



CITY OF RIVERBANK SPECIAL PLANNING COMMISSION MEETING

SPECIAL NOTICING OF MEETING PROCEDURES FOR

Tuesday, September 1, 2020 AT 6:00 P.M.

VIA TELECONFERENCE OR VIRTUAL PLATFORM ONLY – NO PUBLIC LOCATION
OF THIS MEETING

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE GOVERNOR'S NEW EXECUTIVE ORDER N-29-20, ISSUED ON MARCH 17, 2020, REGARDING THE OPEN MEETING REQUIREMENTS OF THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT IN AN EFFORT TO HELP AVOID THE SPREAD OF COVID-19, TO MAXIMIZE TRANSPARENCY, AND PROVIDE PUBLIC ACCESS TO CITY COUNCIL MEETINGS.

PLANNING COMMISSION AGENDA

TUESDAY, SEPTEMBER 1, 2020 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE PLANNING DEPARTMENTS OFFICE AND AT

WWW.RIVERBANK.ORG)

CALL TO ORDER:

Chair: Mallorie Fenrich

ROLL CALL:

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

Send comments via email to dkenney@riverbank.org or call (209) 863-7172, or other platforms posted. In the subject line indicate “#1 Public Comment”.

CONFLICT OF INTEREST

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

1. PUBLIC COMMENTS (No Action Can Be Taken)

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

2. CONSENT CALENDAR

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

2. CONSENT CALENDAR - Continued

Item 2.1: Posting of the Agenda. The Agenda for the September 1, 2020 Special Planning Commission Meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, city website, and emailed to the Library on August 26, 2020.

Item 2.2: Approval of the September 1, 2020 Agenda. This provides an opportunity for the Planning Commission or Staff to recommend that an item be placed on the agenda for discussion or to adjust the proposed agenda to allow an item to be taken out of order.

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

3. PLANNING COMMISSION PUBLIC HEARINGS

The public notice for Items 3.1 was published in the Riverbank News on August 19, 2020. The 300 ft. property owner notices of the public hearing were mailed out via US Postal Service on August 19, 2020.

Item 3.1: **Development Agreement No. 03-2019 and Conditional Use Permit No. 01-2020 – DT California – Aeriz** - The project consists of a Development Agreement and a Conditional Use Permit to permit commercial cannabis activities in existing and future buildings at 2906 Santa Fe Street (APN: 132-034-012, 132-023-020, 132-034-017). The project site has a General Plan Land Use Designation of Mixed Use (MU) and is zoned Cannery District (CD) within the Downtown Specific Plan.

Phases 1 and 2 in existing buildings at the proposed project site qualify for categorical exemptions pursuant to Section 15301 of Title 14 of the California Code of Regulations applicable to existing facilities involving no expansion of the facility that will not have a significant effect on the environment. Phase 3 in a future building(s) will require additional CEQA analysis, Architecture and Site Plan Review, and potentially an amendment to the Downtown Specific Plan.

Recommendation: Approval of Resolution #2020-009 to recommend approval of the Development Agreement to the City Council.

1st _____ 2nd _____

Recommendation: Approval of Resolution #2020-010 to approve the Conditional Use Permit.

1st _____ 2nd _____

4. PLANNING COMMISSION PRESENTATION (Information only)

None.

5. PLANNING COMMISSION COMMENTS

None.

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

None.

7. STAFF COMMENTS (Information Only – No Action)

None.

8. ADJOURNMENT

Regular Planning Commission meeting – September 15, 2020 @ 6:00 p.m.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act. Posted this 26th day of August, 2020

/s/ Gabriel Salazar, Associate Planner, City of Riverbank

NOTICE REGARDING AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Dept. at (209) 863-7122 or the City Clerk at aaquilar@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements. A notification of 48 hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

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

GENERAL INFORMATION

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

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

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

City Hall Hours: City Hall is currently CLOSED to the public.

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

CHANGES TO THIS NOTICE OF PROCEDURES

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



PUBLIC PARTICIPATION PROCEDURES FOR THE PLANNING COMMISSION MEETINGS HELD IN A TELECONFERENCE OR VIRTUAL PLATFORM IN CONFORMANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20

In accordance with the Governor's Executive Order, should the meeting procedures change, the City may use the most rapid means of communication available at the time including, but not limited to, posting the notice of changes on the City's website.

PUBLIC "LIVE" VIEWING

- Charter Government Channel – 2
- AT&T U-VERSE Government Channel – 99
- YouTube Live Stream <https://www.youtube.com/watch?v=7UN98ekdzdk>
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS

- **Via U.S. Postal Service:** Mail comments to City of Riverbank, Attn. Planning and Building Manager, 6707 Third Street, Suite A, Riverbank, CA 95367. (Must be received by 5:00 p.m. prior to the meeting.)

Via Email to dkenney@riverbank.org:

- Emails before the meeting: (Will be distributed to the City Council)
 - Submit No later than 5:00 p.m. on the day of the meeting; and
 - Indicate Agenda Item # in the *subject line*.
- Emails during the meeting:
 - Indicate Agenda Item # in the subject line.

Join via ZOOM Platform:

- Visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.
- Join by this link: <https://us02web.zoom.us/j/88672586346>
- Join by accessing website: <https://zoom.us/join>
 - Webinar ID: 886 7258 6346
- Join by telephone: 1 669 900 9128 Webinar ID: 866 7258 6346
- **HOW DO I COMMENT?** The Chair will announce when public comment may be made for the agenda item, at which time you will:
 - Using a computer – click on the “raise hand” feature in the webinar controls. This will let us know you wish to speak.

- Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.
- Using a Phone – Dial *9, which will notify us that you have a “raised hand”
 - Once you are told “you may make your comments” you will have 3 minutes to make your comments.

Learn about using ZOOM - Visit <https://support.zoom.us/hc/en-us/categories/201146643>