

ORDINANCE No. 2017-007 – ATTACHMENT #2

**AN ORDINANCE OF THE CITY OF RIO VISTA APPROVING SECOND AMENDMENT OF
THE PLANNED UNIT DEVELOPMENT REGULATIONS DATED 9/6/2000 FOR
DEVELOPMENT KNOWN AS GIBBS RANCH/LIBERTY**

WHEREAS, an Application has been filed by Encore Liberty, LLC., 1 Letterman Drive, Building C, Suite 3800, San Francisco, CA 94129, to amend the provisions of the Gibbs Ranch Planned Unit Development (PUD) Permit Regulations pertaining to various design standards and regulations; and

WHEREAS, the Planned Unit Development Regulation for Gibbs Ranch was approved on August 1, 1991 and was subsequently amended on 9/6/2000; and

WHEREAS, the Planning Commission conducted a public hearing on the subject matter at a Special Meeting on July 5, 2017, notice of time, place, and address, was duly published; and

WHEREAS, the City Council conducted a public hearing on the subject matter at a Regular Meeting on August 15, 2017, notice of time, place, and address, was duly published; and

WHEREAS, members of the public were given the opportunity to speak on the application, and a report by the City staff was presented and made part of the record; and

WHEREAS, the City Council hereby finds that the environmental impacts of the project are within the scope of the EIR certified by the City Council on April 19, 1990, for the Gibbs Ranch Development Agreement, PUD Permit and Rezoning and on July 18, 1991, the EIR and an addendum thereto were affirmed by the City Council, and therefore, no additional environmental review is required; and

WHEREAS, the City Council has determined, based on their independent judgment, that no subsequent EIR or other environmental documentation is required for the Second Amendment pursuant to CEQA Guideline Section 15162 given its independent determination, based upon the evidence in the record, that no substantial changes to the Project are proposed by the requested Development Agreement Amendments; and

WHEREAS, there are no substantial changes to the circumstances surrounding the Project that would require major revisions to the EIR as a result of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, nor is there any new information of substantial importance; and

WHEREAS, all mitigation measures previously identified and imposed pursuant to the EIR shall remain in full force and effect; and

WHEREAS, the Gibbs Ranch Development Agreement, as amended, together with the PUD Regulations, will govern all development within the subject property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIO VISTA HEREBY ORDAINS AMENDMENTS TO THE PLANNED UNIT DEVELOPMENT FOR GIBBS RANCH/LIBERTY AS FOLLOWS:

1. Garage locations [Page 7, PUD Regulations, Exhibit B Original Development Agreement]

Garage Location – Single Family lots: is replaced as follows:

Garage Location - Single Family Lots: For single family detached housing with lot widths 70 feet or greater, the garage can be placed anywhere on the lot, so long as other applicable setbacks and requirements are met. On lots less than 70 feet in width, at least one-third (33%) of all garages are to be recessed garages (garage door setback a minimum of 22 feet from the front property line of the lot).

2. Architectural elements and setbacks [Page 10, PUD Regulations, Exhibit B of Original Development Agreement]

Porches, bay windows, chimneys, and similar projecting architectural elements are required across at least 20% of the front width of each house. Porches must be at least 6 feet in depth.

Garage doors shall not dominate the building frontage. Garage doors shall not account for more than 46% of the width of the house facing a fronting street. Garage doors facing the fronting street must be set back at least four feet farther than porches or front wall of the structure.

The requirement that "Side and rear facades of buildings shall be treated with the same quality of design as the front elevations" is hereby eliminated and replaced as follows:

That the street side of the buildings shall be treated with the same quality of design as the front elevations.

3. Maximum coverage [Page 11, PUD Regulations, Exhibit B of Original Development Agreement]

Overall maximum lot coverage for 5,000 square foot lots shall be sixty-five percent (65%) for Senior Units, sixty percent (60%) for Unrestricted Unit residences and an overall maximum lot coverage for other structures equal to the applicable limit set forth in the City's zoning ordinances as in effect on the Effective Date of the PUD Approval.

4. Multiple Family and Attached Single Family Residential [Page 12]

Paragraph 1 is hereby amended to read as follows:

Multiple family residential shall consist of at least 10% of the total dwelling units in the site. In determining the total project unit limitation, multifamily units shall be counted as the equivalent of six-tenths (0.6) single family units. For example, 100 multifamily units are the equivalent of 60 single family units.

Paragraph 2 pertaining to the carriage unit requirement is hereby deleted.

Paragraph 4 is hereby added to read as follows:

The multifamily requirement can be met by the inclusion of a for-sale or for-rent attached product type in phase three of the project. This product type can be duets (duplexes), apartments, townhouses, or condominiums.

Effective Date and Publication. This ordinance shall take effect thirty (30) days after its adoption. The City Clerk is hereby directed to publish a summary of this ordinance within fifteen (15) days after its passage in an adjudicated, published newspaper of general circulation serving the city of Rio Vista residents.

I, ANNA OLEA-MOGER, CITY CLERK OF THE CITY OF RIO VISTA, HEREBY CERTIFY this ordinance was introduced at a regular meeting of the Rio Vista City Council on August 17, 2017 and PASSED and ADOPTED by the City Council of the City of Rio Vista at a regular meeting on _____, 2017.

AYES:

NOES:

ABSENT:

ABSTAIN:

Norman M. Richardson, Mayor

ATTEST:

Anna Olea-Moger, CMC, City Clerk

RESOLUTION No. 2017-061 – ATTACHMENT #3

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO VISTA AMENDING
CONDITION No. 38 OF VESTING TENTATIVE MAP, DATED 2/16/2006, FOR
DEVELOPMENT KNOWN AS GIBBS RANCH/LIBERTY AND RECOMMENDING APPROVAL
OF THE SAME BY THE CITY COUNCIL**

WHEREAS, an Application has been filed by Encore Liberty, LLC., 1 Letterman Drive, Building C, Suite 3800, San Francisco, CA 94129, to amend Conditions of Approval No. 38 of Vesting Tentative Map for Gibbs Ranch; and

WHEREAS, the Planning Commission Approved the Tentative Map on 4/27/2005, and was reconsidered by the City Council on appeal on 2/16/2006; and

WHEREAS, the final Conditions of Approval of the subject Vesting Map was set by City Council Resolution No. 2006-19 and approved on February 16, 2006; and

WHEREAS, the Planning Commission conducted a public hearing on the subject matter at a Special Meeting on July 5, 2017, notice of time, place, and address, was duly published; and

WHEREAS, the City Council conducted a public hearing on the subject matter at a Regular Meeting on August 15, 2017, notice of time, place, and address, was duly published; and

WHEREAS, members of the public were given the opportunity to speak on the application, and a report by the City staff was presented and made part of the record; and

WHEREAS, the City Council hereby finds that the environmental impacts of the project are within the scope of the EIR certified by the City Council on April 19, 1990, for the Gibbs Ranch Development Agreement, PUD Permit and Rezoning and on July 18, 1991, the EIR and an addendum thereto were affirmed by the City Council, and therefore, no additional environmental review is required; and

WHEREAS, the City Council has determined, based on their independent judgment, that no subsequent EIR or other environmental documentation is required for the Second Amendment pursuant to CEQA Guideline Section 15162 given its independent determination, based upon the evidence in the record, that no substantial changes to the Project are proposed by the requested Development Agreement Amendments; and

WHEREAS, there are no substantial changes to the circumstances surrounding the Project that would require major revisions to the EIR as a result of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, nor is there any new information of substantial importance; and

WHEREAS, all mitigation measures previously identified and imposed pursuant to the EIR shall remain in full force and effect; and

WHEREAS, the Gibbs Ranch Development Agreement, as amended, together with the PUD Regulations, and the Subdivision Map will govern all development within the subject property;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA that the City Council does hereby adopt and approve as follows:

- A. Conditions of Approval No. 38 of Vesting Tentative Map for Gibbs Ranch approved by the City Council on 2/16/2006 is hereby amended to read as follows:

In lieu of providing 129 "second units" as defined in item 38 of the Gibbs Ranch Vesting Tentative Map Conditions of Approval (dated August 18, 2005), applicant shall provide an enclave of 65 duet residential units (a total of 130 units) in phase three of the Liberty project. These multi-family units, which are situated in the active adult portion of the community, shall be targeted at single occupant households by way of size and architecture. Phase three shall be reconfigured to include these multi-family units. For purpose of City impact fee calculations, the multi-family units shall not exceed forty percent (40%) of the fee required for single family residences, subject to any offsets, credits or reductions applicable to single family units, and to any additional offsets, credits or other reductions that may be available or applicable.

PASSED AND ADOPTED this 15th day of August, 2017. I, **ANNA OLEA-MOGER, CITY CLERK OF THE CITY OF RIO VISTA, HEREBY CERTIFY** the foregoing resolution was introduced and passed at a regular meeting of the Rio Vista City Council by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Anna Olea-Moger, CMC, City Clerk