

NOTICE OF A REGULAR MEETING

Pursuant to Section 54954.2 of the Government Code of the State of California, a Regular meeting of the City of Tracy Planning Commission is hereby called for:

Date/Time: Wednesday, January 23, 2019
7:00 P.M. (or as soon thereafter as possible)

Location: City of Tracy Council Chambers
333 Civic Center Plaza

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Planning Commission on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

REGULAR MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – 12/5/18

DIRECTOR'S REPORT REGARDING THIS AGENDA

ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2015-052 any item not on the agenda brought up by the public at a meeting, shall be automatically referred to staff. If staff is not able to resolve the matter satisfactorily, the member of the public may request a Commission Member to sponsor the item for discussion at a future meeting.*

1. NEW BUSINESS

- A. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF AN AMENDMENT TO THE ELLIS SPECIFIC PLAN FENCE REGULATIONS AND MINIMUM LOT WIDTH REQUIREMENTS. THE APPLICANT IS THE SURLAND COMPANIES. APPLICATION NUMBER SPA19-0001

2. ITEMS FROM THE AUDIENCE

3. DIRECTOR'S REPORT

4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: January 17, 2019

The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in public meetings. Persons requiring assistance or auxiliary aids in order to participate should call City Hall (209-831-6000) at least 24 hours prior to the meeting.

Any materials distributed to the majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Plaza during normal business hours.

**MINUTES
TRACY CITY PLANNING COMMISSION
DECEMBER 5, 2018, 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.

ROLL CALL

Roll Call found Chair Orcutt, Vice Chair Hudson, and Commissioners Kaur and Wood present, Commissioner Gable absent. Also present were: Bill Dean, Assistant Development Services Director; Leticia Ramirez, Assistant City Attorney; Vicki Lombardo, Senior Planner; Scott Claar, Senior Planner; Genevieve Fernandez, Assistant Planner; and Peggy Beeuwsaert, Recording Secretary.

PLEDGE OF ALLEGIANCE

Chair Orcutt led the pledge of allegiance.

MINUTES

Chair Orcutt introduced the Minutes from the October 10, 2018, meeting.

ACTION: It was moved by Vice Chair Hudson, and seconded by Chair Orcutt, that the Planning Commission meeting minutes of October 10, 2018, be approved. A voice vote found those present at the October 10 meeting in favor, 3-0-1-1; passed and so ordered.

DIRECTOR'S REPORT REGARDING THIS AGENDA

Bill Dean stated that two documents had been distributed at the dais prior to the start of the meeting: (1) regarding Agenda Item 1.E, a letter from the appellant withdrawing the appeal, thus rendering a discussion of that item unnecessary; and (2) a revised resolution for Agenda Item 1.A., modifications to which pertained to findings relative to parking requirements, to be discussed during that item. Mr. Dean then informed the Commission that the City Council had approved a one-month leave of absence for Commissioner Gable (for December).

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

- A. PUBLIC HEARING TO APPROVE A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A FITNESS (KICK BOXING) STUDIO FOR AN APPROXIMATELY 3,000 SQUARE FOOT TENANT SPACE WHICH INCLUDES AN INTERIOR REMODEL TO COMBINE TWO EXISTING TENANT SPACES (3232 AND 3234 N. TRACY BOULEVARD) WITHIN AN EXISTING SHOPPING CENTER. THE APPLICANT IS MOISES VILLEGAS; PROPERTY OWNER IS SILVERLAND INVESTMENT, LLC - APPLICATION NUMBER CUP18-0005

Genevieve Federighi presented the staff report. Chair Orcutt opened the public hearing at 7:05 p.m. Applicant Noel Briones spoke. Chair Orcutt closed the public hearing at 7:06 p.m.

ACTION: It was moved by Vice Chair Hudson, and seconded by Commissioner Wood, that the Planning Commission approve Conditional Use Permit Application Number CUP18-0005 to allow a fitness (kick boxing) studio within the Valley Shopping Center located on the southeast corner of N. Tracy Boulevard and W. Clover Road, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated December 5, 2018.

A voice vote found all in favor, 4-0-1-0; passed and so ordered.

- B. PUBLIC HEARING TO CONSIDER APPROVING A CONDITIONAL USE PERMIT AND A DEVELOPMENT REVIEW PERMIT TO ALLOW CONSTRUCTION OF AN APPROXIMATELY 920 SQUARE FOOT PRIVATE COURTYARD FOR OUTDOOR DINING, PARTIES, AND SOCIAL GATHERINGS, INCLUDING LIVE MUSIC AND ENTERTAINMENT, AND AN APPROXIMATELY 260 SQUARE FOOT RESTROOM BUILDING LOCATED BEHIND THE COMMERCIAL BUILDING AT 624 N. CENTRAL AVENUE – APPLICANT IS DALE COSE AND THE PROPERTY OWNER IS DON COSE – APPLICATION NUMBERS CUP18-0002 AND D18-0001

Scott Claar presented the staff report and, along with Bill Dean and Leticia Ramirez, addressed questions from the Commission.

Chair Orcutt opened the public hearing at 7:27 p.m. Applicant Dale Cose spoke and answered questions from the Commission. Robert Tanner spoke. Chair Orcutt closed the public hearing at 7:34 p.m.

The Commissioners discussed the project. Staff addressed additional questions from the Commission.

Chair Orcutt re-opened the public hearing at 7:38 p.m. so that Applicant Cose could address questions from the Commission. Chair Orcutt closed the public hearing at 7:46 p.m., after which staff answered questions from the Commission.

ACTION: It was moved by Vice Chair Hudson, and seconded by Commissioner Kaur, that the Planning Commission approve a Conditional Use Permit and a Development Review Permit to allow construction of an approximately 920 square foot private courtyard for outdoor dining, parties, and social gatherings, including live music and entertainment, and an approximately 260 square foot restroom building located behind the commercial building at 624 N. Central Avenue, Application Numbers CUP18-0002 and D18-0001, subject to the conditions as stated in the Planning Commission Resolution dated December 5, 2018.

A voice vote found all in favor, 4-0-1-0; passed and so ordered.

- C. PUBLIC HEARING TO CONSIDER TIME EXTENSIONS OF A CONDITIONAL USE PERMIT AND A DEVELOPMENT REVIEW PERMIT (APPLICATION NUMBERS CUP15-0005 AND D15-0012) FOR A 40-UNIT RESIDENTIAL APARTMENT PROJECT (GRANT LINE APARTMENTS), INCLUDING ASSOCIATED AMENITIES,

PARKING, AND LANDSCAPING IMPROVEMENTS ON APPROXIMATELY 1.66 ACRES LOCATED AT 321 E. GRANT LINE ROAD (APN 214-320-83). APPLICANT IS ROBERT HARRIS AND PROPERTY OWNER IS JAMES TONG, INC. – APPLICATION NUMBER EXT18-0007

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

Chair Orcutt opened the public hearing at 7:48 p.m. Bob Harris, representing property owner James Tong, spoke. Chair Orcutt closed the public hearing at 7:51 p.m.

ACTION: It was moved by Commissioner Kaur, and seconded by Vice Chair Hudson, that the Planning Commission approve the time extension of the Conditional Use Permit and Development Review Permit (Application Numbers CUP15-0005 and D15-0012) to June 6, 2020 to allow the establishment of a 40-unit residential apartment complex and associated site improvements, including parking, laundry facility, landscaping and fencing improvements at 321 E. Grant Line Road, subject to the conditions and based on the findings contained in the Planning Commission Resolution dated December 5, 2018.

A voice vote found all in favor, 4-0-1-0; passed and so ordered.

D. PUBLIC HEARING TO CONSIDER AN APPLICATION FOR AN EXTENSION OF THE ROCKING HORSE VESTING TENTATIVE SUBDIVISION MAP FOR 226 LOTS TO APRIL 5, 2021. THE PROJECT IS LOCATED ON THE EAST SIDE OF LAMMERS ROAD NORTH OF REDBRIDGE ROAD, ASSESSOR'S PARCEL NUMBERS 240-060-26 AND 240-060-27. THE APPLICANT AND PROPERTY OWNER IS CALANDEV, LLC - APPLICATION NUMBER EXT18-0003

Vicki Lombardo presented the staff report and, along with Bill Dean, addressed questions from the Commission.

Chair Orcutt opened the public hearing at 7:57 p.m. As no one came forward, Chair Orcutt closed the public hearing.

ACTION: It was moved by Commissioner Kaur, and seconded by Vice Chair Hudson, that the Planning Commission approve Application Number EXT18-0003 to extend the life of the Vesting Tentative Subdivision Map, Application Number TSM15-0001, to April 5, 2021 based on the findings contained in the Planning Commission Resolution dated December 5, 2018.

A voice vote found all in favor, 4-0-1-0; passed and so ordered.

E. PUBLIC HEARING TO CONSIDER AN APPEAL OF THE APPROVAL OF DEVELOPMENT REVIEW PERMIT APPLICATION NUMBER D17-0022. THE PERMIT APPROVAL INCLUDED THREE INDUSTRIAL BUILDINGS TOTALING APPROXIMATELY 1,484,097 SQUARE FEET AND A TEMPORARY RETENTION BASIN, TRUCK LOADING AREAS, AND RELATED PARKING, LANDSCAPING, AND STORMWATER TREATMENT IMPROVEMENTS ON AN APPROXIMATELY 75.14-ACRE SITE LOCATED AT THE SOUTHEAST CORNER OF GRANT LINE

ROAD AND SKYLARK WAY, ASSESSOR'S PARCEL NUMBER 250-020-93.
APPELLANT IS LOZEAU DRURY, LLP AND PERMIT HOLDER/OWNER IS
MAJESTIC LIVERMORE PARTNERS, LLC. - APPLICATION NUMBER APL18-0003

This item was not discussed due to a withdrawal of the appeal by the appellant (see "Director's Report Regarding this Agenda" on Page 1).

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

Bill Dean advised the Commission that there may be items for the December 19 meeting, adding that staff will keep the Commission informed. Mr. Dean then thanked the Commissioners for a fantastic year and wished them a great holiday season.

4. ITEMS FROM THE COMMISSION

Vice Chair Hudson wished the staff happy holidays and stated that it has been a great year working with everyone. Chair Orcutt echoed his sentiments and thanked staff for their great work.

5. ADJOURNMENT

It was moved by Chair Orcutt, and seconded by Vice Chair Hudson, to adjourn. Voice vote found all in favor; passed and so ordered.

Time: 8:00 p.m.

CHAIR

STAFF LIAISON

ATTACHMENTS:

- Revised resolution for Agenda Item 1.A., modifications to which pertain to findings relative to parking requirements.
- Letter from Appellant withdrawing appeal (Agenda Item 1.E).

REVISED

RESOLUTION 2018-_____

APPROVING A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A FITNESS (KICK BOXING) STUDIO FOR AN APPROXIMATELY 3,000 SQUARE FOOT TENANT SPACE WHICH INCLUDES AN INTERIOR REMODEL TO COMBINE TWO EXISTING TENANT SPACES (3232 AND 3234 N. TRACY BOULEVARD) WITHIN AN EXISTING SHOPPING CENTER. THE APPLICANT IS MOISES VILLEGAS; PROPERTY OWNER IS SILVERLAND INVESTMENT, LLC. – APPLICATION NUMBER CUP18-0005

WHEREAS, Moises Villegas of I Love Kick Boxing submitted an application for a Conditional Use Permit to allow a fitness (kick boxing) studio at the Valley Shopping Center on the southeast corner of N. Tracy Boulevard and W. Clover Road on September 27, 2018, and

WHEREAS, The subject property is zoned Community Shopping (CS), where a fitness studio is classified in Use Group 33 (Specialized Recreational and Instructional Uses in Dance, Athletics, Arts and Self Defense) of Tracy Municipal Code Section 10.08.1080, and is conditionally permitted, and

WHEREAS, In accordance with Section 10.08.4250 of the Tracy Municipal Code, the Planning Commission is empowered to grant or to deny applications for Conditional Use Permits and to impose reasonable conditions upon the granting of use permits, and

WHEREAS, The project is categorically exempt from the California Environmental Quality Act requirements under Guidelines Section 15301 pertaining to interior alterations of existing facilities, and

WHEREAS, The Planning Commission held a public meeting to review and consider the Conditional Use Permit application on December 5, 2018;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the City of Tracy does hereby approve the Conditional Use Permit to allow uses classified in Use Group 33 (Specialized Recreational and Instructional Uses in Dance, Athletics, Arts and Self Defense) at the Valley Shopping Center located at the southeast corner of N. Tracy Boulevard and W. Clover Road, based on the following findings and subject to the conditions as stated in Exhibit "1" attached and made part hereof:

1. There are circumstances or conditions applicable to the land, structure, or use that make the granting of a use permit necessary for the preservation and enjoyment of a substantial property right because specialized recreational and instructional uses in dance, athletics, arts and self defense could provide such instructional recreational amenities for the community, benefiting participants and supporting the existing shopping center with uses that should not create significant impacts on the surrounding commercial businesses.
2. The proposed location of the conditional use is in accordance with the objectives of the Zoning Ordinance and the purposes of the Community Shopping zone in which the site is located because the zone allows specialized recreational and instructional uses in dance, athletics, arts and self defense upon approval of a Conditional Use Permit, and the proposed project has complied with the procedural requirements of obtaining a Conditional Use Permit and will comply with the Conditions of Approval and with all improvement and operational requirements of the Tracy Municipal Code, including providing required

Resolution 2018-_____
December 5, 2018
Page 2

parking consistent with the Planning Commission’s previous determination regarding parking requirements for fitness studios.

- 3. The proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to, or inharmonious with, properties or improvements in the vicinity because future specialized recreational and instructional uses in dance, athletics, arts and self defense will be compatible with existing commercial uses on-site, will operate wholly indoors, and will not significantly impact nearby businesses with respect to noise, traffic, parking, or other related areas of conflict.
- 4. The proposed project is in compliance with Chapter 10.08 of the Tracy Municipal Code, because subject to approval by the Planning Commission for a Conditional Use Permit, the proposed project will be required to comply with all applicable provisions including, but not limited to, the Tracy Municipal Code, the California Building Code, the City of Tracy Standard Plans, and the California Fire Code.

* * * * *

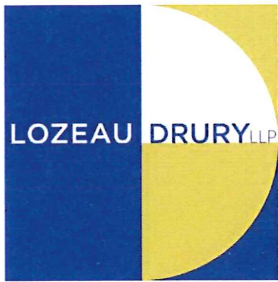
The foregoing Resolution 2018-_____ was adopted by the Tracy Planning Commission on the 5th day of December, 2018, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAIN:	COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON



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December 4, 2018

By E-mail – Hard Copy to Follow

Andrew Malik
Secretary of the Planning Commission &
Director of the Development Services Department
Kimberly Matlock, Planner
City of Tracy
Department of Development Services
333 Civic Center Plaza
Tracy, CA 95376
Kimberly.Matlock@ci.tracy.ca.us
des@cityoftracy.org

**RE: Withdrawal of Appeal of Determination of the Assistant City Manager
Approving Application No. D17-0022 for the Majestic Tracy Distribution
Center on APN 250-020-93.**

Dear Mr. Malik and Ms. Matlock:

I am writing on behalf of the Laborers' International Union of North America, Local Union No. 73 ("LIUNA"). LIUNA hereby withdraws its appeal, filed on November 13, 2018, requesting review by the Planning Commission of the October 30, 2018 Determination of the Assistant City Manager on behalf of the Development Services Department Director approving the Development Review Permit application for Project D17-0022, aka Majestic Tracy Distribution Center, Assessor's Parcel Number 250-020-93 ("Project"). If you could please confirm that the appeal has been withdrawn would be appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Michael R. Lozeau".

Michael R. Lozeau

AGENDA ITEM 1.A

REQUEST

PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF AN AMENDMENT TO THE ELLIS SPECIFIC PLAN FENCE REGULATIONS AND MINIMUM LOT WIDTH REQUIREMENTS. THE APPLICANT IS THE SURLAND COMPANIES. APPLICATION NUMBER SPA19-0001

DISCUSSION

The Ellis Specific Plan was approved by the City Council on January 22, 2013 and amended by the City Council on May 17, 2016 and March 13, 2018. The Ellis Specific Plan serves as the zoning regulations for the approximately 321-acre site known as Ellis, which is located in the vicinity of Ellis Town Drive between Corral Hollow Road and Lammers Road.

On January 11, 2019, The Surland Companies submitted an application for an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements (Attachment A: Proposed Amendment to the Ellis Specific Plan). Amendments to Specific Plans are common, especially in the early stages of project implementation.

The fence regulations within the Ellis Specific Plan are different from and more restrictive than those for the rest of the city, which was the developer's design intent throughout the lengthy development of the Ellis Specific Plan design standards. The proposed amendment is primarily related to corner lots, or more specifically, the street side yard of corner lots. A street side yard is the area between the side of a house and a street side property line, as opposed to the front yard, which is between the front of a house and the front property line. For clarification purposes, specific definitions for each yard type (i.e. front, side, street-side, and rear) are included in the proposed amendment.

For the street side yard of corner lots, the Ellis Specific Plan allows a 6 to 8-foot high fence to be placed only in the rear half of a lot. The current language in the Ellis Specific Plan does not make it clear whether a 3-foot high fence is permitted in the front half of a lot for street side yards. The proposed amendment is intended to clarify that a 3-foot high fence may be installed in the front half of a lot in the street side yard of a corner lot, similar to what is allowed for a front yard fence. Attachment B shows a conceptual fencing layout, which depicts the fence heights and fence locations that would be permitted by the proposed amendment.

Over the past year or more of construction at Ellis, the homebuilder (Lennar Homes) has installed approximately five fences in the wrong location on corner lots. Each of those cases involves a 6-foot high fence being placed in the front half of a lot in a street side yard. Some of the homeowners in these cases have expressed an interest in having a 3-foot high fence in the location of the existing 6-foot high fence. This proposed amendment would clarify that a 3-foot high fence is permitted.

The City issued a violation notice for one of the lots in August 2018. The City's code enforcement case has been placed on hold while this proposed amendment to the Ellis Specific Plan is being processed. Lennar Homes has committed to modifying the fences

with acceptance by the homeowners, once the Planning Commission and City Council have taken action on the proposed amendment.

The proposed amendment would also establish that fences must be set back a minimum distance of 2 feet from the front property line. The existing requirement in the Ellis Specific Plan that fences be set back 5 feet minimum from a street side property line would remain.

Additionally, the proposed amendment to the Ellis Specific Plan would modify the minimum lot width for the Residential Mixed Zone (for front loaded lots, detached) from 50 feet to 45 feet. A 45-foot minimum lot width is the same as established for the Tracy Hills Specific Plan.

Environmental Document

The proposed amendment to the Ellis Specific Plan is not a project within the meaning of the California Environmental Quality Act because it does not have the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)). Therefore, no further environmental assessment is required.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council approve an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, as specified in the Planning Commission Resolution dated January 23, 2019 (Attachment C: Planning Commission Resolution).

RECOMMENDED MOTION

The Planning Commission recommends that the City Council approve an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, as specified in the Planning Commission Resolution dated January 23, 2019.

Prepared by: Scott Claar, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

- A: Proposed Amendment to the Ellis Specific Plan
- B: Conceptual Fencing Layout
- C: Planning Commission Resolution

ELLIS SPECIFIC PLAN / PATTERN BOOK AMENDMENT
January 23, 2019

Ellis Specific Plan Amendment

Amend the first sentence of Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan to read as follows:

“Fences shall meet all requirements of the Tracy Municipal Code, except as otherwise specified in this section or Appendix A: Ellis Pattern Book.”

Delete the following statement from Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan:

“The permitted maximum height within any required front yard shall be no greater than three feet measured vertically from the top of the fence to the grade of the sidewalk nearest the property line.”

Ellis Pattern Book Amendment

All fence requirements and fence setbacks shown on Pages 2/8, 2/12, 2/16, 2/20, 2/24, 2/28, 2/32, 2/36, 2/40, 2/44, 2/48, 2/52, 2/56, 2/60, 2/61c, and 2/61g of the Ellis Pattern Book shall be amended to read as follows:

“FENCE REQUIREMENTS

>> Maximum height of a fence in the front yard: 3 feet

Note: For the purposes of this section, “front yard” means the area extending across the full width of a lot between the front façade of a house and the front lot line.

>> Maximum height of a fence in a side yard or rear yard: 8 feet (6 feet if located in a public utility easement)

Note: For the purposes of this section, “side yard” means the area extending from the rear line of the front yard to the front line of the rear yard, between a side façade of a house and a non-street side lot line. “Rear yard” means the area extending across the full width of a lot between the rear façade of a house and the rear lot line.

>> Maximum height of a fence in a street side yard in the rear half of a lot: 8 feet (6 feet if located in a public utility easement)

Note: For the purposes of this section, “street side yard” means the area extending from the rear line of the front yard to the front line of the rear yard, between the street side façade of a house and the street side lot line on corner lots.

>> Maximum height of a fence in a street side yard in the front half of a lot: 3 feet, except that a 6 to 8-foot high fence may extend from the rear half of a lot into the front half of a lot as far as necessary to abut the fence with any point on the rear half of a house.

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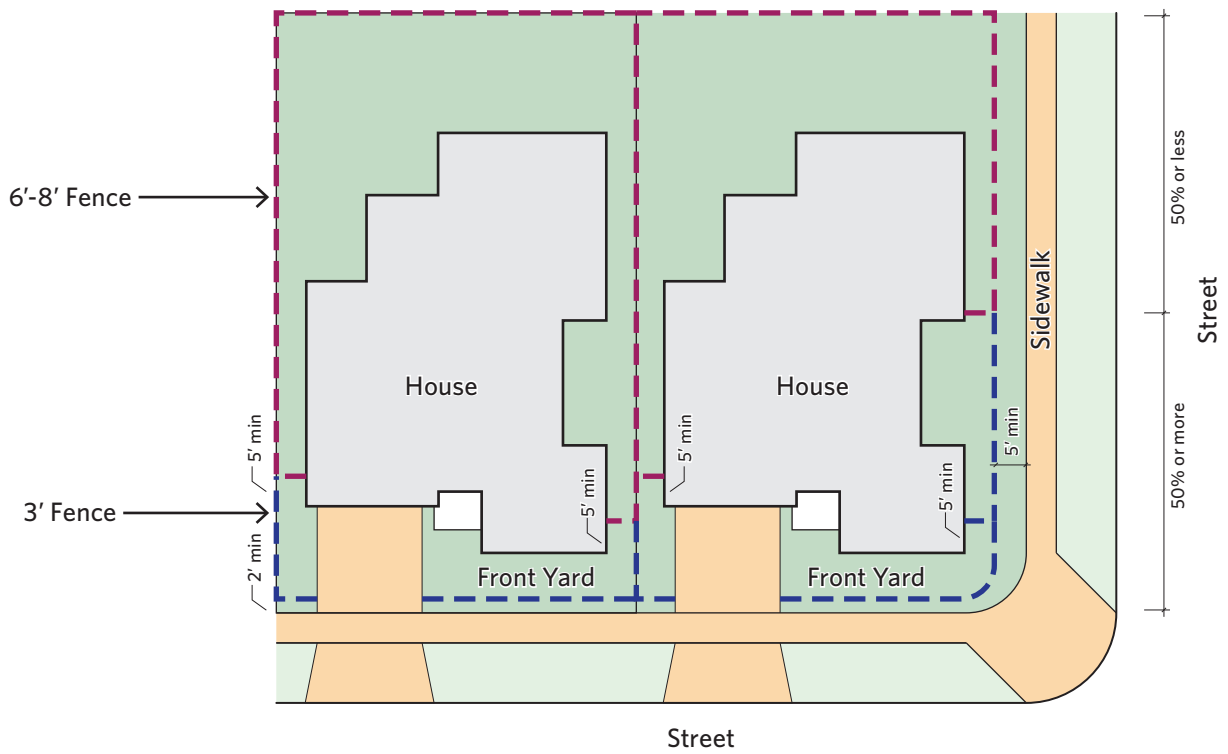
>> Any fence of 6 feet in height or greater that is facing a public street or public space shall be constructed with a lattice design for a minimum of the top 1 foot of the fence height.

FENCE SETBACKS

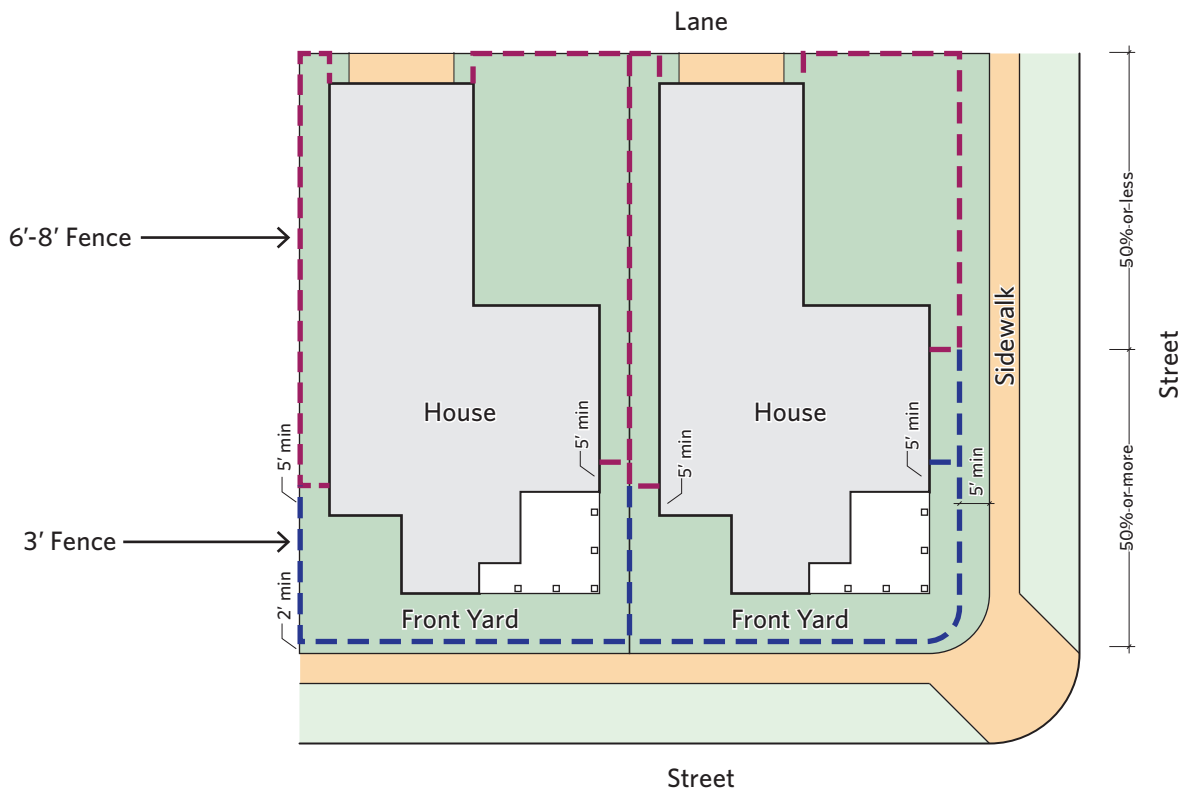
- >> 2 feet minimum from the front lot line
- >> 5 feet minimum from a street side lot line
- >> 0 feet minimum from a non-street side lot line
- >> 0 feet minimum from the rear lot line
- >> Where any fence abuts a house, the fence must be setback a minimum distance of 5 feet from the front façade of the house (porch excluded)”

Residential Development Standards, Lot Width for Residential Mixed (Front Loaded Lots, Detached), shown on Page 2/74 of the Ellis Pattern Book shall be amended to read as follows:

“45 ft. min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35 feet at the front property line.”



Front-Loaded



Rear-Loaded

RESOLUTION 2019-_____

RECOMMENDING THAT THE CITY COUNCIL APPROVE AN AMENDMENT TO THE ELLIS SPECIFIC PLAN FENCE REGULATIONS AND MINIMUM LOT WIDTH REQUIREMENTS, APPLICATION NUMBER SPA19-0001

WHEREAS, The Ellis Specific Plan was approved by the City Council on January 22, 2013 and amended by the City Council on May 17, 2016 and March 13, 2018; and

WHEREAS, The Ellis Specific Plan serves as the zoning regulations for the approximately 321-acre site known as Ellis, which is located in the vicinity of Ellis Town Drive between Corral Hollow Road and Lammers Road; and

WHEREAS, On January 11, 2019, The Surland Companies submitted an application for an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements (Application Number SPA19-0001); and

WHEREAS, The proposed amendment is primarily intended to clarify that a 3-foot high fence may be installed in the front half of a lot in the street side yard of a corner lot, similar to what is allowed for a front yard fence; and

WHEREAS, The proposed amendment would also establish that fences must be set back two feet minimum from the front property line; and

WHEREAS, The proposed amendment would modify the minimum lot width for the Residential Mixed Zone (for front loaded lots, detached) from 50 feet to 45 feet; and

WHEREAS, The proposed amendment to the Ellis Specific Plan is not a project within the meaning of the California Environmental Quality Act because it does not have the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b)). Therefore, no further environmental assessment is required; and

WHEREAS, On January 23, 2019, the Planning Commission conducted a duly noticed public hearing to consider the proposed amendment to the Ellis Specific Plan;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission recommends that the City Council approve an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, Application Number SPA19-0001, as specified in the attached Exhibit "1".

The foregoing Resolution 2019-_____ was passed and adopted by the Planning Commission of the City of Tracy on the 23rd day of January, 2019, by the following vote:

AYES:	COMMISSION MEMBERS:
NOES:	COMMISSION MEMBERS:
ABSENT:	COMMISSION MEMBERS:
ABSTAIN:	COMMISSION MEMBERS:

CHAIR

ATTEST:

STAFF LIAISON

ELLIS SPECIFIC PLAN / PATTERN BOOK AMENDMENT
January 23, 2019

Ellis Specific Plan Amendment

Amend the first sentence of Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan to read as follows:

“Fences shall meet all requirements of the Tracy Municipal Code, except as otherwise specified in this section or Appendix A: Ellis Pattern Book.”

Delete the following statement from Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan:

“The permitted maximum height within any required front yard shall be no greater than three feet measured vertically from the top of the fence to the grade of the sidewalk nearest the property line.”

Ellis Pattern Book Amendment

All fence requirements and fence setbacks shown on Pages 2/8, 2/12, 2/16, 2/20, 2/24, 2/28, 2/32, 2/36, 2/40, 2/44, 2/48, 2/52, 2/56, 2/60, 2/61c, and 2/61g of the Ellis Pattern Book shall be amended to read as follows:

“FENCE REQUIREMENTS

>> Maximum height of a fence in the front yard: 3 feet

Note: For the purposes of this section, “front yard” means the area extending across the full width of a lot between the front façade of a house and the front lot line.

>> Maximum height of a fence in a side yard or rear yard: 8 feet (6 feet if located in a public utility easement)

Note: For the purposes of this section, “side yard” means the area extending from the rear line of the front yard to the front line of the rear yard, between a side façade of a house and a non-street side lot line. “Rear yard” means the area extending across the full width of a lot between the rear façade of a house and the rear lot line.

>> Maximum height of a fence in a street side yard in the rear half of a lot: 8 feet (6 feet if located in a public utility easement)

Note: For the purposes of this section, “street side yard” means the area extending from the rear line of the front yard to the front line of the rear yard, between the street side façade of a house and the street side lot line on corner lots.

>> Maximum height of a fence in a street side yard in the front half of a lot: 3 feet, except that a 6 to 8-foot high fence may extend from the rear half of a lot into the front half of a lot as far as necessary to abut the fence with any point on the rear half of a house.

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>> Any fence of 6 feet in height or greater that is facing a public street or public space shall be constructed with a lattice design for a minimum of the top 1 foot of the fence height.

FENCE SETBACKS

- >> 2 feet minimum from the front lot line
- >> 5 feet minimum from a street side lot line
- >> 0 feet minimum from a non-street side lot line
- >> 0 feet minimum from the rear lot line
- >> Where any fence abuts a house, the fence must be setback a minimum distance of 5 feet from the front façade of the house (porch excluded)”

Residential Development Standards, Lot Width for Residential Mixed (Front Loaded Lots, Detached), shown on Page 2/74 of the Ellis Pattern Book shall be amended to read as follows:

“45 ft. min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35 feet at the front property line.”