

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR PUBLIC HEARING
MEETING AGENDA

Thursday, November 21, 2024, 2:00 P.M.

Tracy City Hall, Conference Room 203, 333 Civic Center Plaza, Tracy

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION PURSUANT TO GOVERNMENT CODE SECTION 54953(e).

During the upcoming Director Public Hearing meeting, public comment will be accepted via the options listed below. All interested persons are invited to participate by:

- *joining the meeting via Microsoft Teams by:*
 - *viewing the Public Hearing Login information at <https://www.cityoftracy.org/government/public-notices>; or*
 - *visiting the Microsoft Teams website at <https://www.microsoft.com/microsoft-teams/join-a-meeting> and using the following Meeting ID: 290 346 096 219 and Passcode: iViHPF; or*
 - *calling the Microsoft Teams teleconference line at (209) 425-4338 Conference ID: 522 109 355# to submit statements orally during the meeting; or*
- *submitting comments in writing before the meeting by sending written statements to publiccomment@cityoftracy.org.*

MEETING AGENDA

CALL TO ORDER

1. PUBLIC HEARING TO CONSIDER (1) APPROVING A DEVELOPMENT REVIEW PERMIT, APPLICATION NUMBER D24-0020, FOR THE INSTALLATION OF TWO SOLAR PANEL CANOPIES AND RELATED SITE IMPROVEMENTS ON A 1.20-ACRE SITE LOCATED AT 1102 N. INTERNATIONAL PARKWAY, ASSESSOR'S PARCEL NUMBER 209-480-05; AND (2) DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15303, PERTAINING TO THE CONSTRUCTION OF NEW, SMALL STRUCTURES.

ADJOURNMENT

Posted: November 14, 2024



DIRECTOR HEARING STAFF REPORT

Item No. 1.A

DATE	November 21, 2024
TITLE	Installation of Two Solar Panel Canopies at Taco Bell
LOCATION	1102 N. International Parkway (APN: 209-480-05)
APPLICATION TYPE	Development Review Permit (D24-0020)
CEQA STATUS	Categorically Exempt CEQA Guidelines Section 15303
PROJECT PLANNER	Martin E. Vargas (209) 831-6438 martin.e.vargas@cityoftracy.org

RECOMMENDATION

Staff recommends that the Community and Economic Development Director (1) approve a Development Review Permit, Application Number D24-0020, for the installation of two solar panel canopies and related site improvements on a 1.20-acre site located at 1102 N. International Parkway, Assessor's Parcel Number 209-480-05; and (2) determine that this project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, pertaining to the construction of new, small structures.

PROJECT DESCRIPTION

The project site is 1.20-acres located at 1102 N. International Parkway, the northeast corner of N. International Parkway and Daylight Road (Attachment A: Location Map). The existing site improvements include a 1,692 square-foot Taco Bell quick-serve restaurant with an indoor dining area, an outdoor covered patio dining area, drive-thru lanes, and related site improvements. The on-site improvements consist of nine parking spaces and new landscaping. The site is designated Commercial in the General Plan and designated General Commercial in the Cordes Ranch Specific Plan (CRSP), which permits quick-serve restaurants, related site improvements such as solar panel canopies, and related uses. A Development Review Permit was previously approved for the quick-serve restaurant and related site improvements on May 21, 2024, by the Community and Economic Development Director (Development Review Application D23-0016).

The proposed project includes the installation of two solar panel canopies at an existing Taco Bell (Attachment B – Site Plan and Elevation). One solar panel canopy is proposed in a T-Frame shape which will be located north of the Taco Bell building and provide shade for seven parking spaces. The T-Frame solar panel canopy is proposed to be approximately 80 feet in length, approximately 22 feet 9 inches in width, and approximately 13 feet 8 inches in height. The second solar panel canopy is proposed in a Y-Frame shape which will be located east of

the Taco Bell building and provide shade for a portion of the drive-thru where it has two lanes converting into one lane. The Y-Frame solar panel canopy is proposed to be approximately 52 feet 10 inches in length, approximately 35 feet in width, and approximately 14 feet 8 inches in height.

The T-Frame solar panel canopy is proposed to have eight light fixtures installed and the Y-Frame solar panel canopy is proposed to have 14 light fixtures installed to enhance lighting and create a sense of safety to the overall site. The main structural members of both solar panel canopies are proposed to be painted and powder coated in a black color to match the existing outdoor awnings of the Taco Bell building.

The solar panel canopies will have the equipment attached near the roof line where the solar panels are located and will be painted black to match the adjacent structural member. The equipment attached consists of inverters on both canopies and an AC solar combiner on the T-Frame solar panel canopy. In addition to the equipment attached to the solar panel canopies, there will be equipment attached to the wall facing west of the Taco Bell building. The equipment on the west wall consists of a solar point of common connection, a main distribution panel, a service main switch, a utility meter, a utility CT cabinet, an AC solar disconnect, and a solar KWH meter which will all be painted black to match the adjacent wall. No other changes to the site are proposed with this project.

California Environmental Quality Act Requirements

The proposed project is Categorical Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, pertaining to the construction of new, small structures. No further environmental assessment is necessary.

ATTACHMENTS

- A – Location Map
- B – Site Plan and Elevation
- C – Community and Economic Development Director Determination
Exhibit 1 – Conditions of Approval

WB FWY 205
EB FWY 205

1102 N. International Parkway
(APN: 209-480-05)

N. International Parkway

Daylight Road

Daylight Road



SITE LOCATION:
TAC BELL
1102 N. INTERNATIONAL PKWY
TRACY, CA 95377

PROJECT NUMBER: SML.24.042

ISSUED FOR CONSTRUCTION: 14 AUGUST 2024
 REVISION A: 26 AUGUST 2024

INDEX OF DRAWINGS
 S-1 COVER SHEET & PANEL PROFILE

REFERENCE DRAWINGS
 SOLAR MOUNTS DRAWINGS 1-15

THE ENGINEER OF RECPD IS NOT RESPONSIBLE FOR DESIGN OR CERTIFICATION OF SOLAR PANELS.

STRUCTURAL DESIGN LOADS
 PHONO SOLAR PS400M6H-18 PANELS
 400W PANELS: 67.8"x44.65"x1.18": 45.8Lbs
 CBC 2022; ASCE 7-16;
 RISK CATEGORY II
 WIND SPEED Vult = 93 MPH
 Vasd = 72 MPH
 WIND EXPOSURE C
 Kh = 0.85
 Kd = 0.85
 Kzt = 1.0 FLAT TERRAIN
 q = 16 psf WIND PRESSURE @ Vult

GROUND SNOW, Pg = 0 psf

ROOF LIVE LOAD = 12 psf

Seismic Criteria:
 Site Class D Stiff Soil
 $S_s = 1.255g$
 $S_1 = 0.433g$
 $S_{ds} = 0.837g$

SPECIFICATIONS

A. STRUCTURAL STEEL

- HSS Sections ASTM A500 Grade C
- W Sections ASTM A992 Gr 50
- Purlins: Shape per Drawings; cold formed steel. ASTM A570 or A607, 80 ksi
- Field welding not allowed, Shop Welding to be E70XX Electrodes, AWS D1.1.
- See Solar Mount, LLC Sheets for bolt sizes
- Paint or Hot Dipped Galvanize all steel except rebar. For painted surfaces, prime & finish paint structural steel to Owner's color selection.

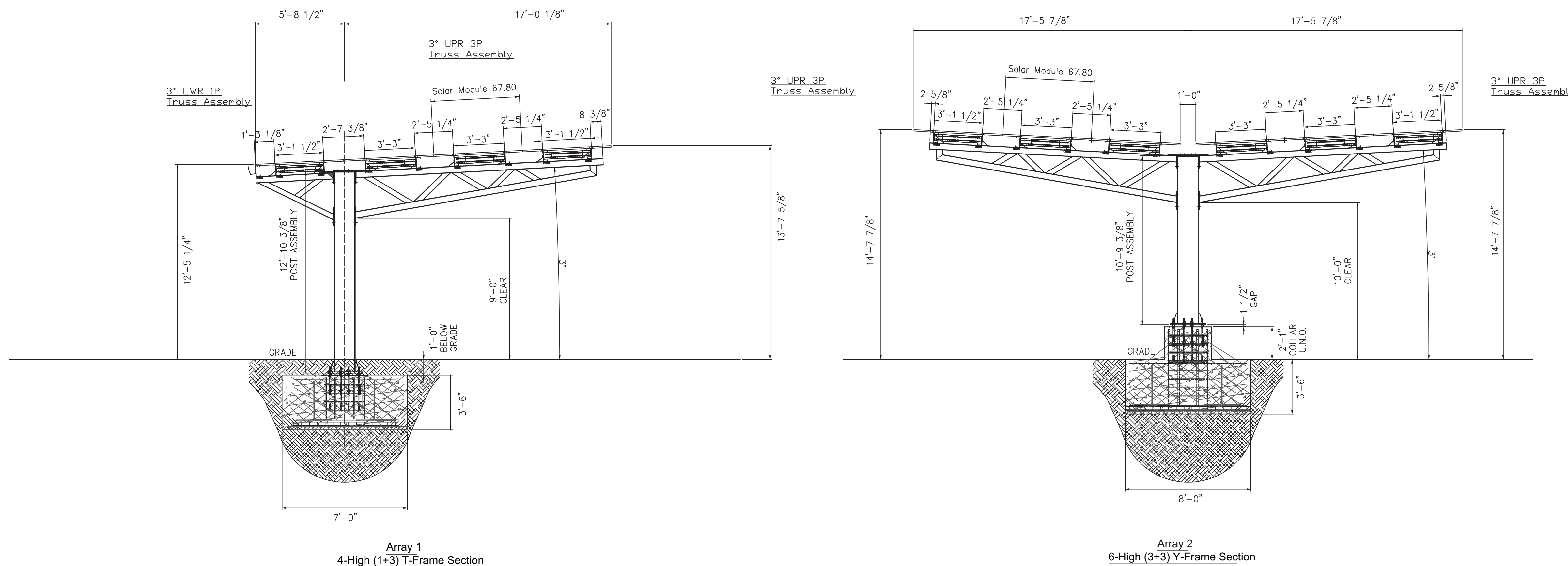
B. GEOTECHNICAL

- Soil vertical bearing capacity = 1,500 psf presumptive per IBC.
- No geotechnical report is available. Foundation design was based on the above parameters.

C. CONCRETE

- Minimum 28 day compressive strength = 5,000 psi
- Maximum water-cement ratio of 0.46
- Reinforcing Steel - Grade 60 bars
- Minimum concrete cover for reinforcing bars shall be 3" min for concrete cast against grade, 1 1/2" all other areas.
- Design Data:
 Maximum aggregate size - 3/4 inch
 Air Content 6% ± 2%
 Maximum Slump 5"

6. Production and placement shall be in accordance with ACI 301. Submit mix design to Engineer of Record for Approval.



REVISIONS			
BY	REV	DESCRIPTION	DATE
JWD	D	ISSUED FOR CONSTRUCTION	8/14/24
JWD	A	GENERAL UPDATES	8/26/24

DAVE POLAND ENGINEERING, LLC
 333 EAST AVENUE
 QUINCY, IL 62301

SOLAR MOUNTS, LLC
 300 WOOLLEY DRIVE
 MARSHALL, MI 49068

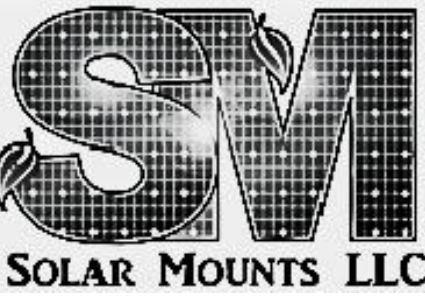
COVER SHEET & PANEL PROFILE			
TACO BELL		TRACY, CA	
SHEET NO. D	SCALE: 1/4" = 1'-0"	DWG NO. SML.24.042	SHEET NO. S-1



SML.24.042

8/14/24

JWD



Phone:
844-757-7225

Address:
300 Woolley Drive
Marshall, MI 49068

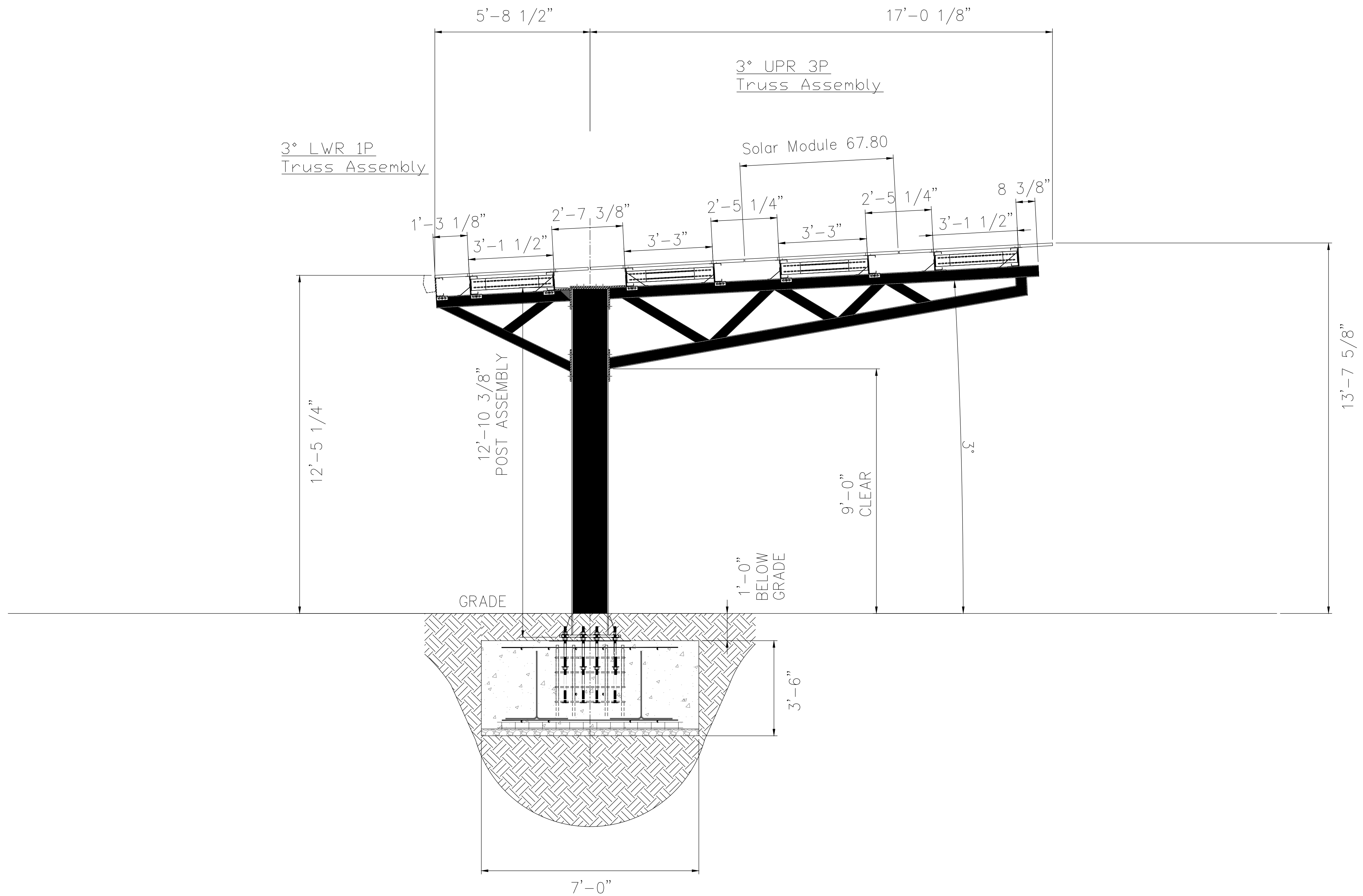
Product:
Solar
Carports

Company:
Solar Mounts LLC.
Project Name / Title:
Taco Bell - Tracy - Carport Standard Details
Location:
1102 N. International Pkwy., Tracy, CA 95377

THE INFORMATION AND DESIGN CONTAINED IN THIS DRAWING(S) IS THE SOLE PROPERTY OF SOLAR MOUNTS LLC. ANY USE OF OR REPRODUCTION OF THE INFORMATION MUST BE THROUGH DIRECT SOLAR MOUNTS LLC CONSENT.

Date:
10/15/2024

Page:
4

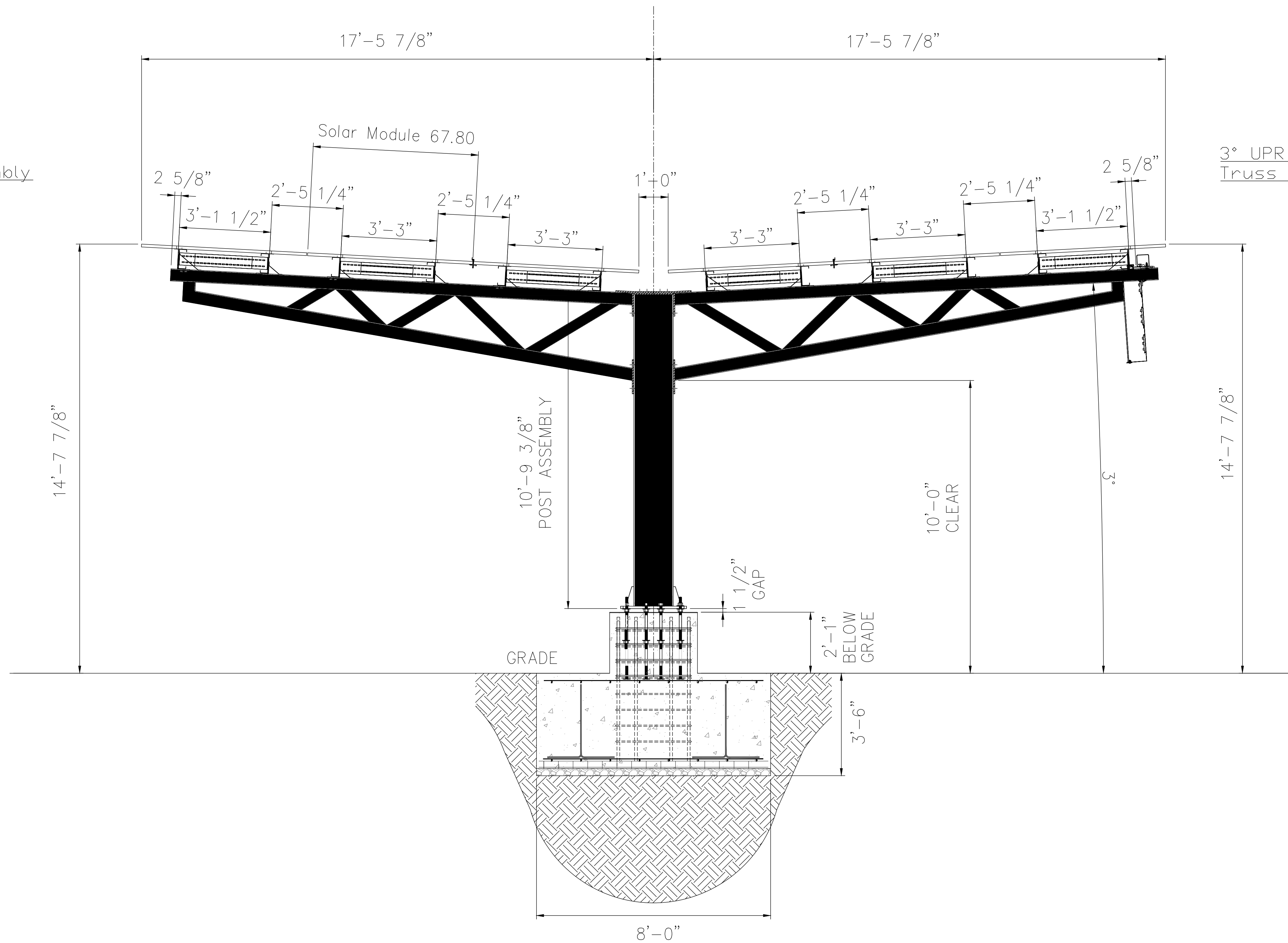


Array 1
4-High (1+3) T-Frame Section
SCALE: 1/2" = 1'-0"

MATERIAL:	Solar Mounts setbacks are received from a third party and not responsible for third party surveys and electrical drawings. All CAD related files are approximations and only to be used as a reference.	INTERPRET GENERIC TOLERANCING PER: ANSI/ASME Y14.5M-1994	SOLAR MOUNTS LLC	
FINISH:		TOLERANCES: UNLESS OTHERWISE SPECIFIED:	TITLE:	
WEIGHT:		ANGULAR: +/- 1°	SIZE: D	PART NUMBER:
DO NOT SCALE DRAWING		X = +/- .025	SCALE:	
		XXX = +/- .005		

3° UPR 3P
Truss Assembly

3° UPR 3P
Truss Assembly



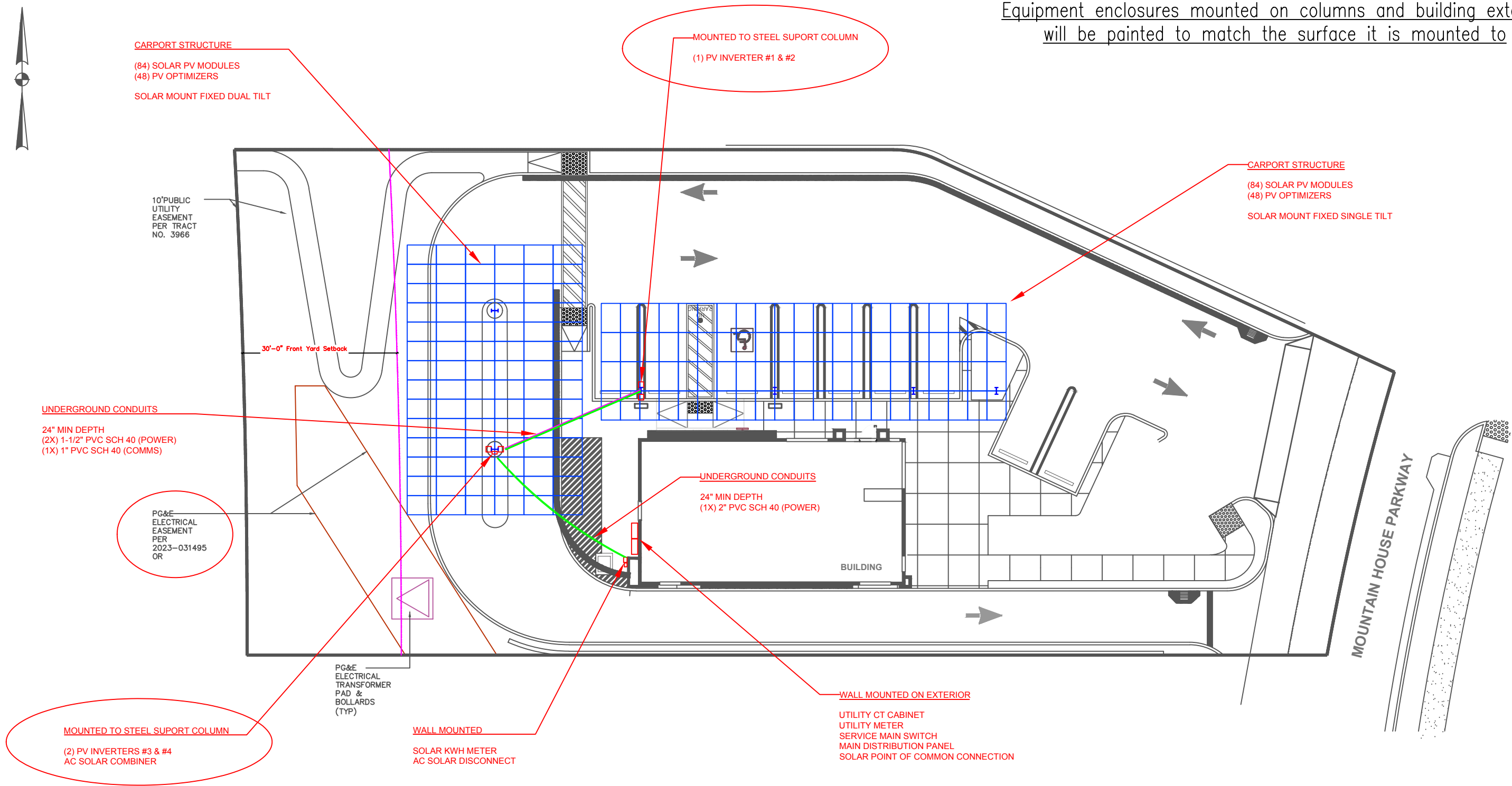
Array 2
6-High (3+3) Y-Frame Section

SCALE: 1/2" = 1'-0"

MATERIAL:	Solar Mounts setbacks are received from a third party and not responsible for third party surveys and electrical drawings. All CAD related files are approximations and only to be used as a reference.	INTERPRET GENERIC TOLERANCING PER: ANSI/ASME Y14.5M-1994	SOLAR MOUNTS LLC	
FINISH:		TOLERANCES: UNLESS OTHERWISE SPECIFIED:	TITLE:	
WEIGHT:		ANGULAR: +/- 1°	SIZE: D	PART NUMBER:
DO NOT SCALE DRAWING		X = +/- .025	SCALE:	
		XXX = +/- .005		



Equipment enclosures mounted on columns and building exterior
will be painted to match the surface it is mounted to



FACILITY NAME & ADDRESS:
 Name: Taco Bell
 Address: 1102 N. International Parkway,
 Tracy, CA 95377

PREPARED FOR:
 Budderfly Inc.
 2 Trap Falls Road, Suite 310
 Shelton, CT 06484
 203.927.9650

DATE: 10/15/2024
 DRAWN BY: NMR

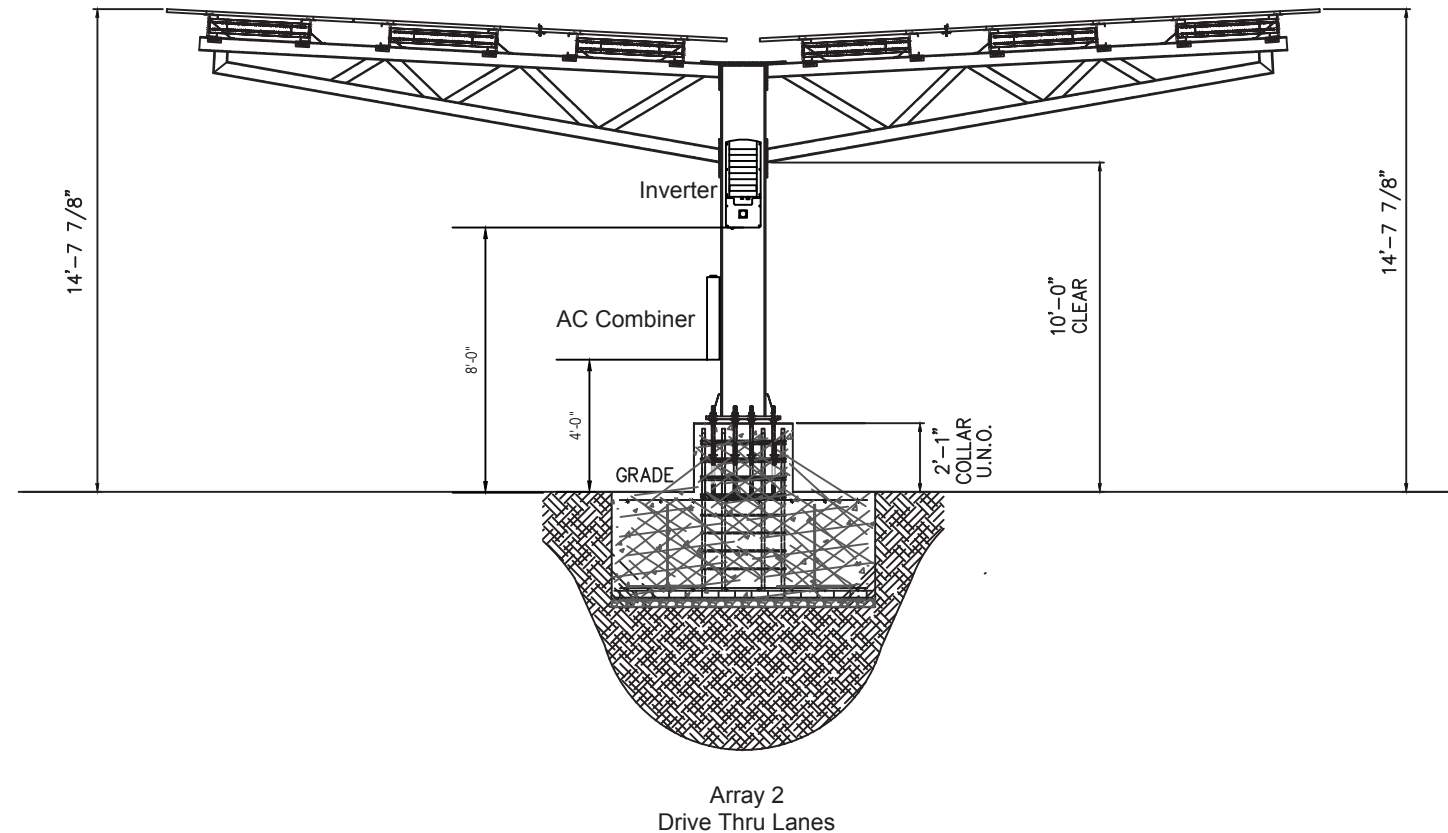
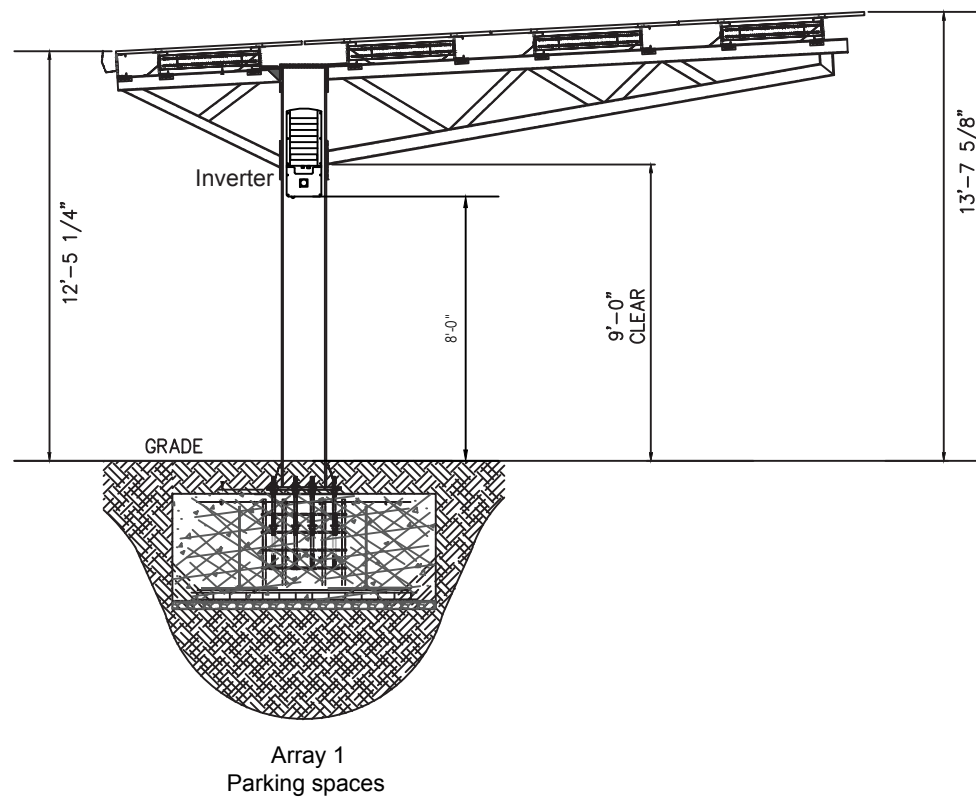
Sunrise Solar Consulting LLC
 25 Adams Ave, Milford CT 06460
 203.710.8605
 4 Revised on: 10.15.2024 Drawn by: NMR

This drawing is the copyrighted property of Sunrise Solar Consulting LLC and has been prepared specifically for this owner, project, and site. This project specific design is the intellectual property of Sunrise Solar Consulting LLC and shall not be used in any form by any individuals or companies other than Sunrise Solar Consulting LLC for negotiations pertaining to this specific project nor for any other purpose, location, project, or owner without the written consent from Sunrise Solar Consulting LLC. Inverters and Balance of System are to be installed such that NEC 2020 and Local building codes and requirements are sustained.

Site Plan
 Grid-Tied PV Installation

AC SOLAR OUTPUT

kW-DC: 67.2
 kW-AC: 40
 Max Current 690.8(A): 111.2 A
 Max Current 690.8(B): 139 A
 Volts: 120 / 208 WYE 3φ 4WIRE



Notes:

1. Photovoltaic system grounding shall be installed per the requirements of sections 690.41 through 690.47 of the national electric code, ANSI/NFPA 70 and is the responsibility of the installer (includes AC grounding, PV grounding, and DC grounding electrode conductor).
2. This system shall comply with the anti-islanding protective IEEE function numbers applying to the inverter system.
3. The photovoltaic system shall comply with the "photovoltaic power systems and the 2020 NEC: suggested standards and practices".
4. Equipment Details: (E)=EXISTING & (N)=NEW
5. Wiring Details: (N)=Neutral & (G)=Equipment Grounding Conductor
6. Photovoltaic system adheres to 2017 NEC 705.42(Exception): A listed interactive inverter shall be permitted to automatically cease exporting power when one of the phases of the source opens and shall not be required to automatically disconnect all ungrounded conductors from the primary source. A listed interactive inverter shall be permitted to automatically or manually resume exporting power to the utility once all phases of the source are restored.

FACILITY NAME & ADDRESS:

Name: Taco Bell
 Address: 1102 N. International Parkway,
 Tracy, CA 95377

PREPARED FOR:

Budderfly Inc.
 2 Trap Falls Road, Suite 310
 Shelton, CT 06484
 203.927.9650

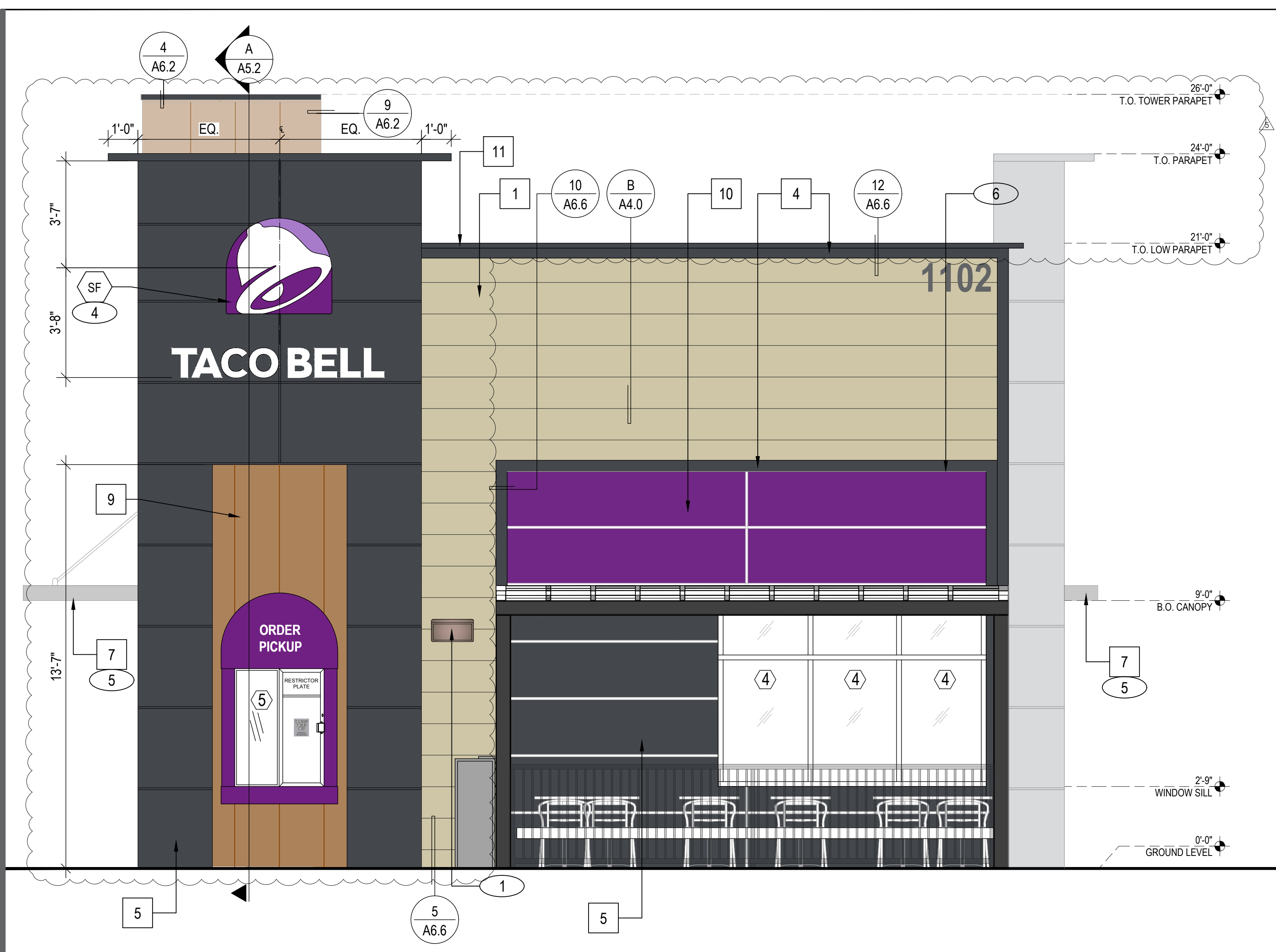
Sunrise Solar Consulting LLC
 25 Adams Ave, Milford CT 06460
 203.710.8605

Revised on: 10.15.2024 Drawn by: NMR

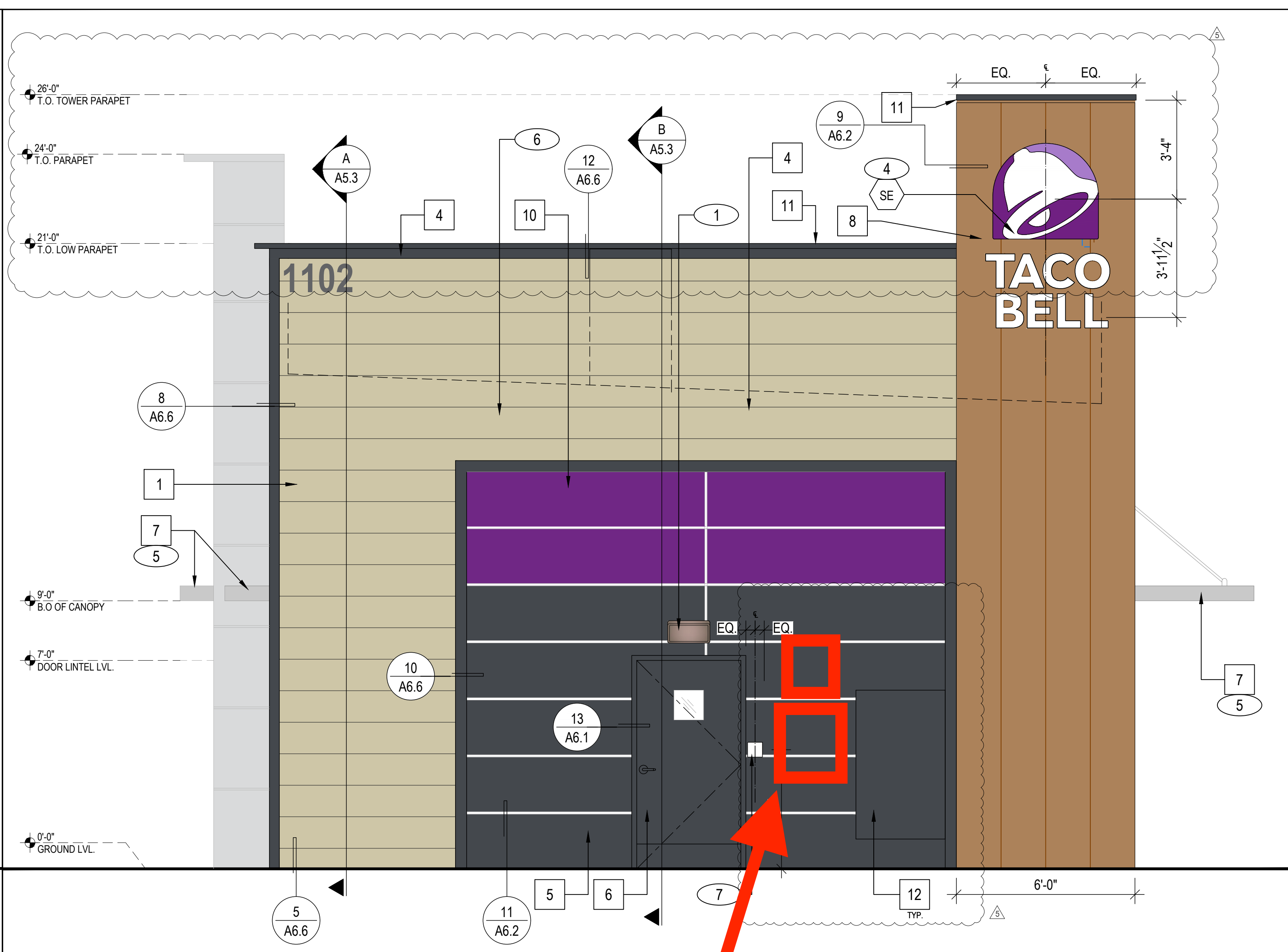
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Equipment Elevation
 Grid-Tied PV Installation

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EAST ELEVATION 3/8" = 1'-0" E



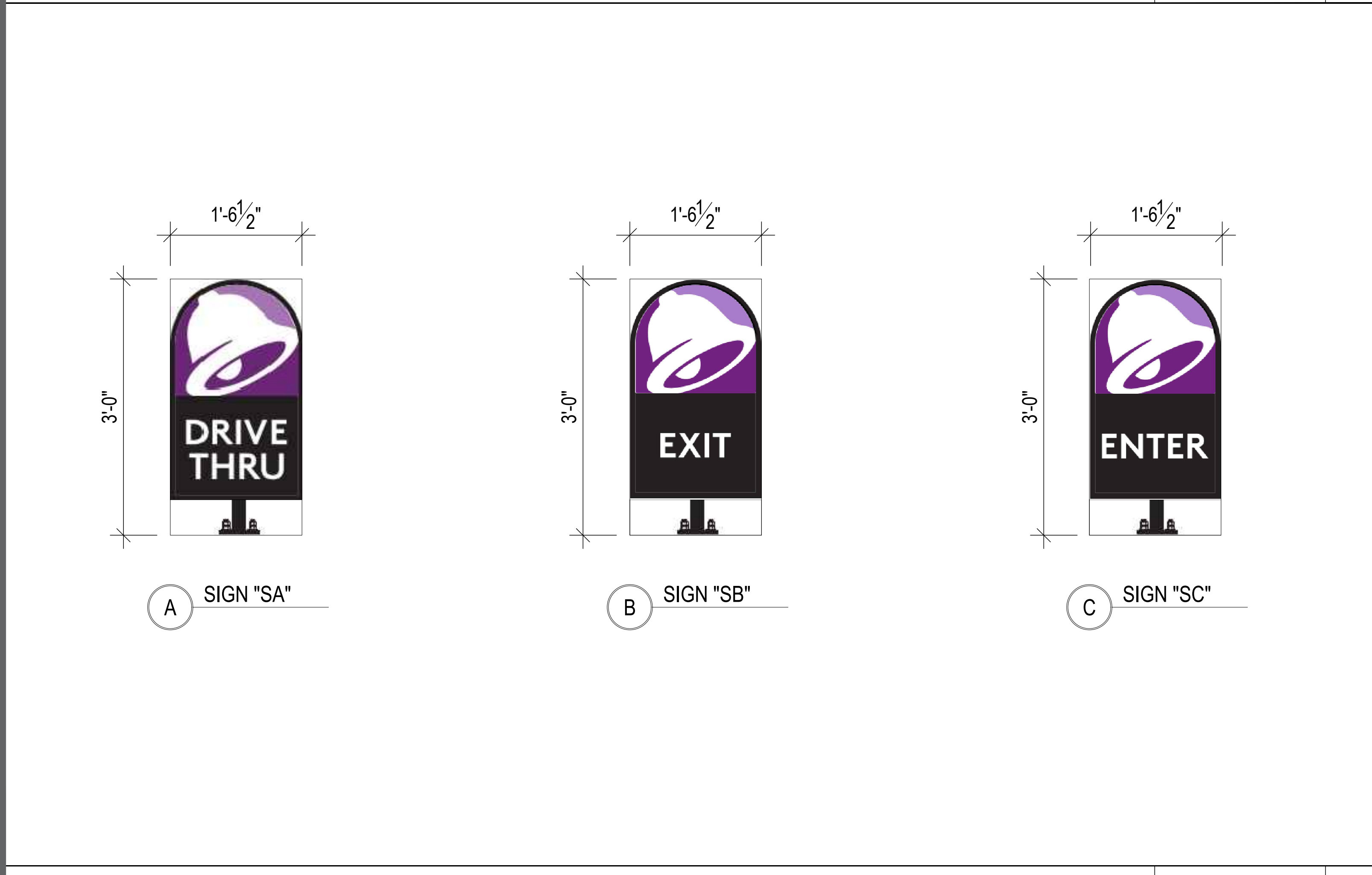
WEST ELEVATION 3/8" = 1'-0" B

SYMBOL	NAME	FAMILY	FRAME OR MURAL	COUNT	SIZE	LOCATION
SD	BELL SYMBOL (LARGE)	BELL SYMBOL		1	36" BELL AREA: 12 SF	A4.0
SE	STACKED LOCK-UP (VERTICAL)	STACKED LOCK-UP		2	36" BELL 2" LETTERS AREA: 17.9 SF	A4.1 & A4.2
SF	VERTICAL LOCK-UP (SMALL)	VERTICAL LOCK-UP		1	30" BELL 10" LETTERS AREA: 12.5 SF	A4.1

PAINTING NOTES:
 APPLICATOR MUST DO THEIR DUE DILIGENCE WITH PREPARATION.
 PRIMER: 1 COAT SW A24W8300
 FINISH: 2 COATS SW A82-100 SERIES, MATCH COLORS FROM MATERIAL SCHEDULE (X/A4.0).
 A-100 EXTERIOR LATER SATIN

- 1 EXTERIOR LIGHT FIXTURE @ 7'-7" BOTTOM. SEE G/A4.0 FOR DETAILS.
- 2 EXTERIOR DECORATIVE SCONCE FIXTURE @ 10'-6"
- 3 PATIO CANOPY. REFER TO SHEET A5.0 FOR DETAILS.
- 4 EXTERIOR BRAND SIGNAGE. REFER TO A8.1 FOR DETAILS. REFER TO D/A4.0 FOR SCHEDULE.
- 5 AWNING OVER WINDOW/DOOR. PLEASE REFER TO B/A4.0 FOR DETAILS.
- 6 PURPLE LIGHT WALL WASHER, PROVIDED BY SIGNAGE VENDOR. SEE B/A4.0 FOR DETAILS.
- 7 CO₂ FILLER VALVE AND COVER.
- 8 HOSE BIBB BOX. REFER TO MEP DRAWINGS FOR DETAILS.
- 9 SAFETY BOLLARDS TO BE PAINTED SW CYPERSPACE TO MATCH BUILDING FACADE
- 10 METAL TRELLIS AND VINES.
- 11 SHOWN HERE FOR REF. ONLY. PLEASE USE BUILDING SECTIONS TO DETERMINE ACTUAL LOCATIONS/SLOPE

Approximate size and location of AC Solar Disconnect Switch and Solar Meter Socket. Enclosures to be painted to match exterior building color.



DIRECTIONAL SIGNAGE-SA/SB/SC 1" = 1'-0" D

SYMBOL	NAME	FAMILY	FRAME OR MURAL	COUNT	SIZE	LOCATION
KEY NOTES						
SIGNAGE SCHEDULE/PAINT NOTES						

SIGNAGE SCHEDULE/PAINT NOTES C **KEY NOTES** A

ARCHITECT:
 KATHRYN CULLEY-RAPATA, AIA
 CA LICENSE NO. C-31564
 CONTACT: KATE CULLEY-RAPATA
 PH: 510-499-5136

STAMP & SEAL:

PROJECT CONSULTANT:

 globateelié
 2041 EAST STREET PMB 475 CONCORD, CA, 94520
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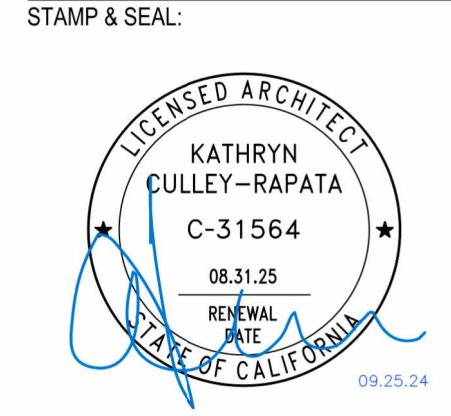
CLIENT:

TACO BELL, TRACY
 1102 N. INTERNATIONAL PARKWAY
 TRACY, CALIFORNIA 95377

PERMIT SET

DATE	REV#	ISSUE
11-01-2023		PERMIT SET
01-17-2024	1	PERMIT SET REV 1
04-15-2024	2	PERMIT SET REV 2
06-25-2024	3	PERMIT SET REV 3
08-02-2024	4	PERMIT SET REV 4
08-23-2024		PERMIT ADDENDUM

DRAWN BY: _____ STAFF
 CHECKED BY: _____ JC
 SHEET TITLE:
EXTERIOR ELEVATION & SIGNAGE DETAILS
 SHEET NUMBER:
A4.1



PROJECT CONSULTANT:



2041 EAST STREET PMB 475 CONCORD, CA, 94520
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PROJECT:
TACO BELL, TRACY
 1102 N. INTERNATIONAL PARKWAY
 TRACY, CALIFORNIA 95377

PERMIT SET

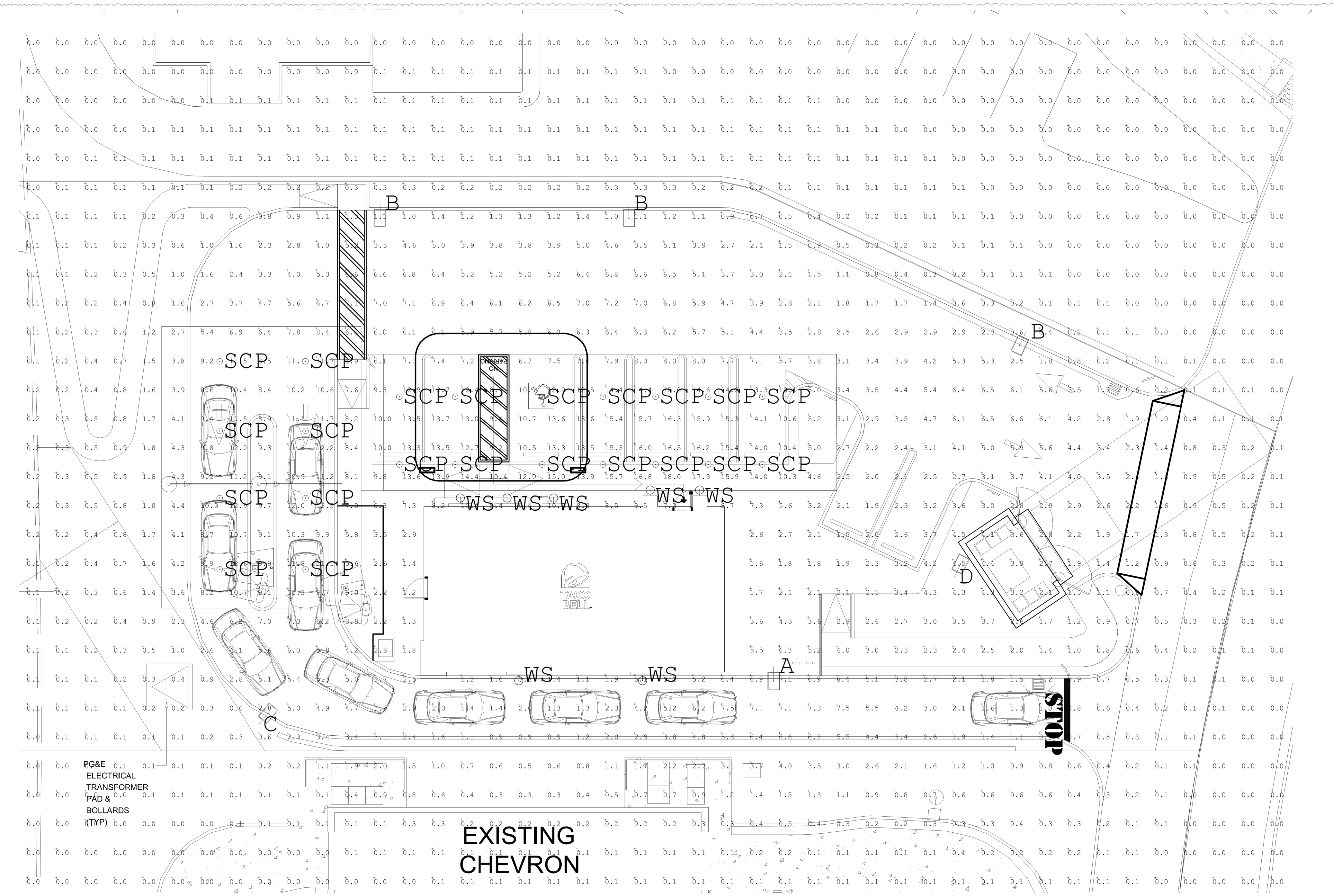
DATE	REV#	ISSUE
11-01-2023		PERMIT SET
01-17-2024		PERMIT SET REV 1
04-15-2024		PERMIT SET REV 2
06-25-2024		PERMIT SET REV 3
08-02-2024		PERMIT SET REV 4
08-23-2024		PERMIT ADDENDUM I
09-25-2024		PERMIT ADDENDUM II

DRAWN BY: STAFF
 CHECKED BY: JC
 SHEET TITLE:

PHOTOMETRICS PLAN

SHEET NUMBER

A9.2



PLEASE NOTE, SOLAR CARPORTS ARE UNDER A SEPARATE PERMIT AND SHOWN HERE FOR REFERENCE ONLY.

Label	Avg	Max	Min	Avg/Min	Max/Min
EXTENDED	2.25	18.0	0.0	N.A.	N.A.
DRIVE-THRU LANE SURFACE	3.68	7.5	0.5	7.36	15.00
PARKING LOT SURFACE	3.72	7.2	0.8	4.65	9.00
SURFACE UNDER CANOPIES	10.30	18.0	2.7	3.81	6.67

LIGHT LEVELS ARE MAINTAINED FOOT-CANDLES, INITIAL LEVELS ARE SLIGHTLY HIGHER

TACO BELL
 1102 N. INTERNATIONAL PKWY.
 TRACY, CA
 SEPTEMBER 24, 2024

ACCUSERV LIGHTING & EQUIPMENT
 877-707-7378
 PREPARED BY: JOHN BUJAKE
 jbujake@accu-serv.com
 QUOTATIONS: AARON HAMPTON
 ahampton@accu-serv.com

Symbol	Qty	Label	Arrangement	Luminaire Lumens	LLF	CCT	Luminaire Watts	Mounting Height	Description
☐	1	A	SINGLE	7560	0.900	4000K	48	12.5	MRM-LED-07L-SIL-2-UNV-DIM-40-70CRI-BRZ / 4SQB3-S11G-10-S-BRZ
☐	3	B	SINGLE	5260	0.900	4000K	48	12.5	MRM-LED-07L-SIL-3-UNV-DIM-40-70CRI-BRZ-IL / 4SQB3-S11G-10-S-BRZ
☐	1	C	SINGLE	4852	0.900	4000K	48	12.5	MRM-LED-07L-SIL-FT-UNV-DIM-40-70CRI-BRZ-IL / 4SQB3-S11G-10-S-BRZ
☐	1	D	SINGLE	7292	0.900	4000K	48	12.5	MRM-LED-07L-SIL-5W-UNV-DIM-40-70CRI-BRZ / 4SQB3-S11G-10-S-BRZ
⊙	22	SCP	Single	2352	0.900	4000K	20.49	9.5	SCP-S-20-LG-VS-4K-WH
⊙	7	WS	SINGLE	779	0.900	4000K	10	8.5, 11	B2772 @ 8.5' & 11' A.F.G.

POLES ARE 10'-0" ON 2'-6" BASES

**CITY OF TRACY
DETERMINATION OF
THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR**

Application Number D24-0020

A determination of the Community and Economic Development Director (1) approving a Development Review Permit, Application Number D24-0020, for the installation of two solar panel canopies and related site improvements on a 1.20-acre site located at 1102 N. International Parkway, Assessor's Parcel Number 209-480-05; and (2) determine that this project is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303, pertaining to the construction of new, small structures.

Staff has reviewed the application and determined that the following City regulations apply:

1. Cordes Ranch Specific Plan (CRSP)
2. Off-Street Parking Requirements (TMC Sec 10.08.3440, Article 26)
3. Development Review (TMC Sec 10.08.3920, Article 30)
4. City Design, Goals and Standards

The Community and Economic Development Director has determined that the project is categorically exempt from the California Environmental Act pursuant to CEQA Guidelines Section 15303 pertaining to the construction of new, small structures,

THE COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR, AFTER CONSIDERING ALL OF THE EVIDENCE PRESENTED, HEREBY APPROVES DEVELOPMENT REVIEW PERMIT APPLICATION NUMBER D24-0020, SUBJECT TO THE CONDITIONS OF APPROVAL CONTAINED IN EXHIBIT 1 AND BASED ON THE FOLLOWING FINDINGS:

1. The proposal increases the quality of the project site and enhances the property in a manner that therefore improves the property, in relation to the surrounding area and the citizens of Tracy. The proposed installation of the two solar panel canopies will be compatible with the architectural character of the Taco Bell quick-serve restaurant on the project site.
2. The proposal conforms to the Cordes Ranch Specific Plan, the City of Tracy General Plan, the Citywide Design Goals and Standards, and other City regulations. The proposed installation of the two solar panel canopies will enhance a sustainable environment by reducing greenhouse gas emissions, improving air quality, and contributing to energy independence.

Forrest Ebbs
Community and Economic Development Director

Date of Action

**CITY OF TRACY
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
CONDITIONS OF APPROVAL**

Installation of Two Solar Panel Canopies at Taco Bell
Development Review Permit, Application Number D24-0020
November 21, 2024

A. General Provisions and Definitions

A.1. General. These Conditions of Approval apply to:

The Project: A Development Review Permit for the installation of two solar panel canopies and related site improvements on a 1.20-acre site located at 1102 N. International Parkway, Assessor's Parcel Number 209-480-05

The Property: The real property located at 1102 N. International Parkway (APN: 209-480-05).

A.2. Definitions.

- a. "Applicant" means any person, or other legal entity, defined as a "Developer".
- b. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed Engineer designated by the City Manager, or the Community and Economic Development Director, or the City Engineer to perform the duties set forth herein.
- c. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan, the Tracy Municipal Code, ordinances, resolutions, policies, procedures, the Cordes Ranch Specific Plan (CRSP), and the City's Design Documents (including the Standard Plans, Standard Specifications, and relevant Public Facility Master Plans).
- d. "Community and Economic Development Director" means the Community and Economic Development Director of the City of Tracy Community and Economic Development Department, or any other person designated by the City Manager or the Community and Economic Development Director to perform the duties set forth herein.
- e. "Conditions of Approval" shall mean the conditions of approval applicable to the Project located at the Property, Application Number D24-0020. The Conditions of Approval shall specifically include all conditions set forth herein.
- f. "Developer" means any person, or other legal entity, who applies to the City to divide or cause to be divided real property within the project boundaries, or who applies to the City to develop or improve any portion of the real property within the Project boundaries. The term "Developer" shall include all successors in interest.

A.3. Compliance with submitted plans. Except as otherwise modified herein, the project shall be constructed in substantial compliance with the project plans received by the Community and Economic Development Department on September 11, 2024, to the satisfaction of the Community and Economic Development Director.

- A.4. Payment of applicable fees. The applicant shall pay all applicable fees for the project, including, but not limited to, development impact fees, building permit fees, plan check fees, grading permit fees, encroachment permit fees, inspection fees, school fees, or any other City or other agency fees or deposits that may be applicable to the project.
- A.5. Compliance with laws. The Developer shall comply with all laws (federal, state, and local) related to the development of real property within the Project, including, but not limited to:
- The Planning and Zoning Law (Government Code sections 65000, et seq.),
 - The California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"),
 - The Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines"),
 - California Building Code, and
 - California Fire Code
- A.6. Compliance with City regulations. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City regulations, including, but not limited to, the Tracy Municipal Code (TMC), Standard Plans, and the City's Design Goals and Standards.
- A.7. Pursuant to Government Code Section 66020, including Section 66020(d)(1), the City hereby notifies the Developer that the 90-day approval period (in which the Developer may protest the imposition of any fees, dedications, reservations, or other exactions imposed on this Project by these Conditions of Approval) has begun on the date of the conditional approval of this Project. If the Developer fails to file a protest within this 90-day period, complying with all of the requirements of Government Code section 66020, the Developer will be legally barred from later challenging any such fees, dedications, reservations, or other exactions.

B. Planning Division Conditions

- B.1. Prior to the issuance of a building permit, all canopy-mounted, wall-mounted and building attached equipment shall be painted to match the color of the adjacent surfaces or otherwise designed in harmony with the exterior of the structures to the satisfaction of the Community and Economic Development Director.
- B.2. Prior to the issuance of a building permit, plans shall be submitted that show all related cables to be enclosed inside the solar panel canopies, to the satisfaction of the Community and Economic Development Director.
- B.3. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City approved Conditions and documents that were previously approved with Development Review Permit, Application Number D23-0016.

C. Building Division Conditions

- C.1. Prior to the installation of both solar panel canopies, the applicant shall submit plans, calculations, specifications, etc. to the Building Safety Division that demonstrate compliance with the current California Code of Federal Regulations at the time of the application.
- C.2. At the time of the Building Permit application submittal, the applicant shall provide plans that demonstrate compliance with the current California Green Building Code Section 5.106.5.4.2.

D. Engineering Division Conditions

D.1. N/A

E. South San Joaquin County Fire Authority (SSJFA) Conditions

E.1. Clarify if the solar array(s) project is within the fire department access road. The current layout on non-scalable plan set looks to have solar array(s) within the required 20-foot fire department access lanes.

E.2. If the solar array(s) project is within the fire department access lane, raise bottom of solar array(s) structure to be a minimum of 13 feet 6 inches of vertical clearance from the finished grade. The fire department access lane shall be unobstructed at 20 feet wide and 13 feet 6 inches of vertical clearance. 2022 California Fire Code 503.2.1.