

City of Tracy



Think Inside the Triangle™

INDUSTRIAL AREAS SPECIFIC PLAN

WITH AMENDMENTS:

18-88-ZA	Reso 89-375	Mining as Conditional Use
16-89-GPA	Reso 89-523	Yellow Freight Land Use Change
10-90-GPA	Reso 91-037	Ground Fuel Storage Tanks
5-96-GPA	Reso 97-090	
3-94-GPA	Reso 98-036	Re-Designate Land Use
4-98-SPA	Reso 99-050	Residential Uses
6-98-SPA	Reso 99-110	Commercial Uses
1-03-SPA	Reso 2003-268	Places of Assembly
1-06-SPA	Reso 2007-186	Flex Office & Supporting Retail
1-07-SPA	Reso 2007-266	Red Maple Village

**TRACY INDUSTRIAL AREAS
SPECIFIC PLAN**

Prepared for the
City of Tracy

by
EDAW, Inc.

In Association With
Wilsey & Ham
DKS Associates

June 1988

RESOLUTION NO. 88-213

MAKING FINDINGS RELATIVE TO AND APPROVING
THE INDUSTRIAL AREAS SPECIFIC PLAN FOR THE CITY OF TRACY

WHEREAS, Sections 65450 through 65457 of the California Government Code authorizes the preparation of Specific Plans for the systematic implementation of the General Plan for all or part of the area covered by the General Plan, and

WHEREAS, The General Plan, adopted by the Tracy City Council on December 7, 1982, included implementing policies number 3-2, 18-5, and 19-1, refer to the use of the Specific Planning process to implement the goals of the General Plan, and

WHEREAS, The Industrial Areas Specific Plan implements many of the policies of the General Plan and acts as an amendment to the policies text and map of the General Plan, and

WHEREAS, The City Council, in cooperation with the landowners of the area in the Specific Plan, contracted with EDAA, Inc., Planning Consultants, for the preparation of a Industrial Areas Specific Plan to implement the General Plan in more detail in this area, and

WHEREAS, The City Council and Planning Commission of the City of Tracy jointly met to consider alternatives and issues for the Industrial Areas Specific Plan and the joint Council/Commission Meeting was duly noticed in the Tracy Press, and

WHEREAS, The Tracy Industrial Areas Specific Plan and accompanying General Plan Amendment and Master Environmental Impact Report were considered by the Tracy Planning Commission at a duly noticed public hearing on June 1, 1988, and

WHEREAS, Testimony was taken at said public hearings and amendments were made to the Specific Plan, and

WHEREAS, On June 1, 1988, the Planning Commission recommended that the Master Environmental Impact Report be certified and approved by the City Council, and

WHEREAS, The City Council of the City of Tracy held a duly noticed public hearing on June 21, 1988, to consider said Tracy Industrial Areas Specific Plan accompanying General Plan Amendment and Master EIR and

WHEREAS, All parties wishing to be heard and/or submit comments and recommendations were given an opportunity to do so after which the public hearing was closed, and

WHEREAS, The City Council considered the report and recommendation of the Planning Commission regarding the Master Environmental Impact Report, the Tracy Industrial Areas Specific Plan and the accompanying General Plan Amendment at it's meeting of June 21, 1988, and

WHEREAS, The Master Environmental Impact Report has been reviewed, approved, and certified by the City Council;

NOW, THEREFORE, BE IT RESOLVED That the City Council of the City of Tracy approves and adopts the Industrial Areas Specific Plan Text and Map and amends the Tracy General Plan to incorporate the Specific Plan as an addendum.

* * * * *

The foregoing Resolution No. 88-213 was passed and adopted by the City Council of the City of Tracy on the 21st day of June, 1988, by the following vote:

AYES: COUNCIL MEMBERS: BLAND, MORELOS, SCHUBERT, ZANUSSI, HASTIE
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE

Richard A. Hastie
MAYOR

ATTEST:

Betty G. Davis
CITY CLERK

02-0618.88

TRACY INDUSTRIAL AREAS SPECIFIC PLAN

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1. INTRODUCTION

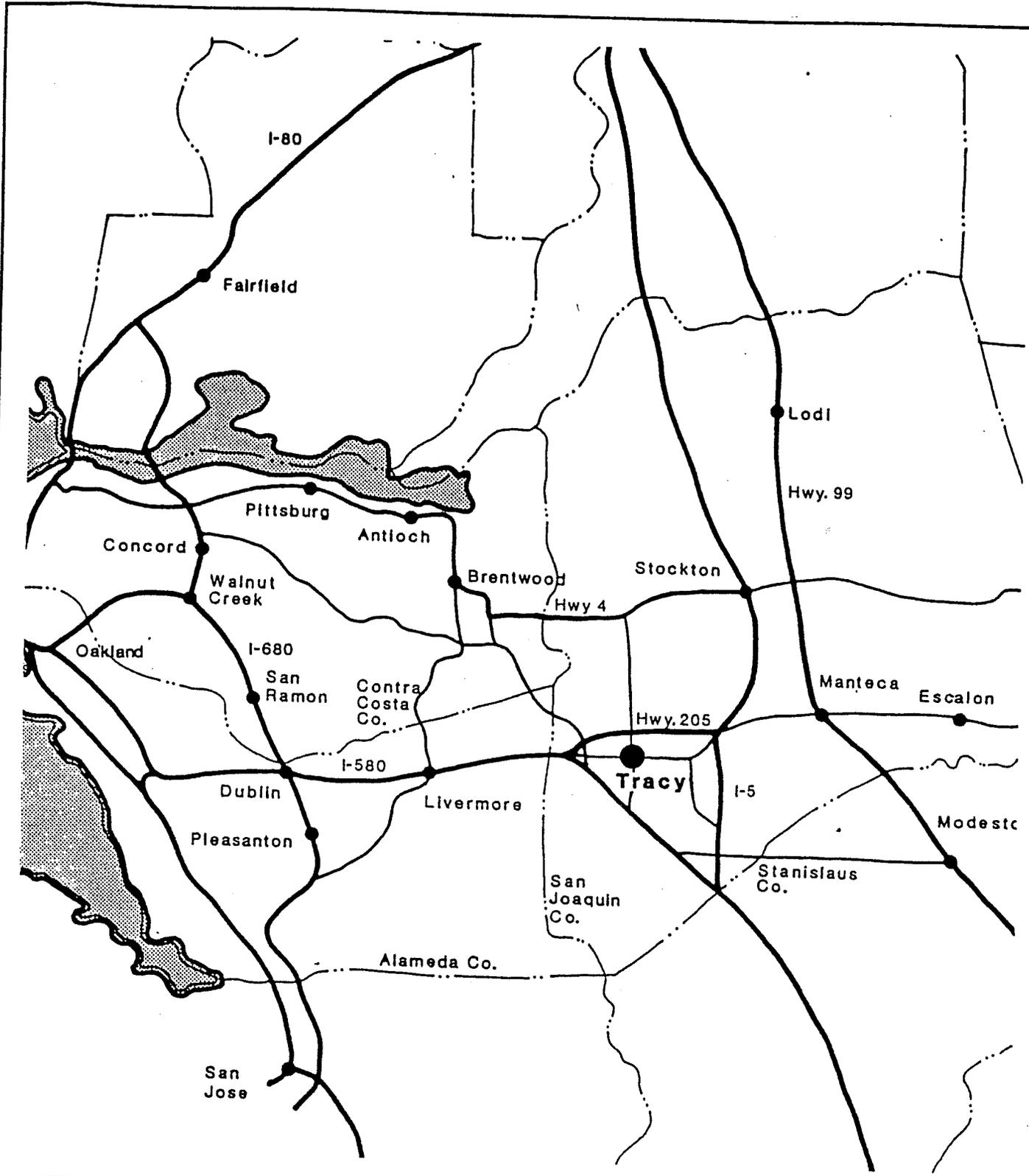
In 1982, during the process of updating the General Plan, the City of Tracy identified the land to the east and south of the City as areas to be targeted for future industrial development. These sites were chosen in order to create a buffer to further city expansion to the east where prime quality soils exist and to focus any future residential development to the west where the soil quality is not as suitable for agriculture. Land that was at that time within the County was annexed to the City and the 2,140 acre Assessment District 84-1 was created to finance sewer improvements for both the industrial and residential areas. Two specific plans were then proposed for the expansion areas as a mechanism to prepare two comprehensive land use programs, coordinate the development plans of the individual property owners, and provide a strategy for constructing essential public improvements. This document provides design guidelines and implementation mechanisms for the Industrial Specific Plan areas.

1.1 Planning Area Location and Description

The Tracy Industrial Areas Specific Plan areas consist of approximately 685 acres of land within the City of Tracy, California (Figure 1.1). The nine different parcels are located in the east and south portions of the community as shown in Figure 1.2.

Presently, the Industrial Specific Plan areas are primarily made up of active and dormant agricultural lands adjacent to existing industrial users. While most parcels form the outer edge of the community, in several areas urban development has surrounded the undeveloped parcels, leaving them less desirable for active agricultural purposes.

Factors which have influenced land planning for the areas include: the irrigation district channels which cross numerous parcels, a portion of which are no longer actively used for irrigation and are often not connected with the main irrigation system; railroad tracks and electric transmission lines that cut across many of the parcels, dividing the land and creating certain constraints to its development; and the existing transportation network which includes numerous rural roads and several partially constructed arterial streets.



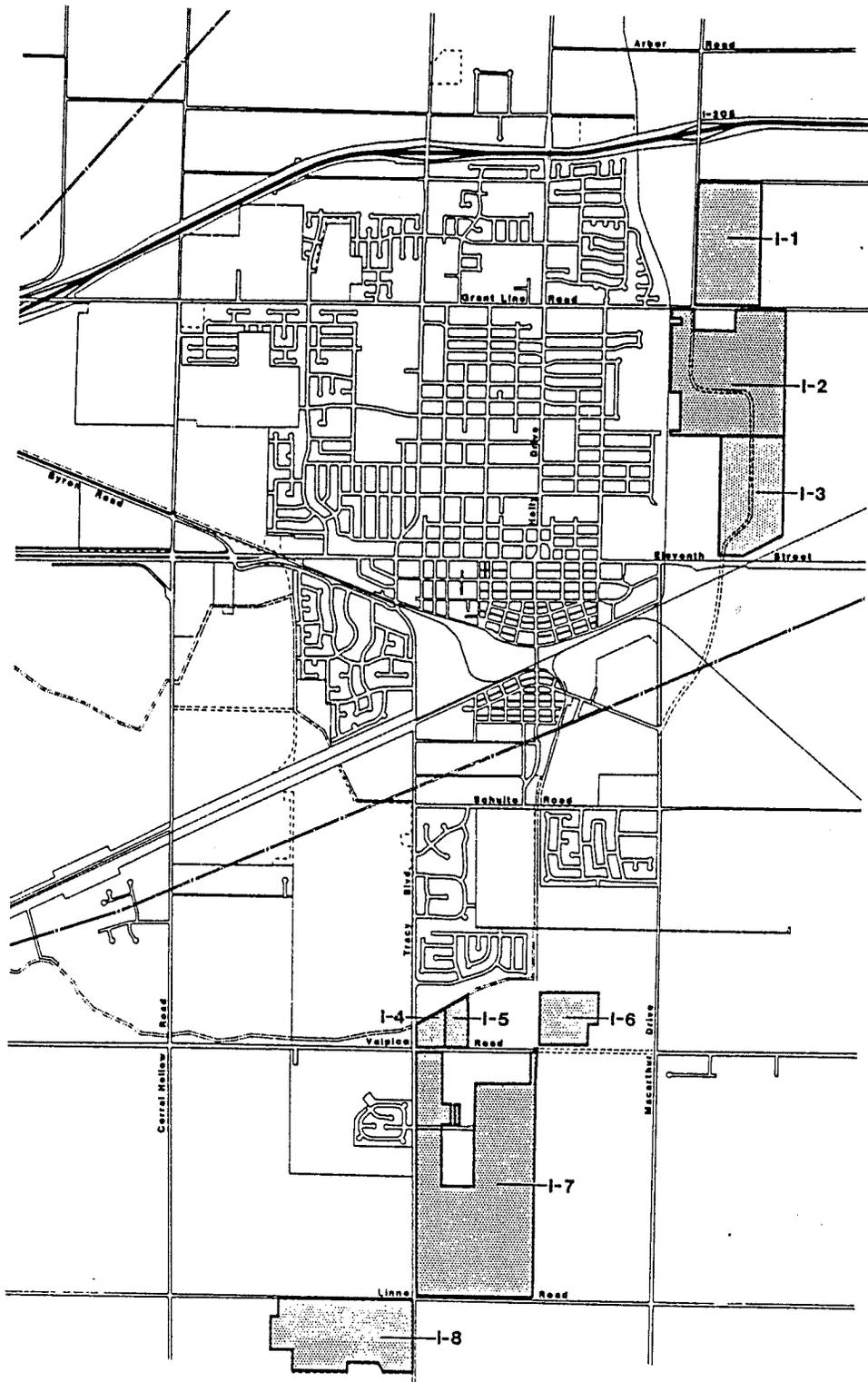
Tracy Industrial Area
Specific Plan

REGIONAL LOCATION
MAP

Prepared by
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Figure 1.1



Tracy Industrial Area
Specific Plan

LAND OWNERSHIP

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 Parcels Included
 Reference Number



May 1988

Figure 1.2

In 1984, Sewer Assessment District 84-1 was established which financed the expansion of the City's existing wastewater treatment facility and construction of sewer lines to the Specific Plan areas as well as to other areas of the City. These improvements were completed in 1987.

In certain instances programs and facilities are referenced in this report which will be shared between the Industrial and Residential Areas Specific Plans. Wherever possible special attention was paid during the preparation of both of these plans to maximize the opportunities for combining facilities and thus reducing future implementation costs. Dual use of facilities is noted as necessary.

1.2 Purpose and Intent of the Specific Plan

Under California Law (Government Code Section 65459 et seq.), Cities and Counties may use Specific Plans to develop policies, programs, and regulations to implement the jurisdiction's adopted General Plan. Specific Plans often function to coordinate individual development proposals within a defined area.

The law requires that a Specific Plan include text and diagrams specifying:

- The distribution, location and intensity of land uses, including open space, within the plan area;
- The distribution, location and capacity of infrastructure, including transportation, sewage, water, storm drainage, solid waste and energy systems;
- Standards and criteria for development and utilization of natural resources; and
- An implementation program, including capital improvement plans, regulations and financing strategies.

Specific Plans are intended to be vehicles for implementing the goals and policies of a community's General Plan and can only be adopted or amended if they are consistent with the jurisdiction's General Plan.

1.3 How to Use the Specific Plan

The Tracy Industrial Areas Specific Plan is divided into five major sections or chapters. Chapter 1 serves as a general introduction to the Specific Plan, outlining its setting and historical origins, as well as its structure and intent. Chapter 2 discusses the goals, objectives and policies which form the framework for development within the Specific Plan areas. Chapter 3 sets forth the planning concepts of the development plan. It divides the Plan into five elements (land use, circulation, parks and open space, storm drainage, and utilities) and explains how each is addressed by the Specific Plan. Chapter 4, Design Guidelines, establishes specific standards for all development and indicates allowed land uses, siting and open space requirements, and street and storm drainage system improvements. Finally, Chapter 5 discusses how the Specific Plan will be implemented, including financing mechanisms and permit procedures.

2. SPECIFIC PLAN GOALS AND OBJECTIVES

Given the variety of planning factors affecting the land to be developed under the Tracy Industrial Areas Specific Plan and the desire by Tracy residents to maintain a high quality of life in their community as well as make it economically feasible for employment generating uses to locate in the city, a set of goals and objectives were established to guide development in the planning areas. These overall guidelines, taken directly from the Tracy General Plan, address issues pertaining to Quality of Life, Quality of the Environment, and the Economic Balance within Tracy.

ENHANCE THE QUALITY OF LIFE THROUGH A BALANCED SYSTEM OF INFRASTRUCTURE, TRANSPORTATION, LAND USE AND OPEN SPACE.

LAND USE: Provide for a diverse community through a variety of land uses.

Maintain a balance between growth of the residential population and an increase in local jobs (approximately 0.8 new jobs per household). (General Plan Policy Area 1)

Provide an adequate supply of industrial land appropriately buffered from residential uses. (General Plan Policy Area 7)

Develop, preserve and manage open space for recreation, and public health and safety. (General Plan Policy Area 8)

CIRCULATION AND TRANSPORTATION: Plan for safe, well-maintained and integrated circulation and transportation systems.

Develop an efficient trafficways system. (General Plan Policy Area 12)

Limit large trucks to a system of truck routes, except for pickup and delivery. (General Plan Policy Area 12)

Provide and encourage transit service where it can be efficient. (General Plan Policy Area 14)

Conserve and enhance the appearance of Tracy's major traffic ways. (General Plan Policy Area 16)

Provide a safe and attractive environment to encourage bicycling and walking. (General Plan Policy Area 15)

PRESERVE AND ENHANCE THE QUALITY OF THE ENVIRONMENT.

CONSERVATION AND PROTECTION: Conserve and protect the natural, cultural and agricultural environment within the city.

Preserve agricultural resources and minimize the conflicts between agricultural and urban land use. (General Plan Policy Area 25)

Preserve and restore the city's biotic (wildlife, habitat and vegetative) resources. (General Plan Policy Area 23)

Prevent significant deterioration of local and regional air quality. (General Plan Policy Area 35)

NOISE: Community development shall occur with minimal noise impact between adjacent activities and land uses.

Ensure and maintain a quieter noise environment in the Tracy General Plan area. (General Plan Policy Area 28)

Avoid locating new noise-sensitive uses on sites with greater than 60 dBA Ldn where possible. (General Plan Policy Area 28)

Ensure that new commercial and industrial projects are designed to minimize noise impacts on neighboring noise-sensitive areas. (General Plan Policy Area 28)

Adopt performance standards for noise buffer areas between residential and industrial/commercial uses. (General Plan Policy Area 28)

Limit use of unbroken solid walls along arterial streets to provide noise attenuation in order to avoid a monotonous, walled-city appearance. Alternatives shall include berms, setbacks, offsets in walls (10 feet or more), noise insulation, and buffering of noise sensitive areas from the noise source by buildings, parking areas, or structures. (General Plan Policy Area 28)

PUBLIC SAFETY: Provide for public safety in the event of natural or man-made disasters.

Mitigate or prevent potential adverse consequence of geologic hazards. (General Plan Policy Area 29)

Reduce the potential for flood damage. (General Plan Policy Area 30)

Provide the highest level of fire and police services possible within budgetary constraints. (General Plan Policy Area 33)

ACHIEVE AN ECONOMIC BALANCE WITHIN TRACY.

GROWTH: Provide a balance of housing and employment opportunity.

Maintain a balance between growth of the residential population and an increase in local jobs. (General Plan Policy Area 1)

Preserve agricultural land to the extent that is feasible without restricting the amount of urban growth. (General Plan Policy Area 2)

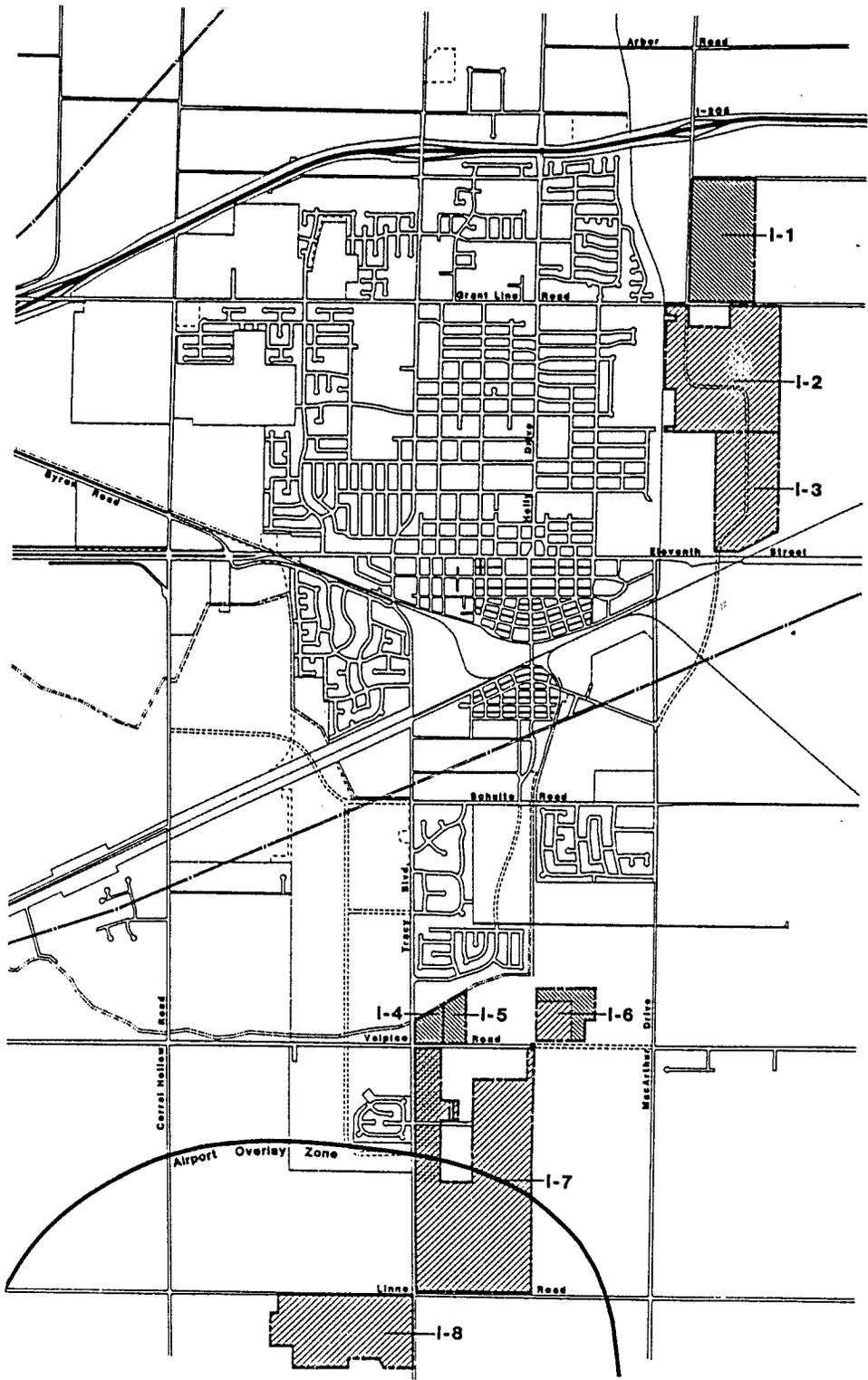
Encourage compatible industrial development adjoining the airport and aviation-related industrial uses on airport land. (General Plan Policy Area 13)

3. THE DEVELOPMENT PLAN

This section describes the planning concepts of the Industrial Specific Plan development program. These concepts are intended to clarify the goals and objectives of development and provide a clear and consistent foundation for implementation of the Industrial Specific Plan.

3.1 Land Use Concept

The overall land use concept for the Tracy Industrial Specific Plan is intended to provide a framework for land development which directs, through clear standards and defined systems, the implementation of public improvements, yet allows flexibility in land use choices to respond to future market conditions. In order to accomplish this, two zoning categories, Limited and General Industrial, are designated for the areas addressed by the Specific Plan (Figures 3.1, 3.2 and 3.3). These categories allow a variety of office, industrial and warehousing uses. Heavy industrial uses are allowed in areas with a General Industrial designation and may require additional environmental review if environmental performance standards will not be achieved. Design guidelines are provided in the plan which pertain to site development requirements, parking and on-site circulation, building architecture, lighting, signage and landscaping. Standards are also given for design and development of the roadway and storm drainage systems. The existing Airport Overlay Zone and a newly proposed General Industrial Design Review Overlay Zone will also provide building placement, height and landscaping guidelines for areas of special concern.



Tracy Industrial Area Specific Plan

LAND USE

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Design Review Overlay Zone

Limited Industrial

General Industrial

Reference Number

Proposed Roadways

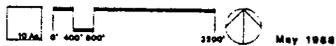
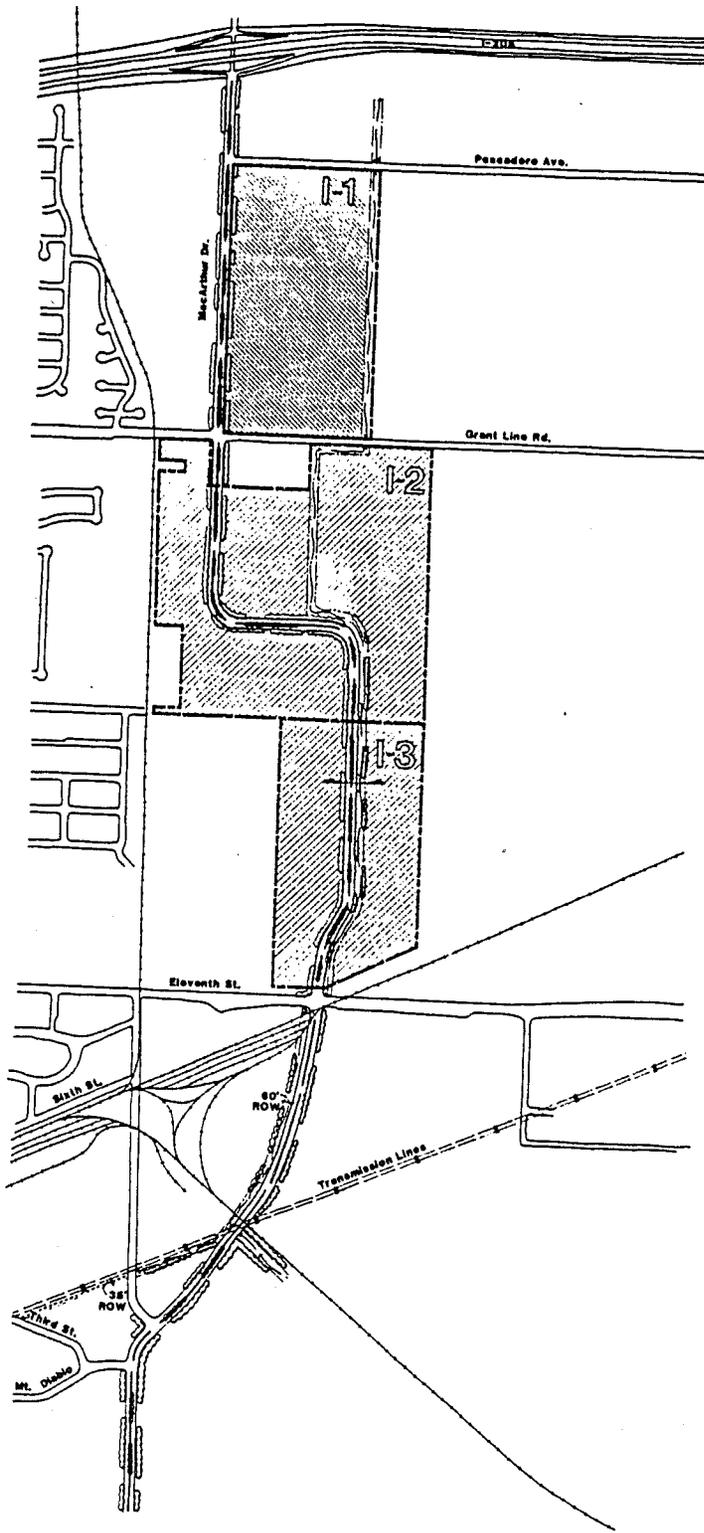


Figure 3.1



Tracy Industrial Area
Specific Plan

NORTH MACARTHUR AREA

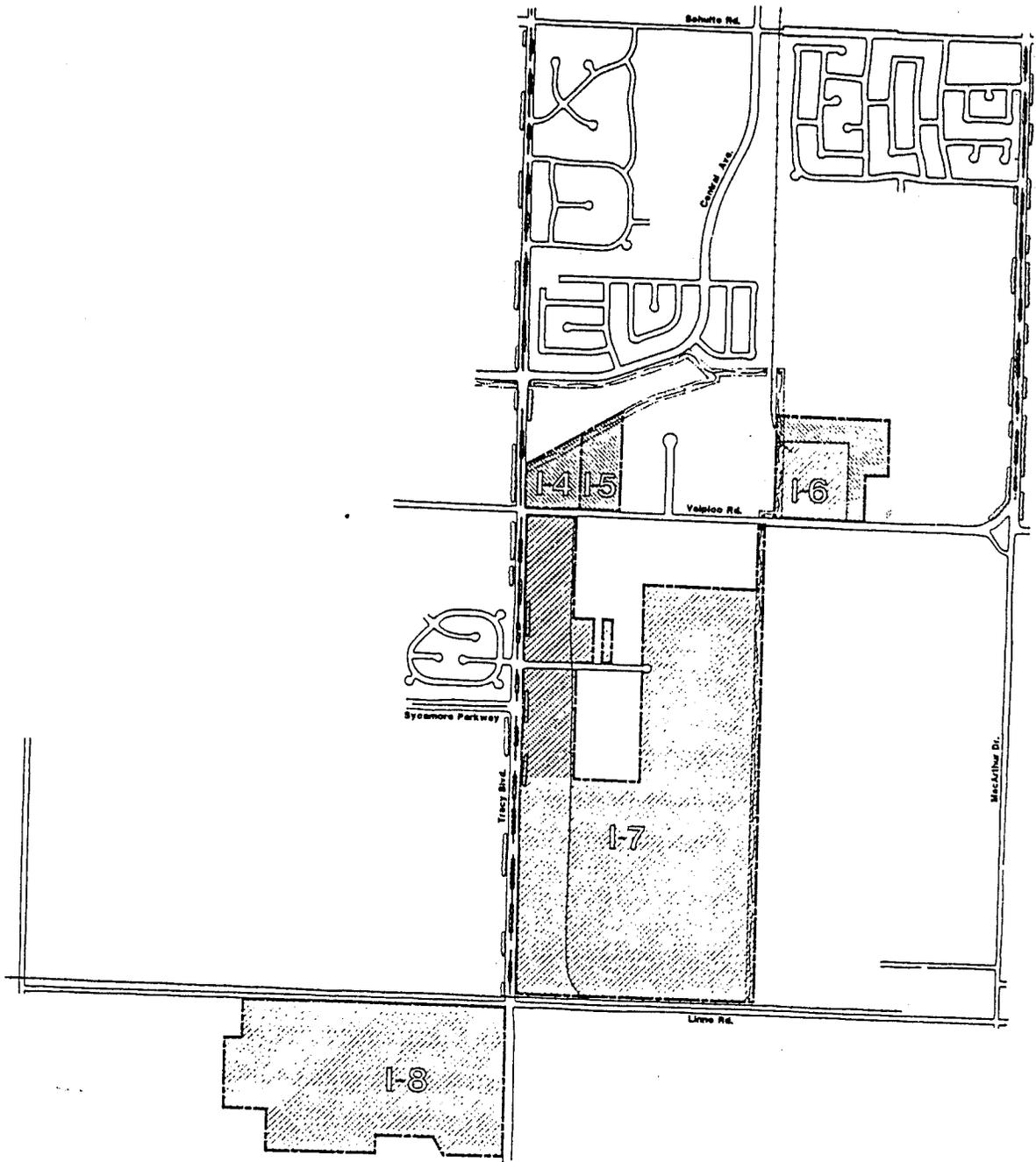
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May 1988

- I-2 Reference Number
- [Hatched Box] Limited Industrial
- [White Box] General Industrial
- [Wavy Line Box] Storm Drain/Open Space Corridor

Figure 3.2



Tracy Industrial Area
Specific Plan

SOUTH TRACY
BOULEVARD AREA

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Design Review Overlay Zone



May 1988

- 1-2 Reference Number
- Limited Industrial
- General Industrial
- Storm Drain/Open Space Corridor

Figure 3.3

**Table 3.1
Tracy Industrial Areas Specific Plan
Land Use Program**

<u>Development Parcel</u>	<u>Property Owner</u>	<u>Total Acres</u>	<u>General Industrial Acres</u>	<u>Limited Industrial Acres</u>
I-1	Interland	76.42	0.00	76.42
I-2	Mark III	139.21	139.21	0.00
I-3	Pombo	74.29	74.29	0.00
I-4	Murphy	10.00	0.00	10.00
I-5	Murphy	10.00	0.00	10.00
I-6	Cose	34.09	16.53	17.56
I-7	Union Pacific	238.92	238.92 ^a	0.00
I-8	Teichert	<u>99.04</u>	<u>99.04^b</u>	<u>0.00</u>
TOTALS		681.97	567.99	113.88

a 48.21 acres within this designation are within a proposed Design Review Overlay Zone and approximately 70 acres on this parcel are within the Airport Overlay Zone.

b 99.04 acres on this parcel are within the Airport Overlay Zone.

A unique feature of the Industrial Specific Plan are the "Environmental Performance Standards" and "Threshold Guidelines." These guidelines establish limits on the amount and type of industrial uses, based upon the potential for environmental pollutants and the availability of infrastructure capacity.

Environmental Performance Standards pertain to what might be existing undiscovered on-site environmental hazards and the potential for environmental degradation from future users. Prior to development, an on-site reconnaissance for hazardous wastes must be conducted on each parcel. If toxics are identified, they must be addressed to the satisfaction of the City's Director of Utilities before any development application is approved. Additionally, if a proposed use will generate pollutants or hazardous materials as determined by the Director of Utilities, supplemental environmental review shall be required prior to approval of the Tentative Map.

The Threshold Guidelines pertain to the amount of development allowed within the planning area and how that development affects infrastructure capacity. Each infrastructure system, such

as roadways, has a designed maximum carrying capacity. The "threshold" is set at this level. If a proposed development will cause this capacity to be exceeded, the "threshold guidelines" will be triggered.

3.2 Circulation Concept

As the Specific Plan is implemented, Tracy's roadway network will change from a system of rural roads to a network of improved arterial and collector streets capable of providing continuous access throughout the Specific Plan area, and to and from the existing community. Many of the parcels within the Industrial Specific Plan areas are not currently served by roads adequate for the projected amount of traffic. The plan specifies the existing roads which will be improved and new roads that are necessary to complete this network. Truck routes will be limited to streets adjacent to industrial areas. Table 3.2 lists the arterial streets which will make up the basic roadway network within the Specific Plan areas and identifies which of these will be part of the truck route system.

Major arterial streets will be developed as "parkways." These streets will include landscaped medians and bicycle paths and, along much of MacArthur Drive, will run along side the open space/storm drainage channels. Full landscaping improvements to arterial streets will only occur within the City limits.

Table 3.2
Specific Plan Major Arterial Streets

<u>Roadway</u>	<u>Segment</u>
Grant Line Road	Chrisman Road to I-205
Corral Hollow Road	Grant Line Road to Schulte Road
Tracy Boulevard	Centre Court to Linne Road
MacArthur Drive	Valpico Road to I-205
Schulte Road	Corral Hollow to MacArthur Drive
Valpico Road	Corral Hollow Road to MacArthur Drive
Linne Road	Corral Hollow Road to MacArthur Drive

Section 4 details design guidelines for all streets in the Specific Plan areas, including industrial collector streets.

3.3 Open Space

Major streets within the Industrial Specific Plan areas will link with the City's open space network and of those, some will be improved to connect with the bikepath system. A streetscape development program is provided to coordinate landscaping throughout the Industrial Specific Plan areas.

3.4 Storm Drainage Concept

In 1982, the Storm Drainage Master Plan was adopted which established a multiple criteria policy for all future drainage system design within the City. The criteria are as follows:

- a. The 100-year storm is to be contained within the right-of-way of the public street.
- b. The 10-year storm is to be contained within the top of the street curb.
- c. Storm drain facilities will be required where either of the above conditions cannot be satisfied.

These adopted criteria are intended primarily for new construction and make use of the surface capacity of the streets as a part of the detention/discharge system.

The system proposed in the Industrial Areas Specific Plan will implement the adopted Storm Drainage Master Plan. The proposed system divides presently unserved areas of the City into two drainage areas (Figure 3.4). The westside system will drain land north of Linne Road and all lands west of Central Avenue. All flows will drain to a basin, which will be located north of Interstate-205, and eventually flow easterly to Sugar Cut. The eastside system will drain the MacArthur Planning Area and flow northerly to Sugar Cut. The parcels south of Linne Road will provide their own on-site drainage facilities.

The main lines in the storm drainage system are proposed as open channels generally located next to roadways, with most secondary lines contained in underground pipes. Most drainageways will be incorporated into the open space network, and the dedicated rights-of-way shall be landscaped and include pedestrian and bicycle paths. MacArthur Drive is the only street within the Industrial Areas Specific Plan to receive this treatment.

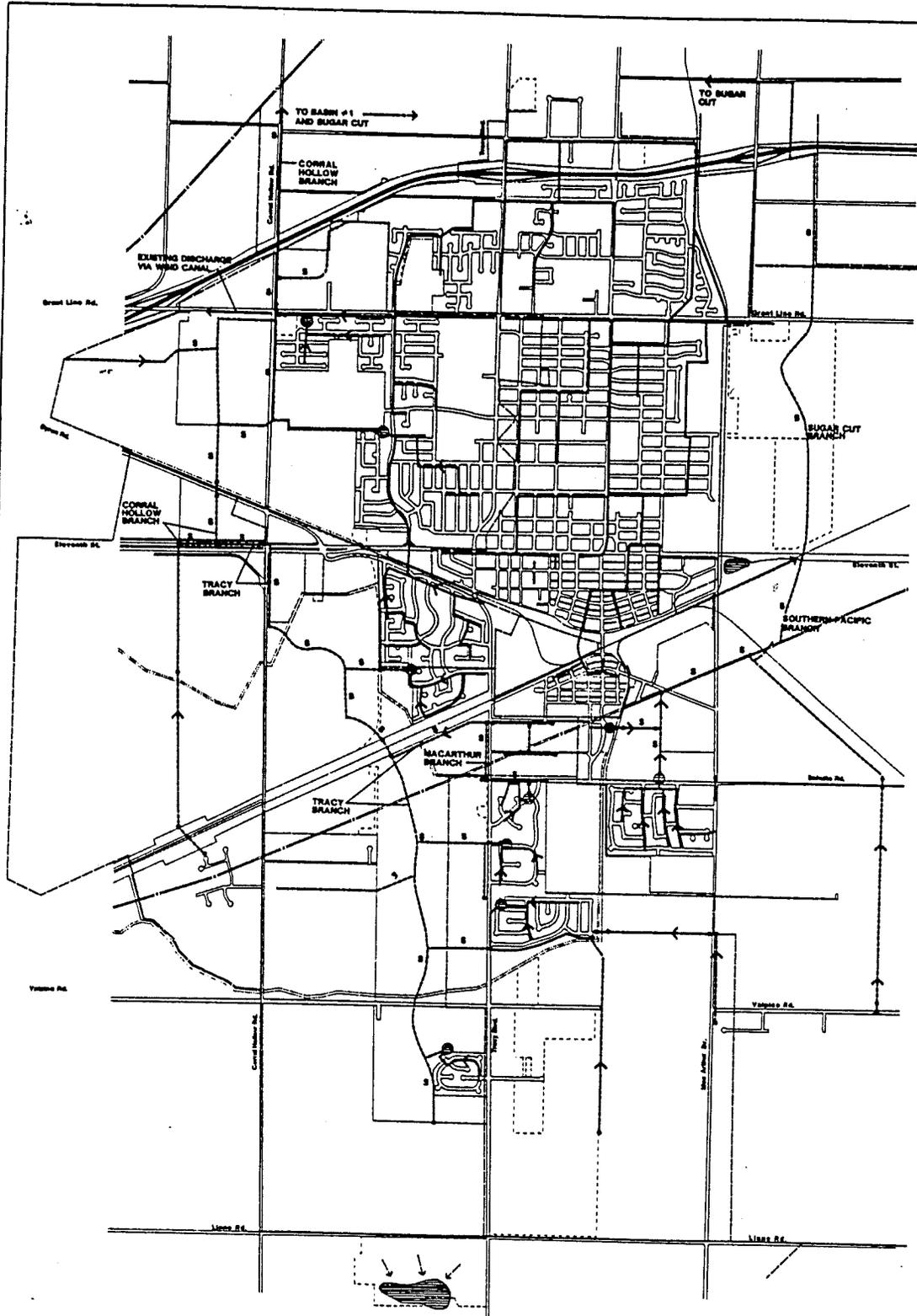
3.5 Utilities Concept

The primary objective of the Industrial Specific Plan as it pertains to utility systems is to ensure that new industrial development is provided with adequate service prior to development. The utilities concept refers to sewer, water, solid waste, electric and natural gas systems.

3.5.1 Wastewater System

The existing wastewater collection system consists of both gravity and pumped flow systems (Figure 3.5). The sewer plant is located in the northeast quadrant of Tracy, fronting Holly Drive and Arbor Avenue; existing capacity is 6.0 m.g.d. The City of Tracy recently implemented capital improvements to the existing sewer plant and wastewater collection system to expand treatment capacity to 9.0 m.g.d. This expansion is being financed by the 84-1 Assessment District.

The recent phase of treatment plant construction provides an increased average domestic plant flow of 3.5 m.g.d. The major items include: a primary effluent pipeline, a secondary clarifier oversizing, anaerobic digester oversizing, domestic primary clarifiers, effluent pump modifications, and a chlorine contact basin. A capacity of 1.50 m.g.d. has been slated for urban



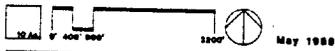
**Tracy Industrial Area
Specific Plan**

**EXISTING/PROPOSED STORM
DRAINAGE SYSTEM**

Prepared by
EDAW
in cooperation with
Bartlett-Wade • DKS • Whaley & Ham

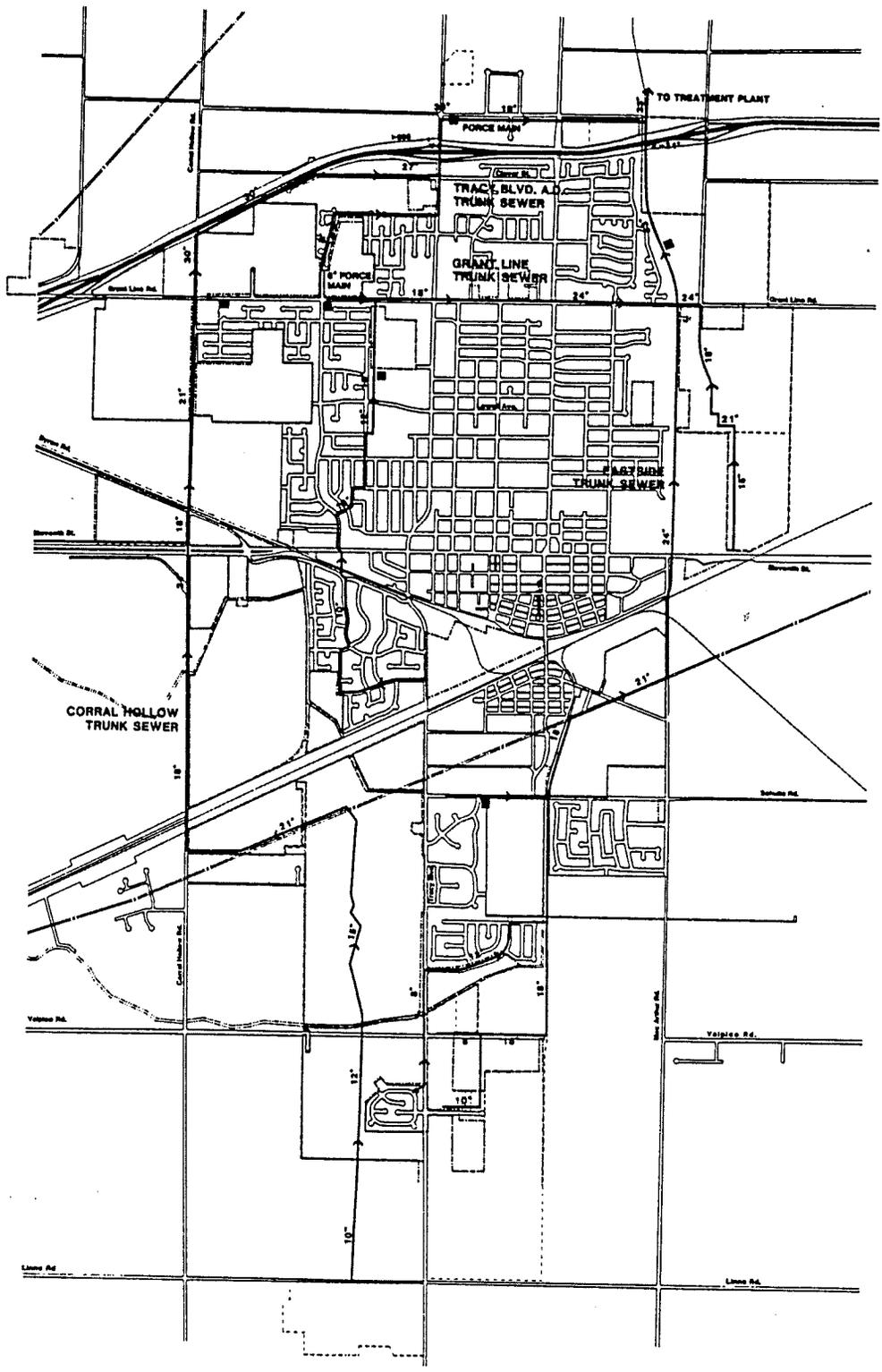
- Storm Drainage Facilities**
- ← Existing
 - - - Proposed
 - ← Proposed, Required for Specific Plan

- Drainage Area Boundary
- ⊙ Retention Basin



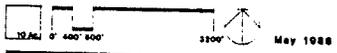
May 1988

Figure 3.4



Tracy Industrial Area
Specific Plan

Prepared by
EDAW
In association with
Bartle-Wells • OKS • Wheeler & Horn



**EXISTING
WASTEWATER SYSTEM**

- Existing Truck Lines
- Existing Lift Stations
- Assessment District 84-1 Boundary

Figure 3.5

infill, therefore, the net available capacity for continued residential, commercial and industrial growth is 3.35 m.g.d.

The Grant Line Trunk Sewer primarily serves the inner-city. This area includes lands bounded by Grant Line Road on the north, the railroad on the south, MacArthur Road on the east, and Lincoln Boulevard on the west. The maximum pipe capacity at the downstream end is 4.4 m.g.d.

The Eastside Trunk sewer serves for the most part, the industries on the east side of MacArthur Road, north of the railroad. The trunk sewer also serves most of the lands south of the railroad, north of Linne Road, west of MacArthur Road, and east of Tracy Boulevard. The maximum pipe capacity on the downstream end is 5.1 m.g.d.

The Corral Hollow Trunk Sewer serves most of the lands between Grant Line Road to the north, Southern Pacific Railroad to the south, Chester Drive to the east, and Lincoln Boulevard to the west. In addition, a portion of lands between the railroads to the north and south, and Hickory Avenue and Tracy Boulevard to the east and west. The maximum pipe capacity at the downstream is 2.3 m.g.d.

There are a total of six existing lift stations in the wastewater collection system located as indicated on Figure 3.5.

3.5.2 Municipal Water System

The City of Tracy maintains its own municipal water system and treatment works. The City's water supply comes from local wells and an entitlement from the Delta Mendota Canal of 10,000 acre feet annually. The City's Water Treatment Plant is located west of Tracy Boulevard just south of the Tracy Municipal Airport. The present treatment plant capacity is 7.0 m.g.d. with a peak 10-hour capacity of 10.0 m.g.d. No pump stations are required in the existing system except those at each well site and the necessary internal pumping at the water treatment plant.

Because the City of Tracy's present entitlement for water from the Delta Mendota is 10,000 acre feet annually, and the existing treatment plant can only process 7,000 acre feet, additional capacity is needed in the treatment plant for immediate needs. It was concluded from the

Kennedy/Jenks Report dated July 1985, that the most viable solution to expanding the water supply would be for the City to combine groundwater with the treated water from Delta Mendota Canal. Thus, as growth occurs in the Industrial and Residential Specific Plan areas, the percentage of groundwater in the system increases to meet this demand. Being that the groundwater has high Total Dissolved Solids (TDS) and sulfate levels, the net result would be a slight lowering of the overall quality of potable water. The overall quality of water delivered to the City will be within the Department of Health Service's Secondary Drinking Water Standards for TDS and sulfates.

To allow for future demand, the Kennedy/Jenks Report proposed upgrading the existing system by combining groundwater with the treated water supply. The plan calls for increasing the capacity of the treatment plant to 15 m.g.d., upgrading and abandoning certain existing wells, and drilling new wells in areas of lower TDS and sulfate levels. These measures, along with the addition of an elevated storage tank and new primary and secondary transmission mains would meet the needs of the future growth of the community (Figure 3.6).

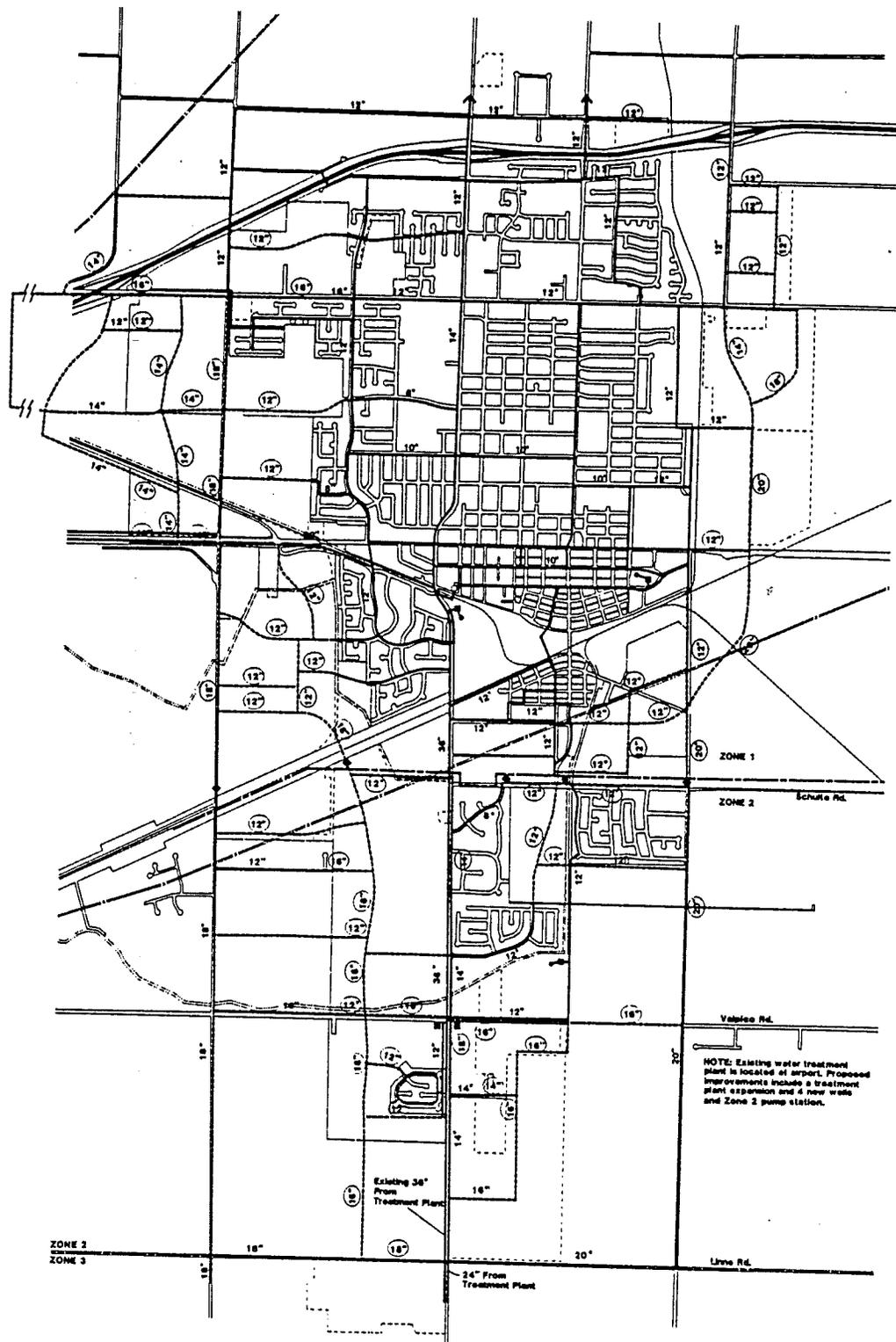
A study is currently being prepared which will develop a precise plan to expand the supply and treatment capacity of the water system.

3.5.3 Solid Waste

The solid waste disposal site currently used by the City of Tracy is a joint operation between Tracy and San Joaquin County. The site is located at the southeasterly corner of Corral Hollow Road and Interstate-580.

The planned growth within the Specific Plan areas will increase the requirements for solid waste disposal. The present remaining capacity of the disposal site is estimated to be approximately 800,000 cubic yards. This is roughly equivalent to a remaining service life of four to five years at the present volume of wastes received.

A transfer station for solid waste disposal is being planned to accommodate waste disposal needs when the current sanitary landfill is exhausted. This will permit the transport of solid waste to sanitary landfills elsewhere in San Joaquin County.



**Tracy Industrial Area
Specific Plan**

**EXISTING/PROPOSED
WATER DISTRIBUTION SYSTEM**

Prepared by
EDAW
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- 24" Existing Water Main & Size
- 14" Proposed
- ⊙ Proposed, Required for Specific Plan
- - - Pressure Zone

- ◻ Existing/Proposed Pump
- ◊ Existing/Proposed Water Tank
- Proposed Reservoir
- ◆ Pressure Reducing Valve

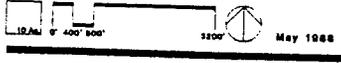


Figure 3.6

3.5.4 Gas and Electric

Natural gas and electric power will be provided to the users within the Industrial Specific Plan areas by Pacific Gas and Electric.

4. DESIGN GUIDELINES

4.1 Land Use

4.1.1 Permitted and Prohibited Uses

The following sections specify the range of land uses that are allowed within the Industrial Areas Specific Plan boundaries. The Tracy Zoning Code should be amended to reflect these uses.

4.1.1.1 Limited Industrial Zones

Permitted Uses

Subject to compliance with the Environmental Performance Standards (Section 4.1.2.1), the following uses are permitted:

- (a) Laboratories, including chemical, physical material testing, electronic, agriculture, photographic film processing and general research.
- (b) Administrative, executive, research offices.
- (c) Manufacturing, repair, assembly or packaging of products from previously prepared materials, such as cloth, plastic, leather, or semi-precious metals or stones, but not including such operations as saw or planing mills, any manufacturing uses involving primary production of wood, metal, or chemical products from raw materials.
- (d) Manufacture, repair of optical electronic, timing and measuring instruments.
- (e) Manufacture, repair of industrial, communication, transportation and utility equipment.
- (f) Manufacture, of food products, pharmaceuticals, biotechnology products and the like, but not including fish or meat products, sauerkraut, vinegar, or the like, or rendering or refining of fats and oils.
- (g) Warehousing and distribution facilities.
- (h) Agricultural, except raising of fowl and animals for commercial purposes and except for sale of any products at retail on the premises.
- (i) Machine shops.

- (j) Electrical industrial apparatus manufacturing, service, and repairs, including motors, generators, welding equipment, electrical transmission and distribution equipment, and turbines and pumps.
- (k) Heating equipment manufacturing, servicing, and repairs.
- (l) Furniture and cabinet assembling whose activities are carried on entirely within an enclosed building and which have no construction yards on the lot.
- (m) Parcel delivery service and vehicle storage inside and outside the building.
- (n) Refrigerator, furnace, water heater, and other household appliance manufacturing, service and repairs.
- (o) Truck Terminals.
- (p) Equipment Storage.

Conditionally Permitted Uses

The following uses will require a Conditional Use Permit:

- (a) Wholesale trade businesses
- (b) Consumer and business services
- (c) Repair of automotive, motorcycle and farm machinery
- (d) Intermediate manufacturing uses involving the processing of raw materials, including food and paper processing, wineries, concrete mixers.

Prohibited Uses

The following uses are not allowed within a Limited Industrial Zone boundaries:

- (a) Residential of any type
- (b) Junk or auto wrecking yards
- (c) Petroleum storage yards
- (d) Mining and quarrying
- (e) Very heavy industrial uses, including blast furnaces, cement factories, distillation of bones, stockyards, slaughtering houses, smelting, tanneries, rock crushers or rubber factories.

- (f) Dumping, disposal, incineration or reduction of garbage, sewage, or refuse.

4.1.1.2 General Industrial Zones

Permitted Uses

Subject to compliance with the Environmental Performance Standards, the following uses are permitted:

- (a) Those uses permitted and conditionally permitted in the Limited Industrial Zone.
- (b) "The conditions of Parcel 8 create an opportunity for a multi-stage development process of the site, with a sand and gravel mining operation as an initial use and subsequent land reclamation to allow a distribution of light manufacturing use. This would enable the gravel under the ground to be used productively and for the site to house an appropriate and compatible use after reclamation. Stipulations should be incorporated into the development permit to provide guidelines for the site reclamation process."

Conditionally Permitted Uses

The following uses are conditionally permitted:

- (a) Heavy and Very Heavy Manufacturing Uses listed in Use Group Nos. 62 and 63 of the Tracy Municipal Code Sections 10-2.503.62-.63.

4.1.1.3 General Industrial Design Review Overlay Zone

In areas with a General Industrial Zone Designation adjacent to or across a street from residential areas, an overlay zone has been applied to require additional design review at the time a Building Permit application is submitted. The intent of this overlay zone is to ensure adequate buffering of the residences from heavy industrial users. Criteria for plan review would include:

- (a) a 35-foot landscaped setback from landscape zone to building along Tracy Boulevard;
- (b) no additional setback requirements if parking area is located on Tracy Boulevard street frontage;

- (c) compatible landscaping;
- (d) proper screening of loading and parking areas;
- (e) architectural treatment;
- (f) minimal outdoor lighting; and
- (g) low noise levels.

This overlay zone has been applied to a portion of Parcel 7 along Tracy Boulevard between the street frontage and the on-site railroad spur as shown on Figure 3.3.

4.1.1.4 Airport Overlay Zone

Portions of parcels 7 and 8 fall within the Airport Overlay Zone (AO) established by Tracy Municipal Code, Article 27. This classification is intended to regulate land development in the areas adjacent to the Tracy Municipal Airport in order to minimize conflicts between approaching aircraft and buildings, and to protect public safety. Of particular concern to developers in the Industrial Specific Plan areas is the requirement that "the maximum density in the inner 5,000 feet of the approach surface shall be limited to twenty-five (25) people per acre." It is recommended that the range of permitted uses and the density coverage limits be revised to be consistent with the requirements of this specific plan.

4.1.2 Environmental Standards

4.1.2.1 Use Restrictions

No use shall be permitted to exist or operate on any lot which:

- (a) Emits dust, sweepings, dirt, cinders, fumes, odors, radiation, gases and vapors, or discharges liquid or solid wastes or other harmful matter into the atmosphere or any body of water which may, according to the appropriate agency, adversely affect:
 - (i) the health and safety of persons within the area, or
 - (ii) the health and safety of persons in adjacent areas, or
 - (iii) the use of adjacent properties.

- (b) Discharges waste or any harmful substance as defined by the Director of Utilities, into any public sewer or storm drainage system.
- (c) Produces intense glare or heat, unless such use is performed only within an enclosed or screened area, and then only in such manner that the glare or heat emitted will not be discernible from any exterior lot line.
- (d) Creates a sound pressure level in violation of any regulation of any public body having jurisdiction. This requirement shall also be applicable to the disposal of trash and waste materials.
- (e) Allows the visible emissions of smoke (outside any building) other than the exhausts emitted by motor vehicles or other transportation facilities or any emissions in violation of any regulation of any public body having jurisdiction. This requirement shall also be applicable to the disposal of trash and waste materials.
- (f) Creates a ground vibration that is perceptible, without instruments, at any point along any of the exterior lot lines.

4.1.2.2 Hazardous Wastes and Water Pollutants

- (a) An on-site reconnaissance for hazardous wastes must be conducted for each parcel within the study area and the resulting report submitted with the application for the first proposed Tentative Map. If hazardous wastes are identified they must be dealt with to the satisfaction of the Director of Utilities, Community Development Director and the Director of Public Works, before the application may be approved.
- (b) All new industries locating within the Industrial Specific Plan areas will be required to obtain a Discharge Permit from the Director of Utilities prior to occupancy. This permit shall establish the amount and quality of wastes allowed to be discharged into the City's sanitary sewer.
- (c) The quality of wastewater entering the city sewage system from proposed uses shall be measured by the Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) levels referenced in the local Water Quality Control Board 208 Plan. Users that are not expected to comply with these standards will be required to provide on-site pretreatment facilities.
- (d) The storage and distribution of hazardous materials shall be subject to the rules of the San Joaquin County Health District.
- (e) Industries regularly using significant quantities of hazardous chemicals in the course of their operations shall be required to obtain a Conditional Use Permit.

4.1.2.3 Threshold Guidelines

(a) General

The planned expansion of the City's infrastructure systems has been based on certain design criterion. In general each system has been master planned and in so doing a contribution to demand or discharge has been allocated for each parcel.

Provided the uses proposed and submitted are designed at or below these design thresholds properties will not trigger supplemental environmental review pertaining to these issues.

(b) Circulation

To monitor traffic levels and phase construction of transportation improvements, three Circulation Threshold levels have been established. When traffic generated from cumulative development exceeds these levels, the following improvements will be required:

Up to 50% Build-out

Only the improvements specified in the Industrial Areas Specific Plan Implementation Program will be required. Those include:

- Improving MacArthur Drive as a four-lane arterial from Eleventh Street to Schulte Road.
- Construct the extension of Valpico Road west of MacArthur Drive as a four-lane facility.
- Install traffic signals listed in Section 4.2.4.

75% Build-out

Develop MacArthur Drive north of Eleventh Street to a six-lane arterial, unless other solutions, such as rerouting traffic or instituting mandatory Transportation Systems Management (TSM) Programs, are deemed acceptable by the Director of Public Works. Additional minor intersection improvements may also be required.

100% Build-out

Improvements to the MacArthur Drive/I-205 interchange, or another nearby interchange, will be required.

Properties deriving benefit from these roadway improvements shall share, based on benefit received, in the cost of providing the additional capacity.

Circulation Thresholds will be monitored in two geographic zones: north (parcels 1-3) and south (parcels 4-8), as shown in Table 4.1.

Circulation Thresholds will be measured by employee per acre standards which are correlated to trip generation rates as follows:

Office:	12.1 trips/1,000 gross square feet 3.59 trips/employee 3.4 employees/1,000 gross square feet
Industrial:	5.43 trips/1,000 gross square feet 3.0 trips/employee 1.8 employees/1,000 gross square feet
Warehouse/ Distribution:	4.88 trips/1,000 gross square feet 3.89 trips/employee 1.25 employees/1,000 gross square feet

Source: Institute of Transportation Engineers (ITE) Trip Generation, 1982.

Attainment of Employee/Acre Standards would be reviewed at the time an Occupancy Permit is applied for and with any change of occupancy. Change of Occupancy Review would require an amendment to the Tracy permit procedure.

Table 4.1
Circulation Threshold Levels

Parcel	Maximum Allowed Employees Per Geographic Zone		
	50% Buildout	75% Buildout	100% Buildout
Northern Area (Parcels I1-3)	4,290	6,425	8,560
Southern Area (Parcels I4-8)	5,270	7,720	10,420
Total Employees	9,560	14,145	18,980

A supplementary traffic analysis shall be prepared at the time 50 percent buildout is reached, in order to verify projected traffic levels and trip generation rates.

(c) Major Utilities

The infrastructure systems to serve the properties within the Industrial Specific Plan areas have been designed to the following criteria.

<u>Service</u>	<u>Land Use</u>	<u>Collection System</u>
Sanitary Sewerage	Industrial	1,375 gpad ¹
	Office	2,400 gpad
	Commercial	1,600 gpad
Water Supply		<u>Service Mains</u>
	General Industrial	1,000 gpad
	Limited Industrial Office/Commercial	2,000 gpad 2,600 gpad

Storm Drainage

Utilize the "Rational Formula" ($Q = CiA$) for design with the City adopted rainfall intensity/duration curve (for "i"), a "C" factor of 0.90 and City adopted design methods for office, industrial and commercial land uses.

¹ gpad - gallons per acre per day

4.1.3 Development Guidelines

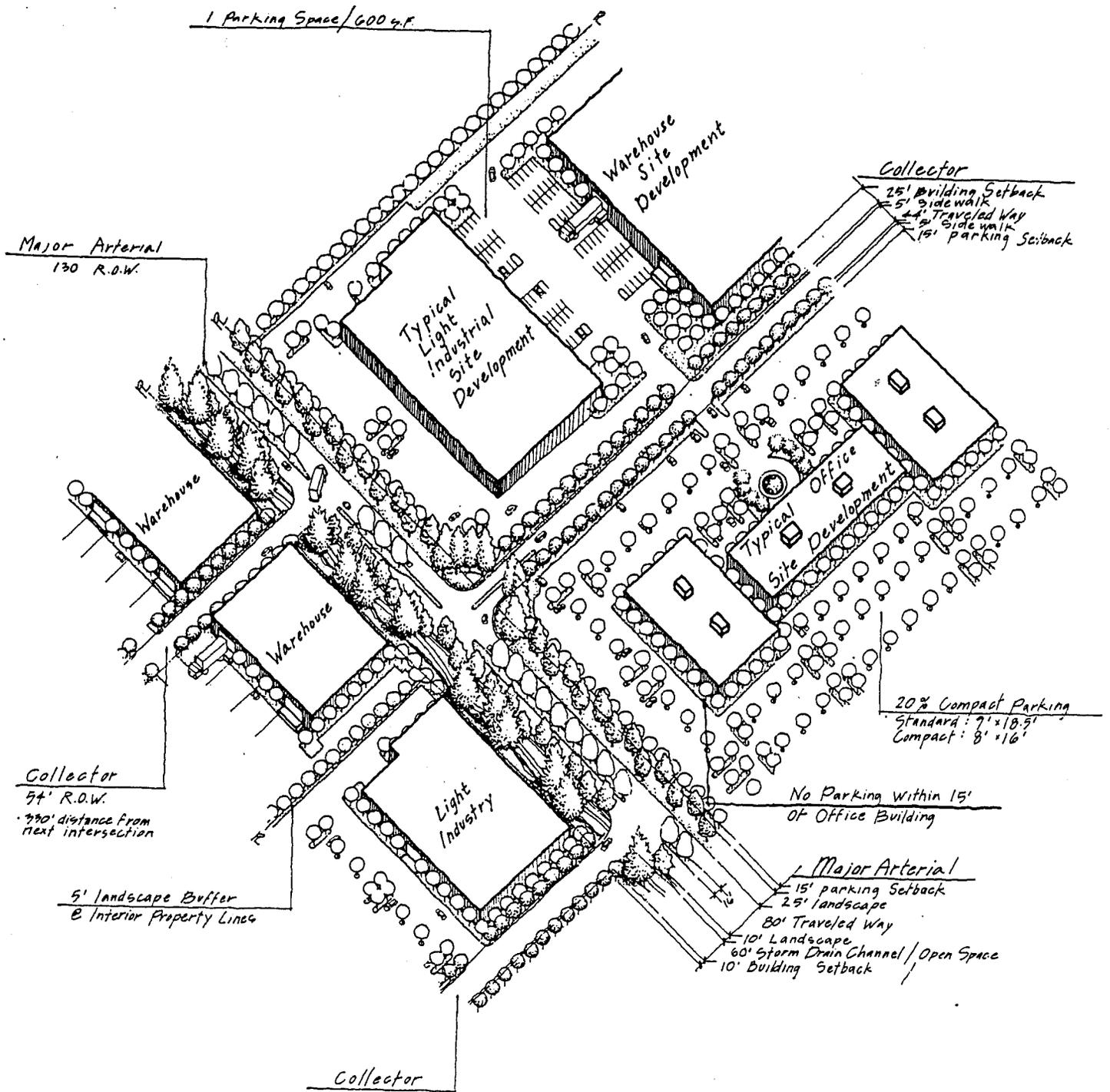
The development guidelines discussed in this section pertain to on-site improvements. Off-site improvement guidelines are listed under the pertinent subject heading.

4.1.3.1 Siting Requirements

- (a) Minimum Lot Size: none
- (b) Building Coverage and Height:

	Maximum Building Coverage	Maximum Floor Area Ratio	Building Height
Office	30%	.60	2 stories (40')
Lt. Industrial	45%	.45	1 story (40')
Warehouse/ Distribution	50%	.50	1 story (40')

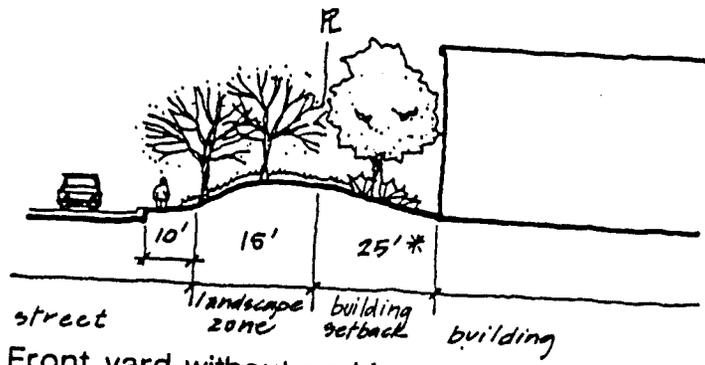
- (c) Building heights may be extended to 45 feet if greater than minimum building setbacks are provided. Additionally, building heights may be allowed up to 100 feet, with a Conditional Use Permit, provided building heights are stepped up as they recede from the street and are compatible with the heights of adjacent uses across adjoining property lines.
- (d) Buildings within the Airport Overlay Zone shall conform to those height requirements specified in the Tracy Municipal Code Section 10-2.270D.
- (e) Building Setbacks: The following shall be minimum setback distances and yards required for all buildings and parking areas (Figures 4.1 and 4.2).
1. Buildings shall be set back 25 feet from any Property Line on any street except on properties within a General Industrial Design Review Overlay Zone, where buildings shall be set back 35 feet from the Property Line.
 2. Parking shall be permitted within a required setback but shall not be permitted within 15 feet from any Property Line on any street.
 3. Parking shall not be permitted within 15 feet of the street side of any office building.
- (f) Where industrial uses are located across adjoining property lines from residential uses, heights and setbacks shall be compatible.
- (g) Where a residential use abuts a non-residential use, a Conditional Use permit and design review shall be required to ensure provision of adequate buffers. Where residences will abut industrial or commercial uses, soundwalls, screening, larger setbacks, public roads, height limitations, and residential noise insulation should be required, as needed, as buffers or abutting use impact mitigation measures. Such residential development buffers or mitigation measures must at minimum be consistent with the requirements of the general plan, this plan, and zoning ordinances governing the abutment of residential and commercial or industrial uses. Improvements to reduce interference between uses shall be provided by the new use, rather than the existing use. Where a new residential use abuts an existing industrial use, a condition of the Conditional Use Permit for the residential



Prototypical Site Plan

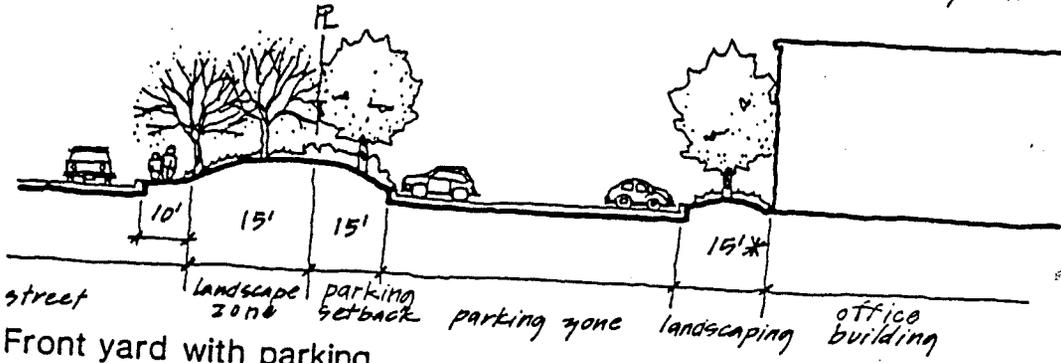
Figure 4.1

Arterial



Front yard without parking

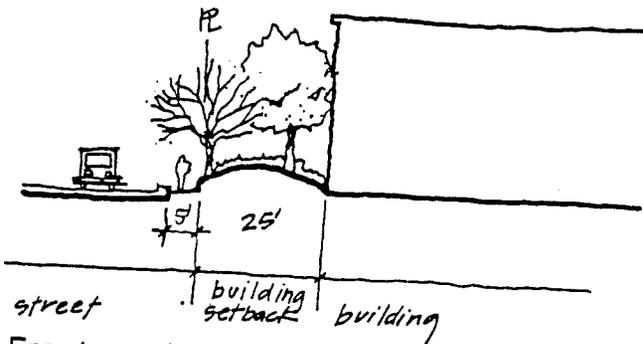
*95' setback required in industrial overlay zone



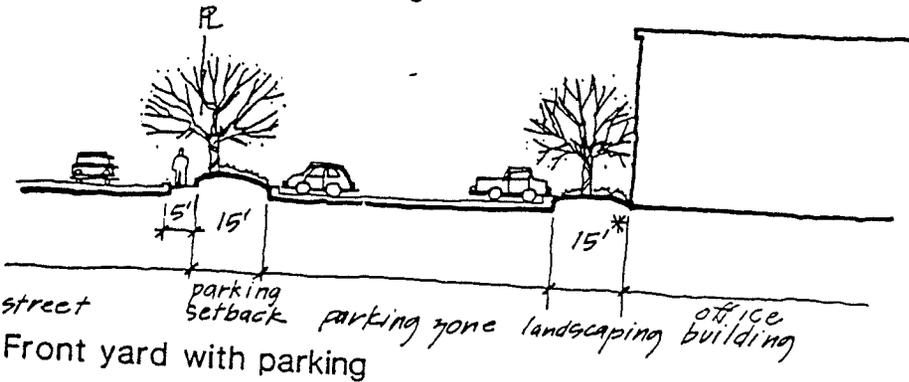
Front yard with parking

*Not required for warehouse or industrial buildings

Collector



Front yard without parking



Front yard with parking

Setback Guidelines

Figure 4.2

development should be public recordation of a notice and/or easement of the existing industrial use.

- (h) A 5-foot wide landscaped buffer is required adjacent to property lines in order to provide landscaping that gives variety to straight fence lines, large expanses of asphalt and other hard surfaces, especially where these areas are visible from the public right-of-way. On industrial or warehouse and distribution sites this requirement will apply for property lines that are perpendicular to collector or arterial streets. The landscaped buffer on these property lines will be required to a point 150 feet onto the parcel from the street right-of-way.

4.1.3.2 Parking, Loading Areas, On-Site Circulation

- (a) Parking shall not be permitted on any street or drive, or any place other than parking areas located on building sites.
- (b) Parking areas should be easily accessible from the street so that circulation to parking areas does not interfere with other site activities.
- (c) Visitor and handicapped parking should be located at the entrance of the building and be clearly marked.

- (d) Minimum Off-Street Parking Standards:

Office and Research and Development: 1 space per 200 square feet of gross floor area.

Light Industrial and Manufacturing: 1 space per 600 square feet of gross floor area, or if the number of employees on the maximum work shift can be verified, one space per one employee on the maximum work shift.

Warehouse/Distribution:

1 space per 1,000 square feet for the first 20,000 square feet of gross floor area; plus 1 space per 2,000 square feet for the next 20,000 square feet of gross floor area; plus 1 space per 4,000 square feet above 40,000 square feet for the remaining square feet of gross floor area.

- (e) Parking areas shall be screened from public streets by means of landscaping berms and/or walls, solid evergreen shrubbery or fences. Minimum height of the screening shall be two feet, six inches. Refer to Section 4.1.3.4, On-Site Landscaping, for parking area landscaping requirements.
- (f) Concrete curbs shall be installed around all landscaped areas to contain and protect plant materials.

- (g) Full curb returns (as opposed to a standard driveway) shall be utilized for entries to all sites of over ten acres in size or for common driveways that serve two adjacent sites that together total more than ten acres.
- (h) Ganged driveways which serve two adjacent sites will be required to install landscaped islands along parking adjacent to the gang driveway and a landscape zone at the end of the common drive will act as a terminus to the view line down the ganged driveway (see Figure 4.8).
- (i) Compact Spaces. The allowable number of compact car parking spaces shall be up to twenty percent (20%) of the total spaces, required.
- (j) Sizes of Spaces. The size of off-street parking spaces at 90 degrees shall be as follows:

	<u>Width</u>	<u>Depth</u>	<u>Aisles</u>
Standard	9'	18.5'	26'
Compact	8'	16'	24'

- (k) Lighting and Maintenance. The Owner shall ensure that all parking areas and drives are properly illuminated at the level of one foot candle or such greater level as may reasonably be required for areas subject to heavy night-time vehicular traffic. All parking areas shall be maintained for safe operation of vehicles and to present a sightly and well-kept appearance.
- (l) Loading and Unloading Spaces

1. Sufficient off-street loading and unloading spaces shall be provided on each office building site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling all freight. Off-street loading and unloading spaces at office buildings shall be provided in accordance with the following minimum standards:

Under 20,000 sq. feet	None
20,000 to 100,000 sq. feet	1
Each additional 500,000 sq. feet	2

2. The loading space shall be a minimum of twelve (12) feet in width, twenty-five (25) feet in length, and fourteen (14) feet height clearance.
3. All loading activity, including turnaround and maneuvering, shall be made on-site.
4. Buildings, structures and loading facilities shall be designed and placed upon the site so that vehicles, whether rear loading or side loading (of the maximum length permitted by the State of California at the time of construction of the buildings and structures, but in no case less than sixty (60) feet in total length)

may be loaded or unloaded at any loading dock or door, or loading area, without extending beyond the Property Line.

5. No loading area shall be located within twenty-five (25) feet of residential property.
6. Truck or rail loading shall not be permitted between the building and the street, unless the buildings are set back from the curb a minimum of 125 feet and doors are screened by berms and/or fences, and landscaping is provided as provided in Section 4.1.3.4 below.

4.1.3.3 Building Architecture

- (a) The architectural style of new industrial buildings should have a contemporary appearance but utilizing elements which complement the existing character of Tracy. This will mean relating to the relatively small scale of adjacent structures and incorporating such elements as variation in textures and materials in the design of elements facing the public street.
- (b) Metal buildings shall only be allowed where the industrial nature of the use seems to mandate this type of construction. If metal buildings are found appropriate surface treatment to the office portions of such structures facing the public street shall be required.
- (c) Office building construction and design shall be used to create a structure with substantially equally attractive sides of high quality, rather than placing all emphasis on the front elevation of the structure and neglecting or downgrading the aesthetic appeal of the side elevations of the structure. Any accessory buildings and enclosures, whether attached to or detached from the main building, shall be of similar compatible design and materials.
- (d) Large buildings should have facades that include variations in form and texture. Continuous surface treatments of a single material should be minimized. In the event that this is done, textural changes or relief techniques are encouraged.
- (e) Where an industrial area abuts a residential neighborhood, abrupt scale changes should not be allowed. The transition from residential to industrial should be gradual--starting with smaller, less intensive uses near the residential with the largest and most intensive uses farthest from the residential.

4.1.3.4 On-site Landscaping

- (a) All on-site landscaping requirements are in addition to the landscaping requirements discussed in Section 4.3.1.3.

- (b) On-site landscaping along arterials between the property line and the building, parking lot or vehicular maneuvering or circulation improvements shall be installed by the property owner. These improvements shall be designed as an extension of the adjacent public arterial landscaping. Upon acceptance by the City these improvements shall be maintained through the Lighting and Landscaping District.
- (c) Perimeter landscaping is required adjacent to street frontages. These perimeter areas should include trees, shrubs, and ground cover. Landscaped berms are encouraged to soften the transition between street and parking lot.
- (d) Landscaping is required in the zone between office buildings and parking along street frontages. The total landscaped zone shall be a minimum of 15 feet measured from face of curb to face of building. Up to 5 feet of this zone may be taken up by a sidewalk.
- (e) Minimum landscaping requirements for parking areas shall be consistent with Section 10-2.2613 of the Tracy Municipal Code Off-Street Parking Requirements (Ordinance Number 728C.S.). However, in the Industrial Specific Plan areas, the landscaping required in the entire parking lot may be reduced by 50 percent if the landscaping strip between the street and the development is increased to 15 feet as required in Figure 4.2. The 15 foot frontage strip may be included in the calculation of the total landscaping requirement. The remainder of the landscaping requirement must be distributed over the lot to provide shade and aesthetic enhancement.
- (f) Completion of landscaping on the site is encouraged to be simultaneous with completion of the building and other improvements on the site.
- (g) Landscaping shall not obstruct sight lines at street or driveway intersections.
- (h) As stated above in (b), a mixture of tree, shrubs and groundcovers is required in any landscape area. Toward this end at least one tree shall be provided for each 2,000 square feet of landscaped area between buildings and street property lines. Trees must be a minimum of 15 gallon size at planting.
- (i) Reasonable access through landscaping shall be provided to public and private utility lines and easements for installation and repair.
- (j) Both perimeter and interior landscaping shall include canopy-type trees. The location and spacing of trees is dependent on the type of tree used, but the effect should be a consistent tree cover which will provide shade. Generally, on office sites a tree should be installed for every five to eight parking spaces. The use of turf in the narrow tree islands is discouraged.
- (k) The plant palette should be relatively limited and applied in groupings of similar species rather than a few plants of many different species planted together. The use of water conserving plantings, such as California natives and drought tolerant trees, shrubs and turf is encouraged.

- (l) Live plant materials should be used in all landscaped areas. The use of gravel, colored rock, bark and other similar materials are not acceptable as a sole ground cover material.
- (m) Automatic irrigation is required for all landscaped areas. Plants should be watered and maintained on a regular basis. Irrigation systems should be designed so as not to overspray walks, buildings, parking areas, etc. The use of water conserving systems such as drip irrigation for shrub and tree planting is encouraged.
- (n) All undeveloped site areas and building pads should be seeded with perennial grasses prior to construction of the next phase of a project. All pads and site areas not leased for agriculture shall be mowed annually in the late spring, consistent with the City nuisance abatement program.

4.1.3.5 Storage, Screening, and Fencing

- (a) All exterior trash and storage structures and service areas should be screened from view with a wall or fence of a minimum height of eight feet (8') above the street curb level. Storage areas shall be set back a minimum of fifty feet (50') from streets, unless fully enclosed in an architecturally compatible enclosure.
- (b) Soundwalls or fences used to buffer adjacent land uses shall be a minimum of 6 feet in height.
- (c) No storage areas or fences are allowed within the landscape easement, front setback or side or rear yard landscape buffers.
- (d) Utility company equipment and roof-mounted equipment shall be screened from street view.
- (e) The design of masonry walls, fencing, trash enclosures and similar accessory site elements should be compatible with the architecture of the building and should use similar materials.
- (f) Where masonry walls or fencing are used at property frontages, it is allowed only at the building line or the parking setback line. It should enhance the entrance to the property and should not impair traffic safety by obscuring views.
- (g) Adequate fencing and/or walls shall be provided to guarantee preservation of privacy for adjacent residential uses.
- (h) Long expanses of fences or wall surfaces should be architecturally designed to prevent monotony.

4.1.3.6 Lighting

- (a) Lighting should be placed where it can best aid in illuminating activity areas. The site should not be overly lit. Electroliers should be scaled in size to match the size of areas to be lit.
- (b) Area lighting should be directed predominantly downward and shall be placed to prevent glare or excessive spray of light on neighboring sites.
- (c) Accent illumination should be provided at key locations such as building entries and driveway entries.
- (d) Pedestrian walkways, plazas or other activity points should be illuminated.
- (e) Lighting or highlighting of building facades is permitted but should be sensitive, subtle and not excessive.
- (f) Parking and roadways should use either mercury vapor or high pressure sodium lamps.

4.1.3.7 Signage

- (a) All signage must be approved under the provisions of the adopted Sign Ordinance.
- (b) Signs shall be harmonious with the texture and color of the building to which it is affixed or in conjunction with which it is employed.
- (c) A sign program shall be submitted as a part of the application for a Site. All signage shall conform to the adopted Sign Ordinance. The sign area permitted for each site may be divided into the number of single or double faceted signs appropriate for the number and size of buildings located on a site.
- (d) A sign may be illuminated provided that no flashing, traveling, animated or intermittent illumination shall be used. Such illumination shall be confined to the area of the sign except when such illumination is backlighting for an otherwise non-illuminated sign.
- (e) No sign shall extend above the dominant roofline of a Building.
- (f) Monument signs shall be provided to identify the entries to large, contiguous business or industrial parks.

4.1.3.8 Utilities

- (a) Power lines of 35 kV or less must be placed underground.

- (b) Pad-mounted transformers, utility connections, and meter boxes shall be screened and integrated into the site plan.

4.2 Circulation

4.2.1 Roadway Standards

The Specific Plan circulation system has been designed to meet the transportation demands of both the potential industrial users and the adjacent residential population, as well as to link with the city's existing roadway network.

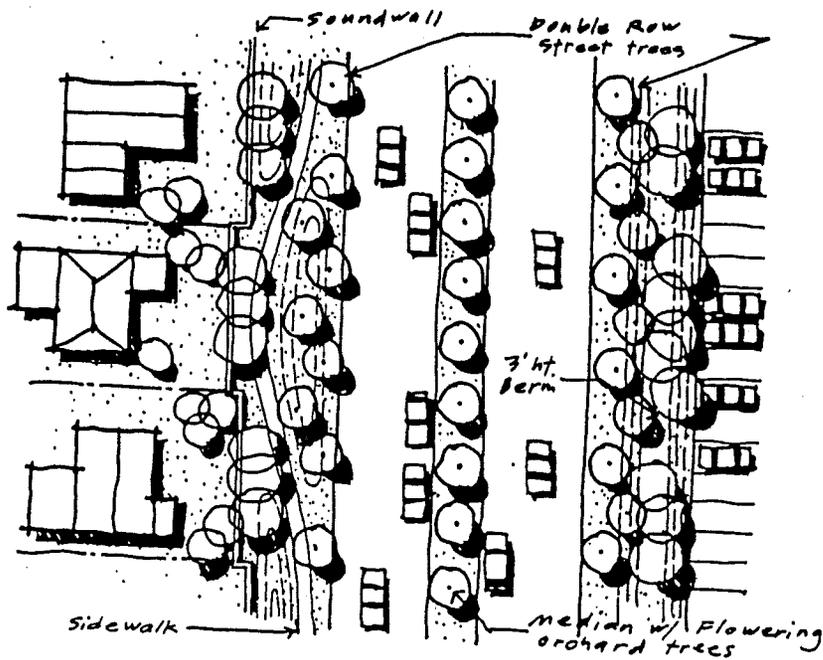
Streets are classified according to their expected level of use in the following categories:

**Table 4.2
Roadway Standards**

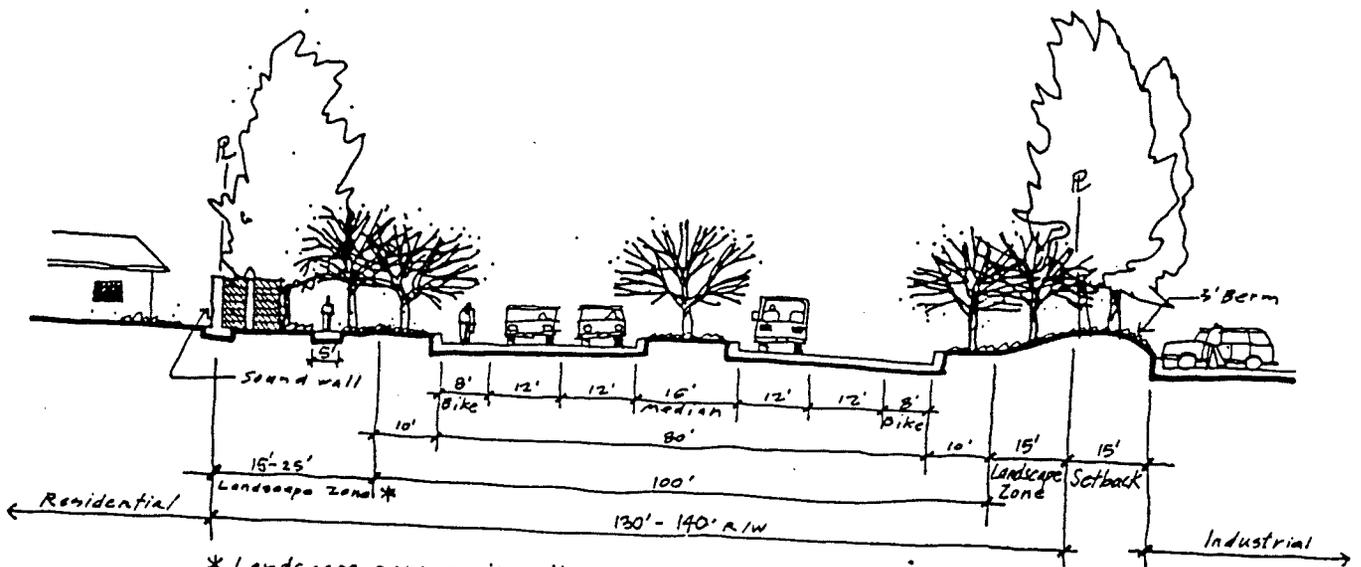
Major Arterial	4-lanes	80' Travelled Way (incl. 16' median/Left Turn lane)
Industrial Collector	2-lanes	44' Travelled Way

Details of the design cross section of these sheets are shown in Figures 4.3 through 4.6.

- (a) Precise alignments of the street system shall be established during the process for review and filing of subdivision maps. Local streets within the Specific Plan Area shall be established through the plan review procedure provided for in Chapter 5.
- (b) Circulation patterns should not encourage traffic to be routed through residential areas. Roadway layouts should discourage use of residential streets by industrial and commercial traffic.
- (c) Once development in the Industrial Specific Plan areas reaches 75 percent buildout (as measured by the standards listed in Section 4.1.2.3), MacArthur Drive will be widened to six lanes of through traffic. A portion of the adjacent 15-foot landscape zone will be utilized to provide the additional rights-of-way (Figure 4.4).
- (d) The ultimate alignment of Valpico Road at the intersection with MacArthur Drive shall curve such that through traffic east of MacArthur Drive will be discouraged. This improvement is intended to direct truck traffic northerly on MacArthur Drive away from the large lot residential developments to the east along Valpico and south along MacArthur Drive.



Plan

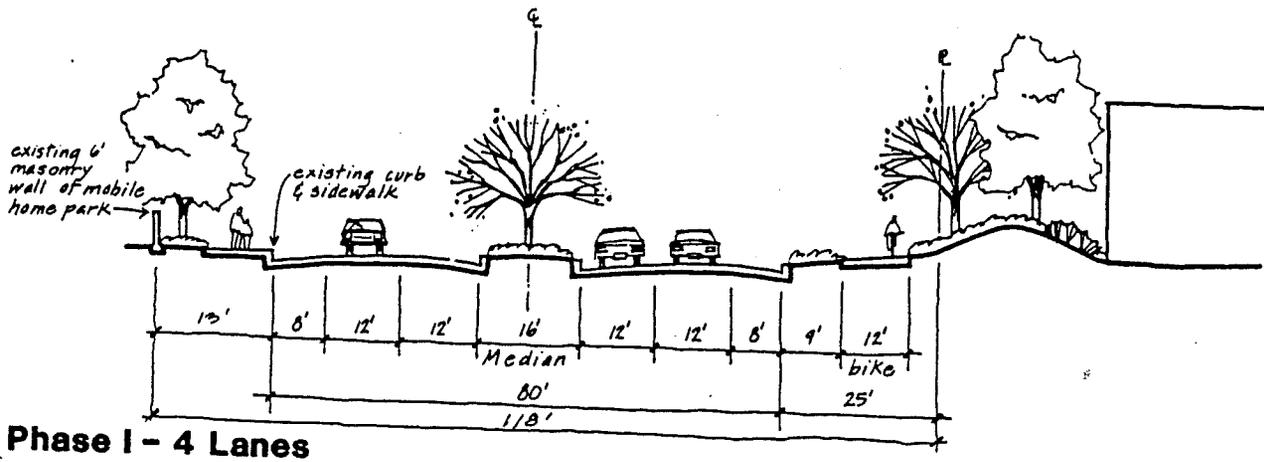


* Landscape zone varies with wall offsets

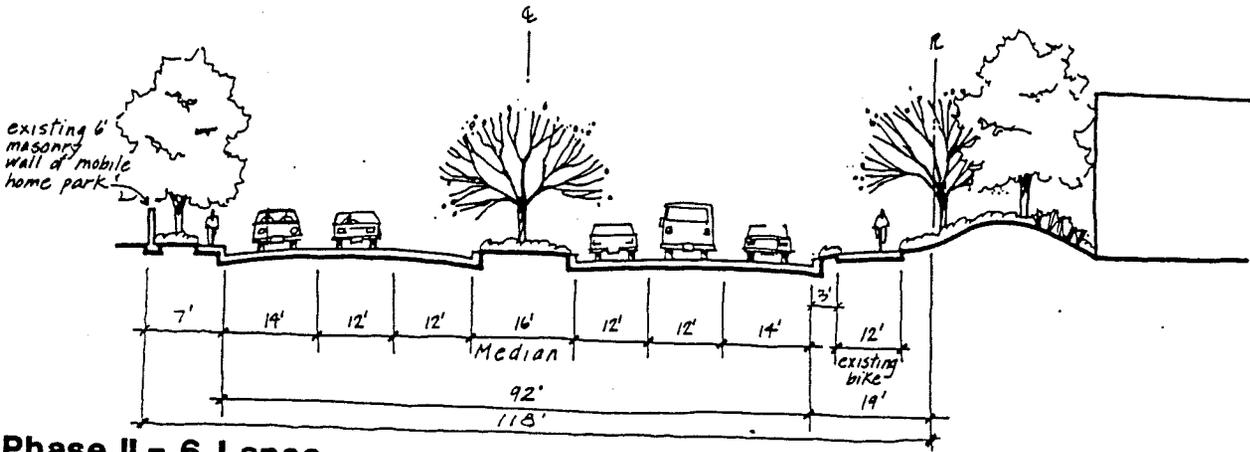
Section

Typical Major Arterial

Figure 4.3



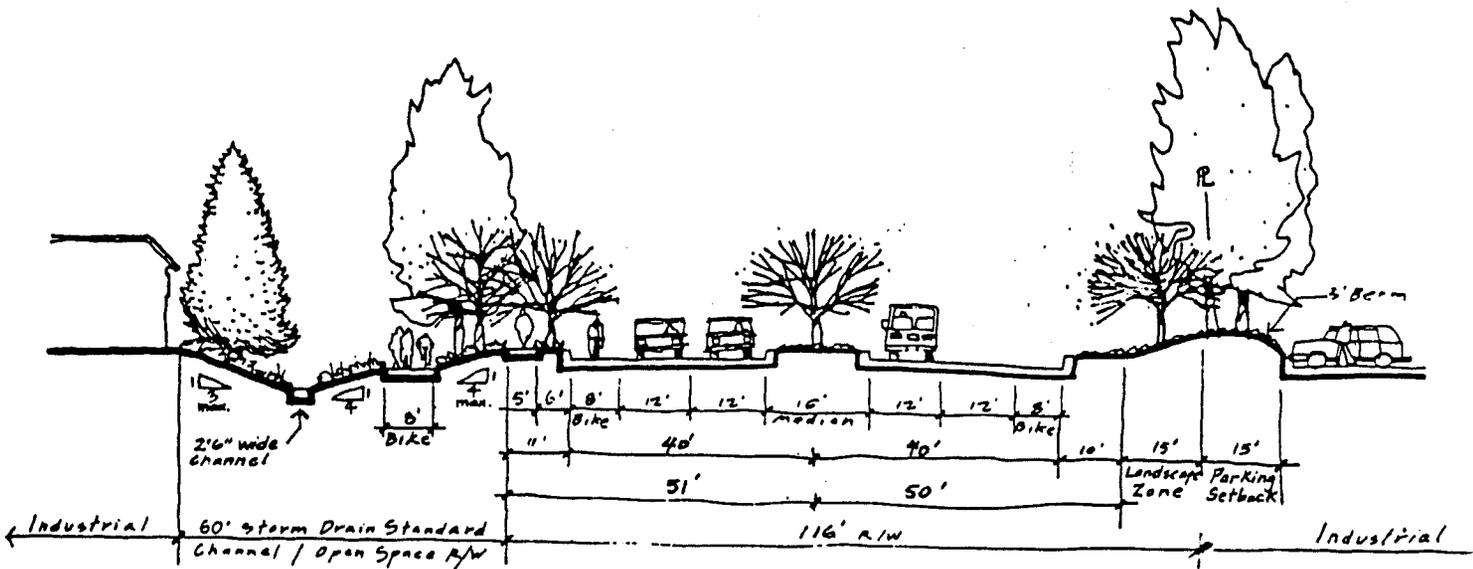
Phase I - 4 Lanes



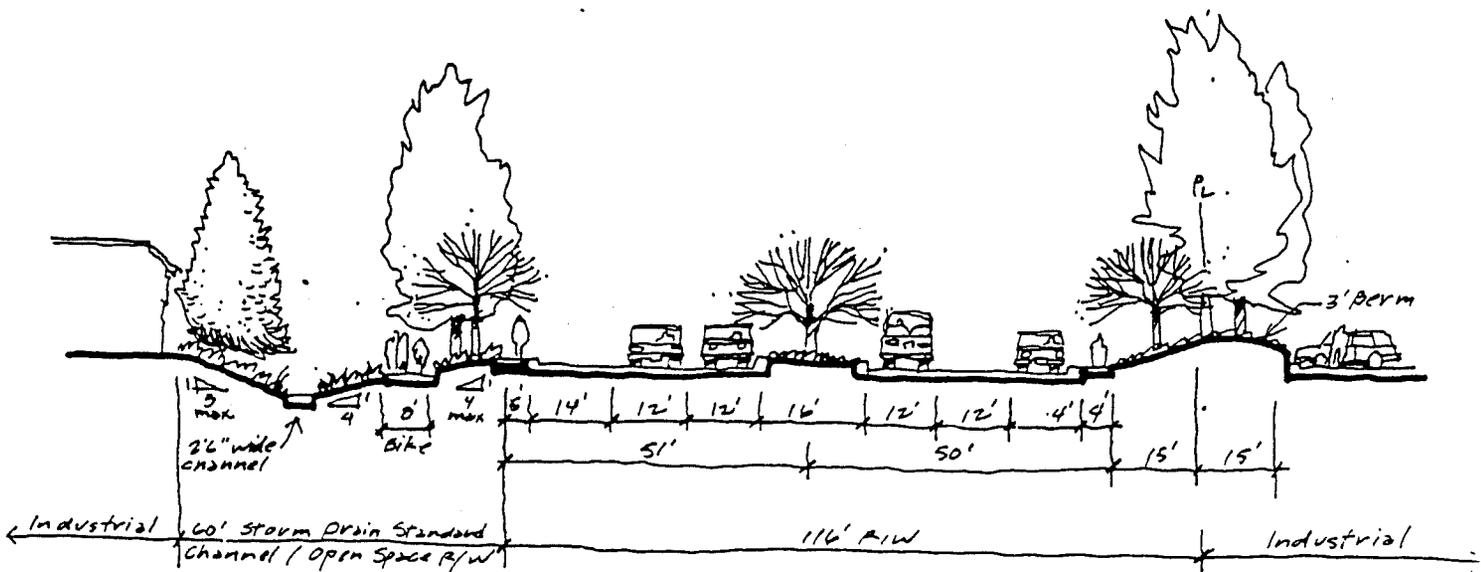
Phase II - 6 Lanes

Typical MacArthur Drive Section

Figure 4.4



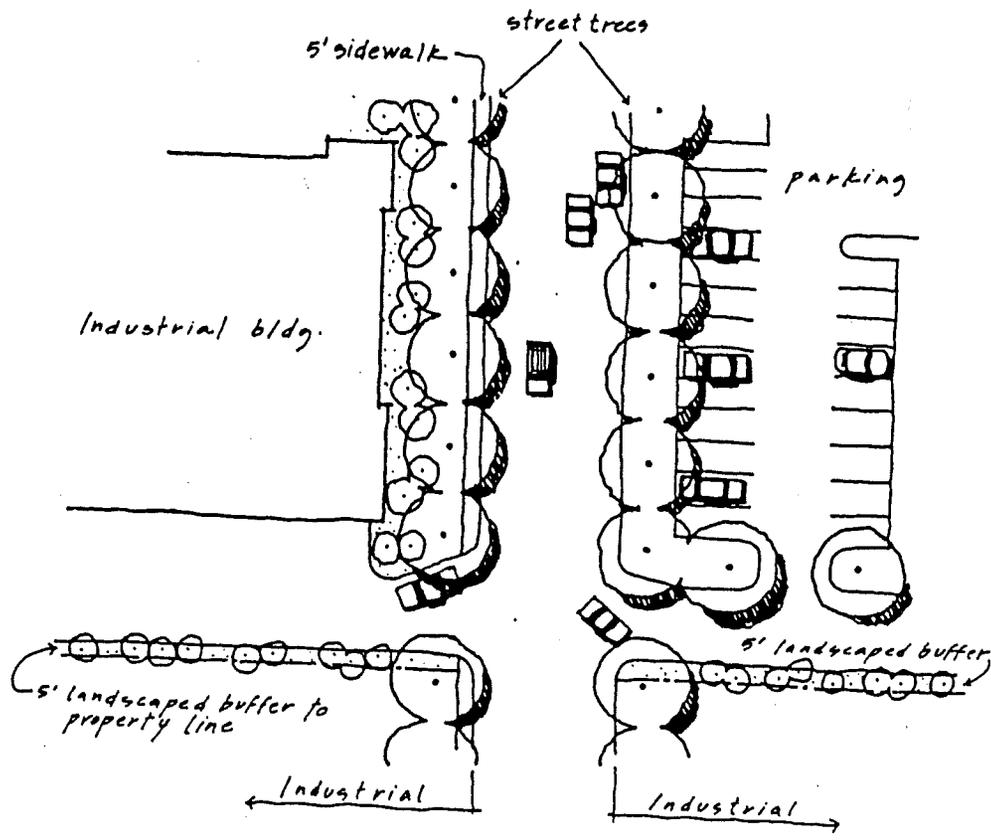
Phase I - 4 Lanes



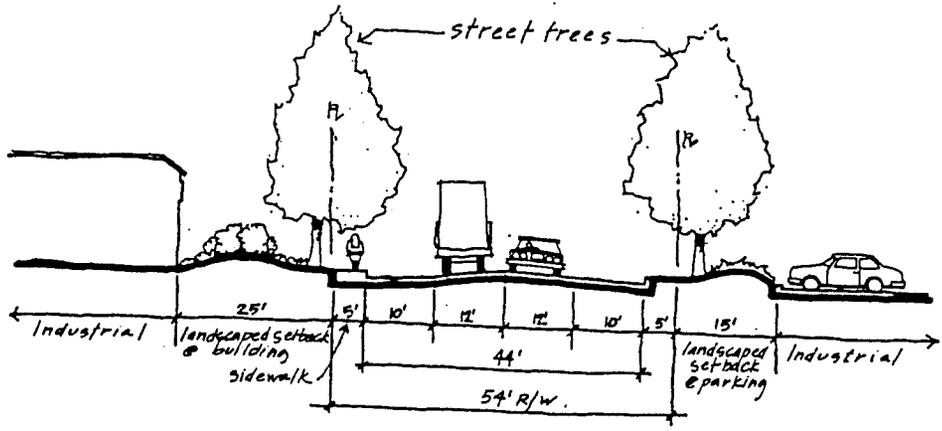
Phase II - 6 Lanes

Typical Major Arterial with Storm Drain Channel

Figure 4.5



Plan



Section

Typical Industrial Collector Street

Figure 4.6

4.2.2 Truck Routes

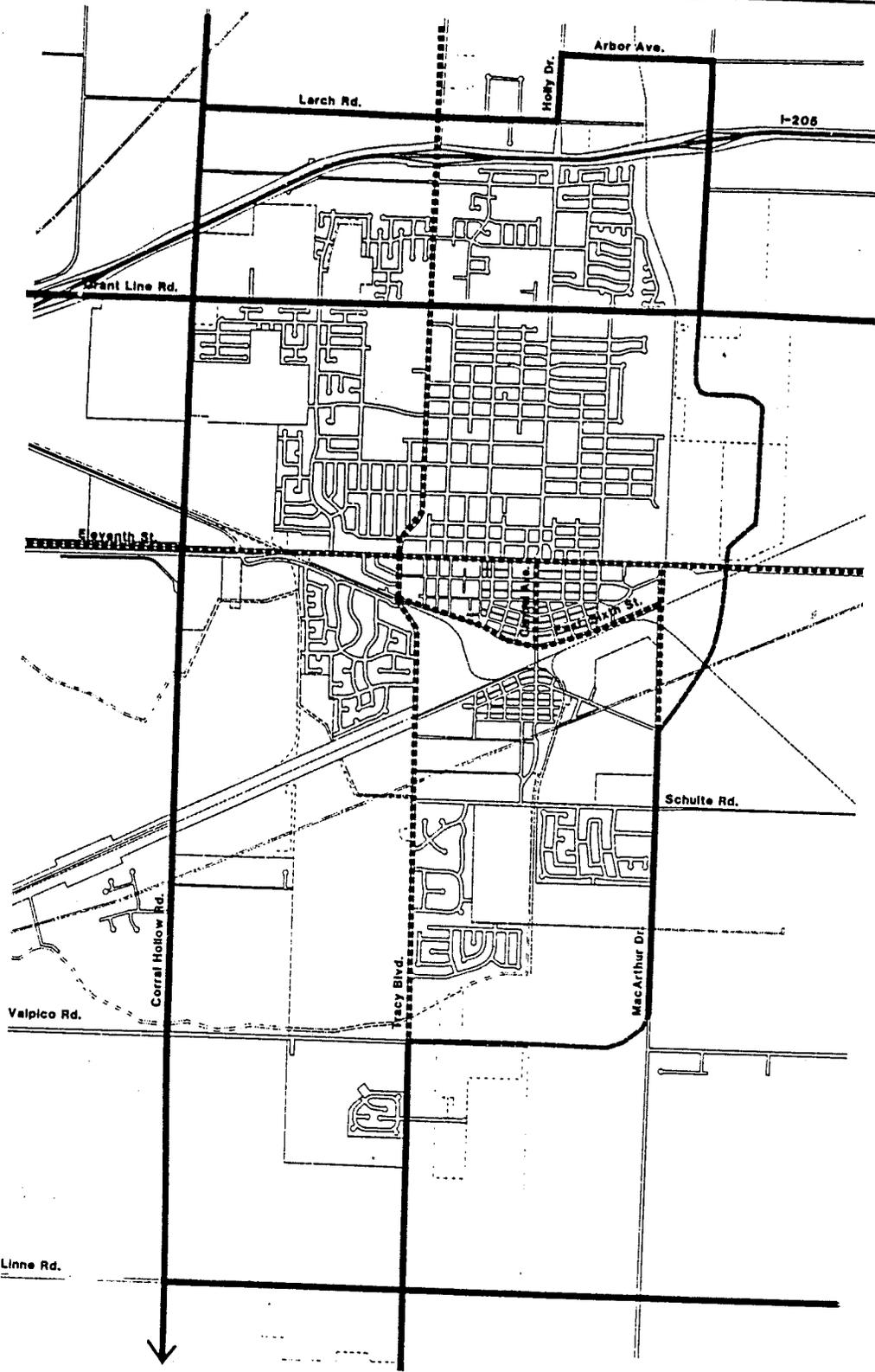
Figure 4.7 indicates a proposed network of Truck Routes within Tracy. Temporary Truck Routes are indicated in the central areas of the city which are to be used until the permanent truck routes are improved to allow continuous travel from I-205 on MacArthur Drive and Valpico Road to the intersection of Tracy Blvd. and Valpico Road.

4.2.3 Driveway and Intersection Standards

- (a) Major Arterial Streets may have driveways to individual industrial parcels, but these should be carefully located so as not to impede the primary function of these streets, which is to carry through traffic. In general, parcels with frontage on major arterials should have their entryway on side streets if possible. If a parcel's only frontage is on the major arterial, every effort should be made to consolidate access at a single driveway. In general, the rate of access points to arterial roads should not exceed an average of 1 for every 660 feet. In the vicinity of busy intersections, driveways will have to be located further from the intersection than indicated in Figure 4.3.
- (b) With the approval of the Director of Public Works entries not requiring median cuts may be allowed at intermediate spacing of approximately 330 feet. In addition a ganged-driveway (see Figure 4.8) to two adjacent parcels may be used.
- (c) Industrial Collector Streets may have driveways serving individual industrial parcels. Each entry shall be a minimum of 25 feet in width.
- (d) Street intersections shall be off-set a minimum of 330 feet to ensure smooth and safe traffic flow. "T" intersections are encouraged over four-way intersections.

4.2.4 Intersection Signalization

Analysis of projected average daily traffic (ADT) volumes given buildout of the Specific Plans (Figure 4.9) indicates that signals will be required at the following intersections:

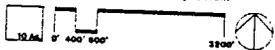


Tracy Industrial Area
Specific Plan

TRUCK ROUTES

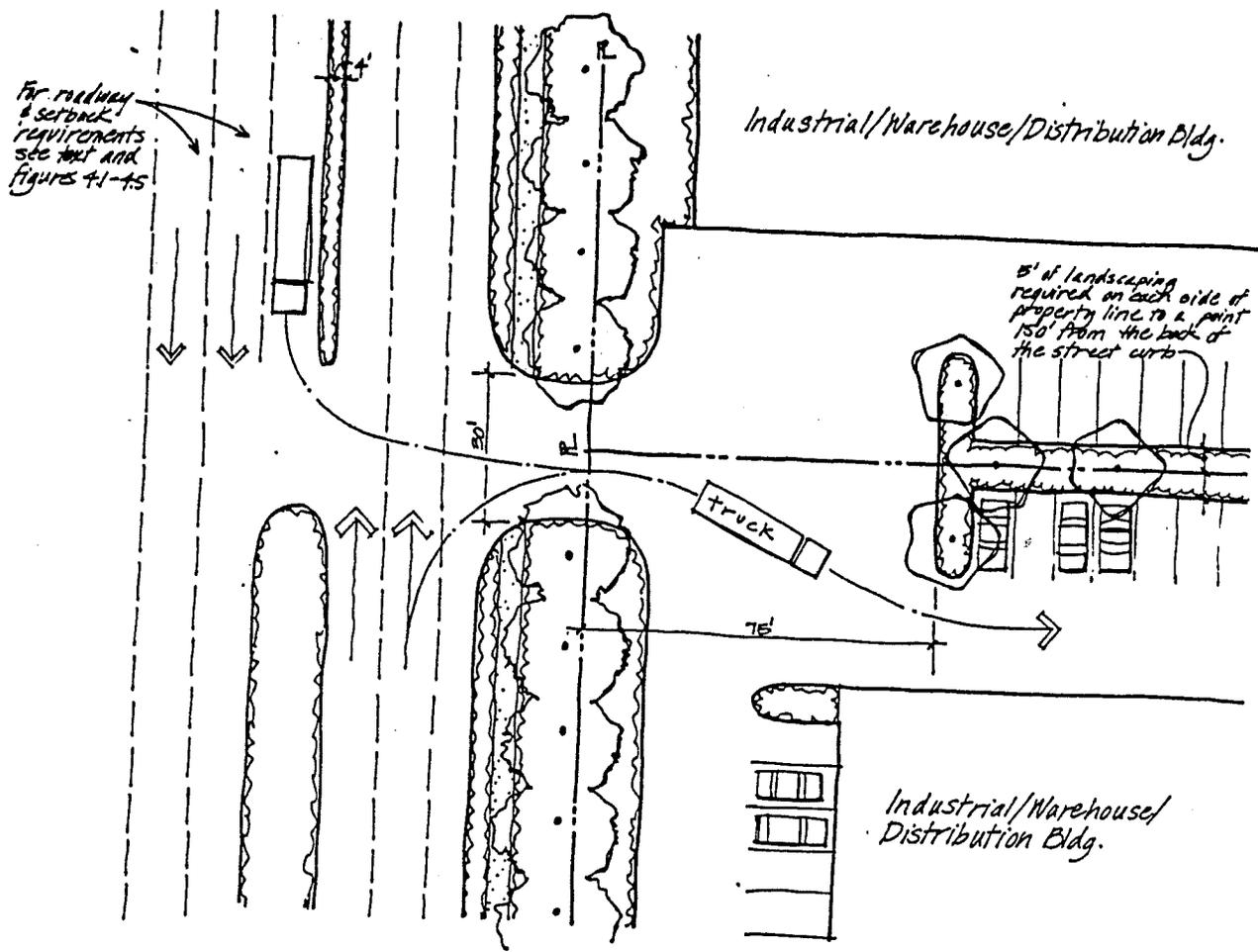
Prepared by
EDAW
in association with
Bartle-Wade • DKR • Wiley & Ham

- Truck Routes
- - - - - Temporary Truck Routes
- · - · - Future Road/Truck Route



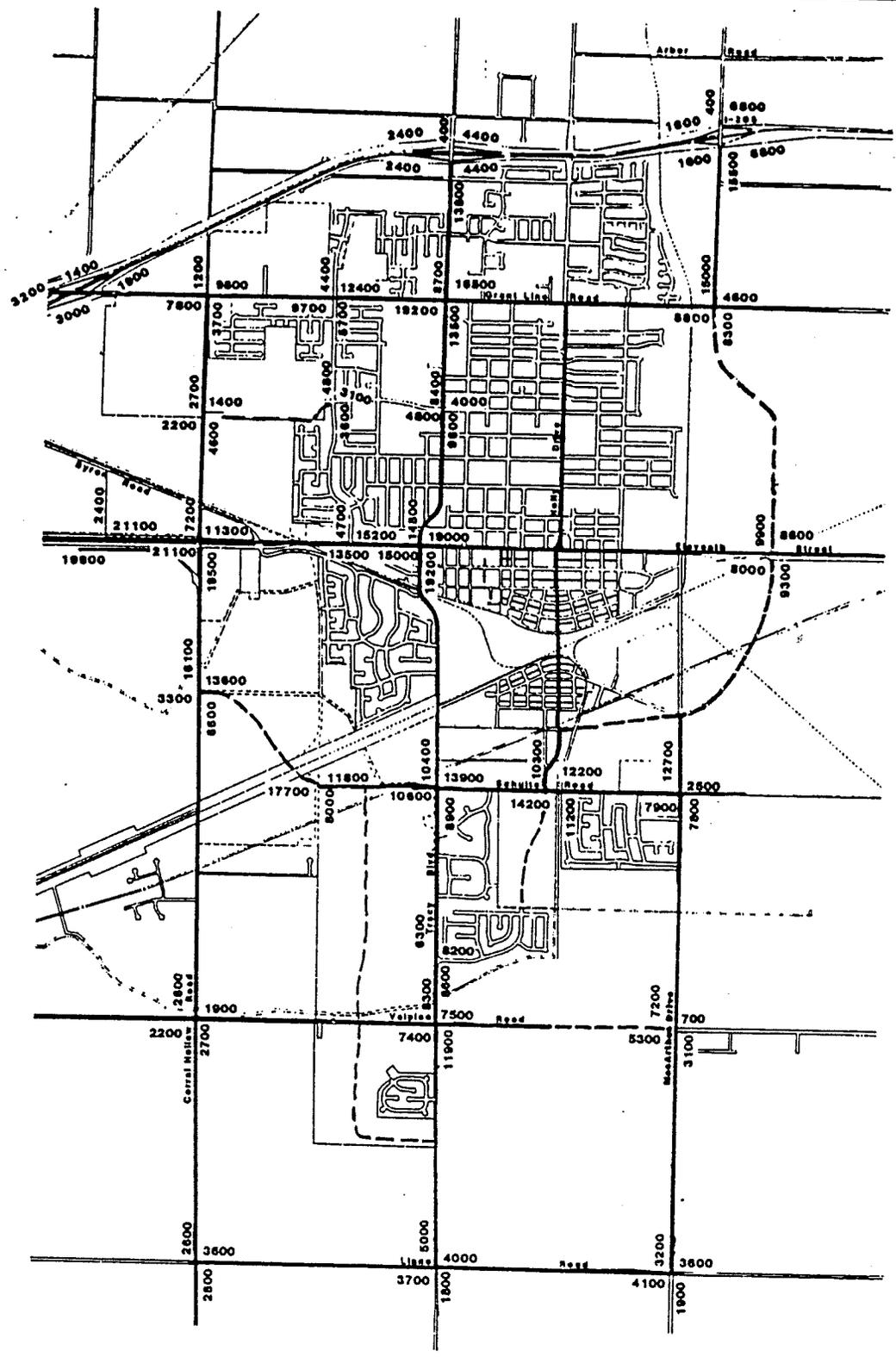
May 1988

Figure 4.7



Typical "Ganged" Driveway Development

Figure 4.8



Tracy Industrial Area
Specific Plan

**PROJECTED TRAFFIC
VOLUMES**

Prepared by
EDAW
in association with
Barton-Malow • DKC • Whaley & Horn

15000 Average Daily Traffic
(ADT) Levels at 50%
build-out

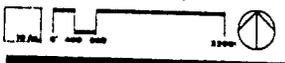


Figure 4.9

Industrial Areas Specific Plan

Mt. Diablo/MacArthur Drive
Schulte/MacArthur Drive
Valpico/Tracy Boulevard
Eleventh/MacArthur Drive
Grant Line/MacArthur Drive
Valpico/MacArthur Drive
Linne/Tracy Boulevard
Gandy Dancer/Tracy Boulevard

Residential Areas Specific Plan

Corral Hollow/Lowell Avenue
Lincoln/Lowell
Corral Hollow/Cypress Drive
Corral Hollow/Schulte
Sycamore/Schulte
Tracy Boulevard/Centre Court
Tracy Boulevard/Schulte
Central/Schulte
West Eleventh/New Byron Road

4.2.5 I-205 Improvements

Traffic analysis has shown that buildout of the Specific Plan and residential development in Tracy could lead to a significant increase of mainline traffic on I-205 and it will become necessary in the future to widen I-205 to at least three lanes in each direction. Sufficient rights-of-way exists for such a widening, but Caltrans has no projects programmed for I-205 at this time. City of Tracy officials should adopt a policy to pursue funding for the widening of I-205. Local officials should also work to promote traffic mitigation measures throughout the I-205 corridor, such as paratransit programs, to delay the need for this widening.

Freeway ramps will also be impacted by development in the Industrial Specific Plan areas. At 100 percent buildout, improvements will be required to the MacArthur Interchange as part of the Circulation Threshold system (refer to Section 4.1.2.1).

4.2.6 Railroad Crossing Design Criteria

4.2.6.1 At-Grade Railroad Crossings

Any roadways which cross railroads without grade separation should be designed to be as perpendicular as possible to the tracks. At-grade crossings should have appropriate signage and traffic control, per Caltran's Traffic Manual. Surface improvement standards at crossings should minimize jolts and vibrations to crossing automobiles.

4.2.6.2 Railroad Grade Separations

A railroad grade separation is proposed at the intersection of the new alignment of MacArthur Drive and Eleventh Street, with interim use of an at-grade crossing. Additionally, the at-grade crossing of the current alignment of MacArthur Drive and Eleventh Street shall be retained.

The design of railroad grade separations on Corral Hollow Road, Eleventh Street and Tracy Boulevard should conform to regulations contained in the Public Utilities Commission's General Order No. 26-C (which governs railroad bridge design) and the current Caltran's Highway Design Manual (which contains design criteria for roadways passing under railroads, bridges and overhead structures).

The following list of key criteria for all four grade separations is based on these two references as well as the circulation requirements of the City of Tracy:

- (a) Grade separations should have four travel lanes and sidewalks.
- (b) Maximum slope of the roadway should not exceed 5% and be provided with suitable transitions to continuing roadway grades.
- (c) Stopping sight distances and minimum roadway clearances shall conform to Caltran's standards.

4.2.7 Noise Standards

The following design guidelines shall apply to all uses within the Industrial Specific Plan areas to minimize noise impacts:

- (a) Where possible, avoid locating other noise-sensitive uses on sites with an exterior noise level greater than 60 dBA Ldn.
- (b) Ensure that new industrial projects are designed to minimize noise impacts on neighboring noise-sensitive areas. Reduced noise levels can be achieved with a combination of dense landscaping and additional setbacks where necessary. Refer to Section 4.1.2 for Environmental Performance Standards which pertain to noise standards.

4.3 Open Space

MacArthur Drive and Valpico Road will link with the City's open space network and will be improved to connect with the bikepath system. The following guidelines pertain to improvements in open space areas.

4.3.1 Streetscapes

4.3.1.1 General

- (a) The design of the streetscape should integrate, in a consistent and creative manner, plant materials, paths, landforms, soundwalls, lighting, furniture and signage to produce an attractive and functional environment.
- (b) Landscaping in the "Landscape Zone" along arterials will be installed by the developer at the time curb and gutters are constructed abutting the property and will be maintained by the Lighting and Landscaping District. The developer will file a master landscaping plan for the arterial setbacks and the collector streets within the industrial subdivision at the time a tentative map is submitted (also refer to Section 4.1.3.4(b)). Consistent with arterial street standard of the City, collector street landscaping will be implemented at the time of development of each lot along the collector.
- (c) All landscaping should employ a mix of trees, shrubs, groundcovers and turf where appropriate. The plant palette should be relatively limited and applied in groupings of similar species rather than a few plants of many different species planted together. The use of water conserving plantings, such as California natives and drought tolerant trees, shrubs and turf is encouraged.
- (d) Live plant materials should be used in all landscaped areas. The use of gravel, colored rock, bark and other similar materials are not acceptable as a sole ground cover material.
- (e) The use of lawn substitutes is encouraged in all medians, parkways and drainageways. The use of turf should be minimized and reserved for areas of high use or visibility.
- (f) Automatic irrigation is required for all landscape areas. Plants should be watered and maintained on a regular basis. Irrigation systems should be designed so as not to overspray walks, buildings, parking areas, etc. The use of water conserving systems such as drip irrigation for shrub and tree planting is encouraged.
- (g) The solar rights of property owners should be protected from encroachment by any structures or vegetation in the medians, parkways and drainageways.

4.3.1.2 Street Trees

General

- (a) Tree plantings should indicate street hierarchy with larger trees along arterial streets and smaller trees on collector and residential streets.
- (b) Tree plantings shall be symmetrical and of the same species in the parkways on both sides of the streets. Treatment of the drainageway when adjacent to parkways shall complement this formalized row of trees.
- (c) One tree specie or pattern of species shall be planted consistently at regular intervals along the entire length of a street. Spacing interval shall be no greater than 50 feet on center.
- (d) Where trees are planted in medians, the plantings shall be continuous and at regular intervals. Spacing interval shall be no greater than 40 feet on center. Adequate light lines shall be maintained at intersections.
- (e) Different tree species should be planted along intersecting arterials or collectors.

Special Streets

- (a) The following list identifies recommended trees for the major streets that form the framework of the community. Use of these trees on other streets should not be extensive.

<u>Street</u>	<u>Parkway</u>	<u>Median</u>
Grant Line Rd.	<i>Pistacia chinensis</i> Chinese Pistache	<i>Prunus serrulata</i> cvs. Flowering Cherry
Corral Hollow Rd	<i>Fraxinus holotricha</i> 'Moraine' Moraine Ash	<i>Pyrus calleryana</i> 'Bradford' Bradford Pear
Eleventh St.	<i>Pistacia chinensis</i> Chinese Pistache	<i>Malus</i> cvs. Flowering Crabapple
Tracy Blvd.	<i>Fraxinus oxycarpa</i> 'Raywoodii' Raywood Ash	<i>Pyrus calleryana</i> 'Aristocrat' Aristocrat Pear
Schulte Rd.	<i>Liquidambar</i> <i>styraciflua</i> American Sweet Gum	<i>Prunus serrulata</i> cvs. Flowering Cherry
MacArthur Drive	<i>Eucalyptus gunnii</i> Cider Gum	<i>Pyrus calleryana</i> 'Bradford' Bradford Pear
Valpico Rd.	<i>Celtis sinensis</i> Chinese Hackberry	<i>Malus</i> cvs. Flowering Crabapple

4.3.1.3 Storm Drainageways and Landscape Zone Design

- (a) Landscape design at the drainageway and in the landscape zone should use a mix of trees, shrubs, ground-covers, vines and turf as appropriate, mixing conifers with deciduous and evergreen broadleaf species. See Figures 4.3 and 4.6.
- (b) Trees species planted in the parkway and median of the adjacent street shall be used at the drainageway and in the landscape zone, however these species shall not account for more than 50% of all trees in these areas.
- (c) Landscape design should integrate the paths with the plantings and berms. Paths should be gently curvilinear, flowing together with the soundwall. Paths and trees should not be located on top of berms. See Figure 4.3.
- (d) Plantings should be designed to restrict access to the channel from the industrial property and adjacent properties.
- (e) No facilities requiring plumbing connections (i.e., restrooms, fountains) shall be installed at the drainageway or in the landscape zone.

- (f) The following is a list of trees recommended for use at the drainageway or in the landscape zone.

<u>Botanical Name</u>	<u>Common Name</u>
Aesculus californica	California Buckeye
Alnus rhombifolia	White Alder
Casuarina cunninghamiana	River She-Oak
Casuarina stricta	Coast Beefwood
Catalpa speciosa	Western Catalpa
Pinus canariensis	Canary Island Pine
Pinus eldarica	Mondell Pine
Pinus pinea	Italian Stone Pine
Platanus racemosa	California Sycamore
Populus fremontii 'Nevada'	Nevada Male Cottonwood
Populus nigra 'Italica'	Lombardy Poplar
Quercus agrifolia	Coast Live Oak
Quercus lobata	Valley Oak
Quercus rubra	Red Oak
Schinus molle	California Pepper
Salix babylonica	Weeping Willow
Salix tortuosa	Corkscrew Willow
Umbellularia californica	California Bay

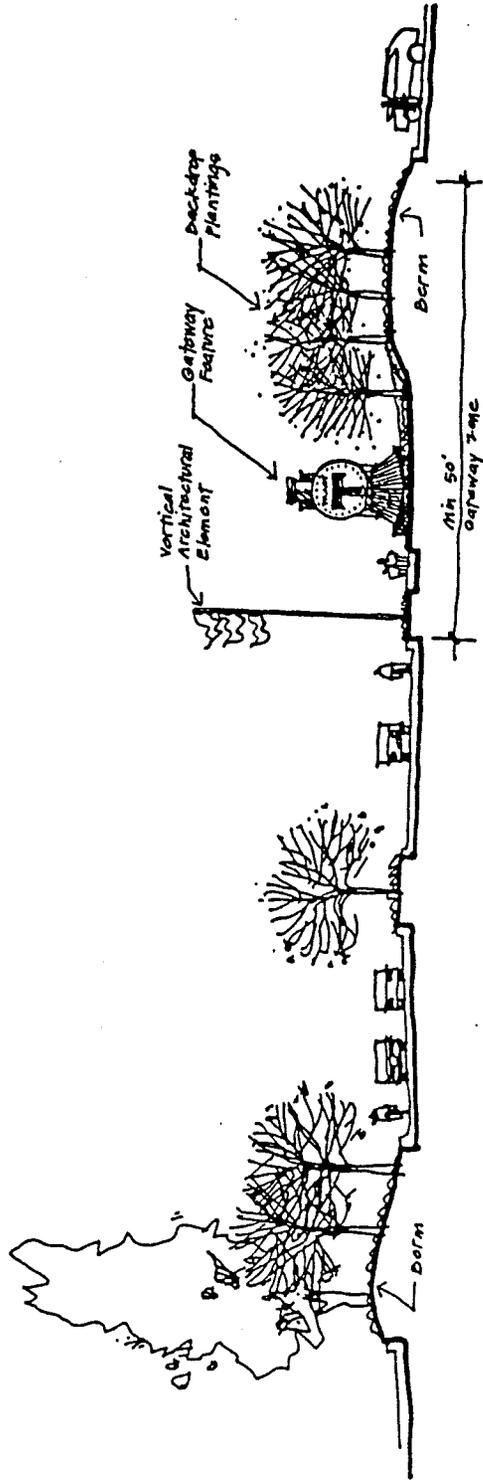
4.3.1.4 Pedestrian and Bicycle Paths

- (a) Bollards shall be installed at all intersections with streets to alert the pedestrian or cyclist and discourage vehicular access. Bollards should be removable to permit emergency access.
- (b) Bicycle paths should be constructed of asphaltic concrete.
- (c) Plantings should be designed and maintained to insure good visibility at intersections and prevent obstruction of paths.

4.3.1.5 Lighting and Street Furniture

Lighting

- (a) Illumination standards for arterial and collector streets should reflect the different right-of-way widths and functions.
- (b) Light fixtures and standards shall meet all safety standards and be employed throughout the length of each street. It is recommended that one lighting fixture style be employed for use on all streets.



Gateway Concept at Major Arterial

Eleventh St. at Mac Arthur Dr.

Figure 4.10

Street Furniture

- (a) Benches, bollards, trash receptacles and other furnishings should be provided at appropriate locations in the open space network.
- (b) All furnishings should be resistant to the weather and vandalism.

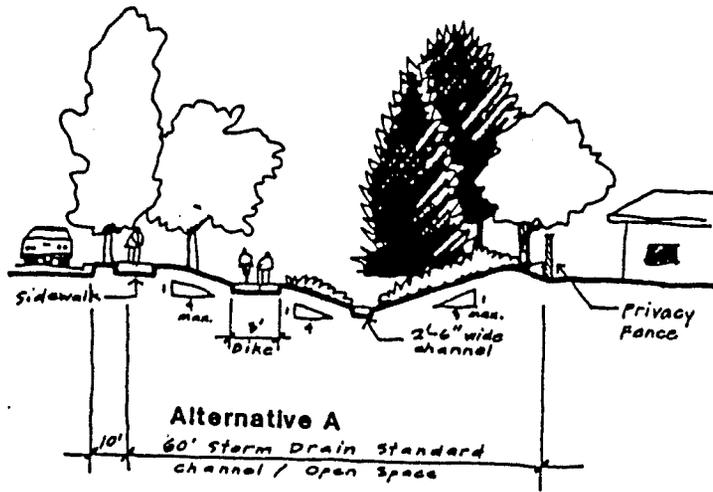
4.4 Storm Drainage

The storm drainage system is one of the most important functional systems within the Industrial Areas Specific Plan. Because it relies on a network of drainage channels to transport storm flows, it is essential that siting, design and construction of each segment of the system be coordinated. Therefore, design guidelines are provided in this section which specify standards for implementing the open channel system proposed in the Storm Drainage Master Plan.

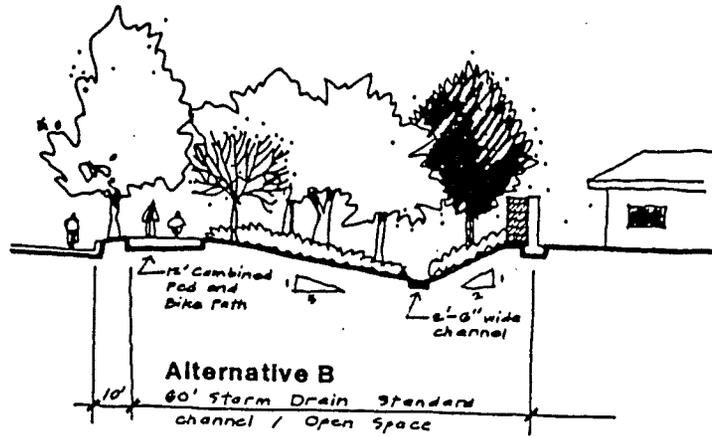
The plan also recognizes the ability of the Storm Drainage System to be an amenity to the surrounding community. An open space network is planned to be adjacent to storm channels and include bicycle and pedestrian pathways.

4.4.1 Channel Design Standards and Dedication Requirements

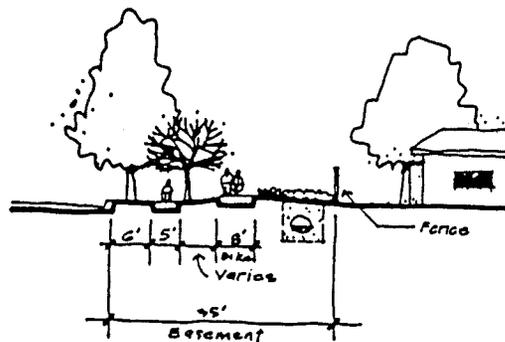
- (a) The main network of the Storm Drainage System is to be comprised of open channels. The top width of the open channel shall be approximately 53 feet with a bottom depth of six feet. The channel bottom will have a 2-1/2 foot wide concrete gutter section for low flows. The channel shall have a design velocity of not less than 2.0 feet per second, nor greater than 6.0 feet per second under storm flow conditions.
- (b) Where a storm drainage line is required to remove water from tributaries off a main drainage trunk line or from trapped drainage areas, a pipe line is permitted. When such a line is within an open space network, a 35-foot right-of-way is required (Figure 4.11). Outside the open space network, a 20-foot right-of-way is required, which can be located within subdivision street right-of-way when hydraulically possible.
- (c) Where roadways pass over the storm drainage system, low profile culvert sections may be used. Each crossing should be designed to convey the peak storm discharge and conform to any existing underground facilities. Construction of these crossings will either be by the open cut method or by the jacking method depending upon the particular site conditions.



**Storm Drain Channel-Section
When adjacent to arterial street**



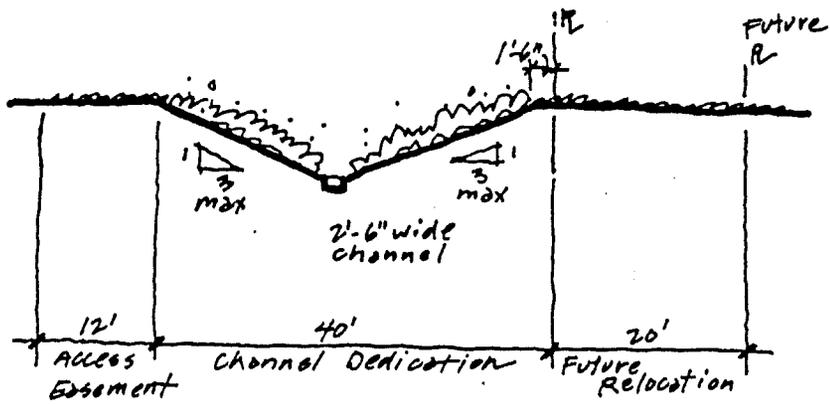
**Storm Drain Channel-Section
When adjacent to arterial street**



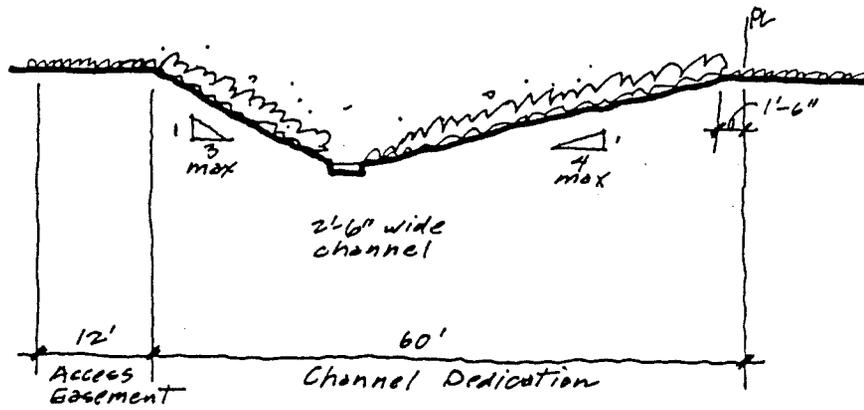
Piped Storm Drain-Section

**Note: 35 foot easement may overlap
with other easements
or rights of way**

Figure 4.11



Interim Section



Ultimate Section

Storm Drain Channel At Specific Plan Area Boundary PL

Figure 4.12

- (d) Channels that are adjacent to industrial properties will require pipe undercrossings at each driveway ingress-egress location. These locations will be in accordance with the driveway standards set forth in Section 4.2.2.
- (e) In accordance with the Storm Drainage Master Plan, the channel is designed to carry the peak flow discharge of the 100-year storm recurrence with one foot of freeboard.
- (f) The hydrology and hydraulic design of the channel shall be in accordance with the City of Tracy's standards as described in the Storm Drainage Master Plan. The hydraulic design of the intact system should be designed to the hydraulic gradients established by the Master Storm Drainage System. In no case shall the elevations of the rights-of-way lines and the top of curb elevations be less than the hydraulic gradient of the conveyance system for the 100-year and 10-year storm recurrence, respectively. Special designs may be considered by the City only if the above design considerations are demonstrated to be unobtainable.
- (g) All construction and materials required for the storm drainage system and any related appurtenance shall be designed to any and all City of Tracy Standard Specifications and Plans.
- (h) Any pumping stations that would be required to conform to City adopted policies shall be designed to provide an equivalent level of service as that of a gravity flow system. All pumping facilities shall have the required detention storage and standby power generators to maintain the proper level of service as determined by the City Engineer.
- (i) Design new facilities to incorporate and/or integrate with existing facilities where possible.
- (j) Investigate the feasibility of integrating or interconnecting the westside outfall facility (Basin #1 to sugar cut) with the existing T.B.A.D. outfall at Tracy Blvd., north of I-205.

4.4.2 Interim Facilities

The basic phasing technique in linking together non-sequential development patterns is to begin constructing the storm drainage network from the outfall (Sugar Cut) and proceed upstream with the construction. As the storm drainage channel passes each parcel it can be developed.

The provision of interim storm drainage detention facilities while the network is under construction is discouraged. Interim facilities will only be allowed when the following provisions can be met:

- (a) The City Engineer finds a compelling reason to allow the construction of such facilities as they will be easily incorporated into the City's master storm drain system.
- (b) The detention facility will be constructed as a segment of the adopted drain channel and it will lie entirely within the property to be served. Interim ponds other than segments of the adopted channel may only be constructed on parcels not mapped to be crossed by said channels.
- (c) The proponent can provide detention of the amount of runoff required by the City Engineer.
- (d) If a planned storm drainage channel lies on the parcel, the developer may build that segment and use it to the hydraulic capacity of the detention facility, based on criteria and review by the Director of Public Works.
- (e) If the parcel does not contain a segment of the storm drainage system or it contains a segment not large enough to hold the required capacity, the developer may build a detention facility for storm water drainage. Such an interim facility should be allowed only after full use is made of whatever segment of the drainway is accessible to the developer.

4.5 Utilities

Within industrial subdivisions sewer and water systems shall be designed in accordance with the City of Tracy's Master Plans and Standard Specifications and Plans. Also refer to the siting requirements discussed in Section 4.1.3.7.

5. IMPLEMENTATION: FINANCING AND PERMITTING

5.1 Permit Processing

The permit process described below applies to all developments proposed within the Industrial Specific Plan areas. Figure 5.1 is a graphic illustration of this process from design concept to approval of the building permit. Each element of the permit process is described in greater detail in the Tracy Municipal Code; the appropriate Municipal Code section numbers are referenced with the discussion below.

5.1.1 Preliminary Sketches (Sec. 10-3.306)

Prior to preparation of a tentative map, an informal review of the proposed development concept with the Community Development Department is suggested. This should be submitted in the form of a preliminary subdivision map. It should include preliminary subdivision layouts and proposed design solutions to Specific Plan requirements.

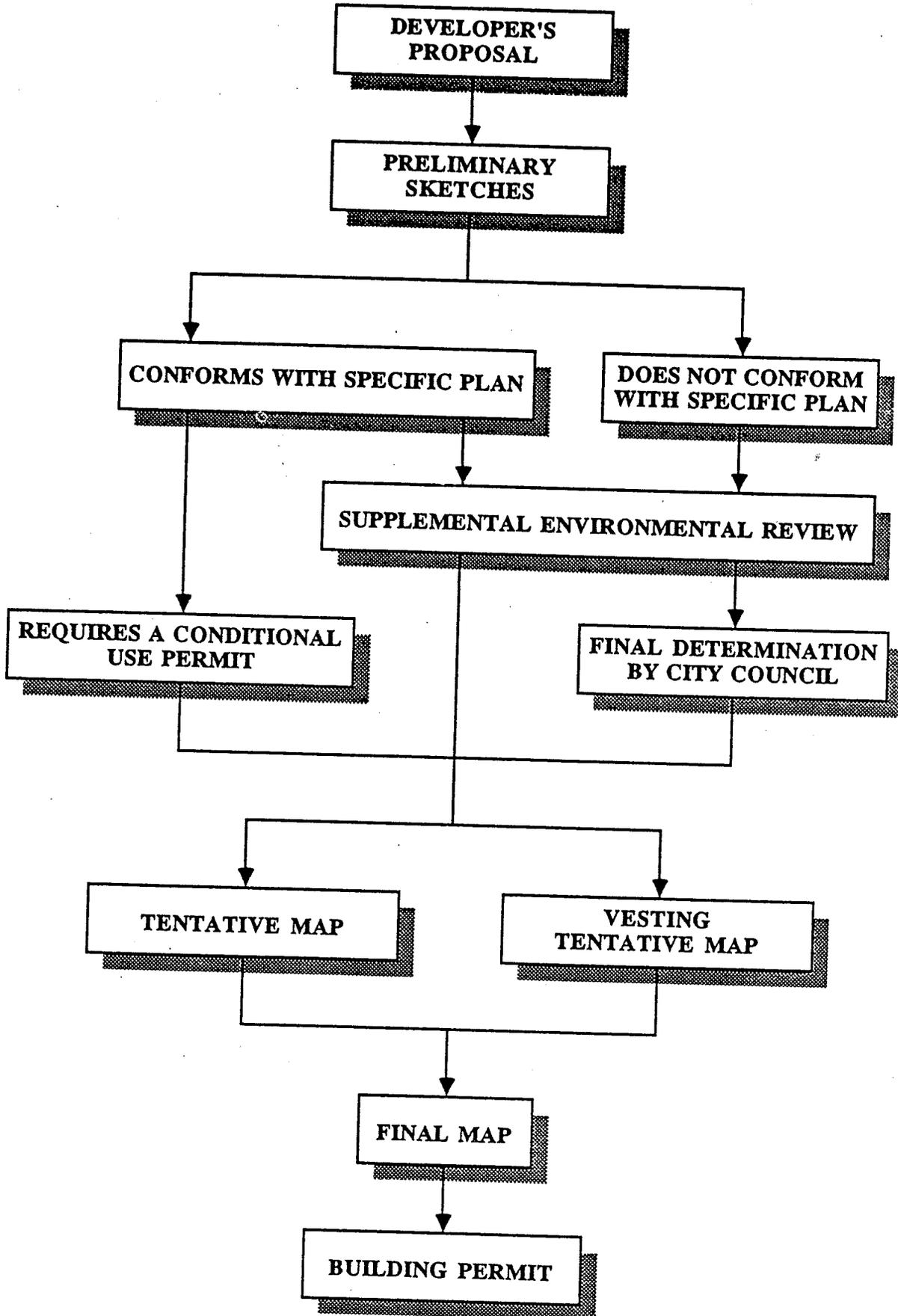
5.1.2 Tentative Maps (Sec. 10-3.310)

Once a development plan is complete, a tentative map must be submitted to the Community Development Department.

All tentative maps when filed shall furnish, either on the drawings or in an accompanying statement, the following information and data:

- (a) The tract name and number, date, north point, basis of bearing, scale, sufficient description to define the location and boundaries of the proposed tract, and sufficient elevations or contours to determine the general slope of the land;
- (b) The names and addresses of the record owner, subdivider, and engineer, surveyor, or other persons who prepared the map;
- (c) The location, names and existing widths of all adjoining and contiguous highways, streets, and ways and the location, names and tract numbers of all adjoining subdivisions;

Figure 5.1
SPECIFIC PLAN PERMIT PROCESSING



- (d) The location, names, widths, and approximate grades of all roads, streets, highways, and ways in the proposed subdivision, including those proposed to be offered for dedication;
- (e) The approximate widths, location, purpose of all existing easements within or adjacent to the proposed subdivision and of easements proposed for subdivision;
- (f) The approximate lot layout, with the approximate dimensions of each lot, and each lot numbered consecutively through the subdivision or by blocks;
- (g) The approximate location of any buildings, structures or trees with respect to the existing or proposed street or lot lines and the approximate location of all areas subject to inundation or storm water overflow, with the direction and flow of all watercourses, together with the proposed drainage plans, if any;
- (h) The proposed use of the lots, with indications as to the intended commercial, industrial, or other uses;
- (i) The types of streets, utilities, sewage disposal, and other improvements proposed to be installed, all in accordance with the specifications of the City;
- (j) Statements as to the public areas, tree planting, and street lighting proposed, if any, together with the restrictive covenants proposed to be recorded, if any.

If the Specific Plan requires certain improvements the proposed subdivision must provide them and must show them on the tentative map. Otherwise, the City must deny the map because it will not be consistent with the Specific Plan or condition the map to include Specific Plan improvements.

The Community Development Department shall distribute copies of the tentative map to the City Engineer and to any other City officials and department, or other public agencies, as they deem advisable. Recommendations by these officials or departments to the Design Review Committee must be made within 15 days. Notice of the filing of the tentative map must be sent to the appropriate school districts within 10 days of the filing of the map.

Within thirty (30) days after the filing of the tentative map the Community Development Department shall submit a written report of the tentative map to the Planning Commission. This report must make express findings of consistency with the Specific Plan as a prerequisite to approval of the tentative map. A copy of this report shall be served on the subdivider at least two days prior to any hearing or action on the map.

At the next regular meeting of the Planning Commission following the submittal of the written report, the Planning Commission shall fix the meeting date at which the tentative map will be considered. This date shall be within 30 days, but may not exceed 50 days from the filing of the written report. At that time the Planning Commission shall approve, conditionally approve, or disapprove the tentative map.

An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after time extensions not to exceed 12 months. Government Code Section 66452.6 provides additional information on time extensions for tentative maps.

5.13 Vesting Tentative Maps (new reference)

Recent revisions to the Subdivision Map Act have established a new form of tentative map for subdivisions in California--the "Vesting Tentative Map." The rights accruing to a subdivider upon approval of a vesting tentative map are expressly deemed to constitute "vested rights" to proceed with the development in substantial compliance with the local ordinances, policies and standards in effect at the time the application for approval of the vesting tentative map is deemed complete. (Curtin, 1985.) Because these vested rights can be in effect up to two years beyond the recording of the final map, the vesting tentative map statute offers developers a degree of assurance not previously available.

The vesting tentative map process starts when the subdivider files a tentative map with the words "Vesting Tentative Map" presented conspicuously on the face of the map. The City must process it as a vesting tentative map and cannot deny it solely because it is one. The City may, in adopting its implementing procedures, require the subdivider to supply additional information at the outset, before the map is processed. However, vesting tentative maps are processed with same procedure as tentative maps.

Beginning January 1, 1988, nonresidential developments may file vesting tentative maps.

5.1.4 Final Maps (Sec. 10-3.401 - Sec. 10-3.411)

Prior to the expiration of the Tentative Map, a Final Map should be submitted to the Department of Public Works. This map shall be prepared by either a registered civil engineer or licensed land surveyor and must conform with the Tentative Map as it was approved or conditionally approved.

The form and contents of the Final Map shall conform to the requirements of Municipal Code Sections 10-3.402 through 10-3.408.

Upon receipt and review of the Final Map the City Engineer, or any other designated engineer, will attach a certificate to the map which certifies that the map has been examined, that the subdivision as shown is substantially the same as it appears on the tentative map, that all provisions of the Map Act and of any local ordinance applicable at the time of approval of the tentative map (including the Specific Plan), have been complied with, and that the map is technically correct.

The Final Map is then forwarded to the Planning Commission and subsequently the City Council for approval.

5.1.5 Improvement Agreements (Sec. 10-3.601 - Sec. 10 - 3.607)

In all cases, the subdivider will enter into an "improvement agreement" and post the necessary bond when the Final Map is submitted for approval to the City Council.

These agreements are security to assure the City that improvements will indeed be made and shall apply to:

- (a) grading and paving of streets
- (b) construction of curbs and sidewalks
- (c) subdivision drainage structures
- (d) sanitary sewer system connections
- (e) storm drainage channels and piped segments
- (f) water mains and hydrants
- (g) railroad crossings where included in subdivision
- (h) street trees, street lighting, and street landscaping

The agreement should be considered as a condition of approval of the Final Map. Plans for each of the improvements listed above shall be submitted prior to the approval of the Final Map and all construction details must conform with the Specific Plan and other City Standard Plans and Specifications.

The City may only impose those conditions which are in effect at the time the application for the tentative map has been completed. Furthermore, conditions which could have been placed on a tentative map cannot be placed on subsequent permits for construction.

5.1.6 Building Permits

Following approval of the final map, development proposals may apply for building permits through the Building Department. All structures must comply with the currently adopted edition of the Uniform Building Code.

Before a building permit shall be issued for any building or structure, the Building official shall determine that the proposed building location, facilities, and improvements are in conformity with the approved final map and its specified conditions. Before a building may be occupied, the Building Official shall certify that the site has been developed in conformity with the final map.

5.1.7 Conditional Use Permits (Sec. 10-2.3401 - Sec. 10-2.3419)

Land uses which are permitted within the Industrial Specified Plan areas are listed Section 4.1.1. Specified conditional uses shall be permitted subject to the approval of a Conditional Use Permit. Because these uses are potentially disruptive with the surrounding uses, conditional uses require special consideration and may necessitate imposition of certain conditions on the development.

The process for applications for Conditional Use Permits is discussed in the Municipal Code.

5.1.8 Project Proposals and the California Environmental Quality Act

5.1.8.1 Commercial/Industrial Projects

An Environmental Impact Report (EIR) has been prepared which addresses the potential impacts of the nonresidential uses allowed by this Specific Plan. This EIR only identifies the impacts of the amount and mix of development of several alternative development scenarios which could occur within the guidelines of the Specific Plan. If individually proposed projects are within this prescribed level of development, then a Negative Declaration may be granted and no additional environmental review process would be required. If additional impacts are identified, supplemental environmental review, such as an EIR focused on environmental pollutants or traffic generation, will be required. General impacts which are addressed in the Specific Plan EIR should be included in supplemental EIRs by reference.

5.1.9 Development Agreements

Development Agreements give assurances to applicants for a development project that upon approval of the project, an applicant may proceed with the project in accordance with existing policies, rules and regulations. They are intended to strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic costs of development.

- (a) The City of Tracy may enter into a development agreement with any person having a legal or equitable interest in real property. The City shall, upon request of an applicant, by resolution or ordinance, establish procedures and requirements for the consideration of development agreements upon application by, or on behalf of, the property owner or other person having a legal or equitable interest in the property.
- (b) The City may recover from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements.
- (c) The City shall undertake periodic review at least every twelve months, at which time the applicant or successor shall be required to demonstrate good faith compliance with the terms of the agreement. If, as a result of such periodic review, the local agency finds and determines, on the basis of substantial evidence, that the applicant or successor has not complied in good faith with terms or conditions of the agreement, the City may terminate or modify the agreement.

- (d) According to the California Government Code (Sections 65864 through 65869.5), a development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The development agreement may include conditions, terms, restrictions and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions and requirements for subsequent discretionary actions shall not prevent development of the land for the uses and to the density or intensity of development set forth in the agreement. The agreement may provide that construction shall be commenced within a specified time and that the project or any phase thereof be completed within a specified time.

The agreement may also include terms and conditions relating to applicant financing of necessary public facilities and subsequent reimbursement over time.

- (e) Unless amended or canceled, a development agreement shall be enforceable by any party notwithstanding any change in any applicable general or specific plan, zoning, subdivision or building regulation adopted by the City.
- (f) Unless otherwise provided by the development agreement, rules, regulations and official policies governing permitted uses of the land, governing density and governing design, improvement, and construction standards, and specifications applicable to development of the property subject to a development agreement, shall be those rules, regulations and official policies in force at the time of execution of the agreement. A development agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations and policies which do not conflict with those rules, regulations and policies applicable to the property as set forth herein, nor shall a development agreement prevent the City from denying or conditionally approving any subsequent development project application on the basis of such existing or new rules, regulations or policies.
- (g) A public hearing on an application for a development agreement shall be held by the Planning Commission and by the City Council. Notice of intention to consider adoption of a development agreement shall be given in addition to any other notice required by law for other actions to be considered concurrently with the development agreement.
- (h) A development agreement is a legislative act which shall be approved by ordinance and is subject to referendum. A development agreement shall not be approved unless the City Council finds that the provisions of the agreement are consistent with the General Plan and the Tracy Industrial Areas Specific Plan.
- (i) A development agreement may be amended or canceled in whole or in part by mutual consent of the parties to the agreement or their successors. Notice of intention to amend or cancel any portion of the agreement shall be given. An amendment to an agreement shall be approved by ordinance and subject to referendum.

- (j) No later than ten (10) days after the City enters into a development agreement, the City Clerk shall record with the County Recorder a copy of the agreement. From and after the time of the recordation, the agreement shall state such notice. The burdens of the agreement shall be binding upon, and the benefits of the agreement shall inure to all successors in interest to the parties of the agreement.
- (k) In the event that state or federal laws or regulations, enacted after a development agreement has been entered into, prevent or preclude compliance with one or more provisions of the development agreement, such provisions of the agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations.

5.2 The Financing Plan

The Financing Plan which is presented in this section is a key element of the Specific Plan Implementation Program. It provides the funding strategy for building the capital improvements which are required by the Industrial Areas Specific Plan and is linked to the improvements needed to also implement the Residential Areas Specific Plan. Because the Financing Plan will continue to evolve as design and construction details are prepared, the discussion in this report is generalized. Greater specificity is provided in a separate detailed finance plan.

5.2.1 Capital Financing Methods

5.2.1.1 Assessment Districts

An assessment district is a financing tool only, rather than a separate political agency or authority. It allows the city to construct public improvements and spread the costs of the improvements to the benefited properties within the district. A variety of improvements can be financed, such as water, sewer, drainage and flood control, streets, sidewalks, and lighting. The costs must be spread in proportion to the benefit each property receives from the improvements. Assessments may be paid in cash by the property owners, or bonds can be sold which are secured by the assessments.

All construction done with assessment financing must be public works construction, following all the laws applicable to city-awarded and city-administered construction contracts. Completed projects, built by a developer to acceptable city standards, may also be acquired by a city using this same assessment financing. This approach is often called an "acquisition district."

Assessment bonds can be issued under one of two statutes--the Improvement Act of 1911 (Streets and Highways Code Section 5000-6794) or the Improvement Act of 1915 (Streets and Highways Code Section 8500-8887). Implementation of assessment financing must follow specific procedures set forth in either the 1911 Act or the Municipal Improvement Act of 1913 (Streets and Highways Code Section 10000-10610). Under the 1911 Act each bond is a lien against a specific parcel of real property. The bondholder can foreclose on the property in the event of default. Under the 1915 Act, all bonds are secured by all properties within the assessment district's boundaries. Most assessment financing today is done under 1913 Act proceedings and 1915 Act bonds.

The security for assessment bonds is the lien on the property established by the assessment proceedings. An assessment lien is a first lien on property, superior to any subsequent assessments or mortgages. Assessment installments are billed on the annual property tax bills. They are payable, become delinquent, and are subject to the same penalty and recovery laws as general property taxes. In addition, when the bonds are issued, the city covenants to commence superior court foreclosure proceedings within a specific period (usually 150 days) following the delinquency of any installment.

Assessment districts have been in use for many years, as shown by the dates of the statutes. Assessment bonds--both 1911 Act and 1915 Act--are well-accepted in the bond market. Certain bond underwriters specialize in the marketing and distribution of assessment bonds. The interest rate on assessment bonds depends on the credit of the particular issue and the general level of interest rates when the bonds are sold. A solidly structured assessment bond can be marketed at attractive rates. Credit considerations include:

- (a) Value-to-lien ratio: The ratio of the assessed or appraised value of the property to the assessments must be sufficient to secure the bonds. As a general rule this ratio should be at least 3:1.
- (b) Nature of development:
 - Improved vs. unimproved lots
- (c) Size of parcels and number of property owners; financial condition of developers in developer-owned districts

- (d) Tax delinquency rates
- (e) Structure of bond issue:
 - Term of the bonds
 - Reserve fund

5.2.1.2 Development Fees

A development fee is a one-time fee on new construction levied at the time development takes place. It is designed to recapture in part the costs which have been incurred in advance of development in order to make it possible for the property to develop. The sizing of such fees can be based on a wide variety of approaches. Their intent is to prevent new development from draining the resources of the existing city for new development purposes at the expense of the maintenance and improvement of existing facilities. This report does not recommend development charges on industrial developments.

Recent state legislation allows school districts to impose development fees up to a maximum rate of \$1.50 per square foot for residential property and \$0.25 per square foot for commercial and industrial property. The state will assume, in future state funding for school construction, that such fees have been levied at the maximum rates, and that the funds collected are available for school construction.

5.2.2 Financing Plan

The financing plan includes the following elements:

- (a) The improvements to the existing wastewater treatment system and the cost of providing service facilities to the industrial areas will be financed through Assessment District 84-1.
- (b) The new water system consisting of several storage facilities, as well as a new network of water mains, will be paid for by a traditional assessment district over both the Industrial and Residential Specific Plan areas, Assessment District 87-3 approved in the beginning of 1988.

- (c) The cost of infrastructure adjacent to industrial development will be paid for by small assessment districts covering the industrial development and will be treated as an on-site improvement initially financed by the developer.
- (d) The plan proposes no Mello-Roos tax on industry.
- (e) The finance plan addresses the effects of inflation by allowing for the annual adjustment of the builder fee according to a recognized index of inflation.
- (f) The finance plan delays the expense of acquiring land for right-of-ways by deferring the payment for those acquisitions until the latter years of the plan. Developers would be paid for the value of the land plus interest earned during the years of deferment of payment.

A summary of the Residential Areas Specific Plan capital improvement plan is as follows (in \$ millions):

**Table 5.1
Residential Areas Specific Plan Capital Improvement Costs**

<u>Project</u>	<u>Total</u>	<u>Year</u> <u>1</u>	<u>Year</u> <u>2</u>	<u>Year</u> <u>3</u>	<u>Year</u> <u>4</u>	<u>Year</u> <u>5</u>	<u>Year</u> <u>6</u>	<u>Year</u> <u>7</u>	<u>Year</u> <u>8</u>
Streets	16.473	0.500	5.760	1.769	1.715	1.003	1.181	3.236	1.308
Drainage	16.293	0.100	0.062	2.972	2.587	2.781	5.660	0.0	2.131
Parks	14.540	0.0	0.0	3.340	0.950	1.050	1.050	1.625	6.525
Govt. Bldgs.	2.895	0.0	0.0	0.200	1.490	0.100	0.585	0.520	0.0
Water	21.180	21.180	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Community Park	6.500	6.500	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Schools	69.180	0.900	12.980	16.380	13.440	14.560	6.900	4.000	0.0
TOTAL	147.061	29.180	18.802	24.661	20.182	19.494	15.376	9.381	9.965

The following portion of the infrastructure costs will be financed within the Industrial Areas Specific Plan:

**Table 5.2
Industrial Areas Specific Plan Capital Improvement Costs**

Project	Total	Year							
		1	2	3	4	5	6	7	8
Streets	7.420	0.0	0.188	0.0	0.0	0.0	0.0	1.670	5.562
Drainage	2.412	0.0	0.0	0.0	0.0	0.0	2.412	0.0	0.0
TOTAL	9.830	0.0	0.188	0.0	0.0	0.0	2.412	1.670	5.562

In addition to the above the Industrial Areas will participate with the Residential Areas in paying for the 18.0 million dollars of water system improvements through the aforementioned proposed assessment district.

5.2.2.1 Infrastructure Improvements and Cost Allocations

In order to appropriately allocate the estimated costs of infrastructure improvements according to amount of benefit derived by each user, the following calculations and policies were made. The following dollar costs will be further refined in the implementation program and may vary from those listed.

Definitions:

- Industrial: Industrial Specific Plan Finance and Implementation Plan
- Developer: Fronting property owner who has the burden for one lane, parking strip, curb/gutter and landscaping and pedestrian way.
- Residential: Residential Specific Plan in-lieu fees. Refer to Residential Specific Plan Implementation and Infrastructure Phasing Plan.

ARTERIAL STREETS

Areas of Benefit:

Northern Benefit Zone: MacArthur Drive, north of its intersection with Schulte Road.

Southern Benefit Zone: Roadways included in the area south of Schulte Road and its extension east and west.

Northern Benefit Zone:

MacArthur Drive:

Schulte Road to Third Street (4 lanes and cemetery frontage)	Developer: Residential and City:	\$460,000 \$1,180,000
Third Street to Eleventh Street (60' ROW/24' paved)	Industrial: Residential:	\$1,045,000 \$1,045,000
Eleventh Street to Grant Line Road	Developer: Residential:	\$2,520,000 \$1,960,000
Grant Line Road to Pescadero	Developer:	\$450,000
Pescadero to I-205	Industrial:	\$500,000

Signalization:

MacArthur Drive at Grant Line Road	Industrial:	\$188,000
MacArthur Drive at Eleventh Street	Industrial:	\$188,000
MacArthur Drive at Mt. Diablo	Industrial:	\$188,000
MacArthur Drive at Schulte Road	Industrial:	\$188,000
SUBTOTAL NORTHERN BENEFIT ZONE:	Industrial: Developer: Residential:	\$2,097,000 \$3,430,000 \$4,185,000

Southern Benefit Zone:

MacArthur Drive:

Schulte Road to Valpico Road	Industrial:	\$2,130,000
<u>Valpico Road:</u>		
MacArthur Drive to Tracy Boulevard	Industrial: Developer:	\$1,670,000 \$650,000
<u>Tracy Boulevard:</u>		
Valpico Road to Linne Road	Industrial: Developer: Residential:	\$830,000 \$830,000 \$415,000
<u>Linne Road:</u>		
Tracy Boulevard to Corral Hollow Road (Right-of-Way)	Industrial: Developer:	\$141,000 \$66,000

Signalization:

Valpico Road at MacArthur Road	Industrial:	\$188,000
Tracy Boulevard at Valpico Road	Industrial:	\$188,000
Linne Road at Tracy Boulevard	Industrial:	\$188,000
Tracy Boulevard at Gandy Dancer	Industrial:	\$188,000
SUBTOTAL SOUTHERN BENEFIT ZONE:		
	Industrial:	\$5,523,000
	Developer:	\$1,546,000
	Residential:	\$415,000
TOTAL ARTERIAL COSTS:		
	Industrial:	\$7,420,000
	Developer:	\$3,976,000
	Residential:	\$4,600,000

Fee Basis:

Off-site cost participation consists of the elements shown for signalization and industrial contribution. The roadway costs include center two lanes, 24' of paving and median, plus 40' of right-of-way.

Industrial Arterial by ECU:

Northern Benefit Zone:

I-1	Interland	76.42 acres	382 ecu
I-2	Mark III	139.21 acres	711 ecu
I-3	Pombo	74.20 acres	361 ecu

289.83 acres 1,464 ecu

Arterial Improvements: $\$2,097,000 / 1,464 \text{ ecu} = \$1,432/\text{ecu}$

Southern Benefit Zone:

I-4	Murphy	10.00 acres	50 ecu
I-5	Murphy	10.00 acres	50 ecu
I-6	Cose	34.09 acres	170 ecu
I-7	Union Pacific	238.92 acres	1,195 ecu
I-8	Teichert	99.04 acres	375 ecu

392.05 acres 1,840 ecu

Arterial Improvements: $\$5,523,000 / 1,840 \text{ ecu} = \$3,002/\text{ecu}$

STORM DRAINAGE

Northern Benefit Area:

Sugar Cut Drainage Area (existing acreage fee of \$3,998/acre), which is located north of Schulte Road has the following costs for industrial development.

Improvements:

Third Street to Eleventh Street:

Residential Specific Plan Costs:	R/W in Year 1	\$62,000
	Channel Year 2	\$553,000

Schulte Road to Third Street:

Pipe from existing Almondwood retention basin to Third Street at a cost of \$224,000. Year 5 of Residential Specific Plan provides oversize funding. Balance of amount is paid by contributing owners.

Eleventh Street to Sugar Cut:

Total Industrial Storm Drainage Improvement Costs: \$5,660,000

On-Site Developer Costs:

Pombo	\$1,037,000
Mark III	\$1,037,000
Interland	\$1,174,000

Off-Site Costs Paid by Industrial Specific Plan Infrastructure and Financing Program \$2,412,000

Total Acreage in benefit area = 289.83 acres
Total ECU's in benefit area = 1464 ecu

$\$2,412,000 / 1,464 \text{ ecu} = \$1,648/\text{ecu}$

Southern Benefit Area:

Parcels in the Southern Benefit Area will contribute a drainage fee of \$3,335 per acre that will be applied to the cost of constructing improvements in the Corral Hollow Drainage Area, except parcel I-8 which will provide permanent on site drainage retention.

Terms:

Industrial developer is required to build on-site improvements and terminal off-sites that are required for storm drainage system.

Developer pays the acreage fee at the time of subdivision and is reimbursed for off-site improvements up to the amount of fee paid. A benefit district is established for the balance of the off-site costs.

5.2.2.2 Infrastructure Phasing

The phasing of infrastructure in an integral part of making implementation of the Specific Plan economically feasible. Because the assessed value of the Industrial Areas Specific Plan land is expected to increase slowly, it is necessary to phase infrastructure gradually. The exception to this is the water system which will be paid for through a separate assessment district, which may proceed very rapidly.

Storm drainage costs are deferred by the use of interim ponds built and paid for by the individual developers on their sites. The sewer system will be deferred until later years. A premise of the infrastructure phasing plan is that if a developer wishes to construct an infrastructure item, ahead of the schedule established by the City, then he may do so at his own cost to be reimbursed at the time that the City had scheduled to construct that infrastructure item.

The infrastructure phasing program is shown in Table 5.1.

5.3 Implementation Checklist

The following is a recommended checklist of actions that the City should complete to ensure adequate implementation of the Industrial Specific Plan.

- (a) Establish a citywide Design Review Board
- (b) Amend Zoning Ordinance to comply with Industrial Specific Plan requirements.
- (c) Amend Municipal Code to revise permit processing procedures to comply with Industrial Specific Plan.
- (d) Prepare detailed storm drainage plans.
- (e) Implement Financing Plan.

Table 5.3

Industrial Areas Specific Plan
Infrastructure Phasing Plan

Phase	Project	Amount (in \$ millions)
<u>Phase 1: 50% Build-out</u>		
Year 1	No Work Planned-	
Year 2	Signalize Eleventh St. at MacArthur Drive	\$0.188
Year 3	No Work Planned-	
Year 4	No Work Planned-	
Year 5	No Work Planned-	
Year 6	Construct Storm Drainage Facilities Along MacArthur Drive	\$2.412
Year 7	Improve Tracy Blvd. from Valpico Road Drive to Linne Road	\$1.670
Year 8	Improve and Extend Valpico Road from Tracy Boulevard to MacArthur Drive; Improve MacArthur Drive from Valpico Road to Schulte Road; Improve Linne Road from Corral Hollow Road to Tracy Boulevard; Signalize remaining inter-sections	\$5.562

Phase 2: 75% Build-out

- * Widen MacArthur Drive to 6 lanes

Phase 3: 100% Build-out

- * Improve I-205 Interchange

* Dates to be determined.

(B)

RESOLUTION NO. 89-375

RESOLUTION OF APPROVAL AMENDING THE INDUSTRIAL AREAS SPECIFIC PLAN
SECTION 4.1.1.1, LIMITED INDUSTRIAL ZONES BY ALLOWING MINING AND
QUARRYING AS A CONDITIONAL USE AND DELETING IT AS A PROHIBITED
USE THE APPLICANT IS THE CITY OF TRACY
APPLICATION NO. 18-88-ZA

WHEREAS, The Tracy Municipal Code Section 10-2.2001, Light Industrial Zone, Permitted Uses (M-1) lists mining and quarrying as a conditionally allowed use, and

WHEREAS, Section 4.1.1.1 of the Industrial Specific Plan lists mining and quarrying as a prohibited use in Limited Industrial Zones, and

WHEREAS, Policy Area 24, Extractive Resources, of the City's General Plan has a guiding policy to protect gravel resources while minimizing environmental impacts, and

WHEREAS, Section 2762 of the California Surface Mining and Reclamation Act of 1975 requires the local lead agency to recognize mineral information designating lands of State regionally significance and/or classified for mineral resources, and

WHEREAS, The General Plan and Industrial Specific Plan have Limited Industrial lands that are of regional significance and/or classified for aggregate minerals;

NOW, THEREFORE, BE IT RESOLVED That the City of Tracy City Council does hereby amend Section 4.1.1.1, Limited Industrial Zones of the Industrial Specific Plan to delete (d) Mining and Quarrying under prohibited uses and add (e), Mining and Quarrying under conditionally-permitted uses.

* * * * *

The foregoing Resolution No. 89-375 was passed and adopted by the City Council of the City of Tracy on the 12th day of September, 1989, by the following vote:

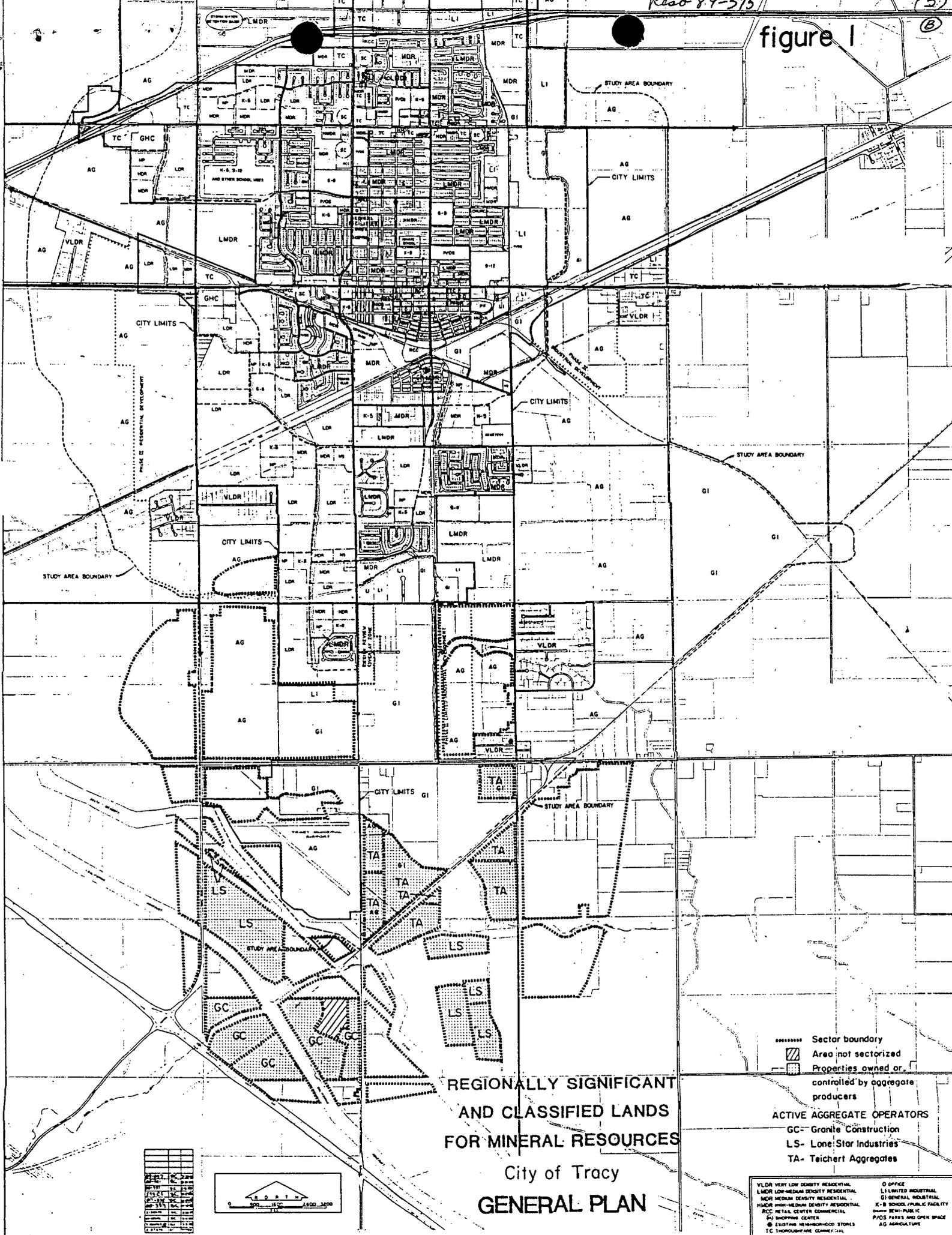
AYES: COUNCIL MEMBERS: MORELOS, SCHUBERT, ZANUSSI, SCOTT
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: BLAND


MAYOR *Ray H. Schubert*

ATTEST:


CITY CLERK

figure 1



REGIONALLY SIGNIFICANT
AND CLASSIFIED LANDS
FOR MINERAL RESOURCES

City of Tracy
GENERAL PLAN

- Sector boundary
- ▨ Area not sectorized
- ▩ Properties owned or controlled by aggregate producers
- ACTIVE AGGREGATE OPERATORS
- GC- Granite Construction
- LS- LoneStar Industries
- TA- Teichert Aggregates

VLDR VERY LOW DENSITY RESIDENTIAL	O OFFICE
LMDR LOW-MEDIUM DENSITY RESIDENTIAL	LI LIMITED INDUSTRIAL
MDR MEDIUM DENSITY RESIDENTIAL	GI GENERAL INDUSTRIAL
HMDR HIGH-MEDIUM DENSITY RESIDENTIAL	K-8 SCHOOL PUBLIC FACILITY
RCC RETAIL CENTER COMMERCIAL	UNIVERSITY PUBLIC FACILITY
GI SHOPPING CENTER	P/O'S PARKS AND OPEN SPACE
● EXISTING NEIGHBORHOOD STORES	AG AGRICULTURE
TC THOROUGHFARE CORNER P.C.A.L.	

1/4" = 1'00'	1/2" = 1'00'	3/4" = 1'00'	1" = 1'00'
1/8" = 1'00'	1/4" = 1'00'	3/8" = 1'00'	1/2" = 1'00'
5/16" = 1'00'	3/8" = 1'00'	1/2" = 1'00'	5/8" = 1'00'
3/4" = 1'00'	1" = 1'00'	1 1/4" = 1'00'	1 1/2" = 1'00'



RESOLUTION NO. 89-523

MAKING FINDINGS RELATIVE TO AND APPROVING AN AMENDMENT
TO THE INDUSTRIAL AREAS SPECIFIC PLAN
FOR THE YELLOW FREIGHT PROJECT.

WHEREAS, Chapters 3 and 4 of Division One of Title 7 of the California Government Code authorize the preparation and amendment of General Plans and Specific Plans, and

WHEREAS, The Industrial Areas Specific Plan was adopted by the Tracy City Council on the 21st day of June, 1988, and

WHEREAS, An application has been received and processed for an amendment to the Industrial Areas Specific Plan and the General Plan, a rezoning and annexation to the City and an increase in the sphere of influence of the City, and

WHEREAS, On November 15, 1989, the Planning Commission held a duly noticed Public Hearing to consider the application and recommended approval to the City Council, and

WHEREAS, On December 19, 1989, the City Council of the City of Tracy held a duly noticed Public Hearing to consider amending the Tracy Industrial Areas Specific Plan, rezoning the area, the annexation and the enlargement of the sphere of influence as well as the supplement to the Environmental Impact Report for the Industrial Areas Specific Plan, and

WHEREAS, All parties wishing to be heard and/or submit comments and recommendations were given an opportunity to do so after which the Public Hearing was closed, and

WHEREAS, The City Council considered the report and recommendation of the Planning Commission regarding the Environmental Impact Report, the amendment to the Industrial Area Specific Plan and General Plan and the rezoning annexation and sphere of influence enlargement at its meeting of December 19, 1989, and

WHEREAS, The supplement to the Environmental Impact Report has been reviewed, approved and certified by the City Council;

NOW, THEREFORE, BE IT RESOLVED That the City of Tracy City Council approves General Plan/Industrial Areas Specific Plan Amendment, Application 16-89-GPA, changing the Land Use Designation from Agricultural to Urban Reserve and Limited Industrial - Industrial Specific Plan and amending the text of the General Plan to include the policy regarding the

Right To Farm Ordinance and the definition of "Urban Reserve" and the amendment to the text of the Industrial Areas Specific Plan and an amendment to the Industrial Areas Specific Plan designating Eleventh Street east of MacArthur Drive as a permanent truck route, and other changes are as described in the staff report to the City Council dated December 19, 1989.

* * * * *

The foregoing Resolution No. 89-523 was passed and adopted by the City Council of the City of Tracy on the 19th day of December, 1989, by the following vote:

AYES: COUNCIL MEMBERS: BLAND, MORELOS, SCHUBERT, SCOTT
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: ZANUSSI

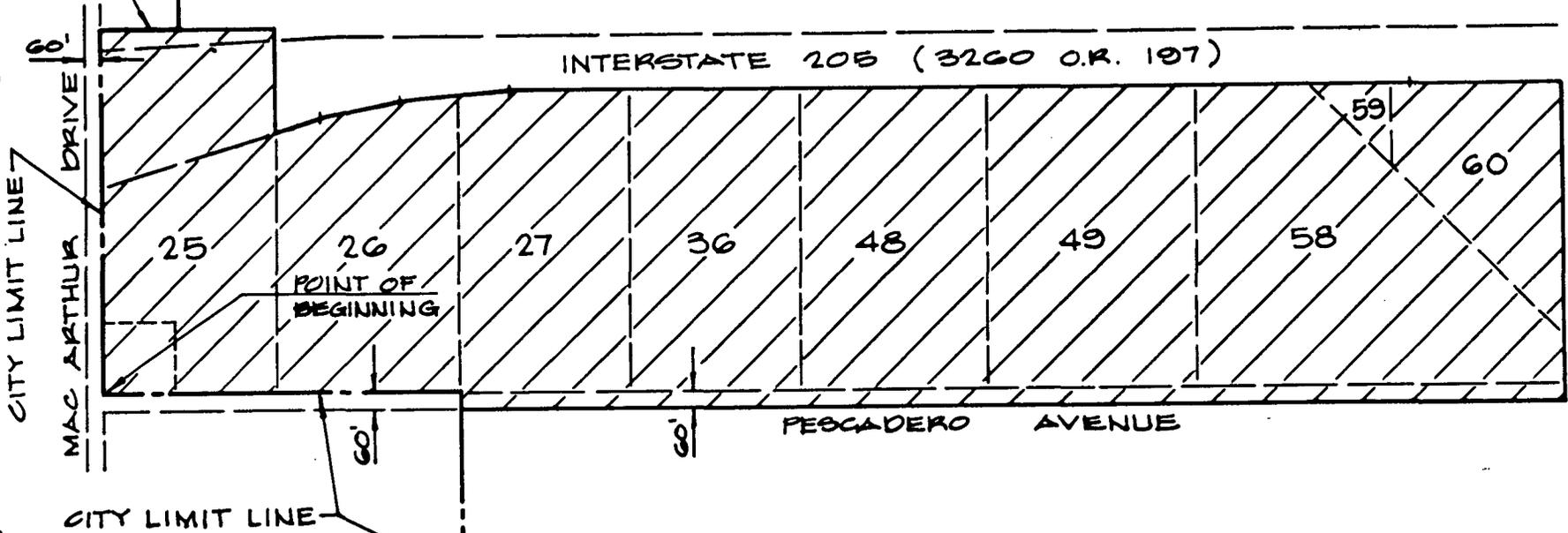
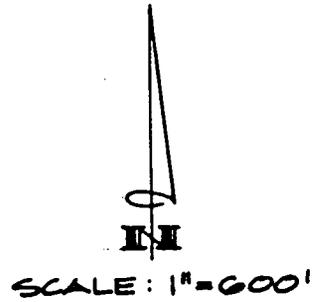

MAYOR

ATTEST:


CITY CLERK

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03-1222.89

CITY LIMIT LINE



BACCHETTI, WOLFE, YELLOW FREIGHT
ANNEXATION
TO THE CITY OF TRACY
SEPT. 1989 SCALE: 1"=600'

September 20, 1989
Revised October 23, 1989

4

BACHETTI, WOLFE, YELLOW FREIGHT ANNEXATION
TO THE CITY OF TRACY
San Joaquin County, California

That certain real property situated in Rancho El Pescadero, County of San Joaquin, State of California, described as follows:

Beginning at the southwest corner of that parcel of land described in the deed to Pacific Guano Company, a California Corporation, recorded November 17, 1966 in Book 3088 Page 58 and 62, San Joaquin County records, said corner being the intersection of the north line of Pescadero Avenue (60' wide) and the east line of MacArthur Drive (60' wide), said corner also being on the City Limit line; thence along said east line of MacArthur Drive and said City Limit line North $0^{\circ} 22' 57''$ East 1302.65 feet to the northwestern corner of Lot 25, as said lot is shown on the map entitled "Pescadero Colony Unit No. 1, recorded November 10, 1921 in Volume 10 of Maps, Page 44, San Joaquin County Records; thence along the north line of said Lot 25, said line also being the City Limit line South $89^{\circ} 37' 09''$ East 282.00 feet; thence leaving said City Limit line continuing along said north line of said Lot 25 South $89^{\circ} 37' 09''$ East 348.31 feet to the northeastern corner of said Lot; thence along the east line of said lot South $0^{\circ} 22' 51''$ West 376.54 feet to a point on the southern line of the land known as Interstate 205, as said land is described in the Final Order of Condemnation in favor of the State of California, recorded December 4, 1968 in Book 3260 at Page 197, San Joaquin County Records; thence running northeasterly and easterly along said southern line of Interstate 205 the following six (6) courses: (1) North $73^{\circ} 55' 29''$ East 173.12 feet, (2) North $78^{\circ} 01' 55''$ East 298.10 feet, (3) North $85^{\circ} 25' 20''$ East 394.71 feet, (4) South $89^{\circ} 38' 28''$ East 1598.27 feet, (5) South $89^{\circ} 26' 25''$ East 1600.01 feet and South $89^{\circ} 37' 09''$ East 573.41 feet to a point on the eastern line of Lot 60, as said lot is shown on said map of Pescadero Colony Unit No. 1; thence southerly along the eastern line of said Lot 60 and said Lot 48 South 1128.64 feet to a point on the southern line of Pescadero Avenue (60' wide); thence westerly along said southern line North $89^{\circ} 37' 09''$ West 3961.47 feet to a point on the City Limit line; thence along said City Limit line North $0^{\circ} 22' 51''$ East 60.00 feet and North $89^{\circ} 37' 09''$ West 1289.97 feet to the point of beginning.

Containing 129.510 acres, more or less.

PLANNING COMMISSION

Staff report



November 15, 1989

NEW BUSINESS NO. 2-B

OWNER/APPLICANT: L.B. & Mary Bacchetti & Ken Wolfe/Yellow Freight Systems

APPLICATION NO.: 16-89-GPA, 3-89-A/P & 13-89-R

I. INTRODUCTION

A. Request

An amendment to the City of Tracy General Plan and Industrial Areas Specific Plan from Agriculture designation to Urban Reserve designation (52 acres) and to Limited Industrial-Industrial Specific Plan (78 acres) and an amendment to the City of Tracy sphere of influence and annexation to the City (130 acres); and a rezoning from Agricultural Zone to Light Industrial Zone (M-1) and from Agricultural Zone to City of Tracy Agricultural (A) Zone (52 acres); and an amendment to the text of the General Plan and Industrial Areas Specific Plan to allow the development of a truck terminal with office building, workshop, truck wash, and fuel tanks.

B. Project Location

The property is located on the north side of Pescadero Avenue and east of MacArthur Drive, and on the south and north side of Interstate 205 Freeway; Assessor Parcel Number 213-060-15, 19, 20, 16, and a portion of the I-205 right-of-way.

C. Applicant

Yellow Freight Systems
10990 Roe Avenue
Overland, KS 66207

Owner/Applicants

L.B. & Mary Bacchetti
19455 S. MacArthur Dr.
Tracy, CA 95376

Ken Wolfe
1399 Ygnacio Valley Rd
Suite 29
Walnut Creek, CA 94598

II. REQUIRED FINDINGS

- 1) That the applications have been reviewed and processed in accordance with applicable state and local laws.
- 2) That consistency between the General Plan and Zoning are maintained.
- 3) That the Environmental Impact Report has been completed, and
 - a. Change or alterations have been required in or incorporated into such projects which mitigate or avoid significant environmental effects thereof as identified in the completed Environmental Impact Report.
 - b. Such changes or alterations are within the responsibility and jurisdiction of another public agency, and such changes have been adopted by such other agencies, or can and should be adopted by such other agency.
 - c. Specific economic, social, or other considerations, make infeasible mitigations measures or project alternatives identified in the Environmental Impact Report.

III. GENERAL INFORMATION

A. General Plan, Zoning, and Land Use

The existing Land Use, General Plan designation, and Zoning of the subject property and adjacent properties are as follows:

	<u>General Plan</u>	<u>Zoning</u>	<u>Land Use</u>
<u>Site:</u>	SJ County Agriculture	Agricultural	Crop Farming Fertilizer Shed
<u>North:</u>	Agricultural Thoroughfare Commercial	SJ County Agricultural & City of Tracy	Farming
<u>East:</u>	Agricultural	SJ County Agricultural	Crop Dusting Air Field

	<u>General Plan</u>	<u>Zoning</u>	<u>Land Use</u>
<u>South:</u>	Industrial Specific Plan Light Industrial & SJ County Agricultural	M-1 & SJ County Agricultural	Farming & Grocery Warehouse Distribution
<u>West:</u>	Thoroughfare Commercial	Highway Service	Farming

B. Applicable General Plan and Specific Plan Policies

The Tracy General Plan discusses the issues of quality of life, quality of the environment, and economic balance within Tracy.

The Plan calls for the provision of a diverse community through a variety of land uses and implements that policy by specifying the maintenance of a balance between growth of the residential population and an increase in local jobs of approximately 0.8 new jobs per household (General Plan Policy Area 1). The General Plan calls for the provision of an adequate supply of industrial land appropriately buffered from residential areas (General Plan Areas Policy 7).

In the area of circulation, the General Plan calls for safe, well maintained, and integrated circulation and transportation systems, including limiting large trucks to a system of truck routes. The Plan also calls for the enhancement of the appearance of major traffic-ways (General Plan Policy Area 16). To provide a safe and attractive environment, the General Plan encourages bicycling, walking, and transit service (General Plan Policy 15).

In the area of conservation, the General Plan calls for the protection of agricultural resources and the minimizing of the conflicts between agricultural and urban lands (General Plan Policy Area 25). It also calls for the preservation of the City's wildlife resources.

In regards to air quality, the Plan calls for the prevention of any significant deterioration (General Plan Policy Area 35).

The General Plan states that community development should occur with minimal impact between the adjacent uses and that new commercial and industrial projects should be designed to

minimize noise impacts on neighboring noise sensitive area (General Plan Policy 28).

Finally, in the area of growth, the General Plan emphasizes the maintenance of a balance between the growth of residential population and an increase in local jobs. In this regard, the Plan states that agricultural land should be preserved to the extent that is feasible without restricting the amount of urban growth (General Plan Policy Area 2).

C. Related Actions

On June 21, 1988, the City Council adopted the Industrial Areas Specific Plan by Resolution No. 88-213. The project includes land immediately to the north and east of the Industrial Areas Specific Plan and is an amendment to the Industrial Areas Specific Plan. The project is an amendment to the Industrial Areas Specific Plan not just in terms in the addition of land but also in terms of changes to the Industrial Areas Specific Plan Policy and the Environmental Impact Report prepared for the Industrial Areas Specific Plan.

In May of 1989, the City of Tracy approved the formation of Community Facilities District (CFD) 89-1 to finance \$23,000,000 of improvements to the northeast portion of the Industrial Areas Specific Plan. These improvements include the development of MacArthur Drive and Pescadero Road to Specific Plan Standards as well as traffic signals at MacArthur intersection with Eleventh Street, Grant Line, and I-205. Property labeled 1-OA and 1-OB on Pages six and nine of the EIR Supplement are included in CFD 89-1, however, they may not be taxed until annexed to the City.

D. Project Description

The project is an amendment to the Industrial Areas Specific Plan to add 130 acres, approximately. This involves the reclassification of 78 acres from Agricultural designation to Limited Industrial Land Use designation and 52 acres from Agricultural designation to Urban Reserve Land Use designation.

The project includes the enlargement of the sphere of influence to include 100 acres of the project which are currently outside the sphere, and the annexation of 6 acres of I-205 right-of-way. The project includes the rezoning of

78 acres from Agricultural to Light Industrial (M-1) Zoning and 52 acres from Agricultural to City of Tracy Agricultural. The project includes an amendment to the map of the City's General Plan and Industrial Areas Specific Plan, as well as amendments to the text of the Industrial Specific Plan and the General Plan. The area proposed to be designated Urban Reserved and zoned City of Tracy Agriculture will be subject to further environmental assessment and documentation and review, prior to a specific Urban use. The project will not change the character of the 6 acres of the I-205 freeway proposed for annexation.

The project is to permit the development of a truck terminal on 78 acres by the Yellow Freight Systems Corporation as well as the necessary improvements to private and public property to service the development. The 78 acres includes property that will be in the public road right-of-way on Pescadero Road. The proposed truck terminal would include an 87,433 square foot dock building with 159 doors, although there is a potential plan for eventually increasing the size of the facility to a dock of 172,000 square feet with 312 doors. Also included in this project is a two-story office building with basement containing 22,750 square feet, a 42,000 square foot vehicle maintenance facility with a potential expansion capability to 60,000 square feet, a truck washing facility, and two 80,000 gallon diesel fuel storage tanks. A 702 space employee parking area with a separate entrance is also provided.

The terminal will operate continuously 7 days a week 24 hours per day. The facility would initially employ approximately 300 people with potential expansion to approximately 900 employees. The terminal would serve as the transfer point for trucking from outside the area for delivery in Northern California.

E. Development Standards

The Development Standards applicable to the project would be implemented through the Development Review Process of specific applications, including the truck terminal. The Development Standards applicable to the project will be those established by the Industrial Areas Specific Plan.

F. CEQA Status

The project is an amendment to the Industrial Areas Specific Plan, for which an Environmental Impact Report has been

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approved. Section 15163, of the CEQA Guidelines, provides for the preparation of a supplement of an existing EIR. The environmental document accompanying the project is a supplement to the existing EIR for the Industrial Areas Specific Plan. The supplement to the EIR is only required to contained the information necessary to make the previous EIR adequate for the project as revised by the addition of this area to the Industrial Areas Specific Plan. Thus, in reviewing the Draft Supplement to the Master Environmental Impact Report for the Tracy Industrial Areas Specific Plan, it is necessary to refer to the original Environmental Impact Report for the Industrial Areas Specific Plan. A supplement to an EIR is processed in the same way as any EIR.

A notice of preparation as a supplement to the EIR was distributed along with the Initial Study at the end of June for a 30 day review period. The draft supplement to the EIR was completed on September '22nd beginning a 30 day public review period to October 26, 1989. Notice of availability of the EIR was distributed to property owners within 300 feet of the subject property, LAFCO, San Joaquin County, Pescadero Irrigation District, Tracy School District, Air Pollution Control District for San Joaquin County, the Council of Governments of San Joaquin County, the Agricultural Department for San Joaquin County, and the Airport Land Use Commission of San Joaquin County.

Comments on the EIR Supplement were received and responded to by the consultant, EDAAW. This combination of the supplement to the EIR and the response to comments constitutes the final EIR when approved by the City Council. The required action of the Planning Commission is to recommend approval of the Supplement to the Environmental Impact Report to the City Council based on the appropriate findings.

IV. ANALYSIS

Fifty-two acres of the project site are proposed to be designated Urban Reserve and zoned Agricultural. These 52 acres are included in the I-205 Specific Plan Study, which will be completed during 1990. The Urban Reserve designation proposed is an interim zoning indicating that the best use of this area is for Agriculture until necessary urban services are available and conversion to urban uses appropriate. The Agricultural Zone, defined by Article 15 of the Municipal Code, states " the A Zone may also be utilized in locations which have an ultimate urban

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use designation but will be best use for agriculture purposes until necessary urban services are available, and conversion to urban uses is timely and appropriate.

The General Plan text of the City is proposed to be amended, Section 2.0., the Land Use and Circulation Section, Subsection General Plan Map, a new designation between Agriculture and Very Low Density Residential would be inserted.

The designation would be Urban Reserve with the following definition: "Land that is recognized as intended to be developed in the future to urban uses, such as residential, commercial, or industrial development, but currently lacks sufficient planning and development to determine the appropriate specific urban land use designation. The designation is an interim land use designation which allows agricultural uses until necessary urban services and planning are completed to allow for the conversion to a specific urban use to be timely and appropriate."

The analysis of the project is described in detail in the supplement to the Environmental Impact Report (EIR), attached to this staff report. The staff report will not attempt to duplicate that information but simply to highlight the relevant issues. Throughout the following discussion, "EIR" refers to the Supplement to the EIR prepared for this project.

Land use compatibility is described as a relevant issues in the EIR. Page 37 of the EIR states that the west frontage of MacArthur is Residential and thus the mitigation should be addressed regarding the truck terminal. The impacts of the truck terminal on the property west of MacArthur Drive is an increased number of truck trips and employee trips traveling south on MacArthur Drive. The trips generated by the Yellow Freight Project traveling north on MacArthur from Pescadero Drive will be traveling through nonresidential areas. No land use interference is anticipated with these Commercial and Agricultural uses as a result of the Yellow Freight Development.

South of Pescadero Drive on the west side of MacArthur, the current General Plan designation is Medium Density Residential, and the current Zoning is Residential Mobile Home Zoning allowing for the development of a mobile home such as exists further to the south of MacArthur. It is projected that 40 percent of the truck trips generated at the site will travel south on MacArthur Drive to Eleventh Street in order to connect to I-5 at Kasson Road. The Industrial Areas Specific Plan Figure 4.3 indicates that the treatment of a major arterial such as MacArthur Drive should include the construction of an 8 foot masonry soundwall

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along residential frontage and that the soundwall should be setback 25 to 35 feet from the face of curb.

This method of mitigating the noise, dust, and other adverse impacts of heavy traffic on arterial streets, is used consistently throughout the Industrial and Residential Areas Specific Plans. The distance provided by the Landscape Zone behind the curb, the attenuation provided by the 8 foot masonry wall, and the distance provided by the rear yard setbacks of houses, provides adequate buffering from the interference caused by heavy traffic on arterial streets. Therefore, the first sentence of Page 37 of the Supplement to the EIR calls for mitigation measure of rezoning the frontage along MacArthur Drive south of Pescadero Road to non-residential uses. Such an action is not necessary due to the arterial streets traffic being already mitigated by the Design Guidelines included in the Industrial Areas Specific Plan.

Land use compatibility between the truck terminal development and surrounding agriculture is an issue that must be addressed in order to minimize the conflict between Agriculture and Urban uses. Nuisance suits and complaints registered against farmers by urban uses are odisincentive to farm operations on the edge of an urban area. In order to minimize the impact of such nuisance complaints, the EIR recommends a mitigation measure of adopting a "Right to Farm" Ordinance.

A "Right to Farm" provision would require the owner of a property which is receiving a discretionary permit, such as a Subdivision or Conditional Use Permit from the City, to place on the public record a notice of potential inconvenience or discomforts from residing or working next to a farming operation. This recorded notice would appear on the Title Report of the property when it was sold and thus place on notice all future buyers of the existence of farming surrounding the site and the high priority given farming operations by the City of Tracy.

Although such a notice on the public record does not prevent the filing of nuisance complaints against farm operations, it does weaken the argument of the complaining party because it establishes that he was notified of the existence of agricultural operations prior to his purchase of the property or commencement of the use of the property. The project also mitigates the adverse impact of interference with agriculture through the provision of landscaped areas around the perimeter of the project site where the most intense activity will take place. Such landscape buffering provides a buffer to dust, glare, and visual impacts of the urban development of the agricultural development.

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The mitigation measure to this impact is the amendment of the Land Use Element of the General Plan, Section 2.1, Policy Area 2, with the addition of a new Implementing Policy 2-4, would state "Require public notification of potential inconvenience or discomfort from residing or working next to a farming operation or farmland due to noise, dust, odors, hours of activity, and other aspects of farming. Require the notification on public record of this "Right to Farm" Policy that it is a policy of the City of Tracy General Plan to preserve agricultural land to the extent feasible without restricting the amount of urban growth and to minimize conflicts between the two uses avoiding a premature disinvestment in agriculture. Require this notifications for all discretionary approvals on land abutting agriculturally zoned lands". Further implementation of this General Plan Policy will be the adoption of a "Right to Farm" Ordinance requiring such public notification for all discretionary approvals given by the City to property abutting Agriculturally Zoned land.

The third land use compatibility issue has to do with the location of an agricultural crop dusting airstrip to the east of the proposed truck terminal. Haley's Flying Service is located immediately east of the project site with an airstrip which runs approximately parallel to Pescadero Road, providing for the take-off of crop dusting airplanes over the Yellow Freight Truck Terminal site. Two alternatives for solving the potential conflict between Haley's Flying Service and the truck terminal are 1) for Yellow Freight Systems alone, or in cooperation with the City, to relocate Haley's Flying Service to a more suitable location such as New Jerusalem's Airport, or 2) for the Yellow Freight site plan to be revised showing the future expansion of the truck terminal to be at the far east end of the site, rather than the far west end of the site, thus adding an additional 900 feet between the air strip and any buildings or development on the truck terminal site. The future expansion is not anticipated for a period of 5 to 7 years. Over the course of time, the air strip may be located as a function of the market alone. If not, at the time that the truck terminal was proposed for further expansion, the mitigation of the air strip would be dealt.

Transportation impacts of the proposed development are an issue. The truck terminal will generate approximately 210 trips per day and 20 truck trips at peak hour. In order to accommodate truck trip movement on Pescadero Avenue and MacArthur Drive, it is necessary to provide left turn lanes on those streets.

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Page six of the DKS Associates Appendix to the Supplemental EIR recommends a left turn pocket be installed on Pescadero Road. This allows for trucks travelling eastbound to leave the through traffic lane and move into a left turn pocket while awaiting the ability to turn left into the truck terminal. The recommendation specifies the distance of 350 feet for this left turn pocket. Discussions with representatives from Yellow Freight indicate that it is very unlikely in their method of operation that trucks would be lined up off the site. According to the representatives from Yellow Freight Company the trucks move very quickly past the guard house after being identified and onto the truck terminal site where ample stacking room is available. Thus, the length of the left turn pocket should be determined after further study as part of the development review process for the approval of the site plan.

The Industrial Areas Specific Plan Design Standards for Pescadero Road (Figure 4.6) do not indicate a left turn lane. Thus the requirement for a left turn lane would be an additional road right-of-way that would be an improvement cost, which would be born by the Yellow Freight Project.

On MacArthur Drive, the EIR in the DKS Associates Appendix recommends a left lane pocket along MacArthur Drive for truck traffic turning east onto Pescadero Road heading towards the truck terminal site. The Community Facilities District 89-1, which provides for the improvement of MacArthur Drive, already indicates a left turn pocket will be provided in this location. The left turn pocket in this location is anticipated to be approximately 180 feet long.

The Analysis of traffic contained in the EIR is based on the assumption that the peak hour of traffic movement for the truck terminal will not occur between 4:30 and 5:30 p.m. The DKS Associates Appendix to the EIR, page two, second paragraph from the bottom, indicates that the PM Peak for the truck terminal would occur when the afternoon work shift changes. The lack of conflict between the PM Peak on the major arterial streets and the peak hour of traffic movement caused by the truck terminal is a result of the fact that they have different peak traffic periods. In order to maintain this pattern of excluding the PM Peak hour traffic load of the truck terminal from the arterial streets from the City during the normal PM peak hour, a development agreement between the truck terminal and the City would be required in which Yellow Freight Systems agrees not to allow their afternoon shift change to occur between the hours of 4 and 6 p.m.

The assumptions in the traffic study regarding routes of travel are that MacArthur Drive south of Eleventh Street would be constructed though it does not exist today. The Residential Areas Specific Plan Implementation Program includes funding for two lanes of a MacArthur Drive south of Eleventh Street to be constructed in 1992-93 fiscal year. In addition, the City Council has indicated that the City will consider establishing a fee or financing mechanism to be applied to new annexations outside of the 84-1 Assessment District and 89-1 CFD District to fund the construction of the additional two lanes of MacArthur Drive south of Eleventh Street.

The Traffic Analysis assumes the construction of Valpico Road from its present terminus to MacArthur Drive. The Southern Areas Industrial Specific Plan include the construction of that portion of Valpico Road. The current Cose/Homestead Annexation request to develop rural residential housing at the southwest corner of Valpico Road extension and MacArthur Drive will also be responsible for contributing to the construction of the missing link of Valpico Road.

The third assumption regarding traffic circulation is that trucks exiting the project area headed towards I-5 southbound will not use Grant Line Road but travel on Eleventh Street. Access to I-5, southbound to the Los Angeles region is accomplished through the Kasson Road interchange. The most direct route to Kasson Road interchange is along Grant Line Road through the rural community of Banta. In order to avoid the impacts of additional truck traffic on Banta, the EIR indicates that truck traffic would move down MacArthur to Eleventh Street, then east on Eleventh Street to the Kasson Road intersection then on to I-5. The construction of MacArthur Drive south of Grant Line Road to Eleventh Street is included in the Community Facilities District 89-1 and will be built during 1991-92.

The intersection of MacArthur Drive with Eleventh Street will be accomplished through the current Heinz Tomato Processing Plant parking lot and across the driveway bridge of the Heinz parking lot exiting onto Eleventh Street and then left over the over-street overcrossing. This use of the Heinz parking lot would be an interim measure until permission could be received from the public utilities commission to cross the railroad at grade or a grade separation with the railroad crossing is accomplished.

In order to allow for truck movement to travel east on Eleventh Street to Kasson Road, it is necessary to amend the Industrial Areas Specific Plan truck route map to indicate that Eleventh Street east of MacArthur Drive will be permanently designated as

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a truck route rather than only an interim designation as a truck route as is now shown on the Industrial Specific Plan truck route map.

The EIR identifies the intersection of Eleventh and Holly/Central as that experiencing the most degradation of level of service as a result of the expansion of the community through the Residential Areas Specific Plan, Industrial Areas Specific Plan, and the Yellow Freight Truck Terminal project. In order to mitigate the impacts on the intersection of Holly Drive and Eleventh Street which is caused by the increased traffic generated by employees and residents of the City associates with the growth of the City several changes are required. Parking would be removed from Eleventh Street approximately 1 block to the east and west of Holly Drive, and a left turn lane would be provided for the east and westbound approaches to the intersection.

To compensate for the loss of on-street parking, additional parking would have to be provided in the vicinity. As noted on Page 41 and 46 of the EIR, the original mitigation for the intersection at Eleventh Street and Holly Drive was the provision of free right-turn lanes rather than a central left turn lane. The difference between this mitigation measure and that of providing a left turn lane is not in the removal of parking but in the reconstruction of the signalization of the intersection to provide for left turn arrows and traffic actuated signals.

As a first step in the accomplishment of this provision of a left turn lane on Eleventh Street at Holly Drive, the applicant as to the EIR could provide funding for the signing and improvements necessary for the removal of parking on Eleventh Street within 1 block of Holly Drive and Central Avenue thus providing the free right turn movement. The applicant would also provide alternative parking to replace that taken off of Eleventh Street by funding the renovation of the parking area behind the Tracy Inn between Eleventh and Tenth Streets, 1 block west of Holly Drive. Tracy Main Street has been working on the renovation of this parking lot, and has provided an estimate of approximately \$60,000 to accomplish the renovation. The Main Street Group has indicated that the renovation of the parking lot with the removal of fences and other barriers would result in the addition of approximately 20 parking spaces. There are approximately 20 parking spaces on Eleventh Street west of Holly Drive.

The construction of the left turn lane and signalization would be financed by an increase in the arterial street fee for the

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Residential Areas Specific Plan and the establishment of a street fee for the Industrial Areas Specific Plan.

This would divide the cost over a broad base. This mitigation measure would be subject to review after completion of the City gravity traffic model in April of 1990, at which time a more accurate projections of the traffic volumes and level of service at the intersection of Holly Drive and Eleventh Street would be available.

The DKS Associates appendix to the EIR, Page five and six, indicates that the existing freeway on and off ramp conditions for the I-205 freeway are adequate to accommodate the additional traffic generated by the Yellow Freight Terminal.

Air Quality issues are discussed extensively in the EIR. The project implementation will result in unavoidable local increase in emissions of CO, HC, NOx, particulates and sulphodioxides. However, the net air quality impacts of the Industrial Areas Specific Plan, in conjunction with mitigations measures, is not expected to result in the degradation of future air quality. Modifications to the roadway network and other transportation control measures will be sufficient to avoid any violations of the carbon monoxides air quality standards.

In regards to other pollutants, mitigations measures that are specific for this project in conjunction with local, state, and federal air pollution control programs will off-set the affect of expected emissions growth. The mitigations measures to air quality impacts identified in the EIR are a result of the project as listed on Page 31 of the Sierra Research Appendix to the EIR. In particular, increased particulate pollution should be mitigated during the construction phase of the project by a number of measures designed to limited the amount of dust and other particulates admitted into the air. These include the frequent watering of the construction site, the sensation of construction activity when winds are over 20 miles per hour on the average for over 1 hour, that all inactive portion of the construction site will be seeded and watered, that on-site vehicle speed will be limited to 15 miles per hour, and that streets adjacent to the project site will be swept as needed to remove silt and other dust potential.

Mitigation measures are continued on Page 32 and 33 of the Sierra Research Appendix to the EIR. On Page 33 traffic control measures are identified to increase the number of vehicles carrying more than one occupant. These traffic control measure to reduce air pollution include providing all employees with

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written information regarding car-pool match service on an annual basis, provide parking facilities for car pools, van pools, and bicycles, and provide an annual report on mode share (carpool, transit, solo drivers, etc.), and program activities to the San Joaquin County Council of Governments and the City of Tracy for review and monitoring. The EIR calls for the hiring of a City ridesharing coordinator in 1991 to facilitate park and ride and ridesharing activities. The City created the position of Transportation Coordinator this fiscal year in the Department of Public Works. The position coordinates the activities of Tracy Trans local taxi service, the airport, and works with the Council of Governments on transportation planning. This position is the appropriate place to assign ridesharing coordination and monitoring, thus a new position is not required. Rather these new tasks would be assigned to the current Transportation Coordinator.

The provision of two 2 acre park and ride facilities is included as a mitigation measure of the I-205 Corridor Study and of the Yellow Freight Truck Terminal Project. The concept of a park and ride facility is that it creates a place where commuters can meet at a park and ride facility and car pool from that point on in their trip to work. Park and ride facilities do not directly provide a benefit to the employees of the Yellow Freight Truck Terminal but generate an off-set of air pollution that would have been generated by the additional traffic had the park and ride facility not existed. Through development agreement with the City, Yellow Freight could be required to mitigate its air quality impacts by sharing in the cost of the construction of the park and ride facilities on a pro-rata share with the I-205 Specific Plan development as determined by an assessment engineer.

Other measures for the provision of ride-sharing and preferential parking for carpools and bicycles, as well as the required to provide an annual report on traffic sharing would be implemented through the provisions of a development agreement between the City of Tracy and Yellow Freight Systems.

Other environmental impact which require mitigation include: the submittal of a Hazardous Material Management Program by the truck terminal operator to San Joaquin County Health Department, the acquisition of sewer and water capacity by the applicant from the City of Tracy after annexation, the provision for storm water detention ponds on-site in the event that no agreement is reached with the Pescadero Irrigation District regarding drainage and the reduction of glare and extraneous light through the design of outdoor lighting fixtures and orientation.

V. RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

- 1) Recommend that the City Council certify that the Supplement to the Environmental Impact Report for the Industrial Areas Specific Plan has been completed in compliance with the California Environmental Quality Act (CEQA), and that the Council review and consider the information contained in the Supplement to the EIR prior to approving the project.
- 2) Recommend that the City Council approve the Supplement to the Environmental Impact Report based on findings and with mitigation measures as specified in the EIR except as specified below:
 - a. Under land use, delete the mitigation measure requiring the rezoning of the west side of MacArthur Drive and substitute the statement that "the Design Guidelines for arterial streets contained in the Industrial Area Specific Plan, including the provision for an 8 foot soundwall mitigate the impacts of additional vehicle trips caused by the project";
 - b. Mitigation measures for transportation impacts delete the specific distance of 350 feet for left turn pocket on Pescadero Road while maintaining the requirement for a left turn pocket, until further study can determine the appropriate length for the left turn pocket;
 - c. Additional intersection improvements mitigation for Holly/Central and Eleventh Street intersection change to the removal of on-street parking on Eleventh Street within one block of Central Avenue and the provision of replacement parking by the project with provision of full left turn lanes and new signalization to be provided by the City with funding from the Residential Specific Plan and Industrial Specific Plan areas;
 - d. Air Quality mitigations to indicate the use of the existing position of transportation coordinator to facilitate park and ride and ridesharing activities rather than the hiring of a new position.
3. Recommend that the City Council approve General Plan/Specific Plan Amendment Application 16-89-GPA changing

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the land use designation from Agricultural to Urban Reserve and Limited Industrial-Industrial Specific Plan and amending the text of the General Plan to include the policy regarding the "Right to Farm" Ordinance and the definition of Urban Reserve and the amendment to the text of the Industrial Areas Specific Plan, and an amendment to the Industrial Areas Specific Plan designating Eleventh Street east of MacArthur Drive as a permanent truck route. These changes are as described in this staff report dated November 15, 1989.

4. Recommend that the City Council approve the rezoning of 78 acres from County-Agricultural Zone to Light Industrial (M-1) Zone and 52 acres from County-Agricultural Zone to City of Tracy Agricultural (A) Zone.
5. Recommend that the City Council approve an amendment to the City of Tracy Sphere of Influence and an annexation to the City to include the subject property.
6. Recommend that the City Council take the above actions based on the following findings.

Findings

1. That the applications have been reviewed and processed in accordance with applicable state and local laws including the California Environmental Quality Act (CEQA);
2. That consistency between the General Plan and the Zoning are maintained by approval of the project;
3. That the final supplement to the Environmental Impact Report for the Industrial Areas Specific Plan has been reviewed and considered prior to approving the project.
4. That the unavoidable environmental effects of the project which are 1) the loss of prime agricultural land for farming; 2) the reduction in the feeding habitat for the Swainson's Hawk; and 3) the increased potential danger for fire from stored fuels cannot be mitigated due to the overriding economic and social considerations of providing an increased employment base, nor can the unavoidable environmental effects of the project be feasibly mitigated through the project alternatives identified in the final EIR and still achieve the social and economic overriding considerations of providing an increased employment base.

November 15, 1989

5. That changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant effects as identified in the final EIR.

VI. ATTACHMENTS

1. General Plan/Vicinity Map.
2. Location Map.
3. Motor Freight Terminal Site Plan.
4. Bacchetti/Wolfe/Yellow Freight Annexation Map.
5. Draft Amendment to the Tracy Industrial Areas Specific Plan Text.
6. Draft Supplement to the Master Environmental Impact Report for the Tracy Industrial Areas Specific Plan, September, 1989.
7. Final Supplement to the EIR for Tracy Industrial Areas Specific Plan, November 1989 (Response to Comments on Draft EIR)
8. The Master Environmental Impact Report for the Tracy Industrial Areas Specific Plan, June, 1988.
9. The Industrial Areas Specific Plan, June, 1988.

MB:sf
a:s04-1107.89
Yellow Freight (2)

RESOLUTION NO. 91-037

MAKING FINDINGS RELATIVE TO AND APPROVING AN AMENDMENT
TO THE INDUSTRIAL AREAS SPECIFIC PLAN FOR
ABOVE GROUND FUEL STORAGE TANKS

WHEREAS, Chapters 3 and 4 of Division One of Title 7 of the California Government Code authorizes the preparation and amendment of General Plans and Specific Plans, and

WHEREAS, The Industrial Areas Specific Plan was adopted by the Tracy City Council on June 21, 1988, and

WHEREAS, An application has been received and processed for an amendment to the Industrial Areas Specific Plan, and

WHEREAS, The Tracy City Planning Commission held a duly noticed public hearing on January 23, 1991, to consider the application and recommended approval to the City Council, and

WHEREAS, The City of Tracy City Council held a duly noticed public hearing on February 19, 1991 to consider amending the Tracy Industrial Areas Specific Plan, and

WHEREAS, All parties wishing to be heard and/or submit comments and recommendations were given an opportunity to do so after which the public hearing was closed, and

WHEREAS, The City Council considered the report and recommendation of the Planning Commission regarding the amendment to the Industrial Areas Specific Plan, and

WHEREAS, The City Council has determined that the proposed text is consistent with the Industrial Areas Specific Plan;

NOW, THEREFORE, BE IT RESOLVED, That the City of Tracy City Council approves the Industrial Areas Specific Plan Amendment Application Number 10-90-GPA (3-90-ZA) by amending Chapter 4, Design Guidelines, Section 4.1.1.1, Limited Industrial Zones by adding a new subsection (e) allowing above ground fuel storage tanks as a Conditional Use.

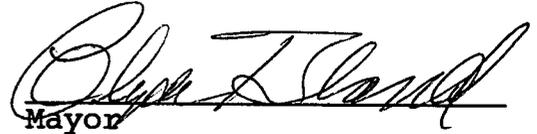
BE IT FURTHER RESOLVED, That this Resolution becomes effective on the effective date of Ordinance 849 C.S..

* * * * *

Resolution No. 91-037
Page 2

The foregoing Resolution No. 91-037 was passed and adopted by the City Council of the City of Tracy on 19th day of February, 1991, by the following vote:

AYES:	COUNCIL MEMBERS:	BILBREY, MORELOS, POMBO, SCHUBERT, BLAND
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE


Mayor

ATTEST:


City Clerk

RC:skd
CD/MiscS/sd04-0206.91

RESOLUTION 97-090

AMENDING THE INDUSTRIAL AREAS SPECIFIC PLAN
AND GENERAL PLAN OF THE CITY OF TRACY
THE APPLICANT IS DCS, INC.
APPLICATION 5-96-GPA

WHEREAS, The City of Tracy Planning Commission held a public hearing on an amendment to the Industrial Areas Specific Plan amending Section 4 Design Guidelines and figure 3.3, said amendment is described in the staff report for City Council dated March 18, 1997, and

WHEREAS, The City of Tracy Planning Commission forwarded said amendment, to the City Council recommending approval, and

WHEREAS, The City Council of the City of Tracy held a public hearing on March 18, 1997 on said amendment, and

WHEREAS, The City Council of the City of Tracy approved a Negative Declaration for said amendment:

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy does hereby approve an amendment to the Industrial Areas Specific Plan as described in the City Council staff report dated March 18, 1997.

The foregoing Resolution 97-090 was adopted by the Tracy City Council on the 18th day of March, 1997, by the following vote:

AYES:	COUNCIL MEMBERS:	IVES, MATTHEWS, SERPA, STROUP, BILBREY
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE



Mayor

ATTEST:


City Clerk

March 18, 1997

AGENDA ITEM _____

REQUEST

PUBLIC HEARING TO AMEND THE INDUSTRIAL AREAS SPECIFIC PLAN (ISP) AND THE TRACY URBAN MANAGEMENT PLAN (UMP) FROM INDUSTRIAL TO COMMERCIAL AND ZONE THE PROPERTY NEIGHBORHOOD SHOPPING (NS)

DISCUSSION

The project is located on the northeast (7.67 acres) and southeast (5.5 acres) corners of Valpico Road and Tracy Boulevard.

The Industrial Areas Specific Plan was adopted on June 21, 1987. The specific plan is approximately 50% built out. On September 4, 1990 City Council approved a General Plan Amendment designating one acre as Public, located on the northeast corner of Tracy Boulevard and Valpico Road. The site will be used to construct a fire station immediately adjacent and north of the property which is the subject of this application.

Request: Amend Section 4 Design Guidelines by adding a new section 4.1.1.5 Commercial Zone. Amend figure 3.3 by designating 5.5 acres (portion parcel I-7) located on the southeast corner of Tracy Boulevard and Valpico Road and 7.67 acres (parcel I-4) located on the northeast corner of Tracy Boulevard and Valpico Road from Industrial to Commercial and rezone the property from Light Industrial (M-1) to Neighborhood Shopping (NS).

Comment: DCS, Inc. a debt collection agency plans to build their corporate offices on 13.93 acres north of Gandy Dancer Drive. The site ultimately will employ approximately 500 people. It is the desire of DCS to provide a day care center and health club primarily for their employees but open to the community. They also wish to provide additional commercial services to the industrial park and surrounding neighborhoods.

The Tracy Municipal Code Article 17 provides for Neighborhood Shopping Zone (NS) which intended purpose is for the convenience of the surrounding neighborhoods. The NS zone is the most restrictive of the commercial zones in the City.

With the adoption of the Residential Areas Specific Plan in June of 1987 two sites of ten acres each were designed NS. The sites are located on the southwest corner of Tracy Boulevard and Schulte Road, which presently has Luckey's supermarket under construction. The other site is located on the northwest corner of Tracy Boulevard and Central Avenue and is presently vacant.

The distance between the neighborhood shopping site at Schulte and Tracy and the proposed site at Valpico and Tracy may be more appropriate than the site at Central

and Tracy. The number of intervening neighborhoods may be able to support additional shopping at the Tracy and Valpico Site. Staff is in discussion with the property owner of the Tracy Boulevard and Central Avenue site to submit an application for redesignation from Neighborhood Shopping to Low Density Residential.

CEQA

An Initial Study has been prepared and circulated and a Negative Declaration is proposed for adoption.

Inland Container commented on the Initial Study (letter attached), staff comments are as follows:

1. The Residential Areas Specific Plan provides for Tracy Boulevard to be four (4) lanes with a sixteen (16') foot center median. The Industrial Areas Specific Plan provides for Valpico Road at four lanes and a sixteen (16') foot center median. The abutting developer is responsible for one (1) lane, curb/cutter and sidewalk and the arterial street fee paid by each developer provides the funding for the center portion of the roadway, one (1) lane and the median.
2. Storm drainage is provided by on site retention will be provided or retention will be provided on a site acceptable to the City.
3. The City's noise ordinance will govern. The project is not considered a noise generator and the construction of structures between Inland and Tracy Boulevard, the existing noise should be reduced. A sound level of 75 dBA is permitted on the east property line and 65 dBA is permitted on the west property line.
4. The commercial property can emit noise not to exceed 65 dBA as is regulated by the City's Noise Ordinance.
5. Light and glare refers to stationary sources of light which will be shielded to prevent spraying across property lines.
6. If a service station is developed, mitigation measures to ensure safety will be part of project approval as well as state law governing the storage of gasoline and oil products.
7. Comment noted regarding planned housing development in the area.
8. See comment 1

9. The property is located within the Industrial areas Specific Plan adopted in 1987 which provided for sufficient water and wastewater capacity for the site, therefore, water and wastewater is available to the project.
10. Conditions of project approval including mitigation measures of the Initial Study will be imposed to mitigate any adverse effect the project may have.

The San Joaquin Valley Unified Air Pollution Control District also commented on the Initial Study, prior to construction on the site the developer must comply and receive permits from the APCD.

RECOMMENDATION

The Planning Commission and staff recommends that the City Council;

1. That the City Council approve the Negative Declaration amending the Industrial Areas Specific Plan.
2. That the City amend the Industrial Areas Specific Plan and the Urban Management Plan as described in the staff report dated March 18, 1997.
3. That the City Council rezone 7.67 acres located on northeast corner and 5.5 acres located on southeast corner of Tracy Boulevard and Valpico Road from Light Industrial (M-1) to Neighborhood Shopping (NS).

Findings

The proposal is consistent with the General Plan polices and surrounding land uses. The proposal as mitigated will protect the health, safety and general welfare of persons residing and working in the area.

Prepared by Robert Conant, Senior Planner

Approved by: Barry Hand
Barry Hand, Community Development Director

Attachments

Planning Commission staff report and attachments

3. Move that the Planning Commission recommend that the City Council rezone 5.5 acres located on the southeast corner of Tracy Blvd. and Valpico Road and 7.67 acres located on the northeast corner of Tracy Blvd. and Valpico from Light Industrial (M-1) to Neighborhood Shopping (NS).

VI. ATTACHMENTS

1. Initial Study
2. Negative Declaration
3. letter from Inland

Resolution 98-036

GRANTING THE APPEAL OF THE PLANNING COMMISSION DENIAL
OF AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN
AND TRACY URBAN MANAGEMENT PLAN
APPLICATIONS 3-94-GPA AND 2-94-R
THE APPLICANT IS THE BANK OF AMERICA PROPERTIES 2-97-APL

WHEREAS, The Planning Commission of the City of Tracy held a duly noticed public hearing on December 17, 1997, on a proposed amendment to the Industrial Areas Specific Plan and Tracy Urban Management Plan (3-94-GPA) to redesignate 91.1 acres from Industrial to Residential Low for property located on the northeast corner of Tracy Boulevard and Linne Road, and

WHEREAS, The Planning Commission of the City of Tracy also considered an application (2-94-R) to rezone 91.1 acres from Light Industrial to Planned Unit Development, and

WHEREAS, The application included corollary plans for the development of 21.5 acres of office space on two parcels designated Industrial fronting Tracy Boulevard west of the proposed residential site and 60 acres of light industrial development to the north of the proposed residential site also on land designated industrial, and

WHEREAS, At the conclusion of the public hearing, the application failed to receive the legally required votes for approval and therefore the application was deemed denied, and

WHEREAS, Bank of America Properties filed a timely appeal to the City Council, (2-97-APL), and

WHEREAS, The City Council held a duly noticed public hearing on February 3, 1998, which was continued to February 17, 1998, on the appeal (2-97-APL) of the Planning Commission decision on Applications 3-94-GPA and 2-94-R;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy does hereby grant the Appeal of the Planning Commission on Applications 3-94-GPA and 2-94-R, based on the following findings:

1. The development of the proposed office space along Tracy Boulevard and a light industrial park to the north of the proposed residential area would provide a land use complementary to the proposed DCS project on property just to the north.
2. Circumstances have substantially changed since the adoption of the Industrial Areas Specific Plan in 1988 and the Urban Management Plan in 1993 with respect to the need for and location of industrially-designated lands in the City. The current availability of other industrially designated lands in the City and combined with higher market demands for other industrially designated lands lessens the desirability and usefulness of this site as an industrial center.

3. Truck traffic impacts on Tracy Boulevard resulting from use of the project site as an industrial center, combined with more desirable truck-traffic opportunities associated with industrially designated lands elsewhere in the City, support the proposed land use and zoning change to low density residential.
4. The proposed residential development, combined with the testimony of various representatives of the applicant of the properties' owners' intent to develop the adjoining office and light industrial uses on their property, will collectively result in the creation of jobs in the City, and therefore act to improve the City's desired jobs/housing balance. Sole use of the project site for industrial development would not have such a favorable result.
5. The approval of the Urban Management Plan/Industrial Areas Specific Plan Amendment and related rezoning to low density residential is made conditional upon the corollary development of the office and light industrial areas on the lands adjacent to the project site as presented to the City Council by the applicant. Conditions of approval for any and all future discretionary approvals shall reflect this position.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That Applications 3-94-GPA and 2-94-R are hereby remanded to the Planning Commission for preparation of conditions of approval consistent to implement the findings set forth above.

The foregoing Resolution 98-036 was adopted by the Tracy City Council on the 17th day of February, 1998, by the following vote:

AYES: COUNCIL MEMBERS: IVES, SERPA, BILBREY

NOES: COUNCIL MEMBERS: MATTHEWS, STROUP

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE



Mayor

ATTEST:



City Clerk

RESOLUTION 99-050

AMENDING THE INDUSTRIAL AREAS SPECIFIC PLAN
CHAPTER 4 BY ADDING A SECTION
4.1.1.5 RESIDENTIAL USES
THE APPLICANT IS THE CITY OF TRACY
APPLICATION 4-98-SPA

WHEREAS, The City Council of the City of Tracy adopted the Industrial Areas Specific Plan on June 21, 1988, and

WHEREAS, Amend the ISP per condition of approval of the GPA; and to provide for residential uses in the ISP, and

WHEREAS, The City Council approved a General Plan Amendment and certified the Environmental Impact Report for the Bank of America on June, 2, 1998, and

WHEREAS, The City of Tracy Planning Commission held a public hearing on the amendment to the Industrial Areas Specific Plan on December 16, 1998, and

WHEREAS, The Planning Commission found said amendment consistent with the Tracy Urban Management Plan (General Plan) and recommended approval;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy does hereby approve the amendment to the Industrial Areas Specific Plan as contained in the staff report dated February 16, 1999.

The foregoing Resolution 99-050 was adopted by the Tracy City Council on the 16th day of February, 1999, by the following vote:

AYES: COUNCIL MEMBERS: IVES, TUCKER, BILBREY

NOES: COUNCIL MEMBERS: MATTHEWS, TOLBERT

ABSENT: COUNCIL MEMBERS: NONE

ABSTAIN: COUNCIL MEMBERS: NONE



Mayor

ATTEST:


City Clerk

RESOLUTION 99-110

AMENDING THE INDUSTRIAL AREAS SPECIFIC PLAN
CHAPTER 4 BY ADDING A NEW SECTION 4.1.1.6
COMMERCIAL USES
THE APPLICANT IS LEPRINO FOODS
APPLICATION 6-98-SPA

WHEREAS, The City Council of the City of Tracy adopted the Industrial Areas Specific Plan on June 21, 1988, and

WHEREAS, The City of Tracy Planning Commission held a public hearing on an amendment to the Industrial Areas Specific Plan on February 10, 1999, and

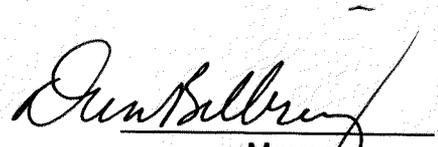
WHEREAS, The Planning Commission found said amendment consistent with the Tracy Urban Management Plan, and

WHEREAS, The City Council of the City Tracy held a public hearing on the amendment to the Industrial Areas Specific Plan on April 6, 1999:

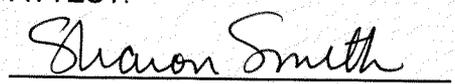
NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy does hereby approve the amendment to the Industrial Areas Specific Plan as contained in the staff report dated April 6, 1999.

The foregoing Resolution 99-110 was adopted by the Tracy City Council on the 6th day of April, 1999, by the following vote:

AYES:	COUNCIL MEMBERS:	IVES, MATTHEWS, TOLBERT, TUCKER, BILBREY
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE



Mayor

ATTEST:


City Clerk

RESOLUTION 2003-268

APPROVE AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN TO PROVIDE
FOR PLACES OF ASSEMBLY UPON APPROVAL OF A CONDITIONAL USE PERMIT
APPLICATION NUMBER 1-03-SPA

WHEREAS, Places of public assembly such as educational, cultural, institutional, religious, and recreational uses are an important part of Tracy's community, and

WHEREAS, It is Beneficial to the community to increase the areas in the City where places of public assembly can be considered, and

WHEREAS, The Industrial Areas Specific Plan currently does not permit places of public assembly land uses, and

WHEREAS, The proposed Specific Plan amendment is not a "project" subject to the California Environmental Quality Act, and

WHEREAS, The Planning Commission held a public meeting to review and consider the Specific Plan amendment on March 26, 2003;

NOW, THEREFORE, BE IT RESOLVED, That the City Council does hereby approve the following amendments to the Industrial Areas Specific Plan:

Add subsection 4.1.1.1 Conditionally Permitted (in the Limited Industrial Zones):

(e) Places of public assembly such as educational, cultural, institutional, religious, and recreational uses, excluding uses that are classified within Tracy Municipal Code Us Group 48.

Modify subsection 4.1.1.2 General Industrial Zones Permitted Uses:

(a) Those uses permitted and conditionally permitted in the Limited Industrial Zone, except places of public assembly (e). above. which will only be permitted upon approval of a Conditional Use Permit.

Add subsection 4.1.1.2 General Industrial Zones, Conditionally Permitted Uses:

(b) Places of public assembly such as educational, cultural, institutional, religious, and recreational uses, excluding uses that are classified within Tracy Municipal Code Use Group 48.

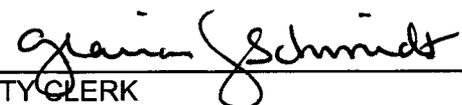
The foregoing Resolution 2003-268 was adopted by the Tracy City Council on the 15th day of July 2003, by the following vote:

AYES:	COUNCIL MEMBERS:	IVES, TOLBERT, TUCKER, BILBREY
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	HUFFMAN
ABSTAIN:	COUNCIL MEMBERS:	NONE



MAYOR

ATTEST:



CITY CLERK

DES

RESOLUTION 2007-186

APPROVING AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN TO CREATE A FLEX OFFICE CATEGORY, ALLOW SUPPORTING RETAIL USES AND AN AMENDED PARKING RATIO, AND APPROVAL OF THE DEVELOPMENT REVIEW APPLICATION FOR EDGEWOOD CORPORATE CENTER NORTH, TO DEVELOP NINE BUILDINGS FOR OFFICE, FLEX INDUSTRIAL OFFICE AND SUPPORTING RETAIL USE TOTALING 121,570 SQUARE FEET ON A 13.03-ACRE SITE, LOCATED AT THE NORTHEAST CORNER OF TRACY BOULEVARD AND WHISPERING WIND DRIVE; ASSESSOR'S PARCEL NUMBER 248-030-10 APPLICATION NUMBERS 1-06-SPA AND 13-06-D

WHEREAS, The City Council adopted the Industrial Areas Specific Plan and certified its Environmental Impact Report on June 21, 1988, and the City Council certified the 2006 General Plan EIR on July 20, 2006, and

WHEREAS, Borges Architectural Group, on behalf of Edgewood Corporate Center, LLC, submitted an application for Development Review (Application Number 13-06-D), a Specific Plan Amendment (Application Number 1-06-SPA), and an application for a Vesting Tentative Subdivision Map (Application Number 2-06-TSM) for nine buildings for office, flex industrial office and supporting retail uses totaling 121,570 square feet on July 3, 2006, and

WHEREAS, The subject property is located within the Industrial Areas Specific Plan area, which allows offices as a permitted land use, but prior to amendments does not allow retail or consumer service land uses, and

WHEREAS, The General Plan land use designation for the project site is Office, and that land use designation allows for commercial uses such as retail stores, restaurants and consumer services that support the office uses, and

WHEREAS, The location of the project site is appropriate for these types of land uses and parking ratios, as proposed in the ISP amendment, due to its location and proximity to office, industrial, and residential land uses, as well as the major thoroughfare of Tracy Boulevard, and

WHEREAS, The site plan and buildings, as proposed, will be a quality addition to the currently vacant parcel and will further the goals of the City's General Plan, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the applications on July 11, 2007, and recommended, by adoption of a resolution that the City Council approve the applications listed above;

NOW, THEREFORE BE IT RESOLVED, The City Council does hereby approve Development Review Application No. 13-06-D to develop nine buildings for office, flex industrial office, and supporting retail uses totaling 121,570 square feet, and approves Specific Plan Amendment Application Number 1-06-SPA for land use and parking modifications to the Industrial Areas Specific Plan, subject to the conditions contained in Exhibits 1 and 2 to this Resolution, the amendment language as shown in Exhibit 3 to this Resolution, and based on the findings below.

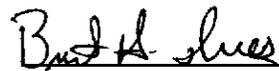
1. The establishment, maintenance, and operation of the proposed uses and associated structures are compatible with the land use, design, and operational characteristics of the neighboring properties. It will not, under the circumstances of the particular case or as

conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed uses and their associated structures, or to the general welfare of the City because the project is consistent with the land use, design, and other elements of the Industrial Areas Specific Plan, the City of Tracy General Plan, and applicable requirements of Chapter 10.08 of the Tracy Municipal Code, including, but not limited to, Article 26, Off-Street Parking Requirements, and Article 30, Development Review. The proposed office and supporting retail land uses are complementary to the site because of their location along Tracy Boulevard and proximity of residential housing units within several neighboring subdivisions. The parking area for the project will also ensure that the proposed land use will not detrimentally affect the parking lots of other adjacent parcels or adversely impact the single-family homes within the neighboring subdivisions.

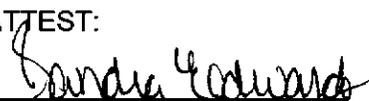
- 2. The project will not adversely affect or impair the benefits of occupancy, most appropriate development, property value stability, or the desirability of property in the vicinity because the architectural elements of the project as designed are a quality addition to the vacant parcel, and will not adversely visually impair the benefits of the properties in the vicinity, as the project includes desirable elements, which consist of the use of multiple colors and materials, a site plan that maximizes visibility of the buildings as well as function of the site, and landscaping. The architectural elements utilized in the building design include parapet and hip rooflines, glass and window features for natural lighting, and stone façade for interest.
- 3. An environmental assessment of the project was completed in May of 2007. That assessment determined that the project is consistent with the City's General Plan and no additional review is required under Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183.

The foregoing Resolution 2007-186 was adopted by the City Council on the 7th day of August, 2007, by the following vote:

AYES: COUNCIL MEMBERS: ABERCROMBIE, SUNDBERG, TOLBERT, TUCKER, IVES
 NOES: COUNCIL MEMBERS: NONE
 ABSENT: COUNCIL MEMBERS: NONE
 ABSTAIN: COUNCIL MEMBERS: NONE



 Mayor

ATTEST:


 City Clerk

**Conditions of Approval for Edgewood Corporate Center North
Application Nos. 13-06-D, 1-06-SPA and 2-06-TSM
July 11, 2007**

1. These Conditions of Approval shall apply to the real property described as a Specific Plan Amendment, Vesting Tentative Subdivision Map, and Development Application to develop nine buildings for office, flex industrial office and supporting retail uses totaling 121,570 square feet within the Industrial Areas Specific Plan, Application Numbers 13-06-D, 2-06-TSM and 1-06-SPA (hereinafter "Project"), located on a 13.03-acre site at the northeast corner of Tracy Boulevard and Whispering Wind Drive, Assessor's Parcel Number 248-030-10.
2. The following definitions shall apply to these Conditions of Approval:
 - 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 Development and Engineering Services 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, Industrial Areas Specific Plan, ordinances, resolutions, policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
 - d. "Development and Engineering Services Director" means the Development and Engineering Services Director of the City of Tracy, or any other person designated by the City Manager or the Development and Engineering Services Director to perform the duties set forth herein.
 - e. "Conditions of Approval" shall mean the conditions of approval applicable to the Specific Plan Amendment, Vesting Tentative Subdivision Map, and Development Application to develop nine buildings for office, flex industrial office and supporting retail uses totaling 121,570 square feet, Application Numbers 13-06-D, 2-06-TSM and 1-06-SPA. The Conditions of Approval shall specifically include all Development and Engineering Services Department, including Planning Division and Engineering Division conditions set forth herein.
 - f. "Project" means the real property consisting of an approximately 13.03-acre site at the northeast corner of Tracy Boulevard and Whispering Wind Drive, Assessor's Parcel Number 248-030-10.
 - g. "Subdivisor" 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.

3. 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 Subdivision Map Act (Government Code sections 66410, et seq.), the California Environmental Quality Act (Public Resources Code sections 21000, et seq., "CEQA"), and the Guidelines for California Environmental Quality Act (California Administrative Code, title 14, sections 1500, et seq., "CEQA Guidelines").
4. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all City Regulations.
5. Unless specifically modified by these Conditions of Approval, the Developer shall comply with all mitigation measures identified in the General Plan Environmental Impact Report, dated July 20, 2006.
6. 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.
7. Except as otherwise modified herein, all construction shall be consistent with the site plan and architectural renderings received by the Development and Engineering Services Department on June 6, 2007.
8. Prior to the issuance of a building permit for Building A, the final architecture and site plan shall be approved by the DES Director through the Development Review process. The architecture and final site plan details of the building shall be consistent with the remaining buildings on the site.
9. Prior to the issuance of any building permits, the applicant shall provide a detailed landscape and irrigation plan consistent with City landscape and irrigation standards, including, but not limited to Tracy Municipal Code Section 10.08.3560, Industrial Areas Specific Plan, and Water Efficient Landscape Guidelines on private property, and the Parks and Parkways Design Manual of public property, to the satisfaction of the Development and Engineering Services Director. Said landscape plans shall include documentation which demonstrates that there is no less than 20 percent of the parking area in landscaping, and 40 percent canopy tree coverage of the parking area at tree maturity.
10. Where landscape planters are parallel and adjacent to vehicular parking spaces, the planter areas shall incorporate a 12-inch wide concrete curb along their perimeter that is adjacent to the parking space in order to allow access to vehicles without stepping into landscape planters.

11. Prior to the issuance of a building permit, an Agreement for Maintenance of Landscape and Irrigation Improvements shall be executed and financial security submitted to the Development and Engineering Services Department. The Agreement shall ensure maintenance of the on-site landscape and irrigation improvements for a period of two years. Said security shall be equal to the actual material and labor costs for installation of the on-site landscape and irrigation improvements, or \$2.50 per square foot of on-site landscape area.
12. No roof mounted equipment, including, but not limited to, HVAC units, vents, fans, antennas, sky lights and dishes whether proposed as part of this application, potential future equipment, or any portion thereof, shall be visible from Tracy Boulevard, Whispering Wind Drive, Regis Drive, or any other public right-of-way.
13. All vents, gutters, downspouts, flashing, electrical conduit, and other wall-mounted or building-attached utilities shall be painted to match the color of the adjacent surface or otherwise designed in harmony with the building exterior to the satisfaction of the Development and Engineering Services Director.
14. Prior to final inspection or certificate of occupancy, on-site circulation signs shall be installed to the satisfaction of the Development and Engineering Services Director.
15. Prior to Final inspection or certificate of occupancy, all exterior and parking area lighting shall be directed downward or shielded, to prevent glare or spray of light into the public rights-of-way, to the satisfaction of the Development and Engineering Services Director.
16. Prior to the issuance of a building permit, bicycle parking spaces shall be provided in accordance with Tracy Municipal Code Section 10.08.3510 to the satisfaction of the Development and Engineering Services Director.
17. All PG&E transformers, phone company boxes, Fire Department connections, backflow preventers, irrigation controllers, and other on-site utilities, shall be vaulted or screened from view from any public right-of-way, behind structures or landscaping, to the satisfaction of the Development and Engineering Services Director.
18. 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.
19. All improvements shall be consistent with the Tracy Municipal Code, Standard Plans, and other applicable City Regulations.
20. Prior to the issuance of any building permits, a detailed plan of the trash enclosures shall be approved, showing solid metal doors, interior concrete curbs, and exterior materials and colors compatible with the adjacent building exteriors.

21. Prior to the issuance of any building permits, the trash enclosure located adjacent to the northeast corner of Building J shall be relocated to an area further removed from the outdoor plaza area, to the satisfaction of the DES Director.
22. Prior to the issuance of a certificate of occupancy, reciprocal access, utilities, and maintenance agreements or easements shall be recorded on the subject and other affected parcels, and copies of the recorded documents shall be delivered to the Development and Engineering Services Department. The recorded documents shall contain a statement that the agreement and/or easement cannot be rescinded without prior written approval by the City of Tracy.

July 2, 2007

EXHIBIT – ___
PLANNING COMMISSION RESOLUTION NO. 2007-___

EDGEWOOD CORPORATE CENTER NORTH
Northeast Corner of Tracy Boulevard & Whispering Wind Drive
Assessor's Parcel Number 248-030-10

TENTATIVE SUBDIVISION MAP AND DEVELOPMENT REVIEW
(Application Nos. 2-06-TSM and 13-06-D)

DEPARTMENT OF DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION CONDITIONS OF APPROVAL

A. General Provisions and Definitions.

1. These Tentative Subdivision Map and Development Review Conditions of Approval (hereinafter "Conditions of Approval") shall apply to the real property described as Parcel 2 of Parcel Map recorded on September 2, 1999, as Book 21 of Parcel Maps, At Page 101 of the San Joaquin County Records, with an Assessor's Parcel Number 248-030-10 (hereinafter "Property"), generally located on the northeast corner of Tracy Boulevard and Whispering Wind Drive.
2. The following definitions shall apply to these Conditions of Approval:
 - a. "City Engineer" means the City Engineer of the City of Tracy, or any other duly licensed engineer designated by the City Manager, or the Development & Engineering Services Director, or the City Engineer to perform the duties set forth herein.
 - b. "City Regulations" means all written laws, rules, and policies established by the City, including those set forth in the City of Tracy General Plan (also known as the Urban Management Plan), the Tracy Municipal Code, ordinances, resolutions, Industrial Specific Plan (ISP), policies, procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).
 - c. "Conditions of Approval" shall mean the Tentative Subdivision Map and Development Review Conditions of Approval applicable to the proposed buildings and associated on-site improvements (also known as "Edgewood Corporate Center North") within the Property.
 - d. "Project" means the proposed buildings and associated improvements known as Edgewood Corporate Center North to be constructed within real property described as Parcel 2 of that certain parcel map recorded on September 2, 1999, as Book 21 of Parcel Maps, At Page 101 of the San Joaquin County Records, and the generally located on northeast corner of Tracy Boulevard and Whispering Wind Drive.
 - e. "Subdivider" 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

EDGEWOOD CORPORATE CENTER NORTH

Tentative Subdivision Map and Development Review

Application Nos. 2-06-TSM and 13-06-D

Northeast Corner of Tracy Boulevard and Whispering Wind Drive

Engineering Division Conditions of Approval

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the City to develop or improve any portion of the real property within the Project boundaries. The term "Subdivider" shall include the property owner and all successors in interest.

3. The Subdivider 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 Subdivision Map Act (Government Code Sections 66410, *et seq.*), the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq.*, "CEQA"), and the Guidelines for California Environmental Quality Act (California Administrative Code, Title 14, Sections 15000, *et seq.*, "CEQA Guidelines").
 4. Pursuant to Government Code Section 66020, including Section 66020 (d)(1), the City HEREBY NOTIFIES the Subdivider that the 90-day approval period (in which the Subdivider 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 Subdivider fails to file a protest within this 90-day period, complying with all of the requirements of Government Code Section 66020, the Subdivider will be legally barred from later challenging any such fees, dedications, reservations or other exactions.
- B. Conditions of Approval Prior to Signature on Tentative Subdivision Map: Prior to signature of the Tentative Subdivision Map by the City Engineer, the Subdivider shall make the modifications to the tentative map as required by these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
1. The Subdivider shall satisfy the City Engineer that the design, development or improvements relating to this subdivision are in compliance with the City adopted General Plan, Specific Plans, relevant ordinances, policies and standards in effect at the time of approval of approval or conditional approval.
 2. Show on the Tentative Subdivision Map all existing and proposed easements and rights-of-way within and adjacent to the property (e.g. public and private utility and access easements, and railroad easement).
- C. Conditions of Approval Prior to complete Final Map Applications:
No application for any Final Map within the Project boundaries will be accepted by the City as complete until the Subdivider provides all documents required by City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer, including, but not limited to, the following:
1. The Subdivider has completed all requirements set forth in this section.
 2. The Subdivider has obtained the approval of all other public agencies with jurisdiction over the required public facilities.

EDGEWOOD CORPORATE CENTER NORTH

Tentative Subdivision Map and Development Review

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3. The Grading and Improvement Plans prepared in accordance with the Subdivision Ordinance and the City Design Documents.
4. The improvement plans for all improvements required to serve the development project in accordance with the Subdivision Ordinance, the City Design Documents, and these Conditions of Approval. The improvement plans shall be prepared to specifically include, but not be limited to, the following items:
 - a. All existing and proposed utilities.
 - b. All supporting calculations, specifications, and reports related to the design of the improvements.
 - c. On-site drainage connections to City's storm drainage system as approved by the City Engineer.
 - d. Improvement Plans prepared on 24" x 36" size mylar (4-mil thick polyester film). Improvement Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil, Traffic, Electrical, Mechanical Engineer, and Registered Landscape Architect for the relevant work.
6. The Grading Plan in accordance with applicable sections of the Tracy Municipal Code.
7. Payment of engineering review fees including plan check fees, grading and encroachment permits processing and inspection fees required by these Conditions of Approval and City Regulations.
8. Signed and notarized Grant of Easement with the necessary signed and stamped legal description, for the dedication of a 10-foot wide Public Utility Easement (PUE) behind the right-of-way along the full length of frontage of the Project on Tracy Boulevard and Whispering Wind Drive, as required in Condition L-3, below.
9. Three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent (NOI) submitted by the Subdivider to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB, as required in Condition G-2, below.
10. The Subdivider shall submit documentation or letter stating that the City's Building Division has completed their review on the building plans for this Project, that building permit(s) will be issued, and that the Final Parcel Map prepared for condominium purposes, meets City of Tracy Building Division's requirements.
11. Submit two (2) copies of the Conditions, Covenants & Restrictions (CC&Rs) of the Project. The Subdivider shall submit one (1) copy of the recorded CC&Rs, prior to the issuance of the building certificate of occupancy.

EDGEWOOD CORPORATE CENTER NORTH

Tentative Subdivision Map and Development Review

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Northeast Corner of Tracy Boulevard and Whispering Wind Drive

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- D. Conditions of Approval Prior to Approval of Final Map: No final map within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
1. The Subdivider has completed all requirements set forth in Condition C, above.
 2. The Subdivider has obtained the approval of all other public agencies with jurisdiction over the required public facilities.
 3. The final map shall include dedications or offers of dedication of all rights-of-way and easements required to serve the development project described by the final map, in accordance with City Regulations and these Conditions of Approval.
 4. Horizontal and vertical control for the Project shall be based upon the City of Tracy coordinate system and at least three 2nd order Class 1 control points establishing the "Basis of Bearing" and shown as such on the final map. The final map shall also identify surveyed ties from two of the control points to a minimum of two separate points adjacent to or within the property described by the final map.
 5. Payment of all applicable fees, processing fees including map checking fees and other fees required by these Conditions of Approval and City Regulations.
 6. Updated Subdivision Map Guarantee or Guarantee of Title as required in section 12.20.060(i) of the Tracy Municipal Code, issued by a competent title company to and for the benefit and protection of the City and shall remain valid up to the time of recording the Final Subdivision Map.
 7. Tax Certification as required in section 12.20.060(d) of the Tracy Municipal Code, from the San Joaquin County tax Collector's office stating that all taxes and assessments due have been paid. Tax certificate is acceptable if it is not more than thirty (30) days old.
 8. The Developer shall demonstrate, to the satisfaction of the City Engineer that the design, development or improvements relating to this subdivision or Project are in compliance with the City adopted General Plan, Specific Plans, relevant ordinances, policies and standards in effect at the time of approval or conditional approval of this Final Subdivision Map.
 9. The Subdivider shall pay all fees and reimbursements as required by these Conditions of Approval. Prior to approval of the Final Map, the Subdivider shall participate in any applicable Benefit Districts, Assessment Districts, or sub-regional reimbursement areas, in accordance with City Regulations.

EDGEWOOD CORPORATE CENTER NORTH

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Northeast Corner of Tracy Boulevard and Whispering Wind Drive

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- E. Conditions of Approval Prior to Approval of Building Permit. No building permit within the Project boundaries will be approved by the City until the Subdivider demonstrates, to the satisfaction of the City Engineer, compliance with all required Conditions of Approval, including, but not limited to, the following:
1. The Subdivider has completed all requirements set forth in Condition D, above.
 2. The Subdivider shall participate and pay required fees in accordance with the Tracy's Industrial Specific Plan (ISP) Finance Implementation Plan (FIP) and any updates to the FIP, for public improvements including public buildings, parks, wastewater, water, roadways, and storm drainage as established by the City. The final development impact fees to be paid are the fees that are in effect at the time of issuance of the building permit.
- F. Conditions of Approval Prior to Certificate of Occupancy. No certificate of occupancy within the Project boundaries will be approved by the City until the Subdivider provides documentation which demonstrates, to the satisfaction of the City Engineer, that:
1. The Subdivider has completed all requirements set forth in Condition E, above and this section.
 2. The Subdivider has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested. Unless specifically provided in these Conditions of Approval, or some other City Regulation, the Subdivider shall take all actions necessary to construct all public facilities required to serve the Project, and the Subdivider shall bear all costs related to construction of the public facilities (including all costs of design, construction, construction management, plan check, inspection, land acquisition, program implementation, and contingency).
 3. Letter from the Project's Geo-technical Engineer, certifying that all grading work has been completed in accordance with the Project's Geo-technical Report and meets the recommendations of the Project's Geo-technical Engineer, as required in Condition E-1, below.
- G. Grading:
1. The grading plans shall be prepared by a Registered Civil Engineer and accompanied by Soil Engineering report shall be submitted to the City. The report shall provide recommendations regarding adequacy of site to be developed by the proposed grading and also information related to stability of soils. All grading shall require a Grading Permit. Erosion control measures shall be implemented in accordance with plans approved by the City Engineer for all grading work not completed before October 15. Improvement Plans shall designate all erosion control methods and materials to be employed. Prior to the issuance of the building certificate of occupancy, the Subdivider shall submit a letter, signed and stamped by the Project's Geo-technical Engineer, certifying that all grading work including excavation, backfilling, compacting and

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backfilling work were performed by the Subdivider and meets the requirements of the Project's Soils report and was completed under the supervision of the Project's Geo-technical Engineer (licensed to practice in the State of California).

2. Prior to the issuance of the Grading Permit, the Subdivider shall submit three (3) sets of the Storm Water Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent (NOI) submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB. After the completion of the project, the property owner or Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB. The Subdivider shall provide the City a copy of the completed Notice of Termination. Cost of preparing the SWPPP, NOI and NOT including the filing fee of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall provide the City with Waste Water Discharge Identification number, prior to the issuance of the grading permit. The Subdivider shall also comply with all the requirements of the SWPPP for this Project approved by the SWQCB.

H. Storm Drainage:

1. The Subdivider shall install on-site storm drainage system with catch basin(s) or field inlet(s) and shall ensure that storm drain lateral is properly sized and has adequate flow capacity to handle storm run-offs from the property. The site shall be graded and improved in such a way that storm run-offs will drain to on-site catch basin(s) or field inlet(s).
2. As required by City standards, the site grading and on-site storm drainage system shall be designed in such a way that the Project has an overland storm drainage release point to an improved public street with existing storm drainage system or a City right-of-way with storm drainage system, to the satisfaction of the City Engineer. The purpose of the overland storm drainage release point is to create a condition that storm runoff drains by overland flow from the Property to a public street with functional storm drainage system or to a City right-of-way that can accept storm water. The release point shall be located on the boundary of the Property adjacent to a public street or City right-of-way. It is recommended that the lowest building finish floor shall be at least 0.70 feet higher than the highest overland storm drainage release point, if there are more than one release points. City will not allow overland flow through private properties without written consent and/or agreement from affected property(s). Subdivider shall submit documentation that permission has been granted, prior to approval of the Grading and Drainage Plans.

I. Sanitary Sewer:

1. The Subdivider shall design and install sewer connection in accordance with City Regulations. The Subdivider and property owner are hereby notified that maintenance of the sewer lateral within the public right-of-way will not be provided by the City unless the sewer clean-out is located in conformance with Standard Plan 203.

EDGEWOOD CORPORATE CENTER NORTH

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J. Water System:

1. The Subdivider shall install and complete the water system connection, including Radio-Read water meter and R/P Type back-flow protection devices and double check detector per City Standards, prior to the issuance of certificate occupancy. City's responsibility to maintain water lines shall be from the water main on the street to the water meter (inclusive) only. Maintenance of all on-site water lines, laterals, sub-meters, valves, fittings, fire hydrant and appurtenances shall be the responsibility of the Subdivider.
2. The Subdivider shall design and install fire service line for the Project in accordance with City standards. Size, type and location of the fire service line shall be approved by the Fire Department. The Subdivider shall obtain written approval from the Fire Department, prior to the issuance of the Grading Permit.

K. Street Improvements:

1. Where utility trenches are constructed, the Subdivider shall install 2" thick asphalt concrete overlay (2" thick uniform grind for the full width of the street) with reinforcing fabric, and install pavement marking and striping at locations determined by the City in accordance with Caltrans standards. Asphalt concrete overlay shall be applied 25 feet from both sides of the trench. If the street cut goes beyond the raised median or street centerline, the limit of asphalt concrete overlay shall be the entire width of the street. The Subdivider shall be responsible for the cost of asphalt concrete overlay and pavement marking and striping, and no reimbursement will be due from the City.
2. The Subdivider shall replace or restore all improvements, including but not limited to, sidewalk, driveway, curb, new asphalt concrete pavement and gutter, and landscaping improvements that will be disturbed as a result of installing utilities on Tracy Boulevard, all at the Subdivider's sole cost and expense.

L. Special Conditions:

1. All improvements shall be in accordance with all City Regulations, Facilities Master Plan for storm drainage, roadway, wastewater and water adopted by the City, Tracy Design Standards and Specifications, and Parks and Parkways Design Manual, or as otherwise specifically approved by the City.
2. Prior to any work within the public right-of-way, or connections to City's storm, water and sanitary sewer lines, the Subdivider shall submit detailed improvement plans to Engineering Division for the City's approval, and obtain an encroachment permit from Engineering Division. If trench cuts are necessary to install any utility connections on an existing street as approved by the City, the Subdivider shall install a 2-inch thick (uniform thickness) asphalt concrete overlay with reinforcing fabric and replace all pavement marking and striping that are affected or damaged as result of installing the utility(s) connections and asphalt concrete overlay, all at the Subdivider's sole cost and expense, without reimbursement from the City. The limits of asphalt concrete overlay shall be 25

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feet from both sides of the trench for the entire length of the trench or the full width of the street, as determined by the City.

3. The Subdivider shall underground all utilities within the Property including service connection along the Property frontage to the City Engineer's satisfaction. Cost of engineering and undegrouding Project's service connections shall be paid by the Subdivider.
4. The Subdivider shall either show 10' wide Public Utility Easement (PUE) on Final Map or submit a signed and notarized Grant of Easement including a signed and stamped legal description, for the dedication of a 10-foot wide PUE behind the existing right of way on Tracy Boulevard and Whispering Wind Drive, for the installation, repair, operation and maintenance of private and public utilities. The Subdivider shall be responsible for the cost of the easement dedication required in this condition and shall also pay for the cost of preparing the legal description, map and the Grant of Easement including the recordation fees. The Grant of Easement shall be filed by the City at the San Joaquin County Recorder, prior to the issuance of the Grading Permit.
5. The Developer shall repair or replace broken curb, gutter, sidewalk, driveway and other street improvements in front of the Project on Tracy Boulevard and Whispering Wind Drive as required by the City and in accordance with City standards.
6. The Subdivider shall be required to obtain approval from the Fire Department for design and installation of fire prevention facilities and for fire truck access to the Property, prior to the issuance of the Grading Permit.
7. Vehicular access for Lot 1 (Future Daycare Facility) will require specific approval from the City Engineer. No ingress access for Lot 1 will be granted from the entry on Whispering Wind Drive.
8. All existing on-site wells shall be abandoned in accordance with the City and San Joaquin County requirements. All costs associated with the abandonment or destruction of existing wells including the cost of permits and inspection, if required, shall be the responsibility of the Subdivider. The Subdivider shall provide documentation to the City, prior to the issuance of Grading Permit, which permit(s) have been obtained, if applicable.

Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Tracy, or other public agency having jurisdiction.

Prepared By: _____ Date: _____

Reviewed By: _____ Date: _____

01-041207rp

**Industrial Areas Specific Plan Amendment
Edgewood Corporate Center North
August 7, 2007**

Purpose: This amendment is intended to allow for the Edgewood Corporate Center site to develop in compliance with both the General Plan land use designation of Office, and the Industrial Areas Specific Plan (ISP). When the ISP was created in 1988, it was envisioned to be the City's place for manufacturing and distribution land uses. Much of the ISP is already developed with various industrial uses, including mostly warehouses, manufacturing facilities and administrative offices, all permitted land uses. When the General Plan update commenced, many areas resulted with changes in their land use designations of 2006, including the southern portion of the ISP. The project site lies within an Office land use designation, rather than its previous designation of Industrial.

In order for the project site to develop in compliance with the current land use designation of Office, an amendment to the ISP is necessary. This amendment of the ISP will allow for the appropriate implementation of the General Plan by allowing additional land uses, and adjusting the necessary parking ratios for office uses. The proposed amendment language adds a new land use category to the Specific Plan, and lists the permitted, conditionally permitted, and prohibited land uses, along with an amended parking ratio for office uses. This amendment is an addendum to the ISP and is attached thereto.

The following additions will be made to the Industrial Areas Specific Plan with this amendment. These amendments will apply only to the area defined as the Edgewood Corporate Center North project, located at the northeast corner of Tracy Boulevard and Whispering Wind Drive, Assessor's Parcel Number 248-030-10:

Flex Office Zone

Permitted Uses

Subject to compliance with the Environmental Performance Standards (Section 4.1.2.1), the following uses are permitted:

All of the uses listed as permitted within the Limited Industrial Zone, in addition to the following:

- Private schools, nursery schools, and day care centers
- Fitness centers, sports clubs
- Professional, medical and administrative offices
- Miscellaneous repair services, including only establishments engaged in repairing and servicing household and business equipment, machines, and furnishings
- Catering establishments
- Specialized recreational and instructional uses in dance, athletics, arts and self defense including but are not limited to:
 - (1) Aerobics
 - (2) Dance

- (3) Drama/theater group (excluding performances and spectators)
- (4) Gymnastic studios
- (5) Martial arts/self defense
- (6) Music
- (7) Weight training

The following uses will be permitted in Building J only (retail building located at the southwest corner of the site):

- All of the uses listed above
- Eating and drinking establishments with beer and wine sales only
- Consumer services and retail trade
- Building materials and hardware stores, including:
 - (1) Hardware
 - (2) Sales rooms for building materials, including but not limited to paint, glass, wallpaper, cabinetry and countertops (exterior sales and storage prohibited)
- Personal service establishments

Conditionally Permitted Uses

The following uses will require a Conditional Use Permit in the Flex Office Zone:

- Wholesale trade businesses
- Repair of automotive, motorcycle and farm machinery
- Intermediate manufacturing uses involving the processing of raw materials, including food and paper processing, wineries, and concrete or other similar materials

Prohibited Uses

The following uses are not allowed within the Flex Office/Retail Zone boundaries:

- Auto services and emergency repairs
- Auto accessory shops
- Automotive repairs, services, and garages, including:
 - (1) Body repair shops
 - (2) Motor rebuilding
 - (3) Paint shops
 - (4) Tire recapping and retreading
 - (5) Truck repairs
- Residential Uses
- Junk or auto wrecking yards
- Outdoor storage/Lumber yards
- Petroleum storage yards
- Mining and quarrying

- Very heavy industrial uses, including blast furnaces, cement factories, distillation of bones, stockyards, slaughtering houses, smelting, tanneries, rock crushers or rubber factories
- Dumping, disposal, incineration or reduction of garbage, sewage, or refuse

The following is an amendment to Section 4.1.3.2 "Parking, Loading Areas, On-site Circulation" of the current Industrial Areas Specific Plan:

(d) Minimum Off-Street Parking:

Office and Research and Development: 1 space per **250** square feet of gross floor area.

Retail and Consumer Services: 1 space per **250** square feet of gross floor area.

Medical Offices: 1 space per 200 square feet of gross floor area.

RESOLUTION 2007-266

CITY COUNCIL APPROVAL OF THE ADOPTION OF A NEGATIVE DECLARATION, AND AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN TO CREATE A VILLAGE CENTER CATEGORY, ALLOWING RETAIL, CONSUMER SERVICE AND RESTAURANT USES AND AN AMENDED PARKING RATIO, AND APPROVAL OF THE DEVELOPMENT REVIEW APPLICATION FOR RED MAPLE VILLAGE, TO DEVELOP SEVEN BUILDINGS FOR VILLAGE CENTER USE TOTALING 123,652 SQUARE FEET ON A 13.41-ACRE SITE, LOCATED AT THE NORTHEAST CORNER OF TRACY BOULEVARD AND VALPICO ROAD;
ASSESSOR'S PARCEL NUMBERS 246-130-10 and 246-130-11
APPLICATION NUMBERS 1-07-SPA AND 29-04-D

WHEREAS, The City Council adopted the Industrial Areas Specific Plan and certified its Environmental Impact Report on June 21, 1988, and the City Council certified the 2006 General Plan EIR on July 20, 2006, and

WHEREAS, Kitchell Development Company, on behalf of Red Maple Village, LP, submitted an application for a Specific Plan Amendment (Application Number 1-07-SPA) and an application for Development Review (Application Number 29-04-D) for seven buildings for Village Center (retail consumer service and restaurant) uses totaling 123,652 square feet on June 18, 2004, and

WHEREAS, The subject property is located within the Industrial Areas Specific Plan area, which allows for a variety of permitted land uses, but previously did not allow retail or consumer service land uses as primary uses on a site, and

WHEREAS, The General Plan land use designation for the project site is Village Center, which allows for commercial uses such as retail stores, restaurants, consumer services, and high density residential, and

WHEREAS, The location of the project site is appropriate for these types of land uses and parking ratios, as proposed in the ISP amendment, due to its location and proximity to office, industrial, and residential land uses, as well as the major arterial roadway Tracy Boulevard, and

WHEREAS, The ISP serves as the governing zoning and land use document for the site, and

WHEREAS, The site plan and buildings, as proposed, will be a desirable addition to the currently vacant parcel and will further the goals of the City's General Plan, and

WHEREAS, An environmental assessment was completed in September of 2007, and determined that there is no substantial evidence of significant environmental effects as a result of the proposed project, and

WHEREAS, The Planning Commission conducted a public hearing to review and consider the applications on November 7, 2007, and by adoption of a resolution recommend City Council approval of the proposed project with proposed modifications to the approval process for future buildings and signs;

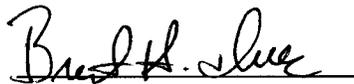
NOW, THEREFORE BE IT RESOLVED, The City Council does hereby adopt the negative declaration and approve Specific Plan Amendment Application Number 1-07-SPA for land use

and parking modifications to the Industrial Areas Specific Plan (Exhibit 3), and recommends that the City Council approve Development Review Application No. 29-04-D to develop seven buildings for Village Center (retail, consumer service and restaurant) uses totaling 123,652 square feet, subject to the conditions contained in Exhibits 1 and 2 to this Resolution, the amendment language as shown in Exhibit 3 to this Resolution, and based on the findings below.

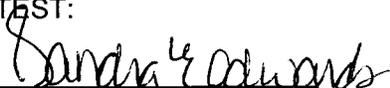
1. The establishment, maintenance, and operation of the proposed uses and associated structures are compatible with the land use, design, and operational characteristics of the neighboring properties. It will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed uses and their associated structures, or to the general welfare of the City because the project is consistent with the land use, design, and other elements of the Industrial Areas Specific Plan as amended, the City of Tracy General Plan, and applicable requirements of Chapter 10.08 of the Tracy Municipal Code. The proposed supermarket and other retail, consumer service and restaurant uses are complementary to the site because of their location along Tracy Boulevard and proximity of residential housing units within several neighboring subdivisions. The parking area for the project will also ensure that the proposed land use will not detrimentally affect the parking lots of other adjacent parcels or adversely impact the single or multi-family homes within the neighboring subdivisions.
2. The project will not adversely affect or impair the benefits of occupancy, most appropriate development, property value stability, or the desirability of property in the vicinity because the architectural elements of the project as designed are a quality addition to the vacant parcel, and will not adversely visually impair the benefits of the properties in the vicinity, as the project includes desirable elements, which consist of the use of multiple colors and materials, a site plan that maximizes pedestrian accessibility to the buildings from the street and from adjacent residential sites, visibility of the buildings as well as function of the site, and landscaping. The architectural elements utilized in the building design include human-scaled awnings, glass and window features for natural lighting, and brick and stucco façades with tile accents for interest.
3. An environmental assessment for the project was completed in September of 2007. In addition, a negative declaration was prepared for the project, in accordance with CEQA Guidelines Section 15074. The environmental assessment also determined that the project is consistent with the City's General Plan.

The foregoing Resolution 2007-266 was adopted by the City Council on the 20th day of November, 2007, by the following vote:

AYES: COUNCIL MEMBERS: ABERCROMBIE, SUNDBERG, TOLBERT, TUCKER, IVES
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: NONE


Mayor

ATTEST:


City Clerk

**Industrial Areas Specific Plan Amendment
Village Center
November 20, 2007**

Purpose: This amendment creates the Village Center land use designation, and its development criteria, for compliance with both the General Plan land use designation of Village Center, and the Industrial Areas Specific Plan (ISP). When the ISP was created in 1988, it was envisioned to be the City's place for manufacturing and distribution land uses. Much of the ISP is already developed with various industrial uses, including mostly warehouses, manufacturing facilities and administrative offices, all permitted land uses. When the General Plan update concluded, the 17.54-acre site at the northeast corner of Tracy Boulevard and Valpico Road was changed to Village Center to reflect the desire for retail and other commercial uses on the site.

This amendment of the ISP allows for the appropriate implementation of the General Plan by addressing various land use and design standards for the Village Center. The proposed amendment language adds a new land use category to the Specific Plan, called "Village Center", and lists the permitted, conditionally permitted, and prohibited land uses, along with amended and additional design standards for commercial and residential uses. This amendment is an addendum to the ISP and is attached thereto.

The Village Center is intended to serve as a gathering place for retail shopping for adjacent residential areas and employment centers. The main entry for the Village Center has buildings situated within relative proximity to emulate a main street theme. Access and movement throughout the site is characterized as walkable, with generous sidewalks that can accommodate both pedestrians as well as outdoor dining. The Village Center has direct pedestrian and vehicular access for adjacent residential uses.

The following additions will be made to the Industrial Areas Specific Plan with this amendment. These amendments will apply only to the area defined as the 17.54 acres located at the northeast corner of Tracy Boulevard and Valpico Road, Assessor's Parcel Numbers 246-130-10 and 11:

Village Center Zone

Permitted Uses

Subject to compliance with the Environmental Performance Standards (Section 4.1.2.1), the following uses are permitted:

- Consumer service and retail trade establishments, including but not limited to:
 - (1) Food stores, including supermarkets
 - (2) Wine stores and tasting facilities
 - (3) Hobby shops
 - (4) Miscellaneous retail
 - (5) Dry cleaners
 - (6) Barber/beauty shops
- Eating and drinking establishments (excluding drive-thru establishments)

- Private schools, nursery schools, and day care centers
- Fitness centers, sports clubs
- Professional, medical and administrative offices, including banks
- High density residential units (12-25 units per gross acre), including but not limited to single-family, two-family and multi-family units, condominium units, townhouses, and groupings of such dwelling units.

Conditionally Permitted Uses

The following uses will require a Conditional Use Permit in the Village Center Zone:

- Specialized recreational and instructional uses in dance, athletics, arts and self defense including but are not limited to:
 - (1) Aerobics
 - (2) Dance
 - (3) Drama/theater group (excluding performances and spectators)
 - (4) Gymnastic studios
 - (5) Martial arts/self defense
 - (6) Music
 - (7) Weight training
- Veterinary clinics
- Building materials and hardware stores, including:
 - (1) Hardware
 - (2) Sales rooms for building materials, including but not limited to paint, glass, wallpaper, cabinetry and countertops (exterior sales and storage prohibited)

Prohibited Uses

The following uses are not permitted within the Village Center Zone boundaries:

- Auto services and emergency repairs
- Auto accessory shops
- Automotive repairs, services, and garages, including:
 - (1) Body repair shops
 - (2) Motor rebuilding
 - (3) Paint shops
 - (4) Tire recapping and retreading
 - (5) Truck repairs
- Junk or auto wrecking yards
- Outdoor storage/Lumber yards
- Industrial Uses
- Dumping, disposal, incineration or reduction of garbage, sewage, or refuse

In the event that it is unclear whether a proposed use is to be considered permitted, conditionally permitted, or prohibited, any use not listed is subject to a determination of the DES Director for conformity with the intent of the Village Center land use designation.

Design Standards:**Parking:**

- All commercial uses are required one parking space per every 250 square feet of gross floor area.
- All residential uses must comply with Article 26 of the Tracy Municipal Code, Off-Street Parking Requirements
- All non-residential uses shall be developed with shared parking facilities.

Building Requirements:**Commercial—**

Front Yard: All buildings shall be set back a minimum of 10 feet from the front property line.

Side Yards: No minimum building setback is required along an interior side property line. All buildings shall be set back a minimum of 10 feet from a side yard property line that is adjacent to a public right-of-way.

Rear Yard: There shall be no minimum rear yard area, except when adjacent to residentially zone property, where the minimum rear yard area shall be 20 feet.

Distance between Buildings: There shall be no minimum distance between commercial buildings, however, all building placement on a site must be approved by the City of Tracy, and must be in compliance with all applicable Building Codes.

Height: There shall be no maximum height limit for commercial structures in the Village Center designation, except for structures within 50 feet of a neighboring residential zone, in which case the maximum height shall be 40 feet.

FAR: The maximum FAR shall be 1.0.

Residential—

Front Yard: All buildings shall be set back a minimum of 10 feet along a front property line adjacent to a public street. There shall be no minimum front yard building setback requirement along internal (non street fronting) property lines.

Side Yard: All buildings shall be set back a minimum of 5 feet from any side yard property line.

Rear Yard: All buildings shall be set back a minimum of 15 feet from any rear yard property line.

Distance between Buildings: There shall be no minimum distance between residential buildings, however, all building placement on a site must be approved by the City of Tracy, and must be in compliance with all applicable Building Codes.

Open Space: Residential uses shall provide a minimum usable open spaces of 100 square feet for each of the first 10 dwelling units, 50 square feet for each of the second 10 units, and 25 square feet for each unit in excess of 20. Usable open space shall mean an on-site ground level area, not less than 20 feet in width of lawn, pool, or garden area with paving accessible to all dwelling units via a walk, path, or stairway used and intended to be used by pedestrians. The spaces shall not include any required front or side yard, off-street parking, driveways, or service areas. There shall be no obstructions above the space, except for devices to enhance the usability of the space.

Height: There shall be no maximum height limit for residential structures in the Village Center designation.

FAR: The maximum FAR shall be 1.0.

Review Process:

Residential Units—Any future residential units to be developed on the site, and their related parking and landscape improvements, shall be reviewed by the Planning Commission and City Council through the City's Development Review Process.

Commercial Buildings—Any future commercial buildings to be developed on the site, and their related parking and landscape improvements, shall be reviewed by the DES Director through the City's Development Review Process.

Signs—Any future signs or master sign programs shall be reviewed by the DES Director.