

**Wednesday, February 14, 2024, 7:00 P.M.**

A quorum of Planning Commission will be in attendance at  
Tracy City Hall Chambers, 333 Civic Center Plaza, Tracy

Web Site: [www.cityoftracy.org](http://www.cityoftracy.org)

And one Commissioner will attend remotely at the following location:

Building 1102 Suite A4 Vickers St,  
Honolulu, HI 96818

Tracy City Hall, 333 Civic Center Plaza, Tracy

Web Site: [www.cityoftracy.org](http://www.cityoftracy.org)

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**MEMBERS OF THE PUBLIC MAY PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHOD:**

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*If you only wish to watch the meeting and do not wish to address the Council, the City requests that you stream the meeting through the City's website or watch on Channel 26.*

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- *Comments via:*
  - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following
  - **Event Number: 2559 452 5109** and **Event Password:** Planning
  - ***If you would like to participate in the public comment anonymously***, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting [Anonymous@example.com](mailto:Anonymous@example.com) when prompted to provide an email address.
  - Join by phone by dialing +1-408-418-9388, 2559 452 5109 #75266464# Press \*3 to raise the hand icon to speak on an item.
- *Protocols for commenting via WebEx:*
  - *If you wish to comment on the "New Business" or "Items from the Audience" portions of the agenda:*
    - *Listen for the Chair to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
    - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*

- *Comments for the “New Business” or “Items from the Audience” portions of the agenda will be accepted until the public comment for that item is closed.*

*Comments received on Webex outside of the comment periods outlined above will not be included in the record.*

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**Addressing the Council on Items on the Agenda** – The Brown Act provides that every regular Council meeting shall provide an opportunity for the public to address the Council on any item within its jurisdiction before or during the Council's consideration of the item, provided no action shall be taken on any item not on the agenda. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker's name or other identifying designation and address to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the “Items from the Audience/Public Comment” portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

**Addressing the Council on Items not on the Agenda** – The Brown Act prohibits discussion or action on items not on the posted agenda. The City Council's Meeting Protocols and Rules of Procedure provide that in the interest of allowing Council to have adequate time to address the agenda items of business, “Items from the Audience/Public Comment” following the Consent Calendar will be limited to 15-minutes maximum period. “Items from the Audience/Public Comment” listed near the end of the agenda will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during “Items from the Audience/Public Comment”. For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council. When members of the public address the Council, they should be as specific as possible about their concerns. If several members of the public comment on the same issue an effort should be made to avoid repetition of views already expressed.

**Notice** – A 90-day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90-day limit begins on

the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: [www.cityoftracy.org](http://www.cityoftracy.org).

## MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACTIONS, BY MOTION, OF CITY COUNCIL PURSUANT TO AB 2449, IF ANY

ROLL CALL

MINUTES – 01/24/24 Regular Meeting

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Council Meeting Protocols and Rules of Procedure, adopted by Resolution No. 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to the Planning Commission.*

### 1. NEW BUSINESS

#### 1.A STAFF RECOMMENDS THAT THE PLANNING COMMISSION:

- (1) DISCUSS THE PROVISIONS AND POLICY AIMS OF A PROPOSED DRAFT ORDINANCE AMENDING SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE EXPANDING THE RIGHT OF MOBILE FOOD VENDORS TO OPERATE IN THE COMMERCIAL AND OFFICE ZONES (EXCLUDING CERTAIN PORTIONS OF THE CENTRAL BUSINESS DISTRICT ZONE) IN ADDITION TO INDUSTRIAL ZONES; AND
- (2) DISCUSS THE PROVISIONS AND POLICY AIMS OF CORRESPONDING PROPOSED AMENDMENT TO PAGE 3-14 OF THE CITY DESIGN GOALS AND STANDARDS TO ADD A NEW SECTION FOR MOBILE FOOD VENDORS.

2. ITEMS FROM THE AUDIENCE
3. DIRECTOR'S REPORT
4. ITEMS FROM THE COMMISSION
5. ADJOURNMENT

Posted: February 8, 2024

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection via the City of Tracy website at [www.cityoftracy.org](http://www.cityoftracy.org).

**MINUTES  
TRACY CITY PLANNING COMMISSION  
REGULAR MEETING  
JANUARY 24, 2024, 7:00 P.M.  
CITY OF TRACY COUNCIL CHAMBERS  
333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Chair Orcutt called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Chair Orcutt led the pledge of allegiance.

**ROLL CALL**

Roll Call found Commissioner Boakye-Boateng, Commissioner English, Commissioner Penning, Vice Chair Atwal and Chair Orcutt present. Also present: Karin Schnaider, Assistant City Manager/Interim Development Services Director; Bijal Patel, City Attorney; Scott Claar, Senior Planner; Koosun Kim, City Engineer, present via WebEx; and Miranda Aguilar, Administrative Assistant.

**MINUTES**

Chair Orcutt introduced the Regular Meeting Minutes from the January 10, 2024 Planning Commission Regular Meeting.

Chair Orcutt requested to amend the January 10, 2024 Planning Commission Meeting Minutes to include an explanation of the informational item that was voted on.

**ACTION:** It was moved by Chair Orcutt and seconded by Vice Chair Atwal to approve the January 10, 2023 Planning Commission Regular Meeting Minutes with the amendment. A voice vote found Chair Orcutt, Vice Chair Atwal, Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng abstained. Passed and so ordered; 4-0-0-1.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

None.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON CONCLUSION, ADOPT A RESOLUTION: (1) REJECTING THE APPEAL OF THE CITY ENGINEER'S DENIAL OF APPLICATION NUMBER TSM23-0002 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.8 OF THE FINAL MAP FOR THE TRACY HILLS KT-HILLVIEW PROJECT; AND (2) DENYING, AFTER DE NOVO**

**REVIEW, APPLICATION NUMBER TSM23-0002 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.8 OF THE FINAL MAP FOR THE TRACY HILLS KT-HILLVIEW PROJECT. THIS APPEAL OF THE CITY ENGINEER'S DECISION WAS FILED BY LENNAR HOMES, JOINED BY TRACY PHASE 1B, LLC AND THE KT PROJECT OWNER, LLC, APPLICATION NUMBER APL23-0003 (COLLECTIVELY, APPELLANT).**

Chair Orcutt addressed City Staff and asked if there was anything needed to be disclosed for the items tonight.

Scott Claar, Senior Planner, advised there were two public comments regarding tonight's Agenda which were both provided to each Commissioner.

Bijal Patel, City Attorney, advised the Commission that this is a quasi-judicial matter with the Public Hearing so if there was any information Commissioners wanted to disclose regarding communications they may have had outside of this public hearing they should do so.

Commissioner Boakye-Boateng stated he had a meeting with the applicant of tonight's items, but that it does not cause a bias for tonight's decisions.

Vice Chair Atwal stated he also had an opportunity to discuss the items with the applicant, but that it did not cause any bias.

Chair Orcutt stated he also met with the applicant and listened with a neutral stance.

Commissioner English stated she was contacted by the applicant but did not meet with them and wanted to discuss the items at tonight's Planning Commission Meeting.

Scott Claar, Senior Planner, presented the staff report and addressed questions from the Commission.

Koosun Kim, City Engineer, provided more details and stated he was present to answer any questions.

Karin Schnaider, Assistant City Manager/Interim Director of Development Services, addressed questions from the Commission.

Koosun Kim, City Engineer, addressed questions from the Commission.

Bijal Patel, City Attorney, addressed questions from the Commission.

Chair Orcutt opened the Public Hearing at 7:49 p.m.

Brian Olin, Division President for Lennar, addressed the Commission, explained they are not requesting a delay in the construction of the park, rather, they are requesting to modify conditions, and addressed questions from the Commission.

Bijal Patel, City Attorney, clarified some information regarding the process of an approval for a subdivision improvement agreement for the Commission and addressed questions from the Commission.

Karin Schnaider, Assistant City Manager/Interim Development Services Director, addressed questions from the Commission.

Christian Cebrian, Legal Counsel for Lennar Homes, addressed questions from the Commission.

Commission discussion followed.

Christian Cebrian, Legal Counsel for Lennar Homes, addressed questions from the Commission.

Karin Schnaider, Assistant City Manager/Interim Development Services Director, clarified some information regarding the findings.

Bijal Patel, City Attorney, addressed questions from the Commission.

Hans Van Ligten, Land Use Lawyer for Integral Communities and associated with Tracy Hills, addressed the Commission and clarified some facts regarding the application and provided a handout and requested it be provided to all the Commissioners regarding the project timeline.

Koosun Kim, City Engineer, addressed the commission with some clarifications.

Siva, via WebEx, addressed the Commission and would like more information regarding the planned park.

Karin Schnaider, Assistant City Manager/Interim Development Services Director, advised this discussion is not necessarily about the concept in the park, but Richard Joaquin, Parks Planning & Development Manager, may have the information the caller is requesting.

Brian Olin, Division President for Lennar, addressed the commission and clarified some comments that were made.

Seeing as no one else came forward Chair Orcutt closed the Public Hearing at 9:20 p.m.

Commission discussion continued.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner Penning that the Planning Commission adopt a resolution:

1. Rejecting the appeal of the City Engineer's denial of application number TSM23-0002 requesting an amendment to condition of approval B.8 of the final map for Tracy Hills KT-Hillview; and
2. Denying, after De Novo review, Application Number TSM23-0002 requesting an amendment to Condition of Approval B.8 of the Final Map for Tracy Hills KT-Hillview.

A roll call vote found Commissioner English, and Commissioner Penning in favor. Commissioner Boakye-Boateng, Vice Chair Atwal and Chair Orcutt against. Motion fails; 2-3-0-0.

Commission Discussion continues.

Bijal Patel, City Attorney, Scott Claar, Senior Planner, and Koosun Kim, City Engineer, each addressed the Commission and clarified some information.

**ACTION:** It was moved by Chair Orcutt and seconded by Vice Chair Atwal that the Planning Commission:

Change the current conditions to read, "Before approval of the first final map the subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that by September 19, 2024, the Linear Park shall be completed and accepted by the City."

A roll call vote found Chair Orcutt, Vice Chair Atwal, Commissioner Boakye-Boateng in favor. Commissioner English and Commissioner Penning opposed. Passed and so ordered; 3-2-0-0.

**ACTION:** It was moved by Vice Chair Atwal and seconded by Commissioner English that the Planning Commission:

Continue the public hearing to the February 28, 2024, Planning Commission Meeting.

A voice vote found Chair Orcutt, Vice Chair Atwal, Commissioner Boakye-Boateng, Commissioner English, and Commissioner Penning in favor. Passed and so ordered; 5-0-0-0.

Chair Orcutt called for a recess at 10:20 p.m.

Chair Orcutt reconvened the meeting at 10:30 p.m.

**B. STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON CONCLUSION, ADOPT A RESOLUTION: (1) REJECTING THE APPEAL OF THE CITY ENGINEER'S DENIAL OF APPLICATION NUMBER TSM23-0001 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.9.A OF THE FINAL MAP FOR TRACY HILLS**



**PHASE 1B; AND (2) DENYING, AFTER DE NOVO REVIEW, APPLICATION NUMBER TSM23-0001 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.9.A OF THE FINAL MAP FOR TRACY HILLS PHASE 1B. THIS APPEAL OF THE CITY ENGINEER'S DECISION WAS FILED BY LENNAR HOMES, JOINED BY TRACY PHASE 1B, LLC AND THE KT PROJECT OWNER, LLC, APPLICATION NUMBER APL23-0002 (COLLECTIVELY, APPELLANT).**

Scott Claar, Senior Planner, suggested that since the project staff reports are so similar that the Commission open the Public Hearing for discussion and proceed with similar motions as Item 1.A if that is what the Commission wishes to do.

Chair Orcutt opened the Public Hearing at 10:32 p.m.

Christian Cebrian, Legal Counsel for Lennar Homes, states they are agreeable to same situation, with the understanding that we are bringing the record of the 1.A Item to 1.B, and they believe it provides a similar ground of evidence to support the four findings for Item 1.B. He also addressed questions from the Commission.

Brian Olin, Division President for Lennar, addressed questions from the Commission.

Karin Schnaider, Assistant City Manager/Interim Development Services Director, addressed the commission and clarified some information.

Seeing as no one else came forward Chair Orcutt closed the Public Hearing at 10:39 p.m.

**ACTION:** It was moved by Chair Orcutt and seconded by Vice Chair Atwal that the Planning Commission adopt a resolution:

1. Rejecting the appeal of the City Engineer's denial of application number TSM23-0001 requesting an amendment to condition of approval B.9.A of the final map for Tracy Hills Phase 1B; and
2. Denying, after De Novo review, application number TSM23-0001 requesting an amendment to condition of approval B.9.A of the final map for Tracy Hills Phase 1B.

A roll call vote found Commissioner Penning in favor. Commissioner Boakye-Boateng, Commissioner English, Vice Chair Atwal and Chair Orcutt against. Motion fails; 1-4-0-0.

**ACTION:** It was moved by Chair Orcutt and seconded by Vice Chair Atwal that the Planning Commission:

1. Change the current conditions to read, "Before approval of the first final map the subdivider shall enter into an agreement with the City, which shall be

recorded against the property, which stipulates that by September 19, 2024, the Phase 1B neighborhood park shall be completed and accepted by the City.”; and

2. Continue the public hearing to the February 28, 2024, Planning Commission Meeting.

A roll call vote found Chair Orcutt, Vice Chair Atwal, Commissioner Boakye-Boateng, Commissioner English, and Commissioner Penning in favor. Passed and so ordered; 5-0-0-0.

### **3. ITEMS FROM THE AUDIENCE**

None.

### **4. DIRECTOR’S REPORT**

Karin Schnaider, Assistant City Manager/Interim Development Services Director, stated there is funding available for the Commissioners to attend training and to please let Miranda Aguilar, Administrative Assistant, know which of the trainings you are available to attend, the one in March or the one in September.

### **5. ITEMS FROM THE COMMISSION**

Commissioner Boakye-Boateng stated that some of the items brought to Commission have a lot of history behind them and requested timeline diagrams be listed as attachments to allow the Commissioners to process the items better.

Commissioner Atwal requested to receive the lengthy agenda items ahead of time as he received tonight’s agenda over the weekend.

Chair Orcutt thanks staff for their work and answering questions.

### **6. ADJOURNMENT**

**ACTION:** It was moved by Chair Orcutt and seconded by Commissioner English to adjourn.

A voice vote found Chair Orcutt, Vice Chair Atwal, Commissioner Boakye-Boateng, Commissioner English, and Commissioner Penning in favor. Passed and so ordered; 5-0-0-0.

Time: 10:46 p.m.

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CHAIR

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STAFF LIAISON

**From:** Cebrian, Christian H.  
**To:** [Web - City Clerk](#); [Planning Admin](#); [CAO](#)  
**Subject:** Planning Commission Agenda Items 1.A and 1.B  
**Date:** Wednesday, January 24, 2024 11:02:46 AM  
**Attachments:** [image001.png](#)  
[Park COA Appeal Supplemental Letter with attachments.pdf](#)

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

**Caution:** This is an external email. Please take care when clicking links or opening attachments.

Please see the attached correspondence regarding tonight's agenda items 1.A and 1.B. We would appreciate this letter being distributed to all members of the Planning Commission in advance of the meeting.

Thank you,

**Christian H. Cebrian**



Cox, Castle & Nicholson LLP  
50 California Street | Suite 3200 | San Francisco, CA 94111

[REDACTED]

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January 24, 2024

**VIA E-MAIL**

Secretary of the Planning Commission  
c/o City Clerk  
City of Tracy  
333 Civic Center Drive  
Tracy, CA 85376

[cityclerk@cityoftracy.org](mailto:cityclerk@cityoftracy.org)  
[planningadmin@cityoftracy.org](mailto:planningadmin@cityoftracy.org)  
[attorney@cityoftracy.org](mailto:attorney@cityoftracy.org)

**Re: Agenda Items 1.A and 1.B - Supplemental Information Regarding Pending Appeal of City Engineer's TSM23-0001 AND TSM23-0002 Determination**

Dear Secretary of the Planning Commission:

On behalf of Lennar Homes of California, LLC ("**Lennar**"), this letter provides further information regarding Lennar's pending appeal of the denial of consideration of two (2) applications filed pursuant to Tracy Municipal Code ("**TMC**" or "**Municipal Code**") §12.52.010 and the Subdivision Map Act, Government Code §66472.1 for modification of tentative map conditions after the filing of final maps.

**1. Status of Parks**

Lennar continues to make substantial and rapid progress on both the Tracy Hills Phase 1B ("**Phase 1B**") park and the KT-Hillview ("**Hillview**") park. Grading is complete. All underground utilities have been installed. All equipment has been ordered and the play structures are already located on-site. Overall, the parks are both approximately 85% complete. Also, as explained in our prior correspondence, bonds are in place to ensure we complete the work. Absent unanticipated weather or delivery delays, we expect construction for both parks to be completed and the grow-in period to begin by the end of February.

**2. Proposed Conditions**

Based on the current schedule of park construction being complete by the end of February, the 90-day grow-in period would then be complete at the end of May, 2024. The City would then inspect and set the parks for acceptance. It has recently taken several months to set

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an acceptance of an offer of dedication for acceptance onto a City Council agenda after a successful final inspection. This means that the requested timeline of 365 days is not providing an incentive to slow down its work if the condition is revised because based on the current construction and processing timelines, park acceptance could not occur until late Summer or early Fall.

Despite Lennar being completed with the physical work of constructing the Phase 1B park, under existing Condition B.9.a, the City will continue to withhold building permits until the park is accepted:

*Before final inspection or occupancy of the 180th dwelling unit (whichever occurs first, except for up to fifteen model homes), the Phase 1B neighborhood park shall be completed and accepted by the City Council. If the Phase 1B neighborhood park is not completed and accepted by the City Council before the final inspection or occupancy of the 180th dwelling unit (whichever comes first, except for up to fifteen model homes), no further building permits (except for plumbing only building permits) shall be issued until the neighborhood park is completed and accepted by the City Council.*

Similarly, according to the staff report, “the Building Division has been directed to not provide any final inspections beyond April 17, 2024 until the KT-Hillview park is completed and accepted by the City,” based on Hillview Condition B.8 which states:

*“Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that within 18 months following final inspection or occupancy of the first dwelling (except for up to ten model homes), the linear park shall be completed and accepted by the City.”*

Lennar’s applications request that Phase 1B Condition B.9.a and Hillview Condition B.8 be revised to allow one year to complete the parks from the approval of each park’s Park Subdivision Improvement Agreement (“SIA”) to provide adequate time for the City to complete its acceptance process. This is the same timeline included in the SIAs for the parks approved by the City Council on September 19, 2023. Both revised Phase 1B Condition B.9.a and revised Hillview Condition B.8 would state:

*The developer shall initiate the process to construct the park in a timely manner which includes the concept design approval from Parks Commission, approval of Park Improvement Plans, approval of the Park Name and Park Subdivision Improvement Agreement. Developer shall complete the Park construction no later than 365 days after the execution of the Park Subdivision Improvement Agreement.*

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The revised conditions would continue to incentivize Lennar to move forward as quickly as possible for both parks.

### **3. Proposed Findings**

As explained in our appeal letter, TMC § 12.52.010(g) implements Government Code § 66472.1 by permitting a modification to a tentative map condition if (i) “there are changes that make any or all of the conditions of the map no longer appropriate or necessary;” (ii) “the modifications do not impose any additional burden on the present fee owner of the property;” and (iii) “the modifications do not alter any right, title or interest in the real property reflected on the recorded map.” Government Code § 66472.1 also requires the City to make the standard findings for a map approval found in Government Code § 66474 which staff agrees can be made in the present appeals.

The staff report for the appeal hearing concludes that insufficient facts were available at the time the staff report was prepared to support the first three findings. We believe that adequate facts have now been developed to support the findings at issue.

As described above, despite construction anticipated to be completed for both parks by the end of February, the required procedural timeline will result in the City accepting the parks in the late Summer or early Fall. Lennar cannot accelerate this procedural timeline. Under the existing conditions, this means that even if Lennar satisfactorily completes construction of the park, the City will continue to withhold the issuance of building permits for several months after the end of construction. This is a disruption to the construction of homes that will not result in the parks being accepted on an earlier date. This means that the intent of the existing conditions, potentially withholding residential building permits as an incentive for the speedy delivery of the parks, is not being met. This is a change in circumstances that supports amending the conditions.<sup>1</sup>

The proposed amendment also does not increase the burden on existing fee owners. The revised condition only directly impacts the park parcels and does not burden Lennar. The revised conditions do not impose any direct financial, maintenance or other obligation on the homeowners within the tracts. Any indirect burdens are also speculative. As described in this letter, the revised conditions will not result in a delay in the construction or acceptance of the parks. Homeowners will be able to enjoy the new parks on the same schedule with or without the amendment. The change will be Lennar and future homeowners will not be penalized by the withholding of building permits. Homeowners will be paying the same CFD assessment with or without the revision and the portion of those assessments earmarked for park maintenance will be held in reserve by the City for the same period of time with or without the revision.

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<sup>1</sup> As shown in the attached Placerville staff report, “changes in circumstances” sufficient for a revised condition include fine tuning requirements when the original intent of the condition is not being achieved.

The critical fact in the Planning Commission's consideration of Lennar's request is that Lennar is not asking to delay the actual date that park construction will be complete and either park is accepted. It is asking that the conditions be revised to acknowledge the practical reality that the park are not yet complete; Lennar is seeking sufficient runway to have the parks accepted based on the ongoing accelerated park construction timeline without unneeded disruption to homebuilding activities.

Finally, the requested revisions does not impact "any right, title or interest in the real property reflected on the recorded map." As shown in all of the staff reports attached to this letter, this phrase is interpreted to refer to an ownership of a property right such as an easement, dedication, or fee interest in property. Lennar is the current fee owner of the park parcels and would remain so if the Planning Commission approves the revision. The revision would not impact the offer of dedication to the City. No parcel lines would be impacted by the revision. No homeowner has a property right in the park parcels, whether directly or pro-rata through a Homeowners' Association.

Therefore, we believe the record now before the Planning Commission readily supports the required findings.

We have provided proposed resolutions with this letter that include the following proposed Government Code § 66472.1 findings with the hopes that the Commission would find them helpful in the consideration of our appeal:

*Phase 1B Change in Circumstances. Existing Condition B.9.a has resulted in the withholding of building permits which will delay the delivery of homes during the State's current housing crisis. Subdivider has made good faith efforts to timely deliver the park since the approval of the park SIA on September 19, 2023, but it is impracticable to complete the park prior to the issuance of the 180<sup>th</sup> certificate of occupancy. This change in circumstance makes the current condition unnecessary as it will not result in the faster delivery of the park to the community but will delay the delivery of homes. The requested revision will not significantly increase the amount of time available to Subdivider to complete the park and have it accepted by the City. Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider fulfill its obligations. Therefore, the revised condition makes existing Condition B.9.a no longer necessary.*

*Hillview Change in Circumstances. Existing Condition B.8 will result in the withholding of inspections in mid-April, 2024 which will delay the delivery of homes during the State's current housing crisis. Subdivider has made good faith efforts to timely deliver the park since the approval of the park SIA, but it is impracticable to complete the park prior to the date that is 18 months after the first occupancy of a residential unit. This change in circumstance makes the current condition unnecessary as it will not result in the faster delivery of the park to the community but will delay the delivery of homes. The requested revision will not significantly increase the amount*



*of time available to Subdivider to complete the park and have it accepted by the City. Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider fulfill its obligations. Therefore, the revised condition makes existing Condition B.8 no longer necessary.*

*Phase 1B and Hillview - No Additional Burden. The revised condition would not impose any additional financial, construction, or maintenance burden on existing fee owners within the map area and Subdivider has consented to the amendment without objection. Furthermore, Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider to fulfill its obligations. Therefore, the revised condition does not impose any additional burden on the present fee owners of the property within the map area.*

*Phase 1B and Hillview - No Alteration of Interests. The revised condition does not impact any property lines or easements within the map area therefore the revised condition does not alter any right, title or interest in the real property reflected on the recorded map. Subdivider is the fee owner of the park parcel and has made an irrevocable offer of dedication to the City. The revised condition will not impact Lennar or the City's interest in the park parcel.*

We have also enclosed two staff reports from other jurisdictions for applications relying on Government Code § 66472.1 as further support the Planning Commission has a sufficient factual basis before it to make the required findings.

#### **4. CEQA**

The requested revisions would not result in any new or different impacts to the physical environment. Permits have already been issued for construction of the parks and park construction is well underway. The sites have been graded and all impacts to pre-development conditions have already occurred. We are not requesting a change in park size design, or location. Revised conditions would also not impact the timing of completion of construction and, in any event, any physical impact to the environment related to the timing of construction would be speculative. This means that no additional environmental review can be required under the California Environmental Quality Act's (CEQA) provisions related to environmental review (e.g., CEQA § 21166; CEQA Guideline 15162).<sup>2</sup> Instead, the Planning Commission can find

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<sup>2</sup> Under CEQA Section 21166 and Section 15162 of the CEQA Guidelines, further environmental for an approved project cannot be required unless: (1) substantial changes are proposed in the project that will require major changes to the prior EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified environmental impacts; (2) substantial changes occur with respect to the circumstances under

Secretary of the Planning Commission  
January 24, 2024  
Page 6

that the certified EIR for the Project provides CEQA coverage for an approval of an amended conditions.

Alternatively, the Planning Commission could find its decision to amend the conditions is exempt from CEQA under its common-sense exemption because it can be found with certainty that amending the condition would not result in significant impacts to the environment.<sup>3</sup> (See *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 389 [common sense exemption applied to the adoption of an airport compatibility plan because it implemented existing general plan and zoning provisions].)

The Planning Commission could make CEQA findings similar to those made for the 2021 amendments to the Tracy Hills Specific Plan such as:

*An Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan. The record demonstrates that the proposed amendments to the [Phase 1B or Hillview] Vesting Tentative Map Conditions of Approval will not result in new or substantially increased environmental impacts under CEQA Section 21166 and CEQA Guideline 15162, therefore no further environmental review is necessary. Permits have already been issued for construction of the park and park construction is nearing completion. The site has been graded and all impacts to pre-development conditions have occurred. The amendments would not result in a change in park size, design, or location.*

and/or:

*Section 15061(b)(3) of the State CEQA Guidelines states that an activity is covered by the common sense exemption that CEQA only applies to projects that 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 review. There is no possibility that the proposed amendments will result in a physical change in the environment. Permits have already been issued for construction of the park and park construction is nearing completion. The site has been graded and all impacts to pre-*

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which a project is to be undertaken which will require major changes to the prior EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified environmental impacts; or (3) new information, which was not known and could not have been known with the exercise of reasonable diligence prior to certification, shows that new or substantially more severe significant impacts would result; that mitigation measures or alternatives previously shown to be infeasible would in fact be feasible to reduce one or more effects and the project proponent declines to adopt the measures or alternative; or mitigation measures or alternatives that are considerably different from those identified in the EIR would substantially reduce a significant impact, and the project proponent declines to adopt the measures or alternative.

<sup>3</sup> CEQA Guidelines Section 15061(b)(3), which is also known as the common sense exemption, states in full: “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.”

Secretary of the Planning Commission  
January 24, 2024  
Page 7

*development conditions have occurred. The amendments would not result in a change in park size, design, or location.*

###

Thank you for your consideration of our appeal and we look forward to answering any questions you may have at the upcoming hearing.

Sincerely,

Cox, Castle & Nicholson LLP

A handwritten signature in blue ink, appearing to read 'Christian H. Cebrian', with a stylized flourish at the end.

Christian H. Cebrian

CHC:mlh  
Attachments  
106084\17294183v5

# ATTACHMENT 1

**TRACY PLANNING COMMISSION**

**RESOLUTION NO. 2024-\_\_\_\_\_**

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- 1. GRANTING THE APPEAL OF THE CITY ENGINEER'S DENIAL OF APPLICATION NUMBER TSM23-0002 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.8 OF THE FINAL MAP FOR TRACY HILLS KT-HILLVIEW; AND**
- 2. APPROVING, AFTER DE NOVO REVIEW, APPLICATION NUMBER TSM23-0002 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.8 OF THE FINAL MAP FOR TRACY HILLS KT-HILLVIEW.**

**WHEREAS**, the Tracy Hills Specific Plan was originally approved and annexed to the City in 1998, but development in the Tracy Hills Specific Plan Area did not begin until after a 2016 update to the Specific Plan; and

**WHEREAS**, on April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan, as well as the Tracy Hills Phase 1A Vesting Tentative Subdivision Map; and

**WHEREAS**, the Tracy Hills Specific Plan Area consists of approximately 2,767 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580; and

**WHEREAS**, on November 10, 2020, the City Council approved a Vesting Tentative Subdivision Map for the Tracy Hills KT-Hillview Project to create 214 single-family residential lots, a park site, and various other parcels located east of Corral Hollow Road in the vicinity of Tracy Hills Drive; and

**WHEREAS**, on October 19, 2021, the City Council approved the final maps for Tracy Hills KT-Hillview; and

**WHEREAS**, Condition of Approval B.8 currently requires the KT-Hillview park to be completed and accepted by the City within 18 months following final inspection of the first single-family dwelling in KT-Hillview; and

**WHEREAS**, the Applicant submitted park plans for the KT-Hillview park on approximately January 11, 2022; and

**WHEREAS**, the City Council approved the KT-Hillview Park Subdivision Improvement Agreement on September 19, 2023; and

**WHEREAS**, it is has not been practicable for Applicant to complete park construction and the City to accept the park since the September 19, 2023 approval of the SIA; and

**WHEREAS**, the date of the first dwelling unit inspection was October 17, 2022; and

**WHEREAS**, under the currently approved Condition of Approval B.8, Applicant's deadline for completion of the KT Hillview Park is April 17, 2024; and

**WHEREAS**, On October 23, 2023, Applicant submitted an application (Application Number TSM23-0002) to amend Condition B.8 to change the timing requirement for park completion; and

**WHEREAS**, the proposed amendment to Condition of Approval B.8 would change the deadline for park completion to a date 365 days from the execution date of the Subdivision Improvement Agreement related to the park construction, which would be September 19, 2024; and

**WHEREAS**, on December 7, 2023, the City Engineer issued a determination letter regarding Application Number TSM23-0002 denying the Application to amend the final map pursuant to the Subdivision Map Act on the grounds the amendment to the condition of approval and final map would result in additional burden on the present fee owners; and

**WHEREAS**, on December 14, 2023, Lennar Homes, joined by Tracy Phase 1B, LLC and The KT Project Owner, LLC, (collectively, "Appellant") filed an appeal of the City Engineer's decisions on both related applications to amend final map conditions; and

**WHEREAS**, Tracy Municipal Code Section 12.12.060 states that a decision by the City Engineer under Title 12 (Subdivisions) may be appealed to the Planning Commission; and

**WHEREAS**, TMC Section 12.52.010 authorizes the Planning Commission to independently review and approve or deny a requested amendment to a final map. As such, in this hearing, the Planning Commission also is analyzing and determining, de novo, whether Appellant's request in Application Number TSM23-0002 should be granted; and

**WHEREAS**, California Government Code § 66472.1 governs amendments to final maps as follows:

"In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3."; and

**WHEREAS**, Tracy Municipal Code Section 12.52.010(g) authorizes amendments of final maps, and incorporates from California Government Code § 66472.1 three required

findings to approve a final map amendment: (1) there are changes that make any or all of the conditions of the map no longer appropriate or necessary; (2) the modifications do not impose any additional burden on the present fee owner of the property; and (3) the modifications do not alter any right, title or interest in the real property reflected on the recorded map; and

**WHEREAS**, the Applicant submitted correspondence to the Planning Commission presenting facts supporting the required findings; and

**WHEREAS**, the Planning Commission conducted a public hearing to review and consider the appeal on January 24, 2024; and

**WHEREAS**, existing Condition B.8 will result in the withholding of inspections in mid-April, 2024 which will delay the delivery of homes during the State's current housing crisis. Subdivider has made good faith efforts to timely deliver the park since the approval of the park SIA, but it is impracticable to complete the park prior to the date that is 18 months after the first occupancy of a residential unit. This change in circumstance makes the current condition unnecessary as it will not result in the faster delivery of the park to the community but will delay the delivery of homes. The requested revision will not significantly increase the amount of time available to Subdivider to complete the park and have it accepted by the City. Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider fulfill its obligations. Therefore, the revised condition makes existing Condition B.8 no longer necessary.

**WHEREAS**, the revised condition would not impose any additional financial, construction, or maintenance burden on existing fee owners within the map area and Subdivider has consented to the amendment without objection. Furthermore, Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider to fulfill its obligations. Therefore, the revised condition does not impose any additional burden on the present fee owners of the property within the map area.

**WHEREAS**, the revised condition does not impact any property lines or easements within the map area therefore the revised condition does not alter any right, title or interest in the real property reflected on the recorded map. Subdivider is the fee owner of the park parcel and has made an irrevocable offer of dedication to the City. The revised condition will not impact Lennar or the City's interest in the park parcel.

**WHEREAS**, based on the facts in the record, the Planning Commission finds there is substantial evidence to support the following findings: (1) there are changes that make any or all of the conditions of the final map no longer appropriate or necessary; (2) the modifications do not impose any additional burden on the present fee owner of the property; (3) the modifications do not alter any right, title or interest in the real property reflected on the recorded map; and (4) the conditions as modified conform to Government Code Section 66474;

**WHEREAS**, an Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan. The record demonstrates that the proposed amendments to the KT-Hillview Vesting Tentative Map Conditions of Approval will not result in

new or substantially increased environmental impacts under CEQA Section 21166 and CEQA Guideline 15162, therefore no further environmental review is necessary. Permits have already been issued for construction of the park and park construction is nearing completion. The site has been graded and all impacts to pre-development conditions have occurred. The amendments would not result in a change in park size, design, or location.

now, therefore, be it

**RESOLVED:** That the Planning Commission incorporates and adopts the foregoing recitals as findings of fact; and be it

**FURTHER RESOLVED:** That the Planning Commission finds there is substantial evidence in the record as a whole supporting all of the required findings required by California Government Code § 66472.1; and be it

**FURTHER RESOLVED:** That the Planning Commission hereby grants the appeal of the City Engineer’s denial of Application Number TSM23-0002 requesting an amendment to Condition of Approval B.8 of the Final Map for Tracy Hills KT Hillview; and be it

**FURTHER RESOLVED:** That the Planning Commission hereby approves, after *de novo* review under California Government Code § 66472.1 and Tracy Municipal Code Section 12.52.010(g), Application Number TSM23-0002 requesting an amendment to Condition of Approval B.8 of the Final Map for Tracy Hills KT Hillview. Condition B.8 is hereby amended to state: “The developer shall initiate the process to construct the park in a timely manner which includes the concept design approval from Parks Commission, approval of Park Improvement Plans, approval of the Park Name and Park Subdivision Improvement Agreement. Developer shall complete the Park construction no later than 365 days after the execution of the Park Subdivision Improvement Agreement.”

**FURTHER RESOLVED,** the City Engineer is directed to implement the amended condition in a manner consistent with Government Code Section 66472.1 and Tracy Municipal Code Section 12.52.020 through 12.52.050.

\*\*\*\*\*

The foregoing Resolution 2024-\_\_\_\_\_ was adopted by the Planning Commission on January 24, 2024, by the following vote:

AYES:                    COMMISSION MEMBERS:  
NOES:                    COMMISSION MEMBERS:  
ABSENT:                COMMISSION MEMBERS:  
ABSTENTION:        COMMISSION MEMBERS:

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CHAIR



ATTEST:

\_\_\_\_\_  
STAFF LIAISON

# ATTACHMENT 2

**TRACY PLANNING COMMISSION**

**RESOLUTION NO. 2024-\_\_\_\_\_**

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- 1. GRANTING THE APPEAL OF THE CITY ENGINEER'S DENIAL OF APPLICATION NUMBER TSM23-0001 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.9.A OF THE FINAL MAP FOR TRACY HILLS PHASE 1B; AND**
- 2. APPROVING, AFTER DE NOVO REVIEW, APPLICATION NUMBER TSM23-0001 REQUESTING AN AMENDMENT TO CONDITION OF APPROVAL B.9.A OF THE FINAL MAP FOR TRACY HILLS PHASE 1B.**

**WHEREAS**, the Tracy Hills Specific Plan was originally approved and annexed to the City in 1998, but development in the Tracy Hills Specific Plan Area did not begin until after a 2016 update to the Specific Plan; and

**WHEREAS**, on April 5, 2016, City Council certified an Environmental Impact Report and approved a General Plan Amendment and a comprehensive update to the Tracy Hills Specific Plan, as well as the Tracy Hills Phase 1A Vesting Tentative Subdivision Map; and

**WHEREAS**, the Tracy Hills Specific Plan Area consists of approximately 2,767 acres located in the vicinity of the existing Corral Hollow Road interchange and the proposed Lammers Road interchange on Interstate 580; and

**WHEREAS**, on November 10, 2020, the City Council approved the applicant of Tracy Phase 1B, LLC ("Applicant") for Vesting Tentative Subdivision Map for Tracy Hills Phase 1B to create 432 single-family residential lots, a park site, and various other parcels located in the vicinity of Tracy Hills Drive and the future Lammers Road extension; and

**WHEREAS**, on October 19, 2021, the City Council approved the final maps for Tracy Hills Phase 1B; and

**WHEREAS**, Condition of Approval B.9.a of the October 19, 2021 approval of the final map required the Phase 1B public park to be completed and accepted by the City before final inspection or occupancy of the 180<sup>th</sup> single-family dwelling within Phase 1B; and

**WHEREAS**, the Applicant submitted a comprehensive set of park plans for Tracy Hills Phase 1B on April 1, 2022; and

**WHEREAS**, the City Council approved the Phase 1 B Park Subdivision Improvement Agreement on September 19, 2023; and

**WHEREAS**, it is has not been practicable for Applicant to complete park construction and the City to accept the park since the September 19, 2023 approval of the SIA; and

**WHEREAS**, On October 23, 2023, Applicant submitted an application (Application Number TSM23-0001) to amend Condition B.9.a; and

**WHEREAS**, the proposed amendment to Condition of Approval B.9.a would change the deadline to a date 365 days from the execution date of the Subdivision Improvement Agreement related to the park construction, which would be September 19, 2024; and

**WHEREAS**, on December 7, 2023, the City Engineer issued a determination letter regarding Application Number TSM23-0001 denying the Application to amend the final map pursuant to the Subdivision Map Act on the grounds the amendment to the condition of approval and final map would result in additional burden on the present fee owners; and

**WHEREAS**, on December 14, 2023, Lennar Homes, joined by Tracy Phase 1B, LLC and The KT Project Owner, LLC, (collectively, "Appellant") filed an appeal of the City Engineer's decisions on both related applications to amend final map conditions; and

**WHEREAS**, Tracy Municipal Code Section 12.12.060 states that a decision by the City Engineer under Title 12 (Subdivisions) may be appealed to the Planning Commission; and

**WHEREAS**, TMC Section 12.52.010 authorizes the Planning Commission to independently review and approve or deny a requested amendment to a final map. As such, in this hearing, the Planning Commission also is analyzing and determining, de novo, whether Appellant's request in Application Number TSM23-0001 should be granted; and

**WHEREAS**, California Government Code § 66472.1 governs amendments to final maps as follows:

"In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3."; and

**WHEREAS**, Tracy Municipal Code Section 12.52.010(g) authorizes amendments of final maps, and incorporates from California Government Code § 66472.1 three required findings to approve a final map amendment: (1) there are changes that make any or all of the conditions of the map no longer appropriate or necessary; (2) the modifications do not impose any additional burden on the present fee owner of the property; and (3) the modifications do not alter any right, title or interest in the real property reflected on the recorded map; and

**WHEREAS**, the Applicant submitted correspondence to the Planning Commission presenting facts supporting the required findings; and

**WHEREAS**, the Planning Commission conducted a public hearing to review and consider the appeal on January 24, 2024; and

**WHEREAS**, existing Condition B.9.a has resulted in the withholding of building permits which will delay the delivery of homes during the State's current housing crisis. Subdivider has made good faith efforts to timely deliver the park since the approval of the park SIA on September 19, 2023, but it is impracticable to complete the park prior to the issuance of the 180th certificate of occupancy. This change in circumstance makes the current condition unnecessary as it will not result in the faster delivery of the park to the community but will delay the delivery of homes. The requested revision will not significantly increase the amount of time available to Subdivider to complete the park and have it accepted by the City. Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider fulfill its obligations. Therefore, the revised condition makes existing Condition B.9.a no longer necessary.

**WHEREAS**, the revised condition would not impose any additional financial, construction, or maintenance burden on existing fee owners within the map area and Subdivider has consented to the amendment without objection. Furthermore, Subdivider has provided the City adequate assurances that the revised condition of approval will not result in any further delay in the delivery of a complete park to the community than would occur under the existing condition. The revised condition fulfills the City's policy objectives of ensuring timely delivery of parks and of providing significant incentives for the Subdivider to fulfill its obligations. Therefore, the revised condition does not impose any additional burden on the present fee owners of the property within the map area.

**WHEREAS**, the revised condition does not impact any property lines or easements within the map area therefore the revised condition does not alter any right, title or interest in the real property reflected on the recorded map. Subdivider is the fee owner of the park parcel and has made an irrevocable offer of dedication to the City. The revised condition will not impact Lennar or the City's interest in the park parcel.

**WHEREAS**, based on the facts in the record, the Planning Commission finds there is substantial evidence to support the following findings: (1) there are changes that make any or all of the conditions of the final map no longer appropriate or necessary; (2) the modifications do not impose any additional burden on the present fee owner of the property; (3) the modifications do not alter any right, title or interest in the real property reflected on the recorded map; and (4) the conditions as modified conform to Government Code Section 66474;

**WHEREAS**, an Environmental Impact Report (EIR) was certified by the City Council on April 5, 2016 for the Tracy Hills Specific Plan. The record demonstrates that the proposed amendments to the Phase 1B Vesting Tentative Map Conditions of Approval will not result in new or substantially increased environmental impacts under CEQA Section 21166 and CEQA Guideline 15162, therefore no further environmental review is necessary. Permits have already been issued for construction of the park and park construction is nearing completion. The site has been graded and all impacts to pre-development conditions have occurred. The amendments would not result in a change in park size, design, or location.

now, therefore, be it

**RESOLVED:** That the Planning Commission incorporates and adopts the foregoing recitals as findings of fact; and be it

**FURTHER RESOLVED:** That the Planning Commission finds there is substantial evidence in the record as a whole supporting all of the required findings required by California Government Code § 66472.1; and be it

**FURTHER RESOLVED:** That the Planning Commission hereby grants the appeal of the City Engineer’s denial of Application Number TSM23-0001 requesting an amendment to Condition of Approval B.9.a of the Final Map for Tracy Hills Phase 1B; and be it

**FURTHER RESOLVED:** That the Planning Commission hereby approves, after *de novo* review under California Government Code § 66472.1 and Tracy Municipal Code Section 12.52.010(g), Application Number TSM23-0001 requesting an amendment to Condition of Approval B.9.a of the Final Map for Tracy Hills Phase 1B. Condition B.9.a is hereby amended to state: “The developer shall initiate the process to construct the park in a timely manner which includes the concept design approval from Parks Commission, approval of Park Improvement Plans, approval of the Park Name and Park Subdivision Improvement Agreement. Developer shall complete the Park construction no later than 365 days after the execution of the Park Subdivision Improvement Agreement.”

**FURTHER RESOLVED,** the City Engineer is directed to implement the amended condition in a manner consistent with Government Code Section 66472.1 and Tracy Municipal Code Section 12.52.020 through 12.52.050.

\* \* \* \* \*

The foregoing Resolution 2024-\_\_\_\_\_ was adopted by the Planning Commission on January 24, 2024, by the following vote:

AYES: COMMISSION MEMBERS:  
NOES: COMMISSION MEMBERS:  
ABSENT: COMMISSION MEMBERS:  
ABSTENTION: COMMISSION MEMBERS:

\_\_\_\_\_  
CHAIR

ATTEST:

\_\_\_\_\_  
STAFF LIAISON

# ATTACHMENT 3

**City Manager's Report**  
**November 13, 2018 City Council Meeting**  
**Prepared By: Andrew Painter, City Planner**



**Item#: 11.1**

**Subject:** Approve Map Amendment 18-01, modifying the building envelope on Lot 9 of the Quartz Mountain Subdivision Phase I Map, located at 2628 Kereka Court, and certify that the project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15305; based on the Findings and subject to the Conditions of Approval contained in Exhibit D.

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**Project Description:** The applicant is requesting approval to expand the boundaries of the designated building envelope established with the recordation of the Quartz Mountain Subdivision Phase 1 subdivision map. A "building envelope" refers to the area within the lot that can be used for construction of a single-family home and other accessory structures.

The building envelope expansion areas are located near the northeast corner and southeast corner of the site. See Exhibit A. Per the application, the expansion of the building envelope would:

- allow for construction of a new single-family residence on the portion of the lot that is most level, minimizing grading on the lot;
- bring the building envelope closer to Kereka Court to conform with the recorded building envelopes on the same side of street within the Quartz Mountain Subdivision; and
- result in the removal of five Ponderosa pine trees that were protected from removal being located outside of the existing building envelope by placing them within the proposed building envelope expansion where they could then be removed to establish defensible space for fire safety (see Exhibit B).

Note: The applicant states that the five Ponderosa pine trees were removed. The Planning Commission recommended Condition 4 (See Exhibit D) that would mitigate for this tree removal by the planting and maintaining of the trees for a minimum of five years following a certificate of occupancy for the proposed single-family home to be built on the lot.

In the event the property owner does not obtain a Certificate of Occupancy for the proposed single-family home within eighteen months of City approval of MA18-01, the City will initiate the recordation on the property title of a notice of non-compliance for failure to mitigate the removal of the five Ponderosa pines on Lot 9.

**Background:** At the October 16, 2018 Regular Meeting of the Planning Commission, a public hearing was conducted to consider Map Amendment (MA) 18-01. Commission Members Dziuba, Frenn and Kiehne were present at the meeting. Member List was absent. Also present was the project applicant and property co-owner Chris Baxter, and an unknown speaker.

The Commission considered the applicants request and deliberated regarding the purpose and intent of the building envelope expansion, site topography, existing vegetation, and the removal

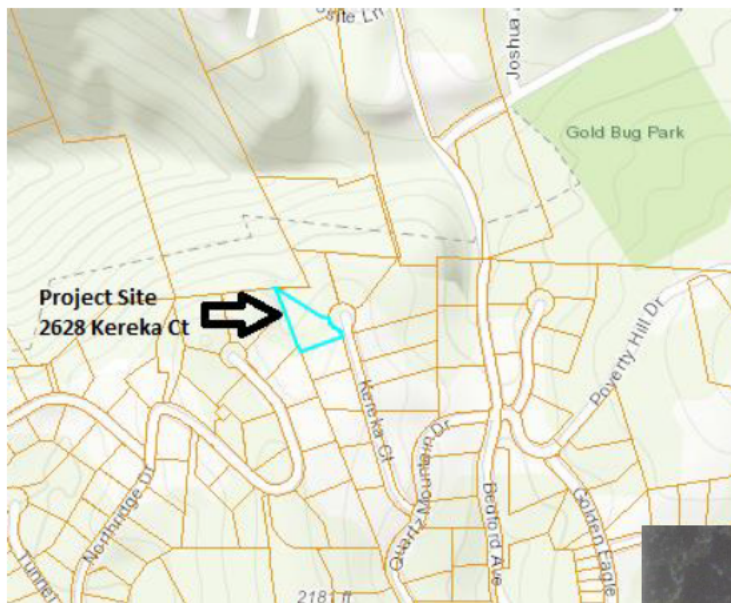


## 11.1

of five trees on Lot 9 by the applicant. The Commission recommended to City Council that they make environmental and required map findings to conditionally approve Map Amendment 18-01. Draft Planning Commission meeting minutes of October 16, 2018 are included in Exhibit C of the staff report.

The Quartz Mountain Subdivision Phase I parcels are located within the R1-20,000 Zoning District. All parcels within the Quartz Mountain Subdivision Phase I have defined building envelopes as shown on the recorded subdivision map, to which all improvements are limited. The remainder of the lot is set aside as private open space and setbacks from adjoining property boundaries. The general intent of the building envelopes was to maintain physical features, such as native trees with high biological value. For these reasons, modification of the building envelope is restricted. However, Placerville City Code Section 10-8-22 permits amendments to a recorded map's (parcel and subdivision) building envelope with an approved amended subdivision map subject to the findings contained in this report.

The 0.56-acre, R1-20,000 zoned parcel is currently undeveloped. The parcel is located at the cul-du-sac end of Kereka Court. Kereka Court is the public road that serves this portion of the Quartz Mountain Subdivision. Curb and gutter were installed with construction of Kereka Court. Water, sewer and electric utilities all serve the site and are underground.



Site slope is from the southeast to the northwest. Some portions of the site are covered with mature trees. The surrounding land uses are single-family residential parcels. Three parcels on Kereka Court have single-family homes. The rest, including the subject location, are vacant.

**Amending Of Subdivision Maps:** Section 10-8-22 and 10-8-23 of the Placerville City Code, and Section 66472.1 of the Subdivision Map Act, allow for amending of subdivision maps by either filing a Certificate of Correction or amending the map. In order to approve the map amendment, the City Council must find that the amended map complies with the Government Code and make specific findings pursuant to Government Code Section 66472.1. These findings and conditions have been presented as Exhibit D.



**Environmental Review:** The proposed map amendment has been found to be Categorically Exempt from the requirements of CEQA pursuant to Section 15305 of the CEQA Guidelines which states that minor alterations in land use limitations not resulting in the creation of any new parcel are exempt.

**Public Notice and Comment:** Notice of this public hearing was provided in writing to all property owners within 500 feet of the external boundaries of the subject property; with written notice also published in the Mountain Democrat on October 22, 2018. No public comment has been received.

**Options:**

1. Approve the requested map amendment as recommended by the Planning Commission.
2. Table discussion of the map amendment and provide direction to the applicant to revise said request for consideration by the City Council.
3. Conceptually deny the map amendment request and direct staff to return to the Council with findings for denial.

**Cost:** None.

**Budget Impact:** None.

**Recommendation:** Approve Map Amendment 18-01, modifying the building envelope on Lot 9 of the Quartz Mountain Subdivision Phase I Map, located at 2628 Kereka Court, and certify that the project is Categorically Exempt from the requirements of the California Environmental Quality Act pursuant to Section 15305; based on the Findings and subject to the Conditions of Approval contained in Exhibit D.



M. Cleve Morris, City Manager



Pierre Rivas, Development Services Director



Andrew Painter, City Planner  
Executive Secretary to the Planning Commission

**Exhibits:**

- A: Proposed Building Envelopment Modification
- B: Applicant Submittal Package
- C: Draft Planning Commission October 16, 2018 Regular Meeting Minutes
- D: Map Amendment 18-01 Findings and Conditions of Approval

**Exhibit D.**

**Exhibit D  
Map Amendment 18-01**

**Map Amendment 18-01 Findings and Conditions of Approval**

I. California Environmental Quality Act (CEQA) Findings

1. The map amendment project has been found to be Categorical Exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305(a) of the CEQA Guidelines which states that minor alterations in land use limitations not resulting in the creation of any new parcel are exempt.
2. The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department, Planning Division, at 3101 Center Street, Placerville, CA.

II. Map Amendment Findings

- a. The native trees with high biological value, as identified on the subdivision map, were removed by the owner prior to development of the parcel. This change in circumstance makes the original building envelope restriction no longer appropriate to the subdivision map.
- b. The modification does not impose any additional burden on the fee owners of the real property, in that the building envelope modification has been requested by the fee owners of the real property in question, and the modification would be a benefit to them, rather than a burden.
- c. The modification does not alter any right, title, or interest in the real property reflected on the recorded map, in that the building envelope modification would facilitate development on the property, and no right, title or interest in the property would be affected.
- d. The modification is consistent with the General Plan and any applicable specific plan, in that the building envelope modification would not change the intent and purpose of the Low Density Residential land use designation, which is to provide for single-family residential development; the modification would assist the property owner to construct a single-family home; the amended Map remains suitable for the type and density of development, and the subdivision map remains consistent with the General Plan.

III. Conditions of Approval:

**Exhibit D**  
**Map Amendment 18-01**

1. The building envelope map amendment modification shall be in substantial compliance with Exhibit A – Lot 9 Quartz Mountain PH 1, SUB H-82 submitted September 24, 2018.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and Conditions of Approval herein. The property and any portions thereof shall be sold, leased, or financed in compliance with this project description and the approved hearing exhibits and Conditions of Approval hereto.

2. The property owners shall submit a “Certificate of Correction” or amending map amending Lot 9 of the Quartz Mountain Subdivision Phase I. The certificate shall be prepared by an appropriately licensed professional and submitted to the County Surveyor for review in compliance with the Subdivision Map Act. Upon approval by the County Surveyor, the “Certificate of Correction” or amended map shall be recorded in the County Recorder’s Office, a copy of which shall be provided to the City of Placerville Development Services Department. The property owners are responsible for all associated processing and recording fees.
3. This building envelope modification approval shall lapse and shall become void one year following the date on which it became effective, unless before the expiration of one year:
  - a. The approved certificate of correction or amended map has been recorded in the office of the County Recorder, or,
  - b. A time extension has been applied for and approved by the Development Services Department.
4. To mitigate for the property owner / applicant removal of five trees, the property owner / applicant shall submit to the Development Services Department a replanting plan for approval by staff. Replanting plan shall contain a tree planting palette that includes tree species endemic to the Quartz Mountain Subdivision Phase I site environment. Property owner / applicant shall plant and maintain the staff approved five trees, at a minimum of 15-gallon size, within the Lot 9 parcel prior to Certificate of Occupancy of the single-family residence. The property owner shall ensure the successful establishment of the replacement trees for a minimum of five years following issuance of the certificate of Occupancy of the residence. Unacceptable tree growth or condition, as well as actual tree death, shall be grounds for non-compliance of this condition and the recordation of a Notice of Non-Compliance.

# ATTACHMENT 4



CALAVERAS COUNTY PLANNING DEPARTMENT  
891 Mountain Ranch Road,  
San Andreas, California 95249  
(209) 754-6394

**Planning Commission Staff Report**

<b>Hearing Date</b>	May 25, 2023
<b>Project Number/Name</b>	2022-016 Modification to Existing Permit
<b>Supervisorial District Number</b>	D1, Gary Tofanelli
<b>Assessor's Parcel Number(s)</b>	048-051-035, -036 & -037
<b>Planner</b>	Madeleine Flandreau, Planner III

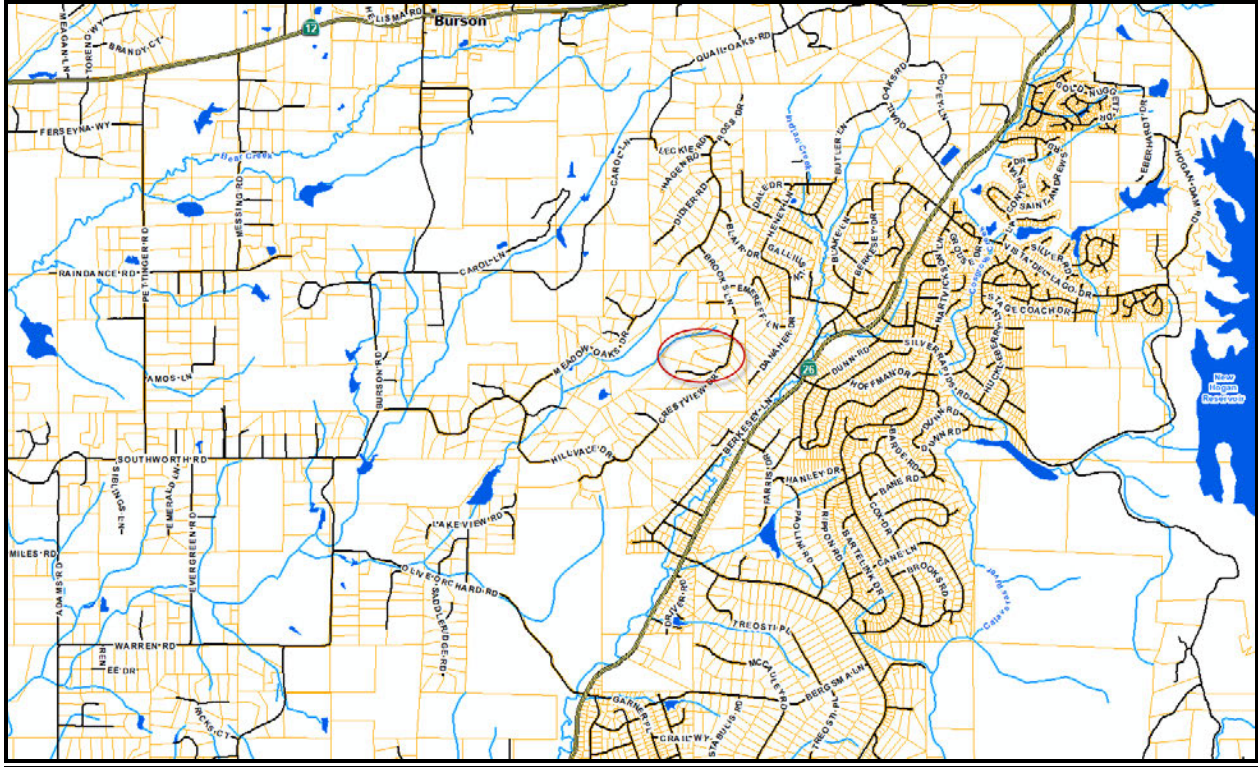
**Date:** May 5, 2023

**PROJECT DESCRIPTION:** The Calaveras County Planning Department is initiating a Modification to Existing Permit to amend the conditions of approval for Tentative Parcel Map 03-33, which was approved by the Planning Commission on July 17, 2003.

**LANDOWNERS:**

Dorothy Ann Skarles 2025 Jerry Lane Lodi, CA 95242	Robert and Shirley Redding 1511 Purdue Court Union City, CA 94587	Willard and Ora Chalmers 3150 Crestview Drive Valley Springs, CA 95252
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**PROJECT LOCATION:** APNs: 048-051-035, 048-051-036 & 048-051-037 are described as lots 1, 2 & 3, respectively, of Parcel Map Book 11 Page 180, a re-subdivision of Lot 16 of the Valley Hill Estates Subdivision. The three parcels are located off Crestview Drive, 2.5 miles east of the Burson Road and Hilldale Drive intersection southeast of the community of Burson. The parcels are in Section 33, T04N, R10E, MDM.



**BACKGROUND:**

In 2003, the Planning Commission approved Tentative Parcel Map 03-33 (TPM 03-33), for the subdivision of a vacant, 26.7-acre parcel into three parcels. The size of each lot is as follows: Parcel 1 – 5.9 acres; Parcel 2 – 7.3 acres; and Parcel 3 – 13.5 acres. The parcels are zoned RA-5 (Residential Agriculture – 5-acre minimum parcel size).

TPM 03-33 was recorded in 2005 (see Attachment 4). As provided under §66411.1 of Government code, a note was placed on the face of the recorded map deferring road improvements at the time of the next permit or other grant of approval for each parcel developed. The note was placed for the sole purpose of deferring the road improvements to the first permit so that the applicant of TPM 03-33 wasn't responsible for making the improvements prior to the recordation of the map.

Since 2005, only Parcel 1 has been developed with a single-family home. At the time of the construction of the home, the required road improvements were not enforced by the county prior to issuance of a building permit and, subsequently, a certificate of occupancy for the home. The residential construction included an encroachment off Crestview Drive in an alternative location to the proposed access road on the recorded map, so none of the required road improvements were completed.

Subsequently, Parcel 1 was purchased by a new owner, who came in with a building permit application to place an accessory structure on the parcel, which brought to light the fact that the road improvements had not been enforced by the County. As Parcel 1 was developed several years ago with an alternative encroachment, this created an issue whereby the next

building permit that is applied for would require the construction of the access road only for Parcels 2 and 3.

**PROJECT DESCRIPTION:**

Upon closer review, the Public Works Director determined that the site access issue was moot since other alternatives exist to provide access to the remaining two undeveloped parcels (Parcels 2 and 3). As depicted on the recorded map, access control rights along the frontage of the parcels – except for Parcel 3 – were granted to the County. The developed parcel improved an encroachment across the access-controlled area. The right-of-way depicted on the map (access road) will remain as the driveway serving Parcel 3. As the County has determined that access to the parcels can be provided without the road improvements, the Planning Department is therefore modifying the map to remove the following Public Works conditions:

*#111-1, Improve the access road to Crestview Drive R.O.W. to proposed Parcel 3 along the existing road to a Local Road Template “F,” 24’ wide paved surface with 2” A.C. and 4” Class 2 A.B.*

*#111-2, Construct a turning circle in accordance with Section 12.02.230 at Parcel 1, with a roadbed diameter of 84 feet. A hammerhead, constructed to County Standard Detail, may be used as an alternate to a turning circle with concurrence of the responsible fire protection agency.*

*#111-3, Improve the existing encroachment for Crestview Drive to County Road Standards of a Local Approach.*

*#111-4, Provide road name sign for the access road.*

*#111-12, A declaration is to be signed by the applicant creating a road maintenance agreement for the access road to proposed Parcel 3.*

*#111-13, The proposed access for Parcel 3 shares access with Parcels 1 and 2 will require the construction of a Local Road from the easterly boundary of Parcel 3 to Crestview Drive. A local road approach will need to be constructed for the intersection of the access road with Crestview Drive.*

The modification will not require a change, modification, or addition to the conditions of approval other than removal of conditions #111-1, #11-2, #111-3, #111-4, #111-12, and #111-13, and the addition of a “reminder” condition that is recommended to be added by Public Works merely as a reminder of the ongoing requirement for an encroachment permit should Parcel 2 be developed in the future.

**MAP MODIFICATION:**

Government Code §66472.1 allows amendments to a recorded final map if authorized by local ordinance, so long as the County finds: 1) that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary, 2) that



the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and 3) that the map as modified conforms to Gov. Code §66474, which contains the usual findings for tentative map approval:

- The map and the design or improvement of the subdivision are consistent with the General Plan and any applicable specific plan.
- The site is physically suitable for the type and density of the proposed development.
- The design of the subdivision or improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- The design of the subdivision or improvements are not likely to cause serious public health problems.
- The design of the subdivision or improvements will not conflict with public access or use easements on it. (This finding may be made if substantially equivalent public access or use easements are substituted for the original easements).

County Code §16.13.010 is the local ordinance allowing for map amendments as described in Gov. Code §66472.1, and it echoes the findings described above.

The original tentative map was approved with conditions imposed, as authorized by Gov. code §66434.2. Gov. Code §66469, in turn, specifically authorizes map amendments to alter conditions imposed pursuant to §66434.2 so long as the correction does not impose any additional burden on the present fee owners of the real property and does not alter any right, title, or interest in the real property reflected on the recorded map. All current owners of the parcels created through this tentative map were notified of the proposed modification, and none had objections. A finding will therefore be added that the modification will not impose a burden on the present fee owners.

The public hearing on the map modification was noticed as required by Gov. Code §66451.3. Per Gov. Code §66472.1, the County “shall confine the hearing to consideration of, and action on, the proposed modification.”

#### **ENVIRONMENTAL REVIEW:**

Pursuant to California Environmental Quality Act (CEQA) guidelines, an Initial Study and Negative Declaration (IS/ND) was prepared in 2003 and circulated for 30 days for the previously approved TPM (see Attachment 3). No comments on the 2003 IS/ND were received. The Initial Study analyzed the environmental impacts and determined that the proposed project will not have a significant environmental impact. The prepared IS/ND was completed in accordance with the California Environmental Quality Act (CEQA) and reflects the independent judgment and analysis of the preparer. The IS/ND was adopted with the approval of TPM 03-33 on July 17<sup>th</sup>, 2003.

The proposed project is the same as the project analyzed in the 2003 IS/ND, because the road improvements recommended by Public Works as conditions were not included in the project description. The proposed removal of these now-obsolete Public Works conditions is therefore a minor technical change to the project that does not affect the environmental analysis or the conclusions of the 2003 IS/ND. Since adoption of the 2003 IS/ND, the

CEQA Guidelines have undergone several changes, including comprehensive updates, which created four new sections to the CEQA Checklist: Energy, Greenhouse Gas Emissions, Tribal Cultural Resources, and Wildfire.

The potential impacts of the project were evaluated in a previously adopted IS/ND, none of the factors triggering additional environmental review under CEQA Guideline 15162 are present, and the IS/ND provides a sufficient and adequate analysis of the environmental impacts. Thus, the County determined that an addendum pursuant to CEQA Guideline 15164 is the appropriate environmental document for the proposed project. An Addendum to the Negative Declaration was prepared and can be found in Attachment 2. While, as discussed in more detail in the addendum, the fact that the State updated Appendix G after the County approved the 2003 ND does not itself constitute a “change” or “new information” requiring a subsequent EIR, staff did utilize the updated Appendix G criteria when analyzing whether an addendum was the appropriate environmental document for this updated project.

**CONCLUSION:**

The project is a modification to the conditions of approved TPM 03-33, removing conditions #111-1, #111-2, #111-3, #111-4, #111-12, and #111-13. The required findings for a map modification per County Code 16.13.030 can be made. There were no objections to the approval of the MEP from any landowners of the subject parcels, nor from any landowners within 300 feet of the subject parcels. The potential impacts of the project were evaluated in a previously adopted IS/ND, and the IS/ND provides a sufficient and adequate analysis of the environmental impacts. Thus, the County determined that an addendum is the appropriate environmental document for the proposed project. The IS/ND and the Addendum reveal this project as modified will continue to have a less than significant impact on the environment.

**RECOMMENDATION:**

Staff recommends the Planning Commission approve Resolution 2023-005 approving Modification of Existing Permit 2022-016 to remove Public Works’ conditions of approval #111-1, #111-2, #111-3, #111-4, #111-12, and #111-13 for Tentative Parcel Map 03-33, based on the findings and conditions contained therein.

**ATTACHMENTS:**

- 1) Planning Commission Resolution No. 2023-005
- 2) 2023 Addendum to the 2003 Negative Declaration
- 3) 2003 Initial Study/Negative Declaration
- 4) Parcel Map 03-33
- 5) Planning Commission Resolution No. 03-68

**From:** [Miranda Aguilar](#)  
**Cc:** [William Dean](#); [Scott Claar](#); [Planning Admin](#); [Gina Peace](#)  
**Subject:** FW: Request for Tracy hills - Hillview community park facilities for kids  
**Date:** Wednesday, January 24, 2024 12:58:22 PM  
**Attachments:** [image.png](#)  
[image.png](#)

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Hello Commissioners,

Please see email below regarding tonight's 01/24/24 Planning Commission Meeting. A printed copy will be provided for you at the meeting.

Thank you,

Miranda Aguilar | City of Tracy  
Administrative Assistant  
Development Services – Planning Division  
333 Civic Center Plaza | Tracy, CA 95376  
Office: (209) 831.6421 | [Miranda.Aguilar@cityoftracy.org](mailto:Miranda.Aguilar@cityoftracy.org)



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**From:** Siva Sivasubramoniam Jayaram [REDACTED]  
**Sent:** Friday, January 19, 2024 2:48 PM  
**To:** Scott Claar <[Scott.Claar@cityoftracy.org](mailto:Scott.Claar@cityoftracy.org)>  
**Subject:** Request for Tracy hills - Hillview community park facilities for kids

You don't often get email from [REDACTED]

**Caution:** This is an external email. Please take care when clicking links or opening attachments.

Hi Scott,

I am a resident of the Tracy Hills - Hillview community part of the Lennar construction. My wife and 1-year-old son live with me.

I received a notice from the city of Tracy regarding a public hearing about APL23-0003.

Having lived here for the past 6+ months, I have found that our kids do not have a park with some play structures in this Hillview community. We do have an HOA-maintained park that has a grass lawn and a few benches to relax along with a swimming pool.

I request the city of Tracy to support this ask to install play structures that will benefit our community kids to play outdoors and will motivate them to socialize and strengthen their personal and physical skills.

I appreciate your help in this matter.

Please find attached the pictures of the current HOA-maintained park.



Best,  
Siva

## Mike Souza

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**From:** Karin Schnaider <Karin.Schnaider@cityoftracy.org>  
**Sent:** Thursday, June 29, 2023 3:21 PM  
**To:** Mike Souza  
**Cc:** Brian MacDonald  
**Subject:** July 5 agenda

Hi Mike

Thank you for taking the time to talk with Brian and me yesterday. We discussed the City's need to move the SIAs for Parks in TH1B and Hillview to the August 15<sup>th</sup> agenda meeting. I understand this delays your construction timeline and creates some impacts to your project management of these amenities. I also understand these agreements were part of the developments' conditions of approvals (COAs), which you expressed may impact your ability to meet other COAs. I clearly hear your concerns about meeting your COAs timely. Brian and I would like to work with you to make process improvements to lessen these impacts on these and future projects.

*Thank You,*

**Karin Schnaider** | Assistant City Manager

333 Civic Center Plaza | Tracy, CA 95376

Office (209) 831.6108

[karin.schnaider@cityoftracy.org](mailto:karin.schnaider@cityoftracy.org)

[www.ci.tracy.ca.us](http://www.ci.tracy.ca.us)



Agenda Item 1.A

RECOMMENDATION

**Staff recommends that the Planning Commission:**

- (1) Discuss the provisions and policy aims of a proposed draft ordinance amending Section 10.08.3193 of the Tracy Municipal Code expanding the right of mobile food vendors to operate in the commercial and office zones (excluding certain portions of the Central Business District Zone) in addition to industrial zones; and**
- (2) Discuss the provisions and policy aims of corresponding proposed amendment to Page 3-14 of the City Design Goals and Standards to add a new section for mobile food vendors.**

EXECUTIVE SUMMARY

Staff presents a preliminary draft Mobile Food Vendor ordinance as a discussion item to the Planning Commission for discussion and input. Staff will gather this input and present it and this draft Mobile Food Vendor ordinance to City Council at a later date for further discussion and input. Staff will then analyze input from both the Planning Commission and City Council, revise the draft Mobile Food Vendor ordinance accordingly, and present the ordinance for adoption to the appropriate body.

Staff prepared this discussion item in response to the October 18, 2022 City Council request to revisit the regulations regarding mobile food vendors. Over the past year, staff researched the regulations regarding mobile food vendors in nearby cities, conducted a community survey, held outreach meetings with members of the business community, and prepared a draft amendment to the Mobile Food Vendors Ordinance (Section 10.08.3193 of the Tracy Municipal Code) for consideration by the Planning Commission and the City Council.

The Draft Amendment to Mobile Food Vendors Ordinance is attached here as Attachment C. The corresponding Draft Amendment to page 3-14 of the City Design Goals and Standards is attached here as Attachment D.

If approved in its current form, the key features of the Mobile Food Vendors Ordinance, as amended, are as follows:

- Continued prohibition of Mobile Food Vendors permitted on any public property, except as approved by a special event permit, facility permit, or peddler/vendor license
- Expanded areas: in addition to industrial zone areas, mobile food vendors would be permitted to operate on private property only in the commercial and office zones (excluding certain portions of the Central Business District Zone) for up to 12 hours with a Mobile Food Vendor Permit
- Density restrictions: Only one vendor per parcel

- Permanent Mobile Food Vendors and “food cart pods / food truck courts” of multiple vendors permitted with Development Review Permit

Staff recommends that the Planning Commission review and discuss the Draft Amendment to Mobile Food Vendors Ordinance, provide staff with any recommended revisions and/or policy aims prior to presentation of the Draft Amendment to Mobile Food Vendors Ordinance to City Council, and provide recommendations to City Council for the adoption of the Draft Amendment to Mobile Food Vendors Ordinance (Section 10.08.3193 of the Tracy Municipal Code) and corresponding Draft Amendment to page 3-14 of the City Design Goals and Standards.

This staff report summarizes the current regulations for mobile food vendors, provides a comparison of what’s allowed in other nearby cities, presents the results of the community survey, summarizes feedback from the business community, and provides draft amendments for consideration, as well as additional options.

The proposed amendment to the mobile food vendors ordinance is applicable only to private property. If the Planning Commission and City Council desire an amendment to the mobile food vendor regulations that are applicable in the public right-of-way, public property, or public parks, then staff will need to do additional research before bringing forth a subsequent draft ordinance for consideration. Several points that would need to be considered are identified in the body of the staff report below.

#### BACKGROUND AND LEGISLATIVE HISTORY

On November 7, 2017, the City Council adopted an ordinance to add Tracy Municipal Code Section 10.08.3193 regarding mobile food vendors. The mobile food vendors ordinance permits mobile food vendors to operate in the industrial zones of the City but excludes them from all other zones, except as allowed by a temporary use permit, special event permit, facility permit, or peddlers/vendors license (all of which are described below). The mobile food vendors ordinance allows a mobile food vendor to operate in the industrial zones for up to three hours at single location in a 24-hour period.

In 2017, the City Council’s direction leading up to adoption of the 2017 ordinance included the following: (1) allow mobile food vendors where they could provide a service and convenience to employers and employees while supporting a business opportunity for mobile food vendors; (2) allow mobile food vendors in areas that would not tend to create direct, nearby competition with permanent restaurants inside buildings, and therefore, did not want to allow mobile food vendors in the downtown area or other commercial locations where permanent restaurants could operate; and (3) establish reasonable rules for mobile vendors to ensure their compatibility with City improvement and operation standards.

On July 6, 2021, the City Council amended the Cordes Ranch Specific Plan to broaden the areas that permit mobile food vendors, as well as lengthen the amount of time that a mobile food vendor could stay at a single location within a 24-hour period. The Cordes Ranch Specific Plan area is located distant from the existing restaurants within the City, which creates a need for alternative eating options. Previously, the City’s ordinance would limit mobile food vendors within the Cordes Ranch Specific Plan area to operate in the Business Park Industrial (BPI) Zone and the I-205 Overlay Zone, both of which are industrial zones. The Cordes Ranch Specific Plan Amendment broadened the areas that allow mobile food vendors to include the

General Office (GO) Zone and the Parks Zone, given that the whole of the Cordes Ranch Specific Plan area functions as part of the industrial business park, known as International Park of Commerce (IPC), including the GO Zone and the Parks Zone, which involve privately-owned parks. The Specific Plan Amendment also lengthened the duration of mobile food vendor operation by allowing mobile food vendors to operate for up to twelve hours at a single location within a 24-hour period to accommodate the needs of the business park's tenants, who typically operate shifts on a 24-hour basis and have only 30-minute lunch breaks for employees.

On October 18, 2022, the City Council requested an agenda item to revisit the regulations regarding mobile food vendors. Over the past year, staff researched the regulations regarding mobile food vendors in nearby cities, conducted a community survey, held outreach meetings with members of the business community, and prepared a draft amendment to the Mobile Food Vendors Ordinance (Section 10.08.3193 of the Tracy Municipal Code) for consideration by the Planning Commission and the City Council.

The community survey was available for participation from September 8, 2023 to September 30, 2023, and received 990 responses. The community survey results indicate that the community has a desire for more food trucks in the commercial areas. However, during meetings with members of the Tracy Chamber of Commerce, including many brick-and-mortar restaurant owners, the brick-and-mortar restaurant owners raised concerns that mobile food vendors cause unfair competition for brick-and-mortar restaurants which have higher capital and operational costs than mobile food vendors, and also expressed opposition to mobile food vendors in the Downtown (Central Business District Zone) because it could detract from the character of Downtown.

During subsequent meetings with additional members of the Tracy Chamber of Commerce, which included mobile food vendors who currently operate in Tracy city limits, the mobile food vendors explained that they also have substantial expenses and permit requirements, and that their businesses serve a different clientele from the brick-and-mortar restaurants, with the mobile food vendor's clientele typically being a customer who desires a quick grab-and-go food item rather than a sit-down dining experience inside a restaurant.

In an effort to balance opposing view-points of the brick-and-mortar restaurants and the mobile food vendors, as well as respond to the community's desire for more mobile food vendors in the commercial areas, the proposed ordinance would amend Tracy Municipal Code Section 10.08.3193 to establish regulations allowing mobile food vendors to operate in the commercial and office zones (excluding certain portions of the Central Business District Zone), extending the maximum number of hours that a mobile food vendor may operate at a single location per day from three hours to twelve hours, allowing a maximum of one mobile food vendor per parcel in the commercial and office zones with approval of a mobile food vendor permit, and allowing multiple mobile food vendors to permanently or periodically locate on a parcel, such as a food truck court, with approval of a Development Review Permit.



### Current City Laws Governing Mobile Food Vendors

In addition to the mobile food vendors ordinance, other City regulations allow mobile food vendors to operate on a temporary basis throughout the City under the following circumstances:

1. Where the vendor has received a temporary use permit (TUP) from the City Development Services Department (TMC Section 10.08.4240). A TUP is issued for activities on private property and is typically used for Christmas tree lots, carnivals, outdoor sales and promotions, and is also available for mobile food vendors. A TUP may be issued for a maximum of 30 days. As an example, over the past few years, the City has approved TUPs for several food truck festivals and food truck-related events at the Northgate Village Shopping Center on Pescadero Avenue.
2. Where the vendor operates in a City park (usually in conjunction with a youth sports activity or private event) or in the public right-of-way, as with the Farmers' Market or Downtown Block Party events. Such vendors obtain approval through a facility permit (in City Parks) or special event permit (in the public right-of-way) from the City Parks and Recreation Department. The facility permit and the special event permit can only be issued to a non-profit organization or a private party and cannot be issued directly to a mobile food vendor. In cases where an event includes mobile food vendors, the permit is issued to the non-profit organization who is hosting the event and any mobile food vendors are shown on the permit as authorized vendors. For the example of a private party, all vendors must be paid by the party host and the vendors are not allowed to sell directly to party guests.
3. Where a vendor is travelling on, and selling food from, City streets, such as an ice cream truck. Tracy Municipal Code Section 3.08.460 refers to this type of business as "peddlers and vendors" and allows the vendor to stop at the request of a customer for up to ten minutes in the public right-of-way.

All mobile food vendors must obtain a City business license and comply with San Joaquin County Environmental Health Department regulations. Environmental Health Department regulations pertain to food safety and consumer health, and the Department conducts inspections of all mobile food vendors and responds to citizen complaints.

### ANALYSIS

This analysis section includes a comparison of other cities with Tracy's current regulations, summary of community survey results, summary of feedback from the business community, overview of a draft amendment to the mobile food vendors ordinance with additional options, and overview of a draft amendment to the City Design Goals and Standards.

Comparison of Other Cities

The proposed amendment to the mobile food vendors ordinance is applicable only to private property, but staff’s research also includes information related to the public right-of-way. The following table compares what other cities allow for mobile food vendors located in the public right-of-way in commercial zones:

**Public Right-of-Way (Comparison with Tracy’s Current Regulations)**

<b>City</b>	<b>Time Allowed At a Single Location Without Special Event Permit</b>	<b>Locational Requirements</b>
Tracy	10 minutes	Not Limited
Livermore	Not allowed	NA
Pleasanton	Not allowed	NA
Hayward	Not allowed	NA
Brentwood	Not allowed	NA
Fairfield	30 minutes	<ul style="list-style-type: none"> <li>• 300 feet from schools</li> </ul>
Lathrop	3 hours	<ul style="list-style-type: none"> <li>• 300 feet from intersections</li> <li>• 500 feet from previous location</li> <li>• 500 feet from schools</li> <li>• 500 feet from other mobile food vendors</li> </ul>
Manteca	10 minutes	Not Limited
Stockton	3 hours	<ul style="list-style-type: none"> <li>• 250 feet from restaurants inside buildings</li> <li>• 100 feet from intersections</li> <li>• 400 feet from previous location</li> <li>• 300 feet from schools and parks</li> <li>• 400 feet from other vendors</li> </ul>
Modesto	Not allowed	NA
Elk Grove	3 hours	<ul style="list-style-type: none"> <li>• 350 feet from restaurants inside buildings</li> <li>• 350 feet from schools</li> <li>• 500 feet from previous locations</li> <li>• 500 feet from other mobile food vendors</li> </ul>

As the above table shows, many cities do not allow mobile food vendors to operate in the public right-of-way, except as part of a special event permit. However, the table also shows that Lathrop, Stockton, and Elk Grove allow mobile food vendors to operate in the public right-of-way for up to three hours at a single location (within a 24-hour period), given certain locational requirements.

The following table compares what other cities allow for mobile food vendors located on private property in commercial zones:

**Private Property (Comparison with Tracy’s Current Regulations)**

<b>City</b>	<b>Time Allowed Per Day At a Single Location Without Temporary Use Permit (TUP)</b>	<b>Locational Requirements</b>
Tracy	Only allowed with TUP	Not Limited
Livermore	Only allowed with TUP	Not Limited
Pleasanton	1 hour	<ul style="list-style-type: none"> <li>• Only allowed at construction sites, office sites, and other places of employment</li> </ul>
Hayward	20 minutes	<ul style="list-style-type: none"> <li>• 300 yards from schools</li> </ul>
Brentwood	Only allowed with TUP	Not Limited
Fairfield	Only allowed with TUP	Not Limited
Lathrop	3 hours (Note: Food Truck Court allowed on permanent basis with approval of a Minor Site Plan Review)	<ul style="list-style-type: none"> <li>• 100 feet from Residential Zone</li> <li>• 500 feet from schools</li> </ul>
Manteca	Permitted between 7 a.m. and 10 p.m. with approval of a Mobile Food Vendor Permit	Not limited, except for restrictions in Central Business District Zone
Stockton	3 hours	<ul style="list-style-type: none"> <li>• 250 feet from restaurants inside buildings</li> <li>• 300 feet from schools</li> </ul>
Modesto	No time limit with mobile food vendor permit (Note: Food Truck Court allowed on permanent basis with approval of a Development Plan Review)	Not Limited
Elk Grove	3 hours	<ul style="list-style-type: none"> <li>• 350 feet from restaurants inside buildings</li> <li>• 350 feet from schools</li> </ul>

As the above table shows, some cities only allow mobile food vendors to operate on private property in commercial zones with a temporary use permit (TUP), similar to the current regulations in Tracy. However, the table also shows that Lathrop, Stockton, and Elk Grove allow mobile food vendors to operate in the commercial zones for up to three hours at a single location (within a 24-hour period), given certain locational requirements. Lathrop also has a permanent food truck court, known as Lathrop Food Plaza, which was approved by a Minor Site Plan Review and allows food trucks to operate on a permanent, full-time basis without a time limit. Modesto allows mobile food vendors to operate without a time limit in commercial zones with approval of a mobile food vendor permit and also has multiple permanent food truck courts, including Modesto Grub Hubs, which were approved by a Development Plan Review. Manteca has a recently amended mobile food vendors ordinance, which permits mobile food vendors to operate between 7 a.m. and 10 p.m. with approval of a mobile food vendor permit. Manteca

limits mobile food vendors in the Central Business District Zone to locate only on parcels with a brewery/winery/tasting room or bar/tavern, and the mobile food vendor must be located behind the main building. Manteca also set a city-wide limit of 30 mobile food vendors.

### Community Survey Results

The City conducted an online survey to seek input from the community on whether existing regulations should be amended to allow more food truck activity in Tracy. The survey used the term “food trucks” rather than “mobile food vendors” because it is a commonly used term. The survey was aimed at identifying the community’s preferences on location, duration, and timing of food trucks. The online survey was available from September 8, 2023 thru September 30, 2023 and received a total of 990 responses. The overall response from the community expressed strong support for allowing more food trucks in Tracy.

Here is a summary of the survey results:

- 84% of the respondents would like more food trucks in Tracy
- 74% of the respondents would like more food trucks in the large commercial shopping areas, such as around West Valley Mall, Home Depot, Walmart, and Costco
- 69% of the respondents would like more food trucks in the community shopping center areas, such as around supermarkets and pharmacies
- 67% of the respondents would like more food trucks along commercial corridors, such as mixed with commercial development along 11<sup>th</sup> Street or Grant Line Road
- 66% of the respondents would like more food trucks in the Downtown area
- Over 60% of the respondents would like food trucks permitted on a permanent, year-round basis in all commercial areas
- 81% of the respondents would like food trucks to be allowed to stay for 12 hours or more at a single location in a 24-hour period.
- 94% of the respondents would like to allow multiple food trucks grouped together, such as food truck courts
- 77% of the respondents would like to allow individual, stand-alone food trucks
- 85% of the respondents would like to allow a combination of food truck courts and individual, stand-alone food trucks
- 78% of the respondents would like more food trucks at parks
- 96% of the respondents indicated that they live in the City of Tracy

The complete survey results are attached to this staff report (Attachment A – Community Survey Results). The survey results also include written comments. A common theme of the written comments was the desire for having food truck courts, including many specific references to the Lathrop Food Plaza as an example of what is desired.

### Feedback from the Business Community

During meetings with members of the Tracy Chamber of Commerce, including many brick-and-mortar restaurant owners, the brick-and-mortar restaurant owners raised concerns that mobile food vendors cause unfair competition for brick-and-mortar restaurants which have higher capital and operational costs than mobile food vendors, and also expressed opposition to mobile food vendors in the Downtown (Central Business District Zone) because it could detract

from the character of Downtown. The concerns of unfair competition were expressed by restaurant owners in commercial areas throughout the City, including in the I-205 area.

During subsequent meetings with additional members of the Tracy Chamber of Commerce, which included mobile food vendors who currently operate in Tracy city limits, the mobile food vendors explained that they also have substantial expenses and permit requirements, and that their businesses serve a different clientele from the brick-and-mortar restaurants, with the mobile food vendor's clientele typically being a customer who desires a quick grab-and-go food item rather than a sit-down dining experience inside a restaurant. The mobile food vendors explained that they would like to be able to stay at the same location every day for 10 to 12 hours per day, so their customers know where to find them. The mobile food vendors also explained that they prefer to locate on private property rather than in the public right-of-way because the County Health Department requires them to obtain rights to use a nearby restroom, which is difficult to obtain when they are in the public right-of-way. The mobile food vendors also stated that they are not interested in locating at parks, except during special events.

#### Overview of Draft Ordinance Amending TMC Section 10.08.3193

In an effort to balance opposing view-points of the brick-and-mortar restaurants and the mobile food vendors, as well as respond to the community's desire for more mobile food vendors in the commercial areas, the proposed ordinance would amend Tracy Municipal Code Section 10.08.3193 to establish regulations allowing mobile food vendors to operate in the commercial and office zones (excluding certain portions of the Central Business District Zone), extending the maximum number of hours that a mobile food vendor may operate at a single location per day from three hours to twelve hours, allowing a maximum of one mobile food vendor per parcel in the commercial and office zones with approval of a mobile food vendor permit, and allowing multiple mobile food vendors to permanently or periodically locate on a parcel, such as a food truck court, with approval of a Development Review Permit.

The following is a summary of the highlights of the draft amendment to TMC Section 10.08.3193, which relates to mobile food vendors on private property:

- The proposed amendment would allow mobile food vendors to operate in any of the commercial, office, and industrial zones (Attachment B – Maps of Commercial, Office and Industrial Areas, including a map focused on the Central Business District Zone).
- In order to preserve the character of the Central Business District Zone (Downtown area), there would be no mobile food vendors allowed on any lot with frontage on the following:
  - Central Avenue between 11th Street and 6th Street;
  - 10th Street between A Street and Central Avenue;
  - 7th Street between C Street and Central Avenue; or
  - 6th Street between C Street and D Street.
- A mobile food vendor's operation must be located on a surface paved to City standards.
- A mobile food vendor's operation would be limited to twelve hours at a single location in a 24-hour period, unless the mobile food vendor location has been approved by a development review permit. For the purposes of this section, a "single location" shall mean a different location within a 500-foot radius of the original location.
- A mobile food vendor's operation would be limited to the hours between 7:00 a.m. and 10:00 p.m. daily, unless located in an industrial zone and greater than 200 feet from a

residential zone.

- A maximum of one mobile food vendor could be located on a parcel in any commercial or office zone, except as approved by a development review permit.
- A mobile food vendor permit would be required for a mobile food vendor to locate in any commercial or office zone, except for a mobile food vendor location approved by a development review permit.
- A development review permit could be approved for a mobile food vendor location featuring multiple mobile food vendors on the same parcel or a combination of one or more mobile food vendors and one or more food vending structures, such as a food kiosk or shipping container restaurant. In such cases, mobile food vendors or food vending structures could permanently or periodically occupy an approved location. An approved location would need to include site improvements and amenities consistent with the City Design Goals and Standards (see below for proposed draft amendment to the City Design Goals and Standards).

The complete draft amendment to TMC Section 10.08.3193, Mobile Food Vendors, is attached for review (Attachment C – Draft Amendment to Mobile Food Vendors Ordinance).

“Pop-up restaurants”, which include various forms of temporary establishments that serve food but do not operate from a vehicle, trailer, wagon or cart that meets the definition of a “mobile food vendor” in accordance with TMC Section 10.08.3193, would not be subject to the regulations established by this ordinance. Such “pop-up restaurants” would need to obtain approval of a temporary use permit to operate on private property, a special event permit in the public right-of-way, or a facility permit in parks. These types of permits are generally described above. If the Planning Commission and the City Council desire to have the mobile food vendor ordinance expanded to include similar regulations for “pop-up restaurants”, then staff would need to better define “pop-up restaurants” and identify appropriate requirements before bringing forth a subsequent draft ordinance for consideration.

#### Public Right-of-Way Considerations

The focus of this draft ordinance is on amending the regulations for mobile food vendors on private property. At this time, staff is not proposing any changes to what’s allowed for mobile food vendors in the public right-of-way or on City property. The current regulations allow food truck events in the public right-of-way, if hosted by a non-profit organization and approved by a special event permit. The City could also host such an event. A potential example of this could be a weekly or monthly food truck event hosted by the City at Legacy Fields or City Hall (Civic Center Plaza). If the City Council wishes to amend the regulations for mobile food vendors in the public right-of-way or on City property, staff will bring forth a separate ordinance for consideration in the future.

In discussing this topic with the City’s Engineering Division, Code Enforcement, and the Police Department, the following points would need to be considered further if the City Council requested changes to the mobile food vendor regulations in the public right-of-way:

- Concern that it would take away public parking for the customers of nearby restaurants and retail shops, which is the purpose of on-street parking spaces.
- Major arterial streets in the commercial areas, such as 11<sup>th</sup> Street, Grant Line Road, Tracy Blvd, and Naglee Road do not include on-street parking spaces.

- Mobile food vendors should not be allowed to park on the shoulder of the road because it could impede traffic.
- The on-street parking spaces would need to be parallel to the curb. Angled parking spaces would not work. Customers would need to stay on the sidewalk for safety.
- Need to consider the size dimensions of the mobile food vendors to determine whether they would fit within an on-street parking space or encroach into the travel lane.
- Might be best to identify a particular area, such as a one or two block section, and start as a pilot program.
- Allowing mobile food vendors to locate in public parking lots with designated parking spaces for them might be better than in the public right-of-way.

It should also be noted that in staff's discussion with approximately 10 mobile food vendors, all the mobile food vendors stated that they would prefer to locate on private property rather than in the public right-of-way.

#### Additional Options

If the Planning Commission and City Council desire the draft ordinance to be more permissive towards mobile food vendors, the draft ordinance could be revised as follows:

- Allow mobile food vendors throughout the Central Business District Zone, which means not excluding the portions shown in the draft ordinance
- Expand the regulations to include "pop-up" restaurants (as mentioned above, this would require additional staff work before bringing forth a subsequent draft ordinance for consideration)
- Establish regulations that increase the time allowed for mobile food vendors to operate in the public-right-of way, public property, and parks (as mentioned above, this would require additional staff work before bringing forth a subsequent draft ordinance for consideration)

If the Planning Commission and City Council desire the draft ordinance to be more restrictive on mobile food vendors, the draft ordinance could be revised as follows:

- Add a distance requirement from brick-and-mortar restaurants, such as 200 feet
- Add a distance requirement between mobile food vendors, such as 500 feet
- Keep the three-hour time limit, rather than extending to twelve hours
- Set a limit on the maximum number of mobile food vendors in the City or in certain areas of the City (Manteca set a limit of 30 mobile food vendors, but most cities do not have a maximum number.)

The Planning Commission and the City Council could also decide not to make any changes to the existing 2017 ordinance.

### Overview of Draft Amendment to City Design Goals and Standards

Staff has also prepared a draft amendment to the City Design Goals and Standards to add a new section regarding mobile food vendors (Attachment D – Draft Amendment to page 3-14 of the City Design Goals and Standards). This section is intended to specifically address mobile food vendor locations approved by a development review permit, which applies to sites with multiple mobile food vendors on the same parcel. Here is a summary of the proposed amendment:

- Any mobile food vendor location approved by Development Review Permit would need to be designed in a manner that complements the architectural character and design qualities of the surrounding area and would need to include the following amenities:
  - Outdoor dining area with tables and chairs
  - Umbrellas or shade structures
  - Decorative lights for ambiance
  - Waste receptacles
  - Landscaping or potted plants and trees
  - Screening of any generators
- Restrooms, if required, would need to be compatible with the design and materials of adjacent buildings.

### PUBLIC OUTREACH / INTEREST

This public hearing agenda item was duly noticed in the local newspaper. Public outreach included the community survey described above and meetings with members of the Tracy Chamber of Commerce, including restaurant owners and mobile food vendors. Feedback from the business community is described above.

### COORDINATION

This staff report was prepared by the Development Services Department Planning Division and involved coordination with the Parks and Recreation Department to confirm regulations related to facility use permits and special event permits for mobile food vendors. Staff also coordinated with the City's Engineering Division, Code Enforcement, and the Police Department regarding considerations in the public right-of-way.

### CEQA DETERMINATION

CEQA Guidelines Section 15061(b)(3), which is known as the "common sense exemption", states that CEQA only applies 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. For this particular agenda item, the requested action involves an amendment to Tracy Municipal Code Section 10.08.3193 regarding mobile food vendors and an amendment to the City Design Goals & Standards to add a new section for mobile food vendors. The change in code language and addition of new design standards on their own does not have the possibility of causing a significant effect on the environment. When any future development



review permit application is submitted to establish a permanent mobile food vendor location, the appropriate site-specific CEQA analyses will be completed for each individual application.

ACTION REQUESTED OF THE PLANNING COMMISSION

Staff recommends that the Planning Commission:

- (1) Discuss the provisions and policy aims of a proposed draft ordinance amending Section 10.08.3193 of the Tracy Municipal Code expanding the right of mobile food vendors to operate in the commercial and office zones (excluding certain portions of the Central Business District Zone) in addition to industrial zones; and
- (2) Discuss the provisions and policy aims of corresponding proposed amendment to Page 3-14 of the City Design Goals and Standards to add a new section for mobile food vendors.

Prepared by: Scott Claar, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director  
Jeffrey Crosswhite, Assistant City Attorney  
Bijal M. Patel, City Attorney

Approved by: Karin Schnaider, Assistant City Manager / Interim Development Services Director

ATTACHMENTS

Attachment A – Community Survey Results

Attachment B – Maps of Commercial, Office, and Industrial Areas, including a map focused on the Central Business District Zone

Attachment C – Draft Amendment to Mobile Food Vendors Ordinance

Attachment D – Draft Amendment to page 3-14 of the City Design Goals and Standards



# Food Truck Survey Results

Development Services Department

990 Results Collected

Collection Dates: September 8<sup>th</sup> – September 30<sup>th</sup>

# Food Truck Survey

- Bilingual Community Survey
  - English and Spanish



- Open from September 8<sup>th</sup> – September 30<sup>th</sup>

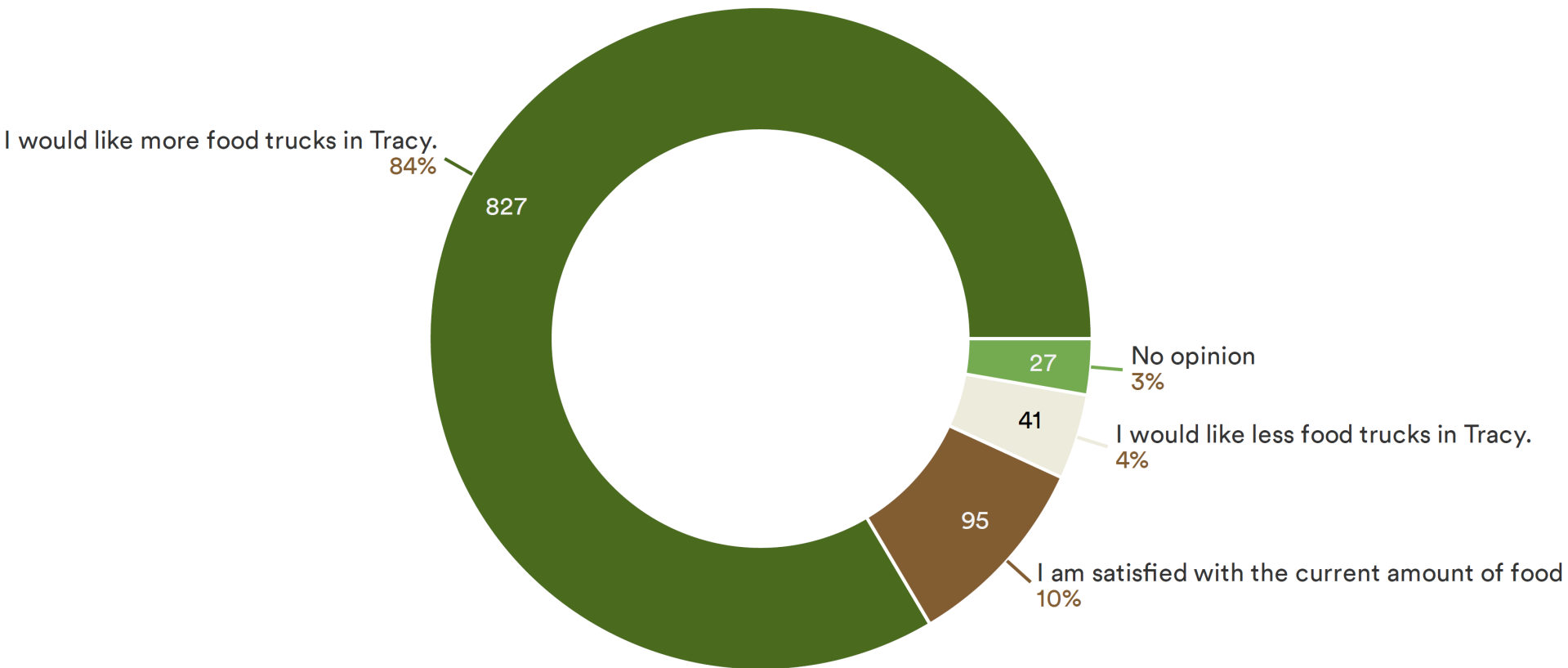
- Posted on City Website, Social Media Platforms
  - Facebook, Twitter, Instagram, etc.

- 990 Survey Submissions



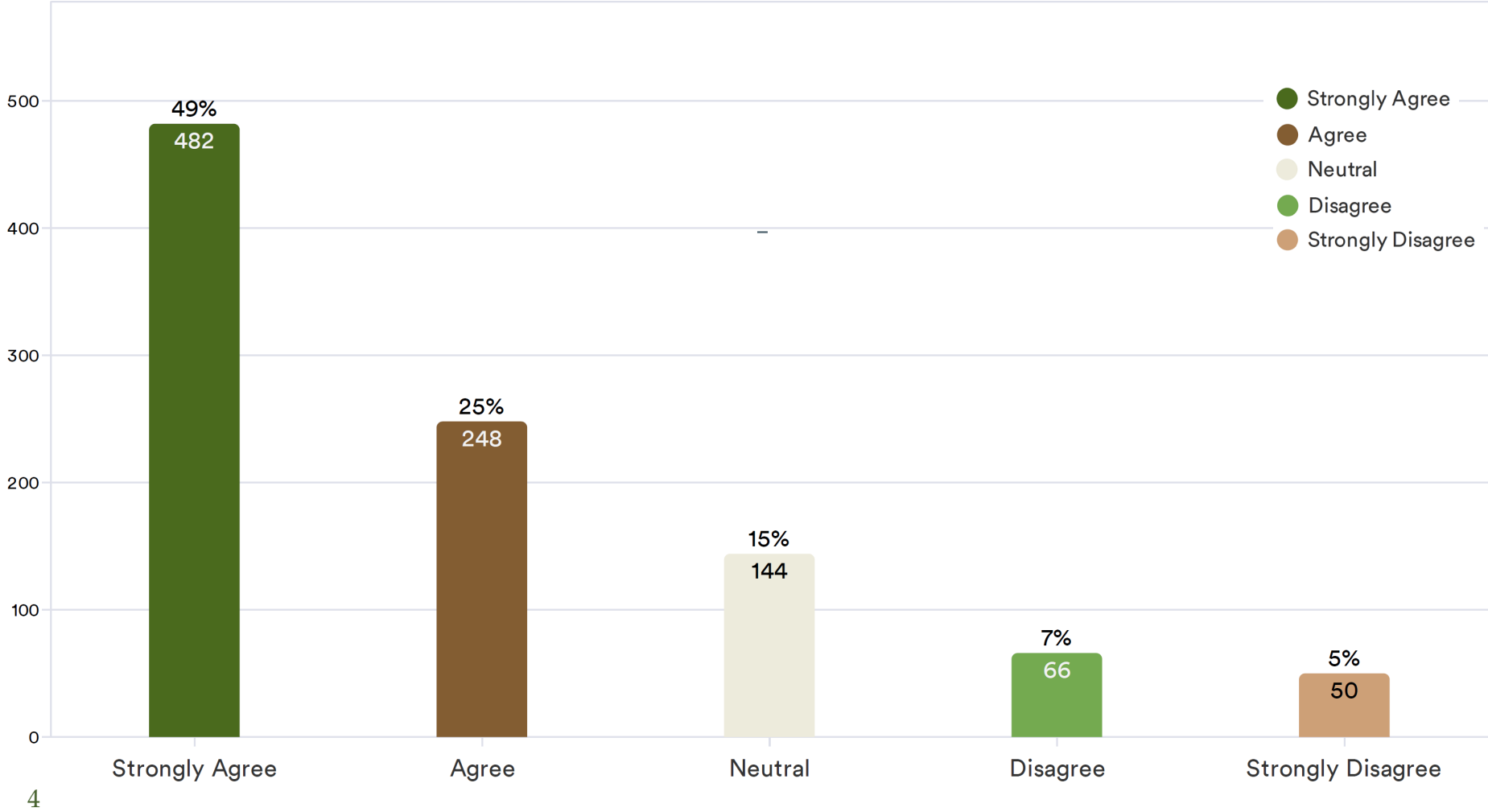
# Please select the option that best describes your opinion on the amount of food trucks in Tracy.

990 Responses



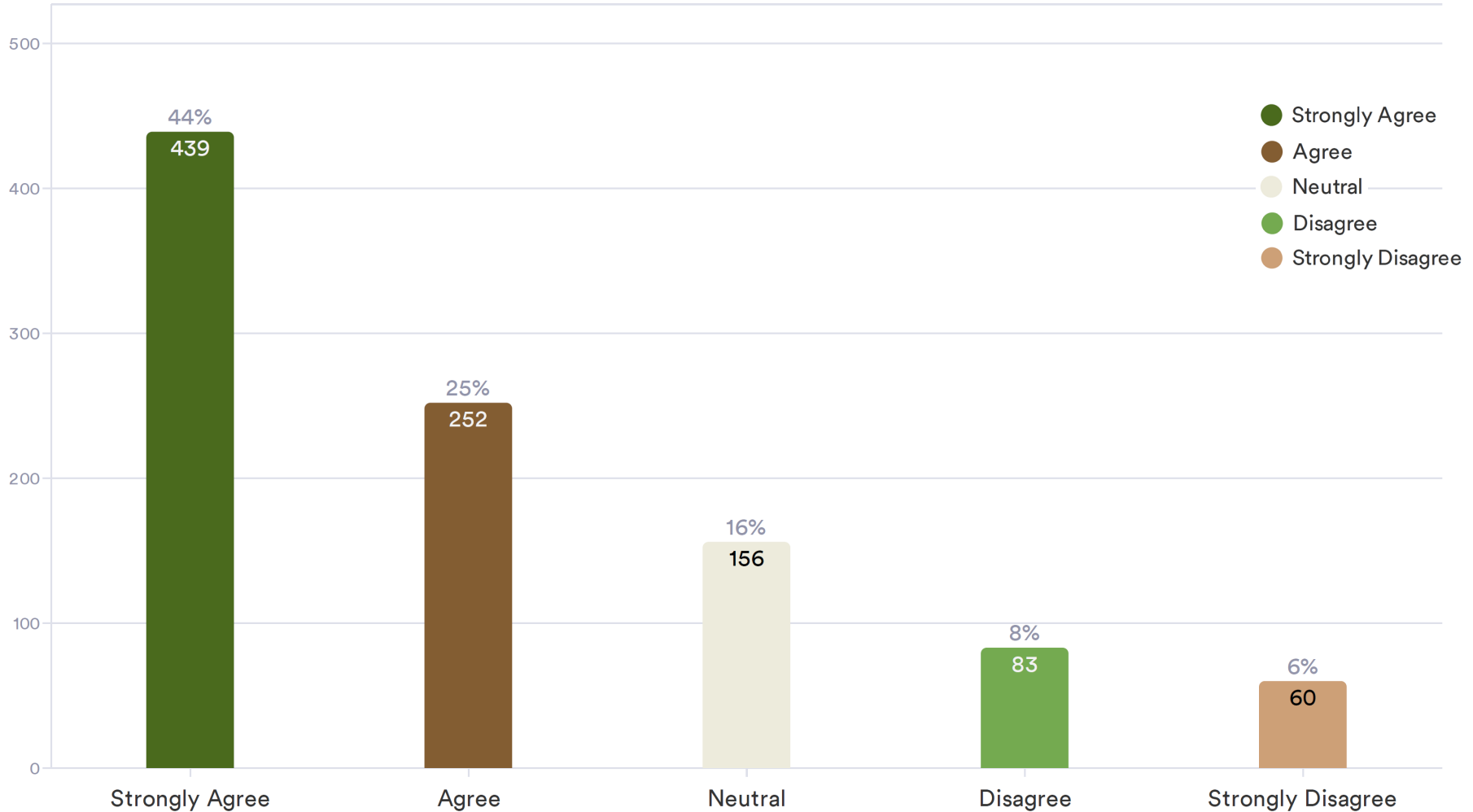
# I would like more food trucks in the large commercial shopping areas, such as around West Valley Mall, Home Depot, Wal-Mart, and Costco. *(on private property with property owner permission)*

990 Responses



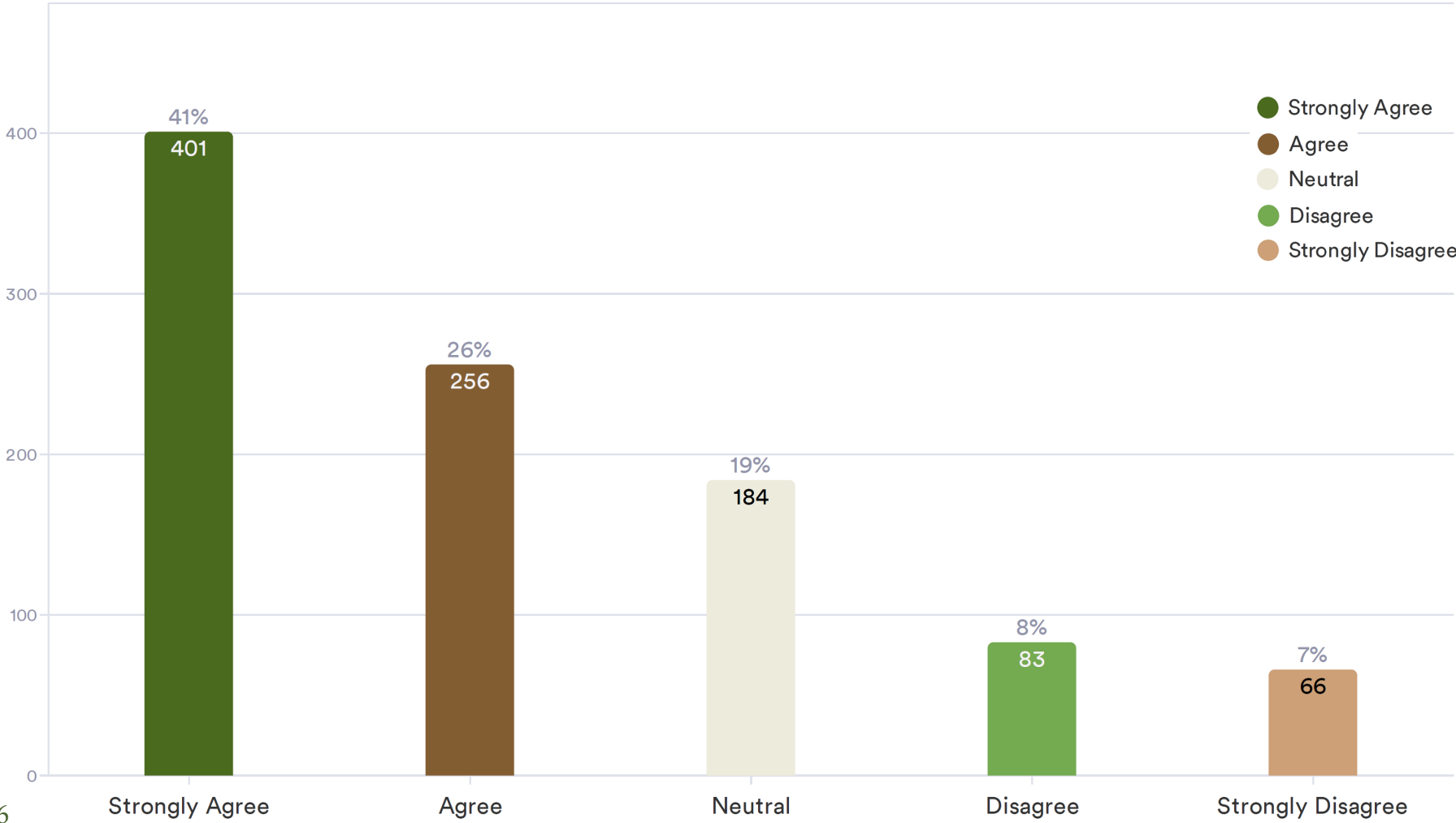
# I would like more food trucks in community shopping center areas, such as around supermarkets and pharmacies. *(on private property with property owner permission)*

990 Responses



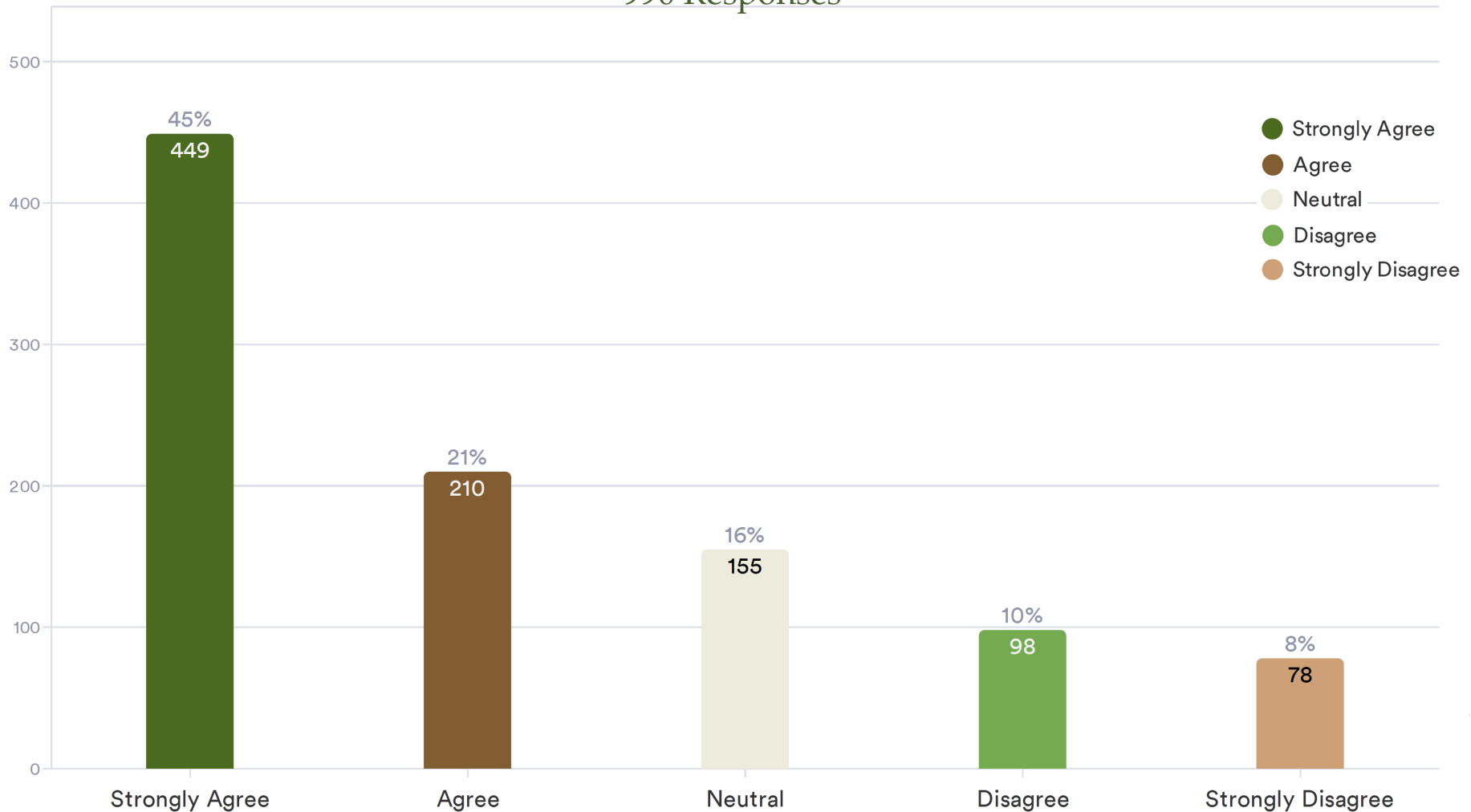
# I would like more food trucks along commercial corridors, such as mixed with commercial development along 11th Street or Grant Line Road. *(on private property with property owner permission)*

990 Responses



# I would like more food trucks in the Downtown area. *(on private property with property owner permission)*

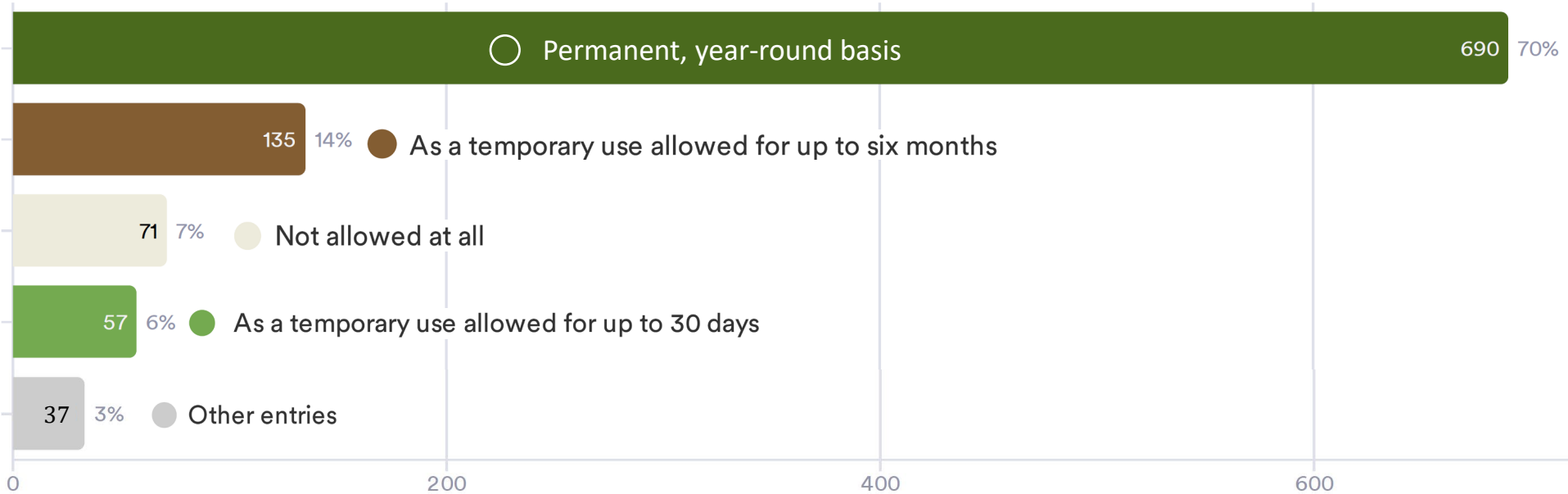
990 Responses





# To what extent would you like food trucks allowed in the large commercial shopping areas, such as around West Valley Mall, Home Depot, Wal-Mart, and Costco. *(on private property with property owner permission)*

990 Responses



# To what extent would you like food trucks allowed in the large commercial shopping areas, such as around West Valley Mall, Home Depot, Wal-Mart, and Costco. (on private property with property owner permission)

Continued...

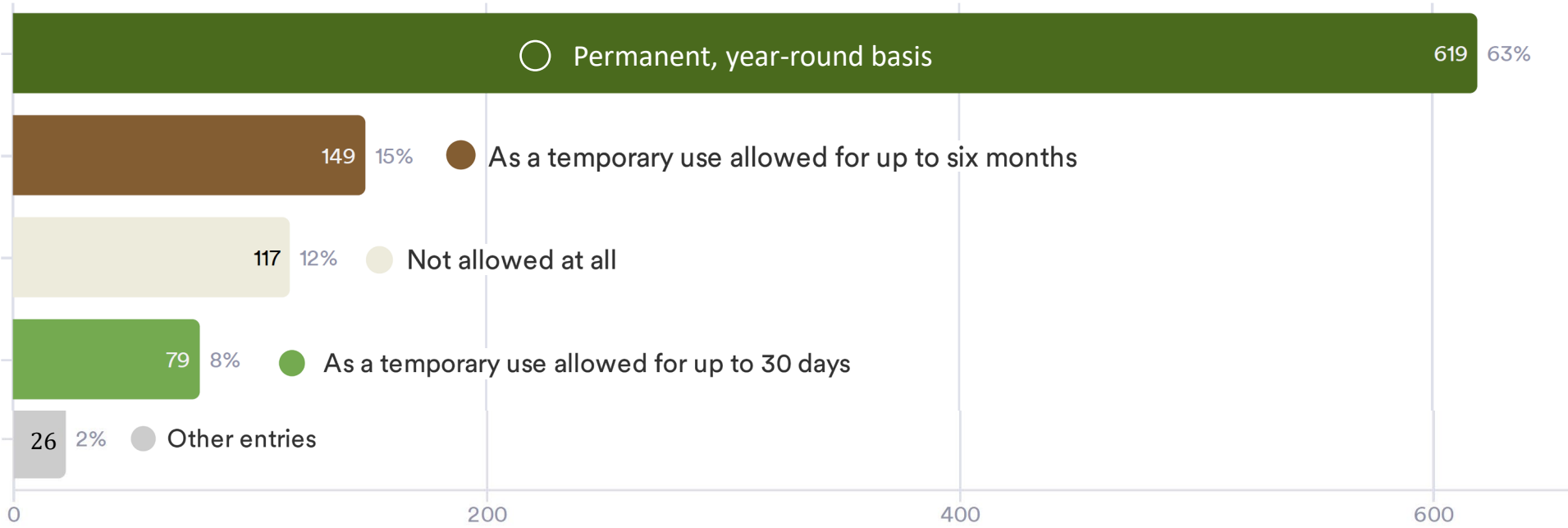
## 49 Responses – 941 Blank/Empty

If “other”, please specify below.

1.	6 months would be good to allow a rotation of different trucks and foods	26.	Not only food trucks veggies vendors will make ease for Tracy hills residents+ Indian food trucks
2.	6th has nothing from 6th and central yo 6th and Tracy blvd put them ther	27.	off the freeway away from congested areas
3.	Allow food trucks for the small pumpkin patches, circus, fair, Xmas trees and other events	28.	Permanent food truck areas in the warehouse areas
4.	Area similar to what they have in Lathrop would be nice	29.	Permanent Must hold a permit and health food certificate
5.	As long as they can stay	30.	Permanent or temporary on annual contracts
6.	By old orchard supply by cvs on 11th street	31.	Permanent unless bringing new truck offering new food
7.	chose to open their business and pay rent.rent for their location. They also chose the size of store they wanted. Not fair that these food trucks can just come in and sell. Also, the restaurants	32.	Preferably Our Punjabi Food Just Like CHIPOTLE TIP
8.	City should allow and promote monthly “foodie land” type of event in areas away from fast food and restaurants	33.	Provides more options for a limited variety of the same foods we already serve in tracy.
9.	Consider opening something like Spark Social	34.	Que la ciudad les de un lugar para ponerlos como en lathrop afuera de la ciudad ( <i>English Translation: That the city gives them a space to put them like Lathrop does outside of the city</i> )
10.	Consider rotating areas.	35.	raleys area and ellis area and Tracy hills
11.	Day use as well	36.	Temporary permits will allow change. You don't want a truck that is semi-permanent in one spot.
12.	En lugares donde no alla tanta gente ( <i>English Translation: In areas where there are not a lot of people</i> )	37.	The liberty to move to where business will work better with them
13.	Favor of the mall	38.	They should be allowed to park anywhere on private property with permission
14.	Food trucks in the old Tracy outlets on Pescadero	39.	To see how it works out. If ok then can go for a year
15.	I love what they do in Lathrop along I5	40.	Too busy if an area
16.	I think this is a great opportunity. And I'm not sure how to answer this question. Because I would like there to be opportunities for new trucks to come in. So saying permanent makes me feel like that? Limits that if we run out of space.	41.	Too congested in that area already.
17.	I think we should have a food truck “park,”like Lathrop does.	42.	Wanted on CorralHollowRoad or at TracyHills
18.	I would prefer downtown JC Penny old building with food stations and dining in the upper floor	43.	We need dining in southeast Tracy, the mall area is too crowded already.
19.	I'd like a food court like area where all the trucks.	44.	We need more food choices in south Tracy where there aren't as many restaurants.
20.	If permanent, would like for them to provide seating.	45.	We should even have a food truck event monthly at least!
21.	Just not costco or walmarts parking lots	46.	We should have a designated area for food trucks with shade and tables not just randomly spread out throughout the city
22.	Mall parking lot is the best location	47.	We want them on the South side of town where we have less restaurants, near Tracy Hills, Ellis, etc.
23.	Malls as downtown in congested and food trucks attract traffic leading to more congestion.	48.	Whatever the property owner agrees to. It should be between the two entities.
24.	Modesto has a designated grub hub of food trucks. So does Lathrop. It's a great idea	49.	Why not help the brick and mortar resturants instead?
25.	Neutral		

# To what extent would you like food trucks allowed in community shopping center areas, such as around supermarkets and pharmacies. *(on private property with property owner permission)*

990 Responses



To what extent would you like food trucks allowed in community shopping center areas, such as around supermarkets and pharmacies.  
*(on private property with property owner permission)*

Continued...

16 Responses – 974 Blank/Empty

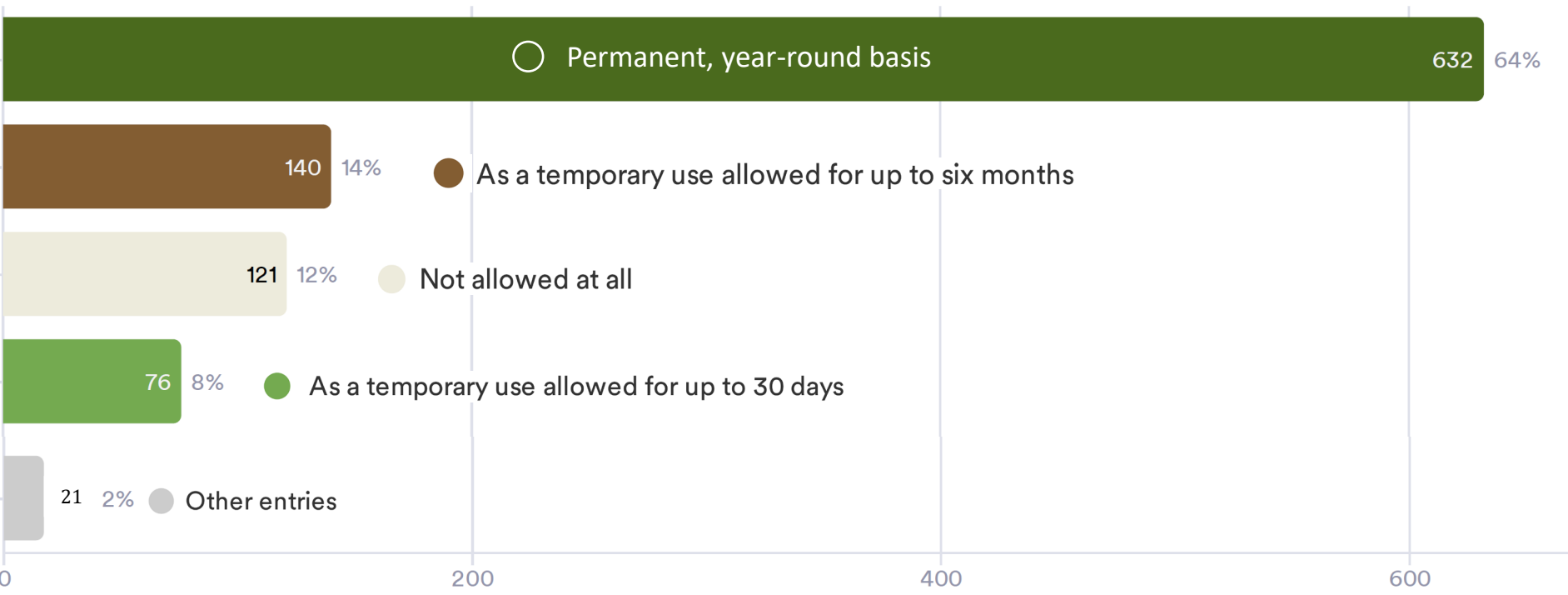
If “other”, please specify below.

1.	Also the food trucks should be count with health department permits	9.	Rotate different trucks every 6 months
2.	Bad idea	10.	See previous answer
3.	Designar área específica para todos los camiones de comida <i>(English Translation: Designate a specific area for all the food trucks.)</i>	11.	Special event
4.	Food trucks in the old Tracy outlets on Pescadero	12.	The city of Tracy looks no good with to many trucks , already we have to much trucks
5.	I feel there should be a designated area for ALL food trucks in town. They can open at any time but would always be in the same location.	13.	Wanted food trucks on CorralHollow Road or Tracy Hills
6.	Neutral	14.	We need them in south Tracy where there aren't as many food choices
7.	Only in the areas specified in the photos. This would allow for the ample parking and still provide access for the current tenants to operate businesses	15.	Whatever the property owner agrees to. It should be between the two entities.
8.	Punjabi Food Like CHIPOTLE Box	16.	Year round

# To what extent would you like food trucks allowed along commercial corridors, such as mixed with commercial development along 11th Street or Grant Line Road.

*(on private property with property owner permission)*

990 Responses



To what extent would you like food trucks allowed along commercial corridors, such as mixed with commercial development along 11th Street or Grant Line Road.  
*(on private property with property owner permission)*

Continued...

10 Responses – 980 Blank/Empty

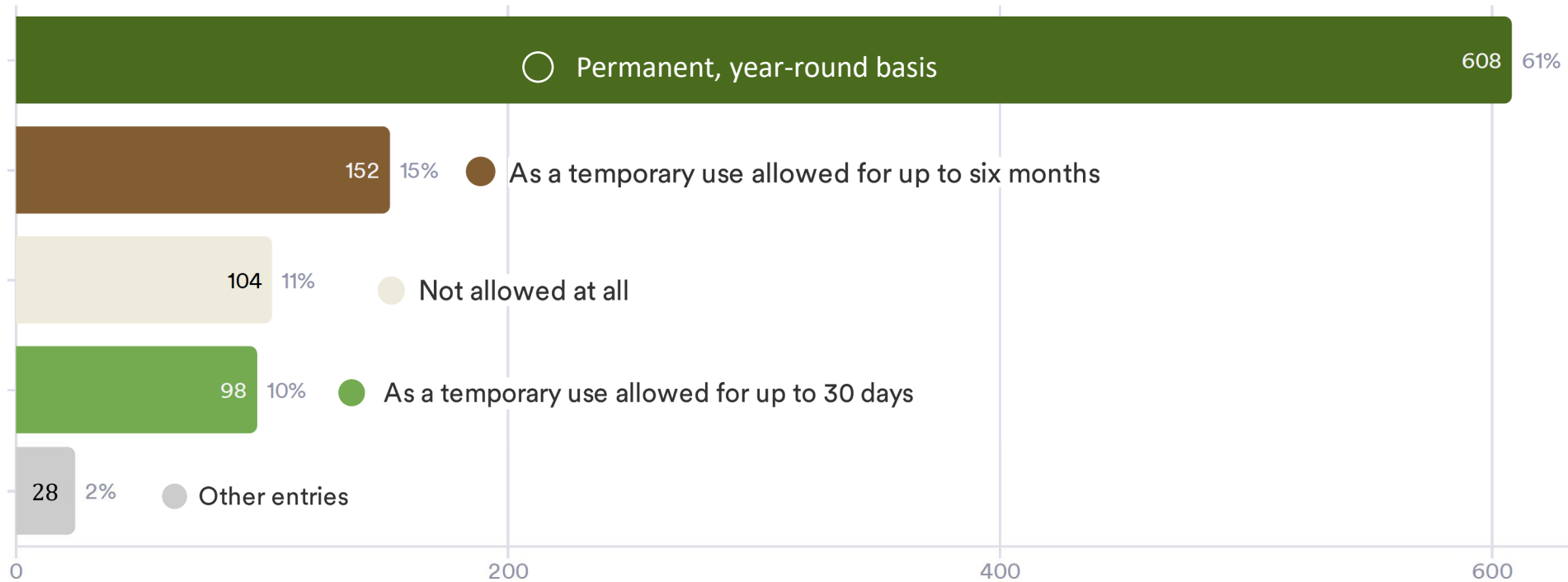
If “other”, please specify below.

1.	As part of special events - food truck night	6.	Neutral
2.	Don't really prefer that	7.	Wanted food trucks on CorralHollow Road or Tracy Hills
3.	Food trucks in the old Tracy outlets on Pescadero	8.	Whatever the property owner agrees to. It should be between the two entities.
4.	I think it would be nice to have a designated food truck area on land somewhere like maybe on 11th street	9.	Will allow
5.	If there is a dedicated lot along this corridor, that could make sense. See example in Lathrop by I-5.	10.	Ya hay camiones de comida no considero buena opción autorizar más, es mejor designar área para todos. <i>(English Translation: There are already food trucks I would not consider a good option to authorize more, it is better to designate an area for them all.)</i>



# To what extent would you like food trucks allowed in the Downtown area. (on private property with property owner permission)

990 Responses



To what extent would you like food trucks allowed in the Downtown area.  
*(on private property with property owner permission)*

*Continued...*

20 Responses – 970 Blank/Empty

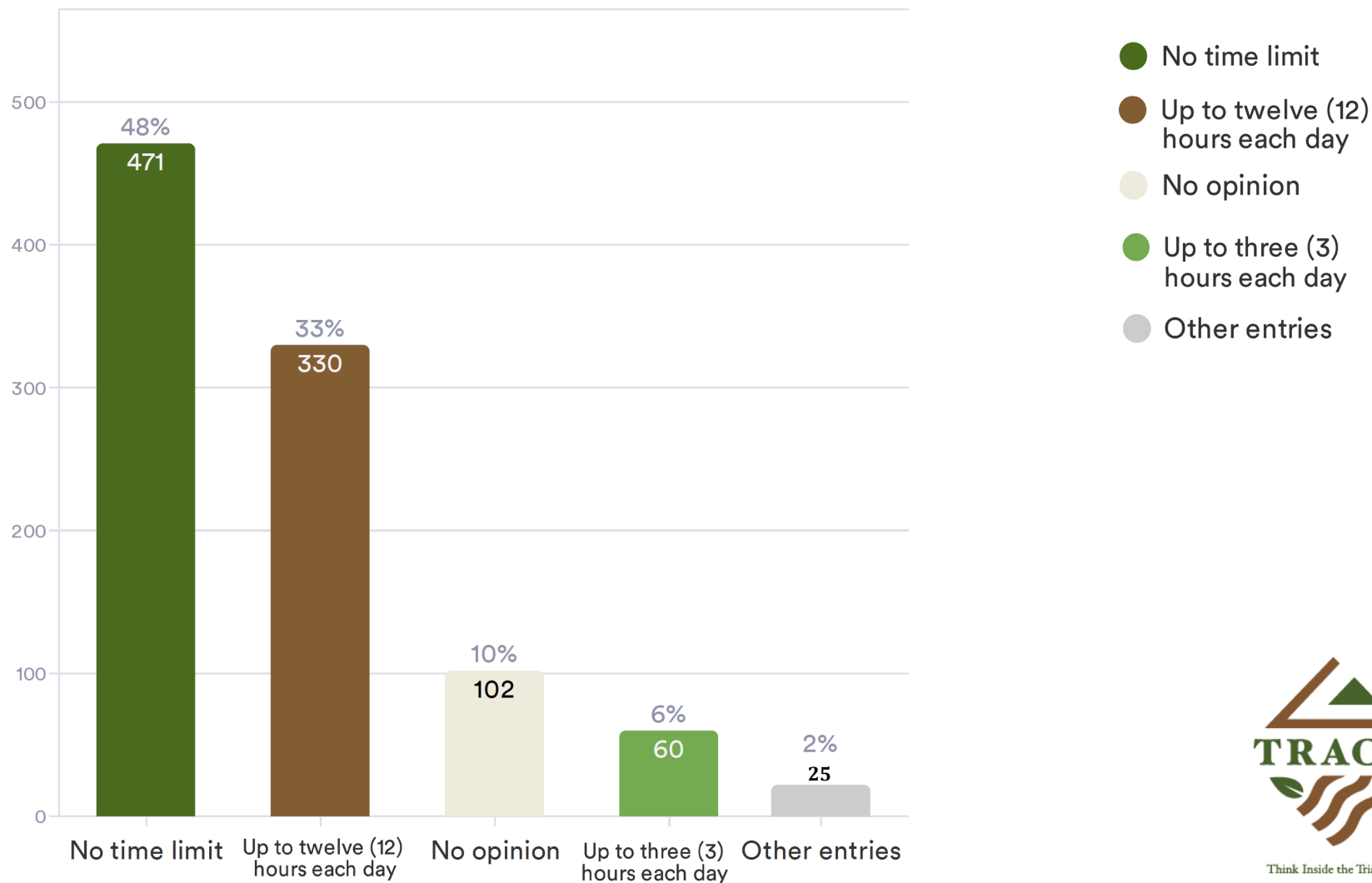
If “other”, please specify below.

1.	6th street is perfect	11.	Neutral
2.	As long as it’s planned and does not create traffic congestion	12.	Not downtown, only restaurants there.
3.	Do not compete with brick & mortar business	13.	Only aloud downtown during events such as the wine stroll.
4.	Downtown events	14.	Or 12 month contracts
5.	Downtown has huge potential and too many empty spaces. This is a good opportunity to bring more people downtown.	15.	Rotate trucks every 30 days in frequently visited areas
6.	During events or night time life for dinner	16.	Special event
7.	Events only. Keep our downtown clean and focused on local businesses.	17.	There should be a designated area/empty lot where these food trucks can be allowed to be parked. Just like the area in Lathrop off the freeway.
8.	Food trucks in the old Tracy outlets on Pescadero	18.	This shouldn’t be 50 trucks scattered... it should have some areas of aggregation that are well thought and intentional
9.	For special events	19.	Wanted food trucks on CorralHollow Road or Tracy Hills
10.	It’s too cramped for downtown accommodation. There is not enough ample parking for current business owners or customers	20.	Whatever the property owner agrees to. It should be between the two entities.



# How long should a food truck be allowed to stay at a single location within a 24-hour period? (on private property with property owner permission)

990 Responses



# How long should a food truck be allowed to stay at a single location within a 24-hour period? (on private property with property owner permission)

Continued...

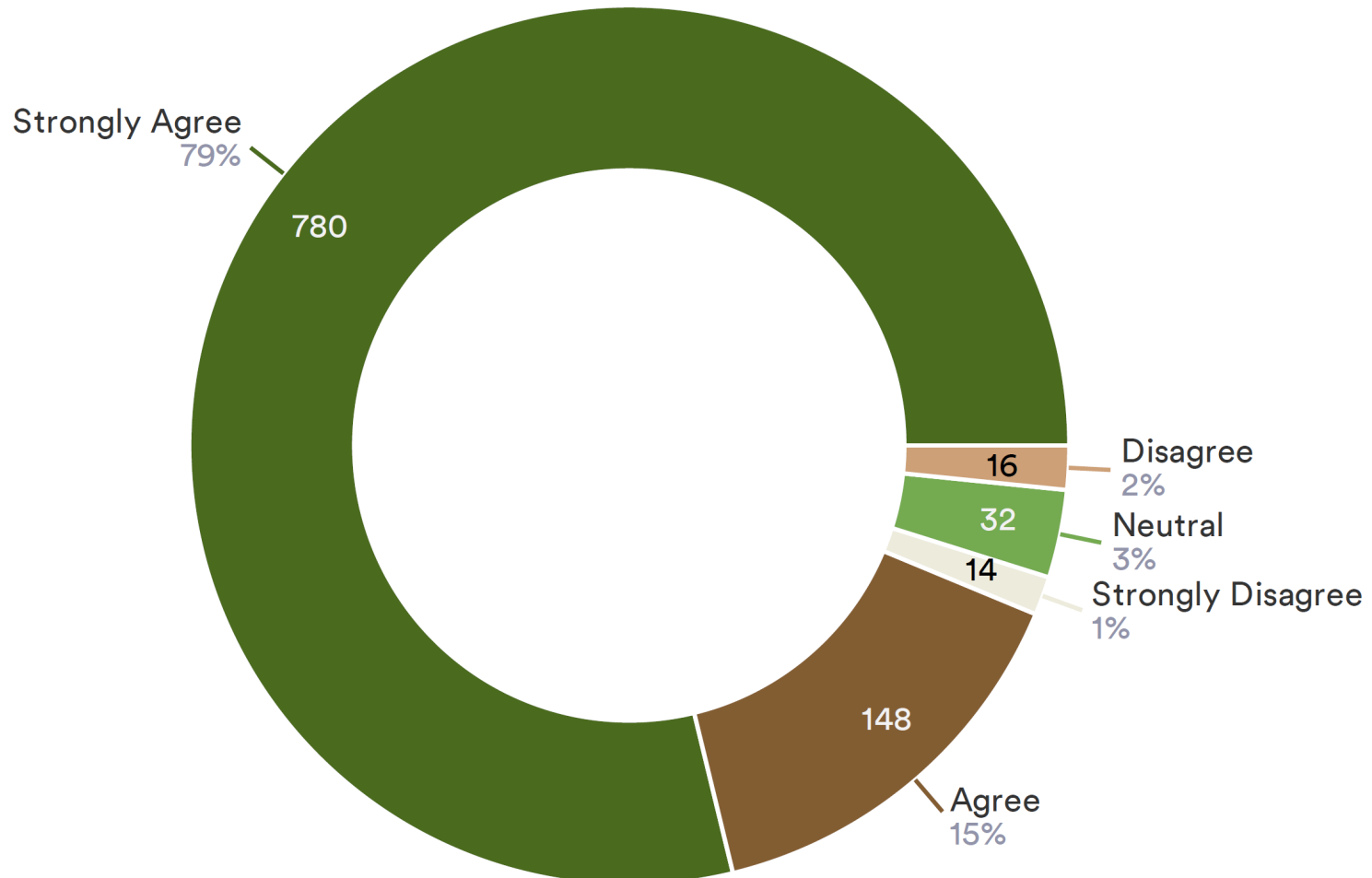
## 20 Responses – 970 Blank/Empty

If “other”, please specify below.

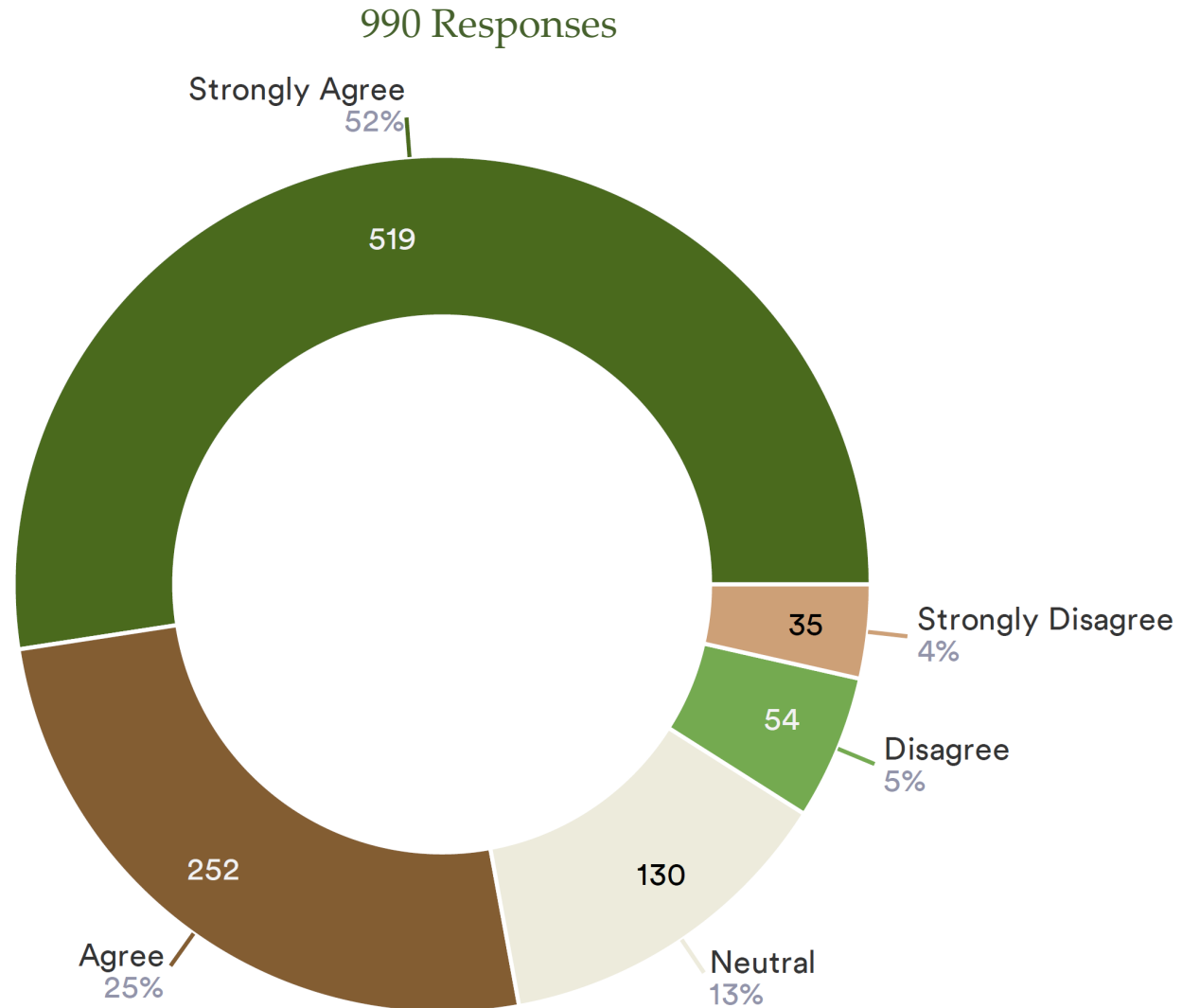
1.	8	11.	Estamos pagando mucho tax por la propiedad como para que se mire como en la crows landing en modesto (English Translation: We are paying for too much property tax just so it can look like crows landing in modesto.)
2.	10-9:00	12.	Johnnys diner set up anytime all other added food trucks not at all downtown on a daily
3.	6 hours	13.	Let business set up their schedules.. why would you regulate that?
4.	6-7 hours	14.	Maybe 3-6 hrs/day, depending on if the space has enough parking for food truck business and commercial businesses nearby. i.e. If I go to Home Depot, there needs to be enough parking for the trucks in the lot as well as patrons of the store/businesses nearby.
5.	8 hour	15.	None
6.	8 hours	16.	Our current restaurants close early. By the time commuters get to Tracy most are closed or about to close. Same with families with kids in sports....there are little to no restaurants open after games/practices.
7.	As long as it does not get in the way of other businesses in the shopping center	17.	Should allow food trucks to post business hours.
8.	As long as the area is kept free of trash and homeless encampment than no time limit should be assessed and if violated with trash than permit shall be pulled to have a food truck at location, City shall be responsible for not allowing homeless encampment around businesses.	18.	should be allowed to operate on evenings and morning
9.	At least 12 hours but no time limit is better because whats the point of allowing them to be open if they cant be open within the time frame they want	19.	There should be some limit especially for those that are using gas or other non net zero components. Noise and pollution should be considered to encourage and ensure low impact for health, impact on social determinants of health, carbon emissions, etc.
10.	Can any of them stay open later then 10 pm	20.	Up to 5 hours

# We should allow multiple food trucks to be grouped together, such as food truck courts.

990 Responses

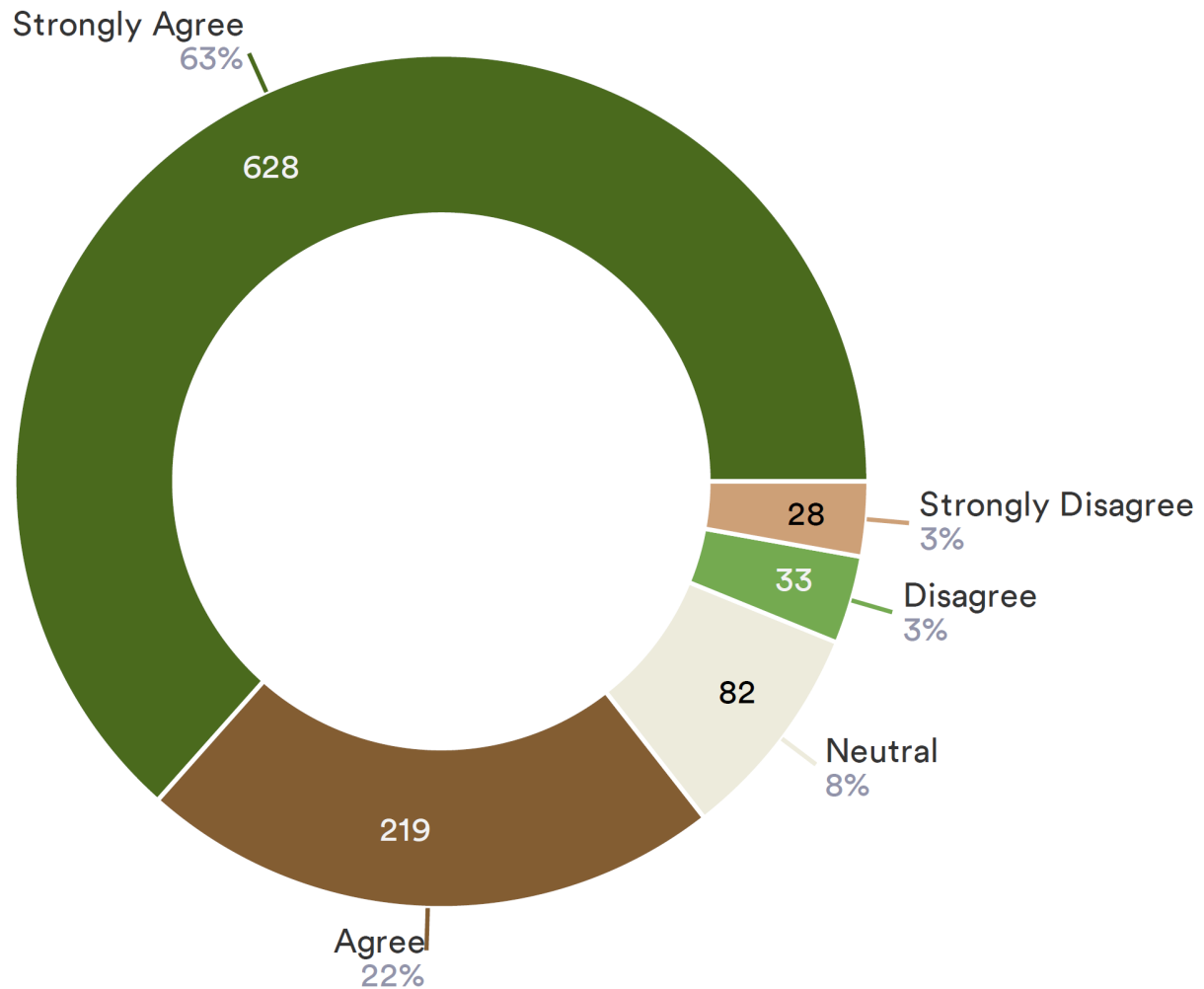


# We should allow individual, stand-alone food trucks.



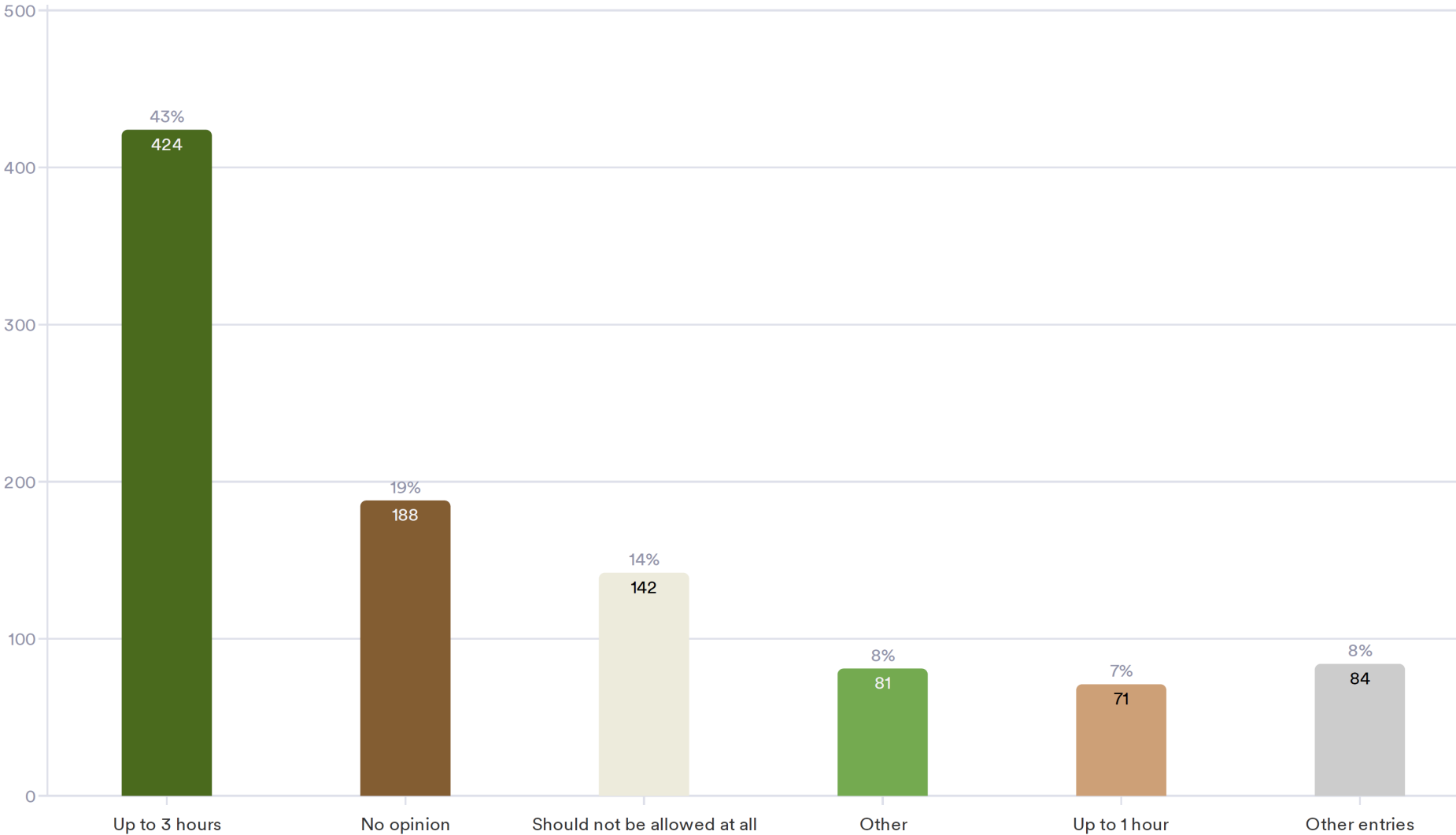
# We should allow a combination of food truck courts and individual, stand-alone food trucks.

990 Responses



# How long should a food truck be allowed to park and serve customers in the public right-of-way, such as an on-street parking space in the Downtown area? (Current limit is 10 minutes)

990 Responses



# How long should a food truck be allowed to park and serve customers in the public right-of-way, such as an on-street parking space in the Downtown area? (Current limit is 10 minutes)

*Continued...*

## 92 Responses – 898 Blank/Empty

If “other”, please specify below.

1.	10:200 & 3:00 -8:00	26.	Create a good truck plaza like Lathrop
2.	12 hours	27.	Daily
3.	12 hours	28.	Depends on location and traffic.
4.	24/7 to be allowed all day every day late hours of the night too	29.	Depends on situation however not blocking parking for customers but in an area where customers can get to them easily and also have right away
5.	4 hrs	30.	Depends on the situation. 10 minutes doesn't seem long enough.
6.	6 hours	31.	During events and farmers market
7.	6 hours	32.	During events only
8.	6-8 hours	33.	Events only
9.	6-8 hours	34.	Farmers market or special events in downtown area already too much happening
10.	6-8 hours	35.	For an average amount of time a business is open
11.	72 hour rule same as any other legally registered vehicle in the state of CA.	36.	For special occasion event. Not a regular basis.
12.	8 hours	37.	For the duration of the event, like farmer's market or similar. I don't like the idea of them taking up spots unless the whole area is closed for an event.
13.	8 hours	38.	Full work day 8-10 hours
14.	8 hrs	39.	Have city permits to stay more than 8hrs
15.	Again depending on how the downtown responds	40.	How does anyone get food in 10 minutes??
16.	All day	41.	I think the should have a designated area, not utilize an actual parking spot
17.	All day	42.	I think they should be able to stay as along as needed.
18.	All day	43.	If it does not impede or cause more traffic I don't think a time limit is a problem. Although if it does cause more traffic or hurts surrounding businesses it should not be allowed
19.	As long as it follows city curfew	44.	If it's a space not being used or needed for business no limit
20.	As long as possible to build up for traffic and encourage new businesses to open up and contribute to the community!	45.	If they are not blocking anything all day is good.
21.	as long as the costumers keep coming	46.	If you place them at a vacant lot, or larger lot like emty lots on 6 street. Another on off 11th next to the old KFC and the large abandoned lot across from that are eye sores - use them as food truck green spaces along with the old family church of praise lot that is an eye store- that all have great walk scores to downtown
22.	As long as there not in traffic. It shouldn't matter length of time	47.	In downtown parking areas, I'd like to see them not on the limited street parking because it's tough to park as it is. Lots only. Everywhere else, 3 hours.
23.	As long as they have food	48.	Jonny diner set up is fine but NO others in downtown on a daily basis
24.	As long as they like	49.	Keep them out of downtown
25.	Atleast 8 hours!	50.	Limit by half, this allows communities with inabilities to get to different locations an opportunity still to enjoy cuisine close to home. NO time limit or half of those permanently placed.

# How long should a food truck be allowed to park and serve customers in the public right-of-way, such as an on-street parking space in the Downtown area? (Current limit is 10 minutes)

*Continued...*

## 92 Responses – 898 Blank/Empty

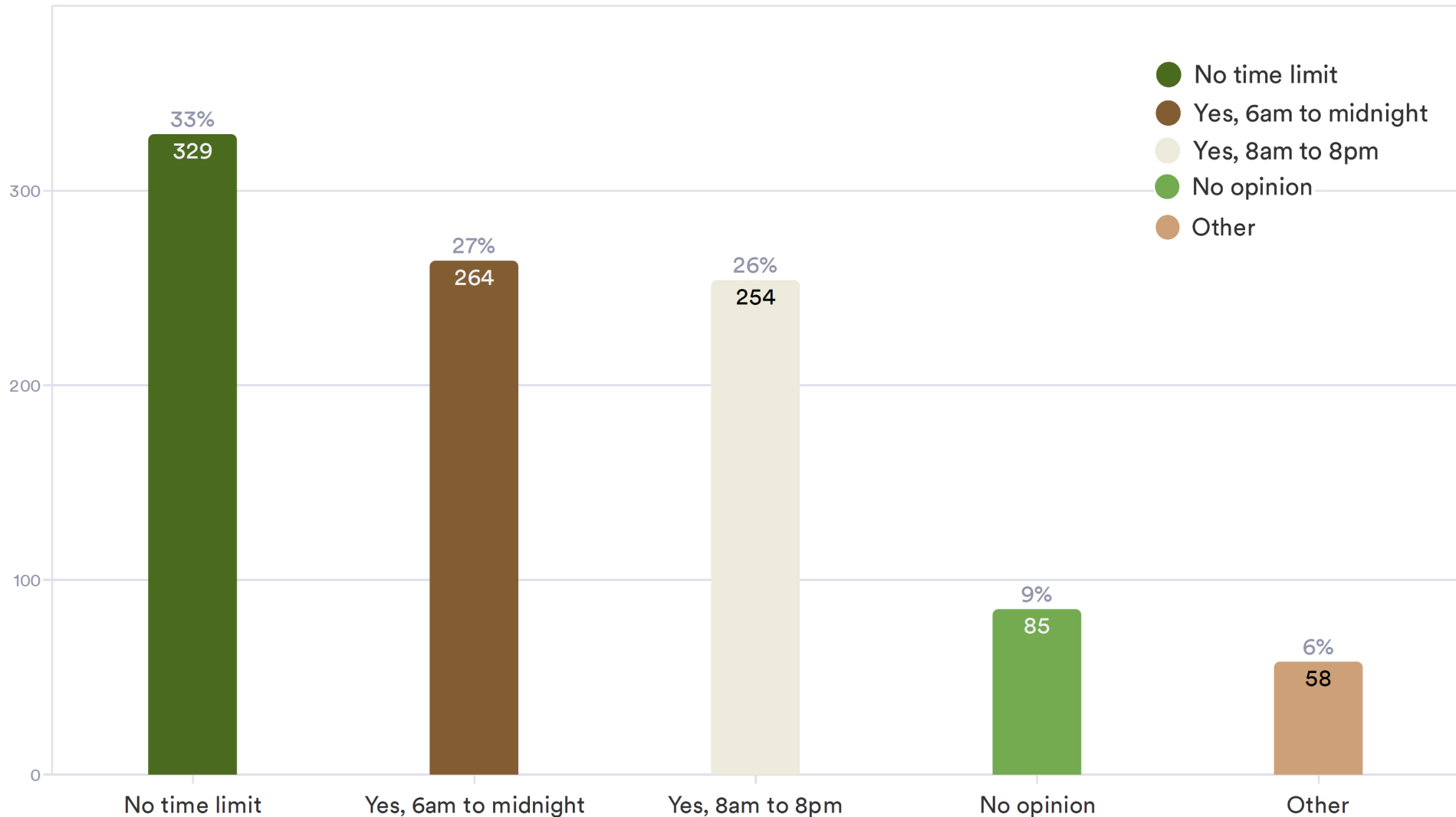
If “other”, please specify below.

51.	No food trucks downtown that's not fair to the restaurants	76.	Only special events
52.	No limit	77.	Park in an area that wont affect parking for anyone else
53.	No limit	78.	Parking is horrible in Downtown already, no need to take up even more parking
54.	No limit	79.	Parking should be for customers who actually go to store establishments. Food trucks shouldn't be allowed to take parking spaces.
55.	No limit !	80.	Should not be allowed down town parking is already shot of space.those spots should be for brick and mortar businesses.
56.	No limit as long as it doesn't directly impede the daily life of the area	81.	Should not e allowed during normal business hours, unless there is a special event and it serves the greater community while the need is presented.
57.	No limit! Tracy needs to move into this time frame and catch up to the rest of the cities around us or you are going to loose good revenue!	82.	Sin límite de tiempo (English translation: Unlimited time)
58.	No time limit	83.	Unless supporting an event, then could be longer for event duration
59.	No time limit	84.	Unlimited
60.	No time limit	85.	Unlimited time
61.	No time limit	86.	Until they close for the day
62.	No time limit	87.	Up to 6 hours
63.	No time limit	88.	Wanted food trucks on CorralHollow Road or Tracy Hills
64.	No time limit	89.	What ever it takes to get food to the public in other spaces to serve the public. Once they are available we'll go tho them to get items they offer
65.	No time limit	90.	whatever makes sense for the city and the business. I don't know if 3 hrs is enough to make sense for the trucks and in which areas.
66.	No time limit.	91.	When they run out of food
67.	no time limit. Permanent businessess don't have time limit.As long as they have bus. license and health permit. And designate 2 - 3 areas in Downtown (corner of 9th abd B street )near public parking. Area near 6th Transit station parking. And private parking lots with property owner approval	92.	Why not set a time every week for like 6 hours? That way, street parking won't be affected daily just for that one day/evening
68.	No time restrictions.		
69.	Not enough parking to lose to a food truck.		
70.	Not in a right of way taking up parking.		
71.	On busy days/evenings, it should be not busy main streets downtown to allow for parking		
72.	On special nights when streets are closed to driving traffic		
73.	Only during lunch hours (11-1), during events, and possibly during designated times on Friday and Saturday nights (7-10pm)		
74.	Only during the time of the farmers market		
75.	Only for special event		



# Regarding both public and private property, should the daily hours of operation for food trucks be limited to certain times of the day?

990 Responses



# Regarding both public and private property, should the daily hours of operation for food trucks be limited to certain times of the day?

*Continued...*

## 69 Responses – 921 Blank/Empty

If “other”, please specify below.

1.	0
2.	10:00 AM to 7:00 PM
3.	10:00-10:00
4.	1000am- 1130 pm
5.	10am -10p
6.	10am to 8pm
7.	10am-10pm
8.	10pm on Fridays and Saturdays, and summer hours
9.	10pm works as an ending time
10.	11 AM to 10 PM
11.	11am - 11pm
12.	11AM TO 11 PM
13.	11am-9pm weekdays, 11am -11pm fri-sat
14.	11pm at the latest
15.	12-9
16.	4-7 pm
17.	5 pm to 8 pm
18.	5pm to 1pm
19.	6 AM-8 PM
20.	6-10
21.	6am-2am
22.	6pm-11:30pm
23.	6pm-9pm
24.	7am to 2pm
25.	8 hours

26.	8am to midnight
27.	8am-8pm is fine for most locations. by the fwy, it could be as early as 6am. again, it has to make sense for the business, for the city and for the location.
28.	Depends on the truck. Some trucks do great during late night hours servicing businesses that open late but kitchens close early
29.	Depends on the type of food 6am to 7 or 8pm
30.	Depends. If there is an event going on. The hours should be similar.
31.	During lunchtime hours, and after work hours in the evening
32.	Evenings
33.	Events only
34.	Food truck courtyard ares in the warehouse area serving 24 hrs. would be helpful
35.	Food trucks shld not be there they sre destroying other people bussiness who pays thousands for rent and all other expenses
36.	For public safety as well as food truck owners.
37.	From lunch until 10 pm
38.	If allowed, only between 1:00 p.m. to 6:00 p.m.
39.	If private property city should stay out of it
40.	It depends on the type of food they have. If it is coffee and pastries , it should there in the morning.
41.	Lunch time and after hours
42.	Na
43.	Need after hours
44.	No deberían estar en medio de la ciudad <i>(English translation: They should not be in the middle of the city)</i>
45.	No time limit - open a food hub for food trucks
46.	No time limit but definitely have suggested hours. Do brick n mortars have time limits? s
47.	No time limit. Some of our residents work night shift with no open businesses to eat at.
48.	None maybe it will bring more people downtown especially on Sundays and Mondays
49.	Noon - 6pm
50.	not allow at all

# Regarding both public and private property, should the daily hours of operation for food trucks be limited to certain times of the day?

*Continued...*

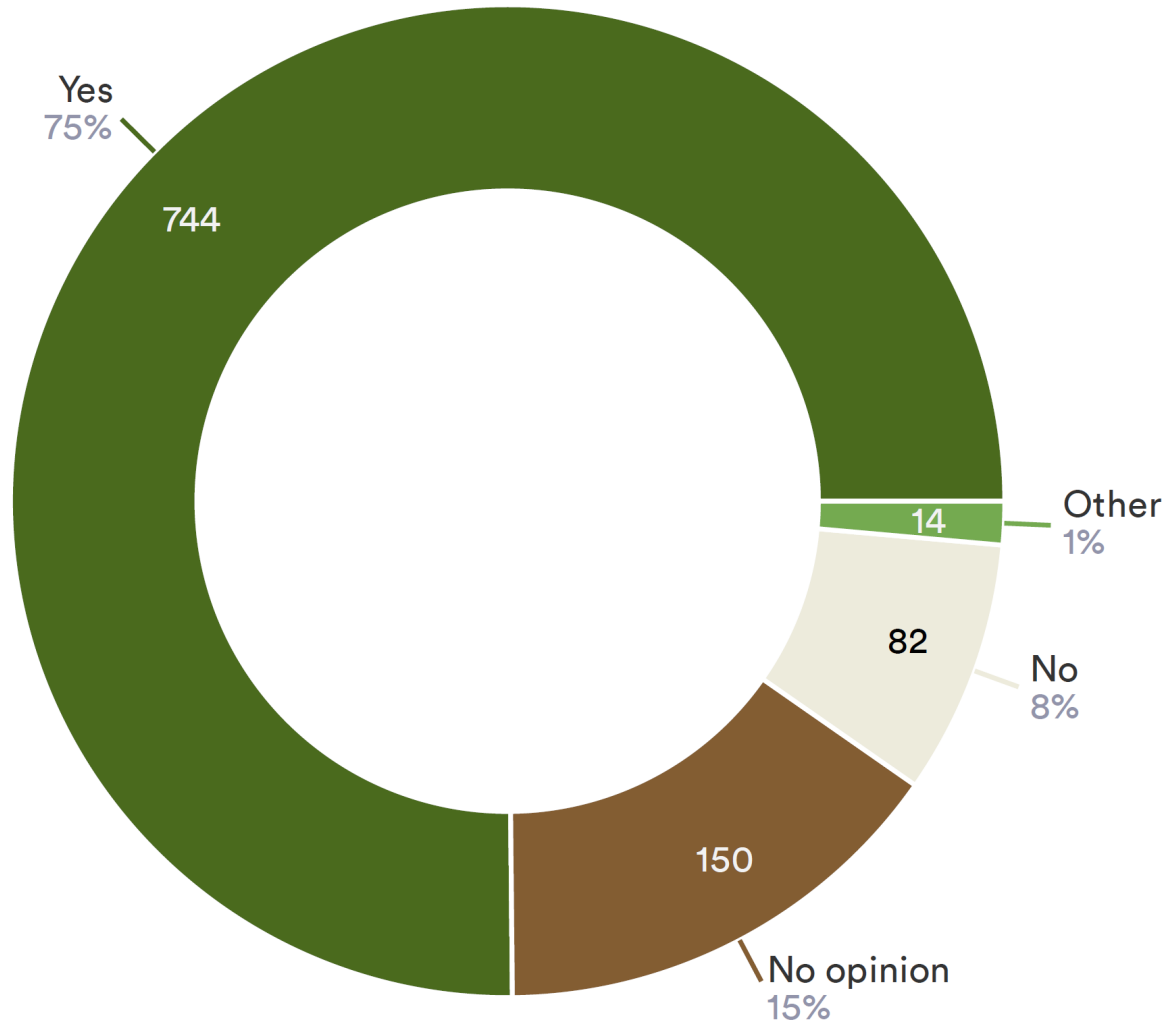
## 69 Responses – 921 Blank/Empty

If “other”, please specify below.

51.	Not at all	62.	Wanted food trucks on CorralHollow Road or Tracy Hills
52.	Not fair to business owners that chose their location and store size and pay rent. These trucks can park anywhere and conduct business. Not fair to business owners.	63.	We need something open late at night here in Tracy. We only have Denny's and Nations
53.	not sure. What is the demand? Is there enough traffic after 8pm?	64.	We need something open past 10 pm
54.	Private no limit; public 8-8	65.	Weekend, Holiday and Event exception to extend the hours to 10 pm or 12 am.
55.	Private property owners should have flexibility in when they operate; public right of ways need to be designated and regulated	66.	whatever is best for property owners preferably evenings
56.	Should be contained to one location like a food court. Instead of all over the place. Other cities have them all in one area well lite and patrolled feels safer.	67.	Yes limited
57.	Should not be allowed to park and serve from City streets.	68.	Yes, 6am to 8pm
58.	Should not be permitted at any hour at all	69.	You don't limit other businesses.
59.	Solo 6 horas		
60.	Up to 8 Mon-Thursday; up to 12 Fri-Sunday		
61.	Use single use for business hours. Focus on large food truck groups spaces and things to do in Tracy.		

# Should food trucks be allowed to operate during any time in the industrial areas?

990 Responses



# Should food trucks be allowed to operate during any time in the industrial areas?

*Continued...*

## 27 Responses – 963 Blank/Empty

If “other”, please specify below.

1.	8:00 am to 5:00 pm in industrial areas.
2.	After work hours
3.	As long as it's not preventing people to be late for work
4.	As long as they aren't blocking anyone from working
5.	During business hours for the safety of the operators
6.	During business hours only
7.	During business operating hours
8.	During operating hours of the businesses
9.	Food trucks in the warehouse areas would be great
10.	However there should be exceptions based upon activities being created by commercial business.
11.	I still think a timeframe is needed but maybe with some extended hours.
12.	If businesses operate 24-hours, then times should be extended
13.	If commercial businesses are open then food truck should be allowed.
14.	If it's ok with the people near by
15.	Many workers in those areas may work graveyard or nighttime shifts and it's nice for the top right food option
16.	Not permitted at any time at all.
17.	Only during business hours
18.	Only when that business is open
19.	Privately owned property should have more flexibility to operate according to their individual needs; public property needs to be designated and regulated
20.	Restricted hours!
21.	That is up to the property owner
22.	Wanted food trucks on CorralHollow Road or Tracy Hills
23.	When employees are working
24.	Whenever it is busy and workers are there.
25.	Workers need to eat and there are swing shifts

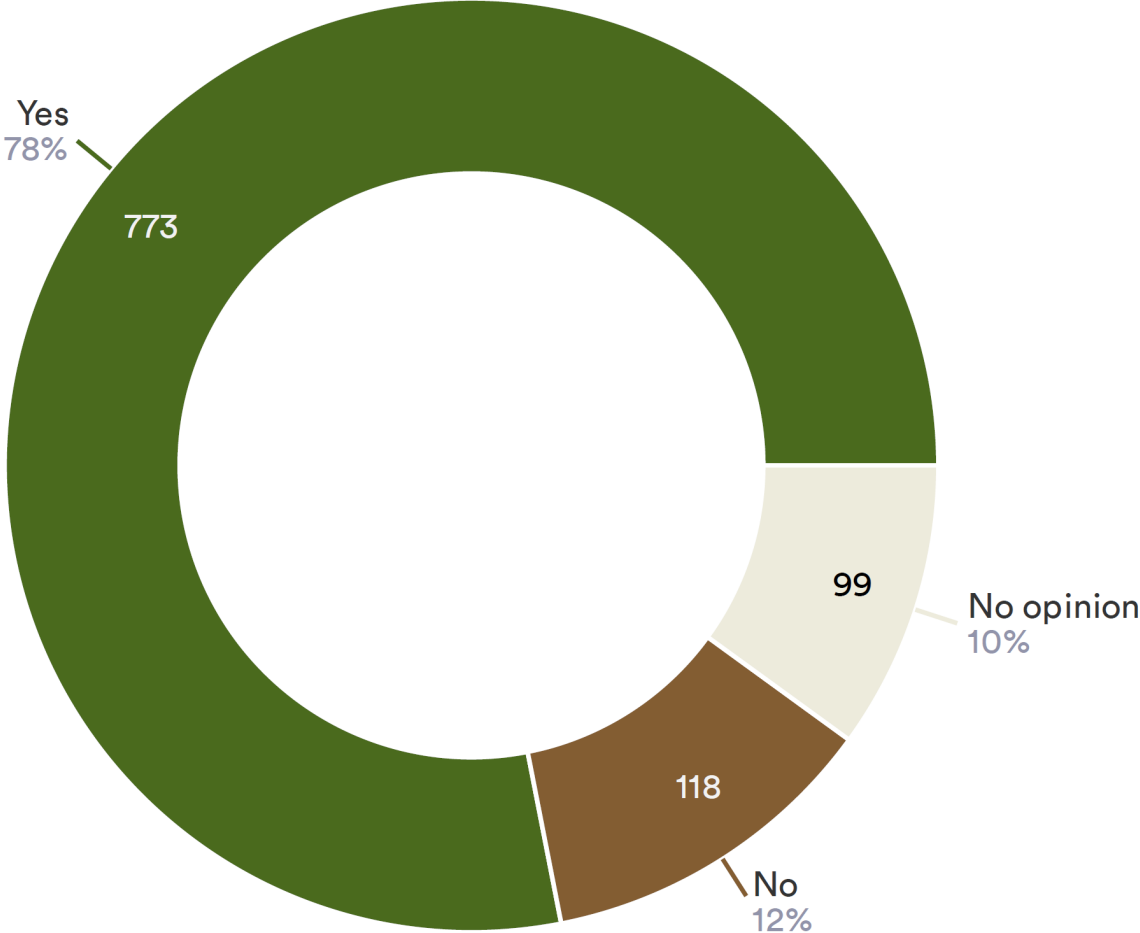
26.	8am to midnight
27.	8am-8pm is fine for most locations. by the fwy, it could be as early as 6am. again, it has to make sense for the business, for the city and for the location.



Think Inside the Triangle™

# Would you like more food trucks at parks?

990 Responses



# Would you like more food trucks at parks?

*Continued...*

## 41 Responses – 949 Blank/Empty

Add a comment below, if you'd like:

1.	A food truck like Lathrop a would be excellent
2.	As maybe a once a week occurrence.
3.	As part of a structured process and within a specific timeframe
4.	At larger, more attended parks and definitely at events
5.	Bill schwarts park Thursday nights
6.	Bill schwartz
7.	Bring more people out from the shadows of their homes and out into the public. Let's make our community a thriving utopia rather than a reclusive scene.
8.	But.....more trash cans would be needed. Hold food trucks accountable for the garbage
9.	Clean up the parks first!
10.	Creates a sense of community
11.	During events
12.	During events only
13.	Ellis village park
14.	Especially around the residential areas in south of Tracy. Limit the hours of operation only from 5:30 PM to 9:00 PM. s
15.	Food truck events at parks would be nice
16.	Food trucks in the community parks is a wonderful service!
17.	Having weekly food truck events at parks would be nice
18.	I do not think they're required at parks, unless cleanups during and afterwards are being supervised
19.	I think ice cream, coffee, hot coffee and ramen and bo-ba things young people like is a good idea
20.	If it is an organized event
21.	Indian food trucks!
22.	It strange we don't have any out to serve the public at any events big or small
23.	It would be great to have dedicated events at parks with food trucks such as Off The Grid or Food Truck Fridays at different parks in Tracy, maybe in conjunction with Rollin Rec so it's a family type event and it will draw more people to parks
24.	It's tough to answer these as it would depend where and who it effects.
25.	Maximize how many trucks by size of park

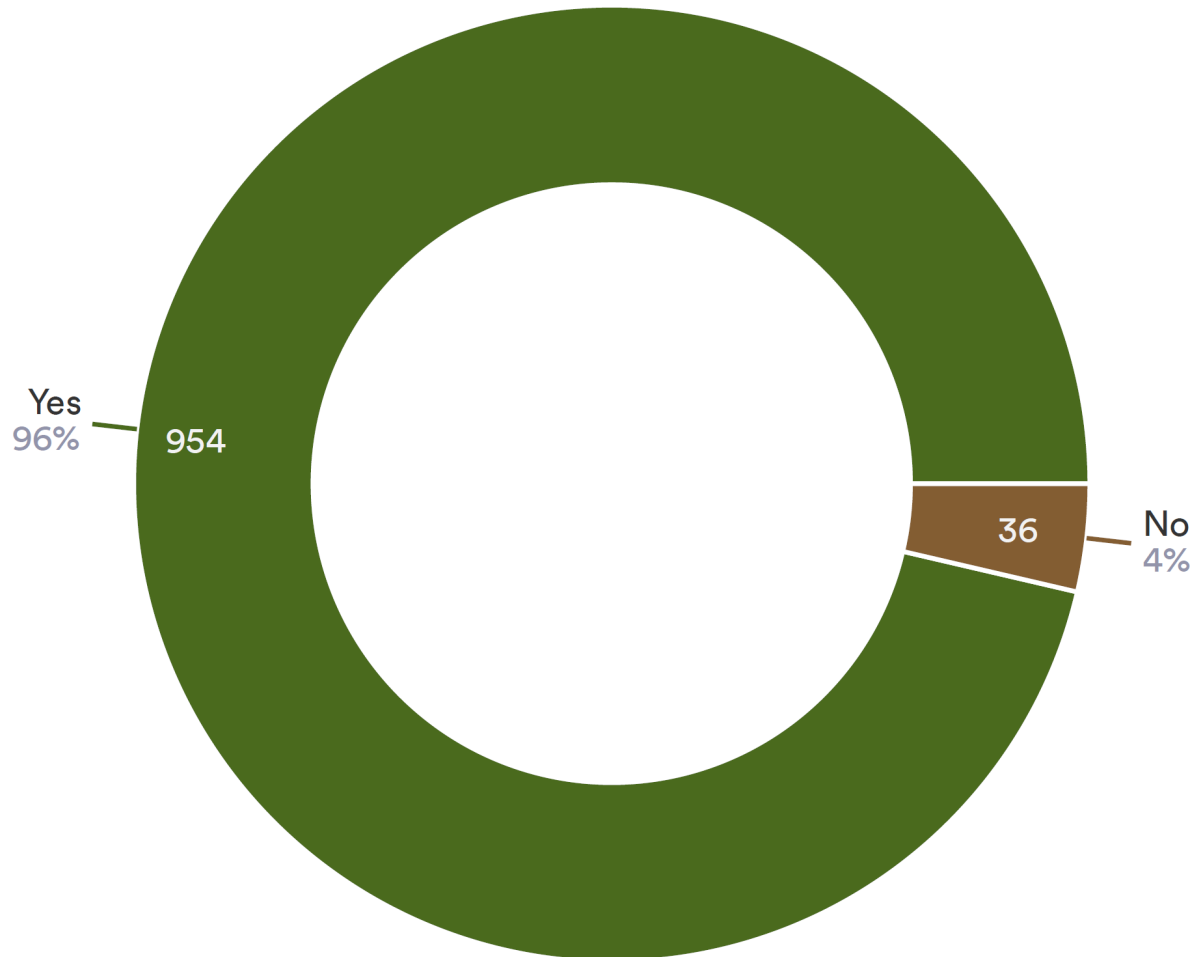
26.	May have food trucks at the park when there is an event.
27.	No, unless there is a special event taking place and it acquires some sort day pass.
28.	Not at neighborhood parks unless they have a permit and it's for a special occasions, not all the time
29.	On street parking in neighborhood parks. Asking the neighborhoods if they would like this on a once a week.
30.	Only for events and food truck meet-ups (Off The Grid SF style)
31.	Only for special events
32.	Only if there is enough parking
33.	Please! Especially ice cream, popcorn, sodas/tea/coffee
34.	Solo en ovaciones especiales como días festivos ( <i>English Translation: Only on special occasions like holidays or special events</i> ).
35.	That would be nice for the weekends
36.	The mall would be best
37.	Wanted food trucks on CorralHollow Road or Tracy Hills
38.	Yes please! They're amazing for group events at various parks.
39.	Yes!!!!!!!
40.	Yes, for special events. Food truck events.
41.	You can eat and enjoy the park with your family



Think Inside the 'Triangle'

# Do you live in the City of Tracy?

990 Responses



Think Inside the 'Triangle'



# Any other comments or suggestions?

220 Responses – 720 Blank/Empty

1.	A food truck location similar to what the city of Lathrop has would be ideal.
2.	A food truck park would be a great addition to this town
3.	A food truck park would be great.
4.	A permanent downtown location with multiple trucks would be nice
5.	All food trucks must plan for disposal of all refuse in a certain distance from their food truck.
6.	Allow entertainment at food truck courts as well
7.	Allow more businesses to open in Tracy.
8.	Allowing Food Trucks to permanently park will only hurt small established food businesses . To run a food truck it is less expensive, and basically no employees needed but will end up making the same as those small owned restaurants that have more than 5 employees and pay way more in taxes, and other expenses. By allowing food trucks you are putting small family owned established restaurants at risk.
9.	An area like Lathrop has for food trucks would be a great idea too. Along with allowing food trucks in other areas of city.
10.	As long as food trucks don't create more traffic and dirty environments
11.	As long as the food trucks are following health's no safety standards, i welcome opportunity for businesses to thrive, diversity of food/culture, and convenience of distribution. There's so many spots in Tracy that are sad and unwelcoming. Food trucks with family friends games, music, unique food and adult beverages like beer gardens would be welcome year round.
12.	As long people have the right permits and permission to park there trucks at certain spot that I'm all for it. Don't knock the smaller business owners down.
13.	Born and raised in Tracy, we need more activities for children as well
14.	Bring more businesses not warehouses in town.
15.	Consider doing something similar to Lathrop in regards to a food truck plaza, which does not interfere with other business, does not taking away parking, etc.
16.	Consider regulations that ensure equity and inclusion. You MUST be intentional about policy and regulation to ensure it does not disadvantage underrepresented or marginalized communities. You should include performance measurements and feedback loops both for citizens, commercial and retail business and the food truck owners.
17.	County
18.	Cut the red tape, eliminate bureaucratic hurdles, cut fees, especially focused on new, small, family and locally run businesses.
19.	Deben regular los puestos ambulantes , solo hay regulación para food truck pero no regulan a los vendedores de tacos en puestos en la calle que tampoco colaboran con el desarrollo económico de la ciudad ni con las regulaciones sanitarias. <i>(English Translation: You should regulate the food carts, there are only regulations for food trucks but you dont regulate the vendors with taco carts on the streets that they don't help contribute to the city's economic development nor with health regulations.</i>
20.	Deberían de juntar los camiones en un espacio y que las personas puedan ir a ver que consumir <i>(English translation: You should get all the food trucks together in one area and people can go see what they want to consume)</i>
21.	Don't live in city limits but have worked there since 1986.
22.	Downtown food truck courts would give space for gathering at ding benches, possibly bring in local music artists, gives downtown merchants more business with shopping, a wonderful gathering for families. SW lot owned by railroad, 6th and Central.
23.	Downtown is not a suitable place for a food truck. Parking already is in short supply. Traffic is congested all day long. A food truck court away from downtown would be a better fit.
24.	Downtown parking is already MASSIVELY impacted by outdoor seating for restaurants. Food trucks should only be lots or private property, not blocking parking.
25.	El emprender un negocio de comida es una excelente idea me encargaría ver una área permanente designada para ellos de esa manera se apoya la economía de los emprendedores y sus familias, Se cubre una necesidad en la población y ayuda a la economía de la ciudad; todo esto manteniendo un ORDEN en Tracy. Si se designa una área no se verá fea la ciudad. <i>(English translation: Starting a food business is an excellent idea. I would like to see a permanent area designated for them in this way the economy of the entrepreneurs and their families is supported. It covers a need in the population and helps the economy of the city; all this maintaining ORDER in Tracy. If an area is designated, the city will not look ugly.)</i>

# Any other comments or suggestions?

*Continued...*

## 220 Responses – 720 Blank/Empty

26.	En los parques deberían permitir los camiones solo los fines de semana, ya que es cuando las familias nos juntamos en el parque. <i>(English Translation: Food trucks should only be permitted at Parks during the weekends as this is when families get together at the park.)</i>
27.	Esta bien este tipo d encuesta porq las personas con este tipo d negocio creo no reciben mucho apoyo porq ves las trocas d comida y d repente ya no las ves y pienso q merecen la oportunidad d ganarse la vida honradamente en vez d estar como otras personas pidiendo dinero en las esquinas q se ven muchas es mi opinión gracias <i>(English Translation: This type of survey is great because i think people with this type of business do not receive a lot of support because you see the trucks and then all of a sudden you don't see them anymore and I think that they deserve the opportunity to obtain a source of income and livelihood honorably, instead of being like other people asking for money at the corners, which you see a lot of. This is my opinion, thank you.)</i>
28.	Food truck court should be strongly considered.
29.	Food truck gatherings are responsible to keep are clean from litter, city is responsible from allowing homeless encampment from forming in and around these areas.
30.	Food truck groupings are a great idea !
31.	food truck must have city business license and health permit. On private property allow the property owner to determine the time limit ( based on City guidelines)On street public parking such as Downtown: determine 2-3 areas that food trucks can park: and define how many food truck spots can safely park. If there are more food trucks wanting to park than paces available than a rotation can be created to change every week. For Downtown Consider having a Food Truck Organizer/manager (just like farmer markets have ) But not affiliated with TCCA. You should also have and we've discussed before: Parks and Recreation Dept could have a list of food trucks /food vendors that meet the operating criteria that get evaluated yearly (just like a business) Do not make food trucks or food vendors have to pay additional permit fees on an ongoing basis.
32.	Food Truck park , similar to Lathrop - Reduces crime at stand alone trucks. Encourages community involvement
33.	Food truck park would be great at the new Western Park in Ellis
34.	Food trucks are amazing and we travel outside of tracy every weekend to food trucks in surrounding areas
35.	Food trucks are fine as long as they keep the area clean
36.	Food trucks are great for use at Farmer's Market and other special events. Otherwise, when parked long-term, they junk up the look and feel of an area. Would you allow a building to be designed to look like a food truck? with flashy colors, unlimited signs, exposed utilities, no landscaping, etc. Of course, not.
37.	Food trucks bring the very social aspects of life in Tracy, and provide options when the restaurant rate of growth is very meager. Please encourage food trucks as it supports the community, community growth for entrepreneurs that live amongst us, and keeps the fun city aspect alive which also helps to keep the city positive and more forward thinking. Thank you for this survey!
38.	Food trucks gathered together in one place with lights and seating makes our town more desirable and brings in more revenue for nearby businesses.
39.	Food trucks in the old Tracy outlets on Pescadero
40.	Food trucks operate on a demand basis... so no demand no business. it's pretty simple.
41.	Food trucks should be allowed , downtown they should be limited but the city has too many empty buildings and parking lots that could be used to host food trucks .
42.	Food trucks should be allowed only when there is an event or on a weekend at a park. Food trucks should all be together in one lot like they are in Lathrop. Also, they should only be allowed to be open 8 to 10 hours. I feel we have enough food trucks around the city. And too many scattered around town would be unattractive to the city and would look like an industrial area.
43.	Food trucks should be allowed to operate like any other legitimate food business in this city. It will bring a better variety and promote small business. As long as the property healthy and safety codes are being followed, and they are staying current with any required business licenses, food trucks, trailer or carts should be welcomed to provide their services in the city limits.
44.	Food trucks should be registered with the City of Tracy so their can be accountability.
45.	Food trucks should be well maintained and sanitary and maybe provide a table or two for customers to sit.
46.	Food trucks south east of valpico
47.	Food trucks would be great here as those of us who live in Tracy won't have to travel far distances to find a good food truck.
48.	Food trucks would bring a nice selection of food options to Tracy.
49.	Food trucks/trailers are fun & tasty!! But PLEASE don't saturate the scene with businesses that serve all the same food. Please get a variety!!
50.	Get them in Malls and commercial areas. Keep them away from parks as it creates clutter and people go to parks for peace and enjoy nature and cluttering that with garbage and excess people is not fun.

# Any other comments or suggestions?

*Continued...*

## 220 Responses – 720 Blank/Empty

51.	Give this a 6 month trial ! Then get community input, it could turn out awesome or it's not a good choice for the City of Tracy residents.
52.	Glad to see this survey. Hopefully more options can be offered to our community.
53.	Gracias espero sirva de ayuda ( <i>English Translation: Thank you, I hope this is of help</i> )
54.	Great that you're looking into this. Just put regulations to keep it classy, not trashy.
55.	Have you researched other cities with successful food truck regulations?
56.	Having an area that is similar to the food truck area in Lathrop would be good for the city. Not the mall area, but more in the downtown area
57.	Having an organized food truck program instead of just allowing them just scattered everywhere would be great.
58.	Having trucks open late would give us more of a night-life opportunity to grow into something more that could bring more people to town.
59.	How about adding a Dutch Bros or a Chic fil a on the south of Tracy. How about more restaurants too????
60.	I actually live in Rural Tracy, in the county but come into town for shopping and work. I love that your considering a Food Truck Court. We have frequented the Lathrop and even Modesto's Food Truck Courts. Lathrop is ALWAYS PACKED! The benefits to having the food trucks together like this are 1) families can have different foods yet eat together. 2) having a bunch of central seating for everyone. You do need a lot of shade structures which provides year-round use, & a ton of parking. In Lathrop, their parking lot is always full and the entire Harlan Rd is lined with patrons. The reason I was against downtown area is that could really affect the restaurants there. We should keep downtown a destination for restaurants and nightlife and keep the zoo of the a food truck court to a area away from downtown. Is there any land on 11th street near Chrisman? Yes, on the outskirts of town but after seeing how huge Lathrop has gotten, the traffic is a real thing. Although, they are along the freeway and are high visibility. The Mall area is good too since not much is happening there. Thanks for considering this!
61.	I believe that Food Trucks serve the greater good of our community. I also strongly believe that the city should NOT be so overwhelming be concerned about Food trucks parked within commercially owned properties, where the owner of the property has given them their personal permission. Sure, there can be safety and health guidelines to follow, but for the city to deny or restrict a food truck to park on someone's commercial property where the owner has granted permission and it serves the greater community, should be allowed. At that point, the public should then be able to choose for themselves if they'd like to patronize them or not.
62.	I believe the best solution is having a dedicated area like Lathrop's food truck plaza. It gives people options to purchase from several vendors not just one We have empty areas in Tracy. Look into purchasing land for them to operate on. Tracy could charge rental space monthly as well.
63.	I do not agree that food trucks should be allowed to operate in the downtown area. This is purely based upon the reality that downtown restaurants are struggling as it is to stay busy. There are not enough anchor businesses downtown to support small business owners as it is and they're trying to hard to get business into their doors. Competing with food trucks would make it even more challenging.
64.	I don't live in Tracy but my kids go to school there and I do most of my shopping in Tracy.
65.	I don't mind food trucks as long as they don't interfere with our already outrageous traffic and the revenue of other brick and mortar businesses. I think food trucks in the park or a set up food court locations I are great options.
66.	I frequent Tracy a lot.
67.	I fully support food trucks and feel like there should be more opportunities for them.
68.	I have a Food truck and I have all the permits and SJ health department permit, and insurance. and I'm thinking that all food trucks should be requested to comply with all the permits to operate.
69.	I just don't feel it is fair for a business that opened by choosing their storefront and size of their store. These trucks can pop up anywhere. Businesses that selected their location are being penalized. The same with the restaurants downtown that expanded their size during the pandemic. That was a good idea at the time, but now they should not be allowed to still take over the streets. Businesses that wanted more space had to choose a different location. I think these restaurants are unfair to other businesses in the city that chose their location for their size requirements.
70.	I like the food trucks in Lathrop. . it would be fun to develop an area like that in Tracy. . perhaps the old outlet mall? Something visible from the freeway
71.	I like the idea of a convenient location for a food truck court that is safe and offers parking and easy access
72.	I like the idea of a food truck court, either as a permanent fixture or as an event.
73.	I like the idea of Friday night having food trucks group together for a food truck event at the mall or old outlet parking lots. I think having a permanent weekly event like this would be great! I would love to see a permanent area like Lathrop has.
74.	I like the idea of having a food court type area that food trucks could possibly sign up for a space for certain days and times. With picnic tables and shade. A gathering place. Similar to Lathrop.
75.	I live in Lathrop

# Any other comments or suggestions?

## Continued...

220 Responses – 720 Blank/Empty

76.	I live in Lathrop but work in Tracy. Thanks!
77.	I live in Mountain House but go to Tracy a few times a week. I would go more often if there were food trucks especially a food truck court
78.	I live in Mountain House CA but shop in and frequent Tracy at least 3 days a week.
79.	I live in Mountain House, but spend most of my \$\$ in Tracy. I would live to see a Food Truck court or maybe a food truck night near downtown.
80.	I love food :)
81.	I love visiting the Lathrop Food Truck Plaza. If the city of Tracy adds a similar attraction it would be great for the community.
82.	I own a restaurant in downtown Tracy I do NOT want food trucks to be allowed to park any day any time anywhere near my business Food trucks should be for special events only / farmers markets / festivals we do not need the brick and mortar business to compete with food trucks Food trucks should have their own place AWAY from other eateries set up a parking lot for them in industrial areas for warehouse workers since they are so far away from in town business and only have 30 minute lunch/ dinner If other residents want to dine with the trucks they can go out to this location AWAY FROM ALL BRICK AND MORTAR BUSINESSES!
83.	I think a permanent food truck court would add something special to our city. A nice variety of food trucks would be wonderful.
84.	I think doing a good truck court would be amazing! It would be an easy way to locate any food or drink truck business.
85.	I think food truck are great a way to bring the community together as well as bring a variety of foods to the city of Tracy. We should support these small businesses as a community.
86.	I think food truck courts would be a great addition to the city!
87.	I think food trucks are a wonderful way to bring new and innovative food options to our area.
88.	I think having various options on a rotation basis makes sense. It provides more options to the community while still protecting local businesses. Having dedicated food truck days with collaboration with city events/resources would be a good idea. I know that Lathrop Food Plaza does very well if something similar is created in Tracy but rotation gives more variety and keeps the system sustainable
89.	I think if you allow food trucks you should have a program that limits the amount of food trucks that are issued. Additionally those who have a Tracy Residence should be priority.
90.	I think the parks would be a great location for food trucks. Not at mall., Home Depot etc.
91.	I think they should be allowed anywhere in Tracie not at just industrial think it's a good idea allowing trucks in Tracy
92.	I think this changes should not affect taco truck owners who are fully permitted
93.	I think we need to hold the food truck owners accountable for the trash in the area we are allowing them.
94.	I went to Florida and they had a food truck court with live DJ on the weekends...it was very lively and the food was delicious.
95.	I would like to see a food truck park.
96.	I would like to see food trucks more at parks or recreational areas. I do not feel that food trucks should be near the small local businesses, other than lunchtime, and after work hours so after 5 PM only I feel it will take away from our small local business owners, especially downtown
97.	I would like to see more food trucks in Tracy. They need to be city permitted and health food certified just like any other place in town. I also would rather like to see them all in one grouped area.
98.	I would love a food truck court at the airport.
99.	I would love a permanent food truck set up (like a food court), around the mall with all the space would be perfect!
100.	I'd think the community and food trucks would benefit greatly by having a monthly food truck event. This would families together and generate food trucks business.

# Any other comments or suggestions?

## *Continued...*

220 Responses – 720 Blank/Empty

101.	I'm all for more food trucks around as long as there is trash cans for people to throw stuff away, we don't want trash all over the place
102.	I'd like to see a food truck group at west valley mall.
103.	I'd love a food truck park like Lathrop has.
104.	I'd love to see more variety in the food trucks. In general we have a lot of taco/ burritos options and not much else.
105.	If allowed city must mo it or performance, trash, traffic co gestion
106.	If allowed to pass I would like to see several peace officers stationed
107.	If any truck doesn't meet the quality food standards, it should be discontinued.
108.	If the city really has an issue with food trucks, find out and fix why brick and mortar restaurants are so difficult to obtain and maintain
109.	If we can't have stores and nothing other than homes are ever built then at least give residents food opinions.
110.	If we have food trucks with a variety of different culture food, it will definitely bring the community out and enjoy the great food. I'm hoping this will move forward for us to have something different to enjoy.
111.	If you aren't going to open more restaurants off Valpico that side of town needs more options for food. Food trucks are a great idea. Lathrop row of food trucks is so good Tracy should open that in the south parts of Tracy blvd
112.	It would be awesome to create a designated food truck plaza like what they have in Lathrop off I-5 but include some shade, grass, seating and make it like a destination place for people to go, hang out, try new foods, etc.
113.	It would be great to have a designated area for a food truck court, with seating, plenty of parking.
114.	It would be great to have a designated empty lot for the food trucks, where seating is available to enjoy the food there.
115.	It would be nice to have a food truck park in the city of Tracy where people can go to.
116.	It's time for the city to move into the 21st Century. Please stop putting road blocks in front of everyone to have small businesses. Most people cannot afford a brick n mortar. Also, consider opening something like Spark Social in SF. Not sure why any of this is even a question, we should be allowing food trucks to run and not just use them when they're convenient
117.	Just allow them
118.	Just visited the Lathrop Food Truck area a couple weeks ago and thought it would be a great to have in Tracy.  There were lots of familiar Tracy faces there as well.
119.	Lathrops food truck court is great. Tracy can do the same, however, they did put them away from any small businesses that they may hurt or block traffic from. They are tucked out of the way of everyday traffic but still visible.
120.	Less regulations on where and how long food trucks should be, unless owner of property says otherwise.
121.	Let people operate these businesses
122.	Let the food trucks determine where to go - they will know more and learn more where they can do the most business. And for gods sake let them come to the south side of town!!!!
123.	Let the food trucks do what they want when they went with the proper operating permits
124.	Let them run and operate without restrictions
125.	Let these hard working people operate inside Tracy!

# Any other comments or suggestions?

## Continued...

### 220 Responses – 720 Blank/Empty

126.	Let us have food trucks!
127.	Limit the traffic downtown. There are to many foolish drivers endangering the public
128.	Looking for types of food trucks, not just Mexican or BBQs and ice cream trucks. More options would be appreciated
129.	Los camiones de comida hacen ver feo al pueblo de Tracy ( <i>English Translation: Food trucks make the city of Tracy look ugly.</i> )
130.	Love food trucks at events, they are fun & the community loves them. Don't saturate the food truck community with the same style of food, bring in more diverse ones!!
131.	Make it easier for new small business to open up.
132.	Make sure the trucks have a permit and insurance
133.	Maybe the city can create a dedicated space for food trucks. With restrooms and maybe a stage so local kids dance groups/performers/demonstrations/djs/karaoke on the evenings/weekends (Food Trucks there everyday) and can entertain while folks are enjoying their food. A place where residents can come together on a regular basis. NOT charging the trucks huge permit fees or anything. The area that came to mind was one of the dirt lots by the mall. I don't eat much at food trucks myself but think it would be some place to take the family since that is limited here. *BTW, I'm not saying make trucks already with arrangements leave
134.	Me gustaría muchos más restaurantes de varios tipos de comida aquí en Tracy, porque no hay suficientes lugares donde ir comer y con mi familia tenemos que ir a otras ciudades cercanas a comer los fines de semana . ( <i>English Translation: I would like to see many more restaurants with different types of food here in Tracy because there are not enough places to go eat and with my family I have to go to other nearby cities to eat on the weekends.</i> )
135.	Me gustaría que hubiera un solo lugar para todas las trocas de comida afuera de la ciudad ( <i>English Translation: I would like it if there was a single location outside of the city for all the food trucks.</i> )
136.	More food options! More local owned!
137.	More food trucks and veggie vendors will give more opportunities for locals around and community bonding . City of fremont has lot of options . If Tracy has such will increase popularity and fame of sanquoin county . Mayor should work on this. Also festive season is. Around corner light up streets and more cultural activities
138.	More Food Trucks please! Would also love to see a food truck court with inside and outside spaces, and with bathroom facilities. These are awesome in places we've visited that have them and they have a great mix of foods and drink (including beer), something for everyone. Please use up existing empty lots for things like this AND more entertainment spaces for our kids and families rather than more housing that Tracy infrastructure cannot handle. Thank you for reaching out to the community, I am hopeful the need for more options is heard and acted upon!
139.	More food trucks the better! Tracy is limited on creative food places food trucks would be amazing!
140.	More food trucks would be great, but allowing them to operate in shopping center parking lots is not fair existing restaurants and may circumvent exclusivity provisions that were built into the leases. Dedicated food truck courts, city parks, businesses without neighboring restaurants, and industrial areas seem like the places foods trucks should be allowed to operate.
141.	More lenient regulations on food trucks so more business in the city of Tracy!
142.	More time is necessary because a lot of people works far away from Tracy and has no time to fine something for lunch or dinner
143.	More variety of food trucks needed. Most are Mexican/Latin food at this time. No more Mexican food trucks please
144.	More variety of food trucks. We have enough Taco Trucks, need more food choices. In The Bay Area, the foods trucks make all types of food.
145.	Most restaurants in Tracy are closed Monday and Tuesday and close early Wednesday-Saturday.. with their existing short staff and minimal quality of food it's nice to have food trucks particularly without government restrictions. Food trucks are essential! And Tracy needs to remove such restrictions and allow these businesses to bloom
146.	My only concern is that in groups of trucks or events to have various food choices. In other words, a variety of food.
147.	NA
148.	Need trucks around Tracy hills and corral hollow junction
149.	No issues with food trucks servicing our community. If they have the proper permits to make food let them
150.	No me molesta que haya camiones de comida! Me gusta comprar en todos..la comida es muy buena...( <i>English Translation: I am not bothered to have food trucks! I like to buy from the all.. The food is very good.</i> )

# Any other comments or suggestions?

## Continued...

### 220 Responses – 720 Blank/Empty

151.	No veo nada de malo que estén los camiones de comida ya que es más rápido obtener comida que ir a un restaurante, es una buena opción para quienes trabajamos y necesitamos comida para nuestra hora de desayuno ( <i>English Translation: I don't see anything wrong with food trucks being here as it is much faster to get food compared to going to a restaurant, it's a good option for those of us who work and need food during our breakfast hour.</i> )
152.	No vivo en Tracy pero seguido compró comida ahí !!!! En los trucks (English Translation: I don't live in Tracy but I frequently buy food there !!!! At the food trucks)
153.	Not at this time
154.	Other cities have a food truck court/parking lot designed only for food trucks. It would be convenient to give citizens options in one location. Preferrably Not near the mall, Walmart, or Costco as traffic is very bad in that area. Perhaps near Ellis or Tracy Hills where there is no other restaurants to compete.
155.	Part time
156.	Please allow and do not hinder food trucks in the local parks.
157.	Please bring Trader Joe and Sprouts in Tracy. We been living in Tracy for more than a decade . We can with the help of city council bring nice restaurants and grocery stores in Tracy. Right now, we either go to Modesto or Bay Area to eat at a nice restaurant.
158.	Please create a good truck court, with plenty of lighting for safety and aesthetics as well as seating and garbage collection. PLEASE allow them to operate past 8:00pm. I feel like I currently live in an old folks home because most restaurants in Tracy close by 8:00 (or even 7:00!!). We need more if a nightlife in Tracy. Let them be open until 10:00pm!
159.	Please don't harm these small businesses by raising their permits, it's hard times and they need business as other centers in our city. Please invest on entertainment for families cause that is something that is definitely lacking here.
160.	Please don't allow food trucks because we have so many good restaurants in Tracy we don't want them to go out of business so please no food trucks not all all
161.	Please leave the food trucks alone. They are just trying to make a living..
162.	Please make sure food quality and hygienic standard must be maintain by regular inspections. Also it must have regular permits to make sure city revenue increases to spend on other developments. le make downtown more beautiful!
163.	Please more food trucks and also we need more stores and more night places to go to like for example more stores to be open in down town late down town looks beautiful at night but you get off and there's nothing to do we need something fun also when family comes visit us is on the weekend they want us to take them to have fun and there's nothing to do
164.	Please read out votes and add more food truck for places half Tracy plaza are empty maybe life would be better if we had good spots to eat right know people drive other towns to give them there money and get food Tracy would benefit from this so I hope city of Tracy can read what people want and not do stupid s**** with our money like open drugs store etc
165.	Please we need food trucks. Every city has this option why not in Tracy?
166.	Please work hard to make Tracy a better place to live. You keep building homes and encouraging people to move here. Give the community resources, entertainment, healthy restaurants and grocery stores for the their wellness.
167.	Prioritize road infrastructure!
168.	Put more options by Edgewood, Ellis & Tracy Hills. We get hungry too and don't want to drive all the way through town and traffic for yummy tacos.
169.	Reduce fee or create one annual fee. Don't require monthly permits for food trucks
170.	Regulate using common sense !. No power grab
171.	Re-vote again after 6 months to see what the community wants.
172.	Safeway, Raleys, Walgree/CVS near Tracyhill/Hill view community.. This area is under server and not have basic facilities
173.	Should have food truck special events at affordable prices. Should have seating available for families and others to enjoy. Ensure safe space to gather and wait
174.	Since food trucks attract people from outside of Tracy, it's best to place them close to the freeway by the mall area and away from residential, parks, industrial offices for public safety.
175.	Solo que tengan todo en regla sus permisos y que mantengan limpia la ciudad ( <i>English Translation: Only that they have everything in order with their permits and that they keep the city clean.</i> )

# Any other comments or suggestions?

## Continued...

### 220 Responses – 720 Blank/Empty

176.	something like the Reno public market /mixed with some type of mini golf, arcade, axe throwing activities - would keep Tracy dollars in Tracy and not elsewhere....
177.	Stop concentrating all the commercial development options to the Walmart/Costco/Target areas of town. I live in Tracy and it takes me 20 minutes to get there on a good day. Let there be development and more of these flexible options further south for those of us south of Shulte.
178.	Stop the red stale and get with the program.
179.	street tacos need to be back in Home Depo area i missed those that serve there by lunch time
180.	Tener más vigilancia de Policías en áreas públicas como escuelas o parques alrededor de niños. Cuando aya ventas de comida cercas. (English Translation: Have more pólice vigilance in public áreas like schools or parks around kids. When there are food sales nearby.)
181.	Thank you for looking into this!
182.	The best idea is to develop a food truck court area like in lathrop
183.	The city of Tracy was better when no food trucks were allowed.
184.	The City's first priority should eb to support brick your typical brick and mortar eating establishment since such an establishment is a greater economic growth engine than a food truck in terms of payroll (more employees typically work in your average restaurant than in a food truck), property taxes (improvements made to a building or space to house a restaurant creates a higher property tax base which can result in more property taxes going to the City). Food trucks can do to restaurants what the Internet did to traditional brick and mortar retailers, i.e., kill them off. We cannot do anything about the Internet, but as a City we can sure limit the growth and spread of food trucks.
185.	The food offerings from Brock and mortar restaurants is very limited in selection. This could create opportunities for small business amd also provide the community a variety of food options.
186.	The food options in Tracy are horrible. Hopefully food trucks will bring more options and more locations
187.	The Lathrop food truck plaza is what we should be shooting for
188.	The main focus for food trucks should be in areas that do not have a lot of restaurants in the area currently. Why are you not asking about food trucks located south of the downtown area? South Tracy Blvd and Valpico road are good options for food trucks or on Gandy Dancer Drive.
189.	The mall will be best
190.	The south side of Tracy has fewer eating options. We would like to see something like every Thursday the Food Truck Mafia at Raley's parking lot, or somewhere on this side of town. When it's weekly and a variety with tables, bounce houses, etc it becomes a weekly community gathering... where everyone can eat food they enjoy.
191.	There are more important things to be taking care of in this town than this.
192.	There is so much empty space in Tracy. Why not create a food truck plaza like the one in Lathrop or Grub Hub like Modesto, so groups of trucks can operate together and consistently be in the same spot. This will also give Tracy families something fun to do.
193.	There should be a standard for the quality of the food and the cleanliness of the truck. There should also be a garbage can that the trucks carry with them and deploy when they stop.
194.	These stand alone food trucks will hurt local restaurant businesses cause these restaurants have places of doing business, they employ personnel, they pay for state and fed taxes, they pay sick leaves. Pay city taxes which brings lots of revenue to the city. Also it's a way for them to be self employed. Now verses trucks they 1 or 2 people, these Don't pay leases, insurance or other expenses. People please think with right head. Just for last of cheap food look at what you are trying to do. People all understand. Thanks for reading my view of trucks vs brick and mortar restaurants. I don't own any restaurant FYI. Thanks.
195.	They are eyesores and customers litter the areas around them. No health inspections once they get thier county license . City dose not have resorces to inspect or clean up after them. Horrible idea.
196.	Think about all the business that would be competing with these food trucks. Rent is high. Not fair for food trucks to not pay rent nor taxes. We live in a SMALL TOWN. not a big city. Everyone's mom and pop shops would be affected.
197.	This is a waist deep f time and resources. Let people run their lives and pay there bills. If a food trucks in private property it's none of your business other that the heath department permits
198.	To allow more food options at places that might not have food choices
199.	To r city should consider three spots for group food trucks. The mall and all third parties to rent Spence for a Ferris wheel, games, o outdoor fund, in the winter a ice skating ring, summer roller skater, slides, and lots of food trucks would be a good idea to kick around. On 11th food truck green space, music, simply thinks like karaoke, things that draw's family together, fun yet not crazy noisy or active- keep that at the mall. Last downtown Tracy central to 6th street allow that to be a space that promote food and fun, crafts and then tie into the city plaza events
200.	Tracy is my hometown and I visit frequently

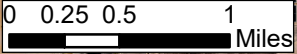
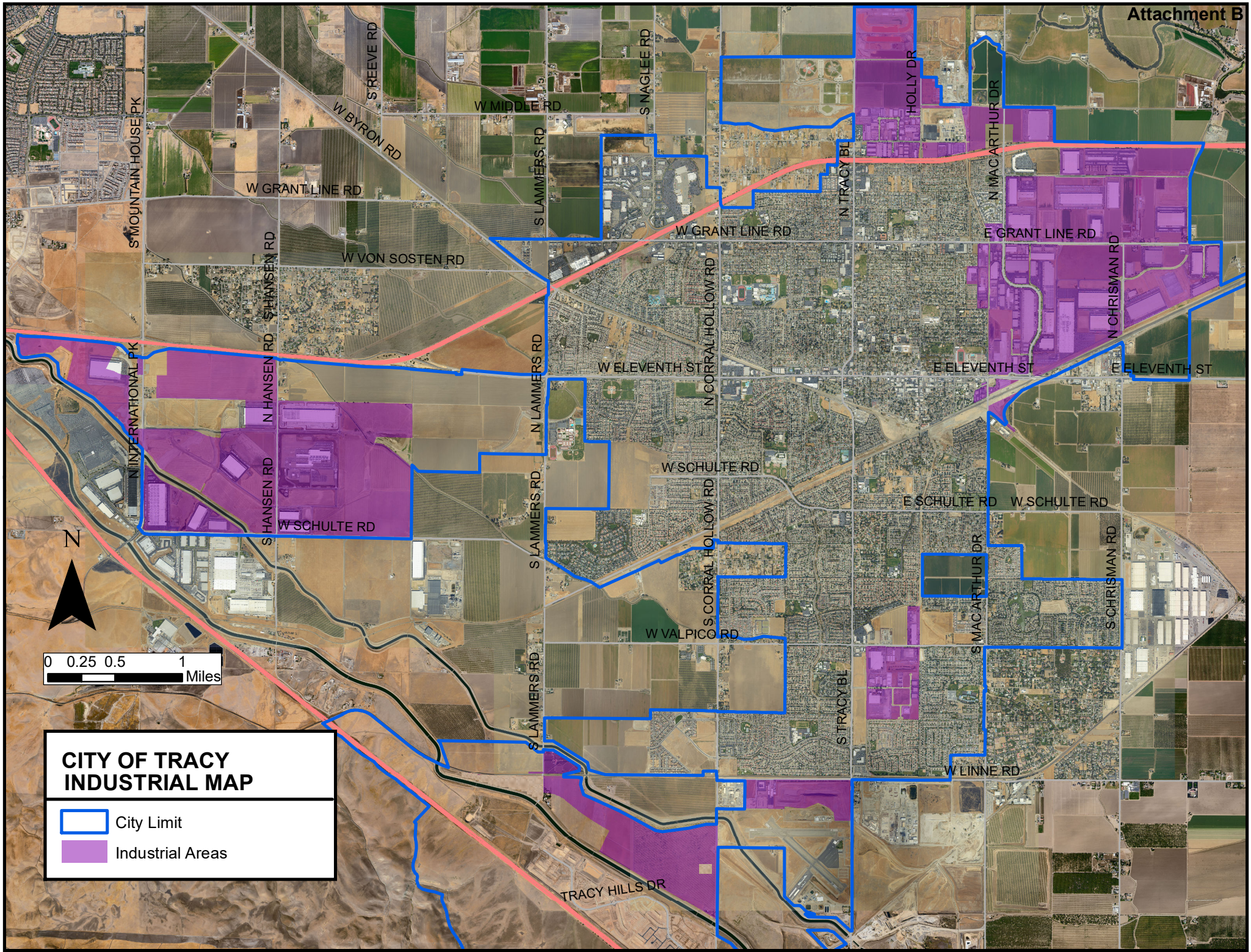


# Any other comments or suggestions?



## Continued...

### 220 Responses – 720 Blank/Empty

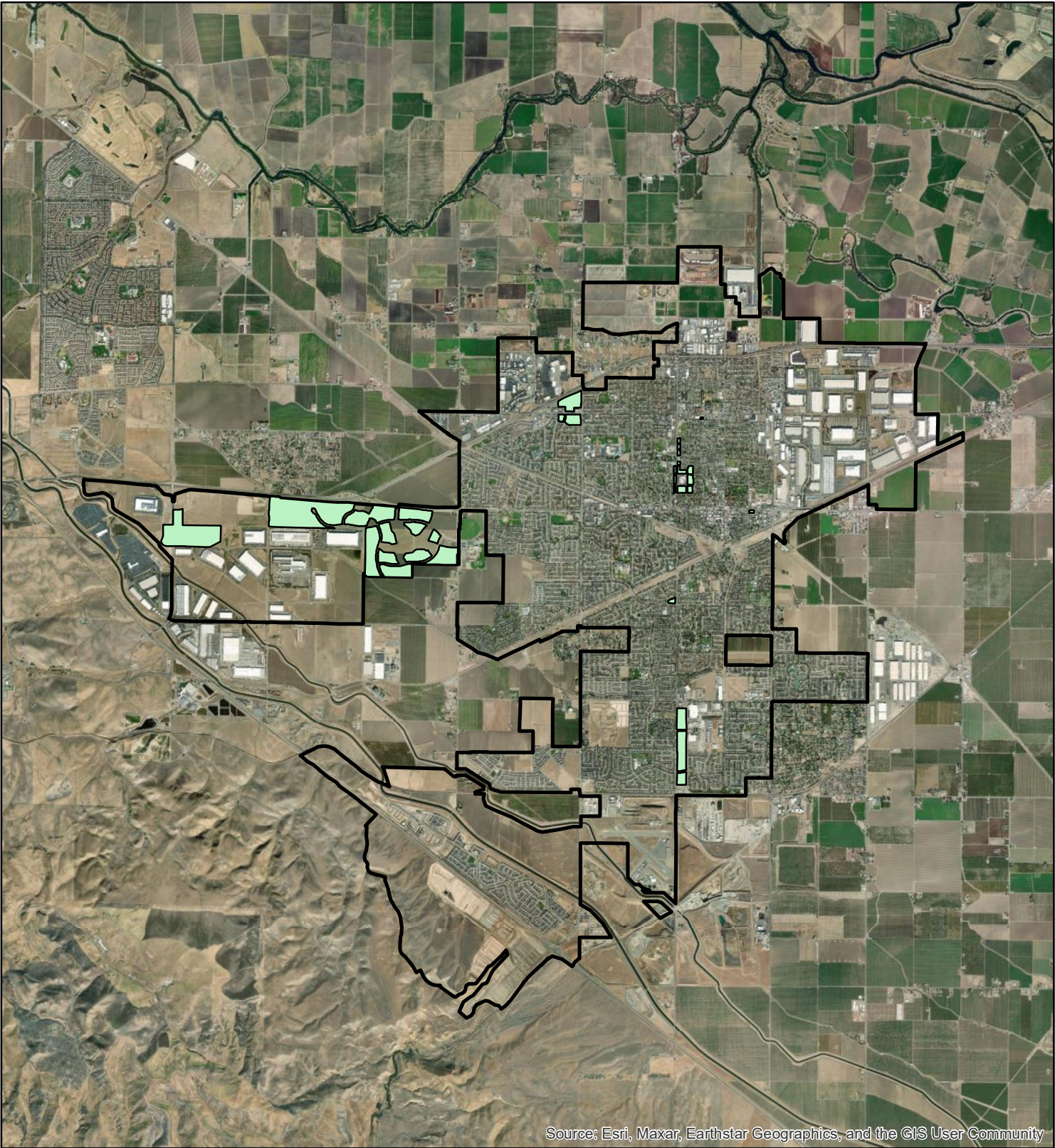
201.	Tracy needs more things to do. I spend a lot of money outside of this town.. downtown is really thriving and it's a wonderful part of town to spend time in. You should make a food truck court an extension to downtown. Downtown businesses may think that takes away from their business but there are so many people who don't even know Tracy has a downtown because they are always going out of town first. The city needs to introduce more activities to the people, this could be a really fun evening thing to do!
202.	Wanted food trucks on CorralHollow Road or Tracy Hills. Since we live in Tracy Hills, as of now if we wanted any food or food truck we have literally travel 6+ miles to catch a bite. It would be great if you can get us some food trucks nearby Tracy Hills and Corral Hollow road.
203.	We don't need any more food trucks
204.	We live 2 blocks outside city limits but our address is Tracy.
205.	We need a better mall. People shop outside Tracy, all that money is not staying in our city.
206.	WE NEED FOOD TRUCKS IN AREAS THAT ARE NO LONGER BEING VISITED LIKE THE GREAT VALLEY MALL. That mall has been dead for years, although there was a new buffet put in place the food is mediocre. The people from tracy want to see something new and exciting!!! We always get a temporary fair so why not bring on some food trucks?? I would love to see a variety of food not just tacos. Maybe something savory/sweet too.
207.	We need lots of variety not just taco trucks
208.	We need more food options in North East Tracy. It sucks having to drive 20+ minutes to the Naglee area to get something to eat. We have several comunity shopping centers in this are that are under developed, including Red Maple Village. People from Ellis, Tracy Hills and Hidden Lake are grossly underserved. Lets be like Livermore, food options all over the city, not just one overcrowded poorly designed area in the mall.
209.	We need more variety here! Lathrop has a food truck court, Manteca and stockton have trader joes! Let us get something more here!
210.	We need more vegan food trucks
211.	We need to focus on building the community around us, showcasing a thriving Tracy CA, and above all a unified city. It is great to see so many people out enjoying fresh air rather than stuck at home on their computers.
212.	We need to have the downtown more active on the weekends, it's a commuter town and no one wants to drive out of town on the weekends
213.	We need to liven Tracy up. I've lived here all my life and I would love to have places to eat late at night, more options for food, more ways for people to get together and build community. The easiest way to do that is with food. As long as traffic isn't obstructed who cares where they are
214.	We should have a designated area for food trucks with limited hours of operation. A stand alone should have time limits, and when not operational trucks should be parked in a designated area.
215.	What is happening to Gretchen Tally Park improvements? Nature trails would be wonderful.
216.	Why does it take so long for city of Tracy to process applications for commercial development. Y'all allowing Manteca to take all the developments cause y'all too slow. Also push for more public transportation to bay area especially ace and update the people on valley link. Valley link to Bart would be a game changer Tracy and a suggestion for it make the transfer as easy as possible.
217.	Would like to trails to hike and bike more
218.	Yeah, should also be inspected and regulated by the health department to prevent foodborne pathogens and unsanitary food preparation conditions
219.	You need to stop having big rigs around tracy and have an area where they park Not in residence area. Instead of focusing on business that would work in the city.
220.	You'll notice I'm not a fan of food trucks downtown competing for customers...these Mom and Pop shops give their blood, sweat and tears to stay afloat. Not trying to have anyone just cruise in, set up ahopy, and pluck customers. Other areas of town are VERY chain restaurant heavy....let them compete with the chains. Also, different trucks aside from taco would be wonderful. We already have 2639392628 taquerias and 19374920 taco trucks....we desperately need variety



**CITY OF TRACY  
INDUSTRIAL MAP**

-  City Limit
-  Industrial Areas

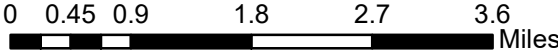
# City of Tracy Office Zones

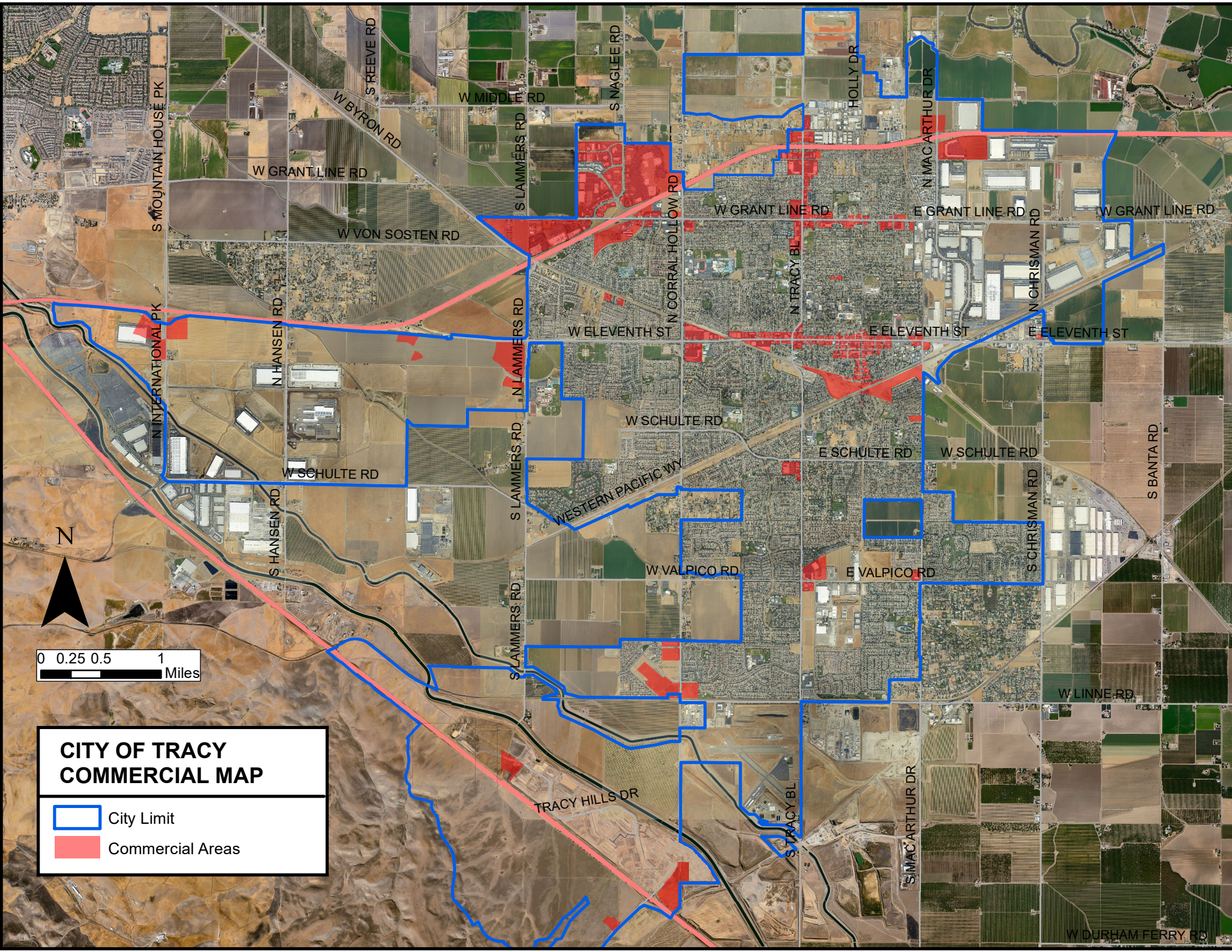


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Legend:



- Office
- City Limits

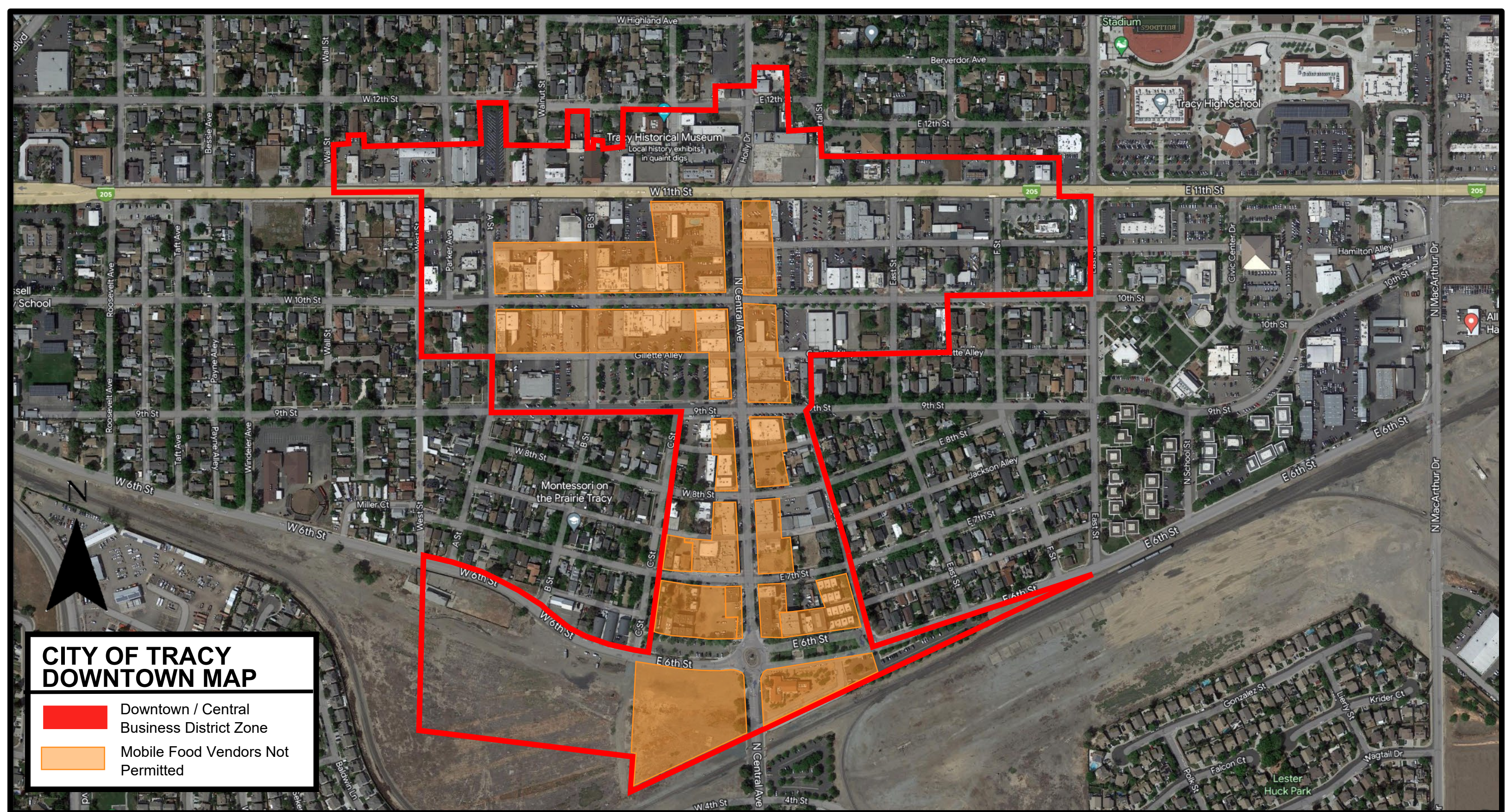




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### CITY OF TRACY COMMERCIAL MAP

-  City Limit
-  Commercial Areas



# CITY OF TRACY DOWNTOWN MAP

- Downtown / Central Business District Zone
- Mobile Food Vendors Not Permitted



Tracy Historical Museum  
Local history exhibits  
in quaint digs

Montessori on  
the Prairie Tracy

Stadium  
Tracy High School

Lester  
Huck Park

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY'S OFFICE

**TRACY CITY COUNCIL**

**ORDINANCE NO. \_\_\_\_\_**

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**AN ORDINANCE 1) AMENDING SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE TO ESTABLISH REGULATIONS ALLOWING MOBILE FOOD VENDORS TO OPERATE IN THE COMMERCIAL AND OFFICE ZONES (EXCLUDING CERTAIN PORTIONS OF THE CENTRAL BUSINESS DISTRICT ZONE), EXTENDING THE MAXIMUM NUMBER OF HOURS THAT A MOBILE FOOD VENDOR MAY OPERATE AT A SINGLE LOCATION PER DAY FROM THREE HOURS TO TWELVE HOURS, ALLOWING A MAXIMUM OF ONE MOBILE FOOD VENDOR PER PARCEL IN THE COMMERCIAL AND OFFICE ZONES WITH APPROVAL OF A MOBILE FOOD VENDOR PERMIT, AND ALLOWING MULTIPLE MOBILE FOOD VENDORS TO PERMANENTLY OR PERIODICALLY LOCATE ON A PARCEL, SUCH AS A FOOD TRUCK COURT, WITH APPROVAL OF A DEVELOPMENT REVIEW PERMIT; AND 2) DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3).**

**WHEREAS**, on November 7, 2017, the City Council adopted an ordinance adding Section 10.08.3193 of the Tracy Municipal Code to establish regulations allowing mobile food vendors to operate in the industrial zones; and

**WHEREAS**, Tracy Municipal Code Section 10.08.3193, Mobile Food Vendors, permits mobile food vendors to operate in the industrial zones but excludes them from all other zones, except as allowed by a temporary use permit, special event permit, facility permit, or peddlers/vendors license; and

**WHEREAS**, on October 18, 2022, the City Council requested an agenda item to revisit the regulations regarding mobile food vendors; and

**WHEREAS**, over the past year, staff researched the regulations regarding mobile food vendors in nearby cities, conducted a community survey, held outreach meetings with members of the business community, and prepared a draft amendment to the Mobile Food Vendors Ordinance (Section 10.08.3193 of the Tracy Municipal Code) for consideration by the Planning Commission and the City Council; and

**WHEREAS**, the community survey was available for participation from September 8, 2023 to September 30, 2023, and received 990 responses; and

**WHEREAS**, the community survey results indicate that the community has a strong desire for more food trucks in the commercial areas; and

**WHEREAS**, during meetings with members of the Tracy Chamber of Commerce, including many brick-and-mortar restaurant owners, the brick-and-mortar restaurant owners raised concerns that mobile food vendors cause unfair competition for brick-and-mortar restaurants which have higher capital and operational costs than mobile food vendors, and also expressed opposition to mobile food vendors in the Downtown (Central Business District Zone) because it could detract from the character of Downtown; and

**WHEREAS**, during subsequent meetings with additional members of the Tracy Chamber of Commerce, which included mobile food vendors who currently operate in Tracy city limits, the mobile food vendors explained that they also have substantial expenses and permit requirements, and that their businesses serve a different clientele from the brick-and-mortar restaurants, with the mobile food vendor's clientele typically being a customer who desires a quick grab-and-go food item rather than a sit-down dining experience inside a restaurant; and

**WHEREAS**, in an effort to balance opposing view-points of the brick-and-mortar restaurants and the mobile food vendors, as well as respond to the community's desire for more mobile food vendors in the commercial areas, the proposed ordinance would amend Tracy Municipal Code Section 10.08.3193 to establish regulations allowing mobile food vendors to operate in the commercial and office zones (excluding certain portions of the Central Business District Zone), extending the maximum number of hours that a mobile food vendor may operate at a single location per day from three hours to twelve hours, allowing a maximum of one mobile food vendor per parcel in the commercial and office zones with approval of a mobile food vendor permit, and allowing multiple mobile food vendors to permanently or periodically locate on a parcel, such as a food truck court, with approval of a Development Review Permit; and

**WHEREAS**, on February 14, 2024, the Planning Commission conducted a public hearing regarding the proposed amendment to Section 10.08.3193 of the Tracy Municipal Code; and

**WHEREAS**, by \_\_\_\_\_ vote, the Planning Commission recommended \_\_\_\_\_ of the proposed ordinance; and

**WHEREAS**, the Planning Commission's recommendation was based upon a determination that the proposed Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(B)(3) pertaining to activities that do not have the potential for causing a significant effect on the environment; and

**WHEREAS**, on \_\_\_\_\_, 2024, the City Council conducted a public hearing regarding the proposed amendment to Section 10.08.3193 of the Tracy Municipal Code and considered the Planning Commission's recommendation to \_\_\_\_\_ such amendment.

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

**SECTION 1. Incorporation of Recitals/Findings.** The City Council finds and determines the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City.

**SECTION 2. Amendment of Section 10.08.3193.** Section 10.08.3193, Mobile Food Vendors, of the Tracy Municipal Code is hereby amended to read as follows (with additions underlined, and deletions in ~~strikethrough~~):

**10.08.3193 Mobile Food Vendors.**

- (a) Purpose. The purpose of this section is to preserve the health and welfare of the City and its residents by establishing regulations pertaining to mobile food vendors while:
- (1) Providing flexibility for owners of property in office and industrial zones to allow alternative, nearby eating opportunities for employees, and reduce vehicular traffic; and
  - ~~(2) Avoiding unfair competition for permanent restaurants inside buildings which have significantly higher capital and operational costs than mobile food vendors;~~
  - ~~(3)~~(2) Promoting entrepreneurship and small business start-ups;
  - ~~(4)~~(3) Providing opportunities to increase activity and interest in the commercial zones; and
  - ~~(5)~~(4) Preserving the character of the Central Business District Zone by not allowing mobile food vendors adjacent to portions of Central Avenue, 10<sup>th</sup> Street, 7<sup>th</sup> Street, and 6<sup>th</sup> Street.
- (b) Definition. "Mobile Food Vendor" means any vehicle, as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared, prepackaged, or unprepared food or foodstuffs of any kind that parks at one or more locations within the City. A mobile food vendor shall also include any trailer, wagon or cart equipped and used as described in this definition and pulled by a vehicle.
- (c) Exemptions. The following are exempt from the requirements of this section, but must satisfy all other applicable permit requirements (for example, City business license, San Joaquin County Environmental Health Department permit, etc.): an event authorized by a City facility permit (TMC Ch. 4.16), special event permit (TMC Ch. 4.40), temporary use permit (TMC Ch. 10.08), or a peddler or vendor permit (TMC Sec 3.08.460).
- (d) Regulations for mobile food vendors. Unless otherwise exempt, the following regulations shall apply to all mobile food vendors:
- (1) All mobile food vendors shall obtain a valid business license from the City and applicable permit(s) from the San Joaquin County Environmental Health Department.
  - (2) All mobile food vendors shall comply with the California Vehicle Code.
  - (3) Mobile food vendors are allowed to operate only in the commercial, office, and industrial zones of the City, (Light Industrial Zone, Heavy Industrial Zone including the commercial, office, and industrial Planned Unit Development zones, and the commercial, office, and industrial designations within City-approved specific plans). An exception in the Central Business District (CBD) Zone is that there shall be no mobile food vendors allowed on any lot with frontage on the following:



- (i) Central Avenue between 11<sup>th</sup> Street and 6<sup>th</sup> Street;
  - (ii) 10<sup>th</sup> Street between A Street and Central Avenue;
  - (iii) 7<sup>th</sup> Street between C Street and Central Avenue; or
  - (iv) 6<sup>th</sup> Street between C Street and D Street.
- (4) Mobile food vendors shall only operate on private property (outside of the public right-of-way or any other City-owned property), as an accessory use on a site where at least one business within a building is in operation, except as approved by a development review permit, and shall have written authorization from the property owner upon which the mobile food vendor is operating. A mobile food vendor shall demonstrate written property owner authorization, as required above, to a City officer upon request.
- (5) A mobile food vendor's operations and any related activity shall not occur within any required landscape area and must be located on a surface paved to City standards.
- (6) A mobile food vendor's operation (~~not including set up and take down~~) shall be limited to ~~three (3)~~ twelve (12) hours at a single location in a 24-hour period unless the mobile food vendor location has been approved by a development review permit. For the purposes of this section, a "single location" shall mean a different location within a 500-foot radius of the original location.
- (7) No overnight parking or storage of vendor vehicles or apparatus shall be permitted, except as approved by a development review permit.
- (8) A mobile food vendor shall have adequate lighting to ensure reasonable visibility either on the vehicle or at the location of the vehicle during business hours. The lighting shall be directed downward onto the parking surface and away from the public right-of-way and adjacent properties.
- (9) Mobile food vendors shall not operate in or impede any fire lane, no-parking zone, or accessible route as required by the California Building Code, including but not limited to impeding on- or off-site vehicle circulation or obstructing the view of pedestrians by motorists.
- (10) At the conclusion of each day's operation, the mobile food vendor site shall be restored to its condition prior to vendor's operation, free of litter and debris, canopies, or other furniture or improvements, except as approved by a development review permit.
- (11) No amplified public address system, amplified music, or entertainment is allowed as part of a mobile food vendor operation, except as otherwise allowed by a City permit.
- (12) No signs associated with a mobile food vendor are allowed in the public right-of-way.
- (13) A mobile food vendor's operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m. daily, unless located in an industrial zone and greater than 200 feet from a residential zone.

- (14) A maximum of one mobile food vendor shall be located on a parcel in any commercial or office zone, except as approved by a development review permit.
- (15) A mobile food vendor permit is required for a mobile food vendor to locate in any commercial or office zone, except for a mobile food vendor location approved by a development review permit. The application process and fee for a mobile food vendor permit shall be the same as for a temporary use permit. Approval of a mobile food vendor permit shall be based on compliance with all requirements of this section. A separate application is required for each separate location applied for by a mobile food vendor. A mobile food vendor permit shall expire 12 months from date of issuance and may be renewed annually. Any request for renewal or amendment to a mobile food vendor permit shall be subject to the same requirements and process as a new application. A mobile food vendor permit shall be revoked for noncompliance with any requirements of this section, City regulations, or State law.
- (16) A development review permit may be approved for a mobile food vendor location featuring multiple mobile food vendors on the same parcel or a combination of one or more mobile food vendors and one or more food vending structures, such as a food kiosk or shipping container restaurant. In such cases, mobile food vendors or food vending structures may permanently or periodically occupy an approved location. An approved location shall include site improvements and amenities consistent with the City Design Goals and Standards for mobile food vendors. The location of any mobile food vendor's operation and related improvements, which has been approved by a development review permit, shall not encroach into any portion of a parking area that is necessary to satisfy the minimum off-street parking requirements for an existing use on the same parcel. The minimum number of required off-street parking spaces for the mobile food vendor location shall be determined by the approval body of the development review permit.

(Ord. No. 1245, § 1, 11-7-2017)

**SECTION 3. CEQA Determination.** The City Council finds that this Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(B)(3) pertaining to activities that do not have the potential for causing a significant effect on the environment.

**SECTION 4. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

**SECTION 5. Effective Date.** This ordinance shall become effective upon the thirtieth (30<sup>th</sup>) day after final adoption.

**SECTION 6. Publication.** The City Clerk is directed to publish this ordinance in a manner required by law.

**SECTION 7. Codification.** This Ordinance shall be codified in the Tracy Municipal Code.

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The foregoing Ordinance \_\_\_\_\_ was introduced at a regular meeting of the Tracy City Council on the \_\_\_\_ day of \_\_\_\_\_ 2024, and finally adopted on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote:

- AYES –
- NOES –
- ABSENT –
- ABSTENTION –

\_\_\_\_\_  
 NANCY D. YOUNG  
 Mayor of the City of Tracy, California

ATTEST: \_\_\_\_\_  
 ADRIANNE RICHARDSON  
 City Clerk and Clerk of the Council of the  
 City of Tracy, California

Date of Attestation: \_\_\_\_\_

## NOTICE AND DIGEST

**AN ORDINANCE AMENDING SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE TO ESTABLISH REGULATIONS ALLOWING MOBILE FOOD VENDORS TO OPERATE IN THE COMMERCIAL AND OFFICE ZONES (EXCLUDING CERTAIN PORTIONS OF THE CENTRAL BUSINESS DISTRICT ZONE), EXTENDING THE MAXIMUM NUMBER OF HOURS THAT A MOBILE FOOD VENDOR MAY OPERATE AT A SINGLE LOCATION PER DAY FROM THREE HOURS TO TWELVE HOURS, ALLOWING A MAXIMUM OF ONE MOBILE FOOD VENDOR PER PARCEL IN THE COMMERCIAL AND OFFICE ZONES WITH APPROVAL OF A MOBILE FOOD VENDOR PERMIT, AND ALLOWING MULTIPLE MOBILE FOOD VENDORS TO PERMANENTLY OR PERIODICALLY LOCATE ON A PARCEL, SUCH AS A FOOD TRUCK COURT, WITH APPROVAL OF A DEVELOPMENT REVIEW PERMIT**

The Ordinance amends Tracy Municipal Code Section 10.08.3193 to establish regulations allowing mobile food vendors to operate in the commercial and office zones, excluding certain portions of the Central Business District Zone. The Ordinance establishes that a mobile food vendor permit is required for a mobile food vendor to locate in any commercial or office zone, except for a mobile food vendor location approved by a development review permit. The Ordinance extends the maximum number of hours that a mobile food vendor may operate at a single location within a 24-hour period from three hours to twelve hours. The Ordinance requires that a mobile food vendor's operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m. daily, unless located in an industrial zone and greater than 200 feet from a residential zone. The Ordinance sets a limit of one mobile food vendor per parcel in the commercial and office zones, except as approved by a development review permit. The Ordinance allows multiple mobile food vendors or a combination of one or more mobile food vendors and one or more food vending structures, such as a food kiosk or shipping container restaurant, to be permanently or periodically located on a parcel with approval of a development review permit.

### **Mobile Food Vendors**

Any mobile food vendor location approved by a development review permit shall be designed in a manner that complements the architectural character and design qualities of the surrounding area, and shall include the following amenities:

- Outdoor dining area with tables and chairs
- Umbrellas or shade structure(s)
- Decorative lights for ambiance
- Waste receptacles
- Landscaping or potted plants and trees
- Screening of any generators

If restroom facilities are required by the California Building Code or the San Joaquin County Environmental Health Department, the mobile food vendor location shall provide a permanent restroom facility that is architecturally compatible with the design and materials of the adjacent buildings.

