

CITY OF RIVERBANK

ORDINANCE NO. 2019-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK, CALIFORNIA, TO APPROVE PRE-ZONING OF THE CROSSROADS WEST SPECIFIC PLAN (APNs: 074-006-022, 074-006-021, 074-006-016, 074-006-014, 074-006-013, 074-011-009, 074-014-006, 074-014-007, AND 074-011-004)

WHEREAS, the City of Riverbank Planning Commission conducted a Public Hearing on February 13, 2019 to consider pre-zoning the CWSP Plan Area; and

WHEREAS, the City Council for the City of Riverbank accepts the recommendations of the Planning Commission and makes the following findings:

1. The City of Riverbank prepared the Crossroads West Specific Plan (CWSP) to provide comprehensive guidelines for development of an area comprising 380+/- acres adjacent to the Riverbank City limits; and
2. The Crossroads West Specific Plan Area ("Plan Area") lies outside City limits, but within the City's sphere of influence, and the City has initiated proceedings to annex the Plan Area; and
3. Government Code section 56375 requires the City to adopt pre-zoning for the Plan Area prior to submitting an annexation application to Stanislaus LAFCO; and
4. Under the City's General Plan, the Plan Area is currently zoned as low, medium, and high-density residential, mixed use, civic, park, and community commercial; and
5. An initial study was conducted on the Crossroads West Specific Plan Area, which indicated that there may be significant impacts on the environment, necessitating the preparation of an Environmental Impact Report ("EIR") to evaluate the draft Specific Plan and General Plan Amendment; and
6. State law requires consistency between a Specific Plan and General Plan, and allows for amendment of a General Plan as necessary to comply with the consistency requirements; and

7. The Planning Commission considered the Final EIR, the General Plan Amendment, the Specific Plan and the Zoning Ordinance Amendment at a duly noticed public hearing, held on February 13, 2019, and adopted resolutions recommending that the City Council approve all applications; and
8. Sections 153.308 and 153.309 of the City of Riverbank Code of Ordinances describe the process for delineating specific plan areas for purposes of zoning, by requiring that lands governed by a specific plan be zoned "SP-3;" in the form attached hereto as **Exhibit A**, and
9. Notice of the public hearing for EIR certification, General Plan Amendment, Specific Plan adoption, and Zoning Ordinance Amendment was published in the Riverbank News, a newspaper of general circulation, on March 6, 2019; and
10. Notice of the public hearing for the EIR certification, General Plan amendment, Specific Plan adoption, and Zoning Ordinance amendment were mailed to all property owners within 300-feet of the property, according to the most recent assessor's roll, on March 7, 2019; and
11. A public hearing was held on March 19, 2019 and all comments were heard and considered by the City Council; and
12. The City Council certified the EIR and approved the General Plan Amendment and Specific Plan on March 19, 2019.

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

Section 1: The City Council of the City of Riverbank approves pre-zoning of the Crossroads West Specific Plan Area as SP-3, for the entire Plan Area, which is bounded by Modesto Irrigation District Main Canal to the north, Oakdale Road to the east, and Claribel Road to the south (APNs: 074-006-022, 074-006-021, 074-006-016, 074-006-014, 074-006-013, 074-011-009, 074-014-006, 074-014-007, 074-011-004).

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


section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

Section 3: This Ordinance shall become effective thirty (30) days from and after its final passage and adoption (04/26/2019), provided it is published pursuant to GC § 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 special meeting of the City Council of the City of Riverbank on March 19, 2019. 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 26th day of April, 2019; motioned by Councilmember District 3 Cal Campbell, seconded by Councilmember District 1 Luis Uribe, moved said ordinance by a City Council roll call vote of 5-0:


AYES: Campbell, Fosi, Uribe, Barber-Martinez, and Mayor O'Brien
NAYS: None
ABSENT: None
ABSTAIN: None

ATTEST:

Annabelle H. Aguilar, CMC
City Clerk

APPROVED:

Darlene Barber-Martinez
Vice Mayor

Attachments: Exhibit "A" – Pre-Zone to Specific Plan – 3

APPROVED AS TO FORM:

Tom P. Hallinan, City Attorney

PROPOSED ZONING

- Zoning**
- Specific Plan SP-3
 - City Limits
 - Property Boundary

