

CITY OF RIVERBANK

RESOLUTION NO. 2014-011

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA,
APPROVING THE GENERAL PLAN AMENDMENT FOR THE 2005-2025 GENERAL
PLAN TO CHANGE THE POLICY LANGUAGE ASSOCIATED WITH THE
ANNEXATION PROCESS, ADD A ZONING COMPATIBILITY MATRIX, AND
RESTORE LAND USE DESIGNATIONS FOR FIFTY-FOUR (54) PROPERTIES**

WHEREAS, the City of Riverbank (the "City") adopted the 2005-2025 General Plan ("General Plan") as its current general plan on April 22, 2009; and

WHEREAS, staff for the City has proposed making changes to the City's existing General Plan to: (1) change the City's annexation process; (2) add a zoning compatibility matrix; and (3) restore land use designations for fifty-four (54) properties (the "General Plan Amendment"); and

WHEREAS, on November 4, 2013, the Planning Commission and City Council held a duly noticed public workshop to discuss and provide City staff direction on annexation/specific plan strategies and language for the proposed General Plan Amendment; and

WHEREAS, as a result of the November 4, 2013 workshop, City staff recommended that the General Plan be amended to: (1) remove the designation of specific areas for annexation and development and add specific criteria for future annexation into the City, which changes are reflected in **Exhibit A**, which attached hereto and incorporated herein by this reference;

WHEREAS, Staff discovered that the recently adopted General Plan does not establish a compatibility table and identified the need to add the General Plan Land Use and Zoning Compatibility Matrix, which is attached hereto as **Exhibit B**, and incorporated herein by this reference, to accomplish the following aspects of the General Plan.

1. Goal LAND-6. Up-To-Date Land Use Element that Can Achieve the Community's Vision for the Future.
2. Policy LAND-6.2. Development applications shall be reviewed and approved only if consistent with the Riverbank General Plan; and

WHEREAS, City staff has identified parcels for which the General Plan Land Use Designation of Mixed Use do not match the current land use or its potential for future use; and

WHEREAS, City staff identified fifty-three (53) parcels within the City that have been designated as multi-use ("MU") in the General Plan but have an existing land use and designation in the zoning code of community commercial ("CC"); and

WHEREAS, City staff has identified one (1) parcel within the City that has been designated as MU in the General Plan, but has an existing land use and designation in the zoning code of medium density residential ("MDR"); and

WHEREAS, amending the General Plan to match the land use designations of these parcels with the land use designations of the zoning code, as shown in **Exhibit C** which is attached hereto and incorporated herein by this reference, is consistent with the following aspects of the General Plan:

1. Goal LAND-4. Commercial and Industrial Development Contributes to the Health, Welfare, and Vitality of the Community.
2. Policy LAND-6.1: The City will review the Land Use Element at least every five years to ensure that it remains responsive to the community's vision with respect to changing conditions.
3. Goal ED-1. Continue to make economic development a priority in Riverbank.
4. Policy ED-2.7: The City will identify appropriate sites for new businesses and expansion of existing businesses in the following areas:
 - Identifying new development sites appropriate to particular land uses, such as commercial and industrial.
 - Tracking vacant spaces with existing buildings.
 - Identifying infill and reuse sites for new development, including potential opportunity for mixed use development.
5. Goal ED-7: Continue to increase Riverbank's base of regional commercial uses, while addressing market opportunities with locally-oriented commercial uses
6. Policy ED-7.1: The City will continue to pursue regional retail development opportunities that would serve the growing population in Riverbank and surrounding communities
7. Policy ED-7.3: The City will pursue locally-oriented commercial uses that are currently underserved in Riverbank, and expand upon the existing base of

local-serving retail and service establishments as population increases create additional market demand

WHEREAS, Government Code section 65353 requires the Planning Commission hold at least one noticed, public hearing on any proposed general plan amendment; and

WHEREAS, the Government Code further requires that a general plan amendment be made only "in the public good"; 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 Planning Commission has reviewed the General Plan Amendment and conducted a public hearing.

WHEREAS, The Planning Commission made the following findings:

1. The proposed General Plan Amendment is consistent with the goals, policies, program and uses of the General Plan.
2. The proposed action to adopt this General Plan Amendment is not a project as defined by Section 15378 of the CEQA Guidelines and there therefore will not require any environmental determination.

WHEREAS, the Planning Commission recommended to the City Council the approval of the aforementioned General Plan Amendment.

WHEREAS, notice of the City Council public hearing on the General Plan Amendment was published in the *Riverbank News*, a newspaper of general circulation, on February 12, 2014.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF RIVERBANK HEREBY FINDS AND DETERMINES AS FOLLOWS:

1. The General Plan Amendment is in the public interest because the General Plan Amendment will change the Implementation Chapter of the General Plan to allow for more flexibility in allowing future annexations in the City than what was previously adopted in the 2005-2025 General Plan. Such annexations may include job-generating land uses such as commercial and industrial developments, thus creating a benefit to residents of the City. The General Plan Amendment also allows for the City to review the specific public benefit of each annexation/specific plan application that is submitted. The General Plan Amendment adds a Land Use Compatibility Matrix that ensures consistency between the General Plan and the City's zoning codes, as

required by state law. (Government Code section 65860). The General Plan Amendment also restores land use designations of fifty-three (53) parcels to ensure that the General Plan reflects the current uses and future plans for those properties.

2. The General Plan Amendment is consistent and compatible with the goals and the vast majority of the policies of the General Plan.
3. The General Plan Amendment is categorically exempt under Article 19 Section 15260 of the CEQA Guidelines.
4. That the General Plan Amendment has been processed in accordance with the California Government Code and the California Environmental Quality Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIVERBANK THAT:

1. The General Plan is hereby amended by deleting the current Page IMP-15 which contains Figure IMPLEMENTATION-1 "Future Specific Plan Areas" and replacing it with the language set forth in Exhibit A of this Resolution.
2. The Riverbank General Plan is hereby amended by the inclusion of the General Plan Land Use and Zoning Compatibility Matrix set forth in Exhibit B of this Resolution.
3. The Riverbank General Plan is hereby amended to reflect the modification of the Land Use Designation of numerous properties, as identified in Exhibit C.
4. Based on the findings set forth in this Resolution, the evidence in the City Staff Report, and such other evidence as received at the Planning Commission and City Council public hearings on this matter, the City Council hereby approves the General Plan Amendment.
5. 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 City Council 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.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 24th day of February, 2014; motioned by Councilmember Darlene Barber-Martinez, seconded by Councilmember Jeanine Tucker, and upon roll call was carried by the following City Council vote of 4-0:

AYES: Barber-Martinez, Jones Cruz, Tucker, and Vice Mayor Campbell
NAYS: None
ABSENT: None
ABSTAIN: None

ATTEST:



Annabelle H. Aguilar, CMC
City Clerk

APPROVED:



Richard D. O'Brien
Mayor

Attachments:

1. Proposed Annexation Language – Exhibit A
2. Land Use and Compatibility Matrix- Exhibit B
3. Mixed Use Survey- Exhibit C

COPY

EXHIBIT A

The section entitled "Geographic Focus" on Page IMP-11 of the 2005-2025 General Plan will be revised to read as follows. Additions to the existing section are noted in italics and deletions are noted with ~~strikethrough~~.

Geographic Focus

~~For~~ *All* new growth areas (areas outside the existing City Limits as of January 1, 2007), the majority of new urban development in the Riverbank Planning Area shall only occur as a result of a specific plan. This General Plan provides guidance for all land use change in the City's Planning Area, including important guidance for the preparation and adoption of specific plans to address new growth areas.

~~In general, three different geographic areas are to be addressed by future specific plans (see Figure IMPLEMENT-1):~~

- ~~1. Southwest Riverbank: south of Patterson Road and west of Oakdale Road~~
- ~~2. Northwest Riverbank: north of Patterson Road and west of the existing developed City~~
- ~~3. East Riverbank: areas, east, northeast, and southeast of the City limits as of January 1, 2007.~~

~~All property owners in a specific plan are encouraged to participate on equal footing in the specific planning process.~~

The City will consider Planning Area Boundaries only if they meet the following criteria:

- 1. The Planning Area is physically contiguous to the existing City limit boundary.*
- 2. Specific Plan areas shall generally be approximately two hundred (200) acres. Smaller specific plan areas shall be considered and allowed subject to City Council approval.*
- 3. A specific plan may encompass a small area if the City finds that it will constitute a significant portion of a distinct and cohesive neighborhood and will otherwise correlate with planning, installation, and financing of infrastructure for the specific plan.*
- 4. Require preparation and approval of a specific plan for each future growth and annexation area to direct comprehensive and orderly planning. In this regard each property owner is required to pay their fair share of the expenses associated with the specific plan effort including CEQA documents.*
- 5. The Specific Plan can demonstrate that facilities, services and infrastructure are adequate to serve proposed annexations in accordance with city standards.*
- 6. Rights of way, utilities, and agricultural buffers shall be included within the specific plan boundary.*

EXHIBIT A

7. *In order to ensure connectivity to the existing city, arterial and collector streets shall be designed, and sufficient rights of way reserved, to comply with the Circulation Element of the 2005-2025 General Plan.*
8. *A single specific plan covering the designated area will be required prior to any project approvals in that area. Development and funding of the specific plan will be the responsibility of the landowner(s) or authorized development representative.*
9. *Specific plans within new growth areas shall be prepared consistent with the "Specific Plan Content" requirements identified on Page IMP-12 of the 2005-2025 General Plan.*
10. *New development in specific plan areas shall not be approved unless there is infrastructure in place or planned including an acceptable financing strategy to support growth.*
11. *City should not consider the annexation of new territory unless or until substantial progress has been made for the previous annexation and/or plan area of approximately 50% built. Meaning that the land is improved beyond vacant parcels. The City, through City Council action, shall consider the progress made for previous annexations/plan areas when considering and allowing for new annexations/plan areas.*

Prior to the initiation of a specific plan, an Application to Initiate a Specific Plan shall be reviewed and approved by the City Council. Such Application shall include the following:

1. *A completed Uniform Application Form;*
2. *Description of the proposed project;*
3. *A vicinity map, showing the proposed specific plan area, relationship to the City's City Limits and Sphere of Influence, and areas within one (1) mile of the property or properties;*
4. *A location map, showing the planning area and all exterior property lines within 300 feet of the specific plan area;*
5. *The existing homes or structures, addresses and assessor parcel numbers for the properties shown on the location map, listed from the latest assessor's roll;*
6. *The existing land use and proposed land use (General Plan and Zoning) designations, densities, and acreage as shown on the location map;*
7. *A statement of the relationship between the proposed specific plan area with the adopted General Plan; and*
8. *A Pre-Annexation Funding Agreement.*

Upon approval by the Riverbank City Council, preparation of the specific plan, and its contents, shall comply with this Implementation Chapter of the General Plan.

**City of Riverbank
General Plan and Zoning Matrix
February 24, 2014
EXHIBIT "B"**

City of Riverbank 2005-2025 General Plan

General Plan Land Use Classification	Density	Compatible Zone District
Clustered Rural Residential (RR)	0.2 - 1 du/net ac	County Estate Zoning
Lower-Density Residential (LDR)	Max 8 du/net ac	R-1, Single Family Residential PD, Planned Development
Medium-Density Residential (MDR)	8-16 du/net ac	R-2, Duplex Residential PD, Planned Development
Higher-Density Residential (HDR)	Min. 16 du/net ac	R-3, Multiple Family Residential PD, Planned Development
Community Commercial (CC)	FAR 0.3	C-1, Neighborhood Commercial C-2, General Commercial CM, Commercial-Industrial
Industrial/Business Park (I/BP)	N/A	CM, Commercial-Industrial M-1, Light Industrial M-2, Heavy Industrial
Mixed Use (MU)	18 du/net ac	CX - 1, Mixed Use
Parks (P)		Any Zone District
Infill Opportunity Area (IOA)		
Buffer/Greenway/Open Space (B/G/OS)		Public/Open Space
Multi-Use Recreation/Resource Management (MUR/R)		Plain, Public,
Ag Resource Conservation		No Zoning
Civic		Public and Quasi Public
Reserve Overlay		

Exhibit "C": Mixed Use Survey

February 24, 2014

City of Riverbank Mixed Use Survey GPA Sites

APN	ADDRESS	ACRES	2005-2025 GENERAL PLAN LAND USE DESIGNATION	PROPOSED ACTION (GENERAL PLAN LAND USE DESIGNATION)
074-005-052	2119 Patterson Rd	1.158	MU	CC - Community Commercial
074-005-053	6411 Oakdale Rd	0.797	MU	CC - Community Commercial
074-021-004	6345 Oakdale Rd	0.760	MU	CC - Community Commercial
074-021-075	0 Oakdale Rd	2.717	MU	CC - Community Commercial
074-021-076	2120 Patterson Rd	0.524	MU	CC - Community Commercial
074-021-077	6331 Oakdale Rd	1.022	MU	CC - Community Commercial
074-021-078	6333 Oakdale Rd	0.753	MU	CC - Community Commercial
075-004-046	6607 Callander Ave	0.216	MU	CC - Community Commercial
075-007-008	2367 Patterson Rd	0.294	MU	CC - Community Commercial
075-007-036	0 Estelle Ave	0.817	MU	CC - Community Commercial
075-007-039	0 Estelle Ave	0.149	MU	CC - Community Commercial
075-007-040	2369 Patterson Rd	1.076	MU	CC - Community Commercial
075-007-042	6443 Estelle Ave	1.358	MU	CC - Community Commercial
075-008-029	2525 Patterson Rd	8.011	MU	CC - Community Commercial
075-008-031	2505 Patterson Rd	0.300	MU	CC - Community Commercial
075-008-032	2401 Patterson Rd	0.742	MU	CC - Community Commercial
075-008-033	2421 Patterson Rd	2.085	MU	CC - Community Commercial
075-009-015	6505 Callander Ave	0.981	MU	CC - Community Commercial
075-009-046	2754 W Sierra St	1.042	MU	CC - Community Commercial
075-009-048	2773 Patterson Rd	0.609	MU	CC - Community Commercial

Exhibit "C": Mixed Use Survey

February 24, 2014

075-009-049	2761 Patterson Rd	0.514	MU	CC - Community Commercial
075-009-050	2707 Patterson Rd	0.456	MU	CC - Community Commercial
075-009-051	2701 Patterson Rd	0.537	MU	CC - Community Commercial
075-009-052	2673 Patterson Rd	0.349	MU	CC - Community Commercial
075-009-053	2667 Patterson Rd	0.317	MU	CC - Community Commercial
075-009-054	2661 Patterson Rd	0.325	MU	CC - Community Commercial
075-009-055	2641 Patterson Rd	0.952	MU	CC - Community Commercial
075-009-071	2603 Patterson Rd	1.170	MU	CC - Community Commercial
075-011-002	2300 Patterson Rd	0.747	MU	CC - Community Commercial
075-011-003	2318 Patterson Rd	0.491	MU	CC - Community Commercial
075-011-005	2372 Patterson Rd	0.525	MU	CC - Community Commercial
075-011-033	0 Patterson Rd	5.858	MU	CC - Community Commercial
075-011-034	2406 Patterson Rd	7.677	MU	CC - Community Commercial
075-011-047	2200 Patterson Rd	0.797	MU	CC - Community Commercial
075-011-048	2256 Patterson Rd	0.915	MU	CC - Community Commercial
075-011-049	0 Patterson Rd	0.915	MU	CC - Community Commercial
075-011-050	2240 Patterson Rd	1.581	MU	CC - Community Commercial
075-011-051	2224 Patterson Rd	1.641	MU	CC - Community Commercial
075-011-052	2202 Patterson Rd	0.987	MU	CC - Community Commercial
075-026-040	6436 Oakdale Rd	2.891	MU	CC - Community Commercial
075-026-041	0 Patterson Rd	0.989	MU	CC - Community Commercial

Exhibit "C": Mixed Use Survey

February 24, 2014

075-026-042	0 Patterson Rd	1.069	MU	CC - Community Commercial
075-026-043	2225 Patterson Rd	1.029	MU	CC - Community Commercial
075-026-044	2213 Patterson Rd	0.783	MU	CC - Community Commercial
075-026-045	2201 Patterson Rd	1.068	MU	CC - Community Commercial
075-043-051	2572 Patterson Rd	0.484	MU	CC - Community Commercial
075-043-052	6331 Jackson Ave	0.256	MU	CC - Community Commercial
075-043-054	2560 Patterson Rd	1.079	MU	CC - Community Commercial
075-043-068	2536 Patterson Rd	3.508	MU	CC - Community Commercial
075-043-069	2542 Patterson Rd	1.111	MU	CC - Community Commercial
132-047-077	3952 Patterson Rd	4.272	MU	MDR - Medium Density Residential
132-051-007	2906 Patterson Rd	0.444	MU	CC - Community Commercial
132-051-034	2836 Patterson Rd	0.310	MU	CC - Community Commercial
132-051-035	2808 Patterson Rd	1.557	MU	CC - Community Commercial
Total Acres*		73.015		

Total Number of Sites: 54

2005 - 2025 General Plan	
LDR	Low Density Residential
MDR	Medium Density Residential
HDR	Higher Density Residential
CC	Community Commercial
I / BP	Industrial/Business Park
MU	Mixed Use
CIVIC	Public and Quasi Public