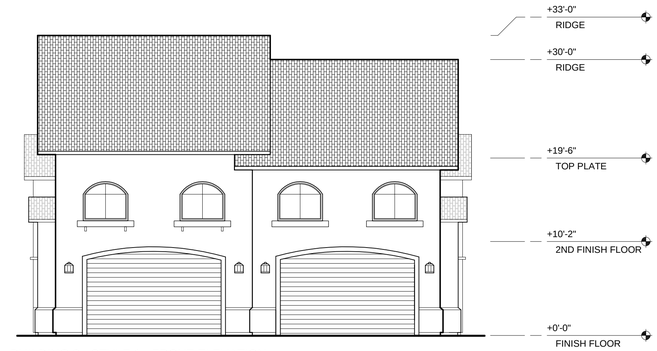
REVISIONS	BY

COMMERCIAL ARCHITECTURE INC.
THEODORE J. BRANDVOLD, ARCHITECT
616 14TH STREET, MODESTO, CA 95354
PH (209) 571-8158 FAX (209) 571-8160

PROJECT : DUPLEX HOMES
RIVERBANK SUB-DIVISION
CLIENT : WINWARD PACIFIC
TROY WRIGHT
LOCATION : WARD AVE AND PALMER DR.
RIVERBANK, CA 95367

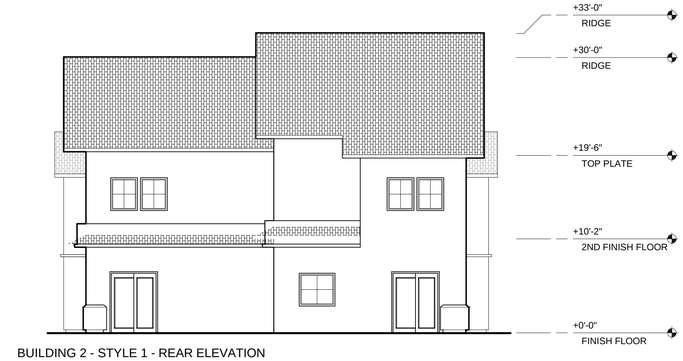
DRAWN KRM
CHECKED TJB
DATE 1/16/15
SCALE AS SHOWN
JOB NO. 14-202
SHEET
A-2.0
OF SHEETS

BUILDING 2 - STYLE 1 - UNIT C ENTRY



BUILDING 2 - STYLE 1 - FRONT ELEVATION

BUILDING 2 - STYLE 1 - UNIT D ENTRY

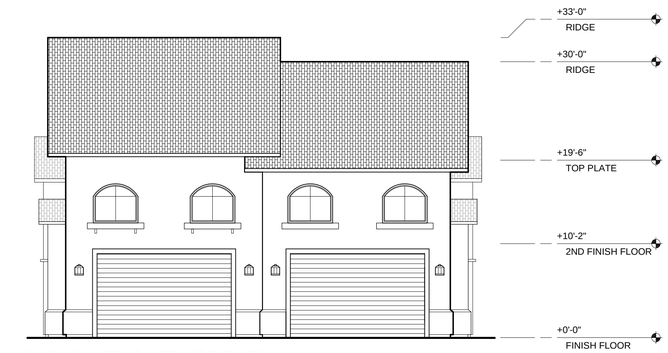


BUILDING 2 - STYLE 1 - REAR ELEVATION

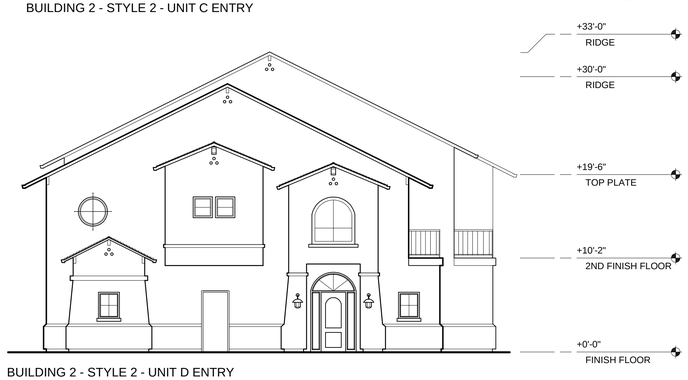
1 BUILDING 2 - EXTERIOR ELEVATIONS - STYLE 1

SCALE: ⅛" = 1'-0"

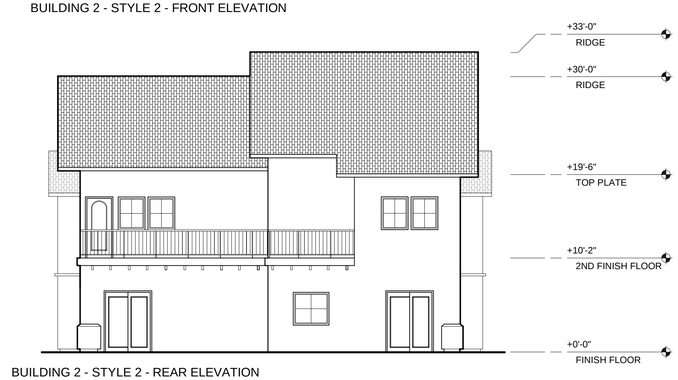
BUILDING 2 - STYLE 2 - UNIT C ENTRY



BUILDING 2 - STYLE 2 - FRONT ELEVATION



BUILDING 2 - STYLE 2 - UNIT D ENTRY



BUILDING 2 - STYLE 2 - REAR ELEVATION

2 BUILDING 2 - EXTERIOR ELEVATIONS - STYLE 2

SCALE: ⅛" = 1'-0"

REVISIONS	BY

COMMERCIAL ARCHITECTURE INC.
THEODORE J. BRANDVOLD, ARCHITECT
616 14TH STREET, MODESTO, CA 95354
PH (209) 571-8158 FAX (209) 571-8160

PROJECT : DUPLEX HOMES
RIVERBANK SUB-DIVISION
CLIENT : WINWARD PACIFIC
TROY WRIGHT
LOCATION : WARD AVE AND PALMER DR.
RIVERBANK, CA 95367

DRAWN	KRM
CHECKED	TJB
DATE	1/16/15
SCALE	AS SHOWN
JOB NO.	14-202
SHEET	A-2.1
OF	SHEETS

BUILDING 2 - STYLE 1 - UNIT C ENTRY

BUILDING 2 - STYLE 1 - FRONT ELEVATION

BUILDING 2 - STYLE 1 - UNIT D ENTRY

BUILDING 2 - STYLE 1 - REAR ELEVATION

BUILDING TWO: STYLE ONE

RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

BUILDING 2 - STYLE 2 - UNIT C ENTRY

BUILDING 2 - STYLE 2 - FRONT ELEVATION

BUILDING 2 - STYLE 2 - UNIT D ENTRY

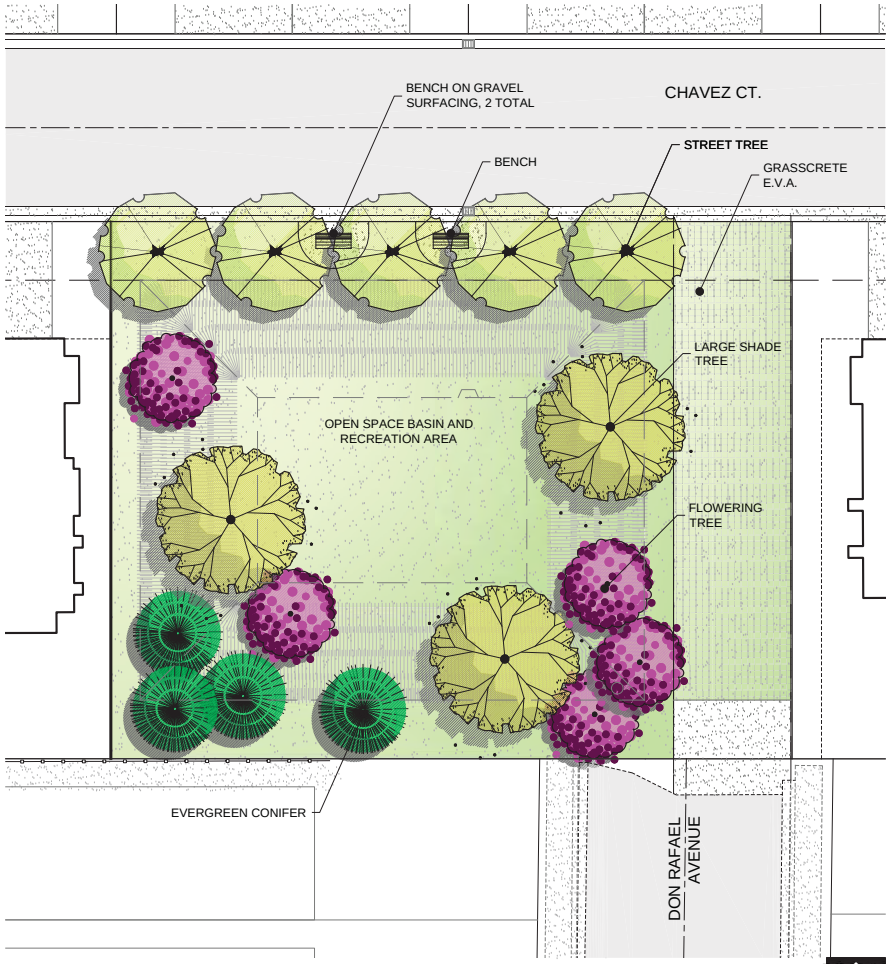
BUILDING 2 - STYLE 2 - REAR ELEVATION

BUILDING TWO: STYLE TWO

RIVERBANK, CALIFORNIA

COMMERCIAL ARCHITECTURE INC.
616 14TH STREET
MODESTO, CALIFORNIA
PH. (209) 571-8158 FAX (209) 571-8160

Attachment 6



B BASIN/OPEN SPACE LANDSCAPE CONCEPT

GENERAL NOTES

1. DEVELOPER-PROVIDED LANDSCAPING FOR THIS PROJECT WILL BE LIMITED TO THE DUAL USE DRAINAGE BASIN/RECREATIONAL OPEN SPACE, LOT "A".
2. THIS PLAN IS INTENDED TO ILLUSTRATE THE CONCEPT FOR THE PROPOSED DUAL USE BASIN/OPEN SPACE RECREATION AREA AND IS SUBJECT TO CHANGE BASED ON FINAL DESIGN CONDITIONS.
3. PLANT SELECTION WILL BE DETERMINED AT TIME OF FINAL DESIGN.
4. LANDSCAPING WILL BE IRRIGATED BY AN IRRIGATION SYSTEM CONTROLLED BY A CONTROLLER CAPABLE OF MULTIPLE WATERING PROGRAMS WITH MULTIPLE START TIMES, INDIVIDUAL STATION CONTROL, AND SENSORS CAPABLE OF ADJUSTING TO VARYING EVAPO-TRANSPORATION RATES, RAIN EVENTS, SOIL MOISTURE CONDITIONS, OR FLOW SENSING EQUIPMENT AS APPROPRIATE TO THIS SPECIFIC LANDSCAPE WITHIN APPLICABLE REGULATIONS.

PRELIMINARY LANDSCAPE WATER USE CALCULATIONS

The following information provides preliminaty data required by the Water Efficient Landscape Ordinance - California Code of Regulations Title 23, Division 2, Chapter 2.7 § 490 - 494 ("WELO" or the "Ordinance") to establish the intent of the project for planning approval purposes only. Figures below are based on the conceptual landscape plan and are subject to change.

HYDROZONES

HYDROZONE INFORMATION TABLE

HYDRO-ZONE	IRR. METHOD	AREA (SF)	% OF LANDSCAPE AREA	PLANT FACTOR (PF)	PF x HA (SF)	
HIGH WATER USE AREA	N/A	0	0.00%	0.90	0.00	
MEDIUM WATER USE AREA	N/A	0	0.00%	0.60	0.00	
LOW WATER USE AREA	N/A	0	0.00%	0.30	0.00	
LOW WATER USE AREA, NO IR.	N/A	0	0.00%	0.00	0.00	
				TOTAL =	0.00	for ETWU Calc.
SPECIAL LANDSCAPE AREA	SPRAY	10,901	100.00%			
TOTAL		10,901	100.00%			

MAWA CALCULATION

MAXIMUM ALLOWABLE WATER CALCULATION (MAWA)

MAWA = 335,903 gallons per year

FORMULA:
MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]

	Ref. ETo (in / year)	Conversion	ET Adjustment Factor "ETAF"	Landscape Area Incl. "SLA" (sf)	Addt'l Water Allowance	Special Landscape Area (sf)
335,903 gal/yr	49.7	0.62	0.7	10,901 sf	0.30	10,901 sf

ETWU CALCULATION

ESTIMATED TOTAL WATER USE (ETWU)

ETWU = 335,903 gallons per year

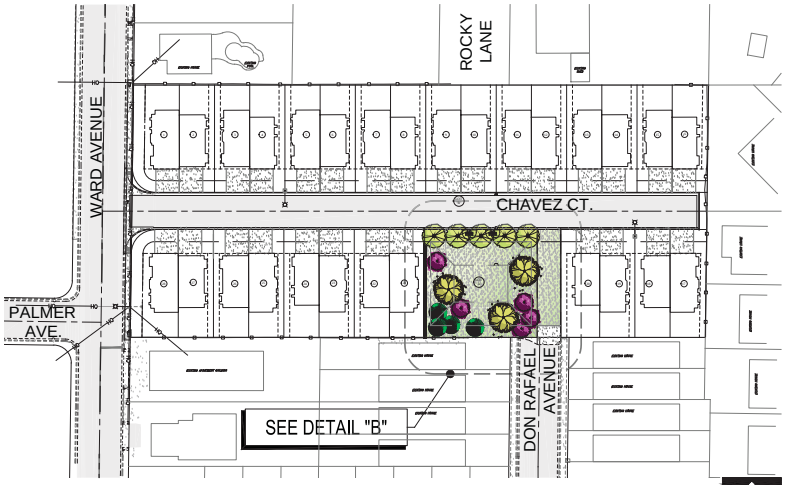
FORMULA:
$$ETWU = (ETo)(0.62)\left(\frac{PF \times HA}{IE} + SLA\right)$$

	Ref. ETo (in / year)	Conversion	PF x HA (sf)	Irrigation Efficiency "IE"	Special Landscape Area (sf)
335,903 gal/yr	49.7 in/yr	0.62	0.00 sf	0.75	10,901 sf

CHECK

Check ETWU to MAWA

MAWA	ETWU	
		Zero or Positive Number meets the requirements of the Ordinance. ETWU is less than or equal to MAWA
335,903 gals. per yr.	335,903 gals. per yr.	0 gals. per yr.



A SITE PLAN KEY MAP

Warren R. McClung
Planning • Site Design • Landscape Architecture
CA Landscape Architect No. 4812
11666 Serena Court • Sonora, CA • 95370
wrmcclung@mlbdet.com • PH 209.840.1198

PROJECT AND CLIENT INFORMATION
WARD AVENUE VILLAS
A.P.N. 132-036-003
2912 WARD AVENUE, RIVERBANK, CALIFORNIA
Windward Pacific Builders
135 S 5TH AVENUE, ONCHALE, CA 93551
TROY WRIGHT (209) 825-2603

STAMP
LICENSED LANDSCAPE ARCHITECT
WARREN R. MCCLUNG
No. 4812
STATE OF CALIFORNIA
PRELIMINARY

DRAWING NAME
DUAL USE BASIN/OPEN SPACE
CONCEPTUAL LANDSCAPE PLAN

#	DESCRIPTION	DATE

DRAWING INFORMATION
DATE July 23, 2015
DRAWN BY
CHKD BY
PROJECT NUMBER 15WPB-01
SHEET NO. EXHBT-A

15WPB-01_BASIN-EXHBT.dwg

C:\Users\Warren McClung\Documents_PROJECTS\2015\WardAve_Villas-15WPB-01\Dwg_Plots_Exhibit\AutoCAD\15WPB-01_BASIN-EXHBT.dwg, 24x36, Jul 23, 2015 5:01pm, Warren McClung

Attachment 7

As a resident and/or homeowner living on Don Rafael Avenue, I hereby request that Don Rafael Avenue remain a dead end road and not be connected to the adjoining proposed project known as Ward Avenue Villas, other than for emergency vehicle access only.

NAME	ADDRESS	PHONE	EMAIL	SIGNATURE
Ricardo Balleras	2842 Don Rafael ave.	869-2912		Ricardo Balleras
Hilda Alvarez	2848 Don Rafael Ave	863-0219		Hilda Alvarez
Aracelli Murguia	2854 Don Rafael AVE	214-4070		Aracelli Murguia
Esteban Ochoa	2866 Don Rafael ave.	418-2165		Esteban Ochoa
Lucia Castillo	2878 Don Rafael	447-8320		[illegible]
Alicia Avila	2879 Don Rafael Ave 209	518-3766		Alicia Avila
Willido Mena	2860 Don Rafael ave.	869-5542		Willy

RECEIVED
JAN 07 2016
BY: .....

PORTION SE1/4 SECTION 26 T.2S. R.9E. M.D.B.&M.

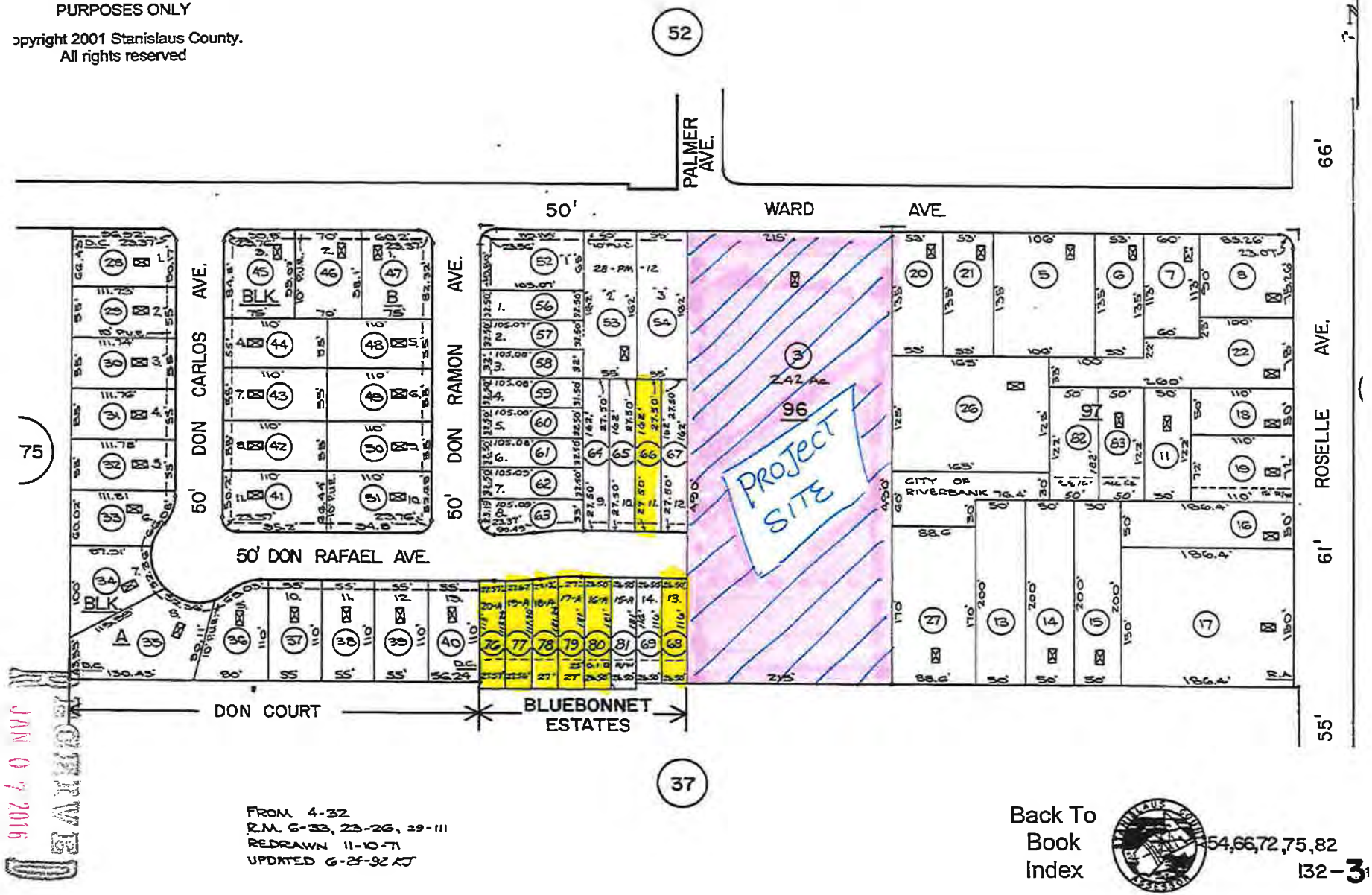
RIVERBANK ACREAGE TRACT — LOTS 96 & 97

DON COURT, BLUEBONNET ESTATES

006 001
006 002

132-3

THIS MAP FOR ASSESSMENT PURPOSES ONLY



FROM 4-32
R.M. 6-33, 23-26, 29-111
REDRAWN 11-10-71
UPDATED 6-24-92 KJ

Back To Book Index

54,66,72,75,82

132-3

Public Notice Info.
for Item 3.4


NOTICE OF DEVELOPMENT
PERMIT APPLICATION
NOTICE IS HEREBY GIVEN that an application for a development permit for this property has been filed with the CITY OF RIVERBANK.
Application For: General Plan Amendment, Rezone and Vesting Tentative Map.
Site Location: 2912 Ward Avenue
APN: 132-036-003
CEQA Environmental Assessment: Exempt from CEQA pursuant to Section 15332 (Class 32) of the State CEQA Guidelines related to In-Fill Development Projects.
Description of Project: Request for the development of 28 single family parcels and a storm water basin on 2.42 acres to be rezoned to Planned Development. Property is located at 2912 Ward Ave
east of Roselle Avenue,
January 19, 2016

DECLARATION OF POSTING

I, Troy Wright say that I **posted** a true copy of the attached

"NOTICE OF DEVELOPMENT PERMIT APPLICATION" for application Ward Villas on the subject property located at:

Address/Location: 2012 Ward Ave.
Riverbank, CA 95367

At 2:00 am/pm (pm circled) on 12/29/15
Time Date

I declare under penalty of perjury that the foregoing is true and correct. Executed this 30 day of Dec 2015.

City of Riverbank Development Services Department

Planning Division ≈ Building Division ≈ Neighborhood Improvement Division

6707 Third Street, Riverbank, CA 95367 Office (209) 863-7128 FAX (209) 869-7126

PUBLISH DATE: **January 6, 2016** **LEGAL**
DEPT: **PLANNING**

CITY OF RIVERBANK
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Riverbank Planning Commission will conduct a public hearing to consider a Modification to an Ordinance, described below at 6:00 p.m. on Tuesday, January 19, 2016, in Council Chambers 6707 Third Street, Riverbank, California.

Project Descriptions:

WARD AVENUE VILLAS – GENERAL PLAN AMENDMENT 01-2015, REZONE 01-2015, AND VESTING TENTATIVE MAP 01-2015. PROJECT DESCRIPTION: Request for the development of 28 single family parcels and a storm water basin on 2.42 acres to be rezoned to Planned Development. Property is located at 2912 Ward Avenue, east of Roselle Avenue, APN 132-036-003 within an R-1 Single Family Residential Zoning District.

The City of Riverbank will hold a Public Hearing as follows:

Planning Commission Meeting
January 19, 2016 at 6:00 pm
City Hall Council Chambers - 6707 Third Street - Riverbank, California

ALL INTERESTED PARTIES are invited to attend the public hearing on **January 19, 2016** at the time and place specified above to express opinions or submit evidence for or against the subject matter being considered. Written comments via e-mail to dkenney@riverbank.org by postal service, or hand delivered to **6707 Third Street, Suite A, Riverbank, California, 95367,** will be accepted by the Development Services Department up to 5:00 p.m. on said date. All written comments received by said time will be distributed to the Planning Commission for consideration. Oral comments will be received by the Planning Commission prior to the close of the Public Hearing on the subject matter being considered. The Planning Commission will receive all testimony prior to taking action. Testimony cannot be given over the telephone. If you challenge the City's action on these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City at, or prior to, the public hearing.

Meeting facilities are accessible to persons with disabilities. Any person requiring special assistance to participate in the meeting should notify the Administration Dept. at (209) 863-7122 or cityclerk@riverbank.org at least seventy-two (72) hours prior to the meeting. For questions regarding the public hearing matter contact Donna Kenney, Planning & Building Manager, at (209) 863-7124; dkenney@riverbank.org.

Any public record materials pertaining to the presentation of the subject matter being considered will be made available for review at the Development Services Counter at 6717 Third Street, Riverbank, and (if technologically possible) at http://www.riverbank.org/Depts/planning/default.aspx upon distribution to a majority of the Planning Commission (typically 72 hours prior to the meeting).

132-036-056
FACIO RUBEN & AAXA L
6242 DON RAMON AVE
RIVERBANK, CA 95367

132-036-052
MONTOYA JAVIER TR ET AL
P O BOX 1680
OAKDALE, CA 95361

132-052-036
R RENTALS LLC
609 E ORANGEBURG AVE
MODESTO, CA 95350

132-052-008
MICKLE ESPERANZA A
6037 HOWARD AVE
RIVERBANK, CA 95367

132-052-038
RODRIGUEZ LUPE O TR
1904 BARTLEY CT
MODESTO, CA 95355

132-052-009
ALBOR ARTURO & ALBOR MARIA G
6054 DON AVE
RIVERBANK, CA 95367-0000

132-052-026
BARRON LYDIA
2949 WARD AVE
RIVERBANK, CA 95367-0000

132-052-027
ESTRADA ANTHONY & CARMEN TRS
1397 MARYBELLE AVE
SAN LEANDRO, CA 945770000

132-052-034
MENDOZA ROSENDO & RAMONA S TRS
2264 HOOKE WAY
SACRAMENTO, CA 958220000

132-052-013
DE LA TORRE YVETTE
6324 PALMER AVE
RIVERBANK, CA 95367

132-052-035
CIARI PATRICIA G
2865 WARD AVE
RIVERBANK, CA 953670000

132-052-007
WHITE DAVID R & PIXIE S TRS
17800 STEINEGUL RD
ESCALON, CA 95320

132-052-025
ACOSTA MARIA LORETO
2955 WARD AVE
RIVERBANK, CA 95367

132-052-033
CALDERON SULEMA
2901 WARD AVE
RIVERBANK, CA 953672820

132-052-031
RAMOS MARIO
2237 ALAROSE WAY
RIVERBANK, CA 95367

132-037-074
HOUCK MATTHEW
2867 ROBIRDS LN
RIVERBANK, CA 95367

132-036-056
Current Resident
6242 DON RAMON AVE
Riverbank CA 95367

132-036-052
Current Resident
2830 WARD AVE
Riverbank CA 95367

132-052-036
Current Resident
2861 WARD AVE
Riverbank CA 95367-2762

132-052-008
Current Resident
2854 ROSS AVE
Riverbank CA 95367

132-052-038
Current Resident
2849 WARD AVE
Riverbank CA 95367-2762

132-052-009
Current Resident
2860 ROSS AVE
Riverbank CA 95367

132-052-026
Current Resident
2949 WARD AVE
Riverbank CA 95367-2820

132-052-027
Current Resident
2937 WARD AVE
Riverbank CA 95367-2820

132-052-034
Current Resident
6301 PALMER AVE
Riverbank CA 95367

132-052-013
Current Resident
6324 PALMER AVE
Riverbank CA 95367-2807

132-052-035
Current Resident
2865 WARD AVE
Riverbank CA 95367

132-052-007
Current Resident
2848 ROSS AVE
Riverbank CA 95367-2815

132-052-025
Current Resident
2955 WARD AVE
Riverbank CA 95367

132-052-033
Current Resident
2901 WARD AVE
Riverbank CA 95367-2820

132-052-031
Current Resident
2913 WARD AVE
Riverbank CA 95367

132-037-074
Current Resident
2867 ROBIRDS LN
Riverbank CA 95367

Item 5.1

39th Annual Stanislaus County Planning Commissioners' Workshop

TRAINING SEMINARS ON:

SUBDIVISION MAP ACT

CEQA

PLANNING & ZONING LAW

with **Michael Durkee**

Join us for a three part training seminar on the Subdivision Map Act, CEQA compliance and Planning & Zoning Law, by the preeminent land use attorney in the area, Michael Durkee of Nossaman, LLP. Mr. Durkee is widely recognized for his expertise on each of the three subjects and is considered one of California's top creative land use minds.

The trainings will provide clarity, guidance and insight to three critical and foundational laws affecting the daily work of local agencies staff and Planning Commissioners, as well as consultants and others.

Sponsored by: Stanislaus Planning Directors' Association

Saturday | February 27, 2016

Registration 8:00 am

Seminar 8:30 am – 12:00 pm

Stanislaus County Harvest Hall

3800 Cornucopia Way, Modesto

DON'T WAIT! Seating is limited to first 120 attendees

For more information please contact Angela Freitas, Stanislaus County Planning Director at 209/525.6330 or angela@stancounty.com

RSVP

Ann Montgomery

City of Ceres, Planning Division Secretary

209/538.5774

ann.montgomery@ci.ceres.ca.us

RSVP by 2/19/16

Cost

Local Agency: $30

Other: $50