

PLANNING COMMISSION

Chair, Michael Halterman
Vice Chair, John Dinan
Commissioner, Joan Stewart
Commissioner, Natasha Basso
Commissioner, Taide Zamora
Alternate, Armando Jr. Rodriguez
Alternate, Alex Rodriguez



CITY OF RIVERBANK

Planning Commission Meeting

Council Chambers
6707 Third Street • Suite B
Riverbank, CA 95367

AMENDED AGENDA (ITEM 7.1 ADDED)

MAY 19, 2026 — 6:00 PM

(THE AGENDA PACKET IS ONLINE AT [HTTPS://RIVERBANKCA.PORTAL.CIVICCLERK.COM/](https://riverbankca.portal.civicclerk.com/))

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **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.

4. **PUBLIC COMMENTS - (No action can be taken)**

5. **CONSENT CALENDAR**

Item 5.1. Posting of the Agenda. The Agenda for May 19, 2026, 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 May 14, 2026.

Item 5.2. Approval of May 19, 2026, 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.

Item 5.3. Approval of March 31, 2026, Special Planning Commission Meeting minutes, having been read by the individual Commissioners and stands approved as submitted. Abstain: None.

6. **PUBLIC HEARING - (Public Notice for items 6.1 and 6.2 was published on May 6, 2026, in the Riverbank News).**

Item 6.1. CONDITION OF APPROVAL AMENDMENT FOR VESTING TENTATIVE SUBDIVISION MAP NO. 01-2025 (DEPT. FILE NO. 25-0010) – MEADOWVIEW – Reso. # 2026-005

The project is a request to amend Condition of Approval No. 9 applied to Vesting

Tentative Subdivision Map No. 01-2025 to allow a slope easement in lieu of a block retaining wall, located at 4537 California Avenue, at the northwest corner of the Snedigar Road and California Avenue intersection (APN 062-021-007). The project is exempt from CEQA per Section 21159.21 (a-j), Exemption for Qualified Housing Projects.

Item 6.2. CONDITIONAL USE PERMIT NO. 01-2026 (DEPT. FILE NO. 26-0010) – MCRITCHIE COMMUNITY CENTER – Reso. # 2026-006

The project is a request for a Conditional Use Permit to allow the existing McRitchie Community Center to be rented out for events and to be able to serve alcoholic beverages during events, located at 6600 3rd Street, between Santa Fe and Stanislaus Street (APN 132-012-024). The project is exempt from CEQA per Section 15301, Existing Facilities.

7. NEW BUSINESS

Item 7.1. GENERAL PLAN AMENDMENT 01-2025, ZONING ORDINANCE AMENDMENT 01-2025, SPECIFIC PLAN AMENDMENT 01-2025, REZONE 02-2025 (DEPT. FILE 25-0030) – HOUSING ELEMENT ADOPTION, LAND USE ELEMENT AMENDMENT, ZONING ORDINANCE AMENDMENTS AND 6TH CYCLE HOUSING ELEMENT IMPLEMENTATION REZONES

Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the Approval of a General Plan Amendment to adopt the 6th Cycle Housing Element, amend the General Plan Land Use Element to establish a maximum density for the Higher Density Residential and Mixed Use General Plan Land Use Designations, and to authorize Staff to submit the 6th Cycle Housing Element to the State of California Housing and Community Development Department for Certification

Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the approval of an Ordinance amending the Riverbank Municipal Code by amending Sections §153.067 And §153.071 and adding Sections §153.166 Through §153.169 entitled “Regional Housing Needs Assessment Overlay”

Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending the City Council approval of site-specific General Plan Amendments and an Ordinance for Specific Plan Amendment to the Crossroads Community Specific Plan, and site-specific Rezones associated 6th Cycle Housing Element Implementation Rezones.

The Project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and Public Resources Code 21080.085

8. CORRESPONDENCE/ COUNTY REFERRALS

Item 8.1. Tivoli North- Notice of Preparation

9. STAFF COMMENTS / INFORMATIONAL UPDATES

Item 9.1. Joshua Mann, Community Development Director provided an update to Commissioners on recent and upcoming items and provided an article from Farmland Working Group.

10. ADJOURNMENT - Next Regular Planning Commission Meeting - June 16, 2026 @ 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 at the meeting location, on the North City Hall public exterior bulletin board, South City Hall public exterior Bulletin, Riverbank Community Center exterior bulletin, and the City's website 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act.
Posted this Day of May 14th day of May 2026

/s/ Janet Smullen, Sr. CDS, City of Riverbank



ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, and the Governor's Executive Order N-29-20, the City will make every effort to make reasonable modifications or accommodations from individuals with disabilities. Contact the Administration Dept. at (209) 863-7122 or the City Clerk at cityclerk@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements for accessibility.

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 Council/LRA Board shall be in English and anyone wishing to address the Council 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.

TELECONFERENCE/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR CITY COUNCIL MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC "LIVE" VIEWING

- Government Channels: Charter — 2 and AT&T U-VERSE — 99
- YouTube Live — City of Riverbank
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the date of the meeting in order for them to be distributed to the Council prior to consideration of the matter.

Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 p.m., please call the City Clerk's Office at (209) 863-7198 or the Administration Dept. at (209) 863-7122.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS BEFORE THE 5:00 PM DEADLINE

- **Via Mail Service:** Mail comments to City of Riverbank, Attn: City Clerk, 6707 Third Street, Suite A, Riverbank, CA 95367. (Call 209-863-7198 / 209-863-7122 to ensure they were received.)
- **Via Email:** Director of Community Development - jmann@riverbank.org
(*Note: This technology is not a guaranteed method.*)
 - Indicate Agenda Item # in the *subject line*. (Call 209-863-7198 / 209-863-7122 to ensure receipt.)
- **Oral Comments In-Person:** The Mayor will ask the public if anyone wishes to comment, at that time you may approach the podium.
- **Oral Comments Via Zoom:** The Mayor will announce when public comments may be made for a limit of 3 minutes on the agenda item being considered, at which time you will:
 - **Using a computer** — click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak, and you will be unmuted.
 - **Using a Phone** — press *9 to “raise the hand”. This will alert staff that you wish to speak, and you will be unmuted.
 - (Please make sure the volume on your device is on and that any nearby device or any nearby device is turned down.)

Teleconference Phone Number: (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM

while making oral comments, please immediately call the teleconference phone number **(209) 863-7151** so that Council may receive your comments. Council will be waiting for your call.
Thank you.

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: <https://us02web.zoom.us/j/86737881996>

Join by accessing website: <https://zoom.us/join> — enter Webinar ID: **867 3788 1996**

Join by telephone: 1 669 444 9171 OR 1 669 900 9128, plus Webinar ID: **867 3788 1996**

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PLANNING COMMISSION

Chair, Taide Zamora
Vice Chair, Michael Halterman
Commissioner, John Dinan
Commissioner, Joan Stewart
Commissioner, Natasha Basso
Alternate, Armando Jr. Rodriguez
Alternate, Alex Rodriguez



CITY OF RIVERBANK

Special Planning Commission Meeting

City Council Chambers
6707 Third Street • Suite B
Riverbank, CA 95367



MINUTES SPECIAL PLANNING COMMISSION MEETING TUESDAY, MARCH 31, 2026 — 6:00 PM

(THE AGENDA PACKET IS ONLINE AT [HTTPS://RIVERBANKCA.PORTAL.CIVICCLERK.COM/](https://riverbankca.portal.civicclerk.com/))

1. CALL TO ORDER

Chair: Taide Zamora called the meeting to order at 6:00 p.m.

2. ROLL CALL

Present: Chair: Taide Zamora, Vice Chair: Michael Halterman, Commissioners: John Dinan, Joan Stewart, Natasha Basso and Commissioner Alternates: Armando Rodriguez Jr. and Alex Rodriguez

Absent: None

3. CONFLICT OF INTEREST

None Declared.

4. PUBLIC COMMENTS

Chair Taide Zamora opened Public Comment. There being none, it was closed.

5. CONSENT CALENDAR

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

Item 5.1. Posting of the Agenda. The Agenda for March 31, 2026, Planning Commission meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, City website, and emailed to the Library on March 26, 2026.

Item 5.2. Approval of March 31, 2026, 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.

ACTION: *By motion moved/second for items 5.1 & 5.2 were approved by (Dinan / Stewart passed 5-0) as submitted; Motion carried by the following roll call vote.*

Ayes: Planning Commissioners: Zamora, Halterman, Dinan, Stewart, and Basso

Nays: None

Abstained: None

Absent: None

- Item 5.3.** Approval of November 18, 2025, Planning Commission Meeting minutes, having been read by the individual Commissioners and stands approved as submitted. Abstain from voting: Joan Stewart (absent).

ACTION: *By motion moved/second for item 5.3, was approved by (Basso / Halterman passed 4/0) as submitted; Motion carried by the following roll call vote.*

Ayes: Planning Commissioners: Zamora, Halterman, Dinan, and Basso

Nays: None

Abstained: Stewart

Absent: None

6. PLANNING COMMISSION PROCEDURES

- Item 6.1.** Annual Nomination and Appointment of Chair and Vice Chair – Per Planning Commission Rules and Procedures. The current order is Chair Taide Zamora, Vice Chair Michael “Syd” Halterman, Commissioners John Dinan, Natasha Basso, Joan Stewart. Alternate Commissioners Armando Rodriguez and Alex Rodriguez.

New Order: Chair Michael “Syd” Halterman, Vice Chair John Dinan, Commissioners Natasha Basso, Joan Stewart, Taide Zamora. Alternate Commissioners Armando Rodriguez and Alex Rodriguez.

ACTION: *By motion moved/second (Halterman / Basso passed 5-0) was approved as submitted; Motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Zamora, Halterman, Stewart, Basso and Dinan

Nays: None

Absent: None

7. NEW BUSINESS - Public Notice for Item 7.1 was published on March 11, 2026, in the Riverbank News.

- Item 7.1. 2025 GENERAL PLAN AND HOUSING ELEMENT ANNUAL PROGRESS REPORT:** California Government Code Section 65400 requires an annual report to be provided to the City Council, the California Department of Housing and Community Development (HCD), and the State of California Governor's Office of Land Use and Climate Innovation (LCI). The purpose of the annual report is to provide the City Council, HCD, and LCI progress report on the General Plan and its implementation, and the Housing Element's implementation status toward meeting the City's fair share of its Regional Housing Needs Allocation. The 2025 Annual Progress Report is not considered a project under CEQA.

- Teresa McDonald, Sr. Planner presented item 7.1 and PowerPoint
- The public hearing was opened with no comments. The public hearing was closed.

ACTION: By motion moved/second (Dinan / Basso passed 5-0) was approved as submitted; Motion carried by unanimous roll call vote.

Ayes: Planning Commissioners: Halterman, Dinan, Stewart, Basso and Zamora

Nays: None

Absent: None

8. PUBLIC HEARING - Public Notice for items 8.1 and 8.2 was published on March 11, 2026, in the Riverbank News.

Item 8.1. GENERAL PLAN AMENDMENT AND ZONING ORDINANCE AMENDMENT 01-2025 HOUSING ELEMENT ADOPTION AND LAND USE ELEMENT AMENDMENT AND ZONING ORDINANCE AMENDMENTS RELATED TO THE MIXED USE (CX-1) ZONING DISTRICT AND RHNA OVERLAY DISTRICT.

General Plan Amendment 01-2025: To consider a Resolution recommending to the City Council of the City of Riverbank to approve a General Plan Amendment to amend the General Plan to replace the adopted Housing Element with the 6th Cycle Housing Element, amend the General Plan Land Use Element to establish a maximum density for the Higher Density Residential and Mixed Use General Plan Land Use Designations, and to authorize Staff to submit the 6th Cycle Housing Element to the California Department of Housing and Community Development for Certification. The City’s Final 6th Cycle Housing Element has been prepared in accordance with Government Code Section 65580 et al., which specifies the content of the Housing Element. The City’s Final 6th Cycle Housing Element consists of an analysis and evaluation of existing housing needs, resource site inventory, constraints on housing, an analysis of fair housing (Affirmatively Furthering Fair Housing), an evaluation of the City’s current Housing Element Policies and Programs and updated/new Policies and Programs for the 6th Cycle Planning Period.

Zoning Ordinance Amendment 01-2025: To consider a Resolution recommending to the City Council of the City of Riverbank to adopt an Ordinance to amend the Riverbank Municipal Code by amending Sections §153.067 and §153.071 and adding Sections §153.166 through §153.169 entitled “Regional Housing Needs Assessment Overlay”.

- David Niskanen, along with Jayla Smith, contract planners with J.B. Anderson Land Use Planning, presented item 8.1 and PowerPoint.
- Planning Commission asked some questions.

- *David Niskanen responded to the comments.*
- *The Public Hearing opened at 6:34 p.m.*
- *Diego Hernandez called in on Zoom and had questions on civic uses.*
- *Evelyn Halbert called in on Zoom and had a question about the DTSP area.*
- *The Public Hearing closed at 6:40 p.m.*

ACTION: *By motion moved/second (Zamora / Basso passed 5-0) was approved with memo; Motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Halterman, Dinan, Stewart, Basso and Zamora

Nays: None

Absent: None

Item 8.2. GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT 01-2025, AND REZONE 02-2025 - SITE-SPECIFIC GENERAL PLAN AMENDMENTS, REZONES AND SPECIFIC PLAN AMENDMENTS TO IMPLEMENT PROGRAM 1.1A OF THE 6th CYCLE HOUSING ELEMENT INCLUDING THE FOLLOWING:

0 Talbot Avenue (APN: 132-038-032): The site currently has a general plan designation of Industrial/Business Park (I/BP) and a zoning designation of Light Industrial (M-1). The project proposes to amend the General Plan designation to Higher-Density Residential (HDR) and amend the zoning designation to Multiple Family Residential (R-3).

5443 Roselle Avenue (APN: 075-069-029): The site currently has a general plan designation of Mixed Use (MU) and a zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Commercial (NC). The project proposed to amend the General Plan designation to Higher-Density Residential (HDR) and amend the specific plan land use designation to Medium/High Density Residential (MHR).

0 Roselle Avenue (APN 075-075-052): The site currently has a general plan designation of Civic (C) and a zoning designation of Crossroads Community Specific Plan (SP-1), Public/Quasi-Public (P/QP). The project proposes to amend the General Plan designation to Higher-Density Residential (HDR) and amend the Specific Plan land use designation to Medium/High Density Residential (MHR).

5054 Roselle Avenue (APN 075-025-010), 2819 Claribel Road (APN 075-014-026), & 0 Claribel Road (APN 075-014-027): The sites currently have a general plan designation of Mixed Use (MU) and a zoning designation of Crossroads Community Specific Plan (SP-1), Highway Commercial (HC). The project proposes

to amend the Specific Plan land use designation to Mixed Use (CX-1), which will be added as a land use category in the Crossroads Community Specific Plan.

2561 Claribel Road (APN 075-093-025): The site currently has a general plan designation of Community Commercial (C/C) and a zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Park/Basin (NP/B). The project proposes to amend the General Plan designation to Mixed Use (MU) and the Specific Plan land use designation to Mixed Use (CX-1), which will be added as a land use category in the Crossroads Community Specific Plan.

0 Kentucky Avenue (APN 062-022-027): The site currently has a general plan designation of Lower Density Residential (LDR) and a zoning designation of Planned Development (P-D) 71. The project proposed to amend the General Plan designation to Higher-Density Residential (HDR) and amend the zoning designation to Multiple Family Residential (R-3).

The items described above are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common sense Exemption), and further pursuant to Public Resources Code 21080.085, which exempts rezoning actions that implement the jurisdiction's Housing Element.

- *Teresa McDonald, Senior Planner, presented item 8.2 and PowerPoint.*
- *The commission had a few questions for staff.*
- *Teresa responded to the Commissioners' questions.*
- *The Public Hearing opened at 6:50 p.m.*
- *Jordan Davidson lives near 0 Roselle Ave. and opposes the rezone.*
- *Michael Christy also opposes the rezone of 0 Roselle Ave.*
- *Melinda Torres stated she didn't receive a letter and also opposes the rezone of 0 Roselle Ave.*
- *Katherine Davidson also opposes the rezone of 0 Roselle Ave.*
- *Zoom Call from Diego Hernandez stated he didn't receive a letter regarding 0 Roselle Ave.*
- *Sandy Vanfleet opposes the rezone of 0 Roselle Ave.*

- *Rafael Torres opposes the rezone of 0 Roselle Ave.*
- *Cheryl Dentmoore opposes the rezone of 0 Roselle Ave.*
- *Jerimiah Jensen opposes the rezone of 0 Roselle Ave.*
- *Jake Vanfleet opposes the rezone of 0 Roselle Ave.*
- *Commissioner Basso asked about utilities at 0 Roselle Ave.*
- *Joshua Mann, Community Development Director, responded to Basso.*
- *Commissioner Halterman asked staff some questions.*
- *Joshua Mann, Community Development Director, responded to Halterman's questions.*
- *Evelyn Halbert called in on Zoom and had a question about CX1 zoning.*
- *Teresa McDonald, Sr. Planner responded to Evelyn's question.*
- *Jerry Richards had some questions on the rezone for the Housing Element.*
- *Joshua Mann, Community Development Director, responded to his question.*
- *Commissioner Stewart asked some additional questions.*
- *David Niskanen, responded to Stewart's question.*
- *The Commission had some additional questions about the time frame for the Housing Element.*
- *Joshua Varinsky, City Attorney, also responded that if the city did not have a certified Housing Element they would have penalties.*
- *Jeromey Richard also opposed the rezone of 0 Roselle Ave.*

- *The Public Hearing closed at 7:26 p.m.*

ACTION: *By motion moved/second (Dinan / Basso passed 5-0) was approved as submitted; Motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Halterman, Dinan, Stewart, Basso and Zamora

Nays: None

Absent: None

9. STAFF COMMENTS / INFORMATIONAL UPDATES

Item 9.1. Joshua Mann, Community Development Director to provide an update to Commissioners on recent and upcoming items.

Chair Halterman provided an update on the North County Corridor project and road closures.

10. COUNTY REFERRAL/CORRESPONDENCE/INFORMATION

None.

11. ADJOURNMENT - Next Regular Planning Commission Meeting - April 21, 2026 @ 6:00 p.m.

ATTEST: (Adopted 00/00/0000)

APPROVED:

Joshua Mann
Community Development Director

Michael Halterman
Chair

**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

ITEM NO: 6.1 **May 19, 2026**

APPLICATION: Request to Recommend City Council Approval of a Modification to Condition of Approval No. 9 for Vesting Tentative Subdivision Map No. 01-2025 for the Meadowview Subdivision to Allow a Slope Easement in Lieu of a Block Retaining Wall Along the Rear Property Lines of Lots 18 through 31, Located at 4537 California Avenue, APN 062-021-007.

OWNER: Cary Pope
3237 Riverside Drive
Riverbank, CA 95367

APPLICANT: Cary Pope
3237 Riverside Drive
Riverbank, CA 95367

ENGINEER: Rick Mummert (Benchmark Engineering, Inc.)
4265 Spyres Way, Ste A
Modesto, CA 95356

LOCATION/APN: The proposed Project is located east of Claus Road, south of Patterson Road, west of Elanor Avenue, and north of Kentucky Avenue. The address is 4537 California Avenue APN: 062-021-007.

GENERAL PLAN: Medium-Density Residential (MDR)

ZONING: Single-Family Residential (SFR)

ENVIRONMENTAL DETERMINATION: Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 – Exemption for Qualified Housing Projects

PROJECT PLANNER: Joshua Mann, Director of Community Development

RECOMMENDATION: Adoption of Resolution No. 2026-005 recommending to City Council the approval to modify Condition of Approval No. 9 for Vesting Tentative Subdivision Map No. 01-2025 for the Meadowview Subdivision to allow a slope easement in lieu of a block retaining

wall along the rear property lines of Lots 18 through 31, subject to compliance with City of Riverbank Standard Detail 901.

EXECUTIVE SUMMARY

The Meadowview Subdivision was approved by the City Council on August 26, 2025. The approved project includes Rezone No. 01-2025, Vesting Tentative Subdivision Map No. 01-2025 and Architecture and Site Plan Review No. 04-2025 to create thirty-one single-family residential lots and one dual-use stormwater basin on a 5.83± acre site at 4537 California Avenue.

The applicant is requesting to modify Condition of Approval No. 9. The current condition prohibits a slope easement along the rear property lines of Lots 18 through 31 and requires the applicant to construct a block retaining wall along the shared property boundary. The applicant is requesting to use a slope easement in lieu of the block retaining wall.

Planning staff discussed the request with the City Engineer. The City Engineer has no concerns with allowing the slope easement, provided the final grading and improvement plans comply with City standards. City of Riverbank Standard Detail 901 allows transition grading to be addressed through a retaining wall, slope transition or a combination of both, subject to City review and approval.

The requested modification does not change the approved subdivision layout, number of lots, density, architecture or circulation. The modification only changes how the grade transition along the rear of Lots 18 through 31 may be addressed. If Condition No. 9 did not expressly prohibit the slope easement, this request could have been reviewed administratively through the final grading and improvement plan process.

BACKGROUND

The Meadowview project site is located at the northwest corner of Snedigar Road and California Avenue. The City Council approved the project as a compact detached single-family residential subdivision with thirty-one lots and a dual-use stormwater basin. The original staff report stated that a CMU block retaining wall would be required between Lots 18 through 31 and that the applicant had originally proposed a slope easement.

Condition of Approval No. 9 was added to require a block retaining wall along the rear property lines of Lots 18 through 31. The purpose of the condition was to address grade differentials and ensure stability along the shared property boundary.

After approval, the applicant requested that the City allow the grade transition to be addressed through a slope easement instead of a block retaining wall. Planning staff and the City Engineer reviewed the request. The City Engineer has no concerns with allowing the slope easement, subject to final grading and improvement plan review.

Because Condition No. 9 expressly states that a slope easement shall not be permitted, the condition must be modified by the City Council before staff can approve the requested alternative.

PROJECT ANALYSIS

The requested modification is narrow. It does not affect the approved land use, number of lots, density, circulation pattern, street layout, architecture or overall subdivision design.

The request only affects the method used to address transition grading along the rear property lines of Lots 18 through 31.

City of Riverbank Standard Detail 901 provides the City's typical transition grading requirements. The standard allows transition grading to be addressed through retaining walls or slope transitions, depending on the elevation difference, site conditions and City approval. The detail also identifies that retaining walls and fences are subject to review and approval by Public Works and Community Development.

Based on the City's standard detail and the City Engineer's review, a slope easement is an acceptable alternative in this location. The City Engineer has no concerns with allowing the slope easement, provided the final design complies with City standards and adequately addresses drainage, grade transition, slope stability and maintenance.

The current condition is more restrictive than the City's standard detail. It removes administrative flexibility by prohibiting a slope easement entirely. The recommended modification restores that flexibility while preserving City Engineer review and approval.

REVISED CONDITION NO. 9 (per City Council Resolution No. 2025-093)

Condition No. 9 is recommended to be amended as follows:

The rear property lines of Lots 18 through 31 shall be designed to address grade differentials, drainage, slope stability and long-term maintenance to the satisfaction of the City Engineer. Transition grading may be provided through a retaining wall, slope transition, slope easement or combination thereof, provided the design complies with City of Riverbank Standard Detail 901 and is approved by the City Engineer. If a slope easement is approved, the easement shall be shown on the Final Map or recorded by separate instrument, as determined by the City Engineer and City Attorney. The easement shall include adequate rights and obligations for

construction, access, inspection, maintenance, drainage, slope stability and protection of affected lots. Any retaining wall, if required, shall be designed in accordance with applicable building codes and City standards and shall be shown on the final grading and improvement plans, subject to review and approval by the City Engineer and Building Official.

ENVIRONMENTAL DETERMINATION

The requested condition modification does not change the approved subdivision density, land use, circulation, number of lots or residential design. The original project was determined to be exempt under CEQA Guidelines Section 21159.21 for qualified housing projects.

The proposed modification is limited to transition grading along the rear of Lots 18 through 31. The modification allows the applicant to use a grading method allowed under City Standard Detail 901, subject to City Engineer approval. The modification does not create a new environmental impact and does not substantially increase the severity of any previously identified impact.

PUBLIC NOTICE

On May 6, 2026, public notices for the Planning Commission hearing were mailed to all property owners within 300-feet of the project location. The Planning Commission hearing notice was published in the Riverbank News on May 6, 2026. The notice was posted on the City's website and physically posted at City Hall North, South, the US Post Office and sent to the library on May 6, 2026.

RECOMMENDATION

Adoption of Resolution No. 2026-005 recommending to City Council the approval to modify Condition of Approval No. 9 for Vesting Tentative Subdivision Map No. 01-2025 for the Meadowview Subdivision to allow a slope easement in lieu of a block retaining wall along the rear property lines of Lots 18 through 31, subject to compliance with City of Riverbank Standard Detail 901.

ATTACHMENTS

1. Planning Commission Resolution No. 2026-005

Exhibit A – Meadowview (VTSM) Condition of Approval No. 9

CITY OF RIVERBANK

RESOLUTION 2026-005

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK RECOMMENDING CITY COUNCIL APPROVAL OF A MODIFICATION TO CONDITION OF APPROVAL NO. 9 FOR VESTING TENTATIVE SUBDIVISION MAP NO. 01-2025, MEADOWVIEW, TO ALLOW A SLOPE EASEMENT IN LIEU OF A BLOCK RETAINING WALL ALONG THE REAR PROPERTY LINES OF LOTS 18 THROUGH 31, LOCATED AT 4537 CALIFORNIA AVENUE, APN: 062-021-007

WHEREAS, an application was previously received from Cary Pope, with a proposal to subdivide approximately 5.83± acres into thirty-one single-family residential lots, located at 4537 California Avenue and particularly described as Stanislaus County Assessor Parcel Number 062-021-007; and

WHEREAS, Vesting Tentative Map No. 01-2025 was reviewed by the Riverbank Planning Commission at a regular meeting held on June 17, 2025, in the manner prescribed by law; and

WHEREAS, the Riverbank Planning Commission adopted Resolution No. 2025-010 recommending approval of Vesting Tentative Map No. 01-2025 to the City Council, subject to Conditions of Approval; and

WHEREAS, the City Council approved Vesting Tentative Subdivision Map No. 01-2025 for the Meadowview Subdivision on August 26, 2025, subject to Conditions of Approval; and

WHEREAS, Condition of Approval No. 9 currently states that a slope easement shall not be permitted along the rear property lines of Lots 18 through 31 and requires the applicant to construct a block retaining wall along the shared property boundary to retain grade differentials and ensure stability; and

WHEREAS, the applicant has requested a modification to Condition of Approval No. 9 to allow a slope easement in lieu of the required block retaining wall along the rear property lines of Lots 18 through 31; and

WHEREAS, the purpose of Condition of Approval No. 9 is to ensure that grade differentials, drainage, slope stability and long-term maintenance are properly addressed along the affected rear property lines; and

WHEREAS, City of Riverbank Standard Detail 901, Typical Transition Grading Requirements, allows transition grading to be addressed through retaining walls, slope transitions or a combination thereof, subject to City review and approval; and

WHEREAS, Planning staff discussed the requested modification with the City Engineer, and the City Engineer has no concerns with allowing the slope easement, provided the final grading and improvement plans comply with City standards and remain subject to City Engineer review and approval; and

WHEREAS, if Condition of Approval No. 9 did not expressly prohibit a slope easement, the requested grading treatment could have been reviewed administratively through the final grading and improvement plan review process; and

WHEREAS, the requested modification does not change the approved land use, number of lots, density, circulation, subdivision layout or residential design; and

WHEREAS, all other Conditions of Approval for Vesting Tentative Subdivision Map No. 01-2025 would remain in full force and effect unless expressly modified by City Council action.

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

- A. The requested modification is consistent with the approved Vesting Tentative Subdivision Map because it does not alter the approved subdivision layout, number of lots, density or circulation.
- B. The requested modification is consistent with City standards because City Standard Detail 901 allows transition grading to be addressed through a retaining wall, slope transition or combination thereof, subject to City review and approval.
- C. The requested modification will continue to require City Engineer review and approval to ensure that the final design adequately addresses grade differentials, drainage, slope stability, maintenance and protection of affected lots.
- D. The requested modification will not be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood because the request is limited to the method used to address transition grading along the rear property lines of Lots 18 through 31.
- E. Pursuant to the California Environmental Quality Act, the proposed

modification does not require additional environmental analysis because the modification is limited to transition grading and does not change the approved residential subdivision, number of lots, land use, density, circulation or residential design.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Riverbank recommends that the City Council approve a modification to Condition of Approval No. 9 for Vesting Tentative Subdivision Map No. 01-2025 as follows:

Modified Condition of Approval No. 9

The rear property lines of Lots 18 through 31 shall be designed to address grade differentials, drainage, slope stability and long-term maintenance to the satisfaction of the City Engineer. Transition grading may be provided through a retaining wall, slope transition, slope easement or combination thereof, provided the design complies with City of Riverbank Standard Detail 901 (or other applicable city standards) and is approved by the City Engineer. If a slope easement is approved, the easement shall be shown on the Final Map or recorded by separate instrument, as determined by the City Engineer and Community Development Director. The easement shall include adequate rights and obligations for construction, access, inspection, maintenance, drainage, slope stability and protection of affected lots.

BE IT FURTHER RESOLVED that the Planning Commission recommends that all other Conditions of Approval adopted for Vesting Tentative Subdivision Map No. 01-2025 remain unchanged and in full force and effect

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 19th day of May 2026; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ___/___:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Approved:

Joshua E. Mann
Director of Community Development

Taide Zamora, Chairperson
Planning Commission

Exhibit A – Proposed Modified Condition of Approval No. 9

Condition of Approval No. 9 (per City Council Resolution No. 2025-093)

- ~~9. A slope easement shall not be permitted along the rear property lines of Lots 18 through 31. In lieu of the slope easement, the applicant shall construct a block retaining wall along the shared property boundary to retain grade differentials and ensure stability. The retaining wall shall be designed in accordance with applicable building codes and City standards, and shall be shown on the final grading and improvement plans, subject to the review and approval of the City Engineer and Building Official.~~

Modified Condition of Approval No. 9

9. The rear property lines of Lots 18 through 31 shall be designed to address grade differentials, drainage, slope stability and long-term maintenance to the satisfaction of the City Engineer. Transition grading may be provided through a retaining wall, slope transition, slope easement or combination thereof, provided the design complies with City of Riverbank Standard Detail 901 (or other applicable city standards) and is approved by the City Engineer. If a slope easement is approved, the easement shall be shown on the Final Map or recorded by separate instrument, as determined by the City Engineer and Community Development Director. The easement shall include adequate rights and obligations for construction, access, inspection, maintenance, drainage, slope stability and protection of affected lots.

**CITY OF RIVERBANK PLANNING COMMISSION
STAFF REPORT**

ITEM NO:	6.2	May 19, 2026
APPLICATION:	Conditional Use Permit Application No. 01-2026 (Dept. File No. 26-0010) – McRitchie Community Center Request to allow the existing community center to be rented out for events and to be able to serve alcoholic beverages during events.	
OWNER:	Housing Authority of the City of Riverbank	
APPLICANT:	Stanislaus Regional Housing Authority	
REPRESENTATIVE:	Stanislaus Regional Housing Authority	
LOCATION/APN:	6600 3rd Street, between Santa Fe and Stanislaus Street	
ASSESSOR'S PARCEL:	132-012-024	
GENERAL PLAN:	Mixed Use (MU)	
ZONING:	Downtown Specific Plan (SP-3), Downtown Core	
ENVIRONMENTAL DETERMINATION:	CEQA Exempt – 15301 Existing Facilities	
PROJECT PLANNER:	Teresa McDonald, Senior Planner	
RECOMMENDATION:	Make the required findings for project approval and adopt Resolution No. 2026-006 approving Conditional Use Permit Application No. 01-2026.	

EXECUTIVE SUMMARY

The architecture and site plan for the existing building were approved on August 15, 2023, by Planning Commission Resolution No. 2023-007, with the proposed use listed as a community center for seniors. The applicant is requesting to have the ability to rent out the space for events, and for those events to be able to serve alcoholic beverages. The request does not involve new construction or expansion of the existing building. Halls and establishments serving alcoholic beverages require a conditional use permit in accordance with the Downtown Specific Plan (DTSP). The community center will be used for community-oriented activities, meetings, and future rentals for private and nonprofit events. Typical uses may include small gatherings, educational programs, social events, and community meetings, which will take place within the building. The hours of operation

are Monday through Sunday from 8:00 am to 12:00 am, with a maximum capacity of 159 people.

SITE DESCRIPTION

The project site is located at 6600 3rd Street, between Santa Fe and Stanislaus Street. The property is improved with a 1,723± square foot community center building, landscaping, and paved parking lot with 15 spaces. The site has access onto Stanislaus Street via an existing alley located at the rear of the parking lot. The site is surrounded by commercial uses to the north across the alley, residential uses to the east, commercial and residential uses to the south across Stanislaus Street, and commercial uses to the west.

ISSUES

The project is located in the Downtown Core, which is intended to support active civic, cultural, commercial and community-serving uses. The conditions of approval require the applicant to follow the approved hours of operation, keep the site clean and orderly, comply with all applicable City and State requirements for alcohol service and operate the facility in a manner that avoids nuisance activity or impacts to nearby properties.

GENERAL PLAN CONSISTENCY

The project site is designated as Mixed Use (MU) in City of Riverbank General Plan. The MU designation accommodates neighborhood-scale retail uses, offices, personal and commercial services and other similar uses. This MU designation is the primary category for Riverbank to accommodate neighborhood-serving retail, services, offices, and similar needs as described and planned for in the City's 2005-2025 General Plan. The MU land use classification is anticipated to be mainly non-residential development according to the City's General Plan.

Goal LAND-4, Policy LAND-3.5 of the Land Use Element is to encourage the development and redevelopment of downtown as a mixed-use high-activity area, and Goal ED-8 of the Economic Development Element is to support and expand upon downtown revitalization initiatives. Accordingly, staff believe the proposed use can be found to be consistent with the General Plan because it supports an active downtown community use within an existing building and does not change the underlying mixed-use character of the site.

ZONING ORDINANCE CONSISTENCY

The project site is located within the Downtown Specific Plan (DTSP) area and is zoned Downtown Core. As outlined in the DTSP, the Downtown Core zone is the most urban and most vibrant district within the DTSP. Commercial block buildings built to the back of the sidewalk have ground floor activity-generating uses in shop fronts and a mix of uses

on upper floors. Parking is provided on-street and in shared parking lots located behind buildings. The Downtown Core zone allows the Main Street Retail, General Commercial, Residential, Workplace, Lodging, and Civic & Culture land use categories. Eating and/or drinking establishments serving alcoholic beverages and dance halls are permitted with a conditional use permit. The requested event rental use with alcohol service is consistent with the types of active civic, cultural and commercial uses anticipated in the Downtown Core, subject to approval of a conditional use permit and compliance with conditions of approval.

Parking

Section 2.3.3 of the DTSP provides specific parking requirements based on land use category, as stated in the parking provisions. Parking requirements for renovations, enlargements, or use changes apply only to net new floor area and/or the incremental increase in parking demand that accompanies a higher use intensity. Main Street Retail, General Commercial, and Corridor Commercial uses require a minimum of two spaces per 1,000 square feet according to the parking provisions chart. Under this standard, the 1,723± square foot building requires a minimum of four (4) parking spaces. The DTSP allows non-residential parking requirements to be satisfied on-site, off-site within 800 feet of the project (approximately two City blocks), through payment of a one-time in-lieu fee per required space, or through participation in shared parking arrangements. With 15 on-site parking spaces, the project exceeds the minimum number of spaces required by the DTSP. Additional parking is also available off-site within 800 feet of the site. The demand for parking is expected to be consistent with the existing use of the site when operated in compliance with the conditions of approval.

Conditional Use Permit

The Riverbank Municipal Code regulates the sale of alcoholic beverages, including beer and wine, for on- or off-site consumption throughout the City of Riverbank. A conditional use permit (CUP) allows the City to apply appropriate conditions to the use permit that ensure compliance with the established performance standards, approved activities, and penalties for violations. In order to be approved, the activity is required to adhere to the following performance standards:

1. That it does not result in adverse effects to the health, peace, or safety of persons residing or working in the surrounding area;
2. That it does not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;
3. That it does not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal

- parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests;
4. That it does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute; and
 5. That its upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

In addition to the performance standards outlined above, the following findings are required for the Planning Commission to approve any use permit:

1. The proposed use is consistent with the general plan, any applicable specific plan, and all applicable provisions of this chapter;
2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, and general welfare of the persons residing or working in the neighborhood or to the general welfare of the city;
3. The proposed use is consistent with the purpose of the applicable zoning district or districts; and
4. The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the city and state.

Section 153.367 of the RMC establishes formal procedures should the applicant violate, fail to meet, or not adhere to the performance standards outlined above. Should the City receive complaints from the public, Police Department, or any other interested parties and verify that violations have occurred or are occurring, the approval of the CUP may be reviewed by the Planning Commission at a public hearing. The Planning Commission, after receiving public testimony, may add new conditions, amend existing conditions or revoke the CUP.

Based on the project location, existing building, Downtown Core zoning, proposed operational conditions and the City's ability to review, modify or revoke the CUP if nuisance conditions occur, staff believes the proposed use can satisfy the required findings. The project will not expand the building footprint and will allow continued community-serving use of the site. Conditions of approval provide ongoing tools to address alcohol service, noise, parking, event operations and compatibility with nearby uses. As such, Staff believes the project can be found to be consistent with the Downtown Specific Plan and the Riverbank Municipal Code.

ENVIRONMENTAL DETERMINATION

The project will have minimal impact upon the environment and meets all applicable criteria to qualify as categorically exempt from further review under the California Environmental Quality Act (CEQA). The proposed Project meets the criteria of Article 19, Categorical Exemption 15301, Existing Facilities. 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.

CONDITIONS OF APPROVAL

To ensure compatibility with the surrounding neighborhood and to support the DTSP's goal of preserving a small-town character, the project shall be subject to all Conditions of Approval outlined in Exhibit A of Attachment 3 - *Planning Commission Resolution No. 2026-006 (Conditional Use Permit 01-2026)*.

PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News, posted at City Hall North and South, and mailed to landowners within 300-feet of the project site on May 6, 2026. In addition, the applicant posted a Notice of Development Permit Application at the project site on May 04, 2026. At the time of writing this Report, the City has not received any correspondence from surrounding landowners.

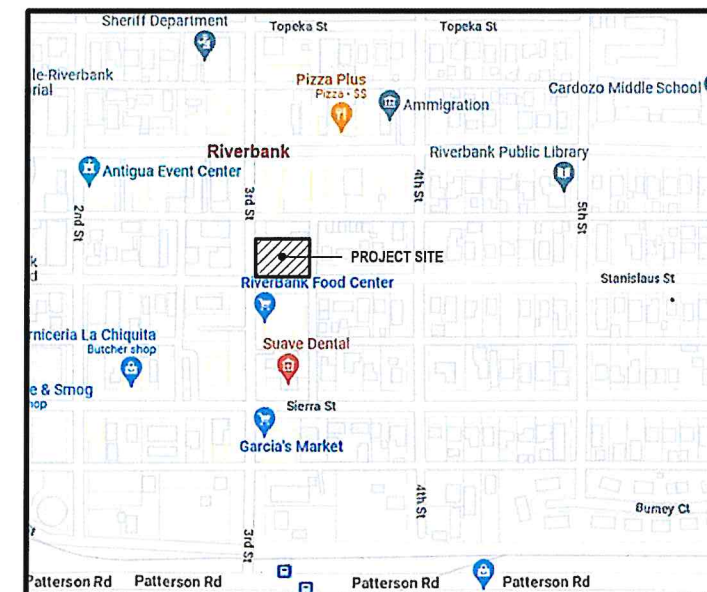
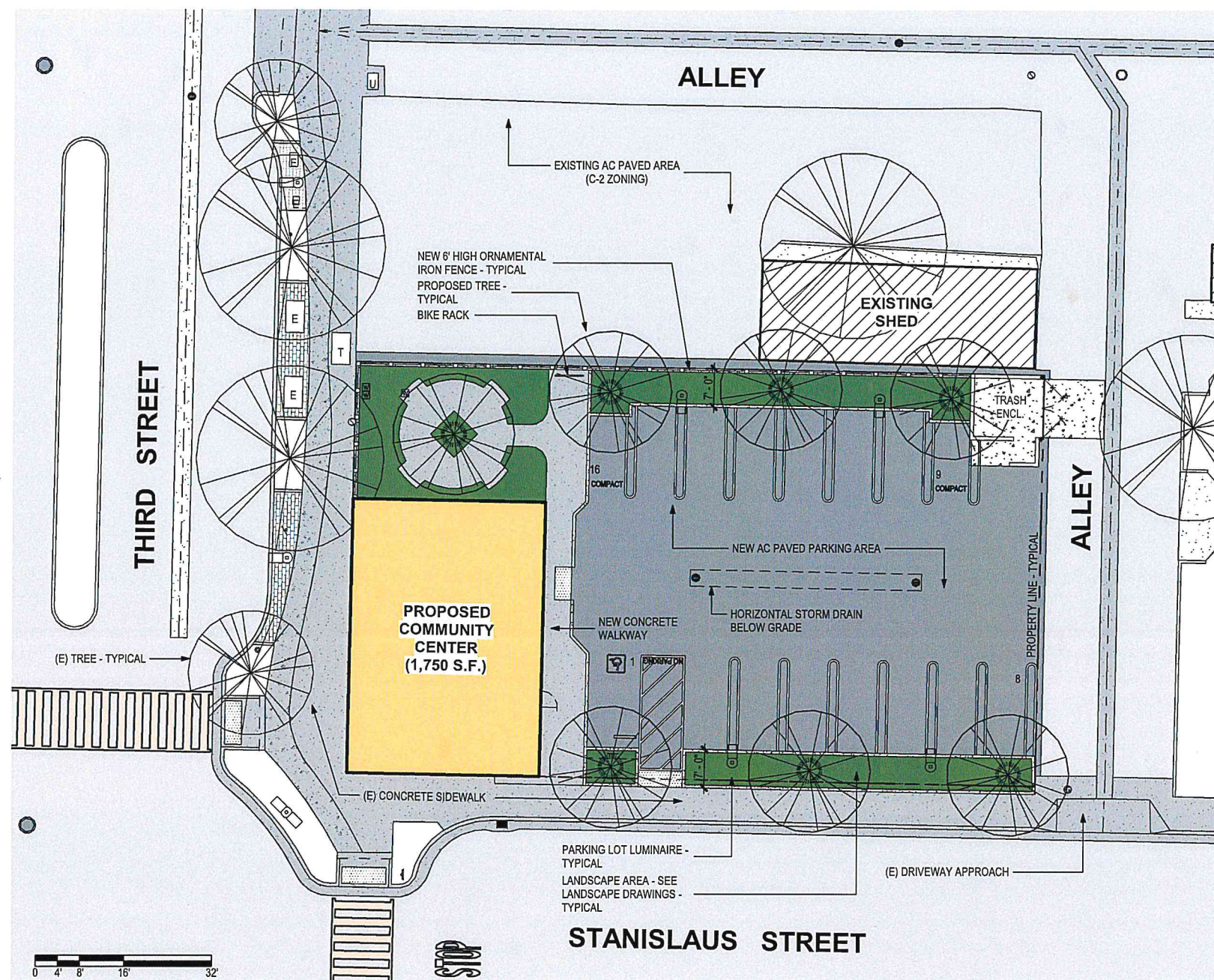
RECOMMENDATION

Staff recommend the Planning Commission approve the project, make the required findings and adopt Resolution No. 2026-006 approving Conditional Use Permit Application No. 01-2026, based on the discussion above and on the whole of the record provided to the City. If the Planning Commission approves the project, the aforementioned Resolution provides an overview of the findings and actions required for project approval.

ATTACHMENTS

1. Site Plan, Floor Plans, and Elevations
2. Applicant's Statement in Support of Findings
3. Planning Commission Resolution No. 2026-006 (Conditional Use Permit Application No. 01-2026)
Exhibit A – Conditions of Approval

Respectfully Submitted By: Teresa McDonald, Senior Planner



VICINITY MAP

SITE INFORMATION:

APN:	132-012-024
CURRENT USE:	OPEN PARKING
CURRENT ZONING:	GENERAL COMMERCIAL (C-2)
PROPOSED ZONING:	GENERAL COMMERCIAL (C-2)
GENERAL PLAN DESIGNATION:	MIXED USE (DOWNTOWN CORE)
PROPERTY SIZE:	9,375 S.F. / 0.22 AC
BUILDING COVERAGE:	19%
ON-SITE PARKING:	16 SPACES
ACCESSIBLE PARKING REQUIRED:	1
ACCESSIBLE PARKING PROVIDED:	1

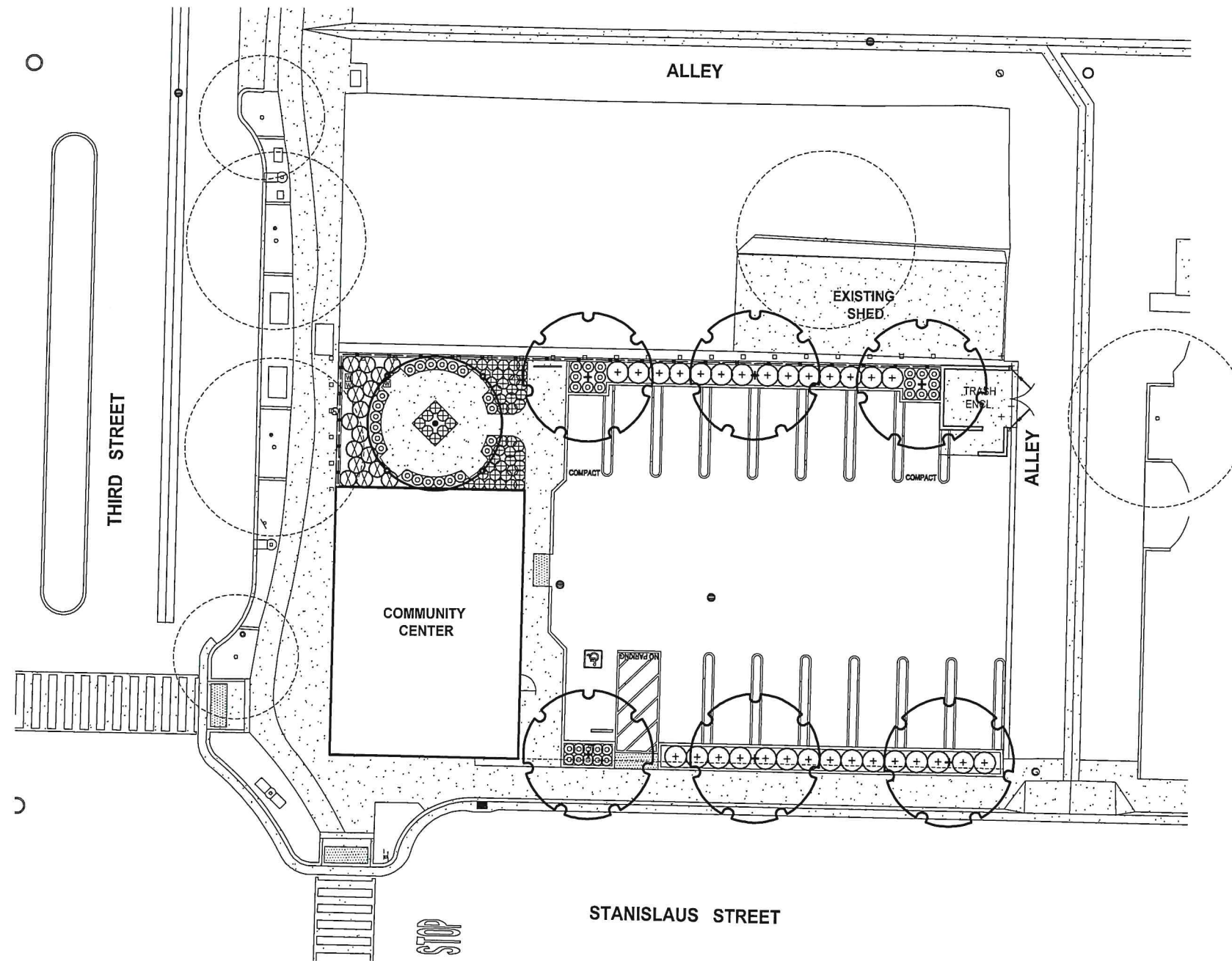
**PLANNING SITE PLAN
RIVERBANK COMMUNITY CENTER**

SCALE: 1/6" = 1'-0"



CITY OF RIVERBANK

DATE: 02/21/2023



PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	SPAC	WATER
TREES						
+	<i>Pistacia chinensis</i> 'Keith Davey'	Keith Davey Chinese Pistache	6	24" Box	-	Low
•	<i>Quercus lobata</i>	Valley Oak	1	24" Box	-	Low
SHRUBS						
⊗	<i>Nandina domestica</i> 'Gulf Stream'	Gulf Stream Heavenly Bamboo	17	5 Gal.	36" O.C.	Low
+	<i>Trachelospermum asiaticum</i>	Asiatic Jasmine	29	5 Gal.	48" O.C.	Low
⊕	<i>Tulbaghia violacea</i> 'Green'	Green Society Garlic	52	1 Gal.	24" O.C.	Low
⊙	<i>Tulbaghia violacea</i> 'Silver Lace'	Silver Lace Society Garlic	48	1 Gal.	24" O.C.	Low

IRRIGATION NOTES

1. All planting areas to be watered by drip irrigation system.
2. All drip zones to be operated automatically by Irrigation controller.
3. Irrigation system to be designed and constructed in compliance with the most recent Model Water Efficient Landscape Ordinance.



RON L. SMITH
LANDSCAPE ARCHITECT
(209) 524-7949
Ron@RonSmithLandscapeArchitect.com

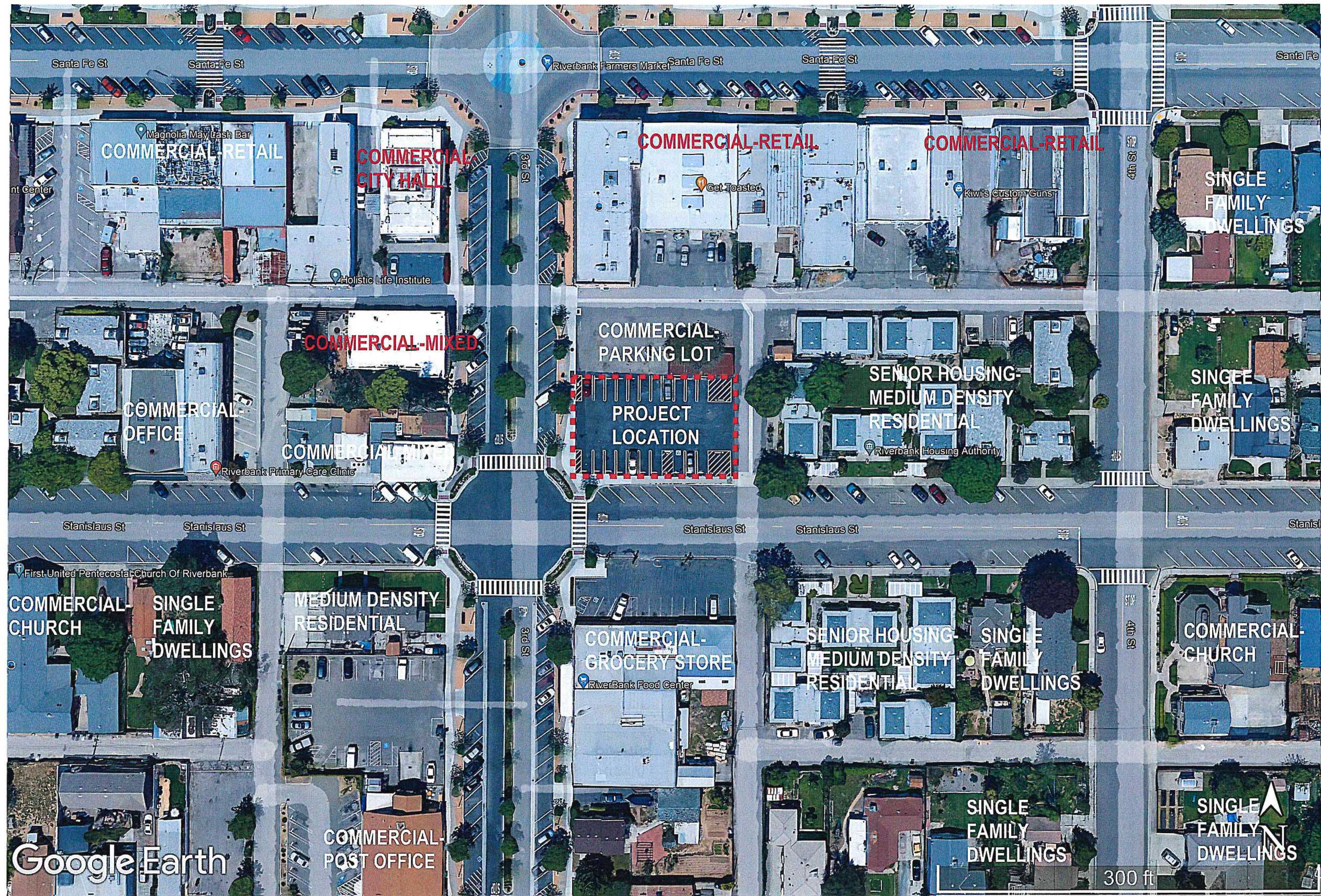
LANDSCAPE & IRRIGATION PLAN RIVERBANK COMMUNITY CENTER

SCALE: 1/16" = 1'-0"



CITY OF RIVERBANK

DATE: 03/03/23



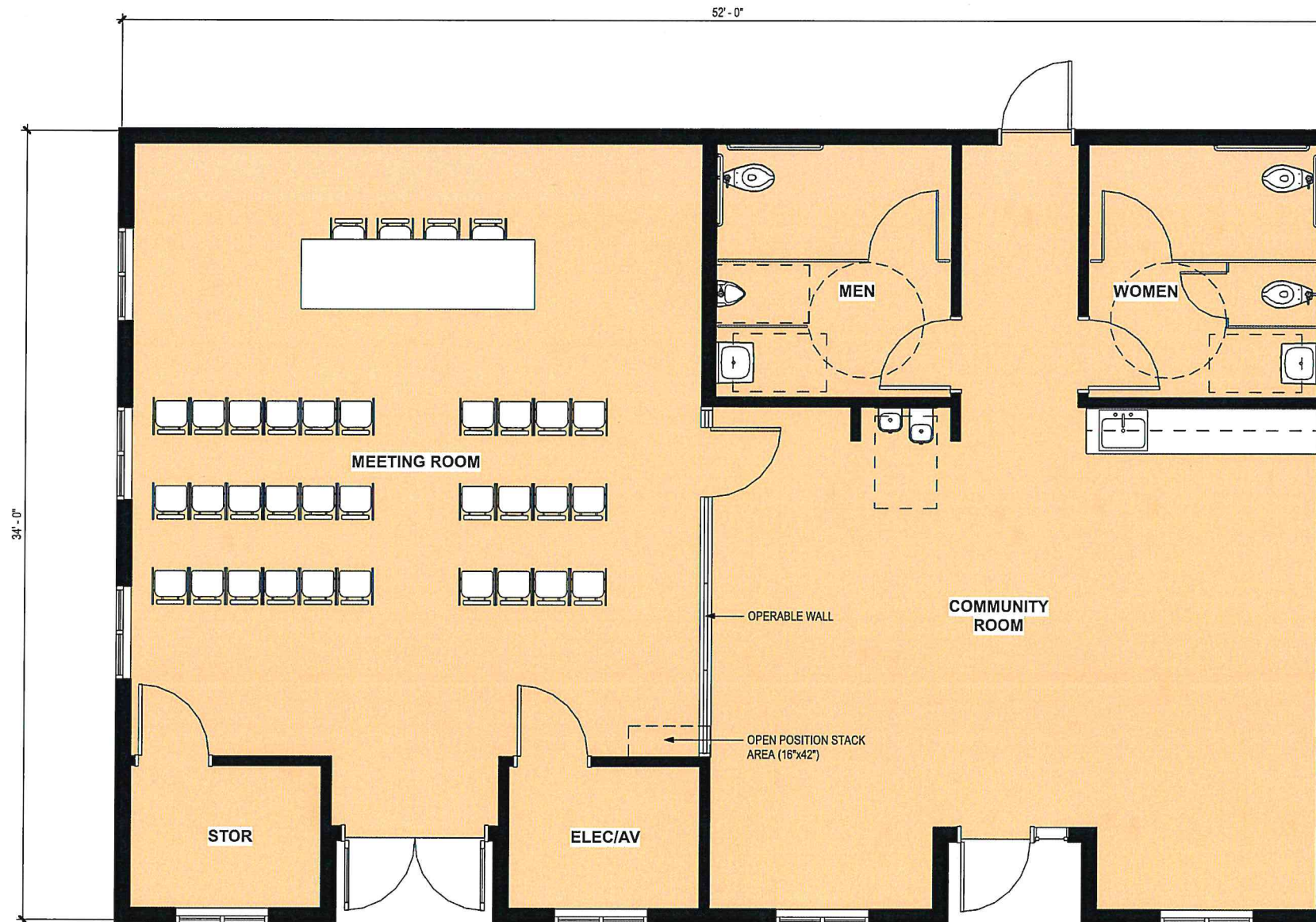
LOCATION MAP - RIVERBANK COMMUNITY CENTER

SCALE: 12" = 1'-0"



CITY OF RIVERBANK

DATE: 03/03/23



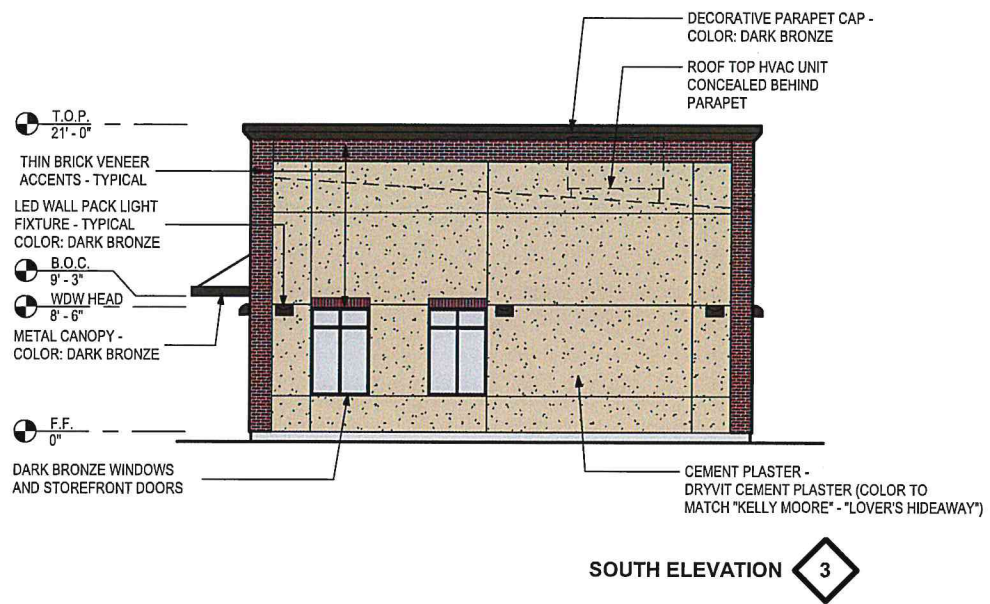
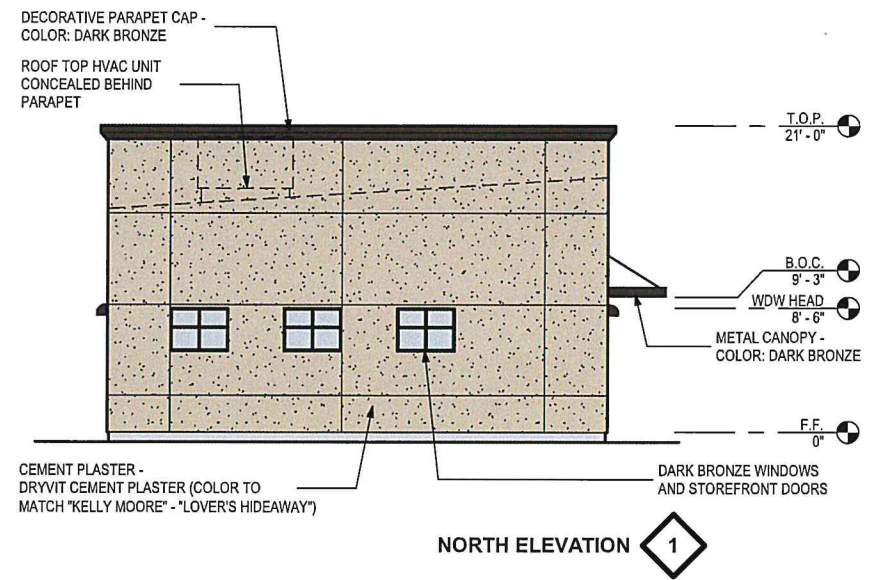
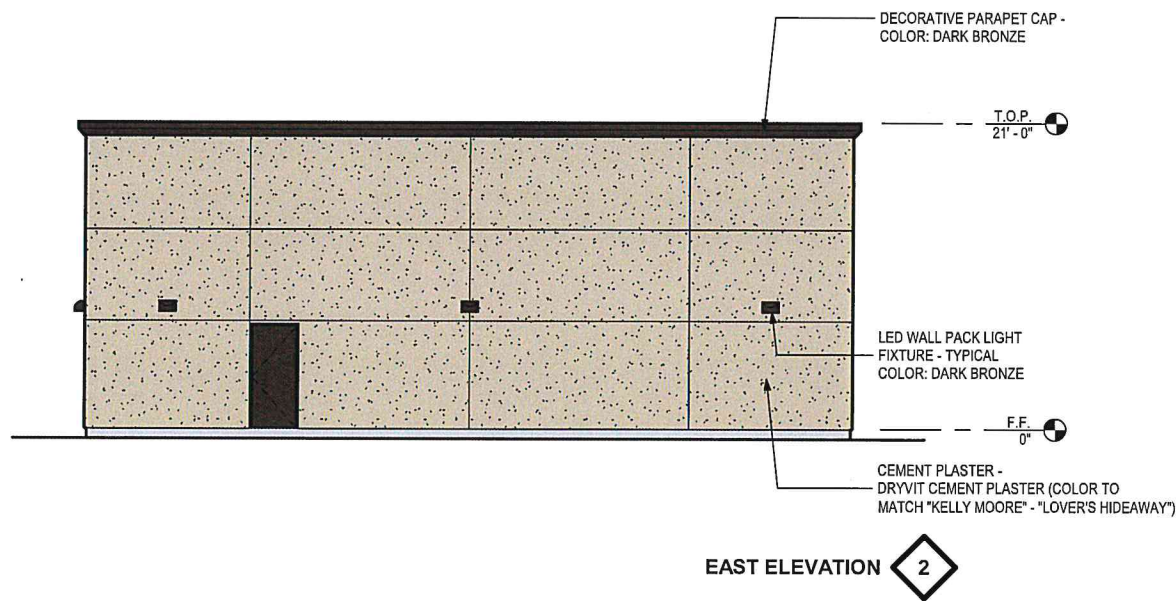
FLOOR PLAN - RIVERBANK COMMUNITY CENTER 1,750 S.F.

SCALE: 1/4" = 1'-0"



CITY OF RIVERBANK

DATE: 02/21/2023



EXTERIOR ELEVATIONS - RIVERBANK COMMUNITY CENTER

SCALE: NTS



CITY OF RIVERBANK

DATE: 03/03/2023



Stanislaus Regional Housing Authority

ALPINE | AMADOR | CALAVERAS | INYO | MARIPOSA
MONO | STANISLAUS | TUOLUMNE COUNTIES

Statement in Support of Conditional Use Permit Finding (CUP)

Project Location: 6600 3rd Street, Riverbank CA

Proposal to operate a community center located at 6600 3rd Street in the City of Riverbank. The community center will be used for community-oriented activities, meetings, and future rentals for private and nonprofit events. Typical uses may include small gatherings, educational programs, social events, and community meetings.

Consistency with Zoning and General Plan

The community center is an allowable conditional use under the applicable zoning designation and is consistent with the City of Riverbank General Plan. The use supports the City's goals of encouraging community services and providing spaces for social and civic engagement. The proposed operation is appropriate for the site and surrounding area.

Compatibility with Surrounding Properties

The community center will be operated in a manner that is compatible with nearby properties. Activities will occur within reasonable hours, and operational policies will be implemented to minimize noise, lighting, and other potential impacts. The renters will be required to comply with established rules to ensure orderly use and consideration for neighboring properties.

Public Health, Safety and Welfare

The proposed use will comply with all applicable building, fire, and safety regulations, including occupancy limits and accessibility requirements. Emergency access will be maintained at all times. The operation of the community center will not create conditions that would be detrimental to public health, safety, or general welfare.

Traffic and Parking

Adequate on-site parking is provided to serve the proposed use in compliance with City requirements. Events will be scheduled and managed to avoid undue traffic congestion. The anticipated traffic levels are consistent with similar community-oriented uses and will not adversely affect surrounding streets.



Stanislaus Regional Housing Authority

ALPINE | AMADOR | CALAVERAS | INYO | MARIPOSA
MONO | STANISLAUS | TUOLUMNE COUNTIES

No Detrimental Impact

Given the nature of the proposed use and the characteristics of the site, the community center will not be detrimental or injurious to nearby properties or improvements. The facility will be maintained and operated in an orderly and responsible manner that is compatible with the surrounding neighborhood.

Based on the project's design, location, and operational characteristics, the proposed community center at 6600 3rd Street meets the required findings for approval of a Conditional Use Permit. The project will provide a beneficial community resource while maintaining compatibility with the surrounding area and complying with all applicable City regulations.

**City of Riverbank
Planning Commission
Resolution No. 2026-006**

A Resolution of the Planning Commission Approving Conditional Use Permit Application No. 01-2026 (Dept. File No. 26-0010) for the McRitchie Community Center Located at 6600 3rd Street, APN: 132-012-024

Whereas, a Conditional Use Permit application has been received for the McRitchie Community Center to allow the building to be rented out for events and to allow alcoholic beverages to be served during approved events, located at 6600 3rd Street (APN: 132-012-024); and

Whereas, the property has a General Plan Land Use designation of Mixed Use (MU) and is zoned Downtown Core within the Downtown Specific Plan (DTSP); and

Whereas, areas with the MU General Plan Land Use designation are anticipated to accommodate neighborhood-scale retail uses, offices, personal and commercial services and similar land uses during the buildout of the General Plan; and

Whereas, Section 2.2.2 of the Downtown Specific Plan requires a Conditional Use Permit (CUP) for halls and establishments serving alcoholic beverages, as applicable to the proposed event rental and alcohol service use; and

Whereas, Section 153.361 of the City of Riverbank's Municipal Code requires a Conditional Use Permit (CUP) be obtained for the sale of alcoholic beverages, including beer and wine, for on or off-site consumption; and

Whereas, approval of CUP Application No. 01-2026 would allow the facility to be rented out for events and allow alcoholic beverages to be served during approved events, subject to the conditions of approval and compliance with all applicable City and State requirements; and

Whereas, the Planning Commission held a public hearing on May 19, 2026, to consider CUP Application No. 01-2026 and take public comment; and

Whereas, the Planning Commission has made the following use permit findings;

1. The proposed use is consistent with the General Plan, any applicable specific plan, and all applicable provisions of this chapter;
2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, and general welfare of the persons residing or working in the neighborhood or to the general welfare of the city;

3. The proposed use is consistent with the purpose of the applicable zoning district or districts; and
4. The proposed use meets the minimum requirements of this title applicable to the use and complies with all other applicable laws, ordinances, and regulations of the city and state; and

Whereas, the Planning Commission made the following additional findings required for the sale of alcoholic beverages:

1. That it does not result in adverse effects to the health, peace, or safety of persons residing or working in the surrounding area;
2. That it does not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;
3. That it does not result in repeated nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests;
4. That it does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute; and
5. That its upkeep and operating characteristics are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood; and

Whereas, the Planning Commission finds that the project is categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities because the request involves operation of an existing community center building with no proposed expansion of the building.

Therefore, Be It Resolved by the Planning Commission that Conditional Use Permit Application No. 01-2026 is hereby approved, subject to the conditions as listed in “**Exhibit A**”.

Passed and adopted by the Planning Commission of the City of Riverbank at a meeting held on the 19th day of May 2026, motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ___-___:

AYES: Commissioners:

NAYS:

ABSENT:

ABSTAIN:

Attest:

Joshua E. Mann
Community Development Director

Exhibit A – Conditions of Approval

Approved:

Taide Zamora, Chairperson
Planning Commission

EXHIBIT “A”
CONDITIONS OF APPROVAL

Conditional Use Permit Application No. 01-2026
(Dept. File No. 26-0010) – McRitchie Community Center

This project is subject to the following conditions unless specifically exempted, as determined by the Community Development Director or his/her designee.

A. GENERAL CONDITIONS

1. The subject use permit shall be null and void 24 months from the date of final approval thereof unless prior to such expiration date, the property is being used for the purpose of which the use permit was granted or unless a valid building permit is in effect for the construction of necessary buildings or appurtenances to such use. The Planning Commission may defer expiration of the permit for a period not exceeding one year upon application, in writing, by the owner of the property prior to expiration provided such use is still permitted in the district in which it is proposed to be located.
2. All live entertainment and amplified music shall occur indoors only. No outdoor amplification or performance is permitted unless a temporary noise permit is obtained pursuant to Riverbank Municipal Code (RMC) Chapter 93 - Noise.
3. All doors and windows shall remain closed during live or amplified music, except for normal ingress and egress. The operator shall post signage near all exits reminding patrons to respect neighboring residences and keep noise to a minimum when leaving the premises.
4. The operator shall comply with maximum allowable noise levels established in Riverbank Municipal Code (RMC) Chapter 93 – Noise. No sound, music, or vibration generated on-site shall exceed those levels at the property line of the nearest residential use.
5. If a verified noise complaint is received by the City or Riverbank Police Services, the City may require, at the discretion of the Community Development Director or designee, the owner/operator to submit a professional acoustic analysis prepared by a qualified noise consultant, at the owner/operator’s expense. The noise consultant shall be approved by the Community Development Director. The noise consultant’s evaluation shall be completed and submitted to the Community Development Department within 90-days of written notice being delivered to the property owner/operator. An extension may be granted by the Community Development Director upon request. The analysis shall identify mitigation measures to reduce noise to allowable levels, which the owner/operator shall implement within 30 days of City approval. For purposes of this condition, a “verified complaint” means a complaint that is confirmed by City staff or Riverbank Police Services through direct observation, or

multiple independent reports from residents that can be reasonably linked to the business's operations

6. Required on-site parking shall be maintained in compliance with City standards and shall not be obstructed.
7. If the City receives verified complaints regarding parking issues, the operator shall meet with the Community Development Director to discuss and implement additional reasonable measures such as designated employee parking, valet service, or shared parking agreements to reduce neighborhood impacts. For purposes of this condition, a "verified complaint" means a complaint that is confirmed by City staff or Riverbank Police Services through direct observation, photographic evidence, or multiple independent reports from residents that can be reasonably linked to the business's operations.
8. This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or presentations is subject to review and approval prior to implementation.
9. The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to operation, as appropriate.
10. Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting Documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.
11. Approval of this application does not constitute approval of any other entitlement or any other necessary permit, license, or approval.
12. With respect to any claim, action of proceeding against the City, its officials, employees or agents relating to the action or inaction of the City in reviewing, approving or denying entitlements of any type, the Developer agrees to indemnify, hold harmless and defend the City and its elected and appointed councils, boards, commissions, officers, agents, employees, and representatives from any and all claims, costs, and liability for claims of damage, for any property damage or personal injury, including death, which may arise as a result of any negligent acts or omissions by Developer or Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, or operation, of the Project. Developer agrees to indemnify, hold harmless and defend the City and its officers, agents, employees, and representatives from any and all actions for damages caused or alleged to have been caused by Developer's activities in connection with the Project.

This Agreement applies to all damages and claims for damages suffered or alleged to have been suffered arising out of or in connection to any and all Project operations, regardless of whether or not the City prepared, supplied or approved plans or specifications or both for the Project.

13. In the event any legal action or special proceeding is commenced by any person or entity challenging any agreements between Developer and City, any entitlement or component of the Project such as the Project EIR, or any other City approval for the Project (collectively, "Project Litigation"), the Parties agree to cooperate with each other as set forth herein. City may elect to tender the defense of any lawsuit filed and related in whole or in part to Project Litigation. Upon the commencement of Project Litigation, Developer will indemnify and hold harmless the City from all costs and expenses incurred related thereto, including, but not limited to, damages, attorneys' fees and expenses of litigation awarded to the prevailing party or parties in such litigation. Developer shall pay all litigation fees to the City within thirty (30) days of receiving a written request and accounting of such fees and expenses from the City. Notwithstanding the aforementioned, City may request a deposit to cover City's reasonably anticipated Project Litigation fees and costs, and Developer will provide such deposit to City within seven (7) days of any such request.
14. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.
15. This approval may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the approval or add/modify conditions approval.
16. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.

**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

ITEM NO: 7.1 **May 19, 2026**

APPLICATION: General Plan Amendment 01-2025, Zoning Ordinance Amendment 01-2025, Specific Plan Amendment 01-2025, Rezone 02-2025 (Dept. File 25-0030) – Housing Element Adoption, Land Use Element Amendment, Zoning Ordinance Amendments and 6th Cycle Housing Element Implementation Rezones

OWNER: Various

APPLICANT: City-Initiated

REPRESENTATIVE: NA

LOCATION: 0 Talbot Avenue, 5443 Roselle Avenue, 5054 Roselle Avenue, 2819 Claribel Road, 0 Claribel Road, 2561 Claribel Road, 0 Kentucky Avenue

ASSESSOR'S PARCEL: 132-038-032, 075-069-029, 075-025-010, 075-014-026, 075-014-027, 075-093-025, 062-022-027

GENERAL PLAN: Various

ZONING: Various

ENVIRONMENTAL DETERMINATION: CEQA Exempt – Section 15061(b)(3) and Public Resources Code 21080-085

PROJECT PLANNER: Joshua Mann, Community Development Director

RECOMMENDATION: Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the Approval of a General Plan Amendment to adopt the 6th Cycle Housing Element, amend the General Plan Land Use Element to establish a maximum density for the Higher Density Residential and Mixed Use General Plan Land Use Designations, and to authorize Staff to submit the 6th Cycle Housing Element to the State of California Housing and Community Development Department for Certification

Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the approval of an Ordinance amending the Riverbank Municipal Code by amending Sections §153.067 And §153.071 and adding Sections §153.166 Through §153.169 entitled “Regional Housing Needs Assessment Overlay”

Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending the City Council approval of site-specific General Plan Amendments and an Ordinance for Specific Plan Amendment to the Crossroads Community Specific Plan, and site-specific Rezones associated 6th Cycle Housing Element Implementation Rezones.

ACRONYMS: CEQA – California Environmental Quality Act

I. EXECUTIVE SUMMARY AND ANALYSIS

The City’s 6th Cycle Housing Element was presented to City Council on April 28, 2026 at a duly noticed Public Hearing to consider Planning Commission’s recommendation made on March 31, 2026 (Resolution No. 2026-002, -003, and -004). Following the Public Hearing and City Council deliberation, the City Council voted to remove Rezone Site #3 (MID Parcel) from the Housing Element. The removal of Site #3 required revisions to the Housing Element and a recalculation of the City’s Site Inventory to adequately address the Regional Housing Needs Allocation (RHNA).

The updated 6th Cycle Housing Element and associated implementation actions are being presented to Planning Commission for consideration and recommendation to City Council, as staff has revised the 6th Cycle Housing Element and rezone sites.

City Staff met with HCD on April 4, 2026 to discuss potential solutions to meeting the City’s RHNA. City staff, in coordination with HCD, revised the 6th Cycle Housing Element to update the realistic density assumption for sites designated as Higher Density Residential and Mixed Use and classified as Vacant, Underutilized, and Rezone sites. The realistic density utilized in the 6th Cycle Housing Element up to this point has been 20 dwelling units per acre (du/ac) which is the Default Density pursuant to Government Code Section 65583.2(c)(3)(B). The Default Density is used to determine the minimum units per acre to accommodate lower-income households, based on the jurisdiction’s location. For Riverbank, the Default Density is 20 du/ac.

In coordination with HCD, Staff updated the realistic density calculation to 28 du/ac for sites designated as Higher Density Residential and Mixed Use and classified as Vacant, Underutilized, and Rezone sites. The update to 28 du/ac is based on a methodology of analyzing the maximum yield (number of units) a site can accommodate.

The analysis in the Housing Element (specifically in Section VI, *Housing Production Opportunities*) resulted in the City using 70% of the maximum density (40 du/ac) to calculate capacity. This would allow for flexibility in project design, potential land use controls, site improvements, and to reflect typical densities in the region. **This approach resulted in meeting the City’s RHNA without having to select an alternative site to rezone.** As a result, the City increased the lower-income RHNA. Table IV-16, *City’s Ability to Meet Its Regional Housing Needs*, is as follows (updates are reflected in redline track changes):

TABLE VI-16
City’s Ability to Meet Its Regional Housing Needs
City of Riverbank

	Extremely Low	Very Low	Low	Moderate	Above Moderate	Total
HCD RHNA Allocation (June 2023 – Dec 2031)	485	485	672	594	1,355	3,591
Units Produced (1)					121	121
Net Allocation to be Met	485	485	672	594	1,234	3,470
<i>Allocation to be Met</i>	485	485	672	594	1,234	3,470
Holding Capacity Within the City Limits						
	Very Low	Low	Moderate	Above Moderate	Total	
Potential Units in Vacant Land	73 105	50 69	18	73	214 265	
Potential Units in Underutilized Land	73 101	47 68	35	70	225 274	
Potential Accessory Dwelling Units	12	12	12	4	40	
Potential Units in Pipeline Projects	0	46	28	163	237	
Potential Units in Downtown Specific Plan	196	130	7	0	333	
Potential Units in Crossroads West Specific Plan	199	132	515	1,223	2,069	
Potential Units in Religious Institution Sites	44	29	0	0	73	
Rezone Sites	399 473	269 317	0	0	668 790	
City Holding Capacity Subtotal	996 1,124	745 799	615	1,553	3,859 4,071	
Surplus (Shortfall)	26 154	43 127	21	299	389 601	
Total Buffer (%)	3 16%	6 19%	4%	24%	44 17%	
<small>(1) Units with final building permits issued between January 2024 and June 30, 2024, as identified in Table VIII-1</small>						

Staff resubmitted the 5th HCD Review Draft to HCD for a 60-day review on May 15, 2026 following a 7-day public review period from May 7, 2026 to May 14, 2026.

A fully copy of the City's 6th Cycle Housing Element dated May 2026 is not reproduced in this staff report due to its length but is available for public review and download on the City's website at <https://www.riverbank.org/652/Housing-Element> and through the link provided in Attachment 4 of this Staff Report.

II. ENVIRONMENTAL DETERMINATION

The Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), as the activity is covered by the common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment and Public Resources Code 21080.085 as the Proposed Project includes site-specific rezones that implement the schedule of actions contained in the 6th Cycle Housing Element.

The CEQA Technical Memorandum is attached to this Staff Report as Attachment 9.

III. PUBLIC NOTICE

Pursuant to Government Code Section 65857, the Planning Commission is not required to conduct a Public Hearing to consider this item. Government Code Section 65857 allows for the Planning Commission to consider the updated 6th Cycle Housing Element and Rezoning Ordinance (with Rezone Site #3 removed) at a public meeting without the normal public hearing noticing requirements.

IV. RECOMMENDATION

Planning staff recommend that the Planning Commission review and consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, consider adoption of the following Resolutions:

1. Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the Approval of a General Plan Amendment to adopt the 6th Cycle Housing Element, amend the General Plan Land Use Element to establish a maximum density for the Higher Density Residential and Mixed Use General Plan Land Use Designations, and to authorize Staff to submit the 6th Cycle Housing Element to the State of California Housing and Community Development Department for Certification
1. Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending to City Council the approval of an Ordinance amending the Riverbank Municipal Code by amending Sections §153.067 And §153.071 and adding Sections §153.166 Through §153.169 entitled "Regional Housing Needs Assessment Overlay".

2. Approval of a Resolution of the Planning Commission of the City of Riverbank, California, recommending the City Council approval of site-specific General Plan Amendments and an Ordinance for Specific Plan Amendment to the Crossroads Community Specific Plan, and site-specific Rezones associated 6th Cycle Housing Element Implementation Rezones.

V. ATTACHMENTS

1. Planning Commission Resolution No. 2026-007 (GPA 01-2025)
2. Planning Commission Resolution No. 2026-008 (ZOA 01-2025) with Exhibit A (Draft Ordinance)
3. Planning Commission Resolution No. 2026-009 (GPA-02-2025, SPA-01-2025, and REZ-02-2025) with Exhibit A (Draft Ordinance)
4. 6th Cycle Housing Element
5. Rezone Site Matrix
6. Rezone Site Map
7. Proposed Amendments to Crossroads Community Specific Plan (SP-1)
8. Existing and Proposed Amendments to the Land Use Element
9. CEQA Technical Memorandum

Respectfully Submitted By:

Joshua Mann

Joshua Mann
Community Development Director

**City of Riverbank
Planning Commission
Resolution No. 2026-007**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK,
CALIFORNIA, RECOMMENDING TO CITY COUNCIL THE APPROVAL OF A
GENERAL PLAN AMENDMENT TO ADOPT 6TH CYCLE HOUSING ELEMENT,
AMEND THE GENERAL PLAN LAND USE ELEMENT, AND AUTHORIZE STAFF TO
SUBMIT THE 6TH CYCLE HOUSING ELEMENT TO THE CALIFORNIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR
CERTIFICATION**

WHEREAS, Sections 65580 through 65589.8 of the California Government Code require each jurisdiction to regularly update its Housing Element in accordance with deadlines established by the State; and

WHEREAS, the City held Public Workshops on February 20, 2024, March 12, 2024, and July 31, 2024 to introduce the 6th Cycle Housing Element update effort, to provide the community and interested agencies with an opportunity to identify priorities and concerns related to the provision of housing; and

WHEREAS, the City made the Draft 6th Cycle Housing Element available for a 30-day public review from October 15, 2024 through November 14, 2024; and

WHEREAS, the City presented the Draft 6th Cycle Housing Element to Planning Commission and City Council on October 15, 2024 and November 21, 2024, respectively, to provide the community and interested parties with an opportunity to learn about the Draft 6th Cycle Housing Element and comment on the Draft 6th Cycle Housing Element; and

WHEREAS, the Draft 6th Cycle Housing Element was submitted to California Department of Housing and Community Development (HCD) on December 2, 2024 for a 90-day State-mandated review following review and incorporation of public comments pursuant to State law (1st HCD Review Draft);

WHEREAS, HCD identified revisions to the Draft 6th Cycle Housing Element that it determined were necessary to comply with state law in a written findings letter dated February 27, 2025; and

WHEREAS, staff revised the 6th Cycle Housing Element to address HCD's findings and resubmitted to HCD for a subsequent 60-day review on June 24, 2025 (2nd HCD Review) following a 7-day public review period from June 16, 2025 through June 23, 2025; and

WHEREAS, HCD identified additional revisions to the Draft 6th Cycle Housing Element in a written letter dated August 22, 2025; and

WHEREAS, HCD identified additional revisions to the Draft 6th Cycle Housing Element in a written letter dated January 12, 2026; and

WHEREAS, staff revised the 6th Cycle Housing Element to address HCD's findings and resubmitted to HCD for a 60-day review on March 3, 2026 (4th HCD Review) following a 7-day public review period from February 23, 2026 through March 2, 2026; and

WHEREAS, the Planning Commission held a duly noticed special public hearing on March 31, 2026 regarding the Housing Element Update, including the changes requested by HCD by their January 12, 2026 letter, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission adopted Planning Commission Resolution No. 2026-002, recommending the City Council to approve a General Plan Amendment to adopt the 6th Cycle Housing Element and amend the General Plan Land Use Element; and

WHEREAS, the City Council held a duly noticed public hearing on April 28, 2026 regarding the Housing Element Update, including the changes requested by their January 12, 2026 letter and Technical Edits described in HCD's Preliminary Comments on March 24, 2026, at which time interested persons were given an opportunity to be heard; and

WHEREAS, after reviewing and considering all information provided and submitted, and after taking and considering all public testimony, the City Council voted to direct Staff to remove Rezone Site #3 from the 6th Cycle Housing Element; and

WHEREAS, staff made edits to the 6th Cycle Housing Element based on City Council direction and resubmitted to HCD for a 60-day review on May 15, 2026 (5th HCD Review) following a 7-day public review period from May 7, 2026 through May 14, 2026; and

WHEREAS, the Proposed Project has been reviewed and analyzed by the City pursuant to the California Environmental Quality Act (CEQA) as analyzed in the CEQA Technical Memorandum incorporated by this reference, which determined that the 6th Cycle Housing Element and amendment to the Land Use Element is exempt from CEQA pursuant to Section 15061(b)(3), as the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment; and

WHEREAS, Program 1.1i, *Maximum Residential Density* directs the City amend the Riverbank General Plan Land Use Element to establish a maximum density for the Higher Density Residential and Mixed Use General Plan Land Use Designations; and

WHEREAS, the Planning Commission held a regular public meeting on May 19, 2026 regarding the Housing Element Update, including the changes requested by City Council at their April 28, 2026 Public Hearing, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered all evidence submitted in connection with the Housing Element Update, including the staff report, public testimony, and all other documents and evidence that are part of the City administrative record for these actions; and

WHEREAS, the Planning Commission finds that the goals, policies, and programs, and objectives contained in the 6th Cycle Housing Element, considered individually and cumulatively, do not adversely affect the internal consistency of the City of Riverbank General Plan; and

WHEREAS, in accordance with Senate Bill 18, formal consultation requests were distributed to Native American Tribes on January 13, 2026 for a 90-day period ending on April 13, 2026, and the City did not receive any formal requests for consultation; and

WHEREAS, the Planning Commission has utilized its own independent judgement in considering the information contained in this resolution and attachments, in the staff report and attachments and other exhibits, and in writing and oral testimony during the public meeting; and

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

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission hereby recommends to the City Council find the proposed General Plan Amendment exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) as analyzed in the CEQA Technical Memorandum, adopt the 6th Cycle Housing Element, approve the General Plan Amendment to the Land Use Element described herein, and authorize Staff to submit the 6th Cycle Housing Element to the State of California Housing and Community Development Department 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 proposed General Plan Amendment is in the public interest.
 - b. The proposed General Plan Amendment is consistent and compatible with the goals and the vast majority of policies of the General Plan.
 - c. The potential effects of the proposed General Plan Amendment been evaluated and determined not to be detrimental to the public health, safety, or welfare.

- d. The proposed General Plan Amendment been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act?
 - e. The proposed General Plan Amendment has been processed in accordance with the California Government Code and the California Environmental Quality Act (CEQA).
 2. The proposed 6th Cycle Housing Element contains a thorough and adequate treatment of housing issues required to be addressed by State law and adequately addressed each of the HCD findings. The amendment to the General Plan will adopt the 6th Cycle Housing Element and will replace the 5th Cycle Housing Element.
 3. The proposed 6th Cycle Housing Element is internally consistent with the General Plan and is not detriment to the public interest, health, safety, and welfare of the City.
 4. The proposed 6th Cycle Housing Element has been prepared to substantially comply with State Housing Element Law and has been revised to address the findings identified by HCD in its letter dated January 12, 2026.
 5. Based on substantial evidence provided in the Housing Element, including a Statewide housing crisis, strong demand for residential and mixed-use development in the City, historical regional and local development trends of underutilized sites, historical regional and local development trends of sites that allow non-residential uses, opportunities for streamlined infill development, unique site characteristics including low lot utilization and a commitment from the City to implement programs that incentivize and promote the development of sites, including redevelopment or intensification of underutilized sites, the Planning Commission finds that the existing uses on underutilized sites identified to accommodate the City's RHNA do not impede residential development during the period covered by the Housing Element, that the sites that allow non-residential uses are likely to accommodate a portion of the RHNA, and that the sites identified in the 6th Cycle Housing Element are anticipated to be available for development during the Housing Element period.
 6. The proposed 6th Cycle Housing Element includes a variety of goals, policies, and implementing programs designed to enhance the public health, safety, and welfare, including the goals, policies, and programs to support safe and decent housing, to maintain, rehabilitate, and preserve housing, to increase housing choice, to encourage the development of a variety of housing types and locations to meet the needs of all income levels and the needs of special needs populations, and to affirmatively further fair housing.
 7. The 6th Cycle Housing Element was prepared in accordance with California Government Code and the California Environmental Quality Act.

8. The Planning Commission recommends that the City Council authorize Planning Director to be able make minor modifications to the Housing Element to achieve certification and address comments provided by the Department of Housing and Community Development on the Housing Element, if applicable.
9. The proposed amendments to the City of Riverbank General Plan Land Use Element will establish a maximum residential density for the Higher Density Residential and Mixed Use General Plan Land Use Designations. These amendments would implement Program 1.1i of the 6th Cycle Housing Element.
10. The Planning Commission recommends that the City Council find the 6th Cycle Housing Element is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), as the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The 6th Cycle Housing Element is exempt from CEQA because the project involves goals, policies, and programs to meet the City's RHNA and affirmatively furthering fair housing goals but does not involve any physical change with the potential to create adverse effect on the environment. The 6th Cycle Housing Element creates a roadmap on how to achieve the City's RHNA and AFFH goals through identification of suitable sites for development and identification of programs and corresponding actions that could remove constraints to and promote affordable housing.

The 6th Cycle Housing Element does not grant any development entitlements or authorize development beyond what is allowed under the current General Plan and Zoning Code (Chapter 153). All future housing development pursuant to the 6th Cycle Housing Element would be subject to formal development applications and further evaluation in accordance with CEQA and City plans, ordinances, and standards. No physical improvements are proposed or approved as part of adoption of the Housing Element and the City's new RHNA obligations; therefore, it can be seen with certainty that there is no possibility that adopting the 6th Cycle Housing Element would result in a significant effect on the environment. Thus, the City of Riverbank finds that the Proposed Project is exempt from CEQA under the common sense exemption. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum, as illustrated and incorporated by reference.

11. The Planning Commission recommends that the City Council find the General Plan Amendment to the Land Use Element is exempt from CEQA pursuant to Section 15061(b)(3), as the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The amendments to the General Plan Land Use Element establish a maximum residential density for the Higher Density Residential and Mixed Use General Plan Land Use

Designations. The amendments does not grant any development entitlements or authorize development beyond what is allowed under the current General Plan and Zoning Code (Chapter 153). All future housing development would be subject to formal development applications and environmental review in accordance with CEQA. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum, as illustrated and incorporated by reference.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the May 19, 2026; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of __-__:

AYES: Commissioners:

NOES:

ABSENT:

ABSTAIN:

Attest:

Approved:

Joshua E. Mann,
Community Development Director

Michael Halterman, Chairperson
Planning Commission

**City of Riverbank
Planning Commission
Resolution No. 2026-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK,
CALIFORNIA, RECOMMENDING TO CITY COUNCIL THE APPROVAL OF AN
ORDINANCE AMENDING THE RIVERBANK MUNICIPAL CODE BY AMENDING
SECTIONS §153.067 AND §153.071 AND ADDING SECTIONS §153.166 THROUGH
§153.169 ENTITLED “REGIONAL HOUSING NEEDS ASSESSMENT OVERLAY”**

WHEREAS, Government Code Section 65855 requires that the City Council receive input and a recommendation from the Planning Commission on Zoning Ordinance Amendments that imposes any regulation listed in Section 65850; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City of Riverbank City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City’s regional housing need allocation (RHNA) of 3,591 units, comprised of 970 very low-income units, 672 low-income units, 594 moderate-income units, and 1,355 above moderate-income units; and

WHEREAS, the City of Riverbank 6th Cycle Housing Element identifies goals, policies, and programs enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations; and

WHEREAS, Program 1.1a, Adequate Sites for RHNA and Rezone Program, directs the City to allow developments by-right pursuant to Government Code Section 65583.2(h) when 20% or more of the residential units are affordable to low- and very low-income households for sites requiring rezoning; and

WHEREAS, Program 1.1a, Adequate Sites for RHNA and Rezone Program, directs the City to amend the Mixed Use CX-1 Zone (Sections 153.066 through 153.072) of the Riverbank Municipal Code to allow 100 percent residential uses and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project; and

WHEREAS, Program 1.1d, By-Right Approval directs the City to allow developments by-right pursuant to Government Code Section 65583.2(c) when 20 percent or more of the residential units are affordable to low- and very low-income households for sites identified on previous Housing Element sites inventory; and

WHEREAS, to comply with this Government Code Section 65583.2(c), the City is establishing by Ordinance the Regional Housing Needs Assessment Overlay District covering those 4th and 5th cycle reused sites to allow development by-right when 20% or more of the residential units are affordable to lower-income households; and

WHEREAS, Program 1.1h, *Religious Institution Sites* directs the City to develop an overlay zone to allow by-right approval and incentivize development of housing on land owned by religious institutions at default densities in support of the Housing Element Sites Inventory pursuant to Senate Bill 4; and

WHEREAS, the Planning Commission has utilized its own independent judgement in considering the information contained in this resolution and attachments, in the staff report and attachments and other exhibits, and in writing and oral testimony during the public meeting; and

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

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission hereby recommends to the City Council find the proposed Ordinance exempt from CEQA pursuant to pursuant to Section 15061(b)(3), as analyzed in the CEQA Technical Memorandum incorporated by reference and approve the proposed Ordinance, as attached hereto as Exhibit A to this Resolution based on the following findings:

1. Pursuant to California Government Code Section 65854, the recommendation to City Council shall include the relationship to the applicable general or specific plan:
 - a. The proposed Ordinance is compatible with the General Plan and each of its elements and the following Goals and Policies of the General Plan:
 - i. Policy LAND 2.4 - The City will encourage re-use of vacant or underutilized land in the Infill Opportunity Area through policies that seek to encourage more intense infill development.
 - ii. Policy LAND 3.3 - The City will encourage “compact development,” which places origination and destination points closer together (residence, stores, schools, places of work, etc.), allowing for alternatives to vehicular travel.
 - iii. Program 1.1a - Adequate Sites for RHNA and Rezone Program
 - iv. Program 1.1d - By-Right Approval
 - v. Program 1.1h - Religious Institution Sites
 - b. The proposed Ordinance is compatible with the uses authorized in, and the regulations prescribed for, the land use districts for which it is proposed and with the regulations for each land use district.
2. The City finds and determines with certainty that the amendments described in this Draft Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which is the “common sense exemption” that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Draft Ordinance implements the goals and programs

of the 6th Cycle Housing Element and does not grant any development entitlements or authorize development beyond what is allowed under the current General Plan and Zoning Code (Chapter 153). All future housing development pursuant to the 6th Cycle Housing Element would be subject to formal development applications and evaluation in accordance with CEQA and City plans, ordinances, and standards, which may require supporting technical reports. No physical improvements are proposed or approved as part of the Ordinance. therefore, it can be seen with certainty that there is no possibility that approving the proposed Ordinance would result in a significant effect on the environment. Thus, the City of Riverbank finds that the proposed Ordinance is exempt from CEQA under the common sense exemption. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum incorporated herein by this reference.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a special meeting held on the May 19, 2026; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ___-___:

AYES: Commissioners:

NOES:

ABSENT:

ABSTAIN:

Attest:

Approved:

Joshua E. Mann,
Community Development Director

Michael Halterman, Chairperson
Planning Commission

Exhibit A – Draft Ordinance

**CITY OF RIVERBANK
ORDINANCE NO. 2026-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, AMENDING THE RIVERBANK MUNICIPAL CODE BY AMENDING
SECTIONS §153.067 AND §153.071 AND ADDING SECTIONS §153.166 THROUGH
§153.169 ENTITLED “REGIONAL HOUSING NEEDS ASSESSMENT OVERLAY”
(ZOA 01-2025)**

WHEREAS, Government Code Section 65585 requires that the City Council receive input and a recommendation from the Planning Commission on a Zoning Ordinance Amendment that imposes any regulations listed in Section 65850; and

WHEREAS, State Housing Element Law (Government Code Section 65580 et. seq.) requires that the City of Riverbank City Council adopt a Housing Element for the eight-year period 2023 – 2031 to accommodate the City’s Regional Housing Need Allocation (RHNA) of 3,591 units, comprised of 970 very low-income units, 672 low-income units, 594 moderate-income units, and 1,355 above moderate-income units; and

WHEREAS, the City of Riverbank 6th Cycle Housing Element identifies goals, policies, and programs for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations; and

WHEREAS, Program 1.1a, *Adequate Sites for RHNA and Rezone Program*, directs the City to allow developments by-right pursuant to Government Code Section 65583.2(h) when 20% or more of the residential units are affordable to low- and very low-income households for sites requiring rezoning; and

WHEREAS, Program 1.1a, *Adequate Sites for RHNA and Rezone Program*, directs the City to amend the Mixed Use CX-1 Zone (Sections 153.066 through 153.072) of the Riverbank Municipal Code to allow 100 percent residential uses and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project; and

WHEREAS, Program 1.1d, *By-Right Approval* directs the City to allow developments by-right pursuant to Government Code Section 65583.2(c) when 20 percent or more of the residential units are affordable to low- and very low-income households for sites identified on previous Housing Element sites inventory; and

WHEREAS, to comply with Government Section 65583.2(c), the City is establishing by Ordinance the Regional Housing Needs Assessment Overlay District covering those sites rezoned and covering those 4th and 5th Cycle reused sites to allow development by-right when 20 percent or more of the residential units are affordable to lower-income households; and

WHEREAS, Program 1.1h, *Religious Institution Sites* directs the City to develop an overlay zone to allow by-right approval and incentivize development of housing on land owned by religious institutions at default densities in support of the Housing Element Sites Inventory pursuant to Senate Bill 4; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing on March 31, 2026 to consider an amendment to the City of Riverbank Municipal Code and with a vote of 5-0, recommended approval of this Ordinance to the City Council; and

WHEREAS, the proposed amendments to the Riverbank Municipal Code would amend a Section of Title XV: Land Usage, Chapter 153: Zoning to clarify that 100 percent residential uses are allowed in the Mixed Use District CX-1 Zone and to require that residential uses occupy at least 50 percent of the floor area in a mixed-use project; and

WHEREAS, the proposed amendments to the Riverbank Municipal Code would amend Sections of Title XV: Land Usage, Chapter 153: Zoning to create the Regional Housing Needs Assessment Overlay District by creating new Sections 153.166 through 153.168 entitled “Regional Housing Needs Assessment Overlay”; and

WHEREAS, the amendment is exempt according to the California Environmental Quality Act (CEQA) Article 5 §15061(b)(3) by the “Common Sense Exemption” that CEQA applies only to projects that have a potential for causing a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment; and

WHEREAS, the City Council for the City of Riverbank made the following Findings:

1. Pursuant to California Government Code Section 65854, the recommendation to City Council shall include the relationship to the applicable general or specific plan.
 - a. The Ordinance is compatible with the General Plan and each of its elements. Specifically, the Ordinance is compatible with the following Goals and Policies of the General Plan:
 - i. Policy LAND 2.4 – The City will encourage re-use of vacant or underutilized land in the Infill Opportunity Area through policies that seek to encourage more intense infill development.

- ii. Policy LAND 3.3 – The City will encourage “compact development,” which places origination and destination points closer together (residences, stores, schools, places of work, etc.), allowing for alternatives to vehicular travel.
 - iii. Program 1.1a – Adequate Sites for RHNA and Rezone Program.
 - iv. Program 1.1d – By-Right Approval.
 - v. Program 1.1h – Religious Institution Sites
2. The Ordinance furthers the public interest, convenience, and general welfare of the City. The amendments would ensure that the City is consistent with State Housing Element Law and the City’s share of the Regional Housing Needs Allocation.
3. The finds and determines with certainty that the amendments described in the Ordinance are exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), which is the “Common Sense Exemption” that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The Draft Ordinance implements the goals and programs of the 6th Cycle Housing Element and does not grant any development entitlements or authorize development beyond what is allowed under the current General Plan and Zoning Code (Chapter 153). All future housing development pursuant to the 6th Cycle Housing Element would be subject to formal development applications and further evaluation under CEQA, which may require supporting technical reports. No physical improvements are proposed or approved as part of this Ordinance which only implement the goals and programs of the Housing Element; therefore, it can be seen with certainty that there is no possibility that approving the proposed Ordinance would result in a significant effect on the environment. Thus, the City of Riverbank finds that the proposed Ordinance is exempt from CEQA under the common sense exemption. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum, as illustrated and incorporated by reference.
4. The Ordinance is compatible with the uses authorized in, and the regulations prescribed for, the land use districts for which it is proposed and with the regulations for each land use district.

WHEREAS, on _____, notice of the City Council Public Hearing was published in the Riverbank News in compliance with California Government Code Section 65090, and posted in public places throughout the City and on the City’s website; and

WHEREAS, a Public Hearing was held on _____, and all comments were heard and considered by the City Council.

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

SECTION 1: Title XV: Land Usage, Chapter 153: Zoning, Section 153.067: Uses Permitted and Section 153.071: Development Standards shall be amended as follows (removed language is represented in ~~strike through~~ and added language is represented in underline text):

§ 153.067 USES PERMITTED.

(A) All attached single-family and multi-family residential uses, including duplexes, apartments, condominiums, townhouses, and live-work units provided that the living units are located above the ground floor of a commercial uses or adjacent to commercial on the same property.

(B) Detached residential uses with a minimum net density of eight units per acre, including single family homes, caretaker units, and manufactured homes.

(C) Attached Higher Density Residential in a vertical and/or horizontal mixed use setting of 1620 or more dwelling units per net acre. ~~This residential use must be above (on upper stories of buildings) or adjacent to commercial operations on the same property.~~

(D) Office uses including administrative, professional, creative, telecommunications, flex, research, and similar office uses that are primarily worker-occupied.

(E) (1) Retail sales of goods that can generally be carried out by the customer including food and specialty foods, open air markets, small household goods, pharmaceuticals and sundries, apparel, art and supplies, antiques, furniture, appliances, electronics, books, flowers, hardware, toys, bicycles and sporting goods, music, and similar goods.

(2) Sales of alcoholic beverages require a conditional use permit in accordance with § 153.361.

(F) Service uses including personal and business services with walk-in customer service, such as beauty parlors, spas, cleaners, repair services, banks, travel or real estate agents, medical clinics, child or adult care, photocopiers, mailing services, Laundromats, and similar uses. Rental uses of items such as party supplies, wedding apparel or tuxedos are allowed as services uses.

(G) (1) General commercial uses including entertainment uses including bars, full service restaurants, quick service restaurants (not drive through fast food), dance and exercise studios, gyms, sports facilities, game arcades, and similar uses.

(2) Sales of alcoholic beverages require a conditional use permit in accordance with § [153.361](#).

(H) (1) Civic uses including government offices and services, libraries, community centers, conference facilities, and similar uses.

(2) Public infrastructure including support uses include water, storm water, sewer, and utility infrastructure, streets, sidewalks, bicycle paths, parking garages, transit stops, parks, plazas, streetscape improvements, and other public facilities.

(I) Institutional uses including colleges, trade schools, places of worship, museums, and similar uses.

(J) Tiny house villages, as defined in § [153.003](#) and as allowed in § [153.170](#) through [153.177](#).
(Ord. 2014-006, passed 7-8-14; Am. Ord. 2023-003, passed 1-24-23)

§ 153.071 DEVELOPMENT STANDARDS.

Applicability. District development standards in this section apply, unless altered or superseded through the use of a Planned Development Zoning District (§§ [153.160](#) through [153.164](#)) or adoption by the city of a Specific Plan or similar plan. Other City Code development standards apply if not addressed in this section.

(A) *Nuisances.* No operation shall be conducted on any premises in such a manner as to cause an unreasonable amount of noise, odor, dust, smoke, vibration or electrical interference detectable off the site.

(B) *Landscaping.* A landscaping plan for all uses (except single-family dwellings, duplexes and triplexes) including plant species, initial size, location, growth characteristics and method of irrigation shall be approved by the Community Development Director prior to issuance of any permit. Such required landscaping shall be installed prior to final inspection and shall be maintained by the property owner. Approval shall be based on the degree of compliance with landscaping standards as adopted from time to time by the City Council.

(C) *Trash storage area.* Trash bins (except single-family dwellings, duplexes, or dwelling groups) shall be provided in a fully enclosed trash storage area. This area or areas shall be provided at locations that are readily accessible to residents and sanitation collectors.

(D) *Off-Street parking.*

(1) *Non-residential uses.* Not less than 2¼ spaces per 1,000 square feet of building area.

(2) Shared parking between uses with different peak demand days or times is encouraged to reduce total area used for parking. When the viability of shared parking is demonstrated by the applicant, the minimum parking ratio may be reduced by one space per 1,000 square feet of building area. Commercial parking spaces shall be provided within 600 feet of the site.

(3) *Residential uses.* Not less than one space per unit.

(4) *Assisted living facilities.* Not less than ¼ space per unit.

(5) *Transient occupancy uses.* Not less than ½ space per room.

(6) Parking lots shall be located to sides and rears of buildings. No more than 50% of a site's street frontage may consist of parking lot or driveway.

(7) Uses not listed shall provide parking as required in § [153.184](#).

(E) *Open space requirements.* All multiple residential uses of two or more dwelling units on one lot shall provide open space of at least 50 square feet per unit with a minimum area of 300 square feet provided regardless of the number of units. This area shall not be a lineal open space, but should have a width and depth ratio not exceeding one to two (1:2). In very large complexes (more than 50 units) this required open space can be in multiple locations and all amenities approved by the Community Development Director.

(F) Pursuant to Government Code Section 65582.2, Higher Density Residential uses are permitted to have 100 percent residential uses in the Mixed Use District CX-1 Zone. A minimum of 50 percent of the total floor area shall consist of residential uses in a mixed-use project in the Mixed Use District CX-1 Zone. Floor area is defined in Section 153.003 of this Chapter.

(Ord. 2014-006, passed 7-8-14)

SECTION 2: Title XV: Land Usage, Chapter 153: Zoning is amended to add new Sections: 153.166 through 153.168, which shall read as follows (added language is represented in underline text):

Regional Housing Needs Assessment Overlay

Section

- 153.166 Purpose
- 153.167 Eligibility for By-Right Approval
- 153.168 Eligibility for Religious Institution Sites
- 153.168 Permit Requirements

§ 153.166 PURPOSE

This Section specifies the process for reviewing uses entitled to review as a “use by right” as defined in Government Code Section 65583.2. In enacting this Section, it is the intent of the City of Riverbank to implement State law as well as the goals, objectives, and policies of the General Plan.

This Section also creates opportunities for future affordable housing development on existing religious institutional land within the City of Riverbank and seeks to utilize State of California Senate Bill 4, signed into law on October 11, 2023, which permits housing as a use by right on lands owned by an independent institution of higher education or religious institution.

For the purposes of this Section, the following definition shall apply:

“By-right” shall mean that the review of the project may not require a conditional use permit, planned unit development permit, or other discretionary local government review or approval that would constitute a “project” under the California Environmental Quality Act as defined in Government Code Section 65583.2.

§ 153.167 ELIGIBILITY FOR BY-RIGHT APPROVAL

The following residential uses are eligible for by-right approval provided site qualifies based on the following criteria:

(A) Are located on sites listed as lower-income sites in the adopted housing element site inventory pursuant to Government Code Section 65583.2(c) that are shown to have been either:

- (1) Vacant and listed in two prior housing element site inventories; or
- (2) Non-vacant and listed in a previous housing element site inventory.

The sites listed as lower-income sites in the adopted housing element pursuant to Government Code Section 65583.2(c) are shown in Table VI-10 of the 6th Cycle Housing Element.

(B) Are located on sites subject to rezoning in the adopted housing element site inventory pursuant to Government Code Section 65583.2(c).

(C) At least twenty (20) percent of the total number of housing units in the project are proposed affordable to lower-income households at affordable rent or affordable housing cost, as applicable.

§ 153.168 ELIGIBILITY FOR RELIGIOUS INSTITUTION SITES

The following residential uses are eligible for by-right approval provided site qualifies based on the following criteria:

(A) Are located on sites listed as religious institution sites in the adopted housing element site inventory pursuant to Government Code Section 65913.16.

(B) Are located on sites that meet the eligibility criteria pursuant to Government Code Section 65913.16.

The religious institution sites in the adopted housing element are shown in Table VI-15 of the 6th Cycle Housing Element.

§ 153.169 PERMIT REQUIREMENTS

(A) Permit requirements. An applicant for a project eligible for by-right approval shall submit a ministerial plan permit for approval of the design. No discretionary permit or approval is required.

(B) Review of application.

(1) For ministerial plan permit applications listed in this Section, the Community Development Director, or designee, without notice or hearing, shall consider the application ministerially without discretionary review. When the application is in compliance with the relevant standards, the permit shall be issued. The decision may be appealed to the Planning Commission pursuant Section 153.219.

(2) The application for the ministerial plan permit shall be reviewed for conformance with objective standards established by the General Plan, applicable Specific Plans, Zoning Code, design standards, and other adopted standards.

(3) As provided by Government Code Section 65583.2(i), an eligible project is exempt from the California Environmental Quality Act.

SECTION 3. If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by

any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall become effective thirty (30) days from and after its final passage, provided it is published pursuant to Government Code section 36933 in a newspaper of general circulation within fifteen (15) days after its adoption.

The foregoing ordinance was given its first reading and introduced by title only at a regular meeting of the City Council of the City of Riverbank on April 28, 2026. Said ordinance was given a second reading by title only and adopted.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Riverbank at a regular meeting on the 23rd day of June 2026; motioned by Councilmember _____, seconded by Councilmember _____; moved said ordinance by a City Council _____ vote of _____:

AYES:
NAYS:
ABSENT:
ABSTAINED:

ATTEST:

Gabriela Hernandez
City Clerk

APPROVED:

Rachel Hernandez
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan
City Attorney

**City of Riverbank
Planning Commission
Resolution No. 2026-009**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK, CALIFORNIA, RECOMMENDING TO CITY COUNCIL THE APPROVAL OF A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, AND REZONE TO EIGHT PROPERTIES LOCATED AT 0 TALBOT AVENUE (APN: 132-038-032); 5443 ROSELLE AVENUE (APN: 075-069-029); 5054 ROSELLE AVENUE (APN: 075-025-010); 2819 CLARIBEL ROAD (APN: 075-014-026); 0 CLARIBEL ROAD (APN: 075-014-027); 2561 CLARIBEL ROAD (APN: 075-093-025); AND 0 KENTUCKY AVENUE (APN: 062-022-027), AND A SPECIFIC PLAN AMENDMENT TO ADD THE MIXED USE (CX-1) DESIGNATION TO THE CROSSROADS COMMUNITY SPECIFIC PLAN (SP-1) (GPA 01-2025, REZ 02-2025, AND SPA 01-2025), FOR IMPLEMENTATION OF THE CITY'S 6TH CYCLE HOUSING ELEMENT

WHEREAS, the City of Riverbank is authorized by Title 15 Chapter 153.230, to initiate a rezone whenever public necessity and convenience and the general welfare require such amendment; and

WHEREAS, State Housing Element Law (Government Code Section 65580 et seq.) requires that the City of Riverbank adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City's regional housing needs allocation (RHNA) of 3,591 units comprised of 970 very low-income units, 672 low-income units, 594 moderate-income units, and 1,355 above moderate-income units; and

WHEREAS, the City of Riverbank 6th Cycle Housing Element includes Section IX, *2023-2031 Housing Element – Housing Goals and Policies*, that identify goals, policies, and programs the City of Riverbank is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations; and

WHEREAS, the City of Riverbank has prepared the 6th Cycle Housing Element, as required by Government Code Section 65580 et seq. and has developed Program 1.1a, that identifies 8 sites for rezoning to meet the City's RHNA; and

WHEREAS, site specific general plan amendments, specific plan amendments, rezones, and adding the Mixed Use (CX-1) designation to the Crossroads Community Specific Plan (SP-1) are necessary to implement the 6th Cycle Housing Element; and

WHEREAS, the City Council held a duly noticed public hearing on April 28, 2026 regarding the Housing Element Update, including the changes requested by their January 12, 2026 letter and Technical Edits described in HCD's Preliminary Comments on March 24, 2026, at which time interested persons were given an opportunity to be heard; and

WHEREAS, after reviewing and considering all information provided and submitted, and after taking and considering all public testimony, the City Council voted to direct Staff to remove Rezone Site #3 from the 6th Cycle Housing Element; and

WHEREAS, 0 Talbot Avenue (APN: 132-038-032) has a General Plan designation of Industrial/Business Park (I/BP) and a Zoning designation of Light Industrial (M-1), and a proposed General Plan designation of Higher-Density Residential (HDR) and proposed zoning designation of Multiple Family Residential (R-3); and

WHEREAS, 5443 Roselle Avenue (APN: 075-069-029) has a General Plan designation of Mixed Use (MU) and a Zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Commercial (NC), and a proposed General Plan designation of Higher-Density Residential (HDR) and SP-1 land use designation of Medium/High Density Residential (MHR); and

WHEREAS, 5054 Roselle Avenue (APN 075-025-010), 2819 Claribel Road (APN 075-014-026), & 0 Claribel Road (APN 075-014-027) have a General Plan designation of Mixed Use (MU) and a Zoning designation of Crossroads Community Specific Plan (SP-1), Highway Commercial (HC), and proposed SP-1 land use designation of Mixed Use (CX-1); and

WHEREAS, 2561 Claribel Road (APN 075-093-025) has a General Plan designation of Community Commercial (C/C) and a Zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Park/Basin (NP/B), and proposes to amend the General Plan designation to Mixed Use (MU) and the SP-1 land use designation to Mixed Use (CX-1); and

WHEREAS, 0 Kentucky Avenue (APN 062-022-027) has a General Plan designation of Lower Density Residential (LDR) and a Zoning designation of Planned Development (P-D) 71, and proposes to amend the General Plan designation to Higher-Density Residential (HDR) and the zoning designation to Multiple Family Residential (R-3); 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 Planning Commission held a duly noticed special public hearing on March 31, 2026 to consider the proposed General Plan Amendment, Specific Plan Amendment, and Rezone Ordinance; and

WHEREAS, 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 reviewed the General Plan Amendment, Specific Plan Amendment, and Rezone Ordinance and conducted a public meeting on May 19, 2026, 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, the City of Riverbank Planning Commission recommends to City Council find the proposed General Plan Amendment, Specific Plan Amendment, and Rezone exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines and further exempt pursuant to Public Resources Code Section 21080.085 as analyzed in the CEQA Technical Memorandum incorporated by this reference; approve General Plan Amendment No. 01-2025 incorporated by reference and approve Ordinance for Rezone 02-2025 and Specific Plan Amendment 01-2025, attached hereto as Exhibit A and incorporated by this reference, 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; and
 - b. The General Plan amendment is consistent and compatible with the goals and majority of the policies of the General Plan; and
 - c. The effects of the proposed amendment been evaluated and determined not to be detrimental to the public health, safety, or welfare; and
 - 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. Pursuant to the Riverbank General Plan, the Planning Commission finds as follows:
 - a. The proposed amendments help the community achieve the goals outlined in the General Plan; and
 - b. The proposed amendments are consistent with the policies and standards of the General Plan.

3. That, based on the findings set forth in this resolution, the 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 approval of the General Plan Amendment.

4. The proposed General Plan Amendments, Rezones and Specific Plan Amendments continue the consistency between the General Plan and Zoning Code, pursuant to Government Code Sections 65855 and 65860.

5. The Planning Commission recommends that the City Council find the Project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common sense Exemption), and further pursuant to Public Resources Code 21080.085, which exempts rezoning actions that implement the jurisdiction's Housing Element. The site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and Specific Plan Amendment to the Crossroads Specific Plan do not involve any physical changes with the potential to create an adverse effect on the environment. The amendments do not grant any development entitlements and all future housing developments would be subject to further environmental review, which may require supporting technical reports. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum, as illustrated and incorporated by reference as Attachment 5 of the Planning Commission Staff Report.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 19th of May, 2026; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ___-___:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Approved:

 Joshua E. Mann,
 Community Development Director

 Michael Halterman, Chairperson
 Planning Commission

Exhibit A – Draft City Council Ordinance No. 2026-TBD

**CITY OF RIVERBANK
ORDINANCE NO. 2026-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK
APPROVING REZONE 02-2025 AND SPECIFIC PLAN AMENDMENT 01-2025,
REZONING EIGHT PROPERTIES LOCATED AT 0 TALBOT AVENUE (APN: 132-
038-032); 5443 ROSELLE AVENUE (APN: 075-069-029); 5054 ROSELLE AVENUE
(APN: 075-025-010); 2819 CLARIBEL ROAD (APN: 075-014-026); 0 CLARIBEL
ROAD (APN: 075-014-027); 2561 CLARIBEL ROAD (APN: 075-093-025); AND 0
KENTUCKY AVENUE (APN: 062-022-027), AND A SPECIFIC PLAN AMENDMENT
TO ADD THE MIXED USE (CX-1) DESIGNATION TO THE CROSSROADS
COMMUNITY SPECIFIC PLAN (SP-1)**

WHEREAS, the City of Riverbank is authorized by Title 15 Chapter 153.230, to initiate a rezone whenever public necessity and convenience and the general welfare require such amendment; and

WHEREAS, State Housing Element Law (Government Code Section 65580 et seq.) requires that the City of Riverbank adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City's regional housing needs allocation (RHNA) of 3,591 units comprised of 970 very low-income units, 672 low-income units, 594 moderate-income units, and 1,355 above moderate-income units; and

WHEREAS, the City of Riverbank 6th Cycle Housing Element includes Section IX, *2023-2031 Housing Element – Housing Goals and Policies*, that identify goals, policies, and programs the City of Riverbank is responsible for enabling the production of housing by reducing regulatory barriers, providing incentives, and supporting programs that create or preserve housing, especially for vulnerable populations; and

WHEREAS, the City of Riverbank has undergone the preparation of the 6th Cycle Housing Element, as required by Government Code Section 65580 et seq. and has developed Program 1.1a, that identifies 8 sites for rezoning to meet the City's RHNA; and

WHEREAS, site specific rezones, specific plan amendments, and adding the Mixed Use (CX-1) designation to the Crossroads Community Specific Plan (SP-1) are necessary to implement the 6th Cycle Housing Element; and

WHEREAS, the City Council held a duly noticed public hearing on April 28, 2026 regarding the Housing Element Update, including the changes requested by their January 12, 2026 letter and Technical Edits described in HCD's Preliminary Comments on March 24, 2026, at which time interested persons were given an opportunity to be heard; and

WHEREAS, after reviewing and considering all information provided and submitted, and after taking and considering all public testimony, the City Council voted to direct Staff to remove Rezone Site #3 from the 6th Cycle Housing Element; and

WHEREAS, 0 Talbot Avenue (APN: 132-038-032) has a Zoning designation of Light Industrial (M-1), and a proposed zoning designation of Multiple Family Residential (R-3); and

WHEREAS, 5443 Roselle Avenue (APN: 075-069-029) has a Zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Commercial (NC), and a proposed SP-1 land use designation of Medium/High Density Residential (MHR); and

WHEREAS, 5054 Roselle Avenue (APN 075-025-010), 2819 Claribel Road (APN 075-014-026), & 0 Claribel Road (APN 075-014-027) have a Zoning designation of Crossroads Community Specific Plan (SP-1), Highway Commercial (HC), and a proposed SP-1 land use designation of Mixed Use (CX-1); and

WHEREAS, 2561 Claribel Road (APN 075-093-025) has a Zoning designation of Crossroads Community Specific Plan (SP-1), Neighborhood Park/Basin (NP/B), and a proposed SP-1 land use designation of Mixed Use (CX-1); and

WHEREAS, 0 Kentucky Avenue (APN 062-022-027) has a Zoning designation of Planned Development (P-D) 71, and a proposed zoning designation of Multiple Family Residential (R-3); and

WHEREAS, in accordance with Senate Bill 18, formal consultation requests were distributed to Native American Tribes on December 12, 2025 for a 90-day period ending on March 12, 2026, and the City did not receive any formal requests for consultation; and

WHEREAS, the City of Riverbank Planning Commission conducted a Public Meeting on May 19, 2026, to consider this proposed Rezone Ordinance (the “Rezone Ordinance”); and

WHEREAS, the City Council held a properly noticed public hearing on the proposed Rezone Ordinance, and considered the Planning Commission recommendations, and any public comments and all documents or testimony received; and

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

1. Specific Plan Amendment Findings: That pursuant to the Riverbank General Plan, the City Council finds as follows:
 - a. The proposed amendments help the community achieve the goals outlined in the General Plan; and

- b. The proposed amendments are consistent with the policies and standards of the General Plan.
2. Based on the findings set forth in this resolution and the City Staff Report, and such other evidence as received at the public hearings on this matter before the City Council, the City Council hereby approves Rezone 02-2025 and SPA 01-2025.
3. The proposed Rezones and Specific Plan Amendments continue the consistency between the General Plan and Zoning Code, pursuant to Government Code Section 65860.
4. The City Council finds the Project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common sense Exemption), and further pursuant to Public Resources Code 21080.085, which exempts rezoning actions that implement the jurisdiction's Housing Element. The site-specific Rezones, Specific Plan Amendments and Specific Plan Amendment to the Crossroads Specific Plan do not involve any physical changes with the potential to create an adverse effect on the environment. The amendments do not grant any development entitlements and all future housing developments would be subject to further environmental review, which may require supporting technical reports. Analysis of the CEQA determination is provided in the CEQA Technical Memorandum, as illustrated and incorporated by reference.

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

Section 1: The recitals above are found to be true and correct, and are hereby incorporated and made part of this Ordinance.

Section 2: The City Council of the City of Riverbank approves the Rezones and Specific Plan Amendments associated with REZ 02-2025 AND SPA 01-2025.

Section 3: The City Clerk is hereby directed to cause the Official Zoning Map of the City of Riverbank to be revised to reflect the rezoning approved by this ordinance.

Section 4: If any section, subsection, subdivision, paragraph, sentence, clause, phrase or portion of this chapter, or any part thereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this chapter or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

Section 5: 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 was introduced at a regular meeting of the City Council of the City of Riverbank held on the 23rd day of June 2026; motioned by Councilmember _____, seconded by Councilmember _____, and upon roll call was carried by the following vote _:_

AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Gabriela Hernandez
City Clerk

Rachel Hernandez
Mayor

APPROVED AS TO FORM:

Tom P. Hallinan
City Attorney

Attachment 4

Riverbank 6th Cycle Housing Element

GPA 01-2025

6th Cycle Housing Element, dated May 2026

Due to the size of this document, it has not been reproduced in the staff report. A copy of the 6th Cycle Housing Element is available for viewing and download on the City's website at:

<https://www.riverbank.org/652/Housing-Element>

Individuals that are unable to access the document at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at riverbankhousing@riverbank.org or (209) 869-7101 to obtain a copy.

Rezone Site Matrix



Site No.	Address	Assessor Parcel No.	Existing General Plan	Proposed General Plan	Existing Zoning	Proposed Zoning
1	0 Talbot Avenue	132-038-032	Industrial/Business Park (I/BP)	Higher-Density Residential (HDR)	Light Industrial (M-1)	Multiple Family Residential (R-3)
2	5443 Roselle Avenue	075-069-029	Mixed Use (MU)	Higher-Density Residential (HDR)	(SP-1), Neighborhood Commercial (NC)	Medium/High Density Residential (MHR)
4	5054 Roselle Avenue	075-025-010	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
5	2819 Claribel Road	075-014-026	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
6	0 Claribel Road	075-014-027	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
7	2561 Claribel Road	075-093-025	Community Commercial (C/C)	Mixed Use (MU)	(SP-1), Neighborhood Park/Basin (NP/B)	Mixed Use (CX-1)
8	0 Kentucky Avenue	062-022-027	Lower Density Residential (LDR)	Higher-Density Residential (HDR)	Planned Development (P-D) 71	Multiple Family Residential (R-3)

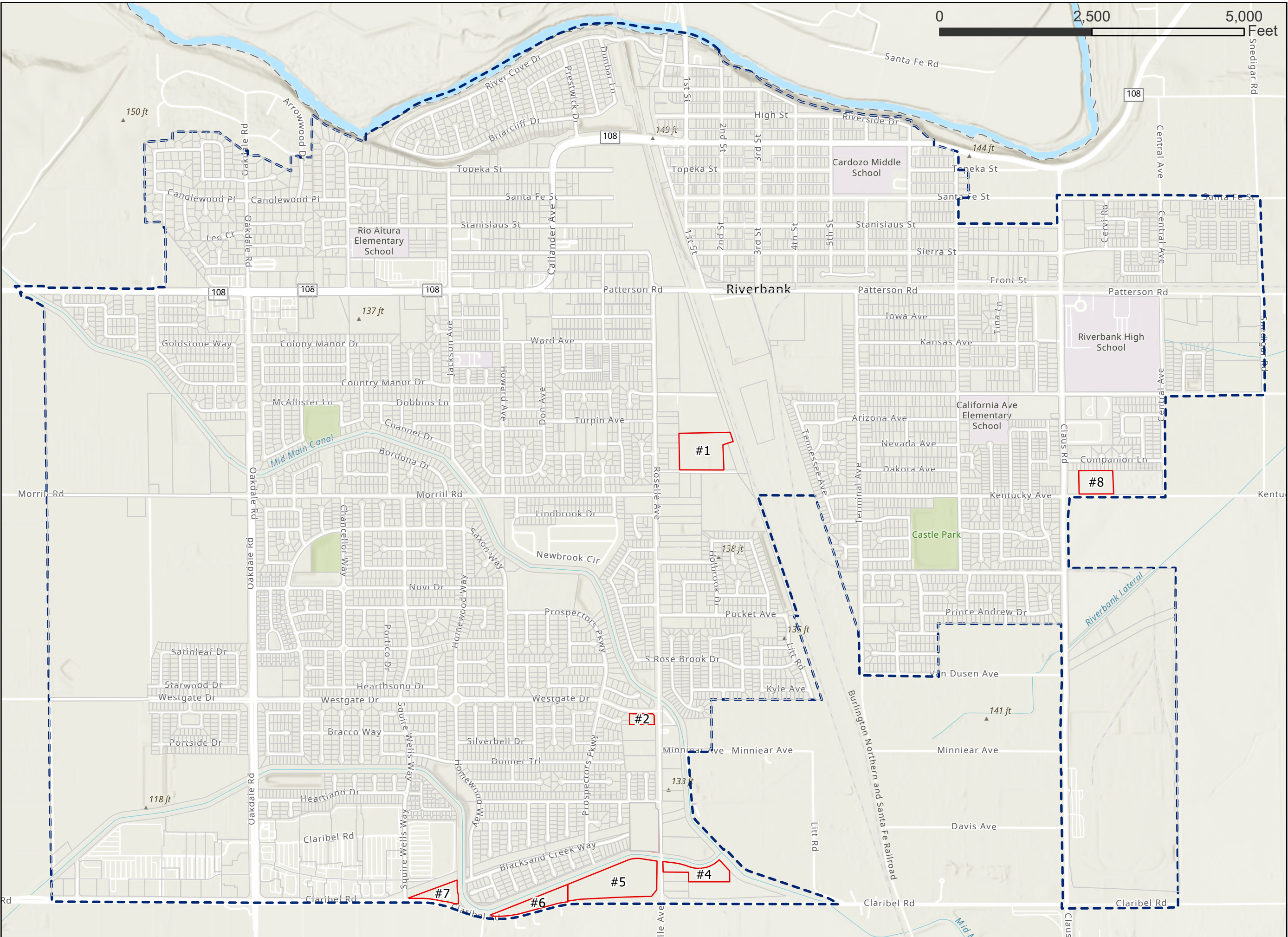
Note: Site No. 3 has been removed at the direction of the City Council on April 28, 2026.

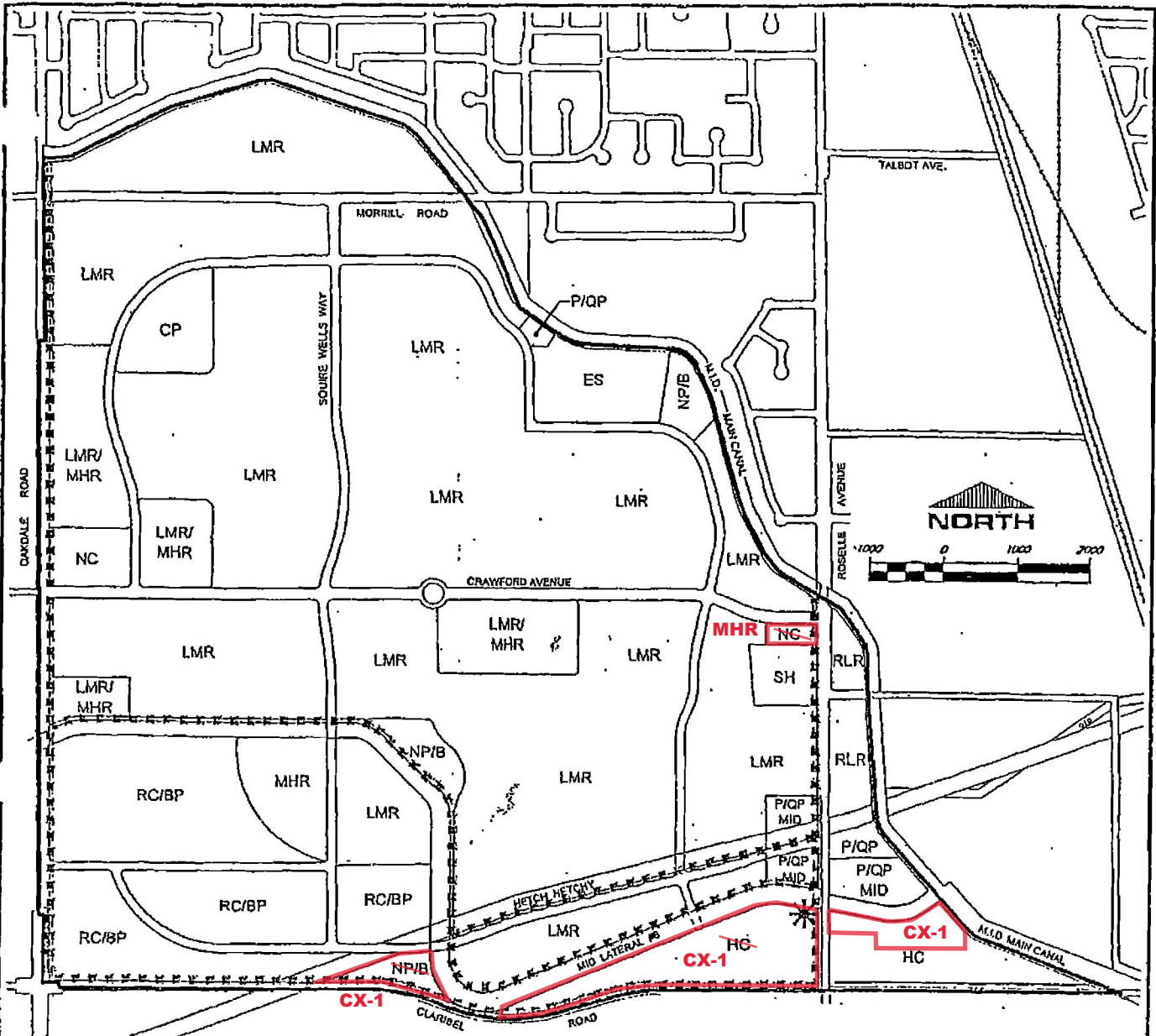


City of Riverbank

Housing Element Implementation Rezone Sites

-  City Limits
-  Rezone Site





LEGEND

RLR	RURAL TO LOW DENSITY RESIDENTIAL	RCBP	REGIONAL COMMERCIAL/BUSINESS PARK
LMR	LOW TO MEDIUM DENSITY RESIDENTIAL	CP	COMMUNITY SERVING PARK / BASIN
LMR/MHR	LOW/MEDIUM/HIGH DENSITY RESIDENTIAL	NP/B	NEIGHBORHOOD PARK / BASIN
MHR	MEDIUM TO HIGH DENSITY RESIDENTIAL	— — —	LINEAR PARKWAY / BIKE TRAIL
SH	SENIOR HOUSING	ES	ELEMENTARY SCHOOL
NC	NEIGHBORHOOD COMMERCIAL	P/QP	PUBLIC/QUASI-PUBLIC
*	POLICE/FIRE SUBSTATION	P/QP MID	MODESTO IRRIGATION DISTRICT
HC	HIGHWAY COMMERCIAL	CX-1	MIXED USE



CITY OF RIVERBANK
 CROSSROADS COMMUNITY SPECIFIC PLAN
LAND USE CONCEPT



Existing

LAND USE

areas. Rather, the design of such areas shall conform to policies included throughout the General Plan, which serve as performance standards.

Areas with the Mixed Use designation in the existing developed City would accommodate a similar mix of land uses as described above. However, this General Plan does not envision that existing neighborhoods would be removed to accommodate new development. Land use change would primarily occur incrementally, and primarily

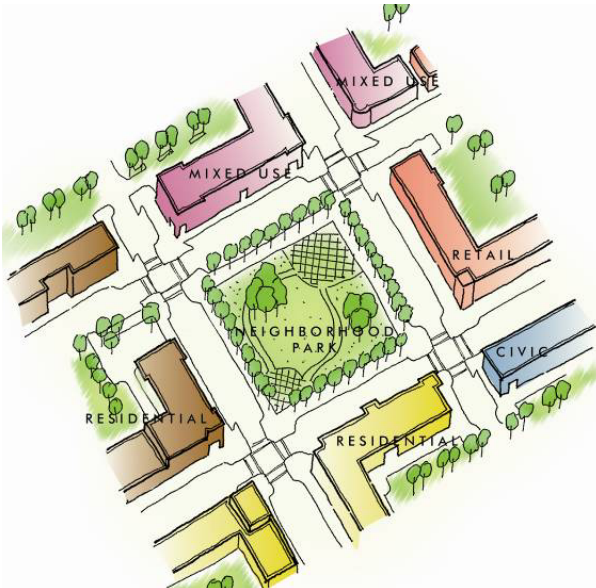


Figure LAND-1. Neighborhood Centers. Smaller-scale commercial uses are encouraged in “neighborhood centers.” The neighborhood center concept is described throughout this General Plan. Above is a conceptual illustration of a neighborhood center with a small park surrounded by retail, mixed-use, civic, and residential development.



Figure LAND-2. Mixed Use Development. Housing above commercial, or “vertical mixed-use,” is encouraged within the Mixed Use (MU) Land Use Designation.

on vacant and underutilized properties. In order to be consistent with the balance of General Plan policy, certain residential neighborhoods with the Mixed Use designation in the existing developed City would not experience land use change during this General Plan update. As described in policies throughout the General Plan, the City is committed to preserving the quality of life in existing developed parts of the City, while also striving to add vibrancy to areas with concentrations of underutilized property.

Community Commercial

Areas with this designation are anticipated to be developed for retail, employment, and/or commercial services. These areas are located along major roadways on the periphery of existing and planned neighborhoods. The maximum FAR is 0.3.



Lower-Density Residential

This designation includes single-family homes, one to each lot, developed at a net density of up to eight dwelling units per acre. Lots would be at least 5,000 square feet in size. This category would primarily include detached units, but attached single-family units may be permitted, provided each unit has ground-floor living area and private outdoor open space.

Medium-Density Residential

This category includes small-lot, single-family detached homes, attached single-family homes, and other residences developed at a net density of between eight and 16 dwelling units per acre. Lots would be at least 2,500 square feet in size.

Higher-Density Residential

This category allows for all types of attached single-family and multi-family housing, including condominiums, apartment buildings, townhouses, and other similar residential structures developed at a net density of 16 or more dwelling units per acre.

Reserve

The Reserve category is intended for land that the City has not yet planned for a specific urban, agricultural, or resource land use. This designation does not necessarily imply urban development, but rather could be areas to preserve in natural open space or for agricultural use, for example. This area offers an opportunity to plan for future land uses by setting specific performance criteria before development takes place in sensitive areas.

The Reserve designation does not denote any specific land use, but rather is an overlay designation that specifies additional requirements related to timing of development, analysis required by the City, infrastructure and service standards, and related topics. Before making Reserve areas eligible for consideration for urban development, the City will hold a public hearing and make required findings, including the following:

- Development of the Reserve area is adjacent to developed areas of the City and infrastructure and services can efficiently be extended to serve the Reserve area;
- The City has had prepared infrastructure planning and financing to serve the needs of the proposed development area, including financing of any necessary citywide facilities to accommodate the planned level of growth;
- Either the rest of the Riverbank Planning Area is sufficiently built out such that the Reserve area is now needed to meet the demand for urban development, or the proposal includes a desired land use unique to the Planning Area that cannot be accommodated on lands within the City limits or portions of the Planning Area without the Reserve overlay designation;



Proposed

LAND USE

areas. Rather, the design of such areas shall conform to policies included throughout the General Plan, which serve as performance standards. **This category allows for a residential net density of between 16 and 40 dwelling units per acre.**

Areas with the Mixed Use designation in the existing developed City would accommodate a similar mix of land uses as described above. However, this General Plan does not envision that existing neighborhoods would be removed to accommodate new development. Land use change would primarily occur incrementally, and primarily

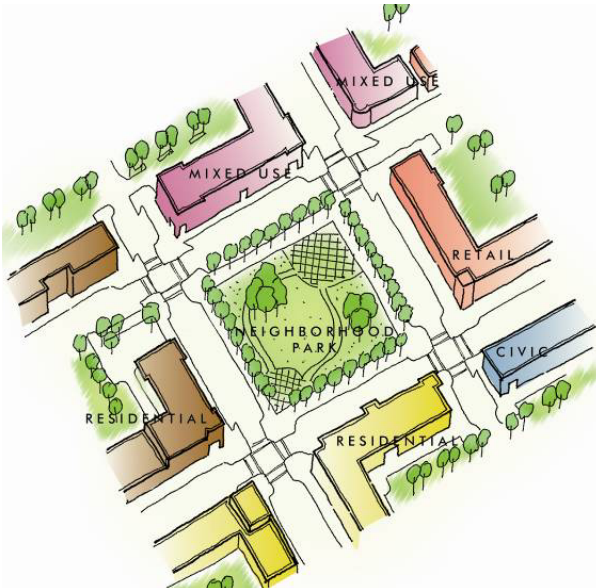


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- Development of the Reserve area is adjacent to developed areas of the City and infrastructure and services can efficiently be extended to serve the Reserve area;
- The City has had prepared infrastructure planning and financing to serve the needs of the proposed development area, including financing of any necessary citywide facilities to accommodate the planned level of growth;
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TECHNICAL MEMORANDUM

TO: Mr. Joshua Mann, Community Development Director

FROM: Mr. David Niskanen, J.B. Anderson Land Use Planning

SUBJECT: City Of Riverbank 6th Cycle Housing Element, Zoning Ordinance Amendment and 6th Cycle Housing Element Implementation Rezones (GPA 01-2025, ZOA 01-2025, REZ 02-2025, and SPA 01-2025)

DATE: May 7, 2026

Purpose

This Technical Memorandum evaluates the City of Riverbank 6th Cycle Housing Element, General Plan Amendment to the Land Use Element, Zoning Ordinance Amendment and Site-Specific General Plan Amendments, Rezones, and Specific Plan Amendments to implement the 6th Cycle Housing Element (“the Proposed Project”) concerning California Environmental Quality Act (“CEQA”) compliance. This Technical Memorandum was prepared to present 1) the findings of the CEQA compliance review, as described below; and 2) the recommendations concerning the appropriate CEQA compliance documentation.

Statutory Authority and Requirements

State CEQA Guidelines Section 15061 – Review for Exemption

Once it has been determined that an activity is a project subject to CEQA, it is then determined whether the project is exempt from CEQA. Pursuant to State CEQA Guidelines Section 15061, a project is exempt from CEQA if:

1. The project is exempt by statute (see State CEQA Guidelines Article 18, commencing with §15260).
2. The project is exempt pursuant to a Categorical Exemption (CE) (see State CEQA Guidelines Article 19, commencing with §15300) and the application of that CE is not barred by one of the exceptions set forth in State CEQA Guidelines Section 15300.2.

3. The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
4. The project will be rejected or disapproved by a public agency.
5. The project is exempt pursuant to the provisions of Article 12.5 – Exemptions for Agricultural Housing, Affordable Housing, and Residential Infill Projects.

The Proposed Project is exempt from further environmental review pursuant to the common sense exemption under CEQA Guidelines Section 15061(b)(3) as the 6th Cycle Housing Element, General Plan Amendment to the Land Use Element, Zoning Ordinance Amendment and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments will not have the potential to cause a significant effect on the environment.

Public Resources Code 21080.085

Pursuant to Public Resources Code 21080.085, subdivision(a), “rezoning that implements the schedule of actions contained in an approved housing element pursuant to subdivision (c) of Section 65583 of the Government Code” are statutorily exempt from CEQA. The Proposed Project will be statutorily exempt from CEQA pursuant to Public Resources Code 21080.085 as the Proposed Project includes site-specific rezones that implement the schedule of actions contained in the 6th Cycle Housing Element (Program 1.1a).

Project Description

6th Cycle Housing Element

The 6th Cycle Housing Element is a state mandated element of the City of Riverbank’s 2005-2025 General Plan which establishes the City’s housing policies and programs to accommodate the Regional Housing Needs Allocation (RHNA) goals, as determined by the Stanislaus Council of Governments (StanCOG). The 6th Cycle Housing Element identifies and analyzes the City’s housing needs, resource site inventory, constraints on housing, an analysis of fair housing (Affirmatively Furthering Fair Housing), an evaluation of the City’s current Housing Element Policies and Programs and updated/new Policies and Programs for the 6th Cycle Planning Period. For the 6th Cycle, StanCOG provided the City’s with the RHNA between the timeframe of June 30, 2023 to December 31, 2031. The table below provides the City’s RHNA:

Income Category	Unit Allocation
Extremely Low-Income (<30% of AMI)	485
Very Low-Income (<50% of AMI)	485
Low-Income (50% - 80% of AMI)	672
Moderate-Income (80% - 120% of AMI)	594
Above Moderate-Income (>120% of AMI)	1,355
Total	3,591

The proposed 6th Cycle Housing Element represents the City’s policy program for the 6th Cycle Planning Period. The 6th Cycle Housing Element is a comprehensive review and update to the previous Housing Element, which covered the 5th Cycle.

The proposed 6th Cycle Housing Element is organized into ten (10) Chapters (Introduction, Household and Employment Characteristics, Housing Stock Characteristics, Housing Supply and Needs, Affirmatively Furthering Fair Housing, Housing Production Opportunities, Housing Production Constraints, Housing Development Eligible to Change to Non-Low-Income Units, Evaluation of Previous Housing Element, and Housing Element Goals, Policies, and Housing Action Plan).

The 6th Cycle Housing Element addresses the City's identified housing needs, including housing goals, policies, and programs and discusses the City's approach to addressing its share of the regional housing need. The 6th Cycle Housing Element includes a Site Inventory, which is conducted to satisfy the City's RHNA. The sites are either within a specific plan entitled for residential development, currently in the pipeline, projected ADU development, or identified for rezoning to accommodate the City's remaining need.

The City conducted a Site Inventory utilizing information from the Stanislaus County Parcel Database, Google Maps, and the City's General Plan and Zoning Maps. The Site Inventory identified approximately 333.12 acres of land within the City's existing City Limit that can accommodate residential development. In total, the inventory of land resulted in the City's ability to accommodate the development of 4,071 residential units, varying from single-family residential development to multi-family residential development (e.g., apartments, townhouses, etc.). The City has identified eight seven (7) for rezoning, with a capacity of 790 units, to accommodate the City's remaining need.

The 6th Cycle Housing Element includes Goals, Policies, and Programs aimed at providing additional housing opportunities, removing governmental constraints to affordable housing, improving the condition of existing housing, and providing equal housing opportunities for all residents. The Proposed Project involves adoption of planning programs and policies; identifies sites subject to potential future development; adoption of zoning ordinances establishing the City's RHNA sites, corresponding consistency changes to affected zoning districts, and by-right development process for certain sites. The Proposed Project does not propose to implement or result in housing development. Physical development of any site included in the Proposed Project would require formal development applications, technical studies, and further evaluation in accordance with CEQA and City plans, ordinances, and standards. Additionally, the Project does not propose implementing any program that could have a significant effect on the environment or that was not previously analyzed in a CEQA document.

General Plan Amendment to the Land Use Element

The City's 2005-2025 General Plan was adopted on April 22, 2009 by the City of Riverbank City Council and includes a number of required and optional elements. The General Plan Land Use Element includes a list of Land Use Designations and associated descriptions that establishes the density and building intensity standards that are further refined in the City's Municipal Code (specifically, Chapter 153: Zoning) or Specific Plans (e.g., Crossroads Specific Plan). Typically, the General Plan Land Use Designations for residential designations (e.g., Low Density Residential, Medium Density Residential, etc.) include a density range (dwelling units per net acre) in which defines the anticipated intensity of residential development throughout the City. Staff identified that the Higher Density Residential and Mixed Use Land Use Designations do not define the maximum residential density.

The Proposed Project includes a General Plan Amendment to the Land Use Element to modify the General Plan Land Use Designations of the Higher Density Residential and Mixed Use to establish a maximum residential density of 40 dwelling units per net acre.

Zoning Ordinance Amendment – By-Right Approval Process

Government Code Section 65583.2(c) requires the City to implement a “by-right” approval program for sites identified in the 6th Cycle Housing Element that were 1) identified as a non-vacant site in the previous Housing Element Cycle (5th Cycle) and 2) identified as a vacant site in the previous two (2) Housing Element Cycles (4th and 5th Cycles). Specifically, Government Code allows projects to have a “by-right” approval process for housing development projects in which at least 20 percent of the units are affordable to lower-income households. By-right means that the City shall not require the following:

- Conditional Use Permit;
- Planned Community Permit;
- Design Review other than Objective Design Standards; or
- Other discretionary, local government review or approval that would constitute a “project” as defined in Section 2100 of the Public Resources Code (California Environmental Quality Act).

The Proposed Project includes an amendment to the Riverbank Municipal Code to add new Sections entitled “Regional Housing Needs Assessment Overlay” that would clarify the requirements of Government Code Section 65583.2(c).

Zoning Ordinance Amendment – Religious Institution Sites

Government Code Section 65913.16 allows housing developments on land owned by an independent institution of higher education or religious institution that meet certain requirements. The Proposed Project includes an amendment to add a Section to the “Regional Housing Needs Assessment Overlay” to clarify the requirements of Government Code Section 65913.16.

Zoning Ordinance Amendment – CX-1 Mixed Use District

Program 1.1a of the 6th Cycle Housing Element requires the City to amend the Mixed Use CX-1 Zone (Sections 153.066 through 153.072) of the Riverbank Municipal Code to allow 100 percent residential uses and require that residential uses occupy at least 50 percent of the floor area in a mixed-use project. The Proposed Project includes amendments to Sections 153.067, *Uses Permitted* and Section 153.071, *Development Standards* to incorporate this requirement in the Mixed Use CX-1 Zone.

Site-Specific General Plan Amendments, Rezones, and Specific Plan Amendments

The Proposed Project includes site-specific General Plan Amendments, Rezones, and Specific Plan Amendments to implement Program 1.1a of the 6th Cycle Housing Element, including the following:

Site No.	Address	Assessor Parcel No.	Existing General Plan	Proposed General Plan	Existing Zoning	Proposed Zoning
1	0 Talbot Avenue	132-038-032	Industrial/Business Park (I/BP)	Higher-Density Residential (HDR)	Light Industrial (M-1)	Multiple Family Residential (R-3)

2	5443 Roselle Avenue	075-069-029	Mixed Use (MU)	Higher-Density Residential (HDR)	(SP-1), Neighborhood Commercial (NC)	Medium/High Density Residential (MHR)
4	5054 Roselle Avenue	075-025-010	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
5	2819 Claribel Road	075-014-026	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
6	0 Claribel Road	075-014-027	Mixed Use (MU)	Mixed Use (MU)	(SP-1), Highway Commercial (HC)	Mixed Use (CX-1)
7	2561 Claribel Road	075-093-025	Community Commercial (C/C)	Mixed Use (MU)	(SP-1), Neighborhood Park/Basin (NP/B)	Mixed Use (CX-1)
8	0 Kentucky Avenue	062-022-027	Lower Density Residential (LDR)	Higher-Density Residential (HDR)	Planned Development (P-D) 71	Multiple Family Residential (R-3)

The Proposed Project proposes to amend the Crossroads Specific Plan to add the Mixed Use (CX-1) land use designation.

Findings Concerning CEQA Exemptions

The Proposed Project is exempt as a “Common Sense” exemption under State CEQA Guidelines 15061(b)(3) and further pursuant to Public Resources Code 21080.085 because the project involves goals, policies, and programs to meet the City’s RHNA and affirmatively furthering fair housing (AFFH) goals, associated Zoning Ordinance Amendments, an update to the General Plan Land Use Element related to establishing a maximum density for the Higher Density Residential and Mixed Use Land Use Designations, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments but does not involve any physical changes with the potential to create an adverse effect on the environment. Furthermore, the rezoning actions would implement the City’s 6th Cycle Housing Element pursuant to Public Resources Code 21080.085.

As described above, the 6th Cycle Housing Element creates a roadmap on how to achieve its RHNA and AFFH goals through identification of suitable sites for development an identification of programs that could remove constraints to and promote affordable housing. The 6th Cycle Housing Element does not grant any development entitlements or authorize development beyond what is allowed under the City’s current General Plan and Zoning Code (Chapter 153: Zoning). All future housing development pursuant to the 6th Cycle Housing Element would be subject to filing of formal development applications and further review in compliance with City plans, ordinances, and standards, which may require supporting technical reports.

The Proposed Project does not include any physical improvements that would be required to adopt the 6th Cycle Housing Element, General Plan Amendment to the Land Use Element, Zoning Ordinance Amendments, or site-specific General Plan Amendments, Rezones, and Specific Plan Amendments. Therefore, it can be seen with certainty that there is no possibility that adopting the Proposed Project would result in a significant effect on the environment. Thus, the City of Riverbank finds that the Proposed Project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) and further pursuant to Public Resources Code 21080.085.

Below is a brief analysis that demonstrates adoption of the Proposed Project would not result in direct or reasonably foreseeable indirect physical change in the environment. Environmental resources discussed are those based on the CEQA Guidelines Appendix G Checklist.

- I. **Aesthetics.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Further, future development projects would undergo project-specific development review, including CEQA. As such, its implementation would not cause a substantial effect on a scenic vista, damage scenic resources within a state scenic highway, create a new source of substantial light or glare, or otherwise alter the existing visual character of the City. Therefore, there is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant effect to aesthetics would occur.
- II. **Agricultural/Forest Resources.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. In addition, future development projects would undergo project-specific development review. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not convert agricultural land to non-agricultural use or result in the loss or conversion of forest land.
- III. **Air Quality.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. The Proposed Project does not involve or approve physical development, and as such, would not involve construction or operational activities that would generate pollutant emissions. There is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant effect to air quality would occur.
- IV. **Biological Resources.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development.

In addition, future development projects would undergo project-specific development review to address potential impacts. Because the Proposed Project does not involve or approve physical development, there is no possibility that the Proposed Project would have a significant effect on special status species, habitat, or wildlife movement, and no significant effect would occur.

- V. Cultural Resources.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. In addition, future development projects would undergo project-specific development review to address potential impacts. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not cause a substantial adverse change in the significance of a historic or archaeological resource, or human remains. There is no reasonable possibility that the Proposed Project would have a significant effect on cultural resources.
- VI. Energy.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not involve construction or operational activities that would generate or require energy. There is no possibility that the Proposed Project would have a significant effect on the environment, and no significant effect to energy would occur.
- VII. Geology and Soils.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. In addition, future development would undergo project-specific development review to address potential impacts. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not cause substantial adverse effects related to seismicity, ground failure, erosion, or geologic stability. There is no reasonable possibility that the Proposed Project would have a significant effect on geology and soils and no significant impact would occur.
- VIII. Greenhouse Gas Emissions.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not involve construction or operational activities that would generate pollutant emissions. There is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant effect to greenhouse gases would occur.

- IX. Hazards & Hazardous Materials.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not involve the transport, use, or disposal of hazardous materials, nor create a significant hazard to the public or environment. There is no reasonable possibility that the Proposed Project would result in a significant effect on the environment. Further, future development would be required to comply with federal, State, and local regulations and policies to ensure a less than significant effect on the environment, including regulations and policies related to hazards and hazardous materials. No significant effect to hazards and hazardous materials would occur.
- X. Hydrology & Water Quality.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not violate and have no effect on water quality standards, substantially decrease groundwater supplies, substantially alter existing drainage patterns, or release pollutants in a flood hazard, tsunami or seiche zone. The City of Riverbank is a member agency to the Stanislaus & Tuolumne Rivers Groundwater Basin Association (GSA). On February 27, 2025, the Department of Water Resources evaluated the revised 2024 Groundwater Sustainability Plan (GSP) for the Modesto Subbasin and determined that the GSP is approved. The GSP identifies Management Action (MA) that will be undertaken by the GSAs as an element of the GSP implementation, including the Groundwater Allocation and Pumping Management Program. Future development would be required to comply with federal, State and local regulations and policies to ensure a less than significant effect on the environment, including any applicable MA's undertaken by the GSAs implementing the GSP as well as applicable regulations and policies related to hydrology, water quality, and impacts to groundwater supply. There is no reasonable possibility that the Proposed Project would have a significant effect on hydrology and water quality.
- XI. Land Use & Planning.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. The Proposed Project intends to comply with the City's 6th Cycle Housing Element obligations of the State of California and update the City's Housing Element and implementing zoning ordinances as required by the State of California. The Proposed Project would not involve changes to the physical environment that would physically divide an established community or result in conflicts with adopted policies and regulations that intend to avoid or mitigate environmental effect. Therefore, there is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant effect to land use and planning would occur.

- XII. Mineral Resources.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Future development will require project-specific developmental review to address potential impacts. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not result in a substantial adverse effect to mineral resources. Therefore, there is no reasonable possibility that the Proposed Project would have a significant effect on mineral resources, and no significant impact would occur.
- XIII. Noise.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not involve construction or operational activities that would generate noise. Therefore, there is no reasonable possibility that the Proposed Project would have a significant effect related to noise, and no significant impact would occur.
- XIV. Population & Housing.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. The Proposed Project would not induce substantial unplanned population growth or displace substantial numbers of existing people or housing, as any population growth that would result from future development associated with the Proposed Project is considered planned. The Proposed Project implements regulatory requirements of the State of California to allow for future development in accordance with the City's RHNA obligations. A substantial portion of the City's zoning capacity is already programmed and evaluated under CEQA by the City's existing General Plan, existing Specific Plans, and the City's 5th Cycle Housing Element. Without any tangible development application for specific sites, there is no foreseeable, reasonable possibility that the Proposed Project would have a significant effect on the environment. Any future development would undergo project-specific developmental review to address potential impacts.
- XV. Public Services.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. As such, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities (police, fire, libraries, etc.). There is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant impact on public services would occur.

- XVI. Recreation.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. As such, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered recreational facilities. There is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant impact on recreational facilities would occur.
- XVII. Transportation & Traffic.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Because the Proposed Project would not involve or approve physical development, the Proposed Project would not involve construction or operational activities that would generate vehicle trips. There is no active development application being approved with the Proposed Project, and therefore any evaluation of actual vehicle trips or transportation impacts caused by a future development project are not foreseeable and would be speculative. There is no reasonable possibility that the Proposed Project would have a significant effect on the environment, and no significant impact on transportation & traffic would occur.
- XVIII. Tribal Cultural Resources.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. Future development would undergo project-specific development review to address potential impacts. Because the Proposed Project does not involve or approve physical development, the Proposed Project would not cause a substantial adverse change to tribal cultural resources. There is no reasonable possibility that the Proposed Project would have a significant effect on tribal cultural resources.
- XIX. Utilities & Service Systems.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. As such, the Proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered utilities and service systems (wastewater, water and solid waste). As noted above, the City of Riverbank is a member agency of the Stanislaus & Tuolumne River GSA and the implementation of the GSP and associated Management Actions, including the Groundwater Allocation and Pumping Management Program that is ongoing. Future development would be required to comply with federal, State and local regulations and policies to ensure a less than significant effect on the environment, including any applicable Management Actions undertaken by the GSAs implementing the GSP as well as applicable regulations and policies related to hydrology, water quality, and impacts to groundwater supply.

Because the Proposed Project does involve or approve physical development, the Proposed Project would not cause any impact to utilities and service systems. As such, there is no reasonable or foreseeable possibility that the Proposed Project would have a significant effect on the environment, and no significant impact on utilities and service systems would occur.

- XX. Wildfires.** The Proposed Project involves the adoption of a policy document, a general plan amendment to the Land Use Element, Zoning Ordinance Amendments, and site-specific General Plan Amendments, Rezones, and Specific Plan Amendments and does not in and of itself include any proposed development that would facilitate increased development. The Proposed Project would not impair an adopted emergency response plan or emergency evacuation plan; exacerbate wildfire risks; require the installation or maintenance of infrastructure that may exacerbate fire risks; or expose people or structures to significant risks because of post fire slope instability or drainage changes. As such, there is no reasonable or foreseeable possibility that the Proposed Project would have a significant effect on the environment, and no significant impact related to wildfire would occur.

In addition, none of the potential exemptions (CEQA Guidelines Section 15300.2) to the use of a categorical exemption apply.

- a. **Cumulative Impact.** CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effect of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the Proposed Project, which is a legislative policy document and the associated implementation of Programs, there is no potential for cumulatively considerable impacts. The Proposed Project will not result in significant impacts in any environmental area and would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increase need for housing, increase in traffic, air pollutants, etc.).
- b. **Significant Effect.** There are no environmental impacts associated with the Proposed Project. See analysis above.
- c. **Scenic Highways.** There is no development associated with the Proposed Project and no impact to scenic highways, which is also discussed above under Aesthetics.
- d. **Hazardous Waste Sites.** There is no development associated with the Proposed Project and no impact related to hazardous waste sites.
- e. **Historical Resources.** There is no development associated with the Proposed Project and no impact to historical resources.

Conclusion

Based on the information contained herein, the Proposed Project is exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3) and further pursuant to Public Resources Code 21080.085.

NOTICE OF PREPARATION

TO: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

FROM: Jessica Hill, Director
City of Modesto | Planning Division
1010 10th St.,
Modesto, CA 95354
(209) 577-5267
planning@modestogov.com

SUBJECT: Notice of Preparation – Environmental Impact Report for the Tivoli North Specific Plan

Notice is hereby given that the City of Modesto is the lead agency for the preparation of an Environmental Impact Report (EIR) for the Tivoli North Specific Plan (TNSP). The proposed project, the TNSP, is a comprehensive planning document prepared pursuant to California Government Code Section 65450 et seq. The TNSP establishes a regulatory framework governing land use, development standards, design guidelines, infrastructure, circulation, parks and recreation, and community services for the approximately 663-acre Plan Area. The TNSP is intended to guide the orderly, phased conversion of predominantly agricultural land to a mixed-use urban community consistent with the goals and policies of the City of Modesto Urban Area General Plan. At full buildout, the TNSP is projected to support:

- Residential Units: Up to 6,998 units (realistic average of approximately 4,911 to 5,156 units)
- Projected Population: Up to and 20,995 residents (realistic average of approximately 15,466 residents [at 3.0 persons per household])
- Non-Residential Development: Up to approximately 1,250,327 square feet of commercial/mixed-use floor area
- Employment: Approximately 2,501 jobs (at 1 job per 500 square feet of non-residential space)

A detailed Project Description can be reviewed at the City or by accessing the City's website at <https://www.modestogov.com/3240/Tivoli-North>.

The City needs to know the views of your agency or organization as to the scope and content of the environmental information germane to your agency's statutory responsibilities or of interest to your organization in connection with the proposed project. Due to the time limits mandated by State law, your response must be sent and received by the City of Modesto not later than 30 days following the publication of this Notice of Preparation.

The 30-day review period begins May 6, 2026 and ends on June 5, 2026. If we do not receive a response from your agency or organization, we will presume that your agency or organization has no response to make. A responsible agency, trustee agency, or other public agency may request a meeting with the City or its representatives in accordance with Section 15082(c) of the CEQA Guidelines. Please send your response to Jessica Hill, Director, at the City of Modesto | Planning Division, 1010 10th Street, Modesto, CA 95354. If you have any questions, please contact Planning Division, Attn: Tivoli North Specific Plan at (209) 577-5267 or via email at planning@modestogov.com

SCOPING MEETING: A virtual scoping meeting for this project will be held on May 20, 2026 from 5:00 p.m. to 5:30 p.m. You may attend the meeting using the following instructions:

- Enter the following link into an Internet Browser:
 - <https://modestogov.zoom.us/j/81549872251?pwd=PrIcIbvafvwmEYfswfaa5VLmX3KAQc.1>
- Enter the following link into an Internet Browser <https://zoom.us/> and using the Webinar ID
 - Meeting ID: 815 4987 225 Passcode: 383693

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- To use Zoom, please visit: <https://zoom.us/> and either sign-up for a free Zoom account or continue as a guest. Once you have downloaded the app onto your mobile device, joined from your web browser, or downloaded the Zoom software on your computer.

PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR: All environmental topics identified in Appendix G of the State CEQA Guidelines will be analyzed within the EIR, including: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology/Soils, Greenhouse Gases/Climate Change, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation/Circulation, Tribal Resources, Utilities and Service Systems, Wildfire, Cumulative Impacts, and Growth Inducing Impacts. An Initial Study has not been prepared for the proposed project.

Farmland Working Group

Striving to protect food, families & farmland. Since 1999.

Leveraging Modesto's competitive advantage starts with smarter land use — a call for fiscal honesty in the general plan

By Trevin W. Barber - Special to The Modesto Bee
Updated January 30, 2026

Modesto is being asked to choose among three land-use alternatives for the 2050 General Plan. On the surface, these options appear to offer different futures: one focused on economic competitiveness, one on balanced growth and one on minimal expansion. But the city's own comparison boards tell a different story.

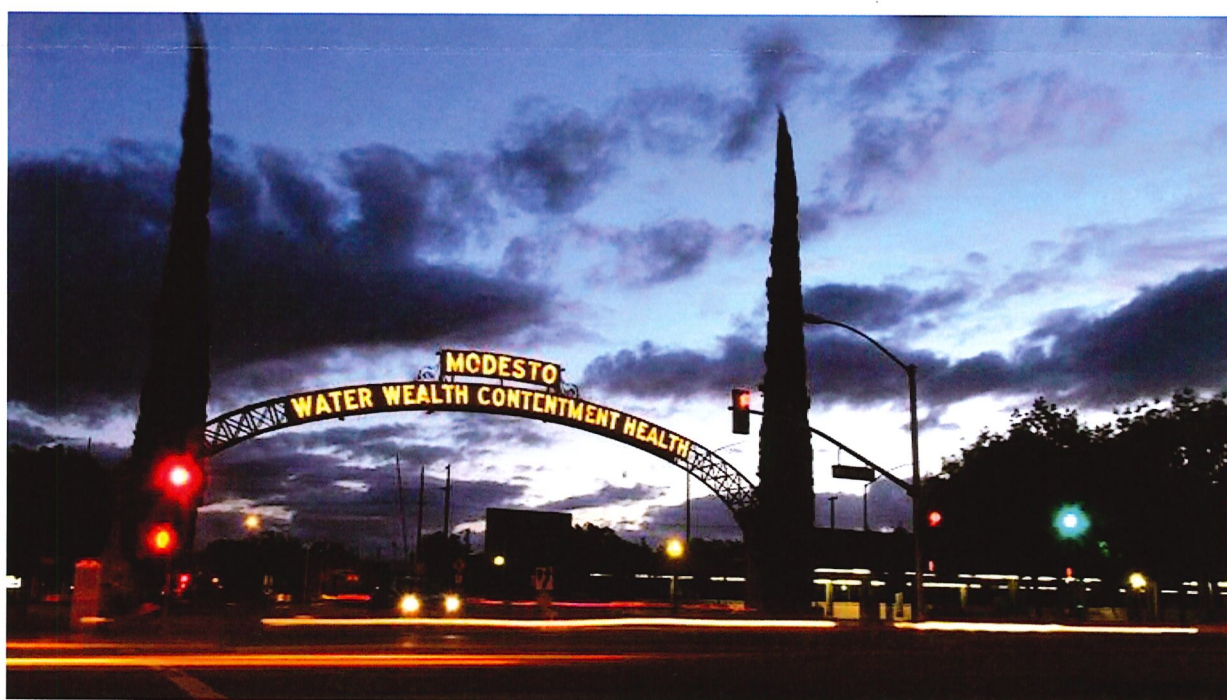
Despite their labels, all three alternatives share the same underlying assumption: that Modesto's future hinges on how much we grow, rather than how well we grow.

That is the wrong focus.

The real issue facing Modesto is not whether we expand faster or slower. It's whether we are willing to design growth that strengthens neighborhoods, improves fiscal health and creates opportunity for every resident. On that front, all three alternatives fall short.

“Despite their labels, all three alternatives share the same underlying assumption: that Modesto's future hinges on how much we grow, rather than how well we grow.”

Each scenario continues the same auto-centric development pattern that has left Modesto with rising infrastructure costs, widening inequities and a structural budget deficit. Whether the city grows outward aggressively, moderately or minimally, the underlying model remains unchanged: spread-out development that forces residents into cars and costs more to maintain than it ever generates in tax revenue.



Modesto's three 2050 General Plan alternatives all keep the same costly, low-density development pattern. Debbie Noda Modesto Bee

Strong Towns and other fiscal analysts have shown that this pattern is financially unsustainable for cities across the country — and Modesto is no exception. Instead of planning to fall off a cliff in five years or a decade, what if we just didn't plan to fall off a cliff?

Shortcomings of three alternatives

While the alternatives differ in tone, they all convert thousands of acres of land for developments from economically productive orchards that actually contribute to Modesto's export economy. Nearly all of this new housing capacity takes the form of high-priced, low-density subdivisions concentrated in North Modesto.

Flooding the market with more of the same does little to address affordability, mobility or equity. It simply expands the city's footprint and deepens the long-term infrastructure liabilities that already strain our budget.

All three alternatives also imply that Modesto must accept a trade-off between growth and economic success — as if expanding outward automatically produces prosperity. This is a false dilemma. But the type of “growth” these

scenarios rely on simply does not deliver the economic outcomes we need.

More industrial land would only attract more low-wage warehousing. It is not economic development; it is land consumption without value creation. Warehousing generates minimal sales tax, offers limited upward mobility and produces far fewer net impacts per acre than the productive agricultural land it replaces.

The alternatives frame a choice between growth and stagnation. In reality, we have to choose between low-value expansion and high-quality economic advancement. Modesto absolutely deserves the latter.

What is lost

Even more concerning is what we lose in the process. The removal of thousands of acres of orchards is not just a land-use decision, it is a direct setback to the region's emerging work with BEAM Circular and the broader effort to build a bio-circular economy for woody biomass.

Orchards are a cornerstone of this regenerative economic model. Their prunings, removals and woody byproducts can be transformed into higher-value materials, renewable products and climate-positive industries. Eliminating

Continued on page 2

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FROM THE CHAIR



EARTH DAY is celebrated each year on April 22. It is a day when Americans recognize the small planet we depend on and human impact on the earth. Non-renewable resources exist in finite amounts and cannot be easily replaced.

Farmland is considered a rapidly disappearing natural resource, California loses 50,000 acres of farmland every year, making its protection essential for long term sustainability.

- ◆ **Sustainability & Infrastructure** — Farmland supports biodiversity, protects water quality in watersheds, and provides open space that can be more fiscally beneficial to local governments than commercial development.
- ◆ Farms also provide critical habitat for local wildlife populations, promoting and protecting biodiversity.



The Proposed River Walk Project: Status

by Jami Aggers

The Draft Environmental Impact Report (EIR) for the proposed River Walk Project in the Riverbank area of Stanislaus County would involve the conversion of approximately 1,000 acres of prime agricultural land into primarily residential units along with commercial development to serve the new community. The project area consists of low-lying flood plain land which is actively farmed currently and has been in one type of agricultural production or another since at least the 1950's.

The Draft EIR was released in early 2024 and comments were due in May of that year. Over 100 comment letters were received from agencies and members of the public. The Final EIR for the project must address each of the comments received and is anticipated to be released at any time. Once it is posted, the time frame to comment will be brief as it will rather quickly advance to the Riverbank Planning Commission, and then to the City Council for consideration shortly thereafter. If the project is approved following a Public Hearing, it will necessitate a General Plan change/amendment, as the area is not currently zoned for residential and commercial development, and it is also not currently part of the City's Sphere of Influence (SOI) which is the area within which the City has been previously approved to grow/annex.

Ultimately, the final approval will lie with the Local Agency Formation Commission (LAFCO; a 5-member Commission comprised of city, county and public members) which is where

city SOI/boundary changes occur, if approved. Applications for SOI/boundary changes must be accompanied by a Municipal Services Review document which demonstrates that a city has the necessary existing services (water, sewer, police, fire, etc.) that would be needed to serve the area. Riverbank's most recent SOI expansion occurred in 2016 when 1,500 acres was added primarily for the Crossroads West development/expansion. The River Walk project proposes to add an additional 1,500 acres to the City's SOI by expanding north to the Stanislaus River and West to McHenry Avenue to accommodate the River Walk project and take in additional parcels that are currently zoned agriculture.



Continued from page 1

this feedstock at scale undermines one of Modesto's most promising innovation pathways and weakens our long-term economic resilience.

Replacing productive orchards with low-yield subdivisions is not "emerging economic opportunity." It is the egregious plundering of one of Modesto's most strategic competitive advantages.

What does better growth look like?

Better growth means designing neighborhoods where people can meet daily needs without long car trips. It means focusing on infill and reinvestment in existing communities rather than pushing the city's edges farther into farmland. It means creating walkable, mixed-use districts that support small businesses, reduce household transportation costs and generate more revenue per acre for the city.

Better growth means addressing inequities that have persisted for decades. Many Modesto neighborhoods lack safe sidewalks, parks, shade and access to services, yet the alternatives offer little more than a continuation of the status quo.

Finally, better growth means adopting strong design standards that reflect the realities of a Central Valley city. Modesto's tree canopy is far below state and national averages, and many neighborhoods lack shade entirely. A forward-looking General Plan would require minimum tree-canopy coverage for all new development, heat-resilient street design, parking-lot shade requirements that actually produce shade and incentives for retrofitting existing neighborhoods with trees and cooling infrastructure.

Modesto deserves a General Plan that is honest about these challenges and bold enough to propose solutions. That means shifting the conversation away from "How much should we grow?" and toward "How do we grow well?"

For more information go to: <https://gp2050.modestogov.com/documents/>



Scan the QR code to view the video
A Plan for Ag

A donation has been made:
In Honor of
Norman Passadori
In Memory of
Sally Magneson
by
Nancy Hamaguchi

Organizations Opposed to the River Walk Project



Farmland Working Group

Voters for Farmland

