TRACY CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, May 4, 2021, 7:00 P.M.

Tracy City Hall, 333 Civic Center Plaza, Tracy Web Site: www.cityoftracy.org

THIS REGULAR MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT

THIS MEETING WILL BE OPEN TO THE PUBLIC FOR IN-PERSON AND REMOTE PARTICIPATION. SEATING CAPACITY IN COUNCIL CHAMBERS WILL BE LIMITED TO THE FIRST 16 PEOPLE, ON A FIRST COME, FIRST SERVE BASIS. ADDITIONAL LIMITED SEATING WILL BE AVAILABLE ON THE SECOND FLOOR IN ROOM 203 (MAX. CAPACITY OF 15). COMPLIANCE WITH ALL PUBLIC HEALTH & SAFETY GUIDELINES INCLUDING COVID-19 SCREENING, TEMPERATURE CHECKS, FACE COVERINGS, AND PHYSICAL DISTANCING MEASURES WILL BE REQUIRED FOR IN-PERSON ATTENDANCE. PLEASE PLAN TO ARRIVE APPROXIMATELY 15 MINUTES PRIOR TO THE SCHEDULED MEETING START TIME TO ALLOW FOR SCREENING PROCESSES. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE REMOTELY IN THE MEETING VIA THE FOLLOWING METHODS:

As always, the public may view the City Council meetings live on the City of Tracy's website at www.CityofTracy.org or on Channel 26. To view from the City's website, select "Watch Live Council Meetings" from the drop down menu "Select an Online Service" at the top of the City's homepage. You will be directed to the "Council Meeting Videos" page where you may select the video for the appropriate date under "Upcoming Events."

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

***Remote Public Comment**:*

*Public comment, limited to 250 words or less, submitted via email **will be accepted for agendized items before the start of the Council meeting at 7:00 p.m. Please send an email to** publiccomment@cityoftracy.org and Identify the item you wish to comment on in your email's subject line.*

During the upcoming City Council meeting public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
  - **Phone** by dialing (209) 831-6010, or
  - **Online by visiting** https://cityoftracyevents.webex.com and using the following **Event Number:** 182 596 1846 and **Event Password**: TracyCC
  - ***If you would like to participate in the public comment anonymously***, you may submit your comment via phone or in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.

- *Protocols for submitting comments by **phone**:*
  - *If you wish to discuss an item on the "Consent Calendar" identify the item when calling in. All requests to discuss an item on the "Consent Calendar" must be submitted before the Mayor announces that the time to submit such a request has expired.*
  - *Identify the item you wish to comment on to staff when calling in. Comments received by phone will be accepted for the "Items from the Audience/Public Comment" and "Regular Items" portions of the agenda.*
  - *Comments received by phone for the "Items from the Audience/Public Comment" portion of the agenda must be received by the time the Mayor opens that portion of the agenda for discussion.*
  - *Comments received by phone on each "Regular Item" will be accepted until the Mayor announces that public comment for that item is closed.*

- *Protocols for commenting via WebEx:*
  - *If you wish to comment on the "Consent Calendar", "Items from the Audience/Public Comment" or "Regular Agenda" portions of the agenda:*
    - *Listen for the Mayor to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
    - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
  - *Comments for the "Consent Calendar" "Items from the Agenda/Public Comment" or "Regular Agenda" portions of the agenda will be accepted until the public comment for that item is closed.*

- *The total allotted time for public comment will be as follows:*
  - *Consent Calendar: **10 minutes***
  - *Items from the Audience: **15 minutes***
  - *Regular Items: **10 minutes***

Comments received by publiccomment@cityoftracy.org, phone call, or on Webex outside of the comment periods outlined above will not be included in the record.

Americans With Disabilities Act - The City of Tracy complies with the Americans with Disabilities Act and makes all reasonable accommodations for the disabled to participate in Council meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

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

designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Consent Calendar - All items listed on the Consent Calendar are considered routine and/or consistent with previous City Council direction. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

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

Notice - A 90 day limit is set by law for filing challenges in the Superior Court to certain City administrative decisions and orders when those decisions or orders require: (1) a hearing by law, (2) the receipt of evidence, and (3) the exercise of discretion. The 90 day limit begins on the date the decision is final (Code of Civil Procedure Section 1094.6). Further, if you challenge a City Council action in court, you may be limited, by California law, including but not limited to Government Code Section 65009, to raising only those issues you or someone else raised during the public hearing, or raised in written correspondence delivered to the City Council prior to or at the public hearing.

Full copies of the agenda are available on the City's website: *www.cityoftracy.org*

CALL TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL
ANNOUNCEMENTS

1. CONSENT CALENDAR

1.A. ADOPTION OF APRIL 20, 2021 CLOSED SESSION, SPECIAL MEETING AND REGULAR MEETING MINUTES

1.B. APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3954, TRACY HILLS VILLAGE 7C, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

1.C. WAIVE SECOND READING AND ADOPT ORDINANCE 1305, AN ORDINANCE OF THE CITY OF TRACY APPROVING AMENDMENTS TO THE ELLIS SPECIFIC PLAN, INCORPORATING THE AVENUES SPECIFIC PLAN PROPERTY INTO THE ELLIS SPECIFIC PLAN AND VARIOUS OTHER AMENDMENTS; APPLICATION NUMBER SPA20-0007

1.D. WAIVE SECOND READING AND ADOPT ORDINANCE 1306, AN ORDINANCE OF THE CITY OF TRACY REPEALING THE AVENUES SPECIFIC PLAN AND THE TRACY MUNICIPAL CODE AVENUES SPECIFIC PLAN ZONE, CHAPTER 10.08, ARTICLE 22.8, AND REPEALING ORDINANCE 1262 – APPLICATION NUMBERS SPA20-0007 AND ZA20-0004

1.E. AMEND COUNCIL MEETING PROTOCOLS AND RULES OF PROCEDURE TO ESTABLISH A FIVE MINUTE TIME LIMIT FOR COUNCIL DISCUSSION AND DEBATE, PROVIDE CITY BOARDS AND COMMISSIONS FLEXIBILITY ON THE USE OF PARLIMENTARY PROCEDURES, AND REQUIRE THAT ALL COUNCIL MEETING AGENDAS INCLUDE A "COUNCIL ITEMS AND COMMENTS" SECTION

2. ITEMS FROM THE AUDIENCE

3. REGULAR AGENDA

3.A. PUBLIC HEARING TO INTRODUCE AN ORDINANCE ADDING CHAPTER 7.28 TO THE TRACY MUNICIPAL CODE TO INCLUDE WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY AND APPROVE COUNCIL POLICY ESTABLISHING SMALL WIRELESS FACILITIES REGULATIONS

3.B. APPROVE A MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS FOR THE INSTALLATION OF SMALL WIRELESS FACILITIES ON CITY OWNED POLES IN THE RIGHT-OF-WAY

3.C. RECEIVE THE CITY OF TRACY POLICE DEPARTMENT'S ANNUAL REPORT FOR 2020

3.D. APPROVE PROPOSED AMENDMENTS TO THE COUNCIL POLICY FOR DISPLAY OF FLAGS AT CITY FACILITIES TO INCLUDE PROTOCOLS FOR THE PASSING OF CURRENT OR FORMER CITY COUNCIL MEMBERS, DISCUSS AND AUTHORIZE COUNCIL MEMBERS' CEREMONIAL FLAG REQUESTS FOR THE COMING YEAR, AND PROVIDE DIRECTION TO STAFF

4. ITEMS FROM THE AUDIENCE

5. STAFF ITEMS

6. COUNCIL ITEMS AND COMMENTS

7. ADJOURNMENT

TRACY CITY COUNCIL - SPECIAL MEETING MINUTES

April 20, 2021, 4:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy

1. CALL TO ORDER – Mayor Young called the meeting to order at 4:01 p.m. for the purpose of a closed session to discuss the items outlined below.

2. ROLL CALL – Roll call found Council Member Davis, Mayor Pro Tem Vargas, and Mayor Young present.

   Council Member Bedolla arrived at 4:03 p.m.

   Council Member Arriola arrived at 4:07 p.m.

3. ITEMS FROM THE AUDIENCE – There was no public comment.

4. CLOSED SESSION

   a. Conference with Legal Counsel – Existing Litigation (Gov. Code § 54956.9(d)(1))

      - *South San Joaquin County Fire Authority, City of Tracy, et al. v. San Joaquin County Emergency Medical Services Agency* (San Joaquin County Superior Court Case No. STK-CV-UCC-2020-0004468)

   b. Conference with Legal Counsel – Existing Litigation (Gov. Code § 54956.9(d)(1))

      - *Mitracos v. City of Tracy et al.* (San Joaquin County Superior Court Case No.: STK-CV-UWM-2018-5531)

   c. Conference with Legal Counsel – Anticipated Litigation (Gov. Code § 54956.9)

      - Significant exposure to litigation pursuant to § 54956.9(d)(2). (One case).

   There was no public comment.

5. RECESS TO CLOSED SESSION **-** Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to recess the meeting to closed session at 4:11 p.m. Roll call vote found all in favor; passed and so ordered.

6. RECONVENE TO OPEN SESSION – The meeting reconvened to open session at 5:18 p.m.

7. REPORT OF FINAL ACTION – City Council voted unanimously to pursue an appeal in the South San Joaquin County Fire Authority, City of Tracy, et al. v. San Joaquin County Emergency Medical Services Agency case.

8. COUNCIL ITEMS AND COMMENTS - None

9. ADJOURNMENT – Time: 5:19 p.m.

ACTION: Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Arriola to adjourn. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas and Mayor Young in favor; passed and so ordered. Council Member Bedolla absent from roll call.

The agenda was posted at City Hall on April 15, 2021. The above are action minutes.

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Mayor

ATTEST:

_____
City Clerk

TRACY CITY COUNCIL SPECIAL MEETING MINUTES

April 20, 2021, 5:00 p.m.

Tracy City Hall, 333 Civic Center Plaza, Tracy *Web Site:* www.ci.tracy.ca.us

Due to the COVID-19 emergency, the special meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20 which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, phone and WebEx during the meeting.

1. Mayor Young called the meeting to order at 5:19 p.m.

2. Roll call found Council Members Arriola, Davis, Mayor Pro Tem Vargas, and Mayor Young present. Council Member Bedolla joined the meeting following roll call.

3. ITEMS FROM THE AUDIENCE – Tracy resident asked whose idea was it to move the homeless to Pescadero Park, and what can be done to help better provide for them and their kids that are having to witness things they should not have to see.

4. CONDUCT A CITY COUNCIL WORKSHOP TO REVIEW THE PROPOSED FY 2020-21 CAPITAL BUDGET AND THE PROPOSED FIVE-YEAR FY 2021-2026 CAPITAL IMPROVEMENT PLAN (CIP) OUTLOOK AND PROVIDE FEEDBACK

   Karin Schnaider, Finance Director provided the staff report.

   Felicia Galinda, Senior Accountant continued with the staff report.

   Marsha McCray stated previous Council direction regarding funding priorities for amenities in Tracy is not always reflected in the presentation to Council, and added the Multi-Generational Center has no identified site, budget, or scope of project, is being prioritized over the Aquatic Center, and requested allocating to the swim center.

   Tracy resident asked why the homeless problem is not being addressed at El Pescadero Park, and why more money is going into Legacy Fields instead of parks that need the money the most like El Pescadero Park.

   Michel Bazinet spoke about the Aquatics Center completion dates and release of funds, Multi-Generational Center being allocated $17 million of Measure V funds next year, three years before funds going to Aquatics Center. Funding the Multi-Generational Center next year does not make sense. The Aquatics Center is shovel ready.

   Mary Mitracos spoke about Council allocating money for the Nature Park. A Nature Park should not require much in the way of ongoing maintenance dollars. The more natural it is, the less maintenance costs.

   Molly Lowe shared her frustration with the delays with the Aquatic facilities.

Council Member Arriola motioned to approve the proposed FY 2020-21 Capital Budget and the proposed five-year FY 2021-2026 Capital Improvement Plan (CIP) outlook. Mayor Pro Tem Vargas seconded the motion.

Leticia Ramirez, City Attorney clarified that the item is to seek Council feedback only.

City Council comments and questions followed.

Council Member Bedolla asked if this was an appropriate time to request support to use $200,000 from the Holly Commerce project for the Nature Park planning.

Ms. Schnaider responded if there is Council consensus to put that into appropriations, and she would need to know what year.

Council Member Bedolla added if a community benefit is put aside as soon as possible it could start going toward some kind of planning as mentioned in the staff report.

Jenny Haruyama, City Manager stated Council would need to expand its discussion to include whether they want to allocate an appropriate amount of funds in order to move forward with any kind of design for the Nature Park.

Ms. Haruyama clarified that staff will return with a capital budget that reflects the feedback assuming that there is a collective consensus on that feedback.

Council Member Arriola believed that Mayor Pro Tem Vargas asked that the item come back during our discussion last month.

Ms. Haruyama responded that is correct and Council can collectively agree that they would like to see that item be a capital project for next year or subsequent year, and will have a final document before Council in the next couple of meetings that will reflect that direction where Council can take action. Tonight is to build that document.

Council Member Arriola concurred with having that information be assessed and evaluated for a future Council meeting, but at this, time wanted to get a complete understanding of the possible uses for the Holly Commerce project funds.

Mayor Young asked if that would be coming back as a separate item.

Ms. Haruyama responded there was not a consensus the last time it was brought up by Mayor Pro Tem Vargas, but Council Member Arriola would like more information around what the design involves, the cost, and make that decision collectively once that information is before Council. Staff can provide that level of detail when the capital budget is before Council, and believed there is a consensus.

Council Member Bedolla stated that would be his feedback to utilize that community benefit as soon as possible.

Council Member Davis stated she attended the JPA meeting today and a high priority related to public safety, which is unfunded, would be to expend $300,000 to get cardiac monitors that need replacing.

Ms. Haruyama responded as part of the American Rescues Act monies, that will be a recommendation to be funded which has been communicated to the Fire Chief.

Mayor Pro Tem Vargas supported Council Member Bedolla's proposal of allocation of $200,000 from the Holly Commerce that was intended for recreational, and requested a CIP to be created for the Nature Park for design purpose - $800,000 - $1 million to do the design, which will evaluate the cost of construction, and phasing. Mayor Pro Tem Vargas asked Council Member Bedolla if he would like to do a friendly amendment to his motion. Council Member Bedolla supported streamlining the creation of a CIP line item.

Mayor Young stated there is a line item 78180 that is for the Nature Park as an active project for the CIP program, and asked if it would be asking for another line item.

Ms. Schnaider clarified it is new funding.

Council Member Arriola stated when staff brings back the possibilities for funding the Nature Park, it is important to the scope of where these funds can be used, and that the public understands what the framework and restrictions are as we proceed. Mayor Young agreed.

City Council questions continued. City Council accepted the report.

5. COUNCIL ITEMS AND COMMENTS – Council Member Bedolla requested an item regarding the City's Sustainability Action Plan. Mayor Pro Tem Vargas supported the request.

Jenny Haruyama, City Manager suggested an e-memo to Council about the status, which will determine whether it needed to come back as a more formal item. Council Member Bedolla agreed.

Council Member Bedolla requested support for a policy discussion about requiring some community benefit when projects move to the secondary growth boundary, and would be willing to see if there is other metrics that would provide value for the City.

Ms. Haruyama clarified Council Member Bedolla's request. Might be interest in amending a portion of the GMO to reflect that when Council has a discretionary item before them and there is a request to move into the secondary residential area that a community benefit be considered.

City Council comments continued.

There was no second for Council Member Bedolla's request.

6. ADJOURNMENT – Time: 6:58 p.m.

ACTION: Motion made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adjourn special meeting. Roll call found all in favor; passed and so ordered.

The above agenda was posted at the Tracy City Hall on April 15, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

_____
Mayor

ATTEST:

_____
City Clerk

TRACY CITY COUNCIL REGULAR MEETING MINUTES

April 20, 2021, 7:00 p.m.

City Hall, 333 Civic Center Plaza, Tracy *Web Site:* www.ci.tracy.ca.us

Due to the COVID-19 emergency, the regular meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20, which suspends certain requirements of the Ralph M. Brown Act. Residents participated remotely via email, phone and WebEx during the meeting.

Mayor Young called the meeting to order at 7:07 p.m.

Mayor Young led the Pledge of Allegiance.

Mayor Young called for a moment of silence.

Roll call found Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas, and Mayor Young present.

Mayor Young announced the following Proclamations: Neurofibromatosis Awareness Month – May 2021, Older Americans Month – May 2021, Week of the Young Child Proclamation – April 11-17, 2021, and Child Care Provider Appreciation Day – May 7, 2021.

Lee Neves, Chief of Staff from Assemblymember Carlos Villapudua's office provided an informational presentation/legislative update.

1. CONSENT CALENDAR – Motion was made by Mayor Pro Tem Vargas and seconded by Council Member Davis to adopt the Consent Calendar. Roll call vote found all in favor; passed and so ordered.

   1.A ADOPTION OF APRIL 6, 2021 SPECIAL MEETING AND REGULAR MEETING MINUTES – **Minutes were adopted**

   1.B APPROVE A SITE LEASE AGREEMENT WITH SACRAMENTO-VALLEY LIMITED PARTNERSHIP, DBA VERIZON WIRELESS, A CALIFORNIA CORPORATION, TO LEASE GROUND SPACE AND INSTALL A NEW MONOPOLE CELL TOWER AT DON COSE PARK WITH AN INITIAL TERM OF FIVE YEARS AND THREE AUTOMATIC FIVE-YEAR RENEWAL PERIODS NOT TO EXCEED A TOTAL TERM OF TWENTY YEARS – **Resolution 2021-042** approved the Site Lease Agreement with Sacramento-Valley Limited Partnership, DBA Verizon Wireless.

   1.C APPROVE AN AGREEMENT FOR DEFERRAL OF CERTAIN IMPACT FEES FOR THE DUKE REALTY PARKING LOT EXPANSION, AND AUTHORIZE THE CITY CLERK TO FILE THE AGREEMENT WITH OFFICE OF THE SAN JOAQUIN COUNTY RECORDER – **Resolution 2021-043** approved the Agreement of Deferral for Duke Realty Parking Lot Expansion.

   1.D AUTHORIZE THE INSTALLATION OF A NO-PARKING ZONE ON PARKER AVENUE NORTH OF GRANT LINE ROAD, AND AROUND THE CURVE OF EL

PESCADERO PARK PARKING LOT **– Resolution 2021-044** authorized the installation of a no-parking zone on Parker Avenue.

2. ITEMS FROM THE AUDIENCE – Alice English spoke about the City not having a good skate park and amenities for our children should be a priority. Ms. English shared her concerns regarding a Gateway landowner wanting to change to industrial, and suggested if it does come back as industrial, the landowner should pay for outreach.

Brandon Kanner implored Council to keep the swim center moving forward and not change the previously approved plan or budget.

Dotty Nygard commented about Tracy Earth Day, shared support for the TOD and asked Council to continue to support the visionary goals of our past leaders, and develop policies that promote environmental sustainability action initiatives.

Richard English spoke about Planning Commission minutes not being on the website and requested to open the Planning Commission meetings to the public and/or televise.

Mayor Pro Tem Vargas responded to Mr. English's comments stating she agreed it is important for Planning Commission meetings to be accessible to the public, is concerned about expenditure but it is not her decision only.

3. REGULAR AGENDA

3.A DISCUSS CITY'S RESPONSE TO COVID-19 (VERBAL REPORT)

Jenny Haruyama, City Manager provided an update and presentation on the City's response to COVID-19.

There was no public comment.

There were no comments from Council.

City Council accepted the report.

3.B PUBLIC HEARING TO CONSIDER DISSOLVING THE AVENUES SPECIFIC PLAN AND INCORPORATING THE PROPERTY INTO THE ELLIS SPECIFIC PLAN BY: AMENDING THE GENERAL PLAN TO UPDATE THE DESCRIPTION OF ELLIS AND ADD THE AVENUES PROPERTY TO THE CITY'S SECONDARY RESIDENTIAL GROWTH AREA (GPA20-0003); AMENDING THE ELLIS SPECIFIC PLAN TO EXPAND IT TO INCLUDE THE AVENUES PROPERTY, ADD A PUBLIC PARK TO THE NORTHEAST CORNER OF THE PROPOSED SCHOOL SITE, AND APPROVE VARIOUS OTHER MODIFICATIONS TO THE ELLIS SPECIFIC PLAN (SPA20-0007); AMEND THE ZONING ORDINANCE TO REMOVE THE AVENUES SPECIFIC PLAN ZONING DISTRICT (ZA20-0004); AND REPEAL ORDINANCE 1262 CREATING THE AVENUES SPECIFIC PLAN AND AVENUES SPECIFIC PLAN ZONING DISTRICT

Andrew Malik, Assistant City Manager and Alan Bell, Senior Planner provided the staff report and presentation.

Chris Long, Surland Communities provided a presentation.

Barry Long, Urban Design Associates continued with the presentation.

Steve Herum, Attorney representing Surland Communities continued the presentation.

City Council questions followed.

Leticia Ramirez, City Attorney clarified comments made, and responded to Council questions.

Bill Dean, Assistant Development Services Director and Karin Schnaider, Finance Director responded to Council's questions.

Mayor Young opened the public hearing.

Mary Mitracos referred to the Code of Conduct stating it should be recognized that there is usually a proponent and an opponent, and requested her attorney should be granted the same time as the proponent.

Ms. Ramirez clarified the Mayor can appoint an opponent who can present a rebuttal.

Mark Connolly, representing Mary Mitracos as designated opposition to the project responded to the presentation and Mr. Herum's comments and stated it is time to stop the gift of public funds to Surland and look out for the best interest of the citizens of Tracy.

Chris Overheul stated Council continues to allow developers to operate against the wishes of the voters, skeptical of the changes being sought by Ellis and the Avenues, Tracy voters voted against Measure Y, and it is unethical to refuse to act per voters' wishes.

Mary Mitracos spoke about providing affordable housing in Tracy – what is being proposed is not affordable housing, suburban sprawl is expensive to build and maintain, all about the RGA's, and asked Council to not do this.

Don Cose stated the City has already spent $100 million in the downtown and requested not to abandon us, want to see bowtie developed and be integral part of downtown, want specific plan for the bowtie completed as soon as possible with public input, and when it comes up that RGA's are available.

Robert Tanner spoke about the 2018 DA still being in court, threat of a delay of the Aquatic Center because of a drainage pond, previous Council had approved a drainage pond outside Ellis area, Ellis and Tracy Hills taking over the majority of RGA's, and suggested waiting to see what happens with the DA, or let the City take over the development of the Aquatic Center.

Tim Silva shared his concerns regarding the developer discrediting Planning Commission. If the Planning Commission say the policy is not fair and equitable, then send it back and come up with one that is fair and equitable.

Alice English shared her concerns regarding staff's recommendations, Avenue's not being in the DA, developer threats, no need to include swimming pool with DA, all about RGA's and requested Council say no and keep RGA's for downtown and other areas. Ms. English provided the Clerk with a copy of the City of Tracy Residential Pipeline annual report.

Dan Evans spoke about Tracy Gateway switching to an industrial area, a letter sent to homeowners in Redbridge and Edgewood threatening no fire station if their development doesn't happen, response times will suffer, Council should stand up for Tracy, and requested Council pull this one back for now.

Pete Mitracos stated as Council Member Arriola pointed out there is no subdivision map, and all we have is a lot of promises. Planning Commission said no on the DA twice, Council went along with it, and court said it is illegal. This is the third time Planning Commission has said no. If we want to do affordable housing, workforce housing the chance is not primary zone.

Les Serpa spoke about the Avenues being an approved project and would like it to be part of Ellis, intended part of ECFD and to stay in the F-4 category.

Mary Mitracos provided her rebuttal to Mr. Serpa's comments stating this is not an approved project, Planning Commission did not approve the project. There is a reason there is a primary and secondary growth area. That is what has been decided is the best for our city is the primary growth area.

William Muetzenberg stated that without certain conditions of approval, we will contribute to sprawl and does little to address affordability for both existing residents and newcomers and asked Council to consider what is at stake.

Miguel Esquivel suggested Council do what is best for Tracy, and approve the Avenues section of Ellis that helps get a new fire station built.

Michele Zaragoza recommended the approval of the update to the Ellis Specific Plan.

Ellie Lopez encouraged Council to approve the Ellis Specific Plan Amendment.

Brandi Marotta requested Council say yes to this final step in allowing the Ellis Avenues neighborhood to advance, and help our new school open.

Sharon Gardner believed the merger of Avenues and Ellis Specific Plan could provide an opportunity to address development concerns within the city if the plan is updated to include affordability and sustainability measures.

Susan and Rich Hudson opposed the Avenues being incorporated into the Ellis Specific Plan and shared concerns regarding traffic issues.

Chrystena Rockett shared concerns about allowing the Avenues to be considered part of the Ellis Specific Plan stating a precedent will be set that developers don't have to upgrade or provide the infrastructure for their projects.

Mayor Young closed the public hearing.

Mayor Young requested a memo dated March 29, 2021 from Surland Companies regarding Surland/Ellis RGA's, which was addressed to Andrew Malik, Assistant City Manager and Leticia Ramirez, City Attorney, received prior to the publication of the April 6, 2021 Council meeting agenda, be included in the record for the April 20, 2021, meeting. The applicant and City Council agreed to include the memo into the record.

City Council questions and comments followed.

Les Serpa, Surland Communities responded to Council's questions.

It was City Council's consensus on the following Policy questions:

Policy Question #1 – Yes to approving an expansion of the City's Secondary Residential Growth Areas to add the Avenues property, thereby allowing the City to accept and consider residential development applications for the Avenues property and making the Avenues property eligible for the RHNA exemption to the City's GMO. (Council Members Arriola, Bedolla, and Mayor Young in favor, Council Member Davis and Mayor Pro Tem Vargas not in favor).

Policy Question #2 – Available priority types should be assigned to the Avenues property under the GMO and GMO Guidelines, priority F.4 (Ellis Specific Plan area). (Council Members Arriola, Bedolla, and Mayor Young in favor, Council Member Davis and Mayor Pro Tem Vargas declined).

Policy Question #3 – City Council directed the Avenues property to the City's existing City-wide Services CFD (2018-1) for funding public services through the $68 annual assessment. (Council Members Arriola, Bedolla, Davis and Mayor Pro Tem Vargas in favor. No policy selection by Mayor Young).

Policy Question #4 – City and Avenues property form a separate CFD to fund costs of infrastructure necessary to serve the Avenues property. (Council Members Arriola, Bedolla, Davis, Mayor Pro Tem Vargas in favor. No policy selection by Mayor Young).

Policy Question #5 – Naming of the new Ellis park - Staff to follow the newly Council-approved Naming Public Buildings, Parks and Recreation Facilities Policy. (Council Members Arriola, Davis, Mayor Pro Tem Vargas in favor, Council Member Bedolla in favor of School House Park. No policy selection by Mayor Young).

Mayor Pro Tem Vargas left the meeting at 12:13 a.m.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Young, to adopt **Resolution 2021-045** approving the addendum to the Ellis Specific Plan Environmental Impact Report and the Avenues Specific Plan mitigated negative declaration for the Ellis/Avenues Specific Plan Amendment (SPA20-0007), General Plan Amendment, (GPA20-0003), and Zoning Actions (ZA20-0004) Project. Roll call vote found Council Members Arriola, Bedolla and Mayor Young in favor; passed and so ordered. Council Member Davis opposed. Mayor Pro Tem Vargas absent.

ACTION: Motion was made by Council Member Arriola and seconded by Council Member Bedolla, to adopt **Resolution 2021-046** approving a General Plan Amendment to the description of the Ellis Specific Plan Area and adding the Avenues Specific Plan Area to the Secondary Residential Growth Areas, figure 2-3 Application Number GPA20-0003. Roll call vote found Council Members Arriola, Bedolla and Mayor Young in favor; passed and so ordered. Council Member Davis opposed. Mayor Pro Tem Vargas absent.

Mayor Young stated in accordance with the policy direction Council gave tonight to the introduction of the ordinance amendments to Ellis Specific Plan, waive the reading of the full text and introduce the ordinance.

Adrianne Richardson, City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1305** approving amendments to the Ellis Specific Plan, incorporating the Avenues Specific Plan property into the Ellis Specific Plan and various other amendments; Application Number SPA20-0007. Roll call vote found Council Members Arriola, Bedolla and Mayor Young in favor; passed and so ordered. Council Member Davis opposed. Mayor Pro Tem Vargas absent.

City Clerk read the title of the proposed ordinance.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Arriola to waive the reading of the full text and introduce **Ordinance 1306** repealing the Avenues Specific Plan and the Tracy Municipal Code Avenues Specific Plan Zone, Chapter 10.08, Article 22.8, and repealing Ordinance 1262 – Application Numbers SPA20-0007 and ZA20-0004. Roll call vote found Council Members Arriola, Bedolla and Mayor Young in favor; passed and so ordered. Council Member Davis opposed. Mayor Pro Tem Vargas absent.

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3.C ADOPT A RESOLUTION AMENDING THE CITY'S OPERATING AND CAPITAL IMPROVEMENT PROJECTS (CIP) BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2021, AS PROPOSED

Karin Schnaider, Director of Finance, provided the staff report.

There was no public comment.

There were no comments from City Council.

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Davis to adopt **Resolution 2021-047** approving the amended City Operating and Capital Budget for Fiscal Year 2020-2021. Roll call vote found Council Members Arriola, Bedolla, Davis, and Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas absent.

3.D APPOINTMENT OF CITY COUNCIL SUBCOMMITTEE TO INTERVIEW APPLICANTS TO FILL THREE TERM EXPIRATIONS ON THE TRANSPORTATION ADVISORY COMMISSION

Adrianne Richardson, City Clerk, provided the staff report.

William Muetzenberg hoped whoever makes it on the Council Subcommittee, strongly considers candidates who are focused on improving access to all modes of transport in Tracy.

Tim Silva urged Council to expedite the process, as there will not be a quorum and spoke about important projects the commission is rolling out.

City Council questions and comments followed.

Council Member Davis and Council Member Bedolla volunteered to serve on the Council subcommittee.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Young to appoint Council Member Davis and Council Member Bedolla to interview applicants to fill three (3) term expirations on the Transportation Advisory Commission. Roll call vote found Council Members Arriola, Bedolla, Davis and Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas absent.

3.E DISCUSS COUNCIL POLICY REGARDING STANDARD PROCEDURES FOR ISSUING CEREMONIAL DOCUMENTS AND PROVIDE DIRECTION TO STAFF

Adrianne Richardson, City Clerk, provided the staff report.

There was no public comment.

City Council questions and comments followed.

ACTION: Motion was made by Council Member Arriola and seconded by Mayor Young to remove the word *national* from the amendments to the Standard Procedures for Issuing Ceremonial Documents under types of recognition #1. Roll call found Council Member Arriola and Mayor Young in favor. Council Members Bedolla and Davis opposed. Mayor Pro Tem Vargas absent. Motion failed.

City Council questions and comments followed.

Council Member Bedolla motioned to table the item to the next appropriate Council meeting. There was no second for the motion.

After brief discussion, City Council agreed to leave the policy as is and if any questions arise, address at that time.

4. ITEMS FROM THE AUDIENCE – None

5. STAFF ITEMS – None

6. COUNCIL ITEMS – Council Member Arriola announced the first meeting for Tracy Homelessness Advisory was on April 14, 2021, and he was appointed as chair, meetings will be quarterly, and next meeting will be on July 15, 2021. Council Member Arriola requested for the month of June that the City of Tracy raise the LGBT Pride flag in accordance with Pride Month. Council Member Arriola stated he was not seeking a ceremony but he would like the privilege of, or a designee, to raise the flag. Mayor Young seconded the request.

   Council Member Davis thanked Tracy Babe Ruth and Tracy Express for the facemasks.

7. ADJOURNMENT – Time: 12:58 a.m. Date: Wednesday, April 21, 2021

ACTION: Motion was made by Council Member Bedolla and seconded by Council Member Davis to adjourn. Roll call vote found Council Members Arriola, Bedolla, Davis and Mayor Young in favor; passed and so ordered. Mayor Pro Tem Vargas absent.

The above agenda was posted at the Tracy City Hall on April 15, 2021. The above are action minutes. A recording is available at the office of the City Clerk.

_____
Mayor

ATTEST:

_____
City Clerk

May 4, 2021

AGENDA ITEM 1.B

REQUEST

APPROVE THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3954, TRACY HILLS VILLAGE 7C, AND AUTHORIZE THE CITY CLERK TO FILE THE SUBDIVISION IMPROVEMENT AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

EXECUTIVE SUMMARY

City staff requests that the City Council approve the Final Subdivision Map for Tract 3954, Tracy Hills Village 7C, for subdivision into 132 duet-type residential lots. Approval of the Final Subdivision Map will facilitate recordation of the Final Subdivision Map, the construction of in-tract improvements, and the issuance of the building permits to construct the residential houses. Lennar Homes of California, Inc., a California Corporation (Subdivider), has signed the Subdivision Improvement Agreement (SIA) and posted the required security to guarantee completion of the improvements required as a condition of approval of the Final Subdivision Map.

DISCUSSION

On April 5, 2016, the City Council approved the Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3788, pursuant to Resolution No. 2016-066 (Phase 1A VTSM). The Phase 1A VTSM includes approximately 1,160 single-family residential lots, an approximately 50 acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other Homeowners Association owned and maintained parcels.

On October 20, 2020, the City Council adopted an Amendment to the Tracy Hills Specific Plan and approved various related land use entitlement changes, including that certain Vesting Tentative Subdivision Map for Tract 3954, Tracy Hills Village 7C, pursuant to Resolution No. 2020-181 (Village 7C VTSM). The Village 7C VTSM encompasses the same area previously identified as Village 6B on the Phase 1A VTSM and increases the number of lots within the Village 7C area (previously Village 6B) from 73 to 132. Attachment A shows the overall Tracy Hills Phase 1A Project area and the location of Tract 3954, Tracy Hills Village 7C.

The Subdivider is requesting approval of the Final Subdivision Map for Tract 3954, Tracy Hills Village 7C, to create 132 duet-type residential lots in conformance with the approved Village 7C VTSM. The Final Subdivision Map for Tract 3954, Tracy Hills Village 7C (Attachment B) has been prepared on behalf of the Subdivider and reviewed by the Engineering Division.

The Conditions of Approval for the Village 7C VTSM require the Subdivider to design and construct certain on-site improvements connected with the approval of the Final Subdivision Map pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards. Improvement Plans for the required improvements have been prepared on behalf of the Subdivider, and approved by the City Engineer. Since the required improvements will not be completed prior to the recordation of the Final

Subdivision Map, the Subdivider has requested to execute the SIA to guarantee the completion of the improvements as authorized by Government Code Section 66462.

The SIA (Attachment C) addresses construction of Bardwell Court, Lenin Priego Street, Drummond Avenue, Mandolin Drive, Markham Court, Markham Drive, Pageant Avenue and Tournament Court, and other in-tract improvements associated with the 132 lots that will be developed by the Subdivider as part of Village 7C.

The SIA is intended to replace and supersede the Inspection Improvement Agreement for Tract 3954, Tracy Hills Village 7C that was approved by the City Manager on December 29, 2020, and subsequently executed by the City and Subdivider, which allowed the Subdivider to proceed with the construction and installation of the required public improvements at its own risk prior to the Engineering Division's completion of the review and approval of the appurtenant plans and specifications.

The Subdivider has executed the SIA and posted the required security to guarantee completion of the improvements.

The Final Subdivision Map has been reviewed as to its substantial compliance with approved Vesting Tentative Subdivision Map. The SIA and Final Subdivision Map are attached, and the Improvement Plans are on file with the City Engineer and are available for review upon request.

Upon completion of all improvements, the City will accept the improvements for maintenance and will accept all offers of dedication of public right-of-way at that time.

FISCAL IMPACT

The Subdivider has paid the applicable engineering review fees, which include the cost of review of the Improvement Plans and Final Map and processing the agreement.

STRATEGIC PLAN

This agenda item is consistent with the Council approved Economic Development Strategy to ensure physical infrastructure necessary for development.

RECOMMENDATION

Staff recommends that the Tracy City Council, by resolution, approve the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3954, Tracy Hills Village 7C, and authorize the City Clerk to file the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder.

Prepared by: Doug Rodgers, SNG & Associates, Inc.

Reviewed by: Robert Armijo, City Engineer / Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Location Map
Attachment B – Final Subdivision Map
Attachment C – Subdivision Improvement Agreement

Attachment A



EXHIBIT "D"

TRACY HILLS PHASE 1A

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: JULY 30, 2019 JOB NO. 121083

Attachment B

OWNER'S STATEMENT

WE, THE UNDERSIGNED, HEREBY STATE THAT WE ARE ALL THE PARTIES HAVING RECORD TITLE INTEREST IN THE LANDS SUBDIVIDED AND SHOWN ON THIS FINAL MAP OF "TRACT NO. 3954, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 7C", CITY OF TRACY, CALIFORNIA, AND WE HEREBY CONSENT TO THE PREPARATION AND FILING OF THIS FINAL MAP IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, CALIFORNIA.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY, IN FEE, FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "BARDWELL COURT", "LENIN PRIEGO STREET", "DRUMMOND AVENUE", "MANDOLIN DRIVE", "MARKHAM COURT", "MARKHAM DRIVE", "PAGEANT AVENUE", AND "TOURNAMENT COURT" WITHIN THE BOUNDARY OF THIS MAP ARE FOR THE PURPOSE OF PUBLIC STREETS.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY AS AN EASEMENT FOR PUBLIC PURPOSES: THE CITY OF TRACY SHALL RESERVE THE RIGHT TO CONTROL ACCESS OVER AND ACROSS THE 1-FOOT WIDE ACCESS RESERVE STRIP SHOWN AT THE WEST END OF LANDINGHAM WAY.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED TO THE CITY OF TRACY AS AN EASEMENT FOR PUBLIC PURPOSES: THE AREAS DESIGNATED AS "PUBLIC UTILITY EASEMENT" OR "PUE" ARE FOR PUBLIC UTILITY PURPOSES, INCLUDING THE RIGHTS OF INGRESS, EGRESS, CONSTRUCTION, RECONSTRUCTION, ACCESS FOR MAINTENANCE OF WORKS, IMPROVEMENTS AND STRUCTURES, AND THE CLEARING OF OBSTRUCTIONS AND VEGETATION.

THE REAL PROPERTY DESCRIBED BELOW IS RESERVED AS AN EASEMENT FOR PRIVATE PURPOSES: THE AREAS DESIGNATED AS "LANDSCAPE MAINTENANCE EASEMENT" OR "LME" ARE FOR LANDSCAPING PURPOSES. SAID AREAS SHALL BE CONVEYED TO THE HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION BY SEPARATE INSTRUMENT.

THE REAL PROPERTIES DESIGNATED AS "PARCEL A" AND "PARCEL B" AS SHOWN UPON SAID MAP IS NOT HEREBY DEDICATED FOR USE BY THE GENERAL PUBLIC, BUT IS RESERVED FOR "HOMEOWNER ASSOCIATION LANDSCAPING" FOR THE PURPOSES OF, BUT NOT LIMITED TO, ACCESS, UTILITIES, DRAINAGE, INGRESS, AND EGRESS ALL IN ACCORDANCE WITH THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE SUBDIVISION. SAID PARCEL TO BE OWNED, MAINTAINED AND CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

THE REAL PROPERTY DESIGNATED AS "PARCEL C" AS SHOWN UPON SAID MAP IS NOT HEREBY DEDICATED FOR USE BY THE GENERAL PUBLIC, BUT IS RESERVED FOR "COMMON AREA" FOR THE PURPOSES OF, BUT NOT LIMITED TO, ACCESS, UTILITIES, DRAINAGE, INGRESS, AND EGRESS ALL IN ACCORDANCE WITH THE COVENANTS, CONDITIONS, AND RESTRICTIONS OF THE SUBDIVISION. SAID PARCEL TO BE OWNED, MAINTAINED AND CONVEYED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.

DATED THIS 3rd DAY OF February, 2021

OWNER: AG ESSENTIAL HOUSING CA 4, L.P., A DELAWARE LIMITED PARTNERSHIP

BY: AGWP ASSET MANAGEMENT, LLC,
AN ARIZONA LIMITED LIABILITY COMPANY,
ITS AUTHORIZED AGENT

BY: Steven S. Benson
STEVEN S. BENSON, ITS MANAGER

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF ~~CALIFORNIA~~ ARIZONA)
COUNTY OF Maricopa) SS

ON February 3, 2021, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE OF ~~CALIFORNIA~~ ARIZONA, PERSONALLY APPEARED Steven S. Benson WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/ SHE/ THEY EXECUTED THE SAME IN HIS/ HER/ THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS /HER /THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY ON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND,

Wendy Stoeckel
Notary Public
Maricopa County, Arizona
My Comm. Expires 01-14-24
Commission No. 575644

SIGNATURE: Wendy Stoeckel
PRINT NAME: Wendy Stoeckel
MY COMMISSION NUMBER: January 14, 2024
MY COMMISSION EXPIRES: 575644
PRINCIPAL COUNTY OF BUSINESS: Maricopa

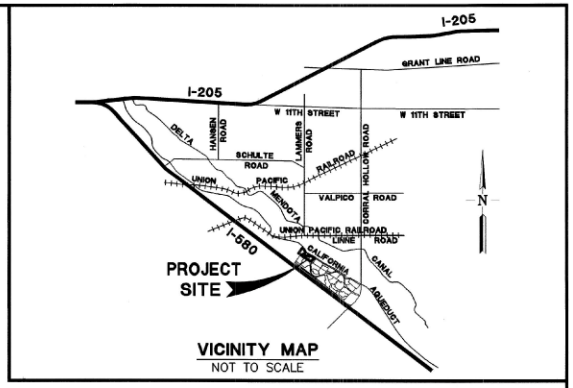
RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2021, AT _____ __M., IN BOOK _____
OF MAPS AND PLATS, AT PAGE _____, RECORDER'S SERIES NO. _____
AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

FEE: $_____ PAID

STEVE J. BESTOLARIDES
ASSESSOR/RECORDER/COUNTY CLERK

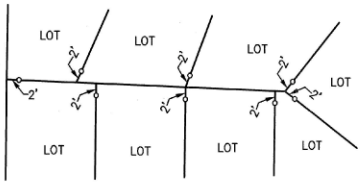
BY: _____
DEPUTY COUNTY RECORDER



VICINITY MAP
NOT TO SCALE

NOTES:

1. APPROVAL OF THIS FINAL TRACT MAP IS SUBJECT TO THE VESTING TENTATIVE MAP (APPLICATION NUMBER TSM13-0005) CONDITIONS OF APPROVAL DATED APRIL 5, 2016.
2. ALL FRONT CORNERS ARE TO BE REFERENCED WITH A NAIL AND TAG AT THE TOP OF CURB ON LOT LINE PROJECTIONS, UNLESS OTHERWISE NOTED.
3. ALL REAR CORNERS ARE TO BE REFERENCED WITH A 3/4" IRON PIPE AND CAP OR A NAIL AND TAG SET ON THE CORRESPONDING SIDE PROPERTY LINES ON A 2 FEET OFFSET AS TYPICALLY SHOWN BELOW, UNLESS OTHERWISE NOTED.



TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

TRACY HILLS VILLAGE 7C

BEING A SUBDIVISION OF LOTS 17 AND 18 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2019 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. & SECTION 12, T. 3 S., R. 4 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083 SHEET 1 OF 12 SHEETS

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF TRACY PHASE I, LLC, ON JANUARY 1, 2018. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP (IF ANY), THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2021, AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED THIS 29th DAY OF SEPTEMBER, 2020.

Scott A. Shortlidge

SCOTT A. SHORTLIDGE, P.L.S. NO. 6441

LICENSED LAND SURVEYOR
SCOTT A. SHORTLIDGE
No. 6441
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, ROBERT ARMIJO, HEREBY STATE THAT I AM THE CITY ENGINEER OF THE CITY OF TRACY, CALIFORNIA AND THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3954, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 7C", CITY OF TRACY, CALIFORNIA AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF. I FURTHER STATE THAT THIS FINAL MAP COMPLIES WITH ALL THE PROVISIONS OF TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

DATED THIS _____ DAY OF _____, 2021.

ROBERT ARMIJO, R.C.E. NO. 63173
CITY ENGINEER

REGISTERED PROFESSIONAL ENGINEER
ROBERT ARMIJO
No. 63173
CIVIL
STATE OF CALIFORNIA

SURVEYOR FOR THE CITY STATEMENT

I, DAVID W. ENKE, HEREBY STATE THAT I HAVE EXAMINED THIS FINAL MAP OF "TRACT 3954, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 7C", CITY OF TRACY, CALIFORNIA AND THAT THE SUBDIVISION SHOWN HEREON COMPLIES WITH ALL THE PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT, AS AMENDED, AND THAT THIS FINAL MAP IS TECHNICALLY CORRECT.

DATED THIS _____ DAY OF _____, 2021.

DAVID W. ENKE, L.S. NO. 4071

LICENSED LAND SURVEYOR
DAVID W. ENKE
No. 4071
STATE OF CALIFORNIA

CERTIFICATE OF DEDICATION

THE FOLLOWING REAL PROPERTY IS DEDICATED BY TRACY PHASE I, LLC, 888 SAN CLEMENTE, SUITE 100, NEWPORT BEACH, CA 92660, FOR THE PURPOSE OF PUBLIC STREET RIGHTS-OF-WAY:

"BARDWELL COURT", "LENIN PRIEGO STREET", "DRUMMOND AVENUE", "MANDOLIN DRIVE", "MARKHAM COURT", "MARKHAM DRIVE", "PAGEANT AVENUE", AND "TOURNAMENT COURT".

THE CITY OF TRACY SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE CITY OF TRACY MAKES A DETERMINATION PURSUANT TO GOVERNMENT CODE SECTION 66477.5 THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES.

CITY CLERK'S STATEMENT

THIS IS TO STATE THAT AT ITS REGULARLY HELD MEETING ON THE _____ DAY OF _____, 2020, THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA PER COUNCIL RESOLUTION NO._____ APPROVED THIS FINAL MAP OF "TRACT NO. 3954, SUBDIVISIONS OF SAN JOAQUIN COUNTY, TRACY HILLS VILLAGE 7C", CITY OF TRACY, CALIFORNIA.

ACCEPTED ON BEHALF OF THE PUBLIC FOR PUBLIC USE THE OFFER OF DEDICATION OF ALL PUBLIC UTILITY EASEMENTS.

ACCEPTED ALL STREET RIGHTS-OF-WAY, SUBJECT TO SATISFACTORY COMPLETION OF IMPROVEMENTS THEREON, IN ACCORDANCE WITH TITLES 10 AND 12 OF THE TRACY MUNICIPAL CODE, AND ANY AMENDMENTS THERETO, APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP.

ACCEPTED ON BEHALF OF THE CITY, THE RIGHT TO CONTROL ACCESS OVER AND ACROSS THE 1-FOOT ACCESS RESERVE STRIP.

I HEREBY FURTHER STATE PURSUANT TO SECTION 66477.5 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA; THE LOCAL AGENCY SHALL RECONVEY THE PROPERTY TO THE SUBDIVIDER IF THE LOCAL AGENCY MAKES A DETERMINATION PURSUANT TO SAID SECTION THAT THE SAME PUBLIC PURPOSE FOR WHICH THE PROPERTY WAS DEDICATED DOES NOT EXIST, OR THE PROPERTY OR ANY PORTION THEREOF IS NOT NEEDED FOR PUBLIC UTILITIES, AS SPECIFIED IN SUBDIVISION (C) OF SAID SECTION.

DATED THIS _____ DAY OF _____, 2021.

ADRIANNE RICHARDSON, CITY CLERK
AND CLERK OF THE CITY COUNCIL

TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

TRACY HILLS VILLAGE 7C

BEING A SUBDIVISION OF LOTS 17 AND 18 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2019 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. & SECTION 12, T. 3 S., R. 4 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083

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SUBDIVISIONS OF SAN JOAQUIN COUNTY

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CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI–JENSEN–AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

REFERENCES:

(1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 580 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
(2) RECORD OF SURVEY, 33 RS 57
(3) CITY OF TRACY GEODETIC CONTROL NETWORK RECORD OF SURVEY, 36 RS 118
(4) PARCEL MAP, 25 PM 168
(5) TRACT NO. 3878, 43 M & P 17
(6) TRACT NO. 3957, 43 M & P 74

BASIS OF BEARINGS

THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

LEGEND

TRACT BOUNDARY LINE	EX. EXISTING
LOT LINE	LME LANDSCAPE MAINTENANCE EASEMENT
MONUMENT LINE	(M–M) MONUMENT TO MONUMENT
MONUMENT TIE LINE	N.T.S. NOT TO SCALE
NEW EASEMENT LINE AS NOTED	O.R. OFFICIAL RECORDS
EXISTING EASEMENT LINE AS NOTED	PRAE PRIVATE ACCESS EASEMENT
EXISTING LOT LINE	PRME PRIVATE MAINTENANCE EASEMENT
FOUND MONUMENT, AS NOTED	PUE PUBLIC UTILITY EASEMENT
SET STANDARD MONUMENT, STAMPED LS 6441	SDE STORM DRAIN EASEMENT
SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441	SSE SANITARY SEWER EASEMENT
	SQ.FT. SQUARE FEET
	(R) RADIAL
	(T) TOTAL
	(DATA)(#) RECORD DATA & REFERENCE

GRID NOTES:

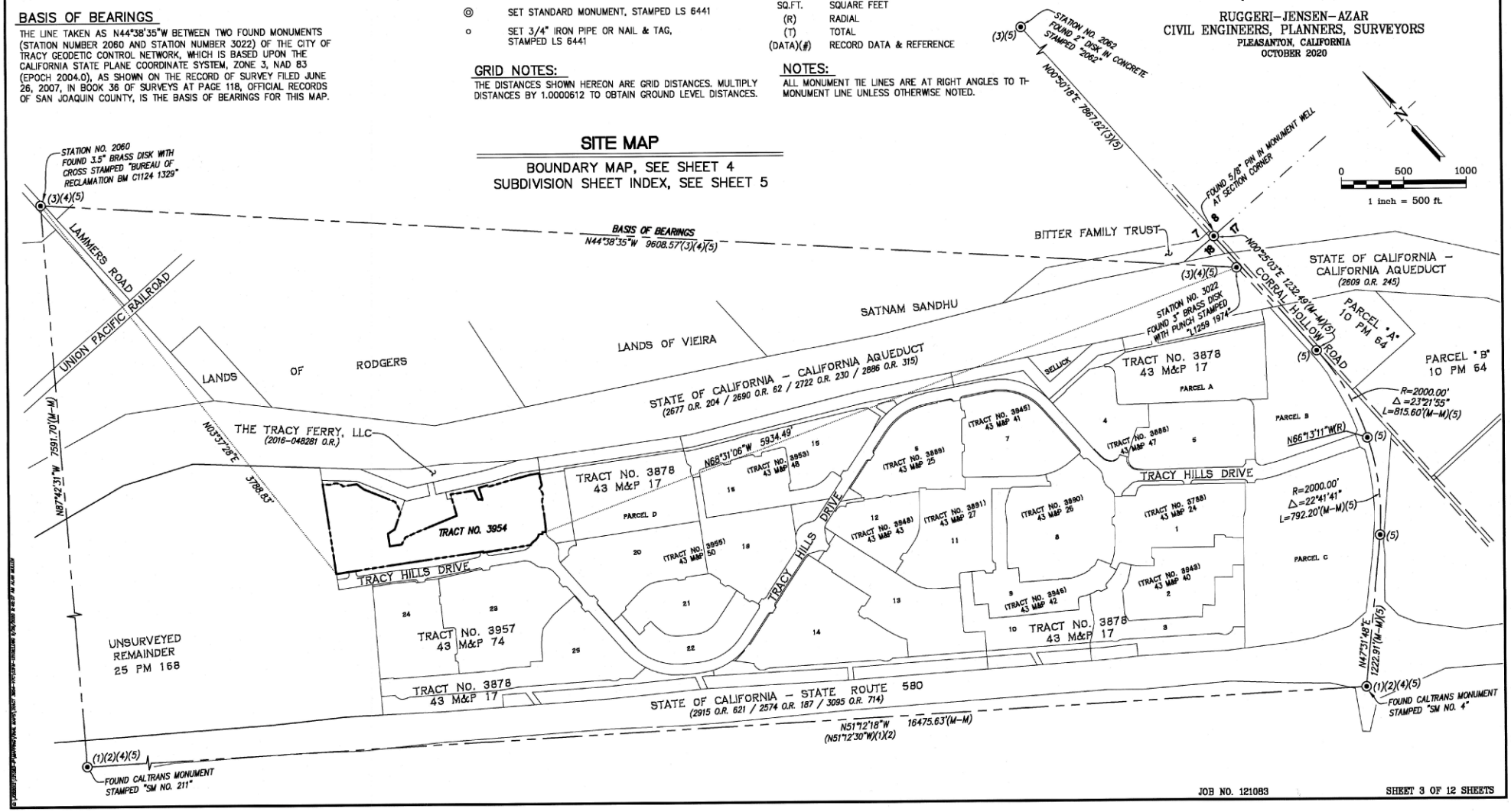
THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

NOTES:

ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO TH- MONUMENT LINE UNLESS OTHERWISE NOTED.

SITE MAP

BOUNDARY MAP, SEE SHEET 4
SUBDIVISION SHEET INDEX, SEE SHEET 5



© 2020 RUGGERI-JENSEN-AZAR

ABANDONMENT NOTE:

PURSUANT TO GOVERNMENT CODE SECTIONS 66434(g) AND 66499.20.2 OF THE SUBDIVISION MAP ACT, THE EASEMENTS LISTED BELOW, AS THEY AFFECT THE PARCELS BEING SUBDIVIDED HEREON, WILL BE ABANDONED WITH THE FILING OF THIS MAP AND ARE THEREFORE NOT SHOWN HEREON:

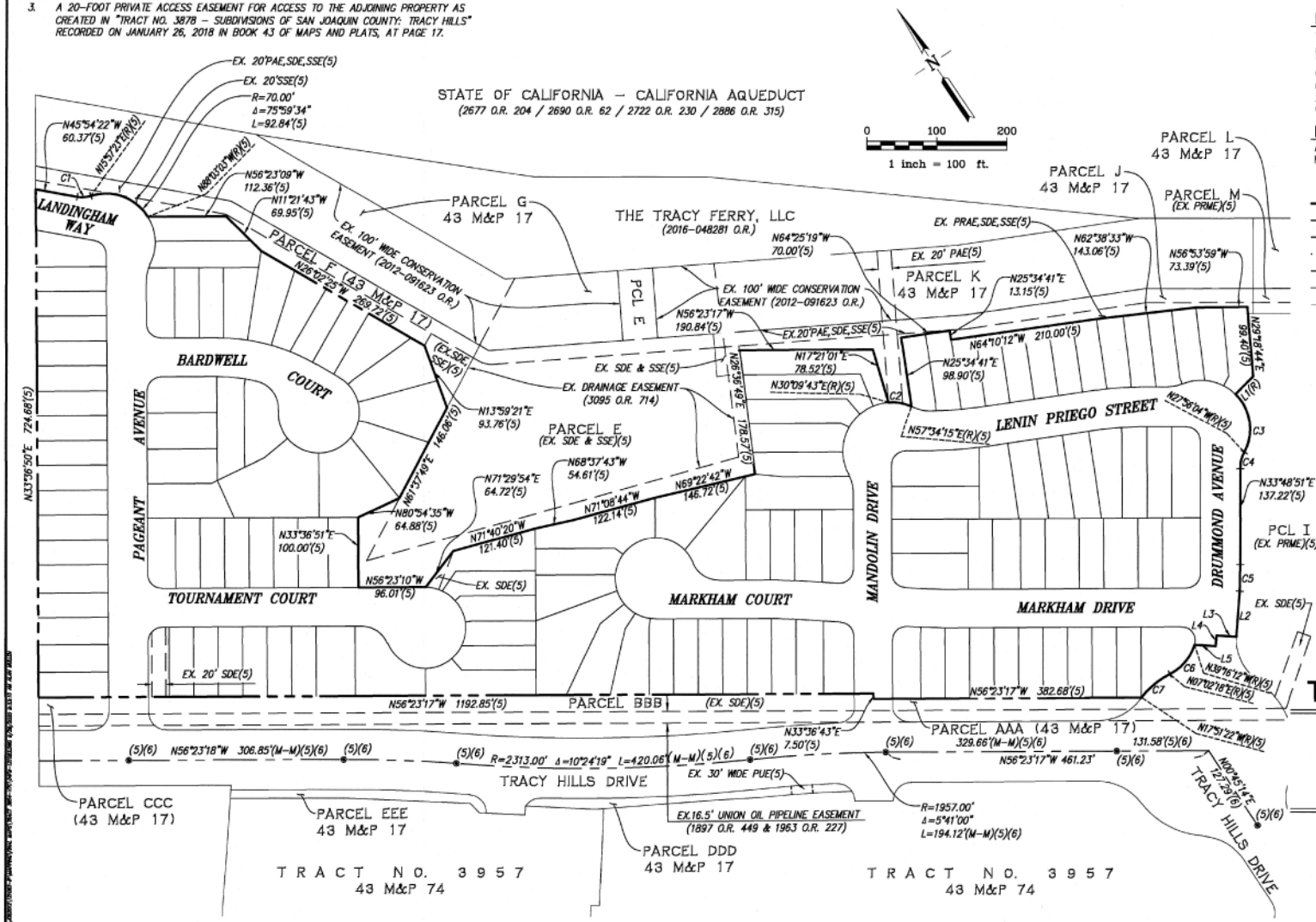
1. *A 20-FOOT SANITARY SEWER EASEMENT IN FAVOR OF THE CITY OF TRACY AS CREATED IN "TRACT NO. 3878 – SUBDIVISIONS OF SAN JOAQUIN COUNTY: TRACY HILLS" RECORDED ON JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS, AT PAGE 17.*
2. *A 20-FOOT STORM DRAIN EASEMENT IN FAVOR OF THE CITY OF TRACY AS CREATED IN "TRACT NO. 3878 – SUBDIVISIONS OF SAN JOAQUIN COUNTY: TRACY HILLS" RECORDED ON JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS, AT PAGE 17.*
3. *A 20-FOOT PRIVATE ACCESS EASEMENT FOR ACCESS TO THE ADJOINING PROPERTY AS CREATED IN "TRACT NO. 3878 – SUBDIVISIONS OF SAN JOAQUIN COUNTY: TRACY HILLS" RECORDED ON JANUARY 26, 2018 IN BOOK 43 OF MAPS AND PLATS, AT PAGE 17.*

BOUNDARY MAP

AREA WITHIN TRACT MAP BOUNDARY LINE = 18.84±ACRES
AREA OF LOTS 71-202 = 13.78±ACRES
AREA OF STREETS = 5.04±ACRES

Line Table			
Line	Bearing	Distance	
L1	N78°30'55"E	35.45'	(5)
L2	N37°54'13"E	64.84'	(5)
L3	N52°05'47"W	28.50'	(5)
L4	N37°54'13"E	15.54'	(5)
L5	N52°05'47"W	30.25'	(5)

Curve Table				
Curve	Radius	Delta	Length	
C1	40.00'	28°08'15"	19.64'	(5)
C2	70.00'	27°24'32"	33.49'	(5)
C3	70.00'	73°33'01"	89.86'	(5)
C4	50.00'	28°15'05"	24.65'	(5)
C5	528.50'	4°05'22"	37.72'	(5)
C6	70.00'	46°18'30"	56.58'	(5)
C7	122.00'	24°53'39"	53.01'	(5)



GRID NOTES:

THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

REFERENCES:

(1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 580 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
(2) RECORD OF SURVEY, 33 RS 57
(3) CITY OF TRACY GEODETIC CONTROL NETWORK RECORD OF SURVEY, 36 RS 118
(4) PARCEL MAP, 25 PM 168
(5) TRACT NO. 3878, 43 M & P 17
(6) TRACT NO. 3957, 43 M & P 74

BASIS OF BEARINGS

THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

NOTES:

ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

LEGEND

- TRACT BOUNDARY LINE
- LOT LINE
- MONUMENT LINE
- MONUMENT TIE LINE
- NEW EASEMENT LINE AS NOTED
- EXISTING EASEMENT LINE AS NOTED
- EXISTING LOT LINE
- ◉ FOUND MONUMENT, AS NOTED
- ◎ SET STANDARD MONUMENT, STAMPED LS 6441
- ○ SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441

EX.	EXISTING
LME	LANDSCAPE MAINTENANCE EASEMENT
(M-M)	MONUMENT TO MONUMENT
N.T.S.	NOT TO SCALE
O.R.	OFFICIAL RECORDS
PRAE	PRIVATE ACCESS EASEMENT
PRME	PRIVATE MAINTENANCE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT
SQ.FT.	SQUARE FEET
(R)	RADIAL
(T)	TOTAL
(DATA)(#)	RECORD DATA & REFERENCE

TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

TRACY HILLS VILLAGE 7C

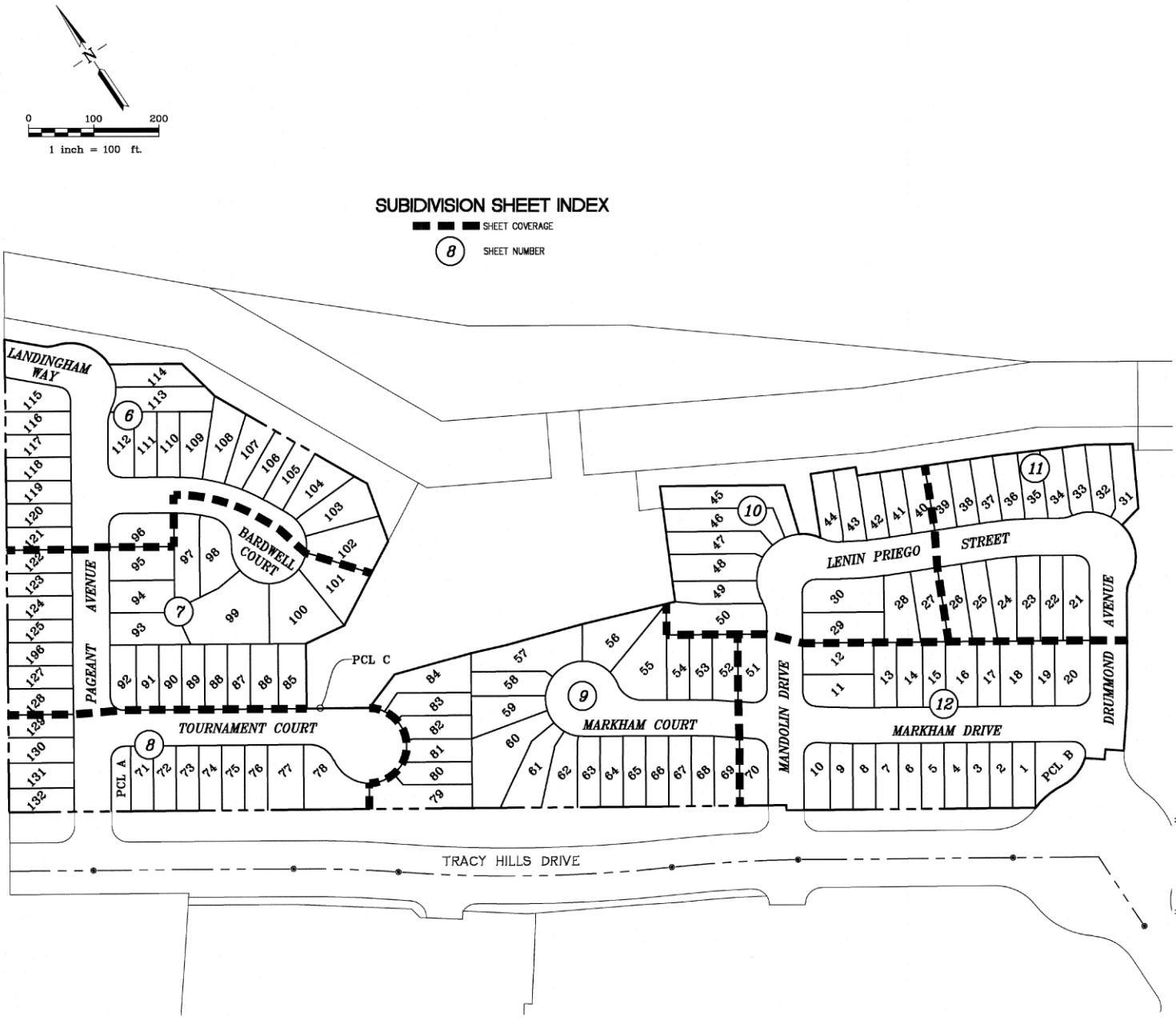
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SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA

OCTOBER 2020

JOB NO. 121083



GRID NOTES:

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REFERENCES:

(1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 580 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
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NOTES:

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LEGEND

	TRACT BOUNDARY LINE
	LOT LINE
	MONUMENT LINE
	MONUMENT TIE LINE
	NEW EASEMENT LINE AS NOTED
	EXISTING EASEMENT LINE AS NOTED
	EXISTING LOT LINE
◉	FOUND MONUMENT, AS NOTED
◎	SET STANDARD MONUMENT, STAMPED LS 6441
○	SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441
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LME	LANDSCAPE MAINTENANCE EASEMENT
(M-M)	MONUMENT TO MONUMENT
N.T.S.	NOT TO SCALE
O.R.	OFFICIAL RECORDS
PRAE	PRIVATE ACCESS EASEMENT
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SDE	STORM DRAIN EASEMENT
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(R)	RADIAL
(T)	TOTAL
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TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

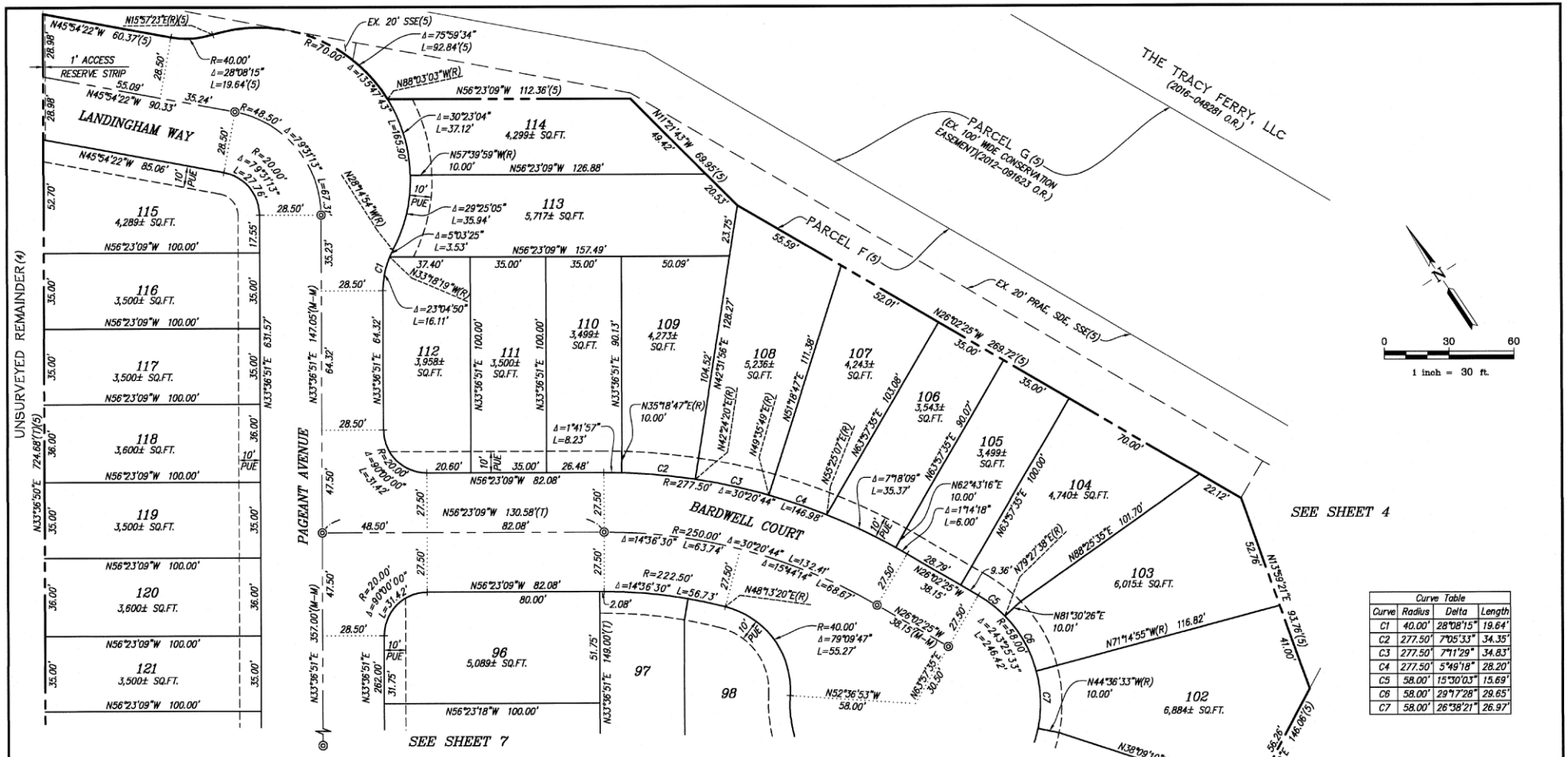
TRACY HILLS VILLAGE 7C

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PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083 SHEET 5 OF 12 SHEETS



Curve Table			
Curve	Radius	Delta	Length
C1	40.00'	28°08'15"	19.64'
C2	277.50'	7°05'33"	34.35'
C3	277.50'	7°11'29"	34.83'
C4	277.50'	5°49'18"	28.20'
C5	58.00'	15°30'03"	15.69'
C6	58.00'	29°17'28"	29.65'
C7	58.00'	26°38'21"	26.97'

REFERENCES:

(1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 58.0 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
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SUBDIVISIONS OF SAN JOAQUIN COUNTY

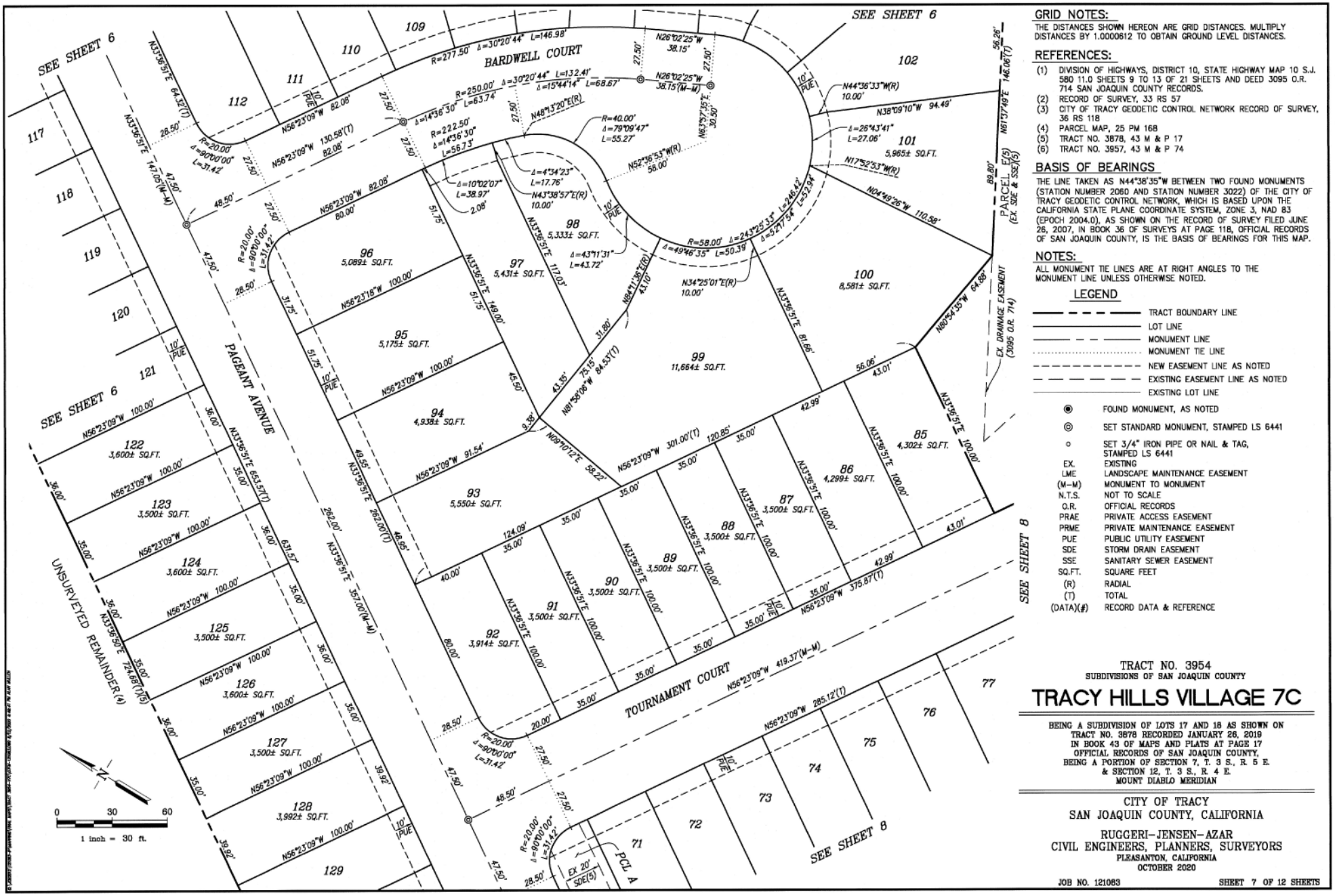
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PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083



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TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

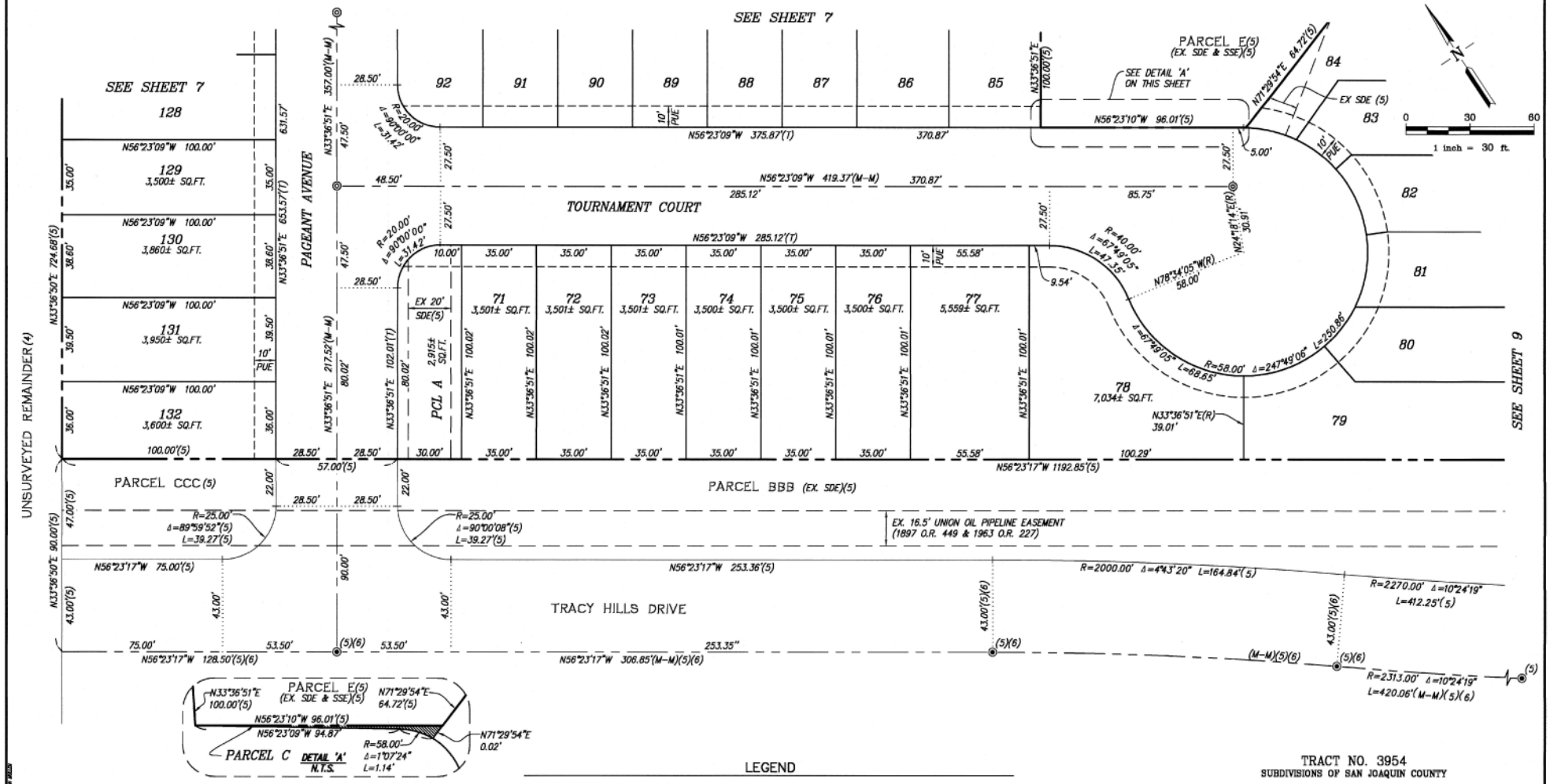
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RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083 SHEET 7 OF 12 SHEETS



REFERENCES:

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SUBDIVISIONS OF SAN JOAQUIN COUNTY

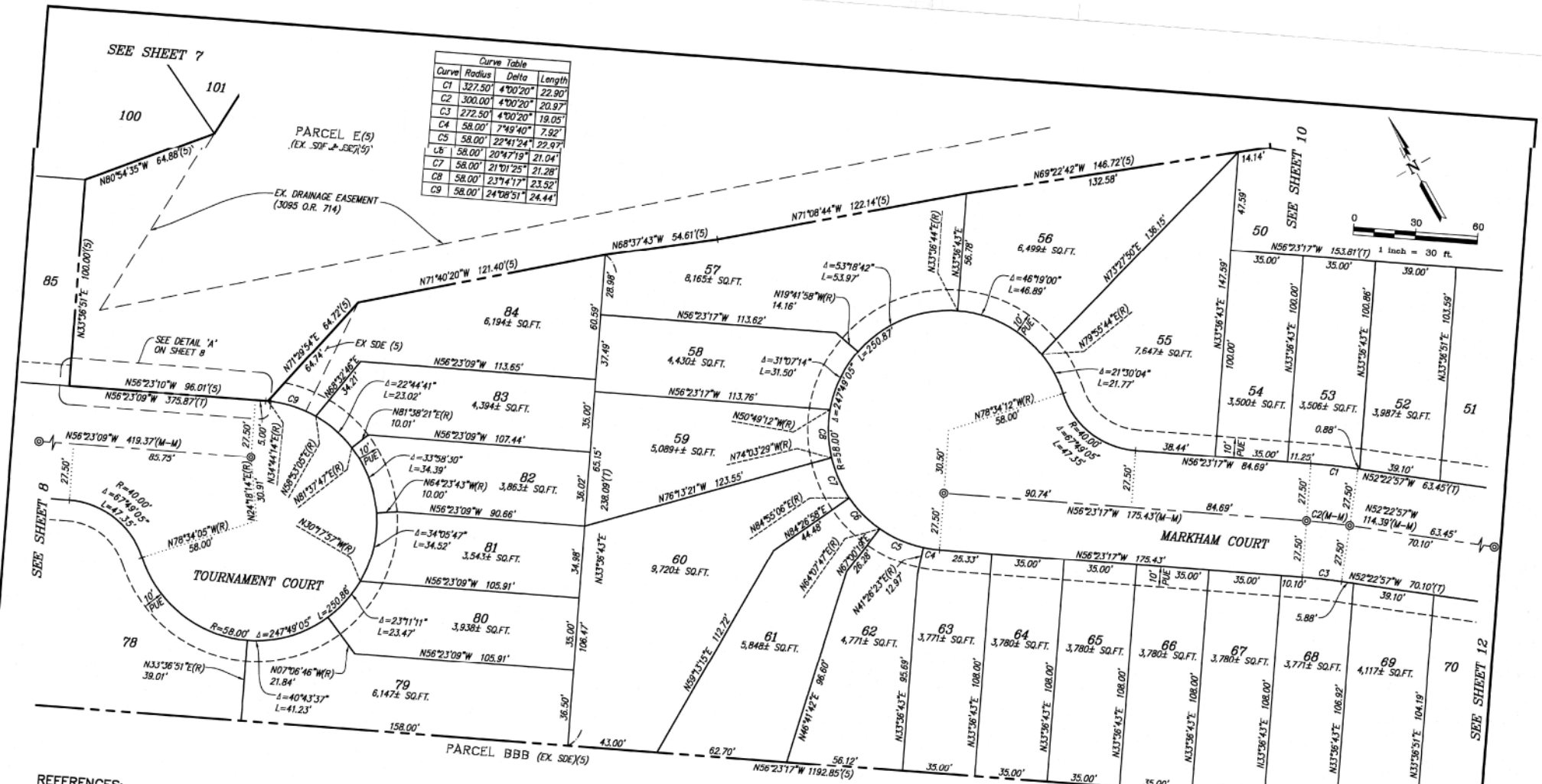
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RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083



Curve Table			
Curve	Radius	Delta	Length
C1	327.50'	4°00'20"	22.90'
C2	300.00'	4°00'20"	20.97'
C3	272.50'	4°00'20"	19.05'
C4	58.00'	7°49'40"	7.92'
C5	58.00'	22°41'24"	22.97'
C6	58.00'	20°47'19"	21.04'
C7	58.00'	21°01'25"	21.28'
C8	58.00'	23°14'17"	23.52'
C9	58.00'	24°08'51"	24.44'

REFERENCES:

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LEGEND

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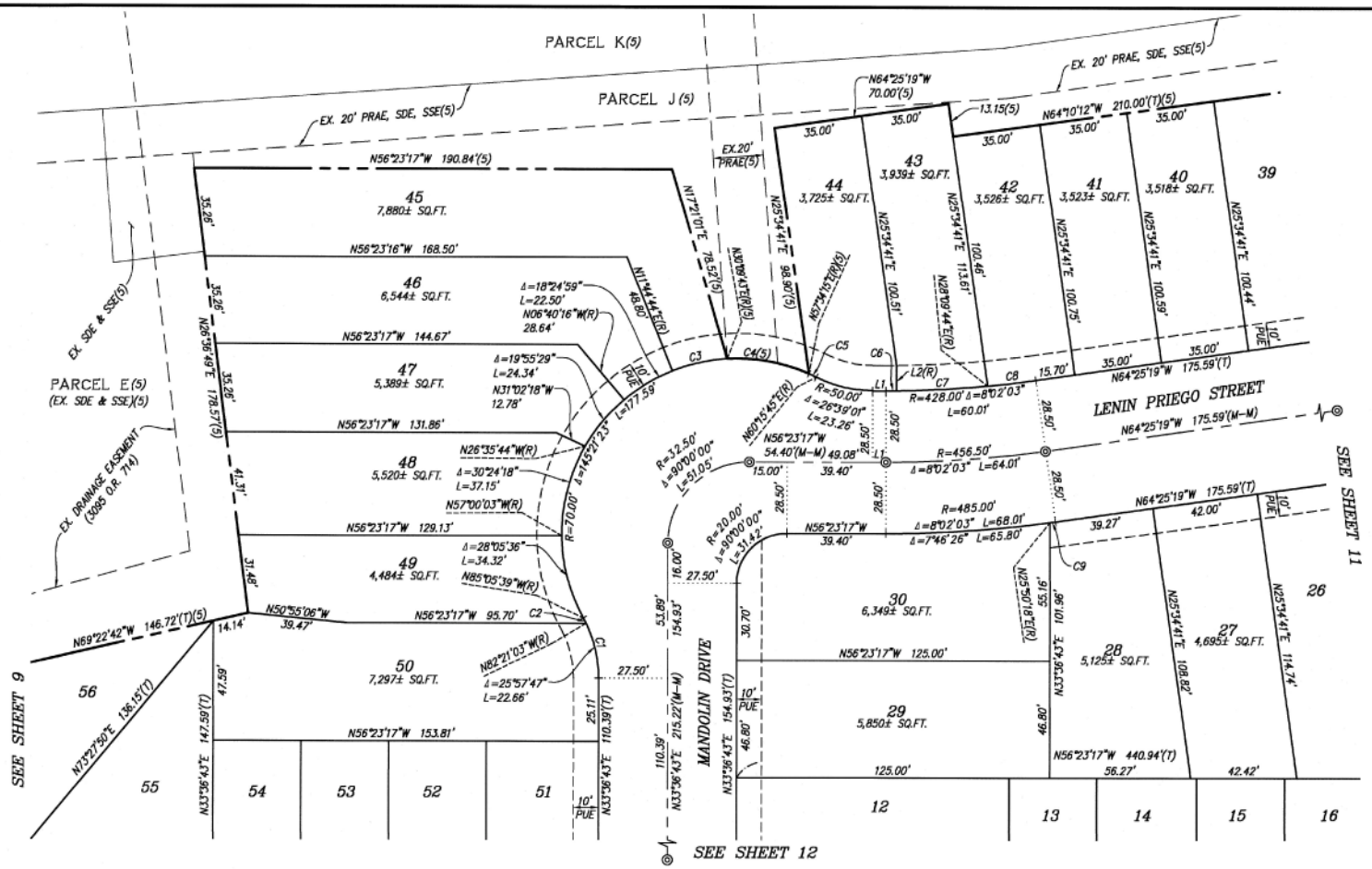
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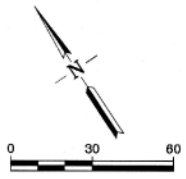
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PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083





Line Table		
Line	Bearing	Distance
L1	N56°23'17"W	5.32'
L2	N33°02'31"E	10.00'

Curve Table			
Curve	Radius	Delta	Length
C1	50.00'	28°42'23"	25.05'
C2	50.00'	2°44'36"	2.39'
C3	70.00'	18°24'59"	22.50'
C4	70.00'	27°24'32"	33.49'
C5	70.00'	2°41'30"	3.29'
C6	428.00'	0°34'13"	4.25'
C7	428.00'	4°52'46"	36.45'
C8	428.00'	2°35'04"	19.31'
C9	485.00'	0°15'37"	2.20'

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(6) TRACT NO. 3957, 43 M & P 74

BASIS OF BEARINGS

THE LINE TAKEN AS N44°38'35"W BETWEEN TWO FOUND MONUMENTS (STATION NUMBER 2060 AND STATION NUMBER 3022) OF THE CITY OF TRACY GEODETIC CONTROL NETWORK, WHICH IS BASED UPON THE CALIFORNIA STATE PLANE COORDINATE SYSTEM, ZONE 3, NAD 83 (EPOCH 2004.0), AS SHOWN ON THE RECORD OF SURVEY FILED JUNE 26, 2007, IN BOOK 36 OF SURVEYS AT PAGE 118, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, IS THE BASIS OF BEARINGS FOR THIS MAP.

LEGEND

- TRACT BOUNDARY LINE
- LOT LINE
- MONUMENT LINE
- MONUMENT TIE LINE
- NEW EASEMENT LINE AS NOTED
- EXISTING EASEMENT LINE AS NOTED
- EXISTING LOT LINE
- ◉ FOUND MONUMENT, AS NOTED
- ◎ SET STANDARD MONUMENT, STAMPED LS 6441
- ○ SET 3/4" IRON PIPE OR NAIL & TAG, STAMPED LS 6441

EX.	EXISTING
LME	LANDSCAPE MAINTENANCE EASEMENT
(M-M)	MONUMENT TO MONUMENT
N.T.S.	NOT TO SCALE
O.R.	OFFICIAL RECORDS
PRAE	PRIVATE ACCESS EASEMENT
PRME	PRIVATE MAINTENANCE EASEMENT
PUE	PUBLIC UTILITY EASEMENT
SDE	STORM DRAIN EASEMENT
SSE	SANITARY SEWER EASEMENT
SQ.FT.	SQUARE FEET
(R)	RADIAL
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(DATA)(#)	RECORD DATA & REFERENCE

GRID NOTES:

THE DISTANCES SHOWN HEREON ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000612 TO OBTAIN GROUND LEVEL DISTANCES.

NOTES:

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TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

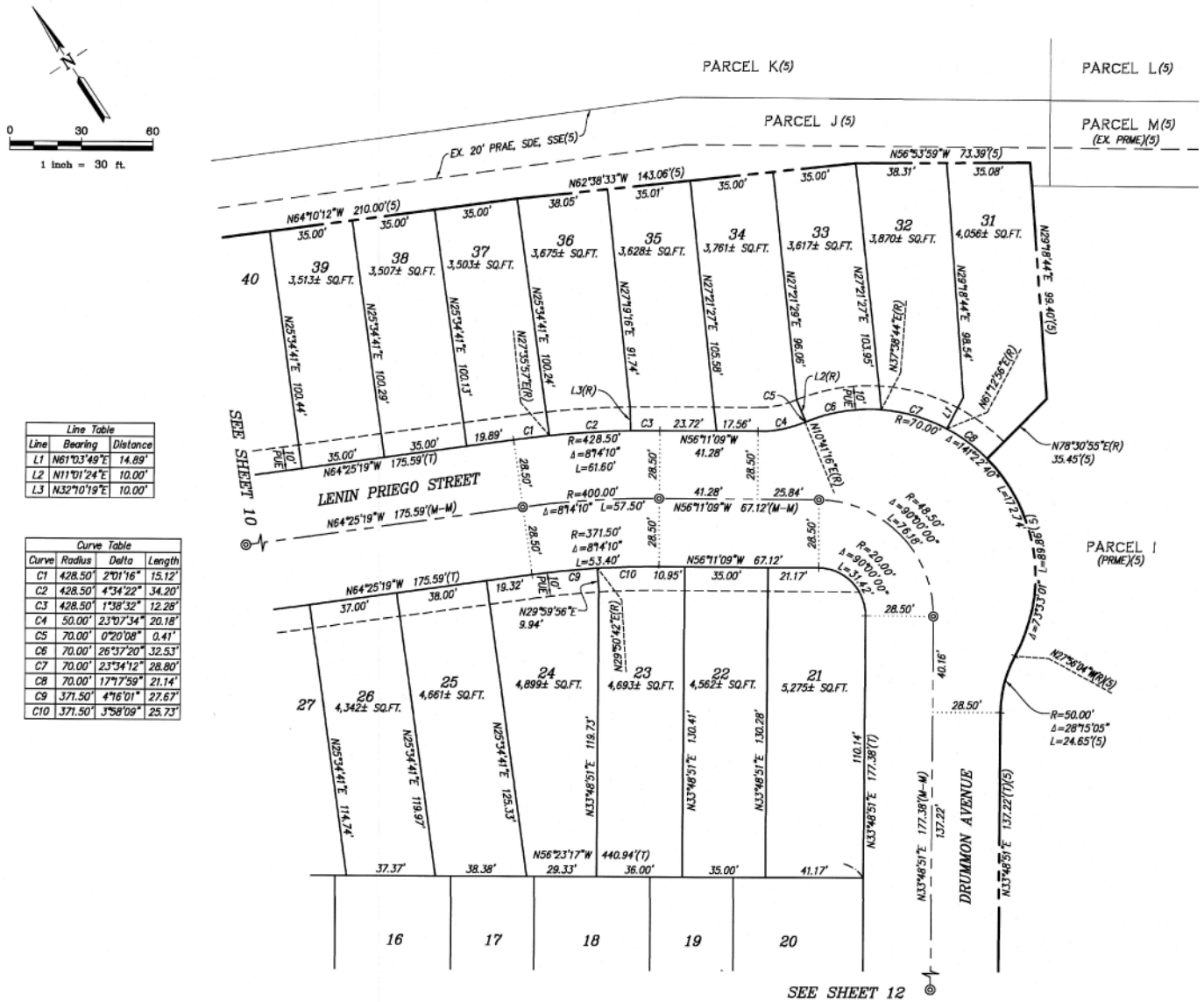
TRACY HILLS VILLAGE 7C

BEING A SUBDIVISION OF LOTS 17 AND 18 AS SHOWN ON TRACT NO. 3878 RECORDED JANUARY 26, 2019 IN BOOK 43 OF MAPS AND PLATS AT PAGE 17 OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, BEING A PORTION OF SECTION 7, T. 3 S., R. 5 E. & SECTION 12, T. 3 S., R. 4 E. MOUNT DIABLO MERIDIAN

CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083



0 30 60

1 inch = 30 ft.

Line Table		
Line	Bearing	Distance
L1	N61°03'49"E	14.89'
L2	N11°01'24"E	10.00'
L3	N32°10'19"E	10.00'

Curve Table			
Curve	Radius	Delta	Length
C1	428.50'	2°01'16"	15.12'
C2	428.50'	4°34'22"	34.20'
C3	428.50'	1°38'32"	12.28'
C4	50.00'	23°07'34"	20.18'
C5	70.00'	0°20'08"	0.41'
C6	70.00'	26°37'20"	32.53'
C7	70.00'	23°34'12"	28.80'
C8	70.00'	17°17'59"	21.14'
C9	371.50'	4°16'01"	27.67'
C10	371.50'	3°58'09"	25.73'

GRID NOTES:

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REFERENCES:

(1) DIVISION OF HIGHWAYS, DISTRICT 10, STATE HIGHWAY MAP 10 S.J. 580 11.0 SHEETS 9 TO 13 OF 21 SHEETS AND DEED 3095 O.R. 714 SAN JOAQUIN COUNTY RECORDS.
(2) RECORD OF SURVEY, 33 RS 57
(3) CITY OF TRACY GEODETIC CONTROL NETWORK RECORD OF SURVEY, 36 RS 118
(4) PARCEL MAP, 25 PM 168
(5) TRACT NO. 3878, 43 M & P 17
(6) TRACT NO. 3957, 43 M & P 74

BASIS OF BEARINGS

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NOTES:

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- MONUMENT LINE
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- EXISTING EASEMENT LINE AS NOTED
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TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

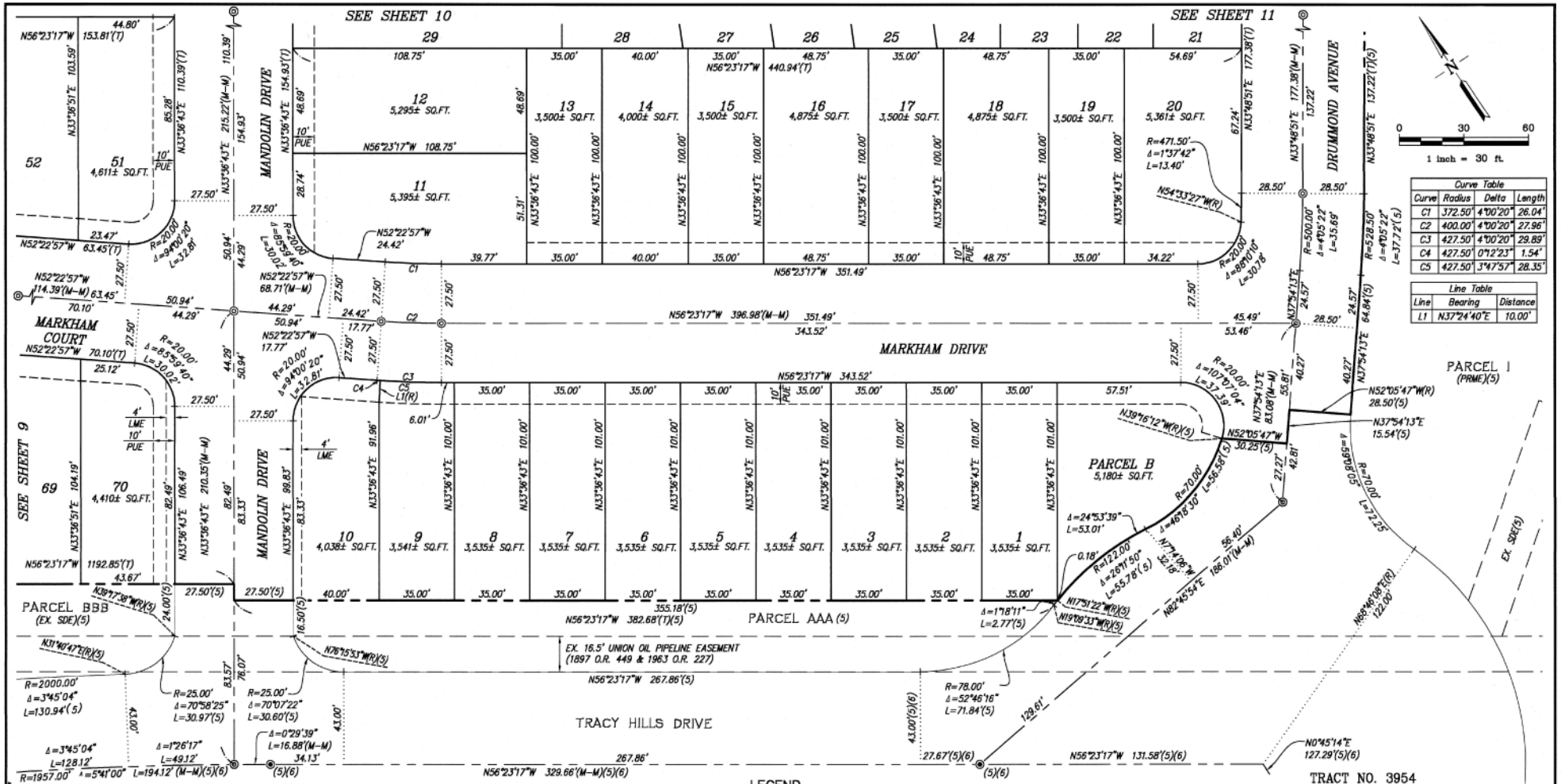
TRACY HILLS VILLAGE 7C

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CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI-JENSEN-AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083



Curve Table			
Curve	Radius	Delta	Length
C1	372.50'	4°00'20"	26.04'
C2	400.00'	4°00'20"	27.96'
C3	427.50'	4°00'20"	29.89'
C4	427.50'	0°12'23"	1.54'
C5	427.50'	3°47'57"	28.35'

Line Table		
Line	Bearing	Distance
L1	N37°24'40"E	10.00'

REFERENCES:

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TRACT NO. 3954
SUBDIVISIONS OF SAN JOAQUIN COUNTY

TRACY HILLS VILLAGE 7C

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CITY OF TRACY
SAN JOAQUIN COUNTY, CALIFORNIA

RUGGERI–JENSEN–AZAR
CIVIL ENGINEERS, PLANNERS, SURVEYORS
PLEASANTON, CALIFORNIA
OCTOBER 2020

JOB NO. 121083

Recording Requested By:

City of Tracy
Development Services
333 Civic Center Plaza
Tracy, CA 95376

And When Recorded Mail To:

City of Tracy
Office of the City Clerk
333 Civic Center Plaza
Tracy, CA 95376
Attn: Adrianne Richardson

SPACE ABOVE THIS LINE FOR RECORDER'S INFORMATION

City of Tracy
SUBDIVISION IMPROVEMENT AGREEMENT
Tract 3954, Tracy Hills Village 7C

This **Subdivision Improvement Agreement** ("**Agreement**") is entered into between the City of Tracy, a municipal corporation ("**City**"), and **LENNAR HOMES OF CALIFORNIA, INC.**, a California corporation ("**Subdivider**").

Recitals

A. Subdivider is the owner of the real property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (hereinafter "**Property**"), said Property comprising the subject Final Subdivision Map for Tract 3954, Tracy Hills Village 7C.

B. On April 5, 2016, the Tracy City Council ("**City Council**") adopted the Tracy Hills Specific Plan and approved various related land use entitlements, including that certain Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3888, processed under Application No. TSM13-0005 and approved by Resolution No. 2016-066, consisting of approximately 1,160 single-family residential lots, an approximately 50 acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other parcels owned and maintained by a Homeowners Association ("**Phase 1A Tentative Map**"). The Phase 1A Tentative Map is on file with the City Clerk, and is incorporated herein by this reference.

C. The approval of the Phase 1A Tentative Map by the City Council was subject to specified conditions of approval ("**Phase 1A Conditions of Approval**"). The Phase 1A Conditions of Approval, attached hereto as Exhibit "**B**", describe, among other things, improvements that are required for approval of the Final Map(s) pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards.

D. On October 20, 2020, the City Council adopted an Amendment to the Tracy Hills Specific Plan and approved various related land use entitlement changes, including that certain Vesting Tentative Subdivision Map for Tracy 3954, Tracy Hills Village 7C, processed under Application No. TSM20-0001 and approved by Resolution No. 2020-181 ("**Village 7C Tentative Map**"). The Village 7C Tentative Map encompasses the same area previously identified as Village 6B on the Phase 1A Tentative Map and increases the number of lots within the Village 7C area (previously Village 6B) from 73 to 132. The Village 7C Tentative Map is on file with the City Clerk, and is incorporated herein by this reference.

E. The approval of the Village 7C Tentative Map by the City Council was subject to specified conditions of approval ("**Village 7C Conditions of Approval**"). The Village 7C Conditions of Approval, attached hereto as Exhibit "**C**", describe, among other things, improvements that are required for approval of the Final Map for Village 7C pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards. The Village 7C Conditions of Approval state that the Phase 1A Conditions of Approval shall remain in full force and effect, to the extent that such conditions are specifically applicable to or triggered by the development of Tracy Hills Village 7C.

F. The Final Subdivision Map for Tract 3954, Tracy Hills Village 7C, consists of 132 duet-type lots within the boundaries of the aforementioned approximately 1,160 lot Tracy Hills Phase 1A project. Exhibit "D" shows the overall Tracy Hills Phase 1A project area and the location of the Final Subdivision Map for Tract 3954, Tracy Hills Village 7C ("**Project**" or "**Project site**").

G. In accordance with the Village 7C Conditions of Approval, Subdivider has prepared and the City Engineer has approved certain improvement plans and specifications (which incorporate portions of the City's Standard Specifications), which describe the improvements which are required for approval of the Final Map and are incorporated herein by reference. The approved plans and specifications ("**Plans and Specifications**") include seventeen (17) sheets of improvement plans titled "Improvement Plans Village 7C-Tract 3954-Tracy Hills Phase 1A" prepared by Ruggeri-Jensen-Azar, three (3) sheets of joint trench plans entitled "Joint Trench Composite-Tracy Hills V7C-Tract 3954" prepared by O'Dell Engineering, four (4) sheets of street light plans entitled "Street Light Plan-Tracy Hills V7C-Tract 3954" prepared by O'Dell Engineering, thirty-one (31) sheets of landscape construction plans, entitled "Tracy Hills Landscape Improvement Plans Neighborhood 7C-Tract 3954 Phase 1A", prepared by FORMA, two (2) sheets of site work structural details prepared by Harris and Sloan, and four (4) sheets of landscape electrical plans prepared by DW Consultants.

H. Because the required improvements have not been completed, Subdivider has requested to execute this Agreement as authorized by Government Code section 66462.

NOW THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. Scope of Work; Location. Subdivider shall perform, or cause to be performed, the Work described in the Plans and Specifications and the Conditions ("**Work**"), to the satisfaction of the City Engineer. The Work shall be performed, and all materials and labor shall be provided, at Subdivider's expense, in the manner described in the Plans and Specifications. No change shall be made to the Work unless authorized in writing by the City Engineer. Subdivider may submit a written request to the City Engineer for a change in the scope of Work, as authorized by Tracy Municipal Code section 12.36.060(f).

Subdivider shall perform all Work at the locations and grades shown on the Plans and Specifications. Subdivider (a) has acquired any necessary easement or right-of-way or (b) has entered into a separate Agreement with the City to acquire the necessary easement or right-of-way at Subdivider's expense.

2. Time of Performance. Time is of the essence in the performance of the Work, and the timing requirements set forth here shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. Subdivider shall submit all requests for extensions of time to the City, in writing, no later than ten days after the start of the condition that purportedly caused the delay, and not later than the date on which performance is due.

2.1 Commencement of Work. No later than 15 days before the beginning of Work, Subdivider shall provide written notice to the City Engineer of the date on which Subdivider will begin Work. Subdivider shall not begin Work until after the notice required by this section is properly provided, and Subdivider shall not begin Work before the date specified in the written notice.

2.2 Schedule of Work. Concurrently with the written notice of beginning of Work, Subdivider shall provide the City with a written schedule of Work, which shall be updated in writing as necessary to accurately reflect Subdivider's prosecution of the Work.

2.3 Completion of Work. Subdivider shall complete all Work by no later than 365 days after Subdivider's submittal of its notice of commencement of Work pursuant to Section 2.1 above. If the Work is not completed by this date, City Engineer may grant an extension of time if (a) Subdivider submits a written request for extension at least ten (10) days prior to expiring date of completion, (b) the City Engineer determines that Work is progressing satisfactorily and an extension is warranted, and (c) Subdivider pays all processing fees for such time extension.

2.4 Reversion to Acreage. If Subdivider fails to begin the Work before the date on which completion is due, Subdivider shall, upon written request by the City, consent to the reversion to acreage of all real property described by the Final Map, and Subdivider shall bear the costs of processing and implementing the reversion.

3. Improvement Security. Concurrently with Subdivider's execution of this Agreement, and before beginning any Work, Subdivider shall furnish contract security, in a form authorized by the Subdivision Map Act (including Government Code sections 66499 *et seq.*) and Tracy Municipal Code section 12.36.080, in the following amounts:

3.1 Faithful Performance security in the amount of **$2,020,256.00** to secure faithful performance of this Agreement (until the date on which the City Council accepts the Work as complete) under Government Code sections 66499.1, 66499.4, and 66499.9.

3.2 Labor and Material security in the amount of **$2,020,256.00** to secure payment by Subdivider to laborers and materialmen under Government Code sections 66499.2, 66499.3, and 66499.4.

3.3 Warranty security in the amount of **$202, 026.00** to guarantee improvements against any defective work or labor done or defective materials used in performance of Work for one year from the date on which the City Council accepts the Work as complete, under Government Code sections 66499.1, 66499.4, and 66499.9.

3.4 Monumentation security in the amount of **$36,000.00** to secure faithful performance of setting monuments pursuant to Government Code section 66496.

4. Indemnification. Subdivider shall indemnify, defend, and hold harmless City (including its elected officials, officers, agents and employees) from and against any and all claims, demands, damages, liabilities, costs, and expenses (including court costs and attorney's fees) resulting from the performance of the Work by Subdivider or Subdivider's agents, representatives, contractors, subcontractors, or employees, except when caused by the active negligence or willful misconduct of City, until such time as all of the following have occurred: (1) the City Council accepts all of the improvements comprising the Work, (2) the City becomes responsible for the maintenance, operation and repair of all of the improvements comprising the Work, and (3) the one year warranty period set forth in Section 12, below, has expired, at which time the indemnification obligations under this Section 4 shall automatically terminate, with regard to any cause of action arising after such date. For avoidance of doubt, Subdivider's obligations under this Section 4 are in addition to all other Subdivider's obligations set forth in this Agreement, and shall not affect Subdivider's warranty obligations set forth in Section 12, below.

5. Insurance. Concurrently with the execution of this Agreement by Subdivider, and before beginning any Work, Subdivider shall furnish evidence to the City that the following insurance requirements have been satisfied. The insurance requirements contained in this Section 5 are material terms of this Agreement. These insurance coverage requirements below may be satisfied by umbrella or excess liability policies upon City approval.

5.1. General. Subdivider shall, throughout the duration of this Agreement, maintain insurance to cover Subdivider, its agents, representatives, contractors,

subcontractors, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

5.2. Commercial General Liability (with coverage at least as broad as ISO form CG 00 01) coverage shall be maintained in an amount not less than $4,000,000 per occurrence and $8,000,000 general aggregate for general liability, bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability and coverage for explosion, collapse, and underground property hazards.

5.3. Professional Contracts. Subdivider shall cause its design professionals to maintain professional liability insurance that insures against professional errors and omissions that may be made in performing services related to the Work to be rendered in connection with this Agreement, in the minimum amount of one million dollars ($1,000,000) per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and Subdivider agrees to cause its design professionals to maintain continuous coverage through a period no less than three years after completion of the services required pursuant to this Agreement.

5.4. Automobile Liability (with coverage at least as broad as ISO form 00 01 07 97 for "any auto" including "hired autos" and "non-owned autos") coverage shall be maintained in an amount not less than $2,000,000 per accident for bodily injury and property damage.

5.4.1. If Subdivider has no employees, or does not own automobiles, then "hired autos" and "non-owned autos" coverage shall be maintained in an amount not less than $1,000,000 per accident for bodily injury and property damage.

5.5. Workers' Compensation coverage shall be maintained as required by the State of California.

5.6. Endorsements. Subdivider shall obtain endorsements to the commercial general liability and automobile policies with the following provisions:

5.6.1. The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an Additional Insured on Subdivider's Commercial General Liability policy utilizing endorsement form CG 20 10 (or its equivalent) for ongoing operations and CG 20 37 (or its equivalent) for products/completed operations.

5.6.2. For any claims related to this Agreement, Subdivider's coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of Subdivider's insurance and shall not contribute with it.

5.6.3. Subdivider shall require its contractors and subcontractors providing services required by this Agreement (e.g. general contractors, design professionals) to name it and the City as Additional Insureds.

5.7. Notice of Cancellation. Subdivider shall notify the City of any cancellation of either the commercial general liability policy or automobile insurance policy before the expiration date. For the purpose of this notice requirement, any material change in the policy before the expiration shall be considered a cancellation. Subdivider shall immediately obtain a replacement policy.

5.8. Authorized Insurers. All insurance companies providing coverage to Subdivider shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California, with an AM Best rating of at least A-:VII.

5.9. Insurance Certificate. Subdivider shall provide evidence of compliance with the commercial general liability insurance and automobile insurance requirements listed above by providing a certificate of insurance and endorsements, in a form satisfactory to the City Attorney before the City executes this Agreement.

5.10. Substitute Certificates. No later than thirty (30) days before the policy expiration date of any insurance policy required by this Agreement, Subdivider shall provide a substitute certificate of insurance.

5.11. Subdivider's Obligation. Maintenance of insurance by Subdivider as specified in this Agreement shall in no way be interpreted as relieving Subdivider of any responsibility whatsoever (including indemnity obligations under this Agreement), and Subdivider may carry, at its own expense, such additional insurance as it deems necessary.

6. Independent Contractor Status. Subdivider is an independent contractor and is solely responsible for the acts of its employees, agents, and subcontractors, including any negligent acts or omissions. Subdivider is not City's employee and Subdivider shall have no authority, express or implied, to act on behalf of the City as an agent, or to bind the City to any obligation, unless the City provides prior written authorization to Subdivider.

7. Default.

7.1 Notice. If Subdivider is in default of this Agreement, as defined in Section 7.2, the City Engineer shall provide written notice to Subdivider and Subdivider's surety (if any) describing the default.

7.2 Events of default. Subdivider shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:

7.2.1 Subdivider is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

7.2.2 Subdivider abandons the Project site.

7.2.3 Subdivider fails to perform one or more requirements of this Agreement.

7.2.4 Subdivider fails to replace or repair any damage caused by Subdivider or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work.

7.2.5 Subdivider violates any legal requirement related to the Work.

7.3 If Subdivider fails to cure the default within thirty (30) calendar days, or provide adequate written assurance to the satisfaction of the City Engineer that the cure will be promptly started and diligently prosecuted to its completion, the City may, in the discretion of the City Engineer, take any or all of the following actions:

7.3.1 Cure the default and charge Subdivider for the costs, including administrative costs and interest in an amount equal to 7% per annum from the date of default.
7.3.2 Demand Subdivider complete performance of the Work.
7.3.3 Demand Subdivider's surety (if any) complete performance of the Work.

8. Ownership of Work. All original documents prepared by Subdivider for this Agreement are the property of the City, and Subdivider shall provide them to the City at the completion of Subdivider's Work, or upon demand from the City.

9. Inspection by the City; Inspection Fees and Fee Credits. In order to permit the City to inspect the Work, Subdivider shall, at all times, provide to the City proper and safe access to the Project site, and all portions of the Work, and to all shops where portions of the Work are in preparation.

Concurrently with Subdivider's execution of this Agreement and before the beginning of any Work, Subdivider shall pay the City Inspection Fees in the amount of 3.5% of the estimated Project costs (as approved by the City Engineer). If the City requires an independent inspection, Subdivider shall pay all such costs and provide a report directly to the City.

Subdivider shall be entitled to fee credits consistent with Section 3.3 of the Development Agreement (DA), adopted by Ordinance 1213, as may be amended from time to time, and as provided in greater detail in the Finance and Implementation Plan (FIP) for the Project pursuant to the DA and Tracy Municipal Code Section 10.20.060(b)(3), as may be amended from time to time.

10. Subdivider's Authorized Representative. At all times during the progress of the Work, Subdivider shall have a competent foreperson or superintendent (Superintendent) on site with authority to act on behalf of Subdivider. Subdivider shall, at all times, keep the City Engineer informed in writing of the names and telephone numbers of: (a) the Superintendent; and (b) all contractors and subcontractors performing the Work.

11. Acceptance of Work. Before the City Council's acceptance of the Work, Subdivider is solely responsible for maintaining the quality of the Work and maintaining safety at the Project site. Subdivider's obligation to perform the Work is not satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied, all outstanding fees and charges have been paid, and the City Council has accepted the Work as complete.

12. Warranty Period. Subdivider shall warrant the quality of the Work, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Work by the City Council. If during the one year warranty period any portion of the Work is determined by the City Engineer to be defective as a result of an

obligation of Subdivider under this Agreement, Subdivider shall be in default of this Agreement and shall without delay and without any cost to City repair, replace, or reconstruct any defective improvements.

13. Miscellaneous.

13.1 Notices. All notices, demands, or other communications which this Agreement contemplates or authorizes shall be in writing and shall be personally delivered or electronically mailed to the respective party as follows:

To City	To Subdivider:
City of Tracy 333 Civic Center Plaza Tracy, CA 95376 Attn: City Engineer notice@cityoftracy.org	Lennar Homes of California, Inc. 2603 Camino Ramon, Suite 525 San Ramon, CA 94583 Attn: Bridgit Koller bridgit.koller@lennar.com
With a copy to: City Attorney 333 Civic Center Plaza Tracy, CA 95376 Attn: City Engineer attorney@cityoftracy.org	With a copy to: AG Essential Housing CA 4, LP c/o AGWIP Asset Management LLC 8585 Scottsdale, AZ 85255 Attn: Steven S. Benson, Manager steve.benson@agwipam.com

Communications shall be deemed to have been given and received on the first to occur of: (1) actual receipt at the email address designated above, or (2) two working days following the deposit in the United States Mail of registered or certified mail, sent to the address designated above.

13.2 Approvals by City. Any approval or consent by that is to be given by City under this Agreement shall be in writing, and any approval or consent that is not in writing shall not be binding on City.

13.3 Modifications. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

13.4 Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

13.5 Assignment and Delegation. This Agreement and any portion of it may not be assigned or transferred, nor shall any of Subdivider's duties be delegated, without the City's prior written consent. Any attempt to assign or delegate this

Agreement without the City's written consent shall be void and of no effect. A consent by the City to one assignment shall not be deemed to be a consent to any subsequent assignment.

13.6 Jurisdiction and Venue. The interpretation, validity and enforcement of the Agreement shall be governed by the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Joaquin.

13.7 Permits, Licenses, and Compliance with Law. Subdivider shall, at Subdivider's expense, obtain and maintain all necessary permits and licenses for the performance of the Work. Before City signs the Agreement, Subdivider shall obtain a City of Tracy Business License. Subdivider shall comply with all local, state, and federal laws, whether or not those laws are expressly stated in this Agreement.

13.8 Entire Agreement; Severability. This Agreement, including all documents incorporated by reference, comprises the entire integrated understanding between the parties concerning the improvements to be constructed for this Project. This Agreement supersedes all prior negotiations, representations, or agreements. If a term of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in effect.

14. Signatures. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity and authority to execute this Agreement. This Agreement shall inure to the benefit of and be binding upon the parties and their successors and assigns.

The parties hereby agree to the full performance of the terms set forth herein.

City of Tracy

_____

Nancy D. Young, Mayor

Date: _____

Approved by City Council on _____ by Resolution No. _____.]

Attest:

_____

By: Adrianne Richardson, City Clerk

Approved As To Form:

_____

By: Leticia Ramirez, City Attorney

Subdivider

LENNAR HOMES OF CALIFORNIA, INC.
a California corporation

_____

By: BRIDGIT KOLLER

Title: V.P.

Date: 4/16/21

Federal Employer Tax ID No. 93-1223261

Exhibits

A: Legal Description
B: Conditions of Approval – Phase 1A
C: Conditions of Approval – Village 7C
D: Phase 1A Project Area

CALIFORNIA ACKNOWLEDGMENT **CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Contra Costa }

On April 16, 2021 before me, Lauren Mary Morte Notary Public,
Date *Here Insert Name and Title of the Officer*

personally appeared Bridgit Koller
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~they~~ executed the same in ~~his~~/her/~~their~~ authorized capacity(~~ies~~), and that by ~~his~~/her/~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

LAUREN MARY MORTE
Notary Public - California
Contra Costa County
Commission # 2307493
My Comm. Expires Oct 3, 2023

Place Notary Seal and/or Stamp Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Lauren Mary Morte
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
☐ Corporate Officer – Title(s): _____	☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General	☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact	☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator	☐ Trustee ☐ Guardian or Conservator
☐ Other: _____	☐ Other: _____
Signer is Representing: _____	Signer is Representing: _____

©2018 National Notary Association

Consent to Recordation

AG Essential Housing CA 4, LP, is the owner in fee simple of the real property described in Exhibit A and hereby consents to the recordation of this Subdivision Improvement Agreement.

AG Essential Housing CA 4 LP
a Delaware Limited Partnership

By: AGWIP Asset Management, LLC
An Arizona Limited Liability Company
Its Authorized Agent

_____

By: Steven S. Benson
Title: Manager
Date: _____

EXHIBIT "A"

All that real property situate in the City of Tracy, County of San Joaquin, State of California, described as follows:

Lots 17 and 18 as shown on the map of Tract No. 3878, recorded on January 26, 2018, in Book 43 of Maps and Plats, at Page 17, Official Records of San Joaquin County.

EXHIBIT "B"

Conditions of Approval for Tracy Hills Phase 1A
Small-Lot Vesting Tentative Subdivision Map
Application Number TSM13-0005
April 5, 2016

Project: These Conditions of Approval shall apply to the Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Application Number TSM13-0005, including approximately 1,160 single-family residential lots, three park sites, a school site, and approximately 50 acres of commercial property.

Property: The property consists of approximately 417.6 acres located in the Tracy Hills Specific Plan Area, west of Corral Hollow Road, south of the California Aqueduct, and north of Interstate 580, Application Number TSM13-0005.

Community Facilities Districts: Certain conditions of approval herein involve the establishment of one or more Community Facilities Districts (CFDs) to implement the Project. The imposition of conditions requiring or involving the establishment of CFDs on the Property shall not limit the City from establishing additional CFDs over the Property, subject to an affirmative vote of the Property owner(s).

A. Definitions; Abbreviations.

The definitions in the City's zoning regulations (Tracy Municipal Code, Title 10, Chapter 10.08) and subdivision ordinance (Tracy Municipal Code, Title 12, Chapter 12.08) apply, and in addition:

1. "Applicant" means any person, or other legal entity, defined as a "Subdivider" by Section 12.08.010 of the City of Tracy Municipal Code.

2. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director, to perform the duties set forth here. (The Development Services Director is also referred to in the Tracy Municipal Code as the Development and Engineering Services Director.)

3. "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 Hills Specific Plan, the Tracy Municipal Code, ordinances, resolutions, written policies, written procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).

4. "Conditions of Approval" or "Conditions" means these conditions of approval.

EXHIBIT "C"

Conditions of Approval for Tracy Hills Village 7C Project
Vesting Tentative Subdivision Map
Application Number TSM20-0001
October 20, 2020

Project: These Conditions of Approval shall apply to the Vesting Tentative Subdivision Map for the Tracy Hills Village 7C Project, Application Number TSM20-0001, including approximately 132 single-family residential lots and two HOA landscape parcels.

Property: The property consists of approximately 19 acres located in Village 7C of Tracy Hills Phase 1A, west of Corral Hollow Road in the vicinity of Tracy Hills Drive, Application Number TSM20-0001.

Community Facilities Districts: Certain conditions of approval herein involve the establishment of or annexation into one or more Community Facilities Districts (CFDs) to implement the Project. The imposition of conditions requiring or involving the establishment of or annexation into CFDs on the Property shall not limit the City from establishing additional CFDs over the Property, subject to an affirmative vote of the Property owner(s).

A. Definitions; Abbreviations.

The definitions in the City's zoning regulations (Tracy Municipal Code, Title 10, Chapter 10.08) and subdivision ordinance (Tracy Municipal Code, Title 12, Chapter 12.08) apply, and in addition:

1. "Applicant" means any person, or other legal entity, defined as a "Subdivider" by Section 12.08.010 of the City of Tracy Municipal Code.

2. "Development Services Director" means the Development Services Director of the City of Tracy, or any other person designated by the City Manager or the Development Services Director, to perform the duties set forth here. (The Development Services Director is also referred to in the Tracy Municipal Code as the Development and Engineering Services Director.)

3. "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 Hills Specific Plan, the Tracy Municipal Code, ordinances, resolutions, written policies, written procedures, and the City's Design Documents (including the Standard Plans, Standard Specifications, Design Standards, and relevant Public Facility Master Plans).

4. "Conditions of Approval" or "Conditions" means these conditions of approval.

The following abbreviations may be used in these Conditions:

EIR	Environmental Impact Report	PI&RA	Park Improvement and Reimbursement Agreement
DIA	Deferred Improvement Agreement	PUE	Public Utility Easement
OIA	Offsite Improvement Agreement	TMC	Tracy Municipal Code

B. Planning Division Conditions of Approval

1. Compliance with laws. The Subdivider shall comply with all laws (federal, state, and local) related to the development of real property within the Project boundaries, 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 the California Environmental Quality Act (California Administrative Code, title 14, sections 15000, et seq., "CEQA Guidelines").

2. City Regulations. Unless specifically modified by these Conditions of Approval, the Subdivider shall comply with all City Regulations.

3. Mitigation Measures. The Subdivider shall comply with all mitigation measures in the Final Subsequent Environmental Impact Report (EIR) for the Tracy Hills Specific Plan Project (State Clearinghouse No. 2013102053), which was certified by the City Council on April 5, 2016.

4. Notice of protest period. 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 that are within the purview of the Mitigation Fee Act [Government Code section 66000 et seq.] ("Exactions") and imposed on this Project by these Conditions of Approval) shall begin on the date of the conditional approval of this Project. If the Subdivider fails to file a protest of the Exactions complying with all of the requirements of Government Code Section 66020 within this 90-day period, the Subdivider will be legally barred from later challenging any of the Exactions. The terms of this paragraph shall not affect any other deadlines or statutes of limitations set forth in the Mitigation Fee Act or other applicable law, or constitute a waiver of any affirmative defenses available to the City.

5. Conformance with Vesting Tentative Subdivision Map. All Final Maps shall be in substantial conformance with the approved Vesting Tentative Subdivision Map (Application Number TSM13-0005), which was date stamped as received by the Development Services Department on February 24, 2016, and approved by the City Council on April 5, 2016, unless modified by these Conditions.

6. Maintenance for Project Public Landscaping. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding for the ongoing costs related to public landscaping maintenance. Subdivider shall prepare public landscaping improvement plans and a public landscaping budget analysis (to be reviewed and approved by the City Public Works Director) to establish the scope of and cost estimates for public landscaping maintenance.

As used in these Conditions of Approval:

"Public landscaping maintenance costs" include but are not limited to all costs associated with the maintenance, operation, repair and replacement of public landscaping included in the Project. Labor costs shall be based upon and be paid at "prevailing wages," as that term is used in Section 1771 of the California Labor Code.

"Public landscaping" includes but is not limited to the following public areas and public improvements within or adjacent to the Project: public walls, special public amenities, ground cover, turf, shrubs, trees, irrigation systems, drainage and electrical systems, masonry walls or other fencing, entryway monuments or other ornamental structures, furniture, recreation equipment, hardscape and any associated appurtenances within medians, parkways, dedicated easements, channel-ways, public parks and public open space areas. It does not include public streets and street sweeping, but may include street lights.

Before approval of the first Final Map, Subdivider shall enter into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one or more of the following three options (a., b. or c.), subject to the approval of the Administrative Services Director:

a. CFD or other funding mechanism. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall, at its expense, form a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for the entire Project area for funding or performing the on-going maintenance of public landscaping. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. If funds are needed to pay for such public landscaping maintenance costs before collection of the first Special Services Tax (the "deficit"), then before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) the amount of the deficit;

Or

b. HOA and dormant CFD. If the HOA is the chosen funding mechanism, the Subdivider must do the following:

(1) Form a Homeowner's Association (HOA) or other maintenance association, with CC&Rs reasonably acceptable to the City, to assume the obligation for the on-going maintenance of all public landscaping areas within the entire tentative subdivision map area;

(2) Cause the HOA to enter into an agreement with the City, in a form to be approved by the City and to be recorded concurrently with the first Final Map, setting forth, among other things, the required maintenance obligations, the standards of maintenance, and all other associated obligation(s) to ensure the long-term maintenance by the HOA of all public landscape areas within the entire tentative subdivision map area;

(3) For each Final Map, make and submit to the City, in a form reasonably acceptable to the City, an irrevocable offer of dedication of all public landscape areas within the Final Map area;

(4) Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), annex into a CFD in a "dormant" capacity, to be triggered if the HOA fails (as determined by the City in its sole and exclusive discretion) to perform the required level of public landscape maintenance. The dormant tax or assessment shall be disclosed to all homebuyers and non-residential property owners, even during the dormant period.

Or

c. Direct funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of public landscaping maintenance as identified by the approved landscaping budget analysis.

7. Maintenance for Public Landscaping for Major Program Roadways. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding to pay the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways, by entering into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one of the following two options (a. or b.), subject to the approval of the Administrative Services Director:

a. CFD. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), Subdivider shall, at its sole expense,

form a Community Facilities District (CFD) for the entire Project area, for funding the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. If funds are needed to pay for such public landscaping maintenance costs before collection of the first Special Services Tax (the "deficit"), then before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) the amount of the deficit;

Or

b. Direct Funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of funding the Subdivider's proportionate share of the ongoing public landscaping maintenance costs associated with major program roadways identified in the Citywide Roadway and Transportation Master Plan.

8. Land-Locked Parcels. No land-locked parcels shall result from this Vesting Tentative Subdivision Map, including but not limited to the parcels known as the Integral parcel (formerly the Ferry parcel) and the Sellick parcel.

a. With the approval of a Final Map that includes any lot or parcel adjacent to the Integral parcel (Assessor's Parcel Number 253-020-08, formerly the Ferry parcel), the Subdivider shall record an access easement between the public right-of-way and the Integral parcel, as shown on the Vesting Tentative Subdivision Map, to the satisfaction of the Development Services Director. The access easement shall have a minimum width of 20 feet and shall grant continuous access to and from the public right-of-way, across the Subdivider's property, for the benefit of the owner of the Integral parcel.

b. With the approval of a Final Map that includes any lot or parcel adjacent to the Sellick parcel (Assessor's Parcel Number 253-020-10), the Subdivider shall record an access easement between the public right-of-way and the Sellick parcel, as shown on the Vesting Tentative Subdivision Map, to the satisfaction of the Development Services Director. The access easement shall have a minimum width of 20 feet and shall grant continuous access to and from the public right-of-way, across the Subdivider's property, for the benefit of the owner of the Sellick parcel.

9. Parks. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates the following:

   a. Within one year following final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the first neighborhood park shall be completed and accepted by the City. If the first neighborhood park is not completed and accepted by the City within one year following final inspection or occupancy of the first dwelling, no further building permits shall be issued until the first neighborhood park is completed and accepted by the City; and

   b. Before final inspection or occupancy of the 750th dwelling, the second neighborhood park shall be completed and accepted by the City; and

   c. Before final inspection or occupancy of the 1,000th dwelling, the third neighborhood park shall be completed and accepted by the City.

10. Conservation Easement. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that before issuance of a building permit for the structure containing the 500th dwelling unit, the Subdivider shall plant trees in the 100-foot wide conservation easement adjacent to Interstate 580 and the Project, as described and depicted in Section 3.4.7 of the Tracy Hills Specific Plan (pages 3-49 to 3-54), to the satisfaction of the Development Services Director.

11. Community Gateway Icon. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that before issuance of a building permit for the structure containing the 500th dwelling unit, the Subdivider shall construct the Community Gateway Icon, which is conceptually described and depicted in Section 3.4.5 of the Tracy Hills Specific Plan (page 3-34), to the satisfaction of the Development Services Director, based on substantial conformance with the Development Review approval by City Council. The Community Gateway Icon shall be located on a privately-owned parcel and be privately maintained. Prior to issuance of a building permit for the Community Gateway Icon, the Community Gateway Icon shall be subject to Development Review approval by City Council, as specified in Section 5.1.2 of the Tracy Hills Specific Plan (page 5-1).

12. Schools. Before issuance of a building permit for each new dwelling, the Subdivider shall document compliance with all applicable school mitigation requirements and provide to the City a certificate of compliance for such requirements from the Jefferson School District and Tracy Unified School District.

13. Public Services. Before approval of the first Final Map, the Subdivider shall do one of the following, subject to the approval of the Administrative Services Director:

a. CFD or other funding mechanism. The Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates that prior to issuance of a building permit (except for up to fifteen model homes), the Subdivider will form a Community Facilities District (CFD) or establish another lawful funding mechanism that is reasonably acceptable to the City for funding the on-going operational costs of providing Police services, Fire services, Public Works and other City services within the Project area. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the parcels will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment which, at the time of formation of the CFD, shall not exceed $325 per unit per month; provided, however, that the City reserves the right to provide for escalation of the maximum special tax rate to a commercially reasonable rate determined by the City.

Or

b. Direct funding. The Subdivider shall enter into an agreement with the City, which shall be recorded against the property, which stipulates that prior to issuance of a building permit (except for up to fifteen model homes), the Subdivider will fund a fiscal impact study to be conducted and approved by the City to determine the long term on-going operational costs of providing Police services, Fire services, Public Works and other City services within the Project area, and deposit with the City an amount necessary, as reasonably determined by the City, to fund the full costs of funding the provision of Police services, Fire services, Public Works and other City services within the Project area in perpetuity as identified by the approved study.

14. Utilities in Roundabouts. All three roundabouts shown on the approved Vesting Tentative Subdivision Map for Tracy Hills Phase 1A shall be designed and constructed in such a manner that no utility lines intersect a 30-foot radius from the center of each roundabout in order to allow sufficient space for the planting and mature growth of the oak trees (three per roundabout), which are conceptually depicted in the Tracy Hills Specific Plan. The Subdivider shall submit Improvement Plans that demonstrate compliance with this condition, to the satisfaction of the Development Services Director.

15. Building and Fire. Before approval of the first Final Map, the Subdivider shall enter into an agreement with the City, which shall be recorded against the Property, which stipulates the following, to the satisfaction of the Chief Building & Fire Code Official:

a. Before issuance of any building permits, the Subdivider shall provide Fire Department access to the Property in compliance with all provisions

of Section 503 of the California Fire Code, to the satisfaction of the Chief Building & Fire Code Official.

b. Before issuance of any building permits (except for up to fifteen model homes), the Subdivider shall provide a fire protection water supply in compliance with all provisions of Section 507 of the California Fire Code, to the satisfaction of the Chief Building & Fire Code Official.

c. Before issuance of any building permits for model homes, the Subdivider shall comply with the following requirements:

(1) In lieu of active hydrants onsite, a static water storage supply shall be provided in compliance with NFPA 1142, to the satisfaction of the Chief Building & Fire Code Official. The volume of water shall be based on the total cubic footage of all structures plus a 1.5 exposure coefficient.

(2) A separate static water supply shall be provided for each group of model homes throughout the subdivision, to the satisfaction of the Chief Building & Fire Code Official.

(3) Fire Department access to and from the static water supplies shall be provided, to the satisfaction of the Chief Building & Fire Code Official.

d. Before issuance of the first building permit (except for up to fifteen model homes), the Subdivider shall construct an all-weather, emergency vehicle access to the westerly terminus of the Phase 1A Spine Road. The emergency vehicle access shall be available to Police, Fire, and other necessary and relevant emergency responders. The design, location, and maintenance of the access shall meet City standards, to the satisfaction of the Fire Chief. The access shall be continuously maintained by the Subdivider until permanent access is developed and accepted for maintenance by the City.

e. Whenever 50 or more homes are under construction at the same time, the Subdivider shall provide an onsite trailer for the exclusive use of City inspection staff. The inspection trailer shall have a minimum size of 8' x 20' and be equipped with HVAC and basic furnishings, to the satisfaction of the Chief Building & Fire Code Official.

16. Phillips 66 Pipeline Easement. A Phillips 66 pipeline easement intersects the project site. Before approval of the first Final Map, the Subdivider shall

submit a copy of the Phillips 66 pipeline easement to the Development Services Director and enter into an agreement with the City, which shall be recorded against the Property, which stipulates that before issuance of each building permit, the Subdivider shall clearly mark and label each plot plan with the location of the 5-foot minimum setback line from the edge of the Phillips 66 pipeline easement, if applicable, to the satisfaction of the Development Services Director.

C. Engineering Division Conditions of Approval

C.1. General Conditions

C.1.1 Subdivider shall comply with the applicable requirements of the approved documents, technical analyses/reports prepared for the Project listed as follows:

a) *Tracy Hills Specific Plan* approved by City Council by Resolution _____ dated _____ and any amendments thereto.

b) Tracy Hills Specific Plan Recirculated Draft Subsequent Environmental Impact Report, Volume I; Section 4.13-Traffic and Circulation, prepared by Kimley-Horn Associates, dated October 2015, and

Traffic Analysis of Tracy Hills Specific Plan Area- Phase 1a Residential Units and School Only Analysis, prepared by Kimley-Horn, Associates, dated April 27 2015. *("Traffic Analysis)*

c) *Tracy Hills Phase 1A and 1B Sanitary Sewer Study Technical Memorandum* prepared by Ruggeri-Jensen-Azar, dated December 12, 2013 ("*Sanitary Sewer Study*") and reviewed by CH2M Hill.

d) *Tracy Hills Water Study Technical Memorandum* prepared by Ruggeri-Jensen-Azar, dated December 5, 2014 ("*Water Study*") and reviewed by West Yost Associates.

e) *Tracy Hills Storm Drainage Master Plan* prepared by Ruggeri-Jensen-Azar, dated November 2013 ("*Storm Drainage Master Plan*") and reviewed by Stormwater Consulting, Inc.

f) *Tier 2 Storm Drainage Study for Tracy Hills Phase 1A,* prepared by Ruggeri-Jensen-Azar, dated July 2015 ("*Tier 2 Storm Drainage Study*") and reviewed by Stormwater Consulting, Inc.

g) *Citywide Water System Master Plan* dated December 2012, prepared by West Yost Associates.

h) *Plan Line Study – Corral Hollow Road prepared by Ruggeri-Jensen-Azar* ("*Corral Hollow Road Plan Line*") reviewed by the City Engineer.

i) Any *Finance Implementation Plan* ("*FIP*"), as described in Section 10.20.060(b)(3)(B) of the Tracy Municipal Code, that is approved

by the City Council for the property described in the Tracy Hills Phase 1A Vesting Tentative Subdivision Map, Application No. TSM13-0005.

j) *Liquid Petroleum Pipeline Risk and California Aqueduct Flood Risk for the Proposed Tracy Hills School Site, Jefferson School District, City of Tracy, San Joaquin County, California* prepared by Wilson Geosciences, Inc. dated May 2013.

k) *Pipeline Safety Hazard Assessment, Tracy Hills Specific Plan* prepared by Place Works dated September 2014.

C.1.2 Subdivider shall comply with the requirements of the Development Agreement, approved by City Council on _____ ___, 2016, by Ordinance No. _____ (hereafter, the "Development Agreement"),

C.1.3 Timing of Compliance: The Applicant shall satisfy each of the following conditions prior to filing the first Final Map unless a different time for compliance is specifically stated in these Conditions of Approval. Any condition requiring an improvement that has already been designed and completed under a City-approved improvement agreement may be considered satisfied at the discretion of the City Engineer.

C.1.4 Maintenance for Major Program Roadways. Before approval of the first Final Map, the Subdivider shall assure that there will be sufficient funding to pay the Subdivider's proportionate share of the ongoing costs for maintenance of public landscaping, including urban forest, on major program roadways by entering into an agreement with the City, which shall be recorded against the entire Phase 1A property, which adopts and implements one of the following two options (a. or b.), subject to the approval of the Administrative Services Director:

a. CFD. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), Subdivider shall, at its sole expense, form a Community Facilities District (CFD) for the entire Project area, for funding the Subdivider's proportionate share of the ongoing maintenance costs of public landscaping, including urban forest, on major program roadways identified in the Citywide Roadway and Transportation Master Plan. Formation of the CFD shall include, but not be limited to, affirmative votes and the recordation of a Notice of Special Tax Lien. Upon successful formation, the Property will be subject to the maximum special tax rates as outlined in the Rate and Method of Apportionment. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit to the CFD (by submittal to the City's Administrative Services Director) an amount equal to the first year's taxes, except for any portion of this amount that has been previously collected by the special tax and already deposited in the CFD;

OR

b. Direct Funding. Before final inspection or occupancy of the first dwelling (except for up to fifteen model homes), the Subdivider shall deposit with the City an amount necessary, as reasonably determined by the City, to fund in perpetuity the full costs of funding the Subdivider's proportionate share of the ongoing maintenance costs of public landscaping, including urban forest, on major program roadways identified in the Citywide Roadway and Transportation Master Plan.

C.2. Improvement Plans

C.2.1 General.
The Subdivider shall complete the Improvement Plans to comply with all applicable laws, including the City Regulations (defined above) and these Conditions of Approval. Improvement Plans shall contain the design, construction details and specifications of improvements that is/are required to serve the Project. The Improvement Plans shall be drawn on a 24" x 36" size 4-mil thick polyester film (mylar) and 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.

C.2.2 Site Grading

C.2.2.1 Erosion Control
Improvement Plans shall specify the method of erosion control to be employed and materials to be used.

C.2.2.2 Grading and Drainage Plans
Submit a Grading and Drainage Plan prepared by a Registered Civil Engineer and accompanied by the Project's Geo-technical /Soils Engineering report. The report shall provide recommendations regarding adequacy of the site relative to the stability of soils such as soil types and classification, percolation rate, soil bearing capacity, highest observed ground water elevation, and others.

C.2.2.3 When the grade differential between the Project site and the adjacent property(s) exceeds 12 inches, a reinforced or masonry block wall, engineered slope, or engineered retaining wall is required for retaining soil. The Subdivider shall submit Retaining Wall Plans that includes the construction detail(s) and structural calculations of the retaining wall or masonry wall for City's review and approval.

C.2.2.4 If an engineered slope is used to retain soil subject to approval by the City Engineer, a slope easement will be necessary from the adjacent property. The Subdivider shall obtain a slope easement from owner(s) of the adjacent and affected property(s) and show the slope easement on the Final Map.

C.2.2.5 If applicable, show all existing irrigation structure(s), channel(s) and pipe(s) that are to remain or relocated or to be removed, if any, after coordinating with the irrigation district or owner of the irrigation facilities. If there are irrigation facilities including tile drains, that are required to remain to serve existing adjacent agricultural uses, the Subdivider shall design, coordinate and construct required modifications to the facilities to the reasonable satisfaction of the owner of the irrigation facilities and the City.

C.2.3. Grading Permit

The City will not accept a grading permit application for the Project as complete until the Subdivider has provided all relevant documents related to the grading permit required by the City Regulations and these Conditions of Approval, to the satisfaction of the City Engineer.

C.2.4. Storm Drainage

C.2.4.1 Site grading shall be designed such that the Project's storm drainage overland release point will be directed to an existing percolation retention pond, clean water pond, existing storm drainage easement or to public streets with a functional storm drainage system and that the storm drainage system within the public street has adequate capacity to drain storm water from the Property, proposed roadway, lot runoffs, landscaping, off-site flow-thru surface drainage, off-site Corral Hollow Road drainage improvements or private property subject to a drainage release.

C.2.4.2 All permanent underground storm drainage lines and structures to be maintained by the City shall be located within right-of-way to be dedicated to the City or within an easement. Interim facilities and storm drain lines and collection basins shall be maintained by the Subdivider.

Provide design and construction details for all storm water intercept points at Project boundary at I-580 showing adequate inlet structures, erosion control features, storm drainage easements and connections to the proposed storm drainage facilities in Spine Road.

Prior to acceptance of storm drainage facilities for maintenance by the City, the Subdivider shall revise the locations of the 50' wide openings in the Conservation Easements to align with existing drainage routes and proposed storm drainage intercept points into the Project on-site storm drainage system.

C.2.4.3 Storm drainage plans are to be submitted with the required hydrologic and hydraulic calculations for the sizing of storm drainage pipe(s) and shall comply with Storm Drainage Master Plan, Tier 2 Storm Drainage Study and City Regulations.

C.2.4.4 Prior to acceptance of maintenance of any public facilities by the City, the Subdivider shall prepare and obtain approval from the Public Works Department of a maintenance plan for all temporary and permanent storm drainage facilities to be maintained by the Subdivider or the HOA. The maintenance plan shall show the phasing of roadway construction, mass grading, drainage facilities, including collection channels, erosion control and protection of the Phillips 66 pipeline during construction. A SWPPP may be used as the maintenance plan with approval by the City Engineer.

C.2.4.5 Storm water designs shall show facilities needed for the collection and channeling of surface water runoff, and off-site flow-thru surface water runoff to underground storm drainage facilities within Spine Road such as temporary drainage collection channels and sedimentation ponds. These improvements shall be shown on the Grading Plans and be approved by the City Engineer before the issuance of a Grading Permit.

C.2.4.6 Since the Project will construct a terminal retention basin, it has been determined that the Project will be exempt from the Post Construction Stormwater Quality Standards. However, should new Federal or State regulations come into effect during the buildout of the Project that would require future compliance, then the Project would not be exempted from those new requirements.

SWPPP's shall be implemented during project construction. In addition, the Project may implement stormwater control measures such as disconnected roof leaders, non-contiguous street sidewalks (providing landscape strips/parkways), tree planting in parkways and use of drought tolerant landscape with drip irrigation systems and "intelligent" controllers. Similarly, public education measures regarding the damaging effects of pollutants to water quality may also be implemented.

C.2.4.7 All Storm Water structural and construction details that are not part of the City Standard Plans or City Design Standards shall be provided by the Subdivider and submitted to the City for approval as part of the improvement plans.

C.2.4.8 Subdivider shall dedicate appropriate easements and execute a maintenance agreement with the City to address maintenance, liability, permit compliance, and related items for Parcel E, to be owned and maintained by the HOA while the storm drainage system (72" pipe and associated facilities) will be owned and maintained by the City.

C.2.4.9 Subdivider shall coordinate with Police and Fire departments for safety measures to be incorporated in the improvement plans for the back alley/corridor shown as Parcel VV and Parcel XX which may include alley lighting and other improvements. These measures will be part of the improvement plans that include construction of facilities within these parcels.

C.2.4.10 All storm drainage retention basins/facilities, including Percolation Basin D, shall be contained within storm drainage parcels suitable for dedication to the City of Tracy. This basin shall be provided with appropriate fencing with warning signs as approved by the City Engineer, access roadways to and from public roadways and access roadways into the ponds for maintenance purposes. All storm drainage inlets into this basin shall have inlet structures with design acceptable to the City of Tracy.

C.2.4.11 Install a forebay in the bottom of RET D to collect and accumulate sediments and pollutants and facilitate future maintenance activities. The forebay shall be sized to hold 0.25 inches of runoff per impervious acre of the contributing watershed. Based on data regarding the storage requirements for RET D provided in the Tracy Hills Storm Drainage Master Plan and the Tier 2 Storm Drainage Study, the recommended volume for the forebay shall be 5 ac-ft. The forebay shall be linear and connect all three proposed pipe discharges into the basin. The forebay may be created by providing a berm (20-foot top width recommended) in the bottom of the basin. A stabilized spillway shall be provided across the berm to allow runoff entering the forebay to spill into the larger bottom area of the basin when the forebay storage exceeds 5 ac-ft. The spillway shall be sized to pass the 100-year combined peak inflow into the basin with freeboard.

C.2.4.12 Fixed vertical sediment depth markers shall be installed near discharge points into the forebay for RET D to assist with measurements of sediment deposition over time and future assessments of the need for maintenance activities.

C.2.4.13 All storm drainage facilities that run along the northerly boundary of Project, as part of the project on-site storm drainage collection system not located within Spine Road shall be located within a 20' wide utility maintenance easement. Subdivider shall provide access points for City maintenance vehicles.

C.2.4.14 Subdivider shall show adequate detail of the common storm drainage/sanitary sewer easement between Court 3M and Court 5L, between Court 3M and Spine Road, and easement between Street 6K and Parcel J. Details should show the dimensions of this easement, that this easement will be paved, show clearances to existing 16" oil line, and whether this easement will be gated or fenced off. This information shall be shown on the project Improvement plans for the respective neighborhood, and shall be approved by the City Engineer before Improvement Plan approval.

C.2.5. Sanitary Sewer

C.2.5.1 All sanitary sewer lines and associated improvements shall be designed and installed per the Sanitary Sewer Study and City Regulations. Before approval of Final Map(s) for the Project, Subdivider shall submit improvement plans and obtain approval for the plans for all on-site sewer improvements.

C.2.5.2 As referenced in Conditions C.2.5. and C.2.6, the terms "Program Funded City CIP Costs" and "Non-Program Funded Subdivider CIP Costs" shall mean the following:

Program Funded City CIP Costs - Costs applicable to CIP project if constructed by the City shall include costs of design, project management, program management, construction, inspection, construction management, contingencies and construction change orders as approved by the City.

Non-Program Funded Subdivider CIP Costs - Costs applicable to CIP project if constructed by the Subdivider shall include costs of design, project management, construction, inspection, construction oversight by City, contingencies and construction change orders as approved by the City.

C.2.5.3 There is insufficient conveyance capacity in the City's wastewater conveyance system for Tracy Hills build-out

("Choke Points"). The Choke Points will be resolved in three phases of improvements. City is in the process of constructing Phase 1 Choke Points improvements. Upon completion of the Phase 1 Choke Points improvements, limited conveyance capacity will be available for the Project. The available capacity will be made available to new developments in the City including the Project as per the Development Agreement.

The City does not currently have adequate program funding to construct Phase 2 & 3 Choke Points Improvements, but anticipates it will have adequate funding to construct the improvements by the time they are needed. If the City does not have adequate funding to construct the improvements by the time the improvements are needed to serve the Project, the Subdivider may pre-pay sewer fees in an amount equal to the funding needed to fund Phase 2 & 3 Choke Points improvements, subject to reimbursement from appropriate available program funds. The additional capacity available after completion of these improvements will be available to serve new developments including this Project, until the downstream capacity of the wastewater collection system is used and further improvements are triggered.

C.2.5.4 The Subdivider shall pay for the design and construction of the Sanitary Sewer Pump Station (SSPS) with sufficient capacity to service the Project, Phase 1B, Phase 2-4 and Phase 5B. This Pump Station shall be constructed on Subdivider's land to be dedicated by Subdivider, as approved and required by the City, and shall convey sewage through underground force main sewer pipes from the SSPS to Corral Hollow Road. The Non-Program Funded Subdivider CIP Costs for construction of this pump station and force main, as determined by the City, shall be borne by the Subdivider. Upon satisfactory completion of the SSPS improvements, as determined by City, the City will accept the land dedication and SSPS improvements for maintenance.

C.2.5.5 The Subdivider shall pay for all design costs incurred by the City and its consultant(s) for the sanitary sewer force main and the sanitary sewer gravity line from the SSPS to Node 1W near W. Linne Road (as shown in Wastewater Master Plan) per the improvement plans prepared by CH2M Hill and approved by the City ("Off-site Sewer Line Improvements"). After approval of the design by the City, the Subdivider shall pay for the City CIP Costs for the SSPS and Off-site Sewer Line Improvements (unless the Subdivider opts to construct these improvements as described below). If the Subdivider does not elect to

construct the Off-site Sewer Line Improvements in accordance with this condition of approval, the Subdivider shall pay to the City all related City CIP Costs either before approval of the first Final Map within the Project, or within 15 days from the date of written notice from the City that the project is ready for bid, whichever is earlier. Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding.

For the underground crossings of the sewer line at Delta Mendota Canal and California Aqueduct ("Crossing Improvements"), permits from appropriate regulating agencies will be required. The Subdivider may opt to construct the Crossing Improvements in full compliance with the permit requirements and subject to Subdivider's posting security as required by TMC section 12.36.080 and executing an Offsite Improvement Agreement approved by the City which, among other things, provides for Subdivider to fully indemnify City against any and all claims and liabilities that may arise from the construction of the Crossing Improvements.

In the event the Subdivider opts to construct the sanitary sewer improvements listed in Condition C.2.5.4 and C.2.5.5, the Subdivider shall enter into an improvement agreement (Offsite Improvement Agreement or OIA) and post improvement security in the amounts and form required by TMC section 12.36.080 and as required by these Conditions of Approval. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security before approval of the first Final Map within the Project. These improvements are not included in the Fee Program and no fee credits or reimbursements will be applicable.

C.2.5.6 Sanitary sewer improvements north of WWMP Node 1W up to the current terminus of the City's sanitary sewer line in Corral Hollow Road are required to be completed prior to final inspection or occupancy of first residential or commercial building within the Project, excluding Model Homes. These are program-funded improvements under a Capital improvement Project (CIP). However, City will not have collected sufficient program fees to construct this Project. As such, Subdivider shall deposit total Program Funded City CIP Costs of this CIP to the City at least 18 months prior to the occupancy of any residential or commercial buildings within the Project

Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding sufficient to make up the difference.

If Subdivider opts to construct this sewer line, the Subdivider shall enter into an Offsite Improvement Agreement and post improvement securities in accordance with TMC Section 12.36.080.

C.2.5.7 No final inspection of any residential building will be performed or certificate of occupancy for commercial building will be issued, with the exception of Model Homes, until the improvements listed in Conditions C.2.5.4 through C.2.5.6 are completed and functional, as determined by the City Engineer.

C.2.5.8 The Subdivider is hereby notified that the City has limited wastewater treatment capacity in the City's Wastewater Treatment Plant until current and future expansion capital improvement projects are completed and operational. As of January 2015, the City had an unused capacity of approximately 4200 EDU's within its wastewater treatment plant available to new development within the City on a first-come-first-served basis. These EDU's are currently available to serve the proposed project, but as other development projects within the City come forward and building permits are issued, this remaining capacity will be reduced.

C.2.5.9 Prior to the City's approval of the first Final Map within Project, the Subdivider shall dedicate to the City utility maintenance easements necessary for all sanitary sewer lines (gravity or force mains). All requirements relating to the access and maintenance by the Utilities Department and Public Works Department shall be incorporated into the improvement plans.

C.2.5.10 Subdivider is to coordinate with Utilities Department and Public Works Department for providing access to Sanitary Sewer Pump Station during the initial phases of construction when public streets are in construction.

C.2.6. Water Distribution System

C.2.6.1 All potable water lines and associated improvements as identified in the Water Study (Water Line Improvements) shall be designed and installed per City Regulations.

C.2.6.2 During the construction phases of the Project, the Subdivider shall be responsible for providing water

infrastructure (temporary or permanent) capable of delivering adequate fire flows and pressure appropriate to the various stages of construction and as approved by the City of Tracy Fire Code Official.

C.2.6.3 Prior to approval of each Final Map, the Subdivider shall submit calculations and improvement plans as required by the Fire Department and the City Engineer, and obtain a letter from the Fire Code Official that the fire flow parameters per Tracy Design Standards Section 6.02 are met for the phased construction of water lines to the satisfaction of the City of Tracy Fire Code Official.

C.2.6.4 The Subdivider shall complete design and construction of an at-grade water storage tank with a holding capacity of at least 3.5 MG (million gallons) and a booster pump station equipped with pumps that meets required domestic water and fire demand pumping capacity. These improvements are required to be complete, in place and operational before the final inspection of the 301st residential building within the Project.

All costs related to the design and construction of the water tank are the responsibility of the Subdivider. Before approval of first Final Map within the Project, the Subdivider shall execute a Deferred Improvement Agreement (DIA) to address timing, scope of work and funding responsibilities.

C.2.6.5 In order to serve the Project, prior to final building inspection of the 301st residential building, or prior to completion of the at-grade water storage tank, the Subdivider shall provide for the design and construction of a remote pressure sensing station to be located near the residential units to transmit pressure data from the distribution system back to the pump controls at the City's John Jones Water Treatment Plant ("JJWTP"). This temporary remote pressure sensing station shall be funded and maintained by the Subdivider.

The Subdivider shall enter into a DIA, to guarantee removal of the remote pressure sensing station when the at-grade storage tank, and pump station are constructed and operational. Costs of installation of the remote pressure sensing station are not eligible for fee credits or reimbursements. The DIA will also include any modifications required at the JJWTP until the at-grade storage tank and pump station are constructed and operational.

This requirement shall not apply if the at-grade water tank and pump station are constructed prior to final building inspection or occupancy for the first residential or commercial building excluding model homes within the Project.

C.2.6.6 The Project will require completion of construction of Tracy Hills Booster Pump Station at JJWTP before any water services can be provided by the City to serve the Project. This pump station and associated work ("JJWTP Improvements") shown in the approved improvement plans titled "Tracy Hills Booster Pump Station at JJWTP" prepared by West Yost Associates ("JJWTP Improvement Plans") is a Capital Improvement Project, and the entire cost of this CIP (except the cost of the 20-inch diameter City Side Zone 3 Water Line as shown in the JJWTP Improvement Plans) is the responsibility of the Subdivider.

The Subdivider has the option to pay to the City full cost of this CIP project (as provided above) or enter into an agreement with the City (which shall be approved by the City) for paying portions of the CIP cost at major milestones. Any overruns in costs as listed in Condition C.2.5.2 will be the responsibility of the Subdivider. The Subdivider shall be eligible to receive reimbursements for the cost of the 20-inch diameter City Side Zone 3 Water Line if the Subdivider pays for its installation. The timing of reimbursement, if from the City, will be addressed in the agreement specified above.

C.2.6.7 If the at-grade storage tank and booster pump station is not completed before final inspection of the structure that is the subject of the 100th building permit and subsequently before final inspection of 150th, 200th, and 250th building permits, the Subdivider shall demonstrate to the satisfaction of the City Engineer and Fire Code Official that required domestic and fire flow and water pressure are met by performing flow and pressure field tests.

C.2.6.8 The onsite Recycled Water Transmission mains are required to serve the Project. As part of the onsite improvements for the Project, the Subdivider shall install an 8-in Recycled Water main with the Spine Road improvements

Initially, the 8-in Recycled Water Main will be connected to a potable water supply (with a stub in place to future recycled water) as approved by the City until the program backbone Recycled Water facilities are in place. Once the

Recycled Water system network is online the 8-in Recycled Water distribution main will be disconnected from the Potable Water system and connected to the Recycled Water System as part of the Recycled Water Project by the City.

C.2.6.9 Prior to final inspection of the first residential building (excluding model homes),or issuance of certificate of occupancy for the first commercial building within the Project, the water line from the JJWTP to Corral Hollow Road and from Corral Hollow Road to the Project ("Offsite Water Line Improvements") per the approved improvement plans titled "Corral Hollow Road Utility Improvements – Water and Sewer Pipelines" prepared by CH2MHill ("Offsite Water Line Improvement Plans") must be constructed and operational.

The Subdivider can either have the City construct these improvements by depositing with the City an amount equaling the estimated Non-Program Subdivider CIP Costs or opt to construct the improvements.

For the crossings of the water line at Delta Mendota Canal and California Aqueduct ("Crossing Improvements"), permits from appropriate regulating agencies will be required. The City Subdivider may opt, to construct the Crossing Improvements in full compliance with the permit requirements and subject to Subdivider's posting improvement security as required by TMC section 12.36.080 and executing an Offsite Improvement Agreement approved by the City which, among other things, provides for Subdivider to fully indemnify City against any and all claims and liabilities that may arise from the construction of the Crossing Improvements.

If the City constructs the Crossing Improvements, the Subdivider shall pay to the City for City CIP Costs either before approval of the first Final Map within the Project, or within 15 days from the date of written notice from the City that the project is ready for bid, whichever is earlier. Upon receipt of the funds, City will proceed with bidding of the project. In the event the responsive bid as determined by the City is higher than the funding provided by the Subdivider, the Subdivider shall promptly provide additional funding sufficient to make up the difference.

If the Subdivider either constructs or pays for installation by the City, the 20-inch diameter City Side Zone 3 Water Line (shown as "Zone 3-C CL 20" Pipeline on the Offsite Water

Line Improvement Plans), the Subdivider shall be eligible to receive reimbursements for the cost of the 20" City Side Zone 3 Water Line. The amount and timing of reimbursement, if from the City, will be addressed in the agreement specified above.

In the event a portion of the "Zone 3-TH" CL Pipeline as shown on the Offsite Water Line Improvement Plans will be installed by a third party other than the City, the Subdivider shall pay the party that will install the "Zone 3-TH" CL Pipeline the cost of the pipeline prior to beginning of construction. The Subdivider shall provide to the City documentation of payment in full for the cost of the "Zone 3-TH" CL Pipeline prior to final inspection of the first building constructed within the Project.

C.2.6.10 In the event the Subdivider opts to construct the Off-site Water Line Improvements, the Subdivider shall enter into an OIA with the City and post improvement security in the amounts and form in accordance with section 12.36.080 of the TMC, and as required by these Conditions, prior to the approval of the first final map of any residential neighborhood, or issuance of building permit for the first commercial building, whichever occurs first. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security, before starting the installation of water lines.

C.2.6.11 Any public improvements required to be installed within the jurisdiction of the San Joaquin County (County) will require Subdivider to obtain an encroachment permit from the County. The Subdivider shall pay all permit and inspection fees associated with the construction of improvements within the County.

C.2.6.12 For all program and non-program Off-site Water Line Improvements that the Subdivider opts to construct, the Subdivider shall be responsible for notifying residents, business owner(s) and users, regarding construction work that involves traffic re-routing or other traffic related and access impacts to the existing residents and businesses. The Subdivider shall deliver the written notice, after approval by the City Engineer, to the affected residents or business owner(s) at least 72 hours before start of work. Before starting the work described in this section, the Subdivider shall submit a Work Plan acceptable to the City that demonstrates that there will be no interruptions to the water supply, and a Traffic Control Plan to be used during the installation of the offsite water mains and connections.

These plans and their costs are the sole responsibility of the Subdivider.

C.2.6.13 Domestic and Irrigation Water Services – The HOA will be responsible for the repair and maintenance of all valves, fittings on services related to all street right-of-way landscaping, and for all parcels to be owned by HOA and all HOA easements.

C.2.6.14 Where pressures at individual water services will be 80 psi or more, the Subdivider shall provide pressure reducing valves at the location approved by the City Engineer. The design operation of the individual pressure reducing valves for services shall be subject to approval by the Building Official.

C.2.6.15 Fire Service Line – The Subdivider shall design and install fire hydrants at the locations approved by the City's Fire Safety Officer and Chief Building Official. Before the approval of the Improvement Plans, the Subdivider shall obtain written approval from the City's Fire Safety Officer and Chief Building Official, for the design, location and construction details of the fire service connections to the Project, and for the location and spacing of fire hydrants that are to be installed to serve the Project.

C.2.6.16 In the event any additional right-of-ways and easements (temporary and/or permanent) including construction easements are required for program and non-program water and sewer line improvements, the Subdivider shall acquire such right(s)-of-way and easement(s), at the sub divider's sole cost and expense, prior to start of construction whether the Subdivider opts to construct such improvements or not.

Costs of right(s)-of-way and easement(s) acquisition for non-program improvements are not eligible for fee credits or reimbursements. Subdivider shall be eligible for fee credits and reimbursement for program improvements as provided in the City Regulations.

If required, the Subdivider may request the City to exercise its condemnation/ eminent domain powers for acquisition of right-of-way and easements. All costs of any condemnation process shall be paid for by the Subdivider.

C.2.7. Street Improvements

C.2.7.1 Subdivider is required to design and construct roadway and underground utility improvements to serve the Project, as identified in the sections applicable to Phase 1A of the

Final Subsequent EIR for the Tracy Hills Specific Plan Project ("EIR") and these Conditions of Approval. All improvements shall comply with City Regulations, and Tracy Hills Design Standards. Such improvements shall include, but are not limited to, roadways, water supply system, sewer system, storm drainage systems, curb and gutter, sidewalks, street lighting system, traffic signals, ITS systems, pavement and crosswalk striping, bicycle lanes and trails, roadway signage and street signs, median islands, turn lanes, landscaping, and all necessary related improvements as required by the City. Timing of completion of street improvements shall comply with these Conditions of Approval and as outlined in the Mitigation Measures listed in the EIR.

C.2.7.2 Corral Hollow Road Right of Way

Per the Citywide Roadway & Transportation Master Plan (CRTMP) that was adopted by City Council on November 26, 2012, pursuant to Resolution 2012-240, amended on November 19, 2013, Corral Hollow Road will be a 4-lane major arterial street with a raised median, sidewalks, bicycle facilities and landscaping, and depicted Corral Hollow Road Plan Line.

The Corral Hollow Road Plan Line established the amount of right-of-way to be dedicated from the Project along Corral Hollow Road. The Subdivider shall dedicate all rights-of-way necessary for the widening of Corral Hollow Road along the entire frontage of the Property on Corral Hollow Road to the project boundary along I-580. The dedication shall include Caltrans Right of Way and City of Tracy requirements that satisfies the roadway cross section shown on the Corral Hollow Road Plan Line, including a future westbound loop on-ramp at the interchange. The Subdivider shall also dedicate right-of-way for construction of intersection improvements with a traffic signal at Spine Road / Corral Hollow Road, for Phase 1A and project buildout requirements, including all turn lanes.

The Subdivider shall be eligible for fee Credits and/or reimbursements for right-of-way dedication beyond Project's frontage obligation per the CRTMP requirements.

C.2.7.3 Corral Hollow Road Improvements (Project Frontage)

The Subdivider shall design and construct the Corral Hollow Road Improvements in accordance with the Traffic Analysis, Corral Hollow Road Plan Line and City Regulations.

Prior to issuance of final inspection or occupancy of Model Homes and residential units the Subdivider shall complete

substantial portion of the Corral Hollow Road Improvements to provide adequate and safe traffic conditions on Corral Hollow Road to the satisfaction of the City Engineer. The improvements will include, but are not limited to, construction of, at a minimum, one southbound through lane, one southbound right-turn lane at Spine Road, one northbound through lane, one northbound left-turn lane at Spine Road, temporary concrete median island, including tapers, asphalt concrete pavement, water main, fire hydrants, storm drain lines, catch basins, traffic signal, pavement markings and striping, traffic signage, street lighting, roadway section construction and/or replacement, asphalt concrete overlay (where required), pavement transitions and other street and utilities improvements that are required to serve the Project based on the phasing plan approved by the City Engineer. Roadway design shall conform to STAA truck traffic requirements and Caltrans requirements.

Subdivider shall prepare improvement plans for Corral Hollow Road Improvements and obtain approval by the City Engineer before approval of the first Final Map within the Project.

Fee Credits and/or reimbursements for eligible costs of improvements beyond Project's frontage obligation per the CRTMP, will be determined based on the improvement plans to be approved by the City Engineer. Interim improvements are not eligible for fee credits or reimbursements and are the sole responsibility of the Subdivider.

C.2.7.4 In order to guarantee completion of the Corral Hollow Road Improvements, the Subdivider shall enter into an improvement agreement (SIA or OIA) and post an improvement security in the amounts and form in accordance with section 12.36.080 of the TMC and as required by these Conditions of Approval. The Subdivider shall submit the signed and notarized OIA with the necessary improvement security before approval of the first Final Map within the Project.

C.2.7.5 For any Corral Hollow Road Improvements considered frontage improvements (such as Subdivider's Frontage Obligation per the CRMP and landscape improvements behind the curb) and improvements within Caltrans right-of-way at I-580/Corral Hollow Road interchange that are not constructed or security posted with OIA at the time of approval of the first Final Map, the Subdivider shall enter into a DIA with the City.

The Subdivider shall submit the signed and notarized DIA before approval of the first Final Map within the Project. The Subdivider shall post improvement security in the amounts and form in accordance with TMC section 12.36.080 at the times specified in the DIA.

C.2.7.6 Traffic Control Plan - Before starting any work within City's right-of-way on Corral Hollow Road, the Subdivider shall submit a Traffic Control Plan for each phase of work, to show the method and type of construction signs to be used for regulating traffic at the work areas within these streets. The Traffic Control Plan shall be prepared by a Civil Engineer or Traffic Engineer licensed to practice in the State of California. Subdivider shall comply with Caltrans requirements and standards for any work conducted within Caltrans ROW.

C.2.7.7 The Subdivider shall design and construct Corral Hollow Road Improvements to meet the applicable requirements of the latest edition of the California Department of Transportation Highway Design Manual (CHDM) and the California Manual of Uniform Traffic Control Devices (MUTCD), the Applicable Law, and these Conditions of Approval.

C.2.7.8 The Tracy Hills Specific Plan EIR ("EIR") identifies the Project's traffic impacts that are to be mitigated by the Subdivider. The mitigation measures are summarized in Table 4.13-68, Transportation & Circulation EIR Mitigation Matrix, and are included herein by reference. Subdivider shall comply with the applicable mitigation measures as outlined in the EIR. Following is a list of traffic improvements for Phase 1A from the mitigation measures included with implementation requirements.

a) Corral Hollow Road/ I-580 EB Ramps (Mitigation Measure 4.13-14a, Intersection #1)

Prior to final inspection of the building that will generate 196 (cumulative) peak hour trips from the Project, the Subdivider shall install an all-way stop controlled intersection as an interim improvement. In order to guarantee timely installation of the stop signs, prior to final inspection of building generating 100 peak hour trips, the Subdivider shall obtain an encroachment permit from Caltrans. The installation of stop signs shall be included in the Deferred Improvement Agreement.

Prior to final inspection of a building that will generate 832 (cumulative) peak hour trips from the Project, the Subdivider shall install a traffic signal at the intersection. In order to guarantee timely installation of the traffic signal, prior to final inspection of building generating 700 peak hour

trips, the Subdivider shall obtain an encroachment permit from Caltrans. The installation of traffic signal shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and Caltrans, commence with an encroachment permit application process to install the all-way stop sign and signal not later than ninety (90) calendar days following approval of the Vesting Tentative Map by the City of Tracy. If the Subdivider / City is unable to obtain required permits from Caltrans, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort.

The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Any improvements installed that will be part of the Traffic Impact Fee Program (Fee Program) will be eligible for fee credits in accordance with City Regulations and the Development Agreement. The installation of traffic improvements at these locations will require Caltrans approval and an Encroachment permit from Caltrans.

b) Traffic Signal at Spine Road /Corral Hollow Road (Mitigation Measure 4.13-14a, Intersection #3)

A traffic signal at Spine Road / Corral Hollow Road shall be installed and made operational before final inspection of first building within the Project. The Subdivider shall provide improvement plans that show the design and construction details of the traffic signal and all associated intersection improvements such as turn lanes, signage and striping, traffic controller and power supply cabinet, traffic detecting loops and video camera for traffic monitoring, fiber optic traffic signal interconnect system and other improvements reasonably determined by the City Engineer to be necessary to operate a signalized intersection. The improvement plans shall be submitted prior to approval of the first final map (residential or commercial).

The traffic signal at Spine Road/ Corral Hollow Road is not included in the Fee Program, and hence the Subdivider shall pay for costs of design and construction of the traffic signal improvements.

c) Traffic Signal at Corral Hollow Road / Linne Road (Mitigation Measure 4.13-14a, Intersection #4)

The Subdivider shall design and install a traffic signal at the intersection that will have interconnect with the railroad

crossing controller. These improvements will require UPRR and CA PUC approval

Prior to final inspection of a building that will generate 396 (cumulative) peak hour trips from the Project, the Subdivider shall install a traffic signal at the intersection. In order to guarantee timely installation of the traffic signal, prior to final inspection of building generating 300 peak hour trips, the Subdivider shall obtain an encroachment permit / agreement from UPRR. The installation of the traffic signal shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and UPRR / CA PUC, commence an engineering design process for the traffic signal improvements not later than ninety (90) calendar days following approval of this Vesting Tentative Map by the City of Tracy. If the Subdivider is unable to obtain required permits from UPRR / CA PUC, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort.

The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Any improvements installed that will be part of the Traffic Impact Fee Program (Fee Program) will be eligible for fee credits in accordance with City Regulations and the Development Agreement.

d) Intersection Improvements at Tracy Boulevard / Linne Road (Mitigation Measure 4.13-14a, Intersection #5):

The Subdivider shall reconstruct the eastbound approach to an eastbound left turn lane and eastbound through lane, and the westbound approach to a westbound right turn lane and a westbound through lane

Prior to final inspection of a building that will generate 469 (cumulative) peak hour trips from the Project, the Subdivider shall install intersection improvements as identified in the EIR. In order to guarantee timely installation of said improvements, prior to final inspection of building generating 400 peak hour trips, the Subdivider shall submit improvement plans and obtain approval by the City Engineer. The Intersection Improvements shall be included in the Deferred Improvement Agreement.

The Subdivider shall, in collaboration with the City Engineer and UPRR / CA PUC (if required), commence with an

engineering design process for the intersection not later than ninety (90) calendar days following approval of the Vesting Tentative Map by the City of Tracy. If the Subdivider is unable to obtain required permits from UPRR / CA PUC, City shall issue building permits beyond the above-mentioned limits, provided that the Subdivider has, to the reasonable satisfaction of the City Engineer, diligently pursued its efforts to obtain the required permits and collaborated closely with City staff in this effort. The Subdivider shall submit a trip generation calculation with each building permit application or Final Map approval as directed by the City Engineer.

Alternatively, with the approval of the City Engineer, the Subdivider may install a traffic signal interconnected with the controller at the railroad crossing, which installation would be subject to approval by the City Engineer.

Any improvements installed that will be part of the ultimate (program) improvements may be eligible for fee credits in accordance with City Regulations and the Development Agreement.

e) Overlay Corral Hollow Road between I-580 and Linne Road (Mitigation Measure 4.13-14b)

Before final inspection or occupancy of the first building (excluding the Model Homes) within the Project, the Subdivider shall overlay the existing two lanes on Corral Hollow Road between I-580 right-of-way and railroad right-of-way including 100 feet of the easterly leg of Linne Road. The Subdivider shall provide improvement plans that show the design and construction details of the overlay improvements and shall commence with the improvement plans following approval of the Vesting Tentative Map. The improvement plans shall be approved prior to approval of the first final map (residential or commercial). The Overlay Improvements shall be included in the Off-site Improvement Agreement.

No fee credits or reimbursements shall be applicable for these improvements.

f) Interim / Permanent School Site and roadways (Mitigation Measures 4.13-15d, 4.13-15e and 4.13-15f)

The Subdivider shall provide roadways to the school that meet acceptable on and off-site storage for drop-off/pickup queuing, safety considerations, vehicular circulation, and bike and pedestrian access, per the City Standard Plans and Vesting Tentative Map.

Prior to approval of the Vesting Tentative Map, or when the first student from Phase 1a attends either Tracy Hills Elementary School or Tom Hawkins Elementary School or the new school located within the Project (Phase 1a) commences design, the Subdivider shall demonstrate that the following planning and design considerations are addressed to the satisfaction of the City Engineer:

- School driveways are located directly opposite proposed streets entering the residential neighborhood to maximize traffic and student safety.

- 10' concrete Pedestrian and bicycle paths, sidewalks, and crosswalks are provided.

- A Safe Routes to School Program (SRTS) is initiated in coordination with the School District for the Phase 1a school site. The SRTS Program shall be funded and developed by the Subdivider. The SRTS Program shall be developed when the School District applies for an Encroachment Permit from the City.

- The Subdivider shall fund the development of a Traffic Management Plan to the satisfaction of the City Engineer, the Police Department, and the Jefferson School District for the interim conditions when additional traffic would be generated to the interim school adjacent to the Tracy Hills Elementary School. The Traffic Management Plan shall be implemented when the temporary school building opens up for attendance and the first student from Tracy Hills attends the school(s).

g) Traffic Signal at Lammers Road / Old Schulte Road (Mitigation Measure 4.13-5a, Intersection #10)

The City has established a CIP Project for this interim improvement and partial funds have already been collected from other development projects as fair share payments and these other development projects funded the addition of the northbound left-turn lane only. The Applicant shall pay a proportionate share for the interim capacity improvements. These fees will be payable at the final inspection of the first building for the Project.

h) Traffic Signal at Internal Intersection at Business Park Main Driveway and Spine Road (Mitigation Measure 4.14-5a, Intersection #23)

A traffic signal at the Business Park Main Driveway and Spine Road shall be installed and made operational before

issuance of Certificate of Occupancy for the first commercial building permit for within the Project. The Subdivider shall provide improvement plans that show the design and construction details of the traffic signal and all associated intersection improvements such as turn lanes, signage and striping, traffic controller and power supply cabinet, traffic detecting loops and video camera for traffic monitoring, fiber optic traffic signal interconnect system and other improvements reasonably determined by the City Engineer to be necessary to operate a signalized intersection. The improvement plans shall be submitted prior to issuance of a building permit for the first commercial building within the Project. The installation of the traffic signal shall be included in the Deferred Improvement Agreement.

C.2.7.9 As the properties north of the Project along Corral Hollow Road develop, City will install fiber-optic lines to connect signals on Corral Hollow Road. In the interim, at the time of installation of traffic signals at Corral Hollow Road / Spine Road and other traffic signals with the Project, the Subdivider shall provide a functional communication system acceptable to the City Engineer, to connect the City's Traffic Control Management Center (TCMC) located at the City Hall to the traffic signals that will be constructed with this Project. Any required improvements at the TCMC to facilitate communications in the interim condition that is not part of the Master Plan Facilities, shall be installed at Subdivider's cost, and no fee credits or reimbursements will be applicable.

C.2.7.10 Bus shelter and turnout on Corral Hollow Road and Spine Road: The bus shelters and turnouts on Spine Road shall be constructed as part of the Spine Road Improvements. Bus turnouts and shelters on Spine Road shall be located at the two fire turnouts on Spine Road. The City will provide the construction details and materials specifications of the bus shelter. Timing of construction of bus shelters will be determined in the future based on the extension of TRACER's Fixed Route to serve the Project. In order to assure completion of construction of the bus shelters, the Subdivider may either enter into a DIA with security, or pay to the City the estimated cost for two bus shelters on Spine Road, and one bus shelter on Corral Hollow Road at the time of approval of the first Final Map within the Project.

C.2.7.11 Encroachment Permit. Before starting any work to be performed and improvements to be constructed within City's right-of-way, the Subdivider shall obtain an Encroachment Permit from the City. The Subdivider or its authorized representative shall submit all documents that

are required to process the Encroachment Permit including but not limited to, approved Improvement Plans, Traffic Control Plan that is prepared by and signed and stamped by a Civil Engineer or Traffic Engineer registered to practice in the State of California, payment of engineering review fees, copy of the Contractor's license, Contractor's Tracy business license, and certificate of insurance naming the City of Tracy as additional insured or as a certificate holder.

C.2.7.12 Dead-End Streets. A standard barricade and guardrail with appropriate traffic sign will be required at street ends. Alternatively, turnarounds meeting the requirements of Fire Department shall be provided at these dead-end streets.

C.2.7.13 Spine Road and Other In-tract Streets. The Subdivider shall dedicate all rights-of-way that are necessary to construct Spine Road and all the in-tract streets based on their respective cross sections shown on the Vesting Tentative Subdivision Map with the Final Map for the respective phase. The width of travel lanes, street median, landscaping strip and sidewalk shall be in accordance with the Vesting Tentative Subdivision Map.

Design and construction details of the in-tract streets such as asphalt concrete pavement, curb, gutter, sidewalk, street light, water main, fire hydrant, landscaping with automatic irrigation system, storm drain, catch basin and drop inlets, sanitary sewer main and lateral, water main, individual water service and meter, pavement marking and striping, traffic sign, driveway, handicap ramp and other street improvements shall comply with City Regulations and shall be shown on the Improvement Plans.

C.2.7.14 The Subdivider shall construct an all-whether, emergency vehicle access as required in Planning Division's Conditions.

The Subdivider and City shall enter into an EVA Agreement prior to the start of construction. This agreement will address access across private properties and maintenance responsibilities. The Subdivider shall submit improvement plans for any improvements required by the Police and Fire Departments, and agencies having jurisdiction. The Subdivider shall obtain any permits and/or easements that may be required for construction and use of the EVA. Required improvements may include but not limited to addition of gates with optical opening devices, turnouts, and gates at the California Aqueduct.

C.2.7.15 The Subdivider shall execute Grant of Easement documents for the Emergency Vehicle Access Easement at the time of approval of the first Final Map.

C.2.7.16 Prior to final inspection or certificate of occupancy for the 289th residential unit within the Project, a fire station and all related equipment shall be constructed and operational to serve Tracy Hills in accordance with the Citywide Public Safety Master Plan.

C.2.7.17 All intersections shall be designed to accommodate fire truck movements as required by the Fire Department.

C.2.7.18 Subdivider must provide and verify sight distances, where applicable, with regard to reverse lots and fence placements as required by the City Engineer.

C.2.8 Mini/Neighborhood and Community Parks

C.2.8.1 The Subdivider shall offer for dedication Parcels "A", "B" and "C" for park purposes on the Final Map that corresponds to the timing of completion of respective parks as identified in Planning's Conditions. The Subdivider shall design and construct the neighborhood park improvements consistent with the Tracy Hills Specific Plan and City Regulations. The Subdivider shall be eligible for neighborhood/mini park fee credits in accordance with the PI&RA and Title 13 of the TMC.

C.2.8.2 The Subdivider shall submit park improvement plans, signed and notarized improvement agreement ("Park Improvement and Reimbursement Agreement" or "PI&RA"), and Improvement Security in the amount and type specified in the City Regulations at the time of approval of the Final Map that corresponds to the timing of completion of the neighborhood park improvements specified in Planning Division's Conditions of Approval.

C.2.8.3 Before issuance of the first residential building permit (excluding model homes), the Subdivider shall submit park design alternatives for review by the City to determine the Phillips 66 pipeline impacts and overall grading over the future construction and use of Parks 1 & 2. The Subdivider's design engineer will be responsible for providing grading designs that will demonstrate that the proposed mass grading will facilitate park improvements construction without the requirement of major regrading or retaining walls.

C.2.9. Public Utility Easements

C.2.9.1 Undergrounding of Overhead Utilities. The existing overhead lines and poles shall be removed from the Project specifically along the west side of Corral Hollow Road. The Subdivider shall abandon any easements associated with these overhead lines that are no longer needed.

C.2.9.2 All private utility services to serve the Project such as electric, telephone and cable TV to the building must be installed underground, within right-of-way or a dedicated Public Utility Easement (PUE) and at the location approved by the City and the respective owner(s) of the utilities.

The Subdivider shall submit improvement plans for the installation of electric, gas, telephone and TV cable lines that are to be installed under the sidewalk or within the PUE. Underground utility conduits may be installed under the sidewalks, and underground boxes and structures may be located in the landscaped parkway next to the curb. All above-ground boxes and facilities shall be behind the sidewalk and within the PUE. Pop-outs to provide additional width of PUE where required to accommodate larger above-ground structures will be permitted subject to review and approval by Public Works Director and the City Engineer. Before approval of the first Final Map, the Subdivider shall complete the necessary coordination work with the respective owner(s) of the utilities to for approval.

C.2.9.3 Public Utility Easements on sideyard lots shall be adjusted in final neighborhood designs based on actual joint trench design requirements.

C.2.10 Phillip 66 Oil Pipeline Easement and Facilities

C.2.10.1 Prior to beginning of grading operations that may impact the existing Phillips 66 underground facilities within the Project, the Subdivider shall obtain signatures on the improvement plans by Phillips 66. Grading and improvement plans affecting Phillips 66 facilities shall comply with the applicable version of Phillip 66 Pipeline Encroachment Design and Construction Specifications. The Improvement plans shall contain an approval block for Phillip 66 indicating their approval of such designs.

C.2.10.2 Before the approval of the park improvement plans, the Subdivider shall submit evidence of approval of the park plans by Phillips 66 for the proposed park improvements consistent with the Parks Master Plan and as approved by the City. Subdivider shall provide a grading plan and

profiles showing cut/fill sections over the Phillips 66 pipelines within proposed park areas.

The Subdivider shall be responsible for design and construction of surface water drainage facilities within the Phillip 66 Oil Line Easement. All surface water within this easement shall be collected and channeled to the public storm drainage system within public roadways.

C.2.10.3 The Subdivider shall notify in writing the future buyers of lots about the existing Philips 66 easement and any requirements /restrictions relating to the existence of the easement. The Disclosure Statement(s) shall be made part of the Sale Deeds and recorded in compliance with the applicable law.

C.3. Final Map

The City will not approve any Final Map until the Subdivider demonstrates, to the satisfaction of the City Engineer, that all the requirements set forth in these Conditions of Approval are completed, including, but not limited to the following:

C.3.1 Subdivider has submitted one reproducible (mylar) copy of the approved tentative subdivision map for the Project after Subdivider's receipt of a notification of approval of the Tentative Subdivision Map. The signature of the owner of the Property on the Tentative Subdivision Map shall indicate the owner's consent to the preparation of the Tentative Subdivision Map and the proposed subdivision of the Property.

C.3.2 Each Final Map is prepared in accordance with the applicable requirements of the Tracy Municipal Code, these Conditions of Approval, all other applicable City Regulations, and in substantial conformance with the Tentative Subdivision Map.

C.3.3 Each Final Map includes and shows offer(s) of dedication of all right(s)-of-way and/or temporary or permanent easement(s) required by the Improvement Plans and Final Map, in accordance with City Regulations and these Conditions. If construction easement(s) is/are shown, it/they shall indicate the termination date of the construction easement(s).

C.3.4 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 horizontal control points to a minimum of two separate points adjacent to or within the Property described by the Final Map.

C.3.5 Subdivider has submitted a signed and stamped Engineer's Estimate that show construction cost of subdivision improvements that are described in Conditions C.2 above plus10% for construction contingencies.

C.3.6 Subdivision Improvement Agreement. Before the City's approval of any Final Map, the Subdivider shall execute a Subdivision Improvement Agreement (for the public facilities required to serve the real property described by the Final Map), and post all required improvement security in accordance with City Regulations.

Phasing Plan and Deferred Improvement Agreement- Prior to Subdivider's submittal to the City of the first Final Map for City approval, Subdivider shall submit for the City Engineer's review and reasonable approval a phasing plan for the submittal of all Final Maps to be filed for this Vesting Tentative Subdivision Map. The phasing plan may be subject to subsequent modifications based on market conditions, the rate of development, and Subdivider's disposition of the parcels created by the Final Maps. Prior to the City's approval of the first final map within the Project, the Subdivider shall execute a Deferred Improvement Agreement, in substantial conformance with the City's standard form agreement, by which (among other things) the Subdivider agrees to complete construction of all remaining public facilities (to the extent the public facilities are not included in the Subdivision Improvement Agreement) which are required by these Conditions of Approval. The Deferred Improvement Agreement shall identify timing requirements for construction of all remaining public facilities, in conformance with the phasing plan submitted by the Subdivider and approved by the City Engineer.

C.3.7 Improvement Security. The Subdivider shall provide improvement security for all public facilities, as required by Subdivision Improvement Agreement or Offsite Improvement Agreement. The form of the improvement security may be a surety bond, letter of credit or other form in accordance with City Regulations. The amount of the improvement security shall be as follows:

C.3.7.1 Faithful Performance (100% of the estimated cost of constructing the public facilities),

C.3.7.2 Labor & Material (100% of the estimated cost of constructing the public facilities), and

C.3.7.3 Warranty (10% of the estimated cost of constructing the public facilities)

C.3.7.4 Monumentation ($750 multiplied by the total number of street centerline monuments that are shown on the Final Map)

C.3.8 Subdivider has paid engineering review fees including improvement plan checking, final map review, agreement processing, and all other fees required by these Conditions of Approval and City Regulations.

C.3.9 Subdivider has submitted technical or materials specifications, cost estimate, and technical reports related to the design of improvements that are shown on the Improvement Plans and as required by these Conditions.

C.3.10 Subdivider has submitted hydrologic and storm drainage calculations for the design and sizing of in-tract storm drainage pipes located within the Project.

C.3.11 Subdivider has submitted signed and stamped Improvement Plans as required in Condition C.2 above.

C.4. Grading and Encroachment Permit

No applications for grading and encroachment permits will be accepted by the City as complete until the Subdivider has provided all documents required by these Conditions and City Regulations, to the reasonable satisfaction of the City Engineer, including, but not limited to, the following:

C.4.1 Grading and Drainage Plans prepared on a 24" x 36" size polyester film (mylar). Grading and Drainage Plans shall be prepared under the supervision of, and stamped and signed by a Registered Civil Engineer.

C.4.2 Payment of the applicable Grading Permit fees which include grading plan checking and inspection fees, and other applicable fees as required by these Conditions of Approval.

C.4.3 Three sets of the Storm Water Pollution Prevention Plan (SWPPP) identical to the reports submitted to the State Water Quality Control Board (SWQCB) and any documentation or written approvals from the SWQCB including a copy of the Notice of Intent (NOI) with the state-issued Wastewater Discharge Identification number (WDID). After the completion of the Project, the Subdivider is responsible for filing the Notice of Termination (NOT) required by SWQCB, and shall provide the City, a copy of the completed Notice of Termination.

C.4.4 Cost of preparing the SWPPP, NOI and NOT including the annual storm drainage fees and the filing fees of the NOI and NOT shall be paid by the Subdivider. The Subdivider shall comply with all the requirements of the SWPPP and applicable Best Management Practices (BMPs) and the Storm Water Regulations adopted by the City in 2008 and any subsequent amendment(s), and the City Regulations.

C.4.5 Two sets of the Project's Geotechnical Report signed and stamped by a licensed Geo-technical Engineer licensed to practice in the State of

California. The technical report must include relevant information related to soil types and characteristics, soil bearing capacity, percolation rate, roadway section construction recommendations and elevation of the highest observed groundwater level.

C.4.6 A copy of the Approved Fugitive Dust and Emissions Control Plan that meets San Joaquin Valley Air Pollution Control District (SJVAPCD) as required in Mitigation Monitoring and Reporting Program of the Tracy Hills Specific Plan Final Environmental Impact Report (TH-EIR).

C.4.7 Two sets of Hydrologic and Storm Drainage Calculations for the design of the on-site storm drainage system and for determining the size of the project's storm drainage connection.

C.4.8 Reasonable written permission from irrigation district or affected owner(s), if applicable as required in Condition C.2.2.5, above. The cost of relocating and/or removing irrigation facilities and/or tile drains is the sole responsibility of the Subdivider.

C.4.9 Written approval(s) or permit(s) obtained from San Joaquin County regarding the removal and abandonment of any existing well(s), if applicable. All existing on-site wells, if any, shall be abandoned or removed in accordance with the City and San Joaquin County requirements. The Subdivider shall be responsible for all costs associated with the abandonment or removal of the existing well(s) including the cost of permit(s) and inspection.

C.4.10 Improvement Plans prepared on a 24" x 36" size 4-mil thick polyester film (mylar) that incorporate all the requirements described in these Conditions of Approval. 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.

C.4.11 Two sets of structural calculations for drainage structures and retaining walls within street right-of-way and retention basins signed and stamped by a Structural Engineer licensed in the State of California.

C.4.12 Signed and stamped Engineer's Estimate that summarizes the cost of constructing all the public improvements shown on the Improvement Plans.

C.4.13 Signed and notarized Offsite Improvement Agreement (OIA) and Improvement Security, to guarantee completion of the identified public improvements that are necessary to serve the Project as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with Section 12.36.080 of the Tracy Municipal Code (TMC), and the OIA.

C.4.14 Signed and notarized Deferred Improvement Agreement (DIA) and Improvement Security, to allow deferment of completion of improvements as required by these Conditions of Approval. The form and amount of Improvement Security shall be in accordance with the

DIA and Section 12.36.080 of the TMC, or pursuant to the terms of the Development Agreement, as appropriate.

C.4.15 Check payment for the applicable engineering review fees which include plan checking, permit and agreement processing, testing, construction inspection, and other applicable fees as required by these Conditions of Approval. The engineering review fees will be calculated based on the fee rate adopted by the City Council on April 15, 2014, per Resolution 2014-059.

C.4.16 Traffic Control Plan for each phase signed and stamped by a Registered Civil Engineer or Traffic Engineer licensed in the State of California.

C.4.17 As required per Mitigation Measure 4.8-2a of the EIR, the Subdivider shall submit, prior to issuance of grading permits, a Phase II ESA focused on soil sampling and/or soil vapor sampling conducted near the location of the underground crude oil pipelines, as determined by a qualified Phase II/Site Characterization specialist.

C.4.18 As required per Mitigation Measure 4.8-2b of the EIR, prior to issuance of grading permits, the Subdivider shall work with Conoco Phillips to implement and observe a site damage prevention plan to the satisfaction of the City of Tracy Engineering Division.

C.5. Building Permit

The City will not approve any building permit within the Project boundaries until a Final Map is approved by the City Council and it is recorded at the San Joaquin County Recorder's Office, and the Subdivider demonstrates, to the reasonable satisfaction of the City Engineer, compliance with all the required Conditions including, but not limited to, the following, except that the timing of payment of fees shall be as approved in the Development Agreement:

C.5.1 Check payment of the applicable City Wide Roadway and Traffic, Water, Recycled Water, Wastewater, Storm Drainage, Public Safety, Public Facilities, and Park Development Impact Fees (adopted by Resolution 2014-010) as these relate to the Project and as required by these Conditions of Approval.

C.5.2 Check payment of applicable Regional Transportation Impact Fees (RTIF) as required in the Mitigation Monitoring and Reporting Program of the Final Environmental Impact Report and these Conditions of Approval.

C.5.3 Check payment of any applicable Agricultural Conversion or Mitigation Fee as required in Chapter 13.28 of the Tracy Municipal Code and the Mitigation Monitoring and Reporting Program of Tracy Hills Final Environmental Impact Report and these Conditions of Approval.

C.5.4 Payment of the San Joaquin County Facilities Fees as required in Chapter 13.24 of the TMC.

C.5.6 The Project developer(s) shall be required to pay the Transportation Impact Fee established pursuant to the written Agreement by and between the City of Tracy, LTA, the Sierra Club, the County of Alameda, and the City of Livermore to the City of Tracy prior to issuance of building permits for any residential portion of the Project. Said condition shall be incorporated into any development agreement or similar agreement if entered into by the developer and the City of Tracy. Said condition shall constitute the only regional traffic impact fee charged against the Project.

C.6. Final Building Inspection

The City will not perform final building inspection until after the Subdivider provides documentation which demonstrates, to the reasonable satisfaction of the City Engineer, that:

C.6.1 The Subdivider has completed construction of all public facilities required to serve the building for which a certificate of occupancy is requested or a final building inspection has to be performed unless otherwise defined herein. Unless specifically provided in these Conditions, or the City Regulations, 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).

C.6.2 The Subdivider shall pay a fair share towards the cost of constructing the interim improvements at the Lammers Road/Old Schulte Road intersection, as determined by the City Engineer.

C.7. Temporary or Final Building Certificate of Occupancy

No Final Building Inspection shall be performed or a Temporary or Final Building Certificate of Occupancy will be issued by the City until after the Subdivider provides reasonable documentation which demonstrates, to the satisfaction of the City Engineer, that:

C.7.1 The Subdivider has satisfied all the requirements set forth in these Conditions of Approval.

C.7.2 The Subdivider has completed construction of all required public facilities for the building for which a certificate of occupancy is requested, unless otherwise defined herein. Unless specifically provided in these Conditions of Approval, or some other applicable City Regulations, the Subdivider shall use diligent and good faith efforts in taking 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).

C.8. Acceptance of Public Improvements

Public improvements will not be considered for City Council's acceptance until after the Subdivider demonstrates to the reasonable satisfaction of the City Engineer, completion of the following:

C.8.1 All the public improvements shown on the Improvement Plans are completed and all the deficiencies listed in the deficiency report prepared by the assigned Engineering Inspector are all corrected.

C.8.2 Subdivider has completed the 90-day public landscaping maintenance period.

C.8.3 Subdivider has submitted Certified "As-Built" Improvement Plans (or Record Drawings). Upon completion of the construction by the Subdivider, the City shall temporarily release the originals of the Improvement Plans to the Subdivider so that the Subdivider will be able to document revisions to show the "As Built" configuration of all improvements.

C.8.4 Signed and notarized Grant Deed(s) with legal description(s) and plat maps for the offer of dedication of right-of-way, and Grant of Easements as required per these Conditions of Approval and City Regulations, or dedications shown on the Final Map.

C.9. Release of Improvement Security

City will release Improvement Security(s) to the Subdivider after City Council's acceptance of public improvements, both on-site and off-site, in accordance with TMC section 12.36.080, upon written request and submittal of the recorded Notice of Completion.

C.10. Special Conditions

C.10.1. All streets and utilities improvements within City's right-of-way shall be designed and constructed in accordance with City Regulations, except as otherwise specifically approved in the Tracy Hills Specific Plan.

C.10.2 When street cuts are made for installation of utilities, the Subdivider is required to install 2 inches thick asphalt concrete overlay with reinforcing fabric at least 25 feet from all sides and for the entire length of the utility trench. A 2 inches deep grind on the existing asphalt concrete pavement will be required where the asphalt concrete overlay will be applied and shall be uniform thickness in

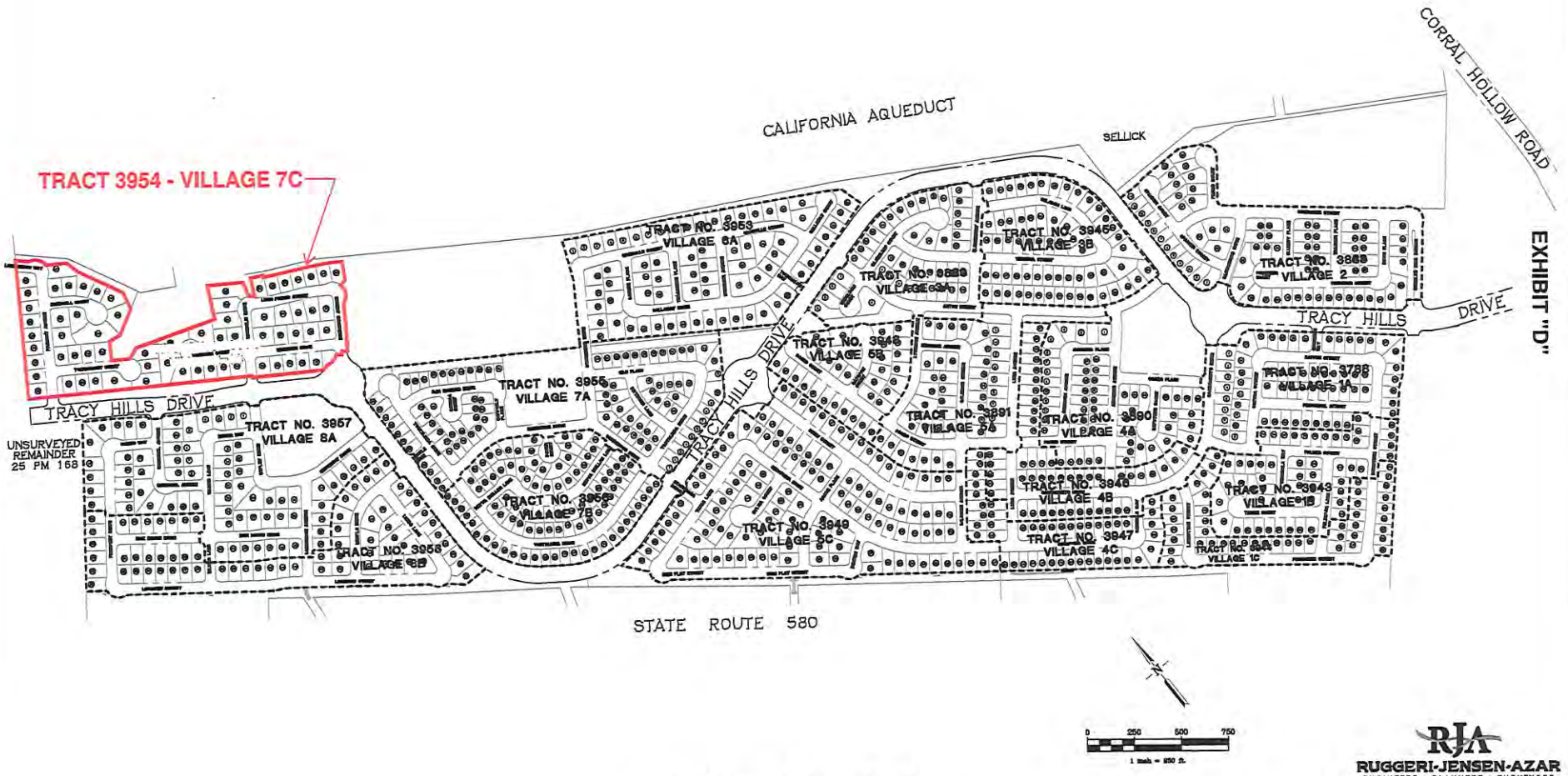
order to maintain current pavement grades, cross and longitudinal slopes. If the utility trench extends beyond the median island, the limit of asphalt concrete overlay shall be up to the lip of existing gutter located along that side of the street.

C.10.3. All improvement plans shall contain a note stating that the Developer (or Contractor) will be responsible to preserve and protect all existing survey monuments and other survey markers. Any damaged, displaced, obliterated or lost monuments or survey markers shall be re-established or replaced by a licensed Land Surveyor at the Developer's (or Contractor's) sole expense. A corner record must be filed in accordance with the State law for any reset monuments (California Business and Professions Code Section 8871).

C.10.4. Benefit District – The Subdivider may make a written request to the City for the formation of a Benefit District, before the approval of the final map and improvement plans for the public facility(s) considered to be oversized that benefits other property(s) or development(s). Reimbursement request(s) will be processed in accordance with TMC Chapter 12.60.

C.10.5. Nothing contained in these Conditions shall be construed to permit any violation of City Regulations. Subject, however, to City Regulations, this Condition does not preclude the City from requiring pertinent revisions and additional requirements to the final map, improvement agreements, and improvement plans, before the City Engineer's signature on the final map and improvement plans, if the City Engineer finds it necessary due to public health and safety reasons. (Government Code section 66498.6.) The Subdivider shall bear all the cost for the inclusion, design, and implementations of such additions and requirements, without reimbursement or any payment from the City.

EXHIBIT "D"



TRACY HILLS PHASE 1A

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
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DATE: JULY 30, 2018 JOB NO. 121053

RESOLUTION 2021-_____

APPROVING THE FINAL SUBDIVISION MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 3954, TRACY HILLS VILLAGE 7C, AND AUTHORIZING THE CITY CLERK TO FILE THE AGREEMENT WITH THE OFFICE OF THE SAN JOAQUIN COUNTY RECORDER

WHEREAS, A Small-Lot Vesting Tentative Subdivision Map for Tracy Hills Phase 1A, Tract 3788 (VTSM), with approximately 1,160 single-family residential lots, an approximately 50 acre mixed-use business park/commercial retail area, three public parks, school site, and numerous other HOA owned and maintained parcels, was approved by the Tracy City Council on April 5, 2016, pursuant to Resolution No. 2016-066, and

WHEREAS, An Amendment to the Tracy Hills Specific Plan and various related land use entitlement changes including a Vesting Tentative Subdivision Map for Tract 3954, Tracy Hills Village 7C, which increased the number of lots within the Village 7C area from 73 single-family residential lots to 132 duet-type residential lots, was approved by the Tracy City Council on October 20, 2020, pursuant to Resolution No. 2020-181, and

WHEREAS, The Final Subdivision Map for Tract 3954, Tracy Hills Village 7C, consists of 132 duet-type residential lots within the boundaries of the aforementioned approximately 1,160 lot Tracy Hills Phase 1A project, and

WHEREAS, The Conditions of Approval for the Village 7C Vesting Tentative Subdivision Map require the Subdivider to design and construct certain on-site improvements connected with the approval of the Final Subdivision Map pursuant to the Subdivision Map Act, the Subdivision Ordinance, and applicable City Standards, and

WHEREAS, The Improvement Plans, Specifications, and Cost Estimates for the required improvements have been prepared on behalf of the Subdivider, and approved by the City Engineer, and

WHEREAS, The Subdivision Improvement Agreement (SIA) addresses construction of Bardwell Court, Lenin Priego Street, Drummond Avenue, Mandolin Drive, Markham Court, Markham Drive, Pageant Avenue and Tournament Court, and other in-tract improvements associated with the 132 lots that will be developed by the Subdivider as part of Tracy Hills Village 7C, and

WHEREAS, The SIA is intended to replace and supersede the Inspection Improvement Agreement for Tract 3954, Tracy Hills Village 7C, which was approved by the City Manager on December 29, 2020, and subsequently executed by the City and Subdivider, and

WHEREAS, The Subdivider has executed the SIA and has posted the required securities to guarantee completion of the improvements, and

WHEREAS, Upon completion of all improvements, the City will accept the improvements and will accept all offers of dedication of public right-of-way, and

WHEREAS, The Subdivider will pay for the cost of engineering inspection and processing the agreement;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves the Final Subdivision Map and Subdivision Improvement Agreement for Tract 3954, Tracy Hills Village 7C, and authorizes the City Clerk to file the Subdivision Improvement Agreement with the Office of the San Joaquin County Recorder.

* * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was passed and adopted by the Tracy City Council on the 4th day of May 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

May 4, 2021

AGENDA ITEM 1.C

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1305, AN ORDINANCE OF THE CITY OF TRACY APPROVING AMENDMENTS TO THE ELLIS SPECIFIC PLAN, INCORPORATING THE AVENUES SPECIFIC PLAN PROPERTY INTO THE ELLIS SPECIFIC PLAN AND VARIOUS OTHER AMENDMENTS; APPLICATION NUMBER SPA20-0007

EXECUTIVE SUMMARY

Ordinance 1305 was introduced at the regular Council meeting held on April 20, 2021. Ordinance 1305 is before Council for adoption.

DISCUSSION

The Ellis Specific Plan (ESP) was approved by the City Council on January 22, 2013. It includes 321 acres and, at build out, provides for a range of between 1,000 and 2,250 residential dwelling units, parks, a 14-acre Village Center (for retail or other commercial development or multi-family dwellings), and a 30-acre Limited Use area (proposed for self-storage and office space). To date, several hundred homes and certain park spaces have been constructed within the ESP area, while continued development and construction is underway.

The proposed ordinance reflects the request to combine the Ellis Specific Plan (ESP) and the Avenues Specific Plan (ASP) under the name “Ellis Specific Plan”. No changes are proposed to the residential or commercial land uses, development density, or the number of allowed dwellings or amount of non-residential development of both the ESP and ASP. Surland proposes to combine the specific plans because it proposes to incorporate the ASP area into the ESP Property Owners Association (EPOA) for maintenance and operation of common areas and other EPOA activities.

The proposed amendments will also update street sections and utility descriptions to be consistent with City-approved tentative maps. Proposed amendments will also include improvement plans, and as-built conditions; update figures for pedestrian, trail, and bicycle networks; update graphics and descriptions of the Aquatic Park; add the new one-half acre park; update examples of homes that reflect traditional styles in the Pattern Books; update sign locations and examples; and other minor updates.

STRATEGIC PLAN

This agenda item is a routine development application and does not relate to the City Council’s strategic plans.

FISCAL IMPACT

City resources to review and process this development application were offset by a Cost Recovery Agreement with the applicant approved on February 1, 2012.

RECOMMENDATION

That the City Council waive reading of the full text and adopt an ordinance amending the Ellis Specific Plan, incorporating the Avenues Specific Plan property into the Ellis Specific Plan and various other amendments; Application Number SPA20-0007.

Prepared by: Necy Lopez, Deputy City Clerk

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment A: Ordinance 1305

ORDINANCE 1305

APPROVING AMENDMENTS TO THE ELLIS SPECIFIC PLAN, INCORPORATING THE AVENUES SPECIFIC PLAN PROPERTY INTO THE ELLIS SPECIFIC PLAN AND VARIOUS OTHER AMENDMENTS; APPLICATION NUMBER SPA20-0007

WHEREAS, On January 22, 2013, the City Council approved the Ellis Specific Plan (ESP) and related General Plan amendment for the approximately 321-acre Specific Plan site (Resolution 2013-012), and

WHEREAS, Construction and improvements of the ESP area are underway and, unrelated to the current application, the City Council has previously amended the ESP on March 5, 2019 (Ordinance 1266), April 3, 2018 (Ordinance 1251), and May 17, 2016 (Resolution 2016-098), and

WHEREAS, On September 18, 2018, the City Council approved the Avenues Specific Plan (ASP) for the approximately 95-acre Specific Plan site (Ordinance 1262), and

WHEREAS, The ASP Zone is codified in Tracy Municipal Code Chapter 10.08, Article 22.8, Section 10.08.3026, and

WHEREAS, The developer of the ESP and ASP, The Surland Companies (Surland), has submitted an application to incorporate the ASP property into the ESP and make other, various amendments to the ESP, such that the amended ESP would become the governing specific plan for both the ASP area and the ESP area, and the ASP would have no further force and effect, and

WHEREAS, The proposed amendments will also update street sections and utility descriptions to be consistent with City-approved tentative maps, improvement plans, and as-built conditions; update figures for pedestrian, trail, and bicycle networks; update graphics and descriptions of the Aquatic Park; add the new Schoolhouse Park; update examples of homes that reflect traditional styles in the Pattern Books; update sign locations and examples; and other minor updates, and

WHEREAS, Surland requested the ASP property be incorporated into the ESP because the two specific plans currently share a common boundary; reflect common designs; contain similar development and construction standards (such as sidewalk design and street width), amenities (such as parks), and architectural design guidelines, and

WHEREAS, Development within the existing, 321-acre ESP area is subject to the terms and conditions of that certain Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, dated April 18, 2013 and recorded in the official records of San Joaquin County as Document Number 2013-119548 (the “DA”). The DA applies to the property within the existing ESP area but does not apply to the property within the existing ASP area. Similarly, the Ellis Program Area Finance and Implementation Plan dated August 20, 2013 (the “Ellis FIP”) applies to the property within the existing ESP area but does not apply to the property within the existing ASP area, which is subject instead to the City-wide Master Plans for purposes of providing all public infrastructure and services, including without limitation circulation infrastructure, utilities, parks, and public services. These applications will not change any of the terms, conditions, or coverage of the DA or the Ellis FIP, and the DA and the Ellis FIP will continue to apply to the 321-acre, Ellis Neighborhood of the amended ESP but will not apply to the 95-acre, Avenues Neighborhood of the amended ESP area, and

WHEREAS, The proposed Specific Plan Amendments are consistent with the General Plan land use, housing, public facilities and services, and other elements; the City's infrastructure master plans; and contain requirements for the project to pay its fair share of infrastructure costs required by the master plans, and

WHEREAS, The Planning Commission conducted a public hearing to review the requested actions on February 24, 2021, and

WHEREAS, The City Council conducted a public hearing to review the requested actions on April 20, 2021;

NOW, THEREFORE, The City Council of the City of Tracy does ordain as follows:

SECTION 1: The City Council approves the ESP Amendment to incorporate the ASP area property into the ESP and other amendments to the ESP as identified in Exhibit 1, including the following text which shall be added to the title/description at the bottom of Figures 2.31 and 2.33:

> Figure 2.31 - "This figure is illustrative and does not represent all of the design requirements of this intersection nor does it represent the final configuration of the turning movements shown. The design of this intersection shall be based on the technical Memorandum by Kimley-Horn "Lammers Road and Ellis Town Drive Traffic Analysis" dated May 1, 2019, Ellis FEIR and Addendums, and City Design Standards; as approved by the City Council."
>
> Figure 2.33 - "This figure is illustrative and does not represent all of the design requirements of this intersection nor does it represent the final configuration of the turning movements shown. The design of this intersection shall be based on City's Roadway Master Plan and City Design Standards, and final design documents for capital improvement project as approved by the City Engineer."

SECTION 2: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 3: This Ordinance shall be published once in a newspaper of general circulation within 15 days from and after its final passage and adoption.

* * * * * * * * * * * *

The foregoing Ordinance 1305 was introduced at a regular meeting of the Tracy City Council on the 20th day of April, 2021, and finally adopted on the ___ day of _____, 20__, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Exhibit 1 – (Combined ESP and ASP) Ellis Specific Plan

Exhibit 1

ELLIS SPECIFIC PLAN

Tracy, California

Prepared for
The City of Tracy

Submitted by
The Surland Companies

Ellis APPROVED
Application No. SPA11-0002, Tracy Resolution 2013-012, January 22, 2013

Ellis AMENDED
Application No. SPA15-0003, Tracy Ordinance 1251, April 3, 2018 (incorporated herein)
Application No. SPA19-0001, Tracy Ordinance 1266, March 5, 2019 Amendment to Fence Regulations and Minimum Lot Width Requirements (attached hereto)

Avenues APPROVED
Application No. SPA16-0003, Tracy Ordinance 1262, September 18, 2018

Ellis and Avenues AMENDED
Application No. SPA20-0007, Tracy Ordinance _____, _____ __, 2021



ELLIS SPECIFIC PLAN

Tracy, California

Prepared for
The City of Tracy

Submitted by
The Surland Companies

Ellis APPROVED
Application No. SPA11-0002, Tracy Resolution 2013-012, January 22, 2013

Ellis AMENDED
Application No. SPA15-0003, Tracy Ordinance 1251, April 3, 2018 (incorporated herein)
Application No. SPA19-0001, Tracy Ordinance 1266, March 5, 2019 Amendment to Fence Regulations and Minimum Lot Width Requirements (attached hereto)

Avenues APPROVED
Application No. SPA16-0003, Tracy Ordinance 1262, September 18, 2018

Ellis and Avenues AMENDED
Application No. SPA20-0007, Tracy Ordinance _____, _____ __, 2021

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CHAPTER 5. GLOSSARY

APPENDIX

A1 Ellis Pattern Book: Urban Design Associates

A2 Ellis Additional Landscape Features/Character Elements And Sign Program: Gates+Associates

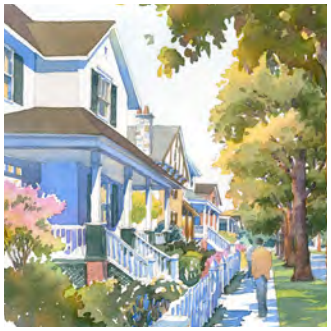
B1 Avenues Pattern Book: Urban Design Associates

B2 Avenues Additional Landscape Features/Character Elements And Sign Program: Gates+Associates

C Ellis Specific Plan Area

D Amendments

Chapter 1. Introduction



1.1 Background

Ellis is a planned mixed-use community being built in Tracy, California. The original Ellis Specific Plan was approved by the Tracy City Council on January 22, 2013 by City Council Resolution 2013-012. The Avenues Specific Plan was approved by the Tracy City Council on September 18, 2018 by City Ordinance 1262. On April 20, 2021, the Tracy City Council approved certain amendments to the Ellis Specific Plan to merge the Avenues Specific Plan area into the Ellis Specific Plan. The City Coun-cil approval formally dissolved the Avenues Specific Plan as an adopted, statutory specific plan area under Article 8 of Title 7 of the Government Code, and added the approximately 95-acre Avenues area to the existing approximately 321-acre Ellis Specific Plan area, thereby expanding the Ellis Specific Plan area to comprise the entire combined 416-acre area. The amended Ellis Specific Plan supersedes the previ-ously approved Ellis Specific Plan and the previously approved Avenues Specific Plan.

As amended, the Ellis Specific Plan area is now comprised of two "Neighborhoods", the Ellis Neigh-borhood and the Avenues Neighborhood, which are described in Chapter Two and Chapter Three of this Ellis Specific Plan. Although both Neighborhoods are now part of the Ellis Specific Plan, the develop-ment rules and regulations and zoning designations for each Neighborhood have not changed from rules, regulations and designations that applied in the pre-vious specific plans. Merging the Avenues Specific Plan area into the Ellis Specific Plan was intended to, among other things, simplify the administration of the two projects and facilitate the inclusion of the Avenues Specific Plan area in the Ellis Property Owners Association (EPOA).



Figure 1.1 The Vision for Ellis

1.2 Specific Plan Authorization



Figure 1.2 View of the proposed Aquatic Park

1.2.1 STATE AUTHORITY

Specific Plans are authorized by Section 65450 et seq. of the California Government Code. As set forth in the Government Code, Specific Plans must contain the information outlined below. The location of this information in each Chapter for each Neighborhood in the ESP is shown in bold following each item.

- The distribution, location, and extent of the uses of land within each Neighborhood.
  - › Chapter 2: Sections 2.1–2.2 for the Ellis Neighborhood
  - › Chapter 3: Sections 3.1–3.2 for the Avenues Neighborhood
- The proposed distribution, location, and extent of major components of public and private transportation, wastewater conveyance, water drainage, solid waste disposal, energy, and other essential facilities.
  - › Chapter 2: Section 2.2 for the Ellis Neighborhood
  - › Chapter 3: Section 3.2 for the Avenues Neighborhood



Figure 1.3 Pedestrian-oriented spaces create a hometown feel.



Figure 1.4 View of the Ellis site

- Standards and Criteria by which development will proceed and standards of conservation, development, and utilization of natural resources.
  - › Chapter 2, Section 2.3 and Appendix A1 for the Ellis Neighborhood
  - › Chapter 3, Section 3.3 and Appendix B1 for the Avenues Neighborhood
- A program of implementation measures including development regulation, capital improvements, public works projects, and financing measures.
  - › Chapter 2, Section 2.1 and 2.3 for the Ellis Neighborhood
  - › Chapter 3, Section 3.1 and 3.3 for the Avenues Neighborhood

The ESP has two appendices for each Neighborhood:

- **APPENDIX A1** Ellis Pattern Book: Urban Design Associates
- **APPENDIX A2** Ellis Additional Landscape Features/Character Elements And Sign Program: Gates+Associates
- **APPENDIX B1** Avenues Pattern Book: Urban Design Associates
- **APPENDIX B2** Avenues Additional Landscape Features/Character Elements and Sign Program: Gates+Associates

1.2.2 CITY OF TRACY AUTHORITY

Under Section 10.20.010 Authority for Specific Plans of the Tracy Municipal Code under the California Planning and Zoning Law, the City Council is authorized to prepare, adopt, and implement a Specific Plan for any area covered by the City of Tracy General Plan. (Gov't Code 65450 and following. This includes areas within the City boundaries, the City's sphere of influence, or the General Plan planning area. (Ord. No. 1126, § 1, 11-18-2008)



Figure 1.5 Front porches create a sense of community.



Figure 1.6 View of the multi-use Village Center

1.3 Relationship to Other Plans

As set forth in greater detail herein, this Specific Plan fulfills the goals, objectives, and policies of the General Plan. It is also consistent with the San Joaquin County Airport Land Use Plan, and the 1998 Master Plan for the Tracy Municipal Airport. The ESP contains considerable detail related to the regulations and guidelines required to implement the vision of a new community at Ellis.

1.3.1 CITY OF TRACY GENERAL PLAN

The General Plan was adopted by the City Council in July 2006 and amended in February 2011. In a departure from the previous General Plan adopted in 1993, the General Plan envisions that the City will preserve its 'hometown feel' by creating residential neighborhoods with a sense of place that are diverse, attractive, safe, walkable, and affordable. In pursuit of this vision, the updated General Plan contains an extensive *Community Character Element*. It is a primary objective of the ESP not only to comply with the General Plan, but also to become a project for the implementation of the General Plan with its *Community Character Element*.



Figure 1.7 Landscaped, pedestrian-friendly streets create memorable places (Highland Avenue, Tracy).

1.3.2 CITY OF TRACY INFRASTRUCTURE MASTER PLANS

The City is in the process of updating its master plans for water, wastewater, stormwater, and roads to be consistent with, and to implement, the General Plan. However, the original Ellis Specific Plan was adopted prior to the City's initiation of its master plan updates, and as a result, the Ellis Neighborhood is subject to a City-approved Finance and Implementation Plan (FIP) that establishes the Ellis Neighborhood's fair share of development impact fees and addresses the infrastructure needs of the Ellis Neighborhood in such a manner as to correspond to the updated infrastructure master plans to the extent practicable. The

proponents of the original Ellis Specific Plan worked closely with the City to ensure that development of the Ellis Neighborhood would be incorporated in the baseline assumptions of the infrastructure master plans that were under development at that time.

In contrast, the Avenues Specific Plan was prepared and adopted after the City initiated its master plan updates, and development of the Avenues Neighborhood will be subject to conformance with the City's updated infrastructure master plans.

1.3.3 COUNTY AND CITY AIRPORT PLANS

The Tracy Municipal Airport is located to the southeast of the Ellis Specific Plan area. Land uses within certain zones in the vicinity of the airport are regulated by the San Joaquin County Airport Land Use Commission (ALUC). The San Joaquin Council of Governments serves as the ALUC and has adopted the San Joaquin County Airport Land Use Plan, the latest version of which was adopted in 2009. In 1998, the City of Tracy adopted the Master Plan for the Tracy Municipal Airport (Tracy Airport Master Plan).

It is a policy of the Safety Element of the General Plan that new development be consistent with the County and City airport plans. As set forth in greater detail herein, the amended ESP complies with all applicable sections of the City of Tracy Airport Master Plan and the San Joaquin County Airport Land Use Plan.

1.3.4 ZONING

This document serves as the zoning document for all property within the amended ESP area.

1.4 How to Use the Neighborhood Plans and Pattern Books

This ESP will serve as a regulatory tool in the development of Ellis Specific Plan area. It is a document to be used by designers, developers, builders, planners, and regulators. The ESP incorporates Pattern Books (Appendices A1 and B1) for each Neighborhood that set forth standards for the development of buildings on lots. Together, the ESP with the Pattern Books comprise the administrative document governing the development of the two Neighborhoods. The body of the ESP generally governs horizontal development of lots with their land uses, parks, public landscaping, roads, and utilities; the Pattern Books generally govern the vertical development on established lots, including the placement of buildings on lots and the exterior architecture of buildings. Chapter 4. Plan Review describes the process of developing the Ellis community using the ESP and the Pattern Books, from site design through building permit.

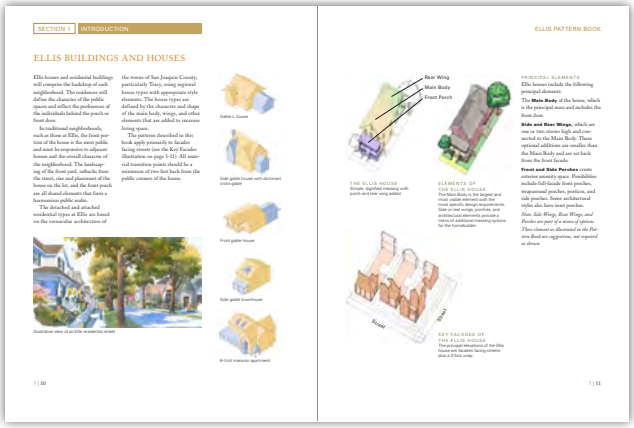


Figure 1.8 Example page from the Ellis Pattern Book (Appendix A1)

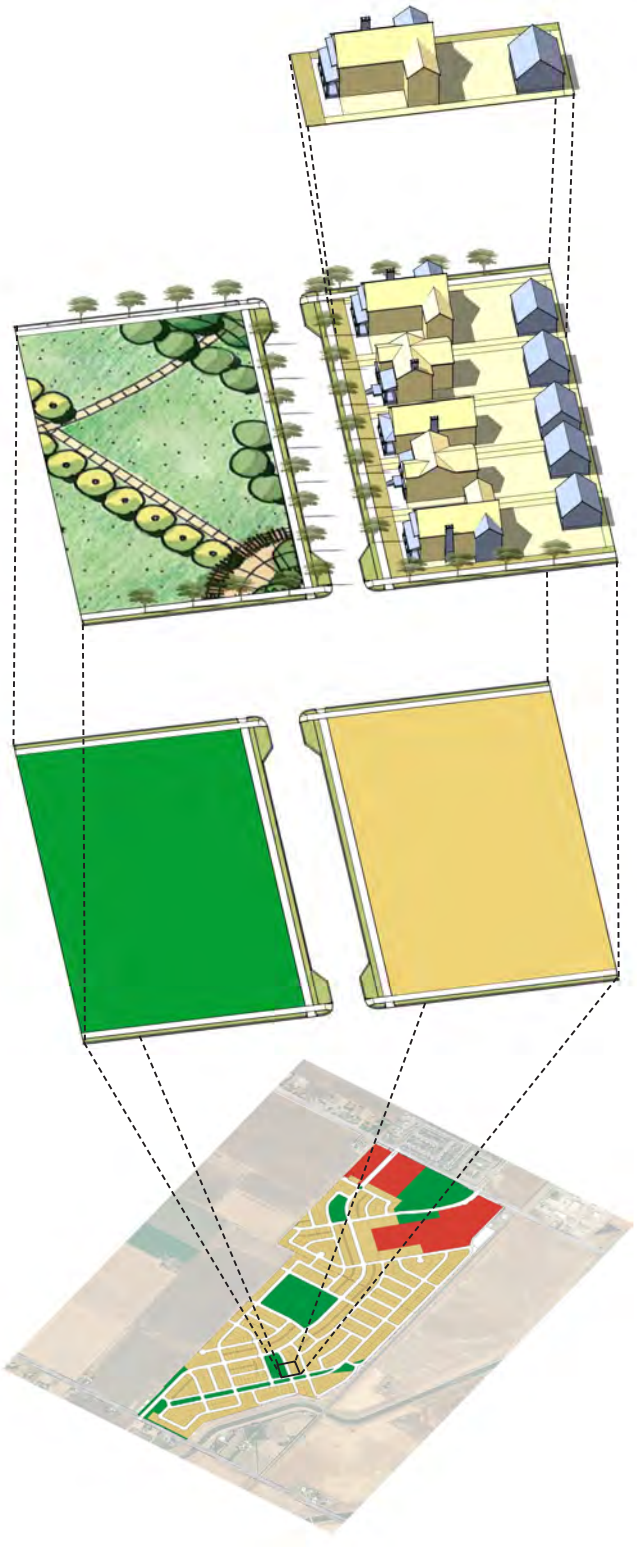


Figure 1.9 From House to Community

ELLIS SPECIFIC PLAN ZONING SUMMARY

LAND USE DESIGNATION	GROSS ACRES	UNITS / GROSS ACRES***	RANGE OF UNITS ALLOWED / MAXIMUM NON-RESIDENTIAL SF
Residential Estate	17	*****	1 to 9.4*****
Residential Mixed*	260	4 to 9	1,000 to 2,250
Village Center*	14	0 to 25	0 to 50 units/ 140,000 sf ******
Limited Use*	30	NA	430,000 sf of self-storage 40,000 sf of office****
Total	**321**		**ESP includes 1,000 and maximum of 2,250 residential units ** and 180,000 SF non-residential**

* Acres for public rights-of-way, parks, and special landscape features are included within Gross Acres Calculations designations

** Not including secondary residential units

*** Units per gross acre is to be calculated less Aquatic Park, School Site, Outer Approach Zone, and Pipeline encumbered acres

**** 430,000 square feet of self-storage and boats and recreational vehicles (passive uses) and 40,000 square feet of office uses, subject to ALUCP restrictions

***** Development is limited in the 2009 ALUCP Outer Approach/Departure Zone to 1 residential unit per 5 acres, which equates to a maximum of 9.4 residential units based on 47 total acres in the Outer Approach/Departure Zone.

****** The total traffic count generated by the Village Center will not exceed that of 140,000 sf of non-residential and 50 units of residential without additional traffic analysis.

Note Consistent with City requirements, the ESP includes a park dedication of 4 acres per 1,000 people. Ellis will feature 3 park acres per 1,000 population generated of Neighborhood Parks and 1 park acre per 1,000 population generated of Community Parks (4 park acres per 1,000 population generated total).

Table 1.1 ESP Zoning Summary

Chapter 2.
Ellis Neighborhood Plan



2.1 Land Use and Development Standards



Figure 2.1 The Ellis Village Center

2.1.1 LAND USE CONCEPT

The proposed project is a comprehensive land use plan (Specific Plan per Government Code Section 65450 et seq.) for the development of approximately 321 acres primarily defined in the City of Tracy General Plan as TR-Ellis (Figure 2.2). The Ellis Neighborhood includes a broad mix of residential housing types and densities, neighborhood parks, a Village Center, ancillary and low intensity commercial uses, and an opportunity to include a Family-Oriented Aquatic Park (Aquatic Park) serving as a Community Park. A multimodal transit hub (Transit Center), with ACE train and Tracer bus service will be incorporated in the event such a use becomes desirable and feasible.

The plan will accommodate a minimum of 1,000 to a maximum of 2,250 residential units, not including secondary residential units; 180,000 square feet of retail, civic, office, and other commercial uses; 430,000 square feet of self-storage and boats and recreational vehicles (passive uses); and, consistent with City requirements, 4 acres per 1,000 people of parks.

The Ellis Neighborhood includes 1,000 to 2,250 residences (as noted above) to be built on 321 gross acres. The overall site density will be between 4 and 9 units per gross acre.

Three residential neighborhoods, the Village Neighborhood, Garden Neighborhood, and Town & Country Neighborhood, will comprise Ellis (Figure 2.3). Each neighborhood will have its own distinct sense of place, reinforcing the General Plan goal of creating a hometown feel. All neighborhoods will have a grid of pedestrian-scaled streets. A system of neighborhood parks will be integrated into the residential street grid.

Blocks are sized to support a mix of housing types all designed to meet a wide range of income and family needs. When completed, the three neighborhoods

will include a spectrum of housing opportunities and neighborhood parks.

The community will be constructed using traditional neighborhood design principles, creating a pedestrian-friendly network of streets and parks. In certain cases, garages will be kept off the street and will be accessed by way of rear driving lanes, also known as alleys. The architecture of all buildings will represent a number of residential styles historically popular in the Tracy region.

The Ellis Pattern Book (architectural and site design guidelines) was created to guide the design of all buildings (see Appendix A1). This document calls for a mix of regional vernacular architectural styles such as: Craftsman, Farmhouse Victorian, Colonial Revival, European Country, Mediterranean Revival, and Spanish Colonial.

A system of parks will provide the community with both active and passive recreation opportunities. Generally, parks range in character from urban to rural, and in use from active to passive. These amenities vary in scale and are designed to provide a sense of place.

All of the streets will be publicly owned and maintained. These streets will be built to the standards established by the ESP.

Table 2.1 on page 8 of this section provides a summary of the proposed land use designations at Ellis.

2.1.2 LAND USE PLAN

2.1.2.1 General Description

The General Plan Land Use Designation for the residential uses in the Ellis Neighborhood area is primarily Traditional Residential-Ellis (TR-Ellis), depicted in the General Plan Land Use Designations (Figure 2.4). The Ellis Neighborhood Zoning summary (Figure 2.6) illustrates the general location and relationship of all the primary land use areas. This Land Use Designations diagram will serve as the main reference and guideline for all future planning work and implementation activities in the Ellis Neighborhood Area.

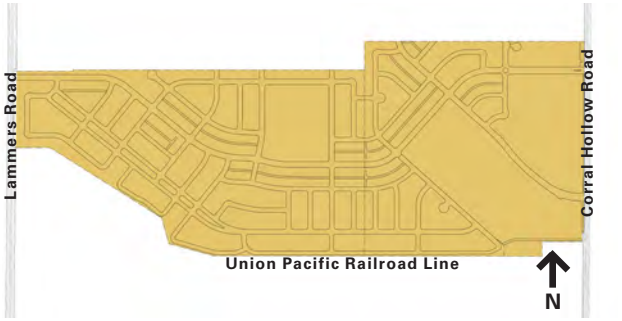


Figure 2.2 Ellis Property Boundary, 321 Acres

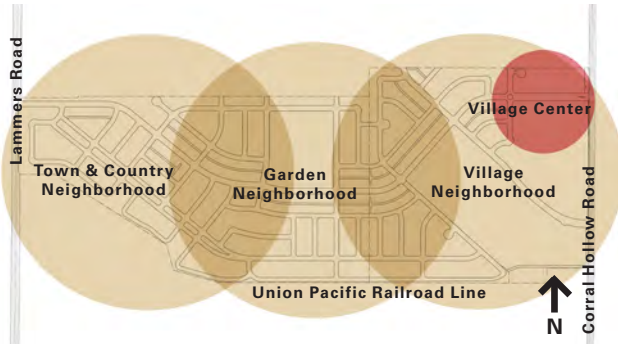


Figure 2.3 Ellis' three neighborhoods and Village Center

The Ellis Neighborhood Plan proposes a residential community that will provide a wide variety of housing types and lifestyle choices. Residential is the predominant land use. The residential land uses will be supported by parks, commercial uses, and a mixed-use Village Center.

All residential units are planned at a low to high density to facilitate the construction of a broad range of housing types.

The Ellis Neighborhood Plan and the Pattern Book (Appendix A1) provide the development regulations for Ellis. Development topics not covered by the Ellis Neighborhood Plan or the Pattern Book (Appendix A1) are regulated by Title 10 of the Tracy Municipal Code (TMC) or other City standards as applicable (See Section 4.8 of the ESP).

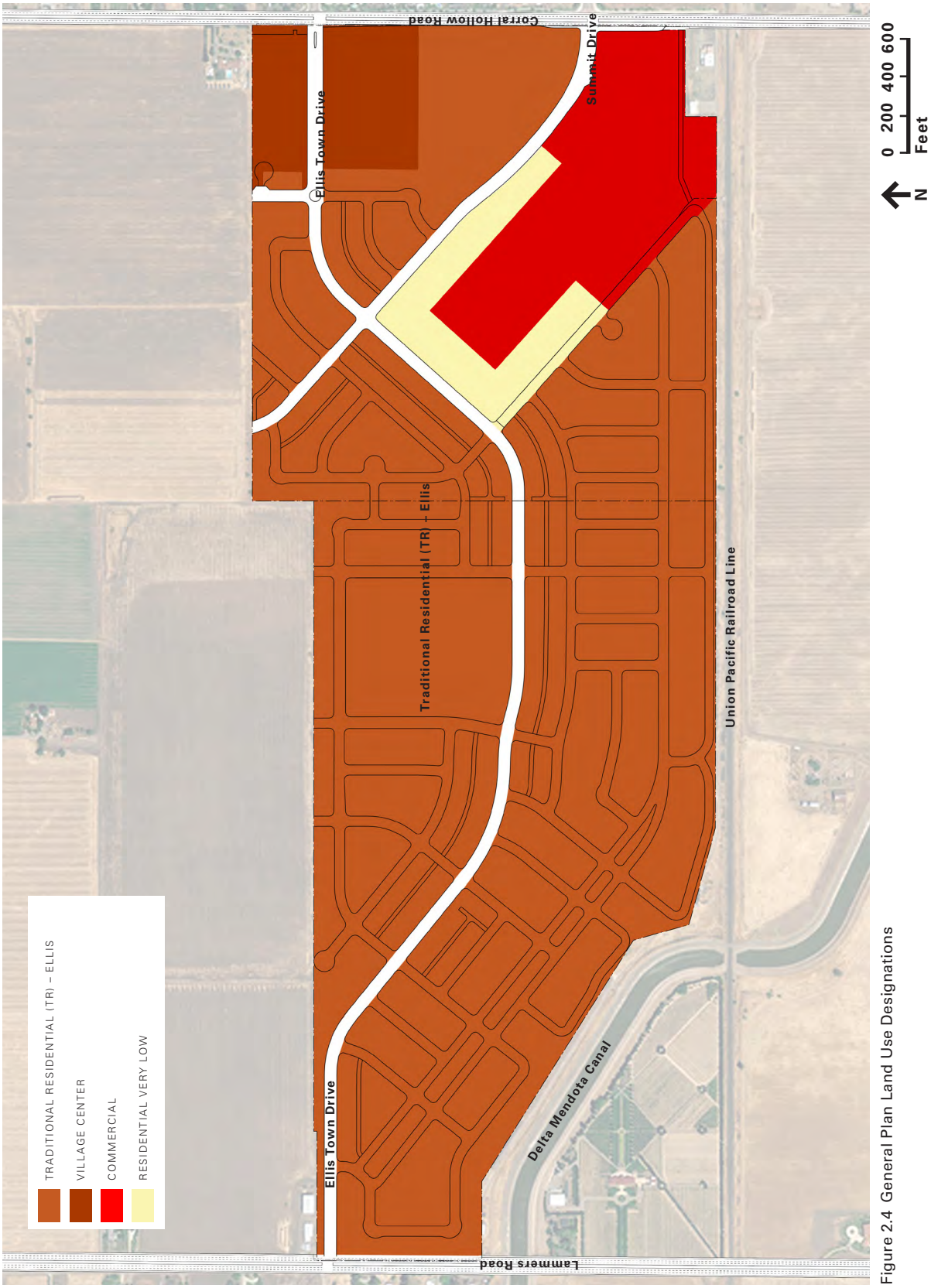


Figure 2.4 General Plan Land Use Designations



Figure 2.5 Illustration of Ellis neighborhood

2.1.2.2 Residential Land Use

The goal of mixing residential densities is to provide a range of housing choices to the residents of Tracy. The Ellis community will be characterized by three residential neighborhoods: the Village Neighborhood, Garden Neighborhood, and Town & Country Neighborhood. The Village Center will be built out over time in response to market demand.

The primary Residential Land Use Designation for Ellis is Traditional Residential–Ellis (TR-Ellis). Per the General Plan, TR areas consist of a mix of residential densities and housing types reminiscent of traditional neighborhoods, ranging from single-family detached housing to attached medium and high density housing types, sometimes adjacent to (or above) retail, commercial, or other compatible uses. TR allows a mix of a wider range of housing types, lot sizes, and density ranges compared with typical Residential Very Low (RVL), Residential Low (RL), Residential Medium (RM), and Residential High (RH).

Residential Mixed

The primary zoning for Ellis is Residential Mixed. Consistent with TR-Ellis, Residential Mixed requires lot types to be intermixed. The resulting community character will project a "hometown feel," including moderate building setbacks, variety in house size, sitting porches, and a mix of architectural styles. Lot types range from narrow lots to wide lots. The exact location of each lot type shall be established at the time of Tentative Map approval, based on the mixing criteria in the Ellis Neighborhood Plan and Pattern Book (Appendix A1). These mixing criteria are documented in 2.1.4.6 Residential Lot Type Diversity. Zoning standards are documented in the Pattern Book. For development standards not addressed by the Ellis Neighborhood Plan for the area designated Residential Mixed, the requirements applicable to the Medium Density Cluster Zone (MDC) in the Tracy Municipal Code shall apply.

Residential Estate

In addition to Residential Mixed, Ellis has an area (approximately 17 acres) that is designated Residential Estate. The vision for the Residential Estate area is to have 9 large lots each ranging in size from approximately one to two acres. The General Plan designation for this area is Residential Very Low, which has a density range of 0.1 to 2.0 dwelling units per gross acre. The area designated Residential Estate is limited by the San Joaquin County Airport Land Use Plan (ALUCP) Outer Approach/Departure Zone to a maximum of 9 residential units.

Zoning standards shall be associated with the Residential Estate lot type documented in the Pattern Book. For any development standards not addressed by the Ellis Neighborhood Plan for the area designated Residential Estate, the requirements applicable to the Residential Estate Zone in the Tracy Municipal Code shall apply.

Housing Diversity by Design

All residential land uses are planned around a concept known as 'diversity by design.' Diversity by design is achieved by emphasizing a variety of housing types and sizes, classic architecture in simple forms, wonderful public space, and walkable access to parks. Diversity is thus accomplished without sacrificing the kinds of amenities that today's homebuyers and renters desire.

Blocks in Ellis are sized to support a mix of housing types all designed to meet a wide range of income and family needs. When completed, Ellis will have a spectrum of housing opportunities.

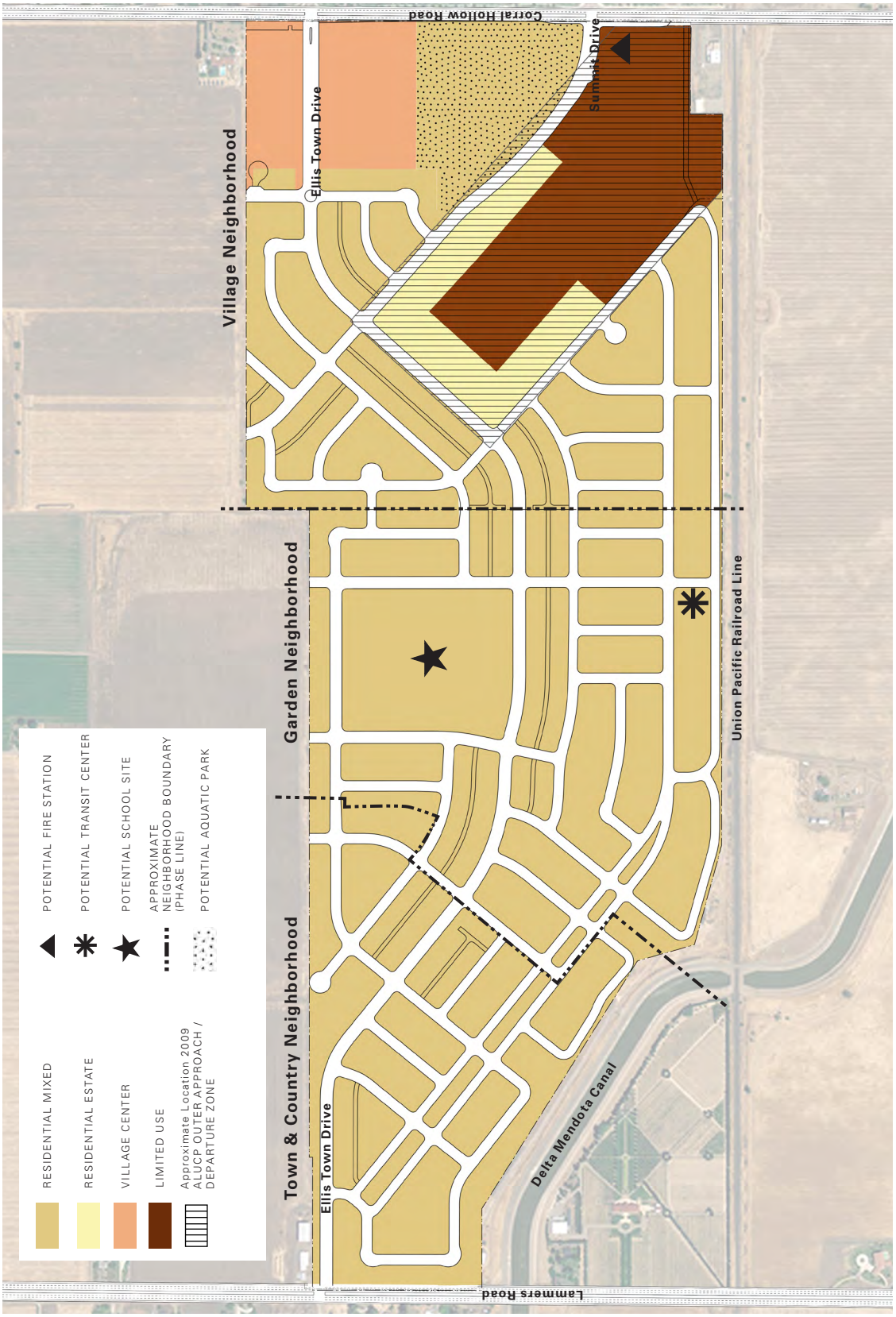


Figure 2.6 Ellis Neighborhood Zoning
Note 1: Pursuant to the City of Tracy General Plan, parks and special landscape features are allowed within residential land use designations. For an illustration showing the prescribed location of parks and special landscape features, see Section 2, Figure 2.71.
Note 2: Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

ELLIS SPECIFIC PLAN ZONING SUMMARY

LAND USE DESIGNATION	GROSS ACRES	UNITS/GROSS ACRES***	RANGE OF UNITS ALLOWED/ MAXIMUM NON-RESIDENTIAL SF
Residential Estate	17	*****	1 to 9.4*****
Residential Mixed*	260	4 to 9	1,000 to 2,250
Village Center*	14	0 to 25	0 to 50 units/ 140,000 sf ******
Limited Use*	30	NA	430,000 sf of self-storage 40,000 sf of office****
Total	**321**		**ESP includes 1,000 and maximum of 2,250 residential units ** and 180,000 SF non-residential**

* Acres for public rights-of-way, parks, and special landscape features are included within Gross Acres Calculations designations

** Not including secondary residential units

*** Units per gross acre is to be calculated less Aquatic Park, School Site, Outer Approach Zone, and Pipeline encumbered acres

**** 430,000 square feet of self-storage and boats and recreational vehicles (passive uses) and 40,000 square feet of office uses, subject to ALUCP restrictions

***** Development is limited in the 2009 ALUCP Outer Approach/Departure Zone to 1 residential unit per 5 acres, which equates to a maximum of 9.4 residential units based on 47 total acres in the Outer Approach/Departure Zone.

******The total traffic count generated by the Village Center will not exceed that of 140,000 sf of non-residential and 50 units of residential without additional traffic analysis.

Note Consistent with City requirements, the ESP includes a park dedication of 4 acres per 1,000 people. Ellis will feature 3 park acres per 1,000 population generated of Neighborhood Parks and 1 park acre per 1,000 population generated of Community Parks (4 park acres per 1,000 population generated total).

Table 2.1 Ellis Neighborhood Plan Zoning Summary

2.1.2.3 Village Center

Permitted uses for the Village Center are described in 2.1.4.2 Permitted Uses and listed in Table 2.2. The plan will accommodate up to 140,000 square feet of non-residential uses in the Village Center, as well as up to 50 high-density residential units, possibly in a mixed-use configuration with residential over commercial. Residential units in the Village Center may be apartments, townhouses, condominiums, and/or live/work units (see 2.1.4.2 Permitted Uses).

Access to the Village Center for most vehicles will be by way of Ellis Town Drive. Visitor parking will be on-street and behind shops and connected to Ellis Town Drive via pathways. Sidewalks will link the Village Center directly to adjacent residential neighborhoods and the bikeway network.

Zoning standards for the Village Center shall be as documented in the Pattern Book (Appendix A1). For any development standards not addressed by the Ellis Neighborhood Plan for the area designated Village Center, the requirements applicable to the Community Shopping Center Zone in the Tracy Municipal Code shall apply.

2.1.2.4 Limited Use

The Limited Use designation is intended to allow for up to 40,000 square feet of office uses and business services, and 430,000 square feet of self-storage and storage of boats and recreational vehicles (passive uses), including a unit for Ellis Storage Managers Living Quarters as a part of the Ellis Storage Office, subject to restrictions of the San Joaquin County Airport Land Use Compatibility Plan (ALUCP) Outer Approach/ Departure Zone. See 2.1.4.2 Permitted Uses.

Zoning standards for the Limited Use area shall be as documented in the Pattern Book. For any development standards not addressed by the Ellis Neighborhood Plan for the area designated as Limited Use, the requirements applicable to the General Highway Commercial Zone in the Tracy Municipal Code shall apply.



Figure 2.7 Illustration of the Village Center

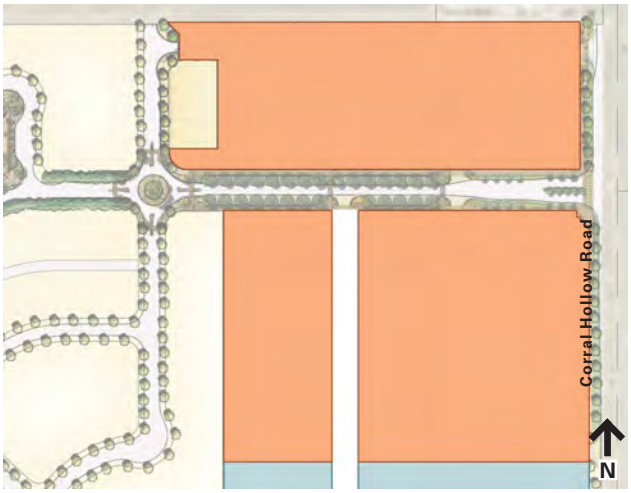


Figure 2.8 Illustrative Plan of the Village Center

2.1.2.5 Public Facilities

A minimum of 4 acres per 1,000 people will be dedicated to public use as parks based on 3.21 residents per residential unit (see Table 2.1). A description of all of the public facilities, public uses, and associated land use designations for Ellis follows.

POLICE: The Tracy Police Department will serve Ellis.

FIRE: The South County Fire Authority will serve Ellis.

TRANSIT CENTER: The ACE Train and Tracer bus service may serve Ellis via a multimodal transit hub. The Ellis Neighborhood Plan includes a potential 5-acre site along the existing rail line, approximately halfway between Corral Hollow and Lammers Roads within the TR-Ellis area. Uses on this site would include a train stop, bus transfer stop, and commuter parking spaces sufficient to serve the transportation uses.

SCHOOLS: The Jefferson School District and Tracy Unified School District are responsible for providing elementary schools for the residents of Ellis. The construction of a new elementary school may be necessary to serve the residents of Ellis. If the District determines that an elementary school in the Ellis area is necessary, Ellis will provide a potential 12- to 16-acre site for purchase by the District within the Ellis Neighborhood Plan boundary.

On-site school drop off loops shall be designed and installed by the school district at the time of school construction. Access drives shall be provided from the streets to serve on-site drop off loops.

PARKS (P): A portion of the Ellis Neighborhood Area is reserved for parks. Consistent with City requirements, the Ellis Neighborhood Plan includes a park dedication of 4 acres per 1,000 people. Ellis will feature 3 park acres per 1,000 population generated of Neighborhood Parks and 1 park acre per 1,000 population generated of Community Parks (4 park acres per 1,000 population generated total) based on 3.21 residents per residential unit. The Aquatic Park will be used as credit for the Community Park requirement if the land dedication offer is accepted.

The park system is designed to serve a broad cross-section of residents by providing a diverse mix of active and passive recreational opportunities. It is also designed to be in compliance with the City of Tracy General Plan requirements and State of California's Quimby Act.

The proposed Aquatic Park is an allowable use in Residential Mixed. Uses in the Aquatic Park may include a competition swimming pool, recreation pool, wet play structures, recreational rivers, and support facilities.

Neighborhood parks are also an allowable use in Residential Mixed and Residential Estate. Figure 2.70 shows an illustrative distribution of neighborhood parks including the prescribed location. The precise location of such facilities will be determined upon submittal of detailed plans.

For illustrative descriptions of the parks, see Section 2.2.6 Parks Network.

2.1.3 PHASING

2.1.3.1 Description of Phases (Neighborhoods)

The Ellis Neighborhood Plan Area is divided into three neighborhoods defined by density, intensity, and character. The neighborhood boundaries, development ideas, and land uses are summarized in this section. In general, each neighborhood approximately represents a phase of development. Development is expected to begin in the respective neighborhoods in the order indicated, but the build-out of the neighborhoods is expected to overlap significantly. The Ellis Pattern Book (Appendix A1) provides development standards and design guidance. The neighborhoods described in this section are subject to future refinements as detailed development plans are finalized.

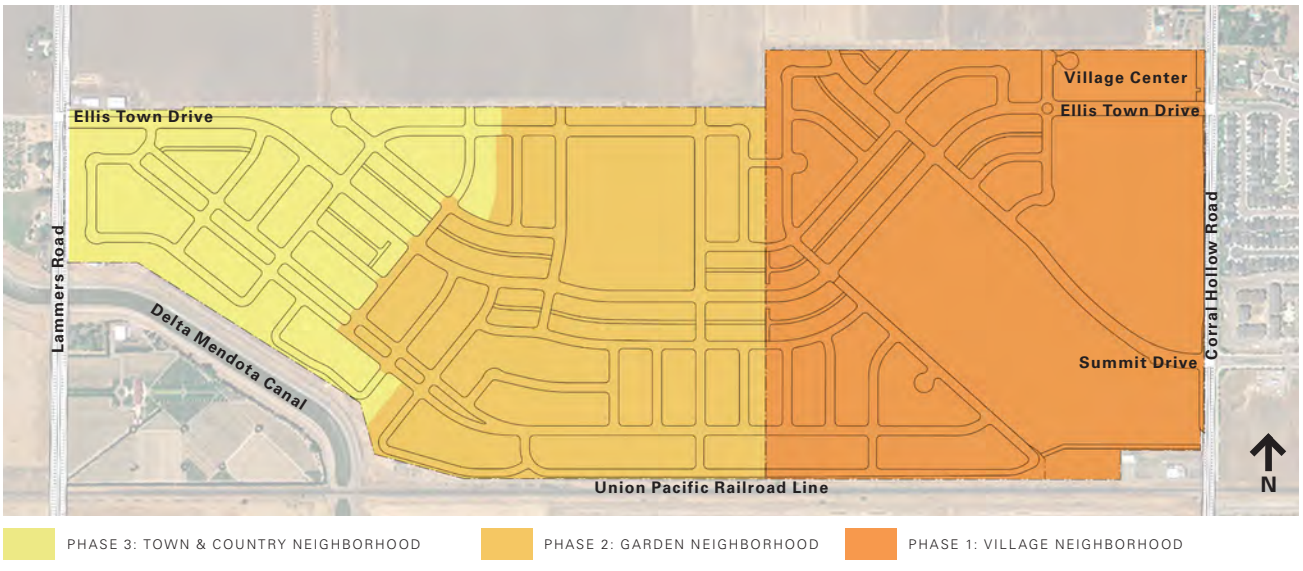


Figure 2.9 Illustrative Phasing Diagram



Figure 2.10 Illustrative View of Village Center



Figure 2.11 Illustrative View of the Village Neighborhood

2.1.3.2 Village Neighborhood (Phase 1)

General Description

The Village Neighborhood will include the land in the eastern portion of the Plan Area. Phase 1 is adjacent to Corral Hollow Road to the east, the railroad line to the south, Phase 2 to the west, and agricultural land to the north.

The non-residential program will be built out over time in response to market demand.

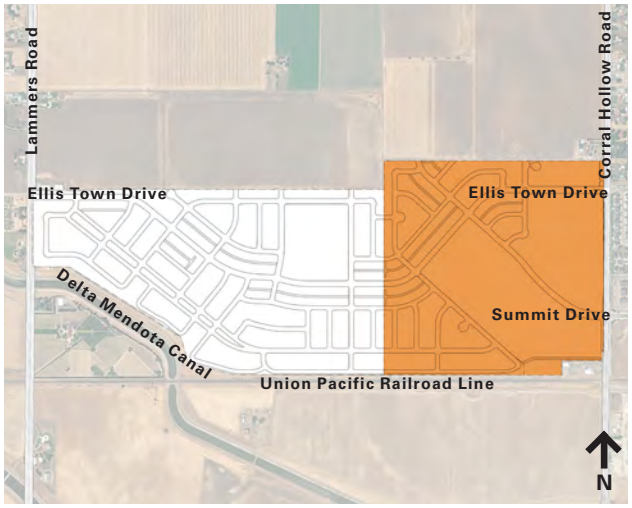


Figure 2.12 Village Neighborhood (Phase 1)

Land Use

This section of the community will contain a mix of uses. The Ellis Neighborhood Plan will accommodate up to 140,000 square feet of non-residential space in pedestrian-oriented buildings in the Village Center.

Housing in the Village Center may occur in attached unit types and/or mixed-use or live/work buildings.

The Village Neighborhood may also contain the Aquatic Park. Public parks will be the primary gathering places for Ellis residents and the citizens of Tracy. They will serve as a venue for hosting competitions, community events, concerts, and festivals. Defining elements of the neighborhood include:

- Aquatic Park
- Neighborhood retail
- A mix of residential uses
- Neighborhood parks



Figure 2.13 Illustrative View of the Garden Neighborhood

2.1.3.3 Garden Neighborhood (Phase 2)

General Description

The Garden Neighborhood will be located in the central portion of the Plan Area. This Phase is adjacent to the Union Pacific Railroad line to the south and agricultural land to the north.

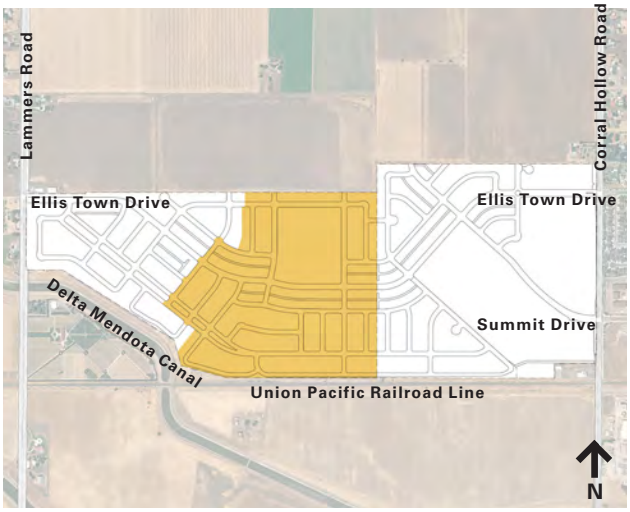


Figure 2.14 Town & Country Neighborhood (Phase 2)

Land Use

The Garden Neighborhood will include a mix of single-family detached unit types. Units will be organized around a series of centrally-located neighborhood parks and connected to the Village Center by community and neighborhood streets, sidewalks, and paths. Supporting uses will include both active and passive recreational uses.

Primary access to the neighborhood will be from the main east-west Community Streets. These streets provide direct connections to Lammers and Corral Hollow Roads. Defining elements of the neighborhood include:

- Interconnected street network
- A mix of housing types and lot sizes
- School site
- Neighborhood park



Figure 2.15 Illustrative View of Town & Country Neighborhood

2.1.3.4 Town & Country Neighborhood (Phase 3)

General Description

The Town & Country Neighborhood will be located in the western portion of the Ellis Neighborhood Plan Area. Phase 3 is defined by Lammers Road to the west, agricultural land to the north, Phase 2 to the east, and the Delta Mendota Canal to the south.

Land Use

The Town & Country Neighborhood will include single-family residential uses adjacent to parks and open spaces.

Primary access to the neighborhood will be from Lammers Road. Defining elements of the neighborhood include:

- Quiet residential streets
- Rural landscape design
- Neighborhood park



Figure 2.16 Garden Neighborhood (Phase 3)

2.1.4 GENERAL LAND USE REGULATIONS

2.1.4.1 Purpose and Applicability

The purpose of this section is to provide land use development standards that apply throughout the Ellis Neighborhood Plan Area. The following sections describe property development standards including permitted uses, height limits, parking, underground utilities, resource conservation measures, sign regulations, fencing, and special landscape requirements. Design guidelines are included in the Ellis Pattern Book (Appendix A1). All improvements shall follow the Tracy Municipal Code (TMC) unless specified herein. The permit review process however is described in ESP Section 4: Plan Review.

It is anticipated and understood that, in order to meet the objectives of the *Community Character Element* of the General Plan and fully implement the objective of a mix of housing types, there may be minor variations to both the ESP and Pattern Book as the ESP moves through the implementation process. Any variation other than a minor variation as determined by the Development and Engineering Services Director must receive Planning Commission and City Council review in accordance with the TMC as a Specific Plan Amendment.

2.1.4.2 Permitted Uses

This section sets forth the uses permitted within each of the land use designations listed below and described in Section 3. 2.

For the purposes of this ESP, all permitted and conditionally permitted uses are described in Table 2.2. All uses listed are permitted by right, except those uses specifically listed as *Conditional*. Conditional uses are defined as those which require special consideration of their impacts on the neighborhood and land uses in the vicinity and/or of their physical organization and design. A conditional use shall obtain Conditional Use Permit (CUP) approval in accordance with the TMC.

All permitted uses are allowed either alone or in combination with any other permitted uses within a parcel. If a proposed use is not explicitly listed below, the Development and Engineering Services Director may determine the use is permitted, conditionally permitted, or prohibited, based on the purpose and intent of this Ellis Neighborhood Plan and the proposed use's similarity to the listed uses which are described on the following pages.

Uses [1]	Village Center	Residential Mixed	Residential Estate	Limited Use
Retail and consumer services, such as grocery stores, drug stores, hardware stores, clothing and shoe stores, department stores, miscellaneous retail (excluding boats, automobiles, and other motorized vehicles), gas stations/ service stations (not including repair work), veterinary clinics, pet grooming, photography studios, and personal services (e.g., hair, nail and tanning salons, and garment pressing, repairs, and alterations)	P	NP	NP	NP
Eating and/or drinking establishments (with or without entertainment) without serving alcohol and providing entertainment after 11:00 p.m. [2]	P	NP	NP	NP
Eating and/or drinking establishments that serve alcohol and provide entertainment after 11:00 p.m. [2]	C	NP	NP	NP
Recreational uses, such as instructional dance studios, gymnastics studios, martial arts studios, fitness clubs, video arcades, bowling alleys, sports training facilities, and bounce houses/ trampoline parks	P	NP	NP	NP
Business services, such as computer and office supply, duplication, mailing/shipping, and print shops	P	NP	NP	P[3]
Offices, such as business and professional offices, administrative offices, medical and dental offices, banks, and pharmacies	P	NP	NP	P[3]
Lodging, such as hotels and motels	P	NP	NP	NP
Public facilities, such as schools, fire stations, parks, athletic fields, aquatic parks (as noted on Fig. 3.6), recreation centers, art galleries and museums, performing arts centers, transit facilities and stations, libraries, and meeting halls	P	P	P[3]	NP
Educational, cultural, and institutional uses, such as private schools and day care centers, places of assembly, private meeting halls, and private museums	P	C	NP	NP
Self-storage/mini-storage and storage of boats, recreational vehicles, trailers, vehicles, and contractor trucks/ vehicles	NP	NP	NP	P[3, 4]
Agricultural crops	NP	NP	NP	P[3]
Vehicle Sales, Service, & Rental	NP	NP	NP	NP
Multi-family dwellings / Attached Residential [5, 6]				
Live/work units [7]	P[9]	NP	NP	NP
Townhouses [10]	P	P	NP	NP
Mansion Apartments [11]	P	P	NP	NP
Single-family dwellings / Detached Residential [12]	NP	P	P[3]	NP
Public Utilities	P	P	P[3]	P[3]

Table 2.2 Permitted and Conditionally Permitted Uses

P = Permitted
C = Conditionally Permitted (CUP required, per TMC)
NP = Not Permitted

Accessory uses and temporary uses shall be allowed as provided in the Tracy Municipal Code (TMC).

Notes:

1. Outdoor merchandise sales and displays, or storage of merchandise, equipment, supplies (including automobiles, trailers, and other vehicles or containers), or other materials, are not permitted, unless approved by Ellis Pattern Book Certification/Development Review or Temporary Use Permit.
2. "Entertainment" means such uses as live music, disc jockeys, dancing, karaoke, comedy shows, modeling, or live performances.
3. Permitted, subject to restrictions of the San Joaquin County Aviation System Airport Land Use Compatibility Plan (ALUCP)
4. Storage or parking of semi-trucks and semi-trailers is not permitted. Manager living quarters is permitted as an accessory use. Washing, cleaning, and light maintenance/servicing of motor homes, travel trailers, boats, and rental moving vans is permitted for owners, customers, and clients of the Ellis storage facility.
5. "Intentionally left blank."
6. See Appendix A1: Ellis Pattern Book, Section 3, Attached Residential
7. Residential living space that also includes an integrated work space principally used by one or more residents. Work activity shall be limited to office, the making of arts and crafts, including painting, graphic production, photography, print, ceramics, sculpture, needlework, tapestry making, pottery making, hand weaving, and other activities compatible with residential use. Primary access from the public sidewalk to residential living space shall be provided through the work space. Permitted work activities shall be classified as a business.
8. "Intentionally left blank."
9. Work activities that require hazardous assembly, including fabrication, manufacturing, and repair or processing operations, such as welding and woodworking, require approval of a conditional use permit.
10. Buildings used as a residence for multiple households where all dwelling units have a dedicated entrance accessed directly from the public sidewalk or publicly accessible open space.
11. Buildings used as a residence for multiple households where dwelling units are accessed from a common lobby or shared hallway.
12. See Appendix A1: Ellis Pattern Book, Section 2, Detached Residential

2.1.4.3 Height Limits

This section sets forth the building height limit within each of the land use designations described in Section 2.1.2 Land Use Plan. Ellis building height regulations are documented in Table 2.3.

BUILDING HEIGHT LIMITS

LAND USE DESIGNATIONS	DESCRIPTION	MAXIMUM HEIGHT(1)
RE	Residential Estate	35 feet
RM	Residential Mixed	35 feet (2)(4)
VC	Village Center	45 feet (4)(5)
LU	Limited Use	35 feet (5)

TABLE CATEGORY KEY

NOTES

(1) Measurement of buildings heights shall be as defined by the Tracy Municipal Code (TMC)
(2) No maximum height limit for the Aquatic Park
(3) One freestanding water tower landmark may extend up to 40 feet high
(4) Flag poles and banner poles are permitted in Village Center, Limited Use, and Aquatic Park at heights up to 50 feet
(5) Towers and other architectural or ornamental features may extend above the permitted building height by up to 10 feet. All roof-mounted mechanical equipment, including but not limited to: HVAC equipment, vents, skylights, fans, hoods, antennas, satellite dishes, and access hatches or ladders shall be at or below the height of the exterior parapet wall and not visible from any public right-of-way

Table 2.3 Height Limits

2.1.4.4 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking

Off-Street Parking Requirements

Off-street parking shall be provided in the Ellis Neighborhood Plan in accordance with the City of Tracy off-street parking requirements (Tracy Municipal Code, Article 26) except as otherwise specified below. The standard parking requirements shall be modified per Table 2.4.

Loading Space

Loading spaces shall be provided in the ESP in accordance with the City of Tracy loading space requirements (Tracy Municipal Code, Article 26) except as otherwise specified below.

Loading spaces for uses within the Village Center (VC), and Limited Use (LU) land use areas will be provided for in accordance with the following allowances and requirements:

1 No off-street loading spaces for non-residential uses are required for occupancy of 8,000 square feet or less of gross floor area.

2 Loading and unloading areas must be designated and posted.

PARKING SPACES REQUIRED

USES	MINIMUM PARKING SPACES REQUIRED
Multi-family Residential in the Village Center	1.25 space per unit, including guest parking
Cafes, restaurants and other establishments for the sales and consumption of food and beverages in the Village Center	One space per 250 square feet of gross non-residential floor area. On-street parking spaces along Ellis Town Drive, that are within 300 feet of the Village Center, may be counted towards meeting the minimum number of parking spaces required. (For any non-residential uses in the Village Center)
Self Storage	One space for the manager and one space per 400 gross square feet of any office or retail components

Table 2.4 Parking Spaces Required

Landscaping Requirements for Parking Areas

1 Landscaping in parking areas shall be provided in the Ellis Neighborhood Plan in accordance with the City of Tracy landscaping requirements (Tracy Municipal Code, Article 26) except as otherwise specified below.

2 The minimum width of any landscape area within a parking lot shall be 5 feet.

3 In all landscape areas, low shrubs, ornamental grasses, perennials, annuals, and/or groundcover must be installed in addition to canopy trees. Turf is not permitted. All landscape areas within a parking lot must be irrigated.

4 Landscaping shall consist of plant materials and special hardscape, and shall include a combination of trees, shrubs, ground cover, and may include enhanced paving on walking surfaces.

5 Landscaping requirements for parking areas shall not apply to storage uses inside the security fence boundary.

Bicycle Parking Areas

Designated bicycle parking areas for Village Center (VC), Limited Use (LU), and Multi-Family within Residential Mixed (RM) zoning, and for the Aquatic Park, shall be provided in accordance with the following standards:

A Required number of slots:

- **MULTI-FAMILY** – 0.5 spaces per multiple-family unit
- **VILLAGE CENTER (VC)** – 1 space per 20 required parking spaces
- **AQUATIC PARK (P)** – 1 space per 20 required parking spaces

B A sidewalk or hard surface is required to connect bike parking areas to bike lanes and/or bike trails.

C Equipment racks that allow the bike frame and at least one wheel to be locked to the rack are required.

D Bicycle parking areas should be as well-lit as vehicle parking lots and should be located in areas visible from paved sidewalks and the intended destination.

E Bicycle parking shall be located on the site within two-hundred (200') feet of the public entrance to each building or use.

2.1.4.5 Underground Utilities

All utility distribution facilities (including but not limited to electric, gas, water, communication, and cable television lines), including utility service laterals and equipment, installed in and for the purpose of supplying service to any building or property shall be vaulted, except equipment appurtenant to underground facilities, such as risers from concealed ducts and poles supporting street lights.

2.1.4.6 Residential Lot Type Diversity

Residential diversity refers to the criteria that will be used to establish the location of various residential lot types to encourage an interesting and compatible neighborhood mix and to discourage the domination of a sub-area by only one or only a few lot types. The Ellis Neighborhood residential mixing requirements are as follows:

Attached Types

1 No more than 200 apartment units or condominium units located together.

2 No more than 800 linear feet of one lot type along the same street face without a break. A break is defined as a physical interruption. Breaks must be a minimum of 200 linear feet and can be created by the use of a park or another lot type.

Detached Types

1 No more than 1,200 linear feet of one lot type along the same street face without a break. A break is defined as a physical interruption. Breaks must be a minimum of 200 linear feet and can be created by use of a park or another lot type. Street rights-of-way can also be part of a break.

Note:

1 Within each neighborhood (Village, Garden, and Town & Country) there shall be a minimum of four different lot types. A single lot type may represent up to 50% of the lot mix.

2 Approved lot types are documented in the Pattern Book. Front-loaded versus Rear-loaded lots constitutes two different lot types.

3 For housing diversity requirements please refer to Pattern Book.

TR-ELLIS – RESIDENTIAL MIXED			
LOT TYPE	RESIDENTIAL MIXED LOW	RESIDENTIAL MIXED MEDIUM	RESIDENTIAL MIXED HIGH
Townhouse			X
Live/Work			X
Mansion Apartments			X
Courtyard			X
Green Court			X
30 R			X
40 R		X	
45 R		X	
50 R		X	
50 F		X	
55 R		X	
55 F		X	
60 R		X	
60 F		X	
65 R	X		
65 F	X		
70 F	X		
80 F	X		
100 F	X		

GENERAL DIVERSITY REQUIREMENTS

Single-Family Lots
30 or fewer lots = 1 floor plan/2 elevations
31 to 50 lots = 2 floor plans/2 elevations
51 or more lots = 3 floor plans/3 elevations

Courtyard and Green Court Lots
52 or fewer lots = 2 floor plans/2 elevations
53 or more lots = 3 floor plans/3 elevations

Table 2.5 TR-Ellis – Residential Mixed

2.1.4.7 Resource Conservation Measures

Ellis has been designed and planned with environmental sustainability measures in mind. Such measures include compliance with new water efficiency standards for landscaping, walking paths, community connectivity, and Class 1 bike paths. Non-residential development will be consistent with the requirements for Neighborhood Electric Vehicles (NEV). Ellis is also located on a commuter rail line with a current transit stop less than two miles away.

Building plans shall show characteristics of each feature, material, component and manufactured devices proposed to be installed to meet current building energy efficiency standards.

2.1.4.8 Private Property Signs

Signs in the Ellis Neighborhood Plan Area on private property shall be regulated by Title 10, Article 35 of the Tracy Municipal Code, except as specified in Section 2.1.4.8 of the Ellis Specific Plan and Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program. The signs included in this Ellis Sign Program shall be permitted as shown. The approval process shall include only building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code.

In addition, the design of the landscape features/character elements in Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program shall be permitted as shown. All signs including monument signs are permitted according to Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program.

Sign Area

The maximum allowed sign area shall be based on building frontage and calculated as described in Title 10, Article 35, of the Tracy Municipal Code. As it pertains to calculating sign area, "building frontage" shall mean the building elevations facing a street, plaza, mall, or parking area. Where the building contains multiple uses, "building frontage" shall mean the linear frontage of that portion of the building between the occupancy separation walls.

Projecting Signs (along Corral Hollow Road)

One projecting sign is permitted on each character element (silo and granary) along Corral Hollow Road. The maximum area of each face of each sign is eighty (80) square feet. Signs may be internally or externally lit.

2.1.4.9 Fencing

Fencing shall be provided in the Ellis Neighborhood Plan in accordance with the City of Tracy fencing requirements (Tracy Municipal Code, Article 24) except as otherwise specified in the Ellis Specific Plan as amended by Tracy Ordinance 1266, March 5, 2019. The permitted maximum height within any required front yard shall be no greater than three feet measured vertically from the top of the fence to the grade of the sidewalk nearest the property line. Model home fencing may extend into the public right-of-way to include public sidewalks in fenced areas.

A screening fence or boundary wall six feet (6') to twelve feet (12') in height, measured from the finished grade of the commercial property line, separating the commercial zone property from adjoining zones, shall be permitted around both permanent and temporary outdoor/self storage uses.

2.1.4.10 Outdoor Merchandise Display or Storage

Permanent outdoor display or storage of merchandise, equipment, supplies (including automobiles, trailers, and other vehicles), or other material is prohibited unless explicitly approved by the City through Pattern Book Certification or approved through a Temporary Use Permit, regulated under the TMC. An exception is for Ellis Storage moving trucks, which may be parked at the Ellis storage site.

2.1.4.11 Special Requirements

Railroad

The minimum permitted setback to habitable space from the centerline of the Union Pacific Railroad track shall be 100 feet.

Pipelines

The minimum permitted setback to habitable space from the centerline of the combined existing Pacific Gas & Electric (PG&E) and Chevron easements shall be 100 feet.

2.1.4.12 Subdivision

All subdivisions shall be generally conforming to the layout on Figure 2.6 Ellis Neighborhood Zoning Summary. Diagrams in the Ellis Neighborhood Plan Area are illustrative and not intended to represent the precise final layout. The exact location of blocks, streets, lanes, and public facilities will be determined upon the approval of detailed plans. In general, typical blocks will be approximately 200 feet wide by 500 feet long and streets/lanes are based on the types documented in Section 2.2.

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2.2 Infrastructure

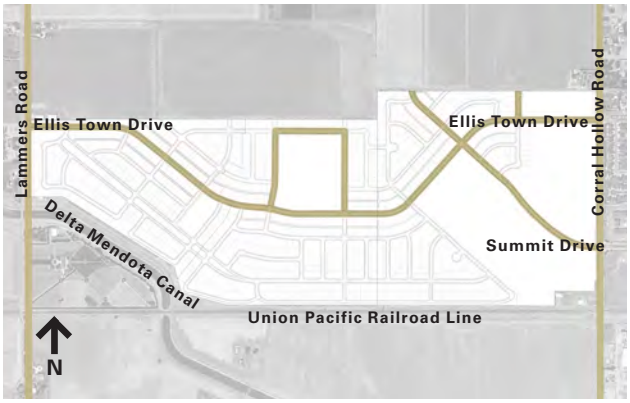


Figure 2.17 Primary Street Network

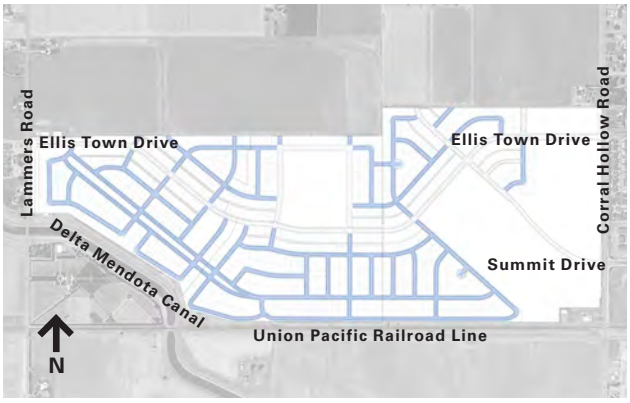


Figure 2.18 Internal Street Network

2.2.1 VEHICULAR ACCESS

Ellis is located adjacent to the current City limit of the City of Tracy and will be annexed into the City. Ellis has close proximity to Interstate 580, which connects the Central Valley with the East Bay and the Bay Area farther to the west. Ellis also has access to Interstate 205, running east/west, and has access to Interstate 5, running to Los Angeles and other points south. More immediate to the Ellis parcel, the area is connected to the City of Tracy by Lammers Road and Corral Hollow Road. Corral Hollow is a city arterial, however Lammers Road currently terminates at the southwestern edge of Ellis, near the Delta Mendota Canal. Lammers Road is planned to be improved to a six-lane expressway in the future. Urbanization of Ellis will require improvements to streets both within and beyond its boundary, particularly Lammers Road. East/west community streets will also provide main connections for the Ellis community to Corral Hollow and Lammers Roads, and therefore connectivity to the City of Tracy itself.

The land use concept for Ellis contains a framework for circulation consisting of both a Primary Street Network and an Internal Street Network (Figure 2.17 and Figure 2.18). Proposed access to the community will be provided by new main entrances from Corral Hollow Road and Lammers Road, the main north / south arterials defining the edges of Ellis. A main community street, named Ellis Town Drive, will align with Peony Road, connecting the new community to the residential development to the east. Ellis Town Drive will lead from the Village Center and proposed Aquatic Park to Lammers Road. Lammers Road will provide access to Ellis on the western edge of the community. A second main community street will align with the existing signaled intersection of Corral Hollow Road and Middlefield Road. The new street will be called Summit Drive and will lead from

Corral Hollow Road to the north, through the Village Neighborhood, and may eventually connect to future community streets to the north of the Ellis Neighborhood Plan area. Through the environmental review process, including the City's certification of the ESP Revised Environmental Impact Report (Revised EIR), mitigation measures will be adopted and incorporated into the project to ensure compliance with, and implementation of, the City's General Plan goals, objectives, and policies concerning traffic congestion and other circulation issues, in accordance with the Ellis Program's Finance and Implementation Plan.

2.2.1.1 Street Network and Hierarchy

A grid pattern of different street types (see Figure 2.23 Street Hierarchy), each with a different character and function, will serve the transportation needs of the community. With sidewalks on all streets, and bikeways on many, the streets will become the armature for the pedestrian and bicycle network as they connect the residential neighborhoods, and parks within and beyond Ellis.

All streets will accommodate movement of emergency vehicles (including Fire and Public Safety vehicles).

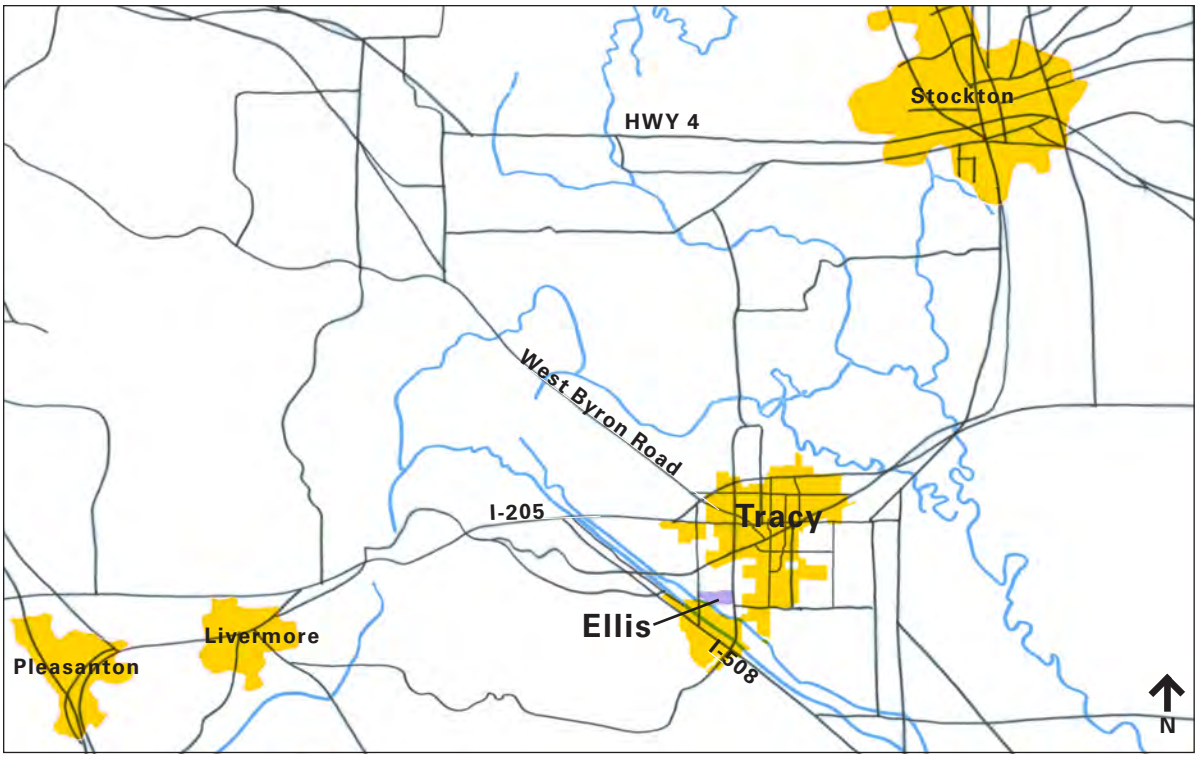


Figure 2.19 Regional Roads

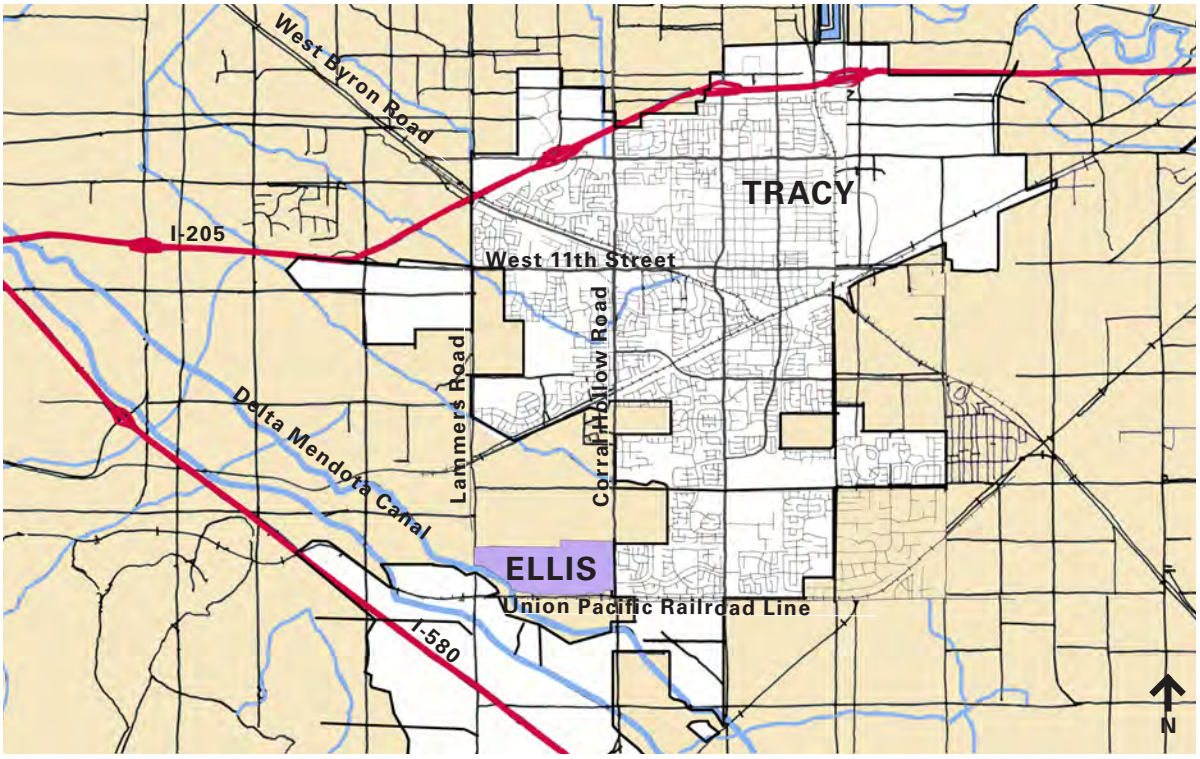


Figure 2.20 Vicinity Roads

In order to create pedestrian-friendly streets, the project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming measures. The Ellis Neighborhood Plan traffic calming menu of measures includes: traffic signals, all-way stop signs, two-way stop signs, on-street parking, bulb-outs at intersections, speed tables, traffic circle with all-way stops, knockdowns, chicanes, medians, closures (cul-de-sacs), diverters, education, forced turn lanes, etc. Figure 2.21 illustrates some of these techniques. More detailed measures may be utilized in specific areas, such as specially lit crosswalks in the Village Center, to promote safety. 100% of streets and intersections will be considered for improvements. The final type and location of all traffic-calming elements will be determined at the time of Vesting and Tentative Map approval. All streets will be publicly owned and maintained. Streets will be built to the standards established by applicable City Engineering Design and Construction Standards and Standard Plans, except as modified by the ESP.

Figure 2.24 through Figure 2.29 identify streets by type: Regional Arterial, Entry, Community, Village Center, Neighborhood, and Lanes. The City is to accept dedicated streets and lanes, with the final location to be determined during Vesting and Tentative Map development.

Controlling Vehicle Movement



Traffic Signal



All-way Stop Sign



Two-way Stop Sign

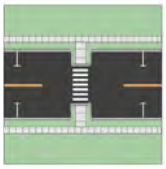
Narrowing the Street



On-street Parking



Bulb-out Intersection (intersection of a Community Street and a Neighborhood Street)



Speed Table

Deflecting the Vehicle Path



Traffic Circle with All-way Stop



Knockdown (intersection of two Community Streets)



Chicane/ Deflection

Figure 2.21 Traffic-Calming Measures



Figure 2.22 Pedestrian-friendly Streets

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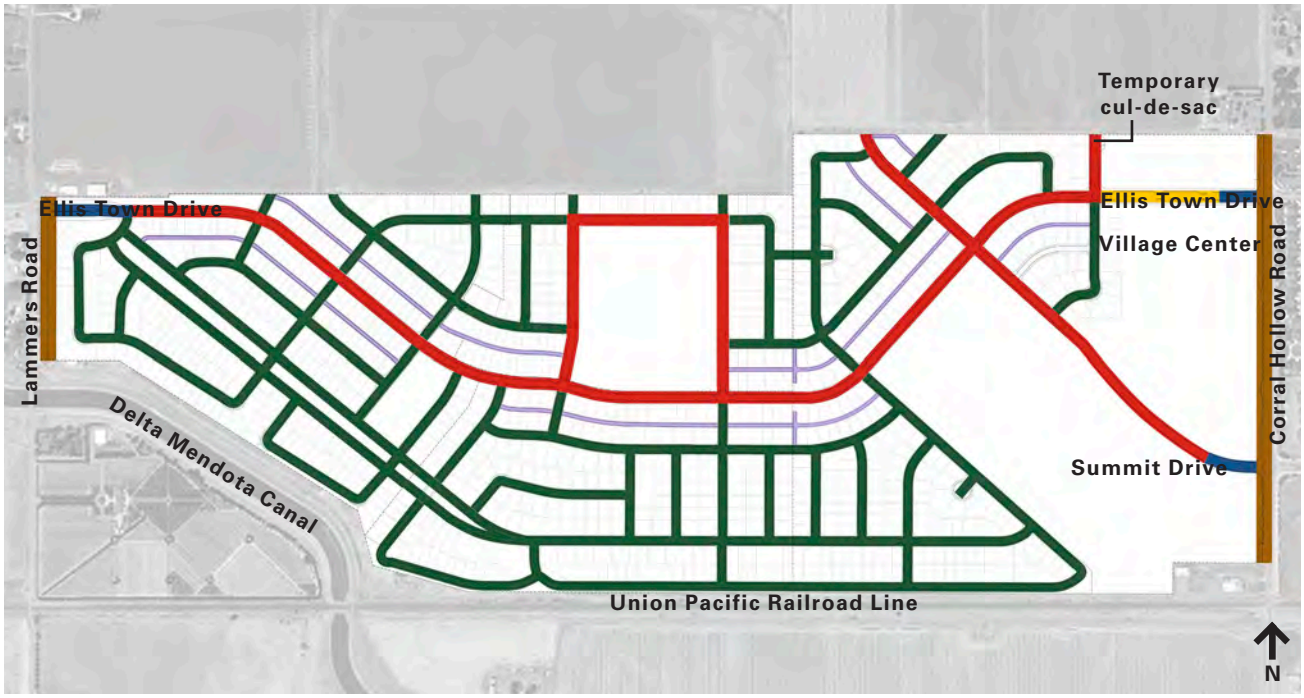


Figure 2.23 Street Hierarchy



Figure 2.24 Regional Arterial Streets

REGIONAL ARTERIAL A ULTIMATE
REGIONAL ARTERIAL A PARTIAL ULTIMATE IMPROVEMENT
REGIONAL ARTERIAL B



Figure 2.25 Entry Streets

ENTRY STREET A
ENTRY STREET B
ENTRY STREET C

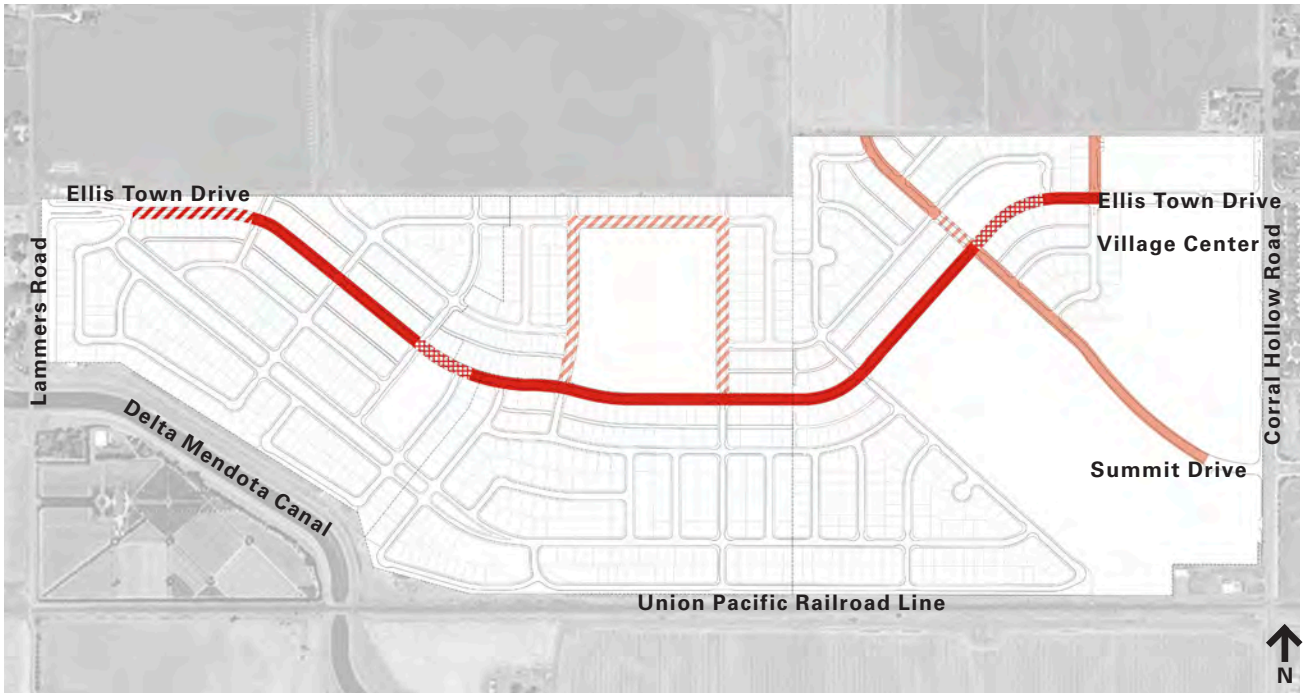


Figure 2.26 Community Streets



Figure 2.27 Village Center Street

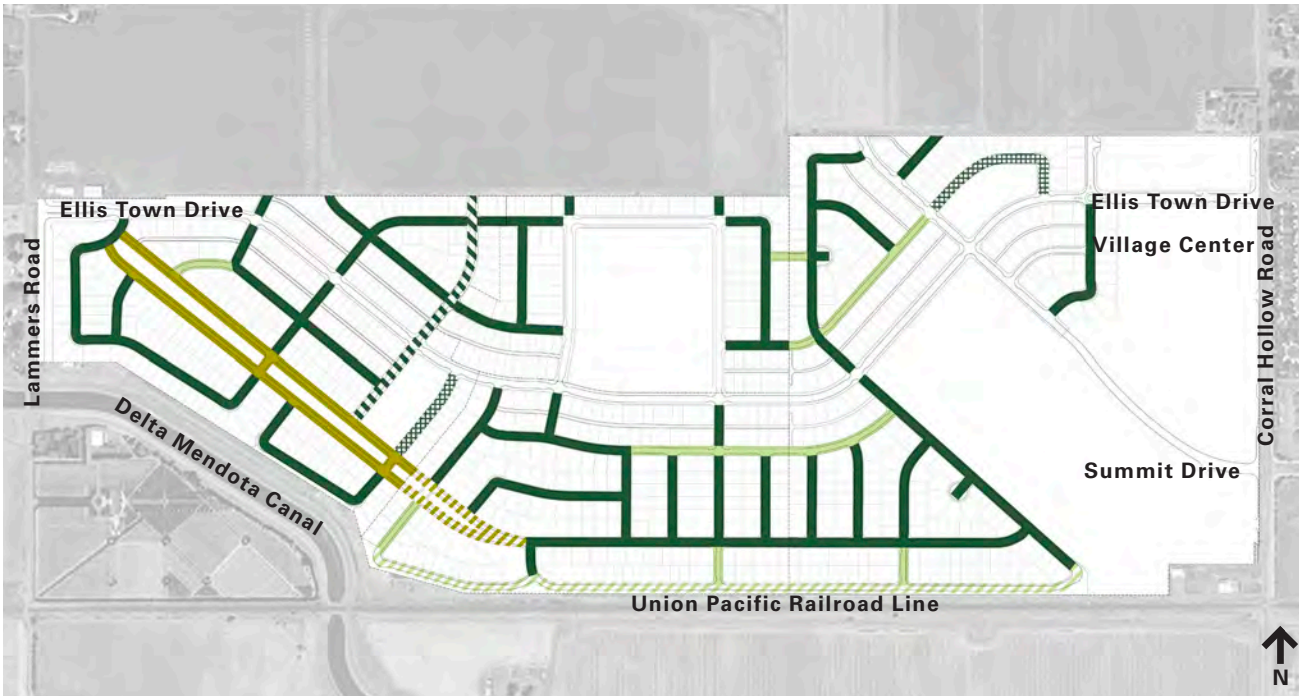


Figure 2.28 Neighborhood Streets



Figure 2.29 Lanes

Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

2.2.1.2 Regional Arterial: Lammers Road

Designation: A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road)

Definition

Lammers Road is an existing undivided two lane roadway that serves as a major north/south connection for the City of Tracy and is located on the western boundary of the City's existing developed area. The only on-street bicycle lanes within Lammers Road are located on the eastern side of the roadway in the segment north of Eleventh Street. The posted speed limit within the City is 45 miles per hour. Lammers Road is designated as a future expressway in the 1994 Roadway Master Plan. The Ellis project will be responsible for construction of the connection of Ellis Town Drive to Lammers Road per street section shown in Figure 2.31.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way, two lanes; dedicated turn lane at intersection

PARKING None

R.O.W. WIDTH 180 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE None

SIDEWALK WIDTH None

BICYCLE LANE None

PARK STRIP None

LANDSCAPE A row of street trees underplanted with low water use grasses with backdrop of columnar trees planted in a windrow; transitional area to be planted with low water use grasses and/or shrubs (irrigated); see Section 2.2.7.3, 2.2.7.6 and Table 2.6, Table 2.7, and Table 2.8



Figure 2.30 Key Plan: Regional Arterial – Lammers Road, Designation A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road)

REGIONAL ARTERIAL A (AT TIME OF CONNECTION)

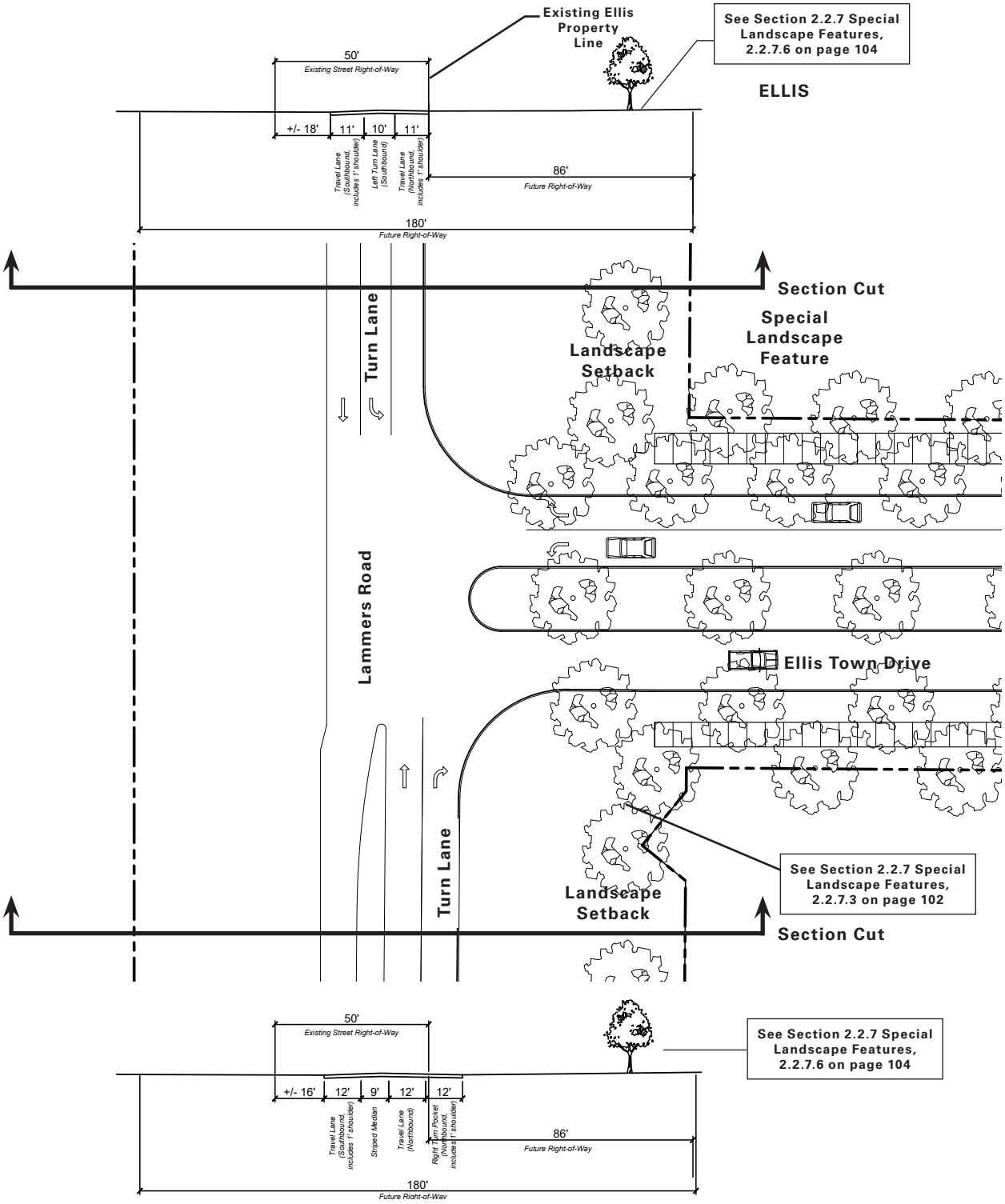


Figure 2.31 Existing Section and Plan: Regional Arterial – Lammers Road, Designation A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road).

This figure is illustrative and does not represent all of the design requirements of this intersection nor does it represent the final configuration of the turning movements shown. The design of this intersection shall be based on the technical Memorandum by Kimley-Horn "Lammers Road and Ellis Town Drive Traffic Analysis" dated May 1, 2019, Ellis FEIR and Addendums, and City Design Standards; as approved by the City Council.

Designation: A (Final Build-out)

Definition

Lammers Road is designated as a future expressway and may be built to such standards in final build-out. According to the City of Tracy General Plan, expressways are designed to prioritize traffic movement with very limited access. This type of road has a 1/4 mile minimum spacing of access points and traffic control at major intersections provided by grade-separated facilities.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way divided roadway, six lanes with dedicated turn lane at intersection

PARKING None

R.O.W. WIDTH 180 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path, one side

BICYCLE LANE Class 2, both sides

PARK STRIP 6 feet at curb and 30 foot dedicated landscape setback behind sidewalk on the east side only

LANDSCAPE A row of street trees underplanted with low water use grasses and/or shrubs, and backed by a windrow of columnar trees (irrigated); see Section 2.2.7.6 and Table 2.6, Table 2.7, and Table 2.8



Figure 2.32 Key Plan: Regional Arterial – Lammers Road, Designation A (Final Build-out) REGIONAL ARTERIAL A (FINAL BUILD-OUT)

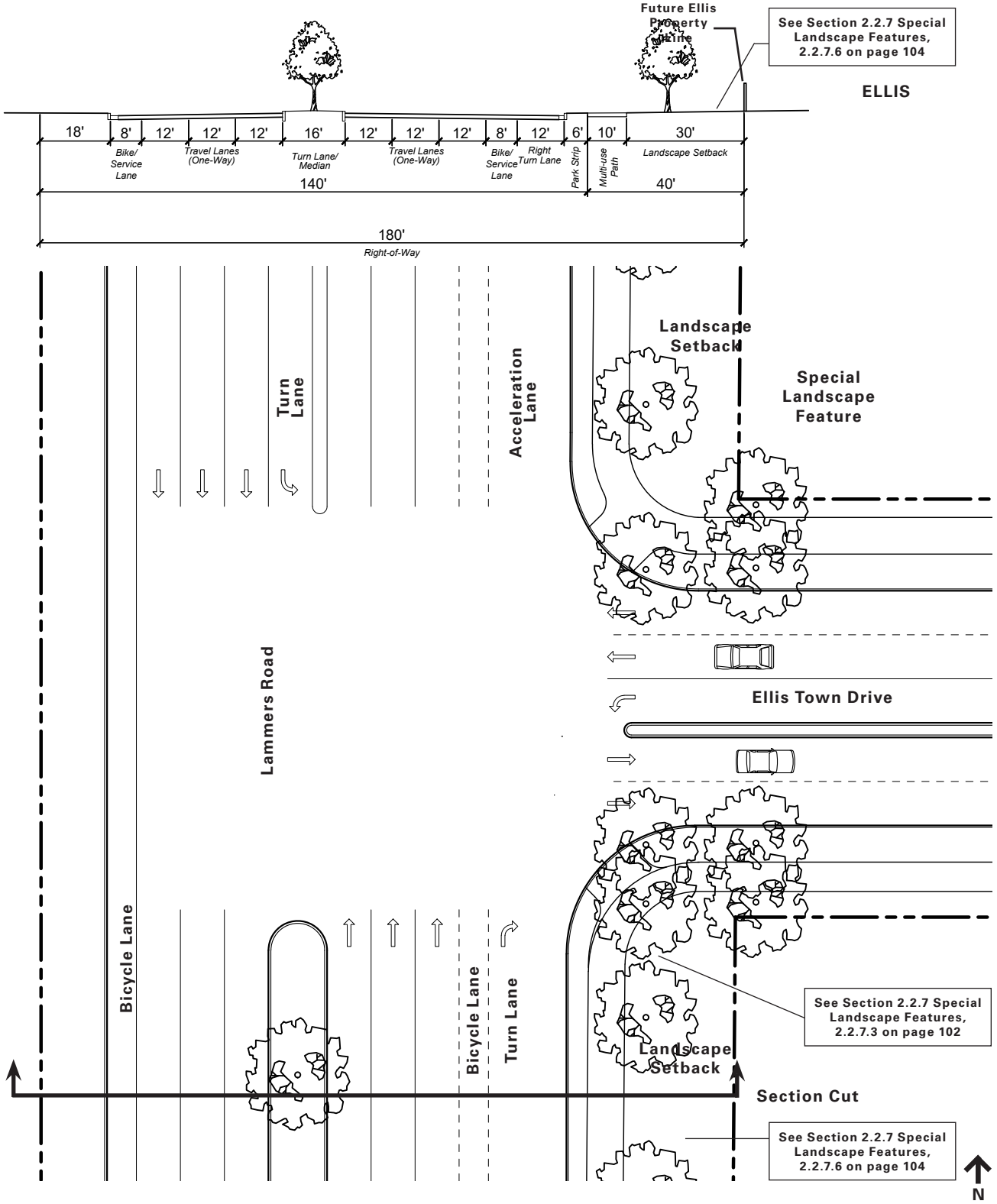


Figure 2.33 Build-out Section and Plan: Regional Arterial – Lammers Road, Designation A (Final Build-out)
This figure is illustrative and does not represent all of the design requirements of this intersection nor does it represent the final configuration of the turning movements shown. The design of this intersection shall be based on City's Roadway Master Plan and City Design Standards, and final design documents for capital improvement project as approved by the City Engineer.

2.2.1.3 Entry Street

Designation: A

Definition

Ellis Town Drive will be a primary entrance accommodating the largest traffic volumes entering and exiting the community from Lammers Road. Adjacent uses include special landscape features and residences. This street will have large trees in both the median and the park strip to celebrate the entrance. No on-street parking is allowed. A signal will be constructed by others at this new intersection prior to final build-out of Lammers Road.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes maximum

PARKING None

R.O.W. WIDTH 86 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 8 feet on one side; 10-foot multi-use path on the other side

BICYCLE LANE Class 1, one side

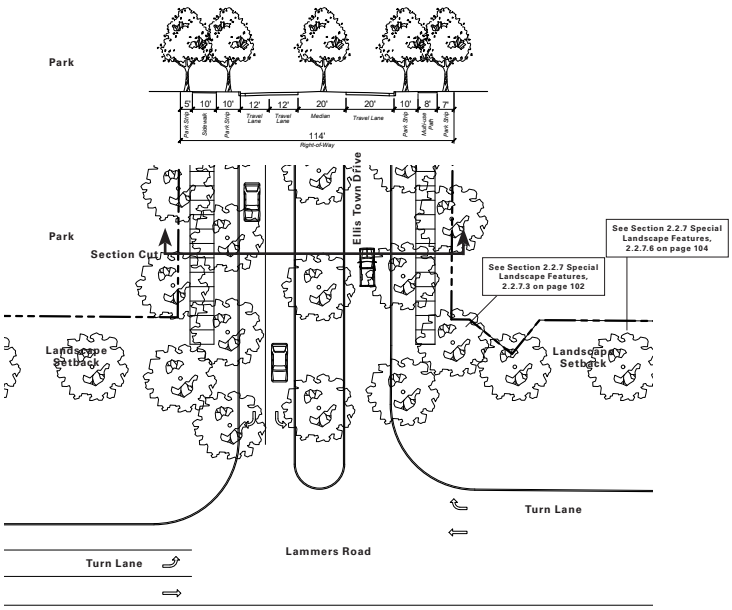
PARK STRIP 10 feet at curb on both sides

LANDSCAPE Double row of street trees underplanted with low water use grasses, shrubs, and/or groundcover (irrigated); planted median with trees (irrigated); see Section 2.2.7.3 and Table 2.6, Table 2.7, and Table 2.8

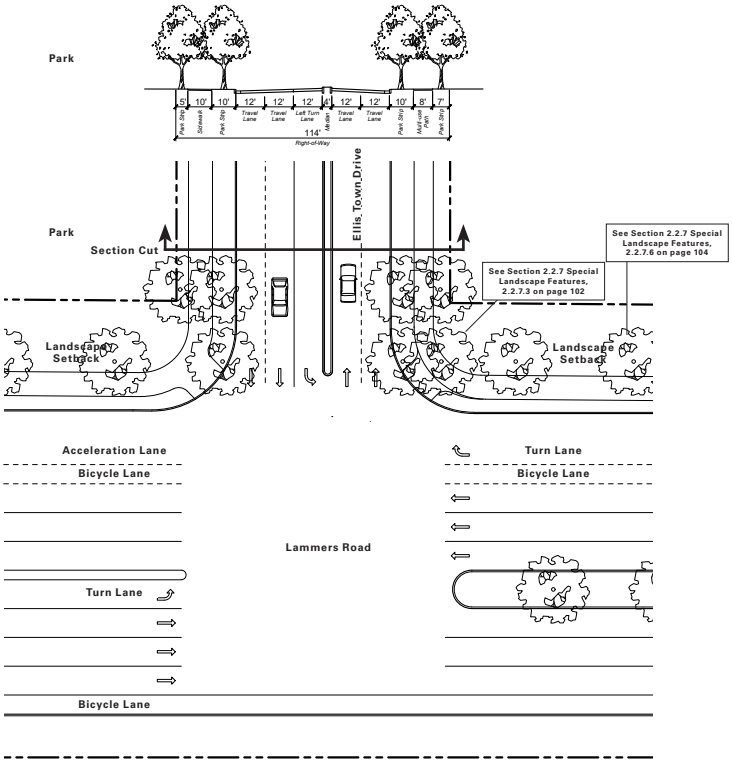


Figure 2.34 Key Plan: Entry Street A

Partial Ultimate Improvements



Ultimate Improvements



N

Figure 2.35 Proposed Section and Plan: Entry Street A

Potential for separate through, left, and right turn lanes for the westbound traffic at Lammers Road may be evaluated based on a City traffic analysis funded by the City Master Plans or other public source. City shall initiate such an analysis no later than within thirty (30) days of submittal of a tentative map, including this cross section, and shall complete the analysis within ninety (90) days from time of initiation. Any cost increases, aside from dedications of right-of-way, related to this cross section shall be reimbursable by the City Master Plans or other public source.

2.2.1.4 Regional Arterial: Corral Hollow Road

Designation: B (Partial Ultimate Improvement Condition)

Definition

Corral Hollow Road is an existing roadway that serves as a major north/south connection for the City of Tracy. Along the eastern boundary of the ESP, Corral Hollow Road is an undivided two lane roadway with an on-street bike lane, curb, gutter and sidewalk along the western side of the roadway. The posted speed limit along the project frontage is 45 miles per hour. Corral Hollow Road is designated as a major arterial in the City of Tracy General Plan. Major arterials are intended to serve as the major routes of travel within the city. Arterials can provide some direct but limited access to adjacent parcels. These limitations can include restrictions on spacing and turn movements into and out of driveway locations. Major arterials can also serve as bicycle and pedestrian routes. In its final build-out, this road has dedicated left and right turn lanes in both the north and southbound directions.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way divided roadway, four lanes with dedicated turn lanes at intersection

PARKING None

R.O.W. WIDTH 130 to 150 feet

TRAVEL LANE WIDTH 11 to 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on the west side, 5-foot existing sidewalk on the east side

BICYCLE LANE Class 2, both sides

PARK STRIP 8 feet at the curb and 12-foot dedicated landscape zone behind sidewalk on the west side, existing park strips on the east side are of variable width

LANDSCAPE Double row of street trees with single row of evergreen background trees; underplanted with low water use grasses, shrubs, and/or groundcover (irrigated); tree pattern broken in areas to allow views into commercial sites; planted median with trees (irrigated); see Sections 2.2.7.4, 2.2.7.5 and Table 2.6, Table 2.7, and Table 2.8



Figure 2.36 Key Plan: Regional Arterial B – Corral Hollow Road, Designation B (Partial Ultimate Improvement Condition)

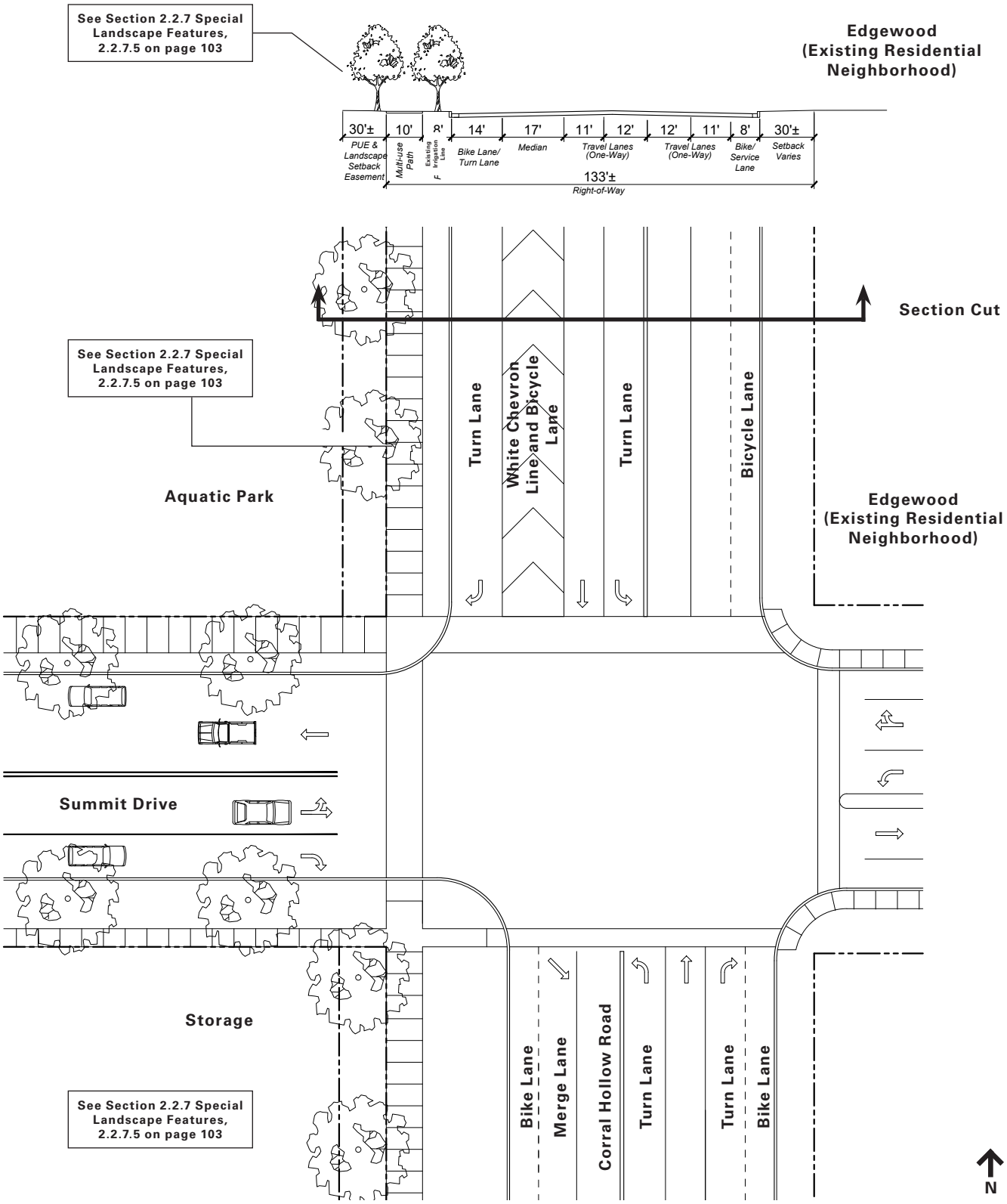


Figure 2.37 Partial Ultimate Improvement Section and Plan: Regional Arterial – Corral Hollow Road, Designation B (Partial Ultimate Improvement Condition)

2.2.1.5 Entry Street

Designation: B

Definition

Summit Drive will be a primary entrance accommodating high traffic volumes entering and exiting the community from Corral Hollow Road. This street will have large trees in the park strips to celebrate the entrance. No on-street parking is provided. Summit Drive within the ESP will extend existing Middlefield Road from its current terminus at the existing signalized intersection with Corral Hollow Road to the west and north through the Village Neighborhood.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, three lanes

PARKING None

R.O.W. WIDTH 91 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on one side; 5-foot sidewalk on other side

BICYCLE LANE Class 1, one side

PARK STRIP 6-foot park strip on north side and width varies on south side

LANDSCAPE Special landscape treatment featuring palms, accent planting and iconic elements (irrigated); see Section 2.2.7.2 and Table 2.6, Table 2.7, and Table 2.8



Figure 2.38 Key Plan: Entry Street B

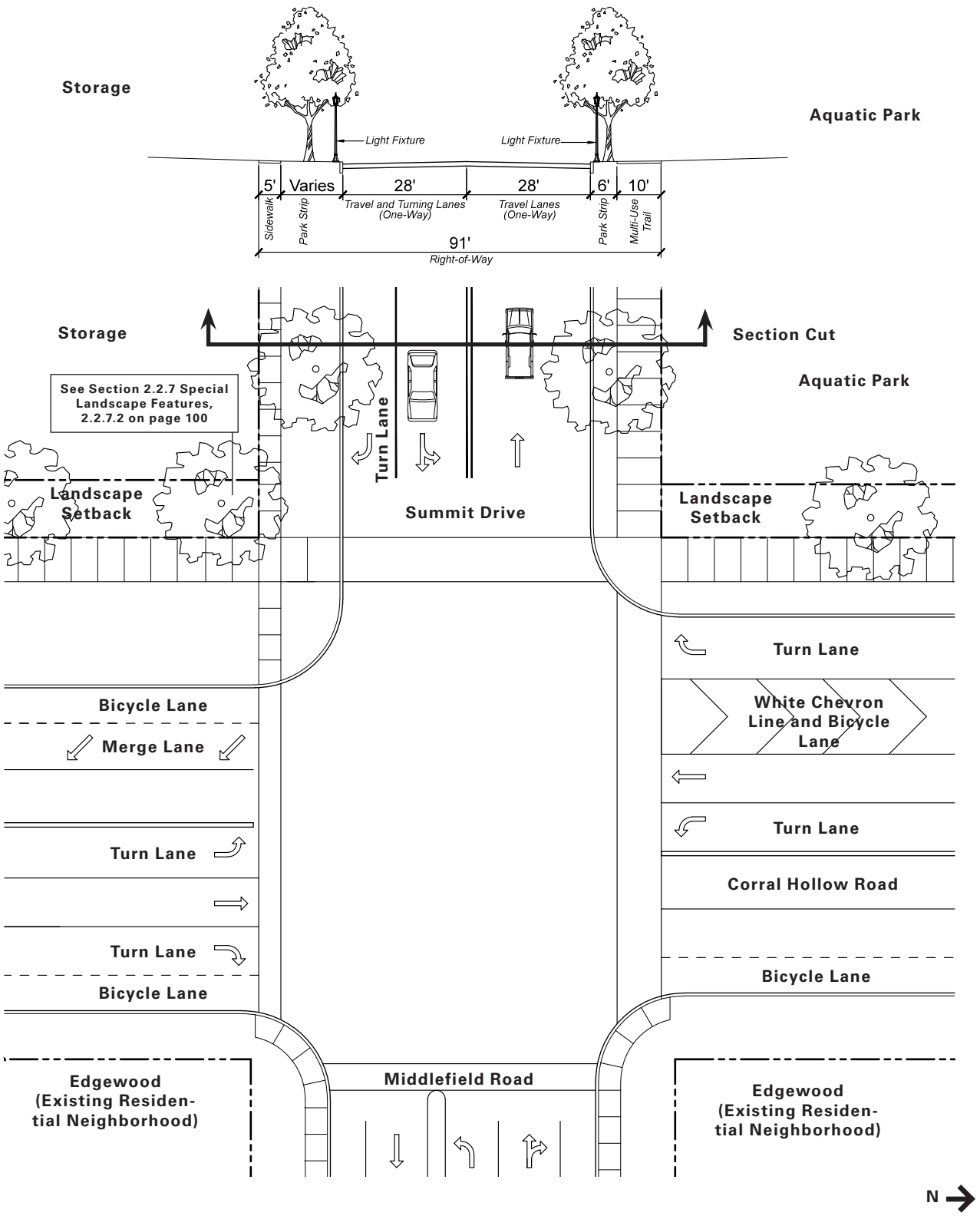


Figure 2.39 Proposed Section and Plan: Entry Street B

2.2.1.6 Entry Street

Designation: C (Ellis Town Drive)

Definition

Ellis Town Drive will be a primary entrance accommodating high traffic volumes entering and exiting the community from Corral Hollow Road. Adjacent uses include the Village Center. This street will have large trees in both the median and the park strip to celebrate the entrance and organize traffic entering the Village Center and this street will align with the existing non-signalized intersection at Peony Drive. A signal will be constructed by the City at this expanded intersection prior to the final build out of Corral Hollow Road.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way divided, three lanes

PARKING None

R.O.W. WIDTH 86 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on one side; 10-foot sidewalk on other side

BICYCLE LANE Class 1, one side

PARK STRIP varies, both sides

LANDSCAPE Special landscape treatment featuring palms, accent planting, and iconic elements (irrigated); see Section 2.2.7.1 and Table 2.6, Table 2.7, and Table 2.8



Figure 2.40 Key Plan: Entry Street C (Ellis Town Drive)

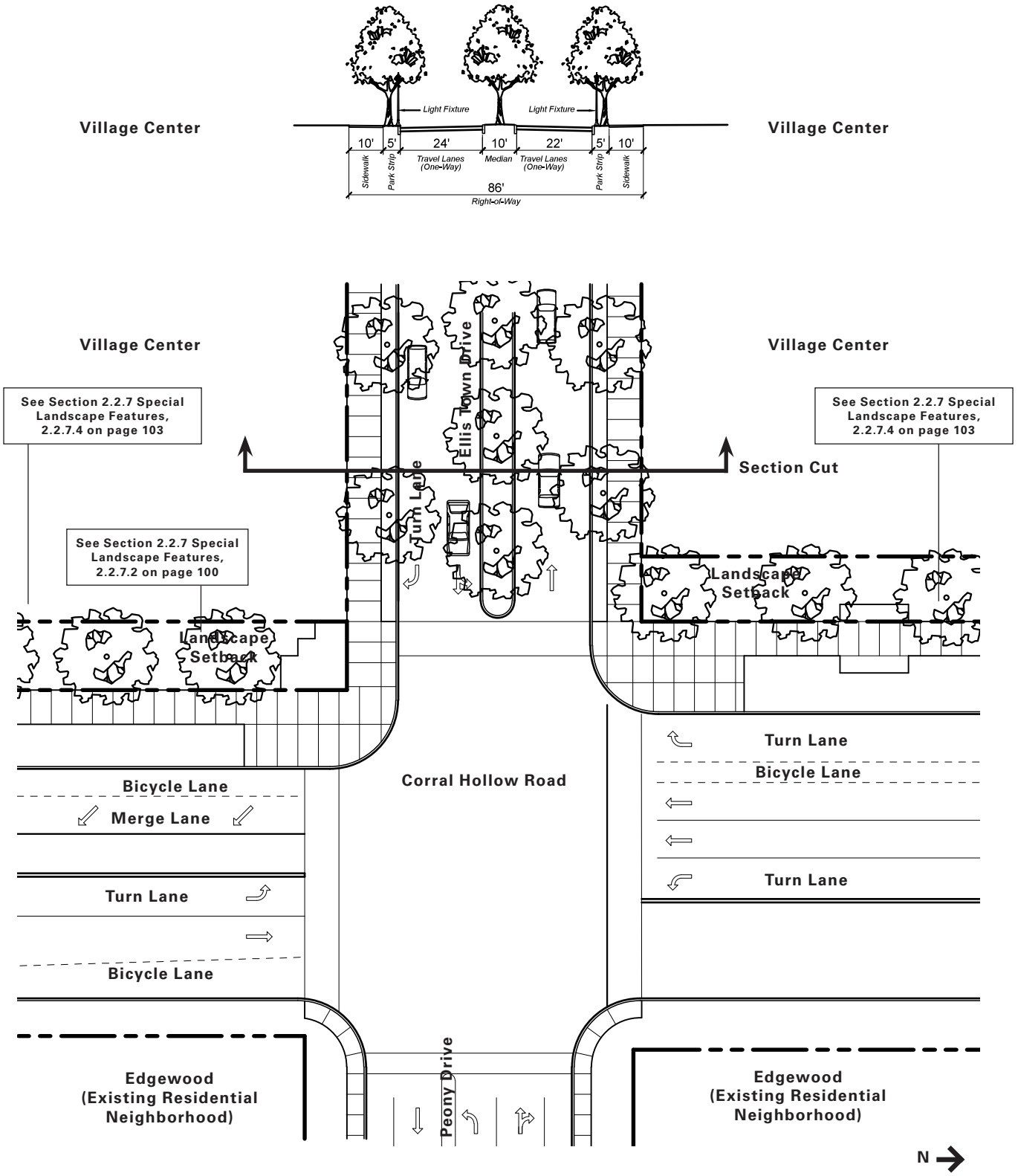


Figure 2.41 Proposed Section and Plan: Entry Street C (Ellis Town Drive)

2.2.1.7 Community Street

Designation: A

Definition

This street will be a link providing the main access for vehicles and bicycles across the community. Adjacent land uses will include residences and parks. On-street parking will be permitted on both sides of the street. A Class 1 bicycle lane on one side will be provided along the length of the street. This street shall employ several traffic control measures (as defined in Figure 2.21) in order to facilitate pedestrian connectivity as it creates the signature address of the community.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides

R.O.W. WIDTH 68 feet

TRAVEL LANE WIDTH 11 feet

CURB TYPE Raised

SIDEWALK WIDTH 8 feet on one side; 10-foot multi-use path on other side

BICYCLE LANE Class 1, one side

PARK STRIP 6 feet, both sides; except park alternatives

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

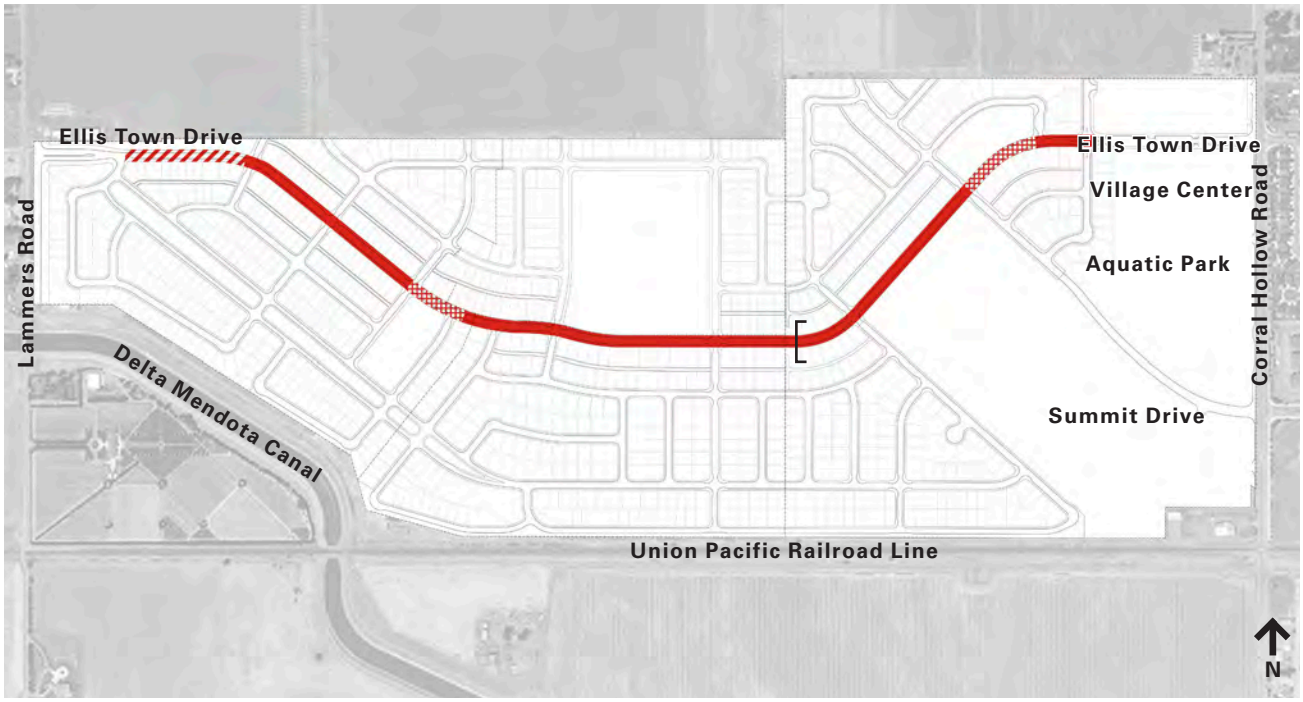


Figure 2.42 Key Plan: Community Street A

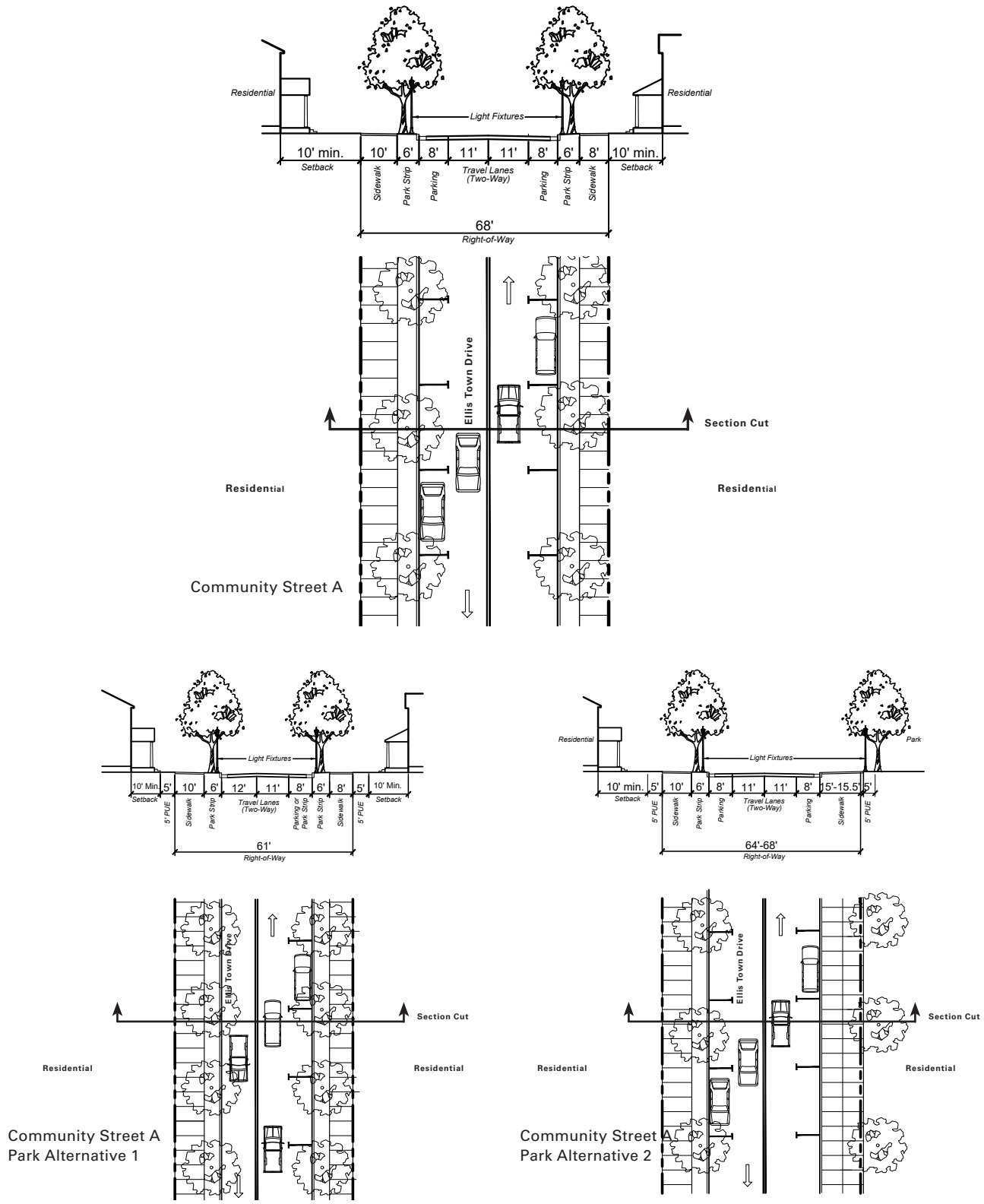


Figure 2.43 Proposed Section and Plan: Community Street A

2.2.1.8 Community Street

Designation: B

Definition

As a street running along the edges of neighborhoods and through the community, its adjacent land uses will include various types of residences, as well as parks and special landscape features. In addition to providing connectivity, the street is designed to connect to potential future development north of Ellis. On-street parking will be provided on both sides. A Class 1 bicycle lane on one side will be provided along the length of the street.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides; offset by park strip on opposite side

R.O.W. WIDTH 65 feet

TRAVEL LANE WIDTH 11 feet

CURB TYPE Raised

SIDEWALK WIDTH 5 feet on one side; 10-foot multi-use path on the other

BICYCLE LANE Class 1, one side

PARK STRIP 6 feet, both sides; except park alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8



Figure 2.44 Key Plan: Community Street B

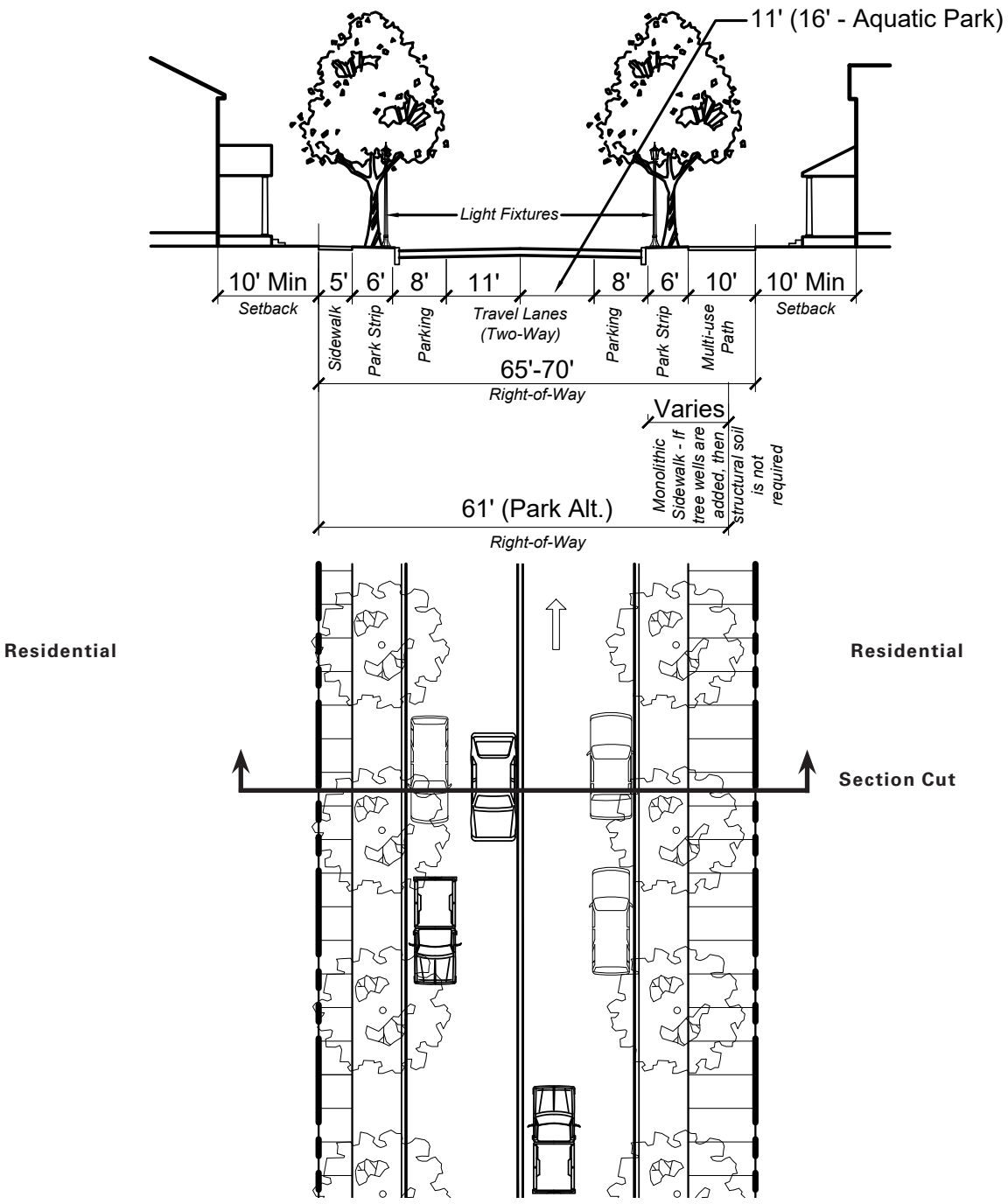


Figure 2.45 Proposed Section and Plan: Community Street B

2.2.1.9 Community Street

Designation: C

Definition

As a street running near the edges of the community, its adjacent land uses will include various types of residences, as well as parks and special landscape features. The street is designed to provide main connections through the community. On-street parking will be provided on both sides. A Class 1 bicycle lane on one side will be provided along the length of the street.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides

R.O.W. WIDTH 63 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 5 feet on one side; 10-foot multi-use path on the other

BICYCLE LANE Class 1, one side

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

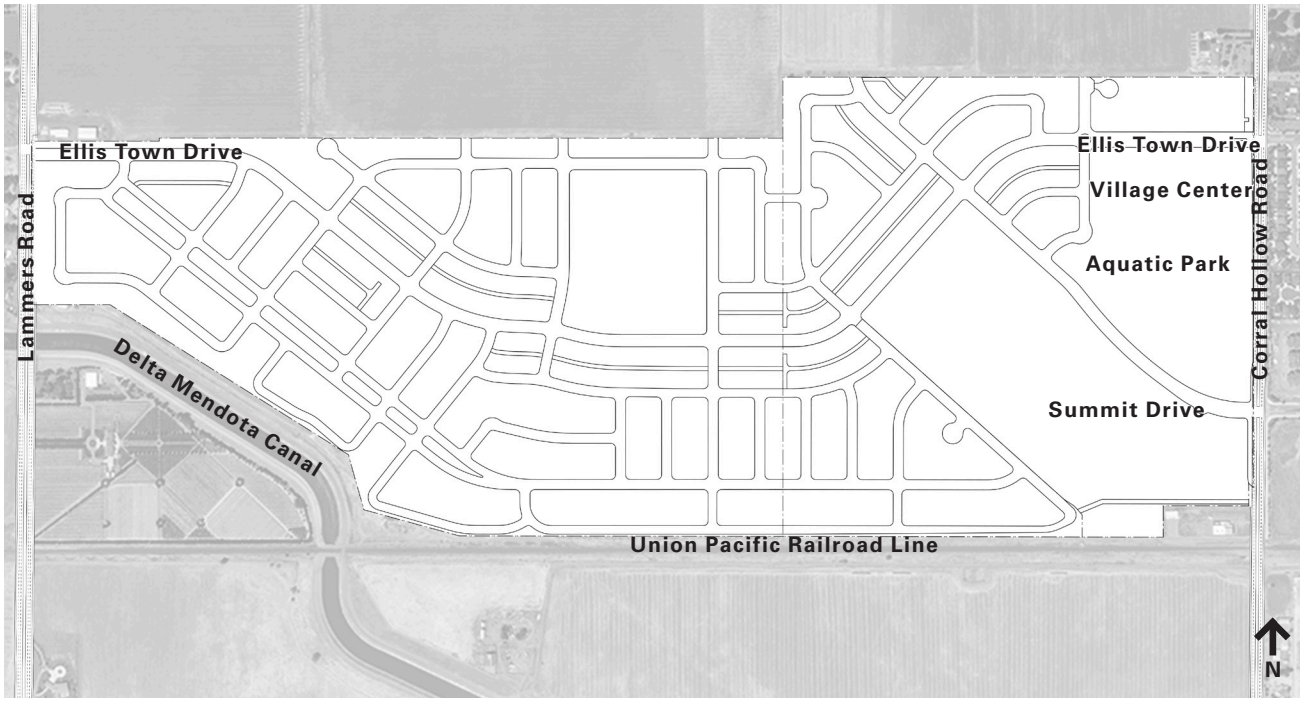


Figure 2.46 Key Plan: Community Street C

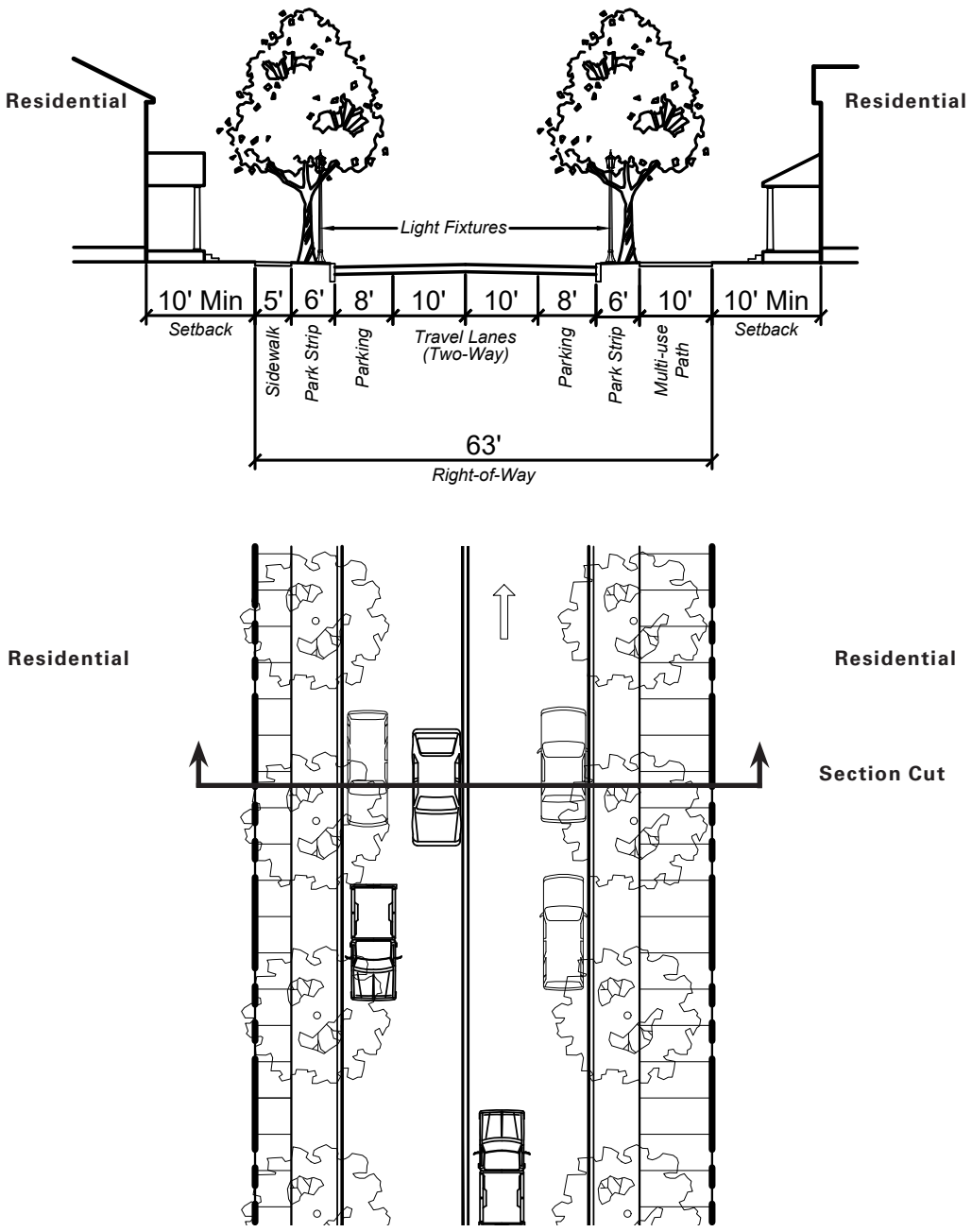


Figure 2.47 Proposed Section and Plan: Community Street C

2.2.1.10 Village Center Street

Designation: A

Definition

This street is designed to encourage pedestrian and commercial activity in the heart of the Village Center. Adjacent land uses will include retail, civic, office, and residential uses. Diagonal on-street parking is provided to support active uses and create a main street environment. Wide sidewalks will be located in front of Village Center buildings to accommodate outdoor dining and other such uses. Trees near curbs will provide shade without reducing the usable width for pedestrians. Bulbouts and associated crosswalks, located at corners and mid-block, will facilitate pedestrian street crossings and will help calm traffic.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes maximum

PARKING Diagonal, both sides

R.O.W. WIDTH 86 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 13 feet on both sides

BICYCLE LANE Class 1, one side

PARK STRIP None

LANDSCAPE Double row of street trees (irrigated) in grates and islands; see Table 2.6, Table 2.7, and Table 2.8



Figure 2.48 Key Plan: Village Center Street A

VILLAGE CENTER STREET A

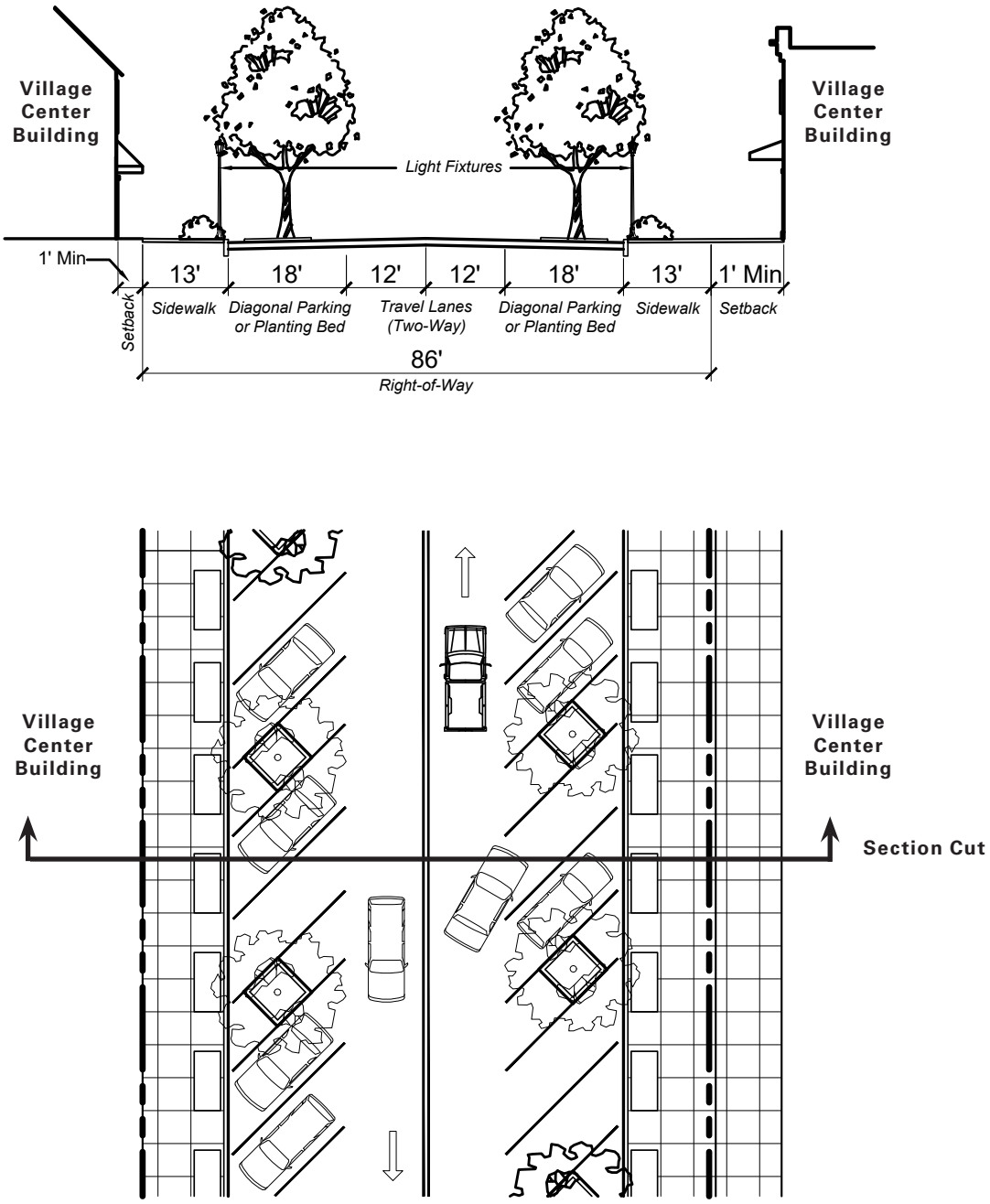


Figure 2.49 Proposed Section and Plan: Village Center Street A

2.2.1.11 Neighborhood Street

Designation: A

Definition

This will be a moderate-scale street providing local access throughout the community. It accommodates on-street parking on both sides.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides

R.O.W. WIDTH 56 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 or 5 or 8 feet, both sides; except park alternatives

BICYCLE LANE None

PARK STRIP 5 or 6 feet, both sides; except park alternatives

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

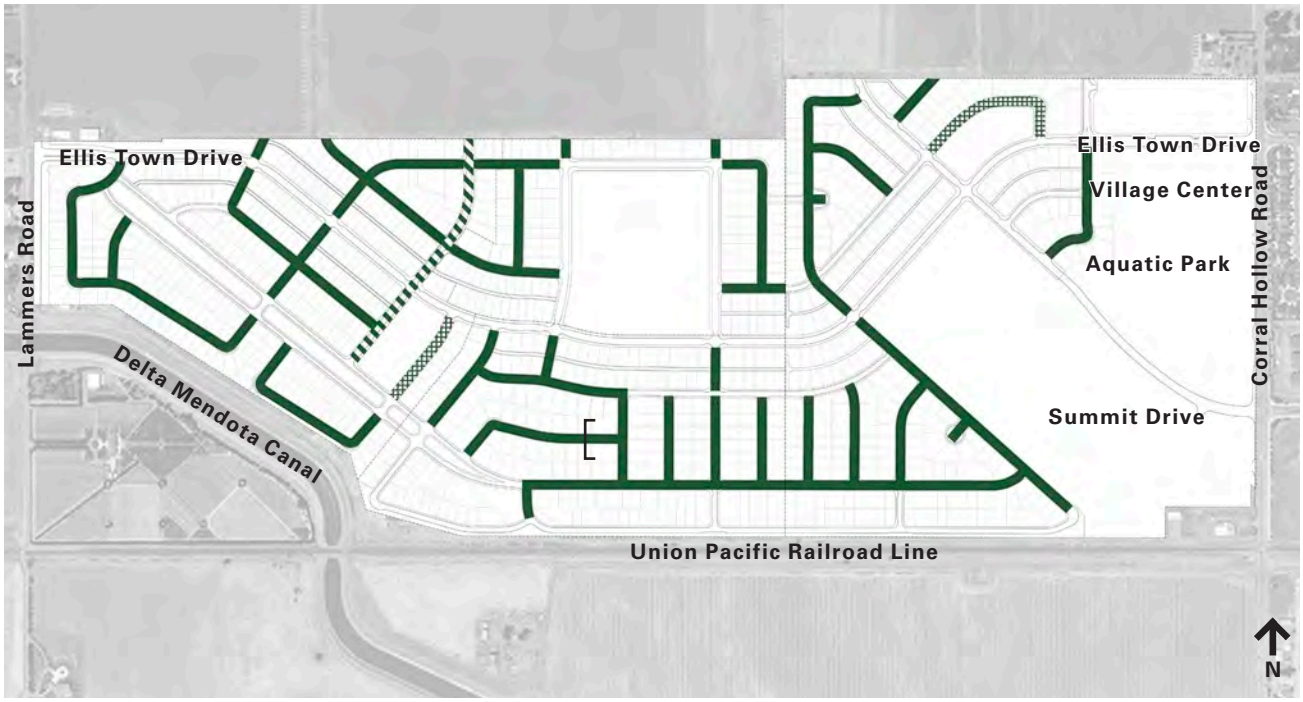


Figure 2.50 Key Plan: Neighborhood Street A

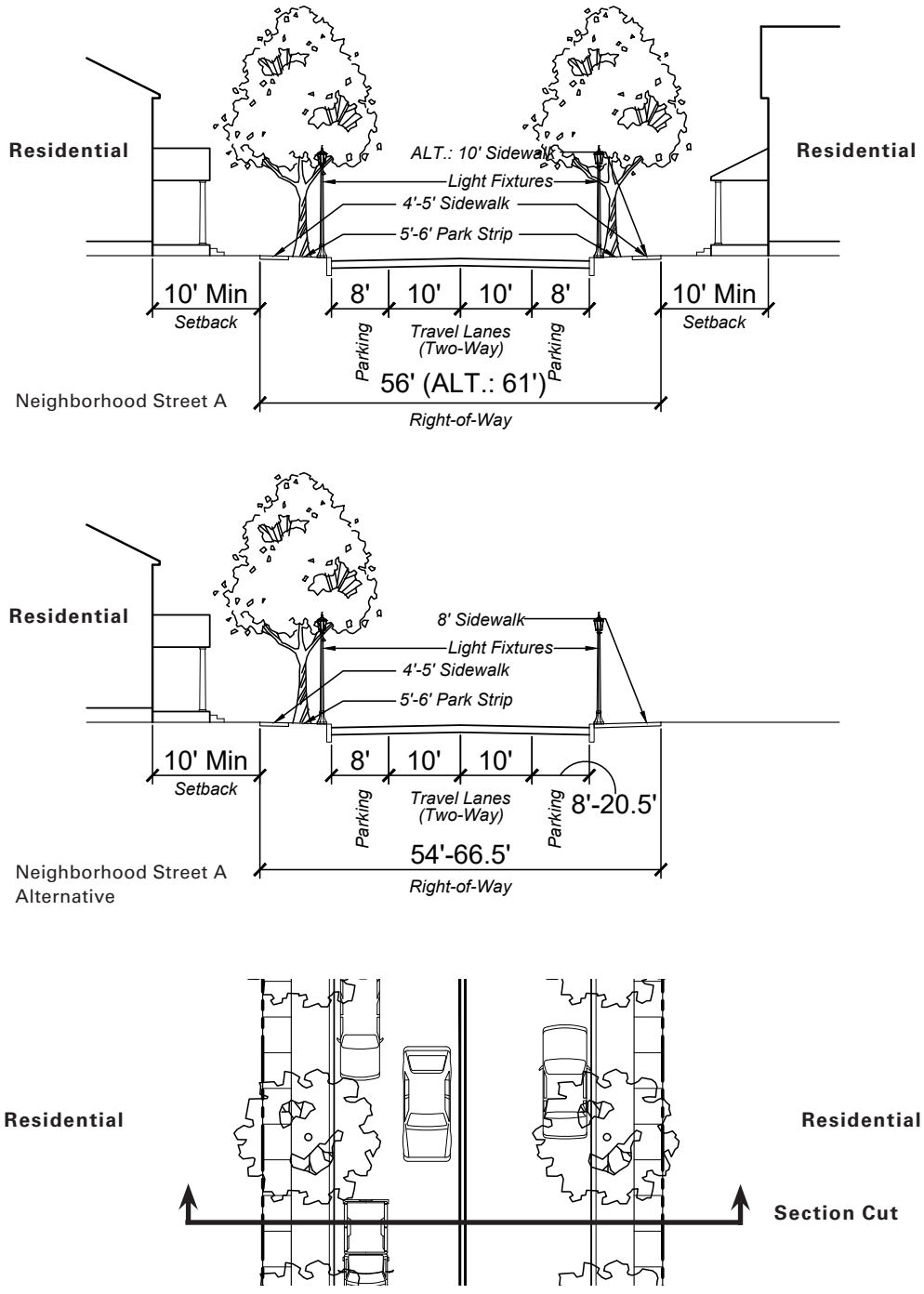


Figure 2.51 Proposed Section and Plan: Neighborhood Street A

2.2.1.12 Neighborhood Street

Designation: B

Definition

This local street will be a small-scale street providing access throughout the community. The street accommodates on-street parking on one side. Street cross-section B may replace street cross-section A when traffic volumes permit.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, one side

R.O.W. WIDTH 48 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 to 5 feet, both sides; except railroad alternative

BICYCLE LANE None

PARK STRIP 5 to 6 feet, both sides; except railroad alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

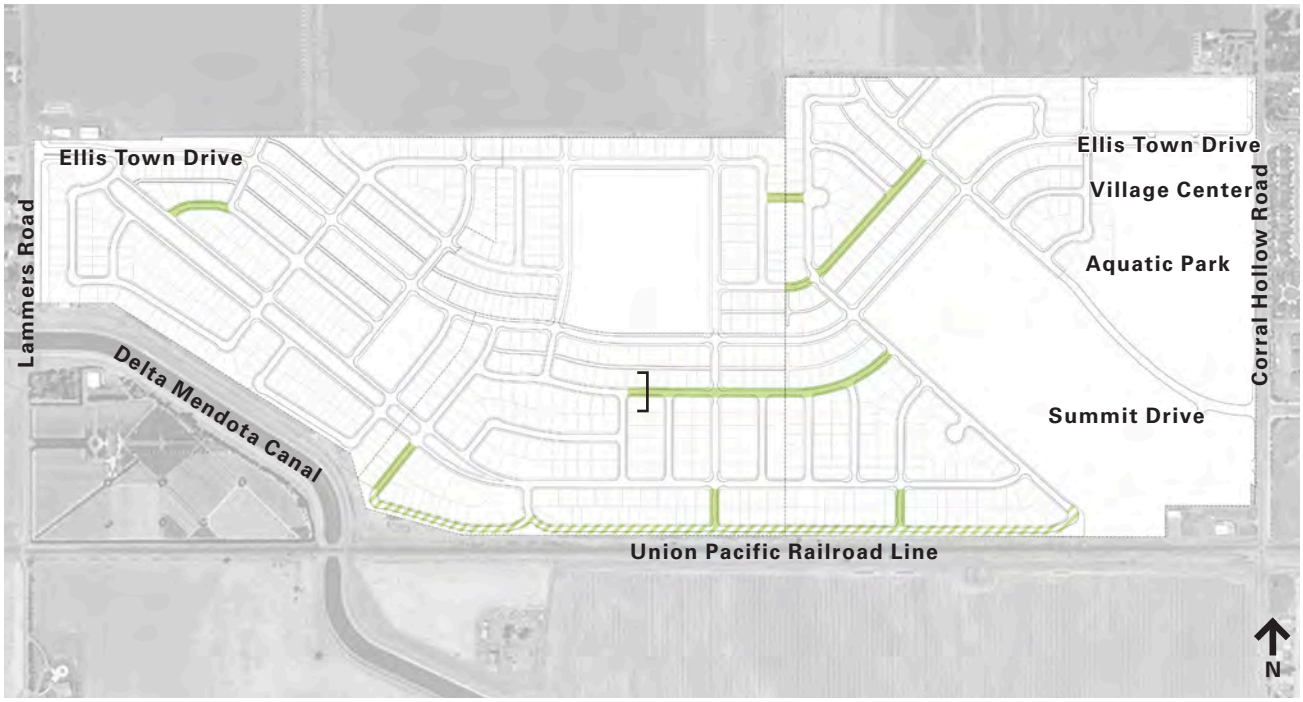
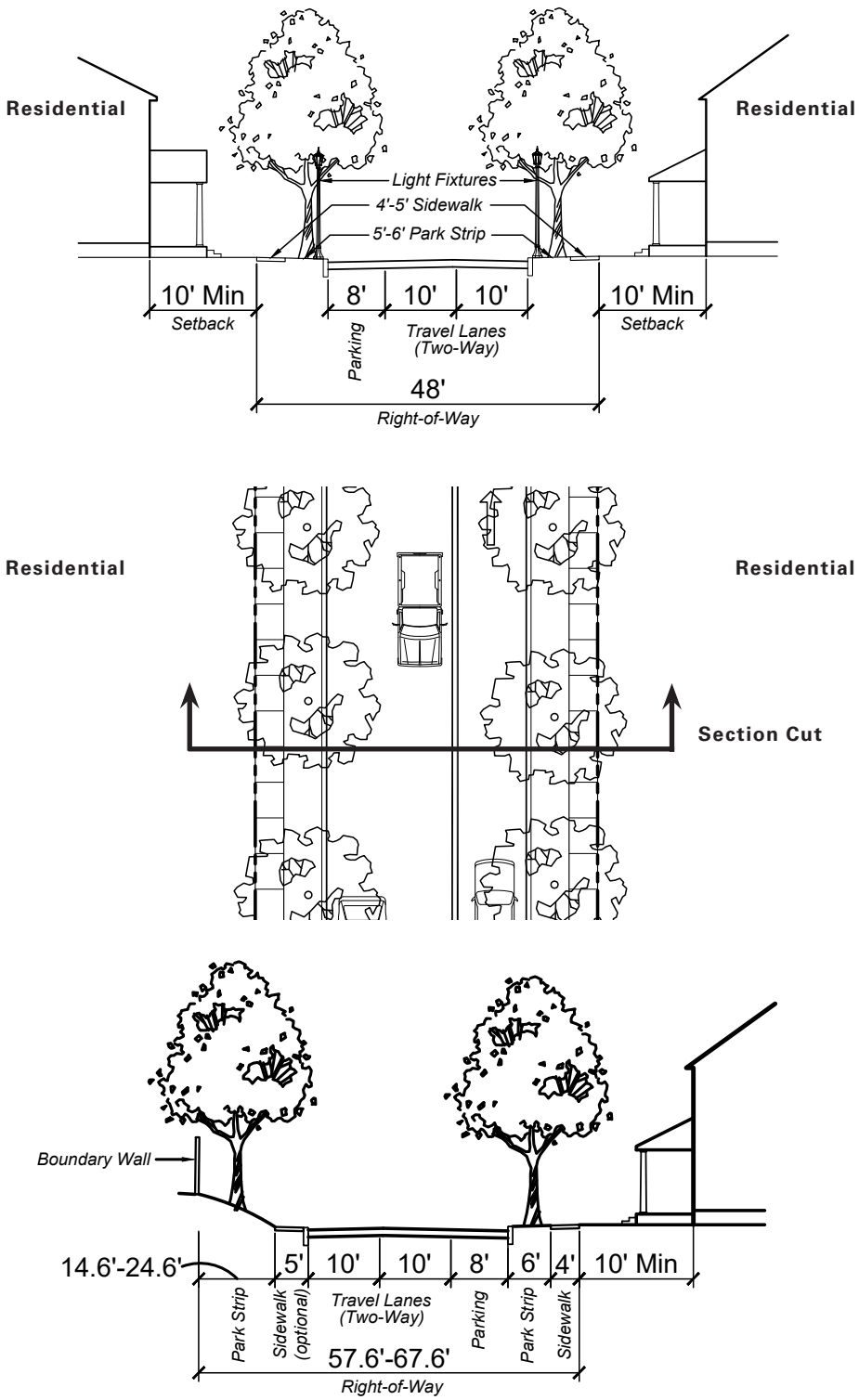


Figure 2.52 Key Plan: Neighborhood Street B



Railroad Alternative

Figure 2.53 Proposed Section and Plan: Neighborhood Street B

2.2.1.13 Neighborhood Street

Designation: E

Definition

This residential boulevard has one lane of one-way traffic on either side of an area classified as open space and named the "Native Preserve," as well as parallel parking along its length. The Native Preserve, is located within the public right-of-way, with no sidewalks on its edges.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way, one lane on either side of the Native Preserve

PARKING Parallel, one side each direction

R.O.W. WIDTH Varies (due to width of Native Preserve)

TRAVEL LANE WIDTH 16 feet (including flush curb)

CURB TYPE Raised

SIDEWALK WIDTH 4 to 5 feet, one side each direction; except park alternative

BICYCLE LANE None

PARK STRIP 6 to 7 feet, both sides in both directions; except park alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Section 2.2.6.8 and Table 2.6, Table 2.7, and Table 2.8

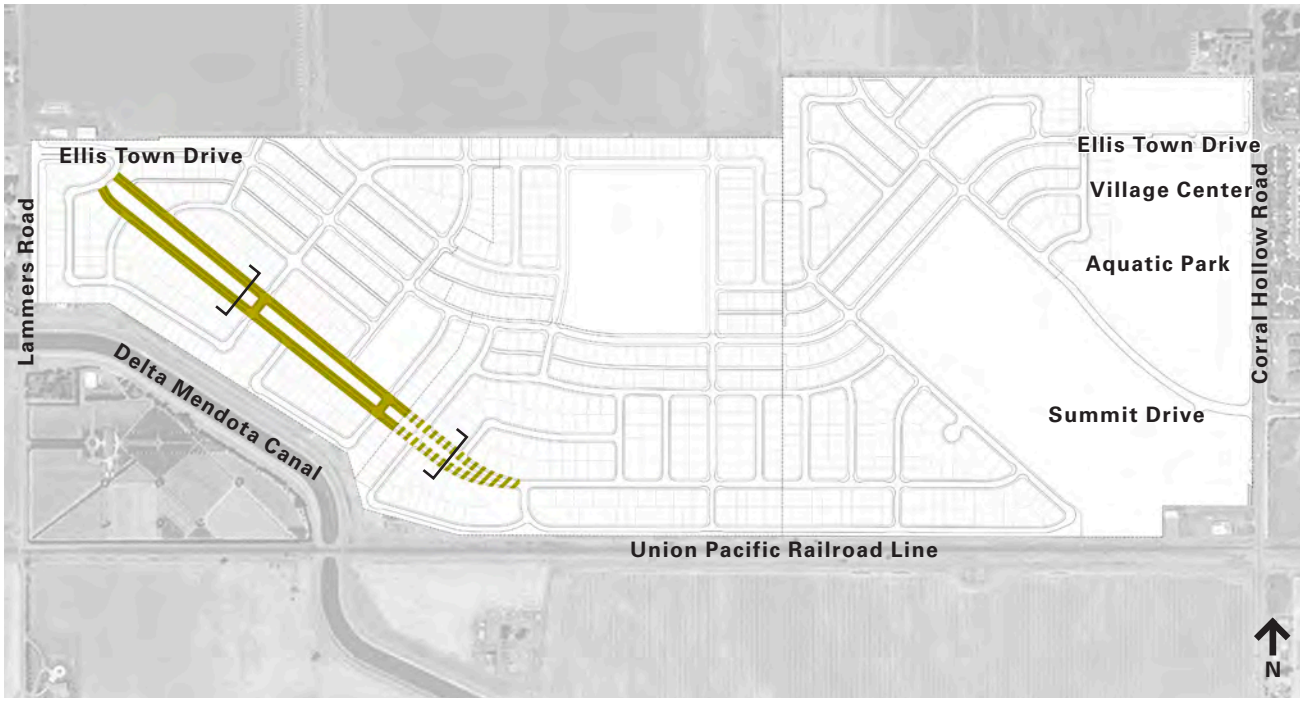
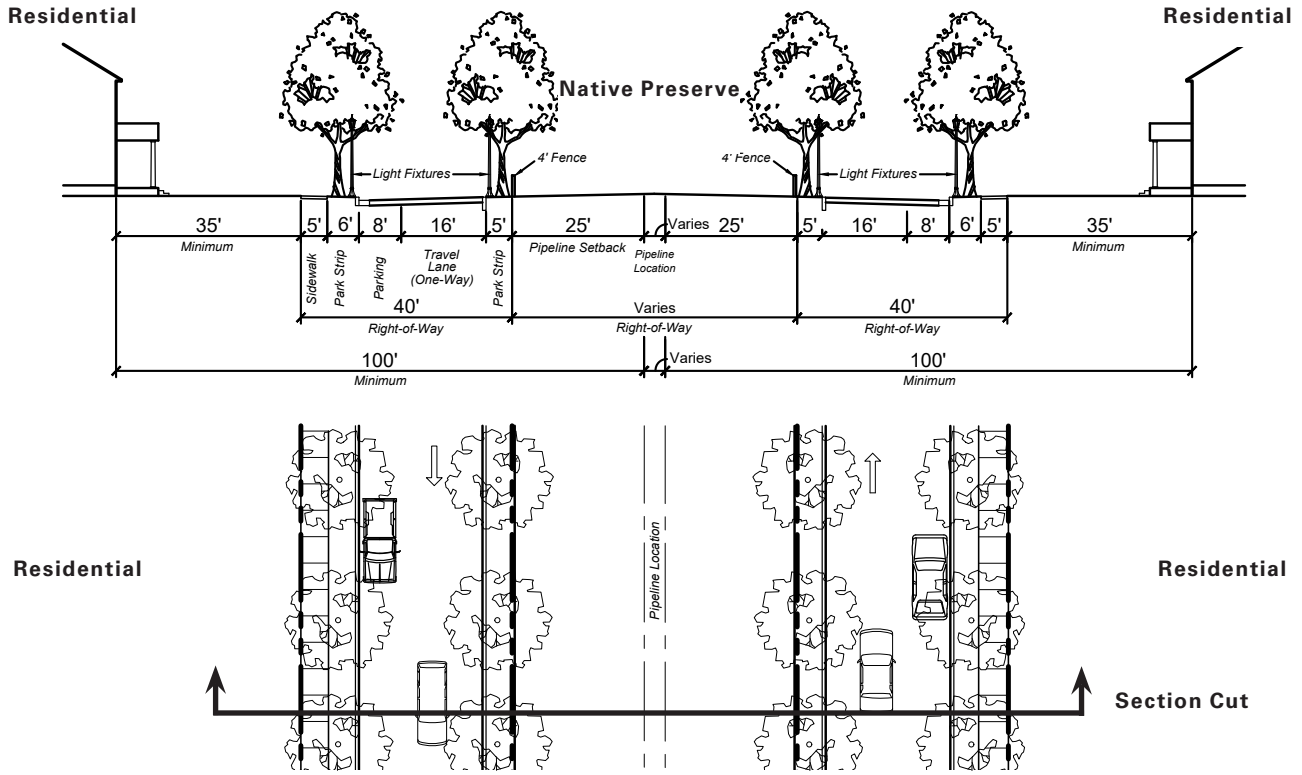
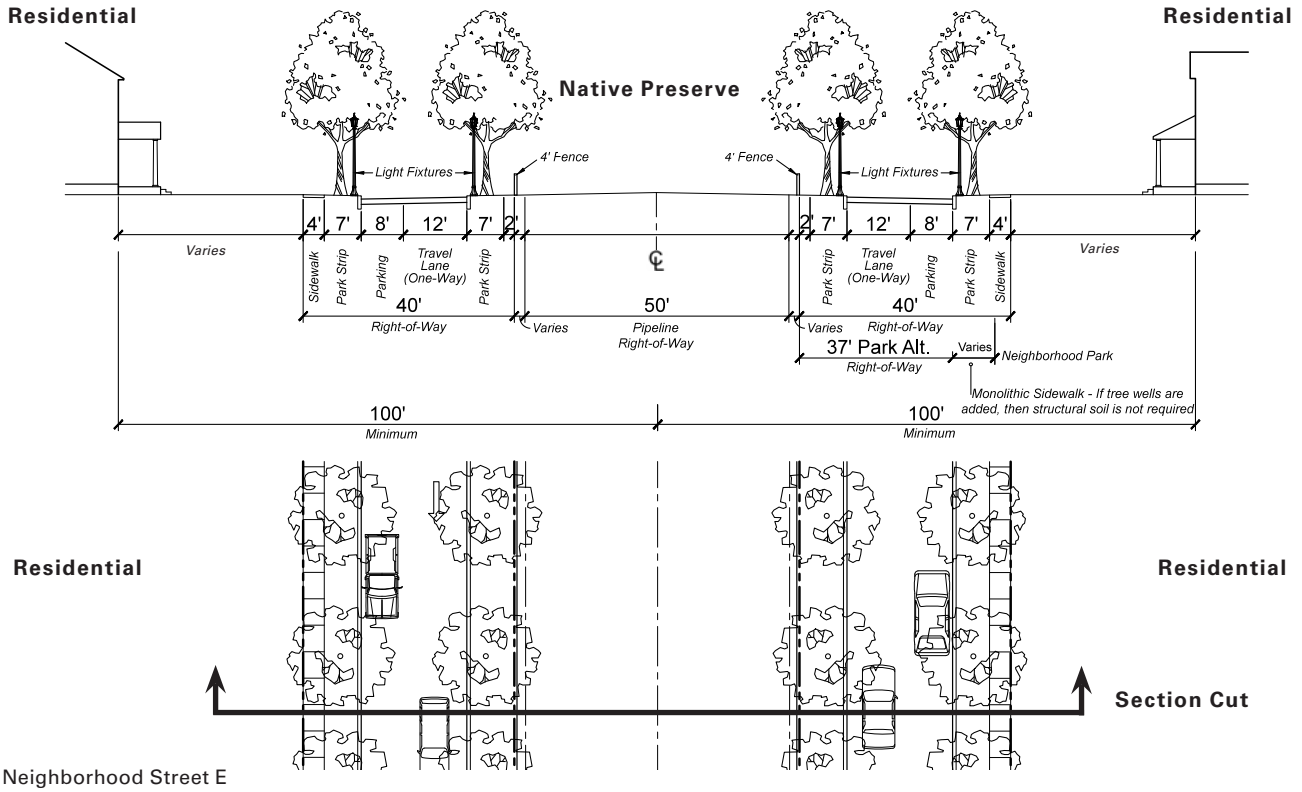


Figure 2.54 Key Plan: Neighborhood Street E



Neighborhood Street E



Neighborhood Street E
(Eastern)

Figure 2.55 Proposed Section and Plan: Neighborhood Street E

2.2.1.14 Neighborhood Street

Designation: H

Definition

This local street will be a small-scale, one-way street providing access throughout the community. The street accommodates on-street parking on both sides.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way

PARKING Parallel, both sides

R.O.W. WIDTH 46 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

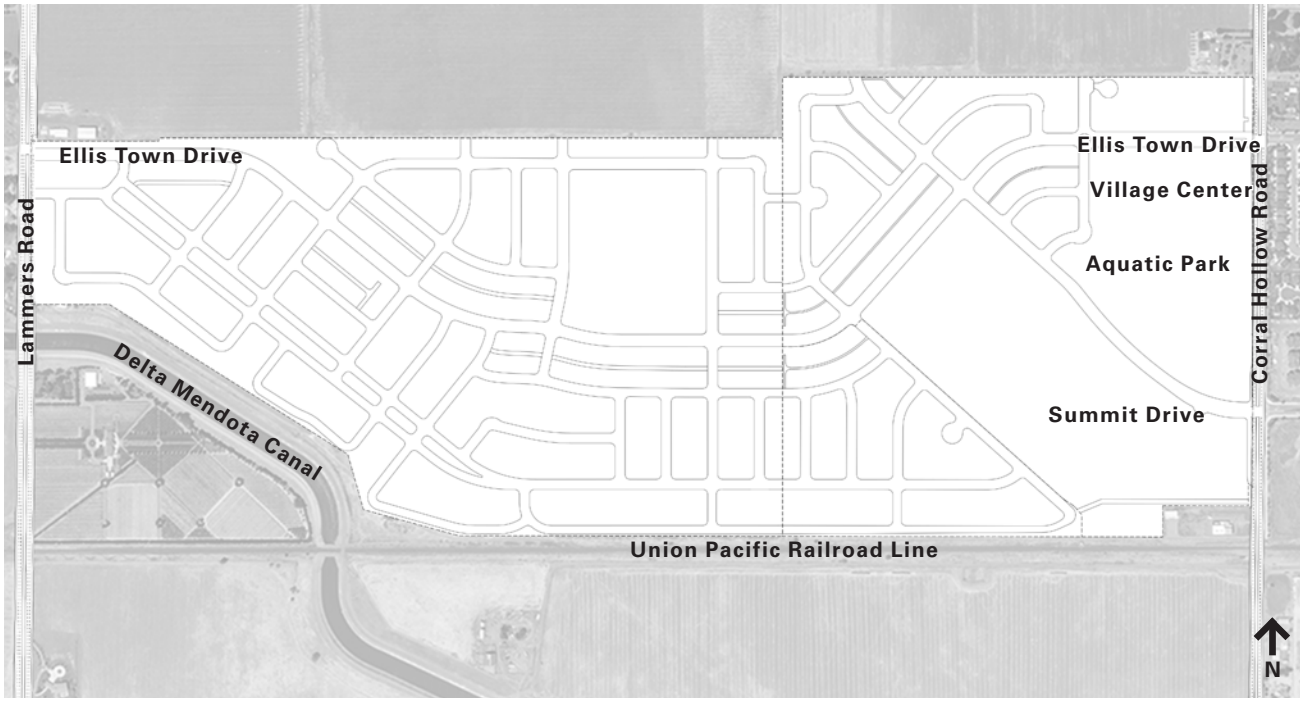


Figure 2.56 Key Plan: Neighborhood Street H
Location of street sections will require review and approval by the City in applicable tentative map(s).

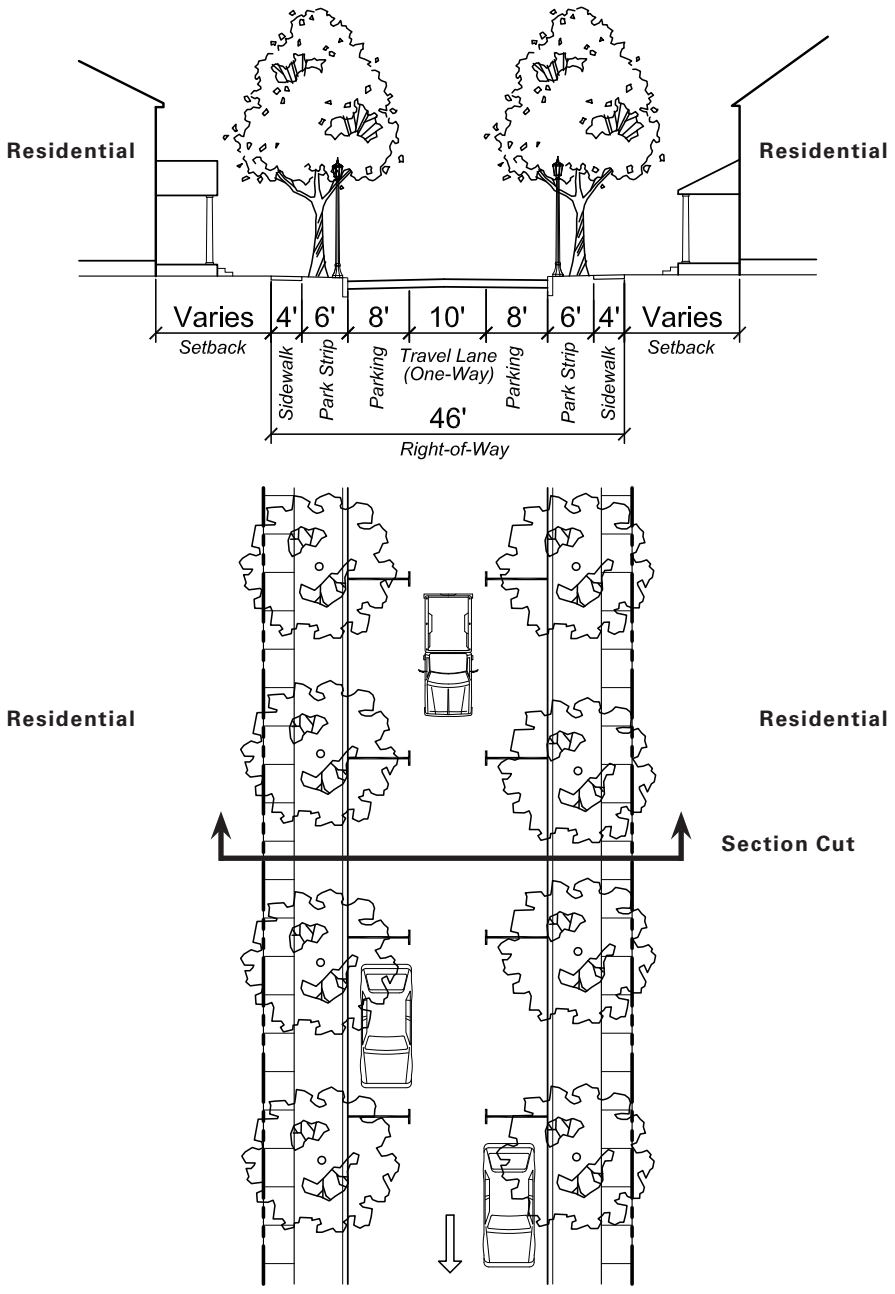


Figure 2.57 Proposed Section and Plan: One-Way Street Parking Both Sides

2.2.1.15 Neighborhood Street

Designation: I

Definition

This local street will be a small-scale, one-way street providing access throughout the community. The street accommodates on-street parking on one side.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way

PARKING Parallel, one side

R.O.W. WIDTH 38 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 2.6, Table 2.7, and Table 2.8

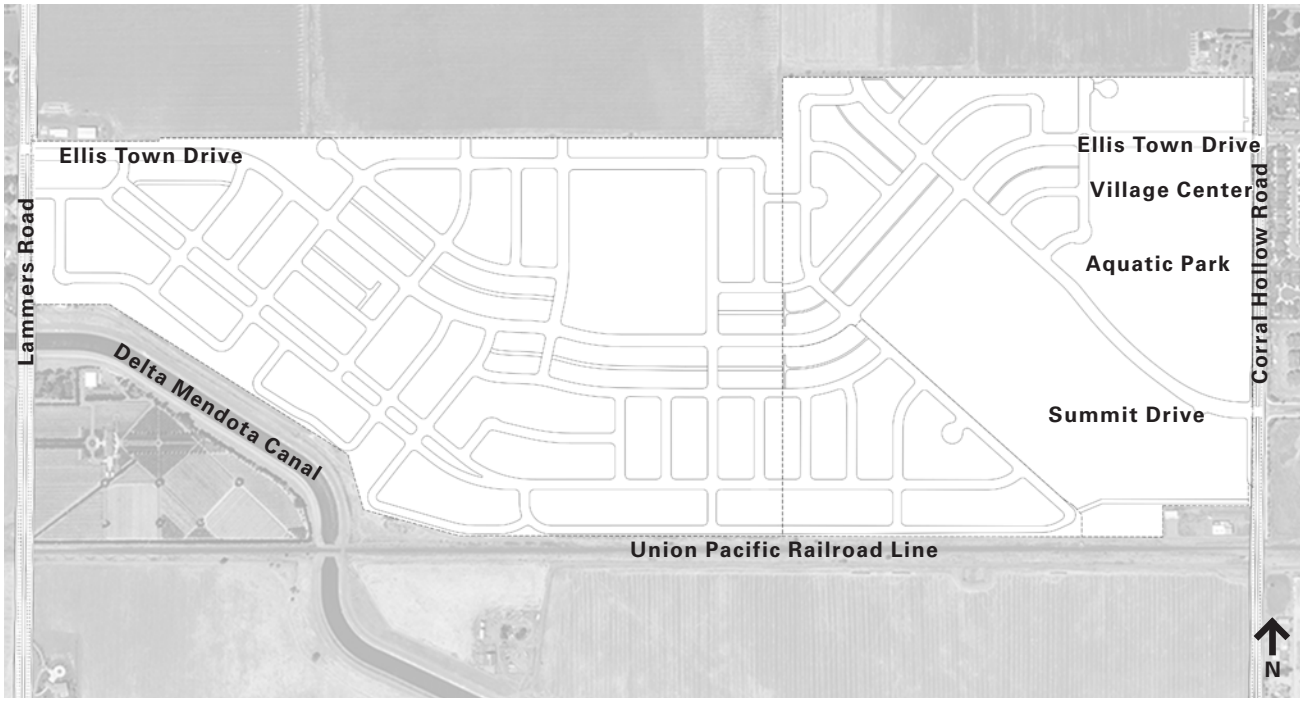


Figure 2.58 Key Plan: Neighborhood Street I
Location of street sections will require review and approval by the City in applicable tentative map(s).

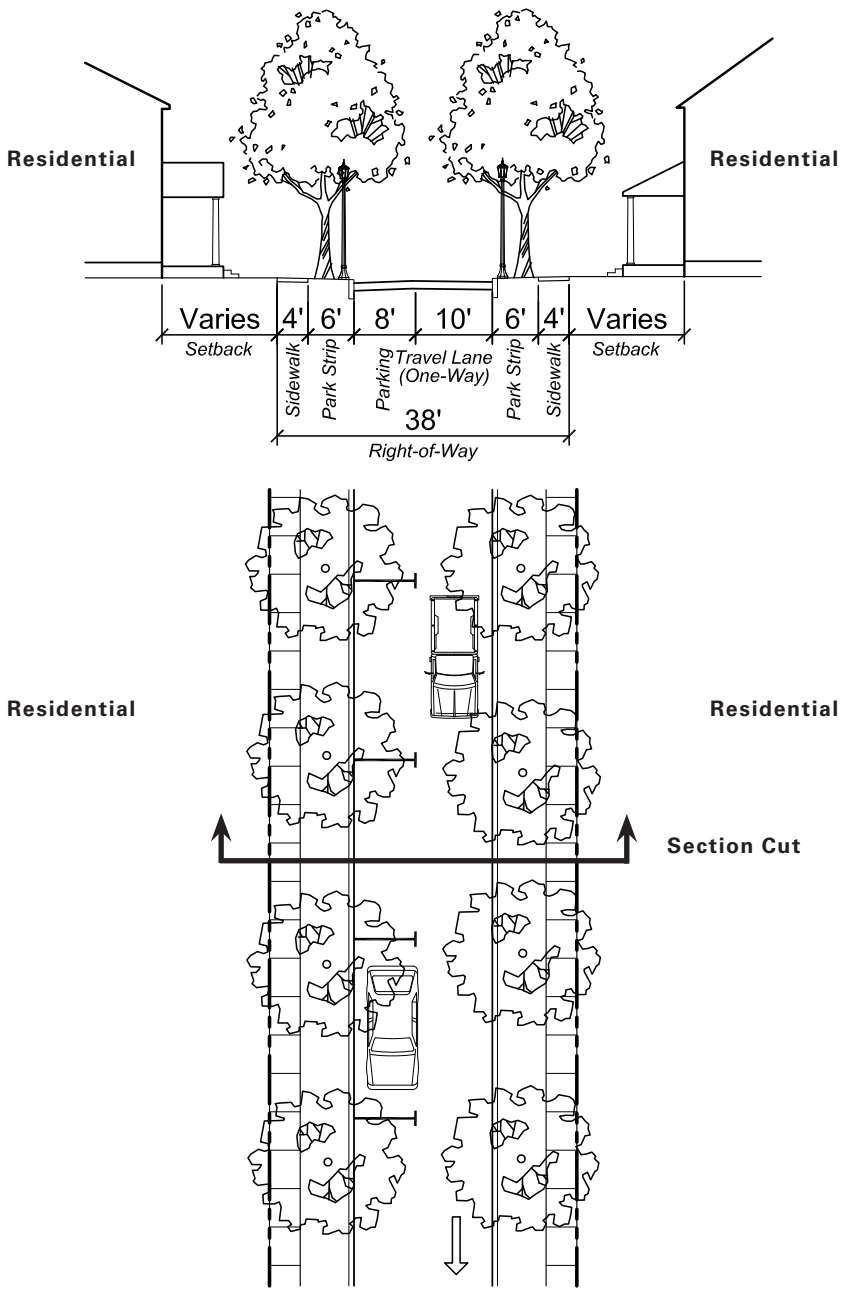


Figure 2.59 Proposed Section and Plan: One-Way Street Parking One Side

2.2.1.16 Neighborhood Street

Designation: J

Definition

This local street will be a small-scale street providing access throughout the community. The street does not accommodate on-street parking.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING None

R.O.W. WIDTH 40 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); see Table 2.6, Table 2.7, and Table 2.8

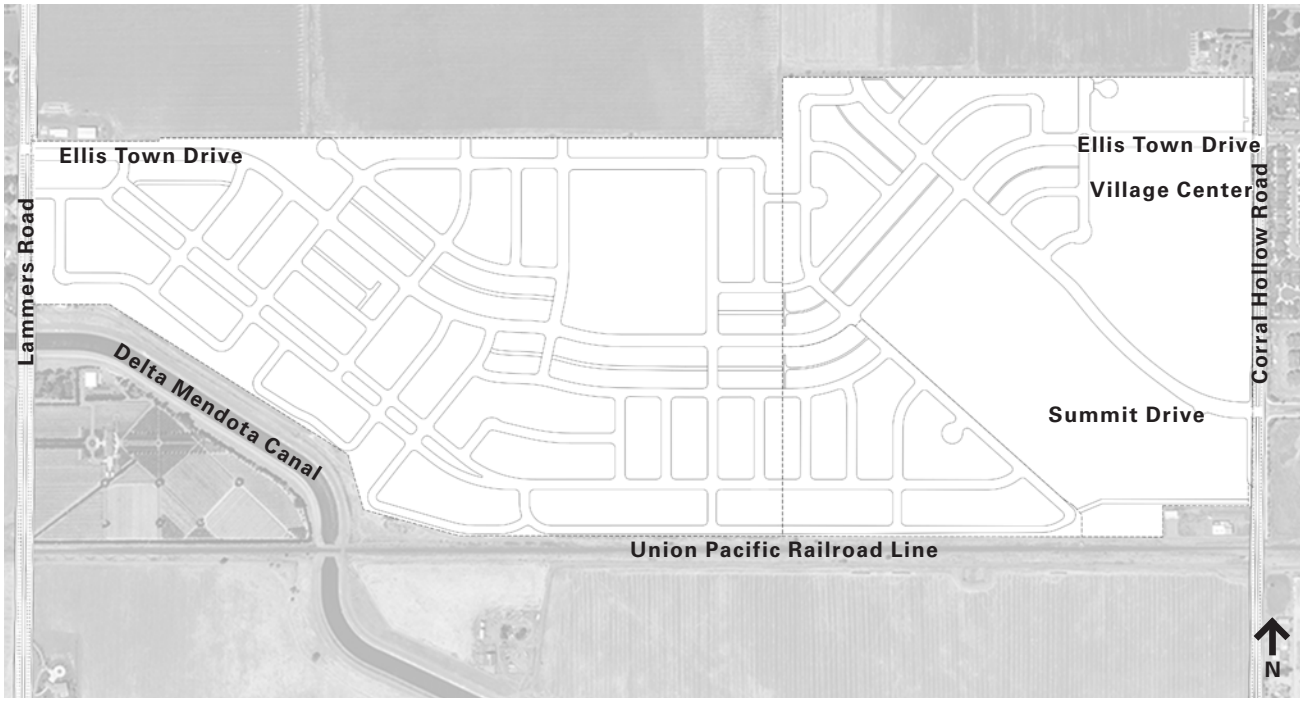


Figure 2.60 Key Plan: Neighborhood Street J
Location of street sections will require review and approval by the City in applicable tentative map(s).

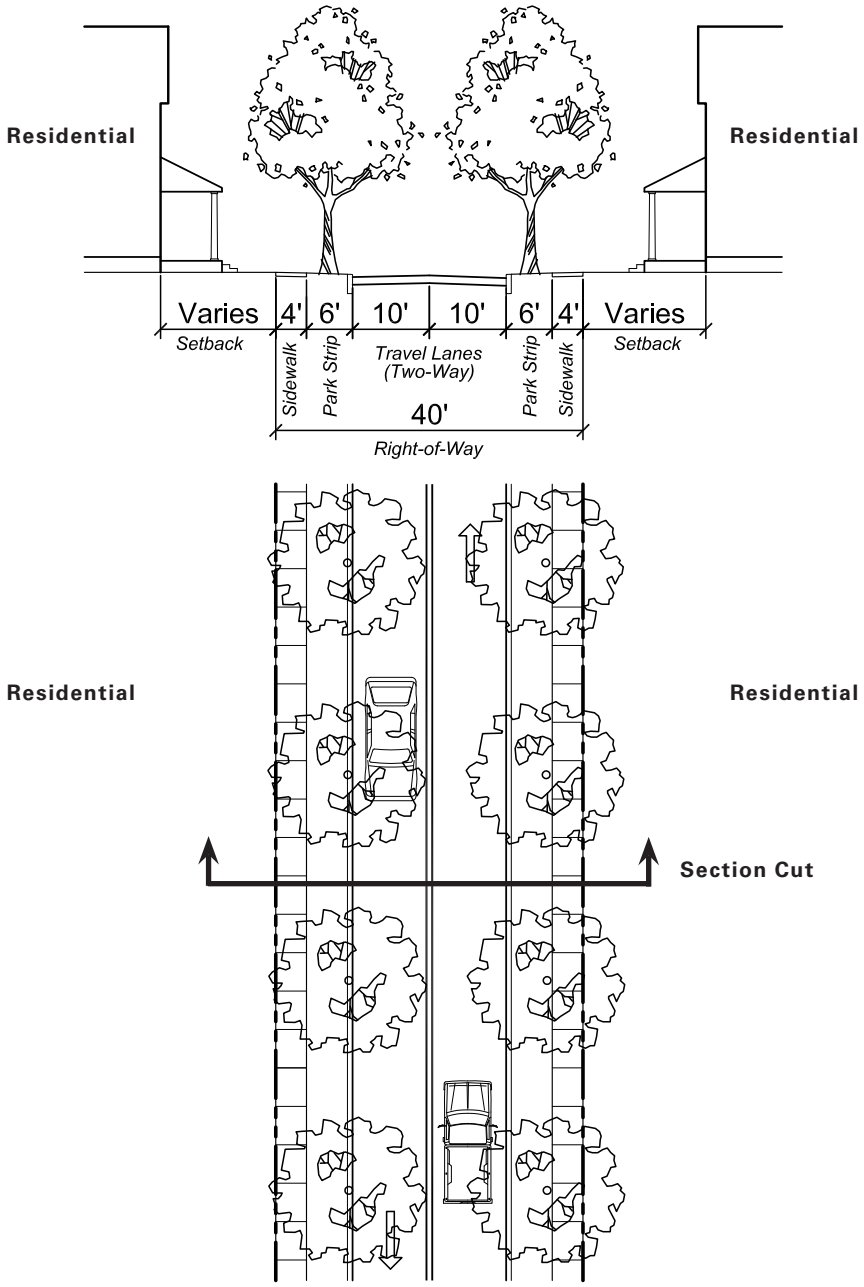


Figure 2.61 Proposed Section and Plan: No Parking C

2.2.1.17 Lane

Designation: A

Definition

The lane will provide primary access to off-street residential parking. Lanes are designed to accommodate trash collection and dry utilities. Dead-end lanes may not extend farther than 150 feet from a public street.

MOVEMENT Yield

DESIGN SPEED 10 MPH

TRAVEL LANES One-way

PARKING None

R.O.W. WIDTH 22 feet

TRAVEL LANE WIDTH 13 to 14 feet

CURB TYPE Spill or Standard

SIDEWALK WIDTH None

BICYCLE LANE None

PARK STRIP 3.5 feet, both sides

LANDSCAPE Low water use grasses, shrubs, and groundcover in park strip (irrigated)

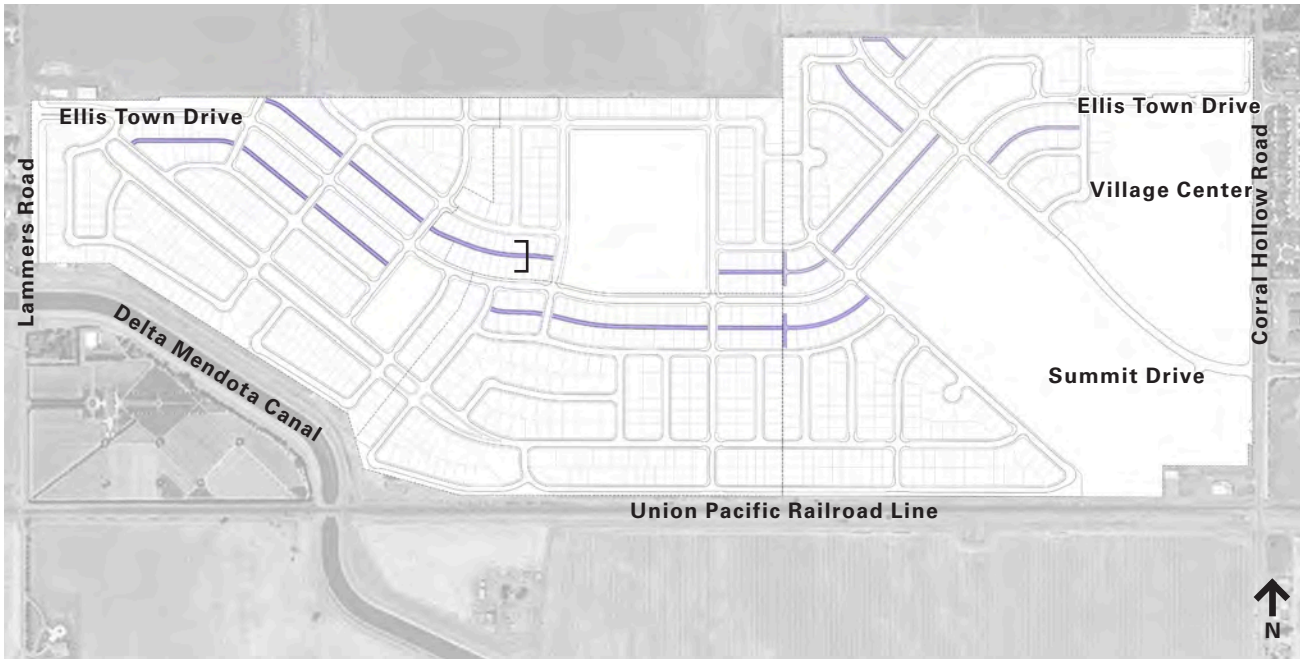
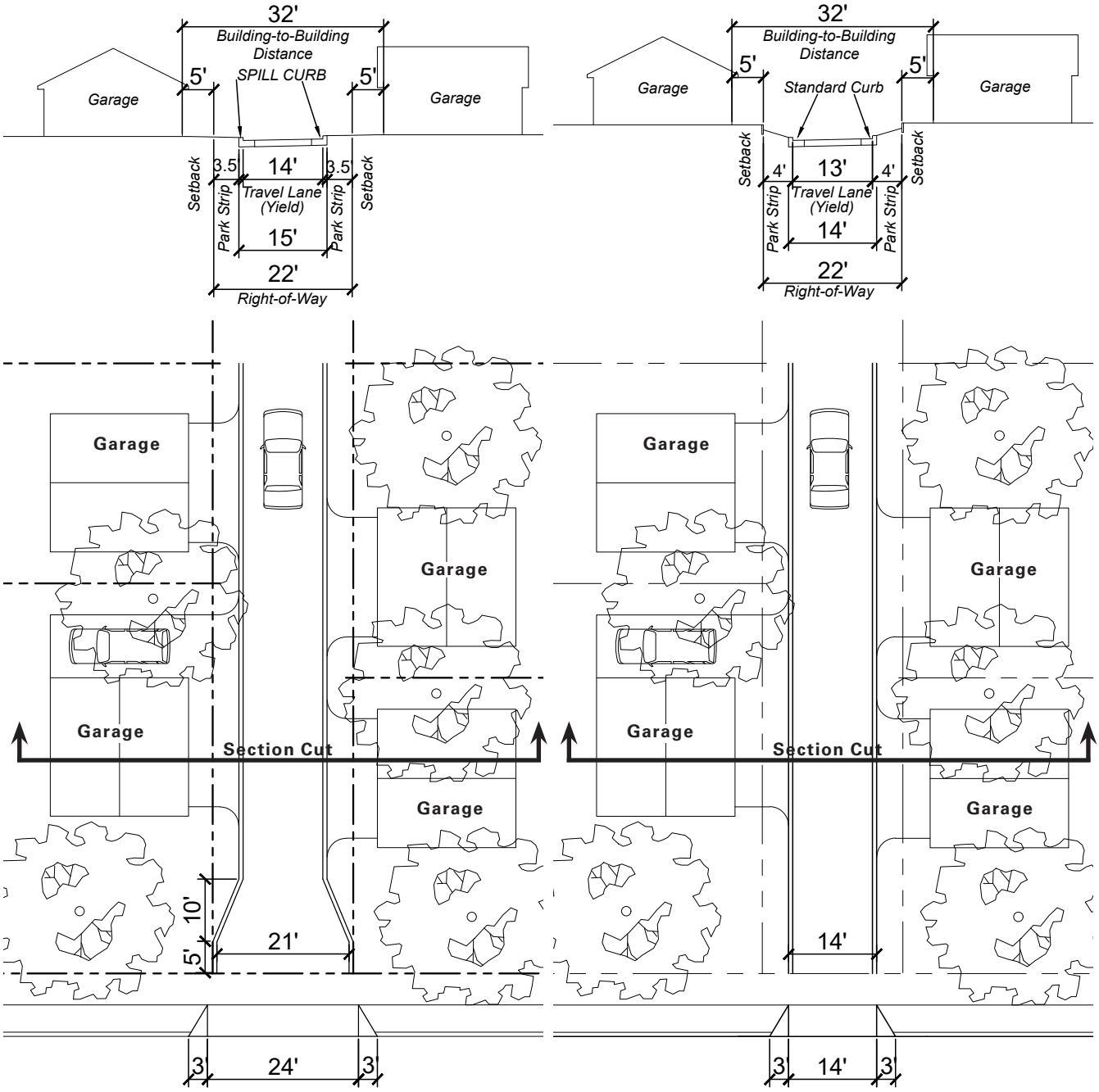


Figure 2.62 Key Plan: Lane A

Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots.



Lane A (Village 1B, Gardens, and Town & Country)

Lane A Alternate (Village 1A)

Figure 2.63 Proposed Section and Plan: Lane A

2.2.2 PEDESTRIAN SYSTEM PLAN

The streets, blocks, and parks of Ellis will be designed to accommodate the needs of pedestrians and cyclists (Figure 2.64 Area Wide Pedestrian Plan and Figure 2.65 Pedestrian and Trail Systems Plan).

Ellis will have a diverse and well-developed pedestrian circulation network. All streets in the community will have sidewalks on at least one side; many will have sidewalks on both sides. The network of sidewalks and paths will connect the Village Center with the residential neighborhoods. Paths and trails will extend the pedestrian system through the natural areas and parks.

The pedestrian network will be enhanced by traffic-calming strategies at critical locations. The traffic calming will occur where pedestrians might conflict with automobiles. Landscape strips between back of curb and multipurpose path and/or sidewalk shall have designated pedestrian crossings retained on either side with steel headers.

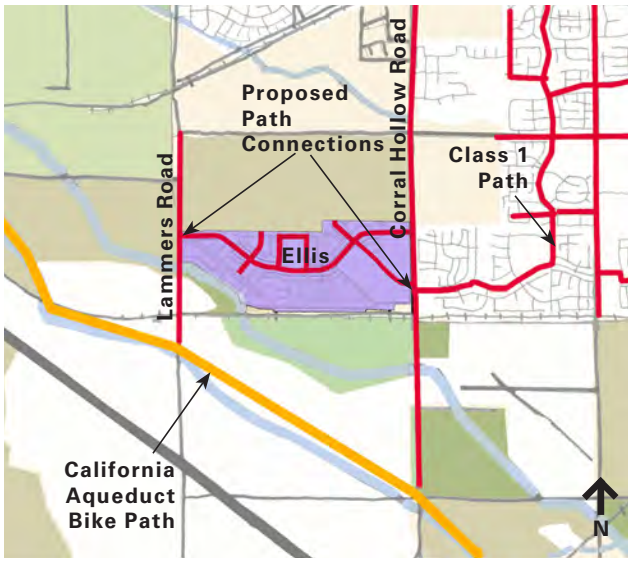


Figure 2.64 Area Wide Pedestrian Plan

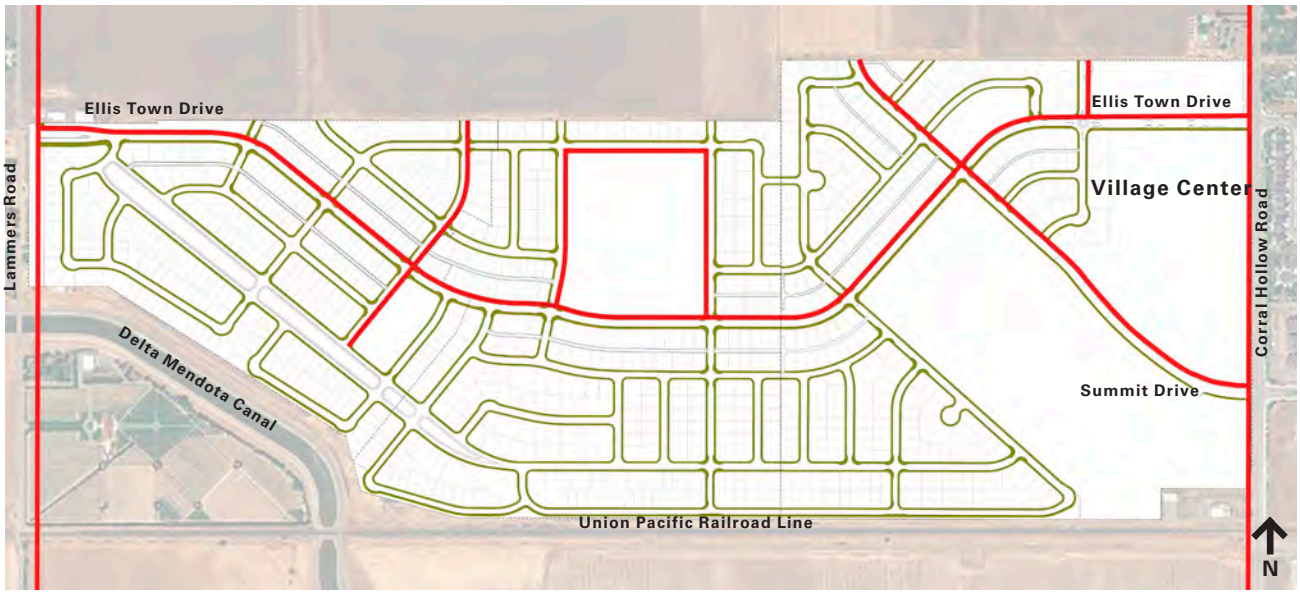


Figure 2.65 Pedestrian and Trail Systems Plan

2.2.3 BICYCLE SYSTEM PLAN

A comprehensive bicycle circulation network plays an integral role in making Ellis an exceptionally livable community.

A 10-foot, multi-use bike/pedestrian path runs through portions of the community to facilitate and encourage non-vehicular travel among neighborhoods and parks. Many parks will have bike racks.

Canopy trees will be planted the length of paths for shade.

The trail system necessitates multiple street crossings. In some cases, crossings may occur mid-block. To ensure safe crossings, special planting to maximize visibility, bollards, traffic-calming devices, and signage may be used to slow both vehicular traffic on streets and pedestrian/bike traffic on paths. Signage may indicate that cyclists have the right-of-way.

The bicycle network will link to the broader City of Tracy and San Joaquin County Bikeway Systems. Bike rack parking for cyclists will be provided as part of the joint use Village Center parking reservoir.

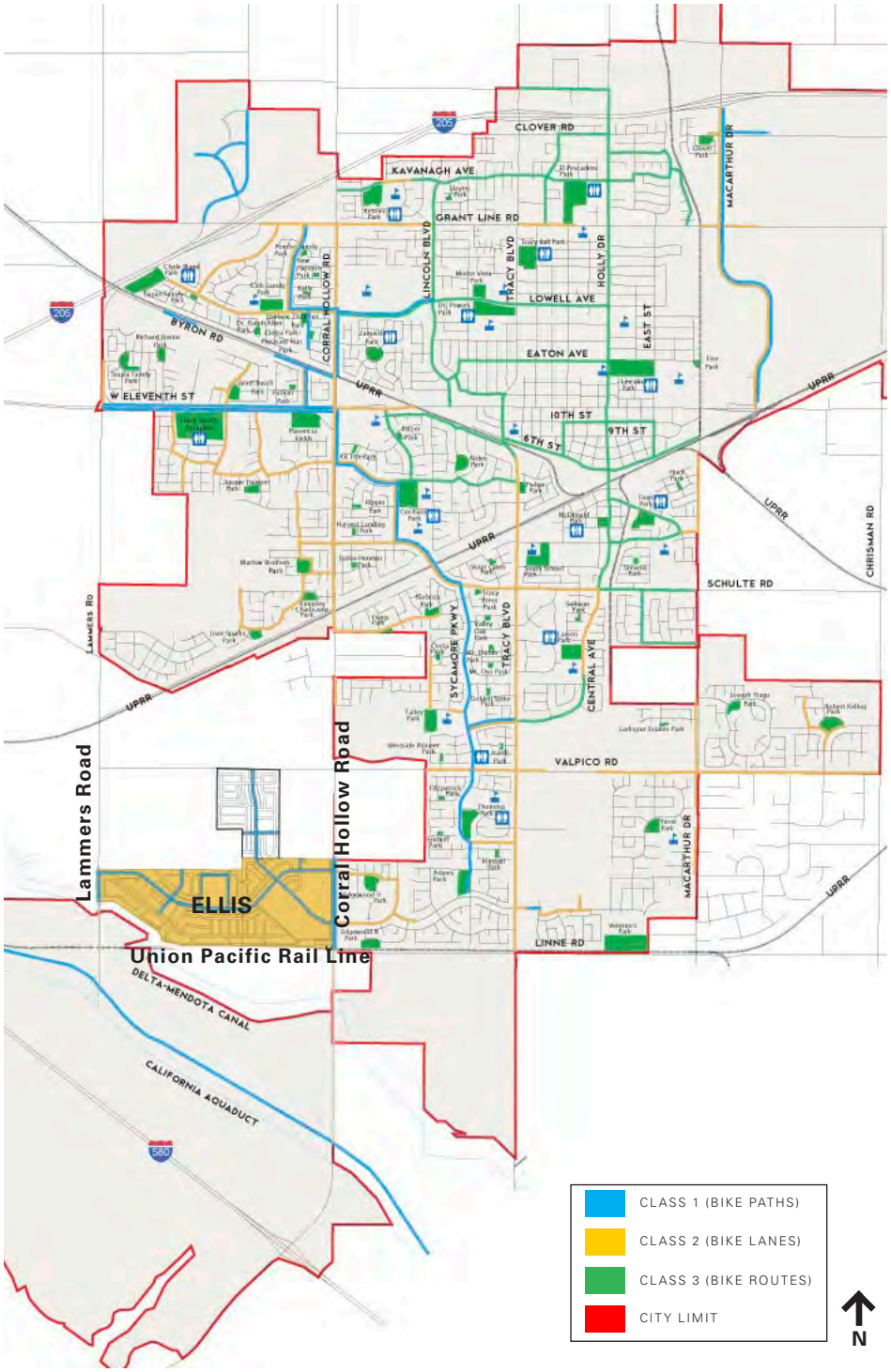


Figure 2.66 Ellis as it relates to existing bikeways in the City of Tracy

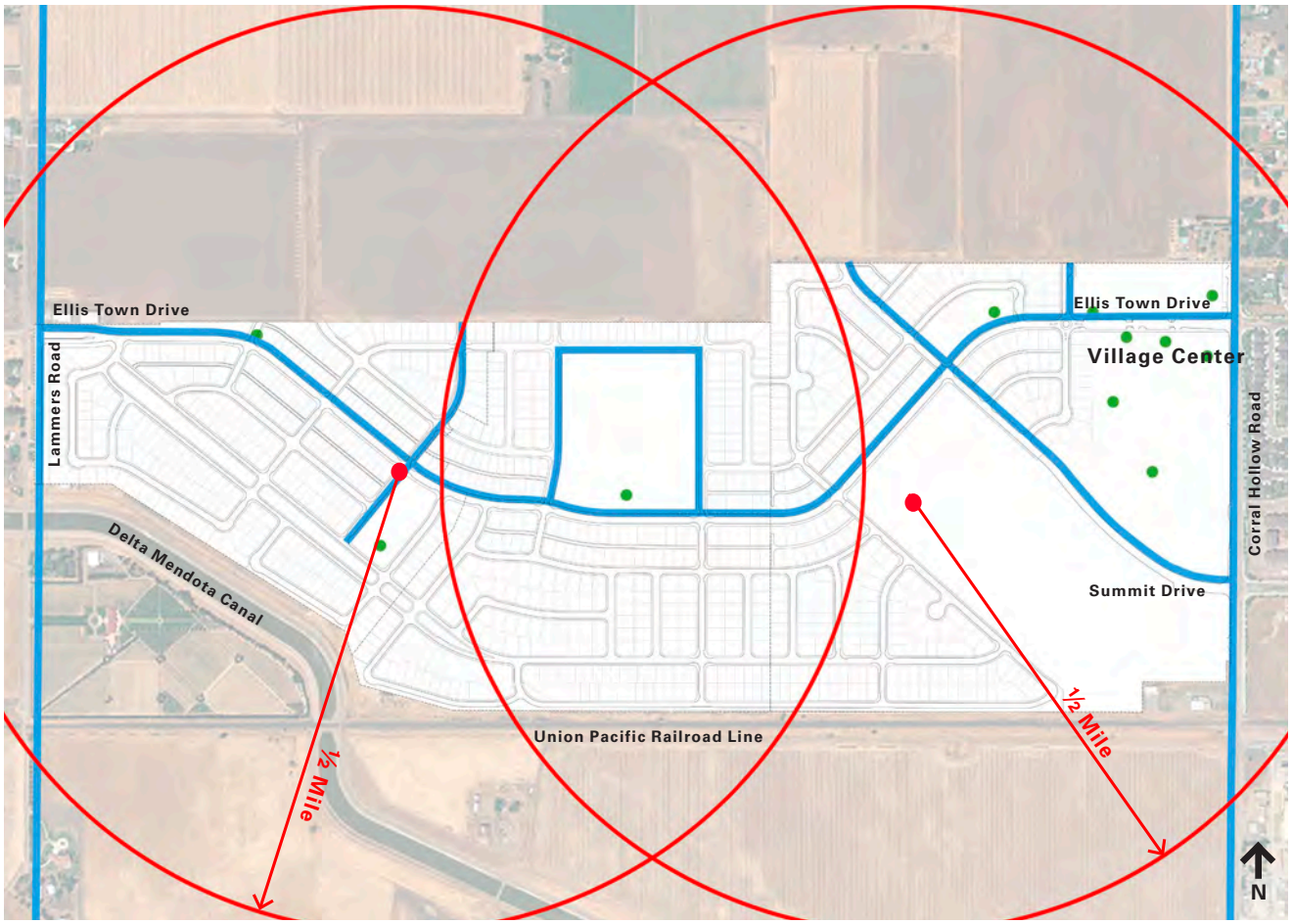


Figure 2.67 Bicycle Systems Plan

CLASS 1 (BIKE PATHS)

APPROXIMATE LOCATION OF PROPOSED BIKE RACKS (IN PARKS AND VILLAGE CENTER)

2.2.4 PUBLIC TRANSPORTATION

Ellis will be a walkable, human-scaled, community characterized by a hometown feel that makes it memorable. Ellis will be served by a variety of public transportation options, accommodating the needs of a wide variety of users.

At a regional scale, the community will be served by the Altamont Commuter Express (ACE) which is a passenger rail line running between Stockton and San Jose, with a BART connection to the Bay area from Pleasanton. The ACE transportation system was jointly created by many transit organizations in 1997 to best serve the communities along its rail. One can connect to ACE service through the SMART/ACE General Public Dial-A-Ride, an on-call service that picks up commuters at individual addresses and transports them to the ACE station. Regional bus service is also available within San Joaquin County, through the San Joaquin Regional Transit District, County Area Transit, the San Joaquin Commuter bus, Greyhound, and Amtrak California.

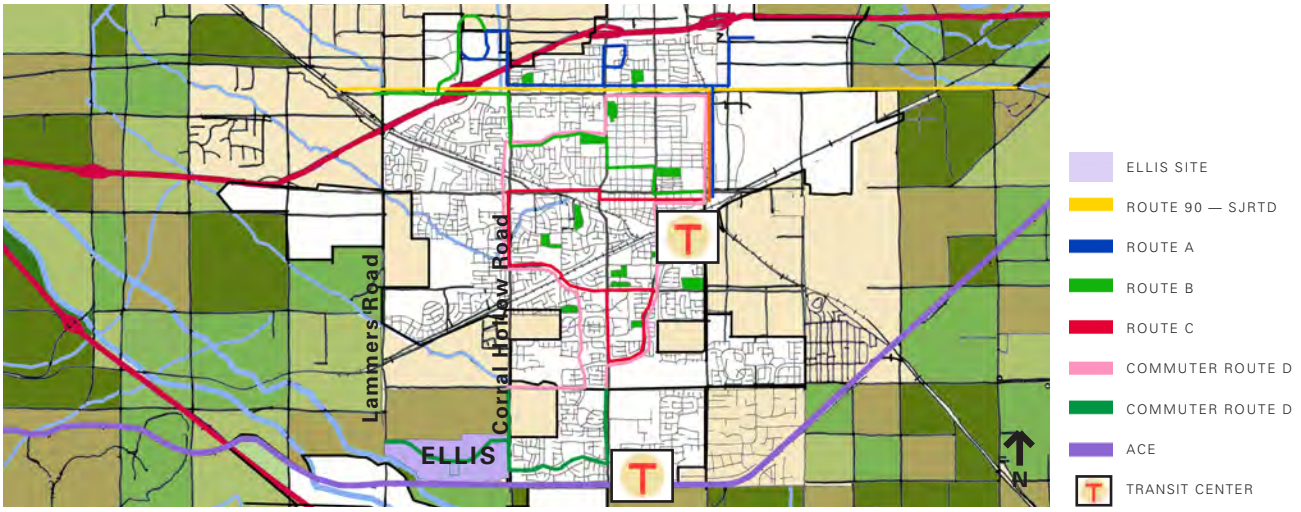


Figure 2.68 Regional Transit Map

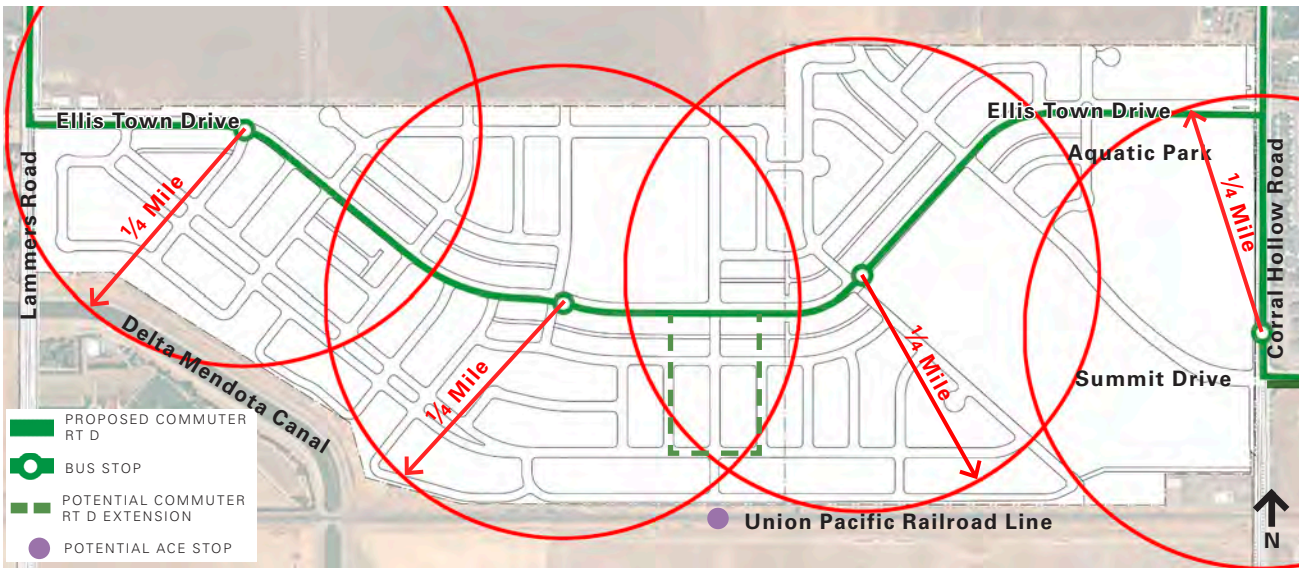


Figure 2.69 Public Transportation Plan

Transit access to the Ellis site will be provided by the City's TRACER bus system. TRACER will provide a proposed commuter route along Ellis Town Drive through the ESP area with four major stops. A potential commuter route connection to provide access to a potential Altamont Commuter Express (ACE) stop will be provided just south of the Ellis property boundary. The TRACER service will provide service to the City of Tracy Multimodal Transit Center with connecting service to the Altamont Commuter Express (ACE) rail, San Joacquin County Regional Transit (SJRTD) regional bus service, Greyhound, and the proposed future high speed rail service and BART connections to the Bay Area and beyond. As the City further develops to the south and the west, the bus service will be extended along Ellis Town Drive to Lammers Road and bus stops/pull outs will be located at intersections and provide for a 1/4 mile to 1/2 mile walking distance from origins and destinations within the ESP to the bus stops to promote transit travel.

2.2.5 PARKING NETWORK

Residential parking will be on and off-street, some parking may be accessed by way of residential driveways and the proposed rear lane network. Most street types include on-street visitor parking as well. Neighborhood parks are typically served by on-street parking.

Both the Village Center and proposed Aquatic Park will be served by a series of designated lots and on-street convenience parking. Together these elements create a parking reservoir that is designed to efficiently accommodate long-, medium-, and short-term needs, as well as multi-use parking. Village Center off-street parking will be shared use. Shared-use parking refers to spaces that are available to multiple functions. Employees will park in designated areas behind mixed-use buildings. Shoppers and visitors will park in short-term spaces directly behind the stores and in on-street spaces marked for rapid turnover.

2.2.6 PARKS NETWORK

The Ellis parks network is designed to provide a wide array of active and passive recreation opportunities to meet the range of needs within the community. Consistent with City requirements, the Ellis Neighborhood Plan includes a park dedication of 4 acres per 1,000 people. Ellis will feature 3 park acres per 1,000 population generated of Neighborhood Parks and 1 park acre per 1,000 population generated of Community Parks (4 park acres per 1,000 population generated total). The proposed Aquatic Park will be used as credit for the Community Park requirement if built at Ellis.

The intention in the design of parks is to create public spaces that offer:

1 A variety of active and passive recreational opportunities for all age groups;

2 Recreational amenities within walking distance of residents' homes;

3 Integration with the local and regional trail and bike path system; and

4 Access to at least one public street.

A pro rata share of parks will be built as needed to serve the eventual number of units developed. Parks will be a minimum of one acre, or less if approved by the Parks Commission.

Each neighborhood park provides a selection of amenities. Together, they offer a range of active and passive recreation opportunities traditionally found in larger parks. These amenities may include walking paths, sports fields, play areas, court games, and community gathering spaces. The Ellis Community Facilities District (ECFD) has been formed specific to Ellis and will collect assessment fees sufficient to ensure a high standard of maintenance for this innovative approach to park design and integration (see Section 2.3.5). All parks and open space dedicated to the City will be accepted by the City with maintenance funding provided through ECFD and maintained as prescribed in the Ellis Maintenance Agreement (EMA) between the City and the EPOA with the exception of the Aquatic Park. Ellis Neighborhood Plan parks shall be developed in conformance with the Ellis Neighborhood Plan and City construction standards.

The anticipated surrounding density of use has been considered in the programming of each park. Over time, amenities offered in a park may be adjusted to reflect changing recreation trends and demographics with agreement between the EPOA and City.

In some cases, homes front on the parks creating a unique and desirable residential design. These parks feature more passive and social uses, such as open greens and bocce. Landscape buffers, including low walls, fences, and planting separate public from private spaces. Sports and other more active park uses are located in parks separated from residences by streets.

Each park has an individual character and distinct features designed to create a strong sense of place. The extensive multi-use path system encourages residents to walk or bicycle between parks and neighborhoods. A unifying visual theme throughout Ellis ensures that residents feel at home in all of the parks in the community. On-street parking is available as part of the neighborhood residential parking for those who choose to drive. The regular street tree pattern may be interrupted at parks to announce them as special features along the street, creating visual interest and variety. Where residential neighborhood parking is provided located along park frontage, landscape strips are removed to facilitate access. All park names shall be as approved by City Council as part of the ESP, the park names in the ESP to be used at the parks may be changed by mutual agreement of the City and EPOA.

Group mailboxes may be located adjacent to parks but will not be counted as recreation amenities or count toward park acre requirements.

All Ellis neighborhood parks shall be built by the Ellis project. Ellis parks as a part of this Neighborhood Plan which include neighborhood park concept plans (park components, elements, size, name, theme) for neighborhood parks, shall be built by the project,

according to the specific plan concept plan as approved by City Council, with no other modifications, if the project proponent proposes a modification, any additional cost caused by such modification shall be the responsibility of the project, and funded by the project. To encourage walking and biking to parks no additional parking shall be provided in excess of typical neighborhood street parking within the residential neighborhood. Neighborhood parks total park acreage requirement shall be based on three acres per 1,000 residents established by the overall specific plan total residents (total residents shall be 3.21 per single family detached unit, 2.0 for attached residential units of 6 units or less, and 1.6 for attached residential units of 100 or more), final total acreage of parks must equal three acres per thousand for the number of final residential units at build out of the Ellis Neighborhood Plan, if there is a shortfall of acreage the project shall pay the neighborhood park fee established in the specific plan or finance plan per unit for additional units. Parks may be one to three acres in size, and shall be included in the ECFD for maintenance and repair funding. Both linear and special use parks as defined in the Specific Plan are eligible in the ESP as neighborhood parks. The project shall provide a bond to the City in the amount of $500,000 for each park acre appearing on an approved final map for residential units, and/or improvement plans. The project shall start construction of the first neighborhood park by the 400th building permit, and shall start construction of an additional neighborhood park by each 400th building permit thereafter. All parks shall be maintained in accordance with the Ellis maintenance manual. The maintenance manual will be updated by developer periodically to include improvements which have been installed in public parks, landscape areas, and other public improvements within the ECFD boundaries, and updated versions shall be provided to the City and EPOA. The City and EPOA may amend and make changes to existing improvements standards or guidelines which are part of the manual upon mutual agreement.

The Illustrative Parks, Preserve, and Special Landscape Feature Plan (Figure 2.70) illustrates the neighborhood park concept system. Individual elements of this system are listed below. Parks listed but not shown in Figure 2.71 may be located and used at a later date anywhere within the Ellis Neighborhood Plan Area, as approved by the City through a Tentative Map process.

A The proposed Aquatic Park is a regional aquatic facility, which may include a 25-yard indoor pool, 25- to 50-meter outdoor pool, children's pool and spray pad, lazy river, slides, cabanas, fitness center, locker rooms and restrooms. It is designed to minimize hardscape, maximize green space, and help buffer winds. The range of activities makes it a family recreation destination.

B The Village Green anchors the Village Center and acts as a portal to the Ellis residential neighborhoods. Located just west of the Village Center on "Ellis Town Drive," the Village Green has a strong visual presence when entering the community from Corral Hollow Road. The park serves as the ceremonial center of Ellis and features a multi-purpose lawn, play area, bocce court, and picnic areas.

C Not Used

D The Dog Park includes areas for shaded seating and public art as well separated small and large dog areas. A landscape strip buffers and screens adjacent residences. The perimeter of the park is fenced for safety.

E Homestead Park provides a recreation hub for multiple generations. Features a train themed play area, picnic area with shade structure and open green for informal games and relaxation. The park also promotes neighborhood gathering with a focal element expressing the railway theme.

F Western Park includes play areas, a multi-purpose field suitable for youth soccer or baseball and a group picnic area with shade structure.

G Schoolhouse Park includes play area with shaded picnic area, a multi-purpose lawn and main promenade that connects multi-purpose path with school entry.

H The Orchard evokes the agrarian character of the community with a windrow of columnar trees, and orchard grid planting interspersed with open lawn. An ornamental garden area is located at the eastern end of the park.

I Native Preserve is a linear Special Landscape Feature that runs the length of the Pacific Gas and Electric (PG&E) and Chevron easements. This area will be fenced off and planted with drought tolerant grasses or other compatible plantings. Alternatively, this area may be leased to an entity and put to compatible uses such a vineyard.

J Boulder Park provides a rock-themed play element, small picnic area and an open green suitable for games such as volleyball or badminton. A focal element and ornamental garden reinforce the theme.

K Sports Park includes a basketball court, multi-use sports field, play area and picnic area with shade structure.

L Railroad Park features a train themed play area, picnic area with shade structure and open green for informal games and relaxation. The park also promotes neighborhood gathering with a focal element expressing the railway theme.

M Nature Park is designed to serve multiple generations with a themed play area, picnic area with shade structure, tennis court, multi-use sports field, and skate feature. A focal element reinforces the nature theme.

N Butterfly Park offers a tranquil neighborhood setting with an ornamental garden, fountain or gazebo, bocce court and information kiosk. A water play element is also provided. Park elements reinforce the butterfly theme.



Figure 2.70 Illustrative Parks, Preserve, and Special Landscape Features Plan

2.2.6.1 Aquatic Park
(Figure 2.70, A)

The Aquatic Park is a family-friendly recreation destination. The facility may include indoor and outdoor pools, a fitness center, children's pool, sprayground, lazy river and slides, as well as support facilities including cabanas, and restrooms/locker rooms with showers. It will have controlled access and may be rented for events, serving as a revenue-generating amenity. Cross-fencing is used to control access to portions of the Aquatic Park as seasons or events require.

The architecture is traditional, elegant, and reminiscent of a coastal Victorian-style resort.

A gateway element on Corral Hollow Road creates awareness of the Aquatic Park for vehicles approaching the entry.

CONCEPTUAL PROGRAM ELEMENTS

TYPE Park

USES/FEATURES

A 25 yard indoor pool
B Fitness center/courts/exercise rooms
C Event/party/meeting spaces
D Restrooms/locker rooms
E Staff areas
F 25-yard x 50 meter outdoor pool with inflatable adventure course
G Toddler pool with water features and water slides
H Children's pool and spray pad
I Lazy River
J Speed and tube slides
K Family raft ride
L Cabanas
M Aquatic Park Signage
N Parking
O Maintenance facilities
P Wet Deck with Interactive Water Play Structure
Q Whirlpool spas and Water Features
R Flow Rider Surf Simulator
S Tot River

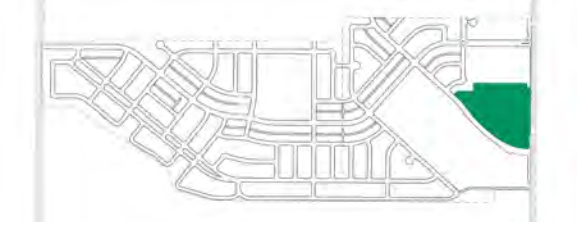


Figure 2.71 Key Plan



Figure 2.72 Aquatic Park Initial Phase Site Plan



Figure 2.73 Conceptual Aquatic Park Sign (See Ellis Sign Program for details, final design may vary)



Figure 2.75 View of concept for the Aquatic Park



Figure 2.74 Traditional architecture example



Photo: Water Technology

Figure 2.76 Wet deck with interactive play structure example

Vehicles enter the Aquatic Park from Summit Drive. Parking is located along the western length of the facility.

The aquatic facilities are separated by landscape buffers to ensure a visually pleasant environment throughout the facility, and within each activity area. Lush landscaping cools the area by minimizing hardscape and providing ample shade. A planted berm screens views of the parking area from Summit Drive.

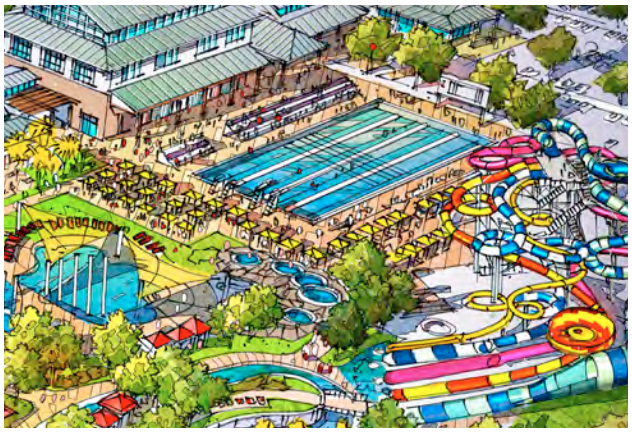


Figure 2.77 Conceptual proposed Aquatic Park



Figure 2.79 Outdoor pool example



Photo: Water Technology

Figure 2.78 Lazy river example

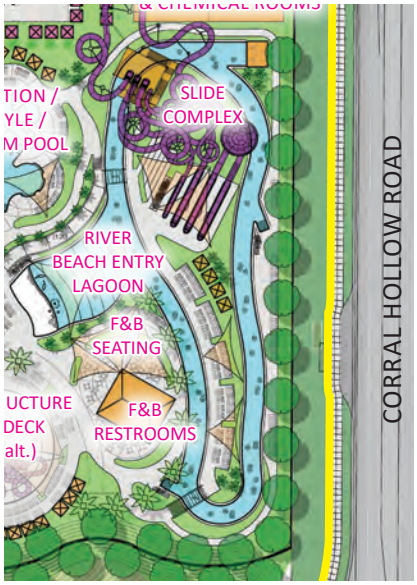


Figure 2.80 Conceptual lazy river and slides
Note: Configuration and amenities to be based on final design

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2.2.6.2 Village Green
(Figure 2.70, B)

This park is located at the western edge of the Village Center. It creates a transitional gateway between the Village Center and the residential neighborhoods of Ellis.

An entry portal and clock tower create a strong focal point visible when entering the community along Ellis Town Drive. A plaza and promenade area with benches and shade trees provides a space for organized events, such as farmers market, art fairs, flea markets, and other community functions and celebrations. An open multi-purpose lawn provides flexible space for sports, games, parties, and gatherings, with a portal at one end that doubles as a screen for movies in the park. Terraced steps provide informal seating at the edge of the lawn. The park offers play areas for both 2 to 5 and 5 to 12 year-olds, bocce courts, and ornamental planting areas. Picnic tables, shade structures, and a range of seating options are provided throughout the park. Railway-themed elements add character throughout the park.

The neighborhood's mailboxes are located under an iconic shade structure at the western edge of the park.

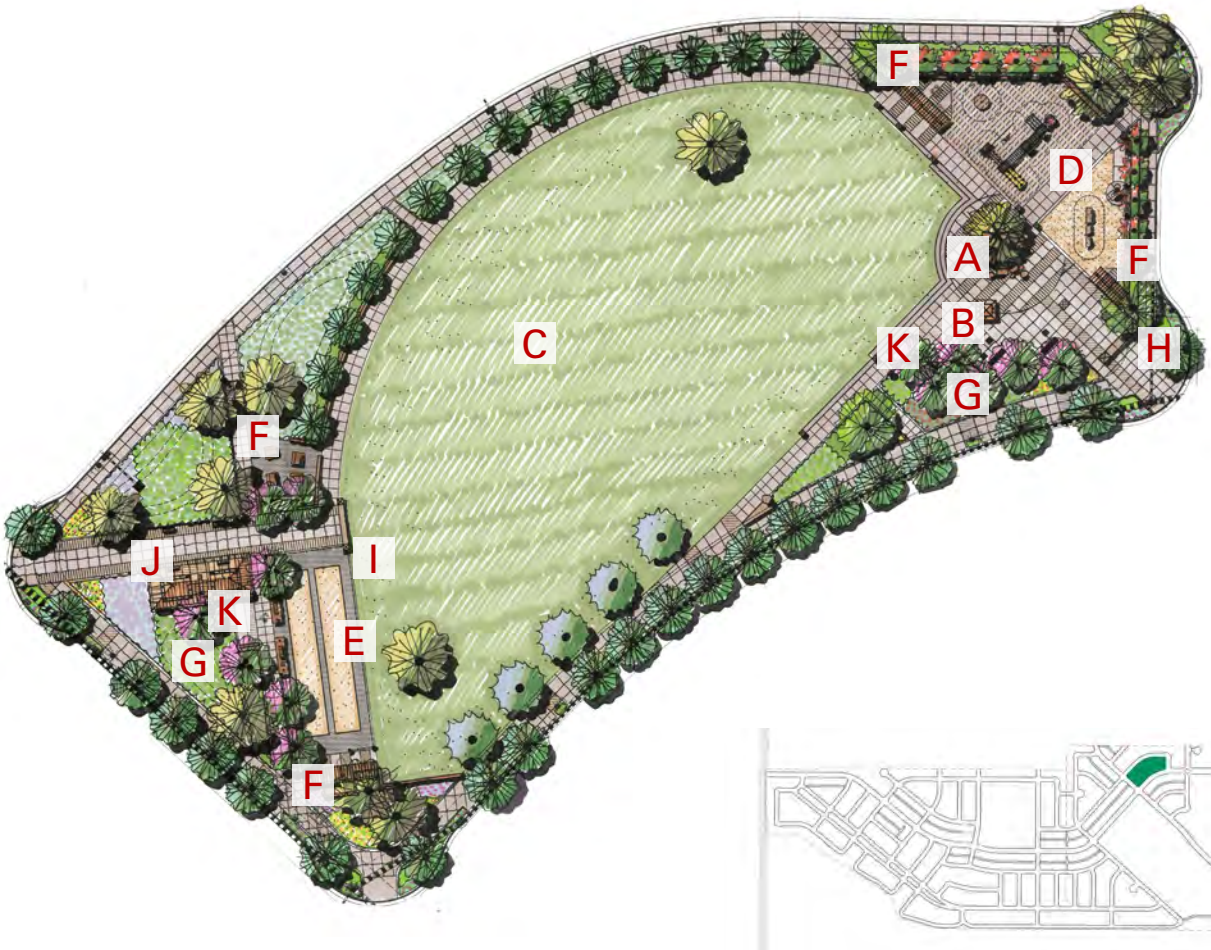


Figure 2.81 Illustrative Plan

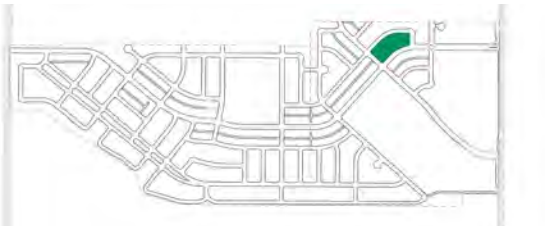


Figure 2.82 Key Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Specimen Tree
B Clock Tower/Information Kiosk
C Multi-purpose Lawn
D Play Areas (2–5 and 5–12)
E Bocce Courts
F Picnic with Shade
G Ornamental Planting
H Portal and Park Sign (Large)
I Portal (Removable Movie Screen)
J Mailboxes/Iconic Shade Structure
K Bike Racks



Photo: Gates & Associates

Figure 2.85 Ornamental planting



Photo: Gates & Associates

Figure 2.83 Railway themed play example



Photo: Gates & Associates

Figure 2.86 Bocce courts example

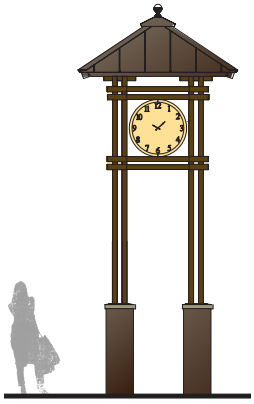


Figure 2.84 Clock tower

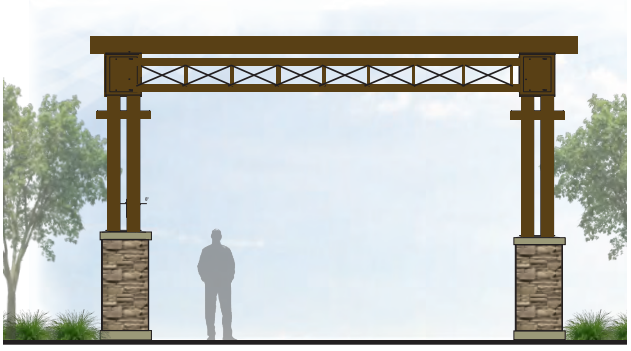


Figure 2.87 Portal/movie screen

2.2.6.3 Dog Park
(Figure 2.70, D)

The Dog Park provides separate areas, each with double gated entries, for small and large dogs. Each area includes a drinking fountain with dog bowl, dog waste stations, and may offer dog agility features and water mist elements. A plaza between the two areas provides seating and an community information board. Shaded seating and tables are located throughout the park. Pathways and seating areas may be paved with concrete or decomposed granite. Furnishings and elements may include metal, wood, concrete or GFRC (glass fiber reinforced concrete). Shade trees are dotted throughout the park, creating an attractive edge and cool areas for the dogs. A 30-foot landscaped buffer screens adjacent residences. A 10-foot buffer is provided along the south edge of the park. The park is fenced for safety. Public art and boulders may also be included as part of the park. Parallel ADA-accessible parking to be provided on-street.

CONCEPTUAL PROGRAM

TYPE Park

USES/FEATURES

A Small Dog Area
B Large Dog Area
C 5-Foot Perimeter Fence
D Seating Area
E Boulders
F Water Play Feature
G Lounge Chair
H 30-Foot Landscape Buffer
I 10-Foot Landscape Buffer
J Picnic Table With Shade Structure
K Park Sign
L Trash And Recycling Receptacle
M Leash Holder
N Kiosk
O Bike Rack
P Double Entry Gate With Regulatory Signage
Q Not used
R Drinking Fountain With Dog Bowl
S Maintenance Access Gate Through Dividing Fence
T Decomposed Granite Paving
U Natural Turf
V Connection to Storage Site
W Trees over mulch
X Not used
Y Dog Play Area
Z Not used

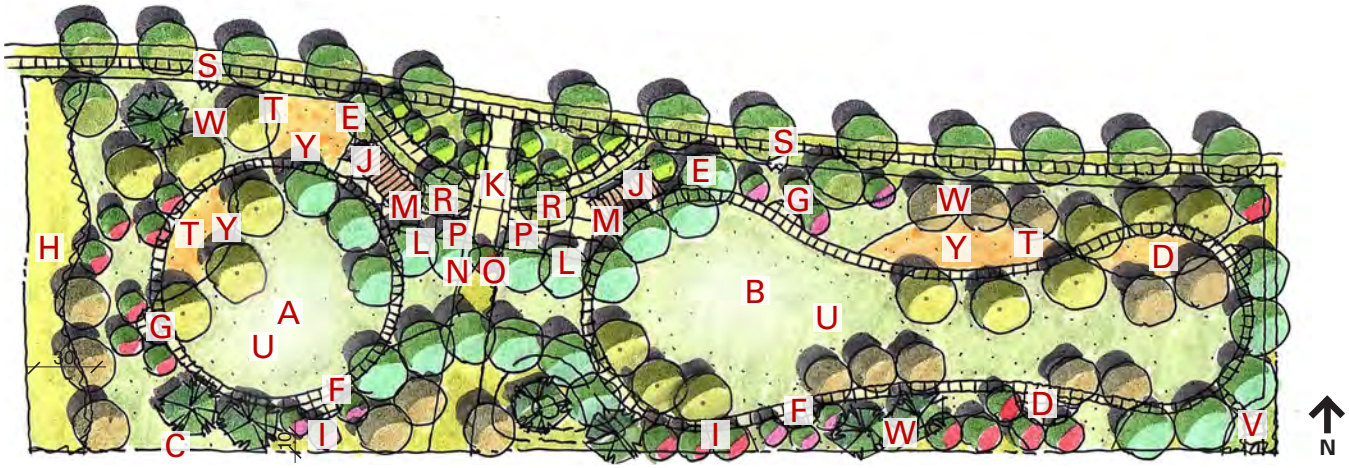


Figure 2.88 Illustrative Plan

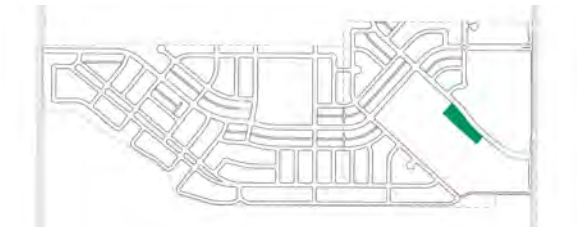


Figure 2.89 Key Plan



Photo: Gates & Associates

Figure 2.90 Mister example



Photo: Gates & Associates

Figure 2.91 Naturalistic agility structures

2.2.6.4 Homestead Park

Homestead Park provides a recreation hub for multiple generations. The park offers a small play element and water play feature, a basketball court, a small skate feature and an open green for volleyball, badminton or other informal activities.

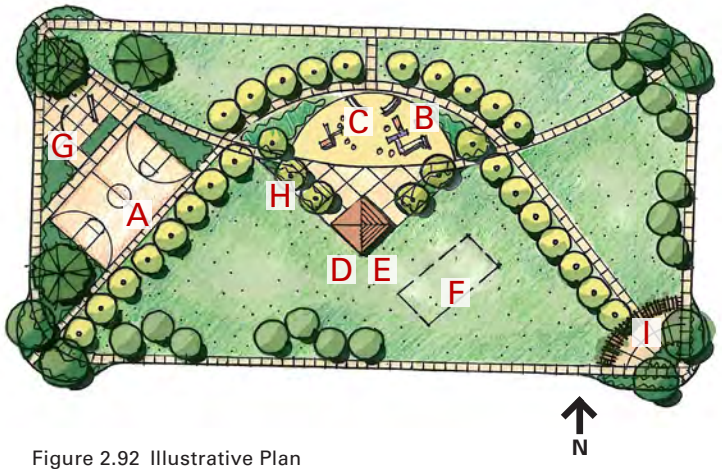


Figure 2.92 Illustrative Plan



Figure 2.93 Water play feature example

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Full Basketball Court
B Play Element
C Water Play Element
D Picnic (Large)
E Shade Structure
F Open Green/Volleyball/Badminton
G Skate Spot
H Drinking Fountain
I Park Sign (Large)



Photo: Gates & Associates

Figure 2.94 Basketball example

2.2.6.5 Western Park

(Figure 2.70, F)

Western Park offers active recreation including a multi-use soccer/youth ballfield and a large play area. The park also features a shaded picnic area and plaza with focal element for neighborhood gathering. Parallel ADA-accessible parking to be provided on-street.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (Full) and Activity Courts
B Picnic (Large)
C Shade Structure
D Soccer/T-ball Multi-Use Field and Viewing Steps
E Drinking Fountain
F Focal Element (Allowance)
G Park Sign (Large) and/or Kiosk
H Bike Racks
I Special Landscape Feature (see Section 2.2.7.9)
J Pickleball Court
K Game Zone
L Kiosk
M Amphitheater Steps



Figure 2.95 Illustrative Plan

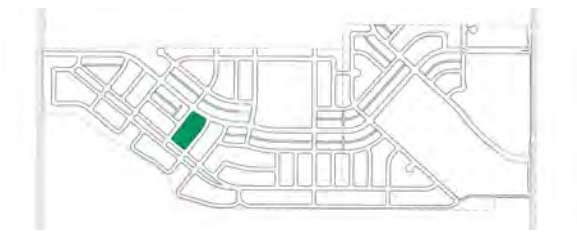


Figure 2.96 Key Plan



Photo: Gates & Associates

Figure 2.97 Multi-use field example

2.2.6.6 Schoolhouse Park

(Figure 2.70, G)

This park is generally located at north-east edge of the school. It provides a different type of play experience for users between Village Green Park and Western Park.

At the entry there is sign wall that invites you to the promenade with double row of trees and benches. The park offers a play area for both 2 to 5 and 5 to 12 year-olds. An open multi-purpose lawn provides a flexible extension of the play area. Shaded picnic area and seat wall will provide a range of seating options around the park. Parallel ADA-accessible parking to be provided on-street or part of the school parking lot.

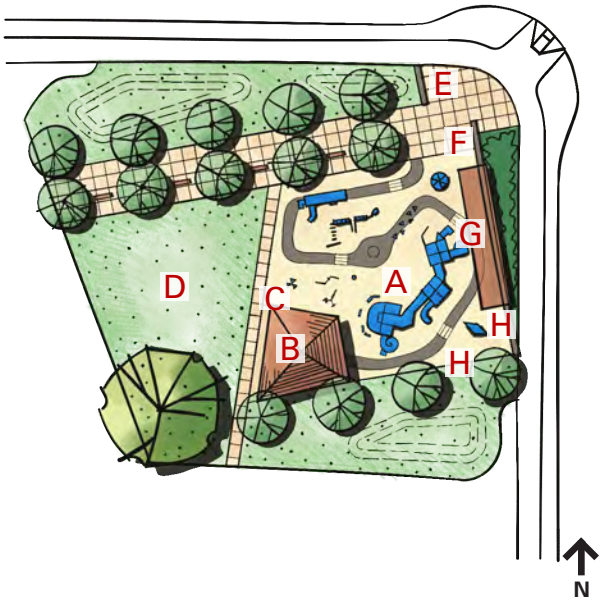


Figure 2.98 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (full)
B Picnic
C Drinking Fountain
D Multi-use Lawn
E Park Sign
F Bike Racks
G Shade Structure
H Seat Wall/Fence



Figure 2.100 Play area example

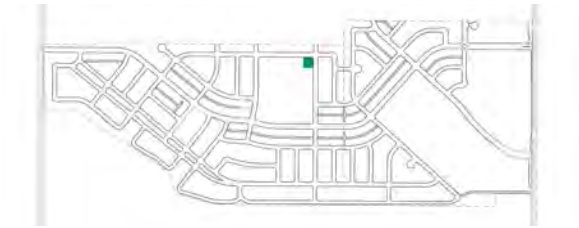


Figure 2.99 Key Plan



Figure 2.101 Play area example

2.2.6.7 The Orchard

(Figure 2.70, H)

The Orchard runs along the north side of Ellis Town Drive east of Lammers Road. The Orchard acts as a gateway for visitors, and provides a serene homecoming for busy residents at day's end. A windrow of columnar trees creates a backdrop for open lawn.

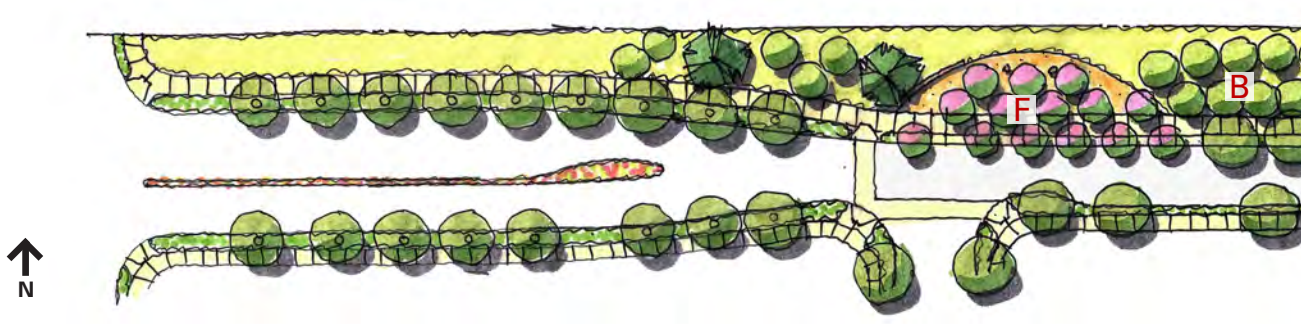


Figure 2.102 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Park Sign (Small)
B Ornamental orchard/demonstration garden
C Fitness stations
D Multipurpose lawn
E Gazebo
F Picnic area



Photo: Gates & Associates

Figure 2.104 Gazebo example

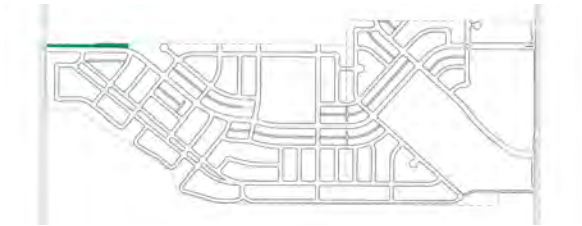


Figure 2.103 Key Plan



Photo: Gates & Associates

Figure 2.105 Orchard example

The Orchard (continued)

The linear nature of the park makes it ideal for walking. A multi-use path runs the entire length of the park.

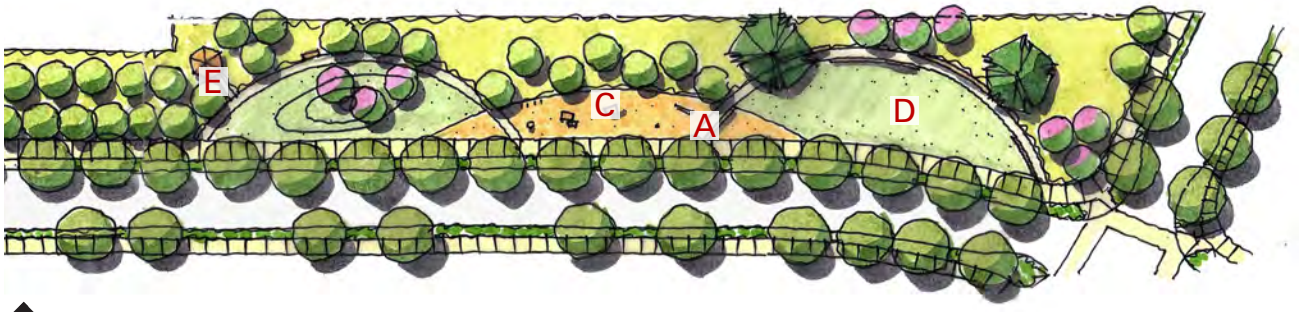


Figure 2.106 Illustrative Plan



Photo: Gates & Associates

Figure 2.107 Demonstration garden example



Photo: Gates & Associates

Figure 2.108 Fitness Stations example

2.2.6.8 Native Preserve
(Figure 2.70, I)

The Native Preserve runs the length of the Pacific Gas and Electric (PG&E) and Chevron pipeline easements. The Native Preserve will be a significant visual amenity. It will be enclosed with a split rail fence and planted with low, drought tolerant ornamental grasses and perennials. The split rail fence may be concrete or vinyl. Barrier plants, such as, but not limited to Carpet Rose and Berberis may be planted along the edge to discourage access and use. Alternatively, the area of the Native Preserve may be leased to an entity and put to compatible uses such as a vineyard. In this case all plantings and structures will reflect easement restrictions. Management and maintenance agreements would ensure appropriate caretaking of the property. No trees are planted within the easement, however street trees are located in the adjacent park strip. A maintenance access gate is provided at each median segment.



Figure 2.110 Native Preserve concept



Figure 2.111 Key Plan

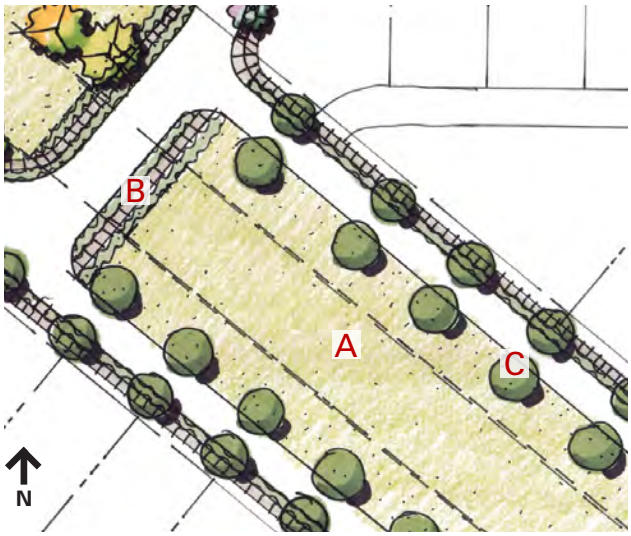


Figure 2.109 Illustrative Plan, typical



Photo: Gates & Associates

Figure 2.112 Split rail fence example



Photo: Gates & Associates

Figure 2.113 Split rail fence example

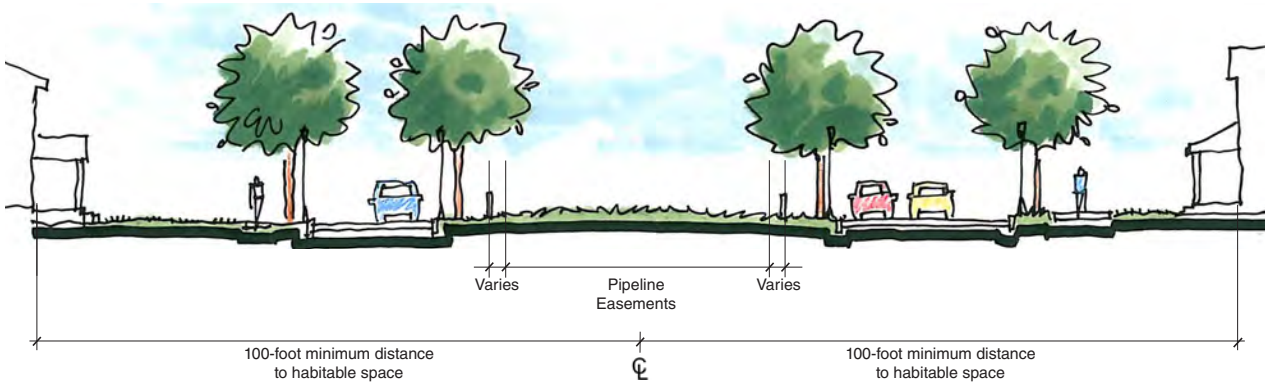


Figure 2.114 Illustrative section of the Native Preserve

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Figure 2.115 Key Plan

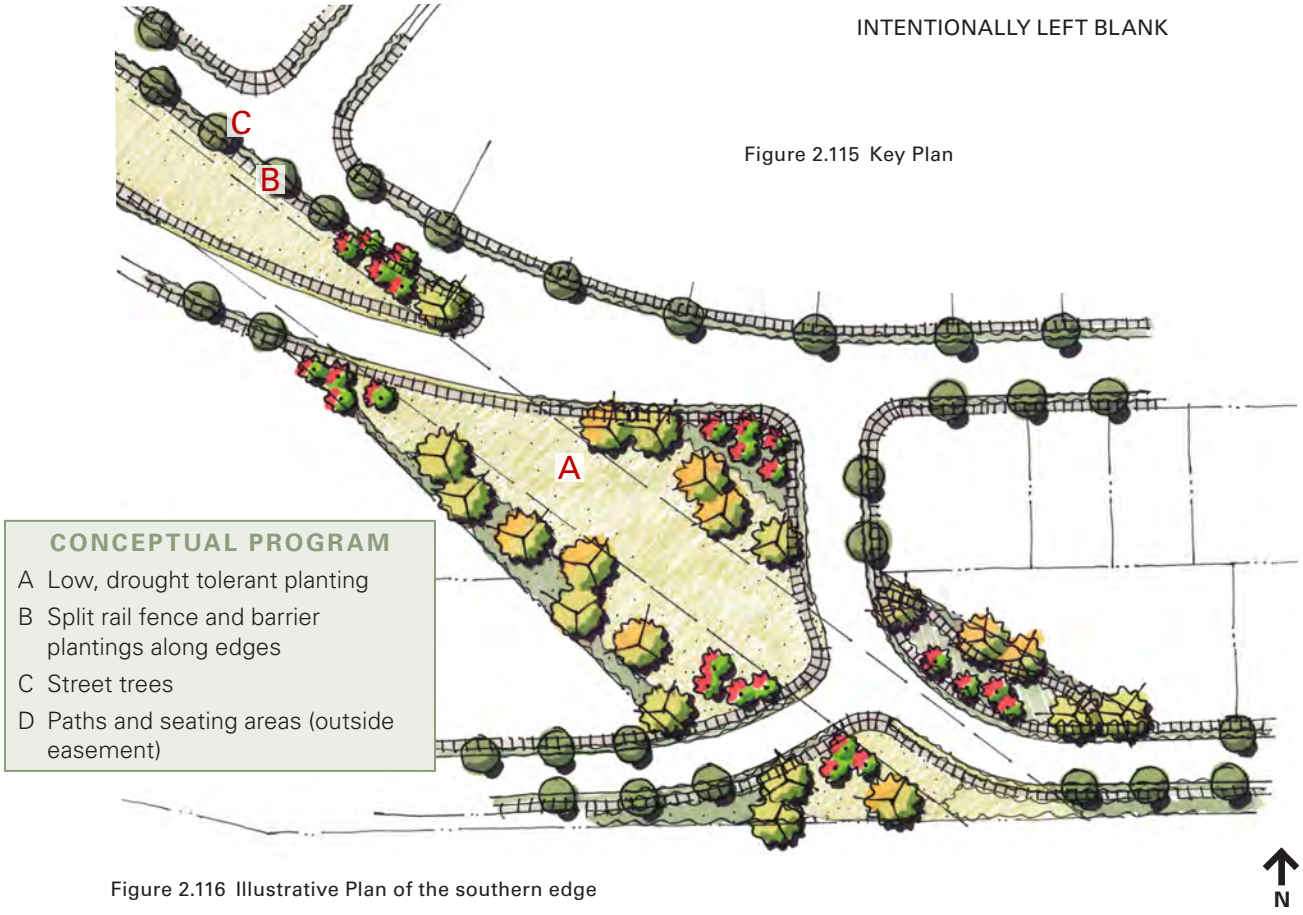


Figure 2.116 Illustrative Plan of the southern edge

2.2.6.9 Boulder Park

Boulder Park features a rock themed play element, a picnic area and an open green suitable for volleyball, badminton, informal play or relaxation. An ornamental rock garden reinforces the park theme.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Element
B Picnic Small
C Open Green/Volleyball/ Badminton
D Focal Element (Allowance)
E Ornamental Garden
F Park Sign (Small)

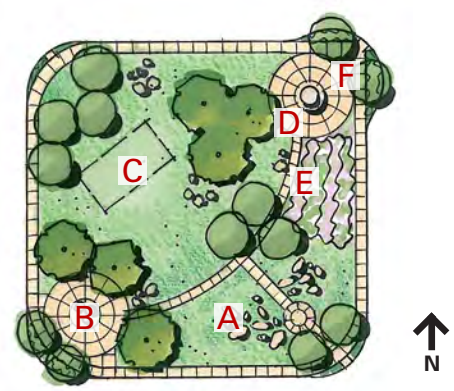


Figure 2.117 Illustrative Plan



Photo: Gates & Associates

Figure 2.118 Open green, volleyball, and badminton example

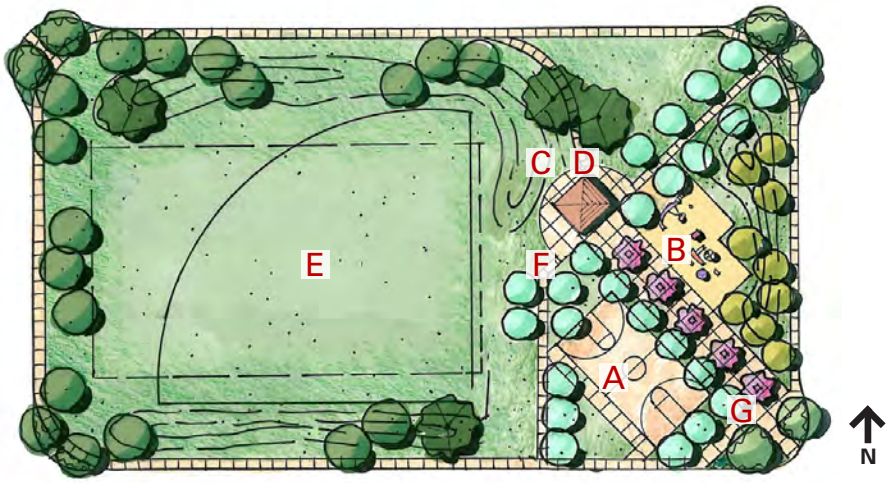


Photo: Gates & Associates

Figure 2.119 Play element example

2.2.6.10 Sports Park

Sports Park provides active recreation opportunities including basketball and a multi-use soccer/youth ballfield. A full play area and picnic area with shade structure are also included.



CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Full Basketball Court
B Play Area (Full)
C Picnic Large
D Shade Structure
E Soccer/T-ball Multi-Use Field
F Drinking Fountain
G Park Sign (Large)

Figure 2.120 Illustrative Plan



Photo: Gates & Associates

Figure 2.121 Multi-use field example

2.2.6.11 Railroad Park

This park celebrates local railroad history with a train themed play area, picnic area with shade structure and open green for informal play. A plaza with a focal element makes this park ideal for neighborhood gatherings.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (Small)
B Picnic Large
C Shade Structure
D Open Green/Volleyball/ Badminton
E Drinking Fountain
F Focal Element (Allowance)
G Park Sign (Large)

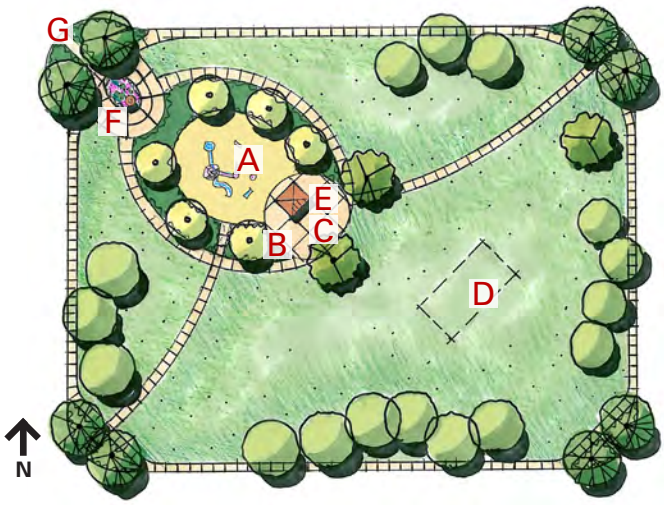


Figure 2.122 Illustrative Plan



Photo: Gates & Associates

Figure 2.123 Themed play structure example

2.2.6.12 Nature Park

Nature Park celebrates natural systems while providing a wide range of recreational uses. The park includes a themed play area, picnic area with shade structure, tennis court and multi-use sports field. A small skate feature and a dog park are also provided. A focal element, such as an interactive sundial, animal footprints or faux fossils, reinforces the theme.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (Full)
B Picnic Large
C Shade Structure
D Tennis
E Soccer/T-ball Multi-Use Field
F Skate Spot
G Drinking Fountain
H Focal Element (Allowance)
I Park Sign (Large)

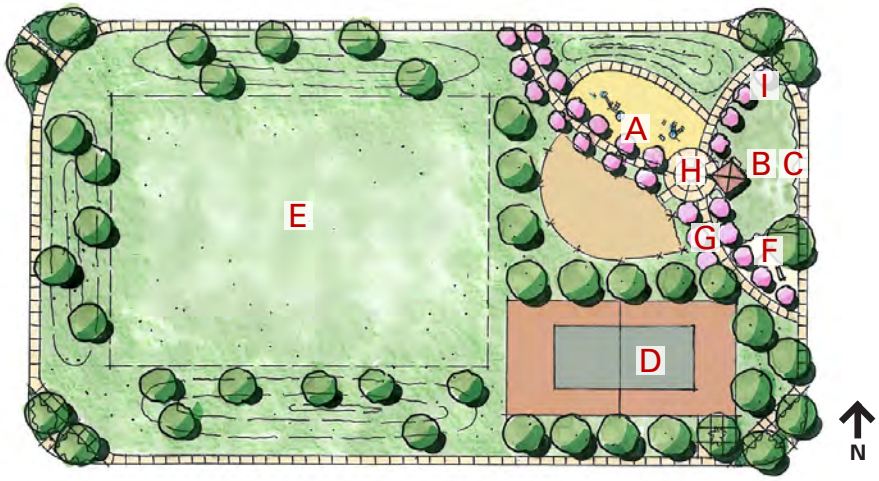


Figure 2.124 Illustrative Plan



Photo: Gates & Associates

Figure 2.125 Play area example

2.2.6.13 Butterfly Park

This tranquil park features an ornamental garden to attract butterflies. A bocce court, water play element, information kiosk and a focal element, such as a fountain or gazebo all promote neighborhood gathering. A small picnic area and open green are also included.

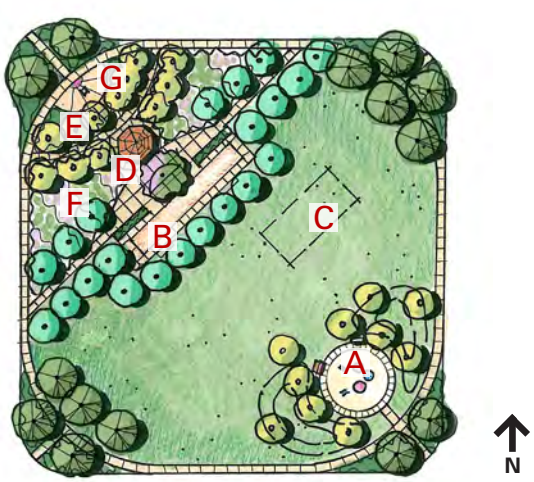


Figure 2.126 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Water Play Element
B Bocce
C Open Green/Volleyball/Badminton
D Fountain/Gazebo
E Informational Kiosk
F Ornamental Garden
G Park Sign (Small)

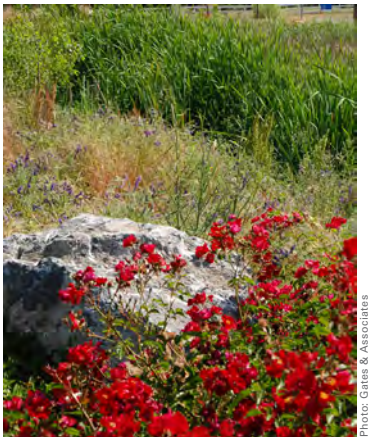


Photo: Gates & Associates

Figure 2.127 Butterfly-friendly landscaping example



Photo: Gates & Associates

Figure 2.128 Water play element example



Photo: Gates & Associates

Figure 2.129 Butterfly landscape art example

2.2.7 SPECIAL LANDSCAPE FEATURES

The Ellis Neighborhood Plan includes numerous special landscape features that will contribute to both the desirability and livability of the new community. These special landscape features include distinct community entries, generously landscaped street frontage and intersection nodes, landscape buffers and edges, pedestrian links, and common areas.

The character of these special-use areas reflects the agrarian heritage of the site as well as the historic elements of the original settlement at Ellis, established in 1869.

2.2.7.1 Ellis Town Drive Entry at Corral Hollow Road

This is the primary entry for the Ellis community and is also the entry to the Village Center. As such, it plays a key role in establishing the character for the community. The northwest corner of the intersection may feature a landmark Water Tower bearing the Ellis logo to announce the community. A sign projecting from the tower is described in Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program. A subordinate Silo element with a similar projecting sign will be located at the secondary Village Center entrance (see Figure 2.135). The Water Tower, Silo, and low stone walls appear as remnants of a historic California settlement as a reference to Ellis' agrarian history.

The Water Tower includes painted and galvanized metal. The Water Tower spans the sidewalk. The Water Tower will be externally lit to illuminate the Ellis name and logo. The signage on both may be internally or externally lit. Sign structures (poles) with banners line Corral Hollow Road north and south of the Water Tower.

The southwest corner of the intersection includes an iconic Pump House feature. Like the Water Tower, the Pump House is a reference to the area's agrarian history. The Pump House is shown in Figure 2.131. The Pump House will be externally lit. The Pump House will be located on private property.

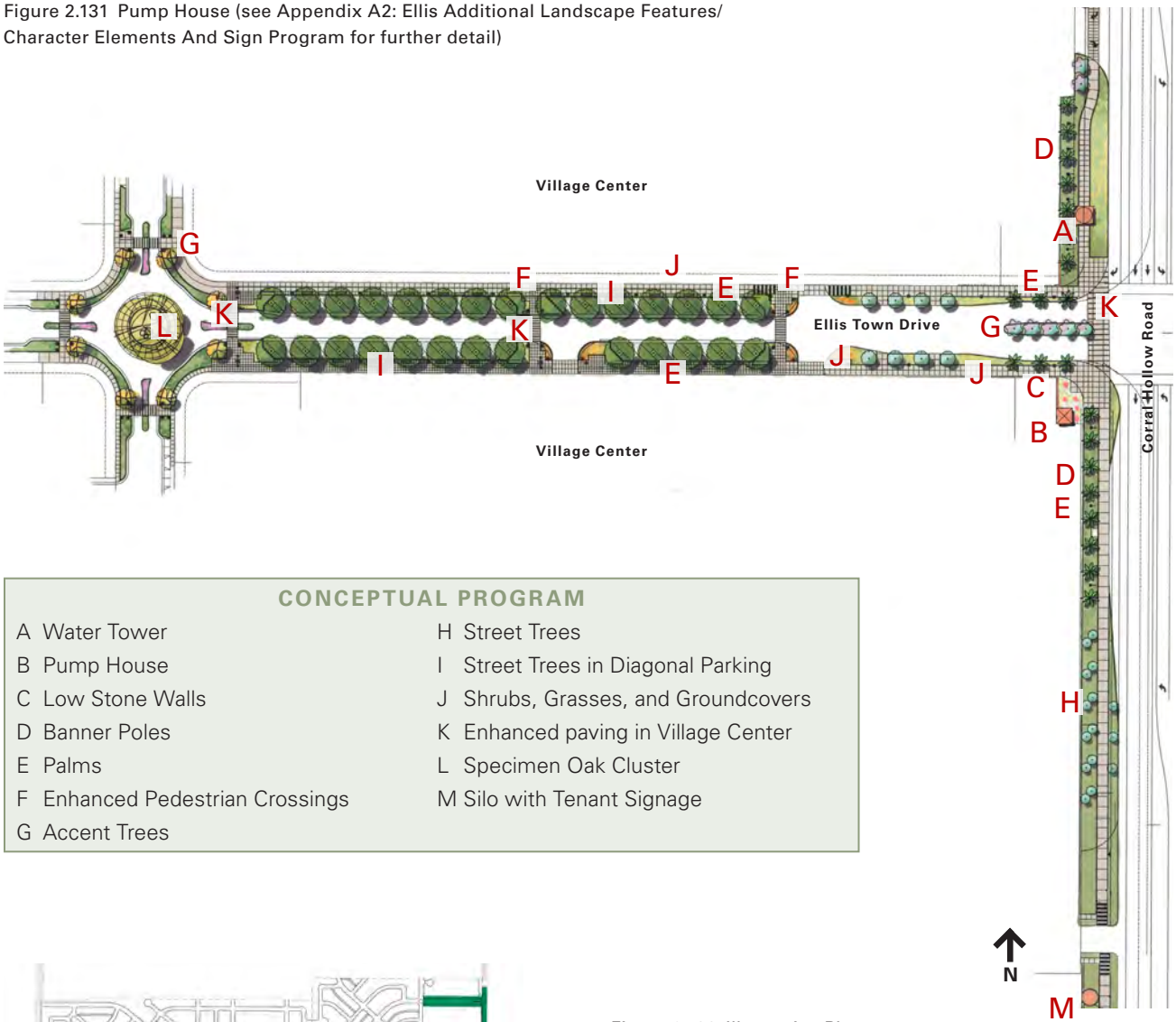
Date palms planted in a row create a distinctive backdrop for the Water Tower and Pump House and continue along Ellis Town Drive into the Village Center. A low stone wall (which may be partially removed based on Village Center building locations) and planted median further highlight the entry.



Figure 2.130 Water Tower landmark element (See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further detail)



Figure 2.131 Pump House (see Appendix A2: Ellis Additional Landscape Features/ Character Elements And Sign Program for further detail)



CONCEPTUAL PROGRAM

A Water Tower	H Street Trees
B Pump House	I Street Trees in Diagonal Parking
C Low Stone Walls	J Shrubs, Grasses, and Groundcovers
D Banner Poles	K Enhanced paving in Village Center
E Palms	L Specimen Oak Cluster
F Enhanced Pedestrian Crossings	M Silo with Tenant Signage
G Accent Trees	

Figure 2.133 Illustrative Plan

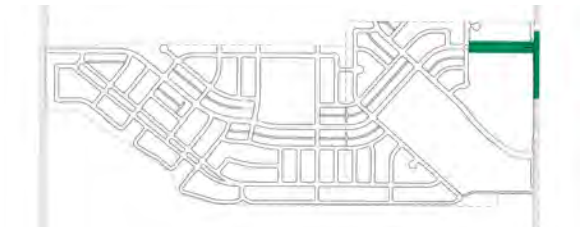


Figure 2.132 Key Plan



Photo: Gates & Associates

Figure 2.134 Low stone wall example



Figure 2.135 Silo (see Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further detail)

2.2.7.2 Summit Drive Entry at Corral Hollow Road

The Summit Drive entry will express the character of the community with rural agrarian style plantings and monumentation. A row of palms line Corrall Hollow Road near Summit Drive echoing the entry at Ellis Town Drive to the north. Entry monument signage at the Aquatic Park is located on Corral Hollow Road north of Summit Drive.

The storage office with historical theme and a granary element bearing the Ellis logo are located on the south side of Summit Drive. The storage office and granary design character may be natural, stained or colored painted wood look or galvanized metal. The storage office may include signage. See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further details.

The Ellis logo or lettering on the storage office and storage identification signage may be externally lit. The granary features a projecting sign that may be either externally or internally lit. Tree planting will be carefully located to preserve sight lines to signage.

CONCEPTUAL PROGRAM

- A Aquatic Park Entry Monument (Sign)
- B Feather Palms
- C Accent Planting
- D Low Stone Wall
- E Iconic Granary Element with Logo
- F Barn/Self Storage Office, Signage
- G Trees in Orchard Grid
- H Signs for Self Storage

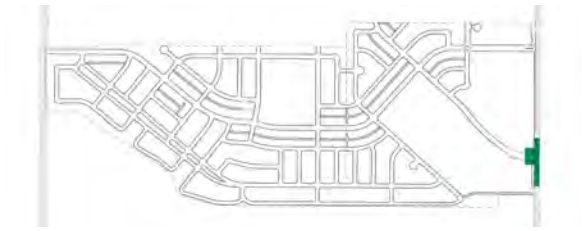


Figure 2.136 Key Plan

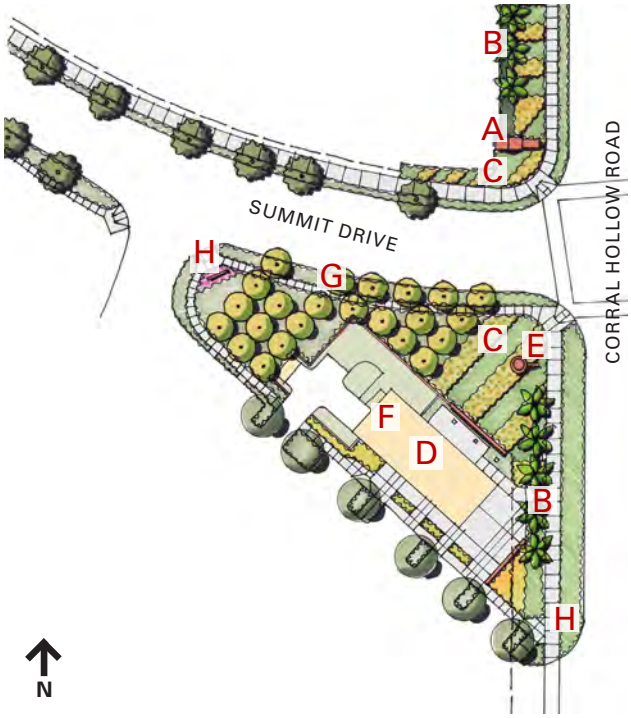


Figure 2.137 Illustrative Plan



Figure 2.138 Iconic Barn Feature — North Elevation



Figure 2.139 Aquatic Park Entry Monument (See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further details, final design may vary)



Figure 2.140 Granary with signage (See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further detail)

2.2.7.3 Lammers Road Entry at Ellis Town Drive

The Lammers Road Entry supports the rural theme of Ellis with a barn-like entry structure (Block and Tackle Building), accent planting and large shade trees. The Ellis community logo will be placed on the side elevations. The structure's design character may include a natural, stained or colored painted wood look or galvanized metal. See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further details. The Lammers Streetscape includes a double row of trees underplanted drought tolerant groundcovers and/or grasses and backed by a windrow of columnar trees, such as Carpinus. Planting at the corners is located to protect sight lines and allow views into Orchard Park from the south and the entry structure from the north.



Figure 2.141 Block and Tackle Building, Lammers Road elevation



Figure 2.142 Entry Building, Ellis Town Drive elevation

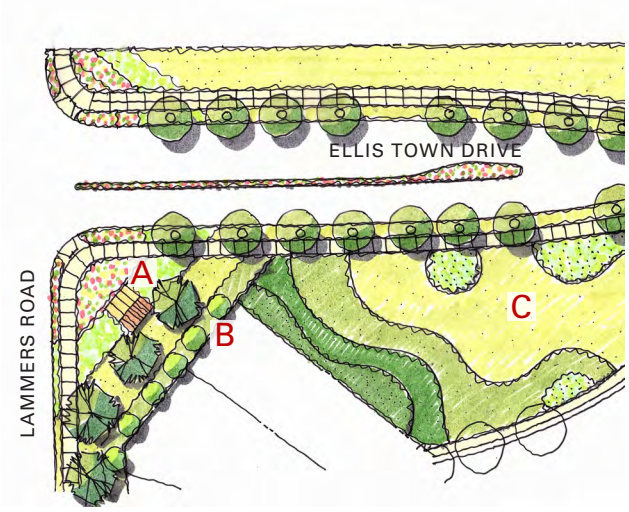


Figure 2.143 Illustrative Plan

CONCEPTUAL PROGRAM

A Block and Tackle Building
B Orchard-like Planting
C Native Preserve

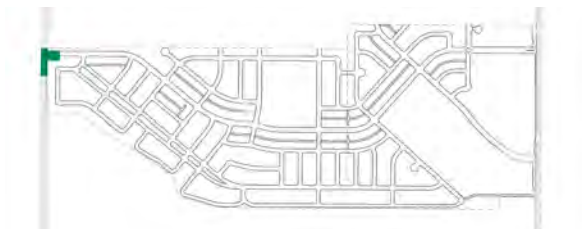


Figure 2.144 Key Plan

2.2.7.4 Corral Hollow Road Streetscape at Commercial Edge

The typical street tree pattern will be broken along Corral Hollow Road at the Village Center to announce the commercial area and allow views toward the commercial uses.

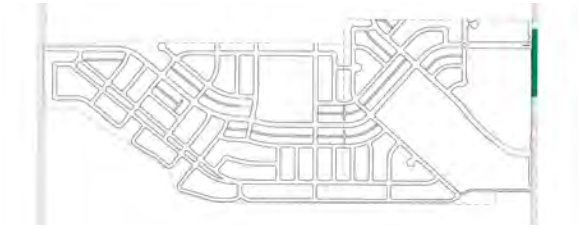


Figure 2.145 Key Plan

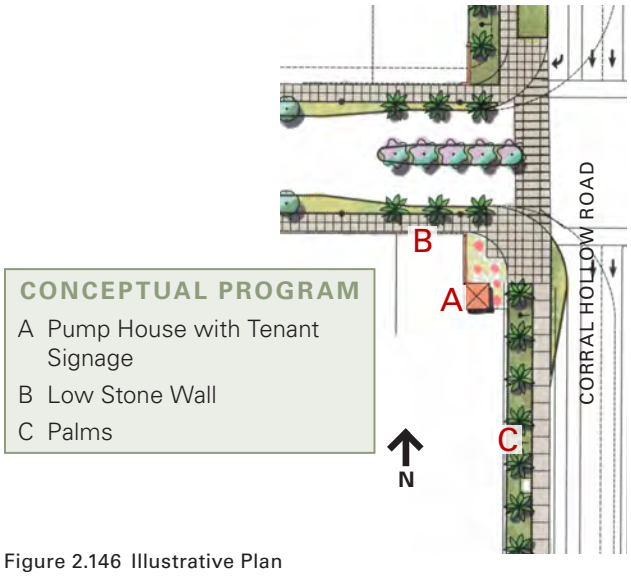


Figure 2.146 Illustrative Plan

2.2.7.5 Corral Hollow Road Streetscape at Aquatic Park

Corral Hollow Road is informally planted with a single row of evergreen trees as a backdrop and deciduous street trees for seasonal interest. At the Aquatic Park, an 8- to 10-foot fence or theme wall screened with vines or shrubs provides privacy and softens noise from the street. A bus turnout and transit shelter are located along the Aquatic Park Frontage. The model of the shelter is per City of Tracy Standards. Color may vary to be consistent with Ellis character, advertising panel(s) within the shelter shall be used for Aquatic Park.

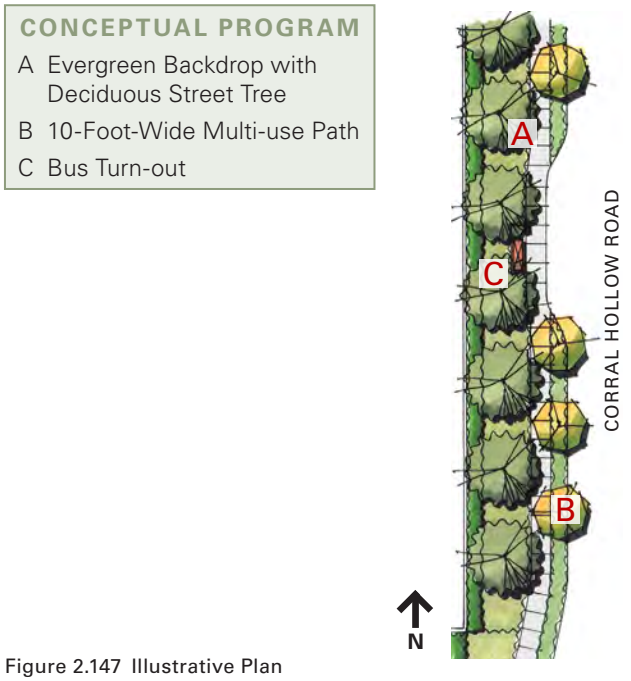


Figure 2.147 Illustrative Plan

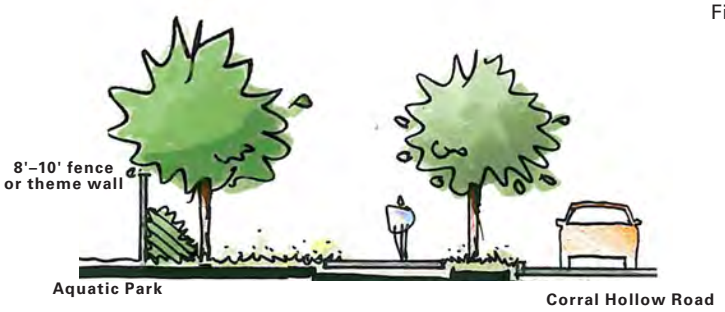


Figure 2.148 Corral Hollow Drive at Aquatic Park

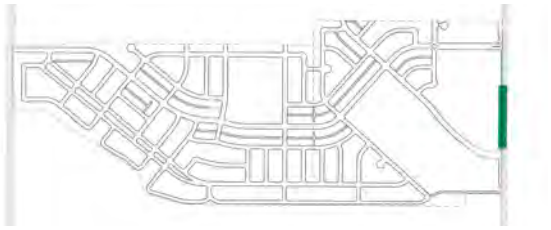


Figure 2.149 Key Plan

2.2.7.6 Lammers Road Streetscape

The Ellis community is anticipated to develop from east to west, thus it will be several years before the Ellis Town Drive entrance from Lammers Road will be constructed. When the initial connection of Ellis Town Drive is made at Lammers Road, an orchard-like grid of trees against a backdrop of columnar trees, such as Carpinus, will be planted in front of a 6-8-foot-tall community Theme Wall. A transition zone will be planted with fescue that can be partially mowed in curved patterns to create interest. As Lammers Road is constructed to its ultimate width, this no-mow fescue transition zone will be removed.

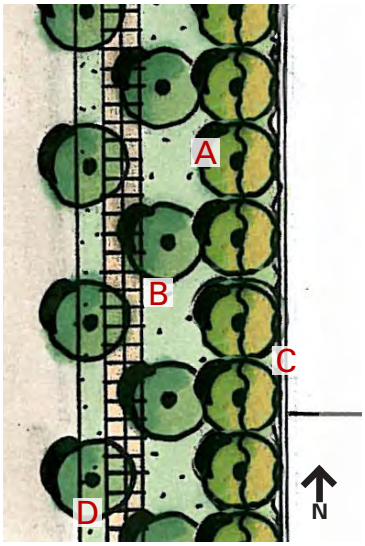


Figure 2.150 Illustrative Plan

CONCEPTUAL PROGRAM

A Planting
B Mowed and/or Unmowed Fescue
C Theme Wall
D Multi-use Path

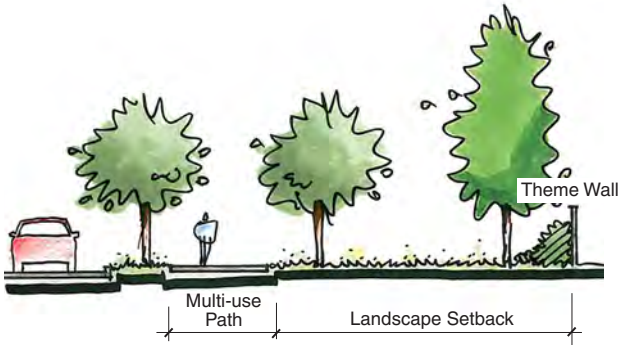


Figure 2.151 Lammers Road streetscape

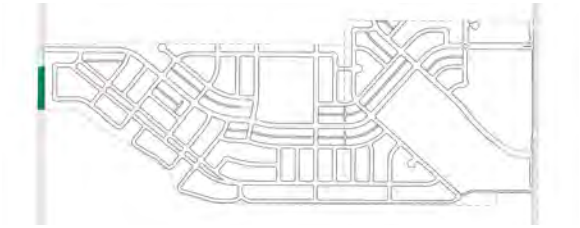


Figure 2.152 Key Plan



Photo: Gates & Associates

Figure 2.153 Orchard-like planting and theme wall

2.2.7.7 Northern Edge

The northern edge of the site at the Village Center and along Ellis Town Drive at the entry from Lammers Road may include a 4- to 6-foot view fence and may include a windrow of trees. This creates a green edge as vehicles approach the site from the north. Where the northern edge is at rear yards of homes there will be 6- to 8-foot wood fence or masonry wall.

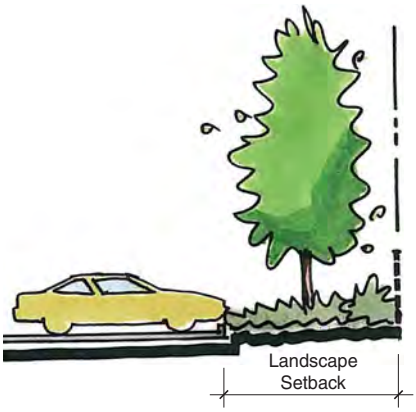


Figure 2.154 Landscape edge at Village Center

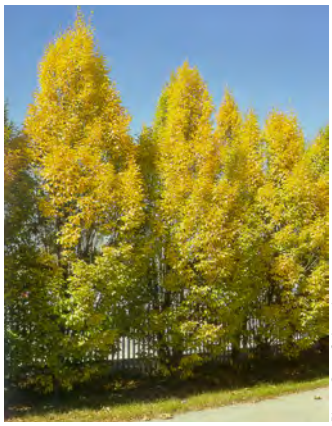


Photo: Gates & Associates

Figure 2.155 Landscape buffer

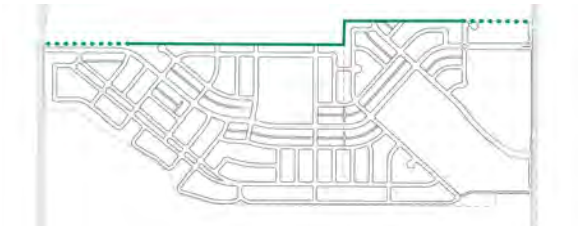


Figure 2.156 Key Plan

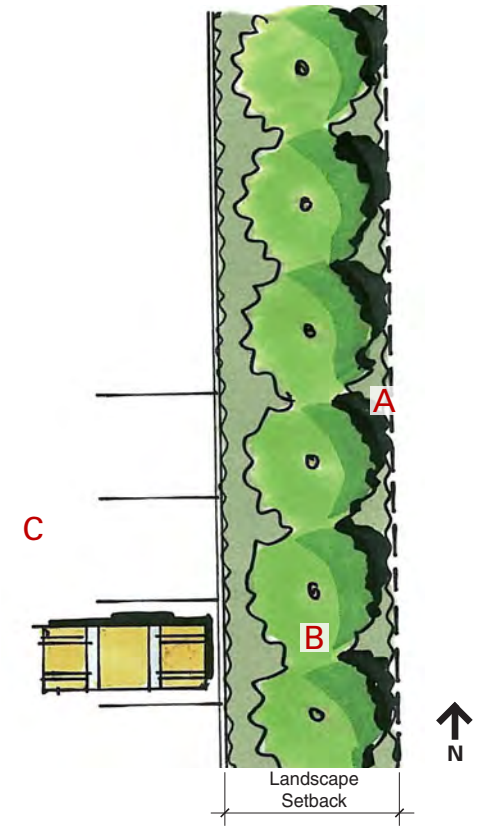


Figure 2.157 Illustrative Plan

CONCEPTUAL PROGRAM

A Fence

B Windrow of Trees

C Village Center and Commercial Parking



Photo: Gates & Associates

Figure 2.158 View fence

2.2.7.8 Union Pacific Railroad Edge

A 10-foot wall will run along the southern property edge from Lammers Road to the western edge of the storage building. A segment of the storage site will also have the 10- to 12-foot wall. A fifty-foot minimum setback is required from the Ellis property line to any habitable structure.

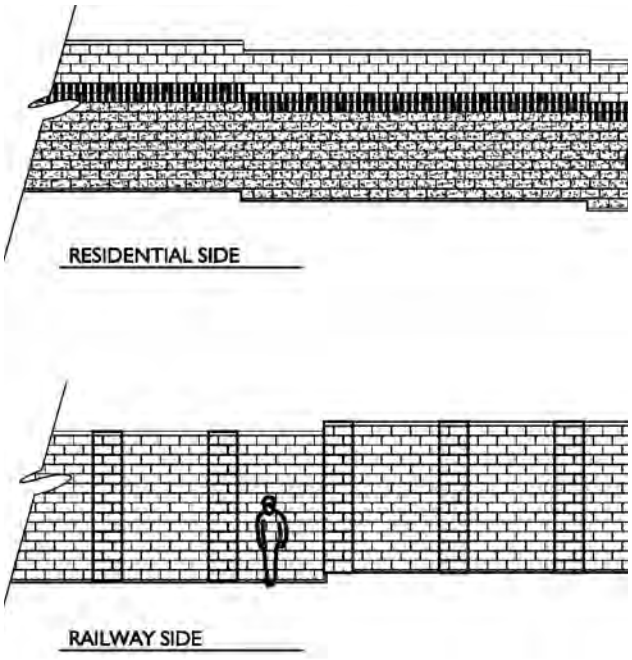


Figure 2.159 Boundary wall design concept (Village Neighborhood only)

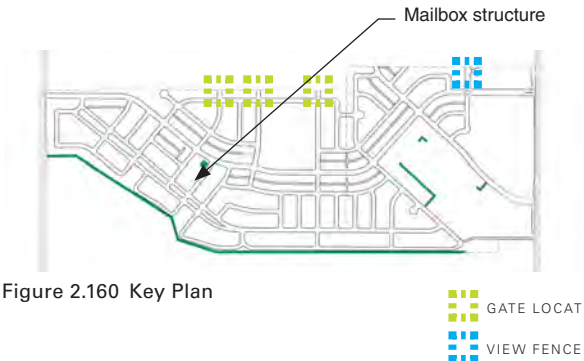


Figure 2.160 Key Plan

2.2.7.9 Mailbox Structure

A mailbox structure with community mailboxes will be located adjacent to Western Park. See also Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for pavilion and sign design.

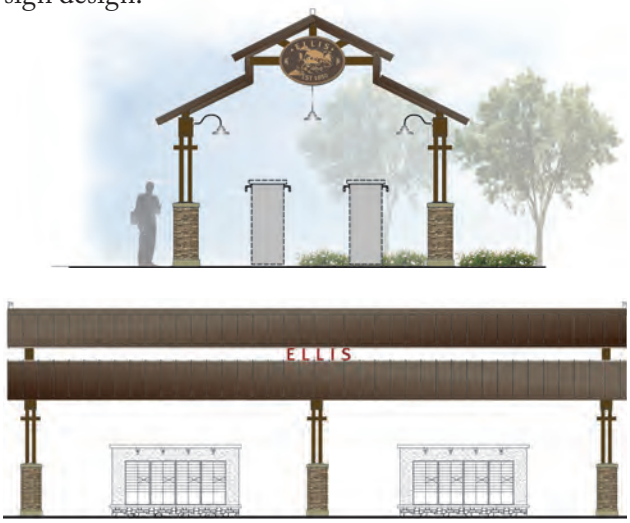


Figure 2.161 Mailbox structure

2.2.7.10 Agricultural Edge

The edges of the community adjacent to existing agricultural uses will be defined with 8-foot privacy fences, or a view fence (where access is not available for vehicles). Where streets terminate at site boundaries, operational gates will be used in lieu of guardrails to provide for emergency vehicle access if needed.

These fences shall be removed at the time development occurs adjacent to the Neighborhood Plan area when roadways are connected to these streets.

Conceptual Program

1. 8-foot privacy fence
2. 8-foot rolling gate

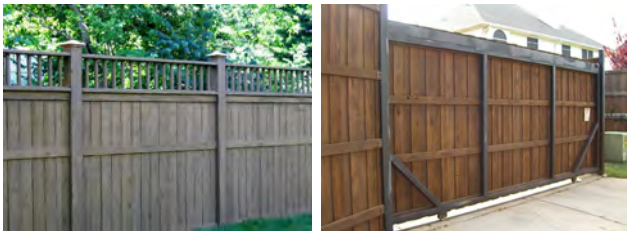


Figure 2.162 Eight-foot privacy fence and eight-foot rolling gate

2.2.8 LIGHTING, SIGNAGE AND FURNISHINGS

The streetscapes, parks, and public open spaces of Ellis will have a rich array of signs, furnishings, and landscape elements that will provide a unified community feel. Emphasis is on a palette of materials that reflect Ellis' heritage as a small town agrarian community. The detailing and textural character should reinforce the pedestrian-friendly orientation of the Ellis community.

2.2.8.1 Lighting

Ornamental street lights will be traditional in character and at a pedestrian-scale. They will be used for all streets, parks, public open spaces, trails, bike paths, and walkways. Parking lot lighting will also be ornamental but taller. The style of street lights shall be similar to street lights found in Downtown Tracy. All streets and parks shall be lit to provide safe evening passage. While parks are not lit for evening use, where houses front onto the parks, the pedestrian access to residences shall be lit.

In the Village Center, light standards may be double-headed. Light standards shall be located with sufficient clearance provided to ensure that light accessories do not project into parking. Provision may also be made in the Village Center for 'twinkle' lighting of street trees and holiday lighting of trees in the Village Green. Bollard lighting in the same style as street lighting may be used. Sternberg banner arms should be used where banners are to be located.

Lighting on the paseos or connections between Ellis Town Drive and the rear parking areas of the Village Center may include decorative ornamental lights mounted on buildings or overhead arbors. Special ornamental lighting may also be incorporated into thematic monuments at park entries.

All fixtures will be cut-off luminaires to control light and glare. The lighting specified, although traditional in appearance, will have state-of-the-art luminaires for lighting efficiency and glare reduction.

Light fixtures will direct lighting patterns downward in either a symmetrical or asymmetrical lighting pattern on the ground with very little glare. The post lights, specified to be mounted at a height of 14 feet, are scaled to pedestrians. This is an optimal height which balances lighting efficiency and performance, while providing direct illumination of pedestrian areas for facial illumination, thereby providing a safe night-time environment.

The lighting will be evenly spaced along the street and between the street trees. Closer spacing will be required in the Village Center and similar areas requiring more illumination. Street trees are specified to have a 7- to 8-foot clearance to street lights in order to provide adequate room for the proper lighting performance.



Figure 2.163 Ornamental pedestrian street lighting



Figure 2.164 Typical street lamp example

2.2.8.2 Public Property Signs

Signs in the Ellis Neighborhood Plan Area in the public right-of-way, the public parks, or on public property, shall be regulated by Title 10, Article 35 of the Tracy Municipal Code and CalTrans regulations, except as specified in Section 2.2.8.2 of the Ellis Specific Plan and Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program. The signs included in this Ellis Sign Program shall be permitted as shown. The approval process shall include only building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code. For purposes of indemnifying the City, all temporary signage to be located within street right-of- ways, as approved in the Ellis Neighborhood Plan, will require one all-inclusive encroachment permit.

In addition, the design of the landscape features/ character elements in Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program shall be permitted as shown.

Signage within all common areas of Ellis, such as the streetscape, parks, and special landscape features, should be minimized to that which is essential for safety, orientation, and identification. Signage should be integrated into the overall design of the park or streetscape. Where appropriate, street lights may incorporate street signage to minimize visual clutter. Park entries will incorporate identity signage. Park signage may also be incorporated into thematic elements within the park, such as low walls or thematic monuments.



See Appendix A2: Ellis Additional Landscape Features/Character Elements And Sign Program for further details.

Figure 2.165 Examples of signs in the public right-of-way

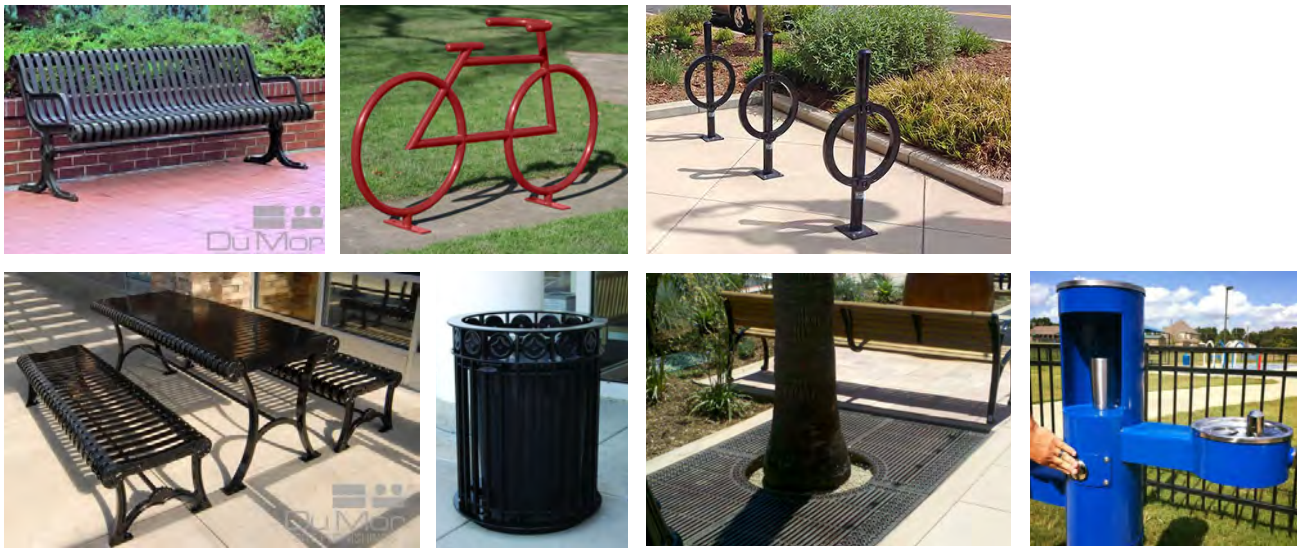


Figure 2.166 Site furnishings

Elements	Description	Manufacturer,Model, Finish, Color
Street Lighting	Ornamental Traditional Acorn	Sternberg Birmingham series, Dark Bronze Textured, LED, or equal
Street/Wayfinding Poles	Ornamental Traditional	Sternberg Richmond and/or Lexington series, Dark Bronze Textured, LED, or equal
Street/Wayfinding Signs	Decorative metal panel	Custom color, font and design to complement Ellis logo
Banner Poles	Ornamental Traditional	Sternberg Birmingham series with Sternberg Banner Arms, Dark Bronze Textured, or equal
Pet Station/Other Community Signs	Decorative metal panel	Custom color, font and design to complement Ellis logo
Benches	Ornamental Traditional	Dumor 140 series, black powdercoat with custom lettering, or equal
Trash/Recycling	Ornamental Traditional	Dumor 148 series or equal
Bike Rack	Traditional	Maglin MBR200 series with custom lettering, black powdercoat, or equal
	Custom, Decorative	Decorative bike rack with custom coloring to match Ellis logo, Huntco Bicycle-B Rack, or approved equal
Tree Grate	Ornamental Iron	Iron Age Designs Interlaken, natural finish, or equal
Tree Guard	Ornamental	Iron Age Designs Basic, Powdercoat, Special Rust #47, or equal
Drinking Fountain with bottle filler and hose bibb	Ornamental Traditional	MDF Most Dependable Fountains, 10145SM with attached pet fountain, recessed hose bibb and lock door, black, or equal
Picnic Tables	Ornamental	Dumor, 448 and 443 series, black, or equal
Shade Structure	Decorative	May be prefabricated or custom; materials may include wood, metal, stone, stone veneers, may include Ellis logo or lettering, may be solid, perforated or slatted
Play Equipment/ Elements	Thematic,Educational, Innovative Play Elements	Play equipment and elements may be themed, custom or prefabricated; materials may include metal, wood, GFRC or other materials, sand and water may be used judiciously for play value.
Spray Fire Hydrant	Dog Play Amenity	Dog-On-It Item #7270
Drinking Fountain w/ bottle filler & bucket filler	Pedestal Bottle Filler	MDF: 10155 SM with optional jug filler in black
Seatwall	Custom cast-in-place concrete seatwalls	Custom cast-in-place concrete seatwalls
Adirondack Chairs	Adirondack chairs	Loll Designs: Tall Adirondack chair, white
Picnic Table	3 or 4 seat tables	Wabash Valley: PODP51, Portage Collection 46" square table with 4 seats, inground mount, round perforation, in silver. For accessible table, order PODP61, Portage Collection 46" Accessible Square Table with 3 seats, inground mount , in silver (table top, leg, and seats)
Light colored bench	Steel mesh bench	Wabash Valley: C01111C, Covington Collection Bench with back, 6' long, surface mount, round perforation, in silver (bench and leg)
Shade structure	Shade structure	May be prefabricated or custom; materials may include wood, metal, stone veneer, with solid roof for maximum sun protection, approximately 16' x 34'
Leash holder	Dog Leash Holder	BYO Recreation: Dog Leash Holder, Model: 2619-UP, green
5' tall Omega Fence	5' tall mesh fence system	Omega Architectural Fence system: square cap, 3x3 post, 5' tall, black powder coat
Message Kiosk	Message Kiosk	OCC Outdoors: Kiosk-2633, 2 sided, 42" wide x 78.5" tall x 3" thick

Figure 2.167 Ellis specifications (or equal as approved by the developer)













Figure 2.168 Play equipment and elements

2.2.8.3 Furnishings

Site furnishings will include a simple palette of durable traditional street and park furnishings, including bike racks, trash receptacles, and benches. The selection of site furniture will incorporate elements found throughout Tracy, to provide a visual connection between Ellis and the Tracy community.

While there is a consistent vocabulary of street furniture and lighting proposed for Ellis, it is also a key concept that each park will have its own identity within the park system. To this end, unique play equipment, shade structures, and other park furnishings may be specified to enhance a particular park theme. Park furnishings and equipment should be thoroughly evaluated for durability, ADA compliance, and consistency with visual character.

2.2.8.4 Streetscape Types

The streetscapes of Ellis will vary. Primary streets will have landscaped park strips between the sidewalk and curb. These park strips will be planted with ornamental, drought-tolerant landscape materials, the park strips or landscape strips will be planted with trees which shall be counted as a City tree for each lot/residence, no residential front yard City trees shall be required. Where parking is provided on streets with alley-loaded homes, pedestrian access through the park strips must be provided at a minimum of every 40 feet. Where parking is provided along park frontage, park strips may be eliminated to facilitate access.

Sustainable Landscape Design

Some streets will include more intimate, narrow rights-of-way with travel lanes having sidewalks at curb edges. On these streets, landscaped front yards with regularly-spaced shade and ornamental trees will provide scale and beauty.

The landscape system will be designed to reflect current best practices in landscape sustainability, including some or all of the following:

- Emphasize drought tolerant native or climate adapted plants
- Use California native plants where possible
- Minimize the use of lawn, except for recreational purposes
- Group plants by water use, i.e. hydrozones.
- Design high efficiency, weather-based irrigation systems
- Space plants to avoid the need for shearing
- Choose diverse plant palettes
- Incorporate on-site landscape stormwater management wherever feasible, including vegetated bioswales, rain gardens, infiltration planters, pervious paving, etc.
- Use recycled content landscape materials and furnishings
- Design high efficiency landscape lighting systems
- Minimize light pollution and trespass

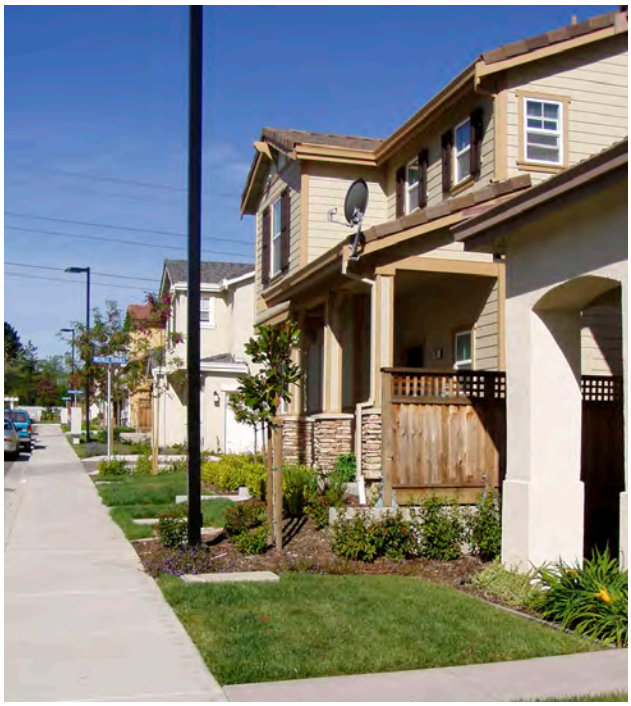


Photo: Gates & Associates

Figure 2.170 Neighborhood street without a landscaped park strip

2.2.8.5 Street Trees

The landscape system will reflect the Ellis community vision of shady, pedestrian-friendly streets, remnants of agrarian planting palettes consistent with the heritage of the site, and a diverse plant palette which complements the architectural character of the houses. It is expected that recycled water will be available for irrigation of public streets, including Ellis Town Drive, Summit Drive, and common areas in the future. Street trees have been carefully selected for recycled water tolerance.

- Large canopy trees will line the community streets. Medium-sized canopy trees will enclose the neighborhood streets.
- Accent trees will be used to define the community, neighborhood intersections, and pedestrian street crossings, as well as identify entries to parks.
- Orchard-like grid tree planting may be used in the entry areas to reinforce the agrarian theme. Trees in the orchard may be flowering, non-fruit-producing trees.
- The parks will be planted with a diversity of trees to provide shade and seasonal interest, as well as to define outdoor rooms within the parks.

STREET	USE	BOTANICAL NAME	COMMON NAME
CORRAL HOLLOW ROAD			
	Street Tree	Fraxinus pennsylvanica	Green Ash
	Background Trees	Elaeocarpus decipiens	Japanese Blueberry Tree
		Phoenix dactylifera 'Medjool'	Medjool Date Palm
LAMMERS ROAD			
	Street Tree	Pistacia chinensis 'Keith Davey'	Chinese Pistache
	Accent Tree	Quercus wislizenii	Interior Live Oak
		Chionanthus retusus	Chinese Fringe Tree
		Quercus virginiana	Southern Live Oak
	Columnar Tree	Carpinus betulus 'Fastgiata'	Hornbeam
ELLIS TOWN DRIVE			
	Street Tree	Ulmus parvifolia	Chinese Evergreen Elm
	Accent Trees	Pistacia chinensis 'Keith Davey'	Chinese Pistache
		Lagerstroemia indica	Crape Myrtle
		Cercis canadensis	Eastern Redbud
ELLIS TOWN DRIVE ENTRY		Phoenix dactylifera 'Medjool'	Medjool Date Palm
	Median	Zelkova serrata 'Musashino'	Sawleaf Zelkova
	Accent	Pistacia chinesis 'Keith Davey'	Chinese Pistache
		Quercus wislizenii	Interior Live Oak
SUMMIT DRIVE			
	Street Trees	Quercus palustris	Pin Oak
	Accent Trees	Arbutus 'Marina'	Arbutus Marina
		Chionanthus retusus	Chinese Fringe Tree
		Laurus nobilis 'Saratoga'	Saratoga Laurel

Table 2.6 Tree List (to be adapted to respond to the specifics of each individual site and use)

STREET	USE	BOTANICAL NAME	COMMON NAME
PARK AND SPECIAL LANDSCAPE FEATURE TREES		Acer sp.	Maple
		Arbutus Marina	Arbutus
		Carpinus betulus 'Frans Fontaine'	European Hornbeam
		Cedrus deodara	Deodar Cedar
		Cercis occidentalis	Western Redbud
		Ceonothus 'Standard'	California Lilac
		Chionanthus retusus	Chinese Fringe Tree
		Chitalpa x. tshkentensis	(no common name)
		Cinnamomum camphora	Camphor Tree
		Citrus	
		Cupressocyparis leylandii	Leyland Cypress
		Cupressus sempervirens	Italian Cypress
		Dodonea viscosa 'Standard'	Hopseed Bush
		Geijera parviflora	Australian Willow
		Koelreuteria paniculata	Chinese Flame Tree
		Laurus saratoga	Saratoga Bay Laurel
		Lophotstemon confertus	Brisbance Box
		Magnolia grandiflora	Southern Magnolia
		Melaleuca quinquenervia	Cajeput Tree
		Nyssa sylvatica	Sour Gum
		Olea europaea (fruitless varieties)	Olive
		Phoenix dactylifera 'Medjool'	Medjool Date Palm
		Pistacia chinensis	Chinese Pistache
		Podocarpus species	Fern Pine
		Quercus sp.	Oak
		Sapium sebiferum	Chinese Tallow Tree
		Sophora japonica	Japanese Pagoda Tree
		Tilia cordata	Little Leaf Linden
		Ulmus parvifolia	Chinese Evergreen Elm
		Ulmus sp.	Elm
		Vitex agnus-castus	Chaste Tree
		Zelkova serrata	Sawleaf Zelkova

Table 2.6 Tree List continued

BOTANICAL NAME	COMMON NAME
Abelia sp.	Abelia
Acacia species	Acacia
Acanthus mollis	Bear's Breech
Adenanthos	(no common name)
Agapanthus species	Lily-of-the-Nile
Agave attenuata	Fox Tail Agave
Alyogyne huegelii	Blue Hibiscus
Anigozanthos	Kangaroo Paw
Arbutus unedo 'Compacta'	Dwarf Strawberry Tree
Arctostaphylos species	Manzanita
Baccharis pilularis	Dwarf Coyote Brush
Berberis	Barberry
Buddleja davidii	Butterfly Bush
Buxus species	Boxwood
Calamagrostis 'Karl Foerster'	Reed Grass
Callistemon 'Little John'	Weeping Bottlebrush
Camellia species	Camellia
Carex	Berkeley Sedge
Carpenteria californica	Bush Anemone
Ceanothus species	Wild Lilac
Chaenomeles	Flowering Quince
Cistus species	Rockrose
Coleonema species	Breath of Heaven
Coreopsis	(no common name)
Correa pulchella	(no common name)
Dietes sp.	Iris
Erigeron karvinskianus	Fleabane
Escallonia sp.	Escallonia
Euonymus sp.	Euonymus
Euryops pectinatus	Golden Bush Daisy
Festuca californica	California Fescue
Galvezia speciosa	Island Bush Snapdragon
Geranium sp.	Cranesbill
Grevillea	(no common name)
Hebe species	Hebe
Helictorichon sempervirens	Blue Oat Grass
Hemerocallis sp.	Day Lily
Hesperaloe parviflora	Red Yucca
Heteromeles arbutifolia	Toyon
Heuchera sanguinea	Coral Bells
Hydrangea sp.	Hydrangea
Ilex aquifolium	Holly
Iris douglasiana	Douglas Iris
Juncus patens 'Elk Blue'	California Gray Rush

BOTANICAL NAME	COMMON NAME
Kniphofia	Red Hot Poker Plant
Lantana species	Lantana
Lavandula sp.	Lavender
Ligustrum sp.	Privet
Leymus 'Canyon Prince'	Canyon Prince Wild Rye
Lomandra longifolia	(no common name)
Loropetalum chinense	Red Fringe Flower
Liriope muscari	Big Blue Lily Turf
Mahonia repens	(no common name)
Mimulus sp.	Monkey Flower
Miscanthus sinensis 'Adagio'	(no common name)
Muhlenbergia rigens	Deer Grass
Myrica californica	Pacific Wax Myrtle
Myrtus communis	Myrtle
Nandina sp.	Heavenly Bamboo
Nepeta faassenii	Catmint
Nerium oleander	Oleander
Olea 'Little Ollie'	Olive
Osteopermum sp.	African Daisy
Penstemon sp.	Beardtongue
Pennisetum sp.	Fountain Grass
Phormium tenax	New Zealand Flax
Pittosporum crassifolium	(no common name)
Pittosporum tenuifolium	(no common name)
Polystichum muniturm	Western Sword Fern
Rhamnus 'Eve Case'	Coffeeberry
Rhaphiolepis sp	Indian Hawthorn
Rhododendron	Rhododendron
Rosa sp.	Rose
Rosmarinus sp.	Rosemary
Salvia sp.	Sage
Santolina sp.	Lavender Cotton
Scaevola sp.	(no common name)
Senicio cineraria	Dusty Miller
Sollya heterophylla	Australian Creeper
Spirea sp.	Spirea
Syringa vulgaris	Lilac
Teucrium sp.	Germander
Trachelospermum jasminoides	Star Jasmine
Tulbaghia violacea	Society Garlic
Viburnum sp.	Viburnum
Westringia fruticosa	Coast Rosemary
Xylosma congestum	Shiny Xylosma
Zauschneria californica	California Fuchsia

Table 2.7 Recommended Shrubs /Perennials

BOTANICAL NAME	COMMON NAME
Arctotheca calendula	Cape Weed
Bergenia crassifolia	Winter-Blooming Bergenia
Ceanothus species	Wild Lilac
Convolvulus mauritanicus	Ground Morning Glory
Coprosma 'Verde Vista'	(no common name)
Dymondia margaretae	(no common name)
Festuca sp.	Fescue
Fragaria chiloensis	Wild Strawberry
Gazania sp.	(no common name)
Helictotrichon sempervirens	Blue Oat Grass
Hemerocallis sp.	Day Lily
Iris douglasiana	Douglas Iris
Lantana sp.	Lantana
Liriope muscari	Lily Turf
Myoporum parvifolium	(no common name)
Osteospermum fruticosum	Trailing African Daisy
Rosmarinus officinalis 'Prostratus'	Prostrate Rosemary
Scaevola 'Mauve Clusters'	(no common name)
Stipa pulchra	Purple Needlegrass
Trachelospermum asiaticum	(no common name)
Vinca minor	Dwarf Periwinkle

Table 2.8 Recommended Groundcovers

BOTANICAL NAME	COMMON NAME
Campsis radicans	(no common name)
Clematis armandii	Evergreen Clematis
Clytostoma callistegioides	Lavender Trumpet Vine
Distictis sp.	Trumpet Vine
Hardenbergia violacea	Happy Wanderer
Jasminum polyanthum	Jasmine
Parthenocissus tricuspidata	Boston Ivy
Solanum jasminoides	Potato Vine
Wisteria sinensis	Chinese Wisteria

Table 2.9 Recommended Vines

2.2.9 UTILITIES

To the extent available, existing systems that are of adequate capacity will be utilized to serve the Ellis project. In the event that the existing infrastructure does not have sufficient capacity to serve the project, additional improvements will be constructed to supplement or provide additional capacity.

Ellis will be served from the City's existing water supply sources as indicated in the *Water Supply Assessment* (WSA) by West Yost Associates.

The City's existing water supplies are sufficient to meet the City's water needs.

The Ellis Program water improvements required for the Ellis Neighborhood Plan maximum buildout have been completed and no further water improvements except typical in-tract water lines are required. All program improvements including PRV's shall be program costs.

2.2.9.1 Domestic Water Distribution

The City of Tracy has established three pressure zones for its treated water distribution system; Zones 1, 2, and 3. Two additional zones (Zones 4 and 5) have been proposed for future use to support proposed development in the foothills. The project is located in both the Zone 2 and 3 pressure zones.

Zone 2 has a service elevation range of 75–150 ft and a static pressure range of 40–85 psi. The existing 20-inch water main within Corral Hollow Road is a Zone 2 facility. This 20-inch main will serve as the distribution pipe for the Ellis Neighborhood Plan.

Zone 3 serves above elevation 150, however it is currently an isolated system serving only the Patterson Pass Business Park and the Prologis Business Park through the Patterson Pass booster pump station several miles west of the project site. A new Zone 3 booster pump station will be constructed at the City's water treatment plant. A pressure reducing station is located near Summit Drive at the northern Ellis Neighborhood Plan boundary.

Initial Project Phases

Each phase of development with the Ellis Neighborhood Plan will need to complete a water line loop within the development area. Water mains within Phase 1 of the Ellis Neighborhood Plan connects directly to the existing 20-inch main in Corral Hollow Road.

Ultimate Project Build-out

The Ellis Neighborhood Plan's water distribution network is part of the Westside Planning Area Pressure Zone 3. At project build-out, redundant loops will be provided between Corral Hollow Road and a future 20-inch water transmission main to be constructed within the Ellis Neighborhood Plan from Corral Hollow Road to a connection point near Lammers Road to serve Ellis and other properties.

2.2.9.2 Wastewater Generation

Average Dry Weather Flow (ADWF): The ADWF is the average daily wastewater flow generated by the project. Residential lot types are divided into three categories: residential mixed low, residential mixed medium, and residential mixed high.

Peak Wet Weather Flow (PWWF): The Peak Wet Weather Flow is the peak flow that will occur on a typical day based on normal variation in wastewater flow generation. A peaking factor of 2.5 is used to convert the ADWF to a peak flow per the City of Tracy Design Standards.

Initial Project Phases

The average daily project wastewater generated for subsequent phases of development will depend on the phasing limits and the amount of residential units proposed to be built.

Ultimate Project Build-out

The estimated average daily project wastewater generation is shown on Table 2.10. The estimated projected PWWF is shown on Table 2.11.

2.2.9.3 Wastewater Treatment

The City of Tracy provides wastewater collection, conveyance, treatment, and disposal for areas within the City Limits. The existing Wastewater Treatment Plant's current capacity is 10.8 Mgd with an expected expansion that will increase capacity to 12.0 Mgd, and eventually to 16.0 Mgd. The existing outfall pipe, constructed in the 1970's, from the Wastewater Treatment Plant to the Old River will also be replaced during the Plant expansion to make use of the existing full wastewater treatment capacity and the future expansion.

Initial Project Phases (Including Proposed Aquatic Park)

The Wastewater Treatment Plant currently has capacity, and will initially serve the proposed Aquatic Park, storage development, and eight hundred residential units of the initial buildout. At such time as the Plant reaches full capacity, modifications to the plant will need to be completed to increase its treatment capability.

Ultimate Project Build-out

For the ultimate build-out of the project, the existing treatment plant will need to be modified to increase its current capacity.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the Ellis Neighborhood Plan maximum buildout.

2.2.9.4 Wastewater Conveyance

The proposed site wastewater system to serve the Ellis Neighborhood Plan Area will be constructed to follow the existing ground slope of the site. Based on existing topographic information, the terrain slopes from the southwest corner of the site to the northeast corner of the site. The approximate slope of the existing terrain in this general direction is less than 1%. In addition, the approximate slope in the west-east direction is less than 0.5%, which means that the existing site is moderately flat. The project's wastewater line will convey flow toward Corral Hollow Road. The on-site collection system could range from 8- to 15-inch diameter wastewater line, with much of the 15-inch diameter line on the eastern side of the site near the discharge to Corral Hollow Road. The slope of the proposed pipe will depend upon site layout, site conditions and pipe layout. The slope selected will provide a minimum self-cleaning velocity of 2.0 feet per second, which is the City of Tracy standard. A proposed wastewater trunk main will be installed by the City in phases within Corral Hollow Road and will connect to the existing 21-inch diameter wastewater trunk line on Corral Hollow Road that dead ends at the intersection of Parkside Drive. A temporary line may be installed.

Phase 1 (Including Proposed Aquatic Park)

The proposed Aquatic Park, five hundred fifty residential units, the commercial (storage) and Village Center are permitted to connect to the east side transmission system through a tie-in constructed into the wastewater main at Peony Drive.

Phase 1

Should access to the line not be required by the proposed Aquatic Park, then an additional 250 residential units may discharge to this line. All residential units, commercial and Village Center shall be shifted to the Corral Hollow Sewer Conveyance System upon completion of the Corral Hollow Sewer Conveyance System upgrade, and installation of the Corral Hollow Sewer main to Ellis Town Drive by the City.

Average Dry Weather Flow (ADWF)
Wastewater System Demand and Capacity Requirements Ultimate Site

Zoning	Lot Type	Number of DU/AC	gpd per DU/AC	Residential gpd
Residential Mixed	Mixed Low	505	264	133,320
Residential Mixed	Mixed Medium	1705	216	368,280
Residential Mixed	Mixed High	40	176	7,040
1Acre Estate Lots	Very Low Density	9	264	2,376
Village Center (AC)		15	1140	17,100
Limited Use Zone (AC) Public Storage & Dog Park		33	100	3,300
Aquatic Park (AC)		16	1140	18,240

Total ADWF (gpd)	**549,656**
Total ADWF (Mgd)	**0.55**

Notes:
1. *Wastewater generation rates and the peaking factor of 2.5 are per the City of Tracy Design Standards.*
2. *Design of sewer lines shall be based on City design standards and calculations for fee credits and reimbursements shall be based on wastewater generation rates in the approved applicable fee program for the project.*

Table 2.10 Wastewater System Demand and Capacity Requirements — Average Dry Weather Flow (ADWF)

Peak Wet Weather Flow (PWWF)
Wastewater System Demand and Capacity Requirements

ADWF	0.55 Mgd
Peaking Factor (PF)	2.50
PWWF	**1.37 Mgd**

Notes:
1. *Wastewater generation rates and the peaking factor of 2.5 are per the City of Tracy Design Standards.*
2. *Design of sewer lines shall be based on City design standards and calculations for fee credits and reimbursements shall be based on wastewater generation rates in the approved applicable fee program for the project.*

Table 2.11 Wastewater System Demand and Capacity Requirements — Peak Wet Weather Flow (PWWF)

Initial Project Phases

A new wastewater trunkline main, which would support full buildout, would extend north from Ellis Town Drive along Corral Hollow Road. Ellis will be served by a combination of the City's existing wastewater infrastructure and the new trunk line. The initial project phases may use existing capacity in the Corral Hollow Sewer Conveyance System (CHSCS) for three hundred thirty residential units.

Ultimate Project Build-out

Ellis will be served by the City's existing wastewater infrastructure and existing Wastewater Treatment Plant Capacity. The ultimate Ellis Program may use the existing Corral Hollow Sewer Conveyance Capacity for three hundred thirty units, Village Center, and the storage uses and the additional conveyance capacity created in the phase one upgrade of the CHSCS, which shall serve an additional one thousand seven hundred fifty residential units. The final project phases shall use existing capacity or participate in a subsequent phase of expansion of the CHSCS. The existing Treatment Plant Capacity shall serve eight hundred residential units, the Aquatic Park, Village Center, and the storage uses. Modifications or expansions to the Treatment plant may be required for an additional one thousand four hundred fifty residential units, if so, these units will participate in the next expansion or Phase 1 expansion.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the Ellis Neighborhood Plan maximum buildout.

2.2.9.5 Storm Drain Peak Flow

The Rational Method is used for calculating the peak flow rate. The Runoff Coefficients used in the Rational Method calculations are per the City of Tracy Design Standards and are shown on the accompanying tables.

The proposed site storm drainage system will be constructed to follow the existing ground slope of the site. Based on existing topographic information, the terrain slopes from the southwest corner of the site to the northeast corner of the site. The approximate slope of the existing terrain in this general direction is less than 1%. In addition, the approximate slope in the west-east direction is less than 0.5%, which means that the existing site is moderately flat.

Table 2.12 shows results of analyses for a 10-year storm event with a time of concentration of 114 minutes. The peak flow rate from the existing site is 26 cubic feet per second (cfs). Decreasing the time of concentration to 65 minutes, the peak flow for the proposed site, at full build-out, is 63 cfs. The peak flow for Phase 1 (including the Aquatic Park) is 44 cfs with a time of concentration of 31 minutes. This analysis is preliminary and subject to refinement during engineering design. The proposed storm drain collection system will include a network of gravity lines and inlet structures. Pipe sizes may range from 12- to 42-inch diameter.

2.2.9.6 Storm Drainage Conveyance

Ellis is located entirely within the City's Westside Channel Watershed as defined in the Citywide Storm Drainage Master Plan, Final Report Dated December 2010. It occupies the southernmost, upstream portion of the Westside Channel Watershed. Provision has been made in existing downstream storm drainage facilities to accept attenuated (metered) storm runoff from the project site as needed. Applicable downstream storm drainage infrastructure that can collect and convey future storm runoff from Ellis includes trunk line storm drains and open channels serving residential subdivisions to the north to DET 5 (Plasencia Field) and facilities downstream of DET 5 associated with the City's Westside Channel Outfall System.

A new regional Detention Basin #3A is planned to be constructed on the north side of Valpico Road. This Detention Basin will store, treat for water quality, and attenuate runoff from the collective existing and future development within a portion of the Westside Channel Watershed including Ellis.

10 Year Event — Existing Site
Using Rational Method (Q=CIA)
Time of Concentration (t_C) = 114 min
Intensity (I) = 0.32 in/hr

Description	C Value	I in/hr	Area ac	Volume cfs
Existing Site	0.25	0.32	320.00	25.60
			Q_E (Peak Flow)	**26**

10 Year Event — Proposed Site
Using Rational Method (Q=CIA)
10 Year Event, tc = 65 min
Intensity (I) = 0.42 in/hr

Description	C Value	Total Rainfall feet	Area ac	Volume cfs
Total Area			**320.0**	
Residential Lots	0.35	0.42	179.7	26.4
Parks	0.20	0.42	21.7	1.8
Roads	0.95	0.42	68.6	27.4
Limited Use Zone	0.25	0.42	26.2	2.8
Village Center/Commercial	0.65	0.42	7.8	2.1
Aquatic Park	0.44	0.42	16.0	3.0
			Q_P (Peak Flow)	63.4
			Q_P (Peak Flow)	**63**

Retention Basin Sizing
t_C = 48 hr
Total Rainfall = 3.12 inches (0.26 ft)

Description	C Value	Total Rainfall feet	Area ac	Volume acre-ft
Total Area			**320.0**	
Residential Lots	0.35	0.42	179.7	16.4
Parks	0.20	0.42	21.7	1.1
Roads	0.95	0.42	68.6	16.9
Limited Use Zone	0.25	0.42	26.2	1.7
Village Center/Commercial	0.65	0.42	7.8	1.3
Aquatic Park	0.44	0.42	16.0	1.8
			Basic Retention Volume	39.3
		Total Retention Basin Volume = Basic Volume x 2		**78.60**

Notes:
1. *C Values are per the City of Tracy Design Standards, December 2008*
   Residential Lots = Low Density (Single Family) C=0.35
   Parks = Lawn or Landscaping C= 0.20
   Roads = Paving C = 0.95
   Limited Use Zone = Rural Residential (1–5 Acres) C= 0.25
   Village Center/Commercial = High Density C=0.65
   Aquatic Park — See Below

   Aquatic Park C Value Calculation

	Acres	*C Value*	*AxC*
Parking Lot	*3.48*	*0.95*	*3.30*
Lazy River/Building/Decking, etc.	*3.18*	*0.60*	*1.91*
Remainder — Natural	*9.35*	*0.20*	*1.87*
		Composite C Value	*0.44*

2. *Retention Basin sizing is per the City of Tracy Design Standards, December 2008*
3. *"I" Values were generated using the City of Tracy Design Standards Table 5-1 "Rainfall Intensity Curve"*

Table 2.12 Storm Sewer System Demand and Capacity Requirements – Build-out (BKF Engineers)

Phase 1 (Including Proposed Aquatic Park)

In the event that the proposed regional Detention Basin #3A is not constructed prior to development of Phase 1 of the Ellis Project, stormwater runoff from Phase 1 will be retained on-site or at a nearby location. Based on the City of Tracy Design Standards the Basic Retention Volume (BRV) is 18.1 acre-feet or as approved by the City Engineer.

Initial Project Phases

Retention basin(s) constructed with Phase 1 could be expanded, relocated, and/or duplicated prior to the next phase of Ellis.

Alternatively, all or a portion of the regional Westside Channel Stormwater Detention Basin #3A could be constructed to serve the Ellis project. A stormwater conveyance system could be constructed to serve the Ellis project or upsized to serve the regional stormwatershed.

Ultimate Project Build-out

Ultimately, the regional Westside Channel stormwater Detention Basin #3A will serve the Ellis project. When constructed, any interim retention basins would be filled and may be developed. Conveyance of stormwater from Basin #3A shall be through percolation and, if necessary, a gravity or pumped system to the Westside Channel Detention Basin that will serve the regional storm watershed including the Ellis Property. The Basin #3A Operations and Maintenance manual shall include provisions for treatment of the basin bottom to maintain the percolation rate.

2.2.9.7 Stormwater Quality/Best Management Practices

Ellis shall comply with the Applicable Law for Stormwater Quality.

The Ellis project implements stormwater management techniques or Best Management Practices (BMPs) to comply with the SWQC Manual. All Ellis project stormwater treatment will occur at Detention Basin #3A.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the Ellis Neighborhood Plan maximum buildout.

The primary treatment control measure for the Ellis Program will be to incorporate infiltration into Detention Basin 3A, capable of treating the required stormwater runoff volume from the entire subbasin.

2.2.9.8 Solid Waste Disposal

Ellis' mixed uses including recreation, housing, office, and commercial development will generate solid waste. However, based on the City of Tracy General Plan Revised EIR, capacity at the Foothill Sanitary Landfill that serves the City is currently available and is anticipated to accommodate Ellis through the life of the General Plan. Tracy Delta Solid Waste Management, Inc. is currently City's service provider for the collection, transportation, and disposal of refuse and garbage, including the collection of recyclable material. Ellis would be served by the City's service provider at that time.

2.2.9.9 Energy

Pacific Gas and Electric provides electricity and natural gas to the residents and businesses within both the City and County. Ellis would utilize energy-saving technologies through implementing sustainable building practices including materials and mechanical systems that reduce energy consumption. Additionally, based on the General Plan's Circulation Element policies to promote the use of alternative transportation including walking, biking and transit use in order to reduce driving and thus energy use, Ellis contains a network of walking and biking facilities both within and adjacent to the project that would link to other City networks.

2.3 Infrastructure Funding and Phasing

2.3.1 INTRODUCTION

A number of public and capital facilities are required to support the development of Ellis. Various items of off-site public utility infrastructure may need to be expanded, upgraded, or developed. All utilities need an extension of conveyance facilities to the Ellis site. Development also necessitates a complete road network within Ellis to allow access to all parts of Ellis, as well as sidewalks, bike paths, and street features to ensure that the community retains a pedestrian-friendly quality. Beyond these basic needs, the project will also place demands on other public facilities. Ellis will include internal public facilities that will make the community distinctive and will ensure a balanced mix of housing, neighborhood retail and services, and a high quality of community life as Ellis develops. This section describes the funding and phasing alternatives for these facilities.

2.3.2 PUBLIC FACILITIES FUNDING SOURCES

All public infrastructure necessary for development of Ellis will be constructed through a combination of funding sources including, but not limited to, the following:

- Private capital from developer in the form of development impact fees and in-kind facilities development
- Bond proceeds
- Utility connection charges, and rates charged to end-users
- Assessments on Ellis real property (including Community Facilities Districts)
- Credits and reimbursements related to oversizing, etc.
- State and/or federal funding for affordable housing, transit-oriented facilities, and other special facilities
- Other partnerships with public and private entities

In the absence of other sources, private capital from the developer will cover all infrastructure funding requirements except for the Aquatic Park. The funding of the Park will be the responsibility of the City. Funding for all or a portion of the Aquatic Park may be provided in accordance with a Development Agreement.

Ellis parks and landscape systems will be incrementally implemented over time to match the needs of the growing Ellis community. Parks will be constructed by the Ellis project: The bonding of parks may occur as a part of any final map or as a part of park improvement plans.

The Ellis Neighborhood Plan provides regulations on the character and amenities proposed for each park. As the park system is implemented, detailed designs will be developed for the construction of each park. Modifications and refinements of individual park designs, including park location, will be considered a minor variation and will follow the Minor Variation process outlined in Section 4.6 of this ESP.

2.3.3 USES OF PUBLIC FACILITIES FUNDS

The public and capital facilities that may be required and may be financed to support the development of Ellis include:

- Water supply from the City for the project
- Project's share of the City's domestic John Jones Water Treatment Facility
- Domestic water conveyance
- Project's share of the City's existing Wastewater Treatment Facility and its expansion to 16 MGD
- Wastewater conveyance
- Recycled water conveyance within the Ellis project
- Off-site stormwater detention facility
- Stormwater conveyance
- Dry utilities extension to the project
- Off-site road improvements
- On-site water, wastewater conveyance, recycled water, stormwater, and dry utility conveyance
- On-site roads, sidewalks, and trails
- Village Center, parks, and open space
- Monuments and parks
- Public area landscape and lighting
- Parks and signage
- Project's share of regional transportation facilities
- Project's share of school facilities
- Project's share of public safety facilities
- Project's share of library facilities

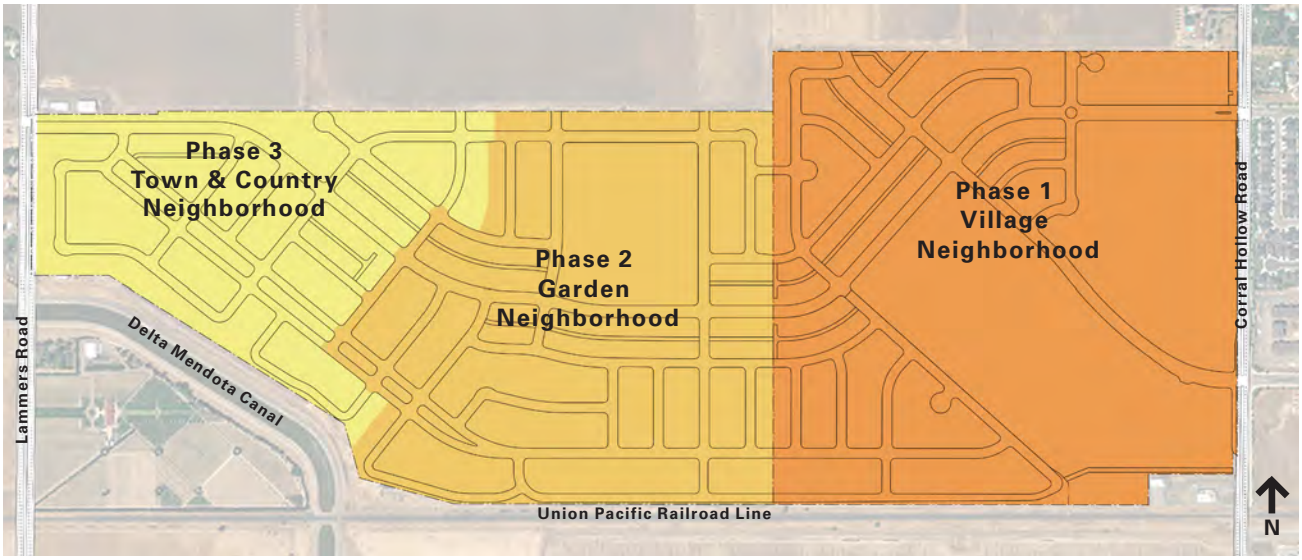


Figure 2.171 Illustrative Phasing Diagram

2.3.4 PHASING

Figure 2.171 shows the projected general order of development of the Ellis project.

Infrastructure planning is a particular challenge in light of the City Growth Management Ordinance (GMO). If infrastructure facilities are developed too far in advance of their need, the project could become financially infeasible. On the other hand, it is impractical to plan, design, and construct infrastructure in very small increments. The ESP therefore attempts to build in flexibility for the financing and development of infrastructure so that feasible options may be selected as the pace of development becomes more apparent.

2.3.5 MAINTENANCE AND OPERATIONS

The operations and maintenance of the Aquatic Park detailed in the ESP will be the responsibility of the City.

The maintenance of the roads, parks, and other public amenities, detailed in the Ellis Neighborhood Plan will be funded through a combination of any and all of the following:

- Standard City maintenance responsibility
- Community Facilities District
- Payment by residents of Ellis for City water and wastewater conveyance user fees
- Other utilities (such as electricity, natural gas, and telephone) and services (such as solid waste collection) will be maintained through fees and charges of the appropriate service providers.

Some City maintenance and operations functions will be performed by City staff or through City contracts and reimbursed from these special assessments and/or fees. Utilities will be maintained by the appropriate service providers.

The generous, tree-lined streetscape system, extensive park system, and visual icons are integral components of the Ellis community character. To ensure the desired quality of the maintenance and management of the landscape and park system, an Ellis Property Owners Association (EPOA) will be utilized. The EPOA will implement the maintenance of:

- Frontage along Corral Hollow Road
- Frontage along Lammers Road
- Interior streetscape system within the public right-of-way
- Native Preserve
- Special landscape feature areas
- Public art
- Signage elements in the public right-of-way which are non-regulatory

The CFD will include a comprehensive identification of long-term replacement costs, escalation factors, and ultimate build-out of the total landscape system in determining the assessment fee. This anticipatory approach will ensure that appropriate maintenance levels are preserved.

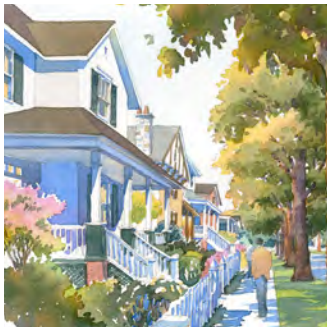
The City and EPOA have or shall enter into a maintenance agreement to set forth and facilitate among other things the required maintenance obligations, standards for maintenance, and other associated obligations(s) as well as compliance with the Ellis operations and maintenance manual, to ensure the long-term maintenance of all public park and landscape areas, and other public improvements within the ECFD boundaries. The City shall maintain all parks, the EPOA shall maintain all other public landscaping. The City and Owner or EPOA may amend and make changes agreed upon to the maintenance agreement, maintenance responsibility, and the Ellis operations and maintenances manual upon mutual consent.

2.3.6 IMPLEMENTATION

Implementation of the Financing Plan may require the execution of several elements including, but not limited to, the following:

- A Development Agreement (DA) or Development Agreements
- Reimbursement and credit agreements
- Covenants, conditions and restrictions
- Applications and grants for State and Federal funding
- Bond financing
- Community Facilities District (CFD)
- Property Owners Association (POA)

Chapter 3.
Avenues Neighborhood Plan



3.1 Land Use and Development Standards

3.1.1 LAND USE CONCEPT

The Avenues Neighborhood has its distinct sense of place, reinforcing the General Plan goal of creating a hometown feel. The Avenues employs traditional neighborhood design principles, utilizing a pedestrian-friendly network of streets and a centrally located park. The park is positioned to provide the neighborhood and the community with a central focus, with both active and passive recreational opportunities. Blocks are sized to support a mix of housing types and to promote walkability. Along the main thoroughfare through the neighborhood, garages will be kept off the street and will be accessed by way of rear driving lanes, also known as alleys. The architecture of buildings will represent a number of residential styles historically popular in the Tracy region, further discussed in Appendix B1: Avenues Pattern Book.

3.1.2 LAND USE PLAN

The General Plan Land Use Designation for the Avenues Neighborhood Plan area is Residential Low (RL), which permits 2.1 to 5.8 dwelling units per acre. The zoning designation is Ellis Specific Plan. The Avenues Neighborhood Plan and Pattern Book provide the development regulations for the Avenues. Development topics not covered by the Neighborhood Plan or the Pattern Book are regulated by Title 10 of the Tracy Municipal Code (TMC) and other City standards as applicable (See Chapter 4 Plan Review).

The Avenues Neighborhood Plan area is approximately 95 gross acres designated for residential uses. The overall site density is between 4 and 5 units per gross acre. The range is provided to allow flexibility in designing and subdividing the Avenues project area. The minimum number of residential units in the Avenues shall not be lower than 380 and shall not exceed 480. These figures do not include second units.

Figure 3.1 shows the Avenues Neighborhood Plan area, anticipated street pattern, and neighborhood park location. The precise location of such facilities will be determined in the Tentative Map (see 4.2 Subdivisions). All of the streets, including alleys, will be publicly owned and maintained. Refer to Section 3.3 Infrastructure for street standards.

The Residential land use designation applies to the entire Avenues Neighborhood Plan area and permits the following:

- Single-family detached residential
- Accessory Dwelling Units, attached or detached
- Parks and other public recreation facilities
- Community centers, senior centers, teen centers
- Community service buildings, such as Fire Stations, Police Stations, Post Offices, or other public facilities
- Public educational and institutional facilities

Consistent with City requirements, the Avenues Neighborhood Plan includes a park obligation of 4 acres per 1,000 people. Avenues will feature 3 park acres per 1,000 population generated of Neighborhood Parks dedication and 1 park acre per 1,000 population generated of Community Parks obligation (4 park acres per 1,000 population generated total). Population will be based on City of Tracy Parks Master Plan (new development), April 2013.

3.1.3 DEVELOPMENT STANDARDS

3.1.3.1 Lot Development

Development standards for residential uses are established in Table 3.1. Development standards for ADUs, vision clearance for corner lots, ordinary projections into yards and courts, and pools and pool equipment shall be consistent with the TMC and the Low Density Residential (LDR) zone.

3.1.3.2 Parking

Off-street parking shall be provided in accordance with the TMC requirements and City standards for off-street parking. Driveways for front-loaded residential lots may be grouped together or separated.

3.1.3.3 Fences, Walls, and Hedges

Refer to City of Tracy Ordinance 1266 adopted March 5, 2019, Ellis Specific Plan Amendment for fence requirements and setbacks.

Temporary model home fencing may extend into the public right of way to include public sidewalks. Sidewalks on opposite side of street must remain open for public use.

A screening fence or boundary wall, separating the Avenues from adjacent undeveloped properties is permitted. This includes temporary gates at streets to be extended off-site in the future (see 3.2.7.5 Agricultural Edge). The Avenues is not intended to be a gated community.

3.1.3.4 Landscaping

The builder shall landscape all publicly visible areas.

3.1.3.5 Subdivision Design

The conceptual subdivision layout is shown in Figure 3.1. Typical blocks are approximately 200 feet wide by a range of approximately 400 feet to approximately 700 feet long.

For blocks containing front-loaded detached houses, the block length shall be no longer than 1,200 linear feet without a break. For rear-loaded blocks containing detached houses, the block length shall be no longer than 950 linear feet without a break. A break is defined as a physical interruption, such as a street or alley, park, public open space, or a change in lot type comprised of at least 200 linear feet. Perimeter blocks are exempt from the block length requirement.

AVENUES NEIGHBORHOOD PLAN RESIDENTIAL DEVELOPMENT STANDARDS		
DEVELOPMENT STANDARDS	**FRONT-LOADED LOTS, DETACHED**	**REAR-LOADED LOTS, DETACHED**
Lot Size	4,500 sq ft min	3,600 sq ft min.
Lot Width	45 ft min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35' at the front property line	38 ft min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35' at the front property line
Lot Depth	90 ft min.	80 ft min.
Front Yard Setback	10 ft. min. Face of garage: 18 ft min.	10 ft min. Garages shall be within rear 1/3 of the lot accessed from alley
Interior Side Yard Setback	5 ft min.	5 ft min.
Street Side Yard Setback	10 ft min.	10 ft min.
Rear Yard Setback	House: 10 ft min. Garage: 5 ft min.	House: 10 ft min. Garage: 5 ft min.
Height	2½ stories or 35 feet, whichever is less	2½ stories or 35 feet, whichever is less
Lot Coverage	55% max	55% max
Open Space in Rear of front-loaded lots and Interior Yard of rear-loaded lots	750 sq ft min.	550 sq ft min.
Distance Between Accessory Buildings	No requirement	No requirement
Distance Between Main Buildings	No requirement	No requirement
Shade Structures	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard set-back is 0 ft. 2	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. 2
Encroachment 1	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback, provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback, provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.

1 Only permitted if not encroaching into a public utility easement.
2 This exception to minimum setbacks does not apply to garages.

Table 3.1 Residential Development Standards

3.1.4 PRIVATE PROPERTY SIGNS

Signs in the Avenues Neighborhood Plan Area on private property shall be regulated by Title 10, Article 35 of the Tracy Municipal Code, except as specified in Section 3.1.4 of the Avenues Neighborhood Plan and Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program. The signs included in this Avenues Sign Program shall be permitted as shown. The approval process shall include only a building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code. Regulatory signs not approved as part of the Avenues Neighborhood Plan shall comply with City Standards or California Department of Transportation (Caltrans/California Manual on Uniform Traffic Control Devices (CA-MUTCD) standards where applicable.

In addition, the design of the landscape features/character elements in Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program shall be permitted as shown.

3.1.4.1 Utilities

All utility distribution facilities (including, but not limited to, electric, gas, water, communication, and cable television lines), including utility service laterals and equipment, installed in and for the purpose of supplying service to any building or property shall be vaulted, except equipment appurtenant to the underground facilities, such as risers from concealed ducts and poles supporting street lights.

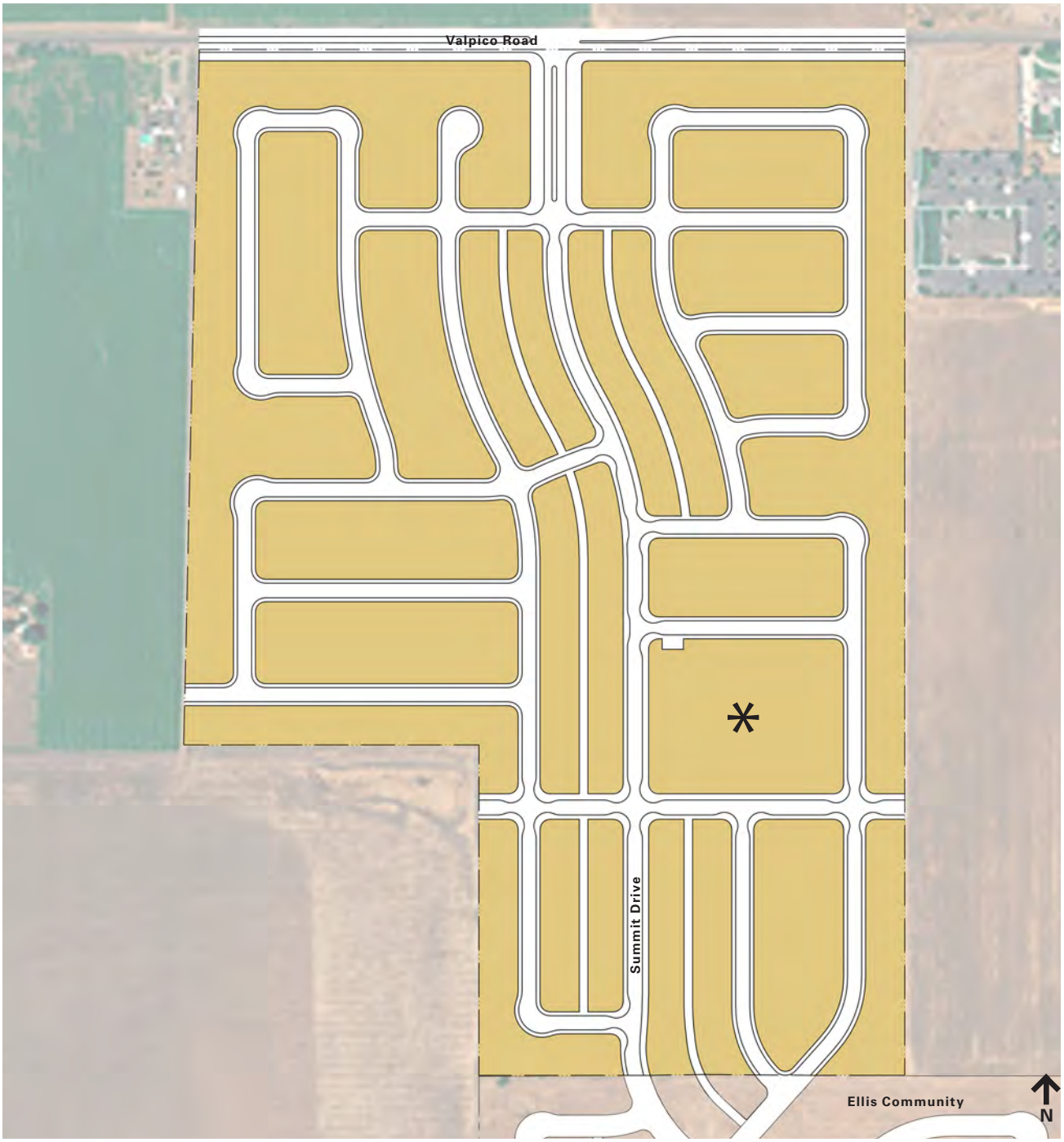


Figure 3.1 Avenues Neighborhood Plan Subdivision Layout/Zoning

Note 1: Pursuant to the City of Tracy General Plan, parks and special landscape features are allowed within residential land use designations. For an illustration showing the prescribed location of the park and special landscape features, see Figure 3.18
Note 2: Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the Avenues Neighborhood Plan are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

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3.2 Infrastructure



Figure 3.1 Multi-purpose path

3.2.1 VEHICULAR ACCESS

The Avenues is located in the southeastern area of the City of Tracy, south of Valpico Road and west of Corral Hollow Road. The Avenues is in close proximity to Interstate 580, which connects the Central Valley with the East Bay and the Bay Area farther to the west. The Avenues also has access to Interstate 205, running east/west, and has access to Interstate 5, running north to Sacramento and to Los Angeles and other points south. More immediate to the Avenues parcel, the area is connected to the City of Tracy by Valpico Road and Summit Drive. Urbanization of the Avenues will require improvements to streets both within and beyond its boundary, particularly Valpico Road.

The Avenues contains a framework for circulation consisting of both a Community and a Neighborhood Streets Network (Figure 3.3). Primary access to the community is provided by the main entrance at Valpico Road. Summit Drive connects this entrance to the Ellis subdivision to the south.

3.2.1.1 Street Network and Hierarchy

A grid pattern of different street types (see Figure 3.3 Street Hierarchy), each with a different character and function, serves the transportation needs of the community. With sidewalks on all streets and a multi-purpose path on some, the streets are the armature for the pedestrian and bicycle network as they connect the residential neighborhoods and park within the Avenues.

The Avenues street network includes pedestrian/bicycle safety and traffic calming measures. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming measures. The menu of Avenues Neighborhood Plan traffic calming measures includes traffic signals, all-way stop signs, two-way stop signs, on-street parking, bulb-outs at intersec-

tions, knockdowns, etc. Figure 3.2 illustrates some of these techniques. The final type and location of all traffic-calming elements will be determined at the time of Tentative Map approval, with bulb-outs being as per the Avenues Neighborhood Plan. Any traffic calming measures used shall not result in a travel way less than 22 feet, with the exception of alleyways as detailed in Figure 3.13 Proposed Section and Plan: Lane A. All streets will be publicly owned and maintained. Streets will be built to the standards established by applicable City Engineering Design and Construction Standards and Standard Plans, except as modified by the Avenues Neighborhood Plan. All landscaping, medians, and special landscape features shall be maintained by the Ellis Property Owners Association (EPOA) and funded by the Ellis Community Facilities District (ECFD). The park shall be maintained by the City and funded by the ECFD.

Figure 3.4 through Figure 3.13 identify streets by type: Regional Arterial, Entry, Community, Neighborhood, and Lanes. The lengths shall be established through the approvals of a Tentative Map and Final Map.

Controlling Vehicle Movement



All-way Stop Sign



Two-way Stop Sign

Narrowing the Street



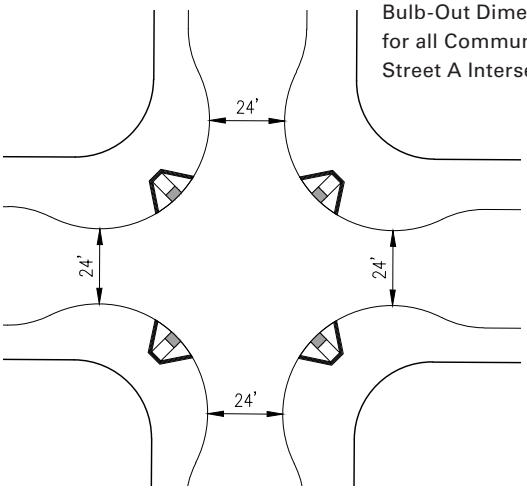
On-street Parking



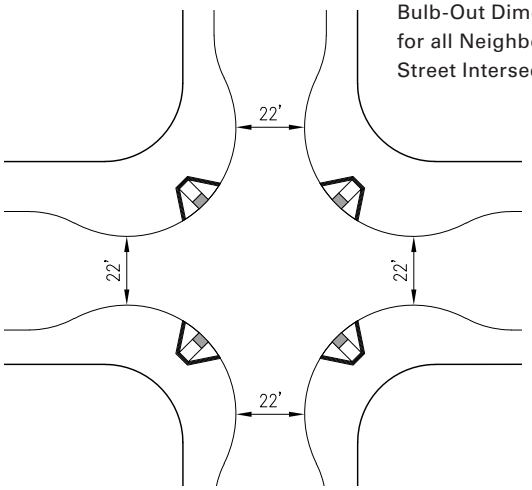
Bulb-out Intersection (intersection of Summit Drive and a Neighborhood Street)



Bulb-out



Bulb-out/Community Street A



Bulb-out/Neighborhood Street

Figure 3.2 Traffic-Calming Measures

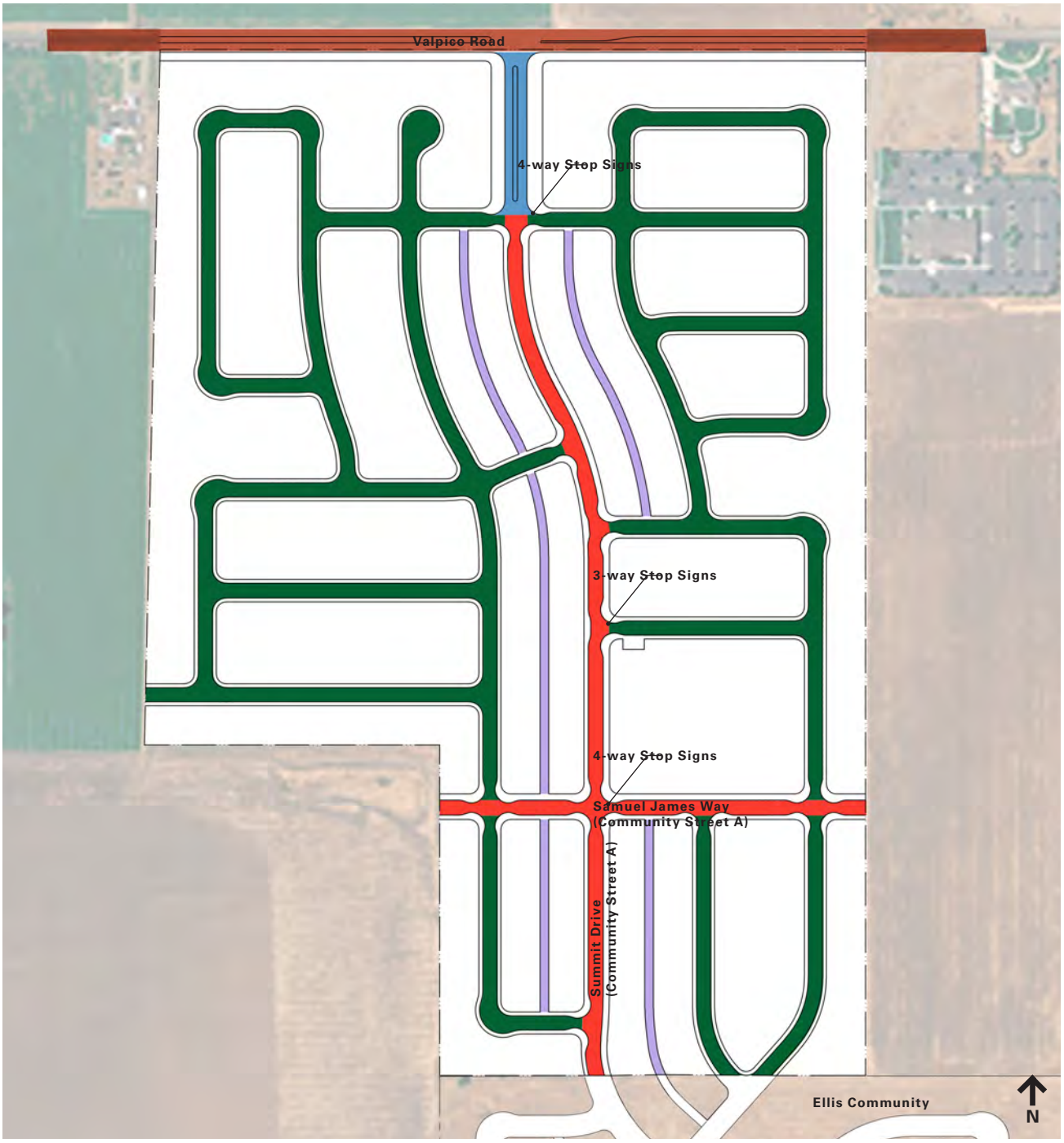


Figure 3.3 Street Hierarchy

The precise location of streets will be determined upon the approval of detailed plans. Diagrams in the Avenues Neighborhood Plan are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

3.2.1.2 Regional Arterial: Valpico Road

Designation: A (Final Build-out)

Definition

Valpico Road is an existing roadway that serves as a major east/west connection for the City of Tracy. Along the northern boundary of the Avenues Neighborhood Plan, Valpico Road is an undivided two-lane roadway with curb, gutter, and multi-use path along the southern edge. The posted speed limit along the project frontage is 45 miles per hour. Valpico Road is designated as a major arterial in the City of Tracy General Plan. Major arterials are intended to serve as the major routes of travel within the city. Arterials can provide some direct but limited access to adjacent parcels. These limitations can include restrictions on spacing and turn movements into and out of driveway locations. Major arterials can also serve as bicycle and pedestrian routes. In its final build-out, this road has dedicated left and right turn lanes in both directions. A turn out may be installed along the south side of Valpico road for potential future service of Tracy Transit, and would be located in the general area of the street section marker show on Figure 3.4 of Valpico Road. Only street improvements would be provided.

Per the City of Tracy Roadway Master Plan, the developer will be responsible for frontage improvements along Valpico Road adjacent to the project. The frontage improvement includes landscape (sidewalk) in the R/W, curb/gutter, and the first travel lane. The frontage improvements will be required as Final Maps are approved fronting Valpico Road. Any other Valpico improvements funded or constructed by developer shall be considered master plan improvements subject to credit and reimbursement.

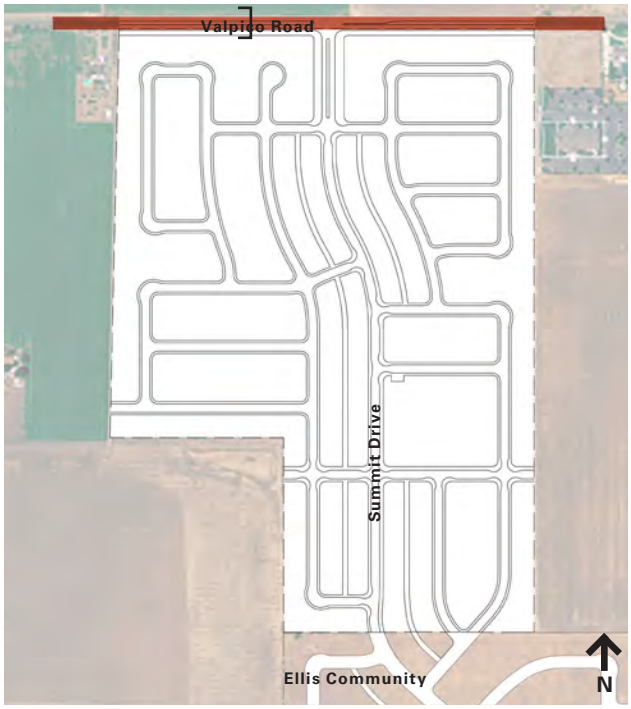


Figure 3.4 Key Plan: Regional Arterial – Valpico Road, Designation A (Final Build-out)

Movement Free

Design Speed 45 MPH

Travel Lanes Two-way divided roadway, four lanes with dedicated turn lanes at intersection

Parking None

R.O.W. Width 99 feet

Travel Lane Width 11 to 13 feet

Curb Type Raised

Sidewalk Width 10-foot multi-use path on the south side, 5-foot sidewalk on the north side

Park Strip 7 feet at the curb and 20-foot dedicated landscape zone behind sidewalk on the south side, existing park strips on the east side are of variable width

Landscape Street trees with a row of evergreen background trees; underplanted with low water use grasses, shrubs, and/or groundcover (irrigated); planted median with trees (irrigated); see Section 3.2.7 and Table 3.2 to Table 3.5

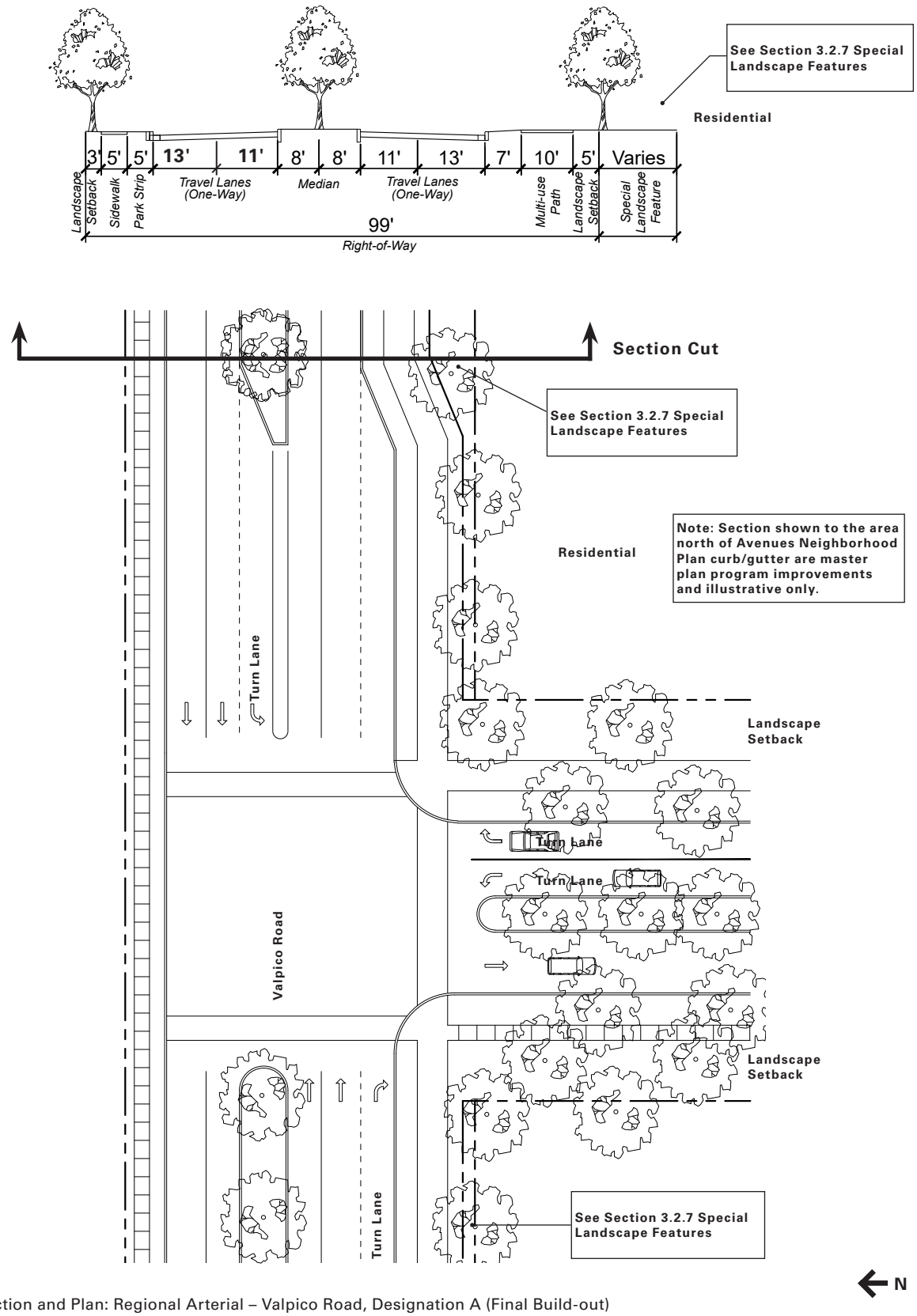


Figure 3.5 Section and Plan: Regional Arterial – Valpico Road, Designation A (Final Build-out)

3.2.1.3 Entry Street

Designation: A

Definition

The Summit Drive Entry is the primary access point accommodating moderate traffic volumes entering and exiting the community from Valpico Road. Large trees in both the median and the park strips help mark the entrance. No on-street parking is permitted.

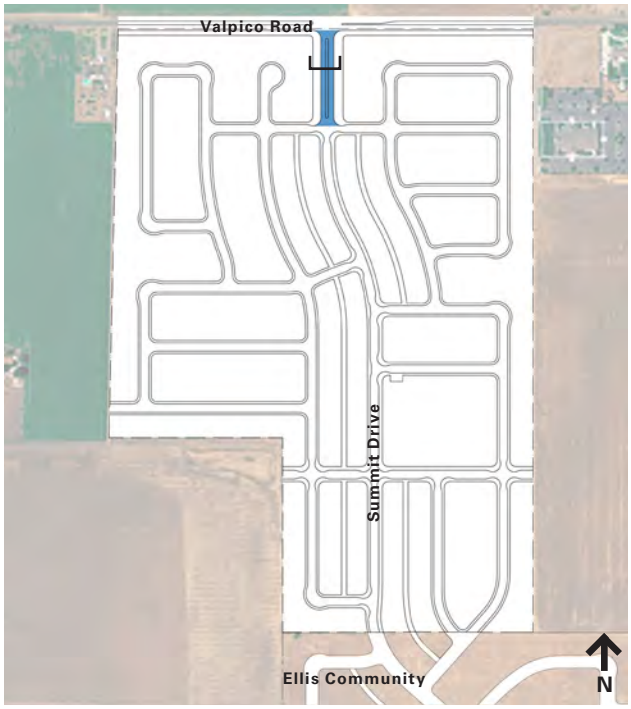


Figure 3.6 Key Plan: Entry Street A

Movement Free

Design Speed 25 MPH

Travel Lanes Two-way divided roadway, three lanes

Parking None

R.O.W. Width 91 feet

Travel Lane Width 12 feet minimum

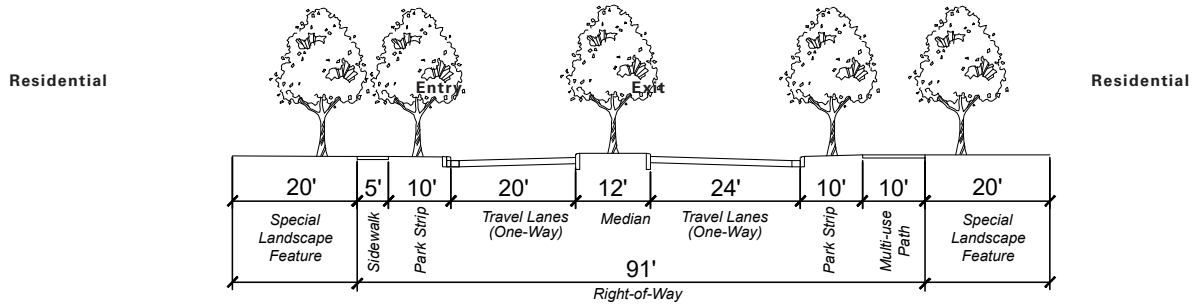
Curb Type Raised

Sidewalk Width 10-foot multi-use path on one side; 5-foot sidewalk on other side

Bicycle Lane Class 1, one side

Park Strip 10 feet, both sides

Landscape 20-foot special landscape strip (irrigated); see Section 3.2.7 and Table 3.2 to Table 3.5



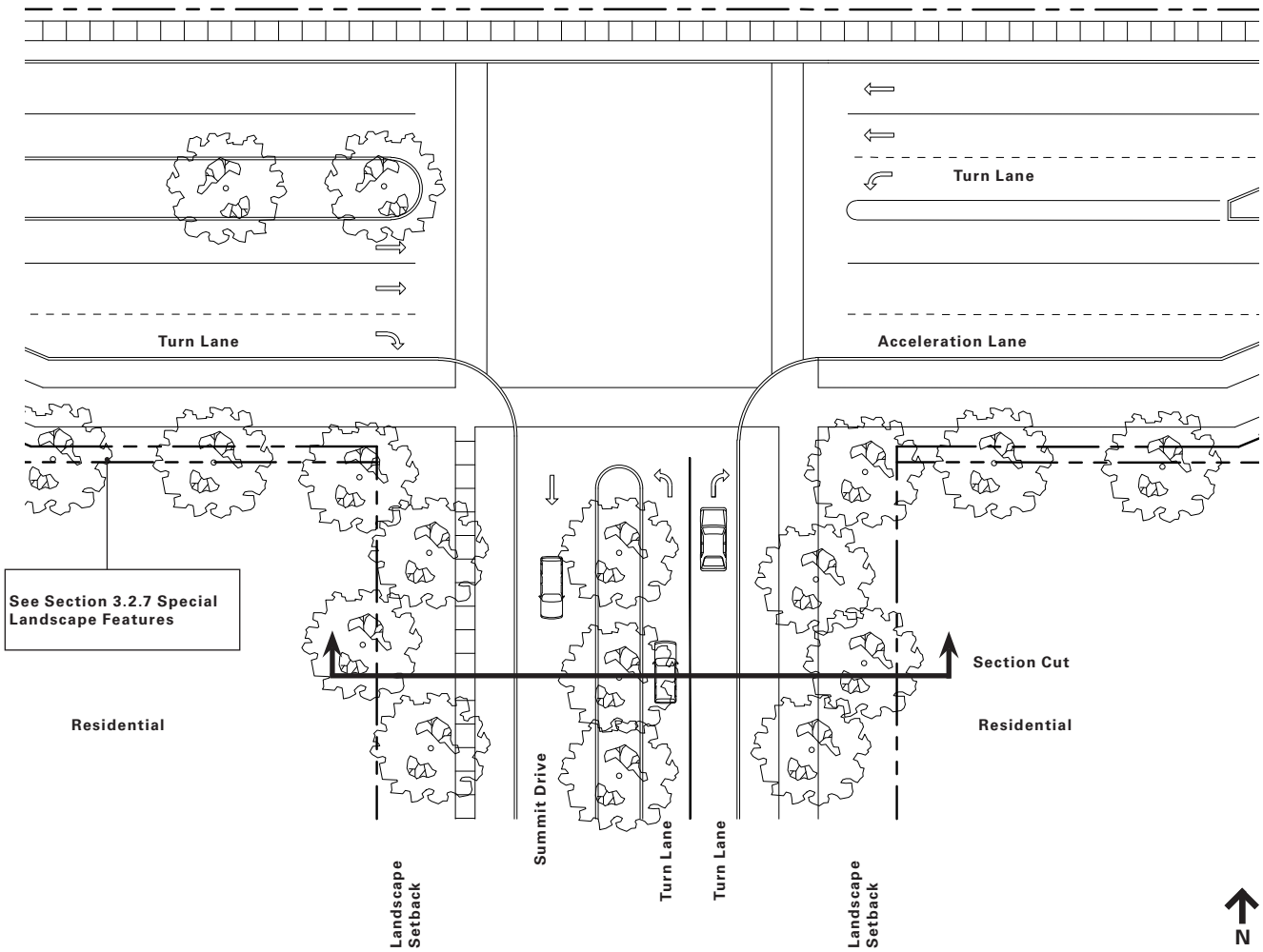


Figure 3.7 Proposed Section and Plan: Entry Street B

3.2.1.4 Community Street

Designation: A

Definition

As a street running along the edges of neighborhoods and through the community, its adjacent land uses include various types of residences, as well as a park and special landscape features. In addition to providing connectivity, the Summit Drive extension links Ellis to Valpico Road. On-street parking is provided on both sides of Community Streets. A Class 1 bicycle lane on one side is provided along the length of the street as part of the multi-purpose path network.

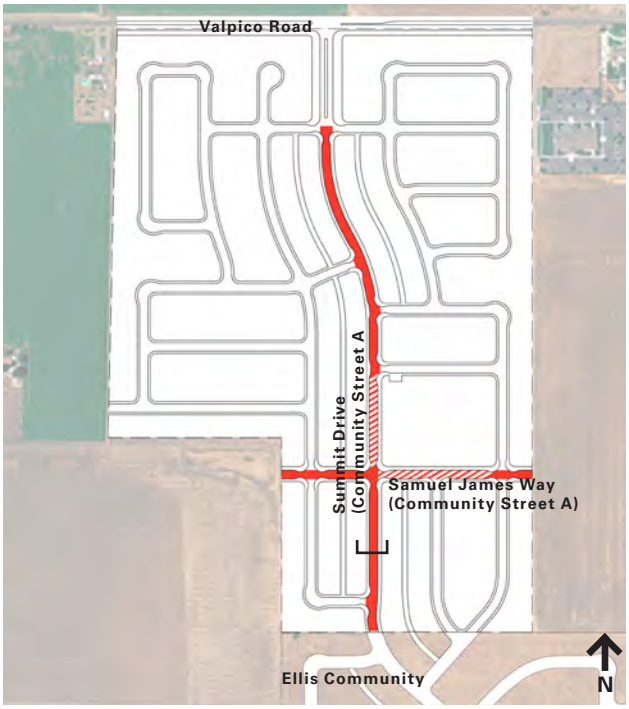


Figure 3.8 Key Plan: Summit Drive

COMMUNITY STREET A

PARK ALTERNATIVE COMMUNITY STREET A

Movement Free

Design Speed 25 MPH

Travel Lanes Two-way, two lanes

Parking Parallel, both sides; offset by park strip on opposite side

R.O.W. Width 65 feet

Travel Lane Width 11 feet

Curb Type Raised

Sidewalk Width 5 feet on one side; 10-foot multi-use path on the other

Bicycle Lane Class 1, one side as part of the multi-purpose path

Park Strip 6 feet, both sides, except park alternative

Landscape Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 3.2 to Table 3.5

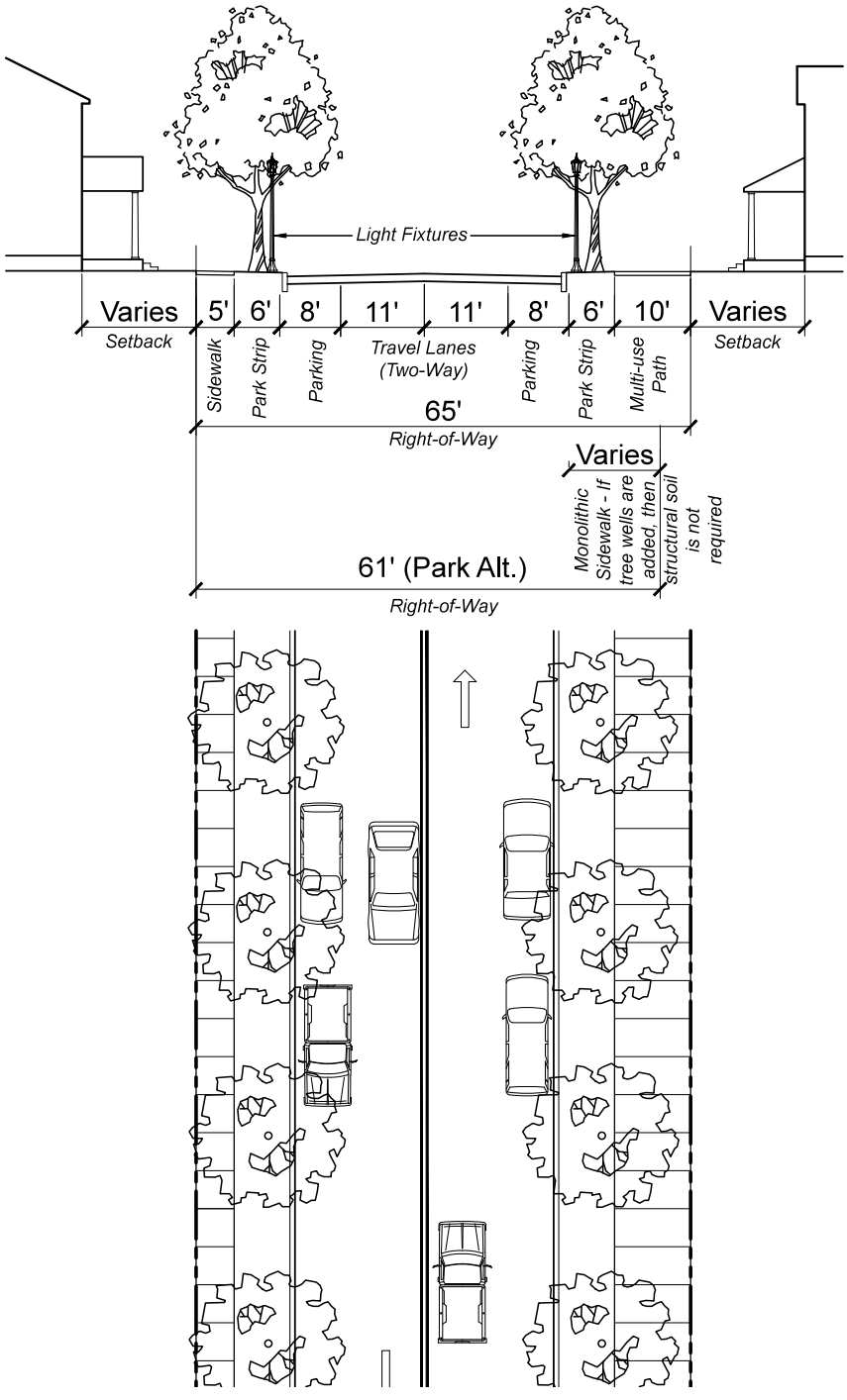


Figure 3.9 Proposed Section and Plan: Summit Drive

3.2.1.5 Neighborhood Street

Designation: A

Definition

A moderate-scale street providing local access throughout the community. It accommodates on-street parking on both sides.

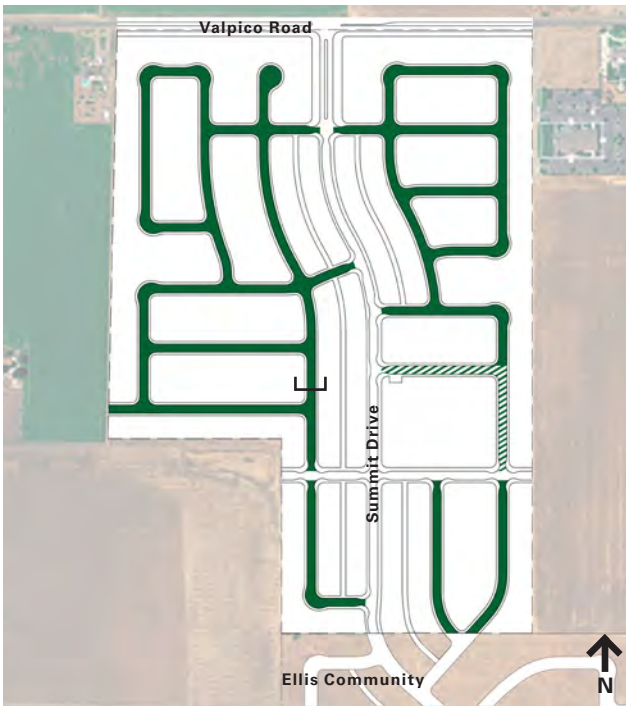


Figure 3.10 Key Plan: Neighborhood Street A

NEIGHBORHOOD STREET A

PARK ALTERNATIVE NEIGHBORHOOD STREET A

Movement Free

Design Speed 25 MPH

Travel Lanes Two-way, two lanes

Parking Parallel, both sides

R.O.W. Width 56 feet

Travel Lane Width 10 feet

Curb Type Raised

Sidewalk Width 4 feet, both sides; except park alternative

Bicycle Lane None

Park Strip 6 feet, both sides; except park alternative

Landscape Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Table 3.2 to Table 3.5

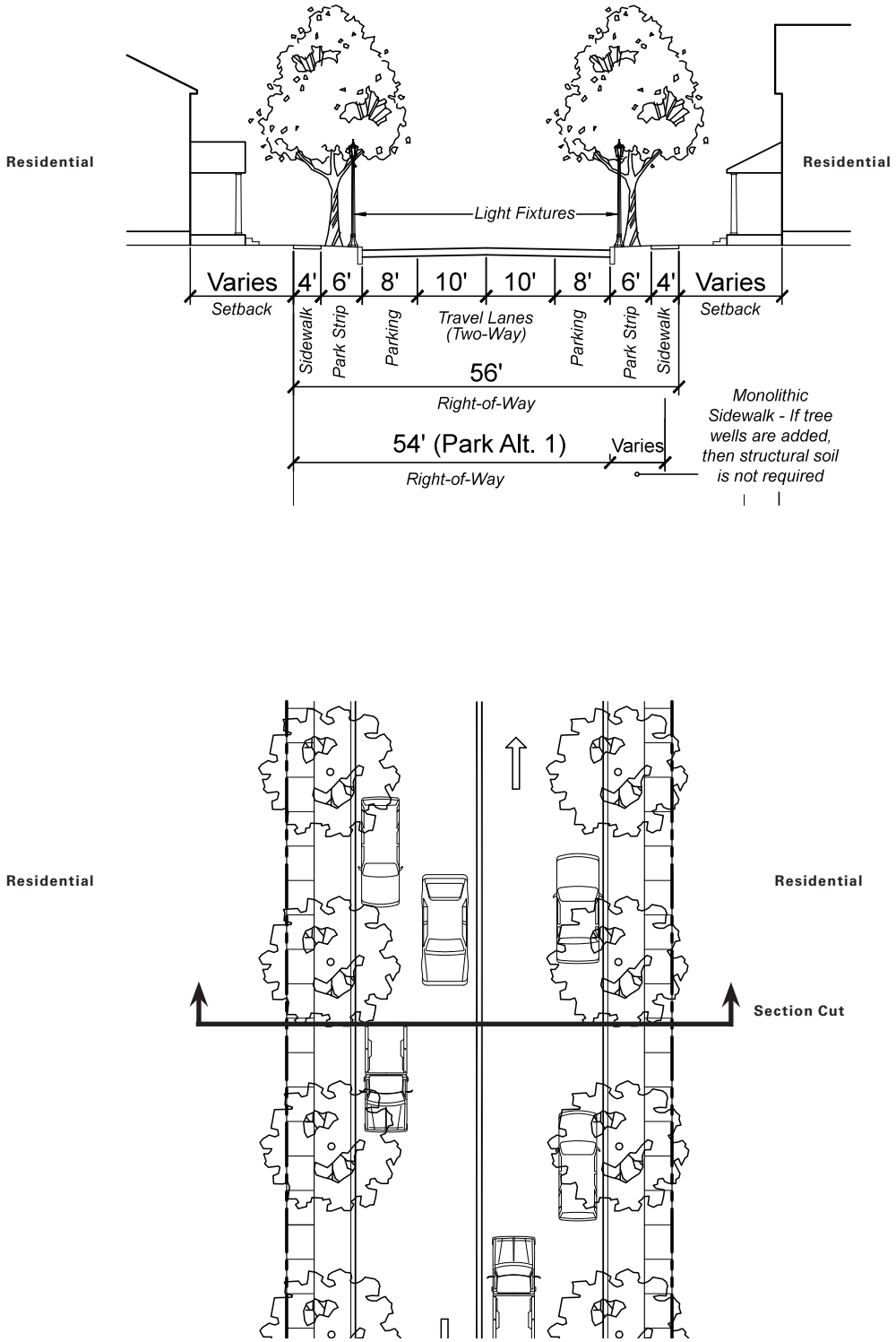


Figure 3.11 Proposed Section and Plan: Neighborhood Street A

3.2.1.6 Lane

Designation: A

Definition

Primary access to residential off-street parking. Lanes are designed to accommodate trash collection and dry utilities. Dead-end lanes may not extend farther than 150 feet from a public street. Fire hydrant spacing shall be 500 feet maximum for all streets and lanes. The curb on each side of the lane entrance shall be painted red 10 feet in both directions.

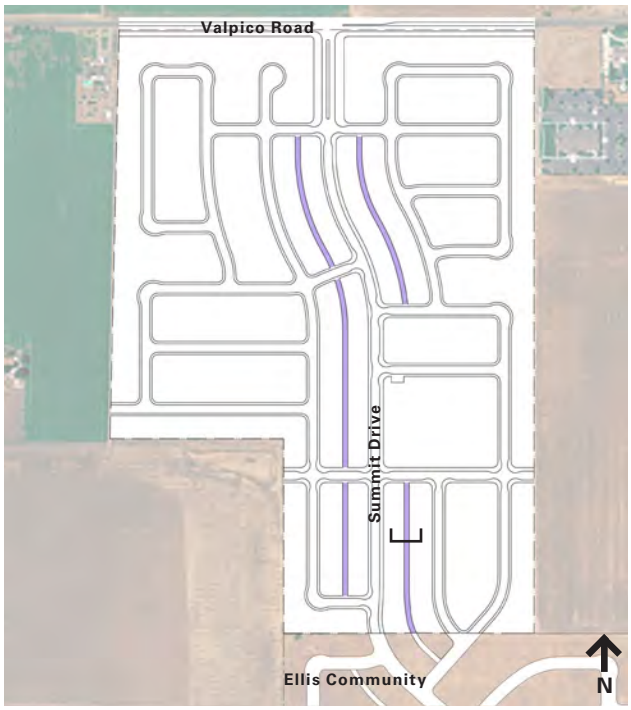


Figure 3.12 Key Plan: Lane A

Pursuant to the Citywide Transportation Master Plan, alleys are a permitted street type. The precise location of such facilities will be determined upon the approval of a tentative map. Diagrams in the Avenues Neighborhood Plan are illustrative and not intended to indicate the percent or location of lane loaded lots.

Movement Yield

Design Speed 10 MPH

Travel Lanes One-way

Parking None

R.O.W. Width 22 feet

Travel lane width 14 feet

Curb Type Spill

Sidewalk Width None

Bicycle Lane None

Park Strip 3.5 feet, both sides

Landscape Low water use grasses, shrubs, and groundcover in park strip (irrigated)

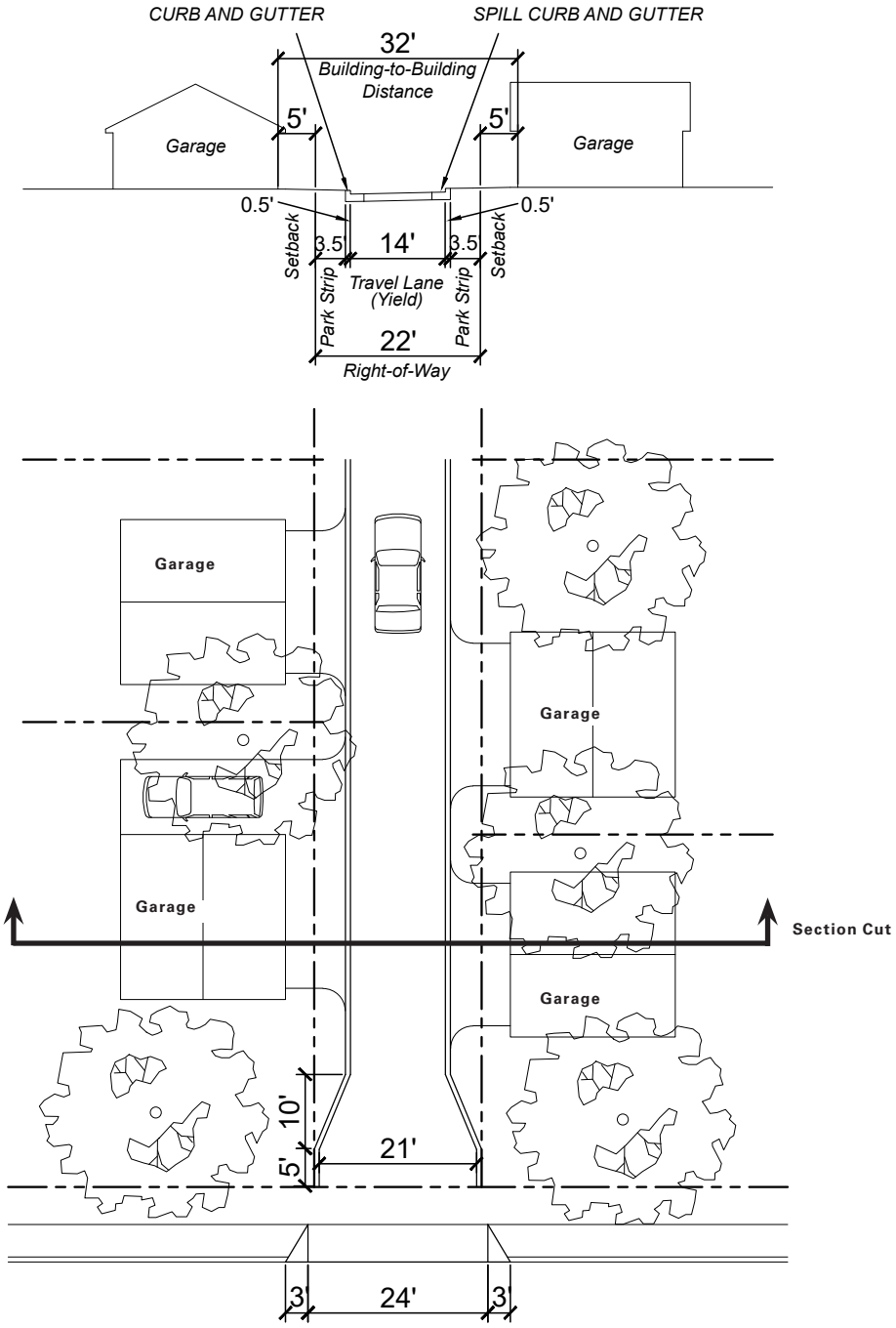


Figure 3.13 Proposed Section and Plan: Lane A

3.2.2 PEDESTRIAN SYSTEM PLAN

The streets, blocks, and park of the Avenues are designed to accommodate the needs of pedestrians and cyclists (Figure 3.14).

The Avenues has a diverse and well-developed pedestrian circulation network. All streets in the community have sidewalks on both sides. The network of sidewalks connects all areas of the residential neighborhood. This system is enhanced by multi-use paths (trails) along primary streets that link residents to the park and the regional network.

The pedestrian network is enhanced by traffic-calming strategies at critical locations. Traffic calming elements are placed to help mitigate pedestrian/automobile conflicts. Landscape strips between back of curb and multipurpose path and/or sidewalk shall have designated pedestrian crossings retained on either side with steel headers.

The Avenues Neighborhood Plan shall provide sidewalks for pedestrian connection to Ellis with the first phase of construction.

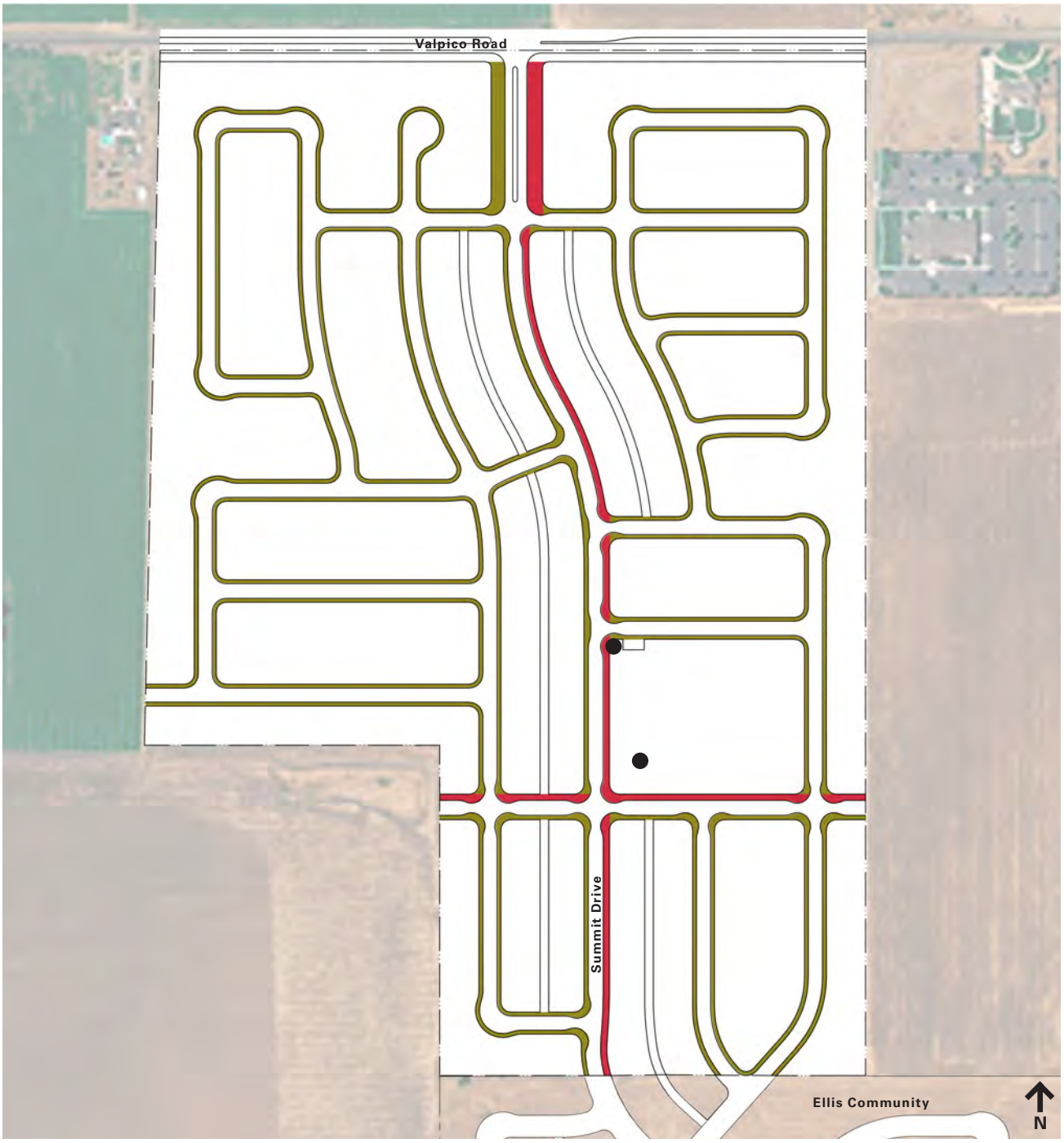


Figure 3.14 Pedestrian and Trail Systems Plan

3.2.3 BICYCLE SYSTEM PLAN

A 10-foot, multi-use bike/pedestrian path (trail) forms a cross in the community to facilitate and encourage non-vehicular travel. Bike racks will be located in the park.

Canopy trees will be planted the length of paths for shade.

The bicycle network will link to the broader City of Tracy and San Joaquin County Bikeway Systems.

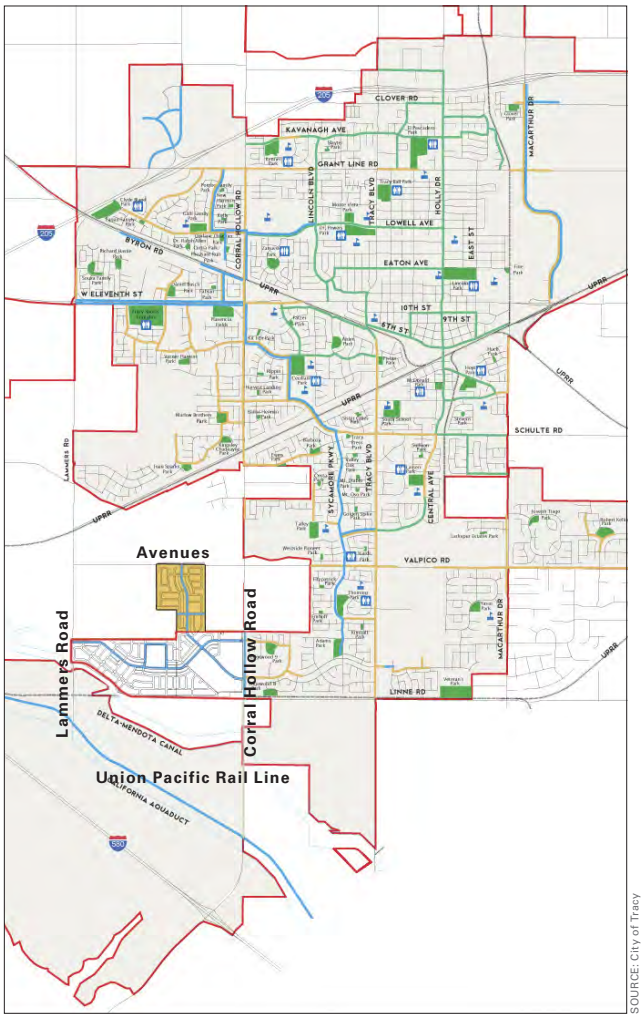


Figure 3.15 Avenues as it relates to existing bikeways in the City of Tracy

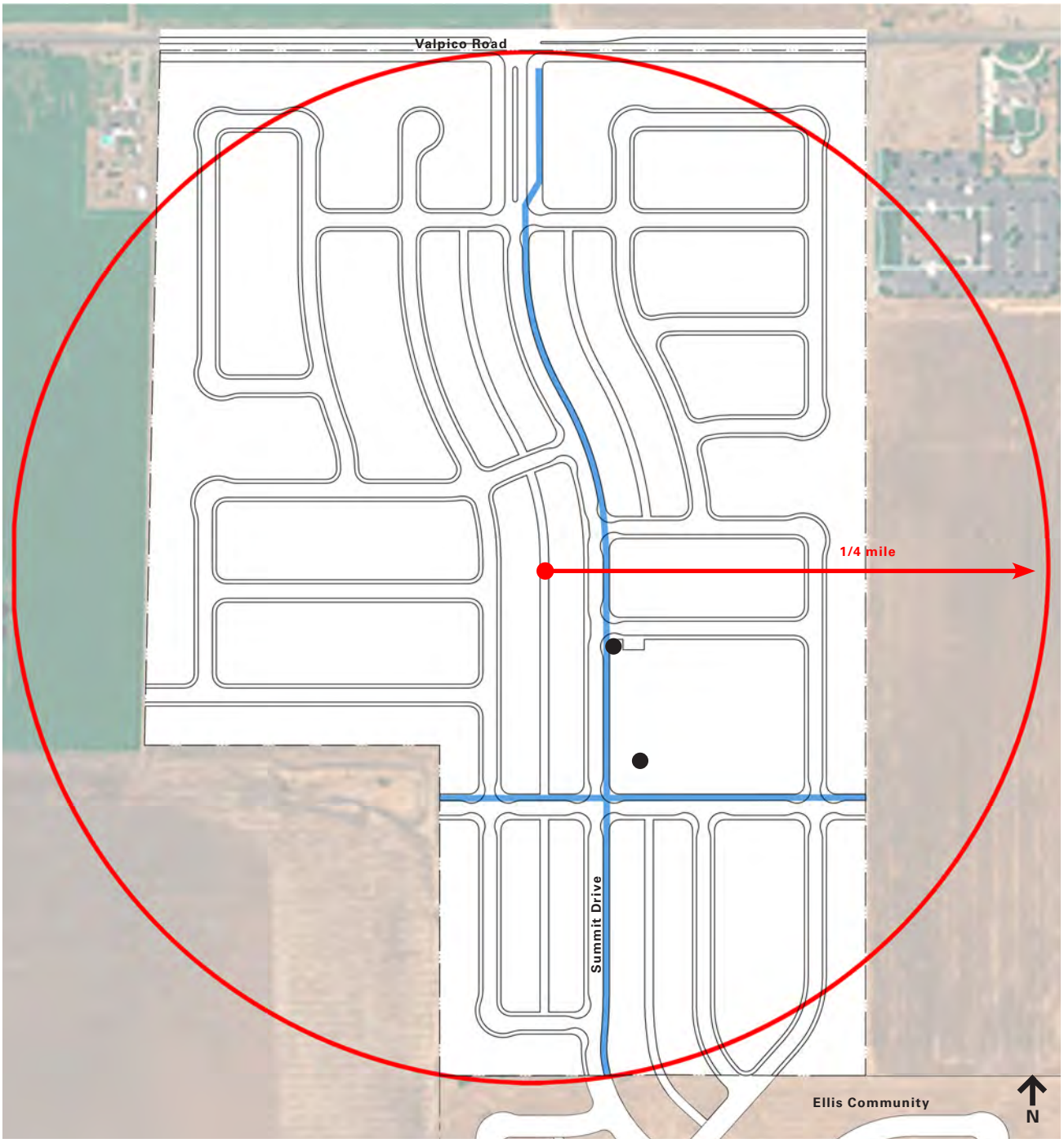


Figure 3.16 Bicycle Systems Plan

3.2.4 PUBLIC TRANSPORTATION

The Avenues is served by a variety of public transportation options.

At a regional scale, the community is served by the Altamont Commuter Express (ACE) which is a passenger rail line running between Stockton and San Jose, with a BART connection to the Bay area from Pleasanton. Regional bus service is also available within San Joaquin County, through the San Joaquin Regional Transit District, Greyhound, and Amtrak California.

Transit access to the Avenues subdivision may be provided in the future by the City's TRACER bus system. The TRACER provides service to the City of Tracy Transit Station with connecting service to the Altamont Commuter Express (ACE) rail, San Joaquin Regional Transit District (SJRTD) regional bus service including connections to BART, Greyhound, and the proposed future high-speed rail service and BART connections to the Bay Area and beyond.

Future updates to the City of Tracy's Short Range Transit Plan (SRTP) may take into account providing future public transportation access to this development. A turn out in Valpico Road may be provided as per the Avenues Neighborhood Plan 3.2.1.2 Regional Arterial: Valpico Road (see Figure 3.5).

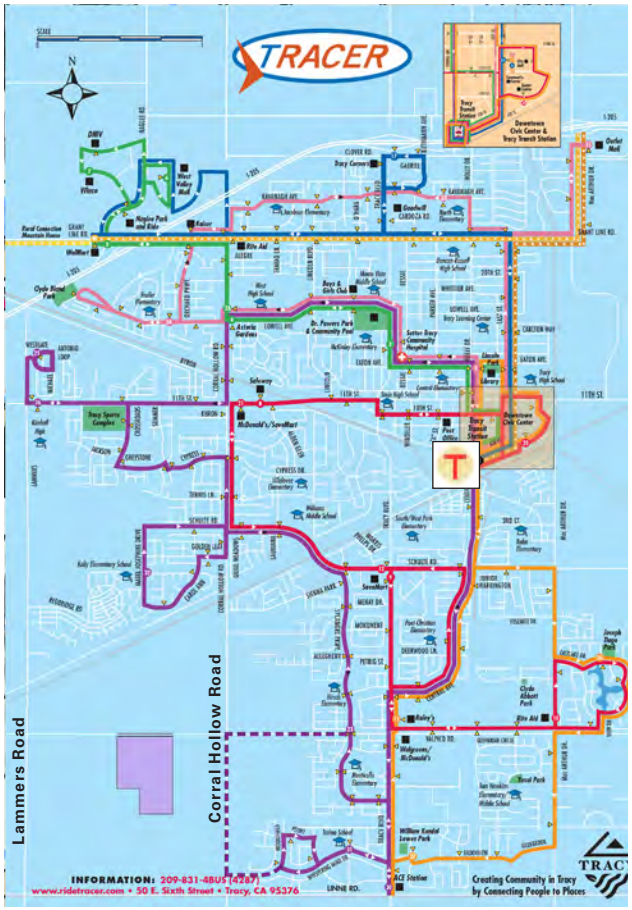


Figure 3.17 Regional Transit Map

3.2.5 PARKING NETWORK

Residential parking is on and off-street, some parking may be accessed by way of residential driveways and the proposed rear lane network. Most street types include on-street visitor parking as well. To encourage walking and biking to parks, no additional parking shall be provided over and above on-street parking on neighborhood streets.

3.2.6 PARKS NETWORK

The Avenues park is designed to provide a wide array of active and passive recreation opportunities to meet the range of needs within the community. Consistent with City requirements, the Avenues Neighborhood Plan is subject to park obligation of 4 acres per 1,000 people. Avenues will feature 3 park acres per 1,000 population generated of Neighborhood Parks dedication and 1 park acre per 1,000 population generated of Community Parks obligation (4 park acres per 1,000 population generated total). Population will be based on City of Tracy Parks Master Plan (new development), April 2013.

The intention in the design of the park is to create a public space that offers:

1 A variety of active and passive recreational opportunities for all age groups;

2 Recreational amenities within walking distance of residents' homes;

3 Integration with the adjacent multi-use path (trail) system; and

4 Access to multiple public streets.

The park shall be maintained by the City. All other open space, landscape strips, parkways, medians and special landscape features accepted by the City will be maintained through the funding provided by the ECFD with maintenance implemented by the EPOA. Avenues Neighborhood Plan parks shall be designed and developed in conformance with the Specific Plan and shall be maintained as prescribed in the Ellis Maintenance Agreement (EMA) between the City and the EPOA. Park design and amenities were first reviewed by the Parks Commission prior to approval by City Council.

Homes front on the park creating a unique and desirable residential design. To enhance park safety, the project shall endeavor to have streets surrounding all sides of the park so that more eyes are viewing the park. Group mailboxes may be located in or adjacent to the park but will not be counted as part of Neighborhood Park credit.

The park has an individual character and distinct features designed to create a strong sense of place. The extensive multi-use path system encourages residents to walk or bicycle between the park and neighborhoods. On-street parking is provided. The park name shall be "Central Park."

The Illustrative Parks Plan (Figure 3.18) shows the general location of the park.

The park as a part of this Specific Plan which includes neighborhood park concept plans (park components, elements, size, name, theme) for the neighborhood park, shall be built by the project, according to the specific plan concept plan as approved by City Council, with no other modifications. Any additional cost caused by project proponent such modification shall be the responsibility of the project, and funded by the project. To encourage walking and biking to parks, no additional parking shall be provided in excess of typical neighborhood street parking within the residential neighborhood.

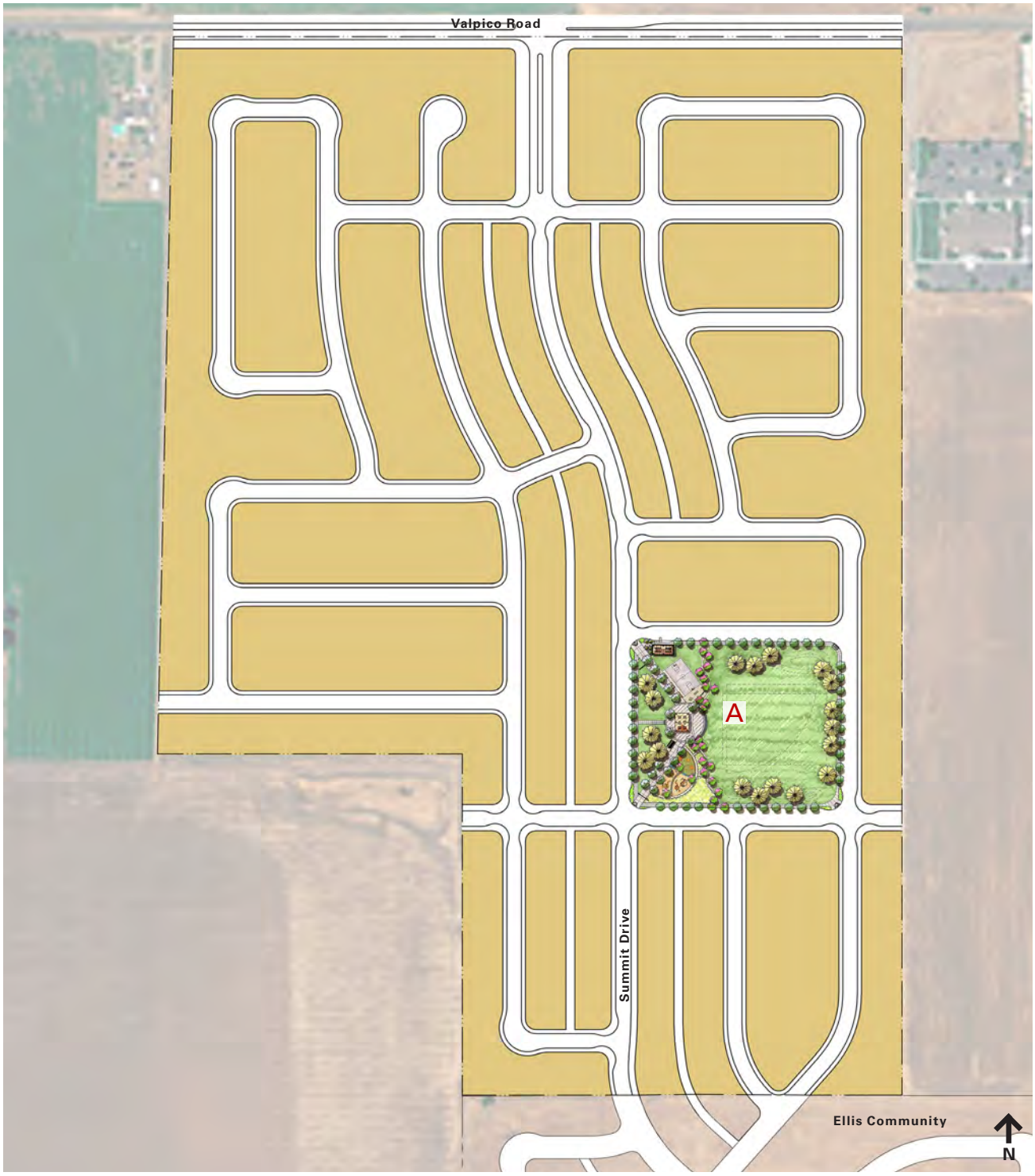


Figure 3.18 Illustrative Park Plan

A CENTRAL PARK

3.2.6.1 Central Park

Central Park is the visual and recreational focal point of the neighborhood. Enhanced planting in bulb-outs creates a strong and inviting presence on Summit Drive. Two park sign entry features are placed on the northern and southern corners of the park (see Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program). Uses are oriented around two tree-lined promenades and include a picnic area with shade structure, play areas for both 2- to 5-year-olds and 5- to 12-year-olds, a basketball court and a multi-use youth soccer/ballfield. The Central Park shall be a minimum of 4 acres.

Additional smaller lawn areas are available for informal play, picnicking, and relaxation. Low berms planted with shade trees enclose the park and provide a comfortable viewing area for games and activities. Below is an illustration of the Central Park design.

CONCEPTUAL PROGRAM

Type Neighborhood Park

Uses/Features

- A Entry portal
- B 2- to 5-year play
- C 5- to 12-year play
- D Bike parking
- E Trash/recycling/dog waste station
- F Restroom (2 unisex stalls) and drinking fountain
- G Group picnic with shade structure
- H Basketball/multi-purpose
- I Connectivity path
- J Park entry sign
- K Multi-purpose field
  - Youth soccer
  - Infield practice baseball
- L Low berms
- M Mail pick up (two 10-minute parking spots)
- N Concrete stepped wall
- O Outdoor workout station
- P Seat wall
- Q Fence at playground
- R Special landscape feature (not included as part of Neighborhood Park credit)
- S Light pole at all main walkways
- T Planting buffer (no spray irrigation)



Figure 3.19 Illustrative plan



Figure 3.20 Multi-purpose field

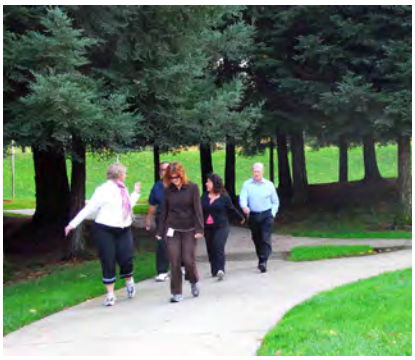


Figure 3.21 Connectivity path



Figure 3.22 5- to 12-year play



Figure 3.23 Undulating, rubber-surfaced mounds



Figure 3.24 Multi-purpose field



Figure 3.25 Seat wall

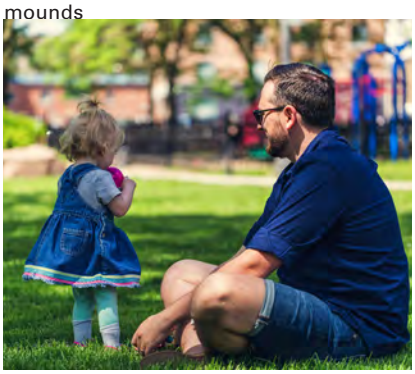


Figure 3.26 Multi-purpose field



Figure 3.27 2- to 5-year play



Figure 3.28 Workout station



Figure 3.29 Restrooms



Figure 3.30 Seat wall



Figure 3.31 Seat wall

3.2.7 SPECIAL LANDSCAPE FEATURES

The Avenues Neighborhood Plan includes an enhanced iconic entry at Valpico Road, generously landscaped street frontage and carefully designed interfaces with agricultural edges. These will contribute to both the desirability and livability of the new community. The character of these features reflects the agrarian heritage of the site. No fee credit or park credit will be given for these amenities.

3.2.7.1 Summit Drive at Valpico Road

The Summit Drive entry at Valpico Road is an inviting gateway to the community. A stone entry building on the west side and a walk-through portal on the east are surrounded by flowering orchard trees and create a rustic, agrarian feel. Stone columns, accent planting at corners, enhanced paving at crossings, and columnar trees in the median provide formality to the entry. Broadleaf evergreen trees in a triangulated pattern soften the theme wall along Summit Drive, while more informal evergreen masses screen the wall along Valpico. Street trees and groundcovers or grasses in the parkway strips create a comfortable, pedestrian-scaled streetscape.

Temporary banner poles and banners may be located along Valpico Road and Summit Drive to be used for home sales banners. This signage will be maintained by project proponent. See Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program for additional details.

CONCEPTUAL PROGRAM

Uses /Features

- A Entry monument building with lighted signage
- B Entry column
- C Walk-through entry portal and low stone wall (may have lighted signage)
- D Accent planting
- E Orchard-like trees
- F Columnar trees
- G Broadleaf evergreen trees



Figure 3.32 Key plan

Figure 3.33 Illustrative plan



Figure 3.34 Avenues Entry at Valpico Road and Summit Drive



Figure 3.35 Entry Monumental Building (Pump House)



Photo: Gates & Associates

Figure 3.36 Pump House character precedent

3.2.7.2 Valpico Road Streetscape

The Valpico Road streetscape includes a parkway strip with street trees underplanted with drought tolerant, groundcovers, shrubs and/or grasses. The landscape strip on the south side includes informal masses of trees, shrubs, hedges, and/or vines to screen the 8-foot masonry wall. For graffiti protection, coating should be applied to all visible sides of the theme walls. The median is planted with trees and drought tolerant shrubs, grasses, and/or groundcovers.

CONCEPTUAL PROGRAM

Uses /Features

A Street trees
B Tree and/or shrub masses
C Median tree with shrubs and groundcovers
D Eight-foot theme wall



Figure 3.37 Street tree and median tree with shrubs and groundcovers

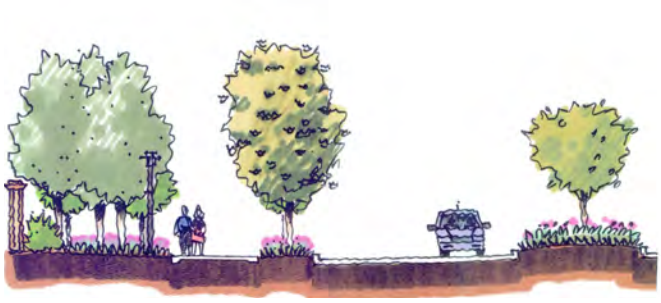


Figure 3.39 Valpico Road section

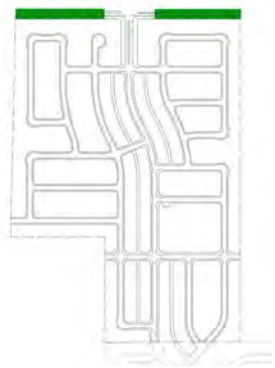


Figure 3.38 Key plan

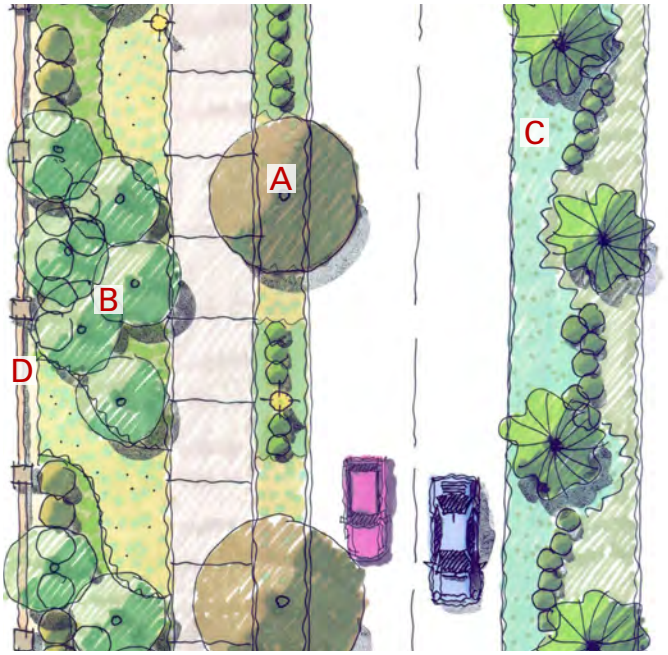


Figure 3.40 Valpico Road plan

3.2.7.3 Valpico Road Streetscape — Interim Condition

Valpico Road will initially be installed in an interim condition. At this time, a landscape strip will be planted between the multipurpose path and the street. When the ultimate condition is installed, the temporary landscape strip will be reduced to the 7-foot parkway strip shown for the permanent Valpico Road condition. The plantings will be consistent with the design described for the final Valpico condition. Plantings include tree masses along the theme wall with drought-tolerant shrubs, groundcovers and grasses as understory. No trees will be planted in the temporary landscape area.

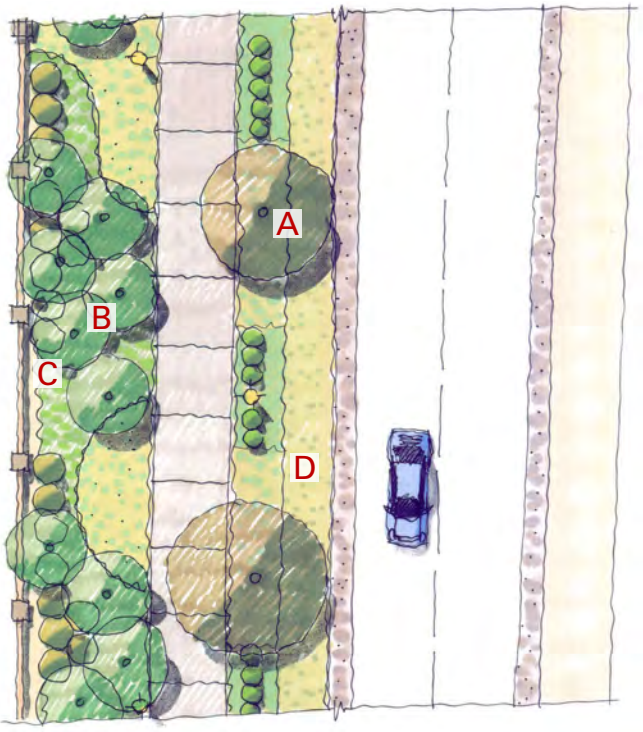


Figure 3.41 Illustrative plan

CONCEPTUAL PROGRAM

A Street trees
B Tree and/or shrub masses
C Eight-foot theme wall
D Temporary landscape strip

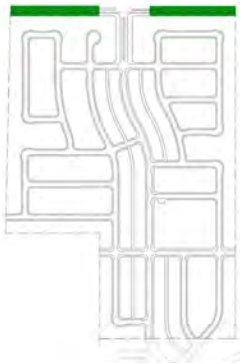


Figure 3.42 Key plan

3.2.7.4 Summit Drive

The 6-foot landscape strips on Summit Drive are planted with street trees and low, drought tolerant groundcovers and grasses. Trees are spaced at minimum 30 feet on-center where there are no conflict with utilities for an inviting streetscape aesthetic. Pedestrian walk-throughs are provided in planting strips to facilitate access from on-street parking to alley loaded lots and at key locations where crossings would be needed to access the park or multi-purpose path. Pedestrian walk-throughs may include stepping stones, pavers, or decomposed granite.

Bulb-outs enhance key intersections, slowing traffic and creating a more intimate, neighborhood feel. Enhanced pavers at crosswalks further emphasize crossings, slow traffic, and create a visually appealing streetscape.



Figure 3.44 Decorative pavers at crosswalks

CONCEPTUAL PROGRAM

A Street trees, drought-tolerant planting in landscape strip
B Pedestrian access through landscape strip
C Bulb out with accent planting at intersection
D Decorative pavers at pedestrian crossings

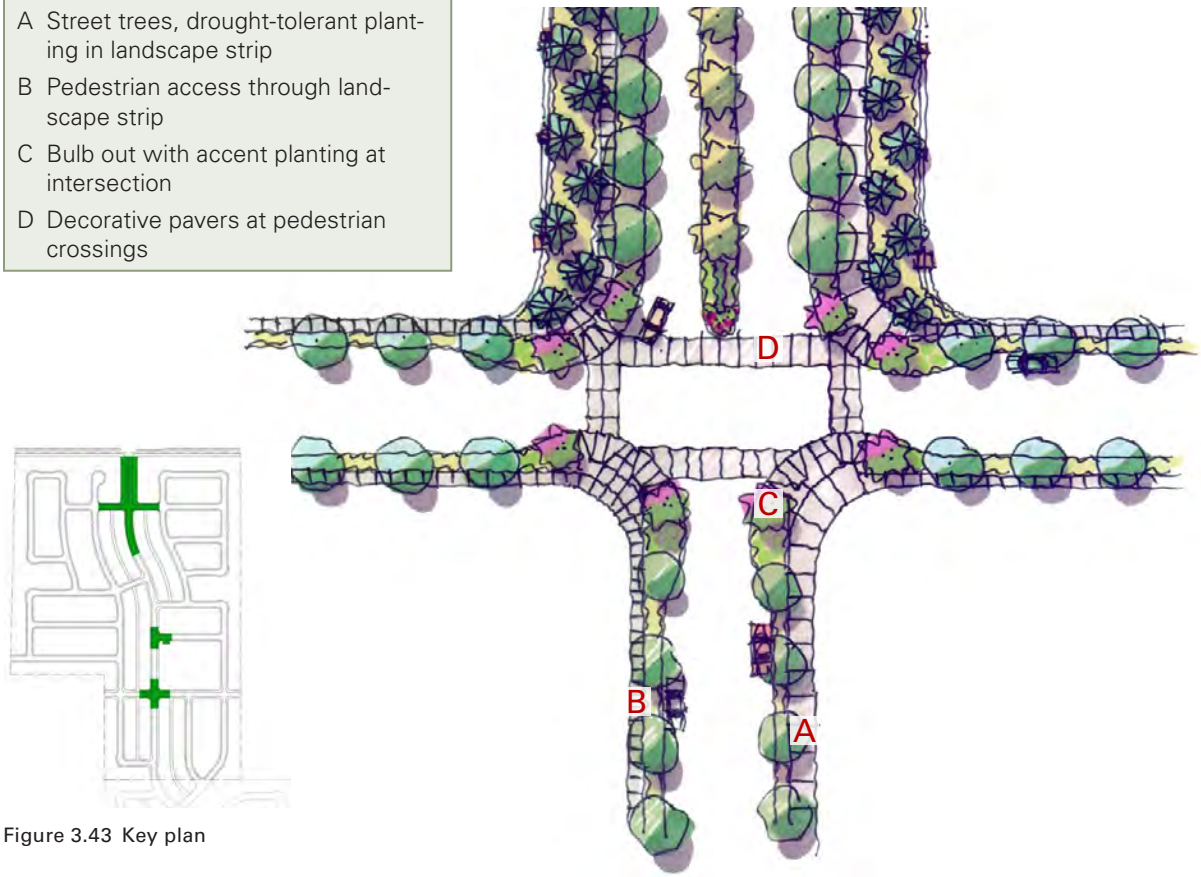


Figure 3.43 Key plan

3.2.7.5 Agricultural Edge

The edges of the community adjacent to existing agricultural uses will be defined with 8-foot wood privacy fences or boundary walls. Where streets terminate at site boundaries, barriers shall be City standard (guard rails), or at the developer's option, temporary gates for enhanced visual effect and to minimize the intrusion of dust from undeveloped properties. Gates will be designed to allow for emergency vehicle access if needed. Gates may be wood, metal, or comparable material.

Temporary gates shall be removed at the time development occurs adjacent to the Neighborhood Plan area, when roadways are connected to these streets. The subdivision is not intended to be a gated community.

CONCEPTUAL PROGRAM

A 8-foot privacy fence or boundary wall

B 8-foot rolling temporary gate



Figure 3.45 Eight-foot privacy fence



Figure 3.46 Eight-foot rolling gate

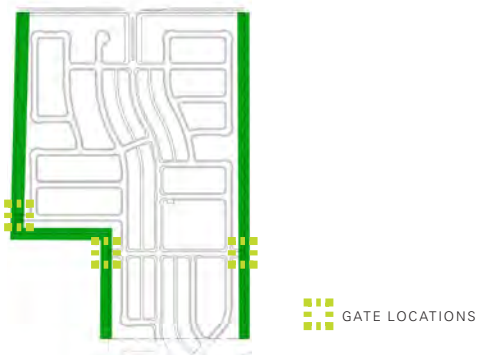


Figure 3.47 Key plan

3.2.8 LIGHTING, SIGNAGE, AND FURNISHINGS

3.2.8.1 Lighting

Ornamental street lights shall be traditional in character and at a pedestrian-scale. They are used for all streets, parks, trails, bike paths, and walkways. The style of street lights shall be the same as street lights found in Ellis. Maintenance will be in accordance with the ECFD and EMA. All streets and parks shall be lit to provide safe evening passage.

Special ornamental lighting may also be incorporated into thematic monuments and signs at park entries.

All fixtures will be cut-off luminaires to control light and glare. The lighting specified, although traditional in appearance, shall have state-of-the-art luminaires for lighting efficiency and glare reduction.

Light fixtures shall direct lighting patterns downward in either a symmetrical or asymmetrical lighting pattern on the ground with very little glare. The post lights, specified to be mounted at the height of 14 feet, are scaled to pedestrians. This is an optimal height which balances lighting efficiency and performance, while providing direct illumination of pedestrian areas for facial illumination, thereby providing a safe night-time environment.

The lighting shall be spaced along the street and between the street trees. Street trees are specified to have a minimum 10-foot clearance to street lights in order to provide adequate room for the proper lighting performance.

3.2.8.2 Public Property Signs

Signs in the Avenues Neighborhood Plan Area in the public right-of-way, the public parks, or on public property, shall be regulated by Title 10, Article 35 of the Tracy Municipal Code and CalTrans regulations, except as specified in Section 3.2.8.2 of the Avenues Neighborhood Plan and Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program. The signs included in this Avenues Sign Program shall be permitted as shown. The approval process shall include only building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code. For purposes of indemnifying the City, all temporary signage to be located within street right-of-ways, as approved in the Avenues Neighborhood Plan, will require one all-inclusive encroachment permit. Regulatory signs not approved as part of the Avenues Neighborhood Plan shall comply with City Standards or California Department of Transportation (Caltrans/California Manual on Uniform Traffic Control Devices (CA-MUTCD) standards where applicable.

In addition, the design of the landscape features/character elements in Appendix B2: Avenues Additional Landscape Features/Character Elements And Sign Program shall be permitted as shown.

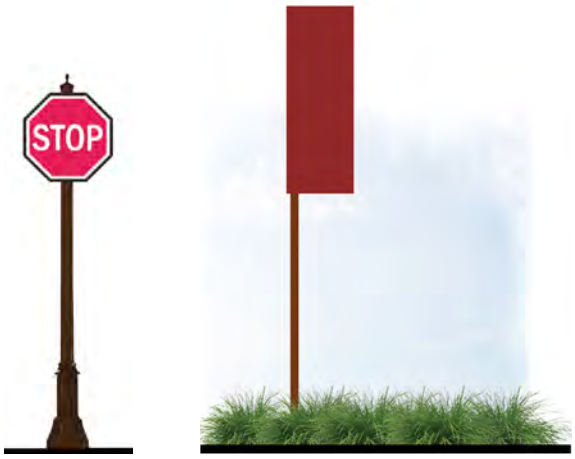


Figure 3.49 Regulatory signage and Flag signs



Figure 3.48 Sign Type J



Figure 3.50 Wall Sign — Sign Type H

3.2.8.3 Furnishings

Site furnishings shall include a simple palette of durable traditional street and park furnishings, including bike racks, trash receptacles, and benches. The selection of site furniture should incorporate elements found throughout Ellis, to provide a visual connection between the Avenues and the Ellis community.

Park furnishings and equipment should be thoroughly evaluated for durability, ADA compliance, and consistency with visual character. Maintenance of furnishings will be the responsibility of the EPOA except in the park which shall be maintained by the City, and shall be funded by the ECFD.

ELEMENTS	DESCRIPTION	MANUFACTURER,MODEL, FINISH, COLOR
Street Lighting	Ornamental Traditional Acorn	Sternberg Birmingham series, Dark Bronze Textured, LED
Street/Wayfinding Poles	Ornamental Traditional	Sternberg Richmond and/or Lexington series, Dark Bronze Textured, LED
Street/Wayfinding Signs	Custom metal panel	Custom artwork on aluminum panel; Panel: reflective to match Pantone 155C; Lettering: 4", Gill Sans MT Condensed, black
Regulatory Sign Poles	Ornamental	Sternberg Richmond or Lexington series, Dark Bronze Textured
Banner Poles	Ornamental Traditional	Sternberg Birmingham series with Sternberg Banner Arms, Dark Bronze Textured
Enhanced Crosswalk Paving	Decorative Unit Pavers with Colored Concrete Band	Ackerstone, Holland Stone1, Carmel with CA del Mar aggregate FM mix, grind finish. Concrete accent band in Davis color 8084 (Silversmoke), sandblast finish
Stone Elements (Buildings, Walls, Portals, Signage)	Stone Veneer	El Dorado Natural Stone - Profile: Cliffstone; Color: Montecito; Stone Variety: Pennsylvania Fieldstone; Grout Style: Dry Stack
Pet Station/ Other Community Signs	Decorative metal panel	Custom artwork on aluminum panel with vynl letters. Panel color: SW2912 Chanticlear (PMS 7623c) Lettering color: SW6385 Dover White, Text per City Standards
Benches	Ornamental Traditional	Dumor 140/144 series, black powdercoat with custom lettering
Trash/Recycling	Ornamental Traditional	Dumor 148 series, trash and recycle separate
Bike Rack	Traditional	Maglin MBR200 series with custom lettering, black powdercoat
Bike Rack	Decorative	Huntco, The VELO or approved equal, color RAL 3003 Ruby Red
Tree Guard	Ornamental	Iron Age Designs Basic, Powdercoat, Special Rust #47
Drinking Fountain	Ornamental Traditional	MDF Most Dependable Fountains, 2008SM w/valve faucet, black
Picnic Tables	Ornamental	Dumor, 448 and 443 series, black
Shade Structure	Decorative	May be prefabricated or custom; materials will may be metal, stone or stone veneer, may include logo or lettering, may be solid or perforated as necessary to provide adequate shade.
Restroom	Prefabricated	Public Restroom Company; model PS 111; ADA accessible with enhanced finishes: board and batten with ledgestone, standing seam hip roof
Play Equipment/Elements	Thematic,Educational, Innovative Play Elements	Play equipment and elements may be themed, custom or prefabricated; primary materials to be metal with steel, steel-reinforced cables, GFRC or other with limited use of water, sand or wood for play value.

Table 3.1 Avenues specifications (or equal as approved by the developer)



Figure 3.51 Bench



Figure 3.52 Bike rack



Figure 3.53 Picnic table



Figure 3.54 Trash



Figure 3.55 Bike rack



Figure 3.56 Tree grate



Figure 3.57 Pet station



Figure 3.58 Shade structure



Figure 3.59 Play equipment



Figure 3.60 Play equipment



Figure 3.61 Shade structure



Figure 3.62 Play equipment



Figure 3.63 Play equipment

3.2.8.4 Streetscape Types

The streetscapes of the Avenues vary. Primary streets will have landscaped park strips between the sidewalk and curb. These park strips shall be planted with ornamental, drought-tolerant landscape materials, the park strips or landscape strips will be planted with trees which shall be counted as a City tree for each lot/residence, no residential front yard City trees shall be required. Where parking is provided on streets with alley-loaded homes, pedestrian access through the park strips must be provided at a minimum of every residence. Where parking is provided along park frontage, park strips may be eliminated or limited to facilitate access.

Sustainable Landscape Design

The landscape system shall comply with the current Department of Water Resources Water Efficient Landscape Ordinance and CalGreen Building Code. Landscape should be designed to reflect current best practices in landscape sustainability, including some or all of the following:

- Emphasize drought tolerant, native or climate-adapted plants
- Use California native plants where possible
- Minimize the use of lawn, except for recreational purposes
- Group plants by water use, i.e., hydrozones.
- Design high efficiency, weather-based irrigation systems
- Space plants to avoid the need for shearing
- Choose diverse plant palettes
- Design high-efficiency landscape lighting systems
- Minimize light pollution and trespass

3.2.8.5 Street Trees

The landscape system is designed to honor the small-town agrarian history of the area with shady, pedestrian-friendly streets and a diverse, drought tolerant plant palette which complements the architectural character of the houses. It is expected that recycled water will be available for irrigation of public streets, including Summit Drive, and common areas in the future. Street trees have been carefully selected for recycled water tolerance. Street trees located in landscape strips shall meet the requirement of a City tree located in residential lot/home front yards. Proponent may adjust street tree spacing to avoid constraints, such as utilities.

- Large canopy trees will line the community streets. Medium-sized canopy trees will enclose the neighborhood streets.
- Accent trees will be used to define the community, neighborhood intersections, and pedestrian street crossings, as well as identify entries to the park.
- Orchard-like grid tree planting may be used in the entry areas to reinforce the agrarian theme. Trees in the orchard may be flowering, non-fruit-producing trees.
- The park will be planted with a diversity of trees to provide shade and seasonal interest, as well as to define outdoor rooms within the parks.

TREES			
STREET	USE	BOTANICAL NAME	COMMON NAME
VALPICO ROAD	Street Tree	Pistacia chinensis 'Keith Dave'	Chinese Pistache
		Quercus agrifolia	Coast Live Oak
	Background Trees	Quercus ilex	Holly Oak
	Accent Tree	Lagerstroemia indica	Crape Myrtle
ENTRY AT VALPICO	Street Tree	Ulmus parvifolia	Chinese Elm
		Lagerstroemia indica	Crape Myrtle
	Accent Tree	Chitalpa tashkentensis	Pink Dawn Chitalpa
	Columnar Tree	Carpinus betulus 'Fastigiata'	Southern Live Oak
	Evergreen	Arbutus 'Marina'	Arbutus Marina
SUMMIT DRIVE	Street Trees	Quercus palustris	Pin Oak
	Accent Trees	Lagerstroemia indica	Crape Myrtle
		Chitalpa tashkentensis	Chitalpa
NEIGHBORHOOD STREETS	Street Tree	Ulmus parvifolia 'Allée'	Chinese Elm
PARK AND SPECIAL LANDSCAPE FEATURE TREES		Aesculus x. carnea 'Briotii'	Red Horse Chestnut
		Carpinus betulus	European Hornbeam
		Catalpa speciosa	Western Catalpa
		Cedrus deodara	Deodar Cedar
		Chionanthus retusus	Chinese Fringe Tree
		Cinnamomum camphora	Camphor Tree
		Crinodendron patagua	Lily of the Valley Tree
		Fagus sylvatica	European Beech
		Magnolia grandiflora	Southern Magnolia
		Melaleuca quinquenervia	Cajeput Tree
		Nyssa sylvatica	Sour Gum
		Olea europaea 'Swan Hill'	Olive
		Podocarpus species	Fern Pine
		Quercus sp.	Oak
		Quercus rubra	Northern Red Oak
		Sapium sebiferum	Chinese Tallow Tree
		'Swan Hill'	Swan Hill
		Tipuana tipu	Tipu Tree
		Ulmus parvifolia	Chinese Evergreen Elm
		Ulmus sp.	Elm
		Zelkova 'Green Vase'	Japanese Zelkova
		Zelkova 'Village Green'	Japanese Zelkova
		Zelkova serrata	Sawleaf Zelkova

Table 3.2 Tree List (to be adapted to respond to the specifics of each individual site and use)

SHRUBS AND PERENNIALS	
BOTANICAL NAME	COMMON NAME
Abelia sp.	Abelia
Acacia species	Acacia
Acanthus mollis	Bear's Breech
Agapanthus species	Lily-of-the-Nile
Arbutus unedo 'Compacta'	Dwarf Strawberry Tree
Arctostaphylos species	Manzanita
Buxus species	Boxwood
Calamagrostis 'Karl Foerster'	Reed Grass
Callistemon 'Little John'	Weeping Bottlebrush
Camellia species	Camellia
Carex	Berkeley Sedge
Carpenteria californica	Bush Anemone
Ceanothus species	Wild Lilac
Cistus species	Rockrose
Coleonema species	Breath of Heaven
Dietes sp.	Iris
Erigeron karvinskianus	Fleabane
Escallonia sp.	Escallonia
Euonymus sp.	Euonymus
Euryops pectinatus	Golden Bush Daisy
Festuca californica	'Elijah Blue' California Fescue
Galvezia speciosa	Island Bush Snapdragon
Gazania sp.	—
Geranium sp.	Cranesbill
Helictorichon sempervirens	Blue Oat Grass
Hemerocallis sp.	Day Lily
Heteromeles arbutifolia	Toyon
Heuchera sanguinea	Coral Bells
Hydrangea sp.	Hydrangea
Ilex aquifolium	Holly
Iris douglasiana	Douglas Iris
Juncus patens 'Elk Blue'	California Gray Rush
Lantana species	Lantana
Lavandula sp.	Lavender
Leymus 'Canyon Prince'	Canyon Prince Wild Rye
Liriope muscari	Big Blue Lilyturf
Lomandra longifolia	Draft Mat Rush
Loropetalum chinense	Red Fringe Flower
Mahonia repens	—
Mimulus sp.	Monkey Flower
Miscanthus sinensis 'Adagio'	(no common name)
Muhlenbergia rigens	Deer Grass
Myrica californica	Pacific Wax Myrtle
Myrtus communis	Myrtle
Nandina sp.	Heavenly Bamboo
Nerium oleander	Oleander

Table 3.3 Recommended Shrubs/Perennials

continued on next page

SHRUBS AND PERENNIALS	
BOTANICAL NAME	COMMON NAME
Phormium tenax	New Zealand Flax
Pittosporum crassifolium	—
Pittosporum tenuifolium	—
Polystichum muniturm	Western Sword Fern
Rhamnus 'Eve Case'	Coffeeberry
Rhododendron	Rhododendron
Rosa sp.	Rose
Rosmarinus sp.	Rosemary
Salvia sp.	Sage
Santolina sp.	Lavender Cotton
Senecio cineraria	Dusty Miller
Sollya heterophylla	Australian Creeper
Spirea sp.	Spirea
Syringa vulgaris	Lilac
Teucrium sp.	Germander
Viburnum sp.	Viburnum
Wistringia fruticosa	Coast Rosemary
Xylosma congestum	Shiny Xylosma

Continued Table 3.3 Recommended Shrubs/Perennials

GROUNDCOVERS	
BOTANICAL NAME	COMMON NAME
Bergenia crassifolia	Winter-BloomingBergenia
Ceanothus species	Wild Lilac
Convolvulus mauritanicus	Ground Morning Glory
Coprosma 'Verde Vista'	—
Dymondia margaretae	—
Festuca sp.	Fescue
Fragaria chiloensis	Wild Strawberry
Gazania sp.	—
Helictotrichon sempervirens	Blue Oat Grass
Hemerocallis sp.	Day Lily
Iris douglasiana	Douglas Iris
Lantana sp.	Lantana
Liriope muscari	Lily Turf
Myoporum parvifolium	—
Osteospermum fruticosum	Trailing African Daisy
Rosmarinus officinalis 'Prostratus'	Prostrate Rosemary
Scaevola 'Mauve Clusters'	—
Stipa pulchra	Purple Needlegrass
Trachelospermum asiaticum	—
Vinca minor	Dwarf Periwinkle

Table 3.4 Recommended Groundcovers

VINES	
BOTANICAL NAME	COMMON NAME
Campsis radicans	(no common name)
Clematis armandii	Evergreen Clematis
Clytostoma callistegiodes	Lavender Trumpet Vine
Distictis sp.	Trumpet Vine
Hardenbergia violacea	Happy Wanderer
Jasminum polyabthum	Jasmine
Parthenocissus tricuspidata	Boston Ivy
Solanum jasminoides	Potato Vine
Wisteria sinensis	Chinese Wisteria

Table 3.5 Recommended Vines

3.2.9 UTILITIES

The City of Tracy Master Plans identify the improvements required for the maximum buildout of the Avenues. Existing utility systems that are of adequate capacity will be utilized to serve the Avenues. In the event that the existing infrastructure does not have sufficient capacity to serve the project, additional improvements will be constructed to supplement or provide additional capacity.

3.2.9.1 Domestic Water

Service Provider

The City of Tracy provides potable water service in the City of Tracy.

Water Supply

The City of Tracy has multiple sources of water including groundwater wells and surface water from the Central Valley Project and the South County Water Supply Project. The City treats the surface water obtained from the Central Valley Project at its John Jones Water Treatment Plant located near the airport in the southeast portion of the City. The surface water obtained from the South County Water Supply Project is treated and delivered to the City by the South San Joaquin Irrigation District.

Existing Facilities

The City's water system is comprised of two existing Pressure Zones (One and Two) and a planned third zone (Three). Avenues is located in Pressure Zone Two which serves areas between elevation 75 and 150. Treated water leaves the City's water treatment plant at Zone 2 Pressure. There is an existing 24" Zone 2 water main in Corral Hollow Road and an existing 16" water main in Valpico Road. There is also a planned 12" Zone 3 water main in Summit Drive, under construction by Ellis, which will extend to the south side of the project.

Master Plan Improvements

The City of Tracy completed the Citywide Water System Master Plan in December 2012. The Master Plan identified the required potable and recycled water system facilities required to serve the buildout of the City's General Plan including existing and future service areas within the Sphere of Influence. Avenues was included as a future project in the Master Plan.

The Master Plan recommended treatment, storage, pumping, and piping improvements as well as new groundwater wells to support the General Plan buildout of the City. These improvements include the improvements needed for Avenues, which is the extension of a 12" water main in Summit Drive through Avenues with an emergency PRV at the connection to the planned 12" Zone 3 water main, under construction by Ellis, at the southerly project boundary to the existing 16" water main in Valpico Road.

Avenues will participate in the implementation of the water system Master Plan through the payment of fees, and/or the construction of improvements, which will include a credit and reimbursement agreement.

Projected Water Demand

The projected water demand was calculated for Avenues using the water demand factors contained in the Master Plan. Table 3.6 shows the projected water demand of 232,065 gpd based on the Master Plan Generation factors.

PROJECTED WATER DEMAND				
Land Use	Acres (ac)	Dwelling Units (du)	Demand Factor (gpd/du or ac)	Average Daily Demand (gpd)
Residential	90.5	480	450	216,000
Park[1]	4.5	—	3,570[1]	16,065
TOTAL	95	480		232,065

1 Park Demand Factor is based on 4 acft/AC/year from the Master Plan

Table 3.6 Projected Water Demand

Specific Plan Improvements

The proposed water improvements for Avenues will consist of a conventional on-site water system with mains, services and fire hydrants designed in accordance with the City of Tracy Design Standards.

3.2.9.2 Wastewater Treatment

Service Provider

The City of Tracy provides wastewater collection and treatment in the City of Tracy.

Existing Facilities

There is a proposed 8" sanitary sewer main in Summit Drive, under construction by Ellis, on the south side of the project that is not intended to serve Avenues. There is an existing 18" sanitary sewer main in Corral Hollow Road near the intersection of Parkside Drive which flows northerly in Corral Hollow Road increasing in size and eventually reaching the City of Tracy Wastewater Treatment Plant located near Holly Drive and W. Larch Road north of Interstate 205. The Avenues, upon Final Map approval, is expected to be allocated existing capacity if available for development.

Master Plan Improvements

The City of Tracy completed a Wastewater Master Plan in December 2012. The Master Plan identified infrastructure requirements for both wastewater treatment and conveyance based on wastewater flows from existing and future service areas. Avenues was included as future residential in the Master Plan.

The Master Plan recommends a phased expansion of the existing wastewater treatment plant from its current capacity of 10.8 mgd to 21.0 mgd and also recommends conveyance improvements for the east and west catchment areas in the City. Avenues is located in the west catchment area which will include an extension of the existing Corral Hollow Road Sewer from Parkside Drive to W. Linne Road as well as upgrades to increase the capacity of the existing Corral Hollow Road Sewer, a new Lammers Road Sewer and other downstream improvements.

Construction plans for the first phase of upgrades to the existing Corral Hollow Road sewer, downstream from Parkside Drive, and the extension of the Corral Hollow Road sewer, from Parkside Drive to Linne Road have been completed. Construction of both of these projects is expected to occur in 2017/2018 and be available to serve the Avenues project.

Avenues will participate in the implementation of the Wastewater Master Plan through the payment of fees and/or the construction of Master Plan facilities with corresponding fee credit and reimbursement agreement.

Projected Wastewater Demand

The projected wastewater demand was calculated for Avenues using the wastewater generation factors contained in the Master Plan. Table 3.7 shows a projected wastewater demand of 126,720 gpd.

PROJECTED WASTEWATER DEMAND				
Land Use	Acres (ac)	Dwelling Units (du)	Demand Factor (gpd/du or ac)	Average Daily Demand (gpd)
Residential	90.5	480	264	126,720
Park	4.5	—	—	0
TOTAL	95	480	264	126,720

Table 3.7 Projected Wastewater Demand

Specific Plan Improvements

The proposed wastewater improvements for Avenues will consist of a conventional on-site gravity sanitary sewer system with mains, manholes, and laterals designed in accordance with the City of Tracy Design Standards. The on-site sanitary sewer mains will collect wastewater from the homes and direct it towards Summit Drive and then from south to north in Summit Drive towards Valpico Road.

The proposed wastewater improvements will also include an off-site sanitary sewer main in Valpico Road that will convey wastewater from Avenues and connect to the extension of the proposed Corral Hollow Road Sewer as described in the Tracy Wastewater Master Plan. In the event that the Corral Hollow Road Sewer has not been extended from Parkside Drive to Valpico Road, Avenues may construct it and enter a fee credit and reimbursement agreement with the City of Tracy.

3.2.9.3 Recycled Water

Service Provider

The City of Tracy is planning to provide recycled water services to portions of the City of Tracy.

Existing Facilities

There is a planned 8" recycled water main in Summit Drive, under construction by Ellis, on the south side of the project.

Master Plan Improvements

The City of Tracy has a Citywide Water System Master Plan. The Master Plan identified the potable and recycled water system facilities required to serve the buildout of the City's General Plan including existing and future service areas within the sphere of influence. Avenues was included as future residential as part of the Master Plan.

STORMWATER SYSTEM DEMAND AND CAPACITY REQUIREMENTS — ULTIMATE SITE				
10 YEAR EVENT — EXISTING SITE				
Using Rational Method (Q=CIA)				
Time of Concentration (t_C) = 67 min				
Intensity (I) = 0.32 in/hr				
	C Value	I	Area	Volume
Description		in/hr	ac	cfs
Existing Site	0.25	0.32	95.04	7.60
			Q_E (Peak Flow)	8
10 YEAR EVENT — PROPOSED SITE				
Using Rational Method (Q=CIA)				
10 Year Event, tc = 42 min				
Intensity (I) = 0.42 in/hr				
	C Value	Total Rainfall	Area	Volume
Description		feet	ac	cfs
Total Area			95.0	
Residential Lots	0.35	0.42	74.0	10.88
Parks	0.20	0.42	4.0	0.34
Roads	0.95	0.42	17.0	6.79
			Q_P (Peak Flow)	18.01
			Q_P (Peak Flow)	18

Notes
C Values are per the City of Tracy Design Standards, December 2008.
Residential Lots = Low Density (Single Family) C=0.35
Parks = Lawn or Landscaping C=0.20
Roads = Paving C=0.95

Table 3.8 Stormwater System Demand and Capacity Requirements

The City plans to distribute tertiary treated effluent from its Wastewater Treatment Plant located on Holly Drive.

The Master Plan recommends a main pump station and storage tank at the wastewater treatment plant, three additional pump stations, two additional storage tanks, and recycled water mains to distribute recycled water to four planned pressure zones throughout the City of Tracy. These improvements will include a 30" main in Corral Hollow Road and an 8" main along the project frontage on Valpico Road.

Avenues will participate in the implementation of the recycled water system through the payment of fees and/or construction of Master Plan facilities with a corresponding fee credit and reimbursement agreement.

Projected Recycled Water Demand

The proposed project landscaping areas which may be irrigated with recycled water include the entry, along the Valpico Road frontage, Summit Drive landscape strips and medians, and the proposed park.

Specific Plan Improvements

The proposed recycled water improvements will consist of an 8" recycled water main in Summit Drive that will provide a connection from the 8" recycled water main at the southern end of the project, under construction by Ellis, to the proposed recycled water main in Valpico Road. The recycled water main will be connected to the potable water system until recycled water is available.

3.2.9.4 Storm Drain

Topography/Watershed

The Avenues site slopes gently from south to north at approximately 1% and has an elevation change of approximately 25'. The site is bordered by Valpico Road to the north, agricultural land to the east and west and Ellis, to the south.

Existing Facilities

There is an existing 54" storm drain in Summit Drive, recently constructed by Ellis, on the south side of the project. This storm drain main will drain to an interim retention basin located to the west until Detention Basin 3A (discussed below) and an extension of the storm drain is constructed through Avenues.

Master Plan Improvements

The City of Tracy adopted the City of Tracy Citywide Storm Drainage Master Plan (SDMP) in November 2012. The SDMP identified new storm drainage infrastructure needed to serve new development included in the City's General Plan as well as to correct existing deficiencies. Impacts associated with the implementation of improvements included in the SDMP were evaluated in the City of Tracy Citywide Storm Drainage Master Plan IS/MND adopted by the City in November 2012.

The City is comprised of a number of watersheds. Avenues lies within the Westside Channel Watershed which includes a portion of the West Side Irrigation District (WSID) main channel, the Westside Open Channel, several large diameter pipes, and a number of detention basins.

A portion of the Westside Channel Watershed lies within the Ellis Program subbasin which is generally bordered by Corral Hollow Road on the east, the Delta Mendota Canal on the south, Lammers Road on the west and Valpico Road on the north. Avenues is included, and development has been planned for in the Ellis Program.

The Ellis Program includes two detention basins, a storm drain with the equivalent capacity of a 12" storm drain extending from the South Linne detention basin to Valpico Road, a 42" storm drain from Valpico Road to the 3A detention basin and an 18" storm drain from the 3A detention basin that will connect to an existing 30" storm drain north of the Union Pacific Rail Road tracks. These improvements were evaluated in the City of Tracy Citywide Storm

Drainage Master Plan IS/MND adopted by the City in November 2012.

Avenues will participate in the implementation of the Ellis Program through the payment of fees and/or the construction of facilities with corresponding credits and reimbursements agreement.

Specific Plan Improvements

The proposed storm drain system for Avenues will consist of a conventional on-site storm drain system with mains, catch basins, and manholes designed in accordance with the SDMP and City of Tracy design standards.

The storm drain improvements will include the extension of the existing 54" storm drain main in Summit Drive, recently constructed by Ellis, to Valpico Road.

Benefit for South County Fire Authority

For the benefit of the City of Tracy and the South County Fire Authority (SCFA), the Avenues shall with the first phase of site improvements install, and connect to Ellis, the storm drain pipeline and waste water collection pipeline in Summit Drive beginning from the south boundary of the Avenues to the northern boundary of the Avenues at Valpico Road. The project shall also extend the storm drain east on Valpico Road to the point of design of the ultimate storm drain system for basin 3A, and shall extend the wastewater collection pipeline from Summit Drive to Corral Hollow Road, and make connection to the Corral Hollow Road wastewater collection pipeline. The portion of the improvements that are beyond the Avenues project responsibility, including program or public, shall be subject to a credit and reimbursement agreement.

3.2.9.5 Stormwater Quality

In 2015, the City of Tracy along with four other municipal agencies, including San Joaquin County, collaborated together to develop the "Multi-Agency Post-Construction Stormwater Standards Manual" (Manual), dated June 2015. This Manual was developed to comply with post-construction requirements from the State Water Resources Control Board under the National Pollutant Discharge Elimination System Phase II Small Municipal Separate Storm Sewer System General Permit (Phase II Permit). The Manual requires full hydromodification for developments that create and/or replace one acre or more of impervious surface. The Phase II Permit requires that the post-construction stormwater runoff flow rate shall not exceed the estimated pre-project flow rate for the 2-year, 24-hour design storm event. Further, the Manual requires bio-retention as the standard, or baseline, stormwater quality treatment measure; however, upon approval by the Utilities Division, alternative measures may be used if they meet the criteria provided on page 6-3 of the Manual and are at least as effective as bioretention. On-site pre-treatment is required by the Manual and shall be incorporated unless it is determined by the Utilities Division that stormwater treatment including pre-treatment is provided elsewhere, such as Detention Basin 3A as discussed below.

The SDMP does not include the additional capacity needed to incorporate stormwater quality treatment and/or full hydromodification within Detention Basin 3A. For this reason, the City shall complete a study to determine additional cost for compliance with the Manual at Detention Basin 3A. Financial plan/fee structure for Avenues shall address fair share cost of such improvements applicable to Avenues, if Detention 3A is to be used for compliance with the Manual.

3.2.9.6 Solid Waste Disposal

The Avenues will generate solid waste. Based on the City of Tracy General Plan EIR, capacity at the Foothill Sanitary Landfill that serves the City is currently available and is anticipated to accommodate the Avenues through the life of the General Plan. Tracy Delta Solid Waste Management, Inc. is currently the City's service provider for the collection, transportation, and disposal of refuse and garbage, including the collection of recyclable material and would serve the Avenues.

3.2.9.7 Energy

Pacific Gas and Electric provides electricity and natural gas to the residents and businesses within both the City and County. The Avenues will utilize energy-saving technologies through implementing sustainable building practices including materials and mechanical systems that reduce energy consumption. Active Solar Energy Systems will be offered as an option on all homes.

In addition, the Avenues is proximate to numerous amenities that will encourage residents to bike or walk versus driving:

- Central Park — center of Avenues Neighborhood Plan
- Proposed City Swim Center — approx. 1/4 mile south of southern boundary
- Proposed Ellis Village Center — approx. 1/4 mile southeast of Central Park
- Ellis Village Park — approx. 1/4 mile southeast of Central Park
- Ace Train Stop — approx. 11/2 miles southeast of Avenues Neighborhood Plan area
- Future Tracy Tracer stop — approx. 3/8 mile east of Valpico Road Entrance
- Sidewalks on both sides of all streets
- Multi-use paths that connect to off-site network

3.3 Infrastructure Funding and Phasing

3.3.1 INTRODUCTION

Certain public and capital facilities are required to support the development of the Avenues. Various items of off-site public utility infrastructure may need to be expanded, upgraded, or developed. All utilities need an extension of conveyance facilities to the Avenues site. Development also necessitates a complete road network within the Avenues to allow access to all parts of the neighborhood, as well as sidewalks, bike paths, and street features to ensure that the community retains a pedestrian-friendly quality. Beyond these basic needs, the project may also place demands on other public facilities. The Avenues will include internal public facilities such as a central park that will make the community distinctive and will ensure a high quality of community life as the Avenues develops. This section describes the funding alternatives and phasing for these facilities.

3.3.2 PUBLIC FACILITIES FUNDING SOURCES

All public infrastructure necessary for the development of the Avenues will be constructed through a combination of funding sources including, but not limited to, the following:

- Private capital from developer in the form of development impact fees and in-kind facilities development
- Bond proceeds
- Utility connection charges, and rates charged to end-users
- Assessments on the Avenues real property (including Community Facilities Districts) related to Avenues park and landscape maintenance, or facilities identified in the Specific Plan

- Credits and reimbursements related to oversizing, including public infrastructure improvements and facilities, etc.
- Other partnerships with public and private entities
- Grants and/or other funding sources

To the extent that sufficient funding is not available from other sources, private capital from the developer will cover all infrastructure funding requirements.

The park and landscape systems will be incrementally implemented over time to match the needs of the growing community.

The project shall construct the park. Construction of the park will start no later than issuance of the 200th building permit, and the entirety of the park will be constructed at one time.

The Avenues Neighborhood Plan provides regulations on the character and amenities proposed for parks. As the park system is implemented, detailed designs will be developed for the construction of the park based on this specific plan.

3.3.3 USES OF PUBLIC FACILITIES FUNDS

The public improvements and capital facilities that may be required and may be financed to support the development of the Avenues include:

- Water supply from the City for the project
- Project's share of the City's domestic John Jones Water Treatment Facility
- Domestic water conveyance (on-site and off-site)
- Project's share of expanding the City's existing Wastewater Treatment Facility
- Wastewater conveyance (on-site and off-site)
- Recycled water conveyance within the Avenues project
- Off-site stormwater detention facility
- Stormwater conveyance
- Dry utilities (on-site and off-site)
- Off-site road improvements
- On-site roads, sidewalks, and trails
- Monuments and the park
- Public area landscape and lighting
- Parks and signage
- Project's share of regional transportation facilities
- Project's share of school facilities
- Project's share of all public and public safety facilities
- Project's share of library facilities

3.3.4 MAINTENANCE AND OPERATIONS

The maintenance of the roads, parks, and other public amenities, detailed in the Avenues Neighborhood Plan will be funded through a combination of any and all of the following:

- Standard City maintenance responsibility
- Community Facilities District
- Payment by residents of the Avenues for City water and wastewater conveyance user fees
- Other utilities (such as electricity, natural gas, and telephone) and services (such as solid waste collection) will be maintained through fees and charges of the appropriate service providers.

The streetscape system, park system, and visual icons are integral components of the Avenues community character. To ensure the desired quality of the maintenance and management of the landscape and park system, a Community Facilities District (CFD) will be utilized. The Avenues will be annexed into the EPOA. The Avenues will participate in the ECFD to support EPOA maintenance. The EPOA will implement the maintenance of:

- Frontage along Valpico Road
- Interior streetscape system within the public right-of-way
- Special landscape feature areas
- Public art (if applicable)

- Signage elements in the public right-of-way which are non-regulatory
- Temporary rolling gates (Figure 3.46)

The project shall pay park impact fees pursuant Tracy Municipal Code and adopted City Council resolutions, and submit bonds with park improvement agreement. The park agreement will address park fee credits and/or reimbursements in compliance with City regulations. City will cooperate with the developer in timely review and approval of park improvement plans and park improvement agreement. With an approved park improvement agreement, the developer will not be required to pay park impact fees. The regular street tree pattern may be interrupted at parks to announce them as special features along the street, creating visual interest and variety.

The CFD will include a comprehensive identification of long-term replacement costs, escalation factors, and ultimate build-out of the total landscape system in determining the assessment fee. This anticipatory approach will ensure that appropriate maintenance levels are preserved.

The City and EPOA have or shall enter into a maintenance agreement to set forth and facilitate among other things the required maintenance obligations, standards for maintenance, and other associated obligations(s) as well as compliance with the Avenues operations and maintenance manual, to ensure the long-term maintenance of all public park and landscape areas, and other public improvements within the ECFD boundaries. The City shall maintain all parks and enhanced crosswalk paving; the EPOA shall maintain all other public landscaping. The City and Owner or EPOA may amend and make changes agreed upon to the maintenance agreement, maintenance responsibility, and the Avenues operations and maintenances manual upon mutual consent.

3.3.5 FIRE STATION FUNDING AND INFRASTRUCTURE CONSTRUCTION

Prior to the issuance of the first building permit within the project, the developer will pay to the City their full share of the Public Safety impact fees for the Avenues project. The first tentative map approved within the plan area shall also be conditioned to require the Subdivider to design, construct, and install the wastewater collection line from Corral Hollow Road and storm transmission lines under Valpico Road from Summit Drive to a Fire Station site location, consistent with the City's applicable Master Plans. The City shall request these improvements and costs in writing following submittal of the first tentative map, and include designated locations for these improvements, if the Master Plans have been updated to include these improvements, and costs. The improvements shall be installed as part of the first phase of project improvements, provided the location of the Fire Station site is identified within 30 days of submittal of the improvement plans and the City provides all easements, right of ways, encroachment permits,any other permits, or other approvals as needed for the improvements. The advanced Public Safety impact fees and the storm drainage, wastewater improvements shall be eligible for reimbursement and/or fee credits pursuant to applicable law once the improvement agreement(s) is effective. The City and Subdivider shall use best faith efforts to form a community facilities district for the Avenues to, among other things, fund an amount equal to the full build out amount of the Public Safety fee, and other impact fees for the Avenues project.

3.3.6 IMPLEMENTATION

Implementation of the Financing Plan may require the execution of several elements including, but not limited to, the following:

- Reimbursement and fee credit agreements
- Covenants, conditions, and restrictions
- Applications and grants for State and Federal funding
- Bond financing
- A Community Facilities District (CFD)
- Property Owners Association (POA)

Chapter 4.
Plan Review



4.1 Entitlement Process

This ESP and accompanying approvals, including certification of the Revised Environmental Impact Report and subsequent addendum, provide the basic authority of the development of a minimum of 1,380 units and a maximum of 2,730 residential units (not including secondary residential units); up to 180,000 square feet of retail, civic, office, and other commercial uses; neighborhood parks; and a proposed Aquatic Park serving as a Community Park.

4.2 Subdivisions

All subdivision maps shall be processed in accordance with State law, the Tracy Municipal Code, applicable City standards, and the Subdivision Map Act.

All streets, sidewalks, landscaping, and other public property improvements shall be consistent with regulations and guidelines of this ESP. Each tentative map application shall demonstrate compliance with the street sections, lot sizes, and other standards of the ESP, to the extent applicable on the tentative map. The submittal requirement of conceptual architectural elevations for vesting tentative maps has been satisfied by the ESP, Appendix A1 for the Ellis Neighborhood, and Appendix B1 for the Avenues Neighborhood. Review of the architectural elevations for specific development proposals will be addressed through the appropriate Pattern Book Certification process or the Development Review process. The form and content of the Final Map shall conform to the requirements of the Tracy Municipal Code and State law.

4.3 Development Review for the Avenues Neighborhood

Before a building permit may be obtained for any building or improvement within the Avenues Neighborhood, a Tentative Subdivision Map shall be submitted to the Development Services Department and the applicant must first obtain Development Review approval in accordance with the State law and the Tracy Municipal Code. Improvements are subject to the regulations contained in Chapter 3 of this ESP and the design guidelines established in Appendix B1: Avenues Pattern Book.

The Entry Monument Building (Pump House) (Figure 3.35) shall be permitted as depicted in the Sign Program, without Development Review.

4.4 Pattern Book Certification

The Neighborhood Pattern Books guide the development of new single-family or two-family dwellings plus commercial buildings within the Ellis and Avenues Neighborhoods and work in conjunction with the ESP to create and implement the vision for Ellis Specific Plan area. The Ellis Neighborhood Pattern Book is Appendix A1, and the Avenues Neighborhood Pattern Book is Appendix B1.

Before a building permit may be obtained, the applicant must first obtain a Pattern Book Certification (PBC) by the City to demonstrate that the proposal is in compliance with the site development and architectural patterns set forth in Appendix A1 or B1, as appropriate. Compliance with the ESP and Pattern Book is required for all improvements except as provided below. Pattern Book Certification is not required for (1) residential swimming pools, patio covers, shade structures, or similar residential accessory structures; (2) interior improvements such as plumbing, electrical or partition wall modifications where no modifications or improvements are made to or affect the appearance from the exterior of the structure; or (3) modifications to existing structures that have already received PBC and are in substantial compliance with the architecture, site plan, and other elements of the certified plans and the Pattern Book.

Pattern Book Certification

In order to obtain PBC, the applicant shall submit the following to the Development and Engineering Services (DES) Department:

1 Completed City of Tracy Development Application Form;

2 Application processing fee as established by Resolution of the City Council;

3 Five copies (15 for non-residential projects) of a detailed site plan showing all existing and proposed improvements on the site;

4 Five copies (15 for non-residential) of architectural elevations for all sides of proposed structures; including one color rendering of each street facing elevation;

5 A check list showing how the proposed site plan and architecture comply with the Pattern Book;

6 Five copies of a preliminary landscape plan for non-residential projects; and

7 For non-residential projects, all sewer, water, storm drainage and other utility plans and information as required by the City Engineer.

Upon receipt of a PBC application and checklist, the DES Department shall determine whether the application is complete for processing within 30 days. If the application is incomplete, the Department shall notify the applicant, in writing, of all specific items to complete the application. After receipt of a complete application, the DES Director shall approve, conditionally approve, or deny the application. The DES Director determination for residential projects shall be made within 10 days from receipt of a complete application and within 30 days for a mixed-use or non-residential project. The submittal shall be in compliance with the appropriate Pattern Book Checklist. If the DES Director determines that the submittal is not in compliance with the Pattern Book Checklist he /she shall have the option to refer the application to the Planning Commission for review of conformance with the Checklist.

The DES Director's, or Planning Commission's, determination for approval regarding PBC shall be based on the finding that the project application is consistent with the ESP and appropriate Pattern Book site design, architecture, and all other standards and guidelines as determined by conformance to Pattern Book checklist.

4.5 Interpretation

Every effort has been made with the ESP to provide policies and regulations that are clear; however, interpretations will be necessary when issues that were not anticipated arise. The DES Director is responsible for interpretation of the ESP.

If any situation arises in the implementation of the ESP that is not addressed by specific development regulations or if an issue, condition, or situation arises that is not clearly addressed in the ESP, the DES Director shall provide an interpretation based on such City codes, goals, policies, plans, and requirements as are most closely related to the subject matter of the issue or situation to be interpreted.

In all matters, if there is a conflict between the provisions of the ESP and the provisions of the Tracy Municipal Code, the ESP shall prevail. As to matters not categorically superseded and not otherwise specifically addressed by the ESP, the Tracy Municipal Code shall apply and shall be interpreted in a manner that is consistent with the goals and objectives of the ESP.

Administrative interpretations of the DES Director may be appealed pursuant to the appeal procedures and timelines set forth in the Tracy Municipal Code regarding appeals of administrative interpretations.

4.6 Minor Variations to the Neighborhood Plans or Pattern Books

Proposed variations to the ESP or a Pattern Book that substantially conform to the standards, regulations, and guidelines of the Ellis Specific Plan, and are not in conflict with any provisions of the Tracy Municipal Code that may apply to the ESP, may be permitted as "Minor Variations." Minor Variations may include, but are not limited to:

1 Allowance of a use not listed in the Permitted and Conditionally Permitted Uses matrix (Table 2.2), if the use is consistent with or similar to the ESP designation for the area in which the use is requested.

2 Changes to numbers or letters establishing or referencing text sections or figures, including references to Tracy Municipal Code sections.

3 Modifications to park and public space designs described in Chapters 2 and 3 of the ESP.

4 Modifications to informational material contained in the ESP or the Pattern Book that does not have regulatory effect.

5 Any other modifications determined by the DES Director to be in accordance with the required findings for a Minor Variation.

6 Modifications to approved architectural styles.

7 Approval of and changes to the appropriate Pattern Book Color Palette.

8 Changes to garage types.

9 Refinements to building massing and composition.

A request for a Minor Variation shall be submitted in writing to the DES Department and shall include an application processing fee equal to the Development Review Class B fee, and shall include the specific text, exhibits, or other changes proposed for the Minor Variation and other applicable material, if any, to the

DES Department in order to review the proposal and document all of the findings identified below.

All approved Minor Variations shall be documented in writing and maintained by the City with the ESP. A Minor Variation is not intended to replace the Variance process or approve Variances described in the Tracy Municipal Code.

The DES Director, acting upon any application for a Minor Variation that is determined to be complete, shall take the following steps: (1) approve the request, (2) approve the request with conditions or modifications, and/or (3) deny the request, or (4) refer the request to the Planning Commission for consideration, if after meeting with the applicant no resolution is possible. In order to approve a Minor Variation, the DES Director must make all of the following findings for the Minor Variation:

1 The Minor Variation substantially conforms to the standards, regulations, and guidelines of the ESP.

2 The Minor Variation is not in conflict with any provisions of the Tracy Municipal Code that apply to the ESP.

3 The Minor Variation will not adversely affect public health, safety, or welfare.

4 The Minor Variation will not adversely affect adjacent property.

5 The Minor Variation will not have adverse environmental effects that have not been previously analyzed

4.7 Amendments to the Specific Plan, Pattern Books, or Sign Programs

An amendment to the Ellis Specific Plan, Pattern Books, and/or Sign Programs that is not a Minor Variation shall be processed in accordance with the applicable State Government Code sections and applicable Tracy Municipal Code sections for Specific Plan Amendments.

It is the intent of the City and the property owners that environmental review for future discretionary approvals required to implement the Ellis Specific Plan rely, to the maximum extent allowed by law, upon the previously certified, adopted and approved environmental documents prepared for the original Ellis Specific Plan and the Avenues Specific Plan, and subsequent amendments and addendum, pursuant to the California Environmental Quality Act. Applications for ESP amendments shall be made to the City in writing in a form prescribed by the City.

4.8 Specific Plan Compliance and Enforcement

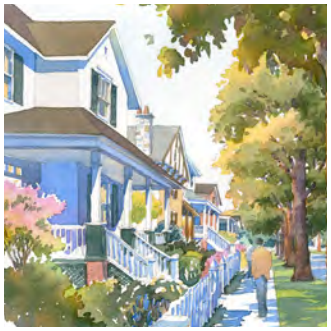
The DES Director is responsible for enforcing the provisions of the Tracy Municipal Code Title 10 and the ESP. The regulatory elements of the ESP are enforceable pursuant to the enforcement requirements of the Tracy Municipal Code.

4.9 Conditional Use Permits

Conditionally permitted uses are identified in Table 2.2 Permitted and Conditionally Permitted Uses. Conditional Use Permits shall be processed in accordance with Tracy Municipal Code, Chapter 10.08, Article 34.

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Chapter 5. Glossary



ACRES, GROSS: The entire acreage of a site, including all easements and rights-of-way; or the entire acreage of the site as shown on a recorded map. Calculated to the centerline of proposed bounding streets and to the nearest edge of the right-of-way of existing or dedicated streets.

ACRES, NET: The portion of a site that can actually be built upon. The following are not included in the net acreage of a site: public or private road rights-of-way and public open space.

ACRES, UNITS PER GROSS: Units divided by gross acres. Units per gross acre is to be calculated less Aquatic Park, School Site, Outer Approach/Departure Zone, and pipeline encumbered acres.

ALUCP OUTER APPROACH/DEPARTURE ZONE: The Outer Approach/Departure Zone is defined in Section 3.1.1. (d) of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan (ALUCP), as Zone 4, Outer/Approach Departure Zone situated along extended runway centerline beyond Zone 3. Approaching aircraft are usually at less than traffic pattern altitude in Zone 4. Prohibited Uses and other conditions within the Outer Approach/Departure Zone are limited to those identified in Table 3A of Section 3.1.1. – of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan.

AMENITY OR AMENITIES: A feature that increases attractiveness or value, especially of a piece of property; something that increases physical or material comfort; social courtesies; civilities.

ARCHITECTURAL ACCENT: A permanent decorative panel.

ARTERIAL ROADS: A major four-lane road serving local and longer distance travel. Arterial roads enable through traffic between collector roads and expressways, highways, and freeways. Arterial roads provide some limited access to adjoining properties.

BBID: Byron-Bethany Irrigation District.

BULBOUTS: A curb extension at an intersection used to shorten the pedestrian crossing distance; may also be used to shield on-street parking and create planter areas.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): The State statutes and guidelines enacted by the California legislature in 1970 and as subsequently amended (Public Resources Code, Section 21000 et. Seq.) that contains a process for conducting environmental review for projects.

CALTRANS: California Department of Transportation.

CAPITAL IMPROVEMENT PROGRAM (CIP): A program established by a city or county government and reviewed by its planning commission, which schedules permanent improvements, usually for a minimum of five years in the future, to fit the projected fiscal capability of the local jurisdiction. The program generally is reviewed annually, for conformance to and consistency with the General Plan.

CIRCULATION: Free movement or passage; in this document, refers to vehicular and pedestrian movement within the neighborhood and between the neighborhood and its environs.

CITY: The City of Tracy, California.

CITY-BBID CONTRACT: A contract under negotiation between the City and BBID that would cause water allocations to individual projects to be transferred to the City for incorporation into the City's water supply system.

CLASS 1 BIKEWAY (BIKE PATH): Provides a completely separated right-of-way for the exclusive use of bicyclists and pedestrians.

CLASS 2 BIKEWAY (BIKE LANE): Provides a striped lane for one-way bike travel on a street or a highway.

CLASS 3 BIKEWAY (BICYCLE ROUTE): Provides connections to either Class 1 or Class 2 facilities. Class 3 facilities have no special lane markings, bicycle traffic shares the roadway with motor vehicles.

COLLECTOR STREETS: An intermediate-sized street generally smaller than arterial roads and larger than a neighborhood street.

COLONIAL REVIVAL: The reuse of Georgian and colonial design in the U.S. in the late nineteenth and early twentieth centuries.

COMMUNITY SERVICES: Utilities (such as water, gas, electricity, and sewer) and public services (such as police, fire, schools, parks, and recreation) provided to an urbanized or urbanizing area.

COMMUNITY SERVICES DISTRICT: A type of multi-function Special District (a separate local government that delivers public services to a particular area) providing one or more Community Services.

CPUC: California Public Utility Commission.

CRAFTSMAN STYLE: Originating in the late nineteenth century, this architectural style in the U.S. was influenced by the Arts & Crafts movement in England which emphasized the use of hand-crafted elements and natural materials instead of mass-produced components that were part of the industrialization and standardization of building components. Two California architects, Harry and Charles Greene, were among the first to design extensively in this style, producing designs for small, affordable, and very popular houses they called "bungalows." Typical style characteristics include relatively shallow pitch roofs with broad overhangs; open soffits with exposed rafters, brackets and braces of heavy timber; asymmetrical massing and window and door arrangements; inlet porches with tapered wood columns or piers with columns above; use of several materials on the exterior (e.g., a mix of stone, wood, shingle, and brick).

CUP: A Conditional Use Permit issued in accordance with the process set forth in the Tracy Municipal Code.

CURB CUTS: Interruptions in a concrete border or row of joined stones forming part of a gutter along the edge of a street, frequently to accommodate a driveway.

DENSITY: The measure of the ratio of population to the area of land occupied by that population, which may be expressed as dwelling units per acre, families per acre, persons per acre, or conversely, as acres per dwelling unit or square feet per dwelling unit.

DENSITY, GROSS: The ratio of dwelling units within the distinct boundaries of any property including the area to the center of an abutting street or access.

DENSITY, RESIDENTIAL: The number of permanent residential dwelling units per acre of land.

DEVELOPMENT: Any activity which occurs on land or water that involves the placement of any structure, the discharge or disposal of any waste material, grading, dredging or mineral extraction. This definition includes any change in use, density, and/or intensity including the subdivision of land, construction of any structure, and the removal or harvesting of major vegetation including land clearing other than for agricultural purposes.

DEVELOPMENT AGREEMENT: A legislatively approved contract between a jurisdiction and a person having legal or equitable interest in real property within the jurisdiction (California Government Code §65865 et. seq.) that "freezes" certain rules, regulations, and policies applicable to development of a property for a specified period of time, usually in exchange for certain concessions by the owner.

DIVERSITY BY DESIGN: Housing choices in urban areas that are attractive, accessible to parks, transit, work, shopping, and other amenities, and appealing to a broad spectrum of the population.

DWELLING UNIT: A room or group of rooms (including only one kitchen) that constitute an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

EASEMENT: A right, as a right-of-way, afforded a person to make limited use of another's real property.

ELEVATION: Referring to the front, side, or rear of a structure taken as a complete composition with all of its building elements.

EMPLOYMENT CENTER: Geographic area exemplified by a high concentration of employment opportunities.

ELLIS PLAN AREA: The area covered by the ESP.

ENCROACHMENT: A gradual intrusion on the rights or possessions of another (e.g., a road which encroaches on a city park).

ENVIRONMENT: The physical conditions that exist within the area that will be affected by a proposed project including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

ESP: See Ellis Specific Plan.

FACADE: The face of a building.

FEASIBLE: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.

FULL SPECTRUM OF HOUSING: Housing availability within a community that presents desirable housing opportunities for individuals and families across the full range of income levels.

GENERAL PLAN (GP): The City of Tracy General Plan as adopted in July 2006, and amended from time to time.

HARDSCAPE: Impervious and permeable paving materials.

HIGHWAY: Major road developed and maintained by the State of California. Highways enable through-traffic throughout the state and provide linkages to the overall highway system of the state. Highways typically provide only limited direct access from adjoining properties.

HOUSEHOLD: All those persons — related or unrelated — who occupy a single dwelling unit.

IMPACT FEE: A fee, also called a development fee, levied on the developer of a project by a city, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce. Government Code Section 66000, et seq., specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged. To lawfully impose a development fee, the public agency must verify its method of calculation and document proper restrictions on use of the funds.

IMPERVIOUS SURFACE: Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

IMPROVEMENT: Such street work and utilities to be installed, or agreed to be installed (for which a security instrument is first accepted), by the subdivider on the subdivision or land adjacent thereto to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the parcel or final map thereof. Improvement also refers to such other specific improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof.

INDIGENOUS: Living or occurring naturally in a specific area or environment; native; intrinsic to a place.

INFRASTRUCTURE: The various systems and facilities needed to support the operation of a community (e.g., sewer and water systems, electric systems, communication lines, roads).

KNOCK DOWN: Designed to be assembled and disassembled easily and quickly; a device or mechanism designed to be assembled and disassembled quickly and easily.

LANE: A paved right-of-way between or behind buildings.

LIVE /WORK: A predominantly residential mixed-use building type that accommodates commercial activity as a secondary use.

LOT: A unit of land which has been created under the provisions of the Subdivision Map Act or any prior law regulating the division of land or a local ordinance enacted pursuant thereto or was created prior to the time any local or state law regulated divisions of land or which were not subject to any local or state regulation at the time of its creation. Lots crossed by public road or highway rights-of-way will not be considered to have been 'subdivided' by such a road or highway. Except where a legal determination by the County concludes otherwise for a particular ownership, contiguous lots conveyed by U.S. patent or aggregated under a single ownership will be considered as a single lot.

MARKET-RATE: An unregulated price driven by free market demand.

MASSING: The shape of the volume of the building.

MITIGATION: Measures taken which make something less severe or intense.

ELLIS SPECIFIC PLAN: This specific plan.

MURAL: A painting executed directly on a wall or on a permanently-affixed wall panel.

NOISE: Any sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. Noise, simply, is unwanted sound.

OPEN SPACE: Any open land that is predominantly lacking in structural development. Open space includes natural areas, wetlands and open water, wildlife habitats, areas of managed production of resources such as farmlands and grazing areas, open areas requiring special management or regulation to protect public health and safety, and outdoor recreational areas. The term 'open space' does not imply public access or ownership.

PARCEL: For a definition of parcel, see lot.

PARK STRIP: See verge.

PARKING AREA OR LOT: An open portion of land with an impervious surface designed and used for parking of vehicles, includes parking spaces, aisles, and maneuvering areas.

PEDESTRIAN-SCALE: In scale with a person walking.

PLANNING MANAGER: The Planning Manager for the City of Tracy or a person in a position that is similar in nature, job description, and authority but having a different job title (Examples: Director of Planning; Director of Planning, Building and Zoning; Chief of Planning) who is the head of the Planning Department or Division or equivalent City organizational unit having the same general responsibilities.

POLICY: A specific statement guiding action and implying a clear commitment.

PRESERVATION: Use of long-term or permanent safeguards to guarantee the viability of natural or man-made resources.

PUBLIC UTILITY: A company regulated by the California Public Utilities Commission or other regulatory body including the City of Tracy.

RECREATIONAL VEHICLE: Single-axle or multiple-axle non-self-propelled structure mounted on wheels

or otherwise capable of being made mobile, and other types of vehicles including, but not limited to, travel trailers, self-propelled motor homes, or campers used for any purpose (for example, residential, recreational), but not a municipal or governmental purpose.

REVISED ENVIRONMENTAL IMPACT REPORT (REVISED EIR): A report statement setting forth the environmental effects and considerations pertaining to a project as specified in CEQA. An EIR document is prepared to inform the public and decision makers about the potential environmental impacts caused by implementation of a project.

ROAD, PUBLIC: See Street, Public.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by certain transportation and public use facilities, such as public and private roads, railroads, and utility lines.

SECOND UNIT: A separate residential unit created on a lot which already contains one legally created residential unit.

SETBACK: A defined recession from a given property line or zone within a property that establishes the allowable placement of a structure, except fences on a specific piece of property.

SIGN STRUCTURE: A structure which supports a sign.

SPECIFIC PLAN: In California, a tool authorized by Government Code §65450 et seq. for the systematic implementation of the General Plan for a defined portion of a community's planning area. A Specific Plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development, standards for the conservation, development, and use of natural resources, and a program of implementation measures, including financing measures.

STREET, PUBLIC: An avenue, place, way, drive, lane, boulevard, highway or road, but not an alley, owned by or maintained by a state, county, or incorporated city, or other public agency.

STREETSCAPE: The appearance or view of a street; an environment of streets.

STRUCTURE: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner whether constructed on- or off-site.

SUBDIVIDER: A person, firm, corporation, partnership, or association who owns the property or represents the owner and who proposes to divide, divides, or causes to be divided real property into a subdivision for oneself or for others. Employees and consultants of such person or entities, acting in such capacity, are not subdividers.

SUBDIVISION: The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County Assessment Roll as a unit or as contiguous units, for the purpose of sales, lease, or financing whether immediate or future. Property is considered as contiguous units, even if it is separated by roads, streets, utility easements or railroad rights-of-way. This definition includes a condominium, community apartment project, stock cooperative, and a conversion.

TRANSIT CENTER: Location or place designed for the interface of different modes of transportation.

USE EASEMENT: See Easement.

VERGE: The edge projecting over the gable of a roof. Also, the area of planting, lawn, or pavement between the sidewalk and the curb on a street.

ZONING: The division of a city or county by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the General Plan and any General Plan Updates.

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Appendix C:
Ellis Specific Plan Area



Appendix Figure 1.1 Ellis Specific Plan Boundary

Appendix D: Amendments

ORDINANCE 1266

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE ELLIS SPECIFIC PLAN FENCE REGULATIONS AND MINIMUM LOT WIDTH REQUIREMENTS, APPLICATION NUMBER SPA19-0001

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

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

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

WHEREAS, The current Ellis Specific Plan fence regulations state that a street side yard fence is permitted only in the rear half of a lot, and

WHEREAS, The proposed amendment would remove the limitation of a street side yard fence being permitted only in the rear half of a lot, and

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

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

WHEREAS, The proposed amendment is consistent with the City's General Plan, and

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

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on January 23, 2019 and recommended that the City Council approve the amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on February 5, 2019 and continued the public hearing to February 19, 2019;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2. The City Council hereby approves the amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, Application Number SPA19-0001, as shown in Exhibit "1" attached.

SECTION 3. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the ordinance. (Gov't. Code §36933.)

* *

The foregoing Ordinance 1266 was introduced at a regular meeting of the Tracy City Council on the 19th day of February 2019, and finally adopted on the 5th day of March, 2019, by the following vote:

AYES:	COUNCIL MEMBERS:	ARRIOLA, RANSOM, VARGAS, YOUNG, RICKMAN
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE

MAYOR

ATTEST:

CITY CLERK

Exhibit 1

ELLIS SPECIFIC PLAN / PATTERN BOOK AMENDMENT

Ellis Specific Plan Amendment

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

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

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

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

Ellis Pattern Book Amendment

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

"FENCE REQUIREMENTS

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

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

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

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

FENCE SETBACKS

>> 2 feet minimum from the front lot line

>> 5 feet minimum from a street side lot line

>> Where any fence abuts a house, the fence must be setback a minimum distance of 5 feet from the front façade of the house (porch excluded)"

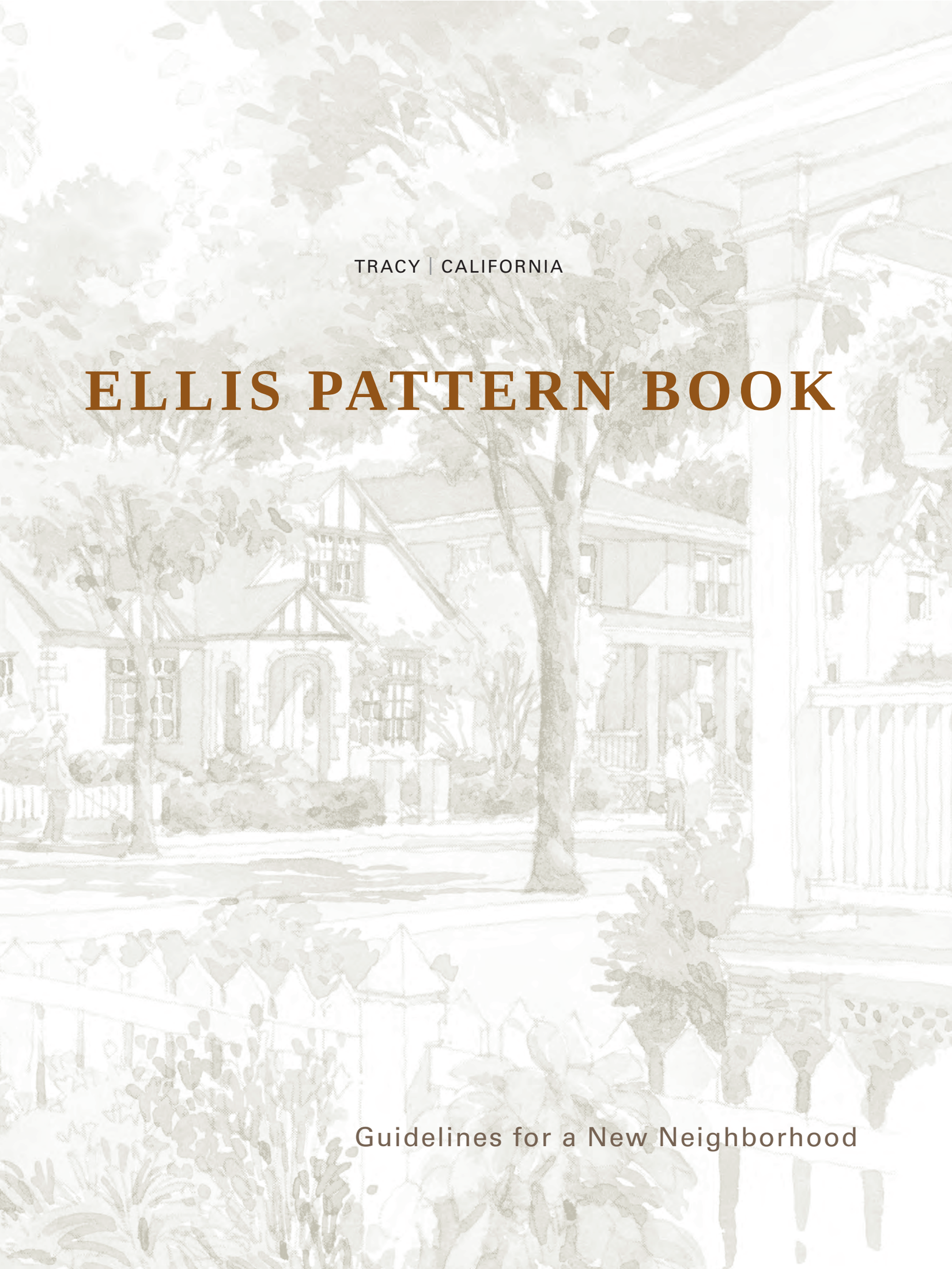
Residential Development Standards, Lot Width for Residential Mixed (Front Loaded Lots, Detached), shown on Page 2/74 of the Ellis Pattern Book shall be amended to read as follows:

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

APPENDIX A1

ELLIS PATTERN BOOK

Guidelines for a New Neighborhood



TRACY | CALIFORNIA

ELLIS PATTERN BOOK

Guidelines for a New Neighborhood

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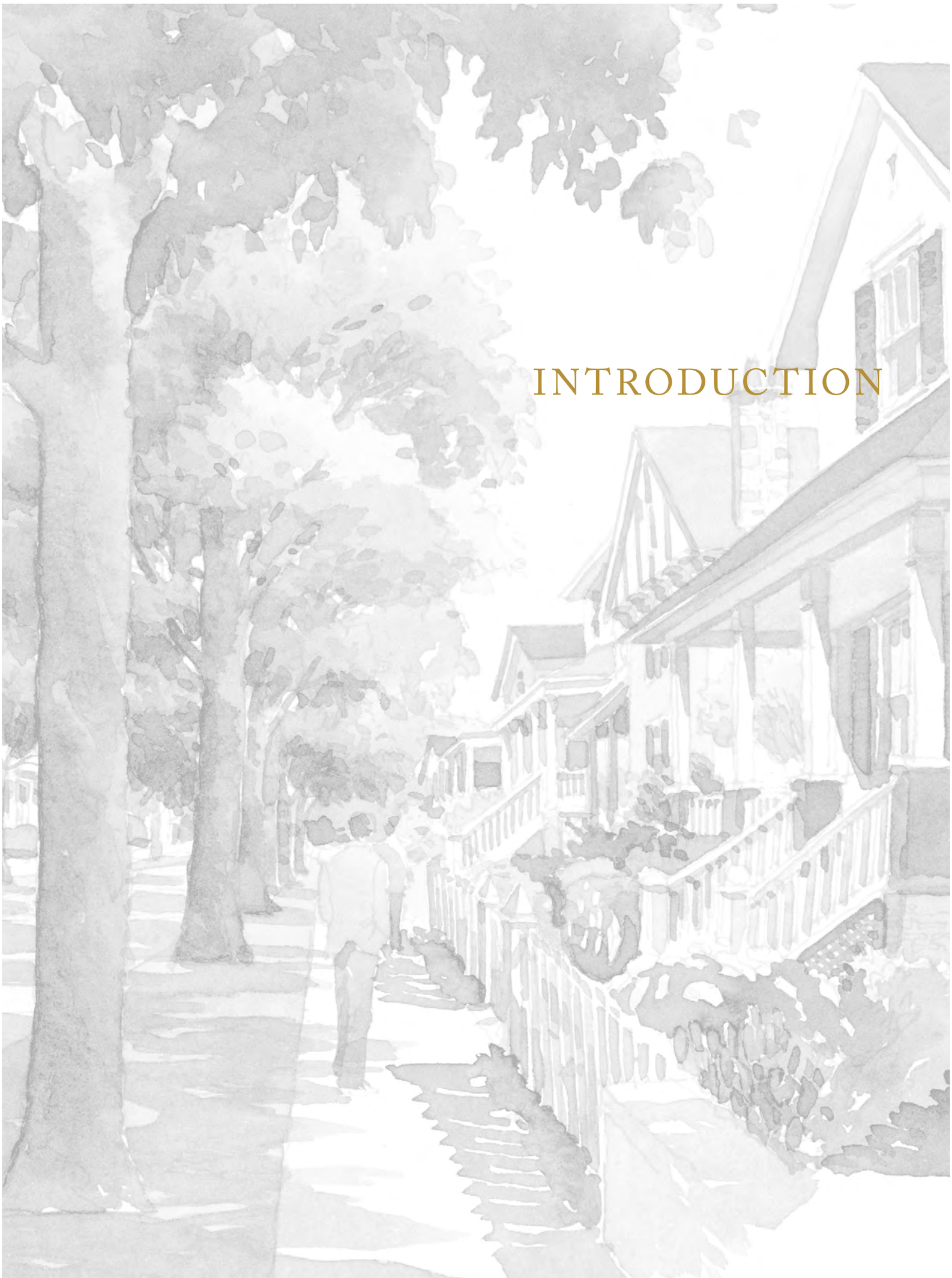
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The Ellis Pattern Book (EPB) illustrates and defines the basic parameters of all private development in Ellis — from the scale of the commercial uses to the scale of the community. The EPB defines appropriate architectural styles as well as traditional zoning criteria for height, setbacks, and parking.





INTRODUCTION

OVERVIEW

For almost 200 years, pattern books have been used throughout the United States as a reference for builders and homeowners in building houses, churches, civic buildings, and garden structures — often in remote locations without the aid of an architect. The Ellis Pattern Book (EPB) has drawn on this technique to create a design palette and guidelines for the new community.

This Pattern Book presents a vision for Ellis and serves as a general guide to the development of the community, establishing guidelines that address the intended neighborhood character, building design, and landscape elements. The design guidelines contained in the Ellis Pattern Book are based on extensive research and documentation by the development team of precedents in the city of Tracy, San Joaquin County, and the Central Valley of California. Drawing on these precedents, the design principles for Ellis are aimed at creating a full spectrum of attractive building opportunities in a manner that respects the qualities of the local landscape.



Ellis Craftsman



Ellis Farmhouse Victorian



Ellis landscape



A village center in the region

The Ellis Pattern Book (EPB) contains four main sections with related subchapters: this Introduction; the Detached Residential Guidelines, including Community and Architectural Patterns; the Attached Residential Guidelines, including Community and Architectural Patterns; and Nonresidential Guidelines for Mixed-Use, including the Ellis Village Center and Aquatic Park, as well as Commercial Sites and Public Facilities.

Within the Detached and Attached Residential Guidelines, the Community Patterns serve to promote that neighborhoods contain a range of building sizes. Sidewalks and bike paths throughout the development create a community that is pedestrian and bicycle-friendly. Parks provide neighborhood-based active and passive recreational amenities within walking distance for residents.



A mixed-use street in the region



Ellis European Country



Ellis Spanish Colonial



Ellis Mediterranean Revival

OVERVIEW, CONTINUED

Six architectural styles have been selected for Ellis residential development: Ellis Craftsman, Ellis Farmhouse Victorian, Ellis Revival, Ellis European Country, Ellis Mediterranean Revival, and Ellis Spanish Colonial (Additional architectural styles may be added to the Pattern Book per ESP Section 6.5 Minor Variations to the Modified Ellis Specific Plan or Pattern Book.) The Architectural Patterns sections provide information regarding each of these styles, including a description of the history and character of the particular style, a gallery of built examples, the style's basic massing and composition, as well as possibilities for designs using a standard palette of materials. This kit-of-parts approach provides architects, builders, and homebuyers with examples for designing and personalizing a new home in Ellis.



Photo: Images of America: Tracy

An example of the historic architecture in the vicinity of Ellis

Ellis includes a vibrant, mixed-use Village Center. This Village Center will draw on the character and quality of regional precedents and will accommodate a mix of uses including housing and commercial ventures; it will also act as a front door to the Aquatic Park. Buildings with active uses, such as ground-floor shops and/or offices will line Ellis Drive, while residential and/or offices located on upper floors will create a mixed-use environment reminiscent of the charming and beloved main streets of traditional towns throughout the region.

The Ellis community will be an extension of the urban fabric of the City of Tracy. The community has been designed in a compact form to maintain this distinct natural edge and connectivity.

This Pattern Book serves as the basis for design review and implementation.

THE ARCHITECTURAL STYLES OF ELLIS



Ellis Craftsman



Ellis Farmhouse Victorian



Ellis European Country



Ellis Revival



Ellis Mediterranean Revival



Ellis Spanish Colonial

THE TOWNSCAPE OF ELLIS





ELLIS TOMORROW

Ellis is designed in the tradition of historic American settlements and the traditional towns of northern California. As depicted in the illustrations on these pages, the community will have a mix of different uses and a fine-grained network of streets, blocks, and parks.

Ellis will become an extension of the City of Tracy at its southwestern edge. Access to jobs and regional institutions will be a major component of Ellis. A Aquatic Park, serving the City of Tracy and the region, may be located along Corral Hollow Road on Ellis' eastern edge, adjacent to the Village Center. This facility is a new amenity and attraction for residents and visitors alike.

The new community will provide a mix of housing opportunities for the residents.





The neighborhoods of Ellis will each have a distinct character related to their locations. Parks, including native plants and landscape elements, will add to this character, as will the design of the houses and buildings. The essential qualities of these neighborhoods will reflect the vernacular architecture of established communities in the region, such as Pleasanton, Livermore, Stockton, and, of course, Tracy. These communities have a variety of different house types and styles, pedestrian-friendly streets, and unique park spaces and trails — the foundational elements of true places.

HOW TO USE THIS PATTERN BOOK

ORGANIZATION OF INFORMATION

The Ellis Pattern Book (EPB) will guide the development of the community and works in conjunction with the Ellis Specific Plan (ESP) to create the vision for Ellis. The document is organized into four main sections.

INTRODUCTION

The introduction provides the reader with an overview of community character.

DETACHED RESIDENTIAL GUIDELINES

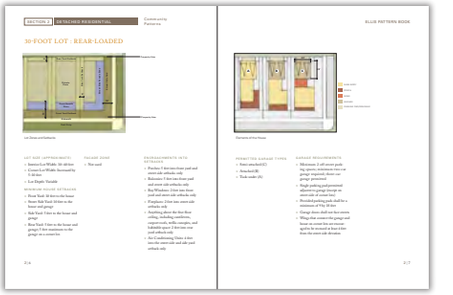
These guidelines outline the permitted residential types and the guidelines for placing detached residential units on lots. Six regional architectural vocabularies have been identified for single-family detached house types.

ATTACHED RESIDENTIAL GUIDELINES

Attached residences are permitted in designated areas throughout Ellis. The way these buildings should be situated on sites and lots, as well as five appropriate architectural styles, are described and illustrated.

MIXED-USE, COMMERCIAL, AND PUBLIC FACILITIES GUIDELINES

As a fully-integrated community, guidelines are provided for nonresidential uses, such as the mixed-use Village Center, Aquatic Park, commercial outparcels and permitted public buildings. Urban design principles, as well as the intended architectural character of these special places and amenities, are presented.



Introduction



Detached Residential Guidelines



Attached Residential Guidelines



Mixed-Use, Commercial, and Public Facilities Guidelines

PROCESS FOR USING THE PATTERN BOOK

This Pattern Book is designed to be used in the following four-step process.

STEP 1
FIND YOUR BUILDING TYPE

Match the intended building type to the guidelines appropriate for its scale, whether a detached residence, an attached residence, a mixed-use, commercial building, or public building.

STEP 2
SELECT THE LOT TYPE

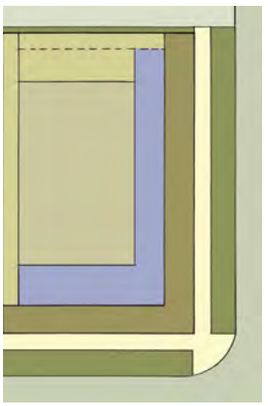
Match lot dimensions to the siting or lot type descriptions found in the Community Patterns section. The lot descriptions include the required minimum setbacks for the front, side, and rear yards for each lot type, resulting in the buildable area. Siting guidelines are provided for the non-residential areas of Ellis.

STEP 3
IDENTIFY THE SHAPE AND SIZE OF THE STRUCTURE

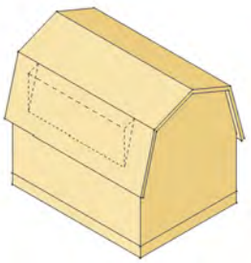
The example diagrams depict the typical massing of buildings in Ellis, including the main body, porch, and side and/or rear wings. The basic mass of a house will determine the general location of its programmatic elements. Each architectural style has its own page that describes the basic massing types for that style based upon regional precedents. Roof types are part of this overall massing decision. (Refer to the Detached and Attached Residential Guidelines for details regarding each of the individual styles.)

STEP 4
CONSIDER THE DESIGN POSSIBILITIES AND CHOOSE APPROPRIATE MATERIALS

Elevation drawings for attached and detached houses composed using elements described in the Pattern Book can be found on the last pages for each style type in the Architectural Patterns section. The elevations presented illustrate a sampling of the myriad design possibilities that can be achieved using the Pattern Book. These pages also provide a list of some common materials from which to build.



A typical detached residential lot diagram



A massing diagram



A window and door composition diagram



Illustrative elevation possibility

ELLIS BUILDINGS AND HOUSES

Ellis houses and residential buildings will comprise the backdrop of each neighborhood. The residences will define the character of the public spaces and reflect the preferences of the individuals behind the porch or front door.

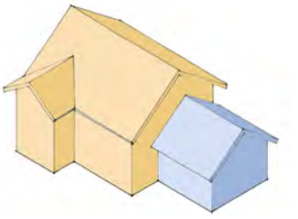
In traditional neighborhoods, such as those at Ellis, the front portion of the house is the most public and must be responsive to adjacent houses and the overall character of the neighborhood. The landscaping of the front yard, setbacks from the street, size and placement of the house on the lot, and the front porch are all shared elements that form a harmonious public realm.

The detached and attached residential types at Ellis are based on the vernacular architecture of the towns of San Joaquin County, particularly Tracy, using regional house types with appropriate style elements. The house types are defined by the character and shape of the main body, wings, and other elements that are added to increase living space.

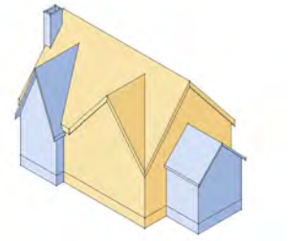
The patterns described in this book apply primarily to facades facing streets (see the Key Facades illustration on page 1-11). All material transition points should be a minimum of two feet back from the public corners of the house.



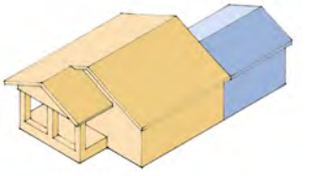
Illustrative view of an Ellis residential street



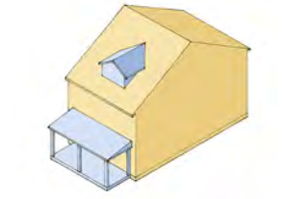
Gable-L house



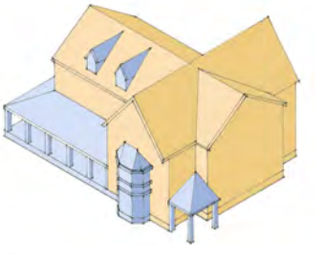
Side gable house with dominant cross gable



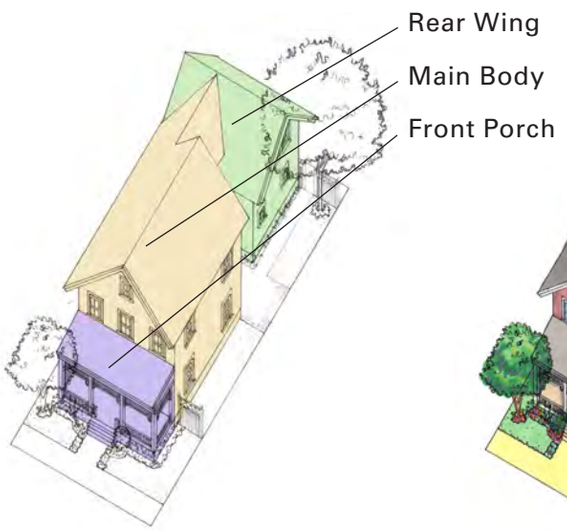
Front gable house



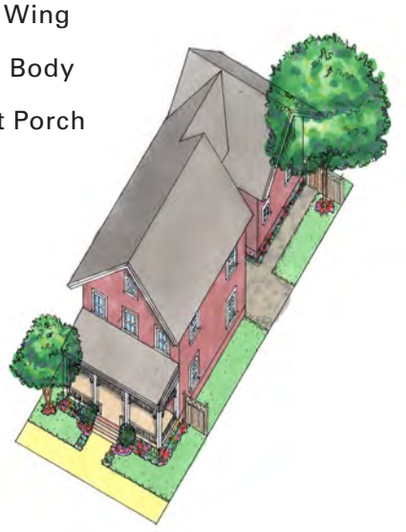
Side gable townhouse



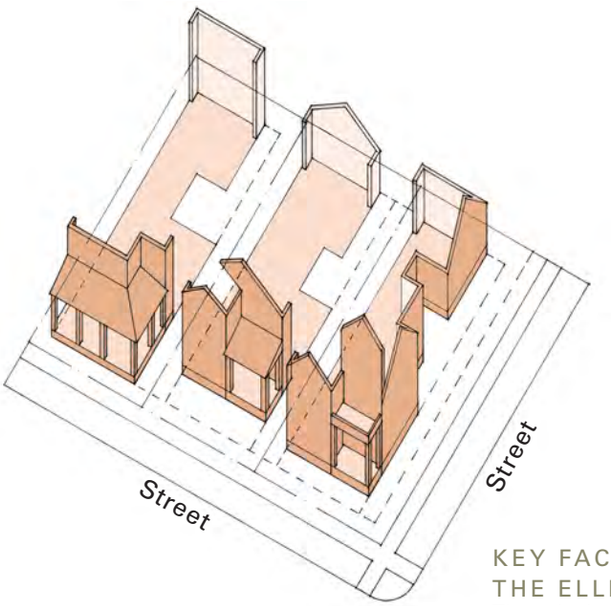
6-Unit mansion apartment



THE ELLIS HOUSE
Simple, dignified massing with porch and rear wing added



ELEMENTS OF THE ELLIS HOUSE
The Main Body is the largest and most visible element with the most specific design requirements. Side or rear wings, porches, and architectural elements provide a menu of additional massing options for the homebuilder.



KEY FACADES OF THE ELLIS HOUSE
The principal elevations of the Ellis house are facades facing streets plus a 2-foot wrap.

PRINCIPAL ELEMENTS

Ellis houses include the following principal elements:

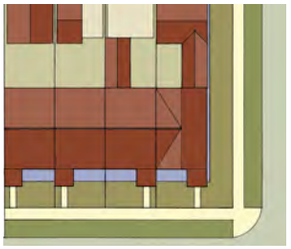
The **Main Body** of the house, which is the principal mass and includes the front door.

Side and Rear Wings, which are one or two stories high and connected to the Main Body. These optional additions are smaller than the Main Body and are set back from the front facade.

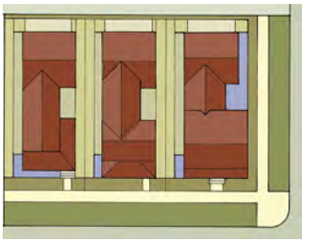
Front and Side Porches create exterior amenity space. Possibilities include full-facade front porches, wraparound porches, porticos, and side porches. Some architectural styles also have inset porches.

Note: Side Wings, Rear Wings, and Porches are part of a menu of options. These element as illustrated in the Pattern Book are suggestions, not required as shown.

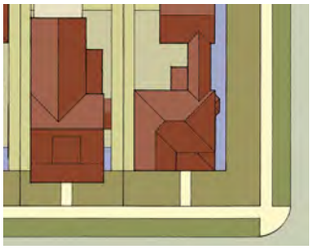
INVENTORY OF LOT TYPES



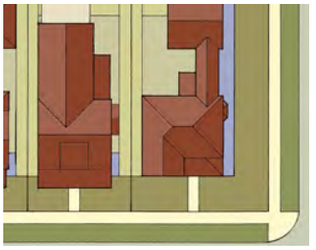
TOWNHOUSES



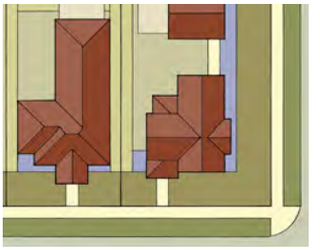
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REAR-LOADED



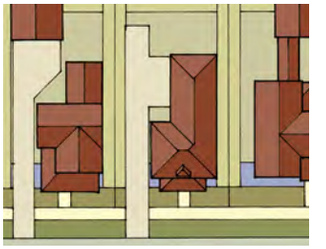
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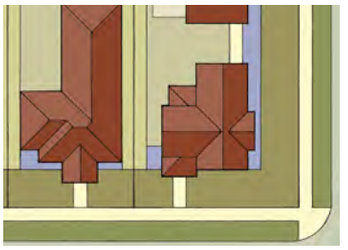
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REAR-LOADED



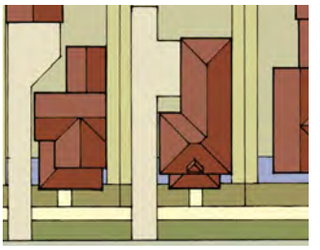
50-FOOT LOT:
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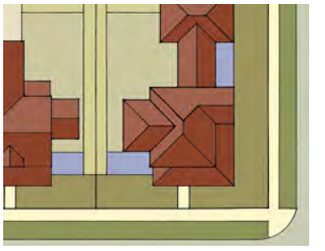
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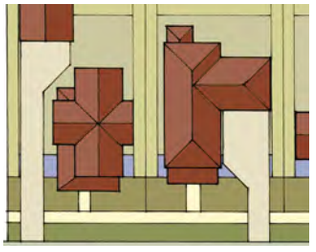
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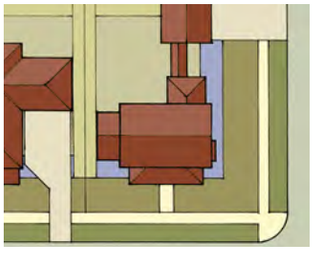
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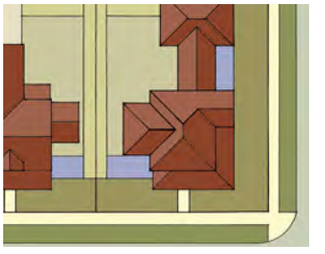
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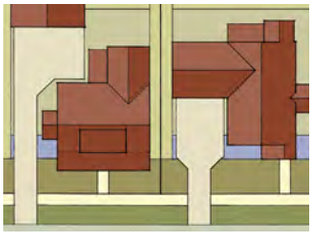
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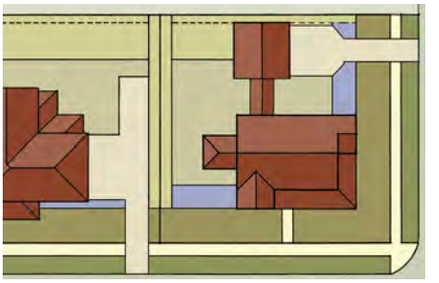
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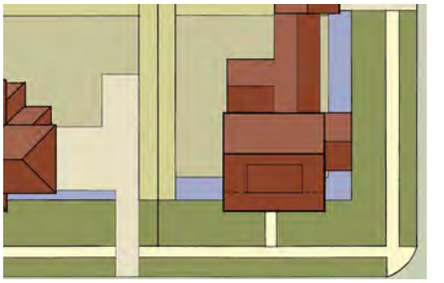
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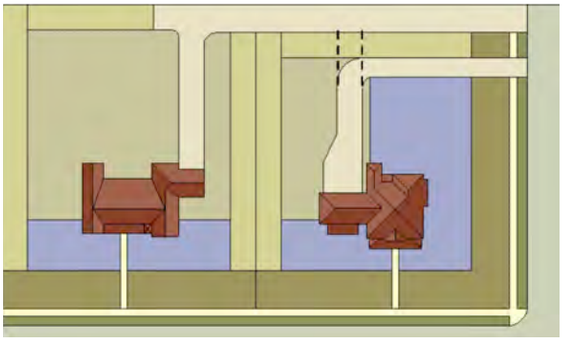
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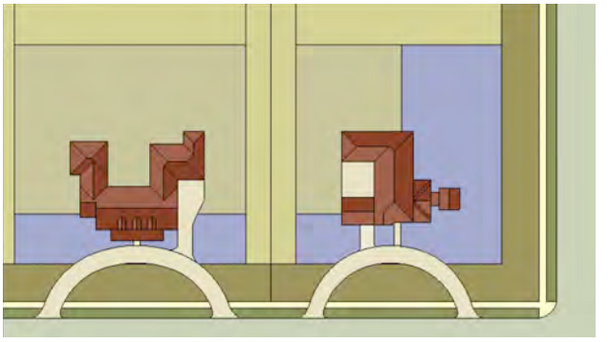
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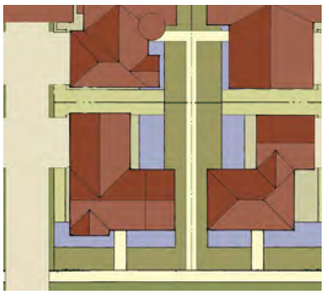
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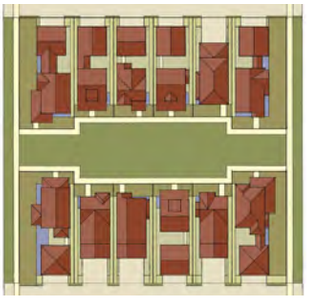
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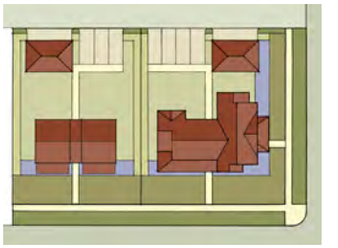
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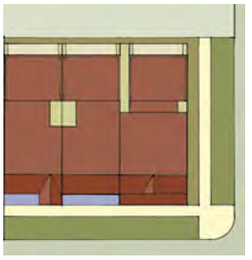
COURTYARD UNITS



GREEN COURT



MANSION APARTMENTS



LIVE/WORK UNITS

SETBACK REQUIREMENTS

Each lot has a series of setback lines that define the buildable area between houses, streets, and rear lanes. There are also zones within which the house shall be placed. These are defined as follows:

SETBACKS

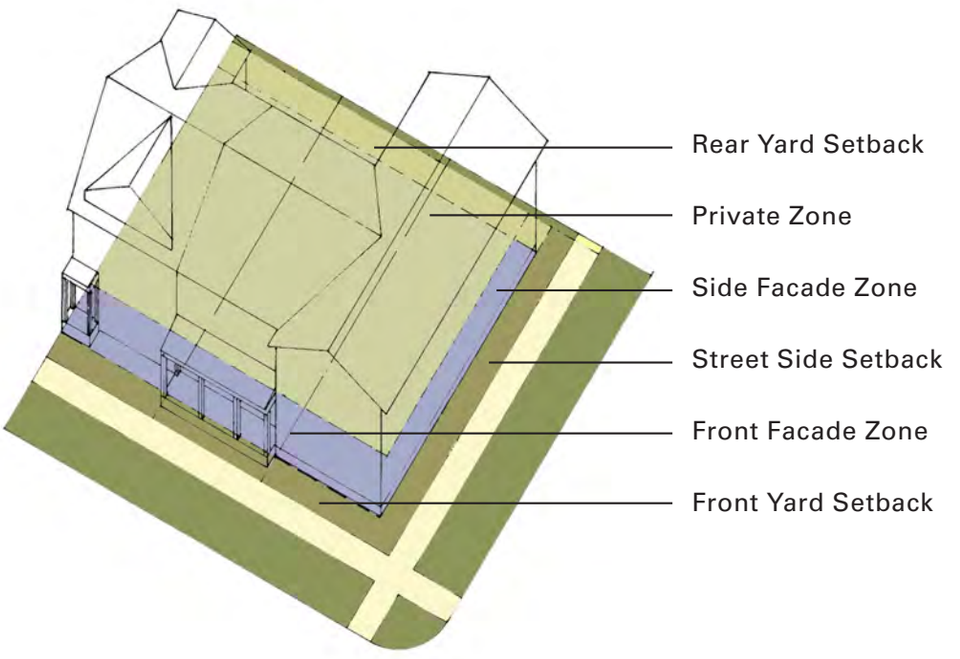
- Front Yard Setback: minimum distance between the front property line and the house
- Side Yard Setback: minimum distance between the side yard property line and the house and garage
- Rear Yard Setback: minimum distance between the property line and the house and garage
- Street Side Setback: minimum distance between the street side property line and the house and garage

FACADE ZONES

- Not used

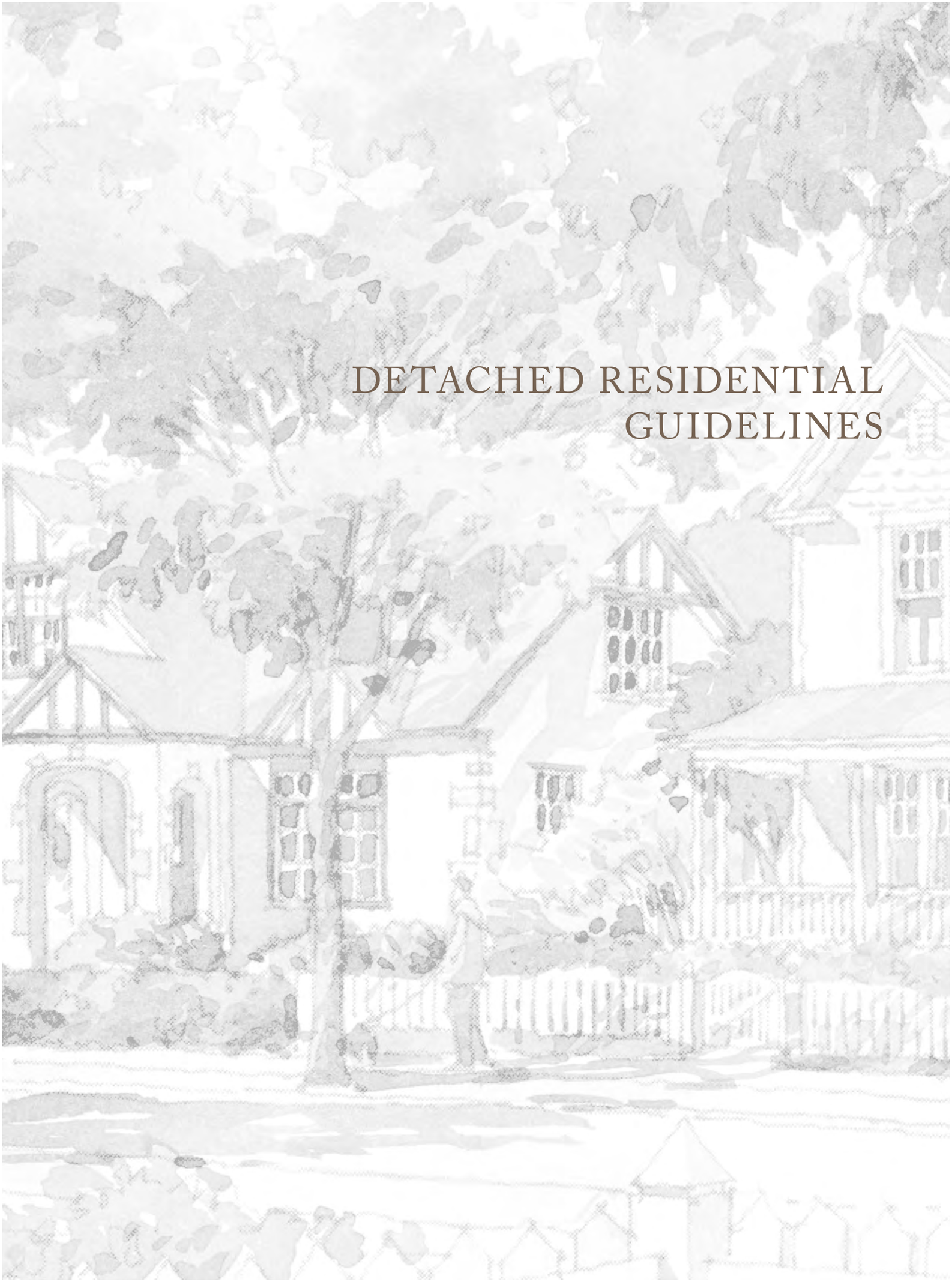
PRIVATE ZONE

- Private area of the lot



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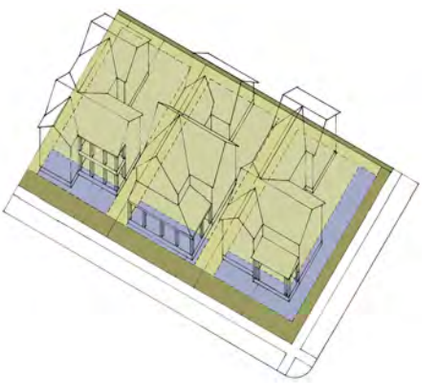
DETACHED RESIDENTIAL GUIDELINES

COMMUNITY PATTERNS

The Detached Residential Community Patterns section contains guidelines for placing houses on lot types within the plan. These development standards were developed as part of the master planning process, and are meant to promote the diversity and character of Ellis called for in the Ellis Specific Plan.

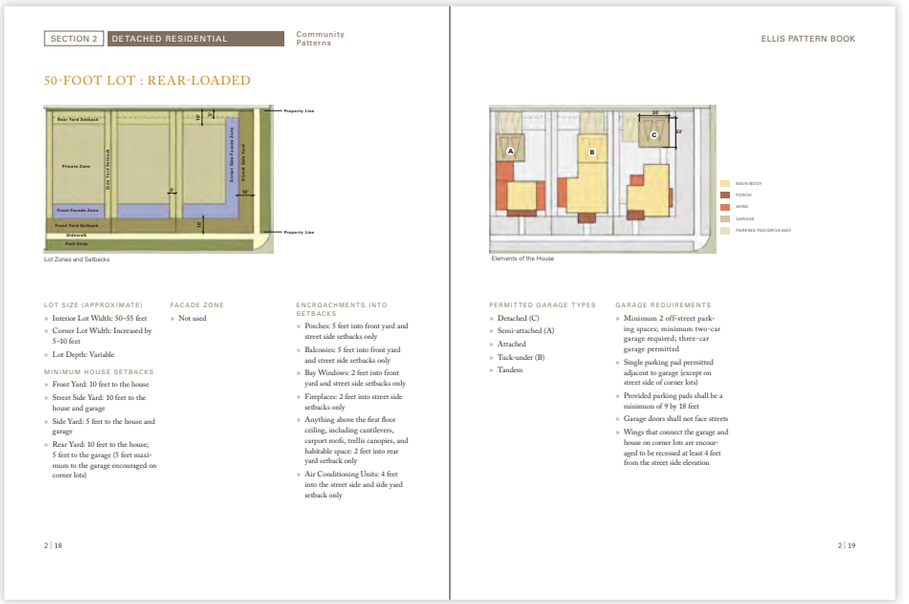
All housing designs and site plans must be reviewed and approved via the Ellis Design Review process set forth in the Ellis Specific Plan, Section 6: Plan Review.

Additional lot types may be added to the Pattern Book per Modified Ellis Specific Plan, Section 6.5 Minor Variations to the Modified Ellis Specific Plan or Pattern Book.





Illustrative view of a residential address at Ellis



SECTION 2 DETACHED RESIDENTIAL Community Patterns

50-FOOT LOT : REAR-LOADED

Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)
- Interior Lot Width: 50–55 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE
- Not used

ENCROACHMENTS INTO SETBACKS
- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only

2 | 18

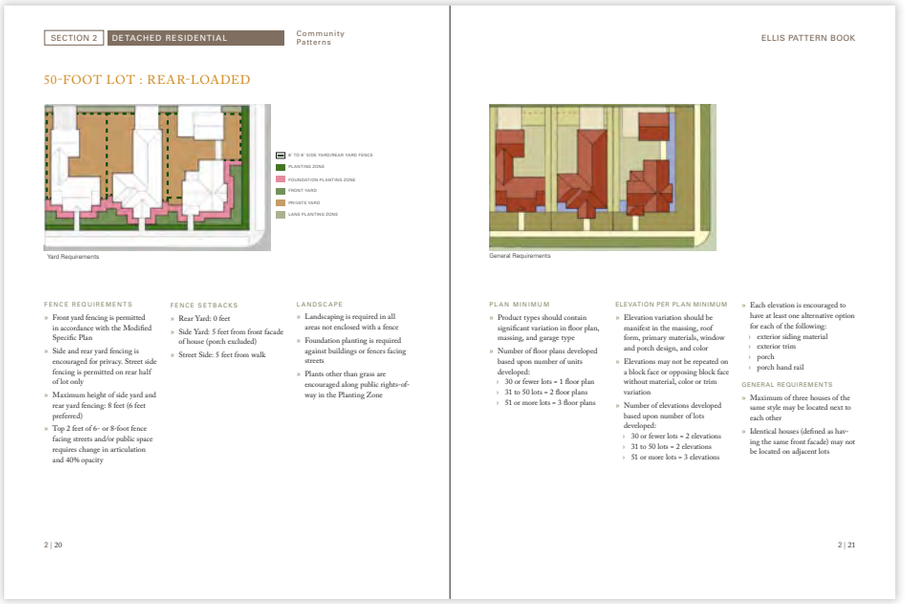
ELLIS PATTERN BOOK

Elements of the House

PERMITTED GARAGE TYPES
- Detached (C)
- Semi-attached (A)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS
- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

2 | 19



SECTION 2 DETACHED RESIDENTIAL Community Patterns

50-FOOT LOT : REAR-LOADED

Yard Requirements

FENCE REQUIREMENTS
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Top 2 feet of 6- or 8-foot fence facing streets and/or public space requires change in articulation and 40% opacity

FENCE SETBACKS
- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE
- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone

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ELLIS PATTERN BOOK

General Requirements

PLAN MINIMUM
- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM
- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS
- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

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General Conditions pages for lots

Each lot type found in the Community Patterns Sections is described in four specific diagrams:

LOT ZONES AND SETBACKS

Lot size, minimum setbacks and allowable encroachments into those setbacks. These zones aid in properly situating the house with respect to its neighbors to create a harmonious streetscape.

ELEMENTS OF THE HOUSE

The main body, wings, bays, as well as the requirements for garages, are described in this diagram.

YARD REQUIREMENTS

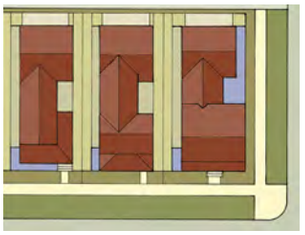
Fencing and landscape requirements are set forth in this diagram.

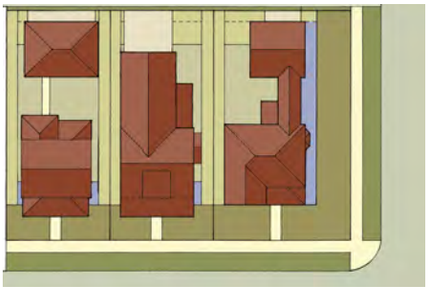
GENERAL REQUIREMENTS

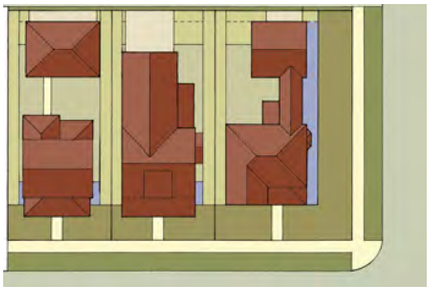
The issues of required plan types and elevations are discussed to establish a refined house.

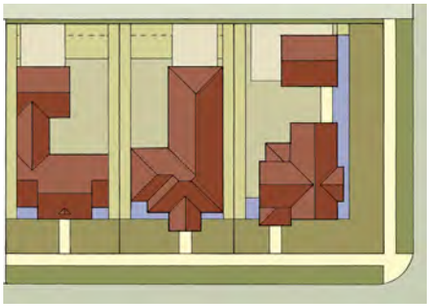
LOT TYPES

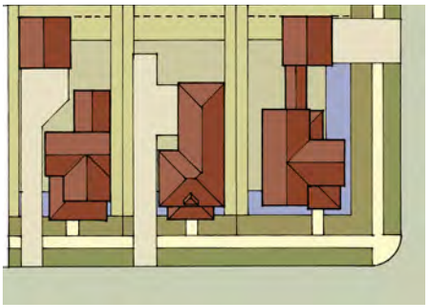
Ellis offers a variety of potential lot types ranging from 30 feet to approximately 100 feet wide. These lot types include: 30- to 65-foot-wide lots accessed from lanes, 50- to 100-foot-wide front-loaded lots, Courtyard Lots, and Green Courts accessed from lanes. Many of these residential lots have parking accessed by a rear lane utilizing either a garage, carport, or paved parking pad. This enables continuous front yard landscaping uninterrupted by parked cars and driveways. Lot types are mixed throughout the community. Following the individual lot type diagrams presented on the next few pages, conditions for each of the individual lot types are described and illustrated.

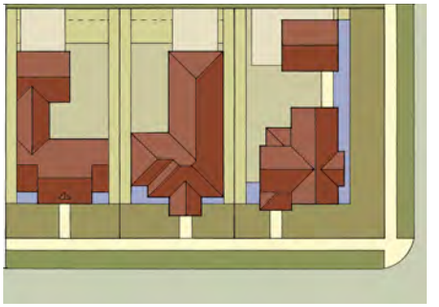

30-Foot Lots (rear-loaded)

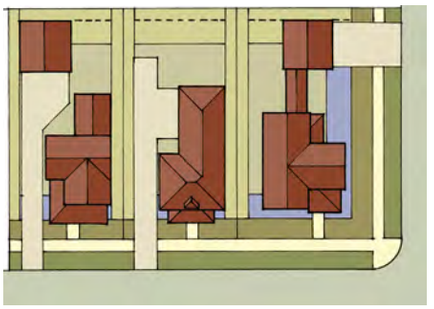

40-Foot Lots (rear-loaded)

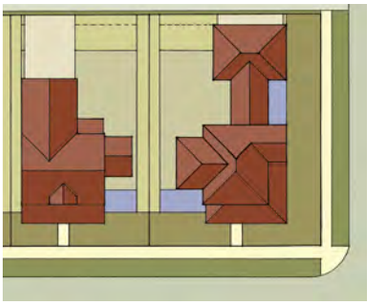

45-Foot Lots (rear-loaded)

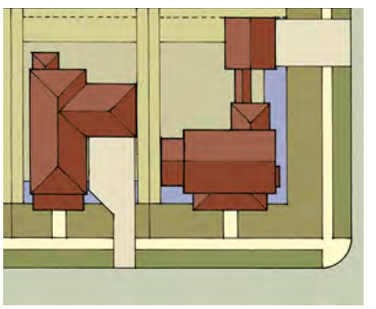

50-Foot Lots (rear-loaded)

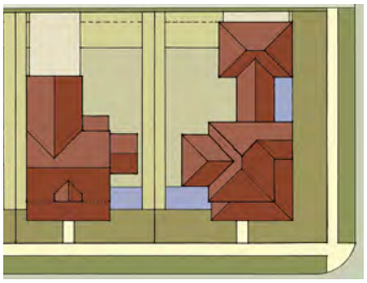

50-Foot Lots (front-loaded)


55-Foot Lots (rear-loaded)

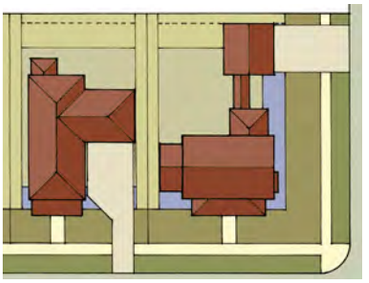

55-Foot Lots (front-loaded)


60-Foot Lots (rear-loaded)

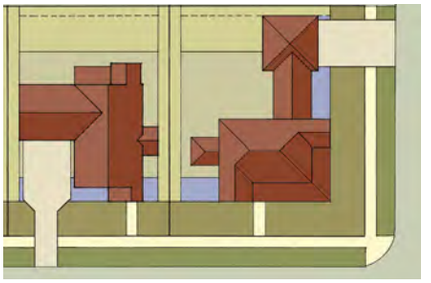

60-Foot Lots (front-loaded)



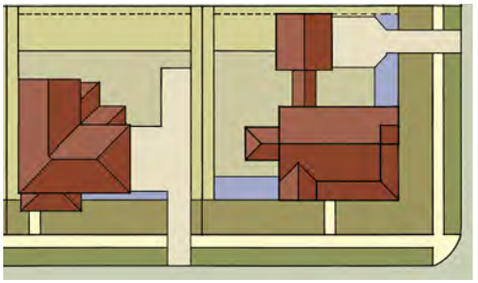
65-Foot Lots (rear-loaded)



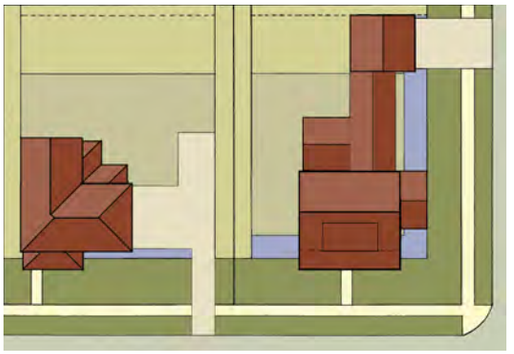
65-Foot Lots (front-loaded)



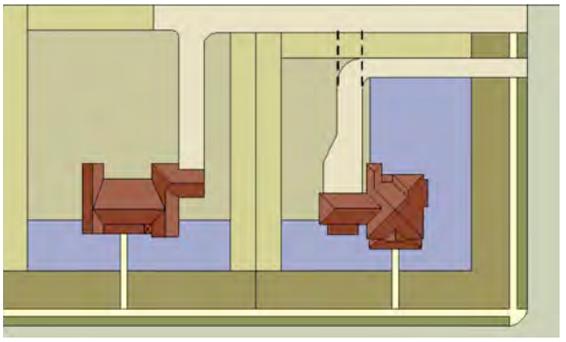
70-Foot Lots (front-loaded)



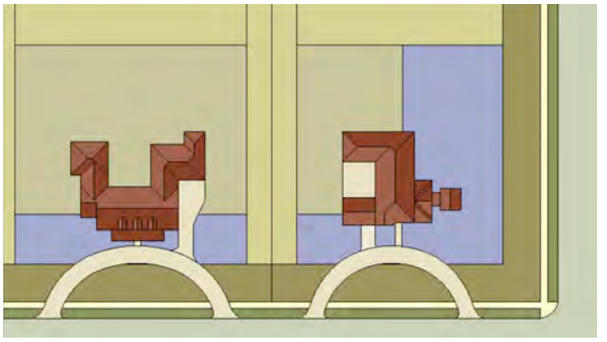
80-Foot Lots (front-loaded)



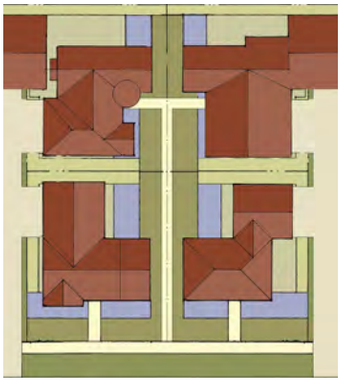
100-Foot Lots (front-loaded)



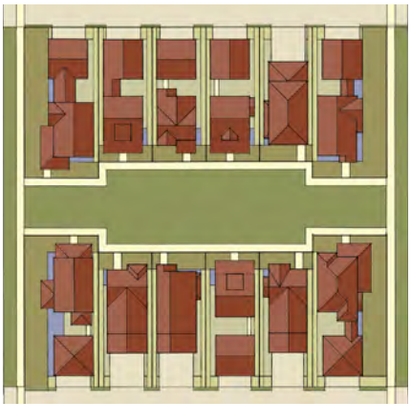
Estate Lots (rear-loaded)



Estate Lots (front-loaded)

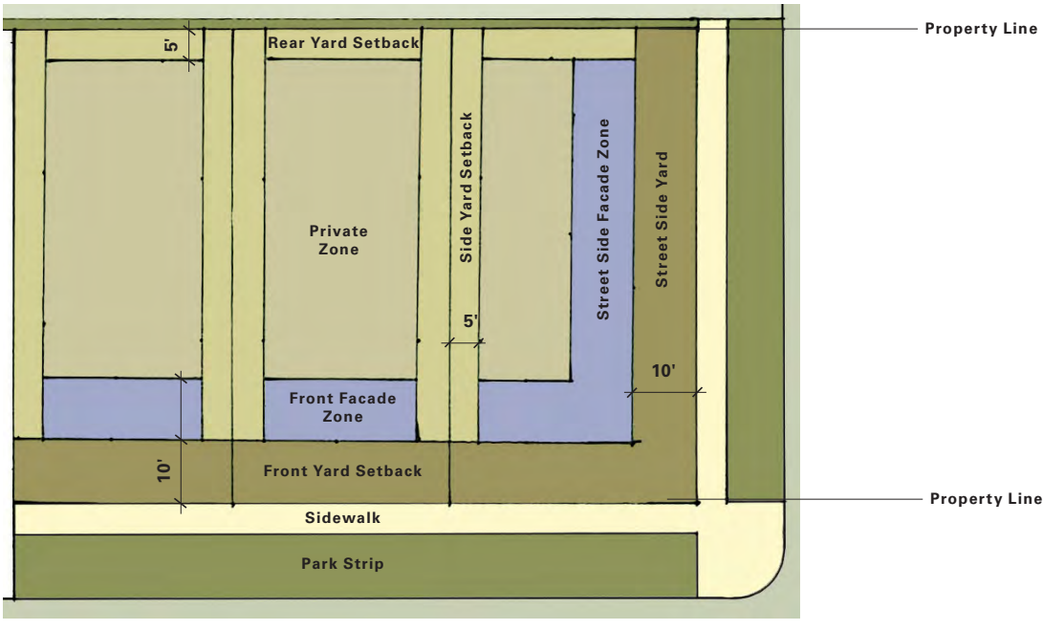


Courtyard Units



A Green Court (rear-loaded)

30-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 30–40 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

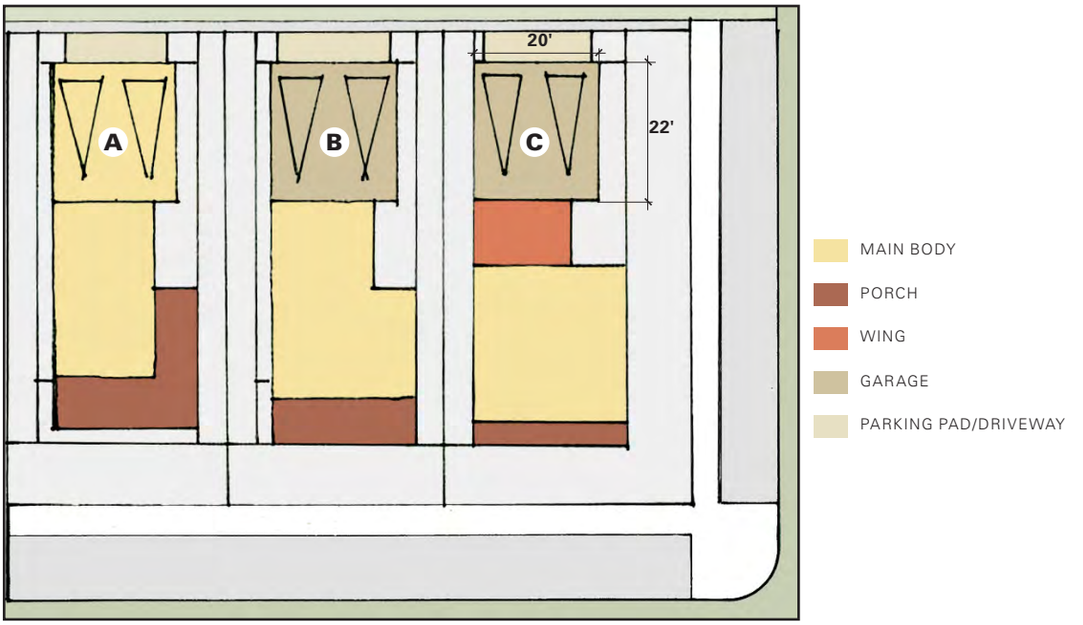
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 5 feet to the house and garage; 5 feet maximum to the garage on a corner lot.

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

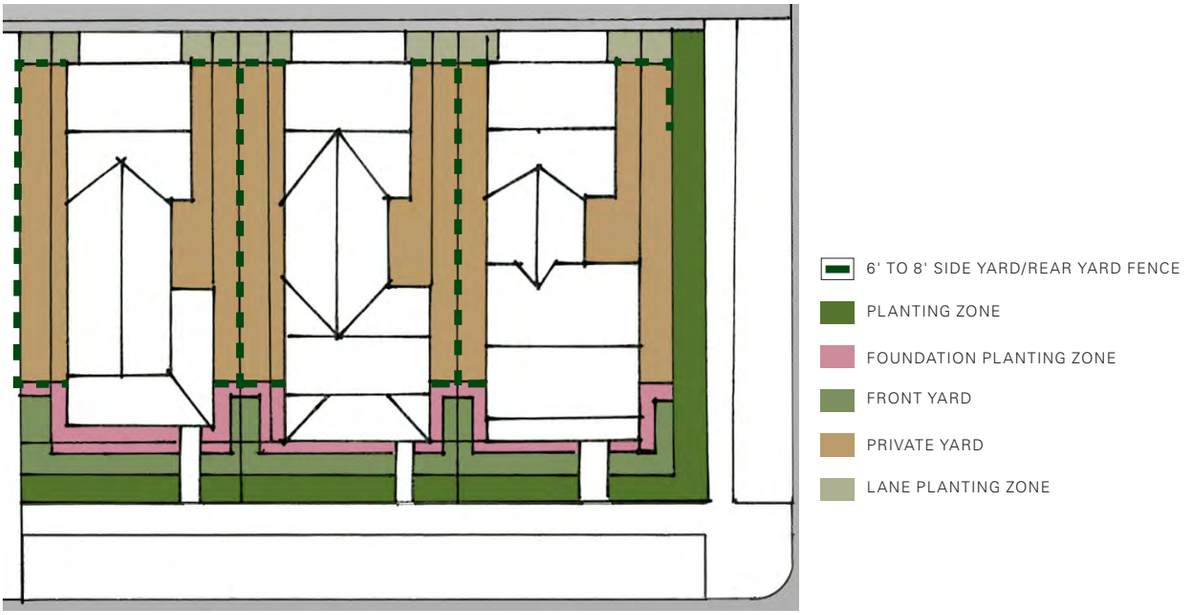
PERMITTED GARAGE TYPES

- Semi-attached (C)
- Attached (B)
- Tuck-under (A)

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

30-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

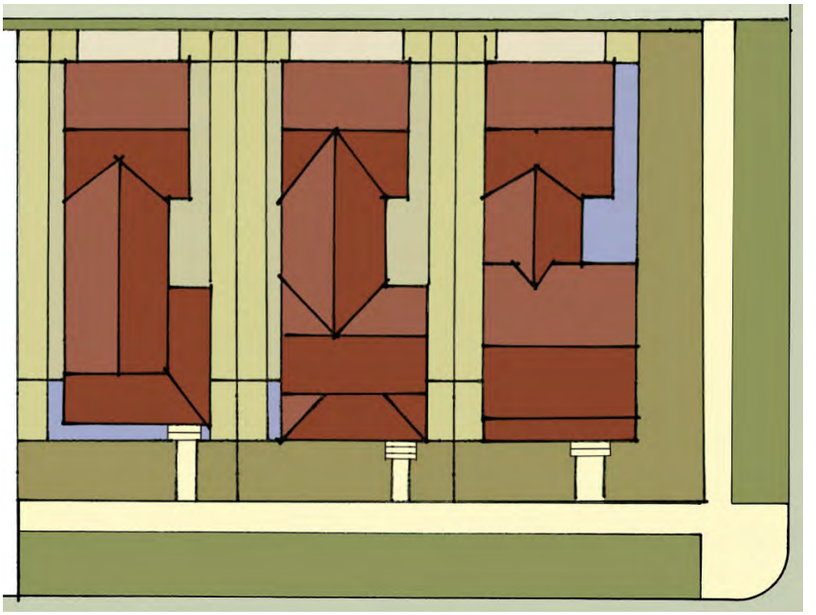
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of lots developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

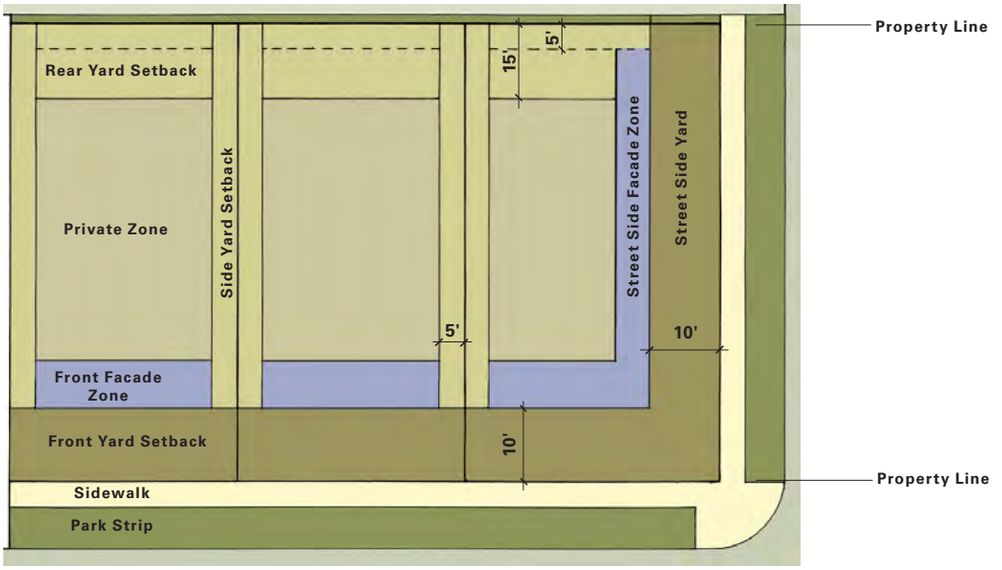
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

40-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 40–45 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

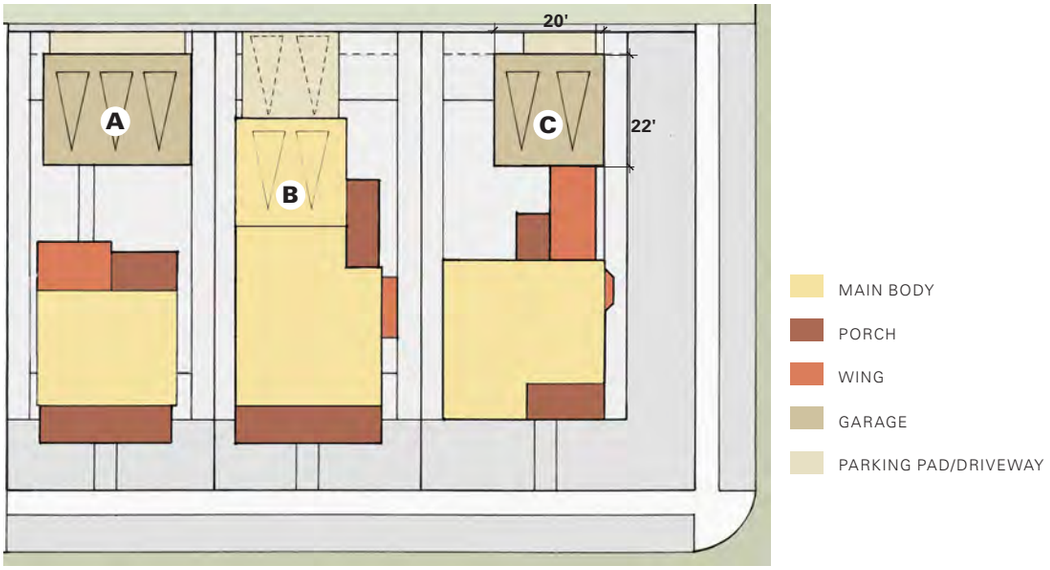
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

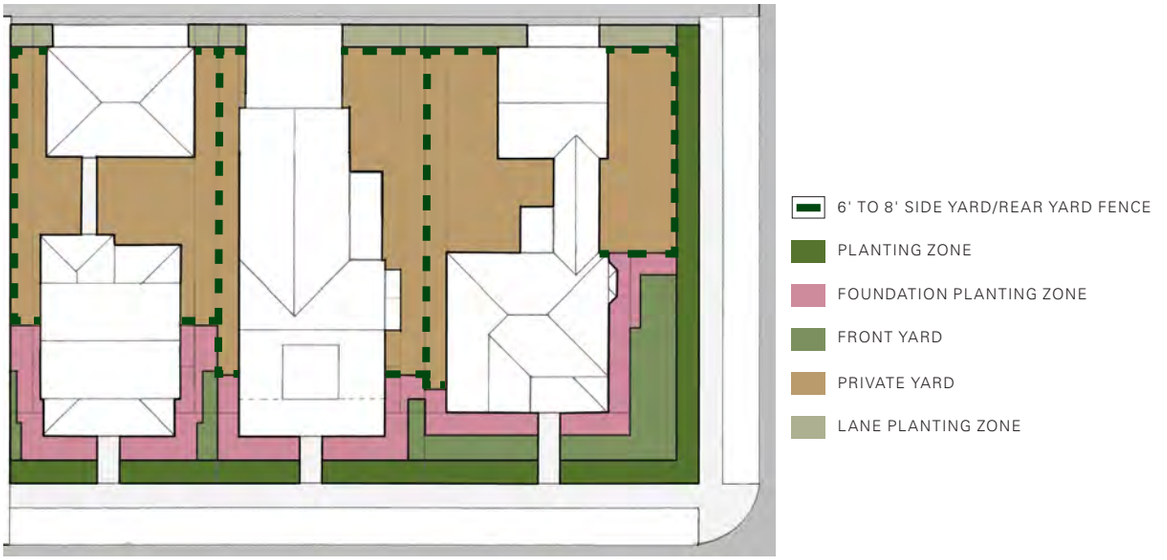
PERMITTED GARAGE TYPES

- Detached (A)
- Tuck-under (B)
- Semi-attached (C)
- Attached
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

40-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

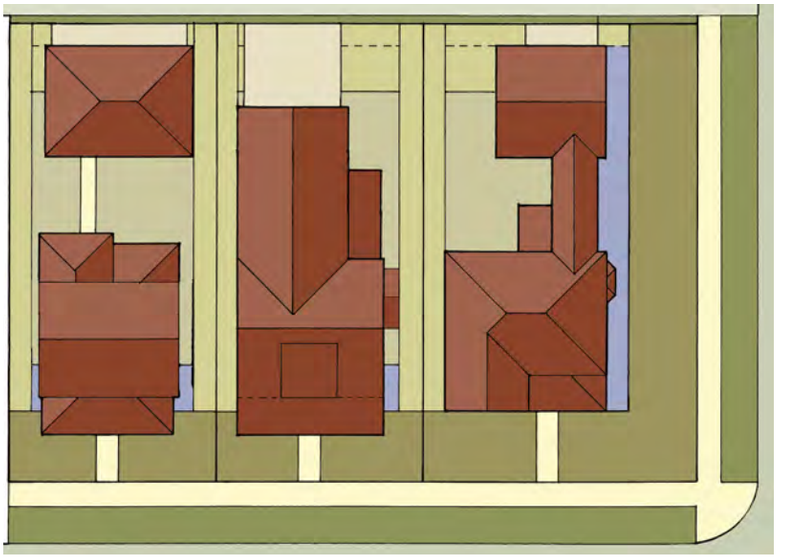
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- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
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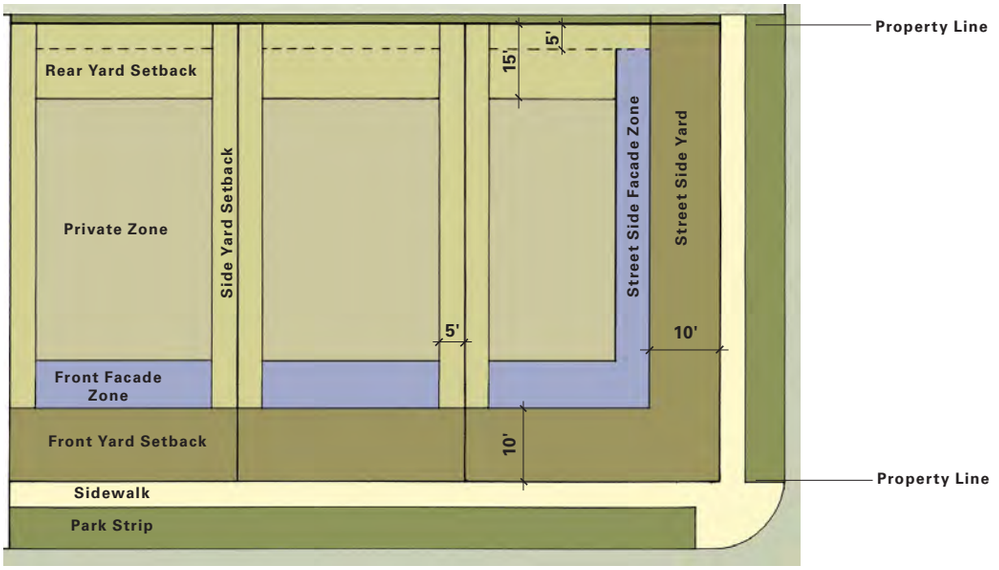
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  - exterior siding material
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  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

45-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 45–50 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

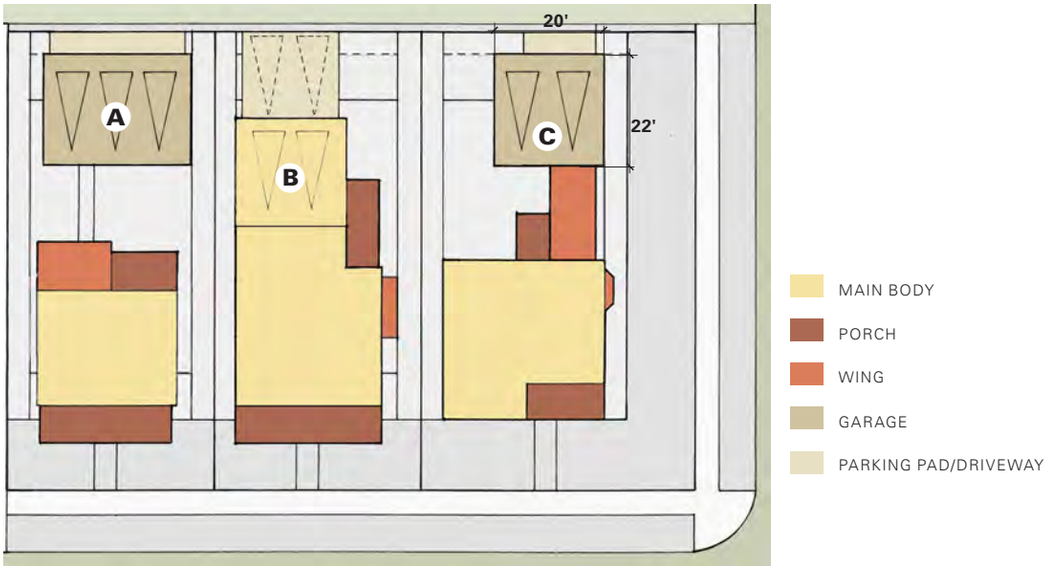
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FACADE ZONE

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ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
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- Bay Windows: 2 feet into front yard and street side setbacks only
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- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

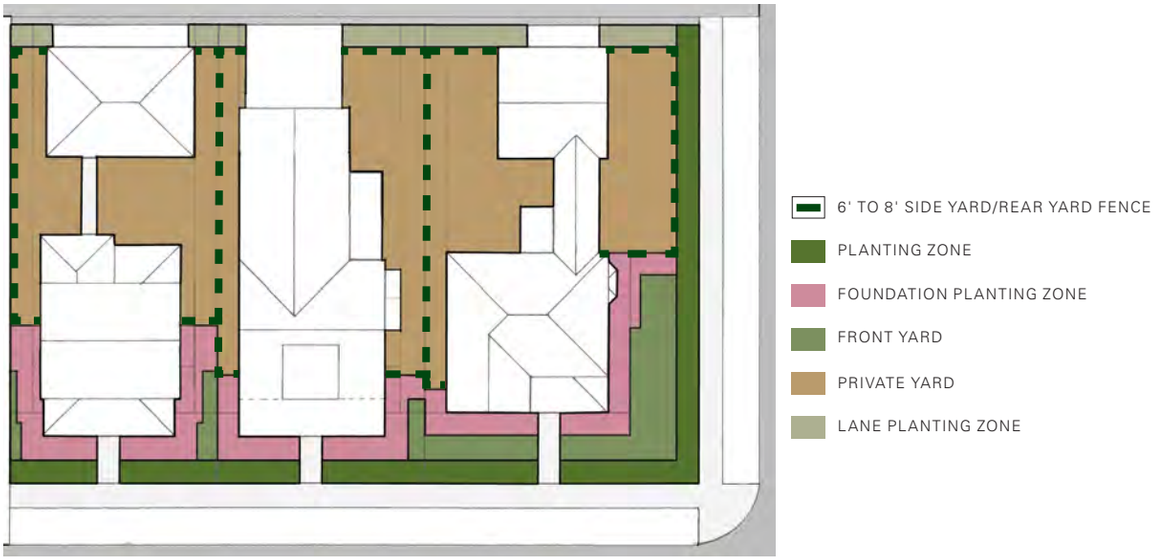
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GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
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45-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

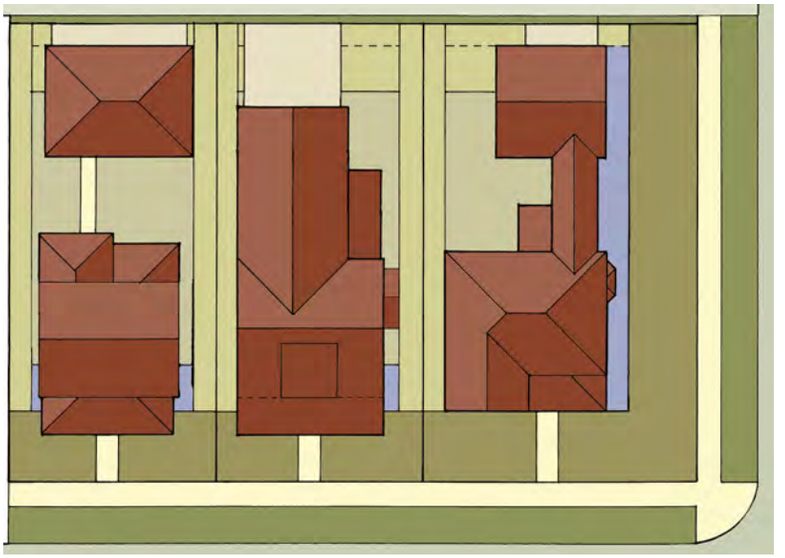
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- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
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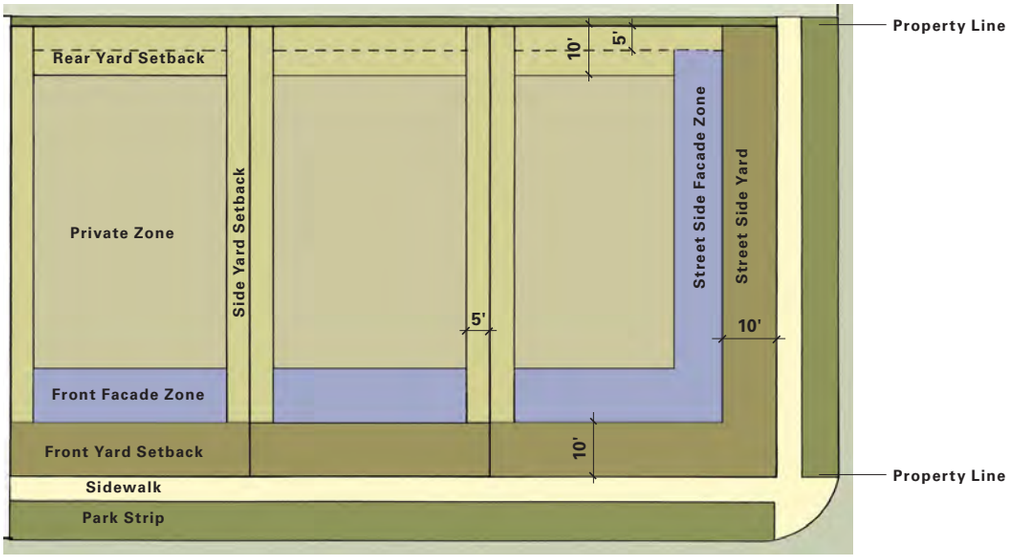
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- Number of elevations developed based upon number of lots developed:
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- Each elevation is encouraged to have at least one alternative option for each of the following:
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  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

50-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 50–55 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

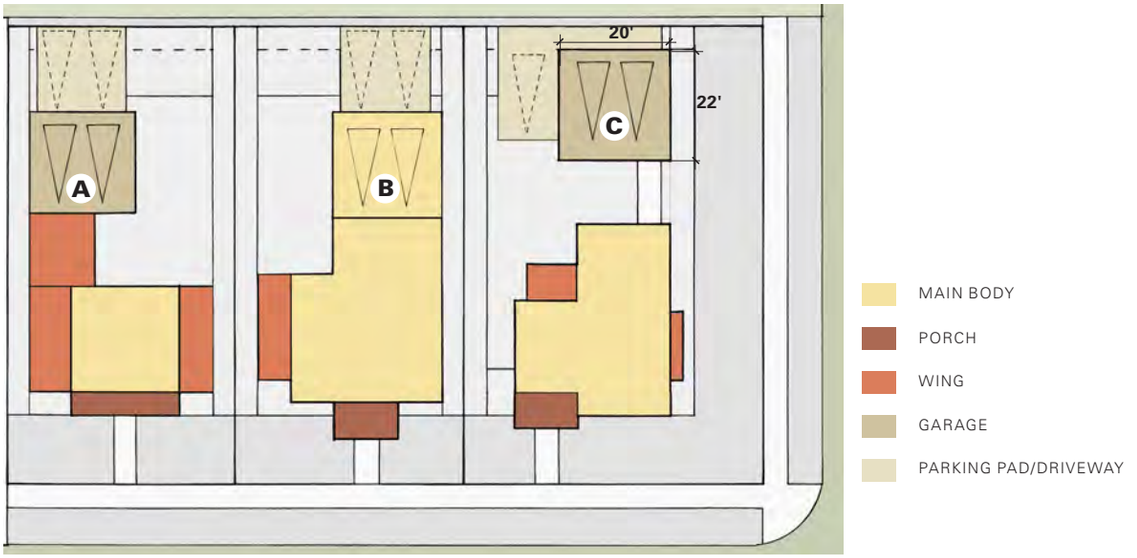
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

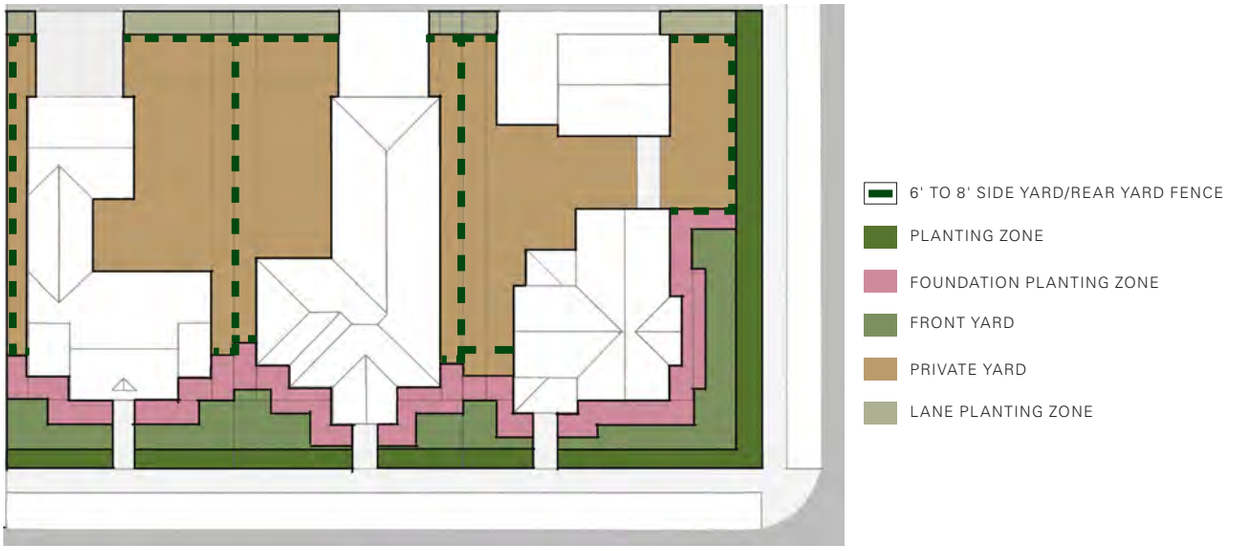
PERMITTED GARAGE TYPES

- Detached (C)
- Semi-attached (A)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

50-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

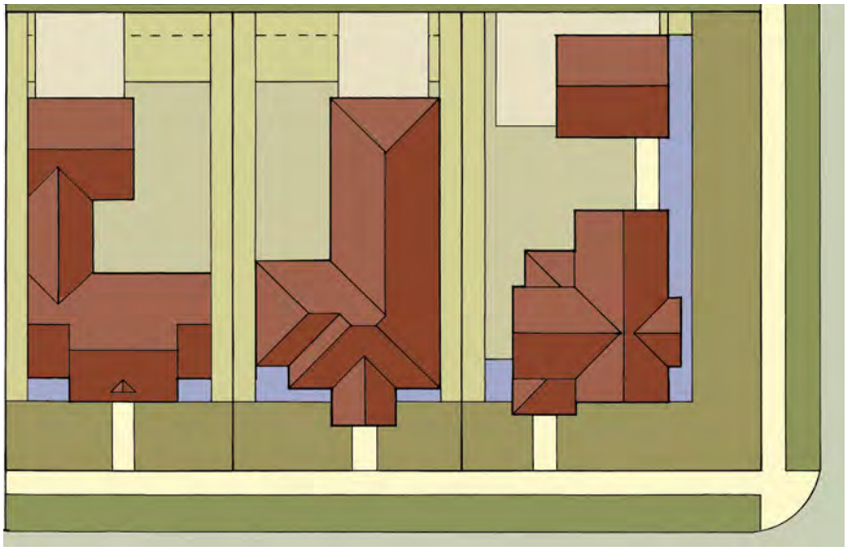
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- Rear Yard: 0 feet
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- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
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General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
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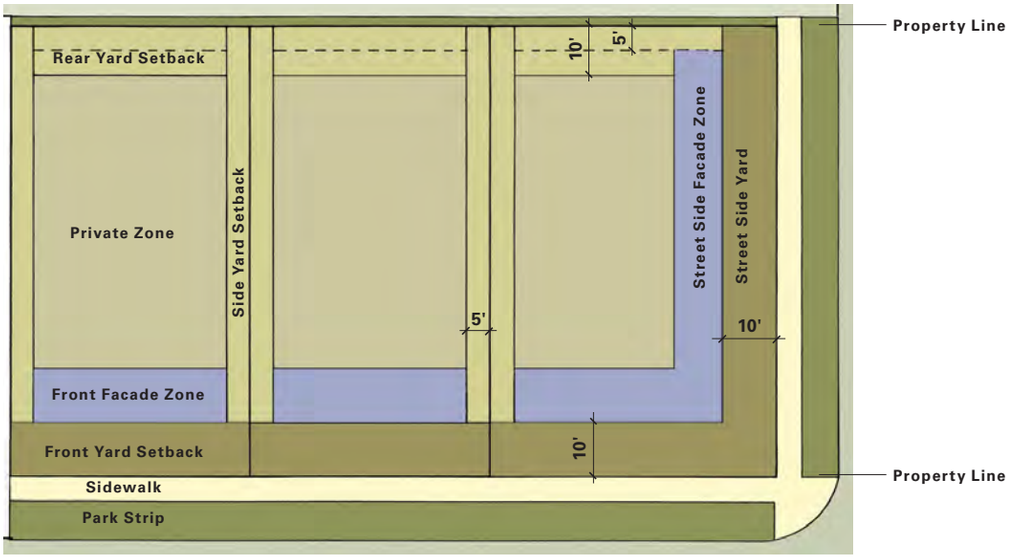
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  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

50-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 50–55 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

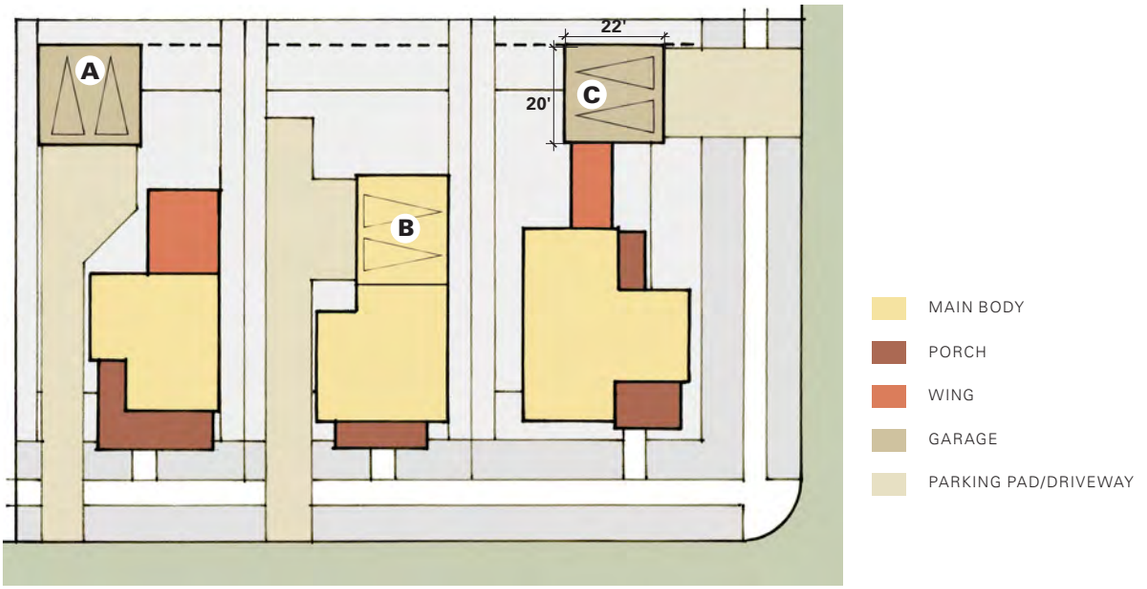
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FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
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Elements of the House

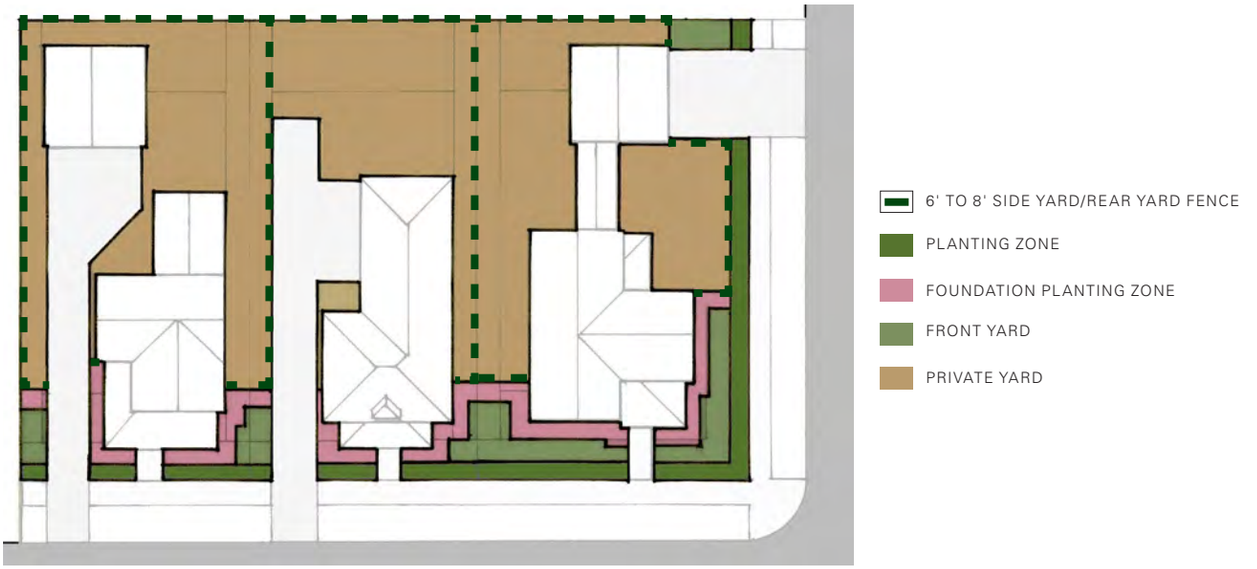
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- Tandem

GARAGE REQUIREMENTS

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- Provided parking pads shall be a minimum of 9 by 18 feet
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50-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

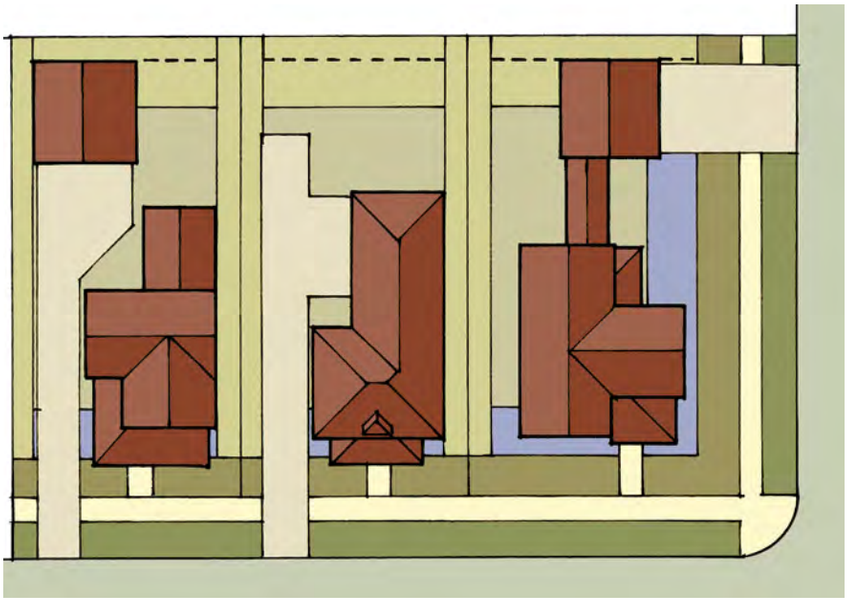
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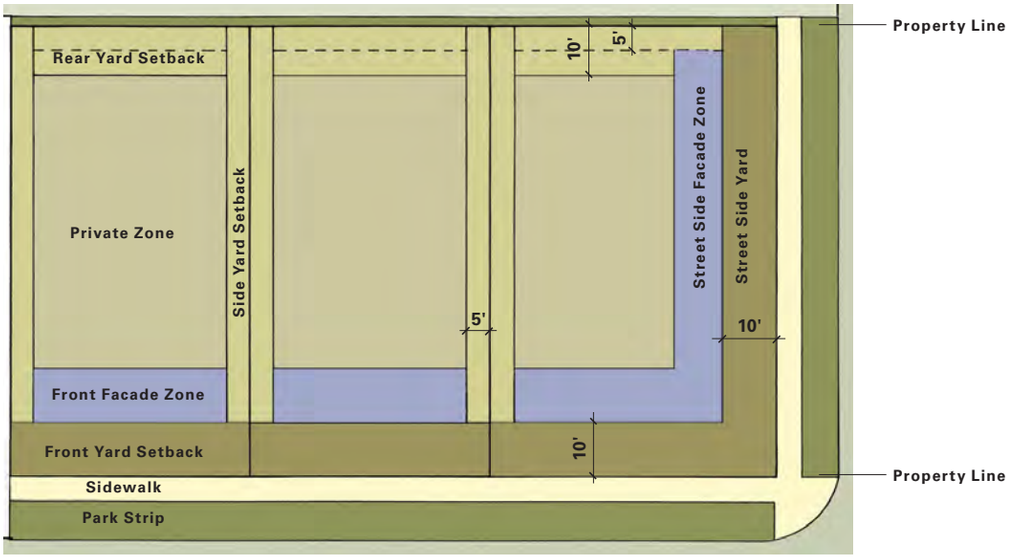
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  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

55-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 55–60 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

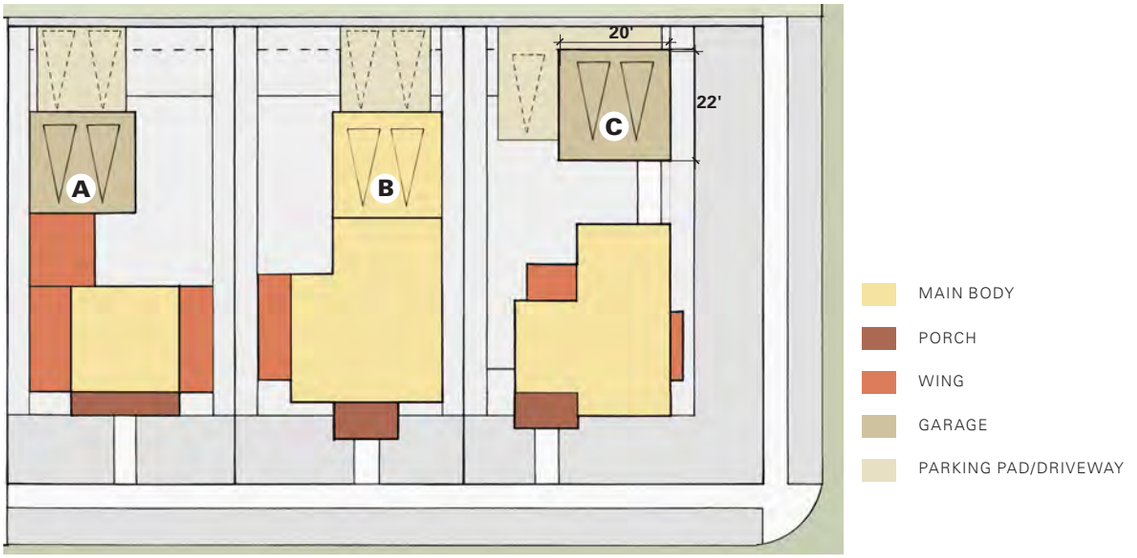
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FACADE ZONE

- Not used

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- Porches: 5 feet into front yard and street side setbacks only
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Elements of the House

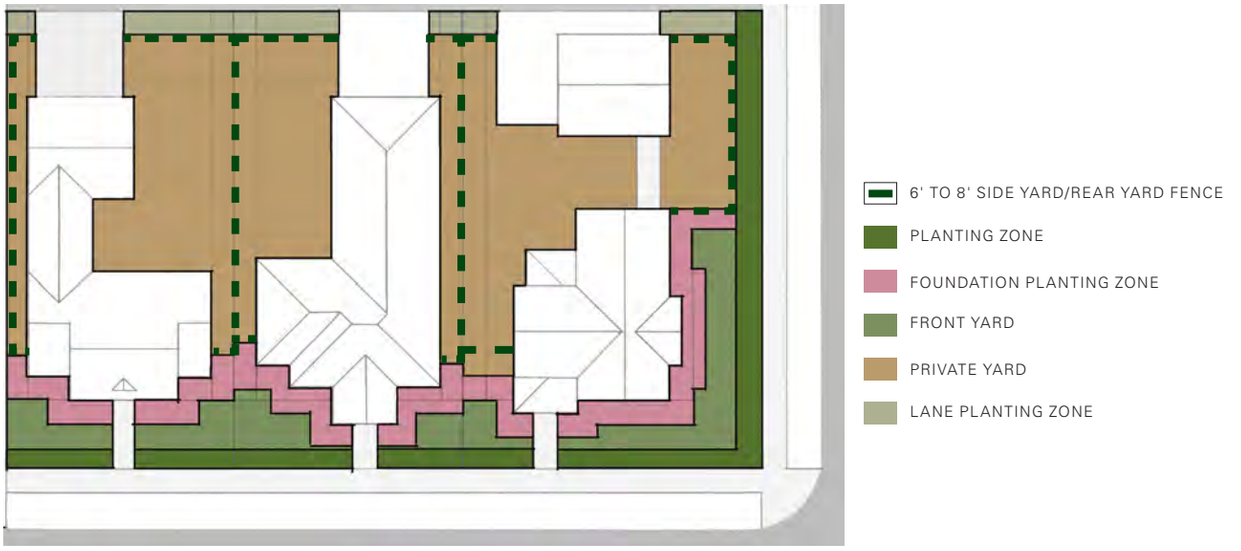
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55-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

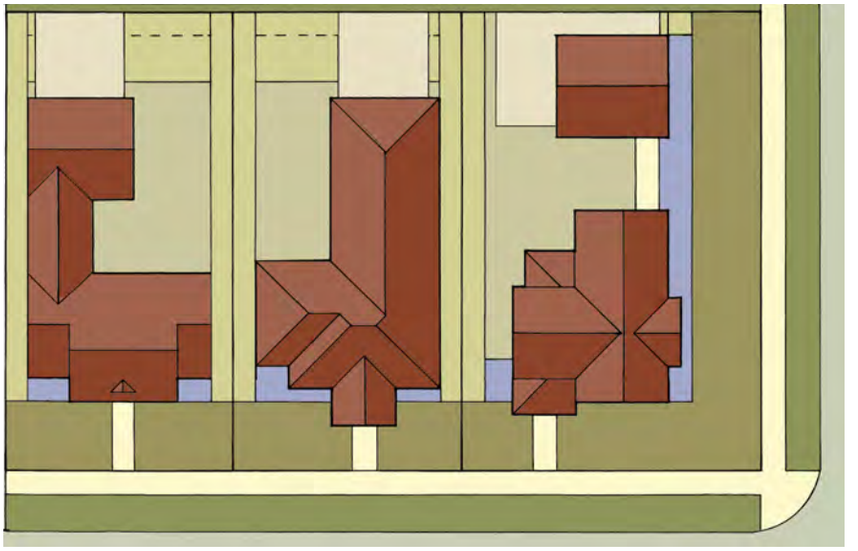
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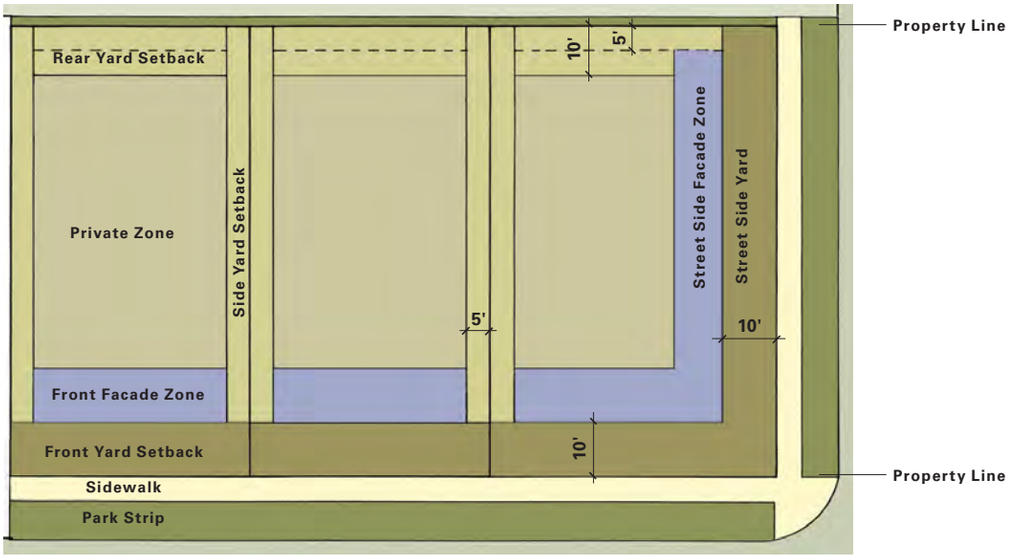
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55-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 55–60 feet
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MINIMUM HOUSE SETBACKS

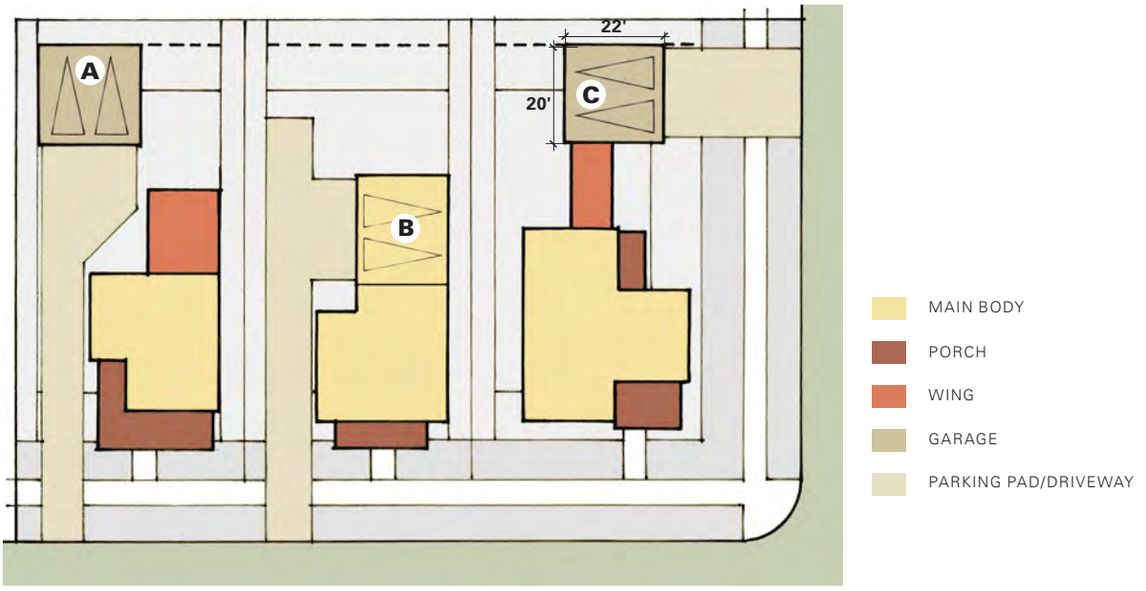
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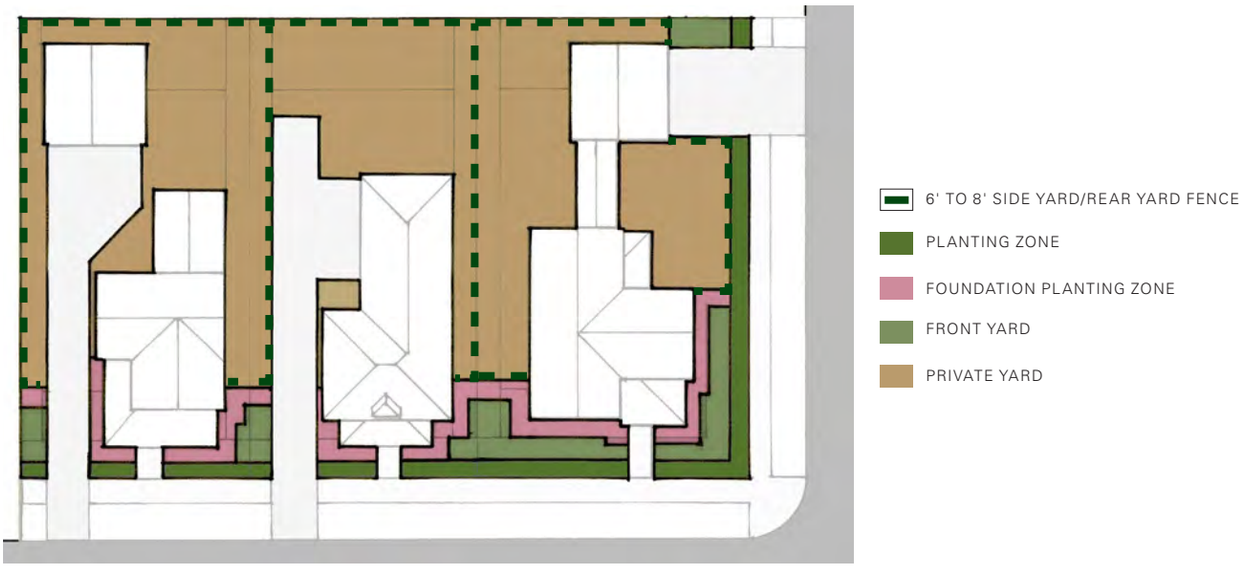
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55-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

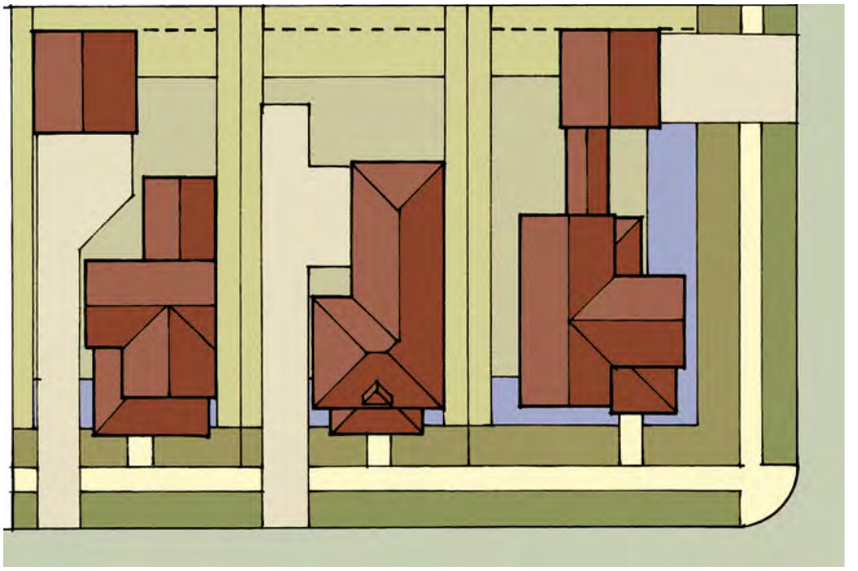
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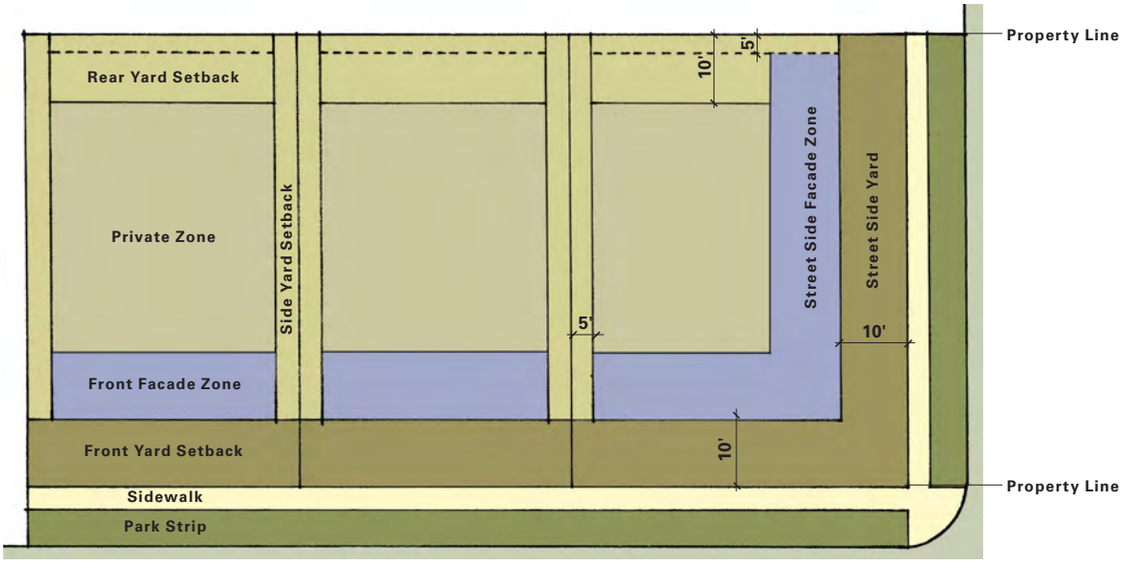
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60-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 60–65 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

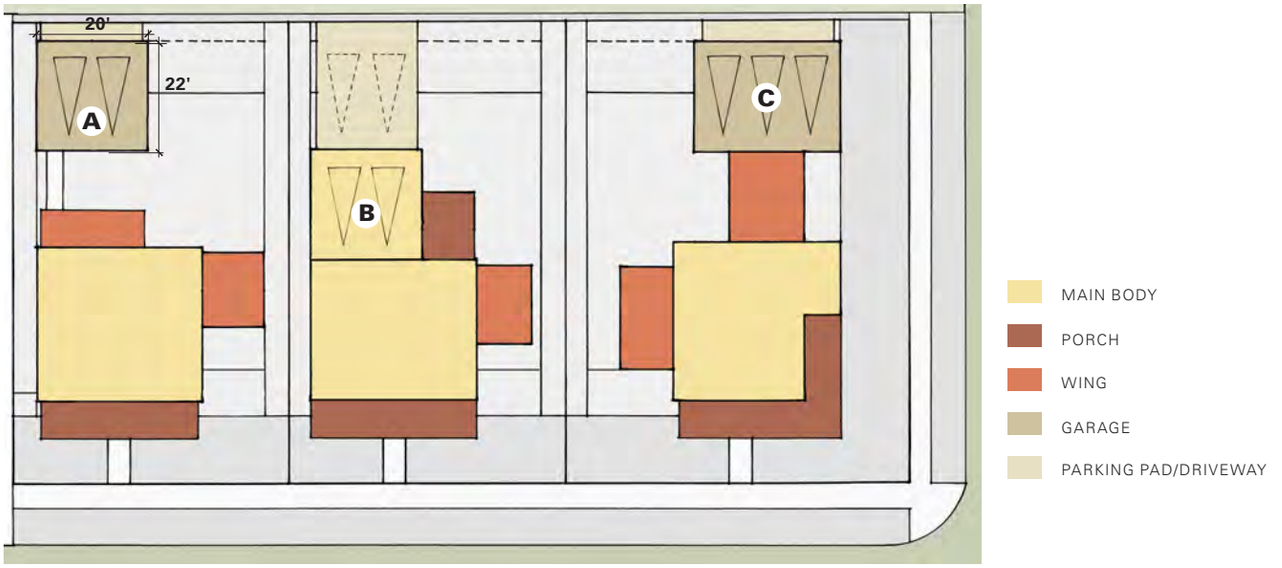
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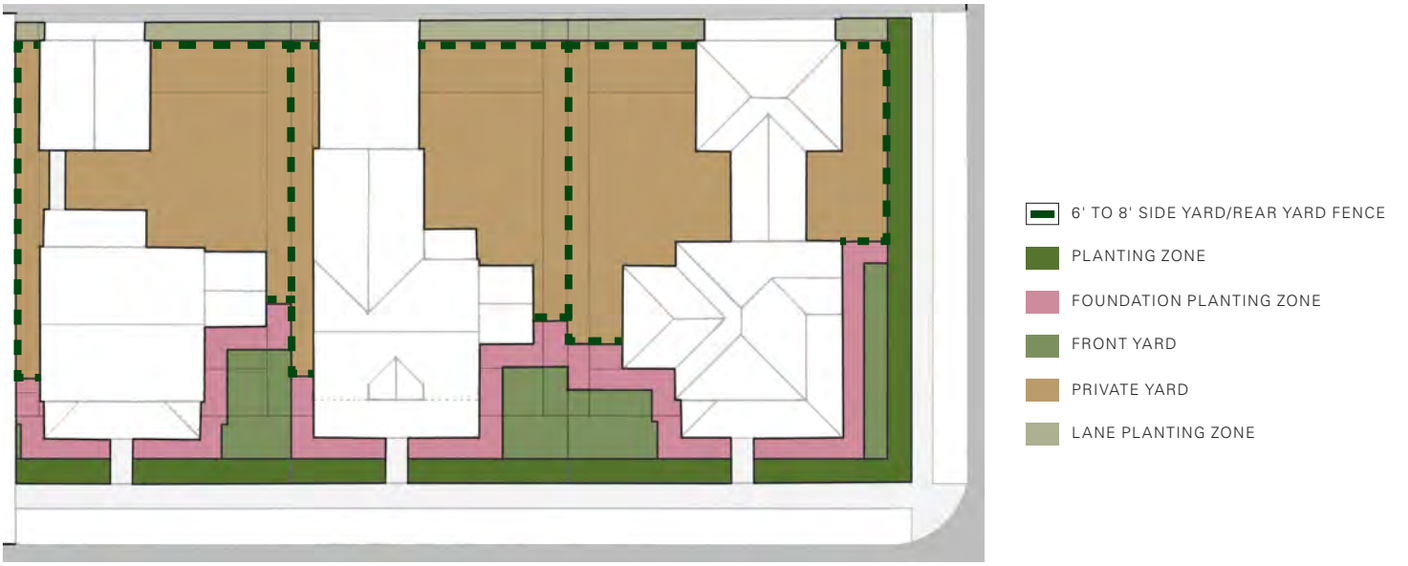
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60-FOOT LOT : REAR-LOADED



Yard Requirements

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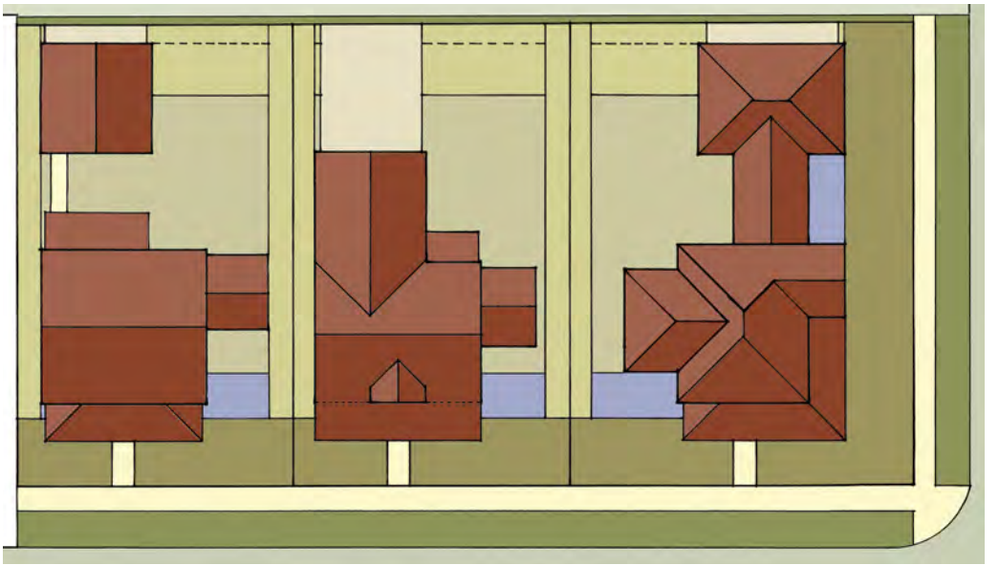
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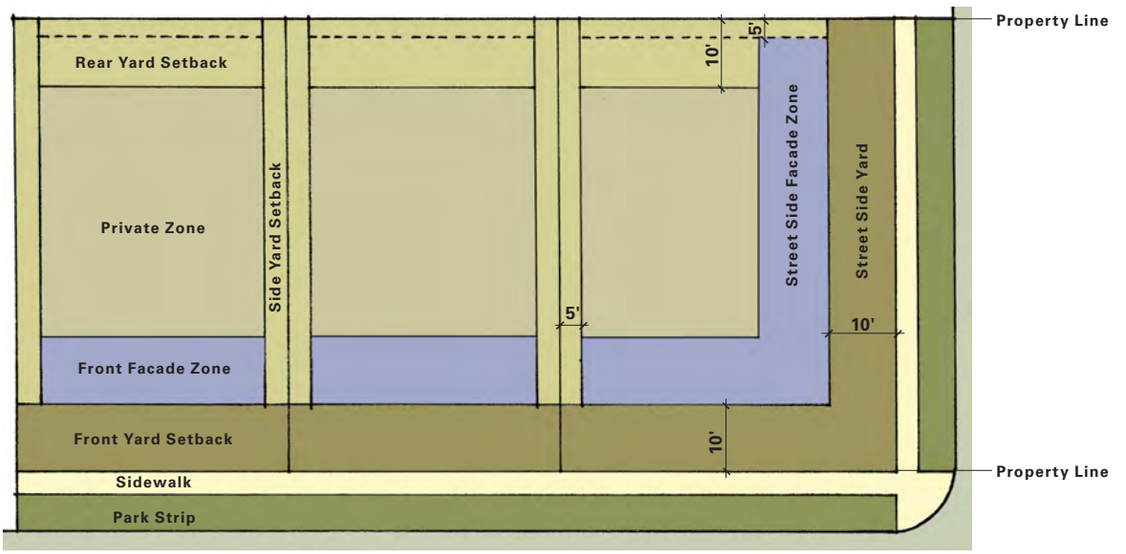
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  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

60-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 60–65 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

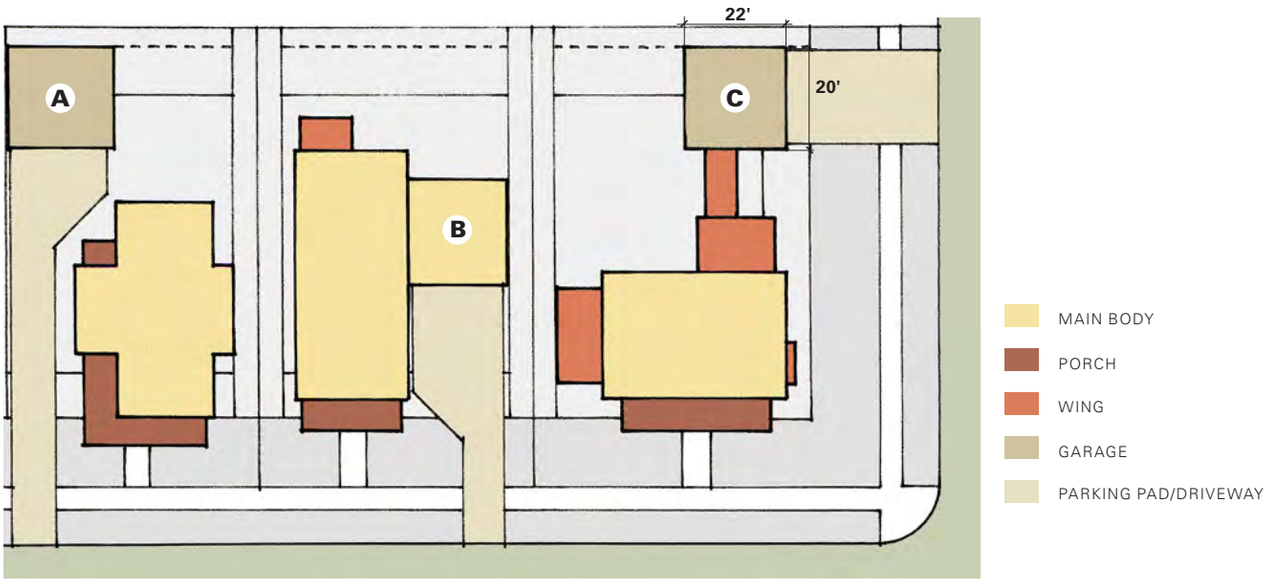
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

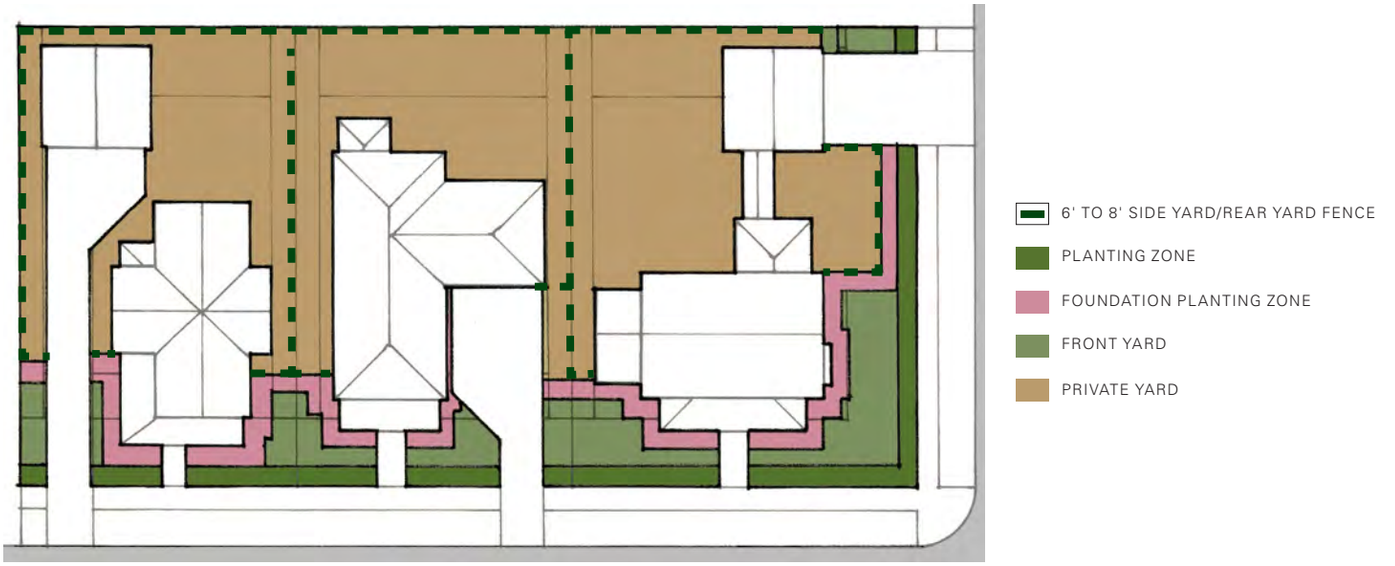
PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

60-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

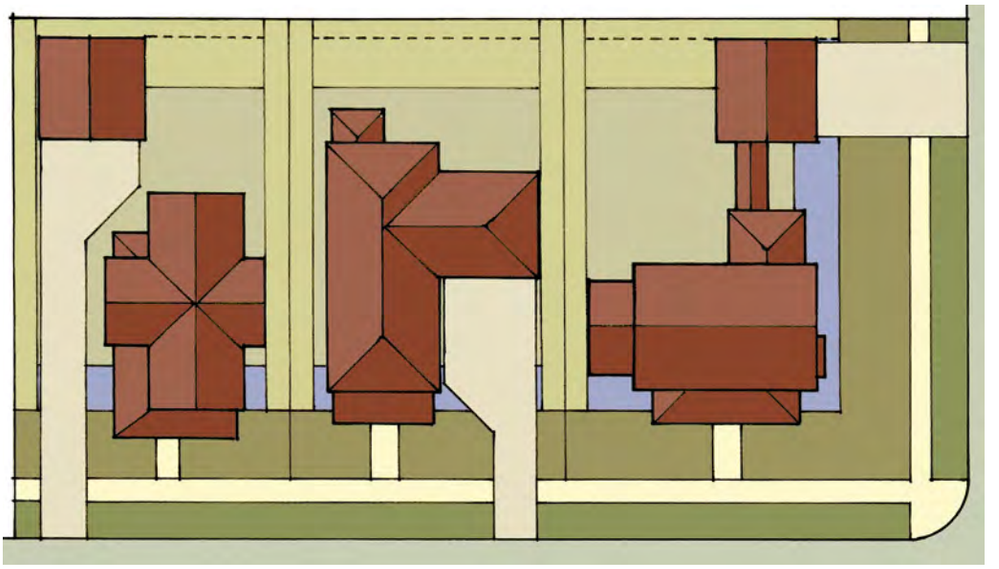
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types should contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of units developed:
  › 30 or fewer lots = 1 floor plan
  › 31 to 50 lots = 2 floor plans
  › 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
  › 31 to 50 lots = 2 elevations
  › 51 or more lots = 3 elevations

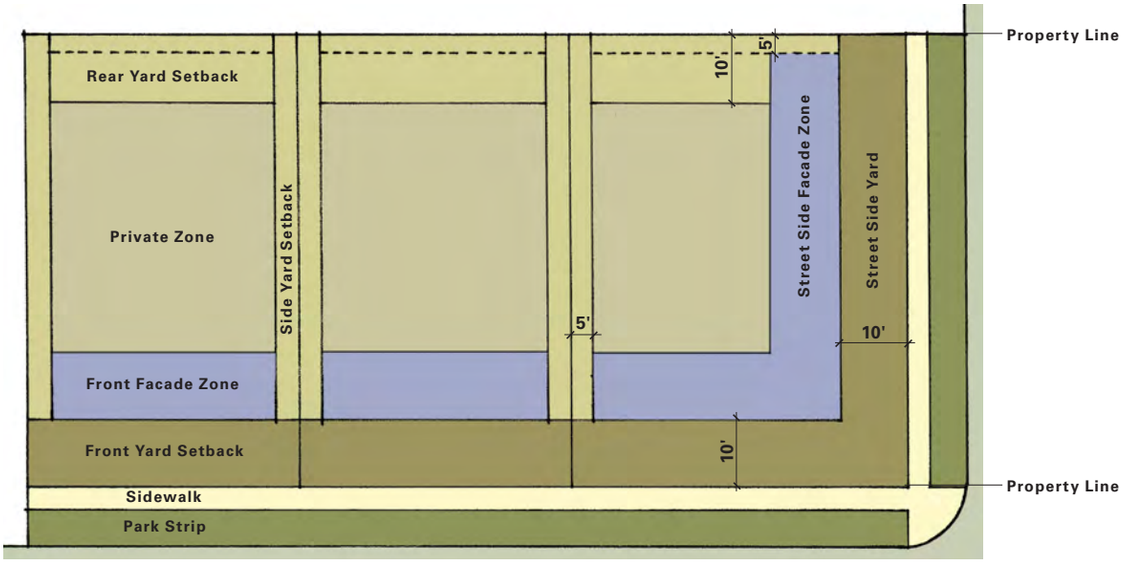
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

65-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65–70 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

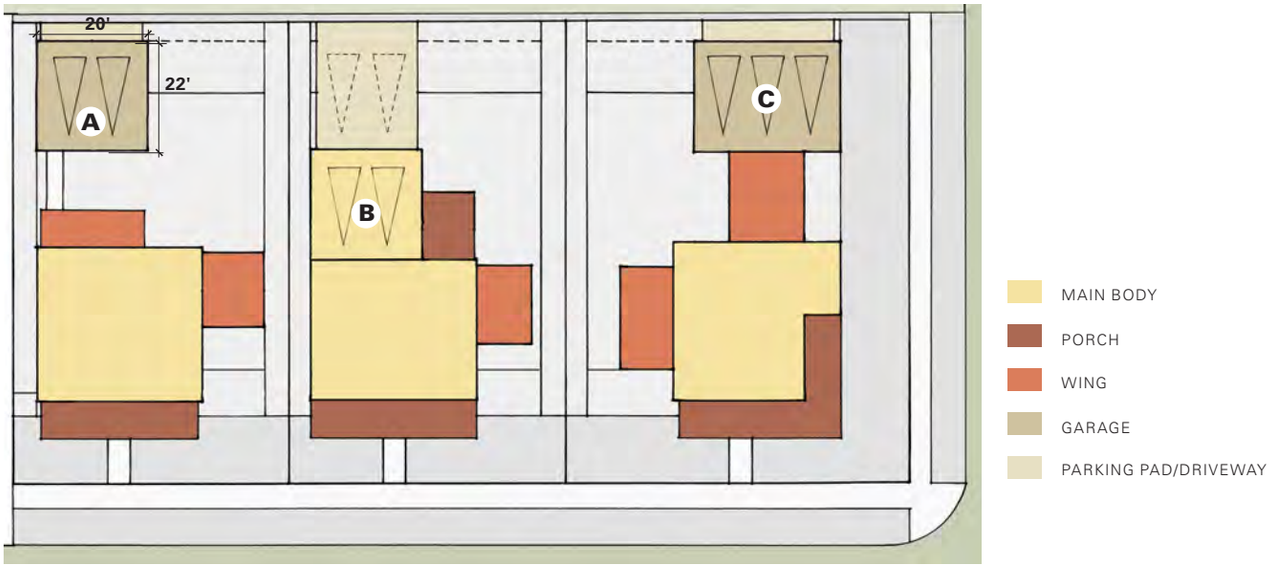
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

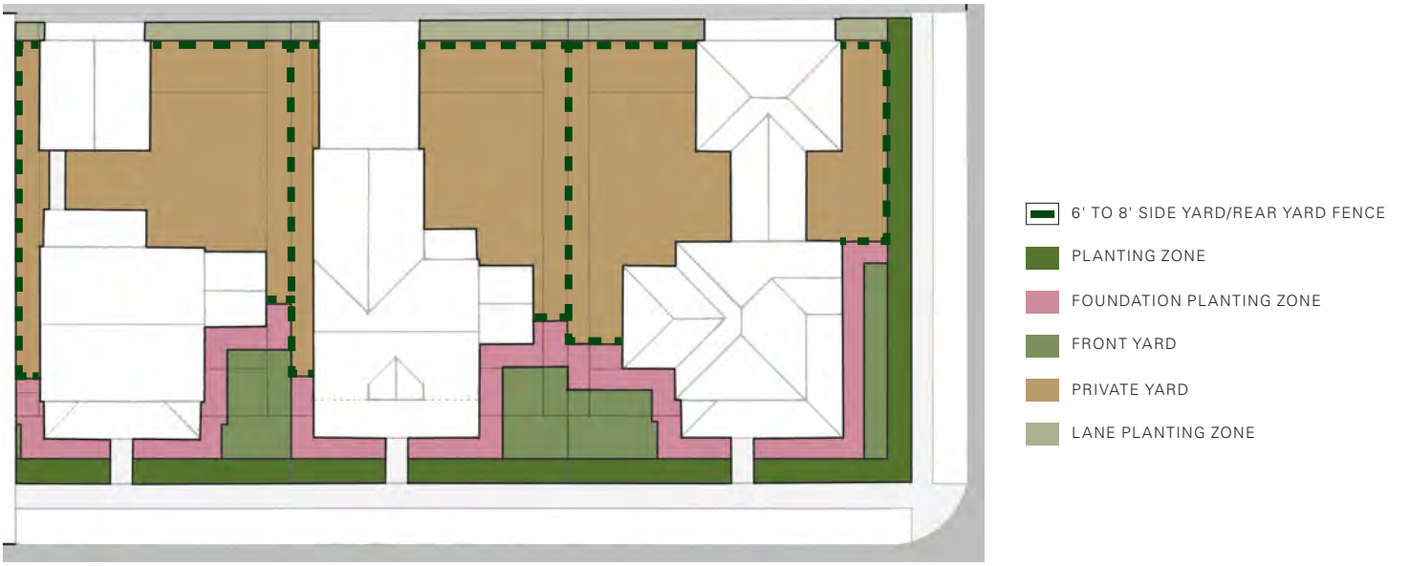
PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

65-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

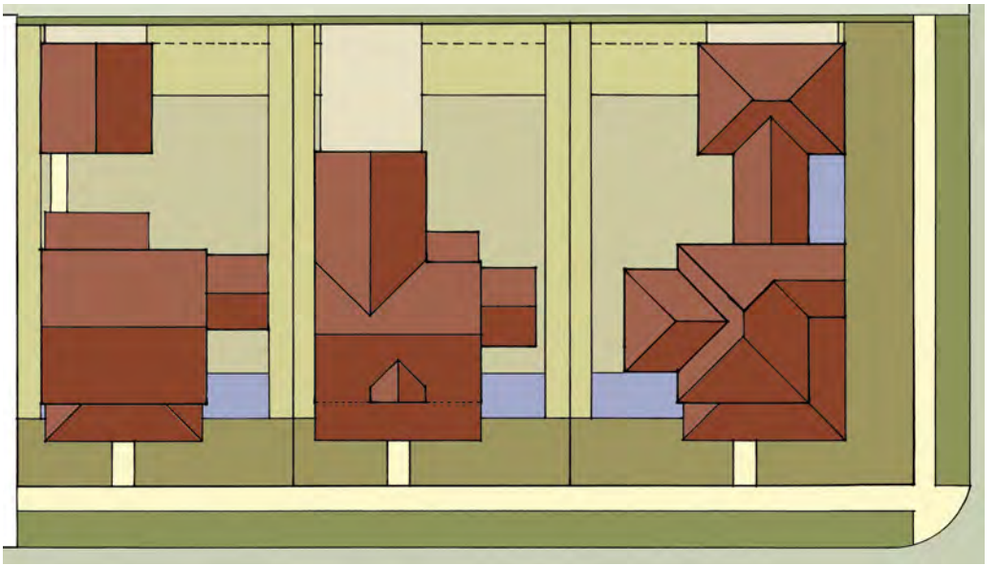
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

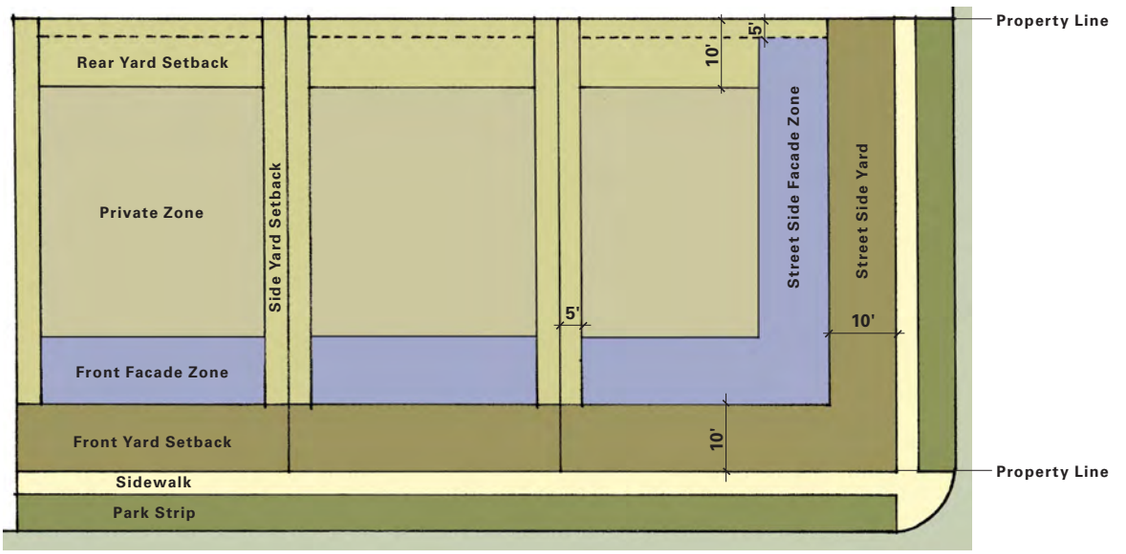
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

65-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65–70 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

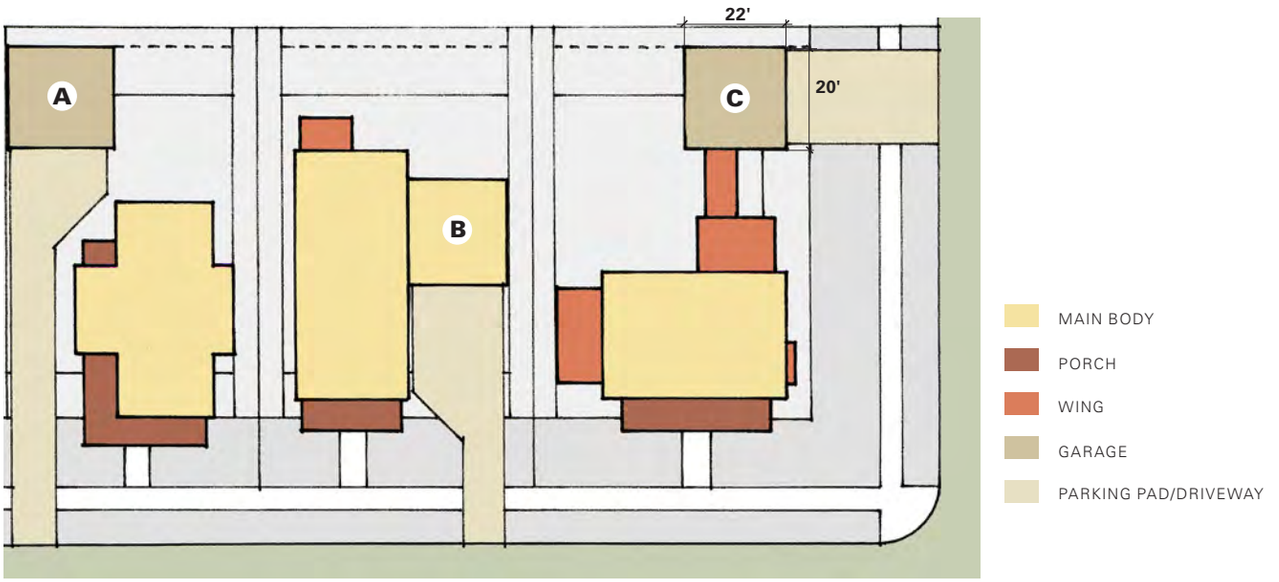
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

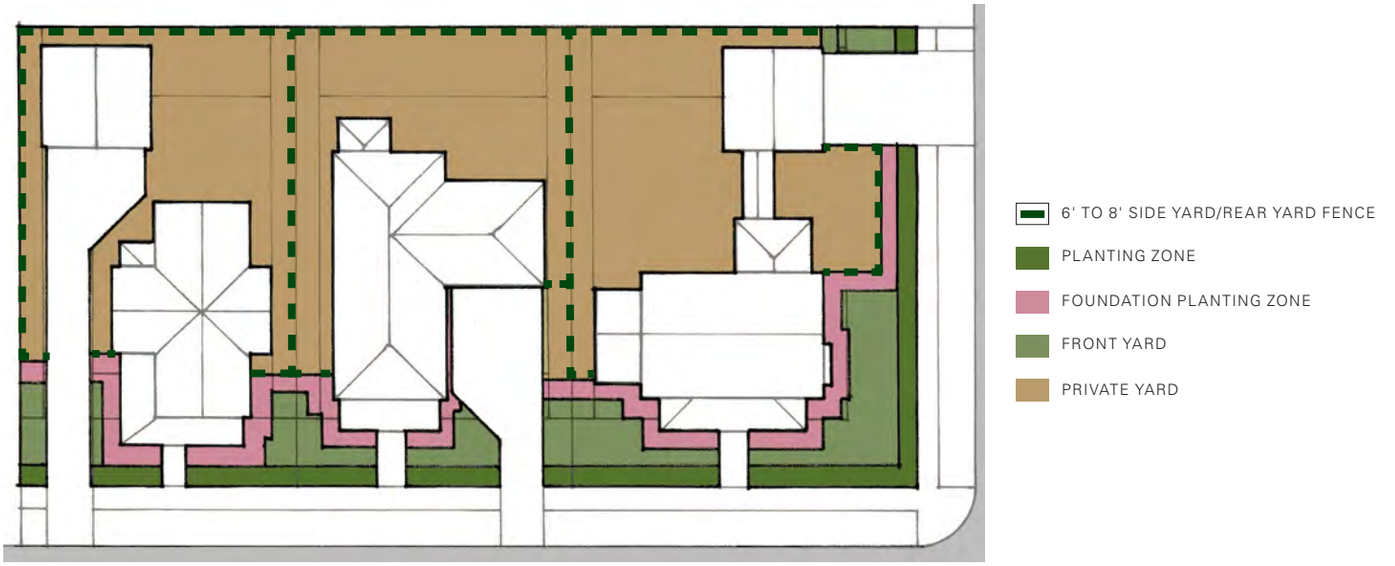
PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

65-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

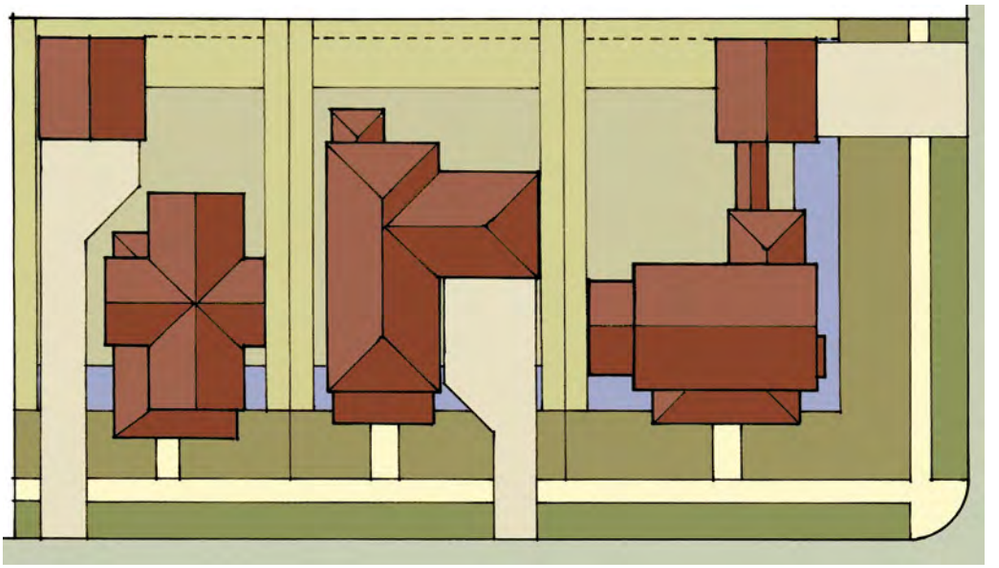
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

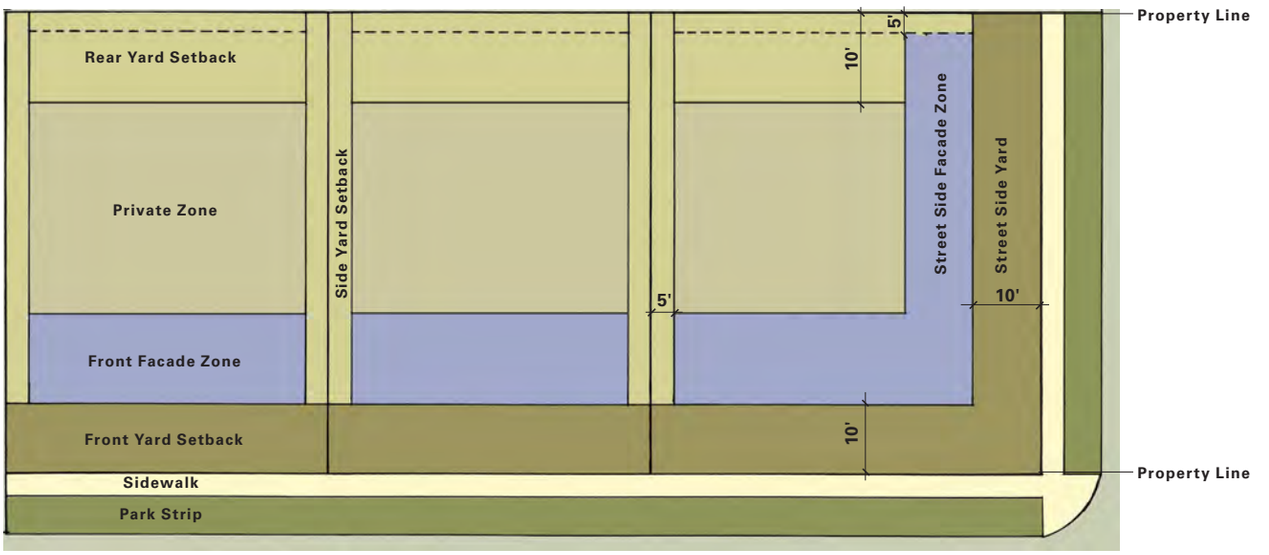
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

70-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 70–80 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

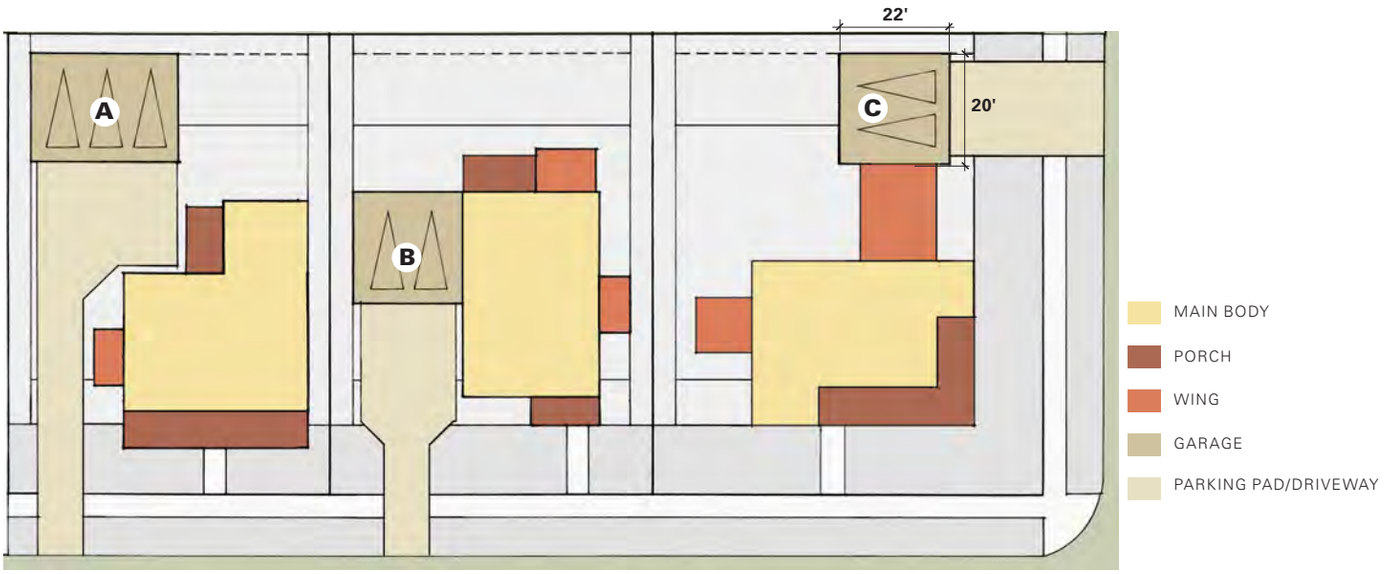
- Front Yard: 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: 10 feet to the house; 20 feet to the garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

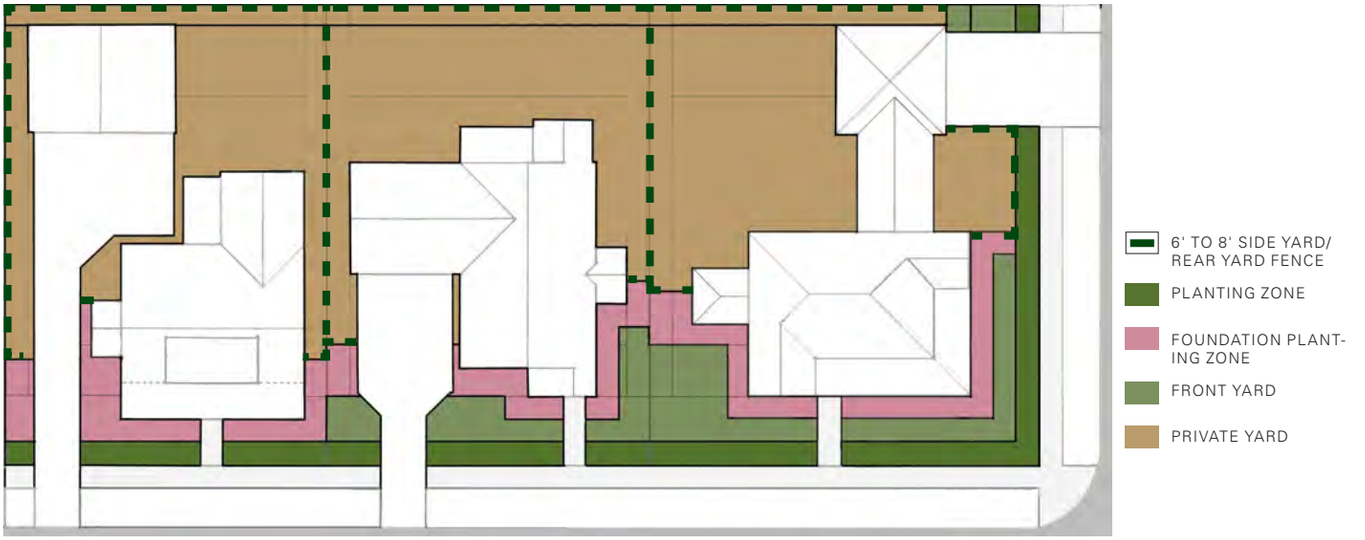
PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached (B)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

70-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

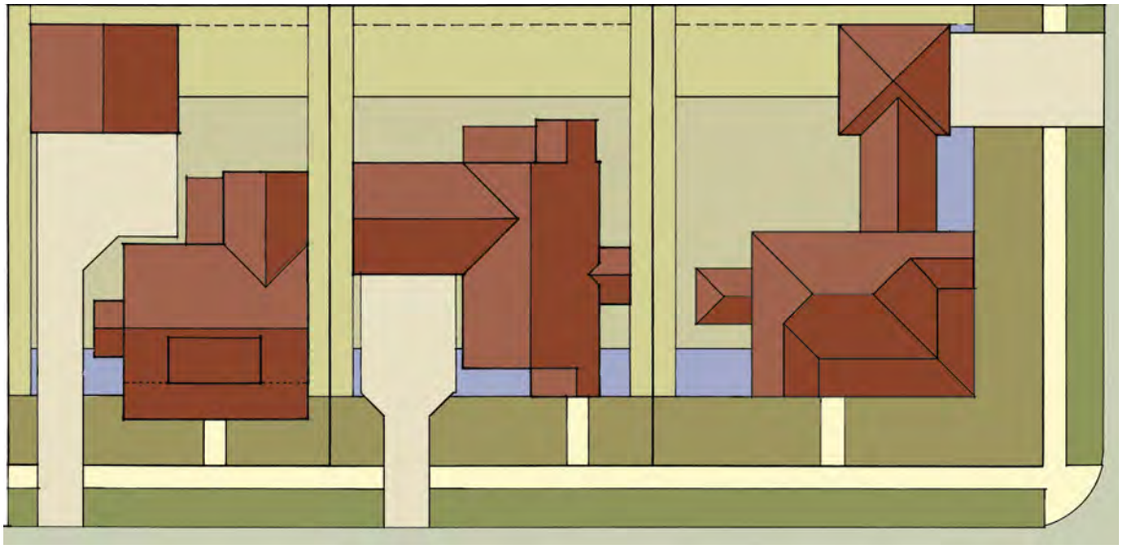
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

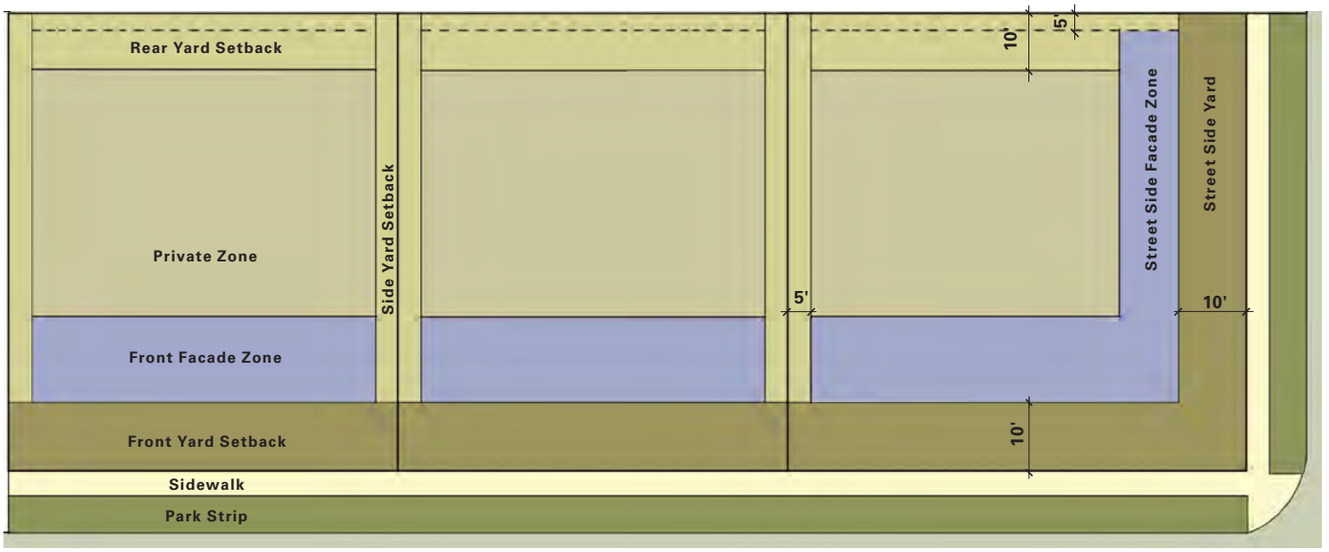
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

80-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 80–100 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

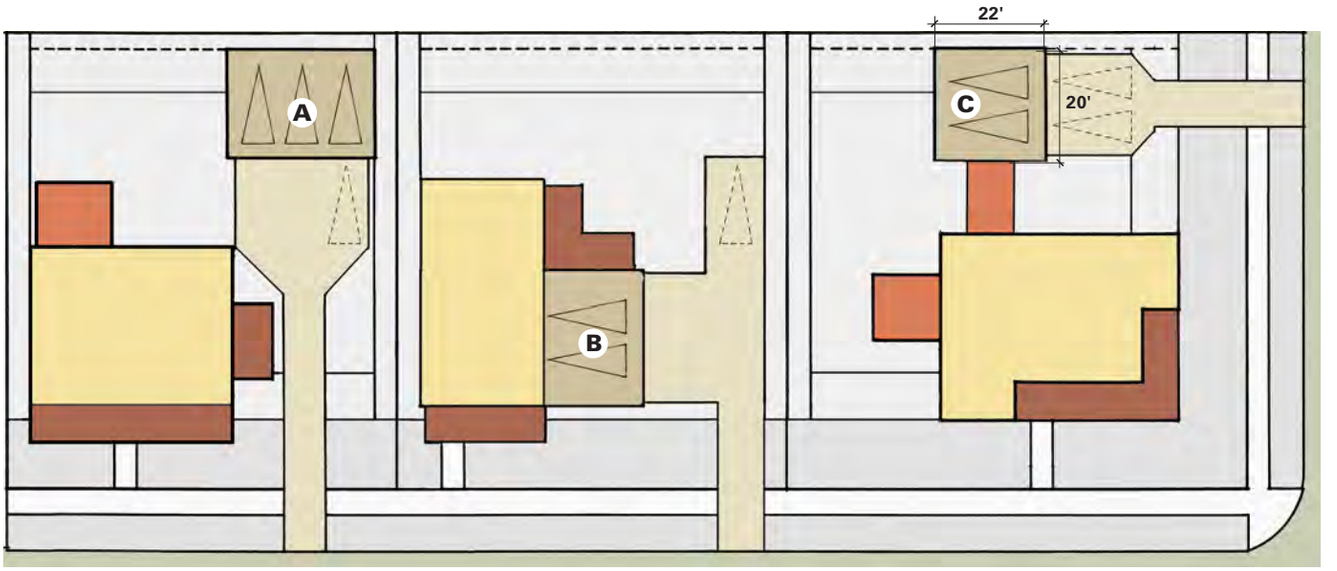
- Front Yard: 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: 10 feet to the house; 20 feet to the garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

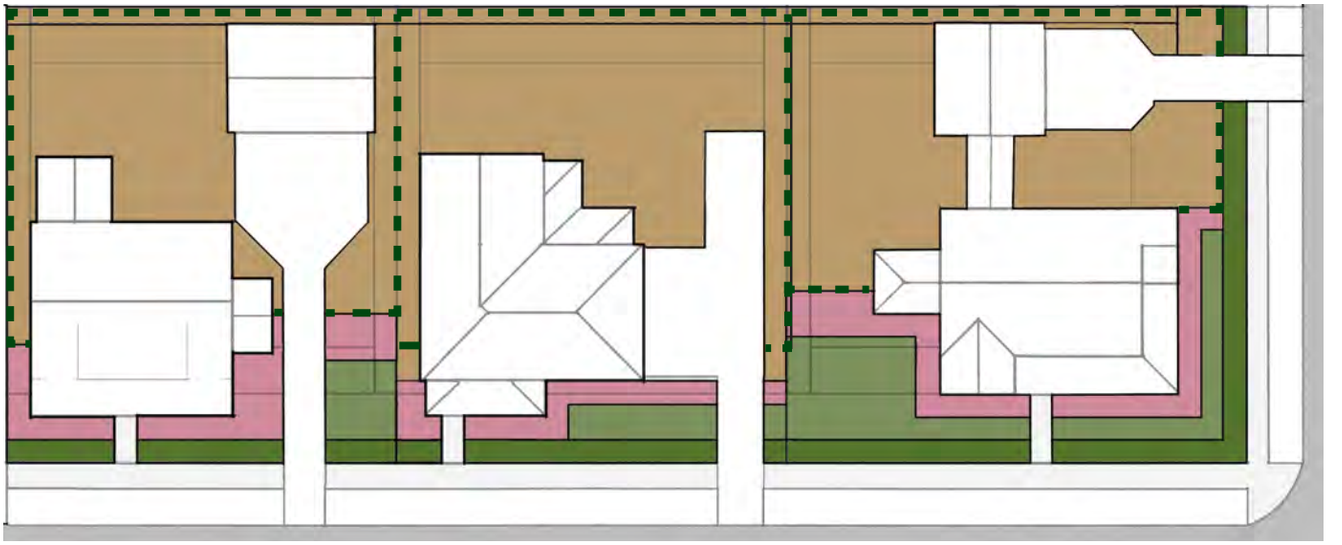
PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached (B)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

80-FOOT LOT : FRONT-LOADED



Yard Requirements

6' TO 8' SIDE YARD/ REAR YARD FENCE
PLANTING ZONE
FOUNDATION PLANTING ZONE
FRONT YARD
PRIVATE YARD

FENCE REQUIREMENTS

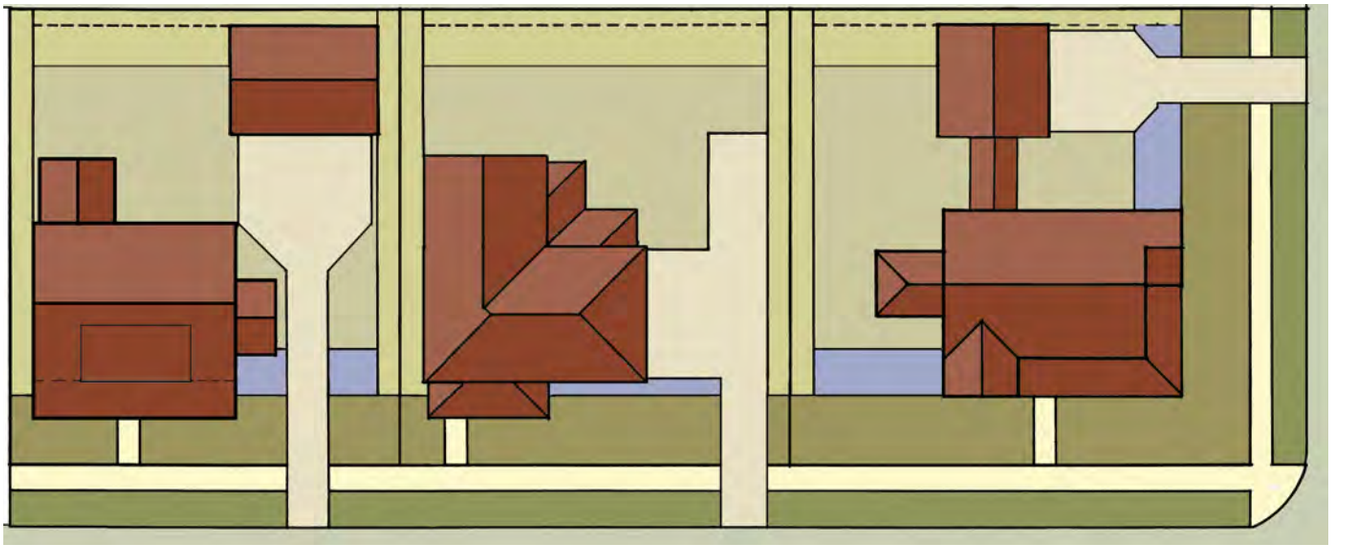
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types should contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of units developed:
  › 30 or fewer lots = 1 floor plan
  › 31 to 50 lots = 2 floor plans
  › 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
  › 31 to 50 lots = 2 elevations
  › 51 or more lots = 3 elevations

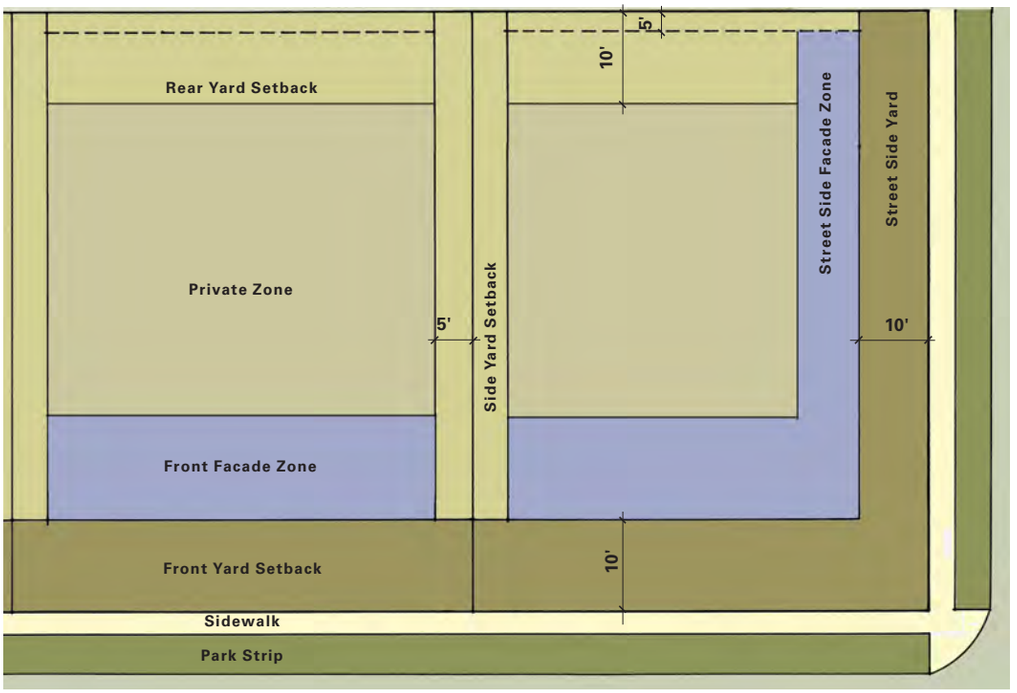
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

100-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Lot Width: 100–110 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

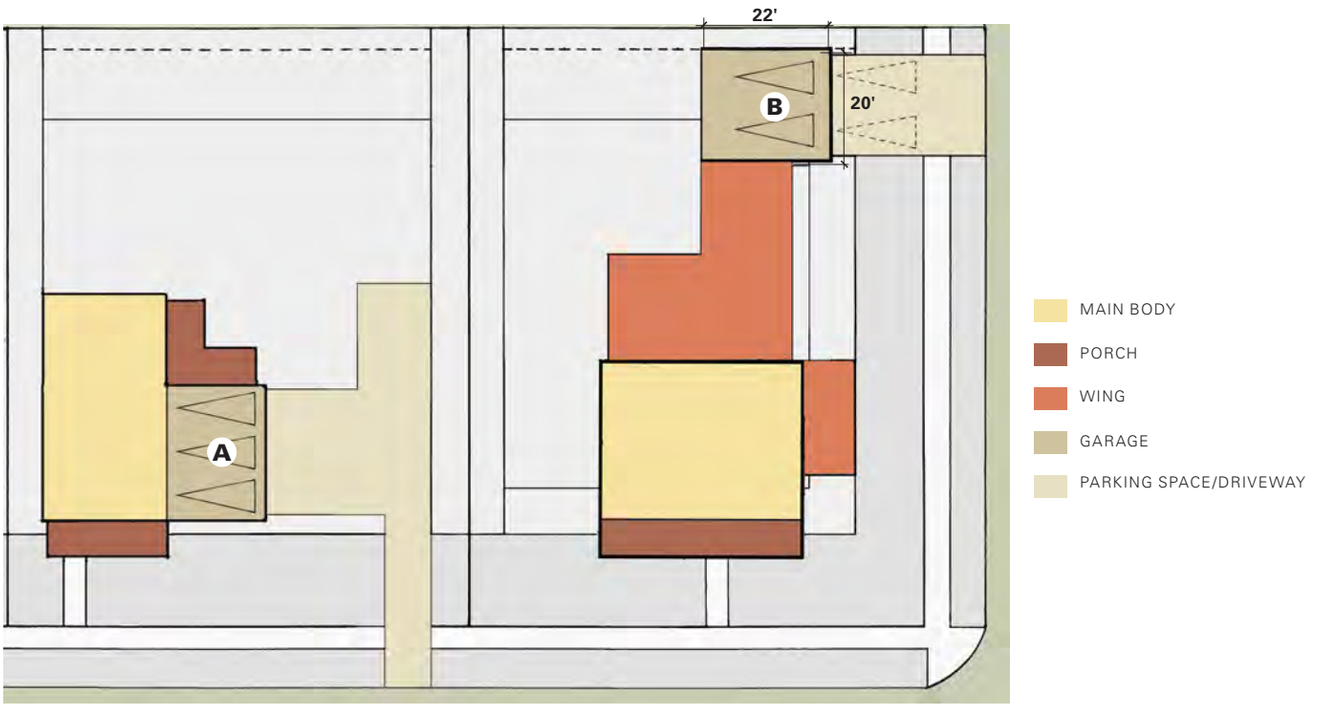
- Front Yard: 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: 10 feet to the house; 20 feet to the garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached
- Semi-attached (B)
- Attached (A)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

100-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

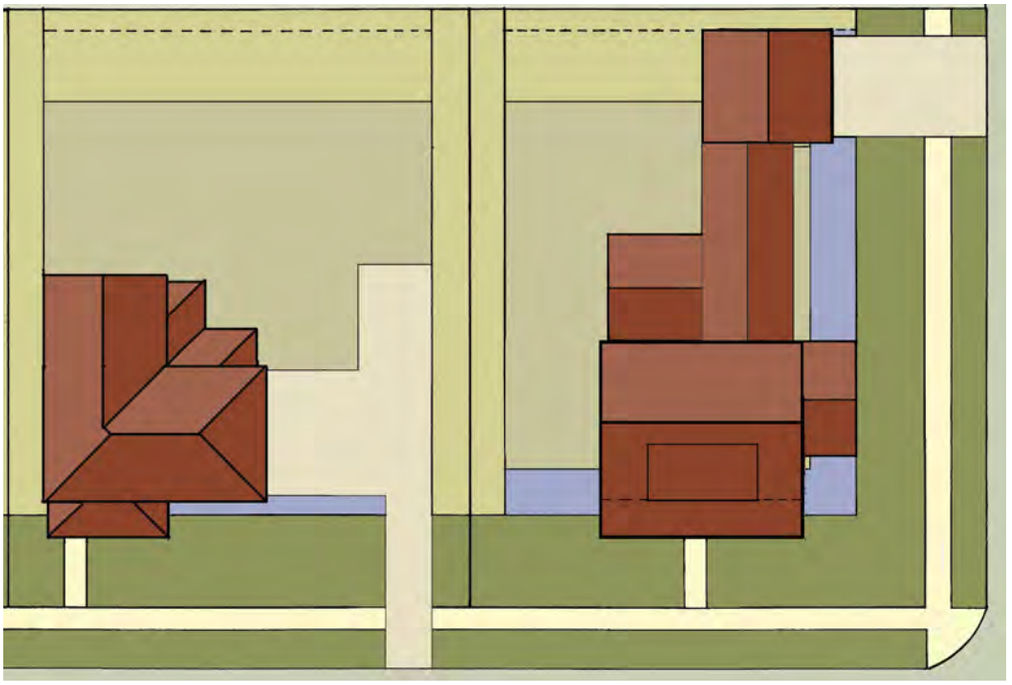
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types must contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of lots developed:
  › 30 or fewer lots = 1 floor plan
  › 31 or more lots = 2 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
  › 31 or more lots = 2 elevations

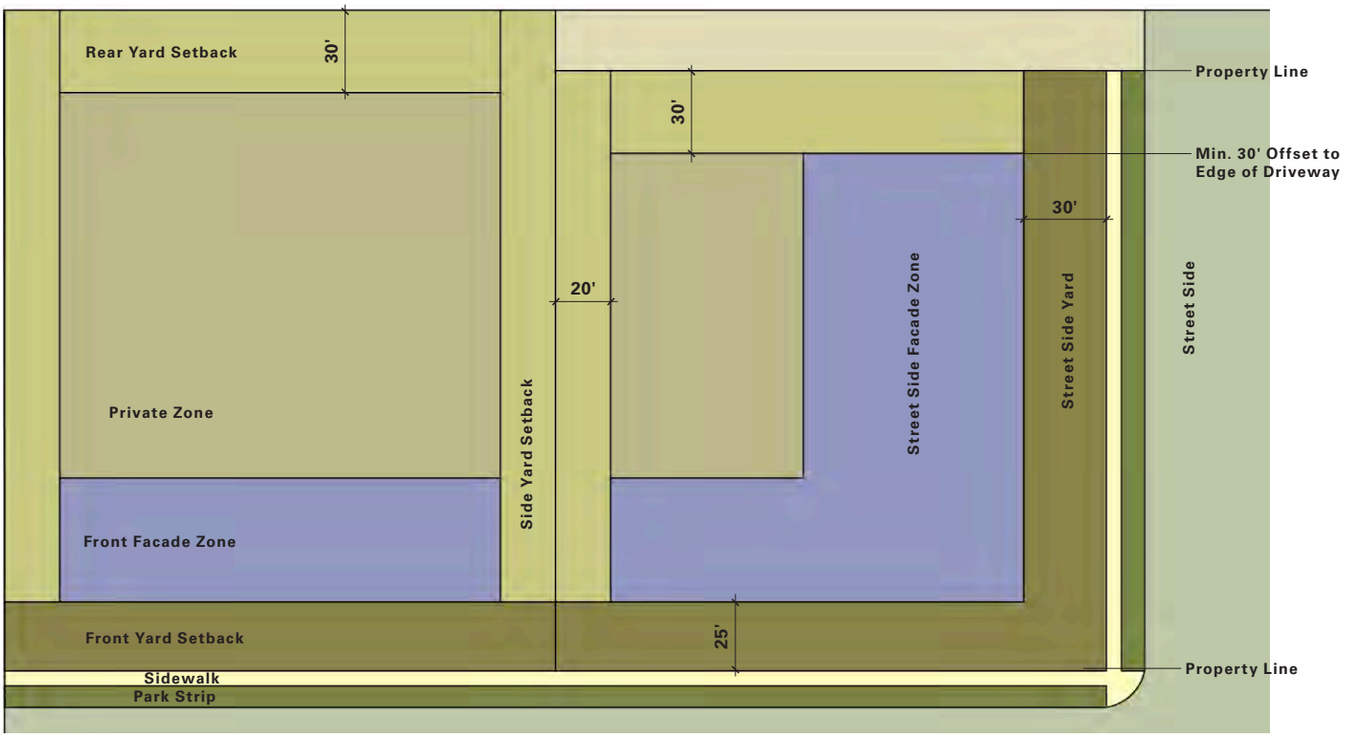
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

ESTATE LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: between 75 to 250 feet
- Lot Depth: 90 feet minimum

MINIMUM HOUSE SETBACKS

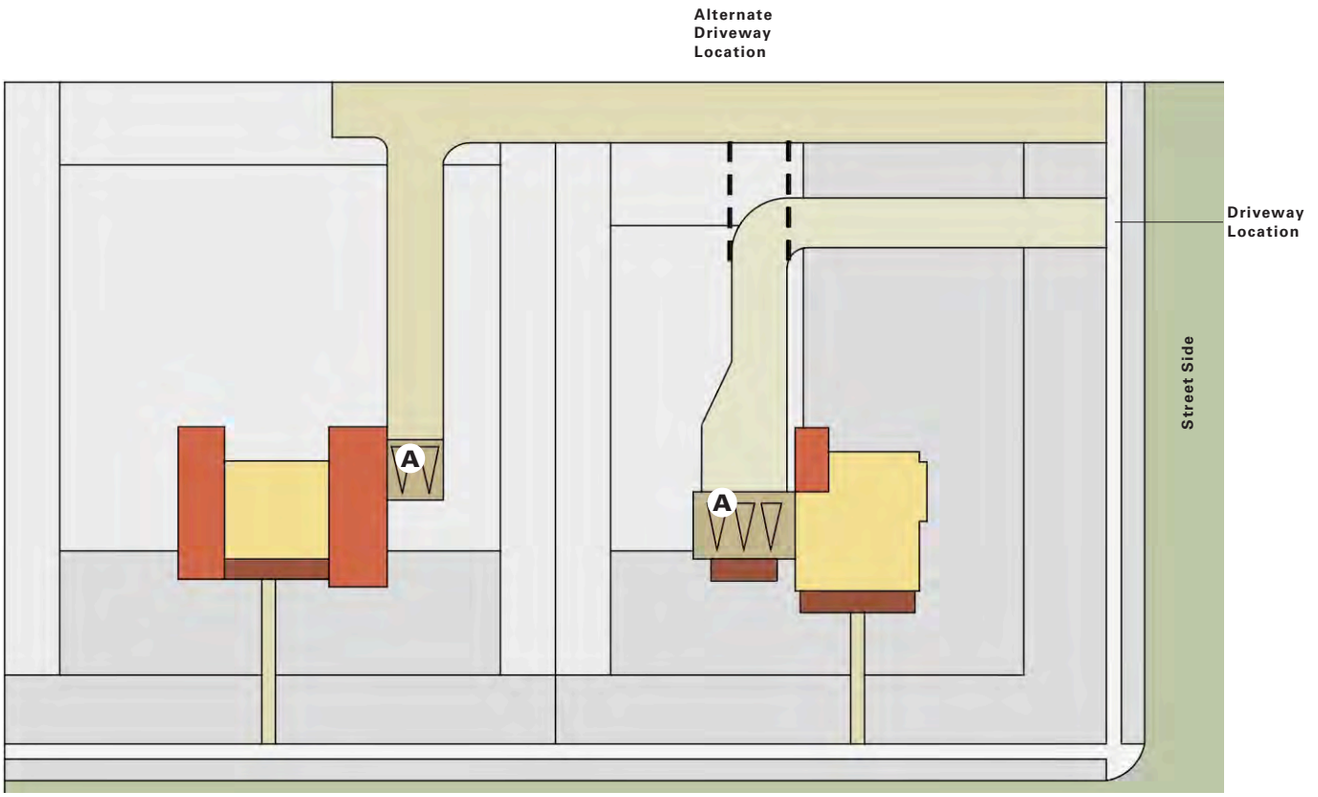
- Front Yard: 25 feet to the house
- Street Side Yard: 30 feet to the house and garage
- Side Yard: 20 feet to the house and garage
- Rear Yard: 30 feet to the house and garage

FACADE ZONE

- Not used.

ENCROACHMENTS INTO SETBACKS

- Not Permitted



Elements of the House

MAIN BODY
PORCH
WING
GARAGE
PARKING PAD/DRIVEWAY

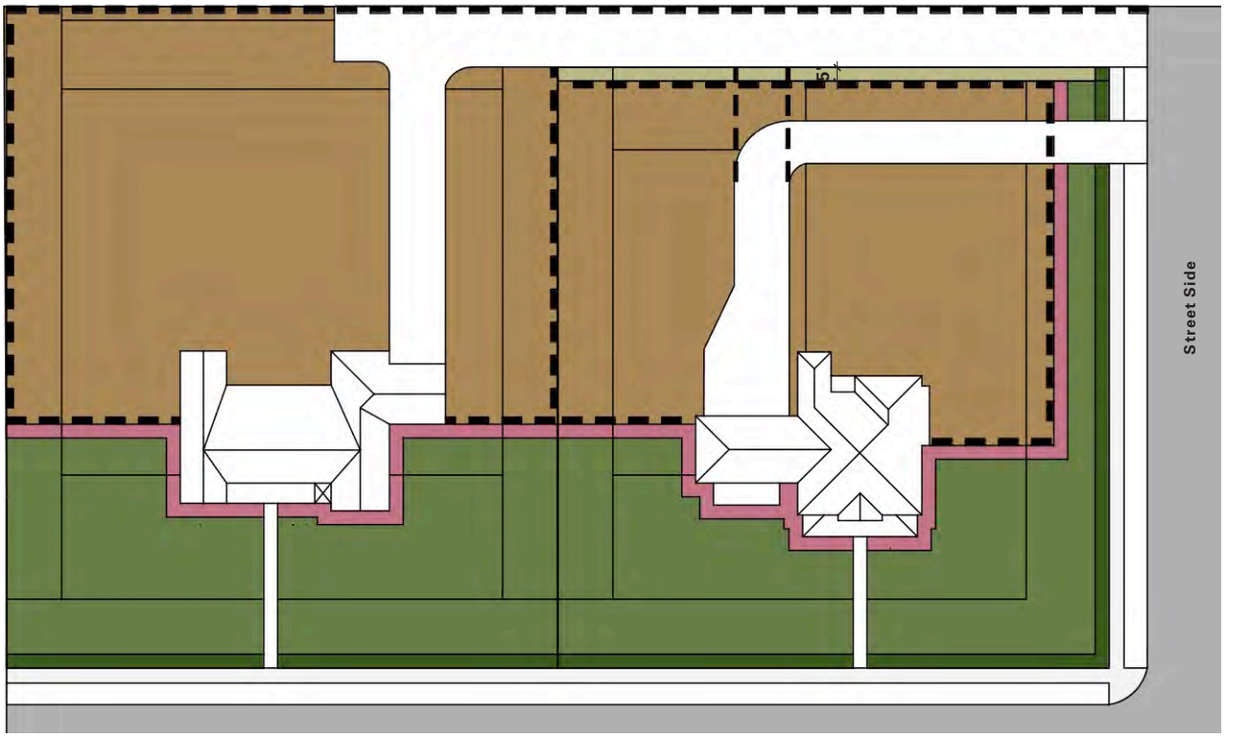
PERMITTED GARAGE TYPES

- Detached
- Semi-attached
- Attached (A)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 3 off-street parking spaces; minimum two-car garage required; four-car garage permitted
- Single or double parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 20 feet per car
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

ESTATE LOT : REAR-LOADED



Yard Requirements

6' TO 8' SIDE YARD/REAR YARD FENCE
PLANTING ZONE
FOUNDATION PLANTING ZONE
FRONT YARD
PRIVATE YARD

FENCE REQUIREMENTS

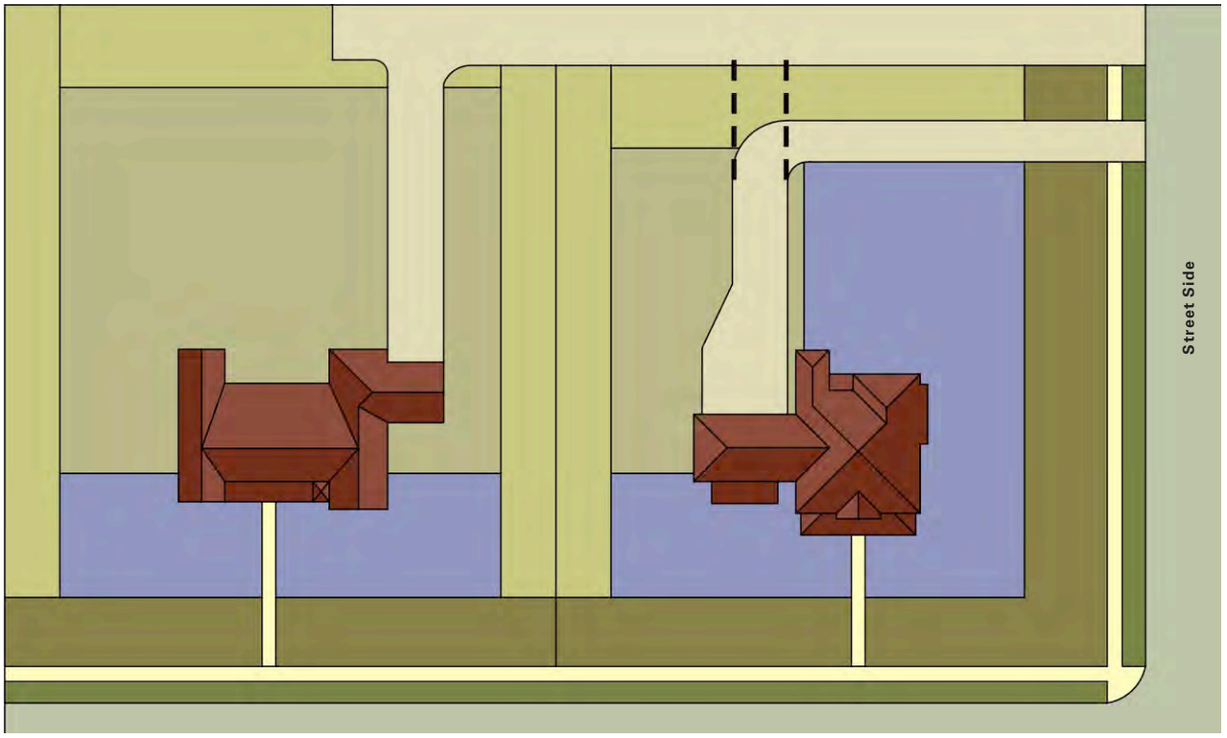
- Front yard fencing is permitted in accordance with the Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted behind center of house only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 5 feet at lanes; 0 feet where no lane
- Side Yard: 15 feet from front facade of house minimum (porch excluded)
- Street Side: 15 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 15 or fewer lots = 1 floor plan
  - 16 or more lots = 2 floor plans

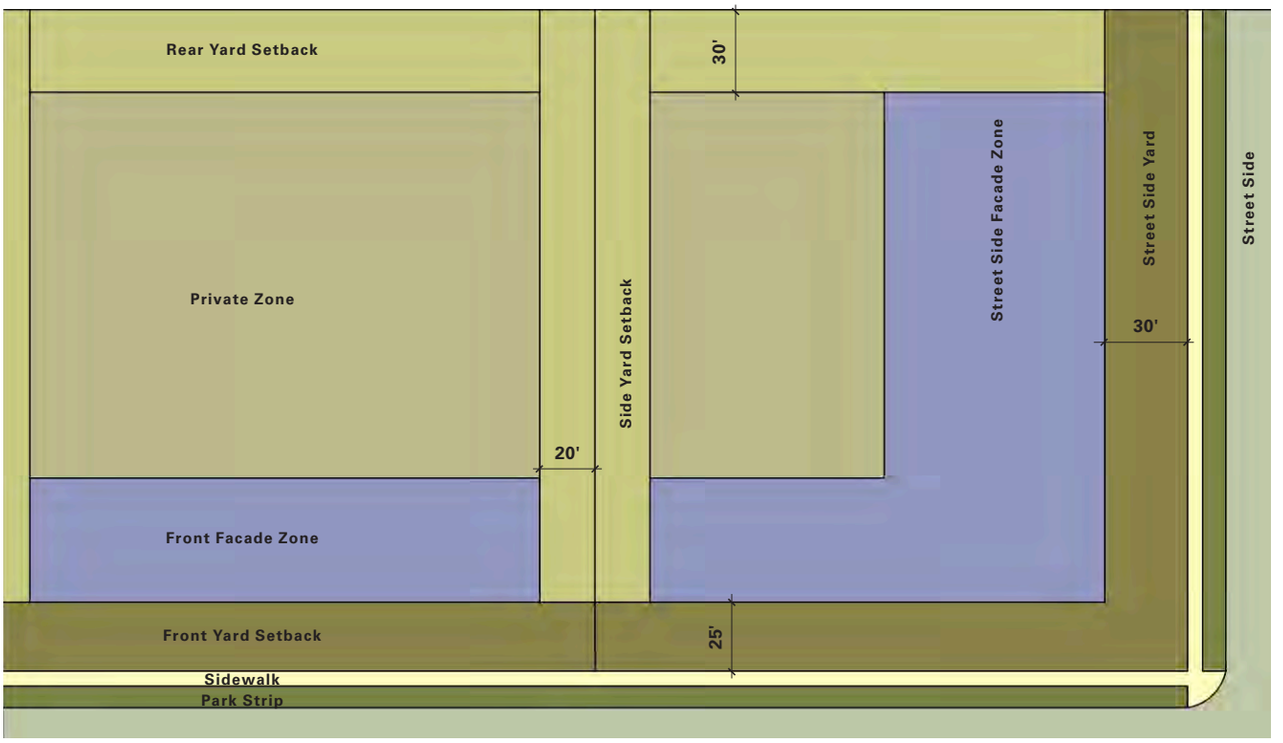
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 10 or fewer lots = 2 elevations
  - 11 or more lots = 2 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

ESTATE LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Lot Width: 75 to 250 feet
- Lot Depth: 90 feet minimum

MINIMUM HOUSE SETBACKS

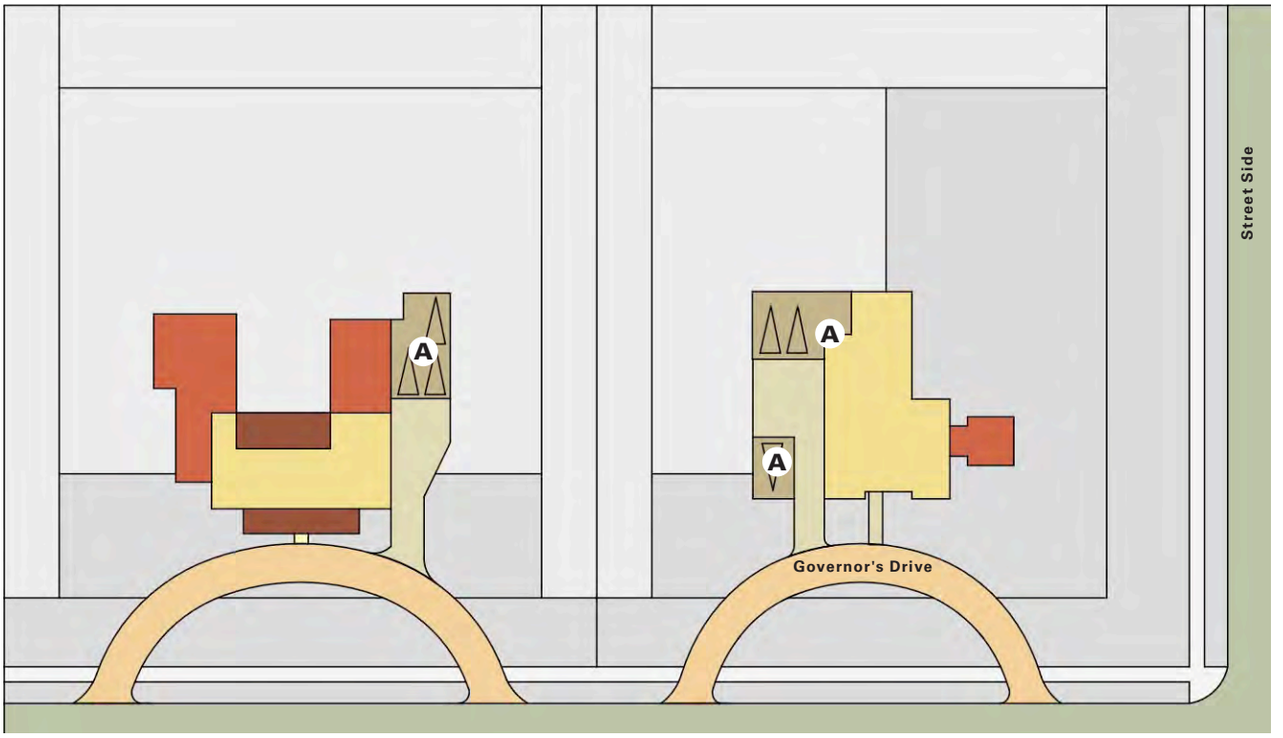
- Front Yard: 25 feet to the house; 5 feet behind front facade to street-facing attached garage
- Street Side Yard: 30 feet to the house and garage
- Side Yard: 20 feet to the house and garage
- Rear Yard: 30 feet to the house and garage

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Not permitted



Elements of the House

MAIN BODY
PORCH
WING
GARAGE
PARKING PAD/DRIVEWAY
GOVERNOR'S DRIVE

PERMITTED GARAGE TYPES

» Detached
» Semi-attached
» Attached (A)
» Tuck-under
» Tandem

GARAGE REQUIREMENTS

» Minimum 3 off-street parking spaces; minimum two-car garage required; four-car garage permitted
» Maximum two garage doors may face the street
» Street-loaded garages may be a maximum of 40% of the street facing facade
» Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

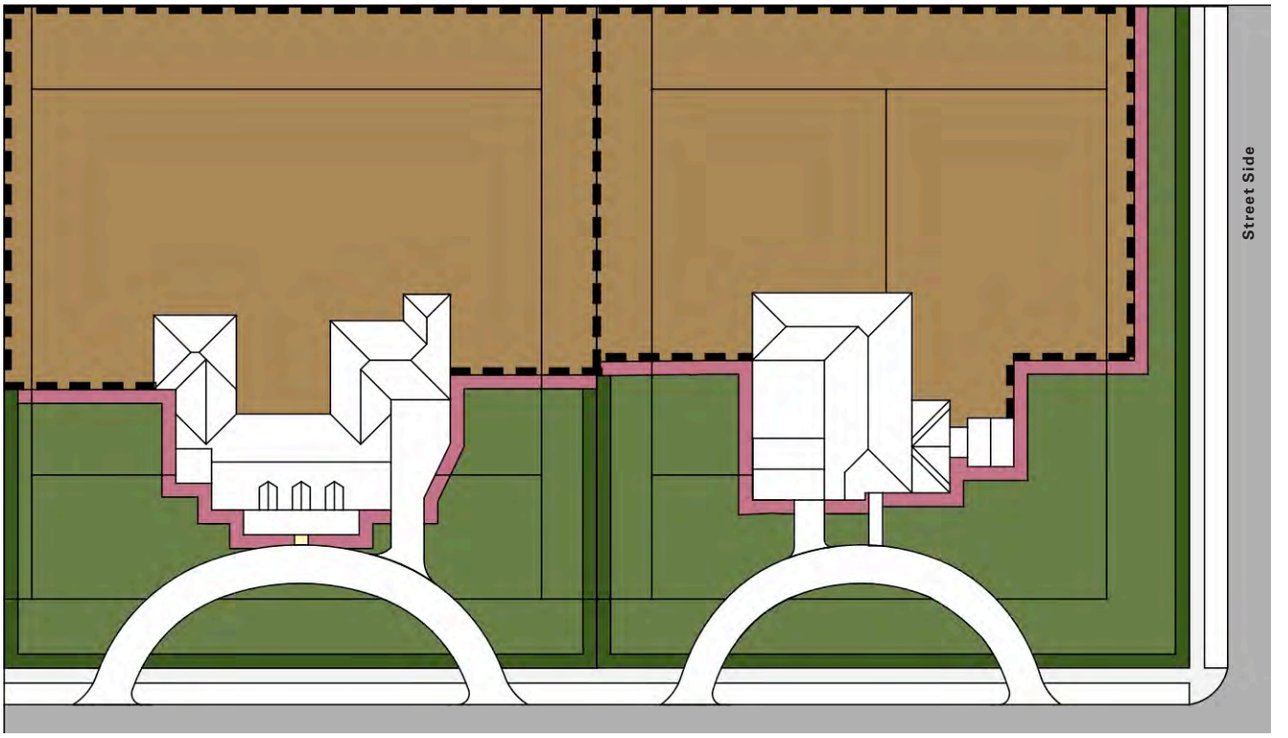
GOVERNOR'S DRIVE

» Two curb cuts permitted

STRAIGHT DRIVE

» Permitted

ESTATE LOT : FRONT-LOADED



Yard Requirements

6' TO 8' SIDE YARD/REAR YARD FENCE
PLANTING ZONE
FOUNDATION PLANTING ZONE
FRONT YARD
PRIVATE YARD

FENCE REQUIREMENTS

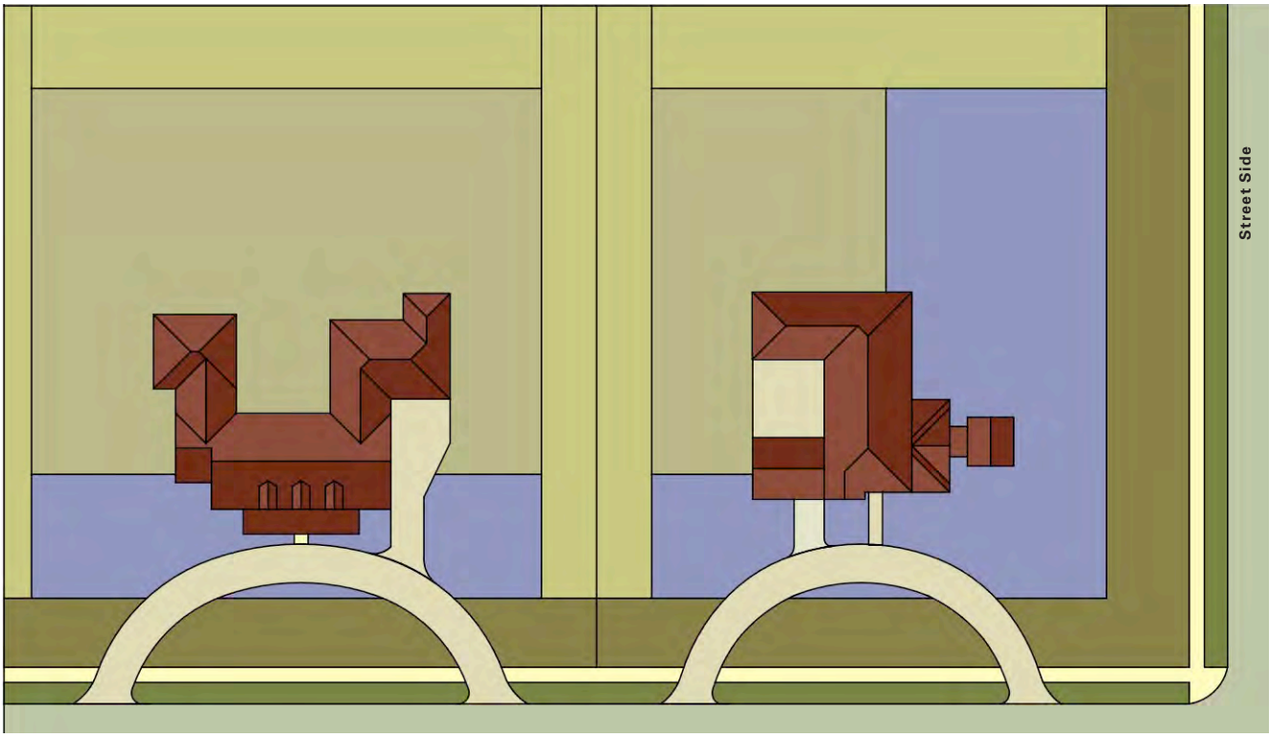
- Front yard fencing is permitted in accordance with the Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted behind center of house only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 15 feet from front facade of house (porch excluded)
- Street Side: 15 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types must contain variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of lots developed:
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  - 16 or more lots = 2 floor plans

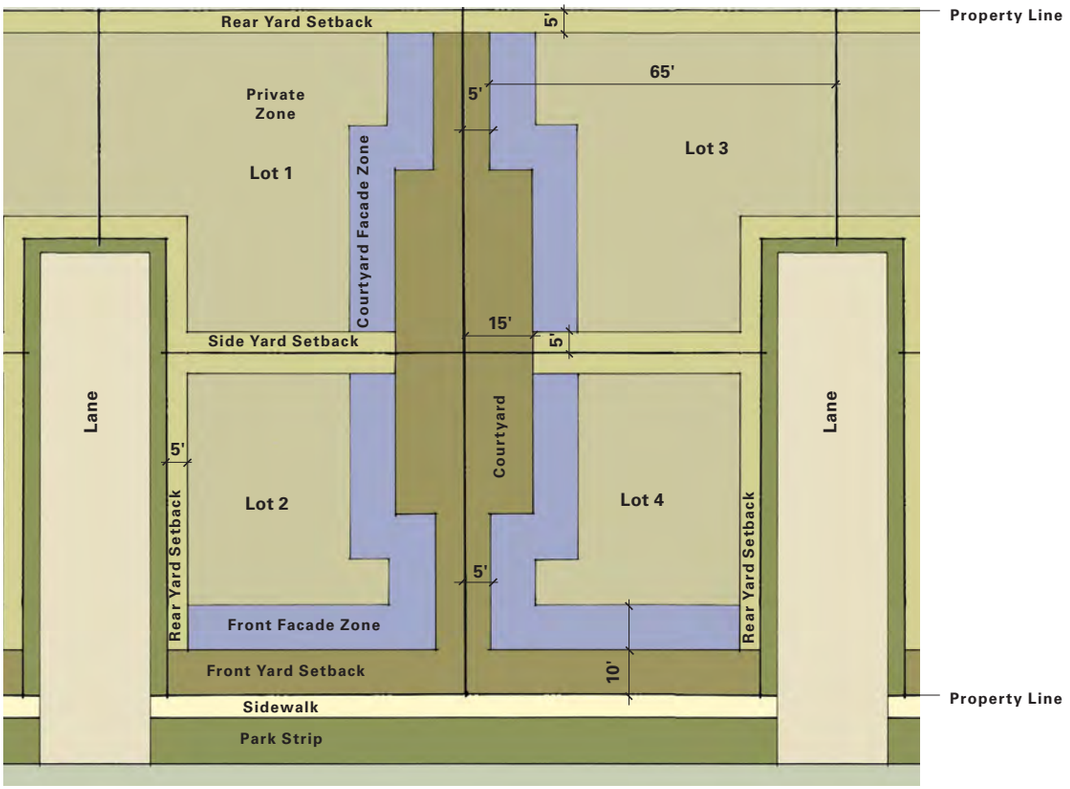
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 10 or fewer lots = 2 elevations
  - 11 or more lots = 2 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

COURTYARD LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65 feet
- Not to be used on corner lots
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

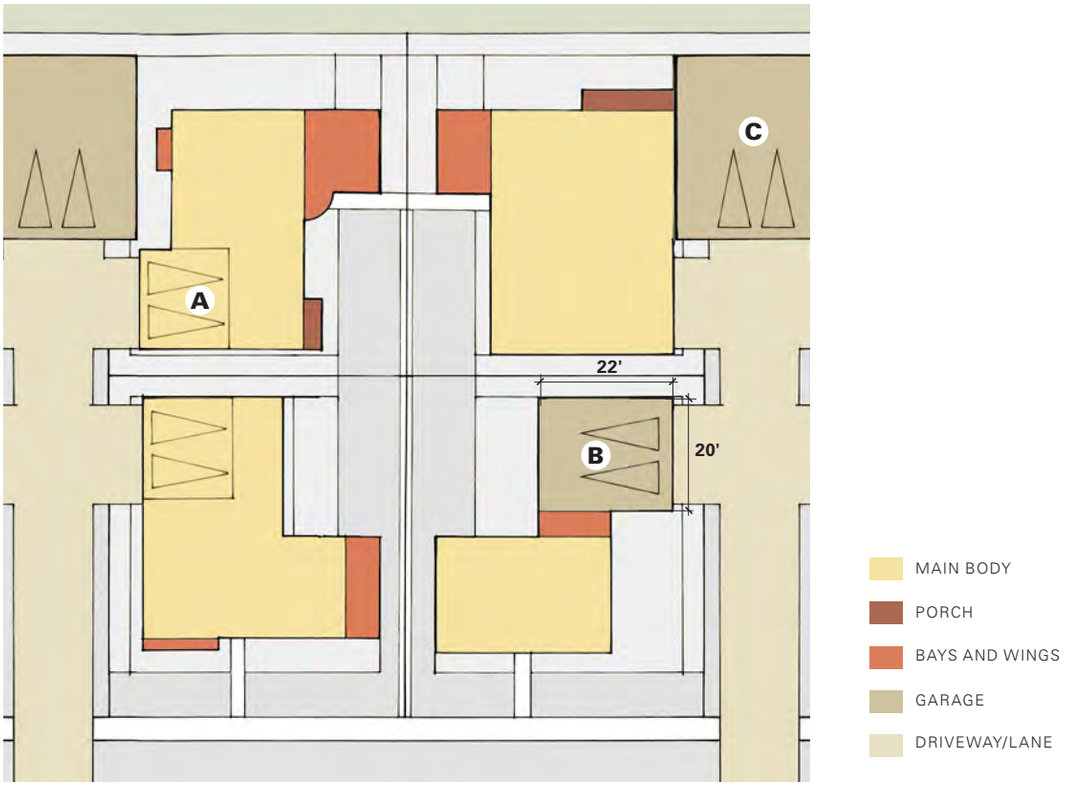
- Front Yard: 10 feet to the house
- Side Yard: 5 feet to the house on courtyard side; otherwise 5 feet
- Courtyard: 15 feet to the center-line of the shared courtyard; 6 feet at Front Facade Zone and in areas where Courtyard Facade Zone meets Rear Yard Setback.
- Rear Yard: 5 feet to the house and garage

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

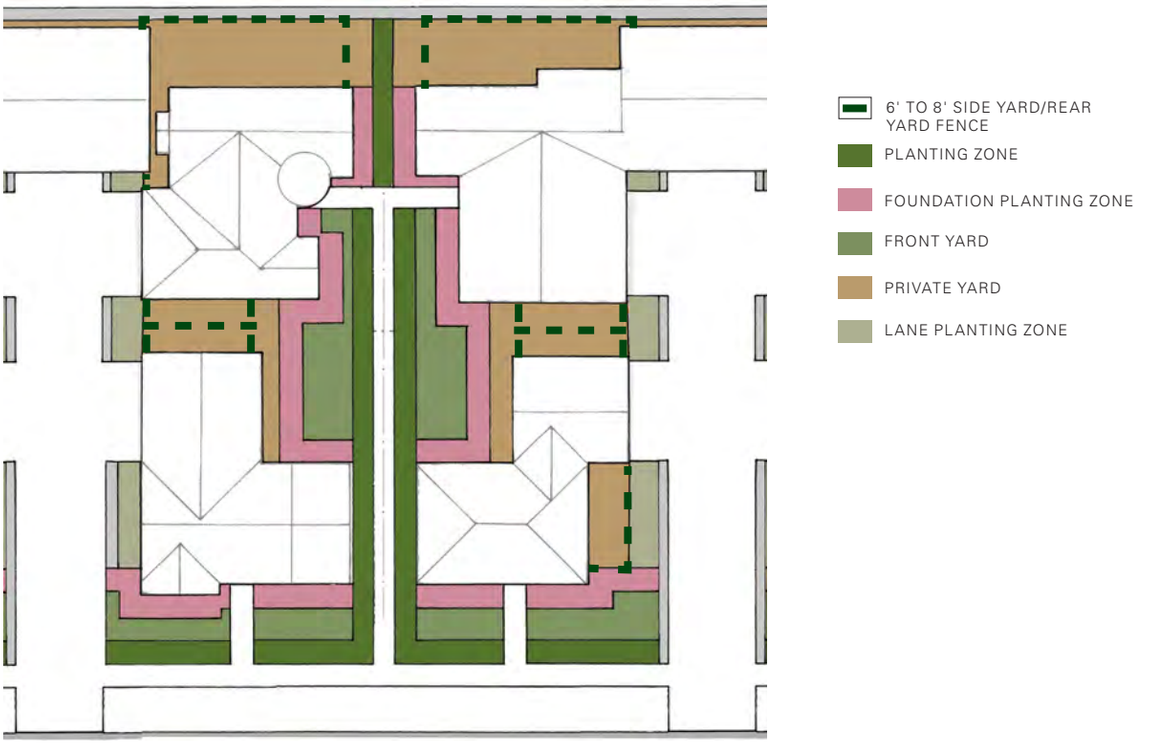
PERMITTED GARAGE TYPES

- Semi-attached (B)
- Attached (C)
- Tuck-under (A)

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces per unit (does not have to be in a garage)
- Garage doors must face lane

COURTYARD LOTS



Yard Requirements

FENCE REQUIREMENTS

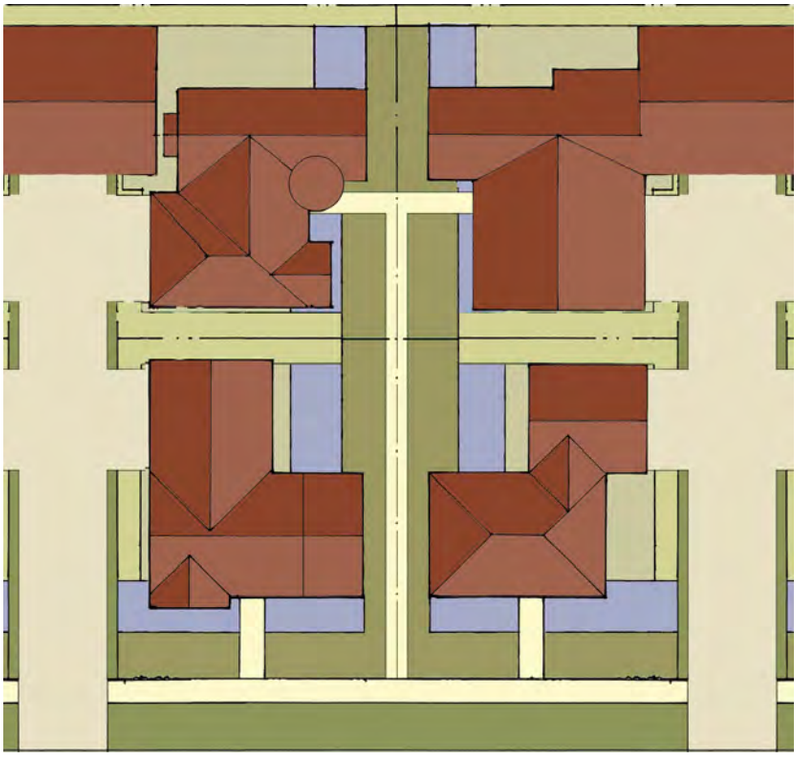
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets and courtyards
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 52 or fewer lots = 2 floor plans
  - 53 or more lots = 3 floor plans

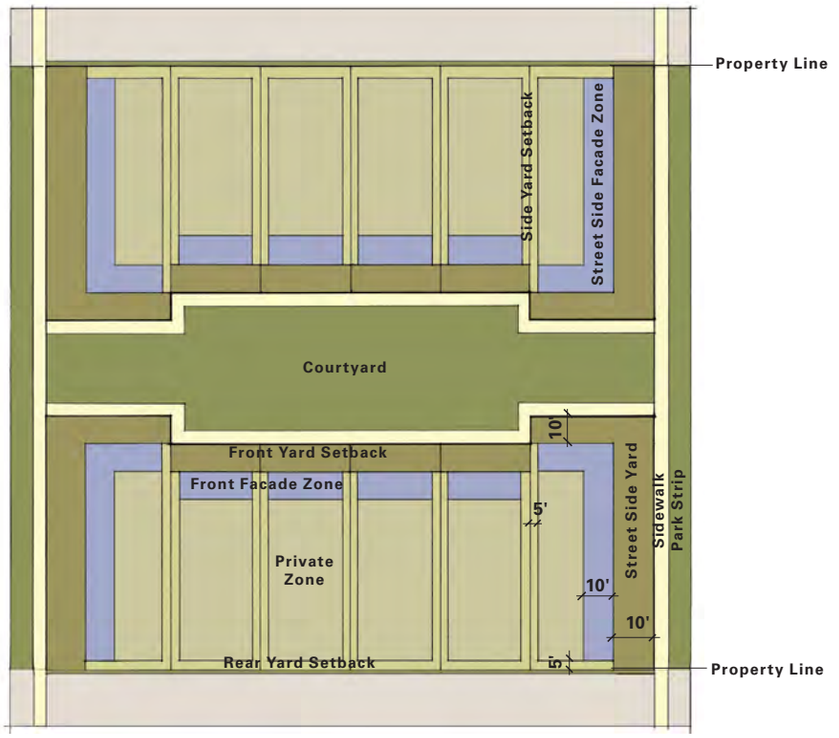
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated in a courtyard or along a block face
- Number of elevations developed based upon number of units developed:
  - 52 or fewer lots = 2 elevations
  - 53 or more lots = 3 elevations
- A minimum of two architectural styles must be represented
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

GREEN COURT



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 32–38 feet
- Corner Lot Width: Increased by 5–15 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

- Front Yard: 10 feet to the house
- Street Side: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: 5 feet to the house and garage; 5 feet maximum to the garage on a corner lot

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (B)
- Semi-attached (A)
- Attached (C)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces
- Minimum two-car garage required
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face street
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 2 feet from the street side elevation

GREEN COURT



Yard Requirements

FENCE REQUIREMENTS

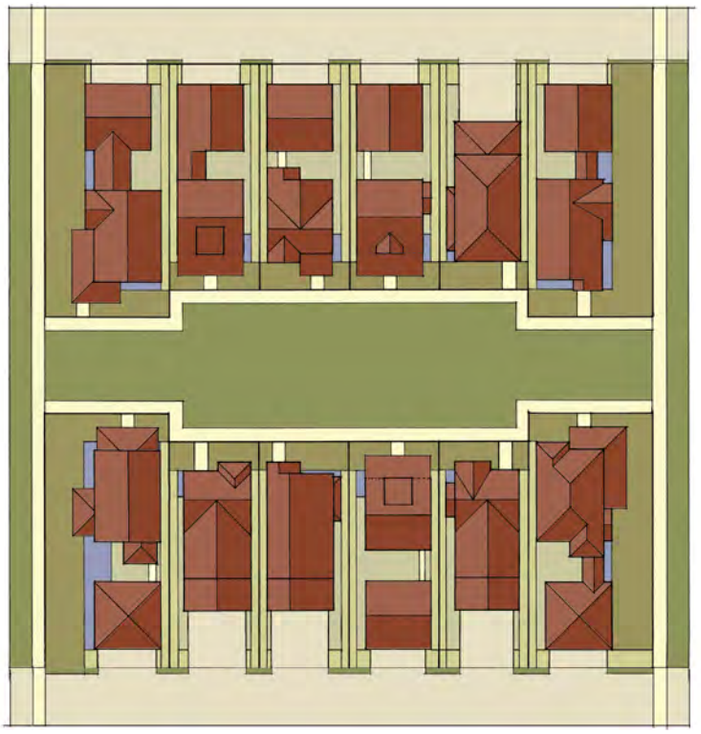
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- When side yard fencing is not used, a side yard easement may be introduced to create functional outdoor space. The easement shall begin at the rear of the front facade zone
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types must contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 52 or fewer lots = 2 floor plans
  - 53 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated along a block face or opposing green court
- Number of elevations developed based upon number of units developed:
  - 52 or fewer lots = 2 elevations
  - 53 or more lots = 3 elevations
- A minimum of two architectural styles must be represented
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

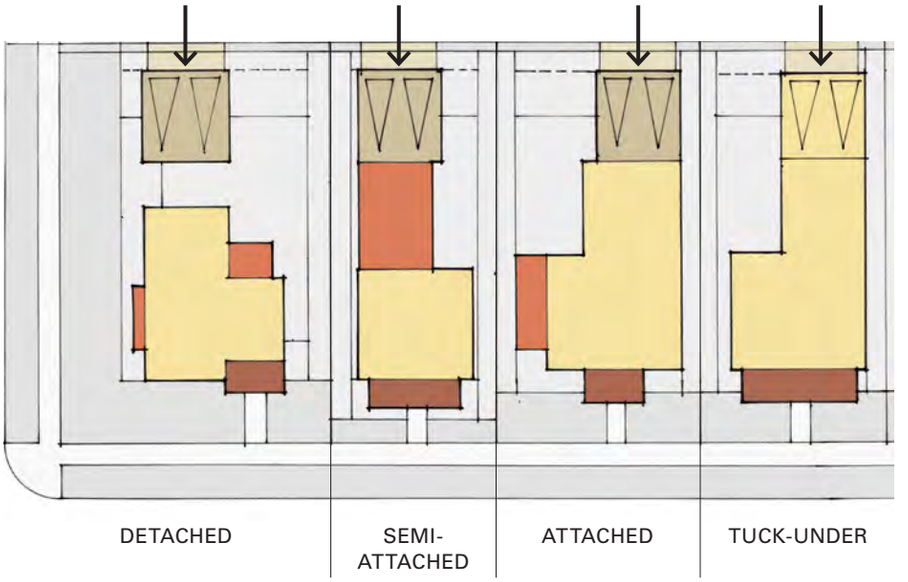
- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

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GARAGE TYPES

REAR LOADED LOTS



DETACHED

» Completely detached from the Main Body of the house

SEMI-ATTACHED

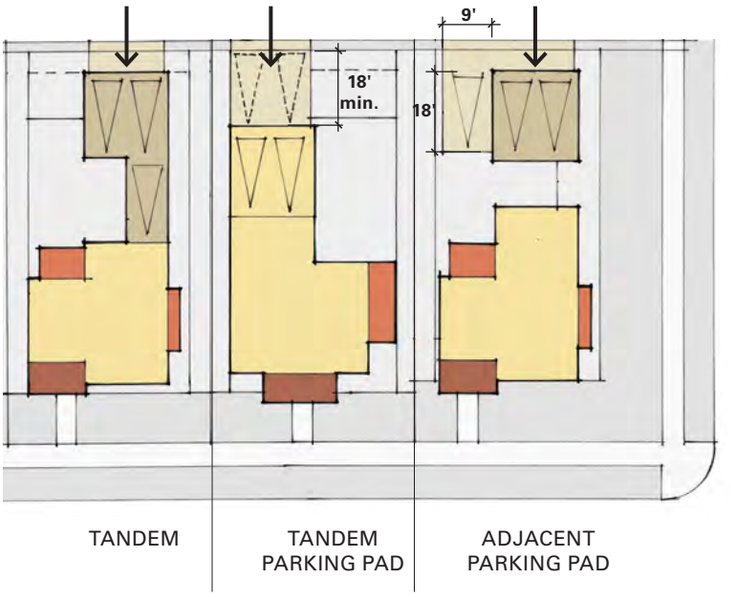
» Connected to the Main Body of the house by a wing or loggia

ATTACHED

» Attached directly to the Main Body of the house
» No habitable space above

TUCK-UNDER

» Part of the Main Body of the house
» Habitable space above



TANDEM

» One car in front of the other

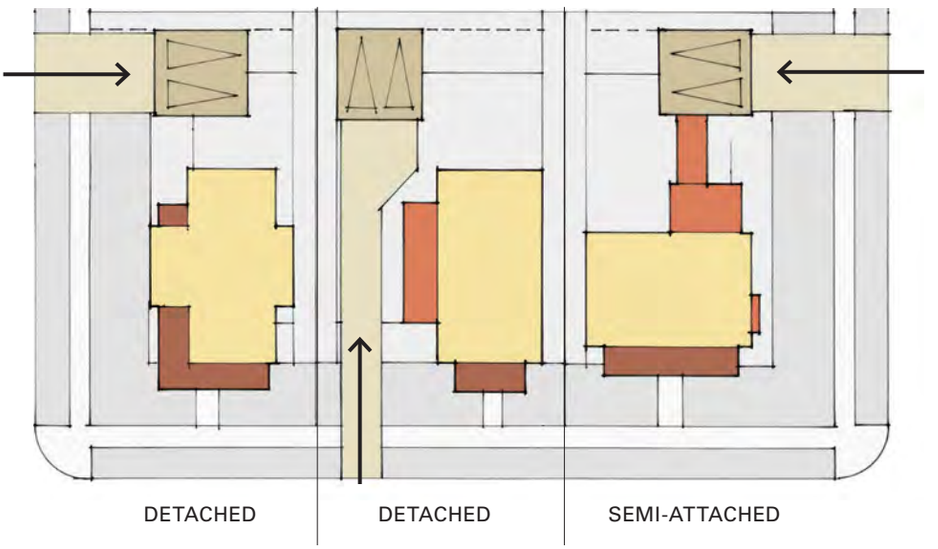
TANDEM PARKING PAD

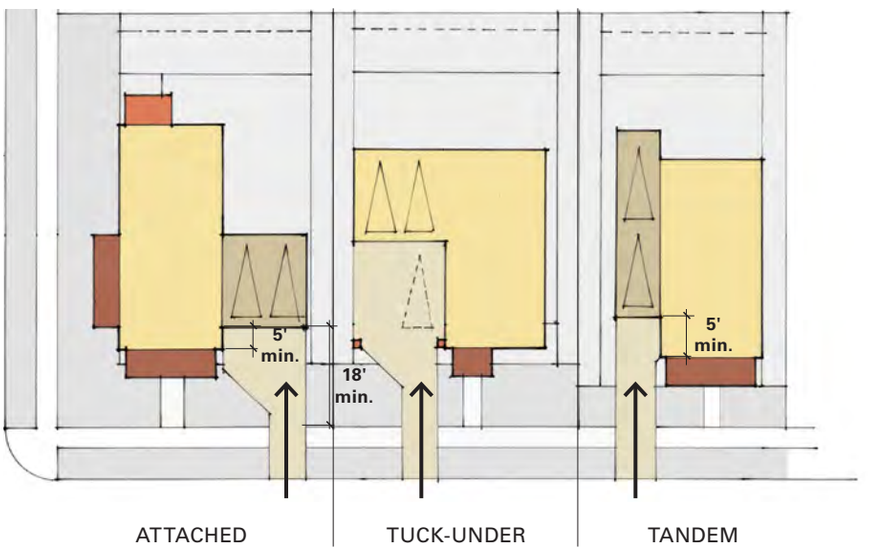
» Pad is located behind the garage
» Setback from rear property line to garage must be 18-foot minimum

ADJACENT PARKING PAD

» Pad is located adjacent to the garage
» Pad Dimension: 9-foot minimum by 18-foot minimum

FRONT LOADED LOTS





DETACHED

- Completely detached from the Main Body of the house
- Setback from front property line: 18-foot minimum

SEMI-ATTACHED

- Connected to the Main Body of the house by a wing or loggia
- No habitable space above
- Setback from front property line: 18-foot minimum

ATTACHED

- Attached directly to the Main Body of the house
- No habitable space above
- Setback from front property line: 18-foot minimum
- Setback from front facade: 5-foot minimum
- If three-car garages face the street, at least one door must be a single door and have a facade setback
- Three-car garages facing the street permitted on lots 70-foot wide or wider

TUCK-UNDER

- Part of the Main Body of the house
- Habitable space above
- Setback from front property line: 18-foot minimum
- Setback from front facade: 5-foot minimum

TANDEM

- One car in front of the other
- Setback from front facade: 5-foot minimum
- Setback from front property line: 18-foot minimum

RESIDENTIAL DEVELOPMENT STANDARDS

Development Standards	Residential Mixed (Front-Loaded Lots, Detached)
Lot Size	4,500 sq ft min
Lot Width	50 ft min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35' at the front property line
Lot Depth	80 ft min.
Front Yard Setback	10 ft. min. Face of garage: 18 ft min.
Interior Side Yard Setback	5 ft min.
Street Side Yard Setback	10 ft min.
Rear Yard Setback	House: 10 ft min. Garage: 5 ft min.
Height	35 ft max.
Lot Coverage	55% max.
Open Space in Rear of front-loaded lots and Interior Yard of rear-loaded lots	No requirement
Distance Between Accessory Buildings	No requirement
Distance Between Main Building and Accessory Building	No requirement
Shade Structures and Detached Accessory Buildings	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]
Encroachment [1]	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.

[1] Only permitted if not encroaching into a public utility easement.
[2] This exception to minimum setbacks does not apply to garages.
Note: See City of Tracy Ordinance 1266, adopted March 5, 2019, for fence standards.

Residential Mixed (Rear-Loaded Lots, Detached)	Residential Estate
2,400 sq ft min.	1 acre min.
30 ft min.	180 ft. min.
80 ft min.	180 ft min.
10 ft min. Garages shall be within rear 1/3 of the lot accessed from alley	25 ft min.
5 ft min.	20 ft min.
10 ft min.	30 ft min.
House: 10 ft min. Garage: 5 ft min.	30 ft min.
35 ft max.	35 ft max.
55% max.	30% max
No requirement	No requirement
No requirement	No requirement
No requirement	10 ft min.
Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]
Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.	Not Permitted

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ARCHITECTURAL PATTERNS

The Architectural Patterns Section for Detached Residential units illustrates key elements and design strategies for the six permitted traditional styles for Ellis Residential architecture. This section provides detailed guidelines for designing within the prescribed styles while creating well-defined variations among houses and buildings. The approach used is not intended to be a comprehensive catalog of all possibilities, but rather to serve as a guide to the key components within a particular style.

Each style section begins with an overview and general description of the style followed by several pages that document key massing types, standard door and window compositions, and materials and possibilities for facade design based upon Ellis Pattern Book components. Variations or other alternative combinations of components are permitted so long as they generally conform to the particular style. The goal is to design within specific families of styles that are appropriate to the Ellis context, not to design historic reproductions. The style pages and the illustrated details are meant to be a menu of options for designing houses in response to market demands and cost constraints while providing a consistent quality of character and detail.

ELLIS CRAFTSMAN

Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in robust color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For houses in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be twice as tall as wide in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

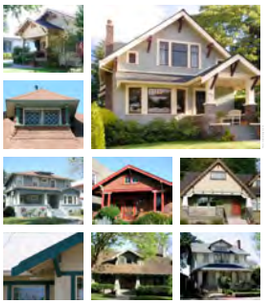
Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are lay cladding elements. This style also may include separated metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door composition.



GALLERY OF EXAMPLES



ELLIS REVIVAL

The Ellis Revival style is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The houses are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton-area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



GALLERY OF EXAMPLES



ELLIS FARMHOUSE VICTORIAN

The Ellis Farmhouse Victorian style builds on the early Carpenter Gothic cottages built in the western region of the United States from early pattern books. While the Victorian style became fashionable in the 1850s in the Bay Area, its popularity grew and spread eastward from San Francisco. Style books published by Andrew Jackson Downing were the source of many early examples. Publications such as *The Horticulturist* influenced the preferences of the public and provided an especially dramatic contrast to the urbanized Spanish and adobe building types prevalent at the time. Many early religious camp settlements adopted the style with more and more exotic variations that included Eastlake, Queen Anne, and Italianate detailing.

The Farmhouse Victorian style is centered on simple, elegant forms to create more informal houses on small lots.

This style has expressive porch elements, decorative trim elements, and vertical windows and doors.

COMMON ELEMENTS OF ELLIS FARMHOUSE VICTORIAN

- Moderate to steeply pitched, front-facing gable roofs.
- Cut wood ornament, often with natural forms such as leaves and vines.
- Clapboard or cut shingle siding.
- Vertical proportions for windows and doors.
- Bay and cutaway bay windows.



GALLERY OF EXAMPLES



ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables. Dormers — gable, hip, and shed — are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

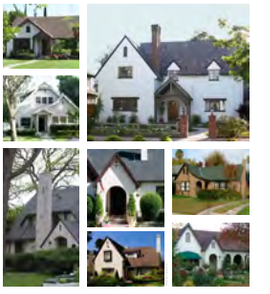
Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES



ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double-hung Colonial windows and doors.
- Multi-pane window appearance, wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing, projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES



ELLIS SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long sprawling masses of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character), covered patios, loggias, or cloisters, and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handtrowled/ finished appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES



ELLIS CRAFTSMAN

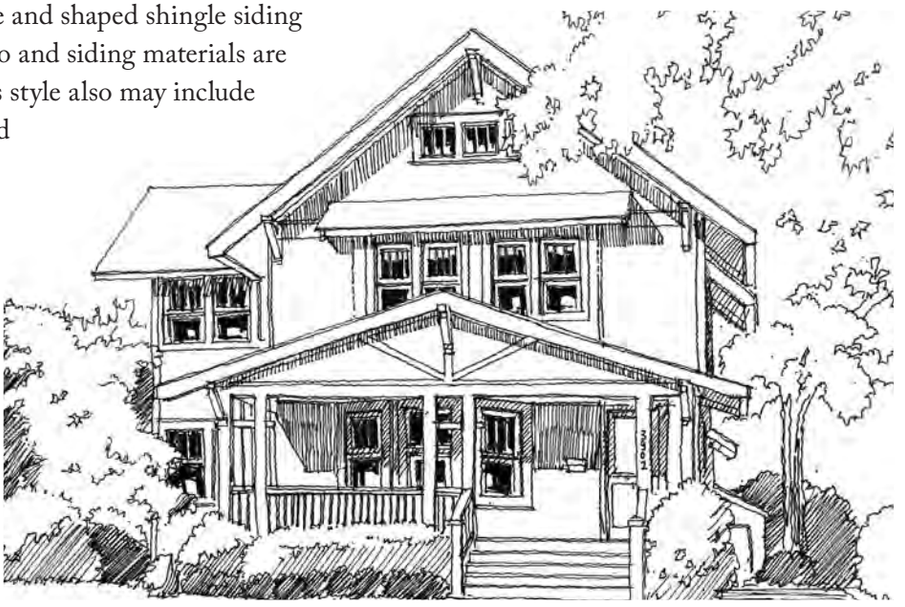
Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in robust color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For houses in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.



GALLERY OF EXAMPLES





Photo Credit: AT Design Consulting



Photo Credit: Design Lens



Photo Credit: First Lamp



Photo Credit: Alan Mascord Design Associates



Photo Credit: R.W. Anderson Homes





Photo Credit: urbanSTIX Architecture



Photo Credit: AT Design Consulting

MASSING AND COMPOSITION

A TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 4 to 7 in 12. Hipped front porches are common and have a shallower roof pitch. Porches may be either additive or a single integral bay.

B ONE-AND-ONE-HALF-STORY SIDE GABLE

Square volume with a 4 to 5 in 12 side gabled roof. Integral front porch that ranges from half to the full length of the front facade. Symmetrically placed gabled or shed dormers with 4 in 12 roof pitch.

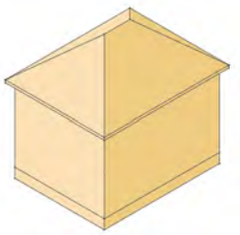
C TWO-STORY GABLE L

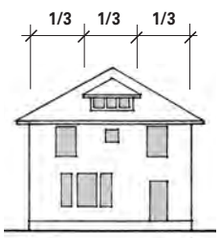
Cross-gabled volume with a 4 in 12 gable facing the street. Often an in-line gabled porch or wing is added to the front left of the L. Porches may also be located between the legs of the L.

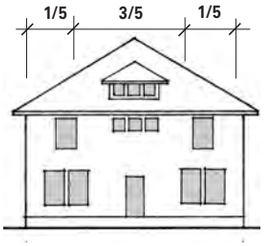
D ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON

Rectangular volume with a 4 to 5 in 12 roof pitch and gable facing the street. Asymmetrically placed gable and front porch is common.

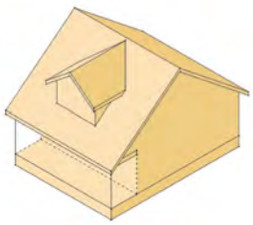
A TWO-STORY HIP

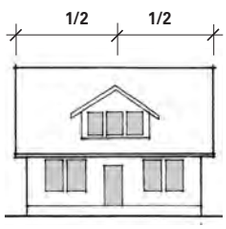


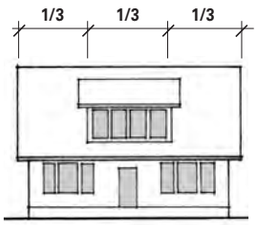




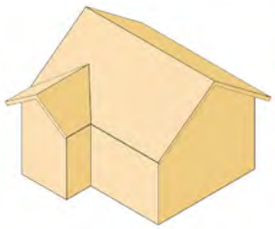
B ONE-AND-ONE-HALF-STORY SIDE GABLE

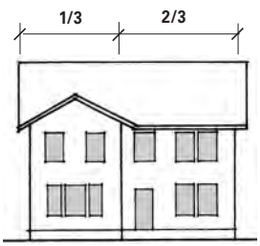


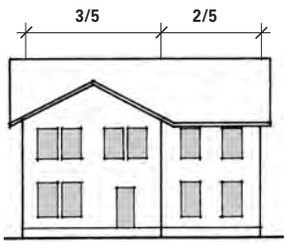




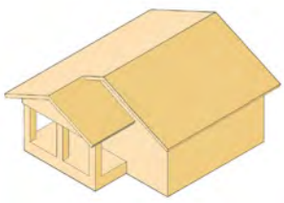
C TWO-STORY GABLE L

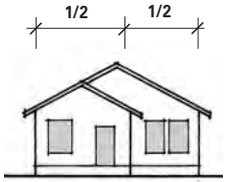


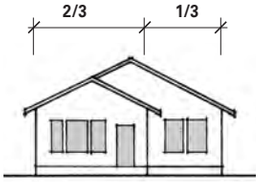


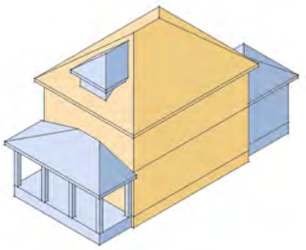


D ONE- AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON

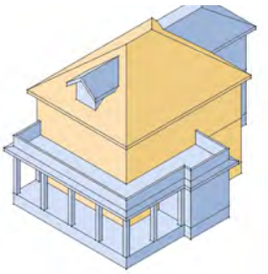






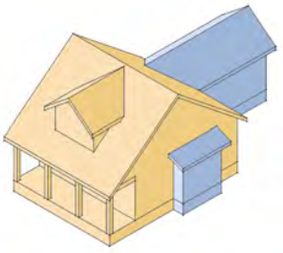


A1 Hipped roof with add-on porch, a rear wing and a street-facing dormer

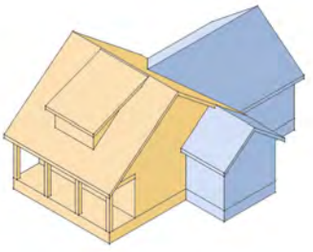


A2 Hipped roof with wraparound porch, a rear wing and a street-facing dormer



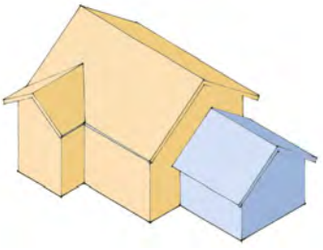


B1 Side gable with an integral porch, a rear wing and side bay window

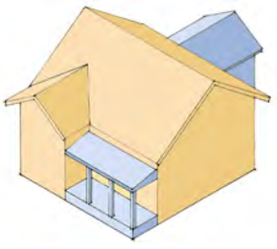


B2 Side gable with an integral porch, a rear wing and a side wing



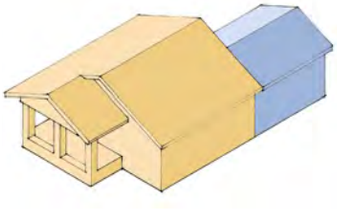


C1 Side gable L with side wing

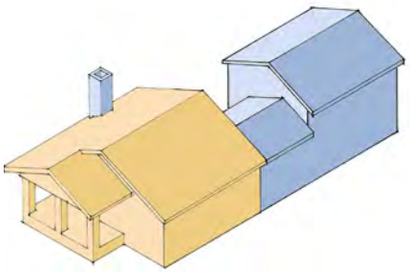


C2 Side gable with add-on porch and rear wing





D1 Front gable and add-on massing with rear wing



D2 Front gable and add-on massing with one-story connection to two-story carriage unit



POSSIBILITIES

PRECEDENTS

TWO-STORY HIP







ONE-AND-ONE-HALF-STORY SIDE GABLE







TWO-STORY GABLE L







ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON







MATERIALS

SIDING/CLADDING

» Wood shingle; fiber-cement clapboard, composite and/or stucco

» Lace finish not permitted

ROOFING

» Composition shingles, flat concrete tile, standing seam, or 5v crimp metal

WINDOWS

» Single- or double-hung

» Fixed accent windows (limited)

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum, or vinyl

» Traditional-looking profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS/BRACKETS

» Wood or composite

RAILINGS

» Wood or composite top and bottom rails with square balusters

» Solid railings of wood, fiber cement, cut shingle siding or manufactured stone veneer

SOFFITS AND PORCH CEILING

» Exposed rafters at soffits with starter board or v-groove sheathing

» T&G wood, beaded plywood, exterior-grade plywood, or stucco porch ceiling

GUTTERS

» Ogee or half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim or the stucco cladding

SHUTTERS

Not applicable

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match structure

FRONT YARD FENCES

» Wood, stone, or masonry with stucco finish

» Vinyl picket permitted

» Wrought iron or equivalent

REAR YARD FENCES

» Cedar, redwood, or masonry with stucco finish (if applicable)

» Vinyl and pressure treated wood are permitted

COLORS

SIDING AND TRIM

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

ELLIS FARMHOUSE VICTORIAN

The Ellis Farmhouse Victorian style builds on the early Carpenter Gothic cottages built in the western region of the United States from early pattern books. While the Victorian style became fashionable in the 1800s in the Bay Area, its popularity grew and spread outward from San Francisco. Style books published by Andrew Jackson Downing were the source of many early examples. Publications such as *The Horticulturist* influenced the preferences of the public and provided an especially dramatic contrast to the inherited Spanish and adobe building types prevalent at the time. Many early religious camp settlements adopted the style with more and more exotic variations that included Eastlake, Queen Anne, and Italianate detailing.

The Farmhouse Victorian style is centered on simple, elegant forms to create more informal houses on small lots. This style has expressive porch elements, decorative trim elements, and vertical windows and doors.

COMMON ELEMENTS OF ELLIS FARMHOUSE VICTORIAN

- Moderate to steeply pitched, front-facing gable roofs.
- Cut wood ornament, often with natural forms such as leaves and vines.
- Clapboard or cut shingle siding.
- Vertical proportions for windows and doors.
- Box bay and cutaway bay windows.



GALLERY OF EXAMPLES



Photo Credit: Su Casa Designs



Photo Credit: AT Design Consulting



Photo Credit: Alturas Homes



Photo Credit: Union Studio, Architecture and Community Design



Photo Credit: The Creativity Exchange



Photo Credit: Lindsay Stetson Thompson / Pinnacle Residential



Photo Credit: Laurey W. Glenn / Pursley Dixon Architecture



Photo Credit: AT Design Consulting / William Lyon Homes

MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume, often with a steeply-pitched, gabled dormer flush to the front facade. Front gable roof pitch is typically 4 to 12 in 12, and the side gable is less steeply pitched, typically 4 to 10 in 12. One- or two-story front porches often extend across the full front of the house.

B ONE-AND-ONE-HALF-STORY HIP L

One-and-one-half-story hipped volume with a one-story front or hipped gable extending beyond the main body. Roof pitches are typically 4 to 12 in 12. One-story integral or shed porches are most common.

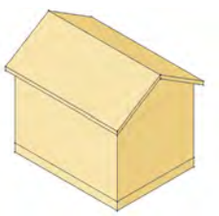
C TWO-STORY HIP L

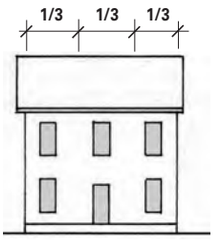
Two-story rectangular volume with hipped roof and a front gable which can extend beyond the front facade of the main body a maximum of 3 feet. Roof pitch is typically 4 to 12 in 12. A one- or two-story front wraparound porch with shed roof is common.

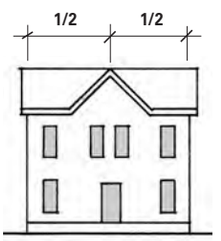
D GABLE L

Cross-gabled volume with a 4 to 12 in 12 gable facing the street. Cross-gable is typically equal or steeper than the roof of the primary mass and no wider than half that of the main body. This massing often has a gable porch emphasizing the entrance.

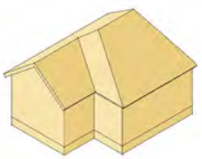
A TWO-STORY SIDE GABLE



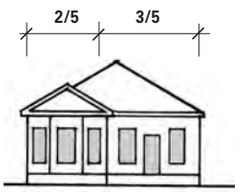




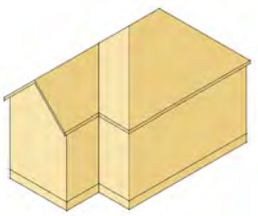
B ONE-AND-ONE-HALF-STORY HIP L

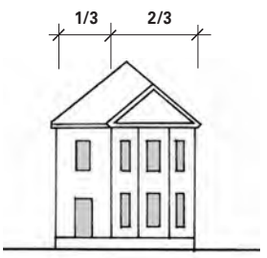


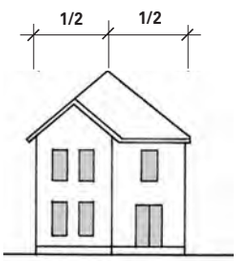




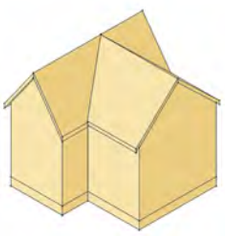
C TWO-STORY HIP L

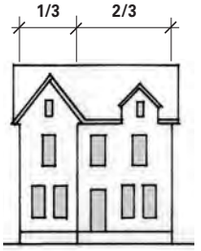


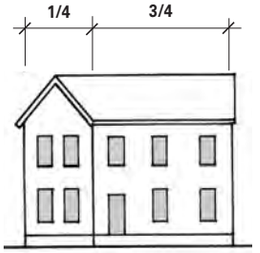


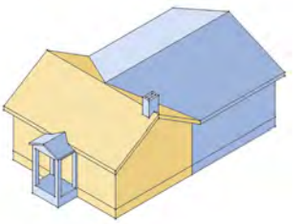


D GABLE L

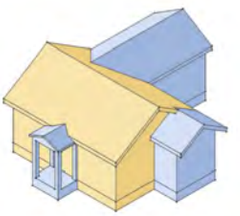








A1 Broad front with large rear wing, a chimney centered on gable ridge and a centered entry porch

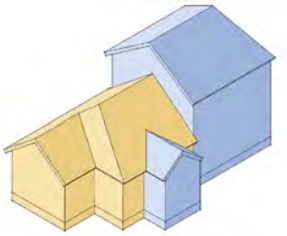


A2 Broad front with rear wing, a side wing and a centered entry porch



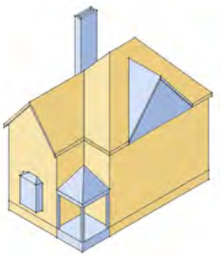


B1 One-story hip L with street-facing bay window and hipped-roof entry porch

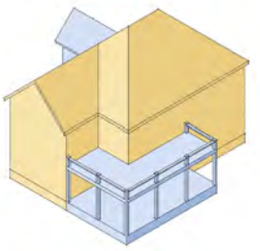


B2 One-story hip L with a side wing and two-story rear wing



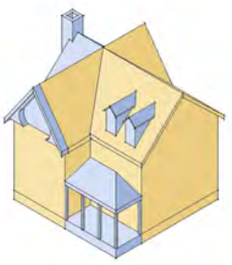


C1 Two-story hip L with side-facing gable dormer, a street-facing bay window, a chimney, and a hipped-roof entry porch

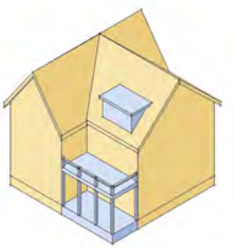


C2 Two-story hip L with a two-story wraparound porch, and a side wing





D1 Gable L with continuous cross gable and chimney, double street-facing dormers, hipped-roof entry porch, and glazing with street-facing projecting gable



D2 Gable L with continuous shed dormer and flat-roof entry porch



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







ONE-AND-ONE-HALF-STORY HIP L







TWO-STORY HIP L





Photo Credit: Design Lens



GABLE L







MATERIALS

SIDING/CLADDING

» Board and batten, wood, or fiber-cement clapboard

ROOFING

» Composite shingles

» Flat concrete tile

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Wood, composition board, cellular PVC, or polyurethane

COLUMNS

» Turned or built-up wood, or composite

RAILINGS

» Wood or composite top and bottom rails with straight, turned, or scroll cut balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, or exterior-grade plywood

GUTTERS

» Half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite material, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Manufactured stone or brick veneer or siding to match house

FRONT YARD FENCES

» Wood picket, prefinished metal, or stone

» Vinyl picket permitted

REAR YARD FENCES

» Cedar or redwood

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

ELLIS REVIVAL

The Ellis Revival style is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The houses are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



GALLERY OF EXAMPLES



Photo Credit: Tatum Brown Custom Homes



Photo Credit: Prestige Window Systems



Photo Credit: Overmyer Architects



Photo Credit: Michele Matsan



Photo Credit: Chris Little / Peace Design

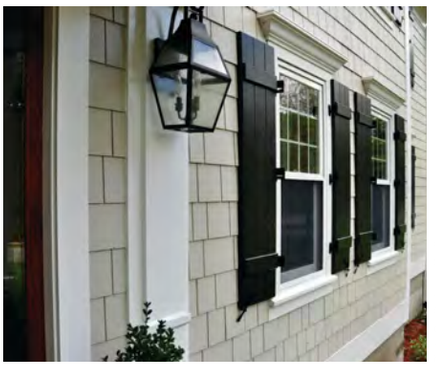


Photo Credit: James Hardie

MASSING AND COMPOSITION

A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

Side-gabled or hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. Dormer windows and shed roofs are often present in the roof form. Porches are additive structures that may cover all or part of the front facade.

B TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. One-story hipped front porches are common and have a shallower roof pitch. Porches vary between covering the full facade and defining the central portico.

C TWO-STORY FRONT GABLE

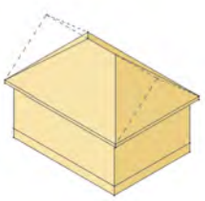
Front-gabled rectangular volume. Gable roof pitches range from 4 to 10 in 12. As with other massing, stoops and hipped front porches are common. Porches are most often one-story. Integral two-story porches are reserved for front-gabled houses no greater than 30 feet wide.

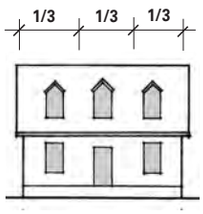
D ONE-AND-ONE-HALF-STORY GAMBREL

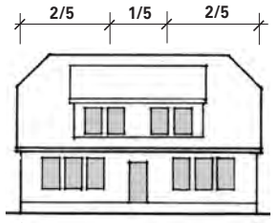
(Not required, but possible accent articulation)

Rectangular volume with a gambrel roof parallel to the street. Roof pitch is nearly vertical on the lower slope and 4 to 6 in 12 at the top. One-story temple front porches centered on the facade extending one-third to one-fourth of the front are typical. Shed roofs are present in the bottom portion of the gambrel roof and dormer windows are also common.

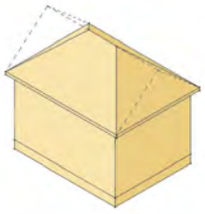
A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

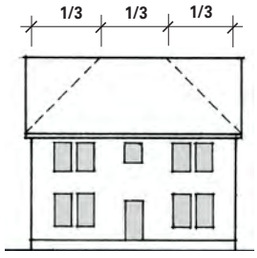


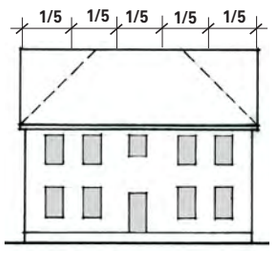




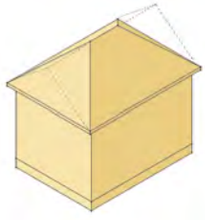
B TWO-STORY HIP

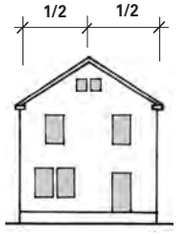


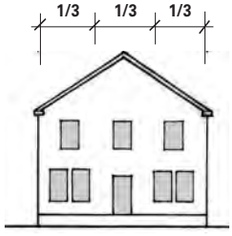




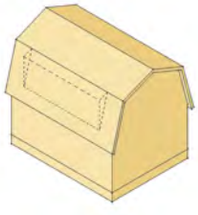
C TWO-STORY FRONT GABLE

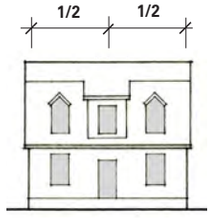


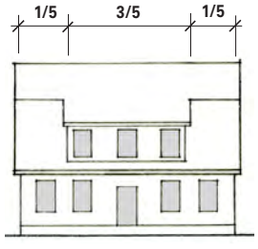


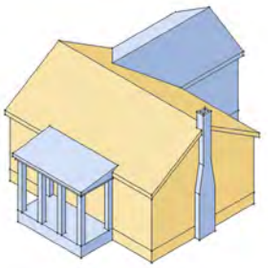


D ONE-AND-ONE-HALF-STORY GAMBREL

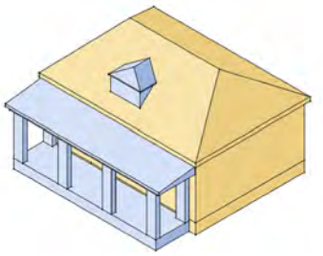






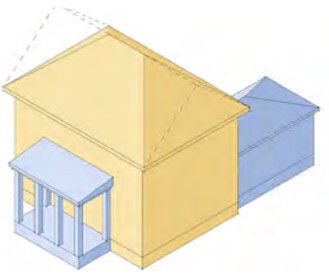


A1 Broad front with add-on porch, a rear wing, and a fireplace

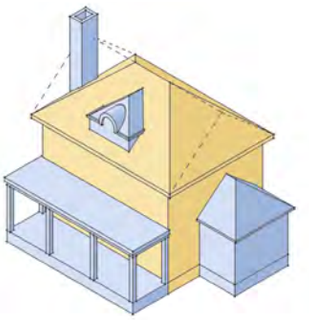


A2 Broad front hipped roof with add-on full front porch and dormer window



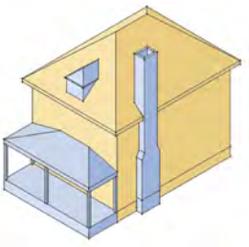


B1 Broad front hipped roof with add-on central porch and hipped rear wing

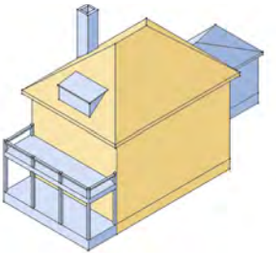


B2 Broad front hipped roof with add-on full front porch, a side wing, a central hipped dormer, and a fireplace



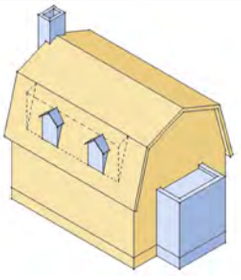


C1 Narrow front hipped roof with add-on full front porch, a central dormer, and a fireplace

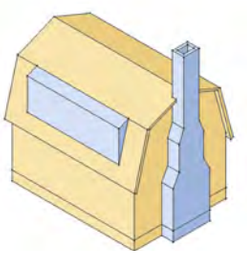


C2 Narrow front hipped roof with add-on full front porch, a central shed dormer, a rear wing, and a fireplace





D1 Broad front gambrel with dormers, a roofed side wing, and a fireplace



D2 Broad front gambrel with a broad shed dormer and a prominent fireplace



POSSIBILITIES

PRECEDENTS

ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP







TWO-STORY HIP







TWO-STORY FRONT GABLE







ONE-AND-ONE-HALF-STORY GAMBREL







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Lace finish not permitted

ROOFING

» Composition shingles or concrete tile with flat profile

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS

» Wood, or composite with Classical entasis and proportions
» Use Tuscan, Doric, or Ionic orders

RAILINGS

» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish (if applicable)
» Vinyl picket also permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables. Dormers — gable, hip, and shed — are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES



Photo Credit: Tommy Daspit / Willow Homes



Photo Credit: Michael Woodall



Photo Credit: Amanda Orr Architects



Photo Credit: Frazier Home Designs



Photo Credit: AT Design Consulting



Photo Credit: Unknown



Photo Credit: Guinar & Gracie



Photo Credit: AT Design Consulting

MASSING AND COMPOSITION

A TWO-STORY BASIC

Rectangular two-story volume with an 4 to 10 in 12 roof pitch. Cross gable entry piece in 4 to 16 in 12. Only one cross gable permitted, often expressed in plan.

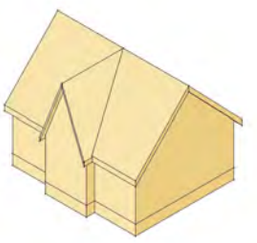
B TWO-STORY ASYMMETRICAL GABLE-FRONT L

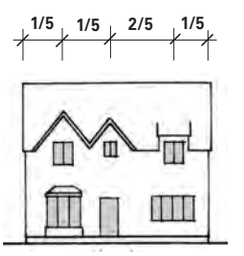
Rectangular two-story volume with a main body roof of 4 to 12 in 12 with either a gable or a hipped roof. Cross-gable volume with a 4 to 16 in 12 roof. Cross gable is asymmetrical and contains an inset entry porch. At times, the roof may transition to a shallower pitch over the entry porch.

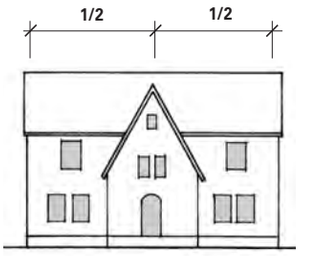
C SIDE GABLE WITH DOMINANT CROSS-GABLE

Rectangular two-story volume with an 4 to 10 in 12 roof pitch. One dominant cross gable organizes composition with a 4 to 16 in 12 pitch. Secondary and tertiary gables in the primary roof mass, or as dormers, are common. Element roof may be gable, hip, or partial hip. Front entry is often inset into building mass.

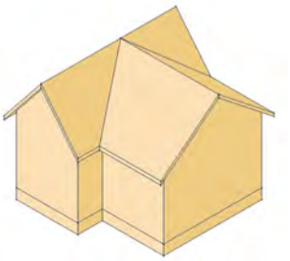
A TWO-STORY BASIC

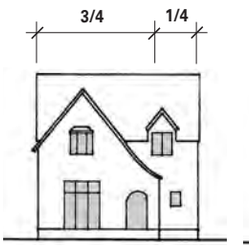


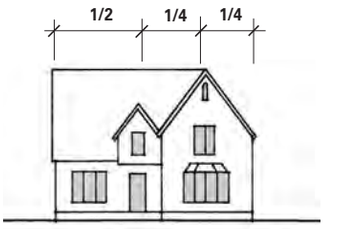




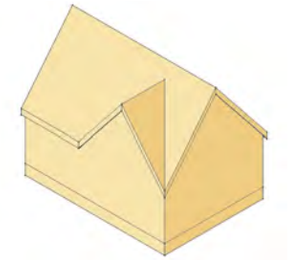
B TWO-STORY ASYMMETRICAL GABLE-FRONT L

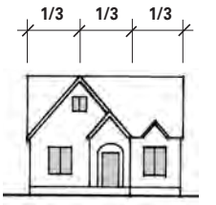


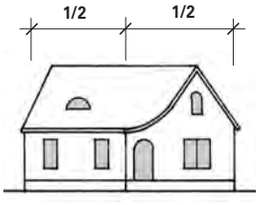


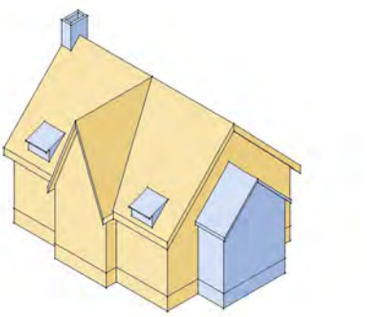


C SIDE GABLE WITH DOMINANT CROSS-GABLE

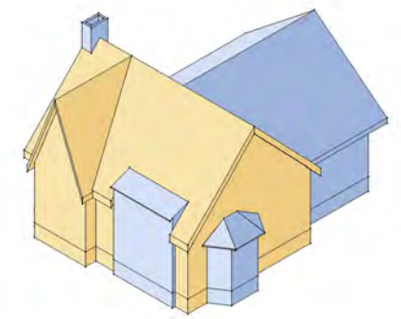






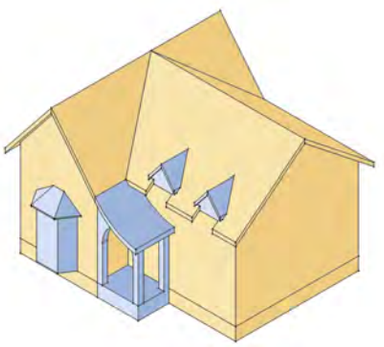


A1 Side gable with symmetrically placed dormers, a chimney centered on the gable ridge and a side wing

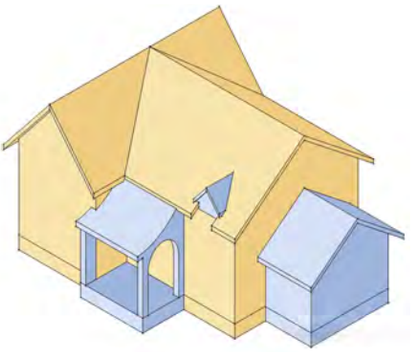


A2 Side gable with off-center cross gable, street-facing dormer, a chimney centered on the gable ridge, a side bay window, and rear wing



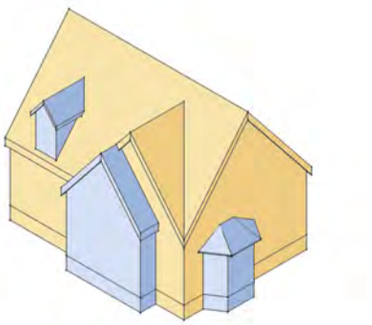


B1 Side gable L with street-facing bay window, street-facing dormers and inset entry porch

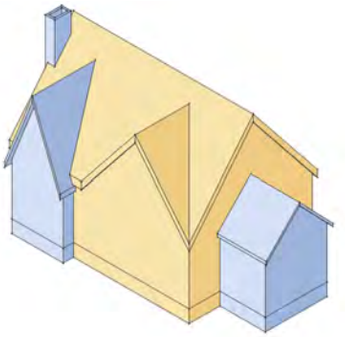


B2 Side gable L with street-facing dormer, a side wing and entry porch





C1 Side gable with nested street-facing gable, a street-facing dormer and side bay window



C2 Side gable with multiple street-facing gables, a chimney placed off-center of gable and a side wing

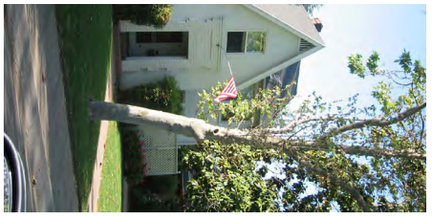


POSSIBILITIES

PRECEDENTS

TWO-STORY BASIC







TWO-STORY ASYMMETRICAL GABLE-FRONT L







SIDE GABLE WITH DOMINANT CROSS-GABLE







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco

» Half-timbering for second-story accents

ROOFING

» Composition shingles, concrete tile with flat profile, or manufactured slate

WINDOWS

» Single- or double-hung and casement

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, cast stone, polyurethane, or fiber cement

COLUMNS

» Wood or composite

RAILINGS

» Ornamental metal preferred

» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round

» Primed or prefinished metal

» PVC is acceptable in a color that matches trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite materials, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

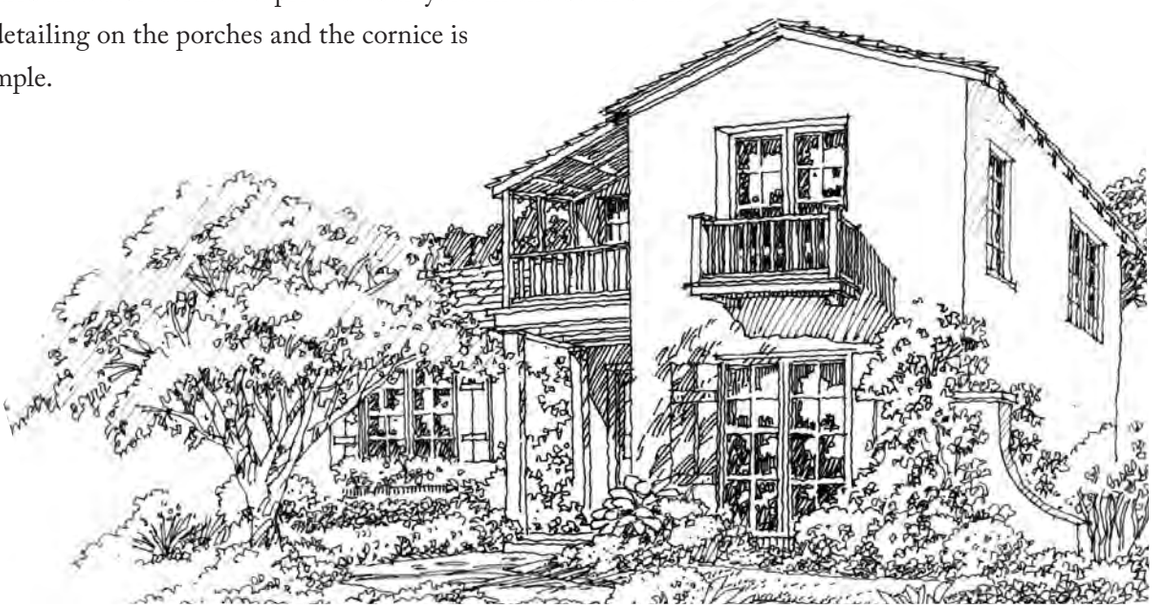
ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double-hung Colonial windows and doors.
- Multi-pane window appearance, wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing, projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES



Photo Credit: AT Design Consulting



Photo Credit: Irvine Company



Photo Credit: CRMLS



Photo Credit: Studio+OneDesign



Photo Credit: AT Design Consulting



MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Rectangular volume with a 4 to 6 in 12 roof pitch and gable or hip parallel to the street. Second floor, full-front projecting balconies or two-story full-front porches are encouraged with this massing.

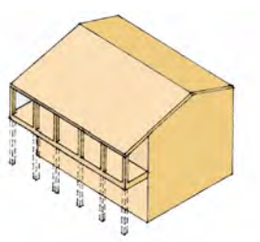
B TWO-STORY CROSS-GABLE

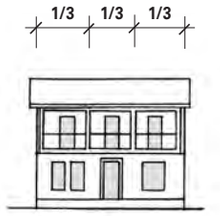
Cross-gabled volume with a 4 in 12 gable or hip facing the street. The width of the bay facing the street is typically two-fifths that of the main body. Often an in-line gabled or hipped wing added to the front leg of the L. Cantilevered balconies are encouraged.

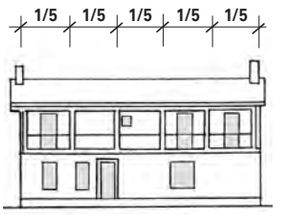
C TWO-STORY FRONT GABLE L

L-shaped volume perpendicular to the street with second-story cantilevered side porch. Hipped and gabled roofs with a 4 in 12 pitch are both permitted.

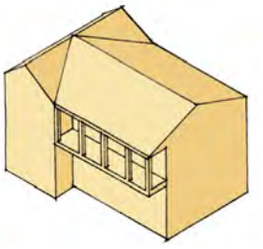
A TWO-STORY SIDE GABLE







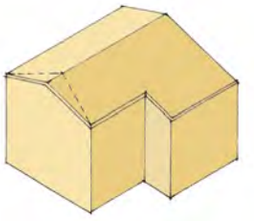
B TWO-STORY CROSS-GABLE

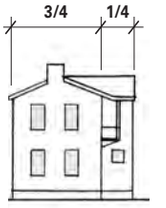


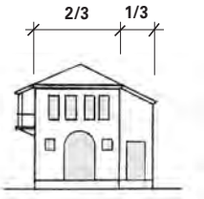


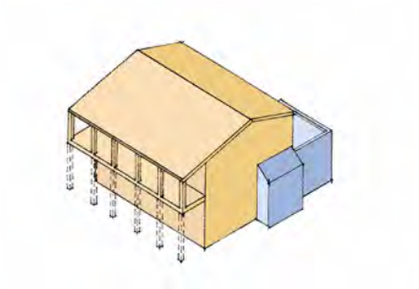


C TWO-STORY FRONT GABLE L

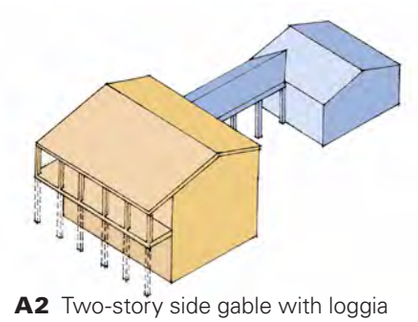






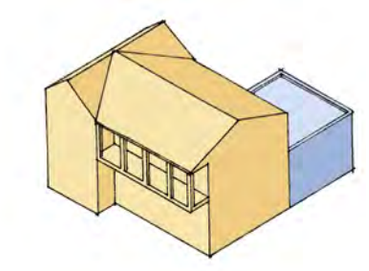


A1 Two-story side gable with a rear wing and a fireplace

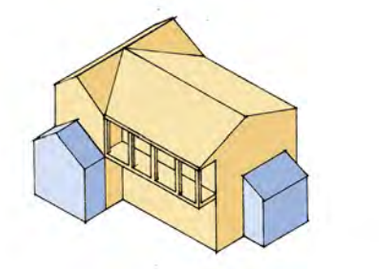


A2 Two-story side gable with loggia connecting to garage



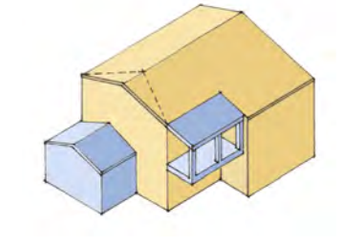


B1 Two-story cross-gable with rear wing added

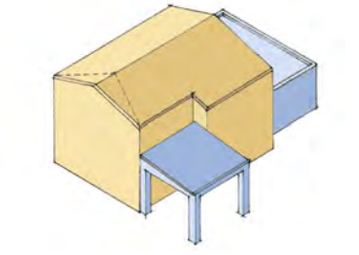


B2 Two-story cross-gable with a front projecting bay and a bay window





C1 Two-story front gable L with add-on entry bay and a cantilevered side porch



C2 Two-story front gable L with a rear wing and a port cochère



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







TWO-STORY CROSS-GABLE

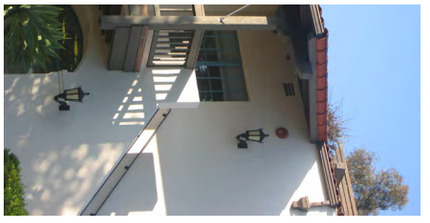






TWO-STORY GABLE FRONT L







MATERIALS

SIDING/CLADDING

» Stucco and optional second floor wood or fiber-cement clapboard

» Lace finish not permitted

ROOFING

» Concrete tile in flat or barrel profile, multiple stacked tile at eaves.

» Architectural asphalt shingles also permitted

WINDOWS

» Single or double-hung, casement, and picture units, energy-efficient wood, PVC clad, aluminum-clad, cellular PVC, aluminum or vinyl with traditional wood profiles

COLUMNS

» Stucco or composite

BALCONIES

» Wood, corbelled stucco with metal railings, or fiber cement

RAILINGS

» Wood or fiber cement top and bottom rails with square or turned balusters

EAVES

» Starter board or v-groove sheathing

EXTERIOR CEILINGS

» Plank and beam, or stucco

GUTTERS

» Half-round metal or PVC

» Fascia gutter also permitted

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat panel, louvered, or plank, in wood or composite material or a colored vinyl

CHIMNEYS

» Stucco

FRONT YARD FENCES

» Masonry with stucco finish, wrought iron accents permitted

» Wrought iron or aluminum permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WALLS/FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS SPANISH COLONIAL

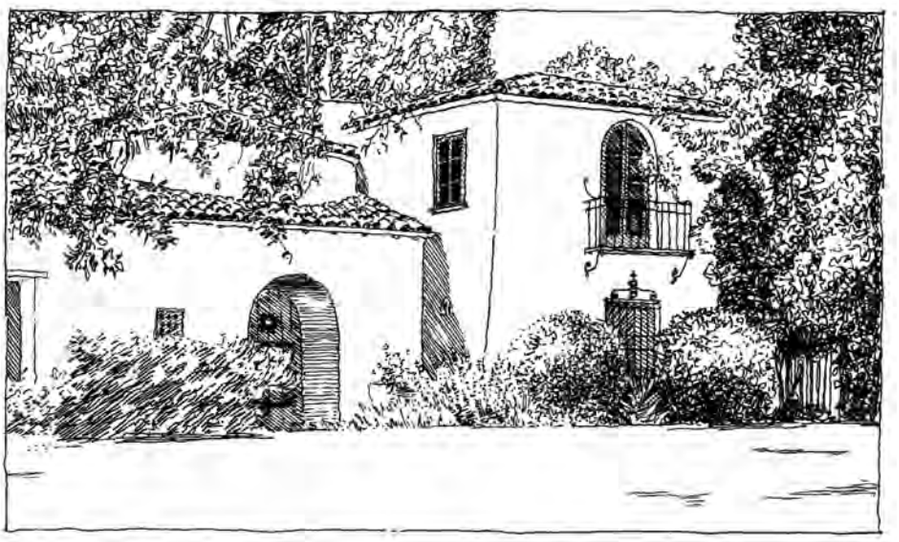
California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long spreading sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character); covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handmade/formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES



Photo Credit: AT Design Consulting



Photo Credit: PhotoTours, Inc.



Photo Credit: AT Design Consulting



Photo Credit: Design Lens



Photo Credit: Chad Mellon



Photo Credit: P Cooper Photography / The New Home Company

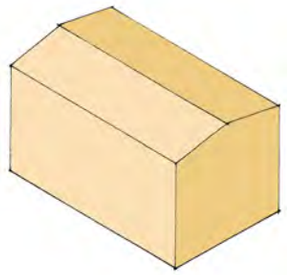
MASSING AND COMPOSITION

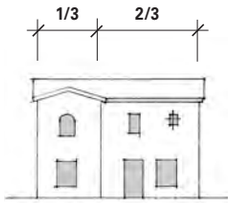
A TWO-STORY SIDE GABLE
Rectangular volume with a 3.5 in 12 roof pitch and gable or hip parallel to the street. Inset patios on first floor are common.

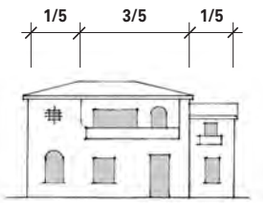
B ONE-STORY FRONT GABLE L
One- or two-story main body with a 3.5 in 12 roof pitch, and a one-story projecting wing with a gable which faces the street. Inset loggias are encouraged.

C TWO-STORY FRONT GABLE L
One- or two-story main body with a 3.5 in 12 roof pitch, and a two-story projecting wing with a gable which faces the street. The width of the street-facing bay is typically two-fifths that of the main body. Inset patios or loggias are encouraged.

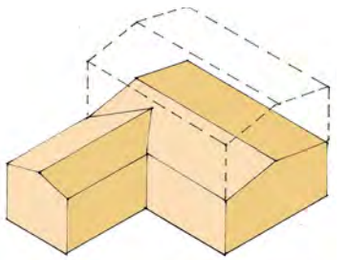
A TWO-STORY SIDE GABLE

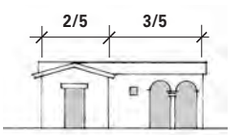


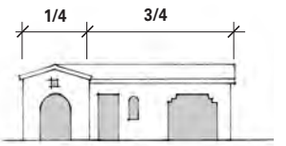




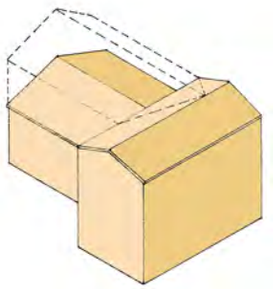
B ONE-STORY FRONT GABLE L



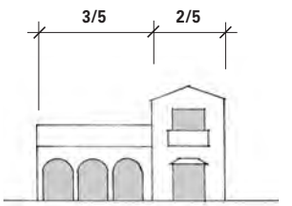


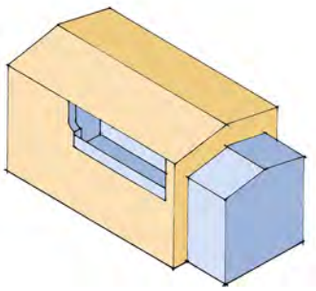


C TWO-STORY FRONT GABLE L

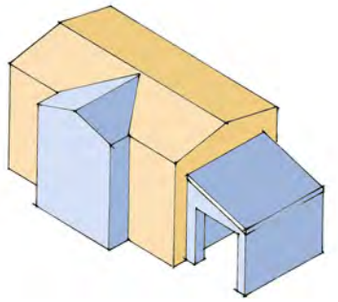






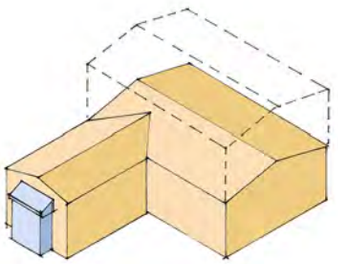


A1 Two-story side gable with inset porch and attached side wing

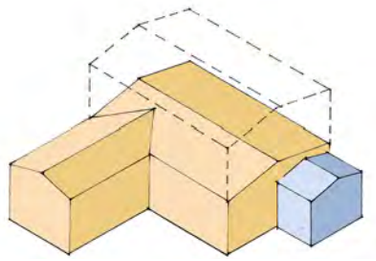


A2 Two-story side gable with attached side garage and two-story central bay



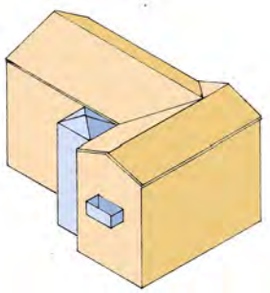


B1 One-story front gable L with side wing attached off-center

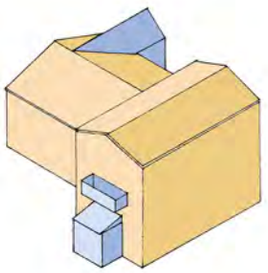


B2 One-story front gable L with protruding entry piece





C1 Two-story front gable L with street-facing balcony and a tower at the intersection of the L



C2 Two-story front gable L with street-facing window and balcony, and additional rear wing



POSSIBILITIES

PRECEDENTS

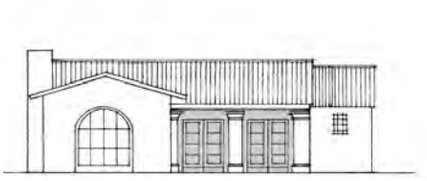
TWO-STORY SIDE GABLE







ONE-STORY FRONT GABLE L



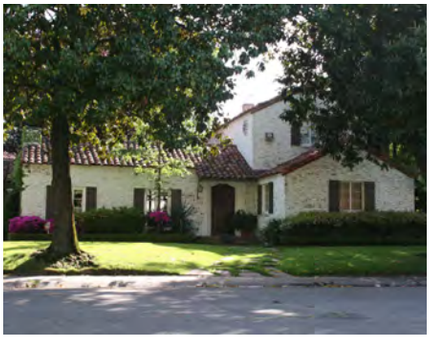




TWO-STORY FRONT GABLE L







MATERIALS

SIDING/CLADDING

» Stucco with handmade/formed appearance; skip-trowel not allowed

ROOFING

» Terra cotta barrel tile

» Multiple stacked tile at eaves

WINDOWS

» Energy-efficient wood, PVC clad, aluminum-clad, or aluminum

» True divided light appearance (¾-inch horizontal exterior muntins)

» Grilles shall be solid stock or wrought iron

COLUMNS AND ARCHES

» Stucco (square, rectangular, or round), or round cast stone/concrete

EXTERIOR STAIRS

» Terra cotta pavers for treads with stucco or decorative tile

» Risers, sloped or stepped stucco walls as guard-railing. Solid-stock metal rails with a wrought iron appearance are also permitted.

BALCONIES

» Metal with a wrought iron appearance or stucco with metal railings

EAVES

» V-groove sheathing with wood appearance

» Open eaves with wood appearance for rafter tails and soffit

» Stucco molded eaves are permitted.

EXTERIOR CEILINGS

» Plank and beam

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Flat paneled

» Plank

» Wrought iron hinges, shutter dogs encouraged

CHIMNEYS

» Stucco with handmade/formed appearance

FRONT YARD FENCES

» Prefinished metal, or masonry

REAR YARD FENCES

» Painted wood, prefinished metal, or masonry

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

PHOTOVOLTAIC PANEL GUIDELINES

Photovoltaics may be used in the community. Multiple application techniques are possible:

A ROOF MOUNT

Photovoltaics are mounted a few inches above the roof structure, during the initial installation of the roof. Choices about where to site panels are based on building orientation and surface pitch.

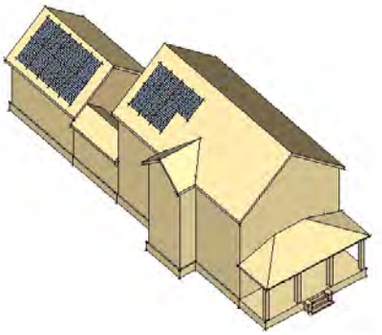
B BUILDING INTEGRATED PV ARRAY (BIPV)

Applications of photovoltaic panels may be integral to the building system. Roof materials with PV cells can replace traditional roofing materials, as long as they are stylistically appropriate.

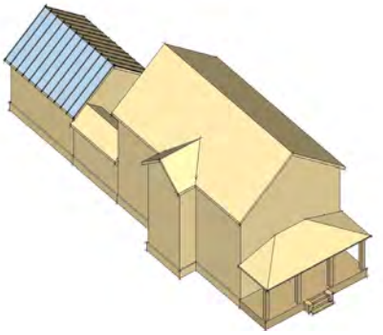
C SHADE STRUCTURE

Photovoltaic panels may be applied to roof shade structures on private lots or in public parks and spaces. The application may be either mounted or integral.

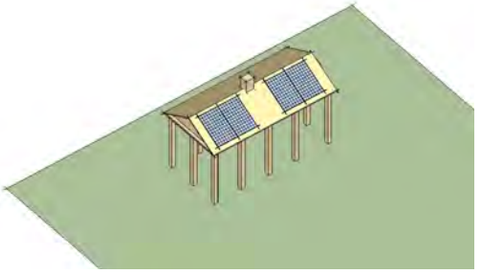
A ROOF MOUNT



B BUILDING INTEGRATED PV ARRAY (BIPV)



C SHADE STRUCTURE



	Flat	4:12	7:12	12:12	21:12	Vertical
South						
SSE, SSW						
SE, SW						
ESE, WSW						
East/West						

The graph to the right shows the optimal building orientation and photovoltaic panel pitch to maximize electrical energy generation





DESIGN CONSIDERATIONS

» Place panels on southern-most facing roof surfaces whenever possible for optimal efficiency. Pitch of roof determines optimal solar capture (see chart on page 2|116).





DESIGN CONSIDERATIONS

» Material replacement can include standing seam metal, masonry tiles, and shingles

» Color and material should be follow guidelines for each style



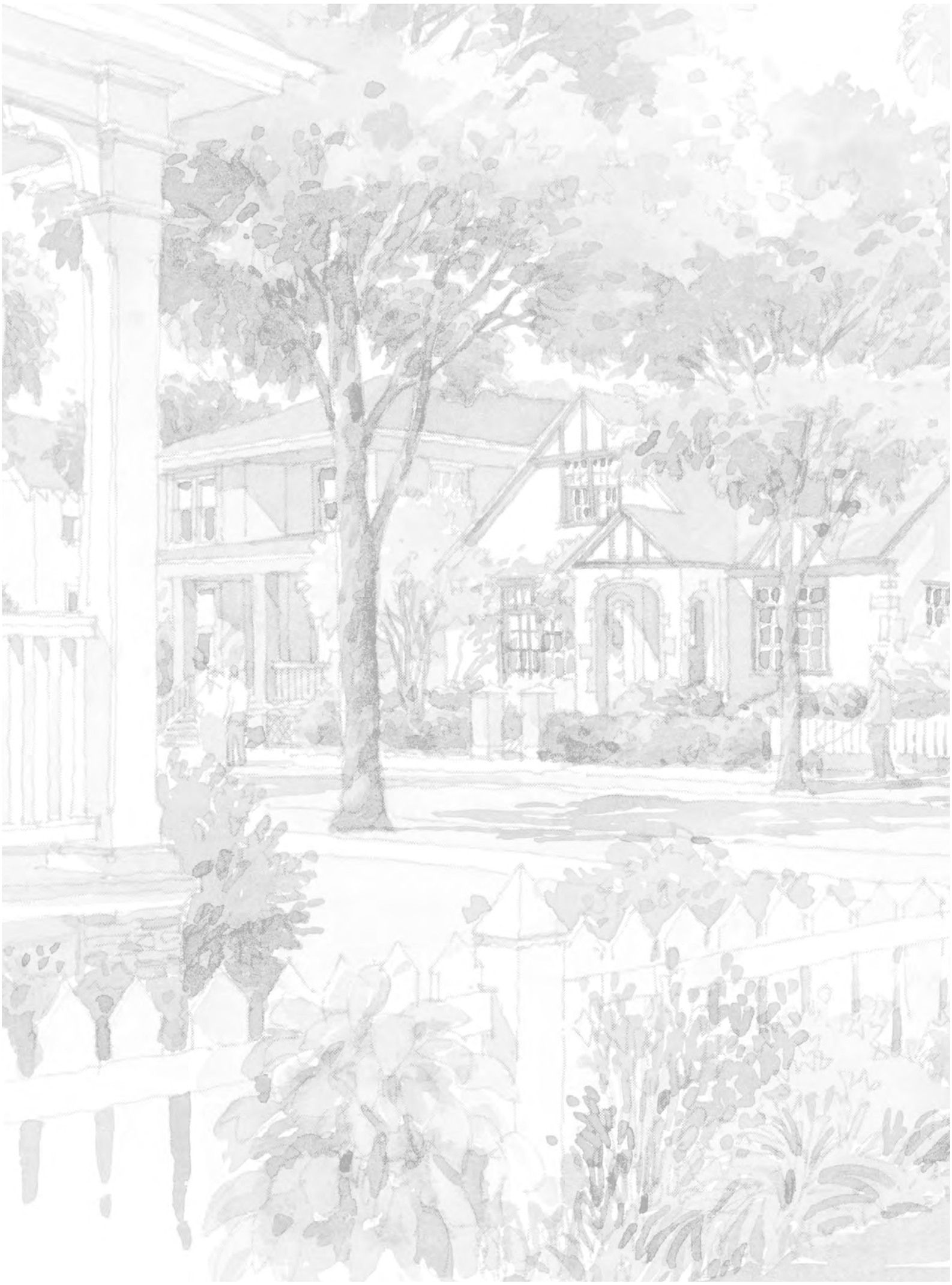


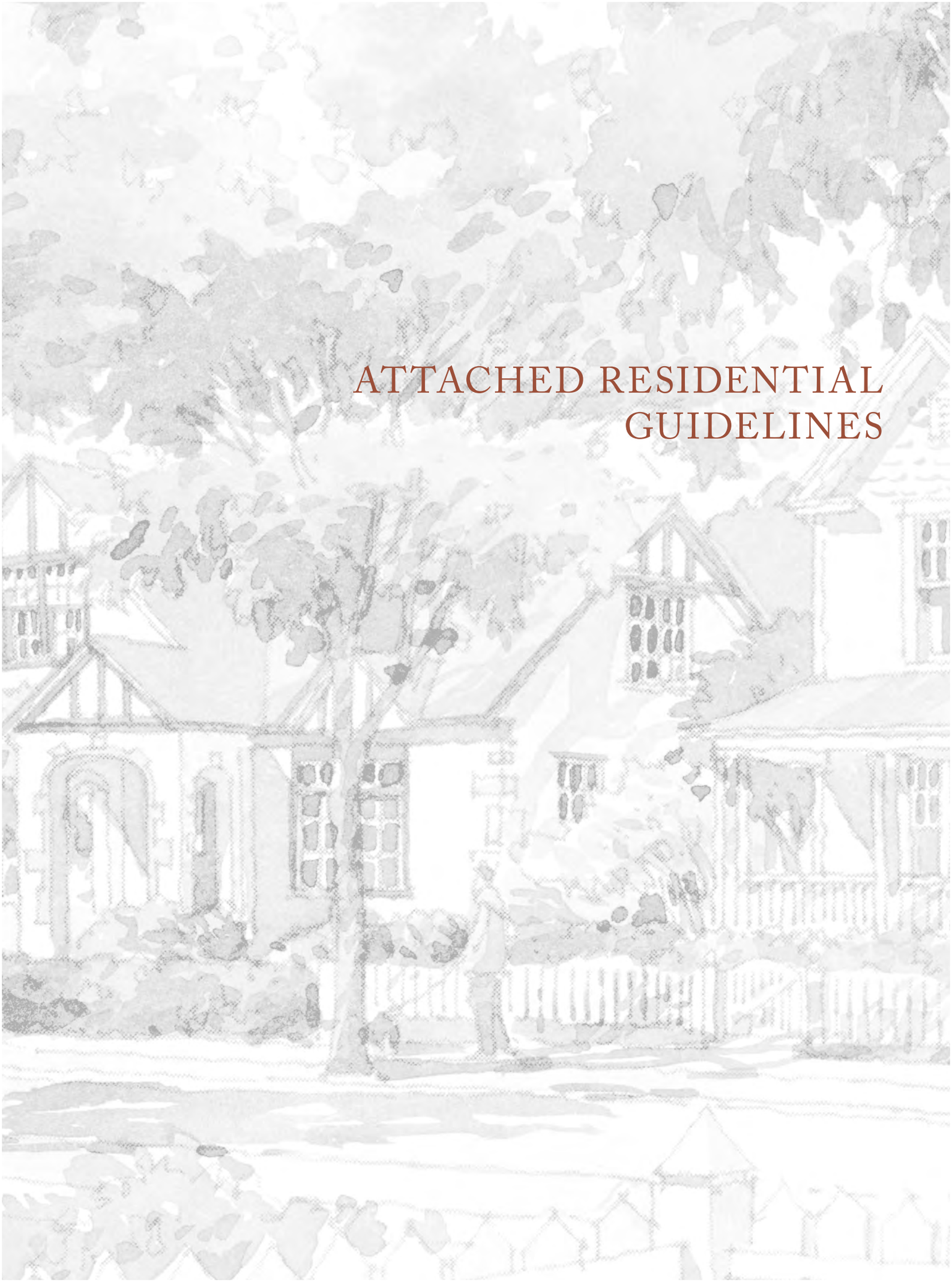
DESIGN CONSIDERATIONS

» Wiring underneath panels must be carefully concealed

» Vines and plantings must be trimmed and kept separate from wiring

» May include shading devices over rear or side porches



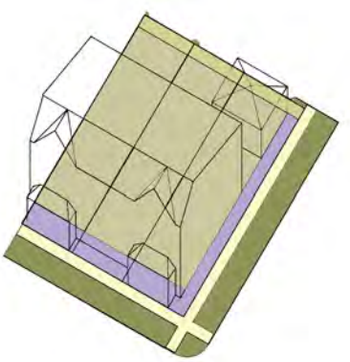


ATTACHED RESIDENTIAL GUIDELINES

COMMUNITY PATTERNS

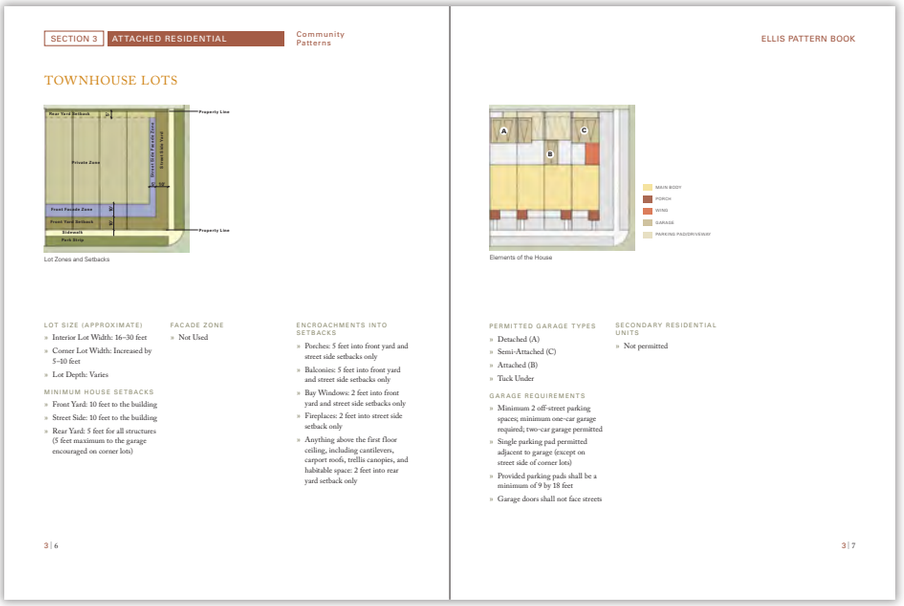
This Community Patterns section contains specific requirements for placing Attached Residential buildings on lot types within the plan. These guidelines were developed as part of the master planning process and are meant to ensure that the diversity and character of Ellis called for in the Modified Ellis Specific Plan is implemented and maintained.

All housing designs and site plans must be reviewed and approved via the Ellis Design Review process set forth in the Modified Ellis Specific Plan, Section 6: Plan Review.





View of a residential address at Ellis



SECTION 3 ATTACHED RESIDENTIAL Community Patterns

TOWNHOUSE LOTS

Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)
- Interior Lot Width: 16-30 feet
- Corner Lot Width: Increased by 5-10 feet
- Lot Depth: Varies

MINIMUM HOUSE SETBACKS
- Front Yard: 10 feet to the building
- Street Side: 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE
- Not Used

ENCROACHMENTS INTO SETBACKS
- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only

3 | 6

ELLIS PATTERN BOOK

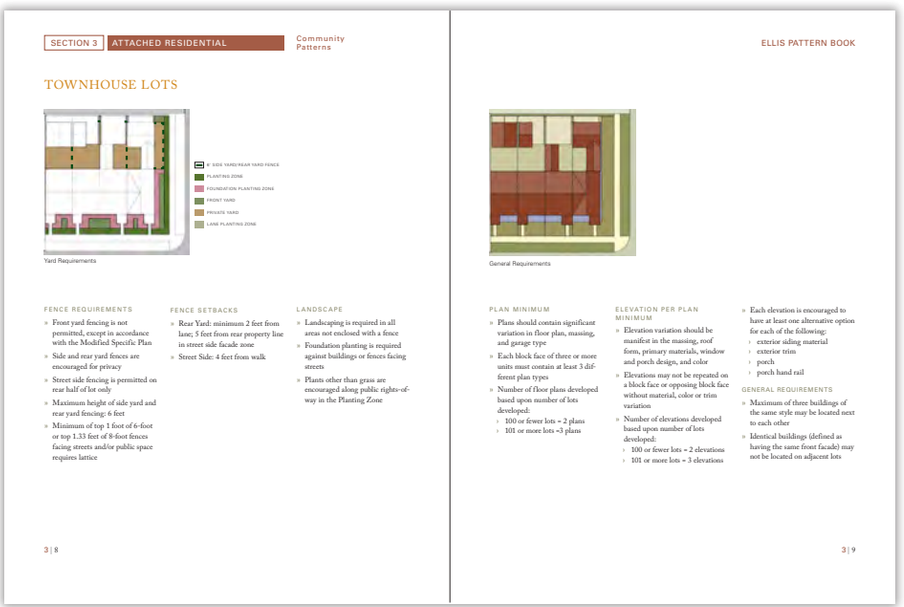
Elements of the House

PERMITTED GARAGE TYPES
- Detached (A)
- Semi-Attached (C)
- Attached (B)
- Tuck Under

GARAGE REQUIREMENTS
- Minimum 2 off-street parking spaces; minimum one-car garage required; two-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets

SECONDARY RESIDENTIAL UNITS
- Not permitted

3 | 7



SECTION 3 ATTACHED RESIDENTIAL Community Patterns

TOWNHOUSE LOTS

Yard Requirements

FENCE REQUIREMENTS
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 6 feet
- Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS
- Rear Yard: minimum 2 feet from lane; 5 feet from rear property line in street side facade zone
- Street Side: 4 feet from walk

LANDSCAPE
- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone

3 | 8

ELLIS PATTERN BOOK

General Requirements

PLAN MINIMUM
- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
  - 100 or fewer lots = 2 plans
  - 101 or more lots =3 plans

ELEVATION PER PLAN MINIMUM
- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 100 or fewer lots = 2 elevations
  - 101 or more lots = 3 elevations

- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS
- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

3 | 9

General Conditions pages for lots

Each lot type found in the Attached Residential Community Patterns Section is described by four specific diagrams:

LOT ZONES AND SETBACKS

Lot size, minimum setbacks and allowable encroachments into those setbacks, as well as the facade zones are described. These zones aid in properly situating the building with respect to its neighbors to create a harmonious streetscape.

ELEMENTS OF THE HOUSE

The main body, wings, bays, as well as the requirements for garages are described in this diagram.

YARD REQUIREMENTS

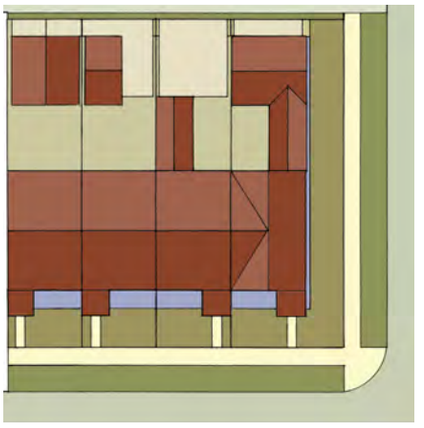
Fencing and landscape requirements are set forth in this diagram.

GENERAL REQUIREMENTS

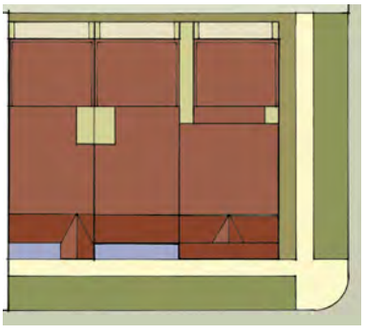
The issues of required plan types, elevations, and materials are discussed to establish a refined residential building.

LOT TYPES

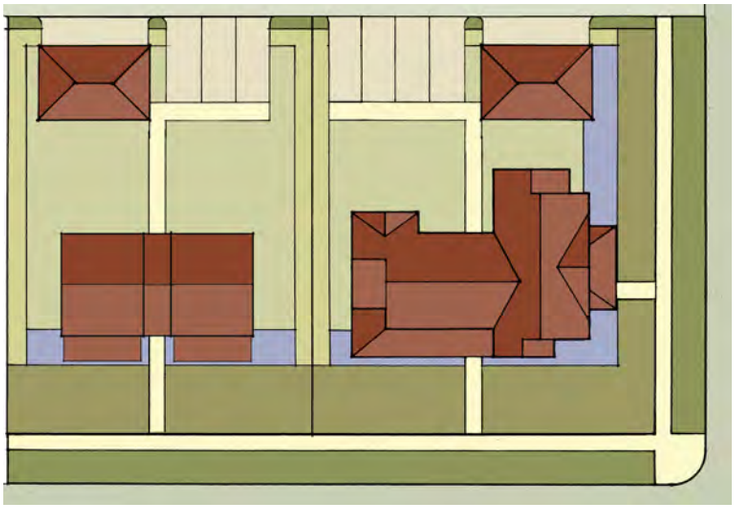
Ellis offers a variety of attached lot types, 16 feet or 30 feet wide and up. These lot types include: Townhouses, Live/Work units, and Mansion Apartments. Many of these residential types have parking accessed by a rear lane utilizing either a garage, carport, or paved parking pad, providing for continuous front yard landscaping uninterrupted by parked cars and driveways. Attached lot types are mixed throughout the community. The description of lot types on the next page are followed by a description of the conditions for each of the Attached Residential lot types beginning on page 6 of this Section.



Townhouse Lots



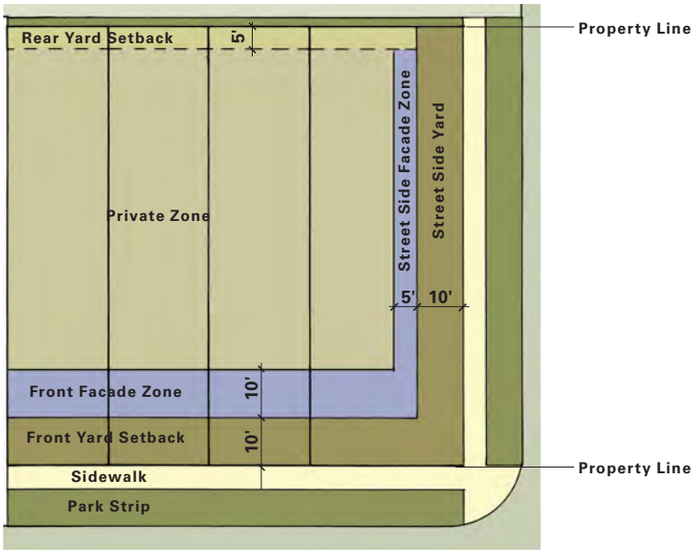
Live/Work Units



Mansion Apartments

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TOWNHOUSE LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 16–30 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Varies

MINIMUM HOUSE SETBACKS

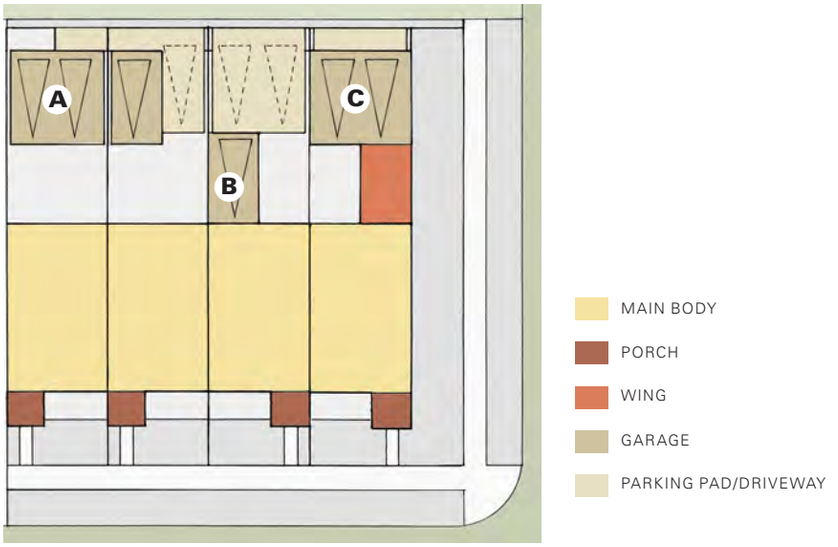
- Front Yard: 10 feet to the building
- Street Side: 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not Used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only



Elements of the House

PERMITTED GARAGE TYPES

» Detached (A)

» Semi-Attached (C)

» Attached (B)

» Tuck Under

GARAGE REQUIREMENTS

» Minimum 2 off-street parking spaces; minimum one-car garage required; two-car garage permitted

» Single parking pad permitted adjacent to garage (except on street side of corner lots)

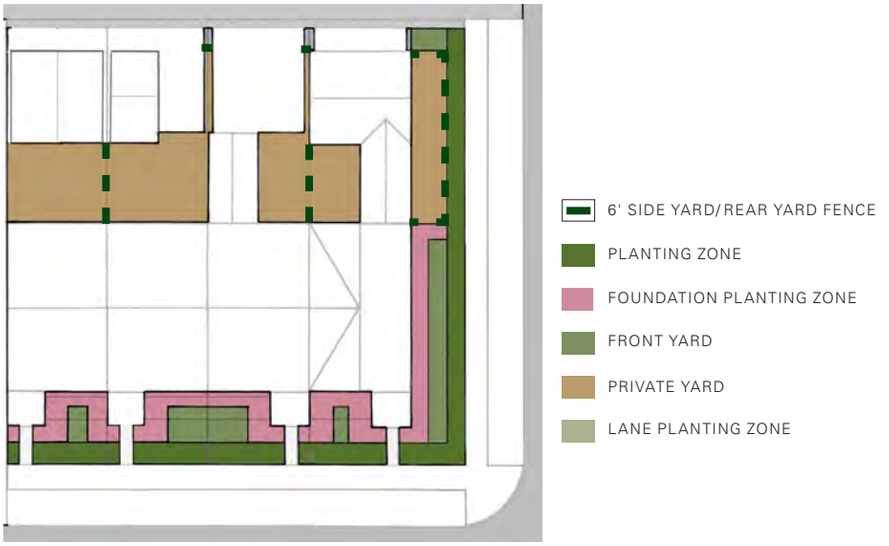
» Provided parking pads shall be a minimum of 9 by 18 feet

» Garage doors shall not face streets

SECONDARY RESIDENTIAL UNITS

» Not permitted

TOWNHOUSE LOTS



Yard Requirements

FENCE REQUIREMENTS

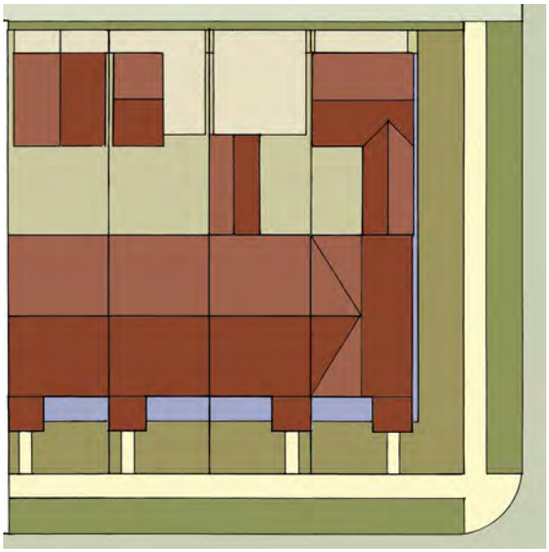
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- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 6 feet
- Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: minimum 2 feet from lane; 5 feet from rear property line in street side facade zone
- Street Side: 4 feet from walk

LANDSCAPE

- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
  - 100 or fewer lots = 2 plans
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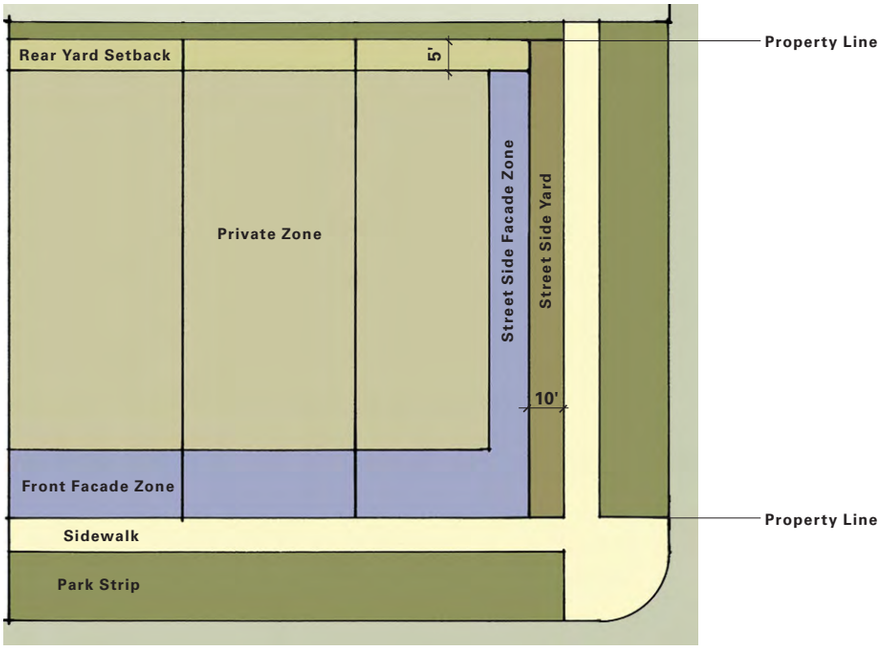
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
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  - 100 or fewer lots = 2 elevations
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- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

LIVE/WORK LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 16–30 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Varies

MINIMUM SETBACKS

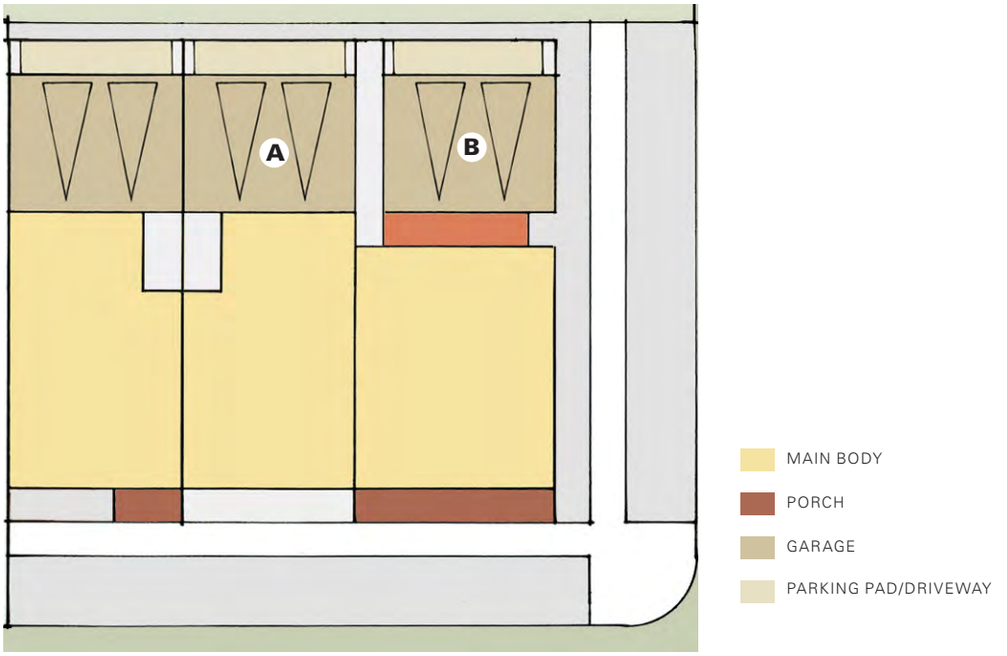
- Front Yard: 0 feet to the building
- Street Side Yard: 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- Not Used

ENCROACHMENTS INTO SETBACKS

- Balconies: 5 feet into street side setback only
- Bay Windows: 2 feet into street side setback only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Semi-Attached (B)
- Attached (A)
- Tuck Under

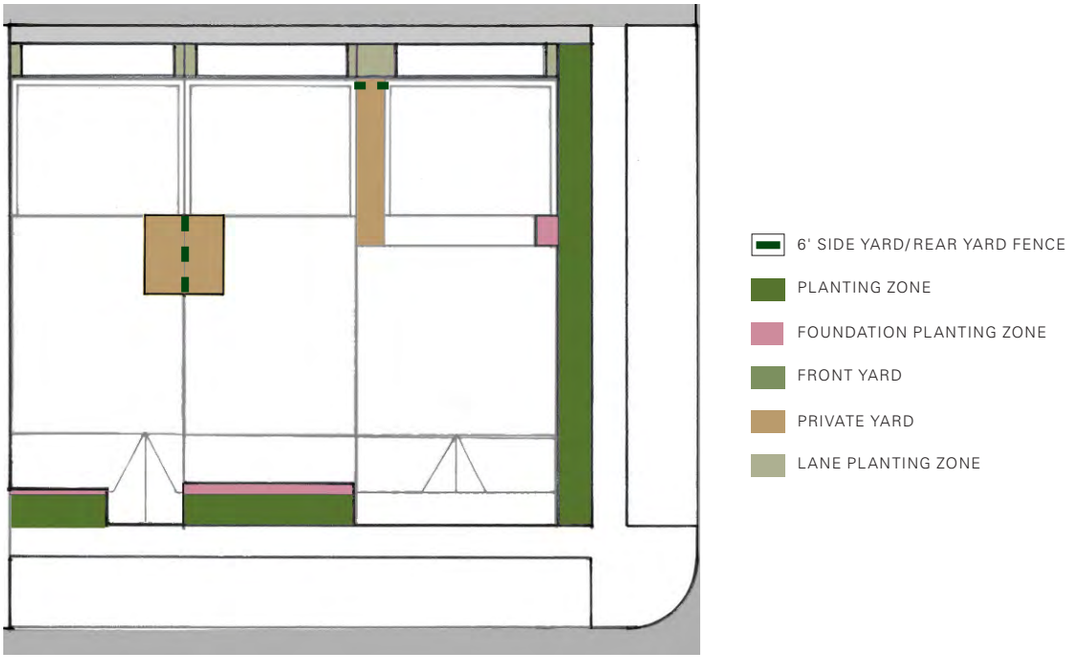
GARAGE REQUIREMENTS

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- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets

SECONDARY RESIDENTIAL UNITS

- Not permitted

LIVE/WORK LOTS



Yard Requirements

FENCE REQUIREMENTS

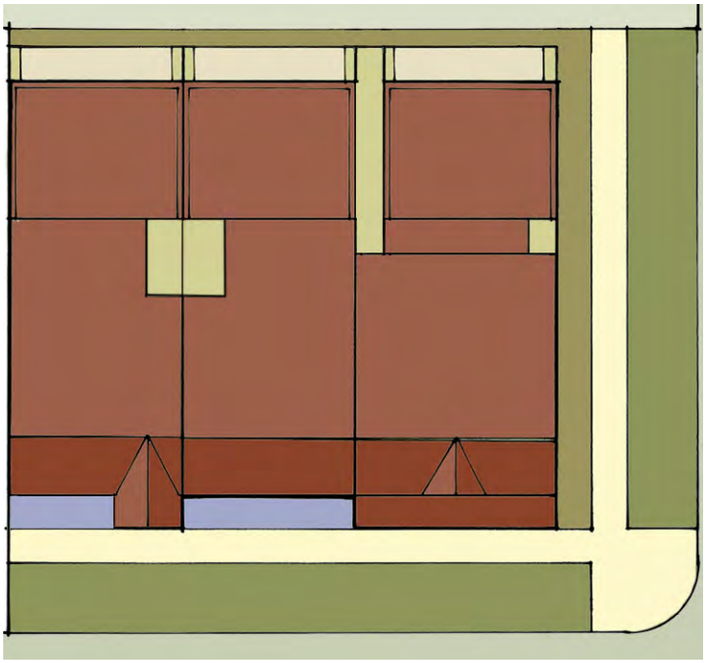
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Maximum height of side yard and rear yard fencing: 6 feet
- Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear: 1 inch from property line unless built by builder
- Street Side: 4 feet from walk

LANDSCAPE

- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
  - 100 or fewer lots = 2 plans
  - 101 or more lots = 3 plans

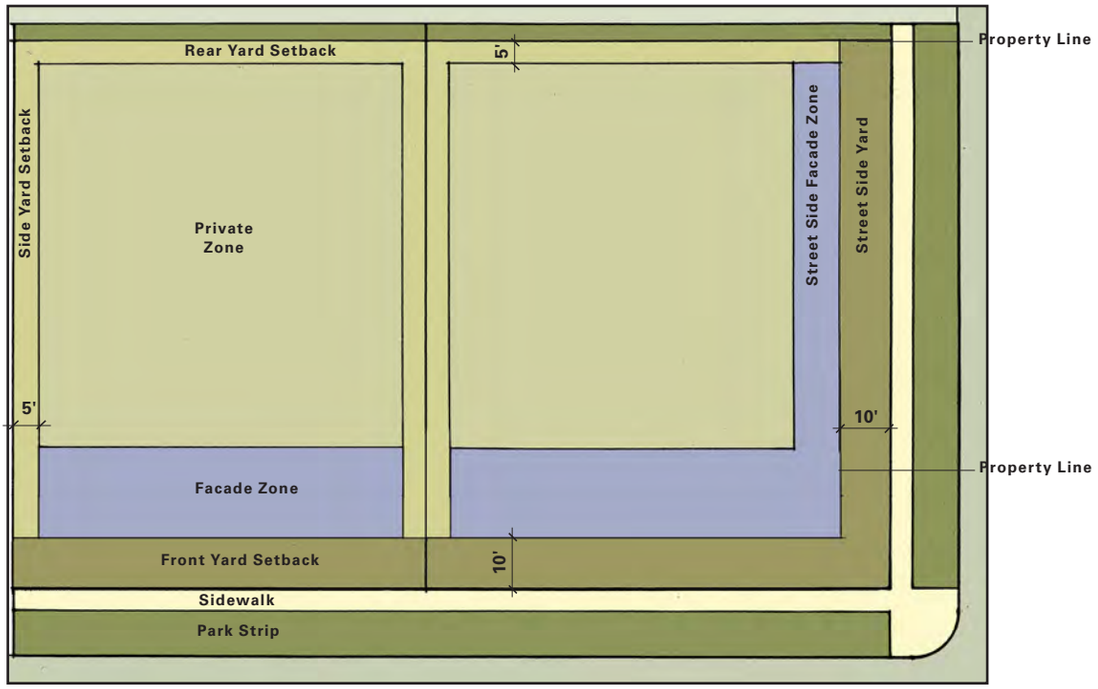
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 100 or fewer lots = 2 elevations
  - 101 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

MANSION APARTMENTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

» Mansion Apartment lots will vary by pad site size

MINIMUM HOUSE SETBACKS

» Front Yard: 10 feet to building

» Street Side: 10 feet to the building and any garages/carports

» Side Yard: 5 feet

» Rear Yard: 5 feet to the building and garage/carport; (10 feet maximum to the garage/carport encouraged on a corner lot)

FACADE ZONE

» Not Used

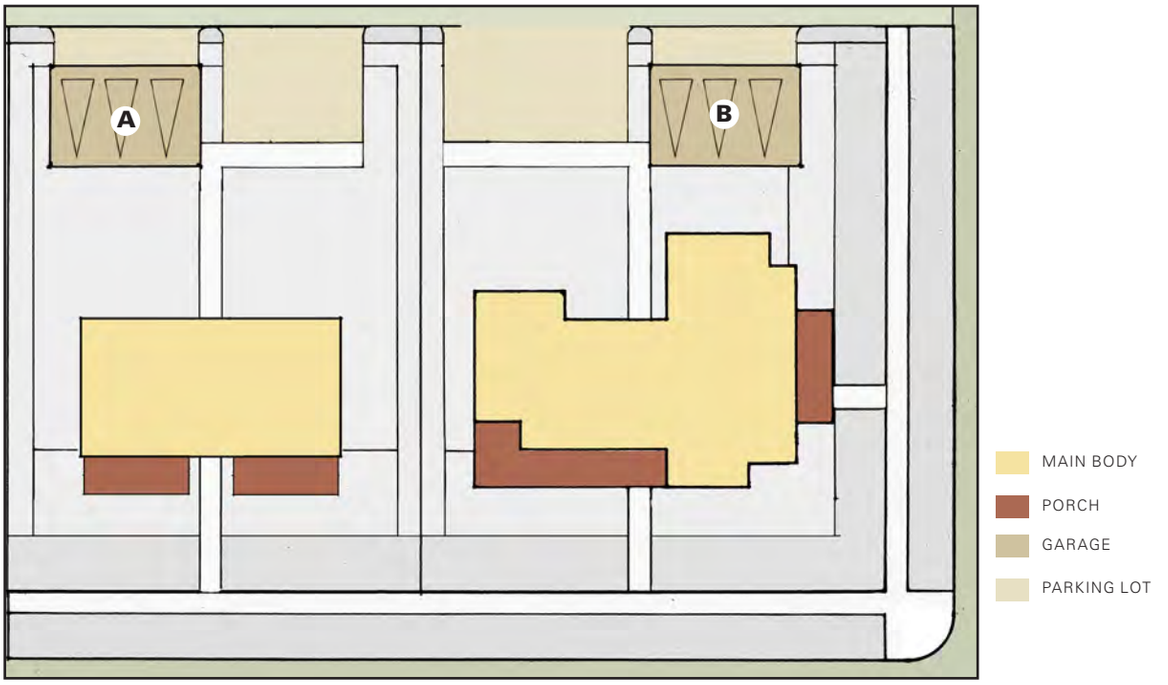
ENCROACHMENTS INTO SETBACKS

» Porches: 5 feet into front yard and street side setbacks only

» Balconies: 5 feet into front yard and street side setbacks only

» Bay Windows: 2 feet into front yard and street side setbacks only

» Fireplaces: 2 feet into street side setback only



Elements of the Building

PERMITTED GARAGE TYPES

- Tuck Under
- Attached
- Semi-Attached
- Detached (A) (lane must be on street side on corner lots (B))

GARAGE REQUIREMENTS

- Minimum 1 off-street parking space per unit (does not have to be in a garage)
- Garage doors may not face adjacent streets

SECONDARY RESIDENTIAL UNITS

- A secondary residential unit is not permitted over the garage
- A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)

MANSION APARTMENTS



Yard Requirements

FENCE REQUIREMENTS

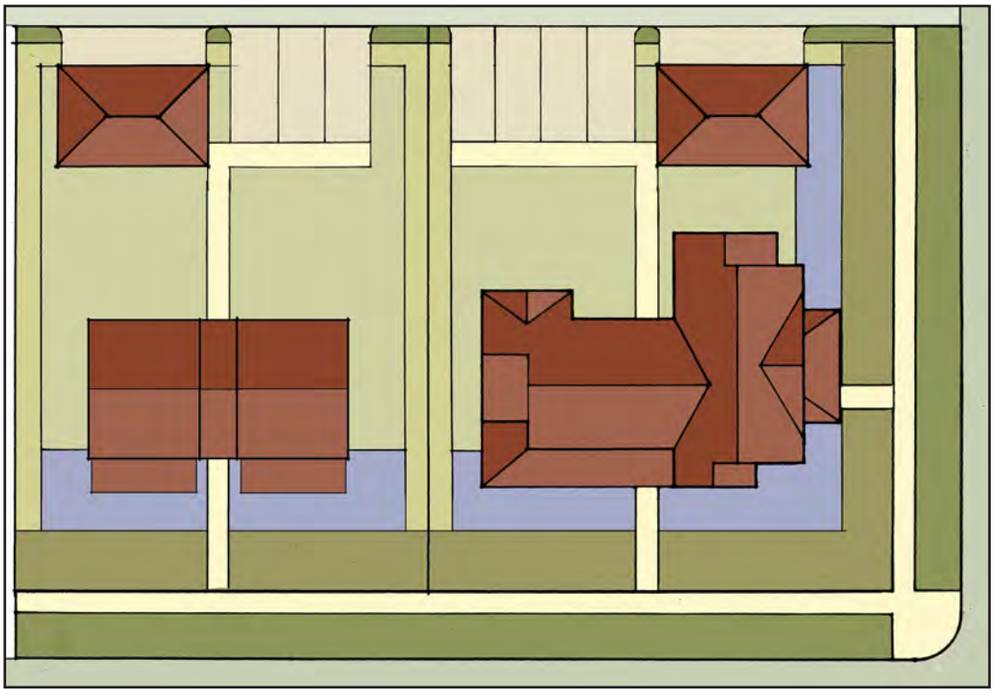
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Maximum height of rear yard fences: 6 feet
- Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Side Yard: 5 feet back from front facade of house; 1 inch from property line unless built by builder
- Street Side: 5 feet, permitted on rear half of lot only

LANDSCAPE

- Landscaping is required in all areas that are not enclosed with a fence
- Foundation planting is required facing streets
- Landscaping is required at the base of fencing facing streets and/or lanes and parking lots
- Plants other than grass are encouraged in the Planting Zone



General Requirements

PLAN MINIMUM

» Three unit plans minimum (with significant variation in floor plan and massing

» Each building must contain a mix of plans

ELEVATION PER PLAN MINIMUM

» Minimum of three elevation types per unit plan (manifest in the massing, roof form, primary materials, window and porch design and color)

» Elevations may not be repeated on a block face or opposing block face

» A minimum of two architectural styles must be represented

» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three buildings of the same style may be located next to each other

» Identical buildings (defined as having the same front facade) may not be located on adjacent lots

RESIDENTIAL DEVELOPMENT STANDARDS

Lot Size	1,400 sq ft min.
Lot Width	16 ft
Lot Depth	75 ft min.
Front Yard Setback	10 ft min. [1]
Interior Side Yard Setback	0 ft min. [2]
Street Side Yard Setback	10 ft min.
Rear Yard Setback	5 ft min.
Height	35 ft max. in Residential Mixed 45 ft max. (3 stories max.) in Village Center
Lot Coverage	90% max.
Open Space	100 sq ft minimum usable open space for each of the first ten (10) dwelling units, fifty (50) square feet for each of the second ten (10) units, and twenty-five (25) square feet for each unit in excess of twenty (20). “Usable open space” shall mean an on-site ground level area, not less than twenty (20) feet in width, of lawn, pool, or garden courts accessible to all dwelling units via a walk, path, or stairway used and intended to be used by pedestrians. The space shall not include the required front yard or street side yard, off-street parking, driveways, or service areas.
Distance Between Accessory Buildings	No requirement
Distance Between Main Building and Accessory Building	No requirement
Shade Structures and Detached Accessory Buildings	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum setback is 0 ft.[3]
Encroachment [4]	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yard.

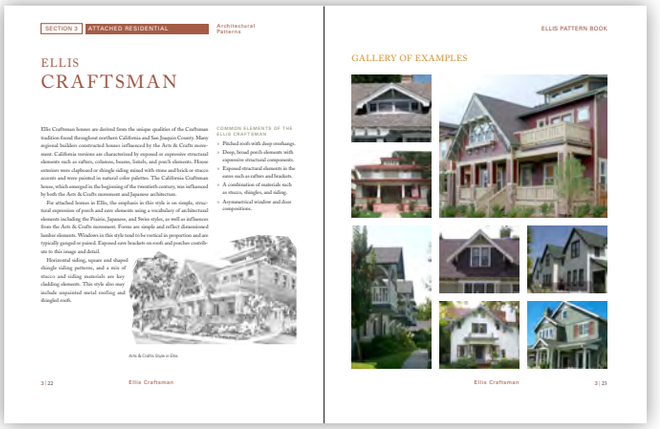
[1] 0 ft for Live/Work Lofts
[2] 5 ft min. for Mansion Apartments
[3] This exception to minium setbacks does not apply to garages.
[4] Only permitted if not encroaching into a public utility easements.

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ARCHITECTURAL PATTERNS

The Architectural Patterns Section for Attached Residential units illustrates key elements and design strategies for the five permitted traditional architectural styles for attached residential units. This section provides detailed guidelines for designing within the prescribed styles while creating well-defined variations among houses and buildings. The approach used is not intended to be a comprehensive catalog of all possibilities, but rather to serve as a guide to the key components within a particular style.

Each style section begins with an overview and general description of the style followed by several pages that document key massing types, standard door and window compositions, and materials and facade possibilities based upon Ellis Pattern Book components. Variations or other alternative combinations of components are permitted so long as they generally conform to the particular style. The goal is to design within specific families of styles that are appropriate to the Ellis context, not to design historic reproductions. The style pages and the illustrated details are meant to be a menu of options for designing houses in response to market demands and cost constraints while providing a consistent quality of character and detail.



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS CRAFTSMAN

Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House extensions were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in natural color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For attached homes in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensional lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed rafter brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.

Arts & Crafts Style in Ellis

3 | 22 Ellis Craftsman

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Craftsman 3 | 23



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival in style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

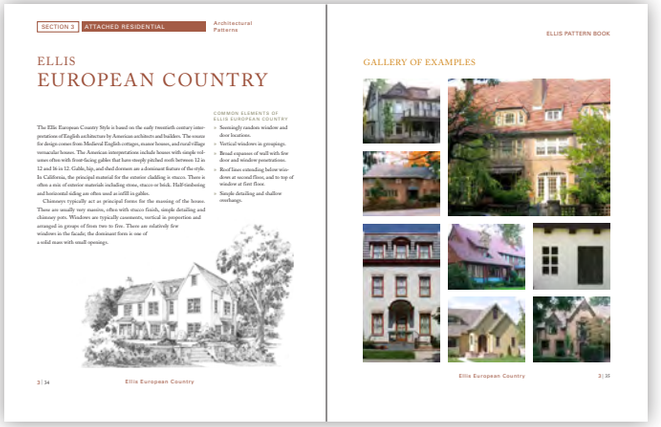
- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane windows with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.

3 | 28 Ellis Revival

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Revival 3 | 29



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretation of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretation include houses with simple volumes often with front-facing gables that have steeply pitched roofs between 12 in 12 and 16 in 12. Gable, hip, and shed dormers are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of three two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below window at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.

3 | 34 Ellis European Country

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis European Country 3 | 35



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1825 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1840. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

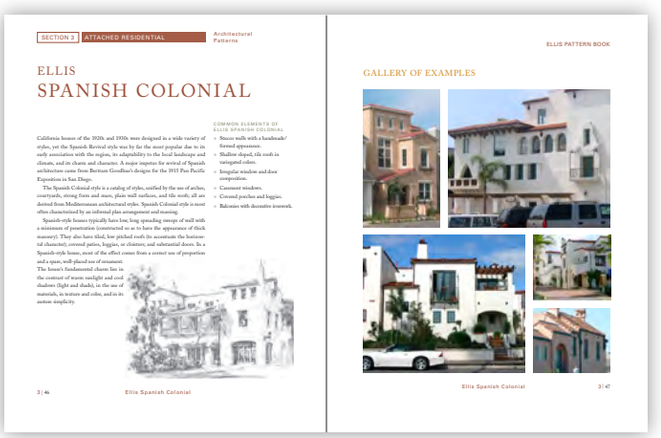
- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double hung Colonial windows and doors.
- Multi-pane window appearance that are wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing projecting timber balconies or steel porches with exposed rafters.

3 | 40 Ellis Mediterranean Revival

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Mediterranean Revival 3 | 41



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan-Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs, all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long sprawling sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character), covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament.

The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handtrowled/ formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Casement windows.
- Covered porches and loggias.
- Balconies with decorative ironwork.

3 | 46 Ellis Spanish Colonial

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Spanish Colonial 3 | 47

ELLIS CRAFTSMAN

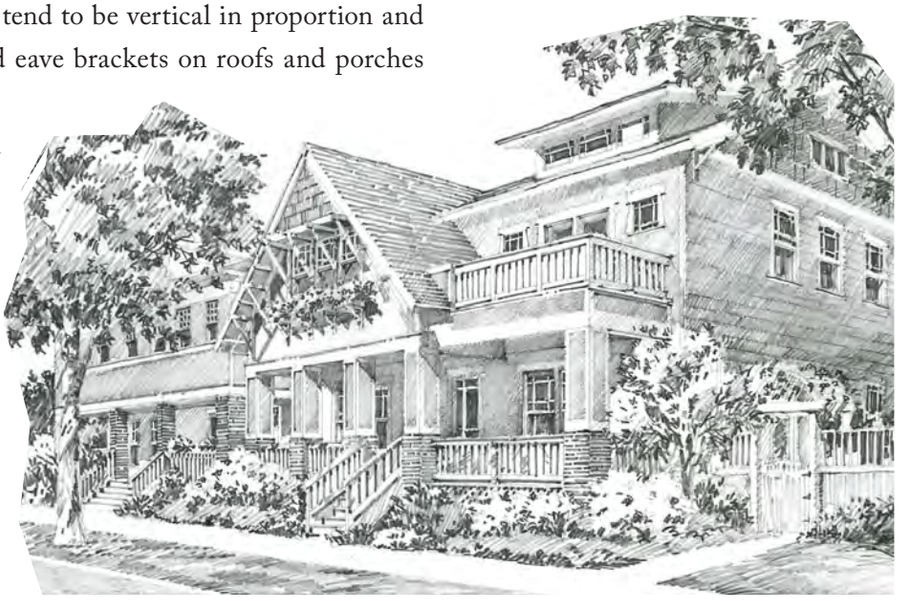
Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in natural color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For attached homes in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.



Arts & Crafts Style in Ellis

GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Rectangular two-story volumes, with a 4 to 7 in 12 roof pitch. Shed front porches are common and have a shallower roof pitch. Porches may be either additive or a single integral bay.

B TWO-AND-ONE-HALF-STORY SIDE GABLE

Rectangular two- to two-and-one-half-story volume with a 4 to 7 in 12 side gabled roof. Integral front porch that ranges from half to the full length of the front facade. Symmetrically placed gabled or shed dormers with 3 to 5 in 12 roof pitch.

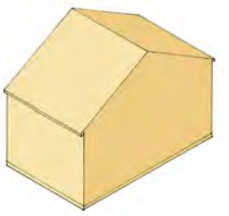
C TWO-STORY GABLE L

Cross-gabled volume with a 4 in 12 gable facing the street. Often an in-line gabled porch or wing is added to the front left of the L. Porches may also be located between the legs of the L.

D MANSION APARTMENTS

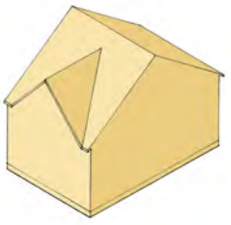
Rectangular volume with a 4 to 12 in 12 roof pitch and gable/gables facing the street. Front porches are common.

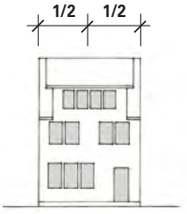
A TWO-STORY SIDE GABLE



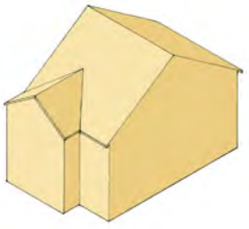


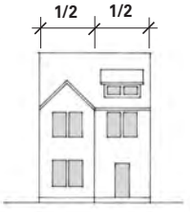
B TWO-AND-ONE-HALF-STORY SIDE GABLE



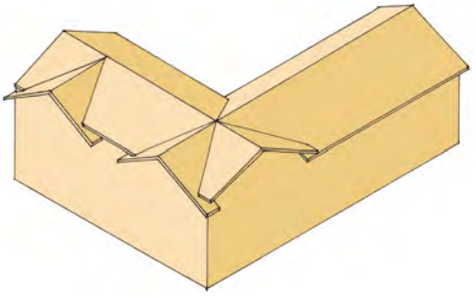


C TWO-STORY GABLE L



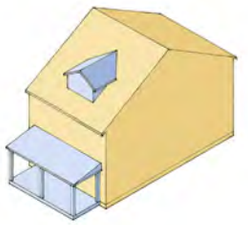


D MANSION APARTMENTS



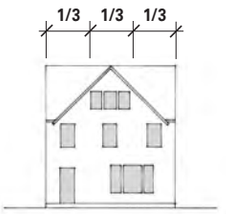


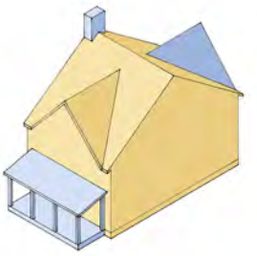




A Side gable with a front porch and street-facing dormer

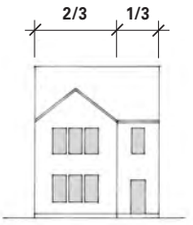


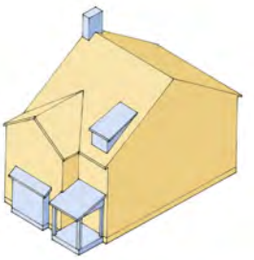




B Side gable with a front porch, a chimney and a large, rear-facing dormer

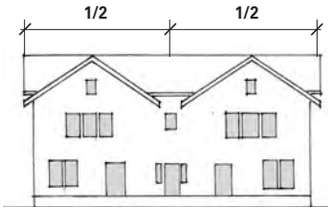


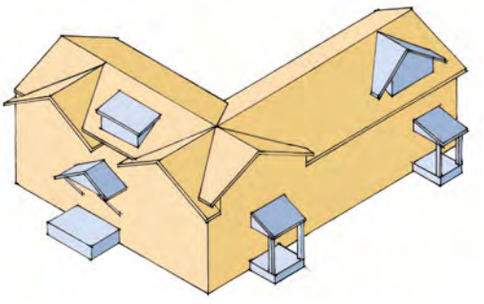




C Gable L with front entry porch, boxbay window, chimney and shed-roofed dormer







D Large side-gable building massing, with street-facing gables



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard and/or stucco

» Lace finish not permitted

ROOFING

» Composition shingles, flat concrete tile, standing seam, or 5v crimp metal

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum, or vinyl

» Traditional-looking profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS/BRACKETS

» Wood or composite

RAILINGS

» Wood or composite top and bottom rails with square balusters

» Solid railings of wood, fiber cement, cut shingle siding or manufactured stone veneer

SOFFITS AND PORCH CEILING

» Exposed rafters at soffits with starter board or v-groove sheathing

» T&G wood, beaded plywood, exterior-grade plywood, or stucco porch ceiling

GUTTERS

» Ogee or half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim or the stucco cladding

SHUTTERS

» Not applicable

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match structure

FRONT YARD FENCES

» Wood, stone, or masonry with stucco finish

» Vinyl picket permitted

» Wrought iron or equivalent

REAR YARD FENCES

» Cedar, redwood, or masonry with stucco finish (if applicable)

» Vinyl and pressure treated wood are permitted

COLORS

SIDING AND TRIM

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival is style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane windows with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.

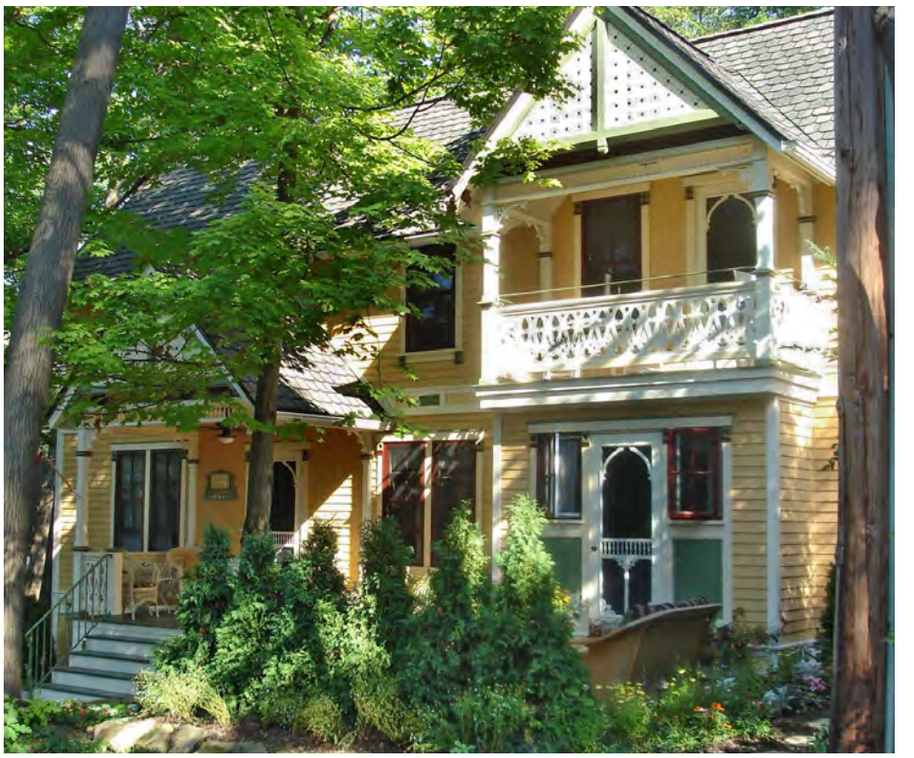


Ellis Revival

GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume with a roof pitch that is typically 6 to 10 in 12. Front porches often extend across the full front of the house.

B TWO-STORY GABLE L

Side-gabled rectangular volume, with a steeply-pitched, gabled wing attached to the front. The front gable roof is typically pitched at 8 to 12 in 12, and the side gable is less steeply pitched, typically 6 to 10 in 12. One- or two-story front porches often extend across the recessed portion of the house or the full front facade.

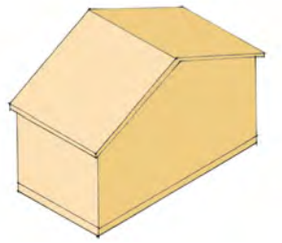
C TWO-STORY FLAT ROOF

Two-story rectangular volume with a flat roof condition. Large cornices and parapet walls are often used at the roof line. One or more bays are often extruded from the facade to create interesting volumes.

D LARGE BUILDING

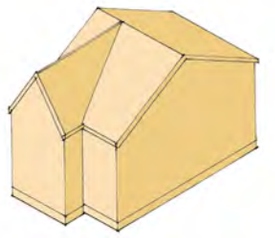
Cross-gabled volume with a 6 to 10 in 12 gable facing each street. Cross-gable is typically no wider than half that of the main body. This massing often has a gable porch emphasizing the main entrance, although when used on a corner lot, both entrances should be considered important.

A TWO-STORY SIDE GABLE



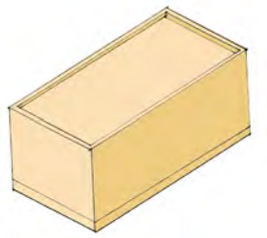


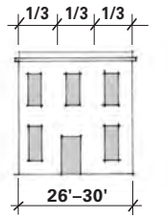
B TWO-STORY GABLE L



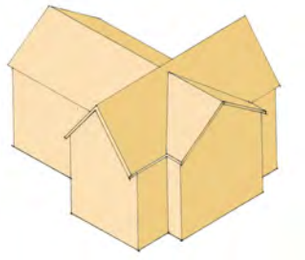


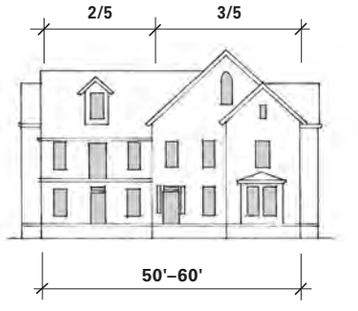
C TWO-STORY FLAT ROOF



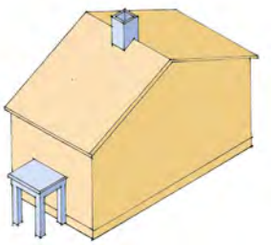


E MANSION APARTMENTS





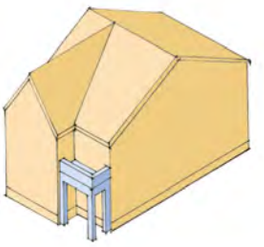




A Side gable with a chimney and a centered front entry porch

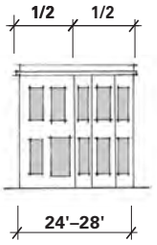


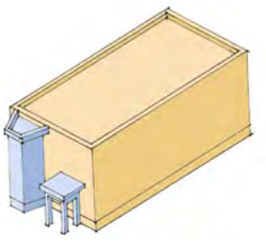




B Gable L with a two-story entry porch

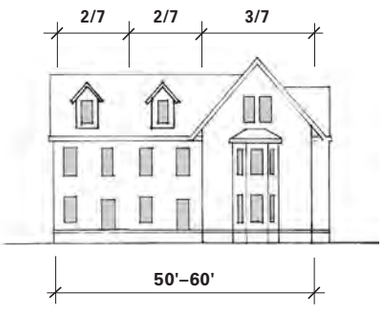


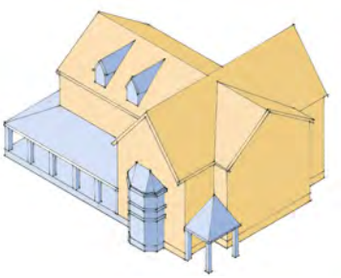




C Flat roof with a two-story bay window and a flat-roofed entry porch







D Large cross gable with two-story bay window, dormers, and a wraparound porch



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Board and batten, wood, or fiber-cement clapboard

ROOFING

» Composite shingles

» Flat concrete tile

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Wood, composition board, cellular PVC, or polyurethane

COLUMNS

» Turned or built-up wood, or composite

RAILINGS

» Wood top and bottom rails with straight, turned, or scroll cut balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, or exterior-grade plywood

GUTTERS

» Half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite material, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Manufactured stone or brick veneer or siding to match house

FRONT YARD FENCES

» Wood picket, prefinished metal, or stone

» Vinyl picket permitted

REAR YARD FENCES

» Cedar or redwood

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Black, dark gray, or brown

GUTTERS AND DOWNSPOUTS

» Match trim color

SHUTTERS

» Black or a color selected from the Ellis Color Palette

FRONT YARD FENCES

» Wood to be white or match trim color

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival is style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



Ellis Revival

GALLERY OF EXAMPLES











MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume with a roof pitch that is typically 4 to 10 in 12. Dormer windows are often present in the roof form. Porches are additive structures that may cover all or part of the front facade.

B TWO-AND-A-HALF-STORY MANSARD

Rectangular volume, composed of a flat roof with a mansard pitch condition on the front facade. Often accompanied by a shed-roof dormer within the mansard roof condition. Porches may cover all or part of the front facade.

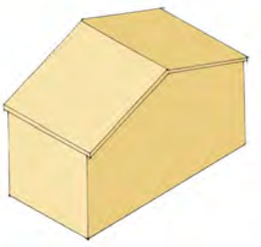
C TWO-STORY FRONT GABLE

Front-gabled rectangular volume. Gable roof pitches range from 4 to 10 in 12. As with other massing, stoops and hipped front porches are common. Porches are most often one-story, but can be two-story on townhouse units.

D MANSION APARTMENT

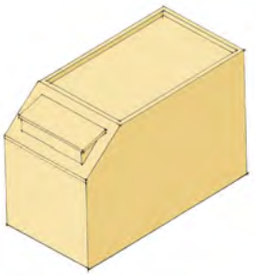
Cross-gabled volume with roof pitches ranging from 4 to 10 in 12 for front-facing gables, and a less steep pitch for side gables. One-story temple front porches are common, along with dormer windows.

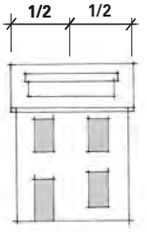
A TWO-STORY SIDE GABLE





B TWO-AND-A-HALF-STORY MANSARD



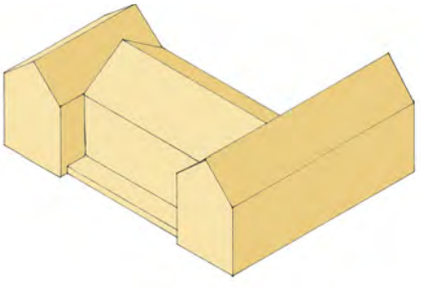


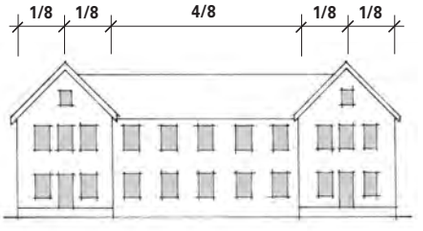
C TWO-STORY FRONT GABLE

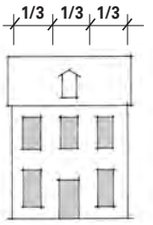


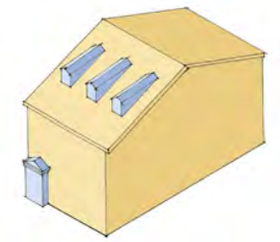


D MANSION APARTMENTS



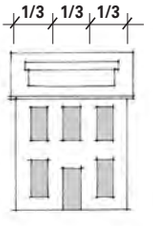


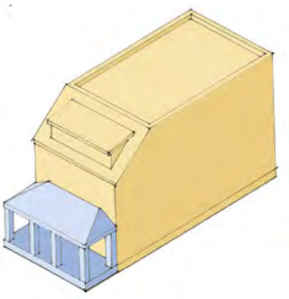




A Side gable with dormers and built-out entry bay



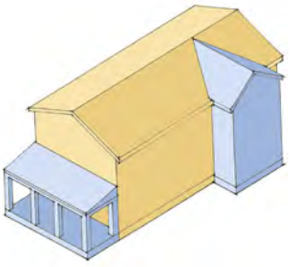




B Side gable with hipped full front porch

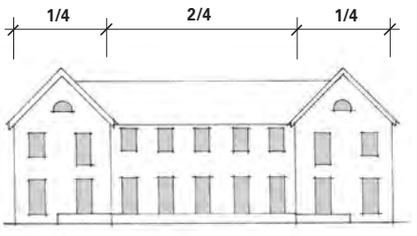


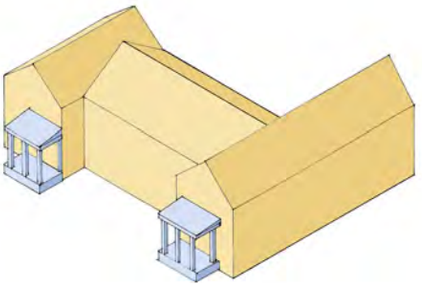




C Front gable with full front porch and side wing







D Large cross gables with symmetrical porch entry bays



POSSIBILITIES

PRECEDENTS

TOWNHOUSES



Elevation possibility



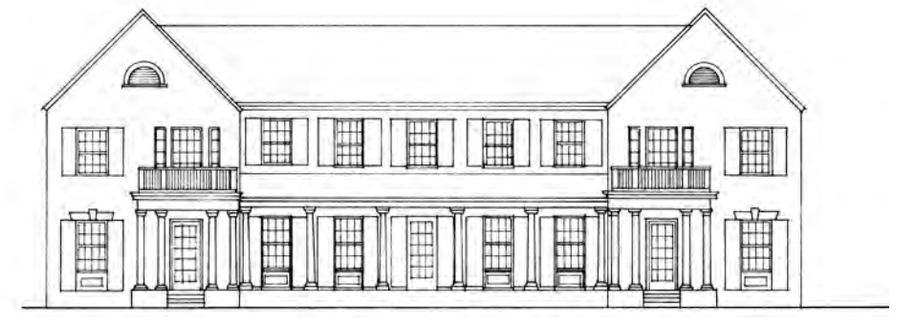
TOWNHOUSES



Elevation possibility



MANSION APARTMENTS



Elevation possibility



MATERIALS

SIDING/CLADDING

- Fiber-cement clapboard or stucco
- Lace finish not permitted

ROOFING

- Composition shingles or concrete tile with flat profile

WINDOWS

- Single- or double-hung and casement
- Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
- Traditional wood profiles

TRIM

- Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS

- Wood, or composite with Classical entasis and proportions
- Use Tuscan, Doric, or Ionic orders

RAILINGS

- Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

- Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

- Ogee or half-round
- Primed or prefinished metal
- PVC is acceptable in a color that matches trim
- Fascia gutter permitted

DOWNSPOUTS

- Rectangular or round
- Primed or prefinished metal
- PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

- Raised or flat paneled
- Louvered or plank
- Wood or composite materials, or colored vinyl
- Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

- Stucco, brick, or manufactured stone veneer
- Siding to match house

FRONT YARD FENCES

- Painted wood, prefinished metal, stone, masonry, or stucco finish (if applicable)
- Vinyl picket also permitted

REAR YARD FENCES

- Cedar or redwood, or masonry with stucco finish
- Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

- Colors to be selected from the Ellis Color Palette

ROOF

- Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

- Colors to be selected from the Ellis Color Palette

WINDOWS

- Colors to be selected from the Ellis Color Palette

SHUTTERS

- Colors to be selected from the Ellis Color Palette

FENCING

- Colors to be selected from the Ellis Color Palette

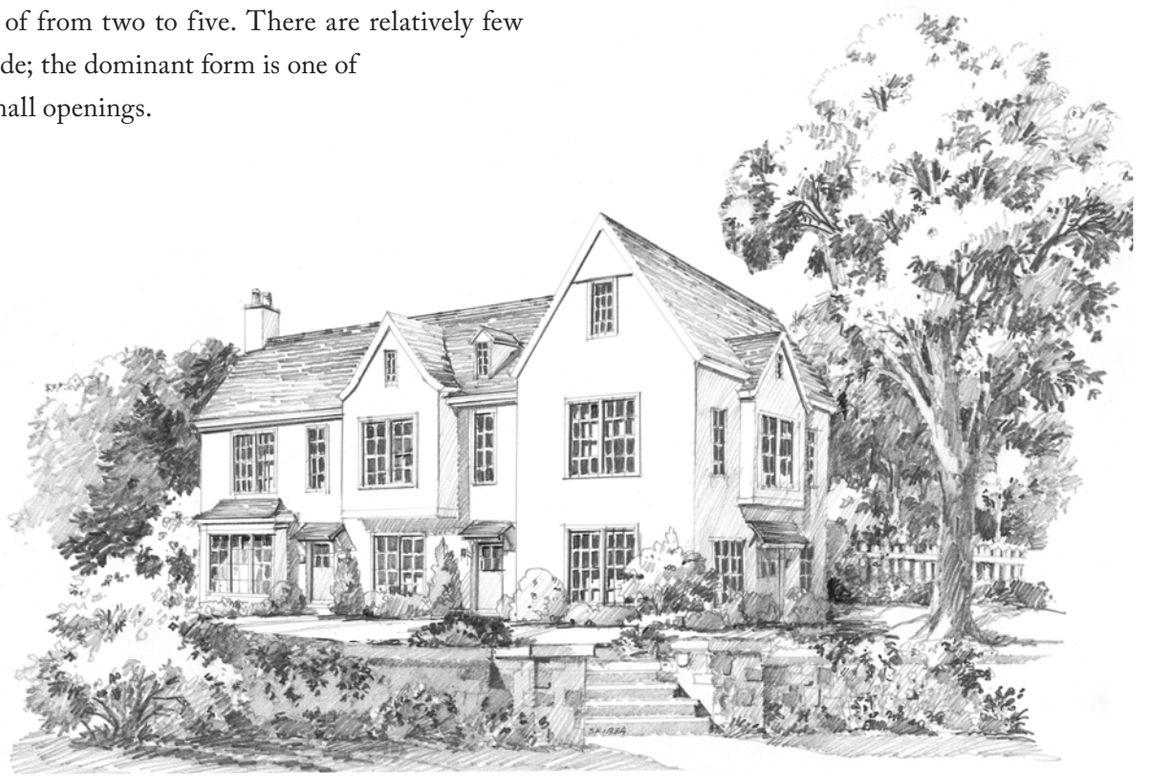
ELLIS
EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables that have steeply pitched roofs between 12 in 12 and 16 in 12. Gable, hip, and shed dormers are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY BASIC SIDE GABLE

Rectangular two- to two-and-one-half-story volume with an 4 to 10 in 12 roof pitch. Cross-gabled entry piece in 12 to 16 in 12. Only one cross gable permitted, often expressed in plan.

B TWO-STORY ASYMMETRICAL GABLE-FRONT L

Rectangular two- to two-and-one-half-story volume with a main body roof of 6 to 16 in 12. Cross-gabled volume with an 8 to 12 in 12 roof. Cross gable is asymmetrical and may contain an inset entry porch. At times, the roof may transition to a shallower pitch over the entry porch.

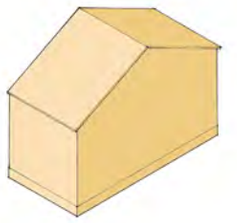
C SIDE GABLE WITH DOMINANT CROSS-GABLE

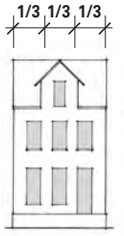
Rectangular two-story volume with an 4 to 10 in 12 roof pitch. One dominant cross gable organizes composition with a 6 to 16 in 12 pitch. Secondary and tertiary gables in the primary roof mass or as dormers are common. Element roof may be gable or side gable. Front entry is often inset into building mass.

D MANSION APARTMENTS

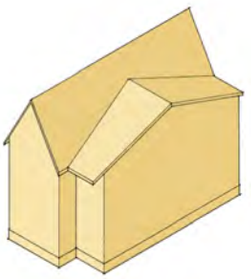
Long rectangular two- to three-story volume with 4 to 12 in 12 roof pitch.

A TWO-STORY BASIC SIDE GABLE



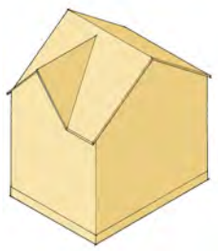


B TWO-STORY ASYMMETRICAL GABLE-FRONT L



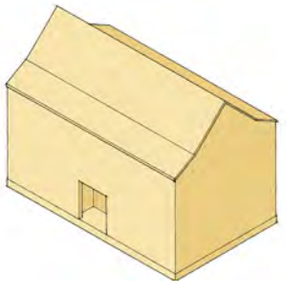


C SIDE GABLE WITH DOMINANT CROSS-GABLE



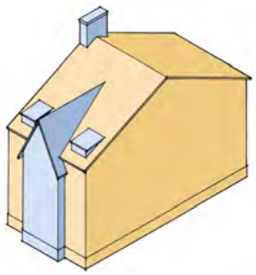


D MANSION APARTMENTS



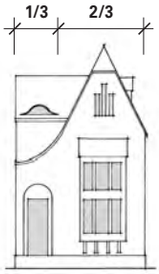


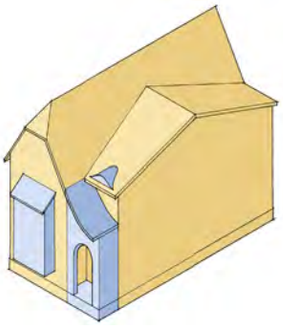




A Basic side gable with a front gable, shed-roofed dormers and a chimney



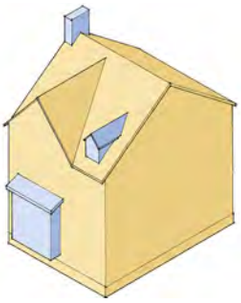




B Gable-front L with a front entry porch, an eyebrow dormer and a bay window



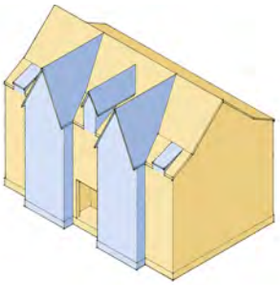




C Side gable with a bay window, a gable dormer, and a chimney







D Large side gable with front gables, shed dormers, and a gable dormer



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Lace finish not permitted
» Half-timbering for second-story accents

ROOFING

» Composition shingles, concrete tile with flat profile, or manufactured slate

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, cast stone, polyurethane, or fiber cement

COLUMNS

» Wood, or composite

RAILINGS

» Ornamental metal preferred
» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double hung Colonial windows and doors.
- Multi-pane window appearance that are wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Two-story rectangular form with a 3 to 4 in 12 gabled roof pitch, and side gable facing the street. A variety of porch and balcony options exist for this massing type.

B TWO-STORY GABLE L

Two-story main body, side gable facing the street with a 3 to 4 in 12 roof pitch. A two-story wing projects forward from the main body toward the street.

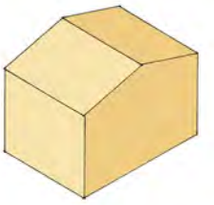
C TWO-STORY FRONT GABLE

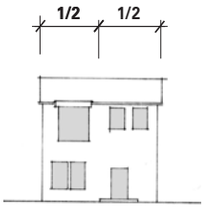
Cross-gabled volume with a 3 to 4 in 12 gable facing the street. Cantilevered balconies and one-story front additions are encouraged.

D MANSION APARTMENTS

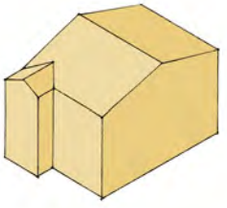
Long rectangular two- to three-story volume with 3 to 4 in 12 roof pitch. Typically two front gables project toward the street to form a courtyard for apartments. Balconies, porches, and one- or two-story additions are encouraged for architectural variety.

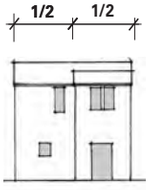
TWO-STORY SIDE GABLE



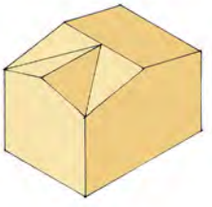


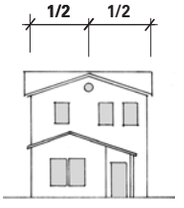
TWO-STORY GABLE L



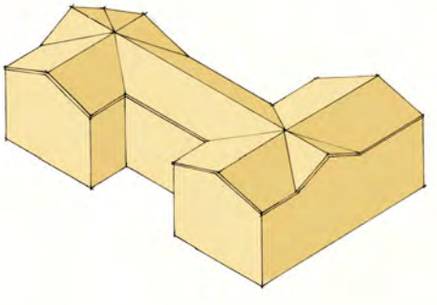


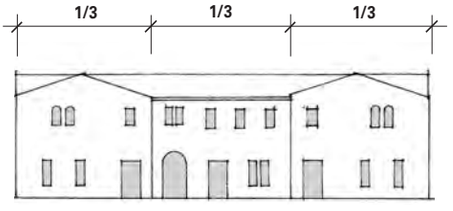
TWO-STORY FRONT GABLE

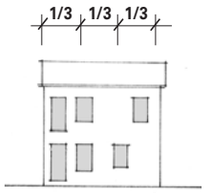


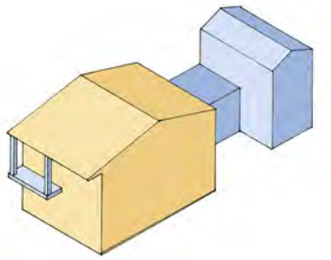


MANSION APARTMENTS



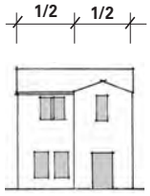


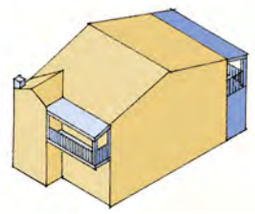




A Two-story side gable with balcony and rear wing

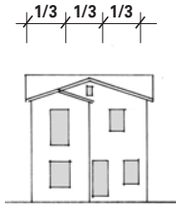


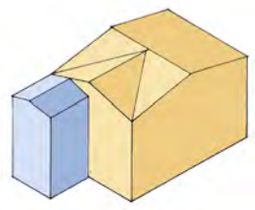




B Two-story gable L with front and rear balconies and chimney

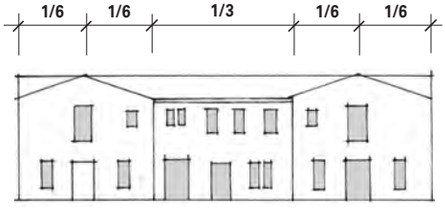


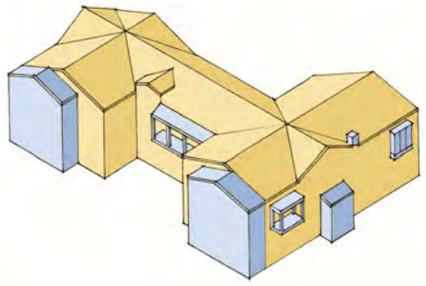




C Two-story front gable with added front gable wing







D 6-unit Mansion Apartment with front wings, balconies, chimney, and entry addition

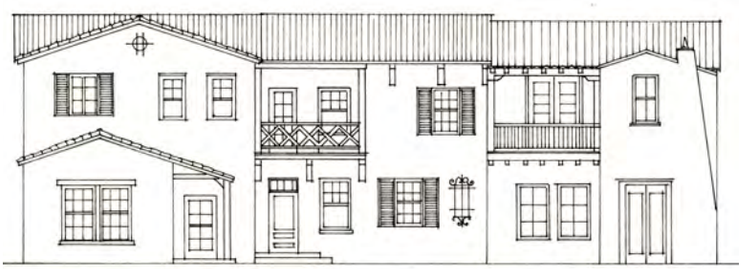


POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Stucco and optional second floor wood or fiber-cement clapboard

» Lace finish not permitted

ROOFING

» Concrete tile in flat or barrel profile, multiple stacked tile at eaves

» Architectural asphalt shingle also permitted

WINDOWS

» Single or double-hung, casement, and picture units, energy-efficient wood, PVC clad, aluminum-clad, cellular PVC, aluminum or vinyl with traditional wood profiles

COLUMNS

» Stucco or composite

BALCONIES

» Wood, corbelled stucco with metal railings, or fiber cement

RAILINGS

» Wood or fiber cement top and bottom rails with square or turned balusters

EAVES

» Starter board or v-groove sheathing

EXTERIOR CEILINGS

» Plank and beam, or stucco

GUTTERS

» Half-round metal or PVC

» Fascia gutter also permitted

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat panel, louvered, or plank, in wood or composite material or a colored vinyl

CHIMNEYS

» Stucco

FRONT YARD FENCES

» Masonry with stucco finish; wrought iron accents permitted

» Wrought iron or aluminum permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WALLS/FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS
SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long spreading sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character); covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handmade/formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Casement windows.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES











MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Rectangular two-story volume with a 3 to 4 in 12 roof pitch and gable parallel to the street. Flat-roofed elements such as porches or galleries may be added to the front of the building.

B TWO-STORY BASIC DOUBLE SIDE GABLE

Two-story main body with a 3 to 4 in 12 roof pitch composed of two attached gable forms parallel to the street. Porches and entry features are common inside the L shape formed by the two gable forms.

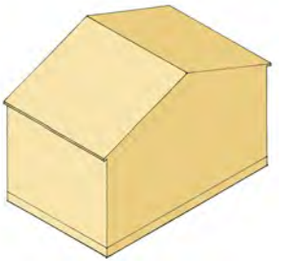
C TWO-STORY GABLE L

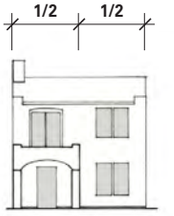
Similar to the two-story side gable but with a front-facing gable attached forming an L shape. Attached wing is usually no more than half the width of the front facade.

D MANSION APARTMENTS

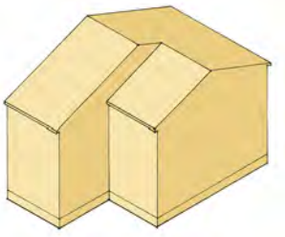
Two-story main body, gable or hip roof running parallel to the street. Typically there are projecting bays, some of which function as entries.

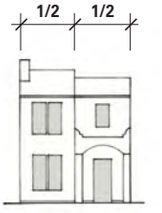
A TWO-STORY SIDE GABLE



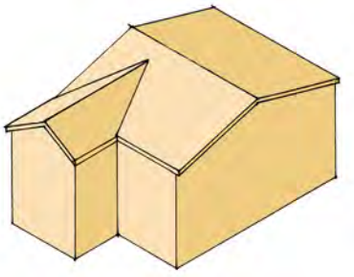


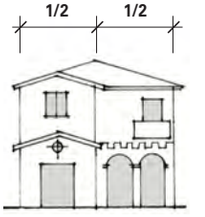
B TWO-STORY DOUBLE SIDE GABLE



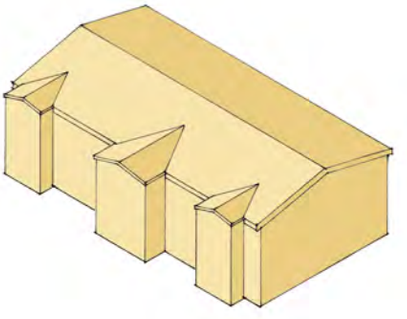


C TWO-STORY GABLE L

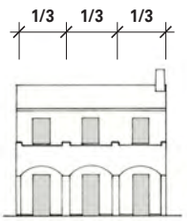


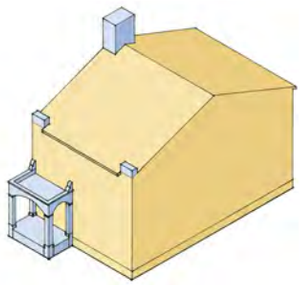


D MANSION APARTMENTS



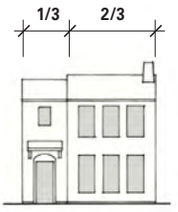


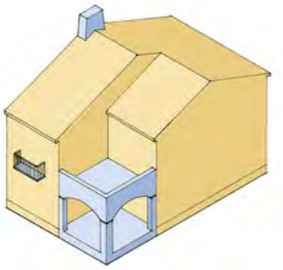




A Two-story side gable with front porch, parapet element, and chimney

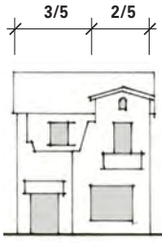


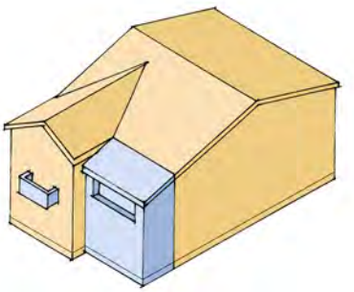




B Two-story double side gable with two story front porch, balcony, and chimney



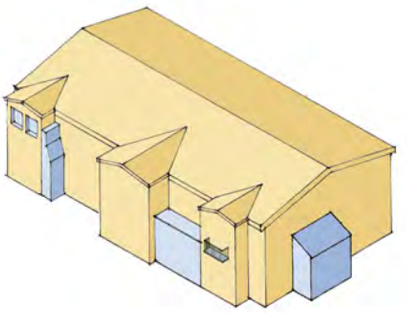




C Two-story gable L with attached front wing with inset porch, and balcony







D Two-story Mansion Apartment with side wing entry, attached one-story bay, balcony, chimney, and second-floor loggia.



POSSIBILITIES

TOWNHOUSES







PRECEDENTS







MATERIALS

SIDING/CLADDING

» Stucco with handmade/formed appearance, skip-trowel not allowed

ROOFING

» Terra cotta barrel tile

» Multiple stacked tile at eaves

WINDOWS

» Energy-efficient wood, PVC clad, aluminum-clad, or aluminum

» True divided light appearance

» Grilles shall be solid stock or wrought iron

COLUMNS AND ARCHES

» Stucco or stucco (square, rectangular, or round), or round cast stone/concrete

EXTERIOR STAIRS

» Terra cotta pavers for treads with stucco or decorative tile

» Risers, sloped or stepped stucco walls as guard-railing. Solid-stock metal rails with a wrought iron appearance are also permitted.

BALCONIES

» Solid-stock metal with a wrought iron appearance, wood, or cover or corbelled stucco with metal railings

EAVES

» Wood s4s or v-groove sheathing, often of random width

» Stucco molded eaves are permitted.

EXTERIOR CEILINGS

» Plank and beam

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wrought iron hinges, shutter dogs encouraged

CHIMNEYS

» Stucco with handmade/formed appearance

FRONT YARD FENCES

» Prefinished metal, or masonry

REAR YARD FENCES

» Painted wood, prefinished metal, or masonry

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

PHOTOVOLTAIC PANEL GUIDELINES

Photovoltaic panels may be used in the community. Multiple application techniques are possible:

A ROOF MOUNT

Photovoltaics are mounted a few inches above the roof structure, during the initial installation of the roof. Choices about where to site panels are based on building orientation and surface pitch.

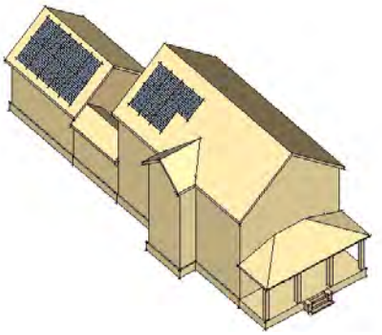
B BUILDING INTEGRATED PV ARRAY (BIPV)

Applications of photovoltaic panels may be integral to the building system. Roof materials with PV cells can replace traditional roofing materials, as long as they are stylistically appropriate.

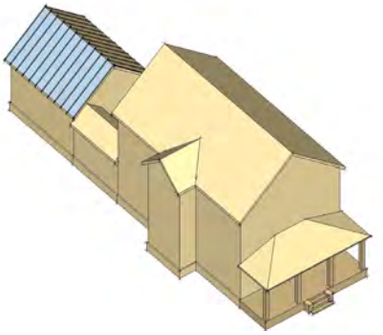
C SHADE STRUCTURE

Photovoltaic panels may be applied to roof shade structures on private lots or in public parks and spaces. The application may be either mounted or integral.

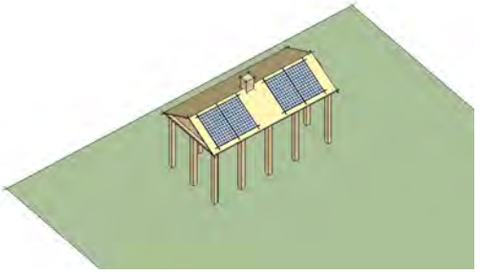
A ROOF MOUNT



B BUILDING INTEGRATED PV ARRAY (BIPV)



C SHADE STRUCTURE



	Flat	4:12	7:12	12:12	21:12	Vertical
South						
SSE, SSW						
SE, SW						
ESE, WSW						
East/West						

The graph to the right shows the optimal building orientation and photovoltaic panel pitch to maximize electrical energy generation





DESIGN CONSIDERATIONS

» Place panels on southern-most facing roof surfaces whenever possible for optimal efficiency. Pitch of roof determines optimal solar capture (see chart on page 3|58).





DESIGN CONSIDERATIONS

» Material replacement can include standing seam metal, masonry tiles, and shingles

» Color and material should be follow guidelines for each style



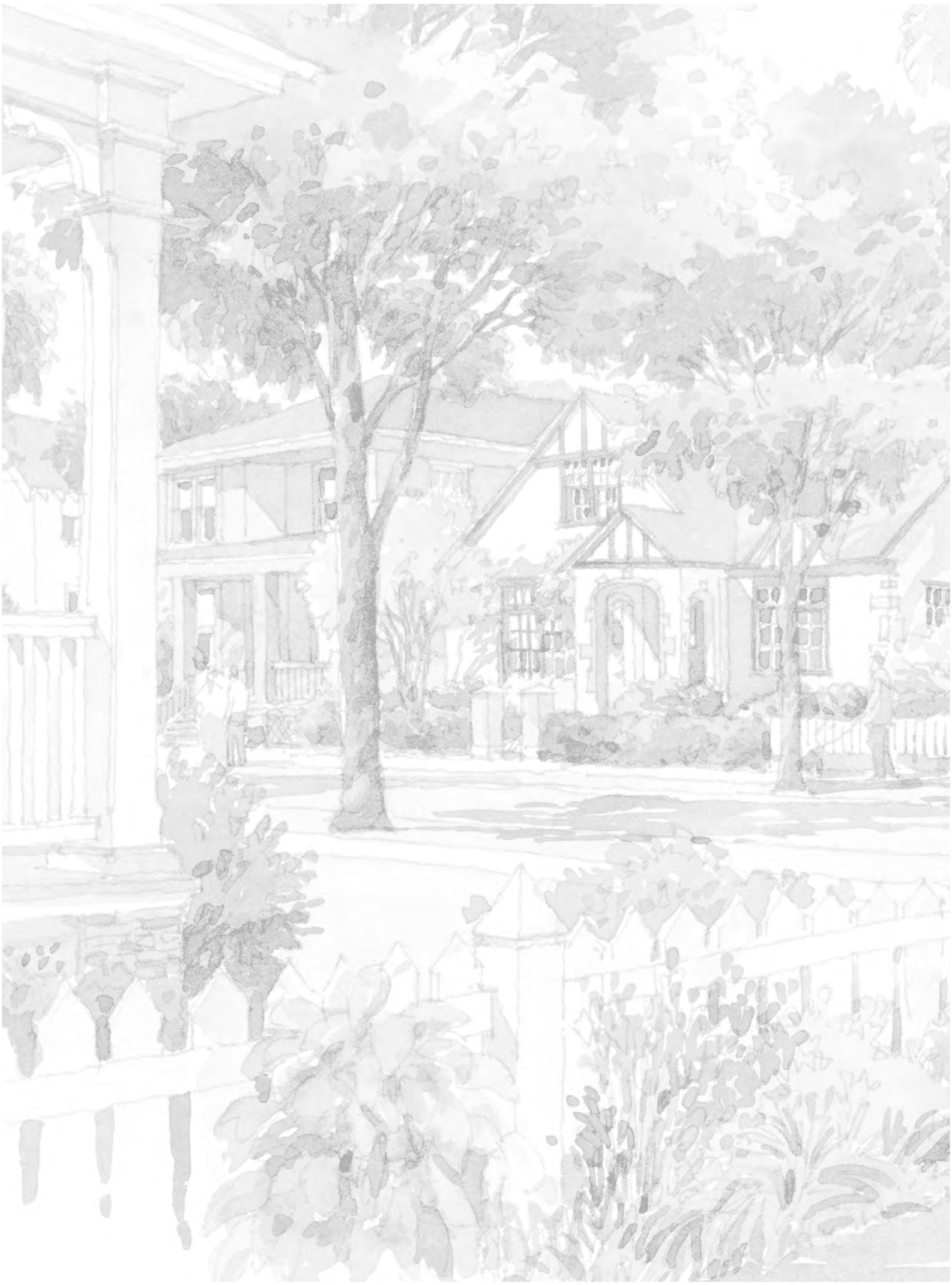


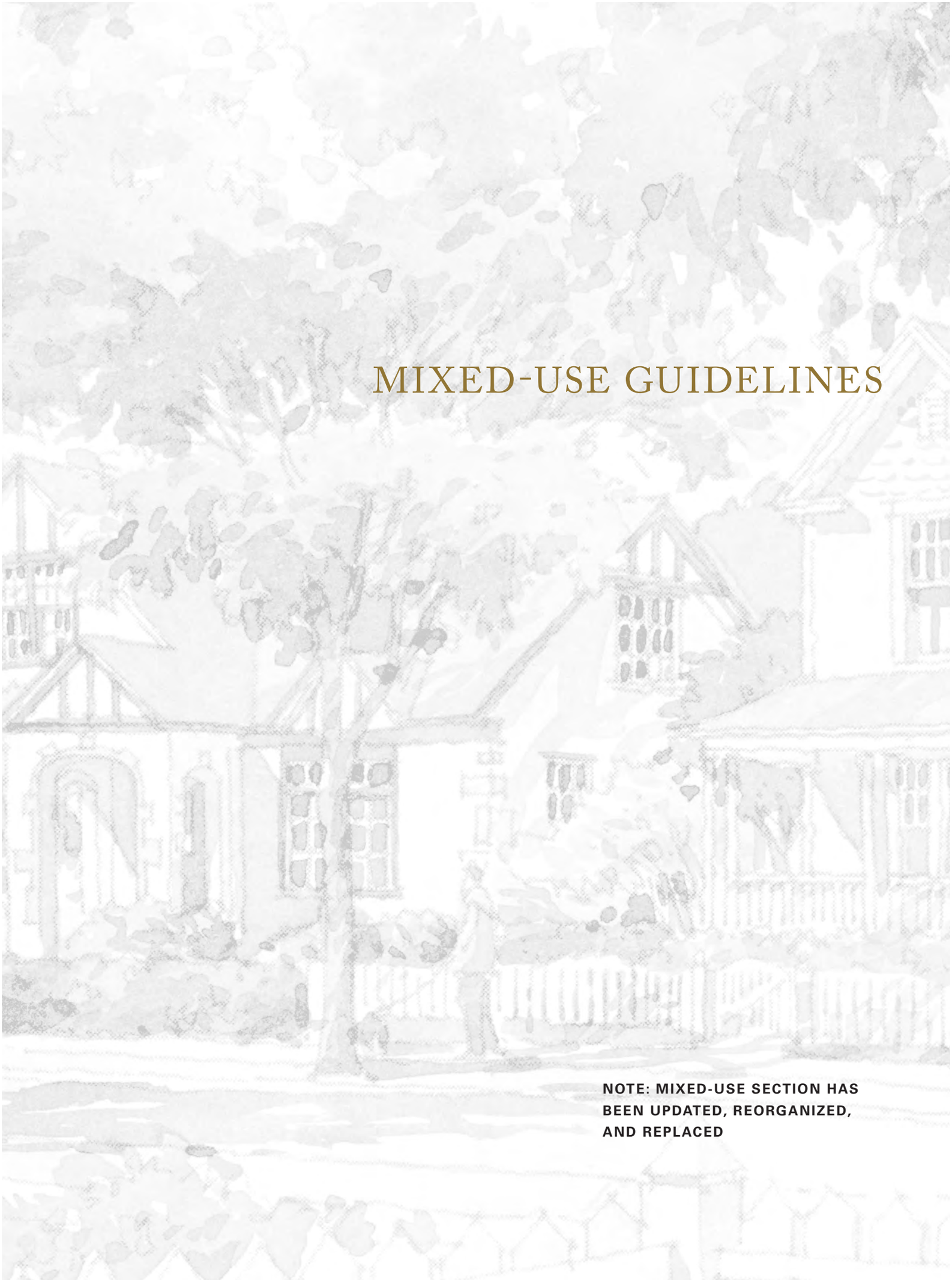
DESIGN CONSIDERATIONS

» Wiring underneath panels must be carefully concealed

» Vines and plantings must be trimmed and kept separate from wiring

» May include shading devices over rear or side porches





MIXED-USE GUIDELINES

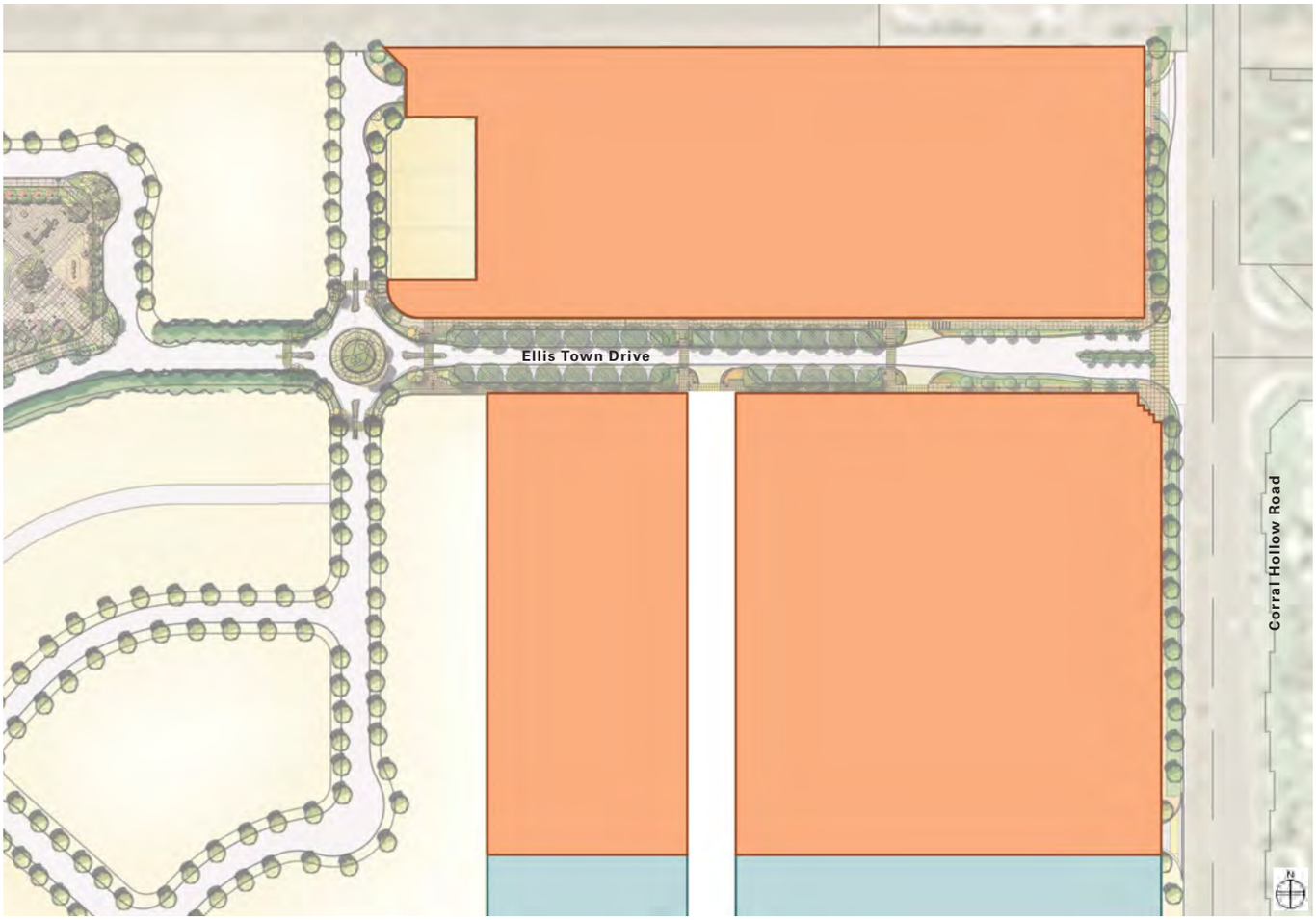
NOTE: MIXED-USE SECTION HAS BEEN UPDATED, REORGANIZED, AND REPLACED

VILLAGE CENTER

Throughout the San Joaquin Valley, a number of traditional towns and villages have a memorable main street at their core. It is the center of civic life and public use for these communities, located within relatively close proximity to the surrounding residential neighborhoods. Ellis Town Drive will serve as the spine of the mixed-use core. Buildings will be organized, sited, and arranged relatively close to the street. The Village Center is designed to and proposes to accommodate a mix of uses ranging from retail, service, and office spaces to possible private residences above the public uses at street level. As such, the Village Center will fit within the regional traditions, utilizing building types appropriate for Ellis.



View of the Village Center along Ellis Town Drive



Illustrative plan of the Ellis Village Center

RETAIL, OFFICE AND OTHER PERMITTED USES

BUILDING PLACEMENT AND REQUIRED SETBACKS

The buildings in the Ellis Village Center will be sited and designed according to specific requirements for placement on blocks along Ellis Town Drive. This main street defines the core of the community. The guidelines which follow, developed as part of the master planning process, are meant to ensure that the diversity and character of Ellis called for in the Ellis Specific Plan are implemented and maintained.

MINIMUM BUILDING SETBACKS

- Ellis Town Drive: 0 feet
- Corral Hollow Road: 15 feet
- North Ellis Property Line: 15 feet
- Aquatic Park: 15 feet
- Residential Properties: 15 feet

FRONT FACADE ZONE

- Front Facade Zone guidelines apply only to Ellis Town Drive
- Zone: 20 feet deep
- More than 50% of the front building elevation (facing Ellis Town Drive) should be located in the Front Facade Zone

ENCROACHMENTS

- Awnings and Canopies: up to 6 feet into the public right-of-way
- Dining Patios, Bay Windows (no foundation), and Balconies: up to 2 feet into the public right-of-way

PARKING REQUIREMENTS

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking/Pedestrian Access in the ESP.

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FENCING RECOMMENDATIONS

See Section 3.5.19 Fencing in the ESP.

OPEN SPACE REQUIREMENT

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.

REFUSE STORAGE

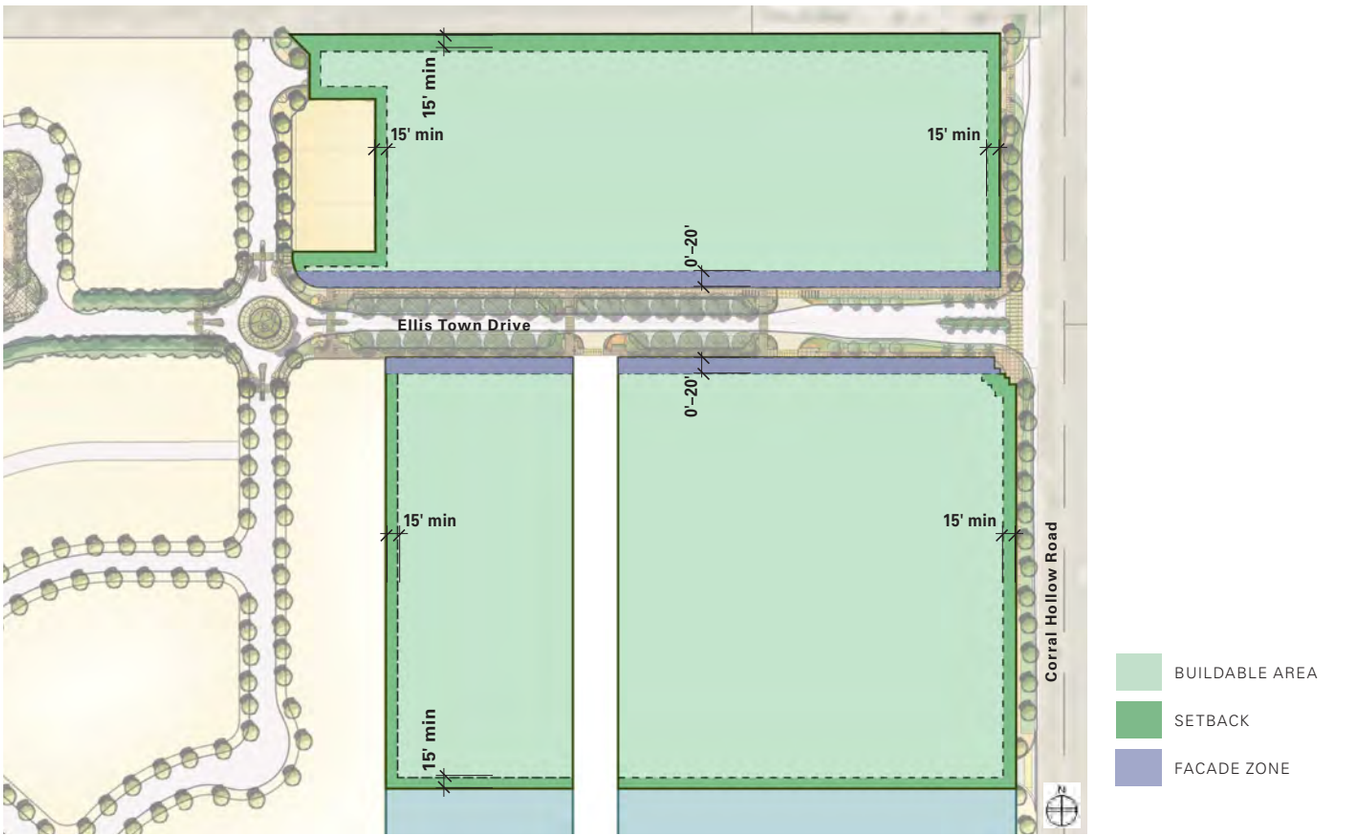
Commercial units shall maintain separate refuse and recycling storage containers from those used by residents. These containers will be integrated into off-street parking areas behind buildings. They must be of sufficient size to meet required trash and recycling needs. Refuse storage areas shall be clearly designated.

NON-RESIDENTIAL USES

See Section 3.5.2 Permitted Uses in the ESP.

RESIDENTIAL USES

See Section 3.5.2 Permitted Uses in the ESP. Residential units are not permitted on the ground floor of mixed-use buildings.



Setbacks Diagram

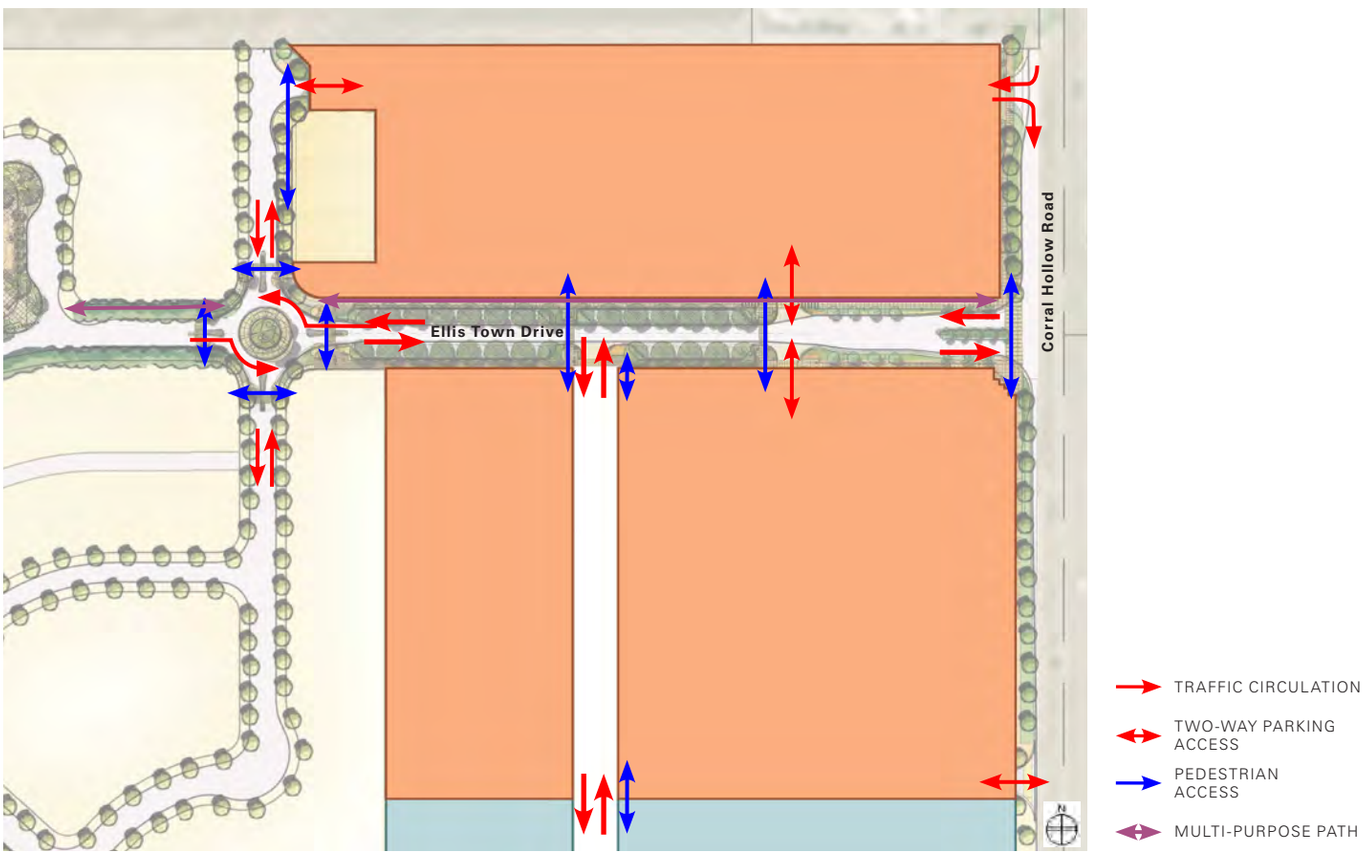
ACCESS AND CIRCULATION

The Ellis Village Center balances the pedestrian and vehicular circulation needs of the community. Streets and blocks are organized to support clear and safe access to the Village Center for residents and visitors alike.

Primary access to the Village Center is along Ellis Town Drive, Ellis's traditional main street. From greater Tracy, the Ellis Village Center is accessed from Corral Hollow Road, one of the main north/south arterials in the City.

The street network of the Village Center is designed to organize and calm traffic as it enters the community from Corral Hollow Road. Ellis Town Drive accommodates two-way traffic throughout the Village Center. Cross driveways provide access to off-street parking lots located behind buildings. Parking lots provide two-way movement to allow for an optimum number of access points and circulation options for drivers and servicing.

Parking in the Village Center is accommodated both on-street and in off-street. On-street spaces provide convenient access to shops and offices for short-term visits and errands. Off-street parking is conveniently situated behind the buildings of Ellis Town Drive. See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.



Access and Circulation Diagram

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PEDESTRIAN CIRCULATION

Sidewalks and park strips flank most public streets to support pedestrian circulation and safety. Sidewalks are also located in and around the parking lots to create safe access routes between vehicles and uses located on Ellis Town Drive.

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PARKING DIAGRAM

The majority of the Village Center parking is located behind buildings to create a pedestrian environment on Ellis Town Drive. Convenient on-street parking is also located along Ellis Town Drive.

VILLAGE CENTER BUILDINGS

In towns throughout the Central Valley, the downtown main street is typically lined with one- to two-story buildings that incorporate a wide range of uses. Shops and offices often occupy the ground floor, while residences or offices occupy the space above. Historic building types tend to have large glass storefront openings on the ground floor and a regular pattern of windows on the upper floors. Due to the Central Valley climate, large awnings or deep galleries are encouraged. As is common throughout the region, a mix of architectural styles, ranging from Craftsman to Colonial Revival creates a very interesting environment for all who use it. This also helps to create an image of a main street where individual buildings have been added over time.

COMMON ELEMENTS OF VILLAGE CENTER BUILDINGS

- Flat or shallow-pitched roofs
- Large, glass storefront openings
- Deep awnings or galleries to provide shade
- Large upper-floor windows (on two-story buildings)
- Well-detailed eave or cornice treatments



GALLERY OF EXAMPLES

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PRECEDENTS


Ellis Day Care


ghone indian
CARTOGRAPH
GARDEN FRESH


Kitchen Soup
zumiez


COCINA
Kitchen Soup


RASTA PASTA
RASTA PASTA
Shoe Boutique
DONA HABANA
cookiemonsters
True Goods


zumiez
True Goods
The Viridian
Ramen Isshin


ZAPATOS
Texas Goods


ZAPATOS
Ellis Day Care


Pluto Woods
KITCHEN SOUP

PRECEDENTS, CONTINUED








GARDEN FRESH


GARDEN FRESH



MATERIALS

SIDING/CLADDING

» Stucco
» Brick
» Wood or fiber-cement siding
» Real or simulated stone

ROOFING

» Flat clay tile, standing seam metal, composition shingles, slate (including manufactured slate products)
» Membrane (flat roofs only)

WINDOWS

» Energy-efficient wood, PVC, aluminum-clad, or aluminum
» True divided light or storefront appearance
» Roll-up garage doors

COLUMNS

» Wood, composite posts, stucco, cast stone, real or simulated stone, metal

TRIM

» Ornamental cast stone, wood, or stucco

EAVES

» Wood sheathing with 2x, 3x, or 4x rafter tails
» Stucco molded eaves are permitted
» Break metal

EXTERIOR CEILINGS

» Plank and beam
» Stucco

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Plank/board or panel type
» Wrought iron hinges, shutter dogs, and latches are encouraged

REAR YARD FENCES AND ENCLOSURES

» Painted wood, prefinished metal, or masonry/stucco, real or simulated stone

COLORS

STUCCO

» Selected from Ellis Color Palette

HALF-TIMBERING

» Dark stain, pure color, or selected from the Ellis Color Palette

ROOF MATERIALS

» Clay tile in red or red/brown range
» Cedar shakes natural, no finish
» Slate in green/gray or green/brown ranges
» Other — selected from Ellis Color Palette

WINDOWS

» Dark stain, pure color, or selected from the Ellis Color Palette

TRIM/SHUTTERS

» Dark stain, pure color, or selected from the Ellis Color Palette

GUTTERS

» Match color of eaves

DOWNSPOUTS

» Match color of stucco substrate or trim color

FENCING

» Metals in matte brown/black, rust-red, or antiqued black
» Wood in black, black-green, brown, or green
» Or, selected from Ellis Color Palette

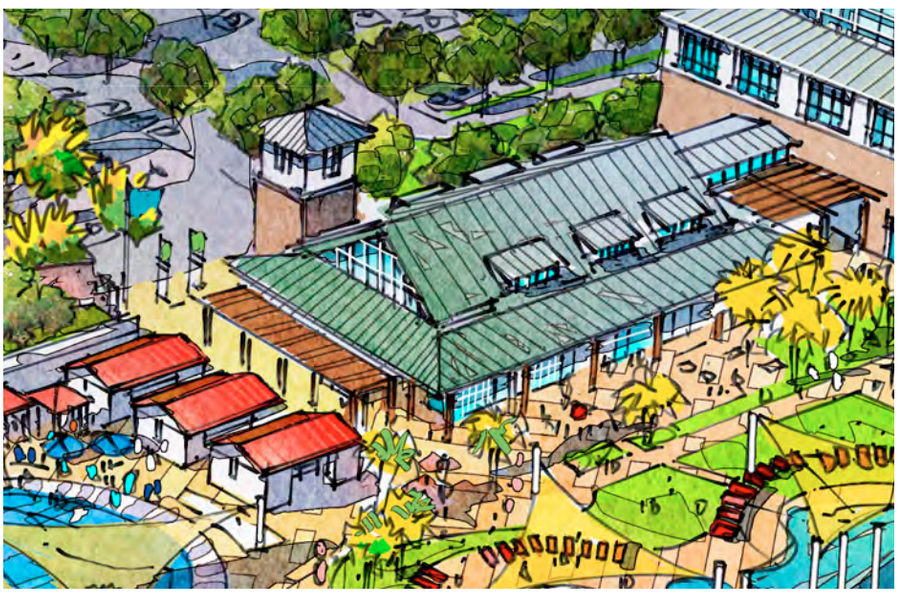
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AQUATIC PARK BUILDINGS

The Aquatic Park at Ellis is a regional destination and great recreational amenity for the residents of Tracy. Since the Aquatic Park is a facility that is civic in nature, close attention should be paid to its architecture and its relationship to the neighborhoods, the Village Center at Ellis, and the City of Tracy.

In order to celebrate the facility's public nature, an architectural vocabulary has been developed that builds upon the traditions of the region with the idea of the Aquatic Park as a resort for the residents of Tracy. As such, the imagery suggested here follows the tradition of great beach resorts found throughout California, with a focus on elements appropriate to the climate of Tracy.

Buildings will provide shade, and will be painted in white or light colors to reduce heat gain. Pergolas, fabric, and other shade structures will provide protection from the elements and will define landscaped areas as 'outdoor rooms.' Cabanas and other pavilions will be sited at the juncture of plazas and paths to connect the varying Aquatic Park experiences together, and to provide a clear system of pedestrian and user circulation.



COMMON ELEMENTS OF AQUATIC PARK BUILDINGS

- Shade structures integral to the architectural forms
- Simple, traditional architectural detailing
- Pergolas, pavilions, and cabanas that relate to the overall architectural form
- Simple roof forms with deep overhangs
- Materials that are simple and elegant, such as siding and standing seam roofs
- Seamless transition between indoor and outdoor materials and environments

GALLERY OF EXAMPLES













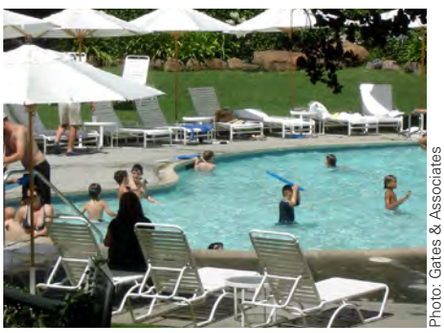


Photo: Gates & Associates

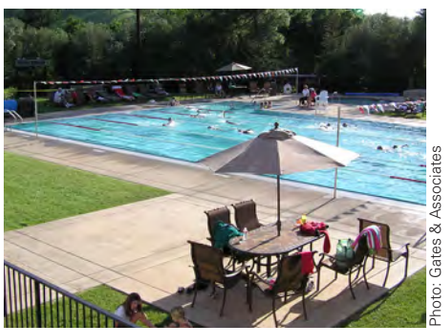


Photo: Gates & Associates



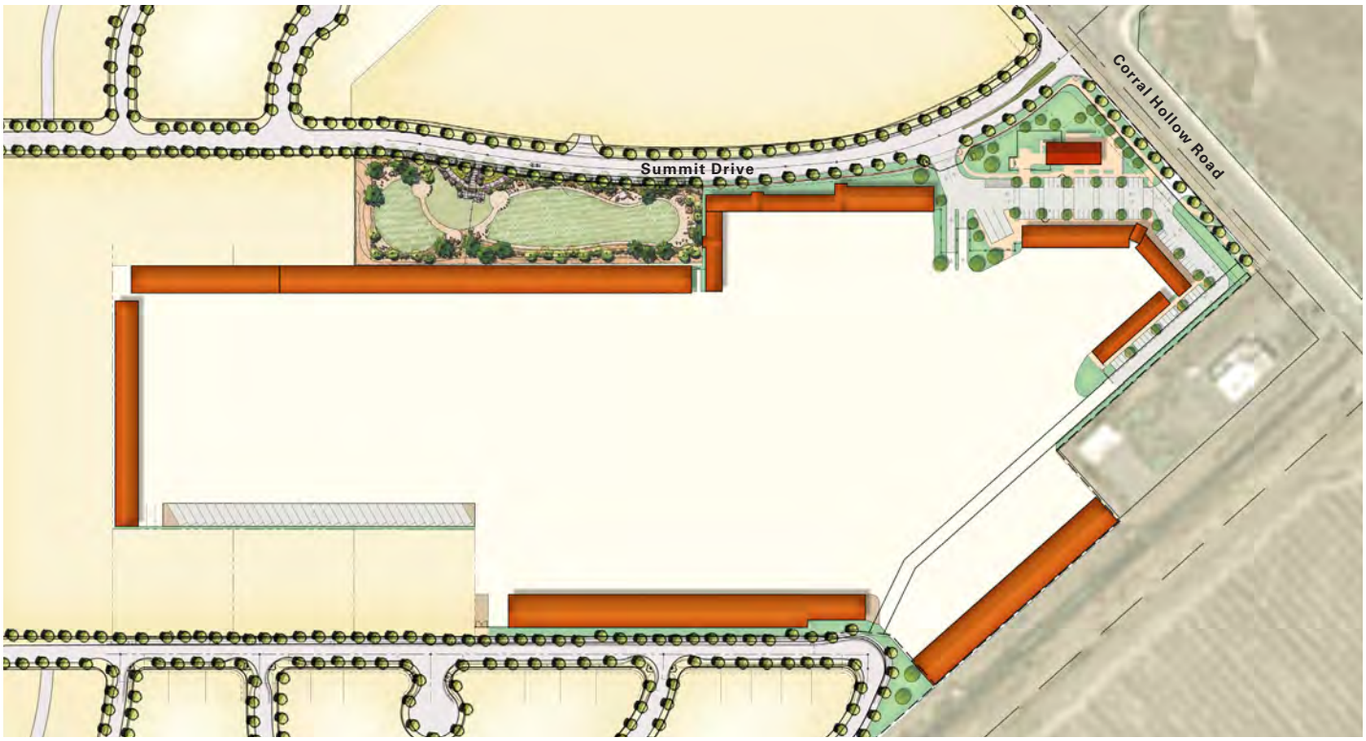
Aquatic Park Image and Character

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STORAGE CENTER

The Storage Center has been identified for auto-oriented uses along and just inboard of Corral Hollow Road. The development of thoughtful and integrated site plans and buildings on these sites will be critical for the image of Ellis, the urban extension of the City of Tracy. Because these parcels are a gateway to Ellis, their quality and character need to be in alignment with the traditional character of the Ellis community.

Commercial buildings on outparcels should be sited to minimize the presence of parking and associated service areas. Large and small buildings should also reduce the visual impact of both drive-throughs and parking areas through landscaping. Like all other buildings in the adjacent Ellis Village Center, these commercial buildings should address the street with attractively designed public facades.



Illustrative Plan of the Ellis Storage Center

GALLERY OF EXAMPLES















BUILDING PLACEMENT AND SETBACKS

The buildings located at the perimeter of the Storage Center will follow a pattern similar to placement on sites within the Village Center. This arrangement will create a reference to the main street character of the Village Center towards Corral Hollow Road and also serve as a secondary entrance to Ellis from the east.

MINIMUM BUILDING SETBACKS

- Ellis Public Streets, including Summit Drive: 15 feet
- Corral Hollow Road: 30 feet
- South Ellis Property Line: 0 feet
- Park Uses: 0 feet
- Residential Uses: 0 feet

FRONT FACADE ZONE

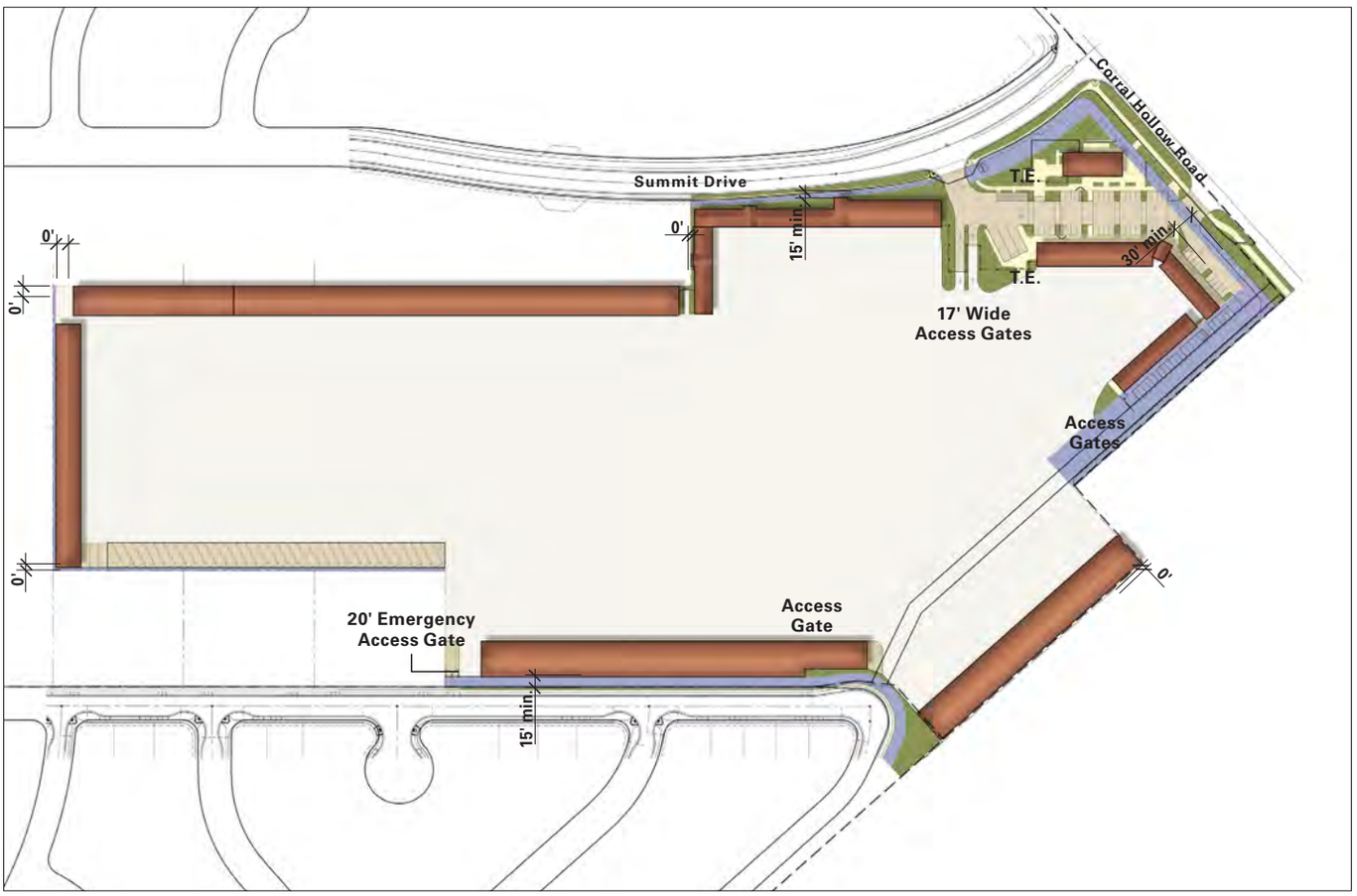
Front Facade Zone guidelines are not applicable to the Ellis Storage Center

ENCROACHMENTS

No encroachment into setbacks is permitted

PARKING REQUIREMENTS

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.



Building Placement Diagram

FENCING

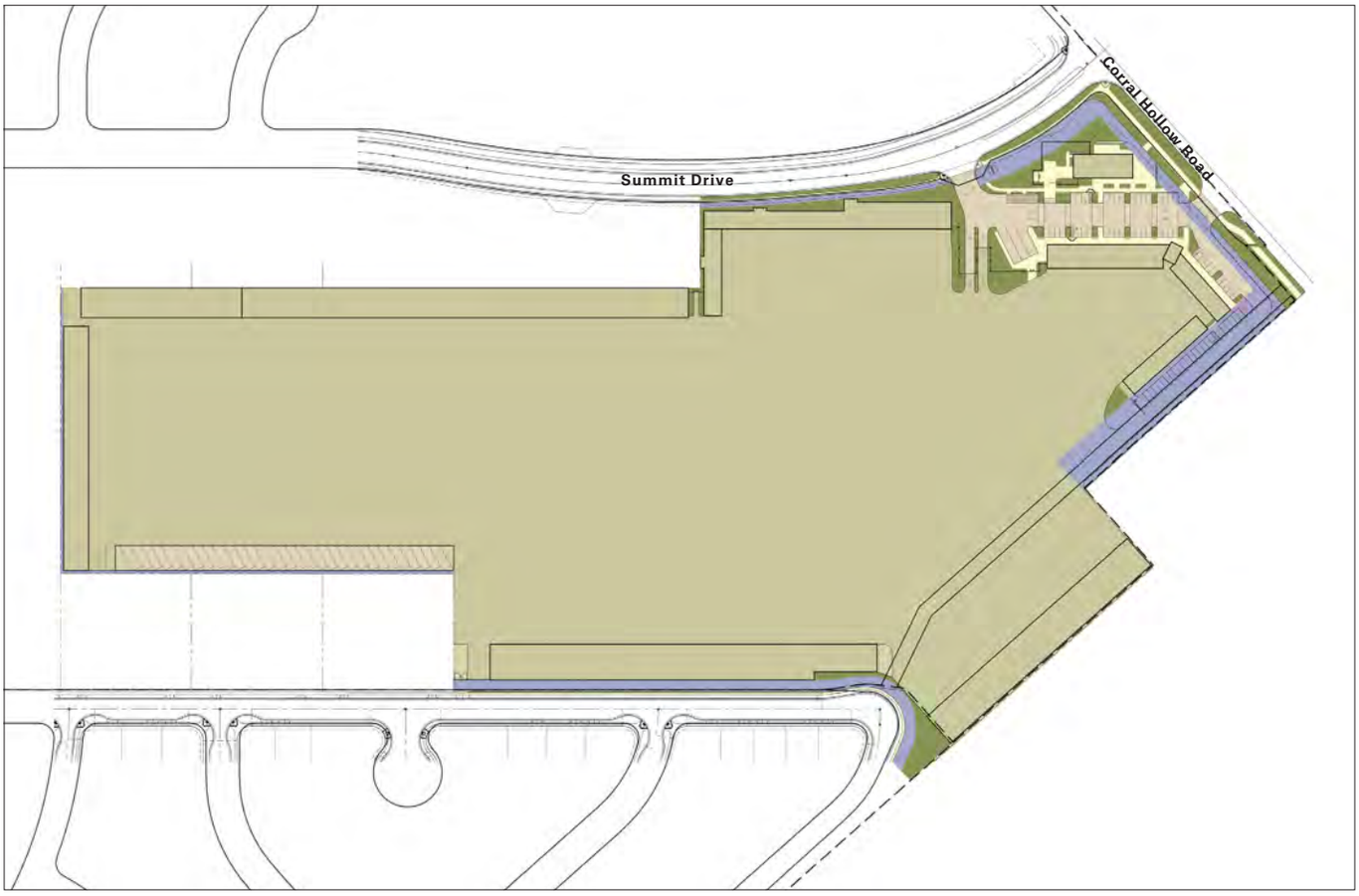
See Section 3.5.19 Fencing in the ESP.

LANDSCAPING

See Section 3.5.14 Parking/Loading/ Landscaping/Pedestrian Access/Bike Parking in the ESP.

REFUSE STORAGE

Containers will be integrated into off-street parking areas behind buildings. They must be of sufficient size to meet required trash and recycling needs. Refuse storage areas shall be clearly designated.



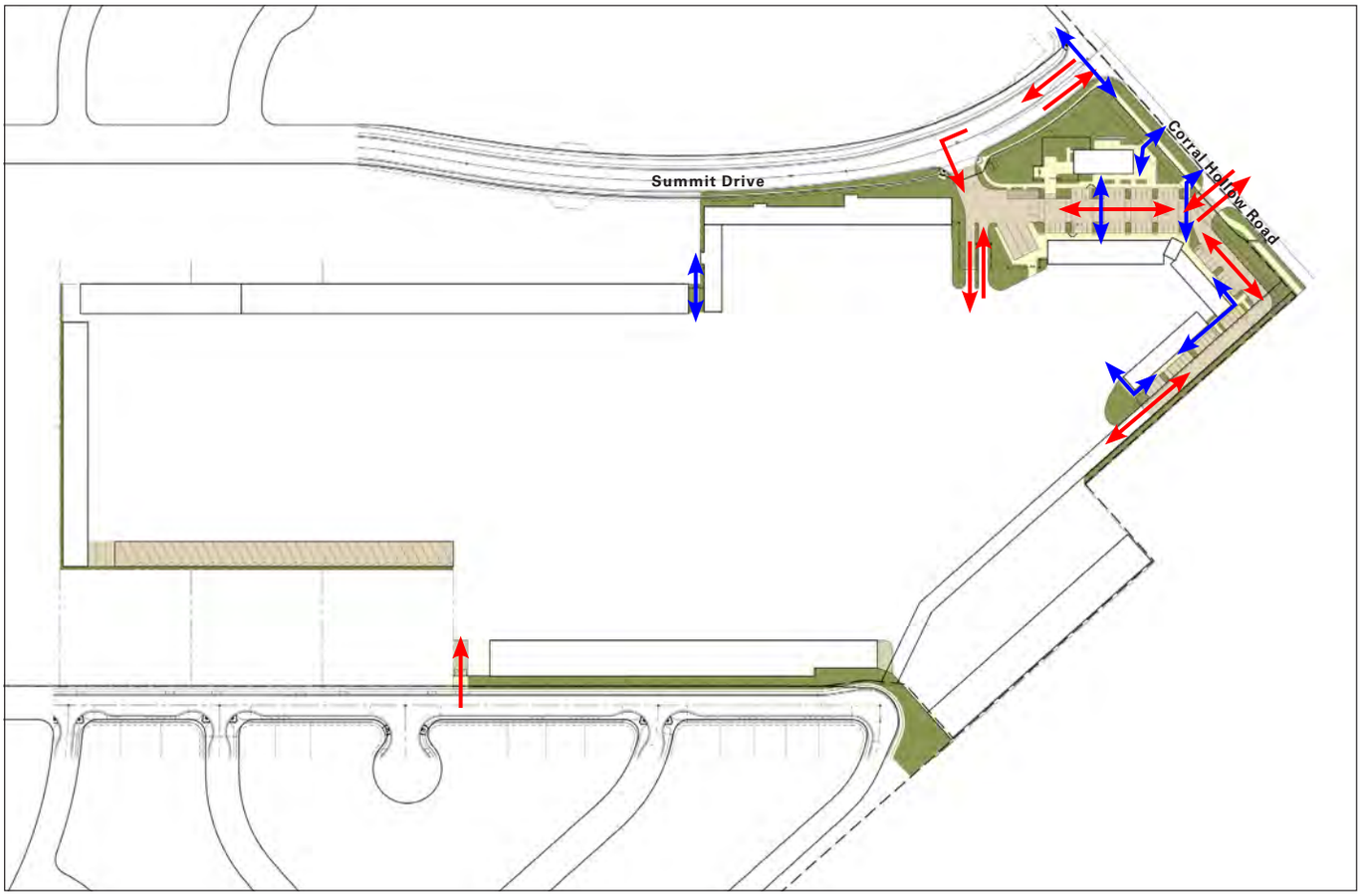
Setbacks Diagram

ACCESS AND CIRCULATION

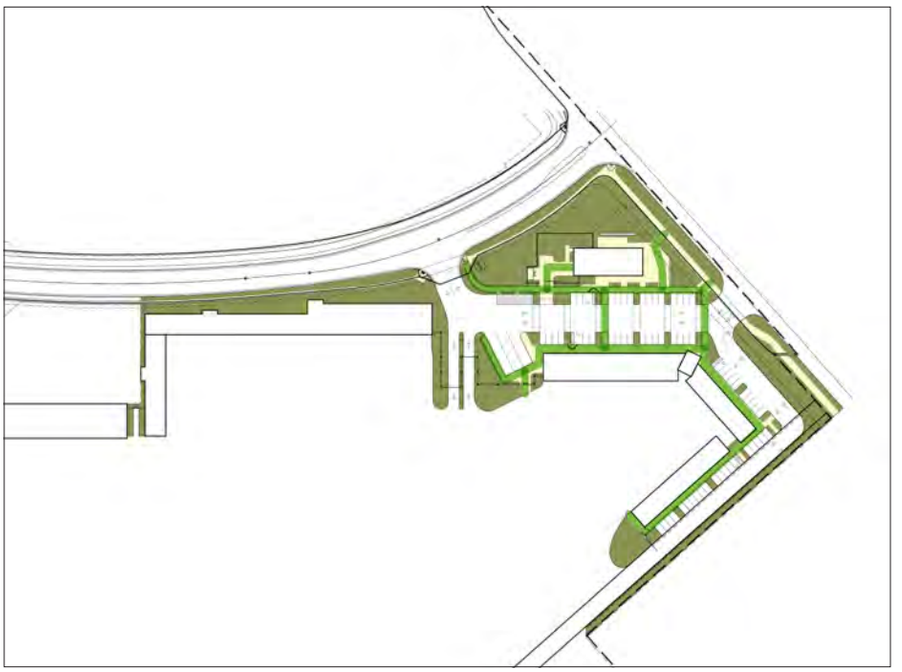
The Storage Center strikes a balanced between pedestrian and vehicular circulation needs. Drive aisles are organized to provide clear and safe access to the storefronts outside the security fence.

Primary access will be from Summit Drive and Corral Hollow Road.

Additional access for emergency vehicles will be from the southwest. See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP for parking requirements.



Ellis Commercial Site Access, Circulation, and Parking Diagram



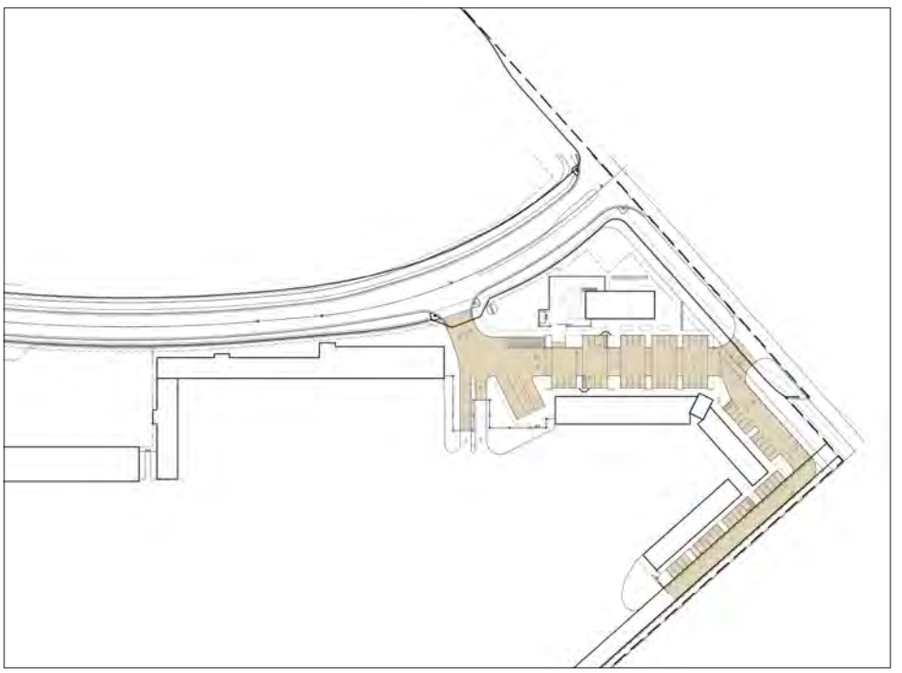
LANDSCAPING

PRIMARY PEDESTRIAN CIRCULATION

SECONDARY PEDESTRIAN CIRCULATION

PEDESTRIAN CIRCULATION

Public streets have sidewalks (yellow) and park strips (green) to create a safer pedestrian environment. Sidewalks are also located in and around the parking lots to create safe access routes between vehicles and buildings.



OFF-STREET PARKING

PARKING DIAGRAM

Parking for the Storage Center is arranged in a 'C' shape outside the security fence, adjacent to building storefronts.

PRECEDENTS








Ellis
Self Storage

PRECEDENTS, CONTINUED












Tile & Co.
Carpenter One


True Goods
MASON CRAFT
Magic Cabinets




Tile 4 All
zumiez
CARTOGRAPH

PUBLIC FACILITIES

Public buildings will serve a key role in the image of Ellis and will be landmark structures around which other development is designed. Public buildings should provide public faces to all adjacent streets or park frontages. Access to the primary entrance should be clear; adequate consideration should also be given to lighting, as well as walkways and signage that are sympathetic to the surrounding uses. Many facilities create opportunities to terminate a visual axis by providing centers for the various neighborhoods and districts. Composed elevations and building massing should reflect these important locations.

All parking and service areas should be secondary to building locations and screened from public view. Civic sites should avoid fronting streets or parks with parking and service areas. Driveways and service entrances should be sited to minimize congestion and respect orientation and entrances for surrounding uses. Service areas and mechanical equipment should be screened from public view along all streets and public parks.

COMMON ELEMENTS OF PUBLIC BUILDINGS

- Should be located in prominent locations that receive large amounts of pedestrian and vehicular traffic
- Use traditional architectural styles to convey an idea of well-established community resources and institutions
- Tall floor-to-floor heights to create a significant presence on the street



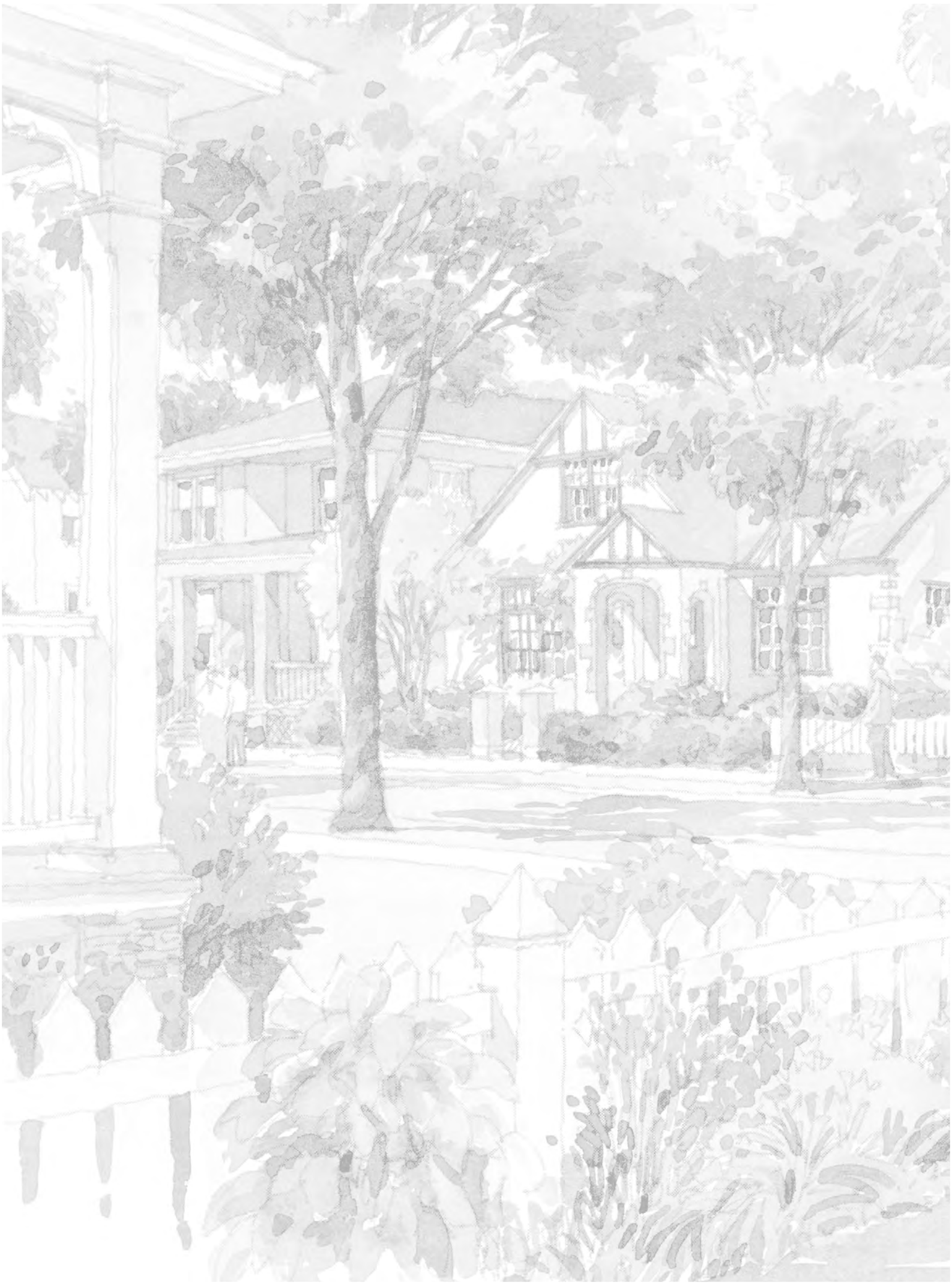
GALLERY OF EXAMPLES













ELLIS

TRACY, CALIFORNIA

ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS
AND SIGN PROGRAM

APPENDIX A2

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EXECUTIVE SUMMARY VII

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

ELLIS SIGN PROGRAM IS A DESIGN GUIDELINE FOR ELLIS.

PUBLIC PROPERTY SIGNS INCLUDE SIGNS IN THE PUBLIC RIGHT-OF-WAY, IN PUBLIC PARKS, AND ON PUBLIC PROPERTY, SUCH AS SPECIAL LANDSCAPE FEATURES.

PRIVATE PROPERTY SIGNS INCLUDE SIGNS ON PRIVATE PROPERTY.

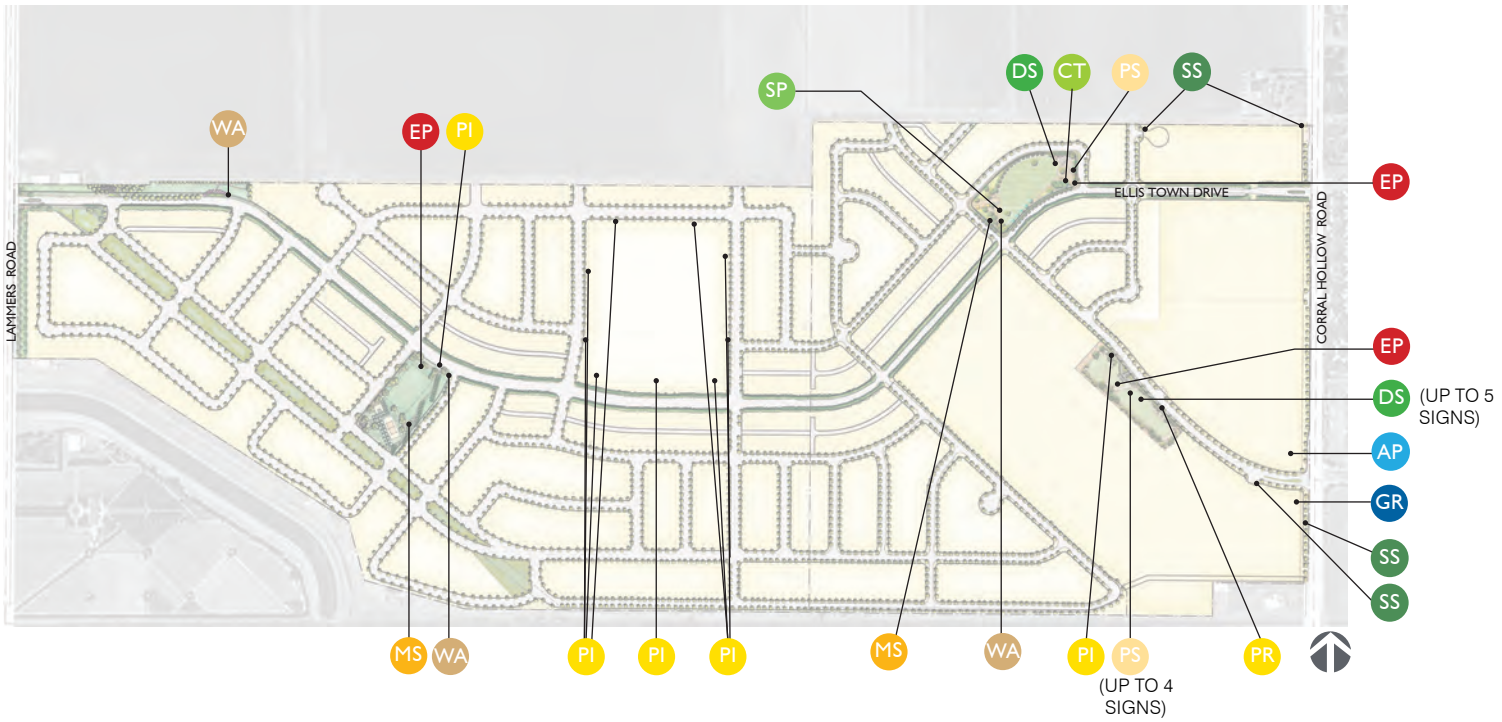
ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS IN THE ELLIS SPECIFIC PLAN AREA SHALL BE REGULATED BY TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE, EXCEPT AS SPECIFIED IN SECTIONS 2.4.1.8 AND 2.2.8.2 OF THE ELLIS SPECIFIC PLAN AND THIS APPENDIX A2: ADDITIONAL LANDSCAPE FEATURES/ CHARACTER ELEMENTS AND SIGN PROGRAM. THE DESIGN OF ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS SHALL BE PERMITTED AS SHOWN IN THE ELLIS SPECIFIC PLAN AND THIS APPENDIX A2. THE APPROVAL PROCESS SHALL INCLUDE ONLY A BUILDING PERMIT, AND A SIGN PERMIT PROCESSED IN ACCORDANCE WITH TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE. FOR PURPOSES OF INDEMNIFYING THE CITY, ALL TEMPORARY SIGNAGE AND BANNERS TO BE LOCATE WITHIN STREET RIGHT-OF-WAYS, AS APPROVED IN THE ESP, WILL REQUIRE ONE ALL-INCLUSIVE ENCROACHMENT PERMIT.

ALL SIGN MATERIALS AND COLORS TO BE SELECTED BY THE DEVELOPER. ELLIS COMMERCIAL PROPERTY ASSOCIATION TO SELECT MATERIALS AS COMMERCIAL SIGNS ARE REPLACED AND EPOA TO SELECT MATERIAL AND COLORS AS BALANCE OF SIGNS ARE REPLACED.

SECTION 1: PUBLIC PROPERTY SIGNS

SIGN LOCATION PLAN

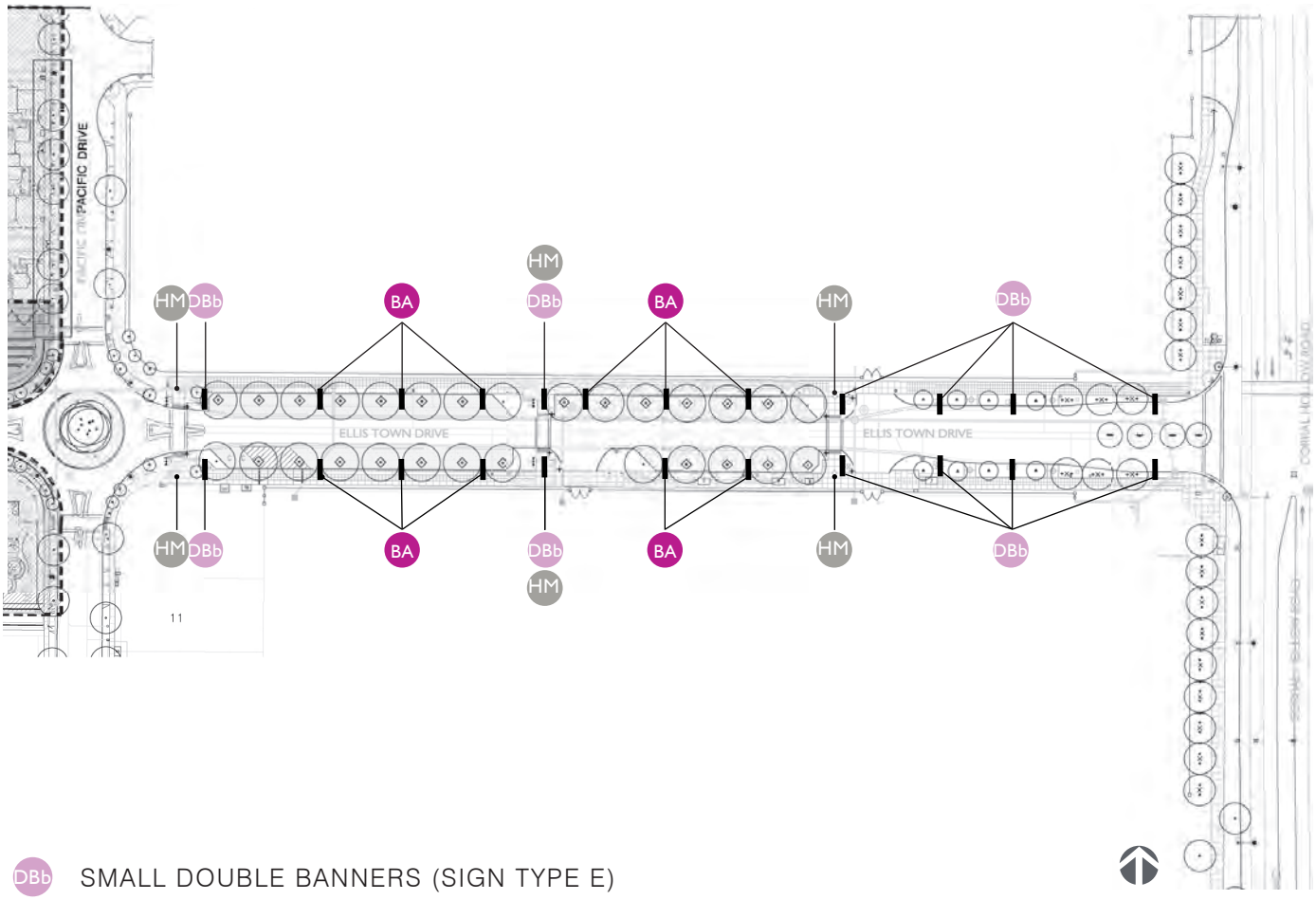
OVERALL



- AP — AQUATIC PARK
- EP — ENTRY PORTAL (SIGN TYPE G)
- WA — SIGN WALL (SIGN TYPE H)
- MS — MAILBOX SHADE STRUCTURE
- SP — SECONDARY ENTRY PORTAL
- CT — CLOCK TOWER
- SS — PRIVATE STREET SIGN
- DS — DOG STATION (SIGN TYPE I)
- PI — PARKING INFORMATIONAL
- PS — PARK SIGN

SIGN LOCATION PLAN

ELLIS TOWN DRIVE



DBb SMALL DOUBLE BANNERS (SIGN TYPE E)

BA SINGLE BANNERS (SIGN TYPE E)

HM HISTORIC MARKERS (SIGN TYPE L)

KEY



SIGN LOCATION PLAN

SIGN TYPE J J



J SIGN TYPE J MESSAGE SCHEDULE

J 1

SIDE A

^ VILLAGE CENTER
^ AQUATIC PARK
^ WESTERN PARK
^ VILLAGE GREEN
^ DOG PARK

J 2

SIDE A

< VILLAGE CENTER
> WESTERN PARK
^ AQUATIC PARK
^ DOG PARK

SIDE B

< AQUATIC PARK
< DOG PARK
> VALPICO ROAD
> CENTRAL PARK

SIDE C

< VALPICO ROAD
< CENTRAL PARK
> AQUATIC PARK
> DOG PARK

SIDE D

< WESTERN PARK
^ VALPICO ROAD
> VILLAGE CENTER
^ CENTRAL PARK

J 3

SIDE A

^ AQUATIC PARK
^ DOG PARK
^ WESTERN PARK

J 4

SIDE A

^ AQUATIC PARK
^ DOG PARK
^ VILLAGE GREEN
^ VILLAGE CENTER
^ WESTERN PARK

J 5

SIDE A

^ VILLAGE CENTER
^ VILLAGE GREEN
^ WESTERN PARK
^ AQUATIC PARK
^ DOG PARK

J 6

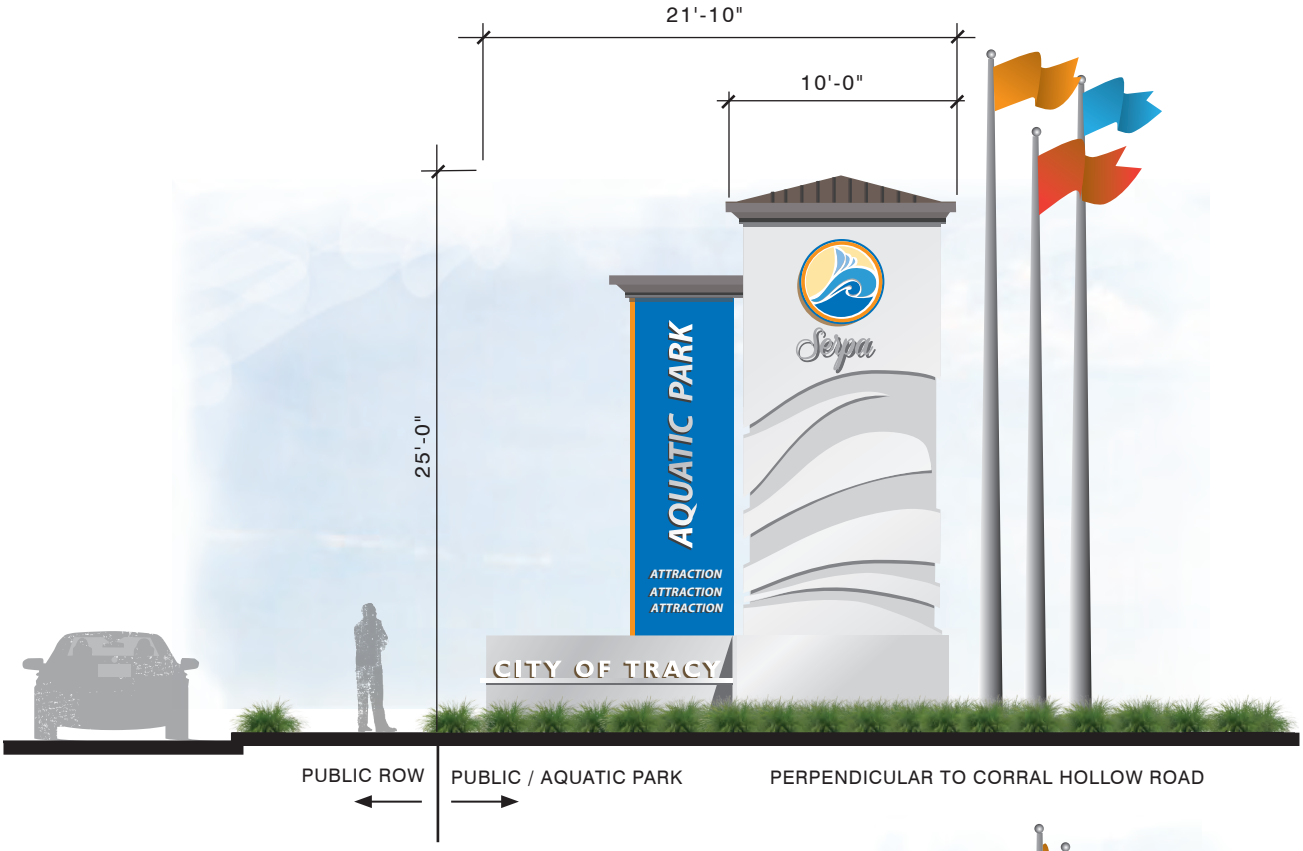
SIDE A

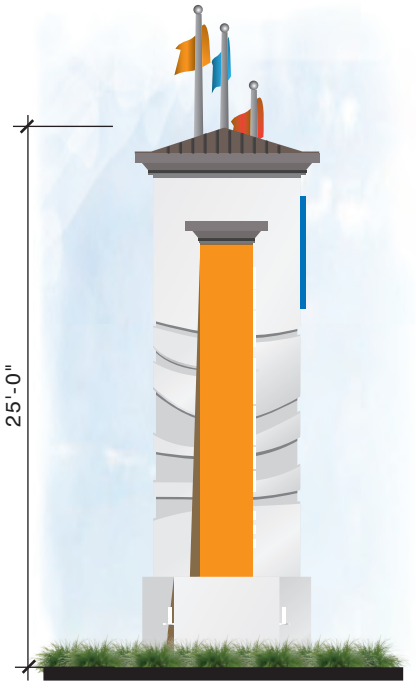
^ VILLAGE CENTER
^ VILLAGE GREEN
^ WESTERN PARK
^ AQUATIC PARK
^ DOG PARK

CHARACTER ELEMENT/SIGNS

AP AQUATIC PARK

Note: All dimensions are approximate





Note: Design for the Aquatic Park sign is conceptual. City Council shall approve final design of the character element/sign, including maximum height and sign area, as part of either Improvement Plans or Construction Documents for the Aquatic Park.

SIGN STANDARDS

Maximum height: See note above
Maximum area: See note above
Lighting: Internally and/or externally illuminated
Location: Aquatic Park site (see Sign Location Plan: Overall)

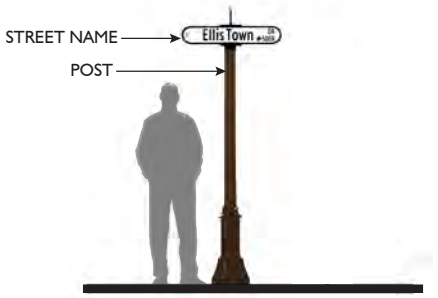
SIGN TYPE L

HISTORIC MARKERS HM



Location: Embedded in sidewalk on Ellis Town Drive (see Sign Location Plan: Ellis Town Drive)
Material: Concrete

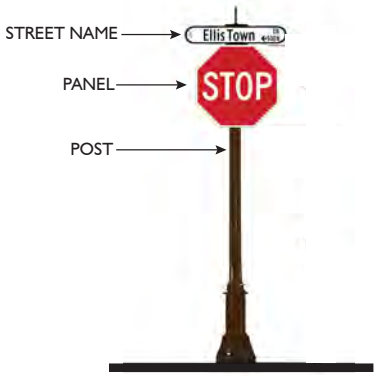
STREET NAME SIGNS & TRAFFIC CONTROL DEVICES



1. Post is 3900 RICHMOND, 4" OD shaft, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05)

3. Street Name Panel is .125 aluminum.
Vendor: Sherine Industries.
Background shall be reflective.
Custom artwork.
Color: White
Font: Gill Sans MT Condensed.
Letters: Black.



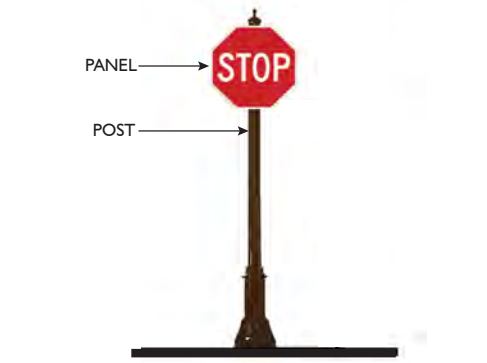
1. Post: 3900 RICHMOND, 4" OD Shaf, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05).
All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Street Name Panel: .125 aluminum.
Vendor: Sherine Industries.
Background panel shall be reflective.
Custom artwork.
Color: White
Letters: Black.

4. Panel: 30" min. stop sign by Hawkins Traffic. Panels to be consistent with MUTCD codes.

5. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic.

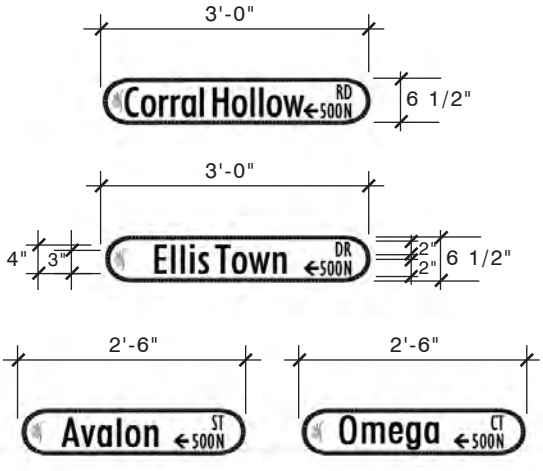


1. Post: 3900 RICHMOND, 4" OD Shaft, fluted, with BCC Ball Center Cap, dark bronze

2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Panel: 30" min. stop sign by Hawkins Traffic Panels to be consistent with MUTCD codes

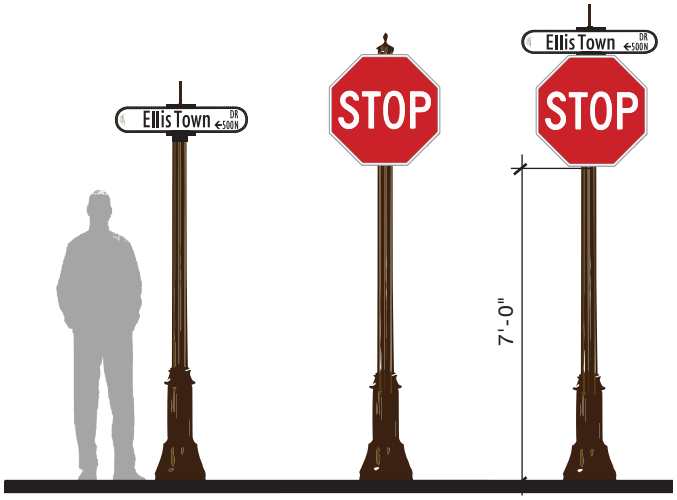
4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

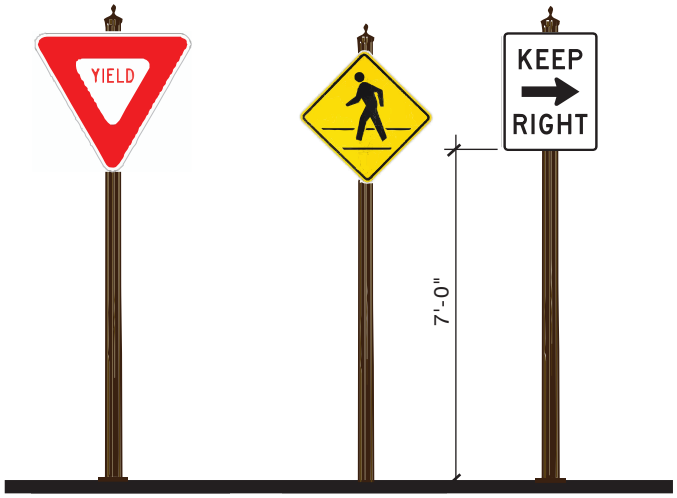


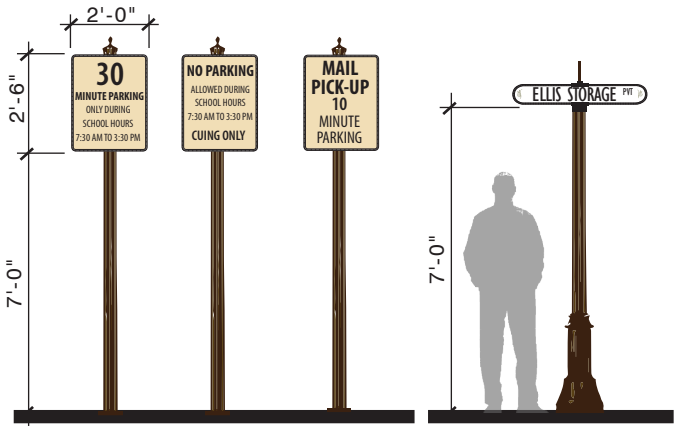
SIGN PANEL SPECIFICATIONS

STREET NAME SIGNS & TRAFFIC CONTROL DEVICES

Note: All dimensions are approximate

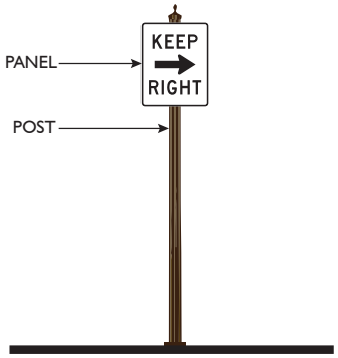






PI PARKING INFORMATIONAL

SS PRIVATE STREET SIGN



REGULATORY SIGNAGE MAY INCLUDE:

- YIELD
- SPEED LIMIT
- KEEP RIGHT
- DO NOT ENTER
- ONE WAY SIGN
- ROUNDABOUT DIRECTIONAL, 2 CHEVRONS
- NO PARKING ANYTIME
- TURN
- YIELD AHEAD
- MERGE & LANE TRANSITION
- LANE ENDS
- THRU TRAFFIC MERGE LEFT
- PEDESTRIAN CROSSING
- CROSSWALK RIGHT/LEFT ARROW

1. Post: 450 LEXINGTON 4" OD shaft, fluted, with BCC Ball Center Cap, dark bronze

2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

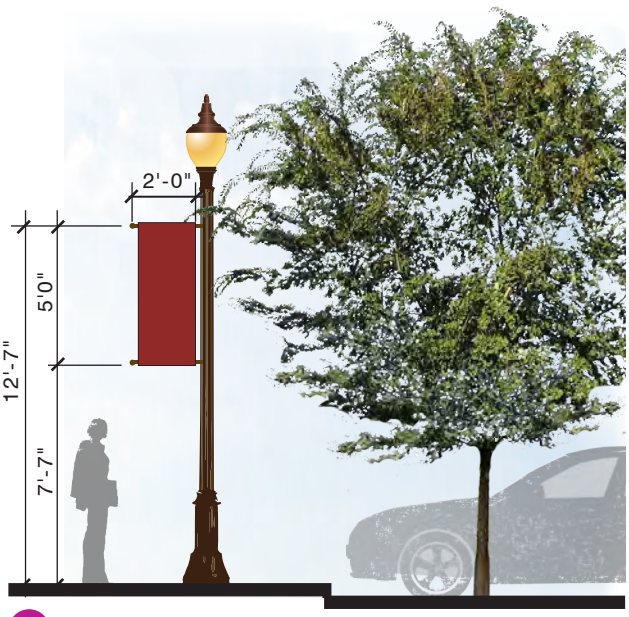
3. Panel: by Hawkins Traffic **or equivalent**
Panels to be consistent with MUTCD codes

4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

SIGN TYPE E AND F



DBb **SMALL DOUBLE BANNERS**



BA **SINGLE BANNERS**

SIGN TYPE E

Sign Type E (Banners) are in public right-of-way. Banners are single or paired.

SIGN STANDARDS

Maximum sign area: Single banners: 10 square feet (each side), small double banners: 20 square feet (each side)
Location: Public right-of-way (see Sign Location Plan: Ellis Town Drive)

Note: Tracy Municipal Code Section 10.08.4465, Banner Signs on Public Property, shall not apply to the Ellis banner program. The Specific Plan establishes that the EPOA has the right to implement the Ellis banner program, subject to City approval of a maintenance agreement.

SIGN TYPE E AND F
EXAMPLES

Note: See Location Plan: Ellis Town Drive

















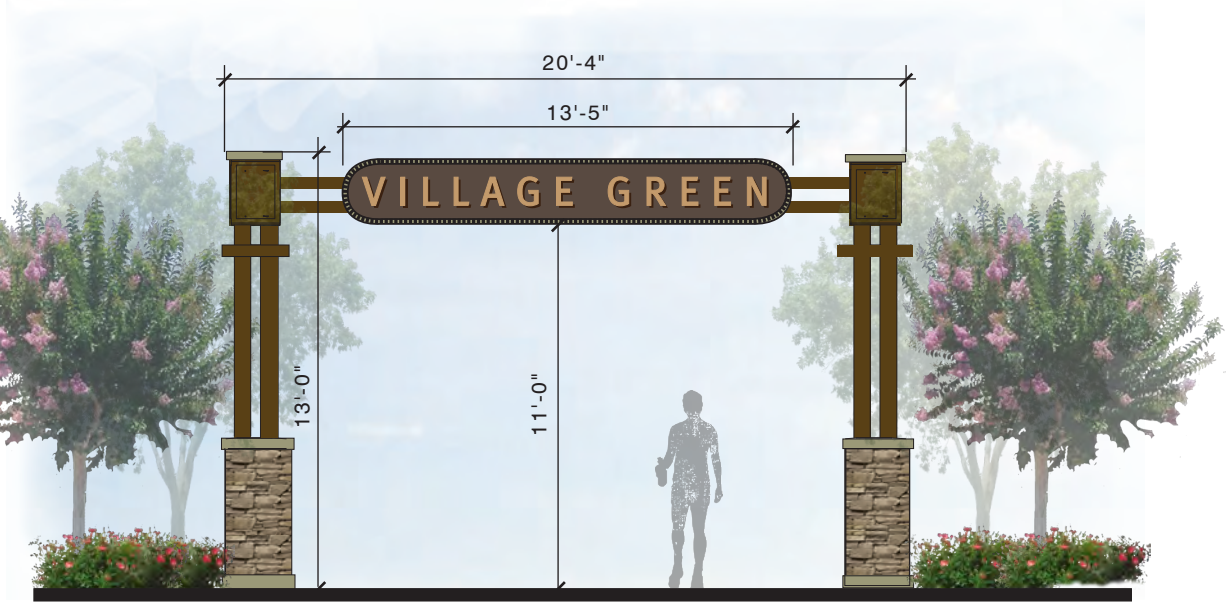




SIGN TYPES G AND H

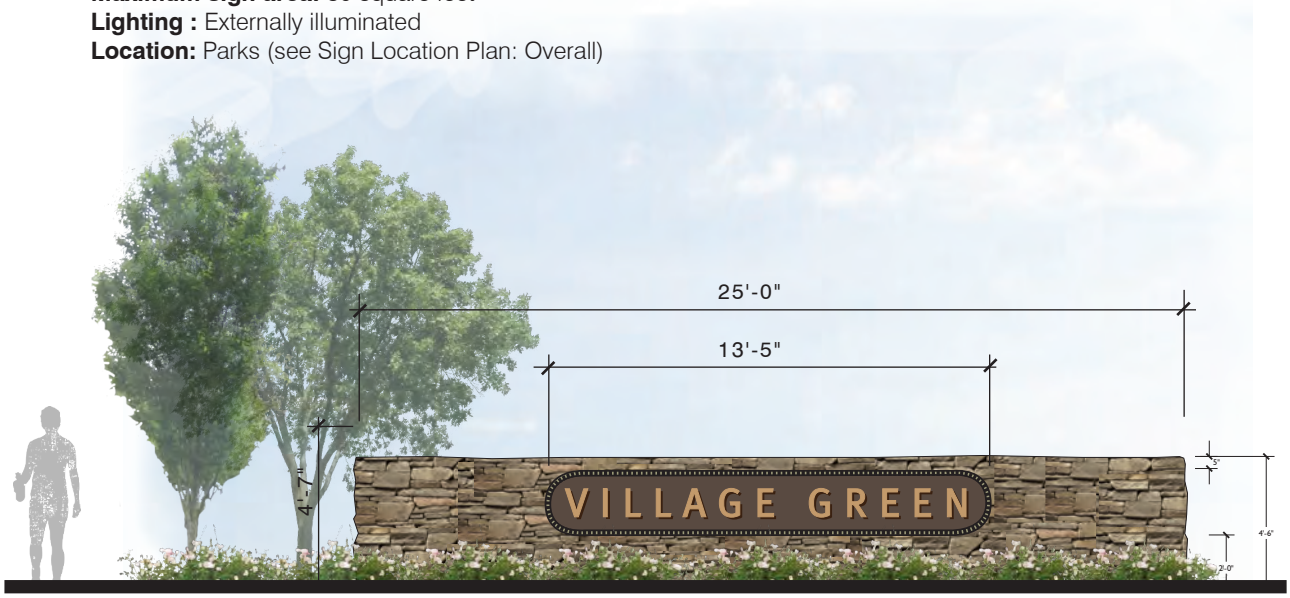
Notes: 1. All dimensions are approximate

2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



EP ENTRY PORTAL – SIGN TYPE G

SIGN STANDARDS
Maximum structure height: 14 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)



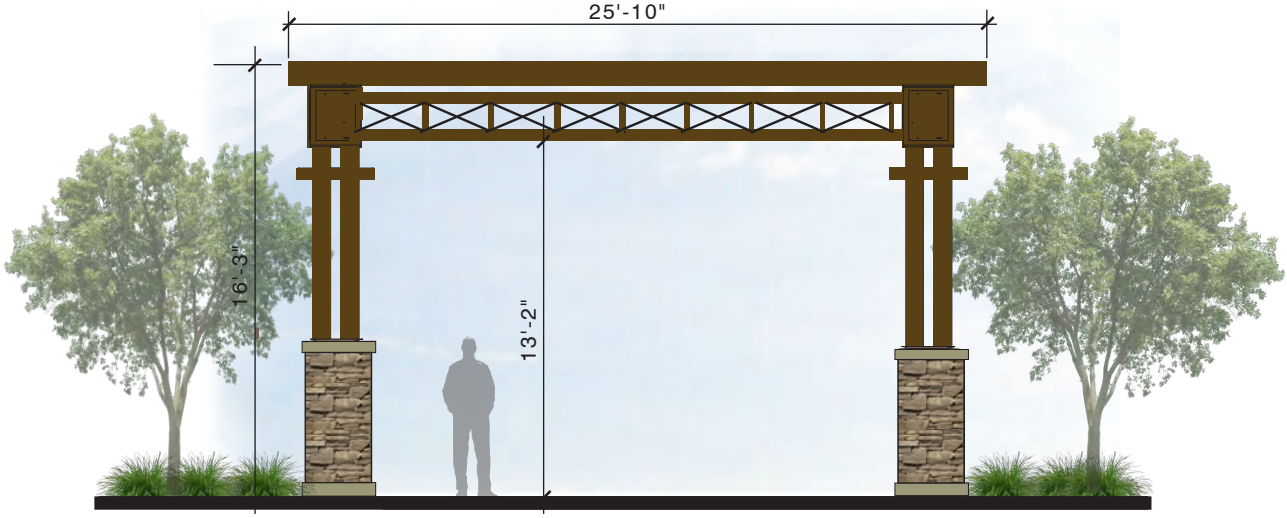
WA WALL SIGN – SIGN TYPE H

SIGN STANDARDS
Maximum structure height: 5 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)

PARK CHARACTER ELEMENTS AND SIGNS

Notes: 1. All dimensions are approximate

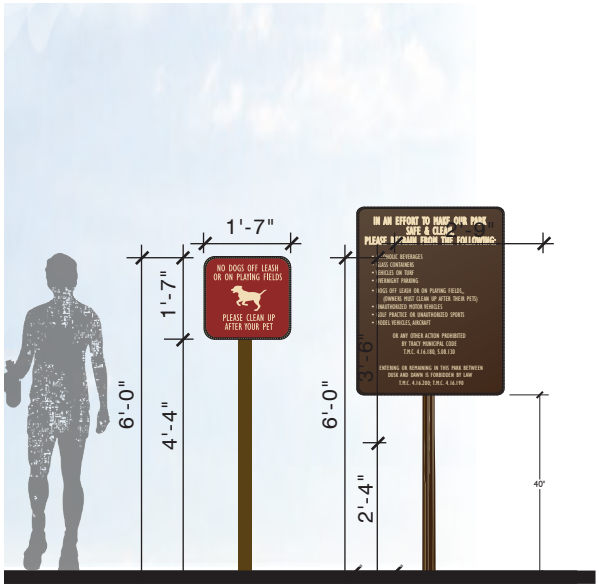
2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



SP

SECONDARY ENTRY PORTAL

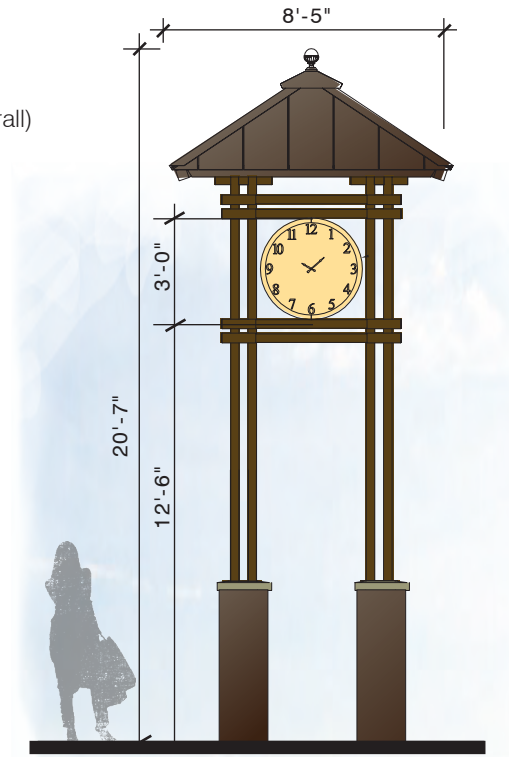
SIGN STANDARDS
Maximum structure height: 20 feet
Lighting : Non-illuminated
Location: Village Green (see Sign Location Plan: Overall)



DS PS

DOG STATION – SIGN TYPE I & PARK SIGN

SIGN STANDARDS
Maximum height: 6 feet
Maximum sign area: 10 square feet
Lighting : Non-illuminated
Location: Parks (see Sign Location Plan: Overall)



CT

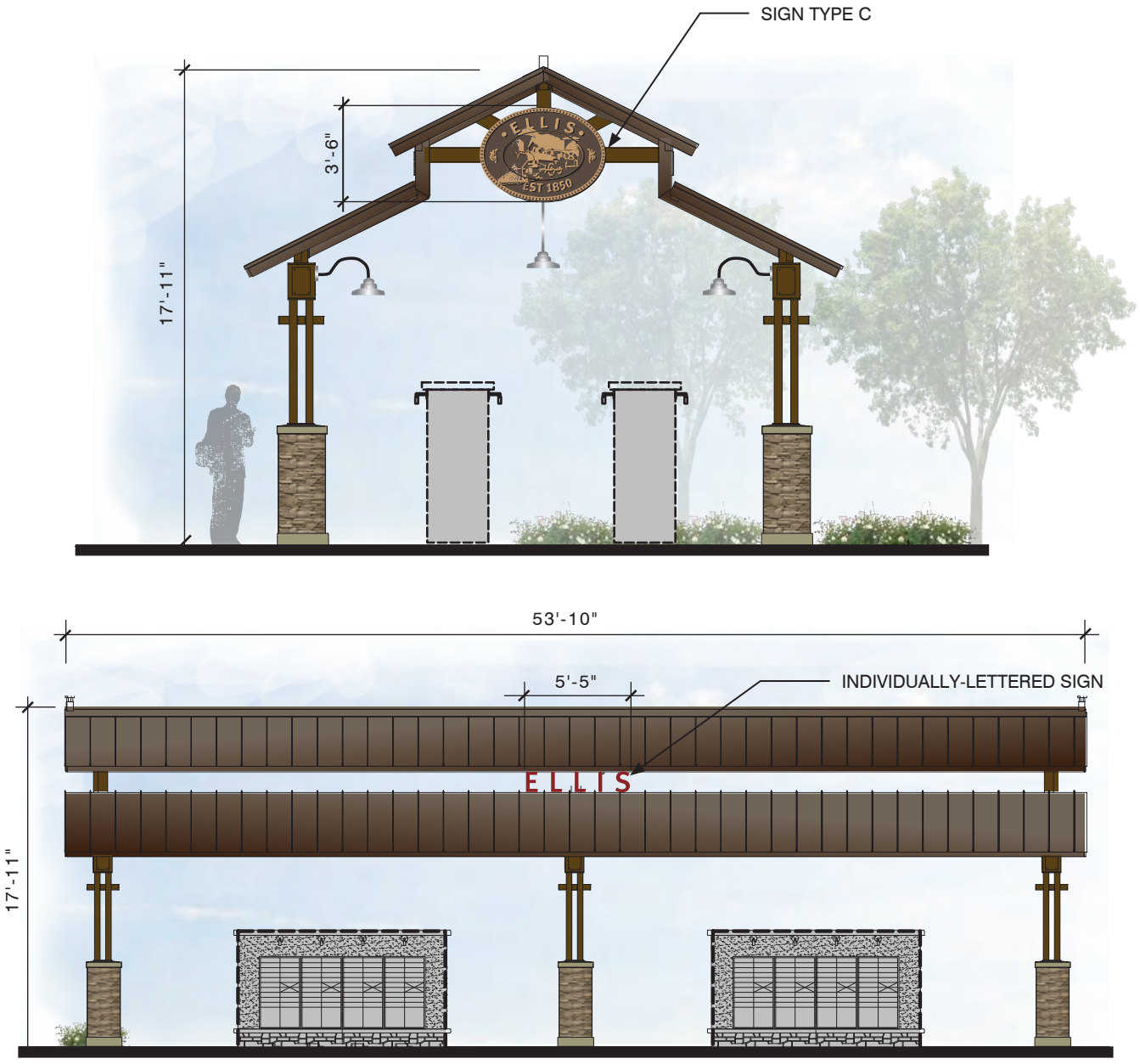
CLOCK TOWER

SIGN STANDARDS
Maximum structure height: 25 feet
Lighting: Internally illuminated
Location: Village Green (see Sign Location Plan)

PARK CHARACTER ELEMENTS AND SIGNS

MS MAILBOX STRUCTURE

Note: All dimensions are approximate

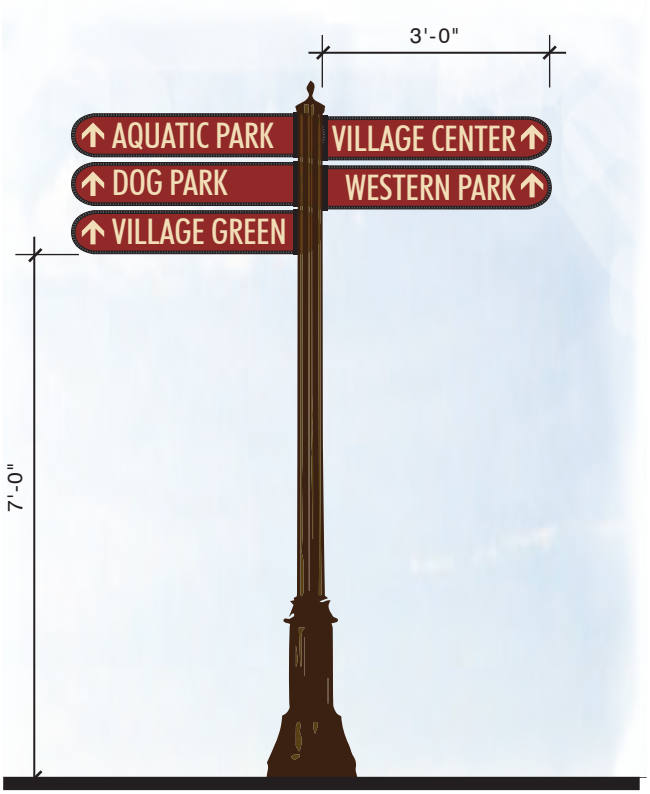


Note: Mailbox structures are typically located in special landscape features, not parks.

SIGN STANDARDS
Maximum mailbox structure height: 20 feet
Maximum Sign Type C area: 20 square feet (each end of structure) for the Mailbox Structure
Maximum individually-lettered sign area: 10 square feet (both sides)
Lighting: Externally illuminated
Location: Proximate to parks (see Sign Location Plan: Overall)

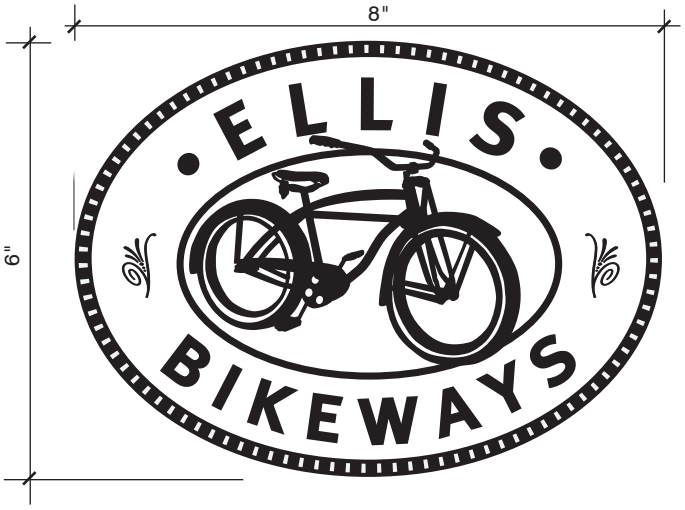
SIGN TYPES J AND K

Note: All dimensions are approximate



J SIGN TYPE J

SIGN STANDARDS
Height: 9-10 feet
Individual blade area: 2 square feet, up to 3 per side
Lighting: Non-Illuminated
Location: Public right of way (See Location Plan: Sign Type J)



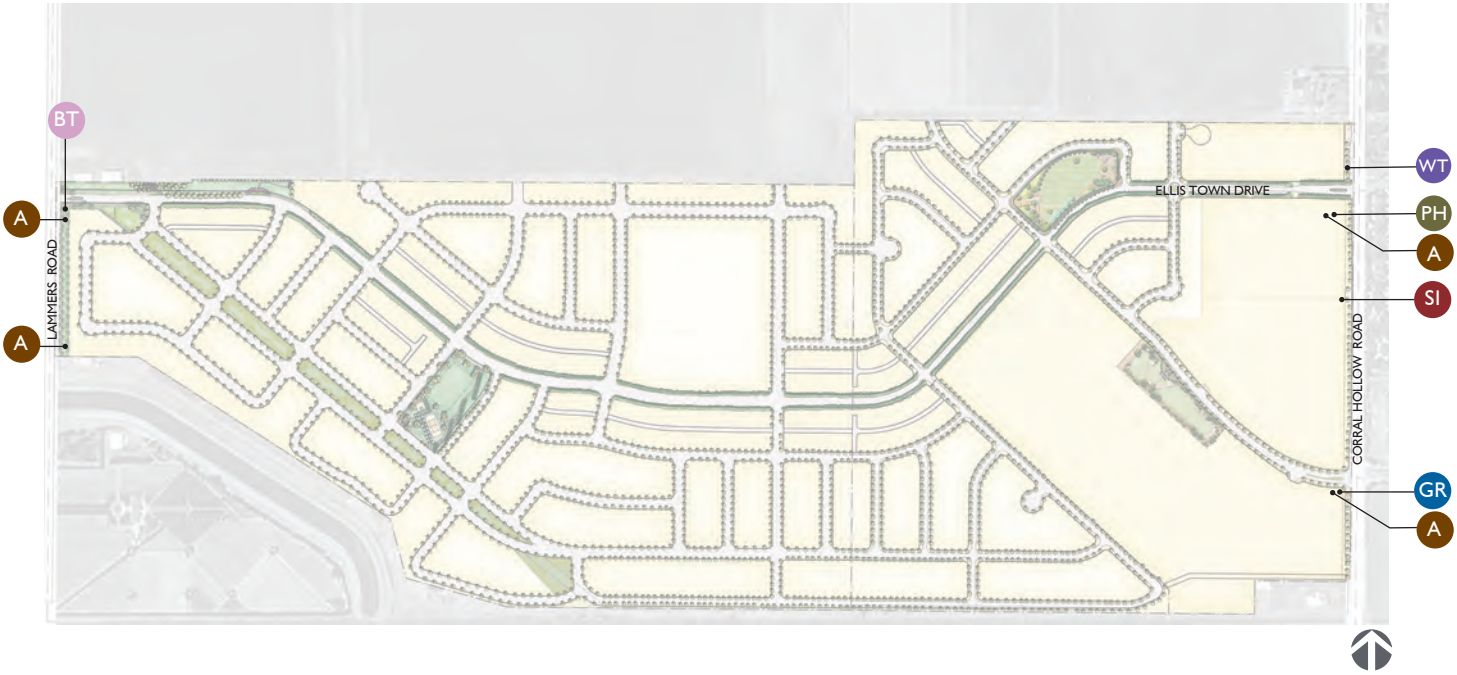
SIGN TYPE K

Location: Embedded in concrete of multi-use path, near crossings
Material: Metal

SECTION 2: PRIVATE PROPERTY SIGNS

SIGN LOCATION PLAN

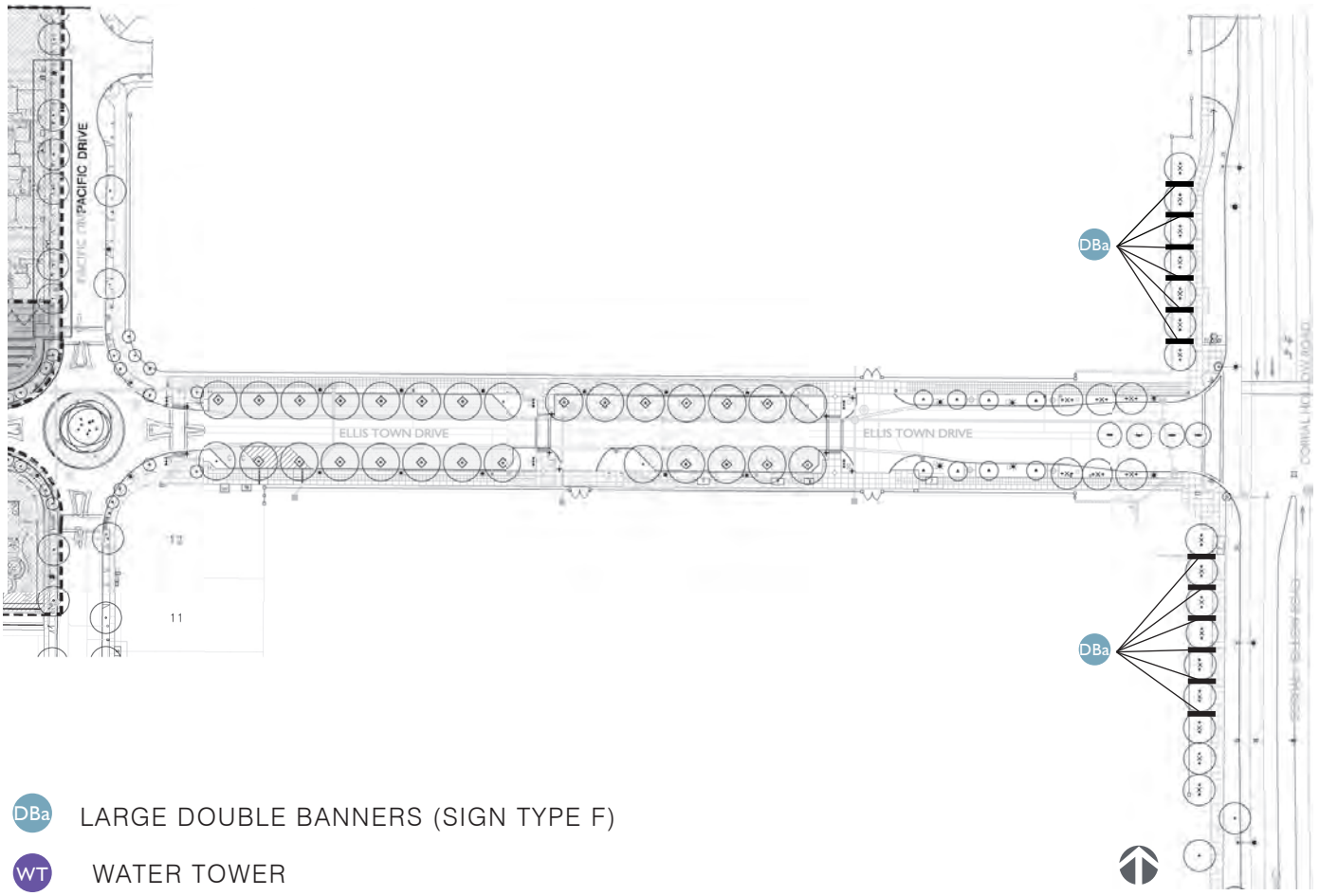
OVERALL



- WT — WATER TOWER
- PH — PUMP HOUSE
- SI — SILO
- GR — GRANARY
- BT — BLOCK AND TACKLE BUILDING
- A — SIGN TYPE A

SIGN LOCATION PLAN

ELLIS TOWN DRIVE



DBa LARGE DOUBLE BANNERS (SIGN TYPE F)

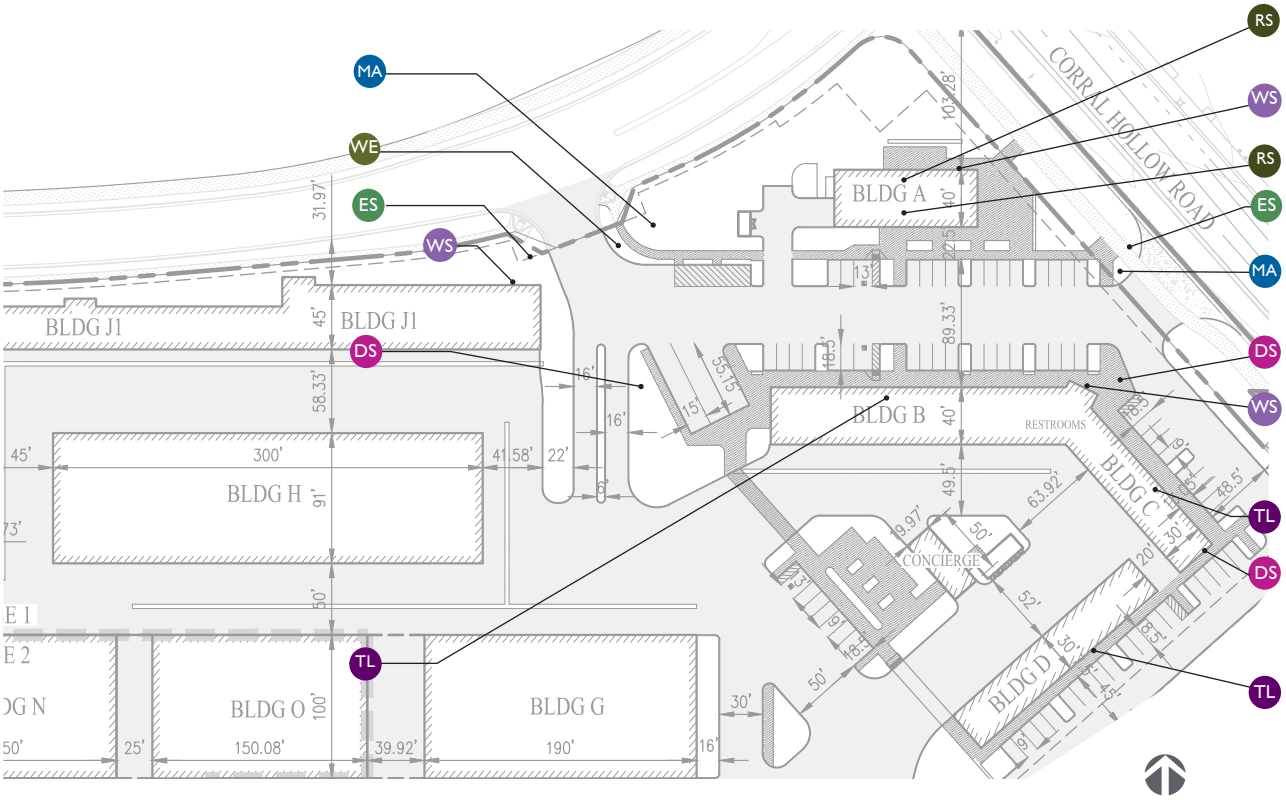
WT WATER TOWER

KEY



SIGN LOCATION PLAN

ELLIS STORAGE



- MA — MONUMENT SIGN
- DS — DIRECTIONAL SIGNS (SIGN TYPE N)
- TL — TENANT LETTERS (QUANTITY TBD)
- ES — ELLIS STORAGE STREET SIGN
- RS — ROOF SIGN
- WS — WALL SIGN
- WE — WELCOME SIGN (SIGN TYPE M)

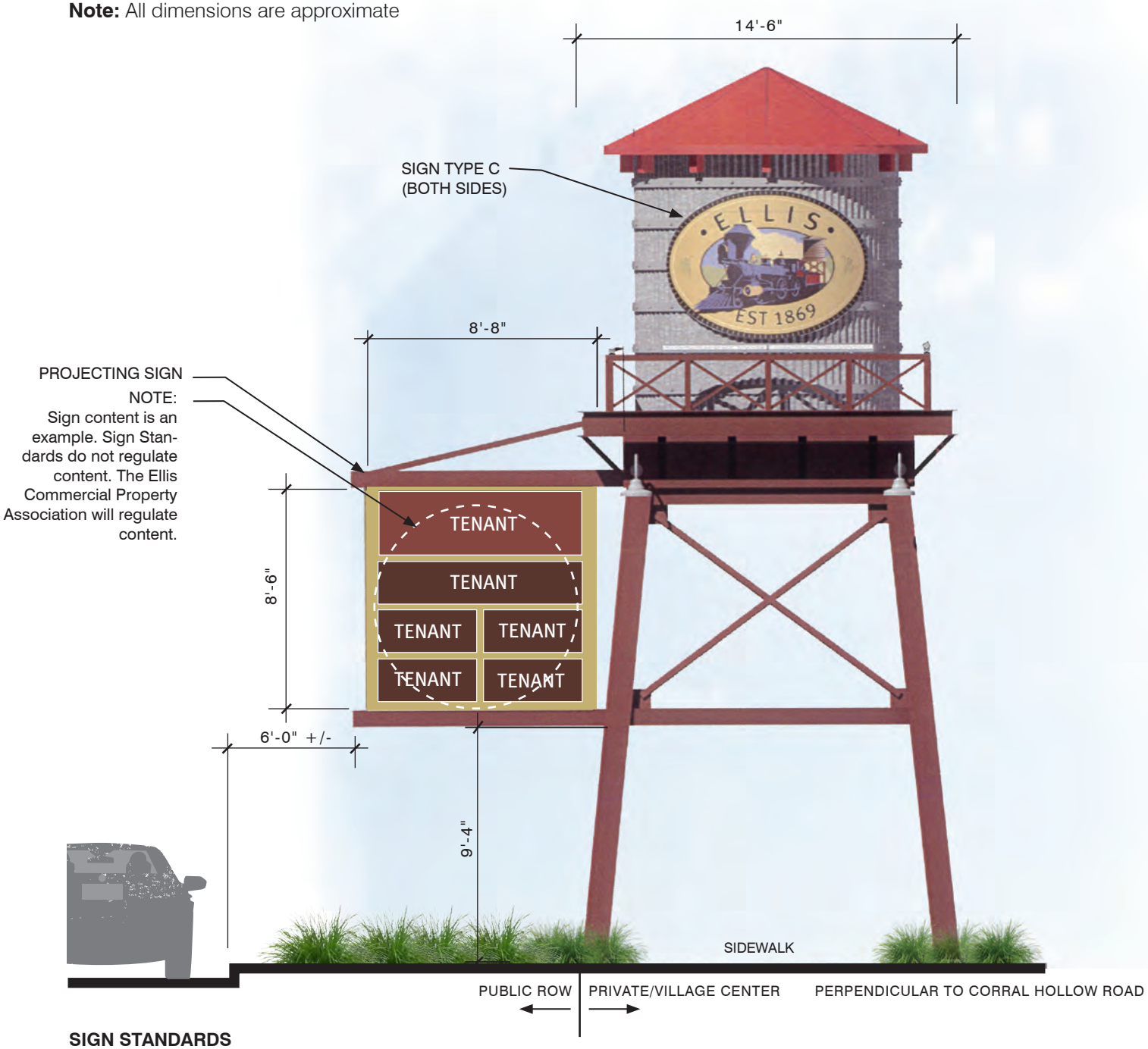
KEY



CHARACTER ELEMENT WITH PROJECTING SIGN

WT WATER TOWER

Note: All dimensions are approximate



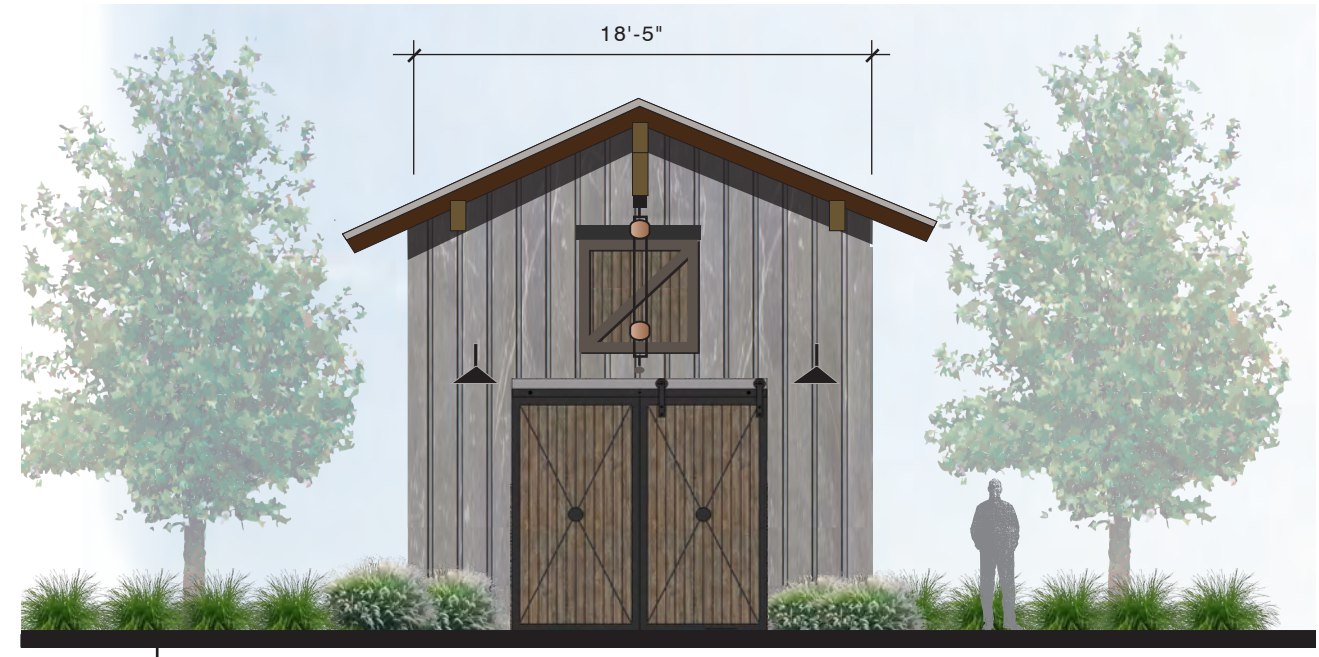
SIGN STANDARDS

Maximum character element height: 35 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 50 square feet (each side) for Water Tower
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Public right-of-way (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH LOGO

BLOCK AND TACKLE BUILDING BT

Note: All dimensions are approximate





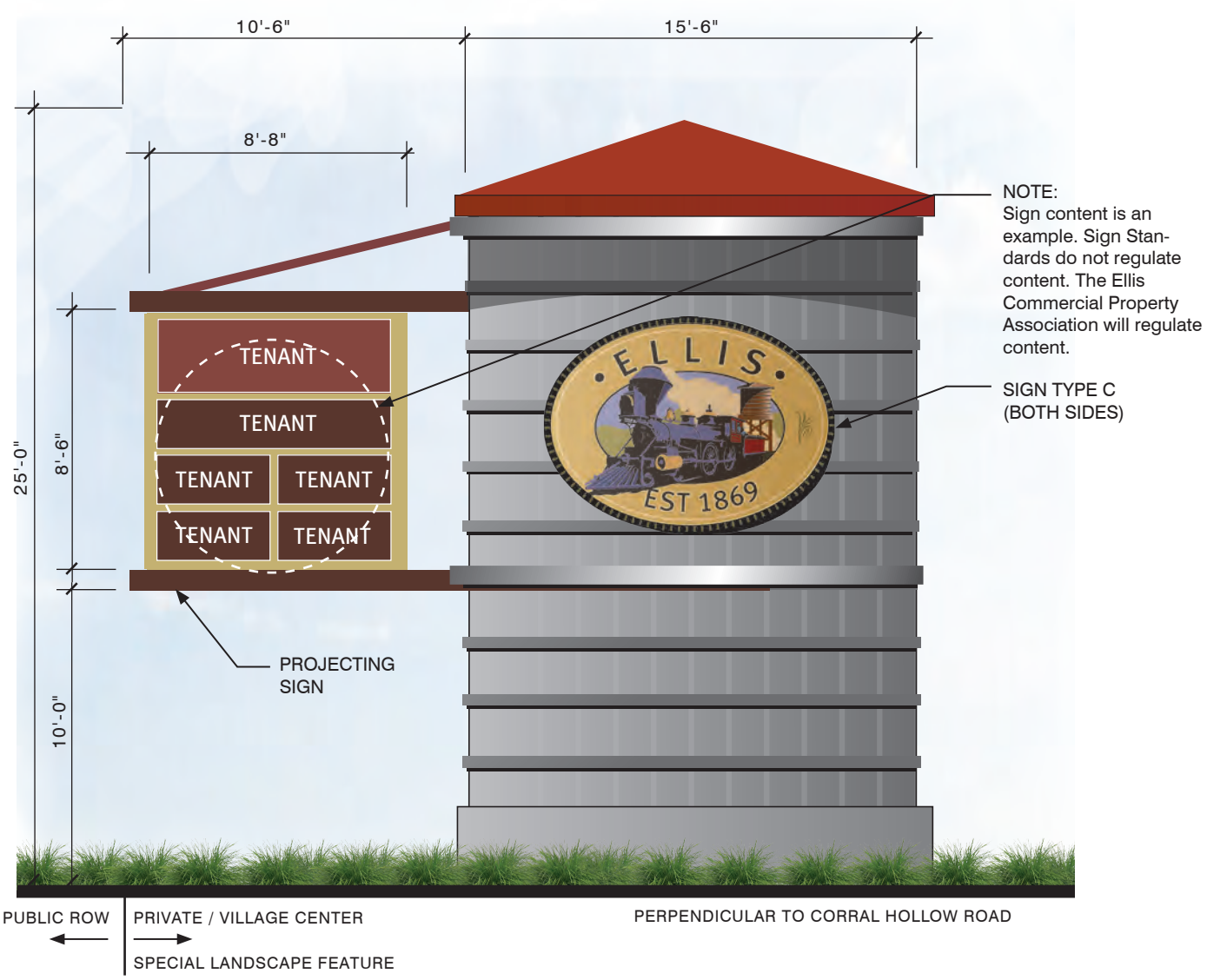
SIGN STANDARDS

Maximum character element height: 25 feet
Maximum Sign Type C area: 105 square feet (each side) for the Block and Tackle Building
Lighting: Externally illuminated
Location: Private property - special landscape feature (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH PROJECTING SIGN

SI SILO

Note: All dimensions are approximate



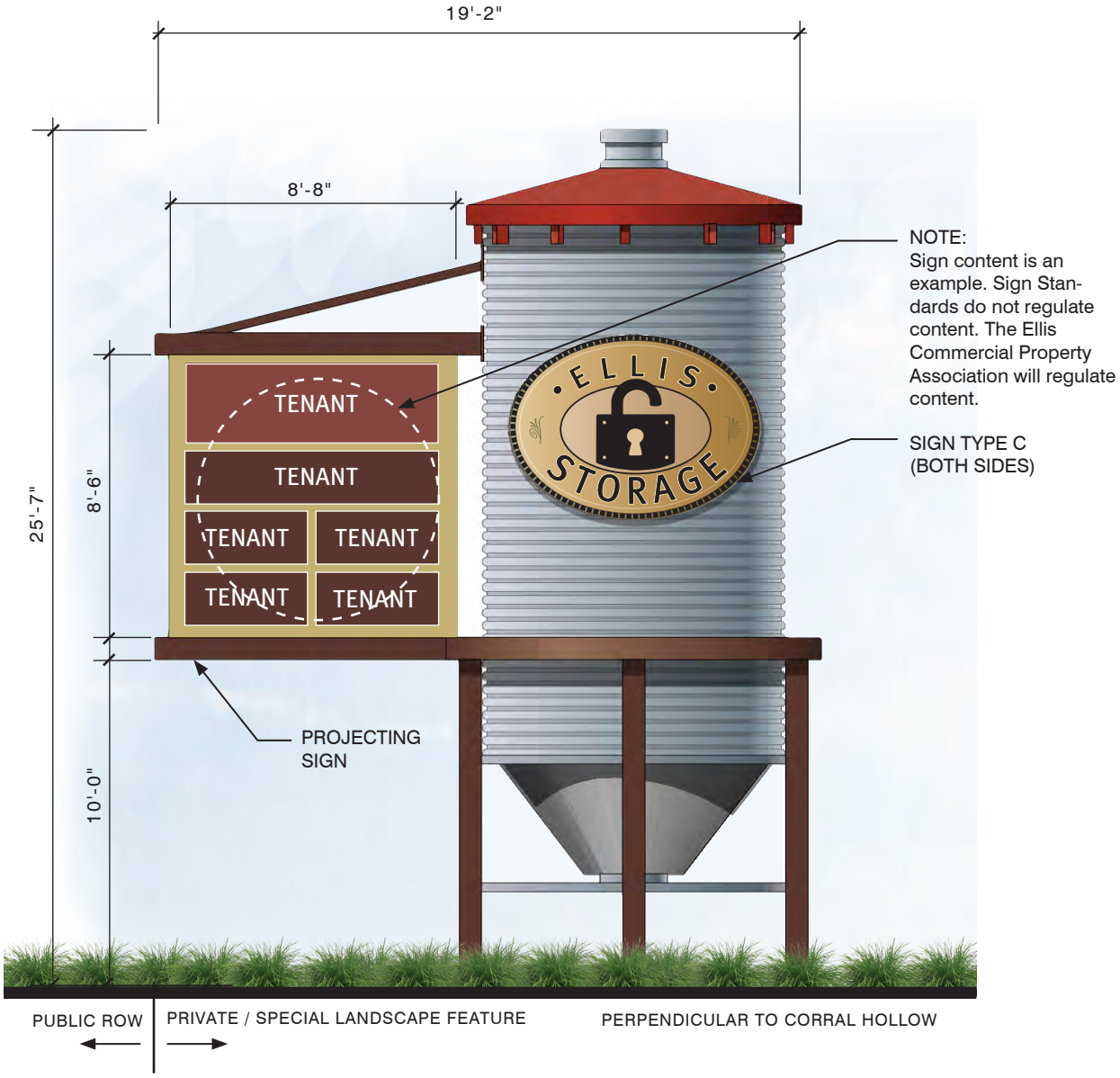
SIGN STANDARDS

Maximum character element height: 25 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 70 square feet (each side) for the Silo
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Private property – Village Center (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH PROJECTING SIGN

GRANARY GR

Note: All dimensions are approximate



SIGN STANDARDS

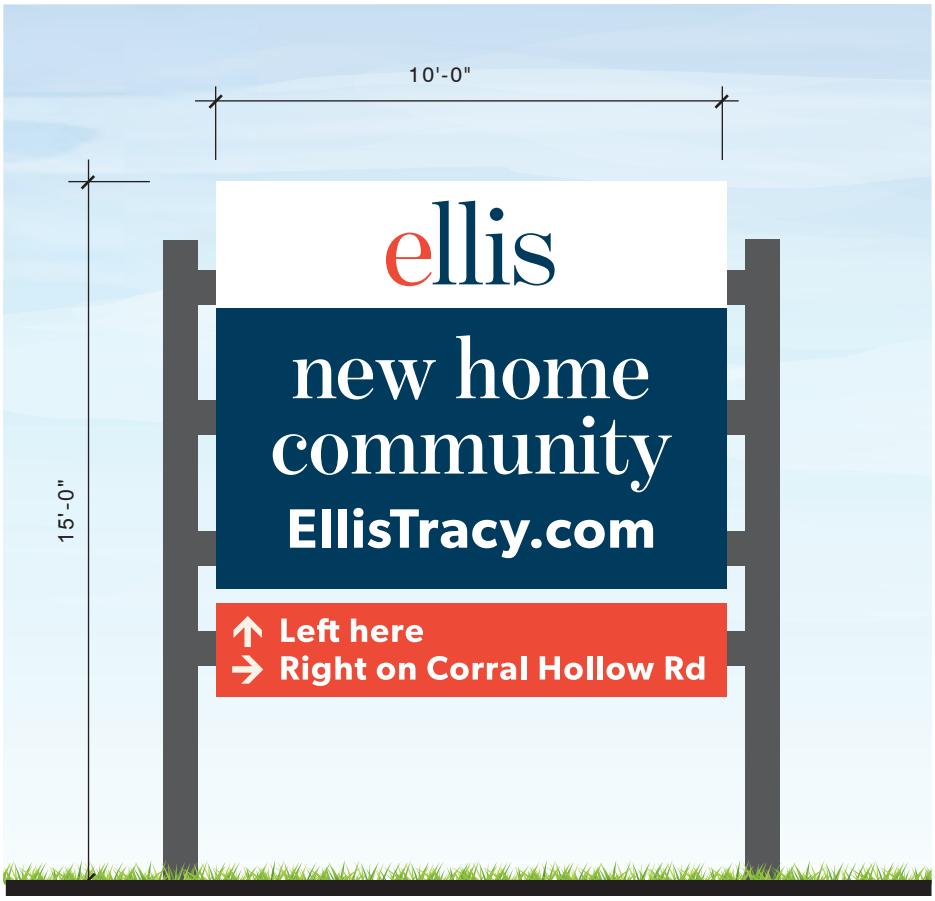
Maximum character element height: 30 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 50 square feet (each side) for the Granary
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Private property - special landscape feature (see Sign Location Plan: Overall)

SIGN TYPE A

A TEMPORARY DEVELOPER SIGN

Note: 1. All dimensions are approximate

2. Sign Type A is a temporary sign.



SIGN TYPE A EXAMPLE

SIGN STANDARDS

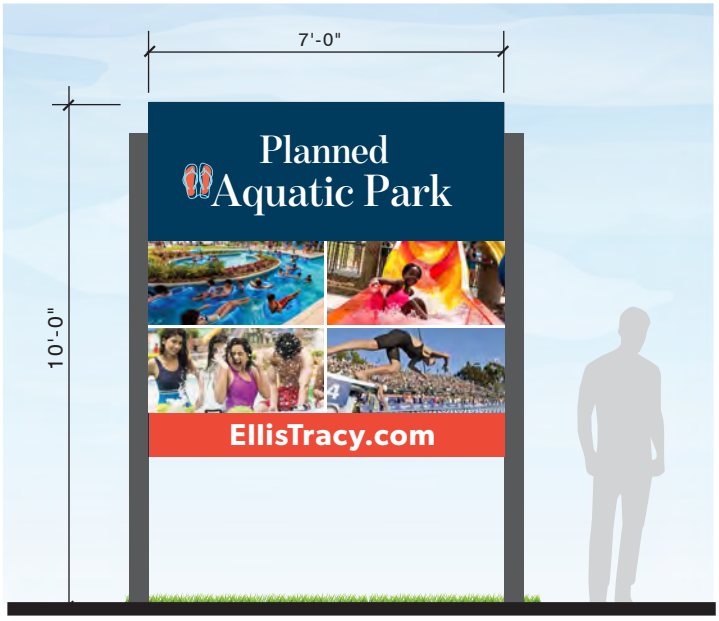
Maximum height: 15 feet
Maximum sign area: 100 square feet (each side)
Maximum number of signs permitted: 2 on each arterial or collector
Lighting: Non-illuminated or externally illuminated
Locations: Special landscape features and private property (see Sign Location Plan: Overall)

Note: Signs shall be removed after completion of sales

SIGN TYPES B AND D

Note: 1. All dimensions are approximate

2. Sign Types B and D are temporary signs



SIGN TYPE D EXAMPLE



SIGN TYPE B EXAMPLE

SIGN STANDARDS

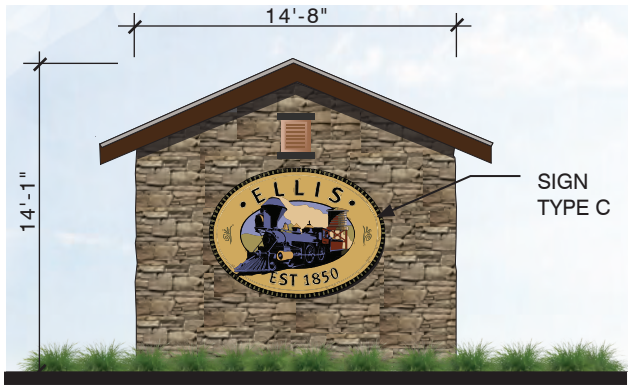
Maximum height: 10 feet
Maximum sign area: 50 square feet (each side)
Maximum number of signs permitted: 12
Lighting: Non-illuminated or externally illuminated
Locations: Public right-of-way, special landscape features and private property TBD

Note: Signs shall be removed after completion of sales

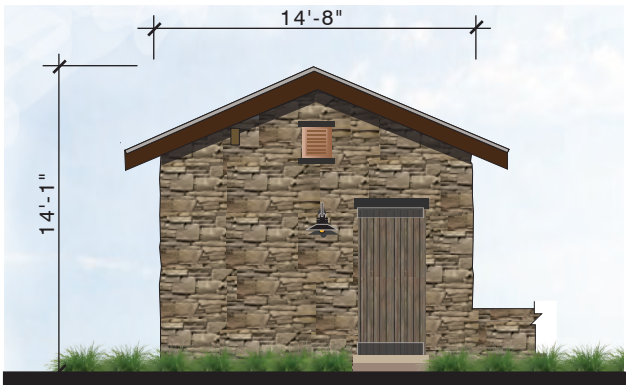
CHARACTER ELEMENT WITH SIGN TYPE C AND WALL SIGN

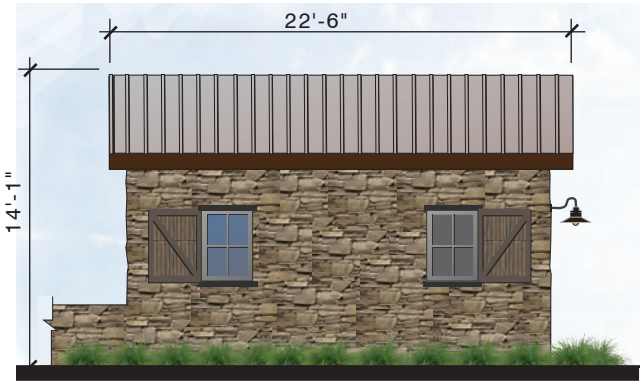
PH PUMP HOUSE

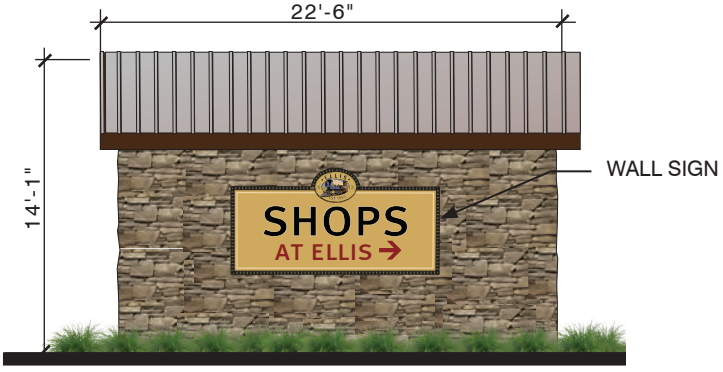
Note: All dimensions are approximate



PARALLEL TO ELLIS TOWN DRIVE







PARALLEL TO CORRAL HOLLOW ROAD

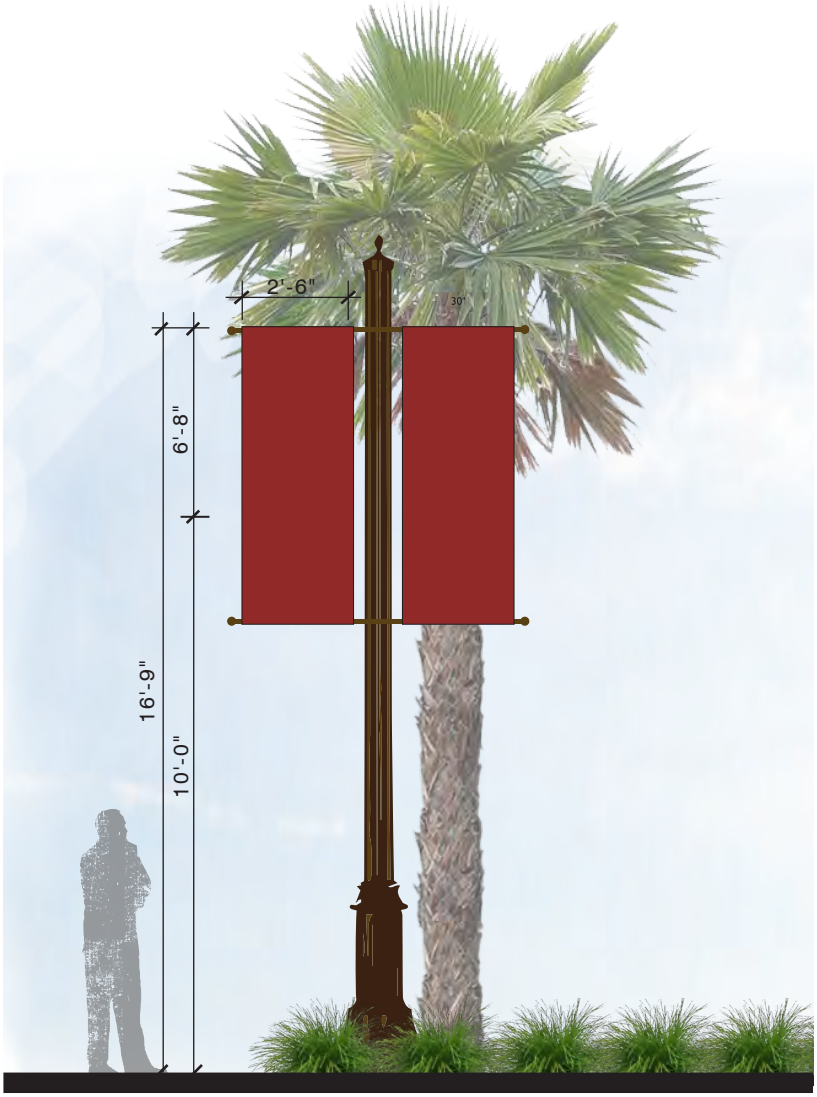
SIGN STANDARDS

Maximum character element height: 15 feet
Maximum wall sign height: Not to exceed the peak of the roof
Maximum Sign Type C area: 50 square feet for the Pump House
Maximum wall sign area: 50 square feet for the Pump House
Lighting of logo panel: Externally illuminated
Lighting of wall sign: Externally illuminated
Location: Private property – Village Center (see Sign Location Plan: Overall)

SIGN TYPE F

LARGE DOUBLE BANNERS DBa

Note: All dimensions are approximate



BANNER AREA

Sign Type F (Banners) are located on private property. Banners are paired.

SIGN STANDARDS

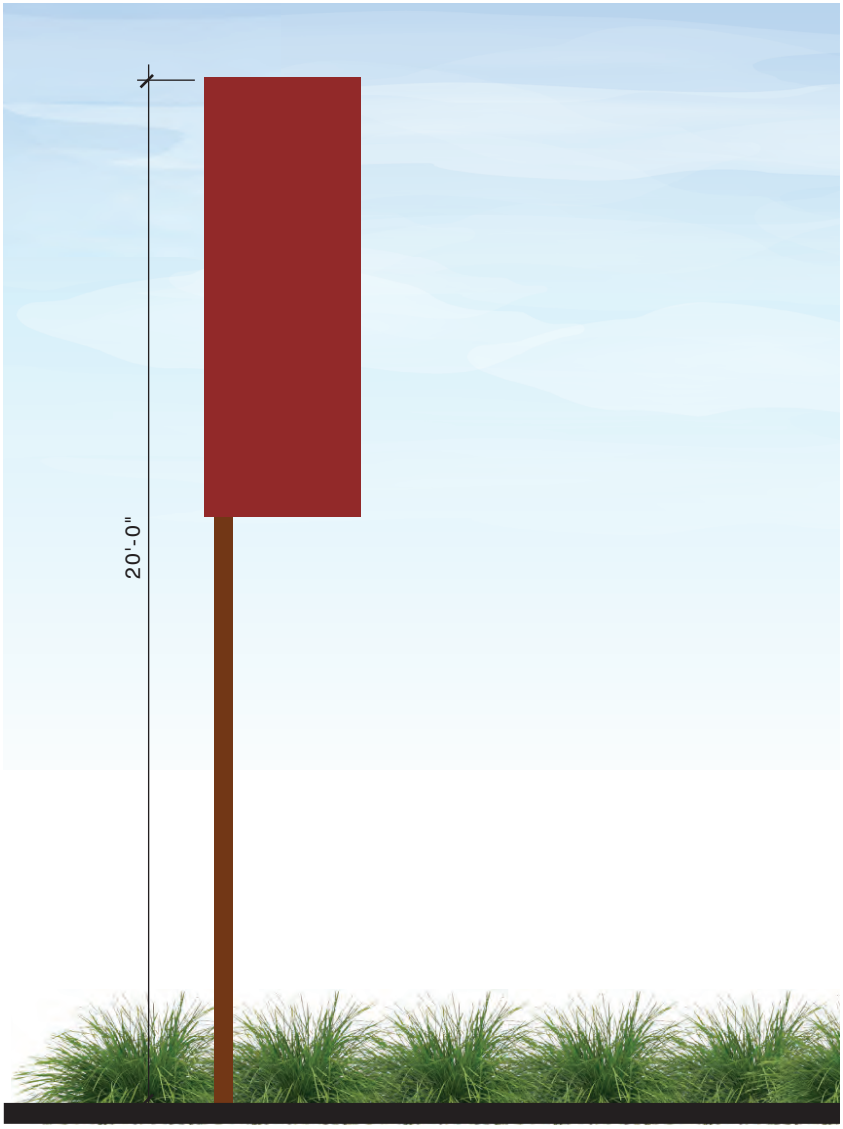
Maximum sign area: 40 square feet, double banners (each side)
Location: See Sign Location Plan: Ellis Town Drive

SIGN TYPE O

FLAG SIGN

Note: 1. All dimensions are approximate

2. Sign Type O is a temporary sign.



BANNER AREA

Sign Type O (Flag Sign) is located on private property.

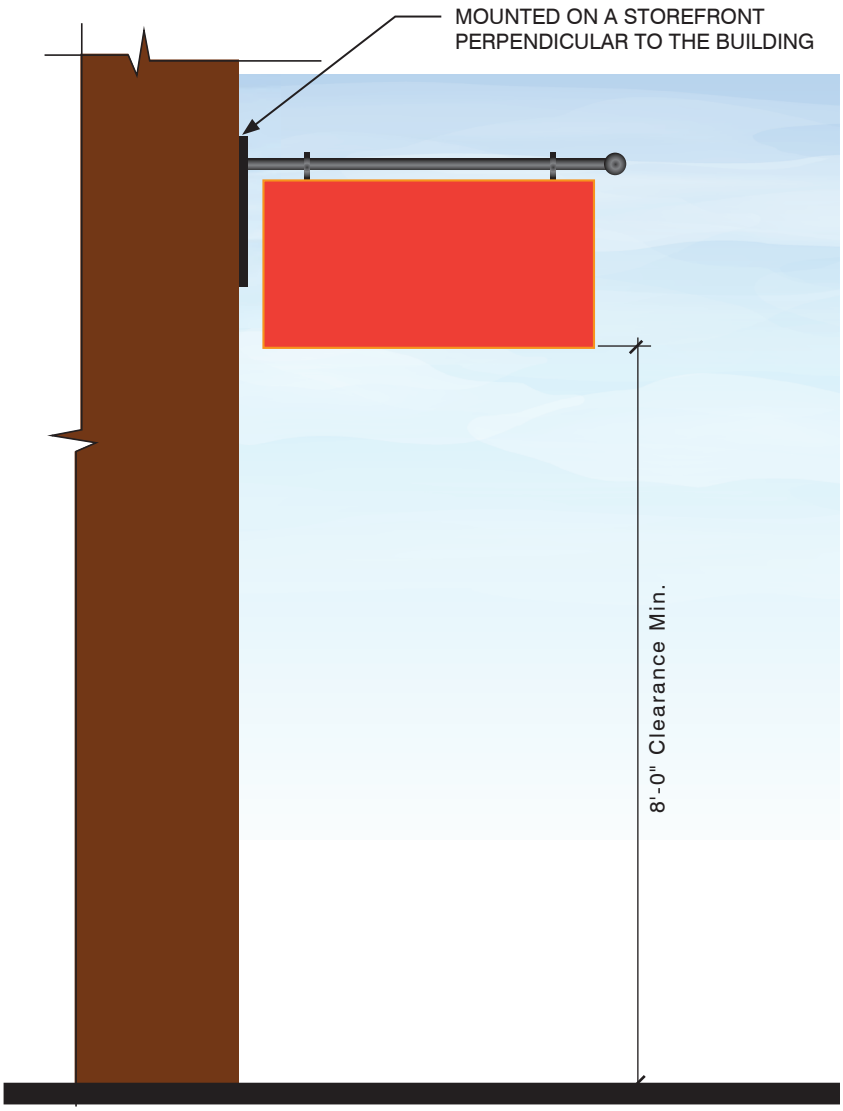
SIGN STANDARDS

Maximum area: 25 square feet (each side)
Location: Up to 10 Sign Type O signs on temporary poles are permitted at each arterial or collector entrance and each model home complex

Note: Signs shall be removed after completion of sales

SIGN TYPE P

BLADE SIGN



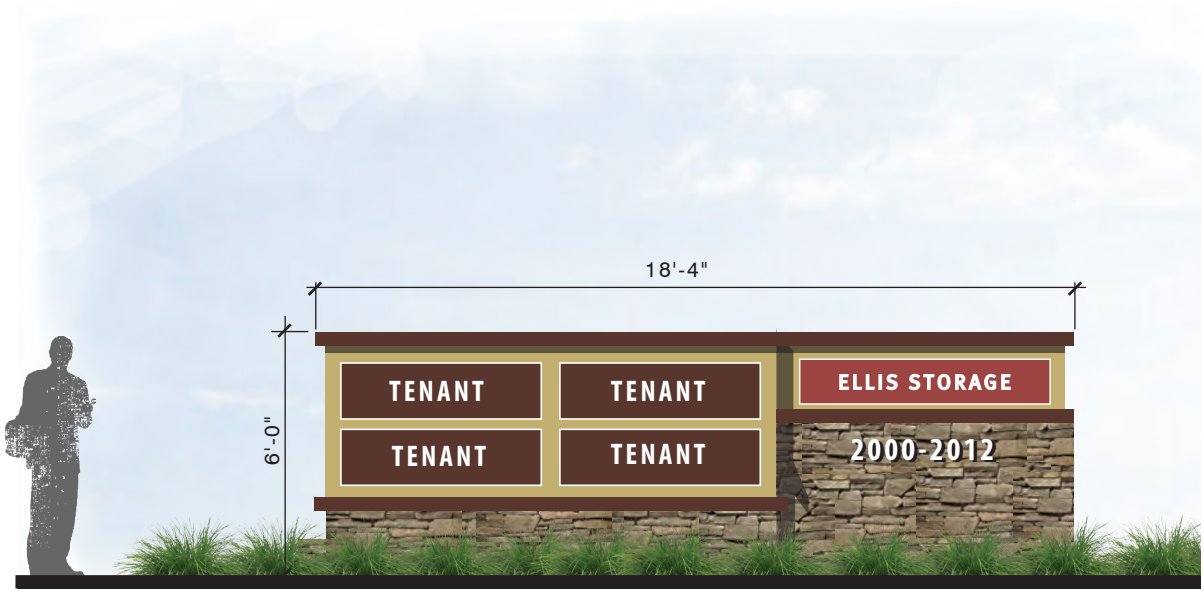
SIGN STANDARDS

Maximum Sign Type P area: 5 square feet (each side)
Lighting: Externally illuminated
Location: Commercial store fronts - maximum one per business

MONUMENT SIGN AND SIGN TYPE M

MA WE MONUMENT SIGN AND SIGN TYPE M

Note: All dimensions are approximate



MA SIGN STANDARDS

Maximum height: 6 feet
Maximum sign area: 60 square feet (each side)
Lighting: Internally or externally illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

Note:
Monument Signs - Up to two monument signs are permitted in the Village Center on each corner parcel at the proposed intersection of Corral Hollow Road and Ellis Town Drive, per Tracy Municipal Code Section 10.08.4460 - Standards by Sign Type, subparagraph "c." Furthermore, any business in the Village Center may construct and maintain one off-site monument sign in the Village Center if all provisions of subparagraph "q" are met with the exception of the recorded easement requirement. The maximum area of each sign is twenty-four (24) square feet.



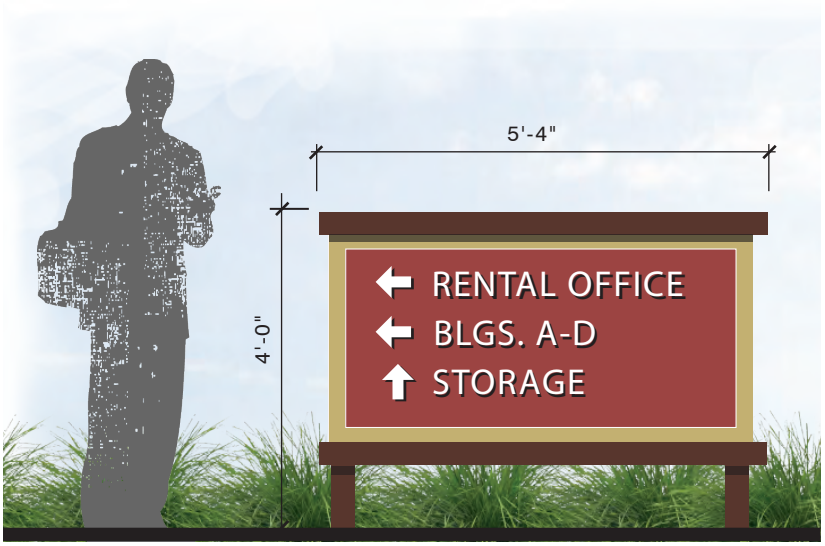
WE SIGN TYPE M SIGN STANDARDS

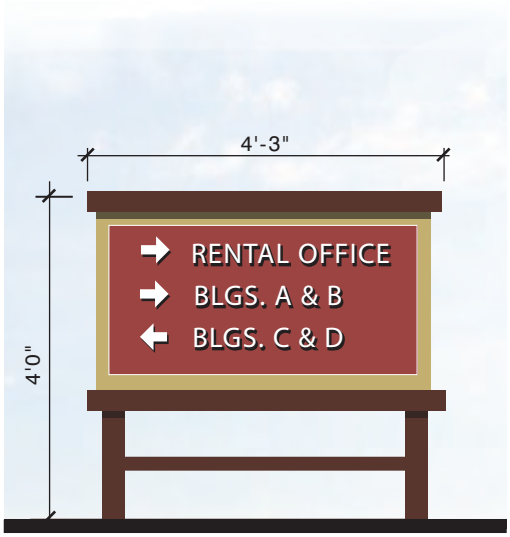
Maximum height: 4 feet
Maximum sign area: 5 square feet
Lighting: Non-illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

SIGN TYPE N

DIRECTIONAL SIGNS DS

Note: All dimensions are approximate





SIGN STANDARDS

Maximum height: 4 feet
Maximum sign area: 20 square feet (each side)
Lighting: Internally or externally illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

WALL SIGNS

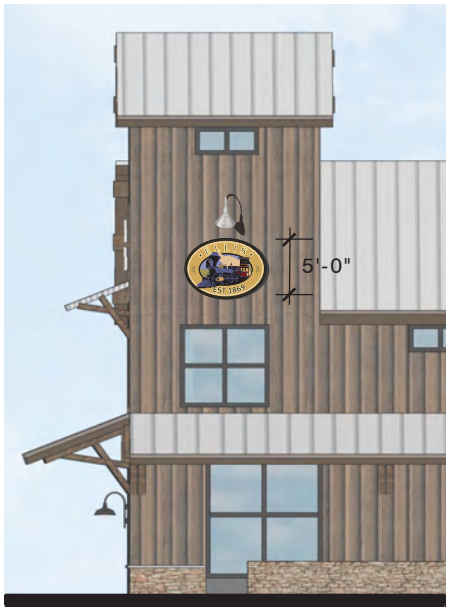
WS INDIVIDUALLY-LETTERED SIGN

Note: All dimensions are approximate



SIGN STANDARDS

Maximum wall sign height: Not to exceed the peak of the roof
Maximum area: 20 square feet
Lighting: Externally illuminated
Location: As shown (see also Appendix A: Pattern Book)



SIGN STANDARDS

Maximum Sign Type C height: Not to exceed the peak of the roof
Maximum area: 35 square feet
Lighting: Externally illuminated
Location: As shown (see also Appendix A: Pattern Book)

ROOF SIGNS

ROOF SIGN RS

Note: All dimensions are approximate





SIGN STANDARDS

Maximum height: Not to exceed peak of roof
Maximum sign area: 100 square feet
Lighting: Internally or externally illuminated
Location: As shown above

Appendix B1

TRACY | CALIFORNIA

AVENUES PATTERN BOOK

Guidelines for a New Neighborhood

MAY 2018

CONTENTS

SECTION 1 INTRODUCTION

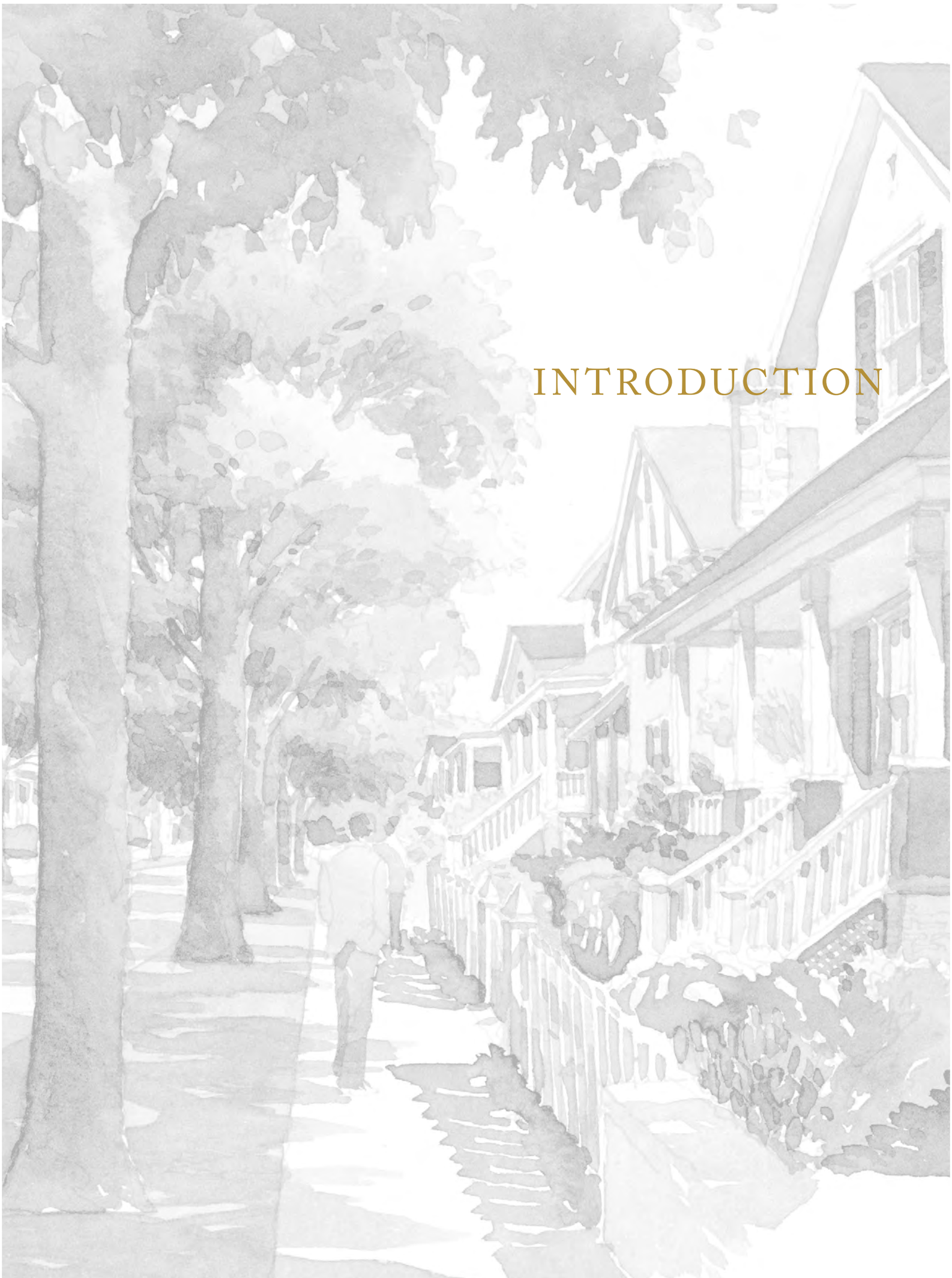
1|2 OVERVIEW
1|3 The Architectural Styles of Avenues
1|4 Avenues Houses

SECTION 2 DETACHED RESIDENTIAL

2|2 ARCHITECTURAL PATTERNS
2|4 Avenues Craftsman
2|6 Massing and Composition
2|8 Possibilities, Precedents, Materials, and Colors
2|10 Avenues Farmhouse Victorian
2|12 Massing and Composition
2|14 Possibilities, Precedents, Materials, and Colors
2|16 Avenues Revival
2|18 Massing and Composition
2|20 Possibilities, Precedents, Materials, and Colors
2|22 Avenues European Country
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2|30 Massing and Composition
2|32 Possibilities, Precedents, Materials, and Colors
2|34 Avenues Spanish Colonial
2|36 Massing and Composition
2|38 Possibilities, Precedents, Materials, and Colors
2|40 Photovoltaic Panel Guidelines

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INTRODUCTION

OVERVIEW

Six architectural styles have been selected for Avenues residential development: Avenues Craftsman, Avenues Farmhouse Victorian, Avenues Revival, Avenues European Country, Avenues Mediterranean Revival, and Avenues Spanish Colonial. The Architectural Patterns sections provide information regarding each of these styles, including a description of the history and character of the particular style, a gallery of built examples, the style's basic massing and composition, as well as possibilities for designs using a standard palette of materials. This kit-of-parts approach provides architects, builders, and homebuyers with examples for designing and personalizing a new Avenues home.

The Avenues community will be an extension of the urban fabric of the City of Tracy.

This Pattern Book serves as the basis for Development Review and implementation. Amendments to the Pattern Book are subject to City Council approval.

THE ARCHITECTURAL STYLES OF AVENUES



Avenues Craftsman



Avenues Farmhouse Victorian



Avenues European Country



Avenues Revival



Avenues Mediterranean Revival



Avenues Spanish Colonial

AVENUES HOUSES

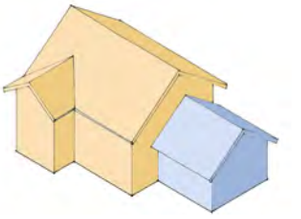
In traditional neighborhoods, the front portion of the house is the most dominant feature and must be responsive to adjacent houses and the overall character of the neighborhood. The landscaping of the front yard, setbacks from the street, size and placement of the house on the lot, and the front porch are all shared elements that form 'the streetscape'.

Dwellings and garages shall be representative of the architectural styles described in this Pattern Book. The architectural style shall be clearly identified on all sides of the building, including the roof, consistent with the City of Tracy Design Goals and Standards.

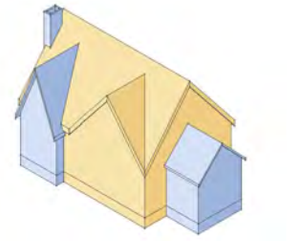
Enhanced architectural emphasis should be applied to facades facing streets. For example, stronger adherence to the architectural style, including: building relief, roof line variation, gables, window trims, ornamental accents, and materials.

All material transition points should carry around corners to an architectural stopping point, such as a pop-out or recess in the building.

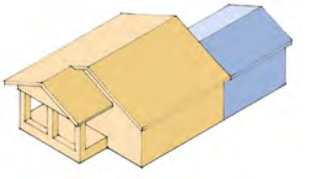
In no case shall the Avenues Pattern Book be less restrictive than the City of Tracy Design Goals and Standards, including the variety of floor plans requirement.



Gable-L house



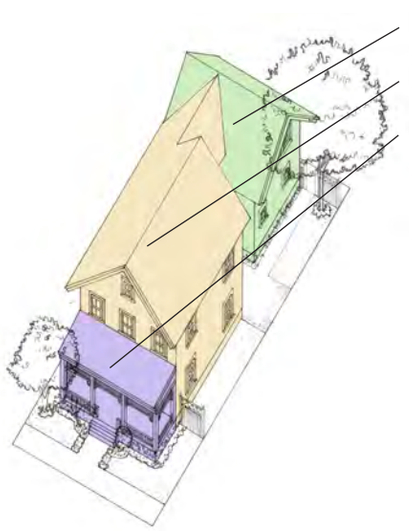
Side gable house with dominant cross gable



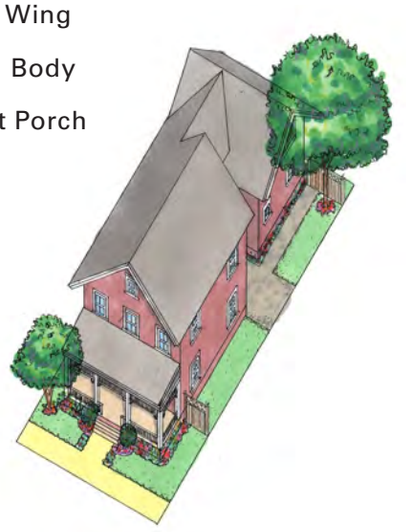
Front gable house



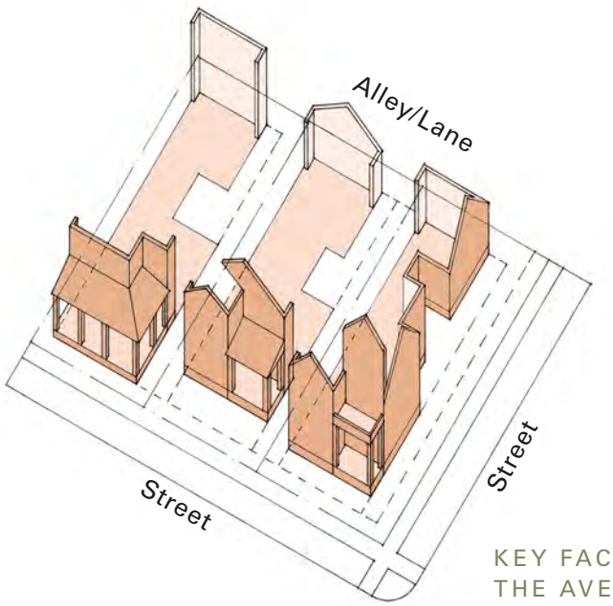
Illustrative view of an Avenues residential street



THE AVENUES HOUSE
Simple, dignified massing with porch and rear wing added



ELEMENTS OF THE AVENUES HOUSE
The Main Body is the largest and most visible element with the most specific design requirements. Side or rear wings, porches, and architectural elements, provide a menu of additional massing options for the homebuilder.



KEY FACADES OF THE AVENUES HOUSE
The principal elevations of the Avenues house are facades facing streets, alleys/lanes, and public spaces

PRINCIPAL ELEMENTS

Avenues houses include the following principal elements:

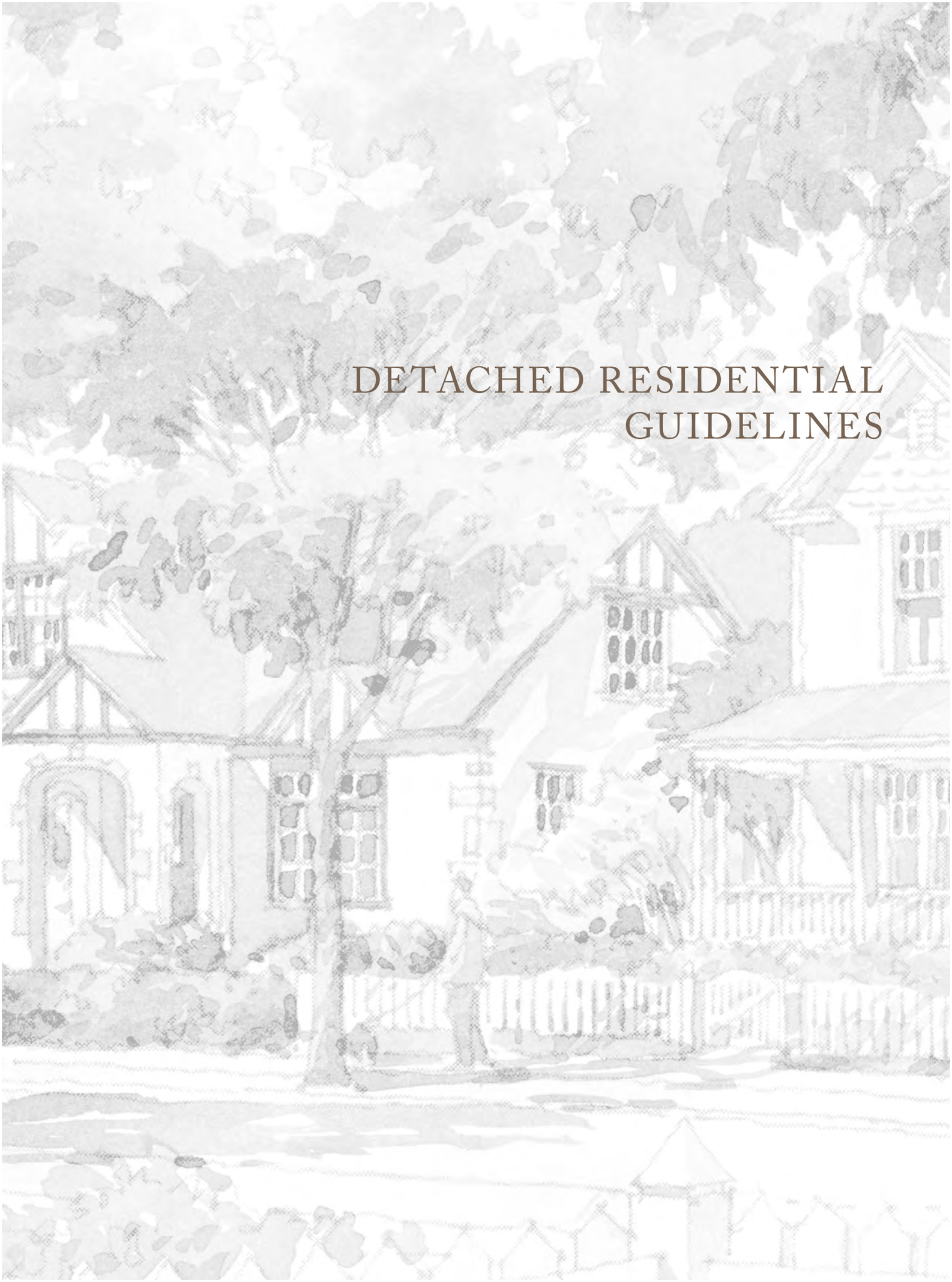
The **Main Body** of the house, which is the principal mass and includes the front door.

Side and Rear Wings, which are one or two stories high and connected to the Main Body. These optional additions are smaller than the Main Body and are set back from the front facade.

Front and Side Porches create exterior amenity space. Possibilities include full-facade front porches, wraparound porches, porticos, and side porches. Some architectural styles also have inset porches.

Note: Side Wings, Rear Wings, and Porches are part of a menu of options. These element as illustrated in the Pattern Book are suggestions, not required as shown. However, simple box dwellings are not permitted.





DETACHED RESIDENTIAL GUIDELINES

ARCHITECTURAL PATTERNS

The Architectural Patterns Section for Detached Residential units illustrates key elements and design strategies for the six permitted traditional styles for Avenues residential architecture. This section provides detailed guidelines for designing within the prescribed styles while creating well-defined variations among houses and buildings. The approach used is not intended to be a comprehensive catalog of all possibilities, but rather to serve as a guide to the key components within a particular style while providing a consistent quality of character and detail.

Variations or other alternative combinations of components may be acceptable so long as they generally conform to the particular style. The goal is to design within specific families of styles that are appropriate to the Avenues context, not to design historic reproductions.

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AVENUES CRAFTSMAN

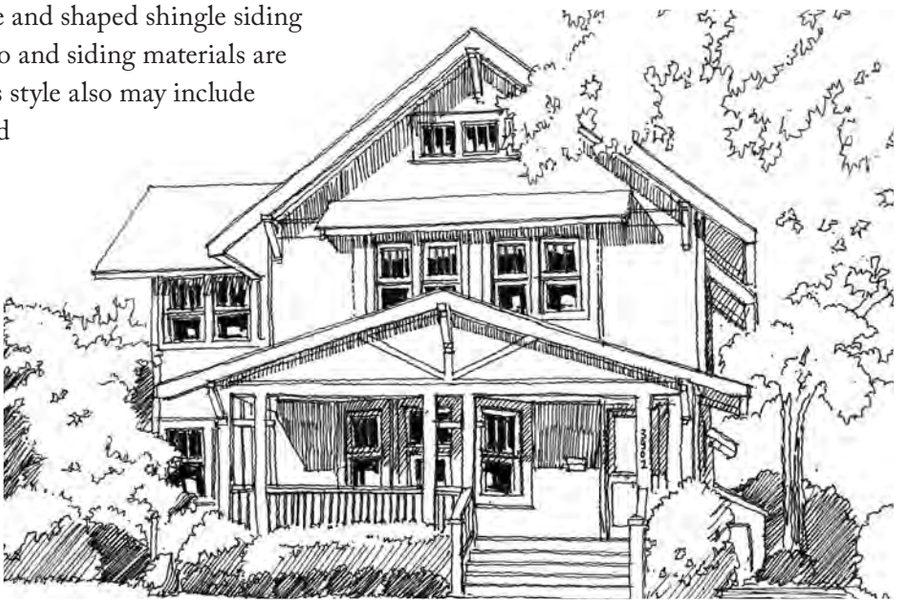
Avenues Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in robust color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For houses in Avenues, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE AVENUES CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.



GALLERY OF EXAMPLES





Photo Credit: AT Design Consulting



Photo Credit: Design Lens



Photo Credit: First Lamp



Photo Credit: Alan Mascord Design Associates



Photo Credit: R.W. Anderson Homes





Photo Credit: urbanSTIX Architecture



Photo Credit: AT Design Consulting

MASSING AND COMPOSITION

A TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 3 to 7 in 12. Hipped front porches are common and have a shallower roof pitch. Porches may be either additive or a single integral bay.

B ONE-AND-ONE-HALF-STORY SIDE GABLE

Square volume with a 3 to 5 in 12 side gabled roof. Integral front porch that ranges from half to the full length of the front facade. Symmetrically placed gabled or shed dormers with 4 in 12 roof pitch.

C TWO-STORY GABLE L

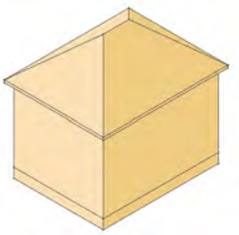
Cross-gabled volume with a 3 to 4 in 12 gable facing the street. Often an in-line gabled porch or wing is added to the front left of the L. Porches may also be located between the legs of the L.

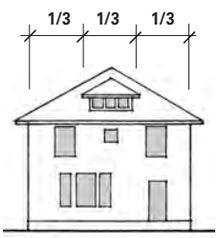
D ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON

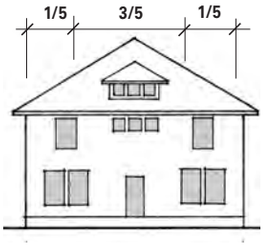
Rectangular volume with a 3 to 5 in 12 roof pitch and gable facing the street. Asymmetrically placed gable and front porch is common.

Note: In general, main roof pitches are 4 to 5 in 12 and secondary roof pitches are 3 to 5 in 12.

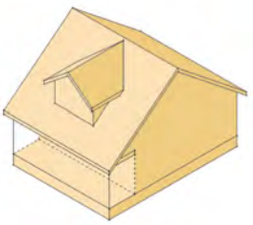
A TWO-STORY HIP

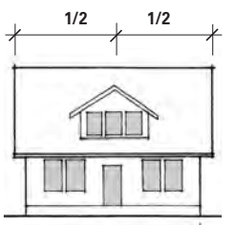


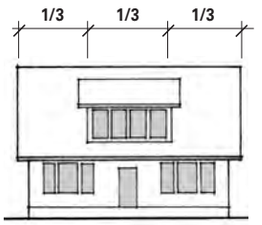




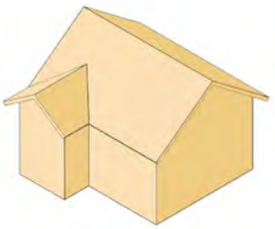
B ONE-AND-ONE-HALF-STORY SIDE GABLE

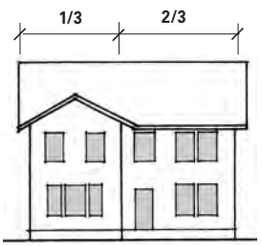


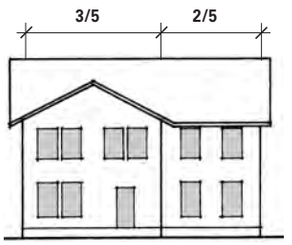




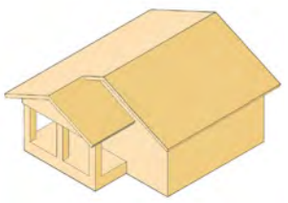
C TWO-STORY GABLE L

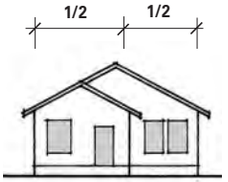


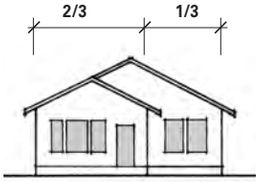


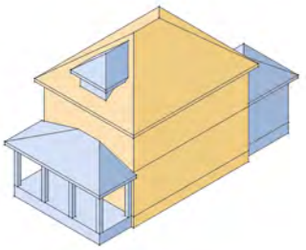


D ONE- AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON

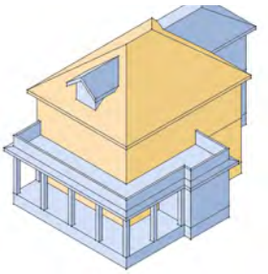






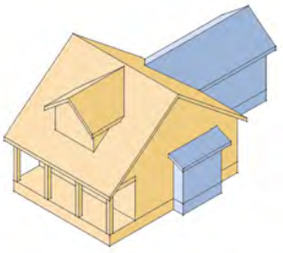


A1 Hipped roof with add-on porch, a rear wing and a street-facing dormer

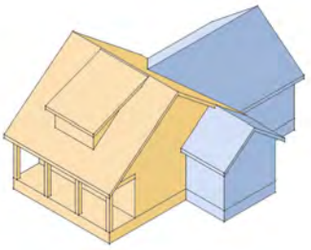


A2 Hipped roof with wraparound porch, a rear wing and a street-facing dormer



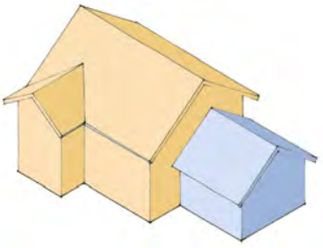


B1 Side gable with an integral porch, a rear wing and side bay window

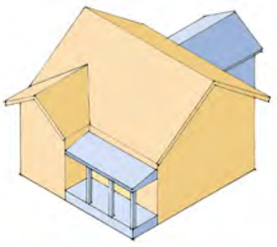


B2 Side gable with an integral porch, a rear wing and a side wing



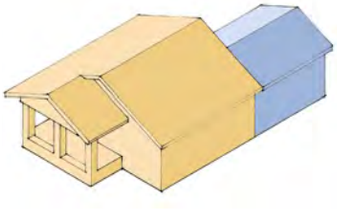


C1 Side gable L with side wing

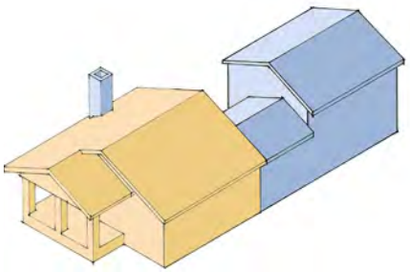


C2 Side gable with add-on porch and rear wing





D1 Front gable and add-on massing with rear wing



D2 Front gable and add-on massing with one-story connection to two-story carriage unit



POSSIBILITIES

PRECEDENTS

TWO-STORY HIP







ONE-AND-ONE-HALF-STORY SIDE GABLE







TWO-STORY GABLE L







ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON







MATERIALS

SIDING/CLADDING

» Wood shingle; fiber-cement clapboard, composite and/or stucco

» Lace finish not permitted

ROOFING

» Composition shingles, flat concrete tile, standing seam, or 5v crimp metal

WINDOWS

» Single- or double-hung

» Fixed accent windows (limited)

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum, or vinyl

» Traditional-looking profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS/BRACKETS

» Wood or composite

RAILINGS

» Wood or composite top and bottom rails with square balusters

» Solid railings of wood, fiber cement, cut shingle siding or manufactured stone veneer

SOFFITS AND PORCH CEILING

» Exposed rafters at soffits with starter board or v-groove sheathing

» T&G wood, beaded plywood, exterior-grade plywood, or stucco porch ceiling

GUTTERS

» Ogee or half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim or the stucco cladding

SHUTTERS

Not applicable

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match structure

FRONT YARD FENCES

» Wood, stone, or masonry with stucco finish

» Vinyl picket permitted

» Wrought iron or equivalent

REAR YARD FENCES

» Cedar, redwood, or masonry with stucco finish (if applicable)

» Vinyl and pressure treated wood are permitted

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

AVENUES
FARMHOUSE VICTORIAN

The Avenues Farmhouse Victorian style builds on the early Carpenter Gothic cottages built in the western region of the United States from early pattern books. While the Victorian style became fashionable in the 1800s in the Bay Area, its popularity grew and spread outward from San Francisco. Style books published by Andrew Jackson Downing were the source of many early examples. Publications such as *The Horticulturist* influenced the preferences of the public and provided an especially dramatic contrast to the inherited Spanish and adobe building types prevalent at the time. Many early religious camp settlements adopted the style with more and more exotic variations that included Eastlake, Queen Anne, and Italianate detailing.

The Farmhouse Victorian style is centered on simple, elegant forms to create more informal houses on small lots. This style has expressive porch elements, decorative trim elements, and vertical windows and doors.

COMMON ELEMENTS OF AVENUES FARMHOUSE VICTORIAN

- Moderate to steeply pitched, front-facing gable roofs.
- Cut wood ornament, often with natural forms such as leaves and vines.
- Clapboard or cut shingle siding.
- Vertical proportions for windows and doors.
- Box bay and cutaway bay windows.
- Expressive porch elements



GALLERY OF EXAMPLES



Photo Credit: Su Casa Designs



Photo Credit: AT Design Consulting



Photo Credit: Alturas Homes



Photo Credit: Union Studio, Architecture and Community Design



Photo Credit: The Creativity Exchange



Photo Credit: Lindsay Stetson Thompson / Pinnacle Residential



Photo Credit: Laurey W. Glenn / Pursley Dixon Architecture



Photo Credit: AT Design Consulting / William Lyon Homes

MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume, often with a steeply-pitched, gabled dormer flush to the front facade. Front gable roof pitch is typically 3 to 12 in 12, and the side gable is less steeply pitched, typically 4 to 10 in 12. One- or two-story front porches often extend across the full front of the house.

B ONE-AND-ONE-HALF-STORY HIP L

One-and-one-half-story hipped volume with a one-story front or hipped gable extending beyond the main body. Roof pitches are typically 3 to 12 in 12. One-story integral or shed porches are most common.

C TWO-STORY HIP L

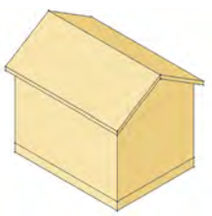
Two-story rectangular volume with hipped roof and a front gable which can extend beyond the front facade of the main body a maximum of 3 feet. Roof pitch is typically 3 to 12 in 12. A one- or two-story front wraparound porch with shed roof is common.

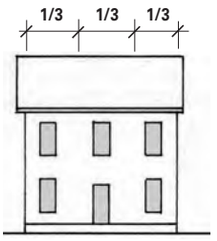
D GABLE L

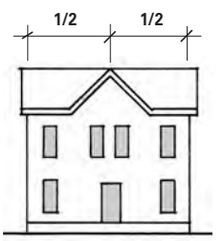
Cross-gabled volume with a 3 to 12 in 12 gable facing the street. Cross-gable is typically equal or steeper than the roof of the primary mass and no wider than half that of the main body. This massing often has a gable porch emphasizing the entrance.

Note: In general, main roof pitches are 5 to 8 in 12 and secondary roof pitches are 3 to 9 in 12.

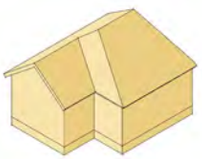
A TWO-STORY SIDE GABLE



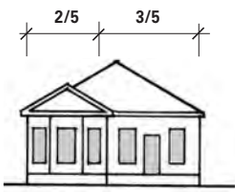




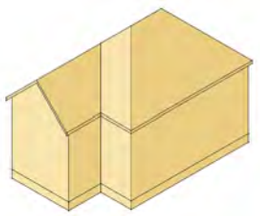
B ONE-AND-ONE-HALF-STORY HIP L

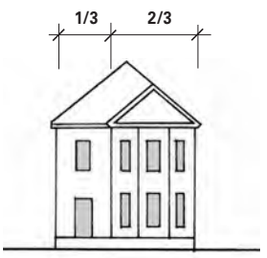


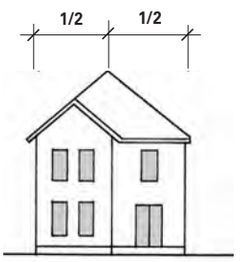




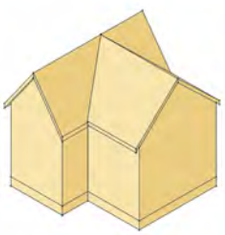
C TWO-STORY HIP L

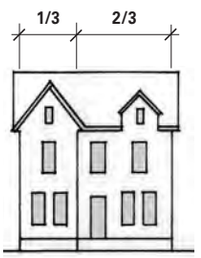


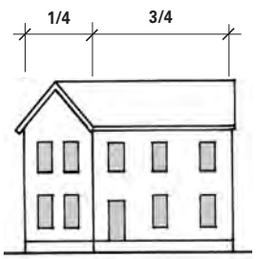


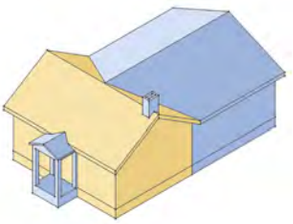


D GABLE L

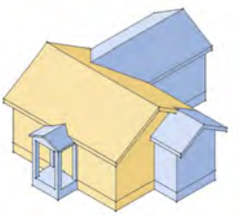








A1 Broad front with large rear wing, a chimney centered on gable ridge and a centered entry porch

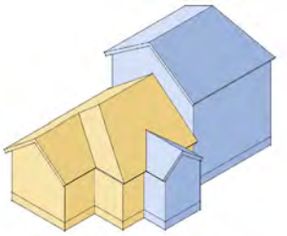


A2 Broad front with rear wing, a side wing and a centered entry porch



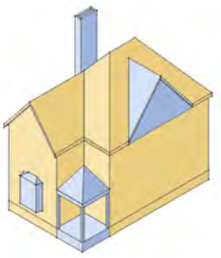


B1 One-story hip L with street-facing bay window and hipped-roof entry porch

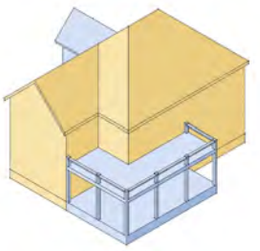


B2 One-story hip L with a side wing and two-story rear wing



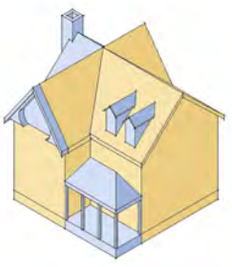


C1 Two-story hip L with side-facing gable dormer, a street-facing bay window, a chimney, and a hipped-roof entry porch

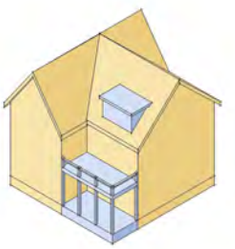


C2 Two-story hip L with a two-story wraparound porch, and a side wing





D1 Gable L with continuous cross gable and chimney, double street-facing dormers, hipped-roof entry porch, and glazing with street-facing projecting gable



D2 Gable L with continuous shed dormer and flat-roof entry porch



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







ONE-AND-ONE-HALF-STORY HIP L







TWO-STORY HIP L





Photo Credit: Design Lens



GABLE L







MATERIALS

SIDING/CLADDING

» Board and batten, wood, or fiber-cement clapboard

ROOFING

» Composite shingles

» Flat concrete tile

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Wood, composition board, cellular PVC, or polyurethane

COLUMNS

» Turned or built-up wood, or composite

RAILINGS

» Wood or composite top and bottom rails with straight, turned, or scroll cut balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, or exterior-grade plywood

GUTTERS

» Half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite material, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Manufactured stone or brick veneer or siding to match house

FRONT YARD FENCES

» Wood picket, prefinished metal, or stone

» Vinyl picket permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

AVENUES REVIVAL

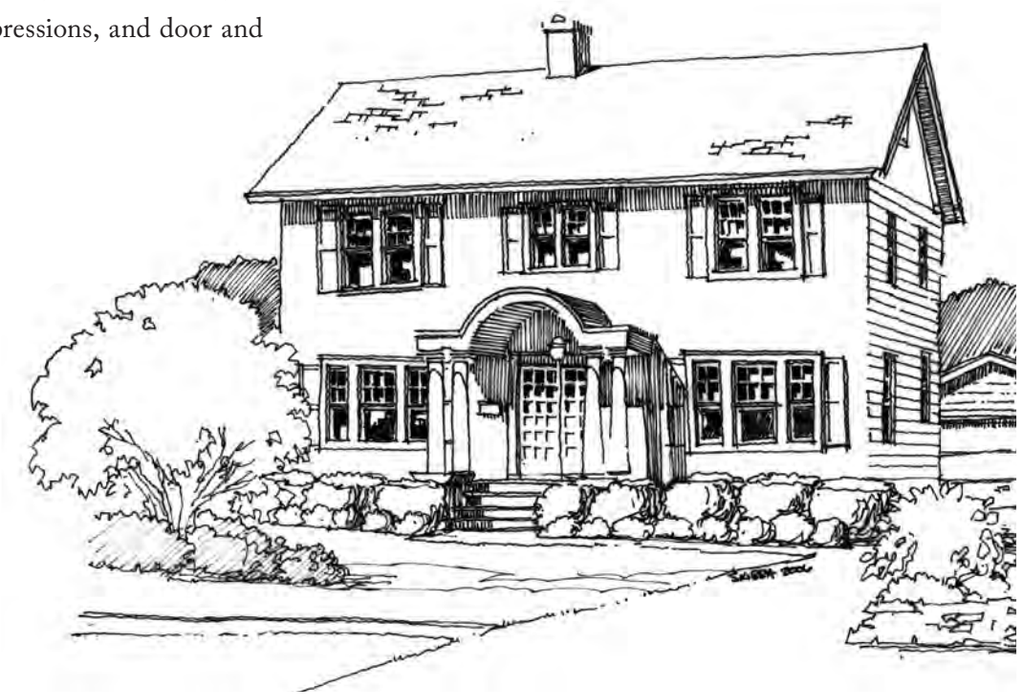
The Avenues Revival style is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical style design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The houses are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF AVENUES REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical style details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



GALLERY OF EXAMPLES



Photo Credit: Tatum Brown Custom Homes



Photo Credit: Prestige Window Systems



Photo Credit: Overmyer Architects



Photo Credit: Michelle Matsan



Photo Credit: Chris Little / Peace Design



Photo Credit: James Hardie

MASSING AND COMPOSITION

A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

Side-gabled or hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. Dormer windows and shed roofs are often present in the roof form. Porches are additive structures that may cover all or part of the front facade.

B TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. One-story hipped front porches are common and have a shallower roof pitch. Porches vary between covering the full facade and defining the central portico.

C TWO-STORY FRONT GABLE

Front-gabled rectangular volume. Gable roof pitches range from 4 to 10 in 12. As with other massing, stoops and hipped front porches are common. Porches are most often one-story. Integral two-story porches are reserved for front-gabled houses no greater than 30 feet wide.

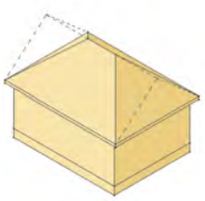
D ONE-AND-ONE-HALF-STORY GAMBREL

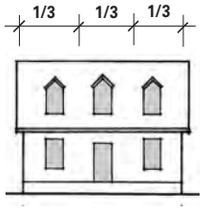
(Not required, but possible accent articulation)

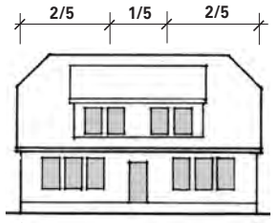
Rectangular volume with a gambrel roof parallel to the street. Roof pitch is nearly vertical on the lower slope and 4 to 6 in 12 at the top. One-story temple front porches centered on the facade extending one-third to one-fourth of the front are typical. Shed roofs are present in the bottom portion of the gambrel roof and dormer windows are also common.

Note: In general, main and secondary roof pitches are 4 to 10 in 12.

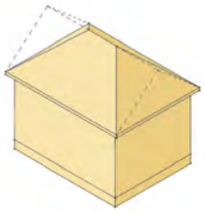
A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

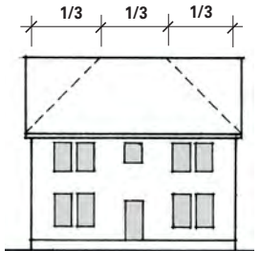


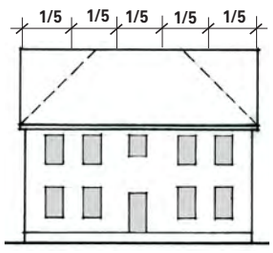




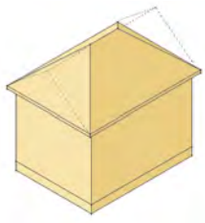
B TWO-STORY HIP

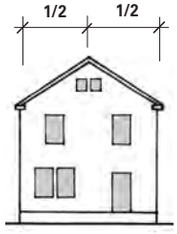


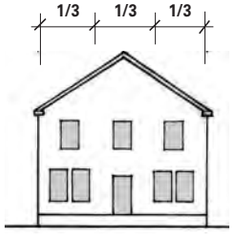




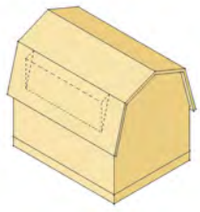
C TWO-STORY FRONT GABLE

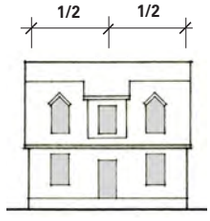


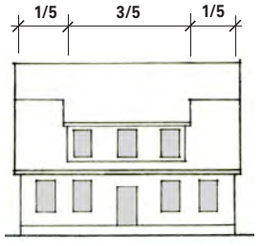


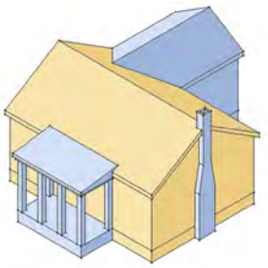


D ONE-AND-ONE-HALF-STORY GAMBREL

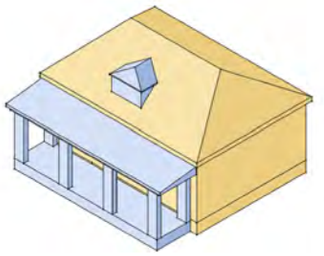






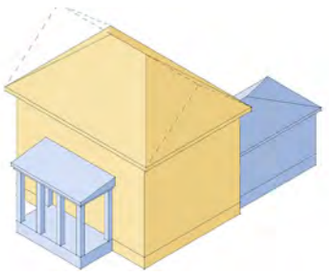


A1 Broad front with add-on porch, a rear wing, and a fireplace

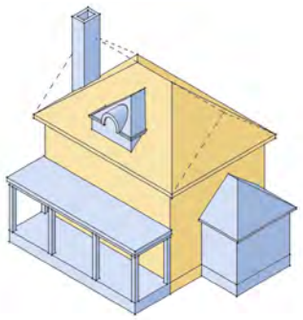


A2 Broad front hipped roof with add-on full front porch and dormer window



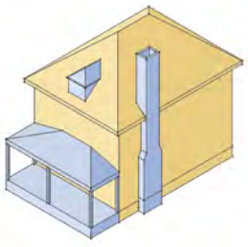


B1 Broad front hipped roof with add-on central porch and hipped rear wing

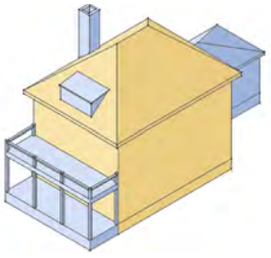


B2 Broad front hipped roof with add-on full front porch, a side wing, a central hipped dormer, and a fireplace



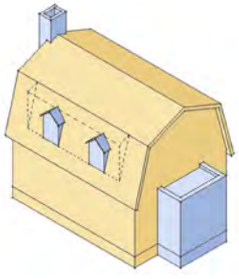


C1 Narrow front hipped roof with add-on full front porch, a central dormer, and a fireplace

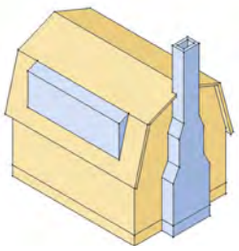


C2 Narrow front hipped roof with add-on full front porch, a central shed dormer, a rear wing, and a fireplace





D1 Broad front gambrel with dormers, a roofed side wing, and a fireplace



D2 Broad front gambrel with a broad shed dormer and a prominent fireplace



POSSIBILITIES

PRECEDENTS

ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP







TWO-STORY HIP







TWO-STORY FRONT GABLE







ONE-AND-ONE-HALF-STORY GAMBREL







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Lace finish not permitted

ROOFING

» Composition shingles or concrete tile with flat profile

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS

» Wood, or composite with Classical entasis and proportions
» Use Tuscan, Doric, or Ionic orders

RAILINGS

» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish (if applicable)
» Vinyl picket also permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

AVENUES
EUROPEAN COUNTRY

The Avenues European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables. Dormers — gable, hip, and shed — are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF AVENUES EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES



Photo Credit: Tommy Daspit / Willow Homes



Photo Credit: Michael Woodall



Photo Credit: Amanda Orr Architects



Photo Credit: Frazier Home Designs



Photo Credit: AT Design Consulting



Photo Credit: Unknown



Photo Credit: Guinar & Gracie



Photo Credit: AT Design Consulting

MASSING AND COMPOSITION

A TWO-STORY BASIC

Rectangular two-story volume with an 4 to 10 in 12 roof pitch. Cross gable entry piece in 3 to 16 in 12. Only one cross gable permitted, often expressed in plan.

B TWO-STORY ASYMMETRICAL GABLE-FRONT L

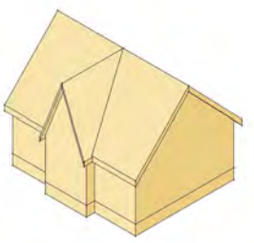
Rectangular two-story volume with a main body roof of 4 to 12 in 12 with either a gable or a hipped roof. Cross-gable volume with a 3 to 16 in 12 roof. Cross gable is asymmetrical and contains an inset entry porch. At times, the roof may transition to a shallower pitch over the entry porch.

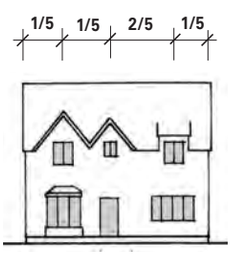
C SIDE GABLE WITH DOMINANT CROSS-GABLE

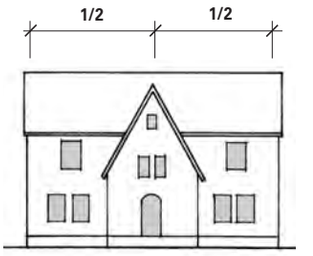
Rectangular two-story volume with a 4 to 10 in 12 roof pitch. One dominant cross gable organizes composition with a 3 to 16 in 12 pitch. Secondary and tertiary gables in the primary roof mass, or as dormers, are common. Element roof may be gable, hip, or partial hip. Front entry is often inset into building mass.

Note: In general, main roof pitches are 5 to 9 in 12 and secondary roof pitches are 3 to 9 in 12.

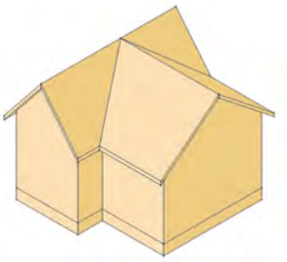
A TWO-STORY BASIC

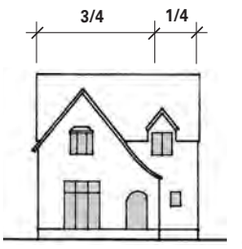


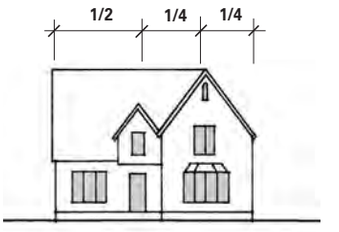




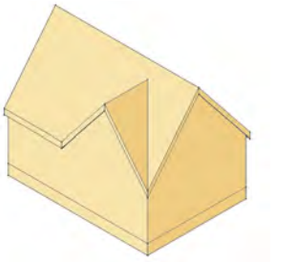
B TWO-STORY ASYMMETRICAL GABLE-FRONT L



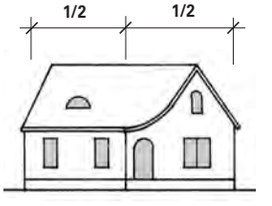


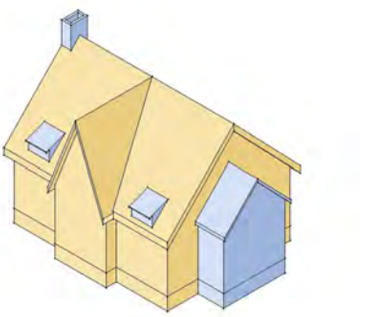


C SIDE GABLE WITH DOMINANT CROSS-GABLE

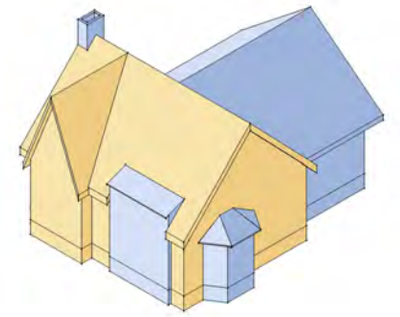






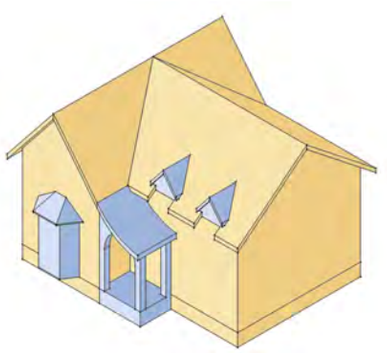


A1 Side gable with symmetrically placed dormers, a chimney centered on the gable ridge and a side wing

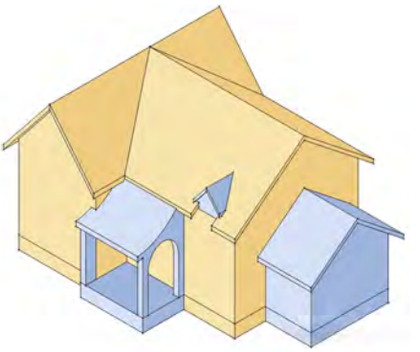


A2 Side gable with off-center cross gable, street-facing dormer, a chimney centered on the gable ridge, a side bay window, and rear wing



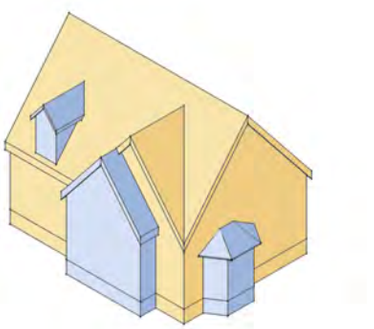


B1 Side gable L with street-facing bay window, street-facing dormers and inset entry porch

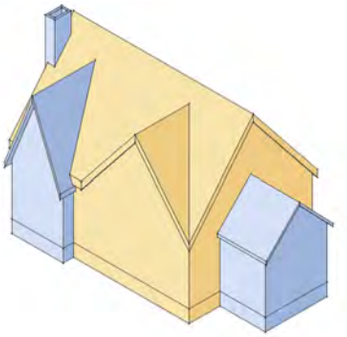


B2 Side gable L with street-facing dormer, a side wing and entry porch





C1 Side gable with nested street-facing gable, a street-facing dormer and side bay window



C2 Side gable with multiple street-facing gables, a chimney placed off-center of gable and a side wing



POSSIBILITIES

PRECEDENTS

TWO-STORY BASIC







TWO-STORY ASYMMETRICAL GABLE-FRONT L







SIDE GABLE WITH DOMINANT CROSS-GABLE







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Half-timbering for second-story accents

ROOFING

» Composition shingles, concrete tile with flat profile, or manufactured slate

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, cast stone, polyurethane, or fiber cement

COLUMNS

» Wood or composite

RAILINGS

» Ornamental metal preferred
» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

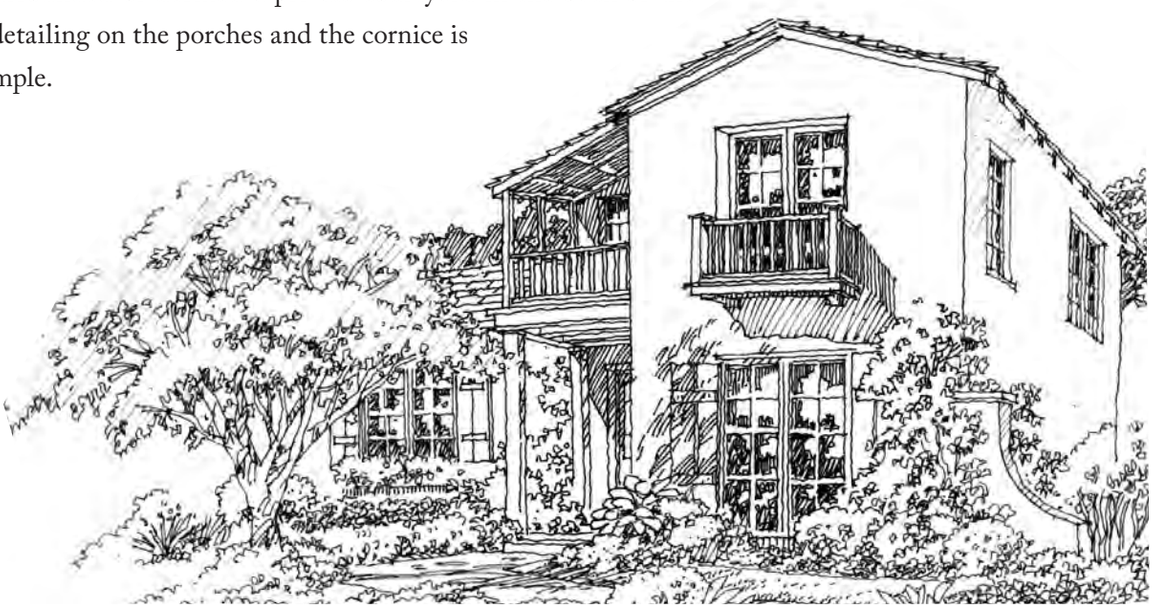
AVENUES MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF AVENUES MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double-hung Colonial windows and doors.
- Multi-pane window appearance, wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing, projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES



Photo Credit: AT Design Consulting



Photo Credit: Irvine Company



Photo Credit: CRMLS



Photo Credit: Studio+OneDesign



Photo Credit: AT Design Consulting



MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Rectangular volume with a 3 to 6 in 12 roof pitch and gable or hip parallel to the street. Second floor, full-front projecting balconies or two-story full-front porches are encouraged with this massing.

B TWO-STORY CROSS-GABLE

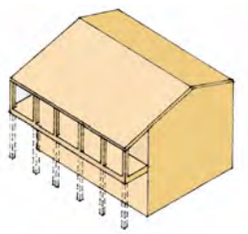
Cross-gabled volume with a 3 in 12 gable or hip facing the street. The width of the bay facing the street is typically two-fifths that of the main body. Often an in-line gabled or hipped wing added to the front leg of the L. Cantilevered balconies are encouraged.

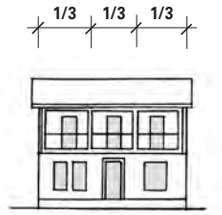
C TWO-STORY FRONT GABLE L

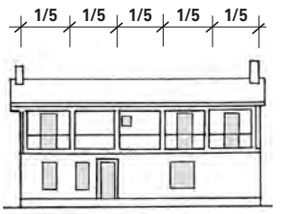
L-shaped volume perpendicular to the street with second-story cantilevered side porch. Hipped and gabled roofs with a 3 in 12 pitch are both permitted.

Note: In general, main and secondary roof pitches are 3 to 6 in 12.

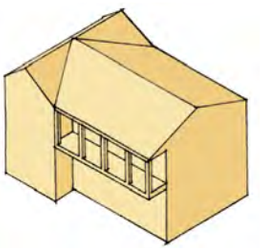
A TWO-STORY SIDE GABLE



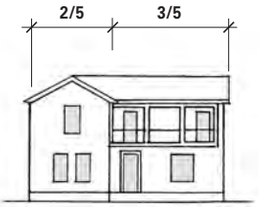




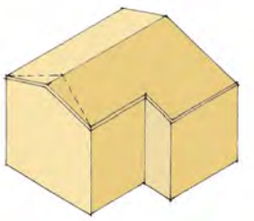
B TWO-STORY CROSS-GABLE



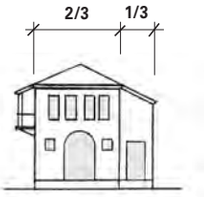


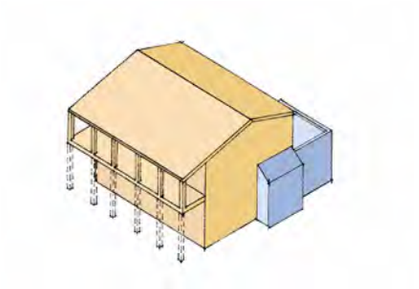


C TWO-STORY FRONT GABLE L

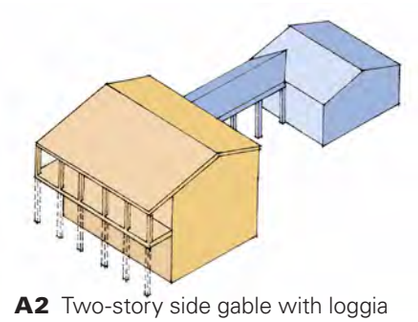






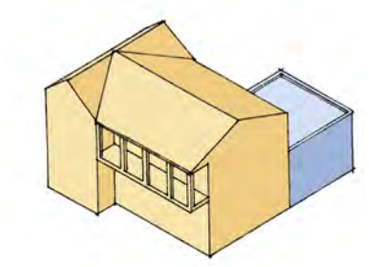


A1 Two-story side gable with a rear wing and a fireplace

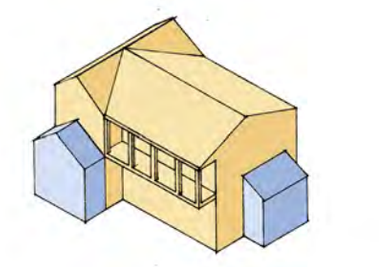


A2 Two-story side gable with loggia connecting to garage



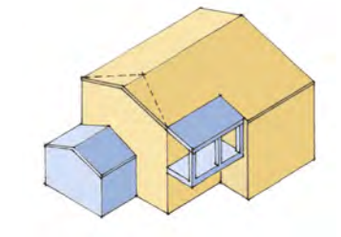


B1 Two-story cross-gable with rear wing added

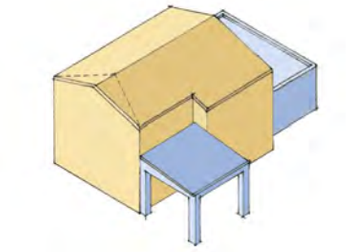


B2 Two-story cross-gable with a front projecting bay and a bay window





C1 Two-story front gable L with add-on entry bay and a cantilevered side porch



C2 Two-story front gable L with a rear wing and a port cochère



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







TWO-STORY CROSS-GABLE

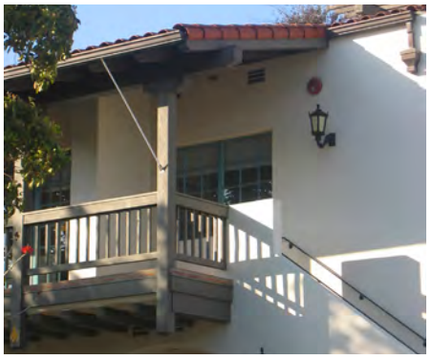






TWO-STORY GABLE FRONT L







MATERIALS

SIDING/CLADDING

» Stucco and optional second floor wood or fiber-cement clapboard

» Lace finish not permitted

ROOFING

» Concrete tile in flat or barrel profile, multiple stacked tile at eaves.

» Architectural asphalt shingles also permitted

WINDOWS

» Single or double-hung, casement, and picture units, energy-efficient wood, PVC clad, aluminum-clad, cellular PVC, aluminum or vinyl with traditional wood profiles

COLUMNS

» Stucco or composite

BALCONIES

» Wood, corbelled stucco with metal railings, or fiber cement

RAILINGS

» Wood or fiber cement top and bottom rails with square or turned balusters

EAVES

» Starter board or v-groove sheathing

EXTERIOR CEILINGS

» Plank and beam, or stucco

GUTTERS

» Half-round metal or PVC

» Fascia gutter also permitted

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat panel, louvered, or plank, in wood or composite material or a colored vinyl

CHIMNEYS

» Stucco

FRONT YARD FENCES

» Masonry with stucco finish, wrought iron accents permitted

» Wrought iron or aluminum permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

AVENUES
SPANISH COLONIAL

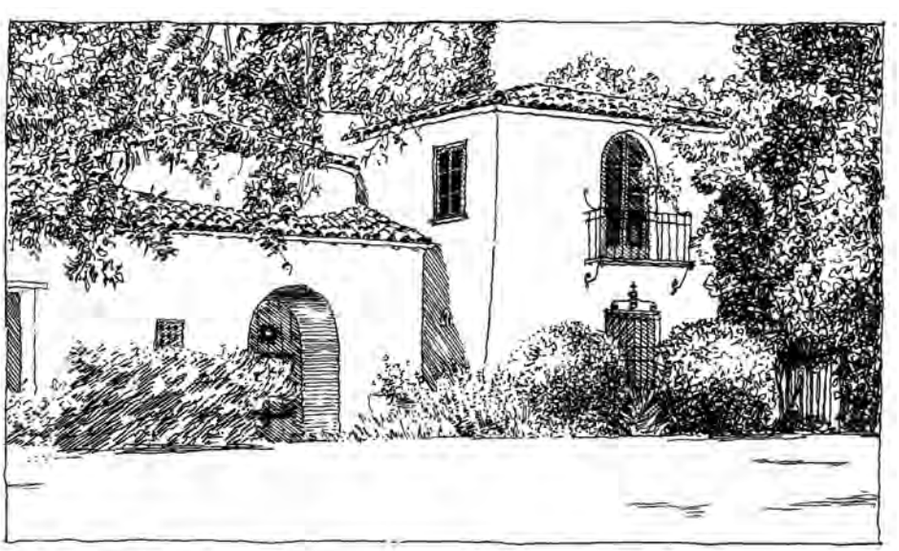
California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long spreading sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character); covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF AVENUES SPANISH COLONIAL

- Stucco walls with a handmade/formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES



Photo Credit: AT Design Consulting



Photo Credit: PhotoTours, Inc.



Photo Credit: AT Design Consulting



Photo Credit: Design Lens



Photo Credit: Chad Mellon



Photo Credit: P Cooper Photography / The New Home Company

MASSING AND COMPOSITION

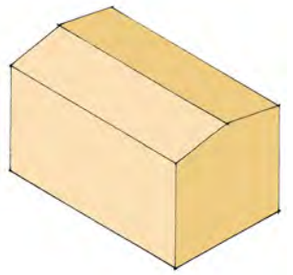
A TWO-STORY SIDE GABLE
Rectangular volume with a 3 in 12 roof pitch and gable or hip parallel to the street. Inset patios on first floor are common.

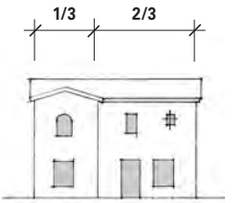
B ONE-STORY FRONT GABLE L
One- or two-story main body with a 3 in 12 roof pitch, and a one-story projecting wing with a gable which faces the street. Inset loggias are encouraged.

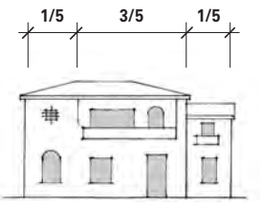
C TWO-STORY FRONT GABLE L
One- or two-story main body with a 3 in 12 roof pitch, and a two-story projecting wing with a gable which faces the street. The width of the street-facing bay is typically two-fifths that of the main body. Inset patios or loggias are encouraged.

Note: In general, main roof pitches are 4 to 5 in 12 and secondary roof pitches are 3 to 5 in 12.

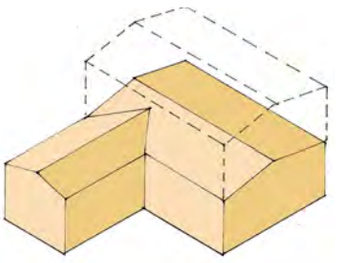
A TWO-STORY SIDE GABLE

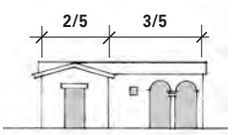


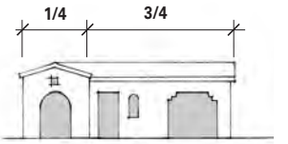




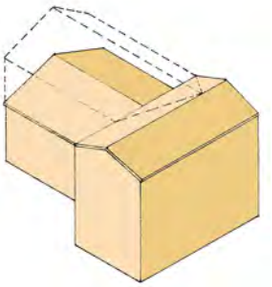
B ONE-STORY FRONT GABLE L

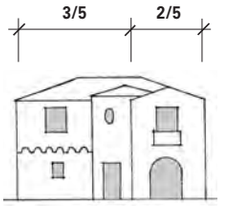


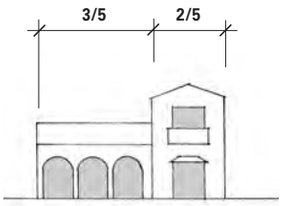


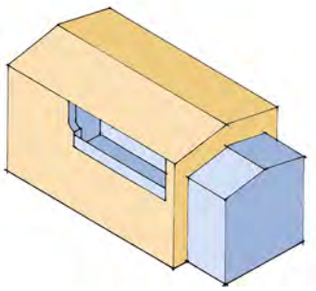


C TWO-STORY FRONT GABLE L

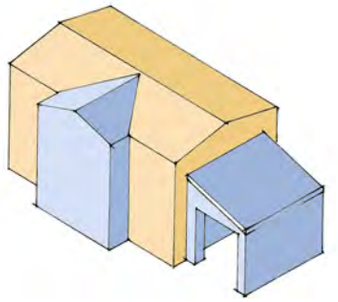






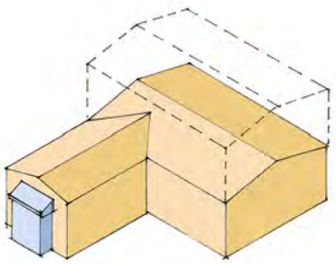


A1 Two-story side gable with inset porch and attached side wing

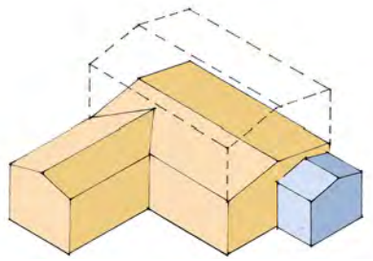


A2 Two-story side gable with attached side garage and two-story central bay



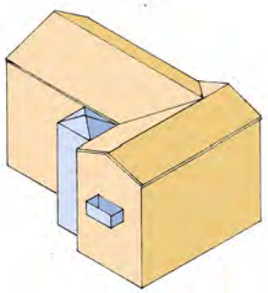


B1 One-story front gable L with side wing attached off-center

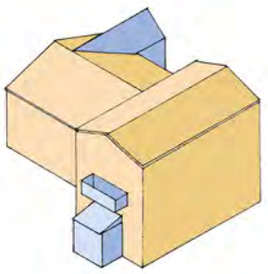


B2 One-story front gable L with protruding entry piece





C1 Two-story front gable L with street-facing balcony and a tower at the intersection of the L



C2 Two-story front gable L with street-facing window and balcony, and additional rear wing



POSSIBILITIES

PRECEDENTS

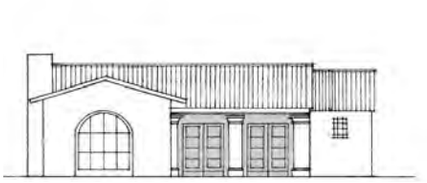
TWO-STORY SIDE GABLE







ONE-STORY FRONT GABLE L







TWO-STORY FRONT GABLE L







MATERIALS

SIDING/CLADDING

» Stucco with handmade/formed appearance; skip-trowel not allowed

ROOFING

» Terra cotta barrel tile

» Multiple stacked tile at eaves

WINDOWS

» Energy-efficient wood, PVC clad, aluminum-clad, or aluminum

» True divided light appearance (¾-inch horizontal exterior muntins)

» Grilles shall be solid stock or wrought iron

COLUMNS AND ARCHES

» Stucco (square, rectangular, or round), or round cast stone/concrete

EXTERIOR STAIRS

» Terra cotta pavers for treads with stucco or decorative tile

» Risers, sloped or stepped stucco walls as guard-railing. Solid-stock metal rails with a wrought iron appearance are also permitted.

BALCONIES

» Metal with a wrought iron appearance or stucco with metal railings

EAVES

» V-groove sheathing with wood appearance

» Open eaves with wood appearance for rafter tails and soffit

» Stucco molded eaves are permitted.

EXTERIOR CEILINGS

» Plank and beam

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Flat paneled

» Plank

» Wrought iron hinges, shutter dogs encouraged

CHIMNEYS

» Stucco with handmade/formed appearance

FRONT YARD FENCES

» Prefinished metal, or masonry

REAR YARD FENCES

» Painted wood, prefinished metal, or masonry

COLORS

Colors to be selected from the approved Ellis Color Palette. The Ellis Color Palette includes a minimum of three colors for each house: main body, trim, and accent.

PHOTOVOLATIC PANEL GUIDELINES

Photovolatics may be used in the community. Multiple application techniques are possible:

A ROOF MOUNT

Photovolatics are mounted a few inches above the roof structure, during the initial installation of the roof. Choices about where to site panels are based on building orientation, surface pitch.

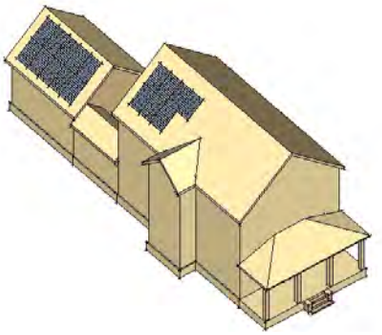
B BUILDING INTEGRATED PV ARRAY (BIPV)

Applications of photovolatic panels may be integral to the building system. Roof materials with PV cells can replace traditional roofing materials, as long as they are stylistically appropriate.

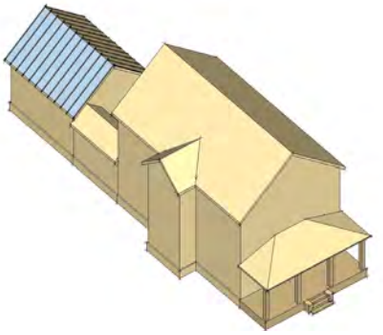
C SHADE STRUCTURE

Photovolatic panels may be applied to roof shade structures on private lots or in public parks and spaces. The application may be either mounted or integral.

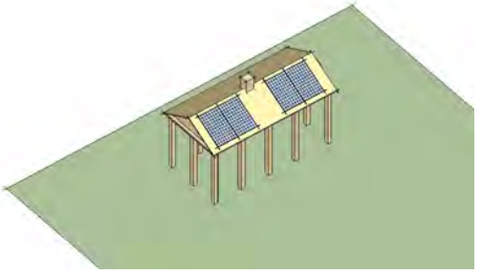
A ROOF MOUNT



B BUILDING INTEGRATED PV ARRAY (BIPV)



C SHADE STRUCTURE



	Flat	4:12	7:12	12:12	21:12	Vertical
South						
SSE, SSW						
SE, SW						
ESE, WSW						
East/West						

The graph to the right shows the optimal building orientation and photovolatic panel pitch to maximize electrical energy generation





DESIGN CONSIDERATIONS

» Place panels on southern-most facing roof surfaces whenever possible for optimal efficiency. Pitch of roof determines optimal solar capture (see chart on page 2|40).





DESIGN CONSIDERATIONS

» Material replacement can include standing seam metal, masonry tiles, and shingles

» Color and material should be follow guidelines for each style



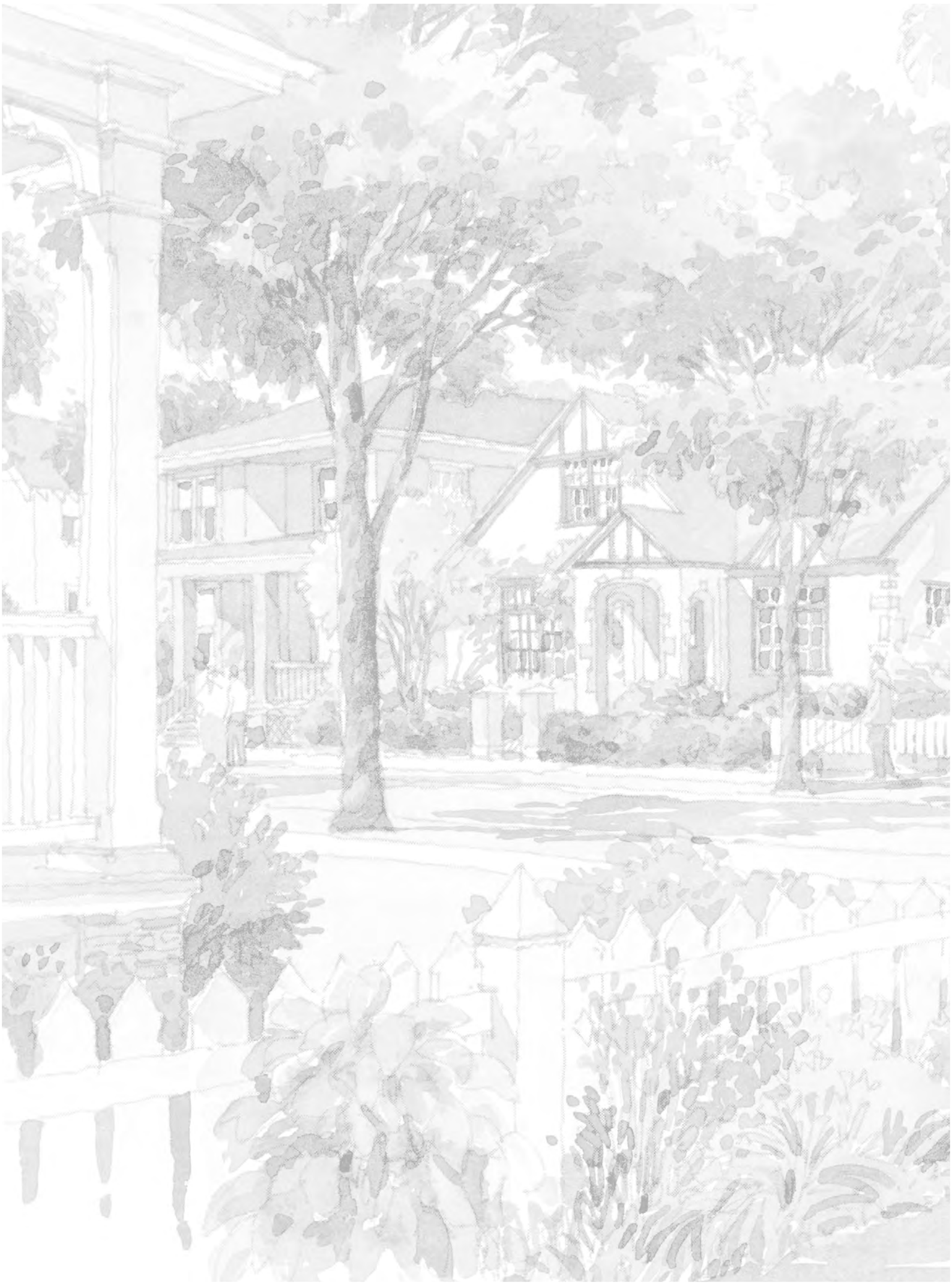


DESIGN CONSIDERATIONS

» Wiring underneath panels must be carefully concealed

» Vines and plantings must be trimmed and kept separate from wiring

» May include shading devices over rear or side porches



AVENUES

AVENUES

TRACY, CALIFORNIA

AVENUES
ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGN PROGRAM

APPENDIX B2

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EXECUTIVE SUMMARY VII

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SIGN LOCATION PLAN – SIGN TYPE J 12
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SIGN TYPES G AND H 16
PARK CHARACTER ELEMENTS AND SIGNS 17

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ENTRY AT VALPICO 22
CHARACTER ELEMENT WITH LOGO 23
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SIGN TYPES B AND D 25
SIGN TYPE O 26

EXECUTIVE SUMMARY | AVENUES

EXECUTIVE SUMMARY

AVENUES SIGN PROGRAM IS A DESIGN GUIDELINE FOR THE AVENUES.

PUBLIC PROPERTY SIGNS INCLUDE SIGNS IN THE PUBLIC RIGHT-OF-WAY, IN PUBLIC PARKS, AND ON PUBLIC PROPERTY, SUCH AS SPECIAL LANDSCAPE FEATURES.

PRIVATE PROPERTY SIGNS INCLUDE SIGNS ON PRIVATE PROPERTY.

ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS IN THE AVENUES NEIGHBORHOOD PLAN AREA SHALL BE REGULATED BY TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE, EXCEPT AS SPECIFIED IN SECTIONS 3.1.4 AND 3.2.8.2 OF THE ELLIS SPECIFIC PLAN AND THIS APPENDIX B2: ADDITIONAL LANDSCAPE FEATURES/ CHARACTER ELEMENTS AND SIGN PROGRAM. THE DESIGN OF ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS SHALL BE PERMITTED AS SHOWN IN THE ELLIS SPECIFIC PLAN AND THIS APPENDIX B2. THE APPROVAL PROCESS SHALL INCLUDE ONLY A BUILDING PERMIT, AND A SIGN PERMIT PROCESSED IN ACCORDANCE WITH TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE. FOR PURPOSES OF INDEMNIFYING THE CITY, ALL TEMPORARY SIGNAGE AND BANNERS TO BE LOCATED WITHIN STREET RIGHT-OF-WAYS, AS APPROVED IN THE ESP, WILL REQUIRE ONE ALL-INCLUSIVE ENCROACHMENT PERMIT.

ALL SIGN MATERIALS AND COLORS TO BE SELECTED BY THE DEVELOPER EPOA TO SELECT MATERIALS AND COLORS AS SIGNS ARE REPLACED.

SECTION 1: PUBLIC PROPERTY SIGNS



SIGN LOCATION PLAN

OVERALL



G SIGN TYPE G – ENTRY PORTAL

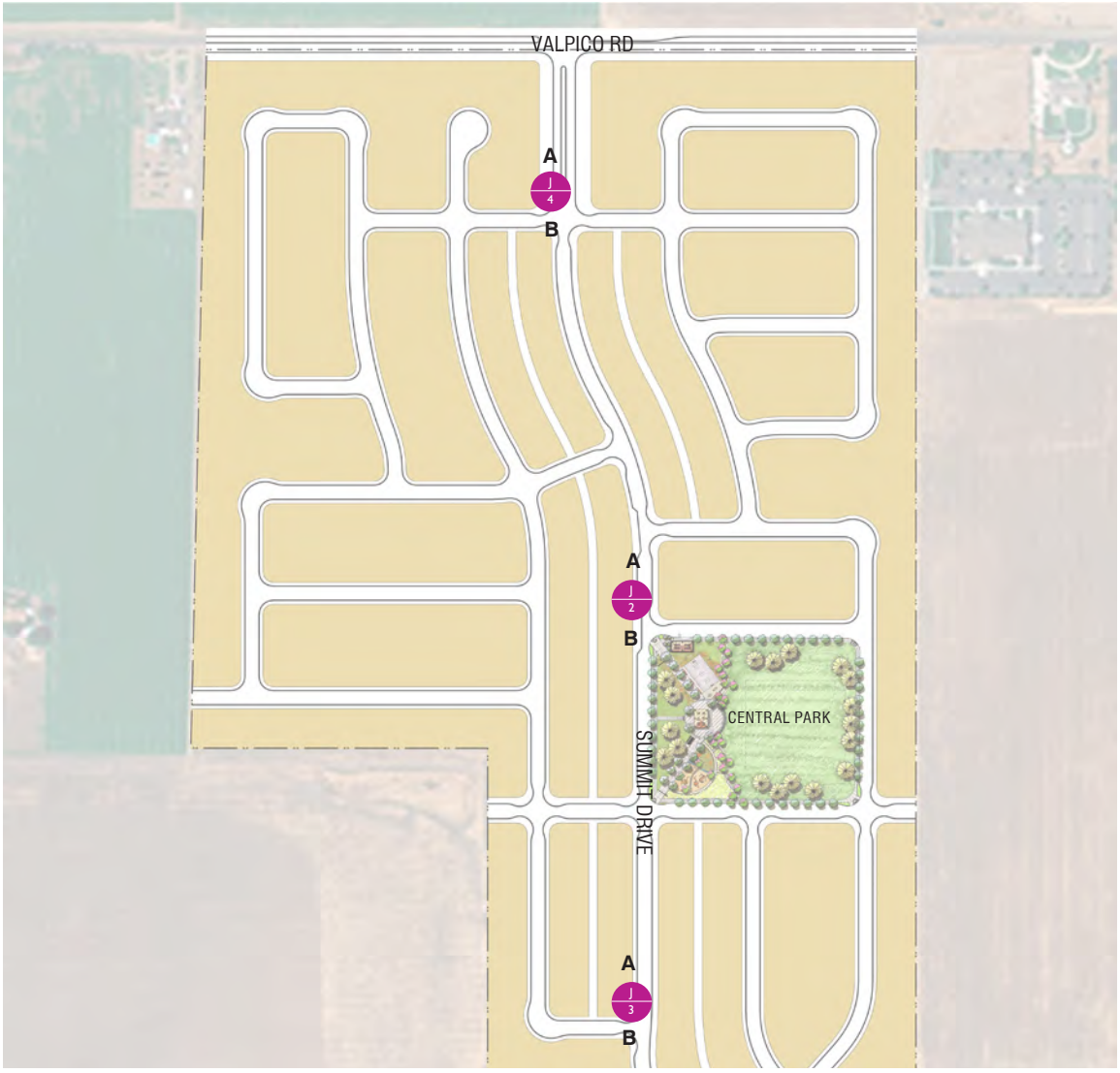
H SIGN TYPE H – SIGN WALL

MS MAILBOX SHADE STRUCTURE

PR PARKING REGULATORY, LOCATIONS TBD

SIGN LOCATION PLAN

J SIGN TYPE J



SIGN TYPE J MESSAGE SCHEDULE

J 4

SIDE A
^CENTRAL PARK | ^AQUATIC PARK
^VILLAGE CENTER | ^ DOG PARK

SIDE B
^ VALPICO ROAD

J 3

SIDE A
^VILLAGE CENTER | ^AQUATIC PARK
^WESTERN PARK | ^ DOG PARK

SIDE B
^ CENTRAL PARK
^ VALPICO ROAD

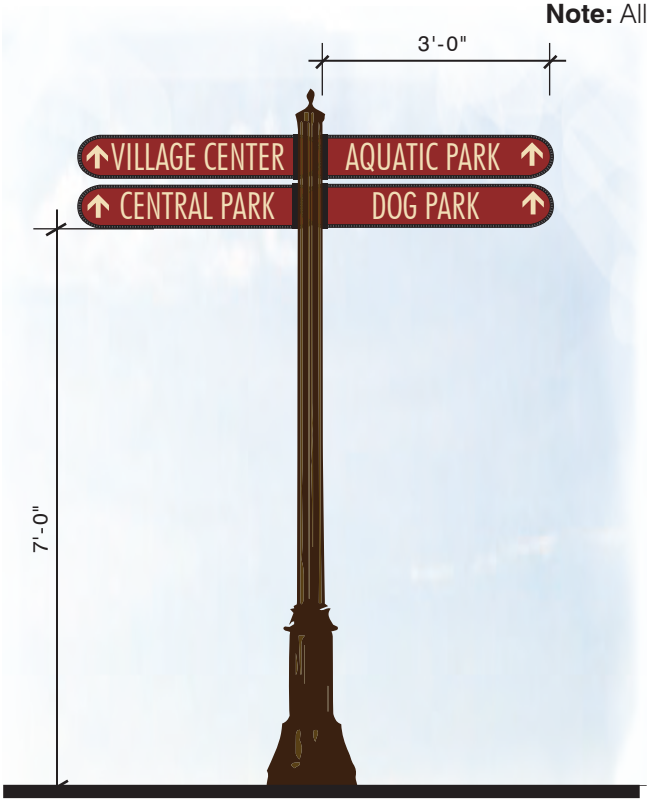
J 2

SIDE A
< CENTRAL PARK | ^AQUATIC PARK
^VILLAGE CENTER | ^ DOG PARK

SIDE B
^ VALPICO ROAD

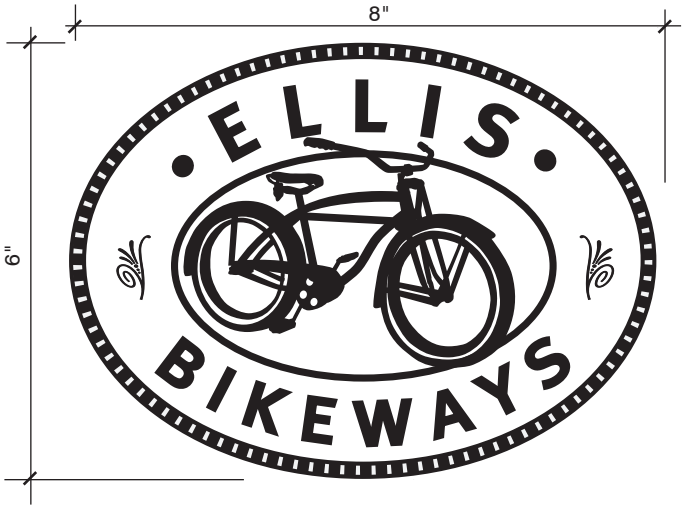
SIGN TYPES J, K, AND Q

Note: All dimensions are approximate



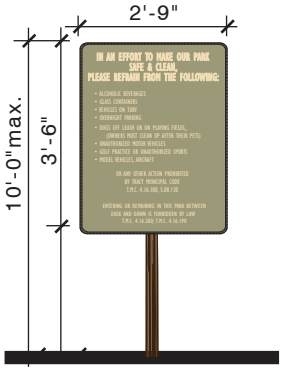
J SIGN TYPE J

SIGN STANDARDS
Height: 9-10 feet
Individual blade area: 2 square feet, up to 3 per side
Lighting: Non-illuminated
Location: Public right-of-way (See Sign Location Plan: Sign Type J)



SIGN TYPE K

Location: Embedded in concrete of multi-use path, near crossings
Material: Metal

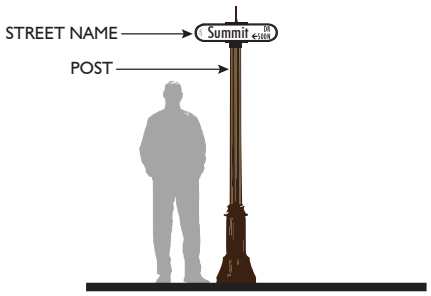


Q SIGN TYPE Q

SIGN STANDARDS
Maximum height: 10 feet
Maximum sign area: 10 square feet
Lighting : Non-illuminated
Location: Public right-of-way, special landscape features and parks. Locations TBD. No maxiumum number.

STREET NAME SIGN & REGULATORY SIGNS

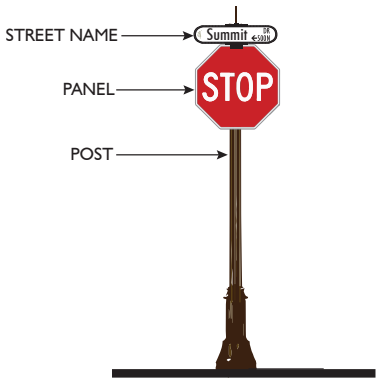
Note: All dimensions are approximate



1. Post: 3900 RICHMOND, 4" OD shaft, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05)

3. Street Name Panel is .125 aluminum
Vendor: Sherine Industries
Background shall be reflective
Custom artwork
Color: White
Font: Gill Sans MT Condensed
Letters: Black



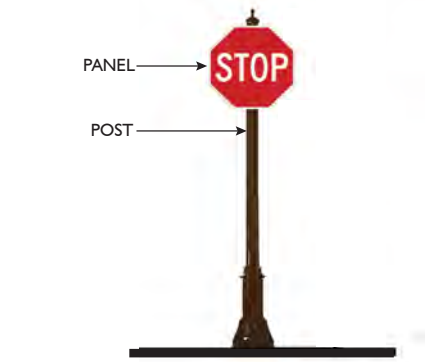
1. Post: 3900 RICHMOND, 4" OD Shaf, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05)
All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Street Name Panel: .125 aluminum
Vendor: Sherine Industries
Background panel shall be reflective
Custom artwork
Color: White
Letters: Black

4. Panel: 30" min. stop sign by Hawkins Traffic. Panels to be consistent with MUTCD codes

5. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

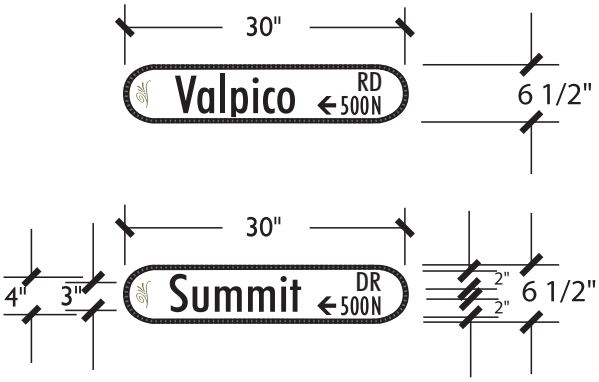


1. Post: 3900 RICHMOND, 4" OD Shaft, fluted, with BCC Ball Center Cap, dark bronze

2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Panel: 30" min. stop sign by Hawkins Traffic Panels to be consistent with MUTCD codes

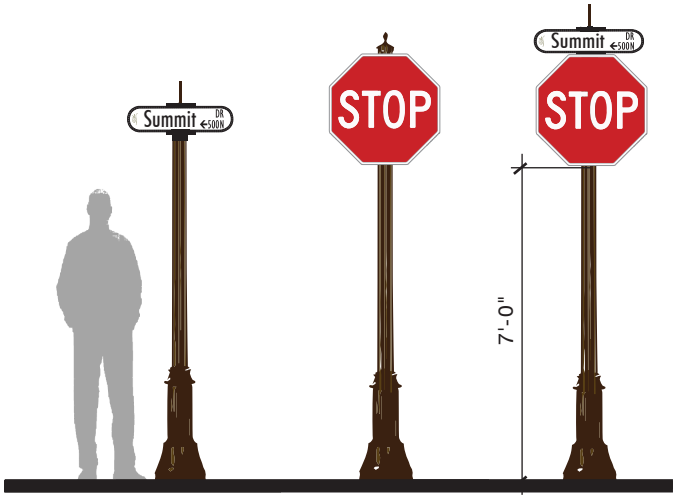
4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

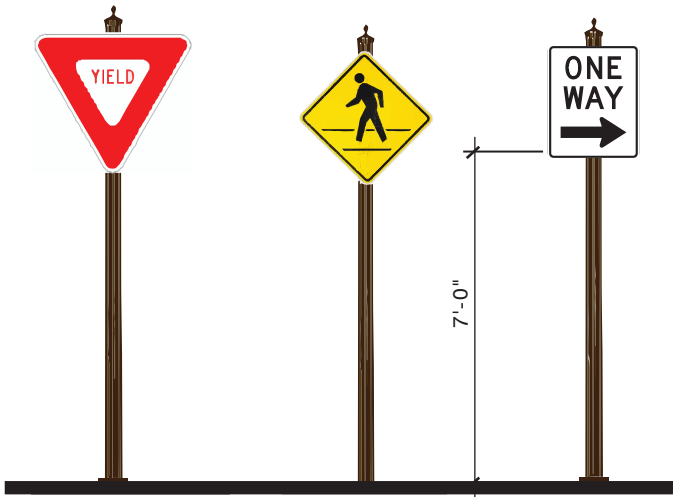


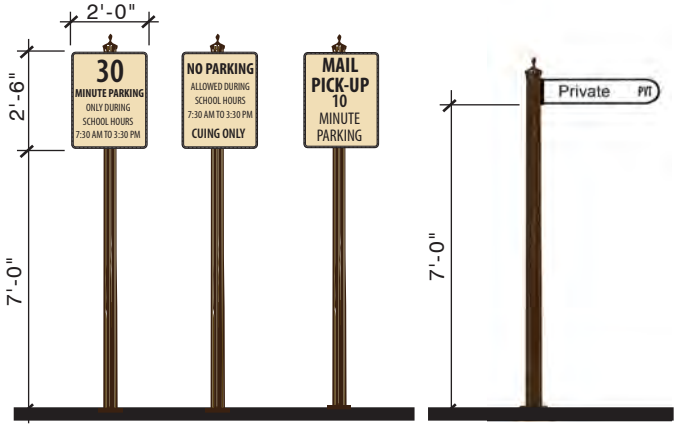
SIGN PANEL SPECIFICATIONS

STREET NAME SIGN & REGULATORY SIGNS

Note: All dimensions are approximate

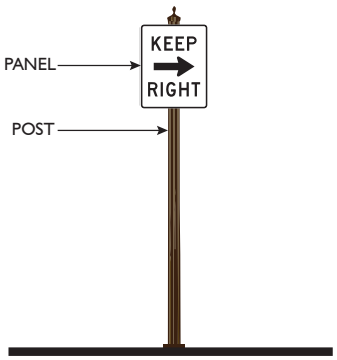






PR PARKING REGULATORY

PS PRIVATE STREET SIGN



REGULATORY SIGNAGE MAY INCLUDE:

- YIELD
- SPEED LIMIT
- KEEP RIGHT
- DO NOT ENTER
- ONE WAY SIGN
- ROUNDABOUT DIRECTIONAL, 2 CHEVRONS
- NO PARKING ANYTIME
- TURN
- YIELD AHEAD
- MERGE & LANE TRANSITION
- LANE ENDS
- THRU TRAFFIC MERGE LEFT
- PEDESTRIAN CROSSING
- CROSSWALK RIGHT/LEFT ARROW

1. Post: 450 LEXINGTON 4" OD shaft, fluted, with BCC Ball Center Cap, dark bronze

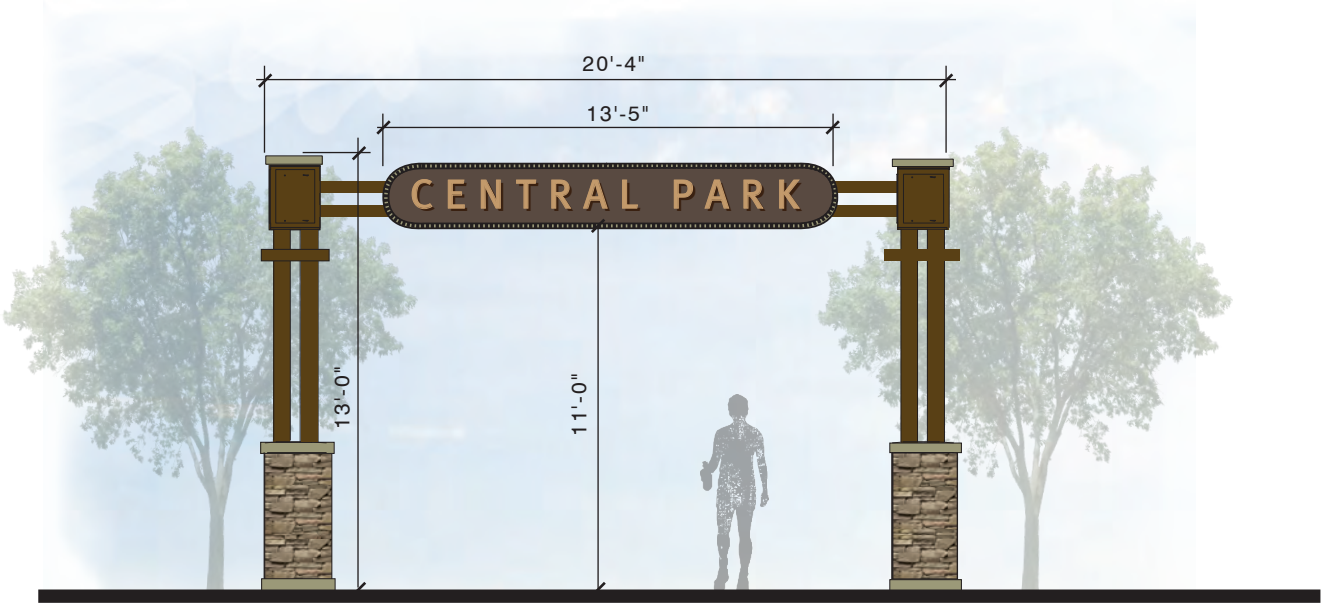
2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Panel: by Hawkins Traffic
Panels to be consistent with MUTCD codes

4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

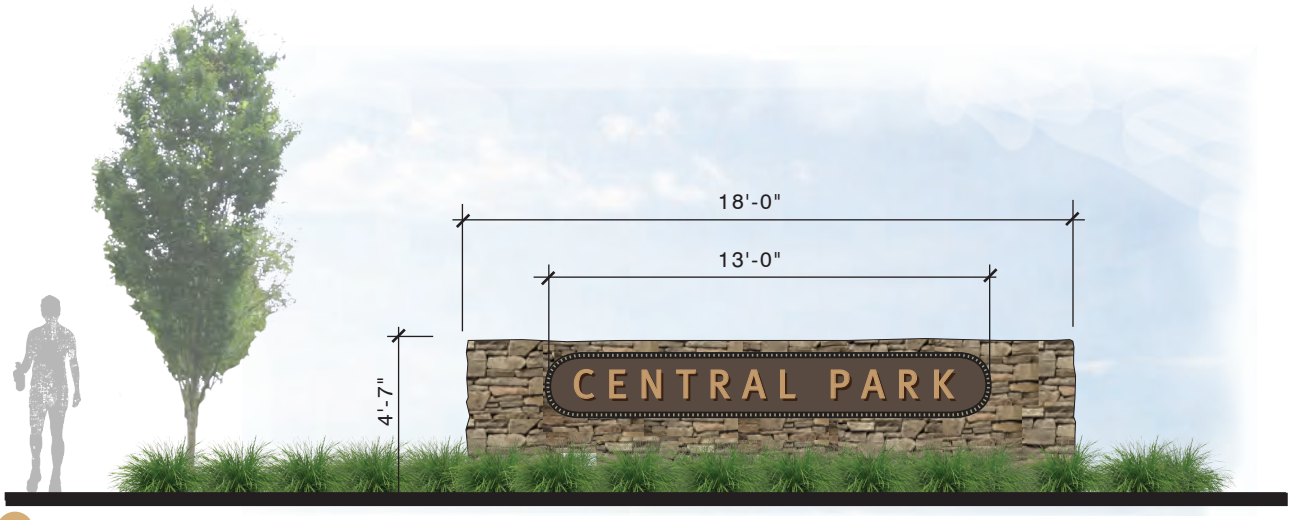
SIGN TYPES G AND H

Notes: 1. All dimensions are approximate
2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



G ENTRY PORTAL – SIGN TYPE G

SIGN STANDARDS
Maximum structure height: 14 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)



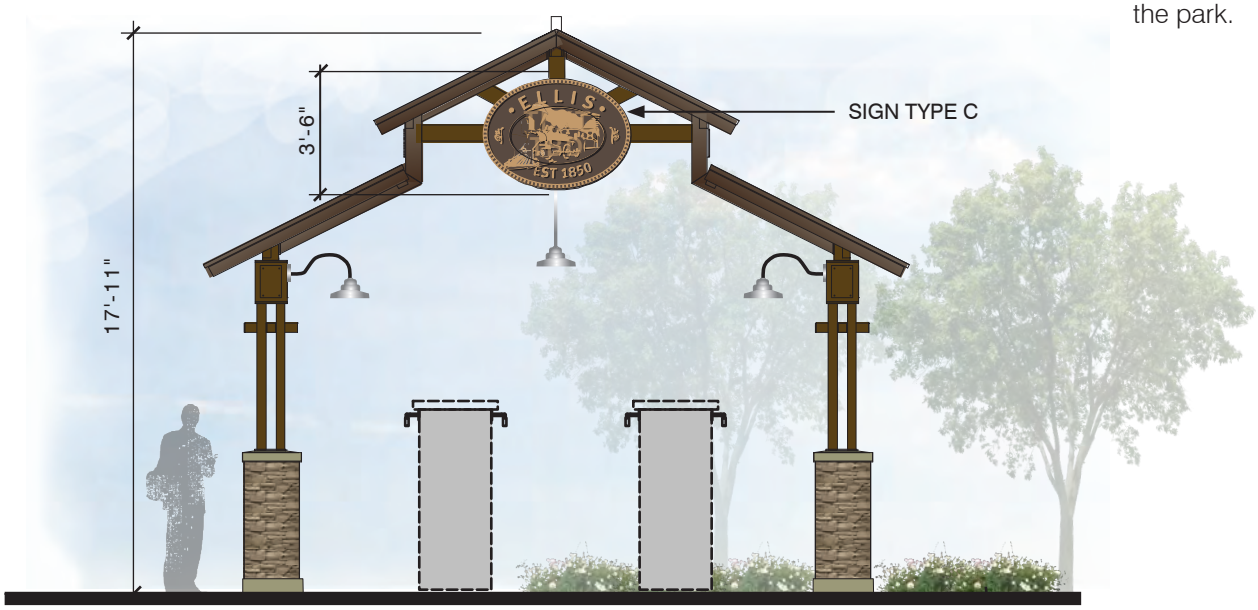
H WALL SIGN – SIGN TYPE H

Maximum structure height: 5 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)

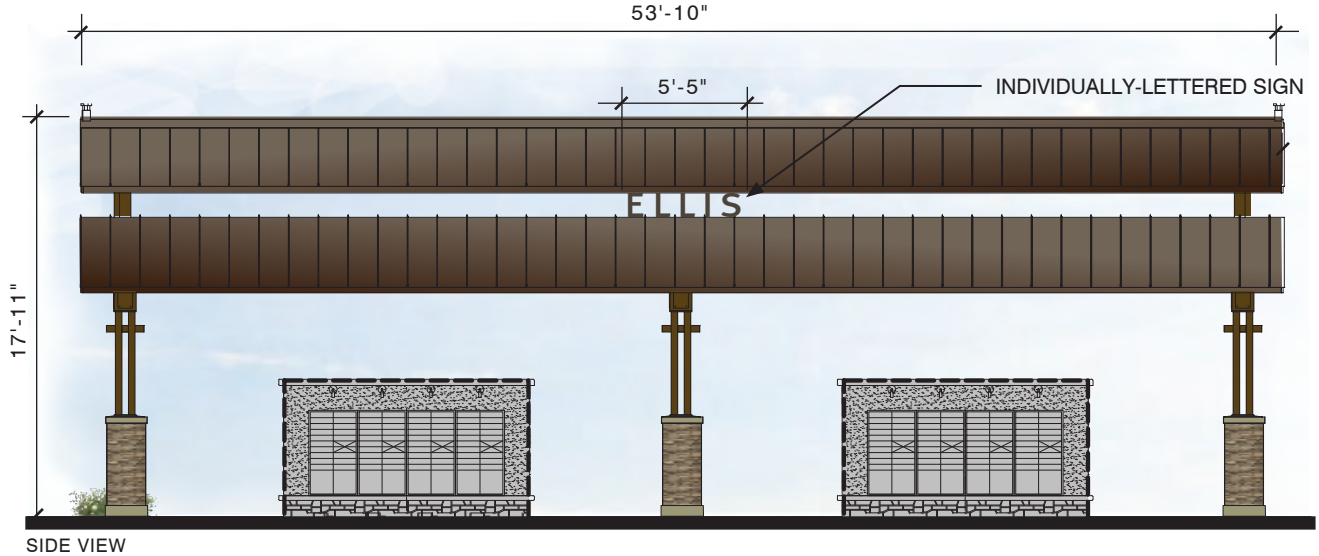
PARK CHARACTER ELEMENTS AND SIGNS

MAILBOX STRUCTURE MS

Note: 1. All dimensions are approximate
2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



FRONT VIEW



SIDE VIEW

Note: Mailbox structures are typically located in special landscape features, not parks.

SIGN STANDARDS
Maximum mailbox structure height: 20 feet
Maximum Sign Type C area: 20 square feet (each end of structure) for the Mailbox Structure
Maximum individually-lettered sign area: 10 square feet (both sides)
Lighting: Externally illuminated
Location: Proximate to parks (see Sign Location Plan: Overall)

SECTION 2: PRIVATE PROPERTY SIGNS

AVENUES

SIGN LOCATION PLAN

OVERALL



ES VALPICO ENTRY STRUCTURE

EP VALPICO ENTRY PORTAL

O SIGN TYPE O – FLAG SIGNS, LOCATIONS TBD

A SIGN TYPE A – TEMPORARY DEVELOPER SIGN

ENTRY AT VALPICO

EP VALPICO ENTRY PORTAL

Note: All dimensions are approximate



ELEVATION



VIEW LOOKING SOUTH FROM VALPICO ROAD

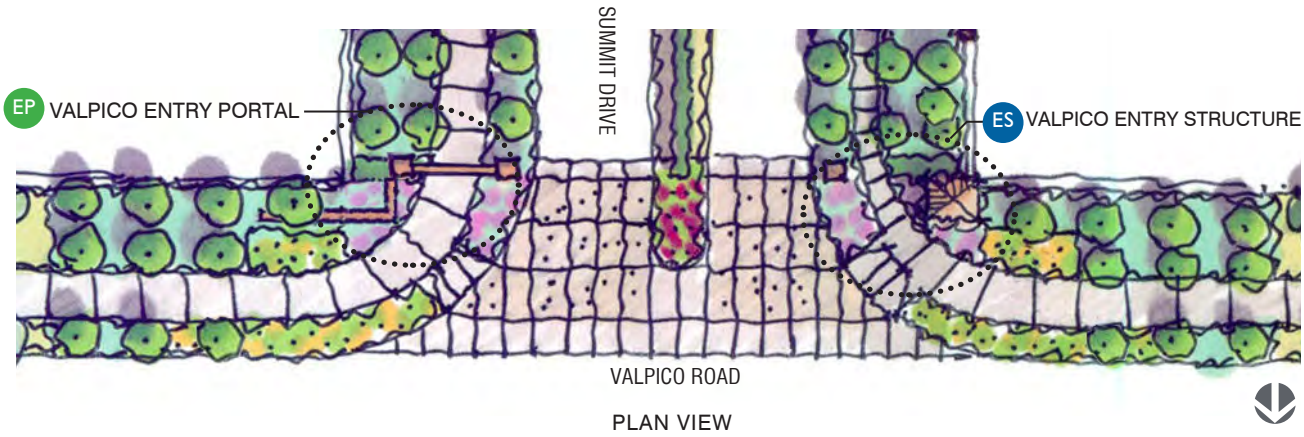
SIGN STANDARDS

Maximum structure height: 15 feet
Lighting: Non-illuminated
Location: Special landscape feature (see Sign Location Plan: Overall)

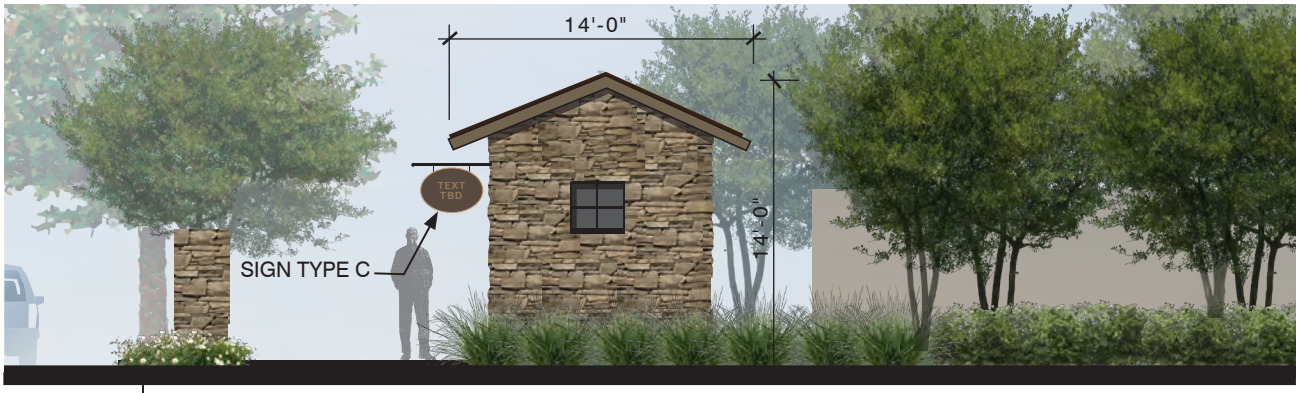
CHARACTER ELEMENT WITH LOGO

VALPICO ENTRY STRUCTURE ES

Note: All dimensions are approximate

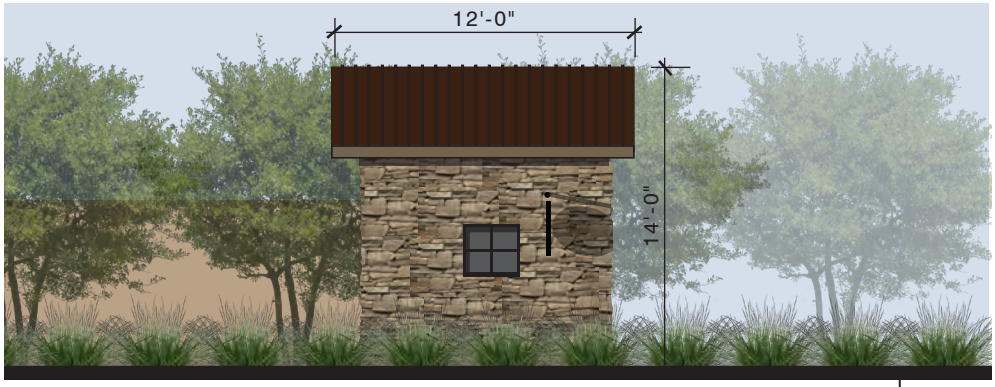


PLAN VIEW



PUBLIC ROW ← | → SPECIAL LANDSCAPE FEATURE

VIEW LOOKING SOUTH FROM VALPICO ROAD
Opposite side shall be substantially the same in design



VIEW LOOKING WEST FROM SUMMIT DRIVE
Opposite side shall be substantially the same in design

SPECIAL LANDSCAPE FEATURE ← | → PUBLIC ROW

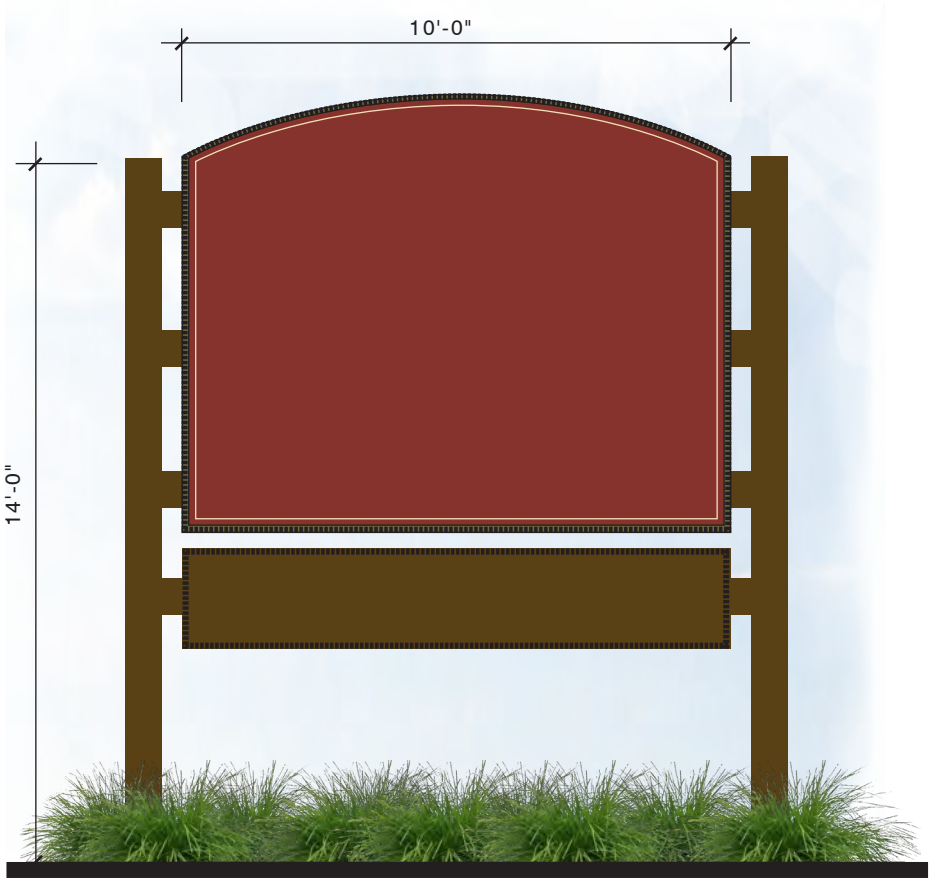
SIGN STANDARDS

Maximum character element height: 15 feet
Maximum Sign Type C area: 10 square feet (both sides)
Lighting of logo panel: Externally illuminated
Location: Special landscape feature (see Sign Location Plan: Overall)

SIGN TYPE A

A TEMPORARY DEVELOPER SIGN

Note: 1. All dimensions are approximate
2. Sign Type A is a temporary sign.



SIGN TYPE A EXAMPLE

SIGN STANDARDS

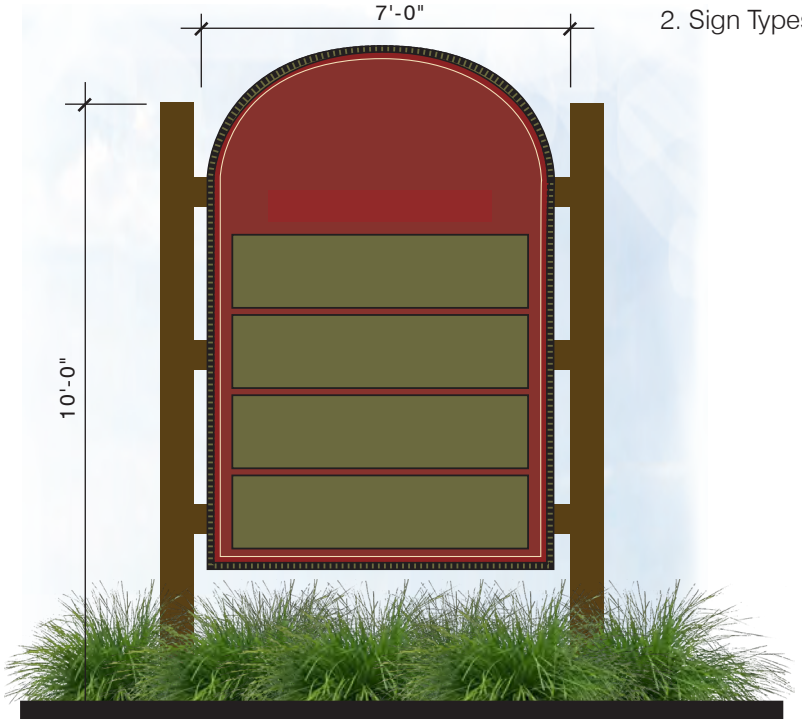
Maximum height: 15 feet
Maximum sign area: 100 square feet (each side)
Maximum number of signs permitted: 2 on each arterial or collector
Lighting: Non-illuminated or externally illuminated
Locations: Special landscape features and private property

Note: Signs shall be removed after completion of sales

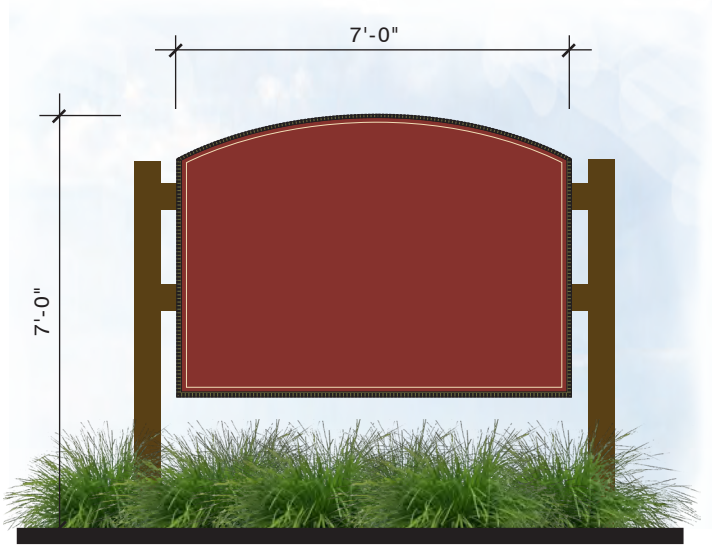
SIGN TYPES B AND D

TEMPORARY DEVELOPER SIGN

Note: 1. All dimensions are approximate
2. Sign Types B and D are temporary signs



SIGN TYPE B EXAMPLE



SIGN TYPE D EXAMPLE

SIGN STANDARDS

Maximum height: 10 feet
Maximum sign area: 50 square feet (each side)
Maximum number of signs permitted: 12
Lighting: Non-illuminated or externally illuminated
Locations: Public right-of-way, special landscape features and private property TBD

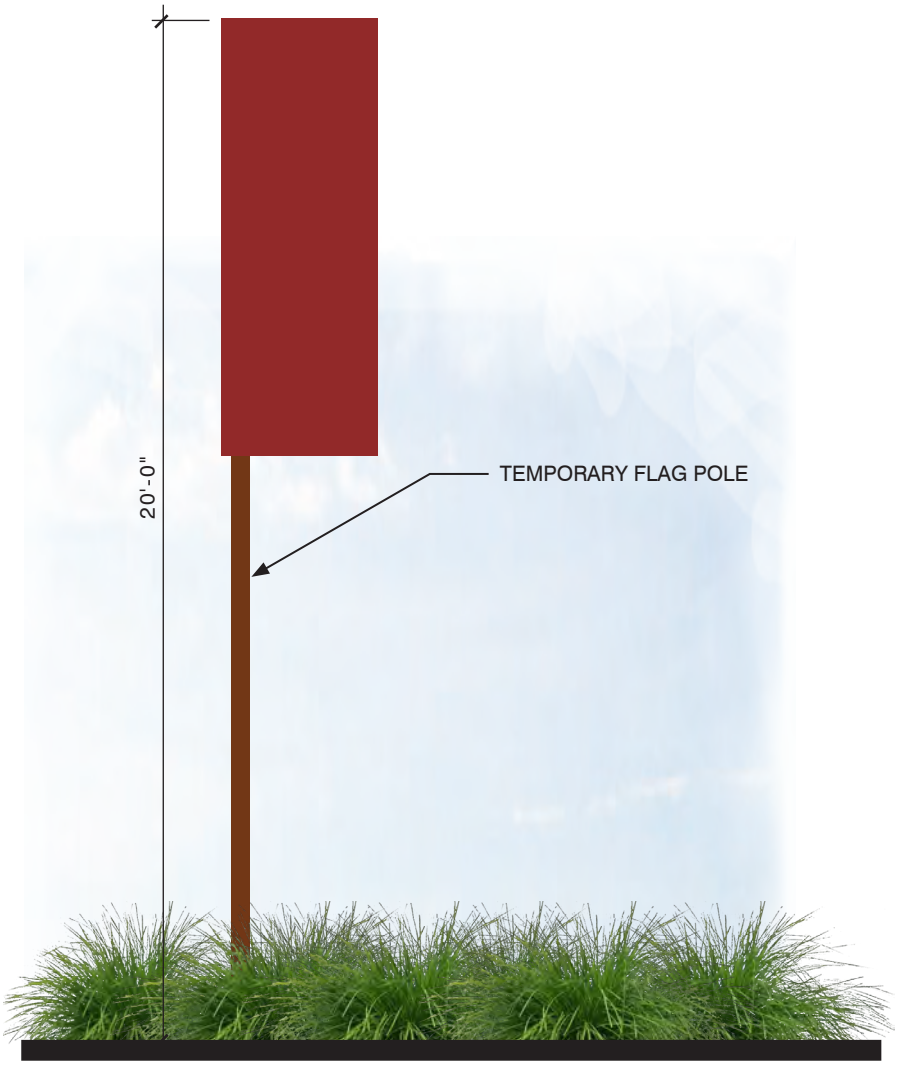
Note: Signs shall be removed after completion of sales

SIGN TYPE O

O FLAG SIGN

Note: 1. All dimensions are approximate

2. Sign Type O is a temporary sign.



SIGN STANDARDS

Maximum height: 20 feet
Maximum sign area: 25 square feet (each side)
Lighting: Non-illuminated
Locations: Up to 10 Sign Type O signs on temporary poles are permitted at each arterial or collector entrance and at each model home complex in public right-of-way, special landscape features, and on private property.

Note: Signs shall be removed after completion of sales

May 4, 2021

AGENDA ITEM 1.D

REQUEST

WAIVE SECOND READING AND ADOPT ORDINANCE 1306, AN ORDINANCE OF THE CITY OF TRACY REPEALING THE AVENUES SPECIFIC PLAN AND THE TRACY MUNICIPAL CODE AVENUES SPECIFIC PLAN ZONE, CHAPTER 10.08, ARTICLE 22.8, AND REPEALING ORDINANCE 1262 – APPLICATION NUMBERS SPA20-0007 AND ZA20-0004

EXECUTIVE SUMMARY

Ordinance 1306 was introduced at the regular Council meeting held on April 20, 2021. Ordinance 1306 is before Council for adoption.

DISCUSSION

The Avenues Specific Plan (ASP) was approved by the City Council on September 18, 2018. It contains approximately 95 acres and provides for a range of between 380 and 480 residential dwellings, park space, and no commercial development. No subdivision map has yet been approved and no construction has begun on the ASP site.

The Tracy Municipal Code Zoning Ordinance identifies the Ellis Specific Plan (ESP) as zoning for the ESP area (TMC Chapter 10.08, Article 22.7) and the ASP as zoning for the ASP area (TMC Chapter 10.08, Article 22.8). As the developer of the ESP and ASP, the Surland Companies (Surland) has submitted an application to incorporate the ASP property into the ESP and make other, various amendments to the ESP, such that the amended ESP would become the governing specific plan for both the ASP area and the ESP area. This proposal would dissolve the existing Avenues Specific Plan and incorporate the ASP area into the Ellis Specific Plan.

Surland requested the ASP property be incorporated into the ESP because the two specific plans currently share a common boundary; reflect common designs; contain similar development and construction standards (such as sidewalk design and street width), amenities (such as parks), and architectural design guidelines. The Specific Plan Amendment, described above, will result in the ASP property being fully incorporated within the amended ESP, and the ASP Zone will no longer be required or used. The proposal will repeal the ASP Zone and will repeal Ordinance 1262, which adopted the ASP and the ASP Zone.

STRATEGIC PLAN

This agenda item is a routine development application and does not relate to the City Council's strategic plans.

FISCAL IMPACT

City resources to review and process this development application were offset by a Cost Recovery Agreement with the applicant approved on February 1, 2012.

RECOMMENDATION

That the City Council waive reading of the full text and adopt Ordinance 1306 repealing the Avenues Specific Plan, and the Tracy Municipal Code Avenues Specific Plan Zone, Chapter 10.08, Article 22.8, and repealing Ordinance 1262 - Application Numbers SPA20-0007 and ZA20-0004.

Prepared by: Necy Lopez, Deputy City Clerk

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

Attachment A: Ordinance 1306

ATTACHMENT A

ORDINANCE 1306

REPEALING THE AVENUES SPECIFIC PLAN AND THE TRACY MUNICIPAL CODE AVENUES SPECIFIC PLAN ZONE, CHAPTER 10.08, ARTICLE 22.8, AND REPEALING ORDINANCE 1262 – APPLICATION NUMBERS SPA20-0007 AND ZA20-0004

WHEREAS, On January 22, 2013, the City Council approved the Ellis Specific Plan (ESP) and related General Plan amendment for the approximately 321-acre Specific Plan site (Resolution No. 2013-012), and

WHEREAS, On September 18, 2018, the City Council adopted the Avenues Specific Plan and the Avenues Specific Plan Zone, Ordinance 1262, and

WHEREAS, The Tracy Municipal Code Zoning Ordinance identifies the ESP as zoning for the ESP area (TMC Chapter 10.08, Article 22.7) and the ASP as zoning for the ASP area (TMC Chapter 10.08, Article 22.8), and

WHEREAS, The developer of the ESP and ASP, The Surland Companies (Surland), has submitted an application to incorporate the ASP property into the ESP and make other, various amendments to the ESP, such that the amended ESP would become the governing specific plan for both the ASP area and the ESP area, and the ASP would have no further force and effect, and

WHEREAS, Surland requested the ASP property be incorporated into the ESP because the two specific plans currently share a common boundary; reflect common designs; contain similar development and construction standards (such as sidewalk design and street width), amenities (such as parks), and architectural design guidelines, and

WHEREAS, As the ASP property will be fully incorporated within the amended ESP, the ASP Zone will no longer be required or used, and

WHEREAS, The Planning Commission conducted a public hearing to review the requested action on February 24, 2021, and

WHEREAS, The City Council conducted a public hearing to review the requested action on April 20, 2021;

NOW, THEREFORE, The City Council of the City of Tracy does ordain as follows:

SECTION 1: The City Council repeals Tracy Municipal Code Chapter 10.08, Article 22.8 Avenues Specific Plan Zone (ASP), including TMC Section 10.08.3026:

SECTION 2: The City Council repeals Ordinance 1262, effective upon City Council approval of the recommended ESP amendments (of Application SPA20-0007), General Plan amendments (Application Number GPA20-0003), and zoning text amendments (of Application Number ZA20-0004).

SECTION 3: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 4: This Ordinance shall be published once in a newspaper of general circulation within 15 days from and after its final passage and adoption.

* * * * * * * * * * * * * * *

The foregoing Ordinance 1306 was introduced at a regular meeting of the Tracy City Council on the 20th day of April 2021, and finally adopted on the ___ day of _____, 20__, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____

CITY CLERK

May 4, 2021

AGENDA ITEM 1.E

REQUEST

AMEND COUNCIL MEETING PROTOCOLS AND RULES OF PROCEDURE TO ESTABLISH A FIVE MINUTE TIME LIMIT FOR COUNCIL DISCUSSION AND DEBATE, PROVIDE CITY BOARDS AND COMMISSIONS FLEXIBILITY ON THE USE OF PARLIMENTARY PROCEDURES, AND REQUIRE THAT ALL COUNCIL MEETING AGENDAS INCLUDE A "COUNCIL ITEMS AND COMMENTS" SECTION

EXECUTIVE SUMMARY

On November 5, 2019, the City Council adopted Council Meeting Protocols and Rules of Procedures ("Council Protocols") via Resolution No. 2019-240. On June 16, 2020, City Council amended the Council Protocols via Resolution 2020-112 to require agendas for special meetings to include a "Council Items and Comments" section.

On April 6, 2021, Council discussed potential amendments to the Council Protocols. Council provided direction to staff to draft language to establish a five-minute time limit per Council Member during Council discussion and debate, require that agendas for all Council meetings include a "Council Items and Comments" section, and provide City Boards and Commissions the flexibility to use their current meeting protocols instead of Rosenberg's Rules of Order.

This item requests that Council amend the Council Protocols to reflect Council's recent direction.

DISCUSSION

Government Code section 36813 authorizes legislative bodies to establish rules for the conduct of their proceedings. These rules must comport with the Ralph M. Brown Act ("Brown Act"; Government Code sections 54950 et seq.) which applies to all meetings of "legislative bodies" within California, including the Tracy City Council and advisory boards and commissions.

On November 5, 2019, the City Council adopted Council Meeting Protocols and Rules of Procedures ("Council Protocols") via Resolution No. 2019-240. On June 16, 2020, Council amended the Council Protocols via Resolution No. 2020-112 (Attachment A).

On April 6, 2021, Council discussed potential amendments to the Council Protocols. Council consensus was to amend the Council Protocols to establish a five-minute time limit per Council Member during Council discussion, require that agendas for all Council special meetings include a "Council Items and Comments" section, and provide City Boards and Commissions the flexibility to use their current meeting protocols instead of Rosenberg's Rules of Order.

Section 5.15 of the Council Protocols establishes Rosenberg's Rules of Order as Council's parliamentary procedures. Rosenberg's Rules allow a governing body to establish a time limit for discussion and debate of a motion by approving a "Motion to

Limit Debate." Here, Council desires to establish a five-minute time limit per Council Member during Council discussion and debate. In the event Council wishes to extend the five-minute time limit, a supermajority (4/5th) vote in favor of suspending the Council Protocols would be required. The City Clerk will be responsible for monitoring the time limit and informing Council if they have exceed their five-minute allotment.

On April 6, 2021, Council also supported allowing City Boards and Commissions flexibility in the use of parliamentary procedures. The proposed language below clarifies that City Boards and Commissions may use Rosenberg's Rules or other informal meeting protocols.

Section 5.15 is proposed to be amended to read as follows (new text is *italicized*):

> Section. 5.15. Parliamentary Procedures. Council meetings shall be conducted in accordance with the Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century unless otherwise specified herein. (Appendix A - Rosenberg's Rules of Order, Revised 2011, as may be amended). *City Boards and Commissions may use Rosenberg's Rules of Order or any other informal meeting protocols or parliamentary procedures to conduct their meetings.*
>
> *5.15.1 Time Limit for Council Discussion and Debate. Each Council Member shall have a maximum of five minutes to speak during Council discussion and debate of a motion.*

The current language in Section 5.15.1 will be renumbered to a new Section 5.15.2.

Council also directed staff to amend the Council Protocols to strike "*except for workshops*" from Section 5.11.1 in order to require that all agendas for regular and special meetings of the Council include a "Council Items or Comments" portion. The "Council Items or Comments" agenda item affords individual Council members with the opportunity to provide brief reports regarding interagency or other legislative body meetings, trainings, community meetings, and other meetings attended at the City's expense. In addition, this portion of the agenda serves as Council's opportunity to request future Council agenda items in accordance with Sections 4.3.1 and 5.11 of the Council Protocols.

Section 5.11.1 is proposed to be amended to read as follows:

> " Agendas for regular and special meetings~~, except for Workshops as defined by Section 3.3,~~ of the Council shall include a "Council Items and Comments" section."

STRATEGIC PLAN

This item address the Council's Strategic Priority of Governance that encourages the development of good governance policies.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

That the City Council adopt, by resolution, the proposed amendments to the Council Meeting Protocols and Rules of Procedure.

Prepared by: Leticia Ramirez, City Attorney

Reviewed by: Adrianne Richardson, City Clerk
Midori Lichtwardt, Assistant City Manager
Karin Schnaider, Finance Director

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

A –Council Meeting Protocols and Rules of Procedure

COUNCIL MEETING PROTOCOLS AND RULES OF PROCEDURE

Adopted by Resolution No. 2019-240
Revised by Resolution No. 2020-112

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Section 1 –Purpose and Applicability

1. Purpose and Applicability

1.1. The purpose of these Council Meeting Protocols and Rules of Procedures ("Protocols") are to provide clear guidelines to assist the City Council, staff and the public to conduct meetings in an efficient and transparent manner and in accordance with the Ralph M. Brown Act ("Brown Act"; Government Code sections 54950-54963) and all applicable laws.[1] These Protocols are adopted pursuant to Section 36813. In the event of a conflict between the Brown Act and these Protocols, the Brown Act shall control.

1.2. These Protocols shall apply to the City Council, the Successor Agency to the Community Development Agency, the Tracy Public Facilities Corporation, the Tracy Industrial Development Authority, and all City Boards, Commissions, and Committees.

1.3. Suspension of Protocols. Any rule set forth herein may be suspended by a supermajority vote of Council.

1.4. Review and Changes to Protocols. These Protocols shall be reviewed by December 31st of every odd numbered year. A majority vote of the Council shall be necessary to amend these Protocols.

1.5. A copy of these Protocols shall be available for public review at the City Clerk's Office and City's website (www.cityoftracy.org).

[1] All references to statutes are to the California Government Code unless otherwise specified.

Section 2 –Duties (Roles and Responsibilities)

2. Roles and Responsibilities' at Council Meetings

2.1. Mayor. The Mayor is the Presiding Officer of all meetings of the Council. The Presiding Officer is the primary, but not the only, person responsible for ensuring that the Council, staff, and members of the public adhere to these Protocols during Council meetings. (Section 36802). The Chair of a City board or commission shall act as the Presiding Officer.

2.2. Mayor Pro Tem. The Mayor Pro Tem shall serve as the Presiding Officer in the absence of the Mayor. Upon arrival of the Mayor, the Mayor Pro Tem shall immediately relinquish the role of Presiding Officer at the conclusion of the business then before Council. (Section 36802) The Vice Chair of a City board or commission shall act as the Presiding Officer in the absence of the Chair.

2.3. Council. All members of Council shall comply with the Council Code of Conduct at meetings. Newly elected Council members shall be sworn in and seated at the first regular Council meeting after receipt of the certified election results from the County Registrar of Voters.

2.4. Sergeant-at-Arms. The Sergeant-at-arms is the law enforcement official charged with maintaining security during meetings of the Council. The Sergeant-at-arms of the Council shall be a police officer assigned by the Police Chief. There shall be at least one member so assigned and present at each meeting of the Council. The officer shall maintain order and enforce the orders of the Council and Presiding Officer.

2.5. City Manager. Pursuant to the Council-Manager form of government established by Chapter 2.08 of the Tracy Municipal Code, the City Manager sets the Council agenda and once published, may withdraw an item(s). The City Manager may consult with the Mayor regarding the development of the agenda.

2.6. City Clerk. The City Clerk shall attend all meetings of the Council unless excused. The Deputy City Clerk shall attend Council meetings in the City Clerk's absence. The City Clerk shall record, prepare, and maintain the official records of the Council and perform other duties as directed by the City Manager. (Section 36804)

2.6.1. Minutes. The City Clerk's office shall be responsible for the preparation and distribution of the Council minutes. The minutes shall include a public report on any action taken and the vote or abstention on such action of each Council Member present for the action. Unless a reading of the minutes is requested by a Council Member, the minutes may be approved as a Consent Calendar item.

2.6.1.1. No minutes or written record of closed sessions of the City Council shall be kept, except as required by state law or as directed by the majority vote of the City Council. The Council shall report at a public meeting any action taken in closed session, as required by Section 54957.1.

2.6.1.2. The City Clerk shall include a report on posting of the agenda in the minutes.

2.7. City Staff. City staff shall (a) prepare balanced staff reports and provide accompanying documents on all agenda items in accordance with the agenda preparation schedule; (b) be available for questions from Council in accordance with the Brown Act prior to and during meetings; and (c) respond to questions from the public during meetings only when requested to do so by the Council or the City Manager.

2.8. City Attorney. The City Attorney shall attend all meetings of the Council unless excused. The Assistant City Attorney shall attend Council meetings in the City Attorney's absence. The City Attorney shall give opinions upon request from Council, either in writing or verbally, on questions of law. The City Attorney shall advise the Council at meetings on legal issues, including these Protocols.

Section 3 – Meeting Types

3. Council Meeting Types

3.1. Regular Meetings. Regular Council meetings are held on the first and third Tuesdays of the month at 7:00 p.m. at City Hall Council Chambers, 333 Civic Center Plaza, Tracy, California 95376, unless otherwise noticed and as allowed under Section 54954. No meeting shall be held on a holiday as defined by Section 6700. (Section 36805)

3.2. Special Meetings. The City Manager, Mayor, or a majority of the members of Council may call a special meeting. (Section 54956). The City Attorney is also authorized to call a special meeting for the sole purpose of convening a closed session in accordance with the Brown Act. (Section 36807)

3.3. Workshops. The purpose of a workshop is to inform Council of complex issues and provide an opportunity for the Council to review documents and request additional information. However, no final Council action shall be taken during the workshop on workshop items. Workshops are open to the public and are meetings for the purpose of the Brown Act.

3.4. Closed Sessions.

3.4.1. Closed sessions shall be held in accordance with the Brown Act. Non-agendized matters shall not be discussed in closed session. Closed sessions may precede or follow a Council meeting.

3.4.2. All closed session information, verbal or written, is privileged and confidential and shall not be shared with any person not at the closed session. Any member sharing information in violation of this rule may be subject to censure by the Council or other legal remedies as set forth in Section 54963.

3.4.3. The public may speak regarding any closed session item prior to the closed session as required by the Brown Act.

3.4.4. The Presiding Officer shall report out in public session any reportable actions there taken by Council and the vote on such actions in accordance with the Brown Act.

3.5. Teleconferenced Meetings. The City Council may hold a meeting by teleconference, meaning a meeting of the Council in which members are in different locations and connected by electronic means, through either audio or video, or both. Any teleconference meeting of the Council must be comply with the requirements under Section 54953, including but not limited to the requirement that all votes taken shall be by roll call.

3.6. Emergency Meetings. In the case of an emergency as defined by Section 54956.5, as may be amended from time to time, a majority of Council may call a meeting and dispense

with the special meeting notice and posting requirements under the Brown Act. Any emergency meeting held shall comply with the applicable Brown Act provisions.

3.7. The City Clerk shall ensure that the applicable noticing and posting requirements under the Brown Act are followed for all meetings of the Council.

Section 4 – Meeting Agendas

4. Meetings Agendas

4.1. Purpose of Agenda. The Council meeting agenda documents serve four purposes:

- To communicate and inform City Council, City staff, the public and the press about City business.
- To comply with mandated state laws.
- To facilitate the decision-making process by including sufficient background information so that the City Council can obtain a full understanding of the issues and staff's analysis and recommendation prior to their consideration and action.
- To serve as a historical reference that can be kept as a record of proceedings and actions as needed for future actions and/or litigation.

As set forth above, the purpose of the agenda is to provide a framework within which Council meetings can be conducted and to effectively implement the approved Council programs, goals and budget. The agenda shall contain a brief general description of each item of business to be transacted or discussed at the meeting.

4.2. Posting and Distribution of Agendas. At a minimum the posting and distribution of all agendas shall be done in accordance with the Brown Act. Agendas for regular meetings shall be posted not less than 72 hours prior to the meeting (Section 54954.2(a)(1)); special meeting agendas shall be posted not less than 24 hours prior to the meeting (Section 54956).

4.2.1. All agendas shall be posted in the following locations: City Hall, the Tracy Library, the City's website, and other locations as may be required by the bylaws of a particular Board or Commission. Posting of agendas at City Hall shall be the official location for purposes of Brown Act compliance.

4.2.2. Agenda packets are provided electronically to City Council Members on the Thursday prior to a City Council meeting unless technical difficulties occur. If technical difficulties occur, the City Clerk will endeavor to provide Council with hard copies of the agenda as soon as reasonably possible. Distribution to the staff, public and media shall occur immediately after distribution to the City Council. Members of the public may sign up to receive notification that a Council meeting agenda has been posted on the City's website (www.cityoftracy.org). The City Clerk will mail copies of the agenda or particular agenda items to any person submitting a request. (Section 54954.1) Said requests will be valid for one year. Copies of the agenda, and of individual agenda items, are available at costs established in the City's Master Fee Schedule. Copies of the agenda are also available for inspection at the Tracy Library and City Clerk's office. Agendas for Council meetings are posted on the City's website (www.cityoftracy.org).

4.3. Agenda Item Submission

4.3.1. Council Member Request for Agenda Items. Council Members wishing to have a matter discussed by the City Council may request that it be placed on a future City Council agenda during a Council meeting, under "Council Items and Comments." A time sensitive item may be requested by contacting the City Manager, or their designee, via telephone, email or in person. Upon the request of a Council Member, the item will be placed on a future City Council agenda as long as one other Council Member concurs with the request. In the interest of transparency and Brown Act compliance, Council shall limit discussions outside of Council meetings about requests to support agenda items to a maximum of two Council Members.

4.3.1.1. In the event of a time sensitive request, the City Manager shall notify the rest of Council when two Council Members request an item to be placed on the agenda. The City Manager will determine when to place the item on a future agenda based on time necessary to complete the research and staff workload considerations.

4.3.2. Other Public Agencies. Agenda items such as presentations and proposals from other public entities must be sponsored for agenda placement by two Council members or the City Manager.

5. Conduct of Meetings

5.1. Order of Business. The suggested order of business of Council meetings shall be as follows. However, the Mayor may reorder the items unless a majority of Council members object.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Invocation
5. Presentations/Proclamations and Awards
6. Consent Calendar
7. Items from the Audience/Public Comment
8. Continued Public Hearings
9. Public Hearings
10. Regular Items
11. Items from the Audience/Public Comment
12. Staff Items
13. Council Items and Comments
14. Adjournment

5.2. Call to Order. The Presiding Officer shall take the chair at the hour appointed for the meeting and shall immediately call the meeting to order.

5.3. Roll Call. A majority of the members of the Council then in office shall constitute a quorum. (Section 36810)

5.4. Invocations. Any member of the public who wishes to offer an invocation prior to the opening of a regular Council meeting shall contact the City Clerk. The City Clerk shall select a mutually agreeable City Council meeting date for the invocation.

5.5. Presentations/Proclamations and Awards. This portion of the Agenda is dedicated for presentations, such as proclamations and awards, employee of the month recognitions, board and commission recognitions, and employee swearing-ins, and shall be limited to a 15-minute maximum period.

5.6. Consent Calendar. All items listed on the Consent Calendar are considered to be routine matters or consistent with previous City Council direction, such as resolutions confirming action from a previous meeting or the adoption of an ordinance previously introduced by Council. One motion, a second, and a roll call vote may enact the items listed on the Consent Calendar. No separate discussion of Consent Calendar items shall take place unless a member of the City Council, City staff or the public request discussion on a specific item.

5.7. Items from the Audience/Public Comment. It is the policy of the City Council that members of the public be allowed to address the Council on any item of interest to the

public, before or during its consideration of that item, that is within the Council's subject matter jurisdiction. (Section 54954.3(a)).

5.7.1. Agendas for regular meetings will have two opportunities for "Items from the Audience/Public Comment." (Section 54954.3(a)). In the interest of allowing Council to have adequate time to address the agendized items of business, the first public comment opportunity will be limited to a 15-minute maximum period. (Section 54954.3(b)). The second opportunity will not have a maximum time limit. A five-minute maximum time limit per speaker will apply to all individuals speaking during the “Items from the Audience/Public Comment” portion of the agenda. The City Clerk shall be the timekeeper. Speakers may not concede any part of their allotted time to another speaker.

5.7.1.1. However, in the event there are 15 or more individuals wishing to speak regarding any agenda item including the “Items from the Audience/Public Comment” portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes

5.7.2. Each speaker shall avoid repetition of the remarks of the prior speakers, and when speaking under a specific agenda item, shall speak only to that agenda item. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak.

5.7.3. Speaker Cards. To facilitate the orderly process of public comment and to assist the Council to conduct its business as efficiently as possible, members of the public wishing to address the Council are requested to, but not required to, hand a speaker card, which includes the speaker’s name or other identifying designation and address, to the City Clerk prior to the agenda item being called. Generally, once the City Council begins its consideration of an item, no more speaker cards will be accepted. An individual's failure to present a speaker card or state their name shall not preclude the individual from addressing the Council. (Section 54953.3)

5.8. Public Hearings. Public hearings are required for a variety of City Council actions such as changes to the Tracy Municipal Code, zoning revisions, some annexations, street vacations, weed abatement, liens, fee increases, etc. Whenever the law provides that publication of a notice shall be made, such notice shall be published in a newspaper of general circulation for the period prescribed, the number of times, and in the manner required. Each speaker will be allowed a maximum of five minutes for public input or testimony. However, in the event there are 15 or more individuals wishing to speak regarding a public hearing item, the maximum amount of time allowed per speaker will be three minutes. The City Clerk shall be the timekeeper.

5.8.1. Public Hearings for Land Use and Other Matters. The Presiding Officer may designate individuals as the “Proponent/Appellant” or “Opponent” and provide each with additional time for comments and the opportunity to present a rebuttal.

5.9. Regular Items. This portion of the Agenda is for non-public hearing agenda items that require Council action or direction such as status or informational reports from staff and Council requests for agenda items.

5.10. Staff Items. This portion of the agenda provides an opportunity for the City Manager, City Attorney, and City staff to provide information of community interest to the City Council.

5.11. Council Items and Comments. This portion of the agenda is for each member of the City Council to provide brief reports on any intergovernmental agency meetings, conferences, community meetings, meetings of other legislative bodies, or other events of interest to the community that they attended, as well as meetings attended at the City's expense. This portion of the agenda is also for the City Council to provide guidance and direction to staff concerning items to be included on future agendas and information to be provided in response to questions raised during "Items from the Audience/Public Comment." Under this portion of the agenda, two Council members may request staff to provide information, perform studies, or undertake other action. If the requested action is routine in nature, the City Manager will direct staff to proceed. However, if the request cannot be accomplished within the approved budget or City Council priorities, or if it will involve substantial staff resources, the City Manager will report to the City Council at a subsequent City Council meeting and request further direction. At that time, the consensus of a majority of the City Council will be required to proceed.

5.11.1. Agendas for regular and special meetings, except for Workshops as defined by Section 3.3, of the Council shall include a "Council Items and Comments" section. (Reso No. 2020-112)

5.12. Adjournment. If a Council meeting is still in session at 11:00 p.m., the Presiding Officer shall ask the question of whether Council desires to consider any new items after 11:00 p.m. Council shall determine, by motion, which specific items will be considered or continued. City Manager shall inform Council of any time sensitive items. Any item continued due to the lateness of the hour shall automatically be placed on the agenda for the next regularly scheduled City Council meeting unless otherwise scheduled by motion action of the Council.

5.13. Non-Agendized Items. The Brown Act prohibits Council from discussing or acting upon any non-agendized matter, unless an exception under Section 54954.2 applies. For non-agendized items, Council members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff person; or request that the matter be placed on a future agenda or that staff provide additional information to Council. However, items may be added to the agenda (such as emergency matters) as permitted in the Brown Act. Brief announcements, brief responses, or questions seeking clarifications, may be made to statements or questions raised on items not on the agenda (Section 54954.2(a)(3)). Action on any item not on the agenda shall be deferred until the item is properly listed on the agenda for a subsequent Council meeting unless added due to an immediate need if permitted under state law.

5.14. Voting Requirements. All ordinances, resolutions, and orders for payment of money require a majority vote of the total membership of the Council in accordance with Section 36939, unless otherwise required by state law.

5.14.1. It is a best practice that all Council members vote on every item of business unless prevented from doing so by virtue of an actual or potential conflict of law or other valid abstention under applicable laws. Council Members are encouraged to disclose the reason for that abstention prior to Council engaging in discussion on that item.

5.15. Parliamentary Procedures. Council meetings shall be conducted in accordance with the Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century unless otherwise specified herein. (Appendix A - Rosenberg's Rules of Order, Revised 2011, as may be amended).

5.15.1. Point of Order. Any Council member may ask for a point of order, at which time the Presiding Officer will ask for an explanation. Points of order relate to matters that a Council member considers inappropriate conduct for the meeting, such as the failure to adhere to these Protocols. The Presiding Officer shall rule on matter. Any member can move to appeal the Presiding Officer's ruling, with a second from another Council member. Following debate, the ruling of the Presiding Officer may be reversed by a majority vote.

5.16. Written Communications from the City and the Public. The City Clerk shall manage communications to members regarding meeting topics to ensure compliance with the Brown Act.

5.16.1. Except for records exempt from disclosure under the California Public Records Act and otherwise by law, agendas or any other writings distributed to all or a majority of the members of a legislative body for discussion or consideration at a public meeting are disclosable to the public, and shall be made available upon request without delay.

5.16.2. Materials distributed to the members during the meeting shall be available for viewing by the public during the meeting if the materials were prepared by the City or a Council member, or posted on the City's website within 48 hours the conclusion of the meeting if prepared by another person.

5.17. Written Materials after the Council Agenda has been Distributed. On occasion, Council may receive written materials either after the Agenda has been posted or at a Council meeting. These written materials are typically related to an agendized item or handed out during "Items from the Audience/Public Comment." Upon the Council receiving these written materials they become a public record. For materials related to an agendized item, a copy will be kept on file at the City Clerk's Office and will typically be posted on the City's website under "Materials Distributed at Council Meetings" 48 hours after the Council meeting.

5.17.1. Any materials about an agendized item that are received less than 72 hours before a Council meeting that are distributed to a majority of Council will be made available at the Council meeting for the public to review.

5.17.2. Interested parties or their authorized representatives may address the Council by written communications regarding agenda items.

5.17.2.1. Documents (6 copies are recommended) that members of the public submit to the City Council at the meeting shall be given directly to the City Clerk for distribution and shall not be given directly to the Council. The documents will be available to the public on the City's website within 48 hours of the conclusion of the meeting.

5.18. Compliance with the Americans with Disabilities Act (ADA). The City of Tracy is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled. To allow for such reasonable accommodations, persons requiring assistance or auxiliary aids to participate at a City meeting, should contact the City Clerk's Office at (209) 831-6105 at least 24 hours prior to the meeting.

Section 6 – Conduct of the Public

6. Conduct of the Public

6.1. Purpose of Public Comment. The City, in accordance with the Brown Act, provides the public the opportunity to address the Council body as a whole and express their opinions regarding agendized items and non-agendized matters within the subject matter jurisdiction of the City Council. (Section 54954.3) Items are generally considered to be within the Council's subject matter jurisdiction if they are within the City Council's scope of influence.

6.1.1. Nothing in these Protocols shall be construed as prohibiting public criticism of the City's policies, procedures, programs or services, or the acts or omissions of the Council. However, these Protocols are not intended to confer any privilege or protection for expression beyond that otherwise provided by law. (Section 54954.3(c)).

6.1.2. Public comments should not be addressed to individual Council members nor City staff, but rather to the Council as a whole.

6.1.3. While members of the public may speak their opinions on City business, personal attacks on members and City officials, use of swear words, and verbal or non-verbal signs or displays of disrespect for individuals are discouraged as they impede good communication with the Council.

6.1.4. Consistent with the Brown Act, the Council is limited in its ability to respond to public comments regarding non-agendized matters. The limited circumstances under which members may respond to public comments are set out in Rule 5.13.

6.2. In the interest of conducting an efficient meeting, the Presiding Officer may stop a member of the public whose comments are not confined to the agendized item being heard. In addition, during the "Items from the Audience/Public Comment" portion of the agenda, the Presiding Officer may stop a member of the public whose comments are not within the subject matter jurisdiction of the City.

6.3. Rules of Decorum. While the Council is in session, no person in the audience at a Council meeting shall engage in conduct that disrupts the orderly conduct of a Council meeting, including, but not limited to, the utterance of loud, threatening or abusive language, refusing to abide speaker time limits and leave the podium when directed; whistling, clapping, stamping of feet, yelling or shouting or interrupting a speaker who is addressing the Council; repeated waiving of arms; or other disruptive acts.

6.4. Any person who disrupts the orderly course of the meeting may be issued a criminal citation pursuant to Penal Code section 403 and/or called out of order by the Presiding Officer and barred from further participation during that session of the Council in accordance with the Brown Act.

6.4.1. All persons attending a Council meeting shall obey any lawful order or direction of the Presiding Officer or Sergeant-at-Arms.

6.4.2. The Sergeant-at-arms shall assist the Presiding Officer in enforcing these rules of decorum at Council meetings, including but not limited, removing disruptive audience members. Additionally, any Council member may at any time call for a point of order, to request the timely enforcement of these rules of decorum.

6.5. Location of Speaker. Members of the public wishing to address the Council must approach the podium when recognized by the Presiding Officer and shall speak only from the podium.

Section 7 – Miscellaneous

7. Miscellaneous

7.1. Conflicts of Interests. It is the responsibility of every Council member to disclose conflicts of interest in accordance with state and local conflict of interest laws.

7.2. Proclamations. The Mayor issues proclamations to provide special recognition by the City to an individual, event, issue etc. Proclamations are not statements of policy and do not require the official approval or action of Council.

7.3. Broadcasting of Council Meetings. Generally Council meetings are broadcast live on Channel 26 and the City's website (www.cityoftracy.org), unless technical difficulties make that infeasible. Reruns of the preceding Council meeting are shown every Wednesday at 8:00 p.m., every Thursday at 10:00 a.m., and every Saturday at 9:00 a.m. on Channel 26.

7.3.1. Recordings of Council meetings shall be accessible on the City's website (www.cityoftracy.org) by the end of the following business day. DVD recordings of Council meetings are available at costs established in the City's Master Fee Schedule.

Appendices

A. Rosenberg's Rules of Order, revised 2011, Simple Rules of Parliamentary Procedure for the 21st Century. Judge Dave Rosenberg



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

LEAGUE® OF CALIFORNIA CITIES

MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

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Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and automony of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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About the Author

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move … "

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion,** for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body,** "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion.** As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed,* the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the body. "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, "I move the previous question" or "I move the question" or "I call the question" or sometimes someone simply shouts out "question." As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a "request" rather than as a formal motion. The chair can simply inquire of the body, "any further discussion?" If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the "question" as a formal motion, and proceed to it.

When a member of the body makes such a motion ("I move the previous question"), the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," or "I move the question," or "I call the question," or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the "no" votes and double that count to determine how many "yes" votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote "no" then the "yes" vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

How does this work in practice?
Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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RESOLUTION 2021 -_____

AMENDING COUNCIL MEETING PROTOCOLS AND RULES OF PROCEDURE TO ESTABLISH A FIVE MINUTE TIME LIMIT FOR COUNCIL DISCUSSION AND DEBATE, PROVIDE CITY BOARDS AND COMMISSIONS FLEXIBILITY ON THE USE OF PARLIMENTARY PROCEDURES, AND REQUIRE THAT ALL COUNCIL SPECIAL MEETING AGENDAS INCLUDE A "COUNCIL ITEMS AND COMMENTS" SECTION

WHEREAS, Government Code section 36813 authorizes legislative bodies to establish rules for the conduct of their proceedings. These rules must comport with the Ralph M. Brown Act ("Brown Act"; Government Code sections 54950 et seq.) which applies to all meetings of "legislative bodies" within California, including the Tracy City Council and advisory boards and commissions; and

WHEREAS, On November 5, 2019, Council adopted Council Meeting Protocols and Rules of Procedures ("Council Protocols") by Resolution No. 2019-240; and

WHEREAS, On June 16, 2020, City Council amended the Council Protocols via Resolution 2020-112 to require agendas for special meetings to include a "Council Items and Comments" section; and

WHEREAS, On April 6, 2021, Council discussed amending the Council Protocols to establish a five-minute time limit per Council Member during Council discussion and debate, allow City Boards and Commissions to utilize more informal parliamentary procedures, and require that agendas for all Council meetings include a "Council Items and Comments" section,

WHEREAS, Sections 5.15 is amended in its entirety to read as follows:

> "Parliamentary Procedures. Council meetings shall be conducted in accordance with the Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century unless otherwise specified herein. (Appendix A - Rosenberg's Rules of Order, Revised 2011, as may be amended). City Boards and Commissions may use Rosenberg's Rules of Order or any other informal meeting protocols or parliamentary procedures to conduct their meetings.
>
> 5.15.1 Time Limit for Council Discussion and Debate. Each Council Member shall have a maximum of five minutes to speak during Council discussion and debate of a motion.
>
> 5.15.2 Point of Order. Any Council member may ask for a point of order, at which time the Presiding Officer will ask for an explanation. Points of order relate to matters that a Council member considers inappropriate conduct for the meeting, such as the failure to adhere to these Protocols. The Presiding Officer shall rule on matter. Any member can move to appeal the Presiding Officer's ruling, with a second from another Council member. Following debate, the ruling of the Presiding Officer may be reversed by a majority vote."

WHEREAS, Section 5.11.1 is amended to read as follows:

> "Agendas for regular and special meetings of the Council shall include a 'Council Items and Comments' section."

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby amends the Council Meeting Protocols and Rules of Procedure as described in this Resolution.

* * * * * * * * * * * * * *

The foregoing Resolution 2021-____ was adopted by Tracy City Council on the 4th day of May, 2021, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

May 4, 2021

AGENDA ITEM 3.A

REQUEST

PUBLIC HEARING TO INTRODUCE AN ORDINANCE ADDING CHAPTER 7.28 TO THE TRACY MUNICIPAL CODE TO INCLUDE WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY AND APPROVE COUNCIL POLICY ESTABLISHING SMALL WIRELESS FACILITIES REGULATIONS

EXECUTIVE SUMMARY

The Federal Communication Commission (FCC) is responsible for implementing and enforcing federal communications laws and regulations such as small cell wireless facilities. Federal laws generally limit local control over telecommunication facilities, with the exception of allowing communities to establish reasonable design standards and permit processing requirements. State legislation has also codified a number of federal telecommunication regulations (Gov. Code 65964.1) and standards for approving certain wireless facility requests.

The purpose of this agenda item is to establish local design standards and process application requirements, within federal and state guidelines, to ensure that the look of the small cell wireless facilities blend into the various locations and the process is as transparent as possible. Similar policies and guidelines have been implemented in other jurisdictions in our region. Staff from Public Works, City Attorney's Office, Development Services, Utilities, and the City Manager's Office have all contributed to the policies and requirements that you see attached.

More specifically, this item introduces an ordinance adding Chapter 7.28 to the Tracy Municipal Code to include wireless telecommunications facilities in the public right-of-way and to approve Council Policy Small Wireless Facilities Regulations.

DISCUSSION

Background

In prior decades, wireless antennas and equipment were primarily installed on large towers or "macro-cells." These deployments are subject to Conditional Use Permit approval under the Zoning Code and are currently prohibited in residential zones.

In recent years, however, carriers increasingly seek to place wireless facilities in the City's public right-of-way ("PROW") on utility poles, streetlights and new poles. The demand for such wireless installations, particularly Small Wireless Facilities (SWFs), is expected to grow exponentially over the next several years given the expansion of home streaming video, social media, drones, self-driving cars and the Internet of Things (IoT) serving homes and businesses. To accommodate this expansion, the telecommunications industry is starting to look for small cell 5G (fifth generation) technology. 5G technology is distinguished from the present 4G service by use of low power transmitters with coverage radius of approximately 400 feet. 5G thus requires

close spacing of antennas and more of them. PROW street light poles and other poles are, therefore, suited for 5G SWFs.

The City's existing Municipal Code contains outdated standards for dealing with SWFs. This is particularly true in light of significant changes in law implemented by the Federal Communications Commission (FCC). On September 27, 2018, the FCC released a Declaratory Ruling and Third Report and Order (FCC Order) significantly limiting state and local management of SWFs in the PROW (and, in a limited way, SWFs on private property). In short, the FCC Order does the following:

- Defines SWFs as up to 50 feet in height, including antennas, or mounted on structures no more than 10% taller than other adjacent structures; or that do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10 percent, whichever is greater; each antenna is no more than 3 cubic feet in volume, and the total associated wireless equipment on one structure is no more than 28 cubic feet in volume.
- Caps all fees that local governments can charge to the actual and reasonable cost of providing service. This limitation applies to fees for SWFs located on private property as well.
- Imposes shot clocks of 60 days for SWFs added to existing structures (regardless of whether the structure already supports a wireless service) and 90 days for SWFs proposing a new structure. The shortened shot clocks also apply to applications for SWFs on private property.
- Preempts all aesthetic requirements for SWFs in the PROW unless they are (1) reasonable; (2) no more burdensome than those applied to other types of infrastructure deployments; (3) objective; and (4) published in advance. (Effective April 14, 2019.)

This report introduces an ordinance to provide the regulatory framework and standards for permitting the installation of SWFs within the City's PROW. Staff has been working with outside counsel to draft such ordinance. The proposed ordinance and corresponding design standards have been revised in response to the FCC Order. The proposed ordinance also addresses "eligible facilities requests"— a category of "by-right" installations that were established by the FCC several years ago, but never acknowledged in the City's Municipal Code.

This report also proposes a resolution to adopt a Council Policy establishing "SWF Regulations" (Attachment B hereto) as a set of aesthetic/design standards for SWFs in the PROW. The SWF design standards are proposed to be adopted by resolution, rather than ordinance, given the rapidly-changing nature of wireless technology. With design standards encompassed in a Council Policy adopted by resolution, the design standards can more quickly and easily be updated as new technologies and designs evolve.

Discussion

The Federal Telecommunications Act is intended to ensure that the public has sufficient access to telecommunication services. Based on this Federal law, a local government shall not prohibit or have the effect of prohibiting the provision of personal wireless services. Further, no State or local government may dictate, or even consider, wireless

entitlements based on "the environmental (health) effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions." An approving body's mere consideration of health effects, including potential effects on property values due to potential radio frequency emissions, may not serve as "substantial evidence" for purposes of denying a wireless facility. The City's role in the siting and design of WCFs is generally limited to aesthetics.

Wireless telecommunications providers are treated as telephone companies under their State franchise conferred in California Public Utilities Code Section 7901, and thus are entitled to use the PROW to deploy their equipment. However, even with their right to occupy the PROW, under Section 7901 providers may not "unreasonably subject the public use to inconvenience or discomfort; to unreasonably trouble, annoy, molest, embarrass, inconvenience; to unreasonably hinder, impede, or obstruct the public use." These limitations on Section 7901 have been interpreted broadly enough to include concerns related to the appearance of a facility," and thus Section 7901 allows cities to condition a wireless permit on (i) aesthetic concerns, (ii) restricting the location of proposed facilities due to public safety reasons or other local concerns or even deny applications in appropriate circumstances, and (iii) to exercise reasonable control over the time, place and manner of "when, where, and how telecommunications service providers gain entry to the public rights-of-way," including the need for encroachment permits. (See, Pub. Util. Code § 7901.)

The new FCC Order significantly changes Federal law to shorten time frames and other requirements on local review of SWFs in the PROW. Now, if a city does not render a decision on a SWF application within a specified time period (60 days for installations on existing structures, and 90 days for new structures), the failure to meet the deadline for action will be presumed to violate federal law.

On aesthetics, spacing restrictions and undergrounding requirements, the FCC declares that such requirements will not be preempted if they are reasonable, no more burdensome than those applied to other types of infrastructure deployments, and objective and published in advance. In essence, this new standard for aesthetic conditions means that cities can impose aesthetic requirements to the extent they are "technically feasible" for the provider. This is a significant departure from the "least intrusive means" analysis that developed in the Ninth Circuit over the last few decades. The FCC Order purports to overturn the "least intrusive means" standard entirely, with the new standards taking effect on April 15, 2019.

Aesthetic standards implementing the FCC Order must be reasonable, objective, and published ahead of time. If a city does not have "published" its design standards, then it does not appear that any standards can be enforced. Staff therefore recommends the Council adopt an ordinance setting out the permitting procedures for SWFs in the PROW. The proposed ordinance seeks to balance the community's need for wireless services, the industry's need to deploy quickly, and the City's obligation to maintain safety and protect the aesthetic qualities of our neighborhoods. As drafted, the proposed ordinance would:

- Add a new Chapter 7.28.000 to the Municipal Code, Wireless Facilities in the Public Right of Way. For all wireless facility installations in the PROW, the ordinance provides, among other regulations, the permit and review procedures

as well as the operation and maintenance standards. The ordinance treats wireless installations in the PROW similar to other installations in the ROW by requiring an encroachment permit, in addition to a special "wireless telecommunications facility permit" or "WTFP." The WTFP is a new entitlement type/process tailored to suit the legal standards and technologies uniquely attendant to wireless facilities. Once WTFP and encroachment permits are issued, the carrier may still need to obtain traffic control plans, construction permits and if necessary, a license to attach to City infrastructure, etc.

- The substantially shorter "shot clocks" established by the FCC Order render discretionary review by the planning commission (or any other hearing body) much more difficult, if not logistically impossible. To this end, the proposed ordinance presents an entirely new administrative review process for SWF/WTFP applications, with the Development Services Director taking the lead of administratively reviewing the applications.
- The new ordinance recognizes, and establishes procedures and standards for, "eligible facility requests" pursuant to Federal law. These are ministerial modifications and collocations that must be approved by-right, which provisions were not included in the current the Municipal Code, despite being required by law since 2012.
- Given the short time that the City has to act on these applications under Federal law, having two days to process appeals, staff recommends that the appeals be heard by an independent hearing officer, who can hold hearings on short notice within the short time frame. Doing so also provides an independent level of oversight over the decisions before they become final and subject to challenge in court.
- The ordinance contains a comprehensive list of WTFP permit conditions that will apply to such permits, including insurance requirements, indemnity, performance bond for removal upon abandonment, and maintenance and inspection requirements. The permits are in effect for a term of 10 years, which stems from a State law that allows the City to limit the permits to 10 years; compared to utility poles, for example, which are erected in perpetuity.
- Staff sensed the importance of public awareness and involvement for wireless facilities. The ordinance thus requires applicants to provide mailed notices to owners, occupants and multi-family building property managers within 300 feet of proposed SWFs and major facilities before they are approved.
- Finally, the ordinance allows the flexibility needed in the face of rapidly changing wireless laws and technology. Rather than publish SWF design standards in the ordinance, staff proposes that such standards should be adopted as administrative regulations that may be readily and quickly adapted given the frequency and magnitude of changes in law and technology surrounding wireless installations.

To accompany the new ordinance, staff has also prepared a separate Council Policy "SWF Regulations" that will provide the industry direction on the City's aesthetic, location and design requirements. For example, the proposed design standards recommend that when there is a choice in location, carriers should choose to site on a pole or street light that is between structures and not immediately adjacent to a structure, that paint and design should blend with surrounding structures, that signage should be limited, and that lighting be prohibited unless required by the Federal Aviation Administration. This draft

document is provided as an attachment to this report and once approved by the Council, will be promptly published by staff on the City's website as required by the FCC Order. Proposed Resolution adopting a Council Policy "SWF Regulations" is attached to this report for City Council consideration or approval; staff recommends that the City Council adopt the design standards with the ordinance.

General Plan Consistency

This ordinance is consistent with the General Plan Objective ED-6.7, Policy P3 which reads "High-speed telecommunications systems should be included in development to help create the premier office location in Tracy."

CEQA Determination

The Ordinance and Policy are not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because they have no potential for resulting in physical change in the environment, directly or indirectly. The Ordinance and Policy do not authorize any specific development or installation on any specific piece of property within the City's boundaries. The Ordinance and Policy are further exempt from CEQA because the City Council's adoption thereof is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

STRATEGIC PLAN

This agenda item supports the City of Tracy's Economic Development Strategic Priority 5.5, which is to develop policies to Target new jobs in innovative industries (e.g., cannabis; green industry), and initiate marketing for enhancement of the green economy cluster and develop strategies for business growth and attraction.

FISCAL IMPACT

No fiscal impacts are associated with the ordinance. However, installation of wireless facilities would be subject to fees and yield potential application and lease revenue. Staff will incorporate new application fees as part of the Master Fee Schedule that will be brought back to Council at a later date.

RECOMMENDATION

Staff recommends that City Council:

(1) Introduce and waive the full reading of : "An Ordinance of the City Council of the City of Tracy, California, adding Chapter 7.28 ("Wireless Telecommunications Facilities in the Public Right-of-Way") to Title 7 ("Public Works") of the Tracy Municipal Code," and

(2) Adopt, via resolution, the "Council Policy: Small Wireless Facilities per 47 CFR 1.6002(1) 'SWF Regulations.'"

Prepared by: Veronica Child, Management Analyst II

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Director of Development Services
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – An Ordinance of the City Council of the City of Tracy, California, adding Chapter 7.28.000 to Title 7 ("Public Works") of the Tracy Municipal Code
Attachment B – General SWF Council Policy

ORDINANCE NO. ___

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TRACY, CALIFORNIA, ADDING CHAPTER 7.28 (“WIRELESS TELECOMMUNICATIONS FACILITIES IN THEPUBLIC RIGHT-OF-WAY”) TO TITLE 7 (“PUBLIC WORKS”) OF THE TRACY MUNICIPAL CODE

A. The City Council may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws.

B. Significant changes in Federal and State law that affect local authority over wireless communications facilities ("WCFs") have occurred, including but not limited to the following:

i. On November 18, 2009, the Federal Communications Commission ("FCC') adopted a declaratory ruling (the "2009 Shot Clock"), which established presumptively reasonable timeframes for State and local governments to act on applications for WCFs.

ii. On February 22, 2012, Congress adopted Section 6409(a) of the Middle Class Tax Relief and Job Creation Act ("Section 6409(a)"), which mandated that State and local governments approve certain modifications and collocations to existing WCFs, known as eligible facilities requests.

iii. On October 17, 2014, the FCC adopted a report and order that, among other things, implemented new limitations on how State and local governments review applications covered by Section 6409(a), established an automatic approval for such applications when the local reviewing authority fails to act within 60 days, and also further restricted generally applicable procedural rules under the 2009 Shot Clock.

iv. On October 9, 2015, California adopted Assembly Bill No. 57 (Quirk), which deemed approved any WCF applications when the local reviewing authority fails to act within the 2009 Shot Clock timeframes.

v. On August 2, 2018, the FCC adopted a declaratory ruling that formally prohibited express and de facto moratoria for all telecommunications services and facilities under 47 U.S.C. § 253(a).

vi. On September 26, 2018, the FCC adopted a declaratory ruling and report and order that, among other things, creates a new regulatory classification for small wireless facilities (“SWFs”), requires State and local governments to process applications for small wireless facilities within 60 days or 90 days, establishes a national standard for an effective prohibition and provides that a failure to act within the applicable timeframe presumptively constitutes an effective prohibition.

C. In addition to the changes described above, new Federal laws and regulations that drastically alter local authority over WCFs are currently pending, including without limitation, the following:

i. On March 30, 2017, the FCC issued a Notice of Proposed Rulemaking (WT Docket No. 17-79, WC Docket No. 17-84) and has acted on some of the noticed issues referenced above, but may adopt forthcoming rulings and/or orders that further limit local authority over wireless facilities deployment.

ii. On June 28, 2018, United States Senator John Thune introduced and referred to the Senate Committee on Commerce, Science and Transportation the "STREAMLINE Small Cell Deployment Act" (S. 3157) that, among other things, applies specifically to small cell WCFs and require local governments to review applications based on objective standards, shorten the 2009 Shot Clock timeframes, require all proceedings to occur within the 2009 Shot Clock timeframes, and provide a "deemed granted" remedy for failure to act within the applicable 2009 Shot Clock.

D. Given the rapid and significant changes in Federal and State law, the actual and effective prohibition on moratoria to amend local policies in response to such changes and the significant adverse consequences for noncompliance with Federal and State law, the City Council desires to add a new Chapter 7.28 of Title 7 in the Tracy Municipal Code, entitled “Chapter 7.28.000 - WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY” (the “Ordinance”) to allow greater flexibility and responsiveness to the new Federal and State laws while still preserving the City's traditional authority to the maximum extent practicable.

On April 6, 2021 the City Council held a duly noticed public hearing on the Ordinance, reviewed and considered the staff report, other written reports, public testimony and other information contained in the record.

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

SECTION 1. The facts set forth in the recitals in this Ordinance are true and correct and incorporated by reference. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in the Ordinance.

SECTION 2. The Ordinance is consistent with the City’s General Plan, Tracy Municipal and Zoning Code, and applicable Federal and State law.

SECTION 3. The Ordinance will not be detrimental to the public interest, health, safety, convenience or welfare.

SECTION 4. The Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act (“CEQA”) Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The Ordinance

does not authorize any specific development or installation on any specific piece of property within the City's boundaries. The Ordinance is further exempt from CEQA because the City Council's adoption of the Ordinance is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (State CEQA Guidelines, § 15061(b)(3)). Installations, if any, would be exempt from CEQA review in accordance with either State CEQA Guidelines Section 15302 (replacement or reconstruction), State CEQA Guidelines Section 15303 (new construction or conversion of small structures), and/or State CEQA Guidelines Section 15304 (minor alterations to land).

SECTION 5. The Ordinance is hereby adopted by the addition of a new Chapter 7.28, "WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY" in Title 7 of the Tracy Municipal Code to read in its entirety as shown in ***Exhibit "A"*** attached hereto and incorporated herein by this reference.

SECTION 6. If the provisions in this Ordinance conflict in whole or in part with any other City regulation or ordinance adopted prior to the effective date of this section, the provisions in this Ordinance will control.

SECTION 7. If any subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or otherwise unenforceable, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declare that they would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional or otherwise unenforceable.

SECTION 8. This Ordinance shall take effect 30 days after its adoption.

SECTION 9. The City Clerk shall certify as to the passage and adoption of this Ordinance and shall cause the same to be posted at the designated locations in the City of Tracy.

ADOPTED, SIGNED and APPROVED this __ day of _____, 2021.

_____
MAYOR, Nancy D. Young

ATTEST:

_____
City Clerk, Adrianne Richardson

STATE OF CALIFORNIA)
COUNTY OF_____)
CITY OF _____)

I, Adrianne Richardson, CITY CLERK OF THE CITY OF TRACY, DO HEREBY CERTIFY that the foregoing Ordinance Number _____ was duly adopted by the City Council of the City of Tracy at a regular meeting of said Council on the __ day of _____, 2021, and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

_____
City Clerk, Adrianne Richardson

Chapter 7.28.000 - WIRELESS TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY

7.28.010 - PURPOSE.

The purpose and intent of this chapter is to provide a uniform and comprehensive set of regulations and standards for the permitting, development, siting, installation, design, operation and maintenance of wireless telecommunications facilities in the City's public right-of-way. These regulations are intended to prescribe clear and reasonable criteria to assess and process applications in a consistent and expeditious manner, while reducing the impacts associated with wireless telecommunications facilities. This chapter provides standards necessary (1) for the preservation of the public right-of-way ("PROW") in the City for the maximum benefit and use of the public, (2) to promote and protect public health and safety, community welfare, visual resources and the aesthetic quality of the City consistent with the goals, objectives and policies of the general plan, and (3) to provide for the orderly, managed and efficient development of wireless telecommunications facilities in accordance with the state and federal laws, rules and regulations, including those regulations of the Federal Communications Commission ("FCC") and California Public Utilities Commission ("CPUC"), and (4) to ensure that the use and enjoyment of the PROW is not inconvenienced by the use of the PROW for the placement of wireless facilities. The City recognizes the importance of wireless facilities to provide high-quality communications service to the residents and businesses within the City, and the City also recognizes its obligation to comply with applicable Federal and State laws. This chapter shall be constructed and applied in consistency with the provisions of state and federal laws, and the rules and regulations of FCC andCPUC. In the event of any inconsistency between any such laws, rules and regulations and this chapter, the laws, rules and regulations shall control.

7.28.20 - DEFINITIONS.

(a) "Accessory equipment" means any and all on-site equipment, including, without limitation, back-up generators and power supply units, cabinets, coaxial and fiber optic cables, connections, equipment buildings, shelters, radio transceivers, transmitters, pedestals, splice boxes, fencing and shielding, surface location markers, meters, regular power supply units, fans, air conditioning units, cables and wiring, to which an antenna is attached in order to facilitate the provision of wireless telecommunication services.

(b) "Antenna" means that specific device for transmitting and/or receiving radio frequency or other signals for purposes of wireless telecommunications services. "Antenna" is specific to the antenna portion of a wireless telecommunications facility.

(c) "Antenna array" shall mean two or more antennas having active elements extending in one or more directions, and directional antennas mounted upon and rotated through a vertical mast or tower interconnecting the beam and antenna support, all of which elements are deemed to be part of the antenna.

(d) "Base station" shall have the meaning as set forth in Title 47 Code of Federal Regulations (C.F.R.) Section 1.6100(b)(1), or any successor provision. This means a structure or equipment at a fixed location that enables FCC-licensed or authorized wireless communications between user equipment and a communications network (regardless of the technological configuration, and encompassing DAS and small wireless facilities). "Base station" does not encompass a tower or any equipment associated with a tower. Base station includes, without limitation:

(1) Equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(2) Radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small wireless facilities).

(3) Any structure other than a tower that, at the time the relevant application is filed with the City under this chapter, supports or houses equipment described in paragraphs 1 and 2 of this definition that has been reviewed and approved under the applicable zoning or siting process, or under another state or local regulatory review process, even if the structure was not built for the sole or primary purpose of providing that support.

(4) "Base station" does not include any structure that, at the time the relevant application is filed under this chapter, does not support or house equipment described in paragraphs 1 and 2 of this definition. Other structures that do not host wireless telecommunications facilities are not "base stations."

As an illustration and not a limitation, the FCC's definition of "base station" refers to any structure that actually supports wireless equipment even though it was not originally intended for that purpose. Examples include, but are not limited to, wireless facilities mounted on buildings, utility poles, light standards or traffic signals. A structure without wireless equipment replaced with a new structure designed to bear the additional weight from wireless equipment constitutes a base station.

(e) "Cellular" means an analog or digital wireless telecommunications technology that is based on a system of interconnected neighboring cell sites.

(1) "City" means the City of Tracy.

(2) "Code" means the Tracy Municipal Code.

(3) "Collocation" bears the following meanings:

(f) For the purposes of any eligible facilities request, the same as defined by the FCC in 47 C.F.R. § 1.6100(b)(2), as may be amended, which defines that term as "[t]he mounting or installation of transmission equipment on an eligible support structure

for the purpose of transmitting and/or receiving radio frequency signals for communications purposes." As an illustration and not a limitation, the FCC's definition means to add transmission equipment to an existing facility and does not necessarily refer to two or more different facility operators in the same location; and

(g) For all other purposes, the same as defined in 47 CFR 1.6002(g)(1) and (2), as may be amended, which defines that term as (1) Mounting or installing an antenna facility on a pre-existing structure, and/or (2) Modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

(h) "Collocation facility" means the eligible support structure on, or immediately adjacent to, which a collocation is proposed, or a wireless telecommunications facility that includes collocation facilities. (*See*, Gov. Code, § 65850.6(d)(1).)

(i) "COW" means a "cell on wheels," which is a portable, self-contained wireless telecommunications facility that can be moved to a location and set up to provide wireless telecommunication services, which facility is temporarily rolled in, or temporarily installed, at a location. Under this chapter, the maximum time a facility can be installed to be considered a COW is five (5) days. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.

(j) "Development Services Director" means the director of the Development Services and Engineering Department or their designee.

(k) "Distributed antenna system" or "DAS" means a network of spatially separated antennas (nodes) connected to a common source (a hub) via a transport medium (often fiber optics) that provide wireless telecommunications service within a specific geographic area or building. DAS includes the transport medium, the hub, and any other equipment to which the DAS network or its antennas or nodes are connected to provide wireless telecommunication services.

(l) "Eligible facilities request" means any request for modification to an existing eligible support structure that does not substantially change the physical dimensions of such structure, involving:

(1) Collocation of new transmission equipment;

(2) Removal of transmission equipment;

(3) Replacement of transmission equipment (replacement does not include completely replacing the underlying support structure); or

(4) Hardening through structural enhancement where such hardening is necessary to accomplish the eligible facilities request, but does not include replacement of the underlying support structure.

(m) "Eligible facilities request" does not include modifications or replacements when an eligible support structure was constructed or deployed without proper local review, was not required to undergo local review, or involves equipment that was not properly approved. "Eligible facilities request" does include collocation facilities satisfying all the requirements for a non-discretionary collocation facility pursuant to Government Code Section 65850.6.

(n) "Eligible support structure" means any support structure located in the PROW that is existing at the time the relevant application is filed with the City under this chapter.

(o) "Existing" means a support structure, wireless telecommunications facility, or accessory equipment that has been reviewed and approved under the City's applicable zoning or siting process, or under another applicable state or local regulatory review process, and lawfully constructed prior to the time the relevant application is filed under this chapter. However, a support structure, wireless telecommunications facility, or accessory equipment that has not been reviewed and approved because it was not in a zoned area when it was built, but was lawfully constructed, is "existing" for purposes of this chapter. "Existing" does not apply to any structure that (1) was illegally constructed without all proper local agency approvals, or (2) was constructed in noncompliance with such approvals. "Existing" does not apply where an existing support structure is proposed to be replaced in furtherance of the proposed wireless telecommunications facility.

(p) "Facility(ies)" means wireless telecommunications facility(ies).

(q) "FCC" means the Federal Communications Commission.

(r) "Ground-mounted" means mounted to a pole, tower or other freestanding structure which is specifically constructed for the purpose of supporting an antenna or wireless telecommunications facility and placed directly on the ground at grade level.

(s) "Lattice tower" means an open framework structure used to support one or more antennas, typically with three or four support legs.

(t) "Located within (or in) the public right-of-way" includes any facility which in whole or in part, itself or as part of another structure, rests upon, in, over or under the PROW.

(u) "Modification" means a change to an existing wireless telecommunications facility that involves any of the following: collocation, expansion, alteration, enlargement, intensification, reduction, or augmentation, including, but not limited to, changes in size, shape, color, visual design, or exterior material. "Modification" does not include repair, replacement or maintenance if those actions do not involve whatsoever any expansion, alteration, enlargement, intensification, reduction, or augmentation of an existing wireless telecommunications facility.

(v) "Monopole" means a structure composed of a pole or tower used solely to support antennas or related equipment. A monopole also includes a monopine, monopalm and similar monopoles camouflaged to resemble faux trees or other faux objects attached on a monopole (e.g. water tower).

(w) "Mounted" means attached or supported.

(x) "OTARD antennas" means antennas covered by the "over-the-air reception devices" rule in 47 C.F.R. sections 1.6100 et seq. as may be amended or replaced from time to time.

(y) "Permittee" means any person or entity granted a WTFP pursuant to this chapter.

(z) "Personal wireless services" shall have the same meaning as set forth in 47 United States Code Section 332(c)(7)(C)(i).

(aa) "Pole" means a single shaft of wood, steel, concrete or other material capable of supporting the equipment mounted thereon in a safe and adequate manner and as required by provisions of this code.

(bb) "Public right-of-way" or "PROW" means a strip of land acquired by reservation, dedication, prescription, condemnation, or easement that allows for the passage of people and goods. The PROW includes, but is not necessarily limited to, streets, curbs, gutters, sidewalks, roadway medians, and parking strips. The PROW does not include lands owned, controlled or operated by the City for uses unrelated to streets or the passage of people and goods, such as, without limitation, parks, City Hall and community center lands, City yards, and lands supporting reservoirs, water towers, police or fire facilities and non-publicly accessible utilities.

(cc) "Replacement" refers only to replacement of transmission equipment, wireless telecommunications facilities or eligible support structures where the replacement structure will be of like-for-like kind to resemble the appearance and dimensions of the structure or equipment replaced, including size, height, color, landscaping, materials and style.

(1) In the context of determining whether an application qualifies as an eligible facilities request, the term "replacement" relates only to the replacement of transmission equipment and does not include replacing the support structure on which the equipment is located.

(2) In the context of determining whether a SWF application qualifies as being placed upon a new eligible support structure or qualifies as a collocation, an application proposing the "replacement" of the underlying support structure qualifies as a new pole proposal.

(dd) "RF" means radio frequency.

(ee) "Spectrum Act" means Section 6409(a) of the Middle Class Tax Relief Act and Job Creation Act of 2012, 47 U.S.C. §1455(a).

(ff) "Substantial change" has the same meaning as "substantial change" as defined by the FCC at 47 C.F.R. 1.6100(b)(7). Notwithstanding the definition above, if an existing pole-mounted cabinet is proposed to be replaced with an underground cabinet at a facility where there are no pre-existing ground cabinets associated with the structure, such modification may be deemed a non-substantial change, in the discretion of the Development Services Director and based upon his/her reasonableconsideration of the cabinet's proximity to residential view sheds, interference to public views and/or degradation of concealment elements. If undergrounding the cabinet is technologically infeasible such that it is materially inhibitive to the project, the Development Services Director may allow for a ground mounted cabinet. A modification or collocation results is a "substantial change" to the physical dimensions of an eligible support structure if it does any of the following:

(1) It increases the height of the structure by more than 10% or more than ten feet, whichever is greater;

(2) It involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

(3) It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets. However, for towers and base stations located in the public rights-of-way, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

(4) It entails any excavation or deployment outside the current site. For purposes of this Subsection, excavation outside the current site occurs where excavation more than twelve feet from the eligible support structure is proposed;

(5) It defeats the concealment or stealthing elements of the eligible support structure; or

(6) It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs 1 through 4 of this definition.

(7) For all proposed collocations and modifications, a substantial change occurs when:

(gg) The proposed collocation or modification involves more than the standard numberof new equipment cabinets for the technology involved, but not to exceed four equipment cabinets;

(hh) The proposed collocation or modification would defeat the concealment elements of the support structure; or

(ii) The proposed collocation or modification violates a prior condition of approval, provided however that the collocation need not comply with any prior condition of approval that is inconsistent with the thresholds for a substantial change describedin this Section.

The thresholds and conditions for a "substantial change" described in this Section are disjunctive such that the violation of any individual threshold or condition results in a substantial change. The height and width thresholds for a substantial change described in this Section are cumulative for each individual support structure. The cumulative limit is measured from the physical dimensions of the original structure for base stations, and for all other facilities sites in the PROW from the smallest physical dimensions that existed on or after February 22, 2012, inclusive of originally approved-appurtenances and any modifications that were approved prior to that date.

(jj) "Support structure" means a tower, pole, base station or other structure used to support a wireless telecommunications facility.

(kk) "SWF" means a "small wireless facility" as defined by the FCC in 47 C.F.R. 1.6002(l) as may be amended, which are personal wireless services facilities that meet all the following conditions that, solely for convenience, have been set forth below:

(1) The facility:

i. Is mounted on an existing or proposed structure 50 feet or less in height, including antennas, as defined in Title 47 C.F.R. Section 1.1320(d); or

ii. Is mounted on an existing or proposed structure no more than 10 percent taller than other adjacent structures, or

iii. Does not extend an existing structure on which it is located to a height of more than 50 feet or by more than 10 percent, whichever is greater;

(2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 C.F.R. Section 1.1320(d)), is no more than three cubic feet in volume;

i. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

ii. The facility does not require antenna structure registration under 47

C.F.R. Part 17, Section 17.4;

iii. The facility is not located on Tribal lands, as defined under Title 36

C.F.R. Section 800.16(x); and

iv. The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in Title 47 C.F.R. Section 1.1307(b).

(ll) "SWF Regulations" means those regulations adopted by the City Council (City Council Policy Number_____) implementing the provisions of this chapter applicable to SWFs and further regulations and standards applicable to SWFs.

(mm) "Telecommunications tower" or "tower" bears the meaning ascribed to wireless towers by the FCC in 47 C.F.R. § 1.6100(b)(9), including without limitation a freestandingmast, pole, monopole, guyed tower, lattice tower, free standing tower or other structure designed and built for the sole or primary purpose of supporting any FCC- licensed or authorized antennas and their associated facilities, including structuresthat are constructed for wireless communications services including, but not limitedto, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site. This definition does not include utility poles.

(nn) "Transmission equipment" means equipment that facilitates transmission for any FCC-licensed or authorized wireless communication service, including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, and regular and backup power supply. The term includes equipment associated with wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

(oo) "Utility pole" means any pole or tower owned by any utility company that is primarily used to support wires or cables necessary to the provision of electrical or other utility

services regulated by the California Public Utilities Commission. A telecommunications tower is not a utility pole.

(pp) (mm) "Wireless telecommunications facility" means equipment and network components such as antennas, accessory equipment, support structures, and emergency power systems that are integral to providing wireless telecommunications services. Exceptions: The term "wireless telecommunications facility" does not apply to thefollowing:

(1) Government-owned and operated telecommunications facilities.

(2) Emergency medical care provider-owned and operated telecommunications facilities.

(3) Mobile services providing public information coverage of news events of a temporary nature.

(4) Any wireless telecommunications facilities exempted from this code by federal law or state law.

(qq) "Wireless telecommunications services" means the provision of services using a wireless telecommunications facility or a collocation facility, and shall include, butnot limited to, the following services: personal wireless services as defined in the federal Telecommunications Act of 1996 at 47 U.S.C. § 332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

(rr) "WTFP" means a "wireless telecommunications facility permit" required by this chapter.

7.28.30 - APPLICABILITY.

(a) This chapter applies to the siting, construction or modification of any and all wireless telecommunications facilities proposed to be located in the public right-of-way as follows:

(5) Pre-existing Facilities in the ROW. Nothing in this chapter shall validate any existing illegal or unpermitted wireless facilities. All existing wireless facilities shall comply with and receive a wireless encroachment permit, when applicable, tobe considered legal and conforming.

(b) This chapter does not apply to the following:

(1) Amateur radio facilities;

(2) OTARD antennas;

(3) Facilities owned and operated by the City for its use or for public safety purposes;

(4) Any entity legally entitled to an exemption pursuant to state or federal law or governing franchise agreement;

(5) Installation of a COW or a similar structure for a temporary period in connection with an emergency or event at the discretion of the Development Services Director, but no longer than required for the emergency or event, provided that installation does not involve excavation, movement, or removal of existing facilities;

(6) Facilities on private property or publicly-owned property not in the public right-of-way.

(c) Public use. Except as otherwise provided by state or federal law, any use of the PROW authorized pursuant to this chapter will be subordinate to the City's use and use by the public.

7.28.40 - WIRELESS TELECOMMUNICATIONS FACILITY PERMIT REQUIREMENTS.

(a) Administration. Unless a matter is referred to the planning director as provided below, The Development Services Director is responsible for administering this chapter. As part of the administration of this chapter, the Development Services Director may:

(1) Interpret the provisions of this chapter;

(2) Develop and implement standards governing the placement and modification of wireless telecommunications facilities consistent with the requirements of this chapter, including regulations governing collocation and resolution of conflicting applications for placement of wireless facilities;

(3) Develop and implement acceptable design, location and development standards for wireless telecommunications facilities in the PROW, taking into account the zoning districts bounding the PROW;

(4) Develop forms and procedures for submission of applications for placement or modification of wireless facilities, and proposed changes to any support structure consistent with this chapter;

(5) Collect, as a condition of the completeness of any application, any fee established by this chapter;

(6) Establish deadlines for submission of information related to an application, and extend or shorten deadlines where appropriate and consistent with federal laws and regulations;

(7) Issue any notices of incompleteness, requests for information, or conduct or commission such studies as may be required to determine whether a permit should be issued;

(8) Require, as part of, and as a condition of completeness of any application, that an applicant for a wireless encroachment permit send notice to members of the public that may be affected by the placement or modification of the wireless facility and proposed changes to any support structure;

(9) Subject to appeal as provided herein, determine whether to approve, approve subject to conditions, or deny an application; and

(10) Take such other steps as may be required to timely act upon applications for placement of wireless telecommunications facilities, including issuing written decisions and entering into agreements to mutually extend the time for action on an application.

(b) Administrative Wireless Telecommunications Facilities Permits ("Administrative WTFP").

(1) An Administrative WTFP, subject to the Development Services Director's approval, may be issued for wireless telecommunications facilities, collocations, modifications or replacements to an eligible support structure that meet the following criteria:

i. The proposal is determined to be for a SWF; or

ii. The proposal is determined to be an eligible facilities request; or

iii. Both.

(2) In the event that the Development Services Director determines that any application submitted for an Administrative WTFP does not meet the administrative permit criteria of this chapter, the Development Services Director shall convert the application to a major facility application and refer it to Planning Commission hearing in accordance with section 10.25.080 of the Code.

(3) Except in the case of an eligible facilities request, the Development Services Director may refer, in his/her discretion, any application for an Administrative WTFP to the Planning Commission for hearing.

(c) Special Provisions for SWFs; SWF Regulations. Notwithstanding any other provision of this chapter as provided herein, all SWFs are subject to a permit as

specified in the SWF Regulations, which is adopted and may be amended by City Council resolution. All SWFs, shall comply with the SWF Regulations, as they may be amended from time to time.

(1) The SWF Regulations are intended to be constructed in consistency with, and addition to, the terms and provisions of this chapter. To the extent general provisions of this chapter are lawfully applicable to SWFs, such terms shall apply unless in contradiction to more specific terms set forth in the SWF Regulations, in which case the more specific terms of the SWF Regulations shall control.

(d) Other Permits Required. In addition to any permit that may be required under this chapter, the applicant must obtain all other required prior permits or other approvals from other City departments, or state or federal agencies. Any permit granted under this chapter is subject to the conditions and/or requirements of other required prior permits or other approvals from other City departments, state or federal agencies. Building and encroachment permits, and all City standards and requirements therefor, are applicable.

(e) Eligible Applicants. Only applicants who have been granted the right to enter the PROW pursuant to state or federal law, or who have entered into a franchise agreement with the City permitting them to use the PROW, shall be eligible for a WTFP pursuant to this chapter.

7.28.50 - APPLICATION FOR WIRELESS TELECOMMUNICATIONS FACILITY PERMITS.

(a) Generally. Unless the SWF Regulations specifically provide otherwise, the applicant shall submit a paper copy and an electronic copy of any application, amendments, or supplements to a WTFP application, or responses to requests for information regarding an WTFP, in accordance with the provisions of this section. SWF applications shall be governed by any additional terms set forth in the SWF Regulations, and in the event of an inconsistency between the provisions of this Section and the terms of the SWF Regulations, the Regulations shall control.

(1) All applications for WTFPs shall be initially submitted to the Development Services Director. In addition to the information required of an applicant for an encroachment permit or any other permit required by this Code, each applicant shall fully and completely submit to the City a written application on a form prepared by the Development Services Director and published on the City's website.

(2) Ground mounted equipment, conduit, junction boxes and fiber and electrical connections necessary for and intended for use in the deployment shall also be specified, to the extent known regardless of whether the additional facilities are to be constructed by the applicant or leased from a third party. Where another party is responsible for installing such electric and fiber utilities, conduits, cables, and related improvements, applicant's

construction drawings will include such utilities to the extent known at the time of application, but at a minimum applicant must indicate how it expects to obtain fiber and electric service to the small wireless facility. Notwithstanding the foregoing, no ground mounted equipment, conduit, junction boxes or fiber and electrical connections necessary for andintended for use in the deployment shall be installed until a WTFP has beenapproved or conditionally approved for the deployment.

(b) Application Contents—Administrative WTFPs. The content of the application form for facilities subject to an Administrative WTFP shall be determined by the Development Services Director. Fees and Deposits Submitted with Application(s).

(1) For all WTFPs, application fee(s) and or deposit(s) shall be required to be submitted with any application, as established by City Council resolution and in accordance with California Government Code Section 50030. Notwithstanding the foregoing, no application fee shall be refundable, in whole or in part, to an applicant for a WTFP unless paid as a refundable deposit.

(c) Costs. Reasonable costs of City staff, consultant and attorney time (including that of the City Attorney) pertaining to the review, processing, noticing and hearing procedures directly attributable to a WTFP shall be reimbursable to the City. To this end, the Development Services Director or designee, as applicable, may require applicants to enter cost recovery agreement, in a form approved by the City Attorney, or other established trust/deposit accounting mechanism for purposes of obtaining an applicant deposit from which the direct costs of City processing of an application may be drawn-down.

(d) Effect of State or Federal Law on Application Process. In the event a state or federal law prohibits the collection of any information required by the application, the Development Services Director is authorized to omit, modify or add to that request from the City's application form in consultation with the City Attorney. Requests for waivers from any application requirement of this Section shall be made in writing to the Development Services Director or designee. The Development Services Director may grant a request for waiver if it is demonstrated that, notwithstanding the issuance of a waiver, the City will be provided all information necessary to understand the nature of the construction or other activity to be conducted pursuant to the WTFP sought. All waivers approved pursuant to this Subsection shall be (1) granted only on a case-by-case basis, and (2) narrowly-tailored to minimize deviation from the requirements of this Code.

(e) Applications Deemed Withdrawn. To promote efficient review and timely decisions, any application governed under this chapter will be automatically deemed withdrawn by the applicant when the applicant fails to tender a substantive response to the City on any application within sixty (60) calendar days after the application is deemed incomplete in a written notice to the applicant that identifies the missing documents or information and the specific rule or regulation creating the obligation to submit such documents or information. The Development Services

Director (as applicable) may, in their discretion, grant a written extension when the applicant submits a written request prior to the sixtieth (60^{th}) day that shows good cause to grant the extension.

(f) Waiver of Applications Superseded by Submission of New Project. If an applicant submits a WTFP application, but substantially revises the proposed facility during the application process prior to any City hearing or decision on such application, the substantially revised application shall be deemed a new application for all processing purposes, including federal shot clocks, and the prior submittals deemed waived and superseded by the substantially revised application. For purposes of this subparagraph, "substantially revised" means that the project as initially- proposed has been alternately proposed for a location 300 feet or more from the original proposal or constitutes a substantial change in the dimensions or equipment that was proposed in the original WTFP application unless the proposed changes were as a result of City requested changes.

(g) Rejection for Incompleteness. WTFPs will be processed, and notices of incompleteness provided, in conformity with state, local, and federal law. If such an application is incomplete, it may be rejected by the Development Services Director by notifying the applicant in writing and specifying the material omitted from the application.

7.28.60 - REVIEW PROCEDURE.

(a) Generally. Wireless telecommunications facilities shall be installed and modified in a manner that minimizes risks to public safety and utilizes installation of new support structures or equipment cabinets in the PROW only after all existing and replacement structure options have been exhausted, and where feasible, places equipment underground, and otherwise maintains the integrity and character of the neighborhoods and corridors in which the facilities are located; ensures that installations are subject to periodic review to minimize the intrusion on the PROW; and ensures that the City bears no risk or liability as a result of the installations, and that such use does not inconvenience the public, interfere with the primary uses of the ROW, or hinder the ability of the City or other government agencies to improve, modify, relocate, abandon, or vacate the PROW or any portion thereof, or to cause the improvement, modification, relocation, vacation, or abandonment of facilities in the PROW.

(b) Findings Required for Approval.

(1) Administrative WTFP Applications for SWFs. For WTFP applications proposing a SWF, the Development Services Director or planning director, as the case may be, shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:

i. The facility qualifies as a SWF; and

ii. The facility meets all standards, requirements and further findings as may be specified in the SWF Regulations; and

iii. The facility is not detrimental to the public health, safety, and welfare; and

iv. The facility meets applicable requirements and standards of State and Federal law.

(2) Administrative WTFP Applications for Eligible Facility Requests. For WTFP applications proposing an eligible facilities request, the Development Services Director shall approve such application if, on the basis of the application and other materials or evidence provided in review thereof, all of the following findings can be made:

i. That the application qualifies as an eligible facilities request; and

ii. That the proposed facility will comply with all generally-applicable laws.

(c) Notice; Decisions. The provisions in this Section describe the procedures for the approval process, and any required notice for a WTFP application.

(1) Administrative WTFPs: Notice of a WTFP application for a SWF shall be mailed to owners and occupants of real property surrounding the proposed SWF site in the manner specified in the SWF Regulations. Applications qualifying for eligible facilities requests shall not require notice.

(2) Written Decision Required for All WTFP Determinations. Unless otherwise specified for SWF's in the SWF Regulations, all final decisions made pursuant to this chapter, including those for administratively- processed permits and eligible facilities requests, shall be in writing and based on substantial evidence in the written administrative record. Within five days after any decision to grant, approve, deny or conditionally grant a WTFP application, the Development Services Director shall provide written notice including the following:

i. A general explanation of the decision, including the findings required for the decision, if any, and how those findings were supported or not supported by substantial evidence;

ii. A general description of the property involved;

iii. Information about applicable rights to appeal the decision and explanation of how that right may be exercised; and

iv. To be given by first class mail to:

a. The project applicant and property owner,

b. Any person who submitted written comments concerning the WTFP,

c. Any person within who has filed a written request with the City to receive such notice, and

d. Adjacent property owners within 300 feet of the WTFP facility.

(3) Once a WTFP is approved, no changes shall be made to the approved plans without review and approval in accordance with this chapter.

(d) Appeals.

(1) Administrative WTFP Appeals. Any person claiming to be adversely affected by an administrative decision pursuant to this chapter may appeal such decision. The appeal will be considered by a hearing officer appointed by the City Manager. The hearing officer may decide the issues de novo and whose written decision will be the final decision of the City. An appeal by a wireless infrastructure provider must be taken jointly with the wireless service provider that intends to use the wireless facility. Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, appeals of the administrative decision premised on the environmental effects of radio frequency emissions will not be considered.

a. Where the administrative decision grants an application based on a finding that denial would result in a prohibition or effective prohibition under applicable federal law, the decision shall be automatically appealed to the hearing officer. All non-automatic appeals by third-parties must be filed within two (2) business days of the written administrative decision, unless the Development Services Director extends the time therefore, and are only appealable by persons who (i) received formal notice of the application pursuant to Section 7.28.60(c), or (b) actively participated in or commented upon the City decision-making process, or (iii) otherwise demonstrate that they are directly impacted by aesthetic, safety-related or legal impacts attributable to the installation. An extension may not be granted where extension would result in approval of the application by operation of law.

b. Any appeal shall be conducted so that a timely written decision may be issued in accordance with applicable law. For SWFs, the appeal shall be conducted in accordance with any procedures adopted in the SWF Regulations.

(e) Notice of Shot Clock Expiration. The City acknowledges there are federal and state shot clocks which may be applicable to a proposed wireless telecommunications

facility. That is, federal and state law provide time periods in which the City must approve or deny a proposed wireless telecommunications facility. As such, the applicant is required to provide the Development Services Director written notice, which may be by email, of the expiration of any shot clock, which the applicant shall ensure is received by the City (e.g. overnight mail) no later than 10 days prior to the expiration.

7.28.70 – DESIGN AND DEVELOPMENT STANDARDS.

(a) SWF Design and Development Standards. SWFs are subject to those design and development standards and conditions of approval set forth in the SWF Regulations. The City's grant of a WTFP for a SWF does not waive, and shall not be construed to waive, any standing by the City to challenge any FCC orders or rules related to small wireless facilities, or any modification to those FCC orders or rules.

(b) Eligible Facilities Request Design and Development Standards. Approved eligible facilities requests for which the findings set forth in Section 7.28.060 have been made are subject to the following conditions, unless modified by the approving authority:

(1) WTFP subject to conditions of underlying permit. Any WTFP granted in response to an application qualifying as an eligible facilities request shall be subject to the terms and conditions of the underlying permit and all such conditions that were applicable to the facility prior to approval of the subject eligible facility request, provided such conditions do not apply in such a manner as to prohibit the granting of the Eligible Facilities Request.

(2) No permit term extension. The City's grant or grant by operation of law of an eligible facilities request permit constitutes a federally-mandated modification to the underlying permit or approval for the subject tower or base station. Notwithstanding any permit duration established in another permit condition, the City's grant or grant by operation of law of a eligible facilities request permit will not extend the permit term for the underlying permit or any other underlying regulatory approval, and its term shall have the same term as the underlying permit or other regulatory approval for the subject tower or base station.

(3) No Waiver of Standing. The City's grant or grant by operation of law of an eligible facilities request does not waive, and shall not be construed to waive, any standing by the City to challenge Section 6409(a) of the Spectrum Act, any FCC rules that interpret Section 6409(a) of the Spectrum Act, or any modification to Section 6409(a) of the Spectrum Act (codified as 47 U.S.C. §1455(a)).

(c) Other General Design Standards. Excepting applications for eligible facilities requests, all wireless telecommunications facilities that are located within the

public right-of-way shall be designed and maintained as to minimize visual, noise and other impacts on the surrounding community and shall be planned, designed, located, and erected in accordance with the following standards. WTFP applications (excepting those eligible facilities requests) that do not meet any of the following standards are prohibited unless such standards (i) would be technically infeasible to achieve the applicant's service objectives, as supported by clear and convincing evidence in the written record, and/or (ii) subject to an exception for State or Federal law under Section 7.28.150.

The applicant shall employ screening, undergrounding and camouflage design techniques in the design and placement of wireless telecommunications facilities in order to ensure that the facility is asvisually screened as technically feasible, to prevent the facility from dominating the surrounding area and to minimize significant view impactsfrom surrounding properties and public views, all in a manner that achievescompatibility with the community and in compliance with this code.

(1) Screening shall be designed to be architecturally compatible with surrounding structures using appropriate techniques to camouflage, disguise, and/or blend into the environment, including landscaping, color, and other techniques to minimize the facility's visual impact as well as be compatible with the architectural character of the surrounding buildings or structures in terms of color, size, proportion, style, and quality.

(2) All facilities shall have colors and non-reflective materials that blend with the materials and colors of the surrounding area, infrastructure and structures.

(3) The applicant shall use the least visible equipment for the provision of wireless telecommunications services that is technically feasible.

(4) All cables, including, but not limited to, electrical and utility cables, shall be run within the interior of the support structure and shall be camouflaged to the extent technologically feasible. For all support structures wherein interior installation is infeasible, conduit and cables attached to the exterior shall be mounted as close to the pole as technically feasible while complying with applicable electric safety codes and painted to match the structure. All cables and wires that cannot feasibly be mounted internally shall be clipped-up and/or placed in conduit the minimum size necessary to accommodate the wiring, or otherwise concealed out of public view.

(5) No new guy wires shall be allowed unless required by other laws or regulations.

(6) All ground-mounted facility, pole-mounted equipment, or walls, fences, landscaping or other screening methods shall be installed at least 18 inches from the curb and gutter flow line.

(7) No facility shall bear any signs or advertising devices other than certification, warning or other signage required by law or permitted by the City.

7.28.80 - OPERATION AND MAINTENANCE STANDARDS.

All wireless telecommunications facilities must comply at all times with the following operation and maintenance standards:

(a) The permittee shall at all times maintain compliance with all applicable federal, state and local laws, regulations and other rules, including, without limitation, those applying to use of the PROW. The permittee shall ensure that all equipment and other improvements to be constructed and/or installed in connection with the approved WTFP are maintained in a manner that is not detrimental or injurious to the public health, safety, and general welfare and that the aesthetic appearance is continuously preserved, and substantially the same as shown in the approved plans at all times relevant to the WTFP.

(b) Unless otherwise provided herein, all necessary repairs and restoration shall be completed by the permittee, owner, operator or any designated maintenance agent at its sole cost within 3 business days:

(1) After discovery of the need by the permittee, owner, operator or any designated maintenance agent; or

(2) After permittee, owner, operator or any designated maintenance agent receives notification from the City.

(c) Insurance. The permittee shall obtain and maintain throughout the term of the permit a type and amount of insurance as specified by City's risk management. The relevant policy(ies) shall name the City, its elected/appointed officials, commission members, officers, representatives, agents, and employees as additional insured. The permittee shall use its best efforts to provide thirty (30) days prior notice to the Development Services Director of the cancellation or material modification of any applicable insurance policy.

(d) Indemnities. The permittee and, if applicable, the owner of the property upon which the wireless facility is installed shall defend, indemnify and hold harmless the City, its agents, officers, officials, and employees:

i. From any and all damages, liabilities, injuries, losses, costs, and expenses, and from any and all claims, demands, law suits, writs of mandamus, and other actions or proceedings brought against the City or its agents, officers, officials, or employees to challenge, attack, seek to modify, set aside, void or annul the City's approval of the permit, and

ii. From any and all damages, liabilities, injuries, losses, costs, and expenses, and any and all claims, demands, law suits, or causes of action and other actions or proceedings of any kind or form, whether for personal injury, death or property damage, arising out of or in connection with the activities or performance of the permittee or, if applicable, the private property owner or any of each one's agents,

employees, licensees, contractors, subcontractors, or independent contractors.

In the event the City becomes aware of any such actions or claims the City shall promptly notify the permittee and, if applicable, the private property owner and shall reasonably cooperate in the defense. The City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and the property owner and/or Permittee (as applicable) shall reimburse the City for any costs and expenses directly and necessarily incurred by the City in the course of defending itself against any such actions or claims as noted herein.

Performance and Removal Bond. Prior to issuance of a wireless encroachment permit, the permittee shall file with the City, and shall maintain in good standing throughout the term of the approval, a performance bond or other surety or anotherform of security for the removal of the facility in the event that the use is abandonedor the permit expires, or is revoked, or is otherwise terminated. The security shall be in the amount equal to 100% of the cost of removal of the facility as specified inthe application for the WTFP or as that amount may be modified by the Development Services Director in in the permit based on the characteristics of the application as approved. The permittee shall reimburse the City for staff time associated with the processing and tracking of the bond, based on the hourly rate adopted by the City Council. Reimbursement shall be paid when the security is posted and during each administrative review.

(e) Adverse Impacts on Adjacent Properties. Permittee shall undertake all reasonable and technically feasible efforts to avoid undue adverse impacts to adjacent properties and/or uses that may arise from the construction, operation, maintenance, modification, and removal of the facility. All facilities, including each piece of equipment, shall be located and placed in a manner so as to not interfere with the use of the PROW, impede the flow of vehicular or pedestrian traffic, impair the primary use and purpose of poles/signs/traffic signals or other infrastructure, interfere with outdoor dining areas or emergency facilities, or otherwise obstruct the accessibility of the PROW.

(f) Contact Information. Each permittee of a wireless telecommunications facility shall provide the Development Services Director with the 24-hour local or toll free contact phone number of the permittee, the owner, the operator and the agent responsible for the maintenance of the facility ("contact information"). Contact information shall be updated within seven days of any change.

(g) All facilities, including, but not limited to, telecommunication towers, poles, accessory equipment, lighting, fences, walls, shields, cabinets, artificial foliage or camouflage, and the facility site shall be maintained in good condition, including ensuring the facilities are reasonably free of:

(1) Subsidence, cracking, erosion, collapse, weakening, or loss of lateral support to City streets, sidewalks, walks, curbs, gutters, trees, parkways, street lights, traffic signals, improvements of any kind or nature, or utility lines and systems, underground utility line and systems (water, sewer, storm

drains, gas, oil, electrical, etc.) that result from any activities performed in connection with the installation and/or maintenance of a wireless facility in the PROW;

(2) General dirt and grease;

(3) Chipped, faded, peeling, and cracked paint;

(4) Rust and corrosion;

(5) Cracks, dents, and discoloration;

(6) Missing, discolored or damaged artificial foliage or other camouflage;

(7) Graffiti, bills, stickers, advertisements, litter and debris. All graffiti on facilities must be removed at the sole expense of the permittee within forty eight (48) hours after notification from the City;

(8) Broken and misshapen structural parts; and

(9) Any damage from any cause.

(h) All trees, foliage or other landscaping elements approved as part of the facility shall be maintained in neat, safe and good condition at all times, and the permittee, owner and operator of the facility shall be responsible for replacing any damaged, dead or decayed landscaping. No amendment to any approved landscaping plan may be made until it is submitted to and approved by the Development Services Director.

(i) The permittee shall replace its facilities, after obtaining all required permits, if maintenance or repair is not sufficient to return the facility to the condition it was in at the time of installation.

(j) Each facility shall be operated and maintained to comply with all conditions of approval. The permittee, when directed by the City, must perform an inspection of the facility and submit a report to the Development Services Director on the condition of the facility to include any identified concerns and corrective action taken.

(k) Failure to comply with the City's adopted noise standard, Section 4.12.710, *et seq.* after written notice and reasonable opportunity to cure have been given shall be grounds for the City to revoke the permit.

(l) Interference.

(1) The permittee shall not move, alter, temporarily relocate, change, or interfere with any existing structure, improvement, or property without the prior consent of the owner of that structure, improvement, or property. No structure, improvement, or property owned by the City shall be moved to

accommodate a permitted activity or encroachment, unless the City determines that such movement will not adversely affect the City or any surrounding businesses or residents, and the permittee pays all costs and expenses related to the relocation of the City's structure, improvement, or property. Prior to commencement of any work pursuant to a wireless encroachment permit, the permittee shall provide the City with documentation establishing to the City's satisfaction that the permittee has the legal right to use or interfere with any other structure, improvement, or property within the PROW or City utility easement to be affected by permittee's facilities.

(2) The facility shall not damage or interfere in any way with City property, the City's operations or the operations of prior-existing, third party installations. The City will reasonably cooperate with the permittee and/or carrier to carry out such activities as are necessary to correct the interference.

i. Signal Interference. The permittee shall cure any such interference within 24 hours of written notification of the interference, or such other timeframes as may be dictated by FCC regulations, and in accordance with FCC regulations. Interference by applicant equipment impacting public safety signals shall be promptly and diligently resolved by the applicant, and may require a cease of operations of such equipment until the interference with public safety signals is fully resolved.

ii. Physical Interference. The City shall give the permittee thirty (30) days to correct the interference after which the City reserves the right to take any action it deems necessary, which could include revocation of the permit.

(3) The City at all times reserves the right to take any action it deems necessary, in its sole discretion, to repair, maintain, alter, or improve the sites. Such actions may temporarily interfere with the operation of the facility. The City will in all cases, other than emergencies, give the applicant written notification of such planned, non-emergency actions, which notice shall be provided commensurate with the City's commencement of design planning or 30 prior to the non-emergency action, whichever is greater.

(m) RF Exposure Compliance. All facilities must comply with all standards and regulations of the FCC and any other state or federal government agency with the authority to regulate RF exposure standards.

(n) Wind Load. Each facility shall be properly engineered to withstand wind loads as required by this code or any duly adopted or incorporated code. An evaluation of high wind load capacity shall include the impact of modification of an existing facility.

(o) Records. The permittee must maintain complete and accurate copies of all permits

and other regulatory approvals issued in connection with the facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event the records cannot be produced by the City or the applicant, the applicant shall have the opportunity to demonstrate by other relevant evidence that the facility as-built is compliant with the applicable code and all entitlements in-place at the time of construction of the original facility and any subsequent modifications to the original facility.

(p) Attorney's Fees. In the event it is necessary to take legal action pursuant to this chapter, all costs of such legal action, including reasonable attorney's fees, shall be paid to the prevailing party, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the parties otherwise agree to waive said fees or any part thereof.

7.28.090 - NO DANGEROUS CONDITION OR OBSTRUCTIONS ALLOWED.

No person shall install, use or maintain any wireless telecommunications facility that in whole or in part rests upon, in or over any public right-of-way, when such installation, use or maintenance endangers or is reasonably likely to endanger the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such facility unreasonably interferes with or unreasonably impedes the flow of pedestrian or vehicular traffic including any legally parked or stopped vehicle, the ingress into or egress from any residence or place of business, the use of poles, posts, traffic signs or signals, hydrants, fire station, fire escape, water valve, underground vault, valve housing structure, mailboxes, permitted sidewalk dining, permitted street furniture or other objects permitted at or near said location. All facilities shall be designed and located in such a manner as to avoid adverse impacts on traffic safety. A facility shall not be located within any portion of the public right-of-way interfering with access to a fire hydrant or any other public health or safety facility.

7.28.100 - NONEXCLUSIVE GRANT; NO POSSESSORY INTERESTS.

(a) No permit or approval granted under this chapter shall confer any exclusive right, privilege, license or franchise to occupy or use the public right-of-way of the City for any purpose whatsoever. Further, no approval shall be construed as a warranty of title.

(b) No possessory interest is created by a WTFP. However, to the extent that a possessory interest is deemed created by a governmental entity with taxation authority, the permittee acknowledge that the City has given to the applicant notice pursuant to California Revenue and Taxation Code Section 107.6 that the use or occupancy of any public property pursuant to a WTFP may create a possessory interest which may be subject to the payment of property taxes levied upon such interest. Wireless telecommunications facility operators shall be solely liable for, and shall pay and discharge prior to delinquency, any and all possessory interest taxes or other taxes, fees, and assessments levied against their right to possession, occupancy, or use of any public property pursuant to any right of possession,

occupancy, or use created by the WTFP.

(c) The permission granted by a WTFP shall not in any event constitute an easement on or an encumbrance against the PROW. No right, title, or interest (including franchise interest) in the PROW, or any part thereof, shall vest or accrue in permittee by reason of a wireless encroachment permit or the issuance of any other permit or exercise of any privilege given thereby.

7.28.110 - PERMIT EXPIRATION; ABANDONMENT OF APPLICATIONS.

(a) Permit Term. Unless Government Code Section 65964, as may be amended, or any other law authorizes the City to issue a permit with a shorter term, a permit for any wireless telecommunications facility shall be valid for a period of ten (10) years, unless pursuant to another provision of this code it lapses sooner or is revoked. At the end of ten (10) years from the date of issuance, such permit shall automatically expire.

(b) A permittee may apply for a new permit within 180 days prior to expiration. To the extent allowed by law, said application and proposal shall comply with the City's current code requirements for wireless telecommunications facilities.

(c) Timing of Installation. The installation and construction authorized by a WTFP shall begin within one (1) year after its approval, or it will expire without further action by the City. The installation and construction authorized by a WTFP shall conclude, including any necessary post-installation repairs and/or restoration to the PROW, within thirty (30) days following the day construction commenced, or at such later completion date as otherwise approved by the Director in writing based upon the City's reasonable discretion.

(d) Commencement of Operations. The operation of the approved facility shall commence no later than ninety (90) days after the completion of installation, unless additional delay is caused by power and/or backhaul providers, or the WTFP will expire without further action by the City. The permittee shall provide the Development Services Director notice that operations have commenced by the same date.

7.28.120 - CESSATION OF USE OR ABANDONMENT.

(a) A wireless telecommunications facility is considered abandoned and shall be promptly removed as provided herein if it ceases to provide wireless telecommunications services for ninety (90) or more consecutive days unless the permittee has obtained prior written approval from the director which shall not be unreasonably denied. If there are two or more users of a single facility, then this provision shall not become effective until all users cease using the facility.

(b) The operator of a facility shall notify the Development Services Director in writing of its intent to abandon or cease use of a permitted site or a nonconforming site (including unpermitted sites) within ten days of ceasing or abandoning use. Notwithstanding any other provision herein, the operator of the facility shallprovide

written notice to the Development Services Director of any discontinuation of operations of thirty (30) days or more.

(c) Failure to inform the Development Services Director of cessation or discontinuation of operations of any existing facility as required by this Section hall constitute a violation of any approvals and be grounds for:

(1) Litigation;

(2) Revocation or modification of the permit;

(3) Acting on any bond or other assurance required by this article or conditions of approval of the permit;

(4) Removal of the facilities by the City in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or

(5) Any other remedies permitted under this code or by law.

7.28.130 - REMOVAL AND RESTORATION—PERMIT EXPIRATION, REVOCATION OR ABANDONMENT.

(a) Upon the expiration date of the permit, including any extensions, earlier termination or revocation of the WTFP or abandonment of the facility, the permittee, owner or operator shall remove its wireless telecommunications facility and restore the site to the condition it was in prior to the granting of the WTFP, except for retaining the landscaping improvements and any other improvements at the discretion of the City. Removal shall be in accordance with proper health and safety requirements and all ordinances, rules, and regulations of the City. Expired, terminated or revoked wireless telecommunications facility equipment shall be removed from the site at no cost or expense to the City.

(b) Failure of the permittee, owner or operator to promptly remove its facility and restore the property within ninety (90) days after expiration, earlier termination or revocation of the WTFP, or abandonment of the facility, shall be a violation of this code. Upon a showing of good cause, an extension may be granted by the Development Services Director where circumstances are beyond the control of the permittee after expiration. Further failure to abide by the timeline provided in this Section shall be grounds for:

(1) Prosecution;

(2) Acting on any security instrument required by this chapter or conditions of approval of permit;

(3) Removal of the facilities by the City in accordance with the procedures established under this code for abatement of a public nuisance at the owner's expense; and/or

(4) Any other remedies permitted under this code or by law.

(c) Summary Removal. In the event any City director or City engineer determines that the condition or placement of a wireless telecommunications facility located in the public right-of-way constitutes a dangerous condition, obstruction of the public right-of-way, or an imminent threat to public safety, or determines other exigent circumstances require immediate corrective action (collectively, "exigent circumstances"), such director or City engineer may cause the facility to beremoved summarily and immediately without advance notice or a hearing. Writtennotice of the removal shall include the basis for the removal and shall be served upon the permittee and person who owns the facility within five business days of removal and all property removed shall be preserved for the owner's pick-up as feasible. If the owner cannot be identified following reasonable effort or if the owner fails to pick-up the property within 60 days, the facility shall be treated as abandoned property.

(d) Removal of Facilities by City. In the event the City removes a wireless telecommunications facility in accordance with nuisance abatement procedures or summary removal, any such removal shall be without any liability to the City for any damage to such facility that may result from reasonable efforts of removal. In addition to the procedures for recovering costs of nuisance abatement, the City may collect such costs from the performance bond posted and to the extent such costs exceed the amount of the performance bond, collect those excess costs in accordance with this code. Unless otherwise provided herein, the City has no obligation to store such facility. Neither the permittee, owner nor operator shall have any claim if the City destroys any such facility not timely removed by the permittee, owner or operator after notice, or removal by the City due to exigent circumstances.

7.28.140 - EFFECT ON OTHER ORDINANCES.

Compliance with the provisions of this chapter shall not relieve a person from complying with any other applicable provision of this code. In the event of a conflict between any provision of this chapter and other sections of this code, this chapter shall control.

7.28.150 - STATE OR FEDERAL LAW.

The implementation of this chapter and decisions on applications for placement of wireless telecommunications facilities in the PROW shall, at a minimum, ensure that the requirements of this chapter are satisfied, unless it is determined that the applicant has established that denial of an application would, within the meaning of federal law, prohibit or effectively prohibit the provision of personal wireless services, or otherwise violate applicable laws or regulations. If that determination is made, the requirements of this Chapter may be waived, but only to the minimum extent required to avoid the prohibition or violation.

7.28.160 – LEGAL NONCONFORMING WIRELESS TELECOMMUNICATIONS FACILITIES IN THE RIGHT-OF-WAY.

(a) Legal nonconforming wireless telecommunications facilities are those facilities that

existed but did not conform to this chapter on the date this chapter became effective.

(b) Legal nonconforming wireless telecommunications facilities shall, within ten years from the date this chapter became effective, be brought into conformity with all requirements of this article; provided, however, that should the owner desire to expand or modify the facility, intensify the use, or make some other change in a conditional use, the owner shall comply with all applicable provisions of this code at such time, to the extent the City can require such compliance under federal and state law.

(c) An aggrieved person may file an appeal to the City Council of any decision of the Development Services Director or other deciding body made pursuant to this Section. In the event of an appeal alleging that the ten-year amortization period is not reasonable as applied to a particular property, the city council may consider the amount of investment or original cost, present actual or depreciated value, dates of construction, amortization for tax purposes, salvage value, remaining useful life, the length and remaining term of the lease under which it is maintained (if any), and the harm to the public if the structure remains standing beyond the prescribed amortization period, and set an amortization period accordingly for the specific property.

COUNCIL POLICY

SMALL WIRELESS FACILITIES PER 47 CFR 1.6002(1) "SWF REGULATIONS"

SUBJECT:	**POLICY NO.:** _____	**DATE ADOPTED:**
Small Wireless Facilities (Administrative Approvals and Standards)	**AUTHORITY:** Resolution No. _-____	

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SECTION 1
GENERAL PROVISIONS SECTION

1.1. PURPOSE AND INTENT

This Policy is not intended to, nor shall it be interpreted or applied to: (1) prohibit or effectively prohibit any personal wireless service provider's ability to provide personal wireless services; (2) prohibit or effectively prohibit any entity's ability to provide any interstate or intrastate telecommunications service, subject to any competitively neutral and nondiscriminatory rules, regulations or other legal requirements for rights-of-way management; (3) unreasonably discriminate among providers of functionally equivalent services; (4) deny any request for authorization to place, construct or modify personal wireless service facilities on the basis of environmental effects of radio frequency emissions to the extent that such wireless facilities comply with the FCC' s regulations concerning such emissions; (5) prohibit any collocation or modification that the City may not deny under federal or California state law; (6) impose any unfair, unreasonable, discriminatory or anticompetitive fees that exceed the reasonable cost to provide the services for which the fee is charged; or (7) otherwise authorize the City to preempt any applicable federal or California law.

1.2. GENERAL DEFINITIONS

(a) **Undefined Terms.** Undefined phrases, terms or words in this Policy will have the meanings assigned to them in Chapter 7.28 of the Tracy Municipal Code, as may be amended or superseded, and, if not defined therein, will have their ordinary meanings. If any definition assigned to any phrase, term or word in this Policy conflicts with any federal or state-mandated definition, the federal or state-mandated definition will control.

(b) **Defined Terms**.

(1) **"approval authority"** means the City official responsible for reviewing applications for small cell permits and vested with the authority to approve, conditionally approve or deny such applications as provided in this Policy. The approval authority for applications in connection with small wireless facilities within the public rights-of-way shall be the Development Services Director or their designee.

(2) **"major roadway"** means a road designed primarily for long-distance travel, high traffic capacity, and low accessibility from neighboring roads. The term "major roadway" as used in this Policy includes freeways, expressways, boulevards, and major arterials as defined in the City of Tracy General Plan, Circulation Element and or City Roadway Master Plan.

(3) **"minor roadway"** means a road designed primarily as a connection betweenlocal roads and arterials, moderate to low traffic capacity, and high accessibility from local roads. The term "minor roadway" as used

in this Policy includes rural highways, minor arterials, collectors, and local streets and roads as defined in the City of Tracy General Plan, Circulation Element and or City Roadway Master Plan.

(4) "**concealed"** or **"concealment"** means camouflaging techniques that integrate the transmission equipment into the surrounding natural and/or built environment such that the average, untrained observer cannot directly view the equipment but would likely recognize the existence of the wireless facility or concealment technique. Camouflaging concealment techniques include, but are not limited to: (1) antennas mounted within a shroud or radome; (2) painted or otherwise concealed with film to match the existing structure, (3) equipment cabinets (whether mounted on the pole or in the PROW) painted or wrapped to match the applicable background; (4) concealed within the interior of the structure, and (5) if applicable and technically feasible, stealthed, such as a faux-tree or facade or rooftop mounted pop-out screen box.

(5) **"decorative pole"** means any pole that includes decorative or ornamental features, design elements and/or materials intended to enhance the appearance of the pole or the public rights-of-way in which the pole is located.

(6) **"FCC Shot Clock"** means the presumptively reasonable time frame within which the City generally must act on a given wireless application, as defined by the FCC and as may be amended from time to time.

(7) **"ministerial permit"** means any City-issued non-discretionary permit required to commence or complete any construction or other activity subject to the City's jurisdiction. Ministerial permits may include, without limitation, a building permit, construction permit, electrical permit, encroachment permit, excavation permit and/or traffic control permit.

(8) **"personal wireless services"** means the same as defined in 47 U.S.C. § 332(c)(7)(C)(i), as may be amended or superseded, which defines the term as commercial mobile services, unlicensed wireless services and common carrier wireless exchange access services.

(9) **"personal wireless service facilities"** means the same as defined in 47 U.S.C. §332(c)(7)(C)(i), as may be amended or superseded, which defines the term as facilities that provide personal wireless services.

(10) **"RF"** means radio frequency or electromagnetic waves generally between 30 kHz and 300 GHz in the electromagnetic spectrum range.

(11) **"Section 6409"** means Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, codified as 47 U.S.C. § 1455(a), as may be amended.

(12) **"Small cell"** bears the same meaning as "small wireless facility" or "SWF" as used in Chapter7.28 of the Municipal Code.

SECTION 2
SMALL WIRELESS FACILITIES

2.1. APPLICABILITY; REQUIRED PERMITS AND APPROVALS

(a) Applicable Wireless Facilities. Except as expressly provided otherwise in this Policy, the provisions in this Policy shall be applicable to all existing small wireless facilities (SWFs)and all applications and requests for authorization to construct, install, attach, operate, collocate, modify, reconstruct, relocate or otherwise deploy small wireless facilities within the City's jurisdictional and territorial boundaries within the public rights-of-way (PROW).

2.2. SMALL CELL PERMIT APPLICATION REQUIREMENTS; PRE-APPLICATION PUBLIC NOTICING REQUIREMENTS

(a) Small Cell Permit Application Contents. All applications for a SWF WTFP must include all the information and materials required in this subsection (a), unless exempted by the approval authority.

(1) **Application Form.** The applicant shall submit a complete, duly executed SWF WTFP application on the then-current form prepared pursuant to Chapter 7.28.050 of the Municipal Code.

(2) **Application Fee.** The applicant shall submit the applicable SWF WTFP application fee established by City Council resolution. Batched applications must include the applicable application fee for each SWF in the batch.

(3) **Construction Drawings.** The applicant shall submit true and correct construction drawings, prepared, signed and stamped by a California licensed or registered engineer, that depict all the existing and proposed improvements, equipment and conditions related to the proposed project, which includes without limitation any and all poles, posts, pedestals, traffic signals, towers, streets, sidewalks, pedestrian ramps, driveways, curbs, gutters, drains, handholes, manholes, fire hydrants, equipment cabinets, antennas, cables, trees and other landscape features. The construction drawings must: (i) contain cut sheets that contain the technical specifications for all existing and proposed antennas and accessory equipment, which includes without limitation the manufacturer, model number and physical dimensions; (ii) for new, non-replacement poles and/or structures with ground mounted equipment. identify all structures within 500 feet from the proposed

project site and call out such structures' overall height above ground level; (iii) depict the applicant's plan for electric and data backhaul utilities, which shall include the locations for all conduits, cables, wires, handholes, junctions, transformers, meters, disconnect switches, and points of connection to the extent known at the time of application; and (iv) demonstrate that proposed project will be in full compliance with all applicable health and safety laws, regulations or other rules, which includes without limitation all building codes, electric codes, local street standards and specifications, and public utility regulations and orders.

(4) **Site Survey.** For any SWF proposed to be located within the PROW that (i) proposes a new pole, (ii) the installation of ground mounted equipment, or (iii) any equipment mounted below eight (8) feet on an existing or replacement pole of the same dimensions as the replaced structure, the site survey requirements in this subparagraph shall apply. The applicant shall submit a survey prepared, signed and stamped by a California licensed or registered engineer. The survey must identify and depict all existing boundaries, encroachments and other structures within a 250 foot radius, or the next closest pole if such is more than 250 feet away, feet from the proposed project site, which includes without limitation all: (i) traffic lanes; (ii) all private properties and property lines; (iii) above and below-grade utilities and related structures and encroachments; (iv) fire hydrants, roadside call boxes and other public safety infrastructure; (v) streetlights, decorative poles, traffic signals and permanent signage; (vi) sidewalks, driveways, parkways, curbs, gutters and storm drains; (vii) benches, trash cans, mailboxes, kiosks and other street furniture; and (viii) existing trees, planters and other landscaping features.

(5) **Photo Simulations.** The applicant shall submit site photographs and photo simulations that show the existing location and proposed SWF in context from at least three vantage points within the public streets or other publicly accessible spaces, together with a vicinity map that shows the proposed site location and the photo location for each vantage point.

(6) **Project Narrative and Justification.** The applicant shall submit a written statement that explains in plain factual detail whether and why the proposed wireless facility qualifies as a SWF as defined by the FCC in 47 C.F.R. § 1.6002(l). A complete written narrative analysis will state the applicable standard and all the facts that allow the City to conclude the standard has been met—bare conclusions not factually supported do not constitute a complete written analysis. As part of the written statement the applicant must also include (i) whether and why the proposed support is a structure as defined by the FCC in 47 C.F.R. § 1.6002(m); and (ii) whether and why the proposed wireless facility meets each required finding for a SWF permit as provided in Section 2.4.

(7) **RF Compliance Report.** The applicant shall submit an RF exposure compliance report that certifies that the proposed SWF, as well as any collocated wireless facilities, will comply with applicable federal RF exposure standards and exposure limits. The applicant may provide one RF exposure report for the entire SWF deployment if the applicant is using the same SWF configuration for all installations within that batch, or may submit one RF exposure compliance report for each subgroup installation identified in the batch. The RF report must be prepared and certified by an RF engineer a qualified expert acceptable to the City. The RF report must include the actual frequency and power levels (in watts ERP) for all existing and proposed antennas at the site and exhibits that show the location and orientation of all transmitting antennas and the boundaries of areas with RF exposures in excess of the uncontrolled/general population limit (as that term is defined by the FCC) and also the boundaries of areas with RF exposures in excess of the controlled/occupational limit (as that term is defined by the FCC). Each such boundary shall be clearly marked and identified for every transmitting antenna at the project site.

(8) **Public Notice.** Prior to a SWF application being deemed complete, applicants shall submit proof of mailing of public notice to all owners and occupants of real property, and the resident manager for any multi-family dwelling unit that includes ten (10) or more units, within 100 feet of the proposed SWF. The notice must contain: (1) a general project description and dimensioned, full color photo simulations; (2) the applicant's identification and contact information as provided on the application submitted to the City; (3) contact information for the approval authority; (4) a statement that the approval authority will act on the application without a public hearing but will accept written public comments that evaluate the application for compliance with the standards in this Policy; (5) a statement that the FCC requires the City to act on small cell permit applications, which includes any administrative appeals, in 60 days for attachments to existing structures and 90 days for new structures, unless the applicant voluntarily agrees to toll the timeframe for review; and (6) a deadline for submission of written public comments to the approval authority, which deadline shall not be less than thirty (30) days after mailing of said notice. Proof of mailing of notice by applicants shall include:

(A) A list of all addresses to which notice was mailed;

(B) A sample of the actual notice mailed, complete with any exhibits thereto;

(C) Proof of certified mailing.

(9) **Regulatory Authorization.** The applicant shall submit evidence of the applicant's regulatory status under federal and California law to provide the services and construct the SWF proposed in the application.

(10) **Site Agreement.** For any SWF proposed to be installed on any structure owned or controlled by the City and located within the public rights-of-way, the applicant must enter into a site agreement prepared on a form prepared by the City and approved by the City Attorney that states the terms and conditions for such non- exclusive use by the applicant. No site-specific changes shall be permitted to the City's form site agreement except as may be indicated on the form itself or as mutually agreed-to by the City. Any unpermitted site-specific changes to the City's form site agreement shall be deemed a basis to deem the application incomplete.

(11) **Acoustic Analysis.** The applicant shall submit an acoustic analysis prepared and certified by an engineer for the proposed SWF and all associated equipment including all environmental control units, sump pumps, temporary backup power generators and permanent backup power generators demonstrating compliance with the City's noise regulations. The acoustic analysis must also include an analysis of the manufacturers' specifications for all noise-emitting equipment and a depiction of the proposed equipment relative to all adjacent property lines. In lieu of an acoustic analysis, the applicant may submit evidence from the equipment manufacturer or a signed statement by an engineer or other qualified professional verifying that the ambient noise emitted from all the proposed equipment will not, both individually and cumulatively, exceed the applicable limits. No acoustic analysis report is required if noise emitting equipment is not part of the design.

(12) **Wind Load Analysis.** The applicant shall submit a wind load analysis with an evaluation of high wind load capacity and shall include the impact of modification of an existing facility.

(13) **Environmental Data.** A completed environmental assessment application, or in the alternative any and all documentation identifying the proposed WTFP as exempt from environmental review (under the California Environmental Quality Act, Public Resources Code 21000–21189, the National Environmental Policy Act, 42 U.S.C. §4321 *et seq.*, or related environmental laws).

(14) **FAA Documentation.** Copies of any documents that the applicant is required to file pursuant to Federal Aviation Administration regulations for the proposed wireless telecommunications facility.

(15) **Traffic Control Plan (TCP).** A traffic control plan when the proposed installation is on any street in a non-residential zone. The city shall have the discretion to require a traffic control plan when the applicant seeks to use large equipment (e.g. crane).

(16) **Landscape Plan.** Where vegetation is present and applicable, or otherwise technically feasible for concealment purposes, a scaled conceptual landscape plan showing existing trees and vegetation and

all proposed landscaping, concealment, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the SWF and its accessory equipment. Should there be no landscaping disturbed, no tree cutting proposed or no new landscaping proposed, no landscape plan shall be required. If any ground disturbance to existing ground conditions is employed (e.g., trenching, vaulting or conduit runs), such ground conditions must be returned to an in-kind condition.

(17) **CPCN.** Certification that applicant is a telephone corporation or a statement providing the basis for its claimed right to enter the PROW. If the applicant has a certificate of public convenience and necessity (CPCN) issued by the California Public Utilities Commission, it shall provide a copy of its CPCN.

(18) **Lighting Study.** The applicant shall submit a lighting study, which shall be prepared by a qualified lighting professional to evaluate potential impacts to adjacent properties. Should no lighting be proposed, no lighting study shall be required.

(b) Additional Requirements. The City Council authorizes the approval authority to develop, publish and from time to time update or amend permit application requirements, forms, checklists, guidelines, informational handouts and other related materials that the approval authority finds necessary, appropriate or useful for processing any application governed under this Policy. All such requirements and materials must be in written form and publicly stated to provide all interested parties with prior notice (or posted upon the City's website).

2.3. SMALL CELL PERMIT APPLICATION SUBMITTAL AND COMPLETENESS REVIEW

(a) Pre-Submittal Conferences. For purposes of SWFs only, and notwithstanding any contrary provisions of Chapter 7.28, the City does not require pre-submittal appointments for the submission of SWF WTFPs. However, the City strongly encourages applicants to schedule and attend a pre-submittal conference with the approval authority for all proposed SWF projects, and particularly those that involve more than five SWFs. This voluntary pre-submittal conference does not cause the FCC Shot Clock to begin and is intended to streamline the review process through informal discussion that includes, without limitation, the appropriate project classification and review process; any latent issues in connection with the proposed project, including compliance with generally applicable rules for public health and safety; potential concealment issues or concerns (if applicable); coordination with other City departments responsible for application review; and application completeness issues. To mitigate unnecessary delays due to application incompleteness, applicants are encouraged (but not required) to bring any draft applications or other materials so that City staff may provide informal feedback and guidance about whether such applications or other materials may be incomplete or unacceptable. The

approval authority shall use reasonable efforts to provide the applicant with an appointment within five working days after receiving a written request and any applicable fee or deposit to reimburse the City for its reasonable costs to provide the services rendered in the pre- submittal conference.

(b) **Batched Applications.** Applicants may submit up to five individual applications for a SWF permit in a batch; provided, however, that small wireless facilities in a batch must be proposed with substantially the same equipment in the same configuration on the same support structure type. Each application in a batch must meet all the requirements for a complete application, which includes without limitation the application fee for each site in the batch. If any application in a batch is deemed incomplete, the entire batch shall be deemed incomplete; excepting that the applicant may withdraw those applications from the batch (in writing to the City or otherwise on-record) for any facility contained in the batch at applicant's discretion, in which event the withdrawn facility(ies) shall be submitted as a new application. If for any reason an incomplete application is not withdrawn from the batch, then the entire batch shall be deemed incomplete/withdrawn. If any application in a batch fails to meet the required findings for approval, the entire batch shall be denied. Where the city determines that it requires the services of a consultant to process SWF applications, the applicant shall deposit a fee equal to the actual and reasonable costs of the consultant's services to the city.

(c) **Additional Procedures.** The City Council authorizes the approval authority to establish other reasonable rules and regulations for duly filed applications. All such rules and regulations must be in written form and publicly stated to provide all interested parties with prior notice (or posted upon the City's website).

2.4. ADDITIONAL FINDINGS FOR SWFs

(a) **Required Findings.** In addition to those finding requirements set forth in Chapter 7.28 for SWF WTFP, the following findings are required for the approval or conditional approval of a SWF application:

(1) The proposed SWF would not be located on a prohibited support structure identified in this Policy;

(2) The proposed SWF would utilize the most preferred support structure and location within 250 feet from the originally proposed site in any direction, or the applicant has demonstrated with clear and convincing evidence in the written record that any more-preferred support structure(s) or locations within 250 feet would be technically infeasible or are otherwise unavailable;

(3) All public notices required for the application have been given.

(b) Because Section 332(c)(7) of the Telecommunications Act preempts local decisions premised directly or indirectly on the environmental effects of radio

frequency (RF) emissions, no decision upon a SWF application shall be premised upon the environmental or health effects of RF emissions, nor shall public comments be considered to the extent they are premised upon the environmental or health effects of RF emissions.

2.5. STANDARD CONDITIONS OF APPROVAL

(a) **General Conditions.** In addition to all other conditions adopted by the approval authority and Chapter 7.28 for a SWF permit, all SWF WTFPs issued under this Policy shall be automatically subject to the conditions in this subsection (a).

(b) **Post-Installation Certification.** Within 60 calendar days after the permittee commences full, unattended operations of a SWF approved or deemed-approved, the permittee shall provide the approval authority with documentation reasonably acceptable to the approval authority that the SWF has been installed and/or constructed in strict compliance with the approved construction drawings and photo simulations. Such documentation shall include without limitation as-built drawings, GIS data and site photographs.

(1) **Adverse Impacts on Other Properties.** In addition to those requirements in Chapter 7.28 the permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City or other state or federal government agency or official with authority to declare a state of emergency within the City. The approval authority may issue a stop work order for any activities that violates this condition in whole or in part.

(2) **Inspections; Emergencies.** The permittee expressly acknowledges and agrees that the City's officers, officials, staff, agents, contractors or other designees may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to the permittee. Notwithstanding the prior sentence, the City's officers, officials, staff, agents, contractors or other designees may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. The permittee, if present, may observe the City's officers, officials, staff or other designees while any such inspection or emergency access occurs.

(3) **Future Undergrounding Programs.** If other public utilities or communications providers in the PROW underground their facilities in the segment of the PROW where the permittee's SWF is located, the

permittee must underground its equipment except the antennas and any other equipment that must be placed above ground to function in a technically feasible manner. Accessory equipment such as radios and computers that require an environmentally controlled underground vault to function shall not be exempt from this condition, unless such requirement is technically infeasible as demonstrated by applicant. SWFs installed on wood utility poles that will be removed pursuant to the undergrounding program may be reinstalled on a streetlight that complies with the City's standards and specifications. Such undergrounding shall occur at the permittee's sole cost and expense except as may be reimbursed through tariffs approved by the state public utilities commission for undergrounding costs.

(4) **Electric Meter Upgrades.** If the commercial electric utility provider adopts or changes its rules obviating the need for a separate or ground-mounted electric meter and enclosure for radios, the permittee on its own initiative and at its sole cost and expense shall remove the separate or ground- mounted electric meter and enclosure to the extent technically feasible. Prior to removing the electric meter, the permittee shall apply for any encroachment and/or other ministerial permit(s) required to perform the removal. Upon decommissioning and removal of a SWF, the permittee shall restore the affected area to its original condition that existed prior to installation of the equipment, including the removal of any electric meter installed as part of the SWF.

(5) **Rearrangement and Relocation.** The permittee acknowledges that the City, in its sole discretion and at any time, may: (i) change any street grade, width or location; (ii) add, remove or otherwise change any improvements in, on, under or along any street owned by the City or any other public agency, which includes without limitation any sewers, storm drains, conduits, pipes, vaults, boxes, cabinets, poles and utility systems for gas, water, electric or telecommunications; and/or (iii) perform any other work deemed necessary, useful or desirable by the City (collectively, “City work”). The City reserves the rights to do any and all City work without any admission on its part that the City would not have such rights without the express reservation in the SWF permit. If the Development Services Director determines that any City work will require the permittee's SWF located in the PROW to be rearranged and/or relocated, the permittee shall, at its sole cost and expense, do or cause to be done all things necessary to accomplish such rearrangement and/or relocation. If the permittee fails or refuses to either permanently or temporarily rearrange and/or relocate the permittee's SWF within one hundred twenty (120) days from a City notice of start-of-work or reasonable time after notice from the Development Services Director, the City may (but will not be obligated to) cause the rearrangement or relocation to be performed at the permittee's sole cost and expense. The City may exercise its rights to rearrange or relocate the permittee's SWF without prior notice to permittee when the Development Services Director determines that the City work is immediately necessary to

protect public health or safety. The permittee shall reimburse the City for all costs and expenses in connection with such work within 10 days after a written demand for reimbursement and reasonable documentation to support such costs.

(6) The installation and construction approved by a SWF permit shall begin within one year after its approval. The Development Services Director may grant a permit extension when the applicant submits a written request that shows good cause to grant the extension. Otherwise, the permit will expire without further action by the City.

2.6. LOCATION REQUIREMENTS

(a) Preface to Location Requirements. Applications that involve lesser-preferred locations or structures may be approved so long as the applicant demonstrates that either (1) no more preferred locations or structures exist within 250 feet from the proposed site; or (2) any more preferred locations or structures within 250 feet from the proposed site would be technically infeasible to achieve the operator's service objectives, or more preferred locations within 250 feet are otherwise unavailable, as supported by clear and convincing evidence in the written record. The final subsection of this Section 2.6 identifies "prohibited" support structures on which the City shall not approve any small cell permit application for any competitor or potential competitor.

(1) Allowable locations for SWFs are on existing or replacement infrastructure such as street lights and utility poles.

(2) When choosing locations, choose locations in the right-of-way between occupiable buildings rather than immediately adjacent to occupiable buildings, and not adjacent to a window, if technically feasible.

(3) When locating in an alley, the SWF shall be placed at a height above the roof line of adjacent buildings to avoid being placed adjacent to a window. When locating in a walk-street, the facility shall be placed below the roof line of the adjacent buildings.

(4) If the SWF is not able to be placed on existing or like-kind replacement infrastructure, the applicant shall provide a map of existing infrastructure within ~~300~~ 200 feet of the SWF proposed site and describe why each such alternative site or structure was not technically feasible.

(b) Locations in the Public Rights-of-Way. The City prefers small wireless facilities in the public rights-of-way to be installed in locations, ordered from most preferred to least preferred, as follows:

(1) Locations within commercial or industrial districts on or along arterial roads;

(2) Locations within commercial or industrial districts on or along collector roads;

(3) Locations within commercial or industrial districts on or along local roads;

(4) Locations within residential districts on or along major roadways;

(5) Locations within residential districts on or along minor roadways;

(6) Any location in any district within 250 feet from any structure approved for a residential use.

(c) Support Structures in the Public Rights-of-Way. The City prefers SWFs to be installed on support structures in the PROW, ordered from most preferred to least preferred, as follows:

(1) Existing or replacement streetlight poles;

(2) Existing or replacement wood utility poles;

(3) New, non-replacement streetlight poles;

(4) New, non-replacement poles for small wireless facilities;

(5) Non-prohibited strand-mounted facilities.

(d) Prohibited Support Structures. The City prohibits SWFs to be installed on the following support structures, unless no other technically feasible structure that maximizes aesthetic characteristics is potentially available:

(1) Decorative poles;

(2) Traffic signals, signs, poles, cabinets and related devices;

(3) Any utility pole scheduled for removal or relocation within 12 months from the time the approval authority acts on the small cell permit application;

(4) New, non-replacement wood poles.

(5) Strand-mounted wireless facilities are prohibited, except for strand-mounted proposals in a PROW area that already contains aerial conduit carrying similar strand-mounted infrastructure.

2.7. DESIGN STANDARDS

(a) Visual & Other General Standards. SWFs shall be designed in the most aesthetically compatible means possible and with the underlying support structure and surrounding environment to the maximum extent feasible.

(1) **Noise.** SWFs and all accessory equipment and transmission equipment must comply with all applicable noise control standards and regulations in Municipal Code Section 4.12.710, *et seq.*, as may be amended or superseded, and shall not exceed, either on an individual or cumulative basis, the noise limit in the applicable district/zone.

(2) **Lights.** SWFs shall not include any lights that would be visible from publicly accessible areas, except as may be required under Federal Aviation Administration, FCC, other applicable regulations for health and safety. All equipment with lights (such as indicator or status lights) must be installed in locations and within enclosures that mitigate illumination impacts visible from publicly accessible areas. The provisions in this subsection (a)(2) shall not be interpreted or applied to prohibit installations on streetlights or luminaires installed on new or replacement poles as may be required under this Policy.

(3) **Landscape Features.** SWFs shall not displace any existing landscape features unless: (A) such displaced landscaping is replaced with native and/or drought- resistant plants, trees or other landscape features approved by the approval authority and (B) the applicant submits and adheres to a landscape maintenance plan in the event that tree cutting, landscaping disturbance or new landscaping is proposed. The landscape plan must include existing vegetation, and vegetation proposed to be removed or trimmed, and the landscape plan must identify proposed landscaping by species type, size and location. Landscape maintenance must be performed in accordance with Municipal Code Chapter 10.08 and the City's Landscape Manual or Streetscape Design Guidelines, as applicable, and as either may be amended or superseded.

(A) If any trees are damaged or displaced, the permittee shall hire and pay for a licensed arborist to select, plant replacement landscaping in an appropriate location for the species. Only International Society of Arboriculture certified workers under the supervision of a licensed arborist shall be used to install the replacement tree(s). Any replacement tree must be substantially the same size as the damaged tree. The permittee shall, at all times, be responsible to maintain any replacement landscape features.

(B) To preserve existing landscaping in the public rights-of-way, all work performed in connection with SWFs shall not cause any street trees to be trimmed, damaged or displaced. If any street trees are damaged or displaced, the applicant shall be responsible, at its sole cost and expense, to plant replacement trees and landscaping as similar to the original landscaping as reasonably possible and technically feasible at the site, and shall maintain said replacement landscaping for a period of one year following planting, after which time maintenance

responsibility shall transfer to the City. Replacement landscaping that dies during the one year period will be replaced in a reasonable time, and the one-year survival and maintenance period shall restart. In lieu of actual maintenance, a deposit amount for the landscaping survival period referenced in this subsection may be utilized as established by City fee resolution (to reflect actual cost).

(4) **Site Security Measures.** SWFs may incorporate reasonable and appropriate site security measures, such as locks and anti-climbing devices, to prevent unauthorized access, theft or vandalism. The approval authority shall not approve any barbed wire, razor ribbon, electrified fences or any similarly dangerous security measures. All exterior surfaces on SWFs shall be constructed from or coated with graffiti- resistant materials.

(5) **Signage; Advertisements.** All SWFs shall contain a site identification sticker that accurately identifies the site owner/operator, the owner/operator's site name or identification number and a toll-free number to the owner/operator's network operations center. SWFs may not bear any other signage or advertisements unless expressly approved by the City, required by law or recommended under FCC, OSHA, Federal Aviation Administration or other United States governmental agencies for compliance with RF emissions regulations. Permittees shall:

(A) Remove or paint over unnecessary equipment manufacturer decals and fill- in any visibly depressed manufacturer logos on equipment.

(B) Utilize the smallest and lowest visibility stickers required by government or electric utility regulations.

(C) Except where the use of such colors would conflict with federal law or the requirements of other governmental agencies, applicants shall use sticker colors that are muted

(D) Signage shall be maintained in legible condition and the carrier will be required to replace any faded signage within thirty (30) days of receiving written notification from the City that it is in need of replacing.

(6) **Compliance with Health and Safety Regulations.** All SWFs shall be designed, constructed, operated and maintained in compliance with all generally applicable health and safety regulations, which includes without limitation all applicable regulations for human exposure to RF emissions.

(b) **Dimensions; Design.** Wireless facilities shall be as small, short and unobtrusive as possible. Each facility shall be designed to occupy the least amount of space in the right- of-way that is technically feasible.

(1) **Overall Height.** SWFs may not exceed either (A) the minimum separation from electrical lines required by applicable safety regulations, plus four feet or (B) four feet above the existing support structure. In addition, SWFs shall be located no higher than 10% or 10 feet, whichever is greater, than the height otherwise permitted in the immediately adjacent zoning district. In no event shall a SWF structure exceed the standards set by 47 CFR 1.6002(1), subject to maximizing aesthetic standards for the deployment needed and compliant with General Order 95.

(2) **Concealment.** All antennas and associated mounting equipment, hardware, cables or other connecters must be completely concealed within an opaque antenna shroud or radome, to the extent technically feasible. The antenna shroud or radome must be painted a flat, non-reflective color or otherwise treated to match the underlying support structure. The wireless facility and accessory equipment shall be camouflaged with use of one or more concealment elements to blend the facility with surrounding materials and colors of the adjacent street light or utility pole to which it is mounted. Concealment elements include:

(A) Radio frequency transparent screening;

(B) Approved, specific colors;

(C) Use of non-reflective material(s);

(D) Minimizing the size of the site;

(E) Integrating the installation into existing or replacement utility infrastructure;

(F) Installing new infrastructure that matches existing infrastructure in the area surrounding the proposed site;

(G) Antennas, brackets (mounting), PVC or steel risers and cabling shall match the color of the adjacent structure;

(H) Paint shall be of durable quality;

(I) Materials shall be non-flammable and non-reflective;

(J) Each individual antenna may not exceed three cubic feet in volume.

(c) Accessory Equipment.

(1) **Installation Preferences.** SWF accessory equipment shall be enclosed in replacement poles, pole mounted in an equipment cabinet or enclosure, enclosed within ground-mounted equipment cabinets or placed underground where technically feasible and applicable to similar infrastructure deployments; and if not feasible, shall be as small, short and unobtrusive as possible. Applications that involve lesser-preferred installation locations may be approved so long as the applicant demonstrates that no more preferred installation location would be technically infeasible as supported by clear and convincing evidence in the written record.

(2) **Undergrounded Accessory Equipment.** Where technically feasible and/or as in compliance with the support structure owner's policies, all undergrounded accessory equipment must be installed in an environmentally controlled vault that is load-rated to meet the City's standards and specifications. Underground vaults located beneath a sidewalk must be constructed with a slip-resistant cover. Vents for airflow shall be flush-to-grade when placed within the sidewalk and may not exceed two feet above grade when placed off the sidewalk. Applicants shall not be permitted to install an underground vault in a location that would cause any existing tree to be materially damaged or displaced.

(d) Streetlights. Applicants shall provide replacement streetlight poles when the existing pole (i) cannot safely accommodate the proposed attachment, or (ii) is misaligned with, or non-characteristic of, the other existing streetlights in the immediate vicinity, or (iii) is otherwise non-compliant with the Tracy Municipal Code, or (iv) as required by the owner of the existing pole infrastructure. Applicants that propose to install SWFs on an existing streetlight that must remove and replace the existing streetlight must do so with one substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment. To mitigate any material changes in the streetlighting patterns, the replacement pole must: (A) be located as close to the removed pole as possible; (B) be aligned with the other existing streetlights; and (C) include a luminaire at substantially the same height and distance from the pole as the luminaire on the removed pole. All antennas must be installed above the pole within a single, canister style shroud or radome that tapers to the pole to the extent technically feasible and in accordance with the design standards in Section 2.7.

(e) Wood Utility Poles. The City prefers that applicants that propose to install SWFs on an existing wood utility pole install all antennas above the pole unless the applicant demonstrates that mounting the antennas above the pole would be technically infeasible or otherwise not possible as supported by clear and convincing evidence in the written record. Side-mounted antennas on a stand-off bracket or extension arm must be concealed within a shroud or otherwise camouflaged. All cables, wires and other connectors must be concealed within

the side-arm mount or extension arm to the extent technically feasible. The maximum horizontal separation between the antenna and the pole shall be the minimum separation required by applicable health and safety regulations and pole owner requirements.

(f) **For Replacement Poles and Street Lights.** If an applicant proposes a replacement pole or street light to accommodate the SWF, the replacement shall be in the same location as the street light or pole being replaced; unless the replacement will not meet all applicable standards, then replacement may be located in an alternative location that complies with the requirements herein.

(g) **New, Non-Replacement Poles.** Applicants that propose to install SWFs on a new, non- replacement pole must install a new streetlight substantially similar to the City's standards and specifications but designed to accommodate wireless antennas and accessory equipment located immediately adjacent to the proposed location. If there are no existing streetlights in the immediate vicinity, the applicant may install a metal or composite pole capable of concealing all the accessory equipment either within the pole or within an integrated enclosure located at the base of the pole. The pole diameter and any base enclosure diameter shall not exceed a diameter substantially similar to that of other poles in the immediate vicinity of the proposed site and which is technically feasible. All antennas, whether on a new streetlight or other new pole, must be installed above the pole within a single, canister style shroud or radome, or if such design is not technically feasible shall be designed to appear as integrated into the pole as feasible. Subject to these general guidelines:

The new pole must actually function for a purpose other than placement of a wireless facility (e.g. street light, utility pole, aerial strand, etc.).

(1) Such new support structure shall be designed to resemble existing support structures of the same type in the right-of-way near that location, including size, height, color, materials and style, with the exception of any existing structural designs that are scheduled to be removed and not replaced.

(2) Such new support structures shall not adversely impact public view corridors, and shall be located to the extent feasible in an area where there is existing natural or other feature that obscures the view of the new support structure. The applicant shall further employ concealment techniques to blend the new support structure with said features, including but not limited to the addition of concealment vegetation if technically feasible and non-obtrusive to facility signal transmission.

(h) **Encroachments over Private Property.** SWFs may not encroach onto or over any private or other property outside the PROW without the property owner's express written consent.

(i) **Backup Power Sources.** Fossil-fuel based backup power sources shall not be permitted within the PROW; provided, however, that connectors or receptacles may be installed for temporary backup power generators used in an emergency declared by federal, state or local officials. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 7:00 p.m. and 7:00 a.m.

(j) **Obstructions; Public Safety.** Small wireless facilities and any associated equipment or improvements shall not physically interfere with or impede access to any: (A) worker access to any above-ground or underground infrastructure for traffic control, streetlight or public transportation, including without limitation any curb control sign, parking meter, vehicular traffic sign or signal, pedestrian traffic sign or signal, barricade reflectors; (B) access to any public transportation vehicles, shelters, street furniture or other improvements at any public transportation stop; (C) worker access to above-ground or underground infrastructure owned or operated by any public or private utility agency; (D) fire hydrant or water valve; (E) access to any doors, gates, sidewalk doors, passage doors, stoops or other ingress and egress points to any building appurtenant to the rights-of-way; or (F) access to any fire escape.

(k) **Utility Connections.** All cables and connectors for telephone, data backhaul, primary electric and other similar utilities must be routed underground as required for similar right-of-way infrastructure deployments. Undergrounded cables and wires must transition directly into the pole base without any external doghouse. All cables, wires and connectors between the underground conduits and the antennas and other accessory equipment shall be routed through and concealed from view within: (A) internal risers or conduits if on a concrete, composite or similar pole; or (B) a cable shroud or conduit mounted as flush to the pole as possible if on a wood pole or other pole without internal cable space.

(l) **Spools and Coils.** To reduce clutter and deter vandalism, excess fiber optic or coaxial cables shall not be spooled, coiled or otherwise stored on the pole outside equipment cabinets or shrouds.

(m) **Electric Meters**.

(1) Applicants shall be solely responsible for obtaining and maintaining electric service for the SWF, including, but not limited to, making payments to electric utilities. Meterless electric utilities are required to be used when available. Upon proof that a wireless tariff is not available, an applicant shall be allowed to install a meter. No above-ground electric meters are allowed when meterless electric utilities are available. If a wireless tariff or the like is not available and a meter must be installed, all equipment must be metered independently from City utility services.

(2) Electrical meters, vaults and fans shall be located underground where technically feasible.

(n) Illustrative Examples. The following photographs depict wireless facility designs that the City may deem appropriate and technically feasible based upon clear and convincing evidence presented by the applicant. These examples are illustrative only, and may not be appropriate in all cases.











(o) **Future Modifications.** Any modifications to existing facilities or collocations shall not defeat the concealment elements of the existing structure/facility.

RESOLUTION 2021-_____

APPROVING COUNCIL POLICY ESTABLISHING SMALL WIRELESS FACILITIES REGULATIONS IN ACCORDANCE WITH FEDERAL LAW

WHEREAS, The Federal Communications Commission (FCC) released a Declaratory Ruling and Third Report and Order (FCC Order), that has certain requirements for Small Wireless Facilities (SWFs) in the public right-of-way, and

WHEREAS, The FCC Order requires that materials and requirements related to SWFs be in written form and available to the public, and

WHEREAS, Staff created Council Policy "SWF Regulations" as guidelines for wireless Communications facilities in the public right-of-way and intends to post on the City's website for public use, and

WHEREAS, The City Council conducted a public hearing to review and consider the Council Policy on May 4, 2021;

NOW, THEREFORE BE IT RESOLVED, That the City Council of the City of Tracy hereby approves a Council Policy on Small Wireless Facilities (SWF) Regulations.

* * * * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by the Tracy City Council on the 4th day of May 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

May 4, 2021

AGENDA ITEM 3.B

REQUEST

APPROVE A MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS FOR THE INSTALLATION OF SMALL WIRELESS FACILITIES ON CITY OWNED POLES IN THE RIGHT-OF-WAY

EXECUTIVE SUMMARY

Verizon Wireless provided a presentation to City Council in December of 2019 about installing small wireless facilities on city poles in the public right-of-way. City Council's approval of a Master License Agreement (MLA) will allow Verizon Wireless to start installation of small wireless facilities in accordance with state, federal and City regulations, and establish fees associated with deployment.

DISCUSSION

The federal government regulates interstate and international communications by radio, television, wire, satellite, and cable. The Federal Communications Commission (FCC) is responsible for implementing and enforcing federal communications laws and regulations including rules regarding telecommunications facilities such as large cell towers (e.g. faux palm tree) and small cells. Federal laws, such as the Telecommunications Act of 1996 and related regulations, generally limit local control over telecommunications facilities. For example, local agencies must take action on applications to install wireless communication facilities within a reasonable period of time (referred to as a "shot clock") or the application will be deemed approved. In addition, a state or local jurisdiction is prohibited from regulating "the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with" FCC rules. State legislation has codified a number of federal telecommunications regulations including the shot clocks (Gov. Code § 65964.1) and standards for approving certain wireless facility requests (Gov. Code § 65850.6). In addition, the California Public Utilities Code grants telephone companies the right to place equipment in the public rights-of-way, subject to some local control (CPUC §§ 7901 and 7901.1).

The FCC issued a Report and Order ("Order") that further limited the ability of local jurisdictions to regulate small cells, which are key to the deployment of 5G, the next generation of wireless technology and the subject of Verizon's presentation at the meeting held in December of 2019. The Telecommunications Act of 1996 prohibits local jurisdictions from enacting actual or effective prohibitions on the deployment of small cells in their jurisdictions. The FCC Order went further to require that local jurisdictions review applications to install small cells on existing structures within 60 days and for new structures 90 days. The FCC order also establishes "safe harbor" amounts that a local jurisdiction can charge for the processing of applications ($100 per application) and rent for the installation of small cells on City-owned assets (i.e. pole attachments) ($270 per facility/site). While a number of jurisdictions have filed legal challenges to the FCC Order and new federal legislation has been introduced that proposes to undo these FCC regulations, it is recommended that the City strive to meet the mandates of the FCC

order in the event those efforts fail. Thus, staff worked with outside counsel to prepare an ordinance and a small wireless facility policy that meet the requirements of the latest FCC order, which is being brought to the City Council on April 6, 2021. Verizon Wireless approached the City of Tracy in 2017 to discuss the possibility of placing small cells on City-owned assets in the public right-of-way. Verizon has entered into MLAs with various jurisdictions such as Los Angeles, Sacramento, San Mateo, and Dublin, which allow Verizon to install small cells on City-owned assets and where Verizon has agreed to various terms and conditions including but not limited to the payment of fees, relocation of facilities in the event of street widening, maintenance and repair responsibilities, 100 foot public notification prior to application being deemed complete by the City for transparency and indemnification and insurance requirements. MLAs and other similar type agreements are useful tools in ensuring communication and collaboration between telecommunication companies installing small cells and cities.

Staff has worked extensively with Verizon on key terms in the City's Ordinance and Policy such as aesthetics; blending in with the surroundings, and on public noticing, as was mentioned above. On December 3, 2019, Verizon Wireless provided a presentation to City Council about the deployment of small wireless facilities known as "small cells" and 5G wireless technology in California and their request to enter into a MLA with the City of Tracy to place small cells on the City's vertical assets (e.g. light poles and traffic signals) in the right-of-way in accordance with federal and state regulations.

Staff is returning to Council to approve a MLA with Verizon Wireless so that they can start with the deployment of small cells in the City's public right-of-way and the City can be in compliance with the FCC ruling.

STRATEGIC PLAN

This agenda item supports the City of Tracy's governance Strategic Priority, which is to enhance fiscal stability, retain and attract new talent, improve the use of technology, and enhance transparency for the betterment of the Tracy community.

FISCAL IMPACT

The costs associated with the negotiation of the MLA with Verizon has been absorbed in the existing City Attorney's Office Budget. Revenue will be generated by the MLA with Verizon through application processing fees of $100 per application and a license fee of $270 per site. It should also be noted that the City is reviewing the application cost structure and will be adding a deposit fee system as part of the upcoming Master Fee Schedule to ensure that application processing costs are fully covered.

RECOMMENDATION

Staff recommends that City Council, by resolution, approve a Master License Agreement with Verizon Wireless for installation of small wireless facilities on City poles in the right-of-way.

Prepared by: Veronica Child, Management Analyst II

Reviewed by: Robert Armijo, PE, City Engineer / Assistant Development Services Director
Karin Schnaider, Finance Director
Andrew Malik, Assistant City Manager

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment A – Master License Agreement

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MASTER LICENSE AGREEMENT FOR INSTALLATION OF SMALL WIRELESS FACILITIES ON CITY POLES IN THE RIGHT-OF-WAY

This MASTER LICENSE AGREEMENT FOR WIRELESS FACILITIES ON CITY POLES IN THE RIGHT-OF-WAY ("**Master License**") dated as of the last signature date below (the "**Effective Date**") is between the CITY OF TRACY, a California municipal corporation (the "**City**"), and Sacramento-Valley Limited Partnership, dba Verizon Wireless (the "**Licensee**").

BACKGROUND

A. WHEREAS, technology developments and demand for high-speed mobile data service and capacity has extended beyond the capabilities of traditional macrocell wireless communications facilities. To meet this demand, wireless providers have accelerated their Small Wireless Facility ("SWF") and distributed antenna system deployments in the public right-of-way and the City has a clear incentive to manage these accelerated deployments in a way that preserves local aesthetics and public health and safety; and eliminates risk, liability and cost to the City; and

B. WHEREAS, Licensee is in the business of installing, maintaining and operating wireless communication facilities and typically installs, maintains and operates its wireless communications facilities on existing vertical infrastructure, and/or on new vertical infrastructure installed by the Licensee, in the public right-of-way; and

C. WHEREAS, the City owns as its personal property, a number of existing Poles (defined below) within the public right-of-way that are potentially suitable for installing wireless communications facilities within the City's jurisdiction; and

D. WHEREAS, Licensee desires to install, maintain and operate wireless communications facilities on the City's Poles in the public right-of-way and Licensee is willing to compensate the City for the right to use the City's Poles for wireless communications purposes; and

E. WHEREAS, consistent with California state law, the City intends this Master License and any Site License (defined below) and Wireless Permit (defined below) to be applicable only to City-owned Poles; and

F. WHEREAS, consistent with all applicable Laws (defined below), the City does not intend this Master License to grant the Licensee any exclusive right to use or occupy the public rights-of-way within the City's territorial and/or jurisdictional boundaries, and Licensee expressly acknowledges that the City may enter into similar or identical agreements with other entities, which include without limitation Licensee's competitors and their ability to co-locate on City vertical infrastructure; and

G. WHEREAS, the City desires to authorize Licensee's access to individual City-owned Poles based on a comprehensive and uniform Master License according to the terms and conditions set forth in this Master License, any applicable Wireless Permit, and pursuant to all other Regulatory Approvals (defined below); and

H. WHEREAS, on , the City Council of the City of Tracy approved the form and material terms of this Master License to be used in connection with the licensing of Poles

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for Small Wireless Facilities, and further delegated authority to the Development Services Director to enter into such agreements.

NOW THEREFORE, for good, valuable and sufficient consideration received and acknowledged by the City and Licensee, the City and Licensee agree as follows:

AGREEMENT

1. GENERAL DEFINITIONS

"**Agent**" means agent, employee, officer, contractor, subcontractor, and representative of a party in relation to this Master License and the License Area.

"**Assignment**" means any of the following: (a) a merger, acquisition, or other transfer of a controlling interest in Licensee, voluntarily or by operation of Law; (b) Licensee's sale, assignment, encumbrance, pledge, or other transfer of any part of its interest in or rights with respect to the License Area; and (c) any action by Licensee to permit any portion of the License Area to be occupied by anyone other than itself, including a sublicense.

"**Common Control**" means two entities that are both Controlled by the same third entity.

"**Control**" means (a) as to a corporation, the ownership of stock having the right to exercise more than 50% of the total combined voting power of all classes of stock of the controlled corporation, issued and outstanding; or (b) as to partnerships and other forms of business associations, ownership of more than 50% of the beneficial interest and voting control of such association.

"**CPUC**" means the California Public Utilities Commission established in the California Constitution, Article XII, Section 5, or its duly appointed successor agency.

"**EMF**" means electromagnetic fields or radio frequency emissions.

"**Environmental Laws**" means any Law relating to industrial hygiene, environmental conditions, or Hazardous Materials.

"**Equipment**" means antennas and any associated utility or equipment box, and battery backup, transmitters, receivers, radios, amplifiers, ancillary fiber-optic cables and wiring, and ancillary equipment for the transmission and reception of radio communication signals for voice and other data transmission, including the means and devices used to attach Equipment to, or adjacent to, a licensed City Pole, peripherals, and ancillary equipment and installations, including wiring, cabling, power feeds, and any approved signage attached to Equipment and/or City Pole.

"**FCC**" means the Federal Communications Commission or its duly appointed successor agency.

"**FCC Order**" means the Declaratory Ruling and Third Report and Order (WT Docket No. 17-79; WC Docket No. 17-84) adopted by FCC on September 26, 2018, which, inter alia, clarifies Sections 253 and 332(c)(7) as it applies to state and local regulation of wireless infrastructure deployment.

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"**Hazardous Material**" means any material that, because of its quantity, concentration, or physical or chemical characteristics, is at any time now or hereafter deemed by any Regulatory Agency to pose a present or potential hazard to human health, welfare, or safety or to the environment. Hazardous Material includes any material or substance defined as a "hazardous substance," or "pollutant" or "contaminant" in the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA") (codified as 42 U.S.C. §§ 9601 et seq.) or Section 25316 of the California Health & Safety Code; and any "hazardous waste" listed California Health & Safety Code § 25140; and petroleum, including crude oil or any fraction thereof, natural gas or natural gas liquids.

"**Investigate and Remediate**" means the undertaking of any activities to determine the nature and extent of Hazardous Material that may be located in, on, under or about the License Area or that has been, is being, or is in danger of being Released into the environment, and to clean up, remove, contain, treat, stabilize, monitor or otherwise control such Hazardous Material.

"**Invitee**" means the client, customer, invitee, guest, tenant, subtenant, licensee, authorized assignee and authorized sublicensee of a party in relation to the License Area.

"**Laws**" means any and all laws, Tracy Municipal Code, regulations, ordinances, resolutions, judicial decisions, rules, permits and approvals applicable to Licensee's use that are in force and effect on the date of this Master License or as lawfully amended. If, after the Effective Date of this Master License, the rights or obligations of either party are materially preempted or superseded by changes in Laws, the parties agree to amend the Master License to reflect the change in Laws.

"**License Area**" means the area and Poles identified in each Site License and the corresponding Wireless Permit that Licensee may use for its Permitted Use.

"**Licensee's On-Call Representative**" mean the person(s) assigned by Licensee to be on-call and available to the City regarding the operation of Licensee's Equipment. Such person(s) shall be qualified and experienced in the operation of Equipment and shall be authorized to act on behalf of Licensee in any emergency and in day-to-day operations of the Equipment. Said representative shall be available 24 hours a day, 7 days a week, 365 days per year at the following phone number: 800-264-6620.

"**Permitted Use**" means Licensee's installation, operation and maintenance of Equipment for the transmission and reception of wireless, cellular telephone and data and related communications in License Areas; modifications to a Pole or replacements of a Pole in order to accommodate such Equipment; and, only such use permitted by Section 5.1 herein.

"**Pole**" or "**City Pole**" means a street light pole, traffic signal pole, utility pole or other support structure located in the public right-of-way within the City and owned by the City.

"**Property**" means any interest in real or personal property, including land, air and water areas, leasehold interests, possessory interests, easements, franchises and other appurtenances, public rights-of-way, physical works of improvements such as buildings, structures, infrastructure, utility and other facilities, and alterations, installations, fixtures, furnishings and additions to existing real property, personal property and improvements.

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"**Regulatory Agency**" means the local, regional, state or federal body with jurisdiction and responsibility for issuing Regulatory Approvals in accordance with applicable Laws.

"**Regulatory Approvals**" means licenses, permits, including Wireless Permits, and other approvals necessary for Licensee to install, operate and maintain Equipment on the License Area.

"**Release**" when used with respect to Hazardous Material includes any actual or imminent spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing on, under or about the License Area, other City Property or the environment.

"**Small Wireless Facility**" or "**SWF**" means a wireless communications facility as defined at 47 C.F.R. 1.6002(l) as may be amended,

"**Wireless Telecommunications Ordinance**" means the City's ordinance regulating wireless telecommunications facilities, which took effect on _____, and is codified in _____ _____ of the City of Tracy Municipal Code.

"**Site License**" means a fully executed Site License (defined below) in the form attached here to as Exhibit "A."

"**Wireless Permit**" means a permit issued by the City after review and approval of a Wireless Permit Application in accordance with Chapter 7.28 of the Tracy Municipal Code and other applicable City resolutions, regulations and policies.

"**Wireless Permit Application**" means the application form used by the City that will identify the City Pole(s) for the City's consideration and potential installation of Equipment by Licensee and describes the proposed Equipment.

2. SCOPE OF LICENSE

2.1 License Area

2.1.1 Site License and Wireless Permit Issuance and Effect

Subject to the terms and conditions in this Master License, the City may issue to Licensee one or more Site Licenses and Wireless Permit for any Poles which will grant Licensee the right to use the space on the subject Pole approved for the Equipment, which includes any conduits, pull boxes or other items specifically identified in the Approved Plans (defined below) attached to the Site License and Wireless Permit for the subject Pole.

2.1.2 Limitations

This Master License applies to only Poles identified in final and fully executed Site Licenses. This Master License does not authorize Licensee or any other persons or entities to enter on to or use any other City Property, except the areas specified in any Site Licenses and Wireless Permits. Furthermore, neither this Master License nor any Site Licenses authorize or confer any rights in Licensee or any other persons or entities to use any portions of the public rights-of-way, or any improvements or other personal property within the public rights-of-way owned by any

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third parties. In the event of a conflict between this Master License and a Site License, the terms of the Site License will govern.

2.1.3 Limited Interest Created

Licensee expressly acknowledges and agrees that (1) Licensee does not have any rights to use or possess interest or rights in any Pole for any purpose whatsoever until and unless the City issues a Site License and Wireless Permit for such Pole; and (2) it is the parties' intent that neither this Master License nor any Site Licenses issued pursuant to this Master License creates or will be deemed to create any leasehold, easement, franchise or any other possessory interest or real property interest whatsoever. In the event that there is a determination that ad valorem, privilege or other taxes or assessments are to be levied as a result of this Master License or any Site Licenses, Licensee shall be obligated to pay any such possessory interest taxes as set forth in paragraph 12 below.

2.1.4 Limited Rights Created

Any Site Licenses the City approves pursuant to this Master License grants to Licensee only a non-possessory and revocable (only as permitted herein) permit to enter on to and use the permitted area for the Permitted Use. Licensee expressly acknowledges and agrees that (1) neither this Master License or any Site License will convey an interest in real property or fixtures; (2) the City retains legal possession and control over all Poles for the City's operations, which will be superior to Licensee's interest at all times; (3) subject to the terms and conditions in this Master License, the City may terminate a Site License in whole or in part at any time; (4) except as specifically provided otherwise in this Master License, the City may enter into any agreement with third parties in connection with use and occupancy of Poles and other City Property; (5) Licensee has no ownership rights in any Pole whatsoever; and (6) neither this Master License nor any Site License creates or will be deemed to create any partnership or joint venture between the City and Licensee.

2.1.5 No Impediment to Municipal Uses

Except as specifically provided otherwise in this Master License, neither this Master License nor any Site License limits, alters or waives the City's right to use any License Area in whole or in part as infrastructure established and maintained for the City's and the public's benefit.

2.2 Diminutions in Light, Air and Signal

In the event that any existing or future structure, equipment, amenity, banner, flag or plant material diminishes any light, air or signal propagation, transmission or reception, whether erected by the City or not, Licensee shall not be entitled to any reduction in any License Charge, additional fees or any other sums payable to the City under this Master License or any Site License, and the City shall have no liability to Licensee whatsoever and such diminution will not affect this Master License, any Site License or Licensee's obligations except as may be expressly provided in this Master License.

2.3 License Area Condition

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2.3.1 "As-Is and With All Faults" Condition

Licensee expressly acknowledges and agrees to enter on to and use the License Area in its "**as-is and with all faults**" condition. The City makes no representations or warranties whatsoever, whether express or implied, as to the License Area's condition or suitability for Licensee's use. Licensee expressly acknowledges and agrees that neither the City nor its Agents have made, and the City expressly disclaims, any representations or warranties whatsoever, whether express or implied, with respect to the physical, structural or environmental condition of the License Area, the present or future suitability of the License Area for the Permitted Use, or any other matter related to the License Area.

2.3.2 Licensee's Due Diligence

Licensee expressly represents and warrants to the City that Licensee has conducted a reasonably diligent and independent investigation, either by itself or through an Agent selected by Licensee, into the License Area condition and suitability for Licensee's intended use, and that Licensee relies solely on its due diligence for such determination. Licensee further expressly represents and warrants to the City that Licensee's intended use is the Permitted Use as defined in Section 1 or 5 in this Master License.

2.3.3 Certified Access Specialist Disclosure

Pursuant to California Civil Code § 1938, and to the extent applicable to this Master License, the City expressly advises Licensee, and Licensee expressly acknowledges, that a Certified Access Specialist (as defined in California Civil Code § 55.53) has not inspected any License Area in whole or in part to determine whether it meets all applicable construction-related accessibility requirements.

2.3.4 Replacement Poles

When Licensee and Licensor have agreed on an existing Pole location as a suitable site for Licensee's Small Wireless Facility, but the existing Pole needs to be replaced to accommodate the Small Wireless Facility, then the Site License and Wireless Permit shall so specify and Licensee shall pay all costs related to replacing the Pole, including but not limited to installation of the replacement pole (the "Replacement Pole"), transfer of the streetlight fixtures, and/or other items attached to the existing Pole to the Replacement Pole, and removal and salvage of the existing Pole to City. Payment of the pole replacement costs does not provide Licensee with any ownership interest in the Replacement Pole. City will be deemed to own the original Pole and the Replacement Pole. Further, all Replacement Poles shall be substantially similar to the original Pole in size, dimensions and appearance. The Replacement Pole shall be subject to approval by the City.

3. TERM

3.1 Master License Term.

The initial term under this Master License (the "Initial Term") will commence on the Effective Date and will expire fifteen (15) years from the Effective Date, unless earlier terminated

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in accordance with this Master License. This Master License shall be automatically renewed for three additional five (5) year renewal terms ("Renewal Term"), unless Licensee notifies the City in writing of Licensee's intent not to renew this Master License at least thirty (30) days, or City notifies Licensee in writing of City's intent not to renew this Master License at least one hundred twenty (120) days, prior to the expiration of the Initial Term or Renewal Term. The Initial Term and Renewal Term shall be collectively referred to herein as the "Term." After the expiration or earlier termination of this Master License, it shall apply to all Site Licenses entered into hereunder until the expiration or termination of such Site Licenses.

3.2 Site License Term.

The term of each Site License shall be for ten (10) years beginning on the Commencement Date, as defined in Section 4.1.1, unless earlier terminated pursuant to this Master License. Unless Licensee is in material breach of this Master License beyond the applicable cure period or Licensee provides written notice to the City prior to the expiration of the then current term that Licensee will not renew the Site License term, the term of each Site License may be renewed for three (3) additional five (5) year extension terms upon written notice by Licensee to City prior to the expiration of the then current term, provided however, the term of a Site License shall automatically be extended if the term of the associated Wireless Permit is extended.

4. LICENSE CHARGE; OTHER PAYMENTS

4.1 License Charges

4.1.1 Commencement Date

Licensee shall pay an annual License Charge (defined below) under each Site License beginning on its "**Commencement Date**," which is defined as the first day of the month following the date Licensee commences construction in the License Area subject to the Site License necessary for the Permitted Use. The parties define a "**License Year**" to mean any 12-month period (or shorter period as to the first License Year commencing on the Commencement Date and ending on December 31st in the event that a Site License commences less than 12 months from the next January 1) that begins January 1st . Licensee shall provide written notice of the Commencement Date to the City prior to beginning construction. The initial payment of the License Charge for a Site License shall occur within ninety (90) days after its Commencement Date and will include proration of payment for any sites for which the Commencement Date is less than twelve (12) months to the following January 1st. All subsequent annual License Charges shall be paid on or before January 1st of each year.

4.1.2 License Charge Amount

Licensee shall pay to the City an annual charge of $270.00 per Pole (the "**License Charge**"). City shall provide Licensee a completed, current Internal Revenue Service Form W-9 and state and local withholding forms if required. Licensee may make payments by check made out to the order of the City of Tracy and sent to the following address or through electronic transfer subject to the City's approval and necessary bank routing instructions.

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City of Tracy
Finance Department
Attn: Director of Finance
333 Civic Center Plaza
Tracy, CA 95376

4.1.3 License Charge Annual Escalator

The License Charge shall be automatically adjusted on each anniversary of the Commencement Date in an amount equal to three percent (3%) of the License Charge paid for the Site License in the immediately preceding License Year.

4.2 Negotiation of License Fee

Should any court decisions, legislation or actions of the Federal Communications Commission allow for an increased License Fee not otherwise allowed for at the time this Master License is executed, the parties shall promptly work in good faith to renegotiate the License Fee required herein consistent with applicable federal and state law.

4.3 Administrative Fees

4.3.1 Permit Fees

Licensee will pay the permit and processing fees for the Wireless Permit Application set forth in the City's Master Fee Schedule in compliance with federal and state Laws.

4.4 Late Charges

In the event that Licensee fails to pay any fee or any other amount payable to the City within 30 days after the City notifies Licensee in writing that such amounts are due and unpaid, such amounts will be subject to a late charge equal to ten percent (10%) of unpaid amounts. Said ten percent (10%) shall accrue to every thirty (30) days until the amount owed to the City is paid in full.

5. USES

5.1 Permitted Use

Licensee may use the License Area solely for the Permitted Use in compliance with all applicable Laws and any conditions in any Regulatory Approvals and for no other use whatsoever without the City's prior written consent, which the City may withhold in its sole and absolute discretion for any or no reason. Licensee may sublicense or otherwise allow its Invitees to use capacity on Licensee's Equipment; provided, however, that any such third parties shall not be permitted to perform any physical work on any Pole without the City's prior written consent, which the City may reasonably withhold or condition as the City deems necessary to protect the Pole or public health safety and/or welfare. Access to the License Area shall only be during the hours of 7:00 am and 10:00 pm. And said access shall only be pursuant to a City issued Encroachment Permit and shall comply with all Laws applicable to access of the right-of-way. In the event of an

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emergency, Licensee shall be allowed to access the License Area outside of said hours provided City provides notice to the City as soon as reasonably practicable. Permitted Use shall not include any above ground metering if meterless utilities are available. License shall utilize meterless utilities, or provide the City with proof that meterless utilities are not available. Licensee shall bear all costs of all utilities for Licensee's Equipment.

5.2 Prohibition on "Macro Cell" Uses

The City and Licensee intend this Master License and any Site License to cover only "small wireless facilities" installations, as defined in federal law and in the FCC Order. Licensee expressly acknowledges and agrees that the Permitted Use under this Master License does not include the right to use any Pole as a support structure for a "macro cell" or a traditional wireless tower typically constructed on private property.

5.3 Prohibition on Illegal Uses or Nuisances

Licensee shall not use the License Area in whole or in part in any unlawful manner or for any illegal purpose. In addition, Licensee shall not use the License Area in whole or in part in any manner that constitutes a nuisance or hazard as determined by the City in its reasonable judgment, provided however, the parties agree that there is a rebuttable presumption that the Permitted Use is not or will not be a nuisance or a hazard. Licensee shall take all commercially reasonable precautions to eliminate any nuisances or hazards in connection with its uses and activities on or about the License Area.

5.4 Signs or Advertisements

Licensee acknowledges and agrees that its rights under this Master License and any Site License do not authorize Licensee to erect, post or maintain, or permit others to erect, post or maintain, any signs, notices, graphics or advertisements whatsoever on the License Area; except as required by the FCC and applicable Laws.

6. WIRELESS PERMITS AND SITE LICENSES REQUIRED

6.1 City Approval Required

Licensee shall not have any right to use the License Area in whole or in part for any purpose until and unless the City approves a Site License and Wireless Permit for that License Area. Subject to any express limitations in this Master License, the City will not be obligated to subordinate its municipal functions in any manner whatsoever to Licensee's interest under any Site License or a Wireless Permit. When the City considers whether to approve or disapprove any Wireless Permit Application, the City may consider any matter that affects its municipal functions, which include without limitation: (1) Licensee's proposed plans and Equipment specifications; (2) compliance with any applicable Laws; (3) impacts on the City's street light operations, urban tree care program, or banner/flag program; (4) any potential hazards or unsafe conditions that could result from Licensee's installation, operation or maintenance; (5) any potential visual or aesthetic impacts as set forth in and in compliance with applicable Laws; (6) the additional load on the Pole the proposed Equipment would create; and (7) any municipal plans for the Pole or right-of-way in proximity to the Pole.

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Licensee shall file with the City a Wireless Permit Application that is executed by Licensee for one or more City Poles where Licensee desires to install Equipment. Within the timeframes required by the FCC Order, which period may be extended by mutual written consent, the City shall, in writing, either approve the Wireless Permit Application, or reject the Wireless Permit Application by identifying the specific reasons why the Wireless Permit Application is not in compliance with this Master License, all applicable Laws including but not limited to the Tracy Municipal Code or impacts other City functions or operations as noted herein, otherwise the Wireless Permit Application shall be deemed approved. The review period for the Wireless Permit Application will be in compliance with FCC regulations, rulings, and orders unless there is a mutual agreement between the parties. Once the Wireless Permit Application is approved or deemed approved, City shall execute a Site License and issue a Wireless Permit and promptly deliver the same to Licensee. Full execution of the Site License and issuance of the Wireless Permit shall be Licensee's notice to proceed with installation.

6.1.1 City's Right to Disapprove

Notwithstanding anything to the contrary, Licensee acknowledges that the City reserves the absolute right to disapprove any Site License in whole or in part in compliance with Section 6.1 above.

7. EQUIPMENT INSTALLATION

7.1 Approved Plans and Equipment Specifications

Licensee must submit detailed plans and equipment specifications with the Wireless Permit Application, which must include without limitation all equipment, mounts, hardware, utilities, cables, conduits, signage, concealment elements and other improvements proposed in connection with the License Area. Licensee acknowledges that the exhibit to any approved Site License and Wireless Permit will be deemed to be the City "Approved Plans." Licensee will be permitted to install only the Equipment and other improvements shown on such Approved Plans.

7.2 Installation; Strict Compliance with Approved Plans

Licensee shall not commence any work at the License Area until the Licensee has obtained a Site License and Wireless Permit. Licensee shall perform all work in connection with the License Area in strict compliance with the Approved Plans, safety regulations, and in a diligent, skillful and workmanlike manner. All installed Equipment must be in compliance with the Approved Plans. After any work at the License Area concludes, Licensee shall restore the License Area and any other City Property to the condition that existed immediately prior to when the work commenced. If upon inspection or future discovery Licensee's work is found to be deficient in the sole discretion of the City, Licensee shall remedy identified issue(s) within fourteen (14) days after written notice (or additional time if reasonably required) if not a safety hazard, and immediately if the City deems the condition to be a safety concern.

7.2.1 Alterations to City's Property

Neither Licensee nor its Agents or Invitees may remove, or in any manner alter any City Property without an approved Wireless Permit or other prior written consent from the City and any

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other City agencies with jurisdiction over the subject City Property. The City may withhold its consent in its sole and absolute discretion, and may reasonably condition its consent in each instance based on scope and nature of the proposed alterations. Licensee shall immediately notify the City at the telephone number referenced in Section 27.1 below if Licensee discovers any damage to City Property within the License Area.

7.2.2 Licensee's Contractors

Licensee shall use only qualified and trained persons and appropriately licensed contractors for all work performed on or about the License Area. At least five (5) business days before any work commences on or about the License Area (but excluding minor or routine repair and maintenance), Licensee shall provide the City with: (1) a schedule with all activities to be performed in connection with the work; and (2) a list with all the names, contractors' license numbers, contact information, and business addresses for all contractors or subcontractors who will perform the work.

7.3 Labor and Materials Costs

Licensee shall be responsible for all direct and indirect costs (labor, materials, and overhead or prevailing wages if required) in connection with designing, purchasing and installing all Equipment in accordance with the Approved Plans and all applicable Laws. Licensee shall also bear all costs to obtain and maintain all Regulatory Approvals required in compliance with applicable Laws and in connection with the installation, which includes without limitation all direct and indirect costs to comply with any approval conditions or mitigation measures that arise from Licensee's proposed installation. Licensee shall timely pay for all labor, materials, Equipment and all professional services related to the Permitted Use or furnished to the License Area at Licensee's direction or for Licensee's benefit.

7.4 Prevailing Wages

The services to be provided under this Section 7 may be subject to prevailing wage rate payment as set forth in California Labor Code Section 1771. Accordingly, to the extent that such services are subject to the prevailing wage rate payment requirements, Licensee shall comply with all California Labor Code requirements pertaining to "public works," including the payment of prevailing wages in connection with the services to be provided hereunder (collectively, "**Prevailing Wage Policies**").

Licensee shall defend, indemnify and hold the City harmless and its officers, officials, employees, volunteers, agents and representatives (collectively, "Indemnitees") from and against any and all present and future liabilities, obligations, orders, claims, damages, fines, penalties and expenses (including attorneys' fees and costs) (collectively, "Claims"), arising out of or in any way connected with Licensee's failure to comply with the Prevailing Wage Policies if compliance with the same is required, with respect to the work relating to Licensee's Equipment, including all Claims that may be made by contractors, subcontractors or other third party claimants pursuant to Labor Code sections 1726 and 1781, as amended and added by Senate Bill 966.

7.5 Title to Licensee's Equipment and Other Improvements

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Except as specifically provided otherwise in this Master License, all Equipment and other improvements installed, constructed or placed on or about the License Area by Licensee or its Agents or Invitees will be deemed and remain at all times Licensee's personal property. All structural improvements to any Pole and any replacement Pole all as approved by the City and shown in the Approved Plans, will become and remain City Property in its "AS-IS" condition without any warranties, express or implied, from Licensee, should Licensee vacate or abandon such License Area. Subject to Section 22 (Surrender of License Area), Licensee shall remove its Equipment from the License Area at any time after 60 days' written notice to the City.

8. CITY OPERATIONS

8.1 City's Access to License Areas

Except as specifically provided otherwise in this Master License, the City and its Agents have the right to access any License Area in whole or in part at any time without notice for any purpose. The City will not be liable in any manner whatsoever, and Licensee expressly waives any claims for inconvenience, disturbance, lost business, nuisance or other damages that may arise from the City's or its Agents' access to the License Area, which includes any Equipment removed in an emergency or other exigent circumstances pursuant to Section 8.4 (Emergencies), except to the extent that the damage arises from the negligence or willful misconduct of the City or its Agents.

8.2 Repairs, Maintenance and Alterations to Poles

The City will: (1) maintain and repair Poles as needed, in its sole judgment, for its street light operations and other municipal functions; and (2) correct any immediately hazardous condition. Excluding conditions that arise from the City's or its Agents' negligence or willful misconduct, neither any City work on or near any Pole nor any condition on or near any Pole will: (a) entitle Licensee to any damages; (b) excuse or reduce any obligation by Licensee to pay any License Charges or additional fees or perform any covenant under this Master License; or (c) constitute or be construed as a constructive termination of this Master License or any Site License.

8.3 Repairs, Maintenance and Alterations to License Areas

The City may, at any time, alter, add to, repair, remove from and/or improve the License Area in whole or in part for any operational or aesthetic purpose, which includes without limitation maintenance and improvements in connection with street light services and compliance with Laws; provided (1) the City makes a good-faith effort to provide advance notice to Licensee's On-Call Representative as soon as reasonably practicable; (2) the City allows Licensee's representative to observe the City's work; and (3) the City takes reasonable steps not to disrupt Licensee's ordinary operations on the License Area. The provisions in this Section 8.3 will not be construed to allow Licensee's ordinary operations to impede or delay the City's authority and ability to make changes to the License Areas necessary to maintain street light services.

8.4 Emergencies

In emergencies consisting of the immediate threat of harm to persons or property, the City's work will take precedence over Licensee's operations, which includes without limitation any

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Equipment operated on the License Area, and the City may access the License Area in whole or in part as the City deems necessary in its sole determination and in accordance with this Section 8.4, whether the City has notified Licensee of such emergency or other exigent circumstances or not. When safe and practicable, the City will notify Licensee of any emergency or other exigent circumstances that requires the City to remove or replace any Pole and will allow Licensee to remove its Equipment before the City removes or replaces the Pole; provided, however, that the City will de-energize the Equipment using the disconnect device to be installed at each site and remove the Equipment from the Pole when in the City's sole determination it would (1) be unsafe to wait for Licensee to perform the work; or (2) otherwise threaten or compromise public safety or public services. The City will remove any Equipment with reasonable care and store the Equipment for retrieval by Licensee and the City will provide notice as soon as reasonably practicable after such emergency, but in no event later than 72 hours after the emergency. Licensee shall have the right to reinstall such removed Equipment or equivalent Equipment at Licensee's sole expense on the repaired or replaced Pole and in accordance with Section 7 (Equipment Installation). In the event the replacement Pole necessary to support Licensee's equipment is different than or exceeds the cost of the replacement Pole the City would otherwise install, Licensee shall be responsible for purchasing and delivering the replacement Pole to the City for installation. The City's removal of Licensee's Equipment in emergencies or other exigent circumstances will not be deemed to be a forcible or unlawful entry onto the License Area or any interference with Licensee's contractual privilege to use the License Area. Further, City shall not be held liable for any damage caused to Licensee's Equipment caused by the removal except to the extent the damage is caused by the negligence or willful misconduct of City. In the event the City is required to store Licensee's equipment in excess of 48 hours after notice to Licensee, City shall be reimbursed for any storage of Licensee's equipment for said storage at market rate.

9. LICENSEE'S MAINTENANCE OBLIGATIONS

9.1 Damage to Poles

9.1.1 Notice to the City

Licensee agrees to give the City notice at the telephone number referenced in Section 27.1 below of the need for any repair to a Pole promptly after Licensee discovers any damage from any cause. Licensee's agreement to provide notice is not an assumption of liability for any life-threatening or hazardous conditions unless caused by the acts, omissions or negligence of Licensee or its Agents or Invitees.

9.1.2 Damage Caused by Licensee

In the event that any use or maintenance by Licensee or its Agents or Invitees cause any damage to any Pole, Licensee must repair such damage within 30 days after the City provides a written notice to Licensee that describes such damage. Such 30-day cure period may be extended to a date certain if the cure reasonably requires more time. In the event that Licensee fails to timely cure the damage, the City may repair the damage at Licensee's expense. Licensee will reimburse the City for all costs incurred to repair such damage within 30 days after Licensee receives the City's demand for payment, together with copies of invoices or other evidence to document the costs incurred. If such damage results in an unsafe condition, Licensee shall repair such damage

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immediately at Licensee's sole expense. If immediate repair is not practicable, Licensee shall immediately abate all hazards to the satisfaction of the City and execute subsequent repairs within the 30-day period noted in this section.

9.1.3 No Right to Repair

Absent notice from the City with a demand to cure any damage to a Pole or as otherwise approved in a Wireless Permit, or as provided in Section 14.1.1 below, Licensee is not authorized to make any repairs to any Pole without prior City Approval.

9.2 Equipment Maintenance

Licensee shall, at its sole cost and expense, install, maintain and promptly repair any damage to any Equipment installed on the License Area whenever repair or maintenance may be required. Pursuant to all Laws, including City Permit requirements including wireless and encroachment permit requirements, Licensee may maintain, repair, replace and make like-kind modifications to any Equipment that do not materially change the size, height and weight of the Equipment or exceed the structural capacity of the supporting Pole. Licensee must obtain the City's prior written approval for any Equipment repair, maintenance, replacement or other installation that involves larger, different or additional Equipment than shown on the Approved Plans. Any work on Licensee's Equipment installed on Poles that is authorized or permitted under this Section 9.2 is subject to Licensee obtaining any required Regulatory Approvals.

9.3 Graffiti Abatement

Licensee's repair and maintenance obligation includes the removal of any graffiti or similar vandalism from the License Area within 48 hours after the City notifies Licensee in writing of said graffiti or vandalism.

9.4 Trees and Related Maintenance

In the event that the Licensee is of the opinion that a tree is interfering with its use under this agreement, Licensee may request that the City trim or otherwise take some action to modify a tree at or near the License Area, The City shall bear all costs related to the work conducted. To this end, Licensee shall provide City with a deposit to cover said costs. Any funds remaining in the deposit account after the work has been conducted shall be refunded to the Licensee. The amount of the deposit shall be at the City's sole discretion.

9.5 Standard of Work

All work performed by or for Licensee under this Section 9.5 shall be: (1) at Licensee's sole cost and expense; (2) performed only by qualified and trained persons and appropriately licensed contractors; (3) performed in a manner and with equipment and materials that will not interfere with or impair the City's operations; (4) compliant with all applicable Laws; and (5) performed solely by Licensee or its Agents and not by Licensee's Invitees.

10. LIENS

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Licensee shall keep the License Area free and clear from any and all liens in connection with any work performed, material furnished or obligations incurred by or for Licensee. Licensee shall inform each and every contractor and material supplier that provides any work, service, equipment or material to Licensee in any way connected with Licensee's use of the License Area that the License Area is public property and is not subject to mechanics' liens or stop notices for Equipment or other materials or services provided for Licensee's Equipment. If Licensee does not cause the release of lien of a mechanic's lien or stop notice by any contractor, service provider or equipment or material supplier purporting to attach to the License Area or other City Property arising from work done by or on behalf of Licensee within 30 days after written notice or discovery of the lien, the City will have the right, but not the obligation, to cause the same to be released by any means it deems proper, including payment of the claim giving rise to such lien. Licensee must reimburse the City for all expenses it incurs in connection with any such lien (including reasonable attorneys' fees) within 30 days following receipt of the City's written demand together with copies of invoices or other evidence to document the costs incurred. Licensee shall not create, permit, or suffer any other encumbrances affecting any portion of the License Area.

11. UTILITIES

Licensee shall be solely responsible for obtaining and maintaining electric service for the Equipment, including, but not limited to, making payments to electric utilities, and installation of separate electric meters if a wireless tariff is not available, or obtaining a direct connection from a lower power provider's power source to Licensee's Equipment, as applicable and if necessary. Meterless electric utilities are required to be used when available. Upon proof that a wireless tariff is not available, Licensee shall be allowed to install a meter. ~~No above ground electric meters are allowed when meterless electric utilities are available.~~ If a wireless tarriff or the like is not available and a meter must be installed all equipment must be metered independently from City utility services. Licensee shall comply with all Laws and rules and regulations of the electric utility relating to installation and connection of Licensee's Equipment to electricity and in compliance with Exhibit "C" attached hereto and made a part hereof.

12. TAXES AND ASSESSMENTS

If City is required by Law to collect any federal, state, or local tax, fee, or other governmental imposition (each, a "Tax") from Licensee with respect to the transactions contemplated by this Master License or Site License, then City shall bill such Tax to Licensee in the manner and for the amount required by Law, Licensee shall promptly pay such billed amount of Tax to City, and City shall remit such Tax to the appropriate tax authorities as required by Law; provided, however, that City shall not bill to or otherwise attempt to collect from Licensee any Tax with respect to which Licensee has provided City with an exemption certificate or other reasonable basis for relieving City of its responsibility to collect such tax from Licensee. Licensee shall be responsible for all Taxes that are assessed against or are otherwise the legal responsibility of Licensee with respect to itself and its property.

13. COMPLIANCE WITH LAWS

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13.1 Compliance with Current and Future Laws

Licensee shall install, operate and maintain the Equipment, and shall perform all work in connection with such installation, operation and maintenance, in strict compliance with all applicable Laws and all conditions in any Regulatory Approvals issued in connection with the Equipment or its installation and operation on any Pole. City shall maintain its Poles in compliance with applicable Laws.

13.2 Licensee's Personnel

13.2.1 Personnel Training and Certification

Licensee shall ensure that all persons who install, operate or maintain the Equipment are appropriately trained and licensed by the California State Contractors Licensing Board as required under applicable CPUC rules and regulations. Licensee shall ensure that such persons are trained in and observe all safety requirements established by the City, the CPUC and the California Division of Occupational Safety and Health, Department of Industrial Relations or its duly appointed successor agency, which includes without limitation site orientation, tag-out and lock-out de-energization rules, ladder and lift restrictions and track and street right-of-way safety requirements.

13.2.2 Licensee's Indemnification for Personnel Injuries

Licensee acknowledges that (1) the City has delegated to Licensee control over the License Area in which Licensee or its Agents are installing, operating or maintaining the Equipment; and (2) the City is not a co-employer of any employee of Licensee or any employee of Licensee's Agents. The City shall not be liable for any Claim (defined in Section 17 (Licensee's Indemnification Obligations)) by Licensee's or its Agent's employee(s), except to the extent such Claim is caused by the active negligence or willful misconduct of the City, its employees or agents. Licensee agrees to fully indemnify, defend and hold the City harmless in the same manner as provided in Section 17 (Licensee's Indemnification Obligations) against any Claim by any employee of Licensee or its Agents that arises in connection with Licensee's or its Agents' activities pursuant to this Master License, except to the extent such Claims arise out of the active negligence or willful misconduct of the City, its employees or agents.

13.3 Compliance with CPUC GO 95

Licensee shall conduct all activities on or in the License Area in accordance with CPUC General Order 95 and the rules and other requirements enacted by the CPUC under that General Order, as applicable and as amended.

13.4 Compliance with Building and Electric Codes

Licensee shall conduct all activities on or in the License Area in accordance with the requirements of the California Building Code, the California Electric Code, National Electric Safety Code IEEE C2 (the "**NESC**"), to the extent such requirements apply to Licensee's Permitted Use, and any applicable local building electrical code, as those codes exist now or may be amended in the future. To the extent that CPUC General Order 95 does not address cellular telephone

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antenna installations on Poles carrying electrical lines, Licensee shall apply, if applicable, provisions of the NESC, with particular attention to paragraphs 224, 235C, 235F, 238, 239 and 239H and sections 22, 41 and 44. Where any conflict exists between the California Building Code, the NESC, the California Electric Code, any local code and CPUC General Order 128, the more stringent requirements will apply, as determined by the City.

13.5 Compliance with EMF Exposure Regulations

Licensee's obligation to comply with all Laws includes all Laws related to maximum permissible exposure to EMF emissions on or about the License Area, which includes all applicable FCC standards, applicable to Licensee's Equipment.

14. DAMAGE OR DESTRUCTION

14.1 City's Rights After Damage or Destruction

In the event the License Area in whole or in part becomes damaged due to any cause other than the negligence or willful misconduct of City, its Agents or Invitees, the City (1) will have no obligation whatsoever to repair or replace the damaged License Area or Licensee's Equipment; and (2) may, in the City's sole and absolute discretion, elect to take any of the following actions:

14.1.1 Election to Repair or Replace Damaged Pole

Within 30 days after the date on which the City discovers damage or destruction of a Pole that was not caused by Licensee, the City will give Licensee notice of the City's decision whether to repair or replace the damaged Pole and its good faith estimate of the amount of time the City will need to complete the work. All repairs and replacements must done to the satisfaction of the City. If the City cannot complete the work within 30 days after the date that the City specifies in its notice, or if the City elects not to perform the work, then Licensee will have the right to terminate the affected Site License on 30 days' notice to the City. However, if City elects not to perform such work, Licensee may perform such work at its sole cost and expense, subject to City approval of Licensee's plans and specifications and Licensee's compliance with City permit requirements. In such case, the affected Site License will remain in full force and effect.

14.1.2 Election to Remove Damaged Pole

If the City elects to remove, rather than repair or replace, a damaged Pole, and Licensee does not elect to repair the Pole at its sole cost and expense, then the applicable Site License will automatically terminate as to the affected Equipment on the last day of the month in which the removal occurs.

14.1.3 Election to Remove Equipment from Damaged Pole

If the acts of third parties or an act of nature or other force majeure circumstance outside the control of Licensee or its Agents or Invitees destroys or damages any Pole to such an extent that, in the City's reasonable determination after consultation with Licensee, the Equipment on the Pole cannot be operated and City or Licensee decline to repair or replace the Pole, the City may decide to terminate the affected Site License on 30 days' notice to Licensee and require Licensee to

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remove the Equipment from the damaged Pole before the termination date specified in the City's notice, provided, however such removal date shall not be any earlier than 60 days following the City's notice. Notwithstanding anything in this Master License or any Site License to the contrary, the City will have the right to remove any damaged Pole without prior notice, when deemed necessary, in the City's sole determination, to protect the public or property from imminent (whether threatened or actual) harm. Further, City shall not be held liable for any damage caused to Licensee's Equipment caused by the removal and/or storage, except to the extent caused by the negligence or willful misconduct of City.

14.2 Licensee's Rights upon Termination

After the City terminates a Site License pursuant to Section 14.1 (City's Rights After Damage or Destruction), the City will: (1) refund any pre-paid License Charge in connection with the terminated Site License on a pro-rata basis determined by the number of months left in the current License Year at the time such termination occurs; and (2) make efforts to prioritize Licensee's Wireless Permit Application for an equivalent number of Poles as terminated . However, nothing in this provision shall require the City to replace any Pole or Site License that has been terminated.

14.3 Waiver of Statutory Rights

The parties understand, acknowledge and agree that this Master License fully governs their rights and obligations in the event that any licensed Poles become damaged or destroyed, and, to the extent applicable, the City and Licensee each hereby waives and releases the provisions in California Civil Code §§ 1932(2) and 1933(4) to the extent such provisions would permit Licensee to terminate a Site License in a manner that is not consistent with the terms of this Master License.

15. CONDEMNATION

15.1 Permanent Takings

In the event that any entity with the power to condemn permanently takes any License Area in whole or in part, or in the event that the City transfers any License Area in whole or in part to such entity in lieu of eminent domain, the following provisions will apply:

15.1.1 Termination

Any affected Site License will automatically terminate as to the part taken or transferred on the date the permanent taking or transfer occurs, and the License Charge under the affected Site License will be ratably reduced to account for the reduction in License Area.

15.1.2 Award

The City will be entitled to any award paid or made in connection with the taking or any sums paid in lieu of such taking. Licensee will have no claim against the City for the value of any unexpired Term of any Site License or otherwise except that Licensee may claim any portion of the award that is specifically allocable to Licensee's loss or damage to Licensee's Equipment.

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15.1.3 No Statutory Right to Terminate

The parties understand, acknowledge and agree that this Section 15.1 (Permanent Takings) is intended to fully govern the parties' rights and obligations in the event of a permanent taking. Licensee and the City each hereby waives and releases any right to terminate this Master License in whole or in part under California Code of Civil Procedure §§ 1265.120 and 1265.130 to the extent such provisions would permit Licensee to terminate a Site License in a manner that is not consistent with the terms of this Master License.

15.2 Temporary Takings

Any taking that affects any License Area in whole or in part for less than 90 days will have no effect on the affected Site License, except that Licensee will be entitled to a pro-rata abatement in the applicable License Charge to the extent that such temporary taking materially impairs Licensee's use of the License Area.

16. ASSIGNMENT AND OTHER TRANSFERS

16.1 General Restriction

Except as specifically provided in Section 16.3 (Permitted Assignments), Licensee shall not directly or indirectly assign its interests or rights, whether in whole or in part, in connection with this Master License, any Site License, any Wireless Permit or the License Area without the City's prior written consent. The City shall not unreasonably withhold, delay or condition its consent to any proposed Assignment; provided, however, that the parties acknowledge that the City may reasonably withhold its consent to any proposed Assignment at any time in which any monetary or other material default by Licensee under this Master License remains uncured.

16.2 Proposed Assignment Procedures

16.2.1 Proposed Assignment Notice

Other than with respect to a Permitted Assignment, in the event that Licensee desires to Assign its interests or rights, whether in whole or in part, in connection with this Master License, any Site License, any Wireless Permit or the License Area, Licensee shall first send written notice (the "**Proposed Assignment Notice**") to the City, which states in detail the proposed terms and conditions for the Assignment and financial information sufficient to show that the proposed assignee (the "**Proposed Assignee**") has a demonstrated ability to perform all the obligations of Licensee under this Master License, any Site License and any Wireless Permit issued hereunder. In addition, upon a written request from the City, Licensee or the Proposed Assignee shall provide additional information, which includes without limitation financial statements, business track records, references and other information about the Proposed Assignee that the City reasonably requires to fully evaluate Licensee's request and render an informed decision. In the event that Licensee does not provide all the such information simultaneously with the Proposed Assignment Notice, the Proposed Assignment Notice shall not be deemed effective until Licensee delivers all such information as the City may reasonably require.

16.2.2 City Response

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The City shall approve or disapprove any request for consent to an Assignment within 30 days after the City receives a complete Proposed Assignment Notice, or 45 days after the deemed-effective date if Licensee delivers an incomplete Proposed Assignment Notice as described in Section 16.2.1 (Proposed Assignment Notice) (in either case, the "**Assignment Response Period**"). The City shall not unreasonably withhold approval if the proposed assignee has a demonstrated ability to perform all the obligations of Licensee under this Master License and any Site License and Wireless Permit issued hereunder. If the City fails to respond within the Assignment Response Period, Licensee will provide a second notice with a clear heading in bold and all capital letters indicating it is the second notice and if City does not respond with approval or written reasons for disapproval within 30 days from receipt of the second notice, the request for assignment shall be deemed approved. Notwithstanding anything in this Master License, any Site License, or any Wireless Permit to the contrary, the City may, in its sole and absolute discretion, refuse consent to any assignment to a Proposed Assignee with (i) liquid assets or other immediately available funds less than Ten Million Dollars ($10,000,000); (ii) any history of discrimination or other employment practices that conflict with the City's non-discrimination policies; or (iii) any pending or past criminal convictions or civil judgements against the Proposed Assignee or any current executives of the Proposed Assignee that pertain to this Master License and any Site License issued hereunder.

16.3 Permitted Assignments 16.3.1.

The City agrees that Licensee will be permitted to enter into an Assignment of this Master License, Site Licenses, and Wireless Permits issued under it (a "**Permitted Assignment**"), without the City's prior consent but with notice to the City as provided below, to: (i) Licensee's parent; (ii) a Licensee's subsidiary; (iii) an entity that acquires all or substantially all of Licensee's assets in the market in which the License Area is located (as the market is defined by the FCC under an order or directive of the FCC); (iv) an entity that acquires Licensee by a change of stock ownership or partnership interest; or (v) an entity that Controls Licensee, is Controlled by Licensee or that, with Licensee, is under the Common Control of a third party.

16.3.1 Conditions

A Permitted Assignment is subject to all the following conditions: (a) the Assignee uses the License Area only for the Permitted Use and holds all Regulatory Approvals necessary to lawfully install, operate, and maintain Equipment on the License Area; (b) Licensee provides the City with notice 30 days before the effective date of Permitted Assignment, stating the contact information for the proposed Assignee; and (c) Licensee is in good standing under this Master License.

16.4 Effect of Assignment

No Assignment by Licensee, consent to Assignment by the City, or Permitted Assignment under Section 16.3 (Permitted Assignments) to any Assignee or other third party will relieve Licensee of any obligation on its part under this Master License, until and unless the Assignee signs a written agreement in a form reasonably acceptable to the City to unconditionally assume all Licensee's obligations under this Master License and any Site License issued hereunder. Any Assignment that is not in compliance with this Section 16 will be void ab initio and be a material

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default by Licensee under this Master License. The City's acceptance of any License Charge, Additional Fee, or other payments from a proposed Assignee will not be deemed to be the City's consent to such Assignment, recognition of any Assignee, or waiver of any failure of Licensee or other transferor to comply with this Section.

16.5 Assumption by Transferee

Each Assignee shall assume all obligations of Licensee under this Master License and each assigned Site License and will be and remain liable jointly and severally with Licensee for all obligations to be performed by Licensee until and unless the Assignee signs a written agreement, in a form reasonably acceptable to the City, to unconditionally assume all Licensee's obligations under this Master License and any Site License and Wireless Permit issued hereunder. Except for a Permitted Assignment as provided in Section 16.3 (Permitted Assignments), no Assignment will be binding on the City unless Licensee or the Assignee delivers to the City evidence reasonably satisfactory to the City that the Assignee has obtained all required Regulatory Approvals necessary to install, maintain and operate the Equipment and any other associated improvements or personal property, a copy of the Assignment agreement (or other document reasonably satisfactory to the City in the event of a Permitted Assignment under Section 16.3 (Permitted Assignments), and an instrument in recordable form that contains a covenant of assumption by such Assignee satisfactory in substance and form to the City, consistent with the requirements of this Article. However, the failure or refusal of an Assignee to execute such instrument of assumption will not release such Assignee from its liability as set forth in this Section. Except for a Permitted Assignment as provided in Section 16.3 (Permitted Assignments), Licensee shall reimburse the City within 30 days after Licensee receives the City's demand for payment, together with copies of invoices or other evidence to document the costs incurred, for any reasonable costs that the City incurs in connection with any proposed Assignment, including the costs of investigating the acceptability of the proposed Assignee and legal costs incurred in connection with considering any requested consent, which amount shall not exceed $5,000.

17. LICENSEE'S INDEMNIFICATION OBLIGATIONS

Licensee, for itself and its successors and assigns, shall indemnify, defend and hold the City, its officials, employees, Agents, Invitees and their respective heirs, legal representatives, successors and assigns (the "**Indemnified Parties**"), harmless from and against any and all liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties and expenses, whether direct or indirect (each a "Claim"), to the extent incurred in connection with or arising in whole or in part from Licensee's performance of this Master License or any act or conduct of Licensee's Agents or Invitees, except to the extent caused by the negligence or willful misconduct of the Indemnified Parties.

18. INSURANCE

As a condition of Site License issuance, Licensee will obtain insurance specified in Exhibit "B" to this Master License.

19. LIMITATIONS ON THE CITY'S LIABILITY

19.1 General Limitations on the City's Liability

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Except where otherwise provided in this Master License, the City is not responsible or liable to Licensee for, and Licensee hereby waives all claims against the City and its Agents and releases the City and its Agents from, all claims from any cause (except to the extent caused by the active negligence or willful misconduct of the City or its Agents), including acts or omissions of persons using the sidewalk or street adjoining or adjacent to or connected with the License Area; utility interruption; theft; burst, stopped or leaking water, gas, sewer or steam pipes; or gas, fire, oil, or electricity in, flood, or vehicle collision on or about the License Area or other City Property.

19.2 Consequential Damages

Licensee expressly acknowledges and agrees that the License Charges and additional fees payable under this Master License do not take into account any potential liability of the City for consequential or incidental damages. The City would not be willing to enter into this Master License or issue any Site Licensees in the absence of a complete waiver of liability, to the fullest extent permitted by Law, for consequential or incidental damages due to the acts or omissions of the City, and Licensee expressly assumes the risk with respect thereto.

Accordingly, without limiting any indemnification obligations of Licensee or other waivers contained in this Master License and as a material part of the consideration for this Master License, the parties agree that neither party will be liable to the other in connection with this Master License or any Site License for any consequential, special, indirect or incidental or punitive damages (including lost revenues, loss of equipment, interference, interruption or loss of service, or loss of data, inconvenience, disturbance, lost business, nuisance or other damages) for any cause of action, whether in contract, tort or otherwise, even if the party was or should have been aware of the possibility of these damages, whether under theory of contract, tort (including negligence), strict liability or otherwise.

19.3 No Relocation Assistance

This Master License creates no right in Licensee to receive any relocation assistance or payment for any reason under the California Relocation Assistance Law (Cal. Gov. Code §§ 7260 et seq.), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 U.S.C. §§ 4601 et seq.) upon any termination of occupancy except as provided in Section 15 (Condemnation). To the extent that any relocation law may apply, Licensee waives, releases and relinquishes forever any and all claims that it may have against the City for any compensation for relocation assistance from the City except as specifically provided in this Master License upon termination of its occupancy of all or any part of the License Area.

19.4 Non-Liability for City Officials, Employees and Agents

No elective or appointive board, agency, member, officer, official, employee or other Agent of the City will be personally liable to Licensee, its successors and assigns, in the event of any default or breach by the City or for any amount which may become due to Licensee, its successors and assigns, or for any obligation of the City under this Master License.

20. RECORDS

20.1 Accounting Records

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Licensee shall maintain throughout the Term and for at least four years after this Master License expires or terminates the following records in an electronic format: (1) site identification and location for all Poles under active Site Licenses; (2) the amount and payment date for all License Charges paid to the City pursuant to this Master License; and (3) all Regulatory Approvals issued in connection with the Equipment on Poles. The City, or its designee, will have the right to inspect and audit Licensee's records at Licensee's place of business during regular business hours on 10 days' notice to Licensee.

21. RULES AND REGULATIONS

At all times throughout the Term, Licensee shall faithfully comply with any and all reasonable rules, regulations and instructions that the City may from time-to-time establish and/or amend with respect to the License Area in compliance with applicable Laws.

22. SURRENDER OF LICENSE AREA

22.1 Surrender

No later than 60 days after the expiration date or other termination of any Site License, Licensee shall, at its sole cost and expense, peaceably remove the affected Equipment from the License Area, repair any damages caused by the removal work and surrender the License Area to the City in good order and condition, normal wear and tear and casualty excepted, free of debris and hazards, and free and clear of all liens and encumbrances to the extent arising out of work done by or on behalf of Licensee. Licensee's obligations under this Section 22 will survive the expiration date of this Master License or other termination of this Master License.

23. HAZARDOUS MATERIALS

23.1 Hazardous Materials in License Area

Licensee covenants and agrees that neither Licensee nor any of its Agents or Invitees shall cause or permit any Hazardous Material to be brought upon, kept, used, stored, generated, disposed of or Released in, on, under or about the License Area or any other part of City Property, or transported to or from any City Property in violation of Environmental Laws, except that Licensee may use small quantities of Hazardous Materials as needed for routine operation, cleaning and maintenance of Licensee's Equipment that are customarily used for routine operation, cleaning and maintenance of such equipment and so long as all such Hazardous Materials are contained, handled and used in compliance with Environmental Laws. Licensee shall immediately notify the City if and when Licensee learns or has reason to believe any Release of Hazardous Material has occurred in, on, under or about the License Area or other City Property.

23.2 Licensee's Environmental Indemnity

If Licensee breaches any of its obligations contained in this Section, or if any act, omission, or negligence of Licensee or any of its Agents or Invitees results in any contamination of the License Area or other City Property, or in a Release of Hazardous Material from, on, about, in or beneath any part of the License Area or other City Property, in violation of any Environmental Law, then Licensee, on behalf of itself and its successors and assigns, shall indemnify, defend and

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hold harmless the City, including its Agents, and their respective successors and assigns from and against any and all claims (including the loss or restriction of the use of usable space in the License Area or other City Property and sums paid in settlement of claims, reasonable attorneys' fees, consultants' fees, and experts' fees and related costs) arising during or after the Term of this Master License to the extent arising out of such Release or violation of Environmental Laws; provided, however, Licensee shall not be liable for any claims to the extent such Release or violation was caused by the active negligence or willful misconduct of the City or its Agents. Licensee's indemnification obligation includes costs incurred in connection with any activities required to Investigate and Remediate any Hazardous Material brought onto the License Area or other City Property by Licensee or any of its Agents or Invitees in violation of Law and to restore the License Area or other City Property to its condition prior to Licensee's introduction of such Hazardous Material or to correct any violation of Environmental Laws by Licensee. Licensee specifically acknowledges and agrees that it has an immediate and independent obligation to defend the City and the other Indemnified Parties from any claim that falls within this Indemnity provision even if the allegations supporting the claim are or may be groundless, fraudulent, or false, which obligation arises at the time such claim is tendered to Licensee by the Indemnified Party and continues until the claim is finally resolved, or it is determined that this Indemnity provision does not apply. Without limiting the foregoing, if Licensee or any of its Agents or Invitees causes the Release of any Hazardous Material on, about, in, or beneath the License Area or other City Property in violation of Environmental Law, then in any such event Licensee shall, immediately, at no expense to any Indemnified Party, take any and all necessary actions to return the License Area or other City Property, as applicable, to the condition existing prior to the Release of any such Hazardous Materials on the License Area or other City Property or otherwise abate the Release in accordance with all Environmental Laws, except to the extent such Release was caused by the negligence or willful misconduct of the City or its Agents. Licensee shall afford the City a full opportunity to participate in any discussions with Regulatory Agencies regarding any settlement agreement, cleanup or abatement agreement, consent decree or other compromise or proceeding involving Hazardous Material. Notwithstanding the foregoing, Licensee shall not be liable for or responsible for addressing environmental conditions that existed on any Poles, the right-of-way or any other City property before the execution of this Master License, or that otherwise do not result from the activities of Licensee or Licensee's Agents or Invitees.

24. DEFAULT

24.1 Events of Default by Licensee

Any of the following will constitute an event of default under this Master License and any Site Licenses issued under it: (1) Licensee fails to pay any License Charge or additional fees as and when due if the failure continues for 30 days after notice from the City; (2) Licensee fails to perform or comply with any other material obligation or representation made under this Master License, if the failure continues for 30 days after the date of notice from the City, or, if such default is not capable of cure within the 30- day period, Licensee fails to promptly undertake action to cure such default within such 30-day period and thereafter fails to use its best efforts to diligently complete such cure; or (3) Licensee, except where otherwise permitted under this Master License and after the initial installation of the Equipment, abandons the License Area for a continuous period of more than 180 days, such that the License Area is no longer being used for the Permitted Use; or (4) if any of the following occurs and is not released, discharged, dismissed, or vacated

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within 60 days after Licensee's receipt of notice: (i) the appointment of a receiver due to Licensee's insolvency to take possession of all or substantially all of the assets of Licensee; (ii) an assignment by Licensee for the benefit of creditors; or (iii) any action taken by or against Licensee under any insolvency, bankruptcy, reorganization, moratorium, or other debtor relief Laws.

24.2 City's Remedies

In addition to all other rights and remedies available to the City at law or in equity, the City will have the following remedies following the occurrence of an event of default by Licensee.

24.2.1 License Continuation

Without prejudice to its right to other remedies, the City may continue this Master License and applicable Site License in effect, with the right to enforce all of its rights and remedies, including the right to payment of License Charges, additional fees, and other charges as they become due.

24.2.2 Site License Termination

If a default specific to one or more Site Licenses is not cured by Licensee within the applicable cure period, the City may terminate each Site License in default.

24.2.3 Master License Termination

If Licensee's default is of such a serious nature in the City's reasonable judgment that the default threatens public health or safety on a majority of the Poles licensed to Licensee, and the default or threatened danger to the public is likely to occur again in the future such that the City's Poles are no longer appropriate support structures for the Equipment or the Permitted Use, the City may terminate this Master License in whole or in part. Examples of reasons for termination may include, but are not limited to, malfunctions in a majority of the City's streetlights caused by or attributable to the Equipment and/or structural damage caused to a majority of Poles such that the Poles would need to be replaced to be deemed safe. Termination of this Master License pursuant to this Section 24.2.3 in whole will terminate all Site License issued under it automatically and without the need for any further action by the City. In either case, the City will deliver written notice to Licensee providing 30 days' notice of termination and specify the reason or reasons for the termination and whether the termination affects the entire Master License or only certain Site Licenses in the notice. Licensee shall remove its Equipment from any affected Pole in compliance with Section 22 above. The City will have the right to make any terminated portion of the License Area available for license to other parties after the expiration of the removal period in Section 22 above, even if Licensee's Equipment is still on the Pole.

24.3 Licensee's Remedies

If City fails to perform or comply with any other material obligation or representation made under this Master License, and if the failure continues for 30 days after the date of notice from Licensee, or, if such default is not capable of cure within the 30- day period, City fails to promptly undertake action to cure such default within such 30-day period and thereafter fails to use its best efforts to diligently complete such cure, without limiting Licensee's remedies hereunder, Licensee

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may terminate the Master License or the affected Site License immediately upon written notice to City or pursue any other remedies Licensee may have at law or in equity.

24.4 Cumulative Rights and Remedies

All rights and remedies under this Master License are cumulative, except as otherwise provided.

25. TERMINATION

25.1 Licensee's Rights

25.1.1 Master License and Site License Termination Rights

Licensee may, in Licensee's sole discretion, terminate this Master License or any Site License on 90 days' written notice to the City.

25.1.2 Relocation

Licensee acknowledges that City may require Licensee to relocate one or more of its Equipment installations. Licensee will at City's direction relocate that Equipment to a mutually agreeable location, at its sole cost and expense, whenever City reasonably determines that the relocation is needed for any of the following purposes: (a) if required for the construction, completion, repair, relocation, or maintenance of a City project; (b) because the Equipment is interfering with or adversely affecting proper operation of Municipal Facilities; or (c) to protect or preserve the public health or safety. Within 180 days after receipt of written notice from the City including the reason for the relocation, Licensee shall relocate the Equipment to a mutually agreeable location. Licensee shall bear all costs related to the relocation of Licensee's Equipment. Licensee shall have the right to operate a temporary cell site if feasible in a mutually agreeable location in the vicinity of the affected Pole during such relocation with no additional fee due to City. Licensee shall not be required to pay any additional application, review or other City fees in connection with any relocation initiated by City. If City and Licensee are unable to agree on a new location for the affected Equipment within 90 days after Licensee's receipt of the written request for relocation, either party may terminate the applicable Site License as to the affected Equipment.

25.2 City's Absolute Right to Terminate Site Licenses

The City has the absolute right to terminate any Site Licenses pursuant to Section 24 above when the City determines, in the City's sole discretion, that Licensee's continued use of the License Area materially and adversely affects or threatens public health and safety as determined by credible scientific evidence collected with regard to the Equipment on the Poles, constitutes a nuisance, or materially interferes with the City's municipal functions in violation of this Master License.

25.3 Licensee's Rights after Termination

In the event that the City terminates any Site License for reasons unrelated to Licensee's failure to perform its obligations under this Master License, the City shall refund any pre-paid

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Licensee Charge on a pro-rata basis, and Licensee shall not have any further liability for the License Charge. In addition, the City shall prioritize Licensee's Wireless Permit Application to replace the terminated Site License; provided, however, that (1) the City shall prioritize only as many Wireless Permit Applications as Site Licenses terminated by the City and (2) the City's prioritization will not affect Licensee's obligations under this Master License.

26. INTERFERENCE

26.1 Obligation Not to Cause Interference

Licensee will not operate or maintain its Equipment in a manner that interferes with or impairs other communication (radio, telephone and other transmission or reception) or computer equipment lawfully used by the City or any of its Agents and that existed on the Commencement Date of the Site License associated with the Equipment causing interference. Such interference will be an event of default under this Master License by Licensee, and upon notice from the City, Licensee shall be responsible for eliminating such interference promptly and at no cost to the City. Licensee will be required to use its best efforts to remedy and cure such interference with or impairment of City operations. If Licensee does not cure the default promptly, the parties acknowledge that continuing interference may cause irreparable injury and, therefore, the City will have the right to bring an action against Licensee to enjoin such interference or to terminate the Site License where the Equipment is causing interference or impairment, at the City's election. Notwithstanding any other provision of this Master License, City agrees that City will use reasonable efforts to install, or allow City Invitees to install, only such equipment that is of the type and frequency which will not cause interference to the Equipment actually installed by Licensee. In the event that Licensee discovers any such interference caused by the City or a City Invitee, the City shall reasonably cooperate with Licensee to identify the source and mitigate the interference; provided, however, that the City's cooperation shall not obligate the City to change, alter or power off any City-owned or controlled equipment used for public health and safety or other municipal functions, unless such equipment is malfunctioning. The parties acknowledge that the Licensee possesses technical expertise that puts Licensee in the best position to identify and mitigate interference sources, and Licensee shall be primarily responsible for identification and mitigation work. The parties further acknowledge that the City may hire a technical expert to assist the City should the need arise and the City is so inclined.

26.2 Impairment Caused by Change in City Use

Subject to the City's obligations under of this Master License, if any change in the nature of the City's use of the License Area during the Term results in measurable material adverse impairment to Licensee's normal operation of its Equipment making it necessary to alter the Equipment to mitigate the adverse effect, Licensee shall notify the City and provide evidence of the claimed impairment. Upon receipt of such notice, the City will have the right to make its own reasonable determination and, if it agrees with Licensee, investigate whether it can reasonably and economically mitigate that interference. The City will provide notice to Licensee of the City's determination within 15 days of receiving Licensee's notice hereunder.

If the City determines in its reasonable discretion that mitigation is feasible and can be achieved for a reasonable cost in the City's reasonable judgment, the City's notice will specify

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when the City will mitigate the adverse effect. The City's mitigation will effect a cure, and the City will not be liable to Licensee in any other way or be required to take any other measures with respect to the Equipment.

If the City determines in its reasonable discretion that mitigation is not feasible or cannot be achieved for a reasonable cost in the City's reasonable judgment, Licensee may elect either to: (1) terminate the Site License as to the affected City Pole and receive a ratable reduction in the License Charge; or (2) take steps itself at its own cost to mitigate the adverse effect and continue to operate the Equipment on the City Pole, and setoff the cost of mitigating the adverse effect against the License Charge for the immediately following year under the affected Site License.

Licensee agrees that the City's temporary and partial abatement or waiver of the License Charge under this Section 26.2 will be the only compensation due to Licensee for costs incurred or otherwise arising from the adverse effect as liquidated damages fully compensating Licensee for all claims that may arise or be related to the adverse effects. Under no circumstances may the City be required to alter its operations at the identified City Pole or provide a replacement City Pole to Licensee.

26.3 Impairment Caused by City Access

Licensee agrees that it will not be entitled to any abatement of License Charges if the City exercises its rights of access under Section 8.1 (City's Access to License Areas) unless the City's activities cause Licensee to be unable to operate Equipment on the License Area for its permitted use for a period of more than 48 hours, in which case, subject to proof, License Charges will be abated ratably for the entire period that Licensee is unable to operate any Equipment on any affected City Pole.

27. MISCELLANEOUS PROVISIONS

27.1 Notices

Except as may be specifically provided otherwise in this Master License, all notices, demands or other correspondence required to be given under this Master License must written and delivered through (1) an established national courier service that maintains delivery records and confirmations; (2) hand delivery; or (3) certified or registered U.S. Mail with prepaid postage and return receipt requested, and addressed as follows:

To CITY:

City of Tracy
Attn: City Manager
333 Civic Center Plaza
Tracy CA 95376
Phone: (209) 831-6000
Email: cm@cityoftracy.org

With a copy to:
City of Tracy
City Attorney's Office

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Attn: City Attorney
333 Civic Center Plaza
Tracy CA 95376
Fax: (209)831-6137

To LICENSEE:

Sacramento-Valley Limited Partnership,
dba Verizon Wireless
Attn: Network Real Estate
180 Washington Valley Road
Bedminster, New Jersey 07921
Site: Tracy SC MLA

With a copy to:

Sacramento-Valley Limited Partnership,
dba Verizon Wireless
19950 NW Tanasbourne Drive
Hillsboro, OR 97124
Attention: Market Legal
Site: Tracy SC MLA

All notices under this Master License will be deemed to have been delivered: (i) five days after deposit if delivered by first class mail; (ii) two days after deposit if delivered by certified mail; (iii) the date delivery if made by personal delivery or overnight delivery; or (iv) the date an attempt to make delivery fails because a party has failed to provide notice of a change of address or refuses to accept delivery. Except for as provided herein, telephone, facsimile and email information are provided for convenience and for couriers who may require such information, and any notice given solely through electronic means will not be deemed to be effective notice. Any copies required to be given constitute an administrative step and not actual notice. The parties may change the notice addresses above from time-to- time through written notice to the addresses above or the then-current notice address.

27.2 Waiver; No Implied Waivers

No failure by either party to insist upon the strict performance of any obligation of the other under this Master License or to exercise any right, power or remedy arising out of a breach thereof, irrespective of the length of time for which such failure continues, will constitute a waiver of such breach. No acceptance by the City or any of its Agents of full or partial payment of License Charges or additional fees during the continuance of any such breach will constitute a waiver of such breach or of the City's right to demand material compliance with such term, covenant or condition, or operate as a waiver of any requirement of this Master License. No express waiver by either party of any default or the performance of any provision hereof will affect any other default or performance, or cover any other period of time, other than the default, performance or period of time specified in such express waiver. One or more waivers of a default or the performance of any provision hereof by either party will not be deemed to be a waiver of a subsequent default or

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performance. The City's consent given in any instance under the terms of this Master License will not relieve Licensee of any obligation to secure the City's consent in any other or future instance under the terms of this Master License.

27.3 Amendments

No part of this Master License (including all Site Licenses) may be changed, waived, discharged or terminated orally, nor may any breach thereof be waived, altered or modified, except by a written instrument signed by both parties.

27.4 Interpretation

The following rules of interpretation apply to this Master License.

27.4.1 General

Whenever required by the context, the singular includes the plural and vice versa; the masculine gender includes the feminine or neuter genders and vice versa; and defined terms encompass all correlating forms of the terms (e.g., the definition of "indemnify" applies to "indemnity," "indemnification," etc.).

27.4.2 Captions

The captions preceding the sections of this Master License and in the table of contents, if any, have been inserted for convenience of reference and such captions in no way define or limit the scope or intent of any provision of this Master License.

27.4.3 City Actions

All approvals, consents or other determinations permitted or required by the City under this Master License will be made by or through the City Manager or his or her designee, unless otherwise provided in this Master License or any City ordinance.

27.4.4 Words of Inclusion

The use of the term "including," "such as," or words of similar import when following any general or specific term, statement or matter may not be construed to limit the term, statement or matter to the stated terms, statements or matters, whether or not language of non-limitation, such as "including, but not limited to" and "including without limitation" are used. Rather, the stated term, statement or matter will be interpreted to refer to all other items or matters that could reasonably fall within the broadest scope of the term, statement or matter.

27.4.5 Laws

References to all "Laws," including specific statutes, relating to the rights and obligations of either party mean the Laws in effect on the Effective Date and as they are amended, replaced, supplemented, clarified, corrected or superseded at any time while any obligations under this Master License or any Site License are outstanding, whether or not foreseen or contemplated by

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the parties. Licensee shall comply with all Laws with respect to Licensee's Permitted Use. This Master License does not limit any rights Licensee may have in accordance with Laws to install its own poles in the right of way or to attach Licensee's equipment to third-party poles located in the right of way. This Master License shall in no way limit or waive either party's present or future rights under Laws. If, after the date of this Master License, the rights or obligations of either party are materially preempted or superseded by changes in Laws, the parties agree to amend the Master License to reflect the change in Laws.

27.1 Joint and Several Liability

In the event that the City provides consent, which the City may withhold for any or no reason, to enter into this Master License with more than one Licensee, the obligations and liabilities under this Master License imposed on Licensee will be joint and several among them.

27.2 Successors and Assigns

The terms, covenants and conditions contained in this Master License bind and inure to the benefit of the City and Licensee and, except as otherwise provided herein, their successors and assigns.

27.3 Brokers

Neither party has had any contact or dealings regarding the license of the License Area, or any communication in connection therewith, through any licensed real estate broker or other person who could claim a right to a commission or finder's fee in connection with the license contemplated herein ("Broker"), whose commission, if any is due, is to be paid pursuant to a separate written agreement between such Broker and the party through which such Broker contracted. In the event that any Broker claiming to be retained by Licensee perfects a claim for a commission or finder's fee based upon any such contact, dealings or communication, Licensee shall indemnify the City from all Claims brought by the Broker. This Section 27.6 will survive expiration or earlier termination of this Master License.

27.4 Severability

If any provision of this Master License or the application thereof to any person, entity or circumstance is invalid or unenforceable, the remainder of this Master License, or the application of such provision to persons, entities or circumstances other than those as to which it is invalid or unenforceable, will not be affected thereby, and each provision of this Master License will be valid and be enforced to the full extent permitted by Law.

27.5 Governing Law; Venue

This Master License must be construed and enforced in accordance with the laws of the State of California. This Master License is made, entered and will be performed in the City of Tracy, County of San Joaquin, State of California. Any action concerning this Master License must be brought and heard in Superior Court for the County of San Joaquin or the United States District Court for the Eastern District of California.

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27.6 Time for Performance

Provisions in this Master License relating to number of days mean calendar days, unless otherwise specified. "Business day" means a day other than a Saturday, Sunday or a federal, state or City holiday. If the last day of any period to give notice, reply to a notice, or to undertake any other action occurs on a day that is not a business day, then the last day for undertaking the action or giving or replying to the notice will be the next succeeding business day. Time is of the essence with respect to all provisions of this Master License in which a definite time for performance is specified.

27.7 City Business License

Before the City signs this Master License, Licensee shall obtain a City of Tracy Business License. Licensee shall maintain an active City of Tracy Business License during the term of this Master License.

27.8 Survival

Expiration or earlier termination of this Master License will not affect the right of either party to enforce any and all indemnities and representations and warranties given or made to the other party under this Master License, or any provision of this Master License that expressly survives termination.

27.9 Recording

Licensee acknowledges and agrees that Licensee shall not have the right to record this Master License, any Site License or any memorandum or short form of any of them in the Official Records of the County of San Joaquin.

27.10 Attachments and Exhibits.

All attachments and exhibits to this Master License are hereby made a part hereof as if fully set out herein.

27.11 Approval Authority

Each person signing this Master License and any Site License on behalf of the City and Licensee, respectively, warrants and represents that: (i) he or she has the full right, power and capacity to act on behalf of the City and Licensee, respectively, and has the authority to bind the City and Licensee, respectively, to the performance of its obligations under those agreements without the subsequent approval or consent of any other person or entity; (ii) each of the City and Licensee, respectively, is a duly authorized and existing entity; (iii) Licensee is qualified to do business in California; and each of the City and Licensee, respectively, has full right and authority to enter into this Master License and Site Licenses.

27.12 Surety Bond

27.12.1 Provision of Surety Bond

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Licensee shall furnish a surety bond in the amount of Fifty Thousand and 00/100 Dollars ($50,000.00) (the "Surety Bond") as security to provide recourse for the City (at its option) in the event of a default in the performance of any of Licensee's obligations under this Master License including removal of any installation allowed for hereunder, including but not limited to removing Licensee's Equipment from twenty- five (25) Poles and storing or disposing thereof. In the event Licensee has installed Equipment on more than twenty -five (25) Poles, City shall require an increase in the amount of the surety bond on an estimated restoration and/or disposal cost of Two Thousand and 00/100 Dollars ($2,000.00) per Pole. Licensee, in its sole discretion, may elect to increase the amount of the Surety Bond at any time. Such bond shall be with a company and in a form and amount reasonably satisfactory to the City Manager and the City Attorney.

27.12.2 Replenishment of Surety Bond

In the event that the City applies or uses the Surety Bond in whole or in part to cure any default by Licensee under this Master License or any Site License beyond applicable notice and cure periods, Licensee shall replenish the Surety Bond in the amount and on the date specified in a written notice to Licensee.

27.12.3 Application

Licensee agrees that the City may use the Surety Bond in whole or in part to remedy any damage to the License Area caused by Licensee, its Agents or Invitees or any failure by Licensee to perform any term, covenant or condition in this Master License or any Site License (including without limitation any failure to remove any installation governed by this Master License or any failure to pay any License Charge or other sums due under this Master License or any Site License after any default by Licensee beyond all applicable notice and cure periods). In the event that the City uses the Surety Bond in whole or in part, the City will not be deemed to have waived any rights under this Master License, or legal or equitable rights whatsoever. Licensee agrees that the City may retain from the Surety Bond any portion reasonably necessary to compensate the City for all reasonable costs incurred including its attorneys' fees, for any foreseeable or unforeseeable loss or damage caused by Licensee's, its Agents' or Invitee's acts or omissions. Upon termination of this Master License and completion of Licensee's removal obligations hereunder, City shall cooperate in causing the surety to release and terminate the Surety Bond.

[END OF MASTER LICENSE — SIGNATURES APPEAR ON NEXT PAGE]

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IN WITNESS WHEREOF, CITY OF TRACY and Sacramento-Valley Limited Partnership, dba Verizon Wireless have caused this Master License to be executed as of the last signature date below by their duly authorized representatives, and hereto have accepted the terms, conditions, and provisions set forth above.

CITY:
CITY OF TRACY, a California municipal corporation

By: _____
Name: _____
Its: _____
Date: _____

LICENSEE
Sacramento-Valley Limited Partnership, dba Verizon Wireless

By: AirTouch Cellular Inc., its General Partner

DocuSigned by:
Scott Stewart
0428B42251E649E...

By: _____
Name: Scott Stewart
Its: Engineering Director
Date: Apr 13, 2021

APPROVED AS TO FORM

_____
_____
_____

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EXHIBIT "A"

SITE LICENSE

Site License No. __

Governing Agreement: Master License Agreement for Wireless Facilities on City Poles in the Right-of-Way dated _____, ("Master License") between the City of Tracy, a California municipal corporation ("City"), and Sacramento-Valley Limited Partnership, d/b/a Verizon Wireless ("Licensee"). The terms of the Master License are incorporated herein.

Pole Type*	Verizon Site ID #	City Site ID #	Lat/Long Coordinates	General Equipment Description	License Charge (per Pole)
[Streetlight]				See Attachment 1	$___
					$

*The table may be extended as needed.

If more than one (1) site is listed above, rejection of one (1) or more sites shall not constitute a rejection of all other acceptable sites.

APPLICANT SHALL PROVIDE THE FOLLOWING IF/AS APPLICABLE:

- All narratives and documentation required by the City's Wireless Permit Application, the Tracy Municipal Code or the City's Small Wireless Facilities Policy
-

The following terms and conditions apply to this Site License:

1. License. This is a Site License as referenced in that certain MASTER LICENSE AGREEMENT FOR WIRELESS FACILITIES ON CITY POLES IN THE RIGHT-OF-WAY, between City and Licensee dated _____ __, 2020 ("Agreement"). City has reviewed the City's request for a Site License and grants approval subject to the terms of this Site License. All of the terms and conditions of the Agreement are incorporated herein by reference and made a part hereof without the necessity of repeating or attaching the Agreement. In the event of a contradiction, modification or inconsistency between the terms of the Agreement and this Site License, the terms of this Site License shall govern. Capitalized terms used in this Site License shall have the same meaning as provided in the Agreement unless otherwise indicated herein.

2. Project Description and Locations. Licensee shall have the right to attach a Small Wireless Facility to the designated space on the specific Pole as further described in Exhibit 1 attached hereto (the "Licensed Area").

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3. Small Wireless Facility. The Small Wireless Facility ("SWF") to be installed at the Licensed Area, including the approved Equipment, is listed and depicted on plans included in Exhibit 1 attached hereto.

4. Term. In accordance with Subsection 3.2 of the Agreement, the term of this Site License shall be _____

5. Fees. The initial annual Per SWF Fee for the Site License Term of this Site License shall be _____, as determined in accordance with the Agreement.

6. Performance and Removal Bond. Licensee shall post or increase the bond in accordance with Subsection 27.12 of the Agreement.

7. Site License Commencement Date. The first day of the month following the date Licensee has commenced installation of its Small Wireless Facility at the Licensed Area. If Licensee does not commence installation of the Small Wireless Facility within one hundred eighty (180) days after Licensee receives all Regulatory Approvals and any other approval required to proceed with the installation of the Small Wireless Facility, the Site License shall be void unless City agrees in writing to extend the time for commencing installation of the approved Small Wireless Facility.

8. Miscellaneous. _____

LICENSEE:

Sacramento-Valley Limited Partnership, dba Verizon Wireless

By: AirTouch Cellular Inc., its General Partner

By: _____
Name: _____
Its: _____
Date: _____

----------FOR CITY USE ONLY----------

CITY:

CITY OF TRACY, a California municipal corporation

By: _____
Name: _____
Its: _____
Date: _____

DocuSign Envelope ID: A7BDFB02-441E-40A5-98DA-1D6F12193E4E

ATTACHMENT 1

City's Wireless Permit and Approved Plans

See attached.

DocuSign Envelope ID: A7BDFB02-441E-40A5-98DA-1D6F12193E4E

EXHIBIT "B"

Insurance Requirements for Licensees

Licensee shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the Licensee's operation and use of the Licensed Area. The cost of such insurance shall be borne by the Licensee.

SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability** (CGL): Insurance Services Office Form or equivalent covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits of **$2,000,000** per occurrence and $4,000,000 general aggregate.

2. **Workers' Compensation** insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limits of **$1,000,000** per accident for bodily injury or disease/disease per employee/policy limit-disease. (This applies to Licensees with employees).

3. **Property insurance** against all risks of loss to any tenant improvements or betterments, at full replacement cost with no coinsurance penalty provision.

Other Insurance Provisions:

The insurance policies are to contain the following provisions:

Additional Insured Status

Licensee's general liability policy shall be endorsed using Insurance Services Office form (or equivalent) to provide that City and its officers, officials, and employees shall be additional insureds as their interest may appear under this Master License with respect to liability arising out of or resulting from the Licensee's use and occupancy of the Licensed Area and operations conduced thereon including materials, parts, or equipment furnished in connection with such work or operations.

Primary Coverage

For any claims related to this contract, the Licensee's insurance coverage shall be primary insurance coverage as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, or volunteers shall be excess of the Licensee's insurance and shall not contribute with it.

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Notice of Cancellation

Upon notice from Licensee's insurers, Licensee shall use commercially reasonable efforts to provide thirty (30) days advance written notice to City of cancellation or non-renewal.

Waiver of Subrogation

Licensee hereby grants to City a waiver of any right to subrogation which any insurer of said Licensee may acquire against the City by virtue of the payment of any worker's compensation or employer's liability loss under such insurance. Licensee agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best's rating of no less than A-: VII, unless otherwise acceptable to the City.

Verification of Coverage

Licensee shall furnish the City with original Certificates of Insurance to City before work begins. However, failure to obtain the required documents prior to the work beginning shall not waive the Licensee's obligation to provide them.

Special Risks or Circumstances

The limits of liability may be increased or decreased by mutual consent of the parties, which consent will not be unreasonably withheld by either party, in the event of any factors or occurrences, including substantial increases in the level of jury verdicts or judgments or the passage of state, federal, or other governmental compensation plans, or laws that would materially increase or decrease City's exposure to risk.

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EXHIBIT "C"

Electricity Installation Guidelines

Licensee shall install a dedicated conduit for its use; however, Licensee may, in lieu of installing a dedicated conduit, use the City's existing non-traffic signal conduits, subject to the allowable conduit fill percentage under the NESC and the review and approval of the City's Public Works Department which may deny Licensee's use based on (i) the City's reasonable safety concerns; or (2) the age of City conduit and probability of Licensee's use causing damage to such conduit and/or cable; or (3) conduit capacity needed for pending City projects. Licensee is not permitted to install or arrange for installment of external conduits on any City Poles.

Licensee may share City's power conductor from PG&E (or other servicing electricity utility) point of feed to the City Pole. Licensee will then splice and fuse either at the City Pole electrical box or at the hand hole at the base of the City Pole and run wires to the Licensee's meter (if a wireless tariff is not available) located on the City Pole. Licensee will also run fiber through the electrical box, conduit and pole to Licensee's Equipment.

Licensee shall apply for and install an electric meter, if required by the City and the applicable electric utility, and obtain any necessary building permits from the City for the installation and connection.

Licensee shall be responsible for repairing any City conduits that Licensee or its Agents damage during installation of electrical facilities, including pulling of wires into street light conduits. If following Licensee's failure to make such repairs within thirty (30) days of notice from City, the City's crew makes repairs to remedy damage caused by Licensee or its Agents, the City will charge Licensee the full cost of those repairs by notice with evidence of the City's costs.

The City will inspect Licensee's service installations to ensure compliance with Approved Plans and Specifications. Licensee agrees to make any repairs or modifications to its service installations that are necessary to ensure compliance with the Approved Plans and Specifications.

Licensee shall provide the City's Public Works Department with as-built drawings showing all circuits installed by Licensee in existing street light conduits promptly after installation is complete. Licensee shall provide a laminated copy of the as-built drawings to the City and, if space is reasonably available, place a copy within any new or existing cabinet at each Pole location, if applicable.

Licensee shall provide the City's Engineering Division and the City's Development Services Department with the final coordinates and/or digital GIS shape file for inclusion in the City's GIS inventory.

Licensee shall not open any City pull boxes unless a member of the City's street light maintenance crew is present or City's Public Works Department representative approves opening the pull boxes unattended by such maintenance crew. Licensee shall contact the City's Public Works Department to complete the service connection.

RESOLUTION 2021-_____

APPROVING A MASTER LICENSE AGREEMENT WITH VERIZON WIRELESS FOR INSTALLATION OF SMALL WIRELESS FACILITIES ON CITY OWNED POLES IN THE RIGHT-OF-WAY

WHEREAS, City Council received a presentation by Verizon Wireless about Small Wireless Facilities on December 3, 2019, and

WHEREAS, an Ordinance adding chapter 7.28.000 to the Tracy Municipal Code to regulate Small Wireless Facilities in the public right-of-way was presented to Council on May 4, 2021, and

WHEREAS, Staff negotiated a Master License Agreement with Verizon Wireless regarding installation of Small Wireless Facilities in the public right-of-way on City owned poles;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Tracy hereby approves a Master License Agreement with Verizon Wireless for installation of small wireless facilities on City poles in the right-of-way and authorizes the City Manager to execute the Agreement and related documents.

* * * * * * * * * * *

The foregoing Resolution 2021-_____ was passed and adopted by the Tracy City Council on the 4th day of May 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

May 4, 2021

AGENDA ITEM 3.C

REQUEST

RECEIVE THE CITY OF TRACY POLICE DEPARTMENT'S ANNUAL REPORTFOR 2020

EXECUTIVE SUMMARY

The Tracy Police Department has prepared the City of Tracy Police Department's 2020 Annual Report. The report provides the residents of Tracy with a statistical review of the Department's performance, efforts, and accomplishments.

DISCUSSION

This report is intended to provide statistical information related to crime trends, events and law enforcement activities for the past year. The statistics serve the role of informing the public about the Department's decisions, but the statistics alone do not give a complete image of the role and activities of the Department's personnel. The Department recognizes the importance of a strong partnership with the community and it constantly seeks areas of improvement in its delivery of services.

During 2020, the Department received 34,500 emergency calls through the 911 system, an increase from the prior year. Department personnel handled 65,385 calls for service, which resulted in 1,076 arrests of adults and 48 juvenile arrests. Other than 911 calls, the most frequent calls coming into the Police Department's dispatch center are related to disturbances, alarms, Municipal Code violations and suspicious vehicles and persons.

Statistically speaking, data for 2020 will look different than past years given how COVID-19 restrictions affected how we provide our service. For example, Priority 1 calls had a small increase to response time as officers were asked to take additional COVID-19 precautions prior to responding. This can account for the extended response time. The Department has also observed slight increases in violent crimes, from 166 cases to 174 cases. Property crimes has had a significant decrease (12%).

2020 was a technological tipping point for officers and professional staff in law enforcement. Although the Department was already well on the path of engaging our community via social media, the Department really transformed and ramped up it's engagement. Due to restrictions created by COVID-19 the Department wanted to keep open communication with the community. As a result the Department invested a lot of time creating engaging social content, and growing the Departments social media audience. Tracy Police Department will always prefer the face to face interaction, but this has allowed the Department to develop a larger online following. A huge benefit in a community where many commute out of town and will continue to use these platforms as a means to stay informed.

In 2020, the Department also introduced the Professional Standards and Training Division. This is staffed by a Lieutenant and Sergeant. This division will be responsible

for oversight on all of the department training as well as investigating all administrative and public complaints.

FISCAL IMPACT

There is no fiscal impact associated with this action. This report provides statistical data only.

STRATEGIC PLAN

This agenda item is a routine operational item and does not relate to the Council's Strategic Plans.

RECOMMENDATION

That the City Council, receive the City of Tracy Police Department's Annual Report for 2020.

Prepared by: Diana Ruiz-Del Re, Public Information Officer

Reviewed by: Sekou Millington, Chief of Police

Approved by: Jenny Haruyama, City Manager

ATTACHMENTS

Attachment: City of Tracy Police Department's Annual Report for 2020

ATTACHMENT A

TRACY POLICE DEPARTMENT

2020 ANNUAL REVIEW

SERVICE - INTEGRITY - EXCELLENCE



VALUE STATEMENTS

SERVICE

Always seek long term resolutions to problems.
Provide honest, open and timely (HOT) feedback.
Support organizational goals and strive to achieve them.
Stand against gossip and rumors.
Provide prompt response to requests and communicators.
Promote proactive attitudes.

INTEGRITY

Honesty in thought and actions. Address behaviors, not reputations. Practice organizational loyalty over personal loyalties. Place organizational priorities over personal agendas.

EXCELLENCE

Challenge status quo by promoting new creative and innovative ideas. Always be proud of your profession and Department. Ascribe to being a lifelong learner. Always perform at Department's highest level or organizational standards. Lead by example. Always go the extra step to meet the community's needs.

VISION STATEMENT

ADVANCING THE STANDARD BY WHICH COURAGEOUS, ETHICAL, AND INNOVATIVE POLICING IS MEASURED.

MISSION STATEMENT

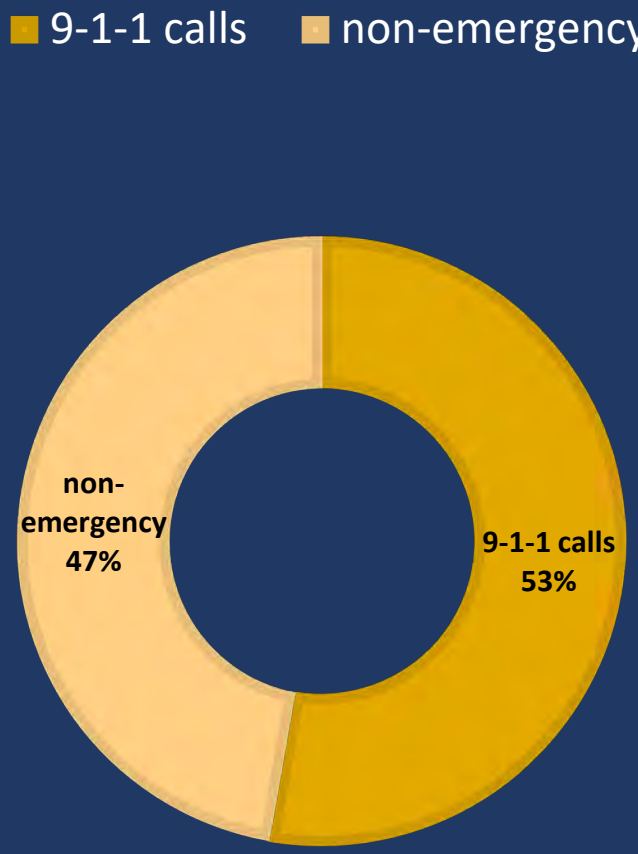
A PROFESSIONAL ORGANIZATION ENTRUSTED BY OUR COMMUNITY TO ENSURE A SAFE AND PROSPEROUS ENVIRONMENT WHILE ENHANCING THE QUALITY OF LIFE.



F-I-R-S-T

FAIRNESS
INTEGRITY
RESPECT
SERVICE
TEAMWORK

2020 CALLS FOR SERVICE

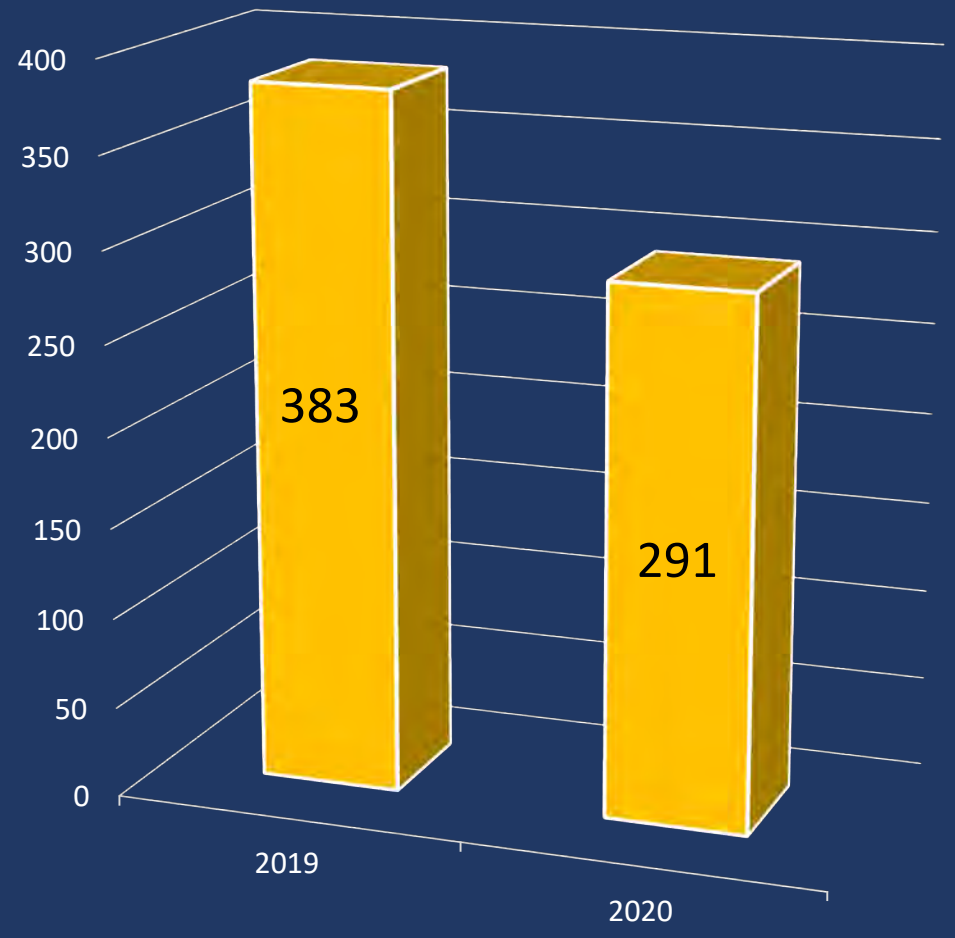


Type	2019	2020
Total Calls for service	76,256	61,385
9-1-1 calls	31,523	34,500
Non-emergency	44,733	30,885

CALL RESPONSE TIME

	2018	2019	2020
Priority 1	6:52	6:36	6:50
Priority 2	16:59	15:01	12:42
Priority 3	34:06	29:37	22:11

MENTAL HEALTH CALLS FOR SERVICE



PART 1 CRIMES

YEAR	PART 1 CRIME TOTALS	CHANGE FROM PREVIOUS YEAR
2019	2023	-26%
2020	1809	-11%

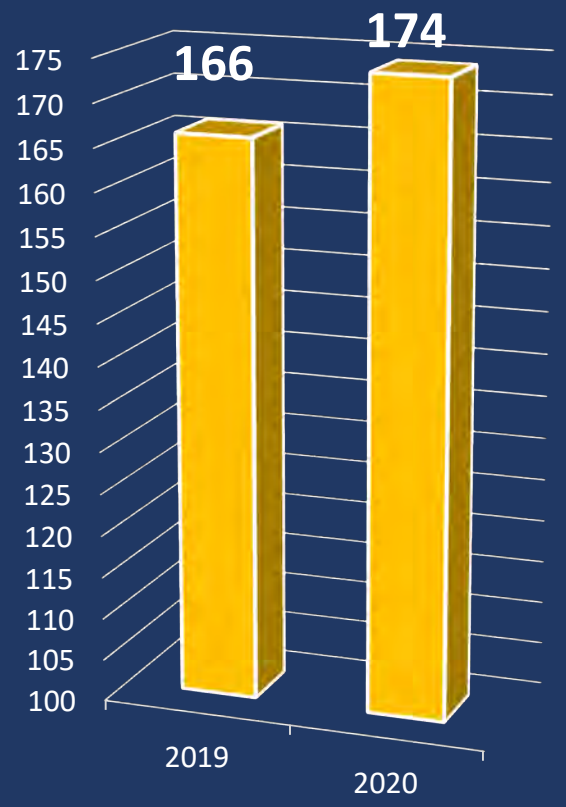
VIOLENT CRIMES

	Homicide	Rape	Robbery	Aggravated Assault	Totals
2019	5	35	62	64	166
2020	5	23	57	89	174

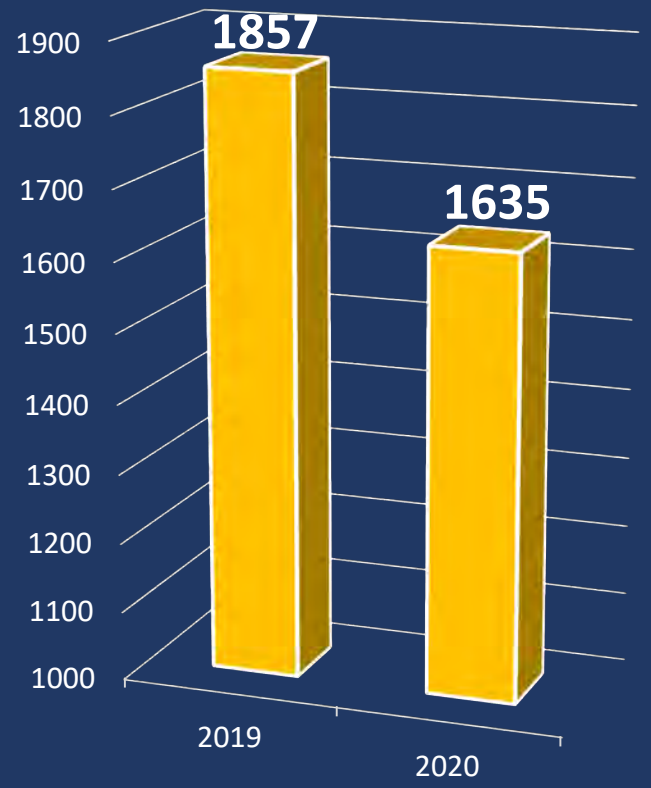
PROPERTY CRIMES

	Burglary	Larceny	Auto Theft	Arson	Totals
2019	155	1411	277	14	1857
2020	205	1179	245	6	1635

PROPERTY AND VIOLENT CRIMES



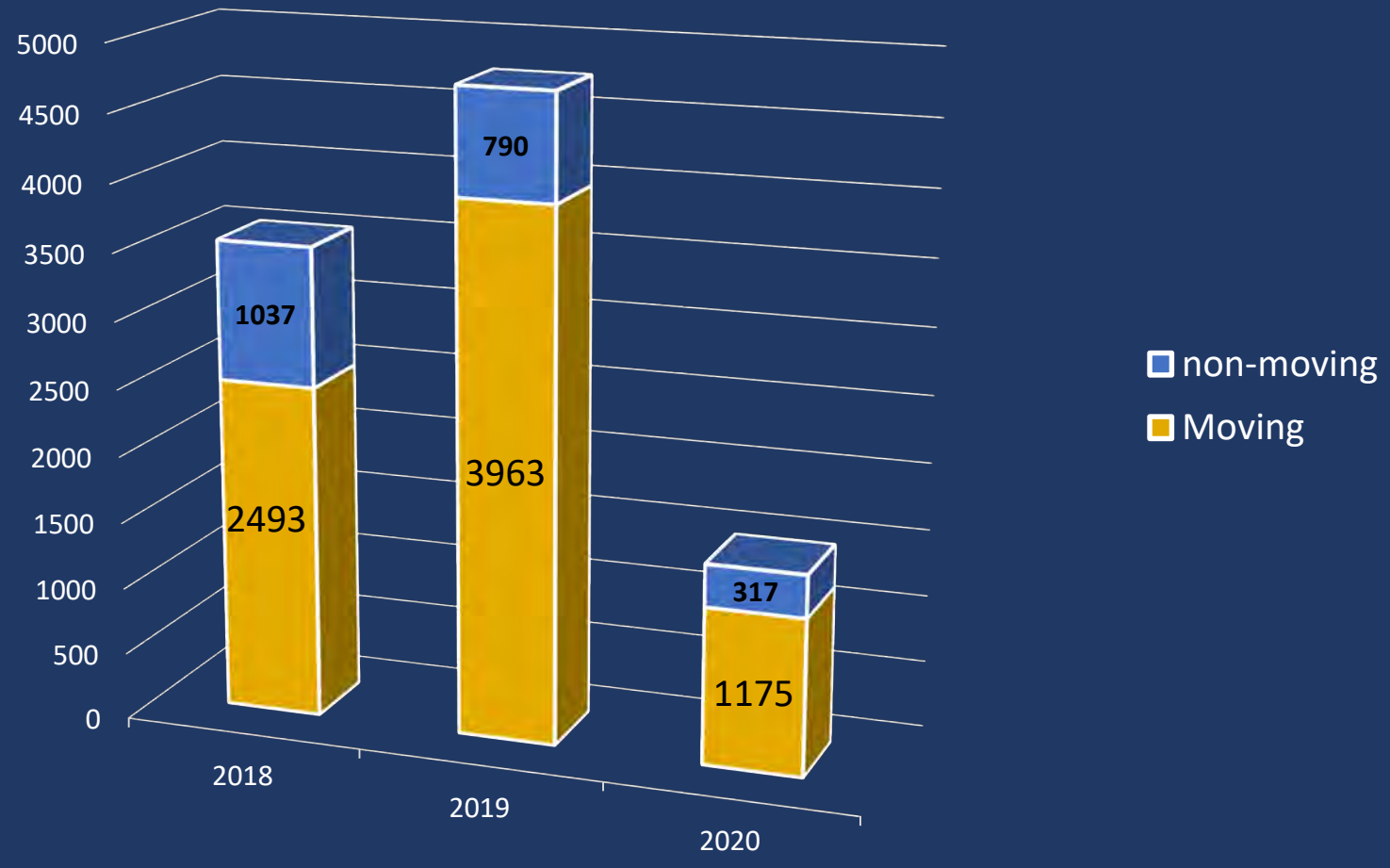
VIOLENT CRIMES



PROPERTY CRIMES

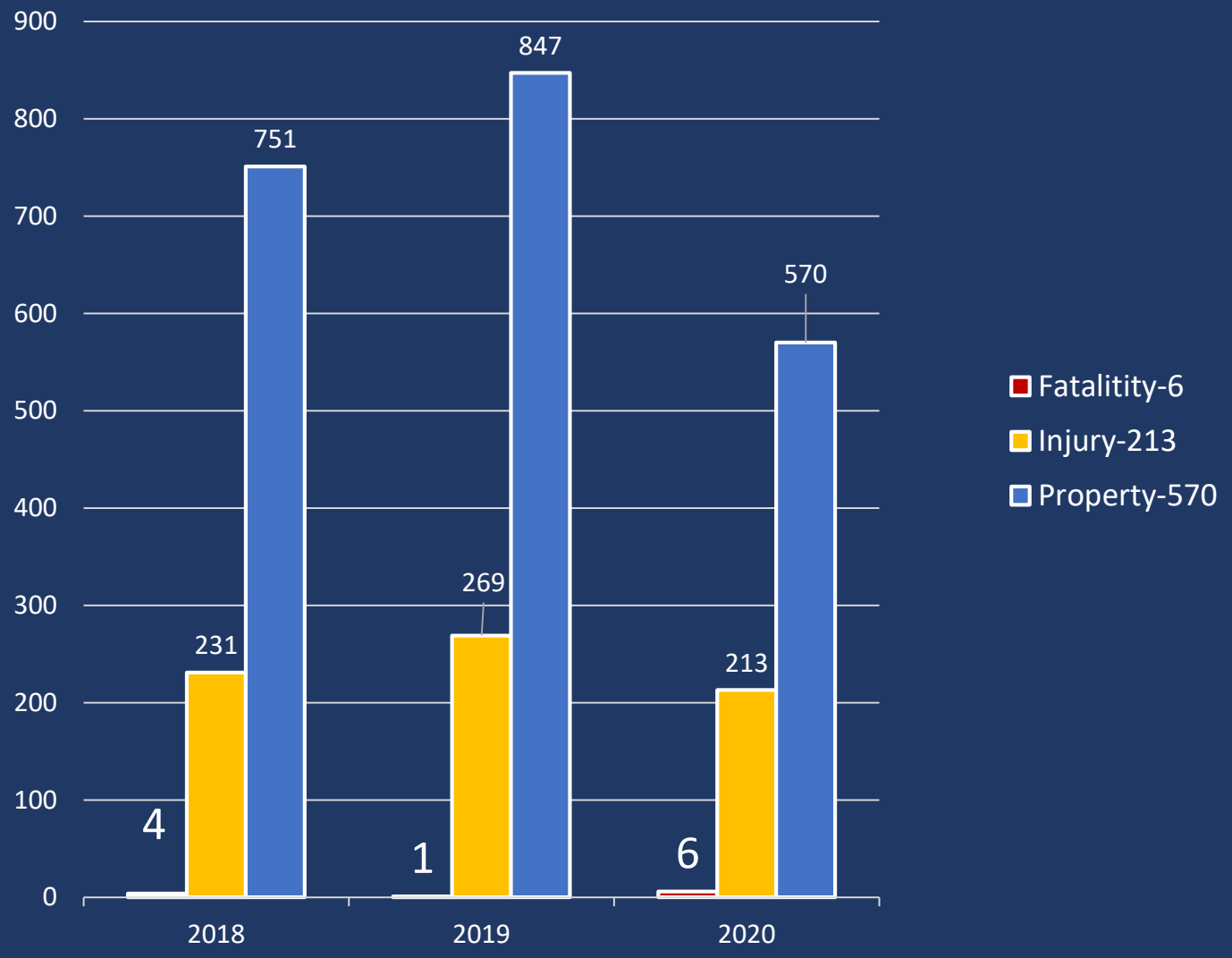
CITATIONS

2020 total citations= 1492

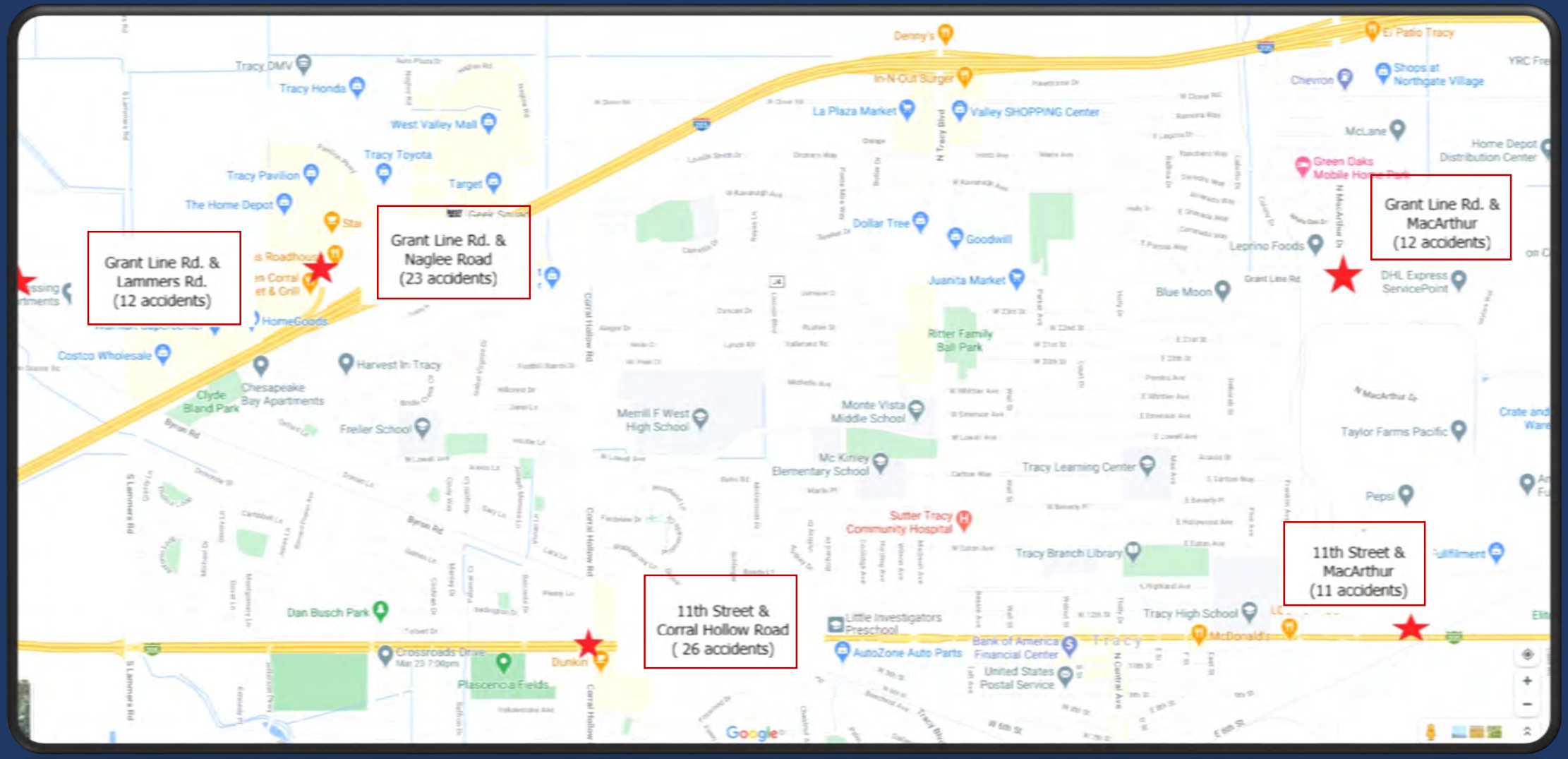


COLLISIONS

2020 total collisions= 789



TOP 5 COLLISION INTERSECTIONS



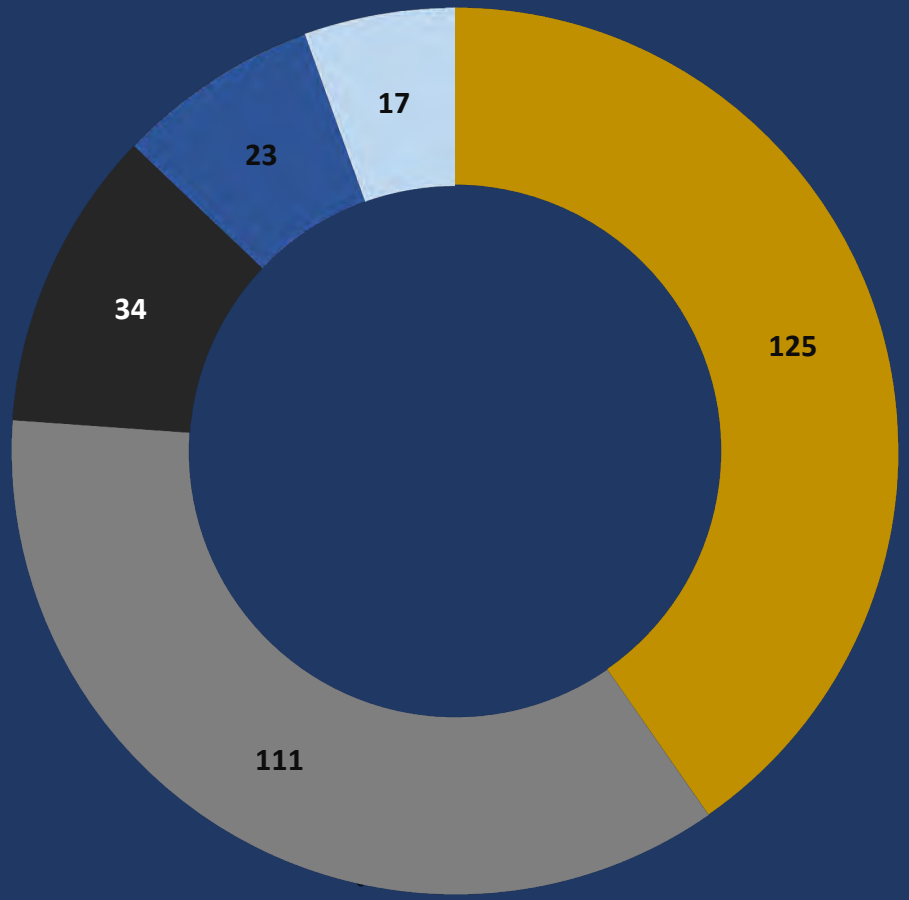
TOP 5 COLLISION INTERSECTIONS

Total fatalities for 2020= 7

TOP COLLISION INTERSECTIONS	2019 TOTALS	2020 TOTALS
GRANT LINE RD/ NAGLEE RD	35	23
11TH ST/ CORRAL HOLLOW	27	26
GRANT LINE RD/ LAMMERS	22	12
11TH ST/ TRACY BLVD	19	--
GRANT LINE RD/ TRACY BLVD	18	--
GRANT LINE RD/ MacARTHUR DR	--	12
11TH ST/ MacARTHUR	--	11

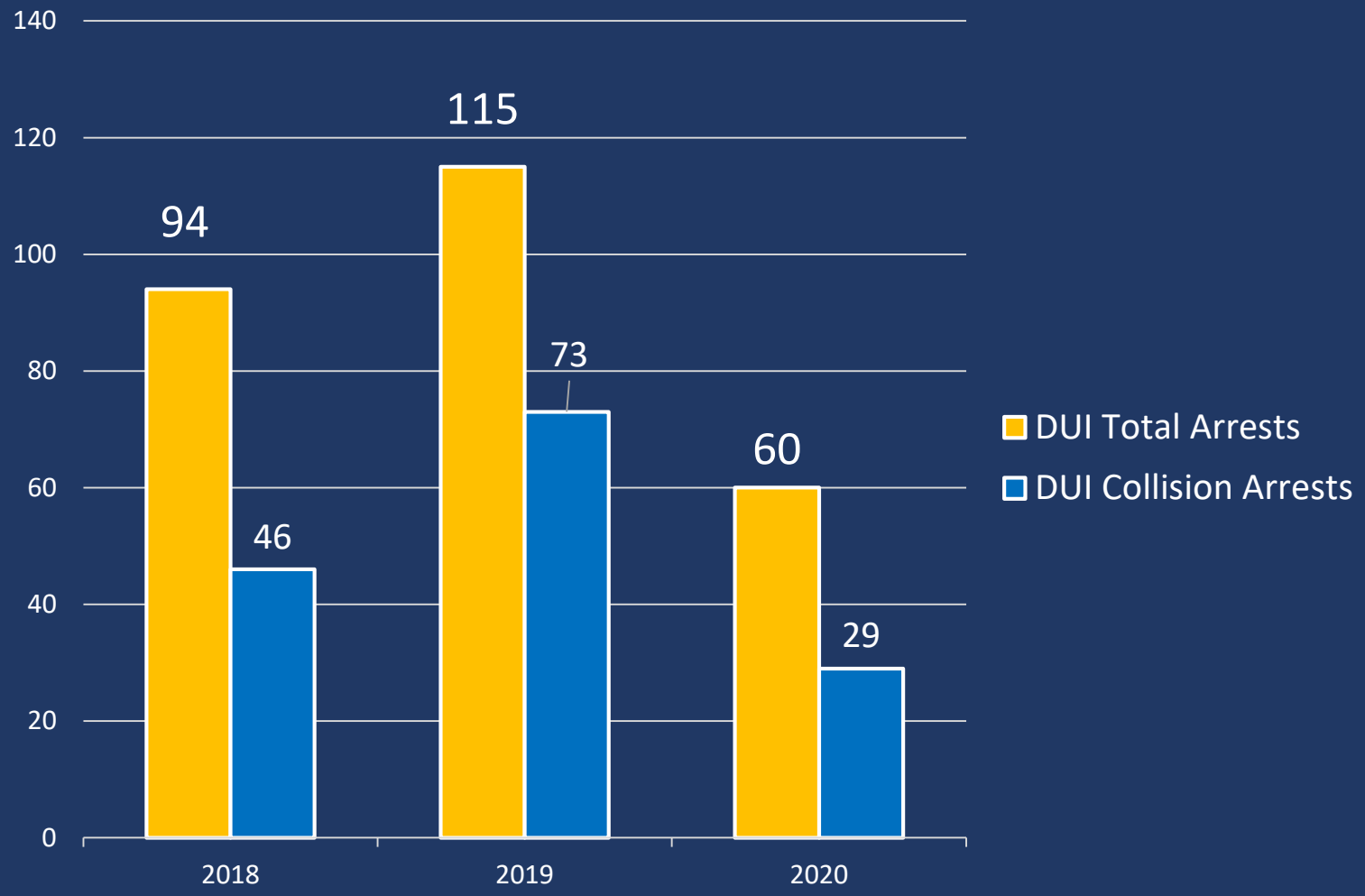
PRIMARY COLLISION FACTORS

Top 5 causes of accidents



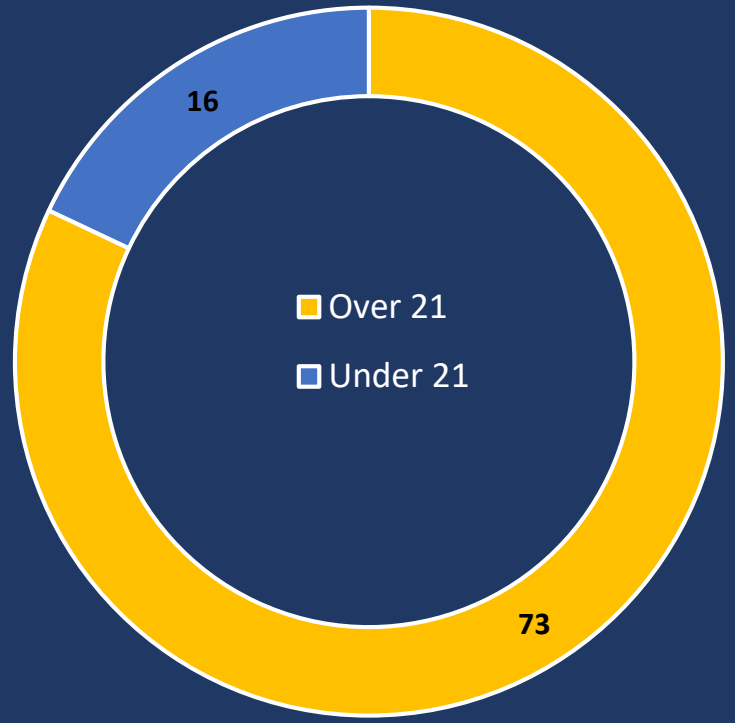
DUI ARRESTS

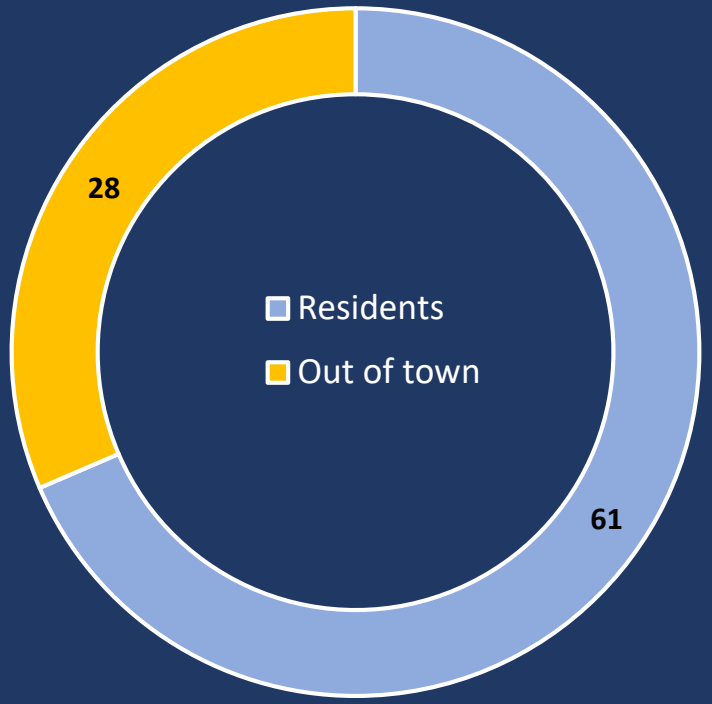
Total DUI Arrests= 89

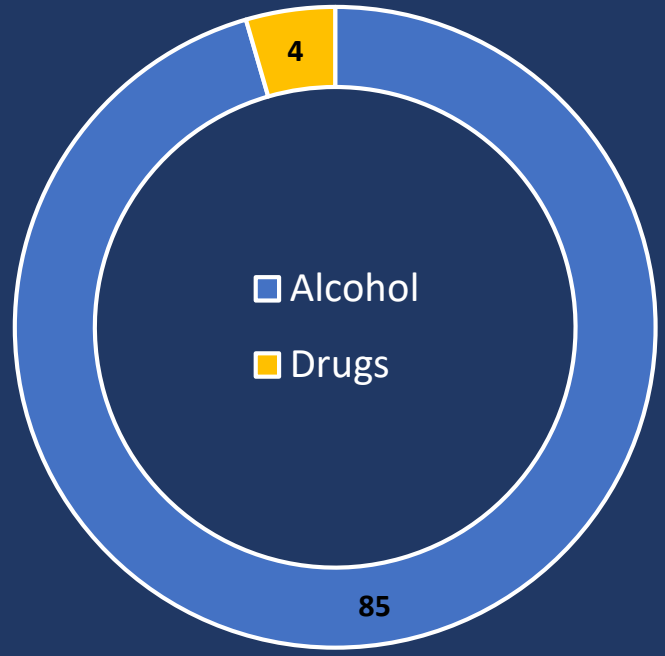


DUI ARRESTS

Total DUI Arrests= 89

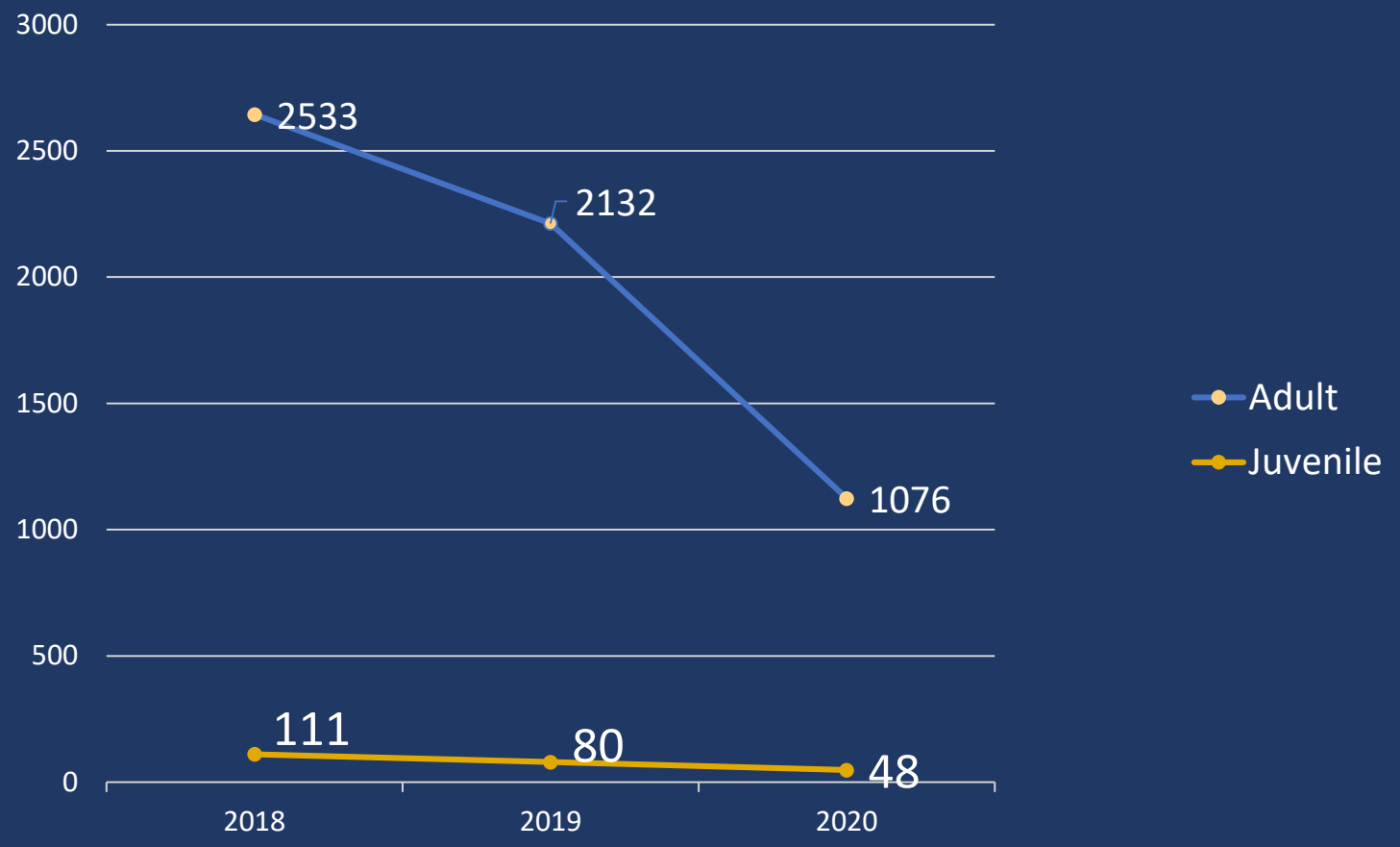






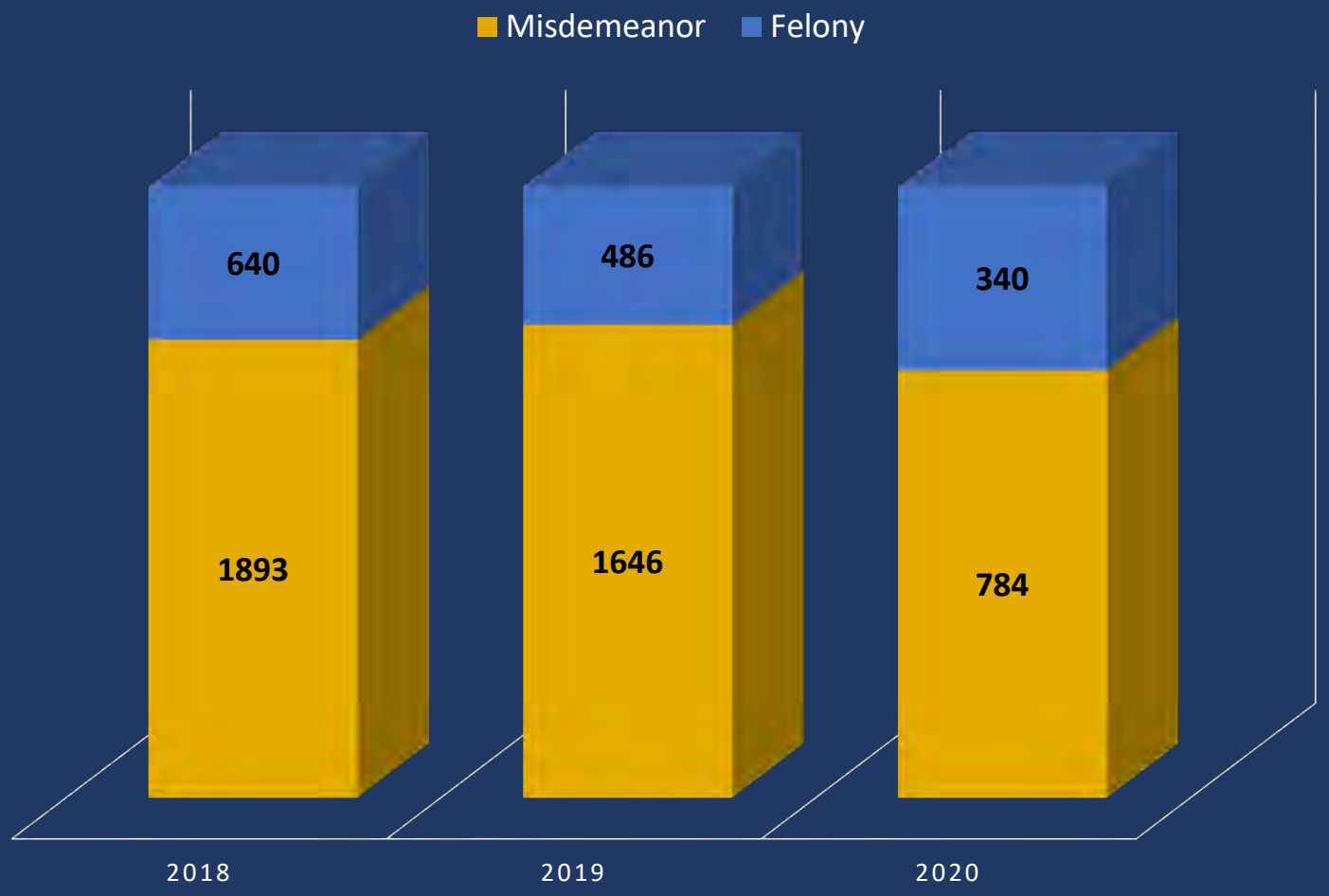
ADULT/JUVENILE ARRESTS

Total Juvenile Arrests= 48
Total Adult Arrests= 1076



ADULT/JUVENILE ARRESTS

Total Arrests: 1124



ANIMAL SERVICES

Totals for Cats/Dogs
Total staffing: 8

TYPE	ADOPTIONS	EUTHANASIA	DIED	RESCUE/ TRANSFER	RETURNED TO OWNER	TOTAL
DOG	152	20	2	79	227	480
CAT	127	71	2	155	7	362

CODE ENFORCEMENT

Total staffing: 7

2020 Accomplishments

- Performed 15 outreach efforts to the transient community via Operation Helping Hands. Each outreach consisted of making contact with approximately 25 people per visit.
- Investigated approximately 140 reported encampments, not including multiple compliance checks.
- Responded to 32 call-outs and emergencies associated with encampments.
- Code Enforcement has one Officer who spends approximately 70-85% of his work schedule dedicated to addressing encampments. This officer helped coordinate over 100 cleanup efforts of many of our community parks and performs daily mitigation monitoring.
- Issued 294 Administrative Citations for Code.
- Issued 167 Notice and Orders/Orders to Abate or Show Cause for nuisances on private property.
- Received and heard one appeal involving building code violations, heard by the Building Board of Appeals.
- Inspections of Substandard Buildings Related to Structure Fires, marijuana grow operations and vehicles into buildings.

CODE ENFORCEMENT

Outreach and Enforcement of Homeless locations









BEFORE



AFTER



Cases opened in 2020	2148
Cases closed in 2020	2288

USE OF FORCE

Professional Standards and Training Division

Category	Exonerated	Not Sustained	Sustained	Unfounded	Admin Closure	Pending	Total
Administrative Complaints	0	0	4	0	1	0	5
Citizens Complaints	1	1	1	0	0	1	4

- Total personnel Investigations: 9
- Total uses of force: 13
- Total applications of force: 24
- Total percent of force used: .0198%
- Total Use of Force as it relates to total calls for service: .0002%

May 4, 2021

AGENDA ITEM 3.D

REQUEST

APPROVE PROPOSED AMENDMENTS TO THE COUNCIL POLICY FOR DISPLAY OF FLAGS AT CITY FACILITIES TO INCLUDE PROTOCOLS FOR THE PASSING OF CURRENT OR FORMER CITY COUNCIL MEMBERS, DISCUSS AND AUTHORIZE COUNCIL MEMBERS' CEREMONIAL FLAG REQUESTS FOR THE COMING YEAR, AND PROVIDE DIRECTION TO STAFF

EXECUTIVE SUMMARY

At the January 19, 2021 City Council meeting, Mayor Young, seconded by Council Member Bedolla, asked that the Council discuss amending its policy for the display of flags to include language to recognize the passing of current or former Council Members. Council also asked for clarification on which flags have been approved for annual reoccurring display and discuss any other Council flag requests. Finally, per Section 2 of the Policy for the Display of Flags at City Facilities, ceremonial flag requests from Council must be made annually by May 1st. This agenda item requests that Council discuss and approve, via resolutions, their desire to amend the Flag Policy and each Council requested ceremonial flag display.

DISCUSSION

On June 18, 2019, Council adopted a policy via Resolution No. 2019-138 on the display of flags at City facilities, including ceremonial or commemorative flags ("Flag Policy"). On October 20, 2019, Council amended the Flag Policy via Resolution No. 2019-199.

The Flag Policy outlines the City's practice of displaying flags in accordance with the federal and state law (Section 2.1) and allows the display of commemorative flags by Council request only (Section 2.3). The Policy further declares that the City's flagpoles are not intended to serve as a forum for free expression by the public. As stated in Section 2.1 the City displays flags in front of public buildings in accordance with federal and state law which dictate, among other things, the positioning and placement of the United States, State and City flags; sizes of flags, and how flags should be handled. The Public Works Department is responsible for displaying flags in front of City buildings and follows the Flag Policy, as well as Standard Operating Procedures regarding flags (Attachment B)

On July 7, 2020, the City Council directed staff to amend the Flag Policy to limit the maximum amount of time a ceremonial flag can be displayed to no more than a week (seven calendar days), not counting any weekends or City holidays in order to avoid overtime costs from staff who are responsible for displaying the flag.

Council also directed staff to amend the Flag Policy to include language that allows Council members to request the use of City resources for a flag ceremony to commemorate the raising of a ceremonial flag.

The current policy states Council must present requests to display a commemorative flag by May 1st of each year so that staff can ensure that sufficient funding for flags, staff time and other necessary resources are included in the City budget.

Flag Protocols for Sitting or Former City Council Members

As noted, the City's current Flag Policy indicates that flag shall be displayed in accordance with federal and state regulations. These regulations do not include protocol/language to address the passing of local City Council Members. It is recommended that Council discuss their desire to add language to provide protocols to acknowledge the passing of current or former City Council Members. The following amended language for Section 2 is presented to Council for consideration (bold italicized text indicates new language):

> ***"2.2 City Manager Authority. The City Manager is authorized to order the City flag be lowered to half-staff as listed below. The flag will be lowered as soon as practicable following notification of death and will remain lowered until interment or up to two weeks, whichever is time period is less.***
>
> ***2.2.1*** A City employee killed in the line of duty.
>
> ***2.2.2 The death of a current or former City Council Member."***

The proposed resolution, if approved by Council, would amend the Flag Policy to include the proposed language above.

Ceremonial Flags Approved for Reoccurring Annual Display

At the July 16, 2019 City Council meeting, Council authorized the annual display of service flags for each branch of the US Armed Forces on their respective birthdays. The following flags have been approved for display for one day[1] annually:

June 14th	Army
August 4th	Coast Guard
September 18th	Air Force
October 13th	Navy
November 10th	Marine Corps

Council Member Ceremonial Flag Requests

In accordance with Section 2.3 of the Flag Policy, City flagpoles are not intended to be a

[1] *Commemorative or ceremonial flags will be displayed for 24 hours if displayed during the normal City workweek. If the day of commemoration occurs on a weekend or city holiday, the flag will be posted on the last working day prior to the weekend or holiday and removed on the next normal City work day*.

forum for free expression by the public and Council Members must present requests to display a commemorative flag by May 1st of every year. Furthermore, requests to display a commemorative or ceremonial flag must be approved by a supermajority vote (four-fifths) of the City Council.

Historical date/year-specific asks include:

- June 4, 2019 Council authorized the display of the LGBT flag at City Hall on June 28, 2019 to commemorate the Stonewall Riots and LGBT Pride Month (Resolution No. 2019-105)

- May 19, 2020 Council authorized the display of the LGBT Pride Flag for the month of June 2020 to recognize LGBT Pride Month and on the day of the Tracy Pride Celebration held in fall 2020 (Resolution No. 2020-080)

- January 19, 2021, Council authorized the display of the Pan-African Flag for the month of February to commemorate Black History Month (Resolution No. 2021-008)

Current request for flag displays include:

- Annual display of a Gold Star Flag/banner on the last Sunday in September in honor of Gold Star Mother's and Family Day (also known as National Gold Star Mother's Day). (Requested by Mayor Young/Mayor Pro Tem Vargas)

- Display of commemorative flag for Juneteenth on June 19th (Mayor Young/then Council Member Ransom)

- Display of the LGBT Pride Flag for the month of June 2021 (Council Member Arriola/Mayor Young)

FISCAL IMPACT

Costs associated with the purchase, storage, and replacement of ceremonial or commemorative flags and flag ceremonies will be included in the City Manager's budget.

STRATEGIC PLAN

This agenda item is a routine operational item that does not relate to the Council's Strategic Plans.

RECOMMENDATION

That Council, via resolution:

1. Approve proposed amendments to the Council's Flag Policy; and

2. Authorize the display of ceremonial flags as outlined in the attached resolutions.

Prepared by: Midori Lichtwardt, Assistant City Manager

Reviewed by: Don Scholl, Public Works Director
Karin Schnaider, Finance Director

Approved by: Jenny Haruyama, City Manager

ATTACHMENT:

A- Policy for the Display of Flags at City Facilities, revised 2020
B- Public Works Department, Standard Operating Procedures Half-Staff Flag Procedures

POLICY FOR THE DISPLAY OF FLAGS AT CITY FACILITIES

Approved by Reso. No. 2019-199 and Amended by Reso. No. 2020-132

Proposed text and formatting changes ***bolded***

SECTION 1: PURPOSE

The purpose of this policy is to establish clear guidelines regarding the display of the flags at City facilities.

SECTION 2: POLICY

2.1 Conformance with Federal and State Flag Regulations. Flags shall be displayed in accordance with federal and state regulations, including Title 4, Chapter 1 of the United States Code, and Sections 430 through 439 of the California Government Code.

2.2 City Manager Authority. The City Manager is authorized to order the City flag be lowered to half-staff as listed below. The flag will be lowered as soon as practicable following notification of death and will remain lowered until interment or up to two weeks, whichever is shortest.

2.2.1 *A City employee killed in the line of duty.*

2.2.2 Death of a current or former City Council Member.

2.3 Ceremonial or Commemorative Flags.

2.3.1 Non-Public Forum. The City's flagpoles are not intended to be a forum for free expression by the public. Ceremonial or commemorative flags shall be displayed as an expression of the City's official sentiments. A request to display a commemorative or ceremonial flag must be supported by two Council members in order to be agendized for Council consideration. All requests to display commemorative flags must be listed as a "Regular Item" on a Council agenda. Council must present requests to display a commemorative flag by May 1st of every year. A Council resolution authorizing the display of a commemorative flag must be approved by a supermajority vote (four-fifths) of the City Council.

2.3.2. Commemorative flags shall only be displayed at City Hall and on the flagpole designated to display the City's flag. Commemorative or ceremonial flags shall be displayed concurrently with the City flag at second position (below the City flag).

2.3.3 Commemorative or ceremonial flags will be displayed for 24 hours if displayed during the normal City workweek. If the day of commemoration occurs on a weekend or City holiday, the flag will be posted on the last working day prior to the weekend or holiday and removed on the next normal City work day. The 24-hour period may also be extended up to month (a maximum of 31 days) if specified in the approving Council resolution. Saturdays, Sundays or City holidays shall not count towards the maximum 31-day display period.

2.3.4 The City will not display a commemorative or ceremonial flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party.

2.3.5 If Council Members want to also request a flag ceremony, such request must be made when requesting to display a commemorative flag in accordance with Section 2.3.1. Said flag ceremony shall consist of the following: publicity on the City's website and social media accounts, press release, and audio/visual support (podium with speaker and microphone, recording, and/or photography.

2.4 Implementation of Policy. The Public Works Director is responsible for ensuring the proper implementation of this Policy. The Public Works Director is further authorized to develop standard operating procedures consistent with this Policy.

ATTACHMENT B

City of Tracy
520 Tracy Blvd.
Tracy, CA 95304

PUBLIC WORKS DEPARTMENT

MAIN 209.831.6360
FAX 209.831.4472
www.ci.tracy.ca.us

Standard Operating Procedure

SUBJECT:	Half-staff Flag Procedures
INTENT:	Provide guidelines for the proper flying of U.S., California and City of Tracy flags on days designated for flying the flags at half mast
RESPONSIBLE PERSON(S):	Primary: Building Maintenance Superintendent Back-up: Any Public Works Superintendent
CRITICAL TIMING:	Days designated by President and/or Governor
INVOLVED INDIVIDUALS:	Robert Gravelle, Todd Rocha
OBJECTIVES:	To assure the proper display of U.S., California and City flags
PROCEDURES:	On Memorial Day and days designated by the President of the United States or the Governor of California for the flying of flags at half-staff, the U.S. flag is to be flown 6" higher than all other flags. If the flag pole does not accommodate the lowering of the flags, the California and City of Tracy flags are to be removed until such time as the order expires or is lifted.
NOTIFICATIONS	The Building Maintenance Superintendent shall notify staff via morning meeting, e-mail and/or telephone when a calendared and/or declared order is issued for the flying of flags at half-staff.
REVIEW:	Review annually in January or as required by order of the President of the United States or Congress

Locations: (Where flag pole is present and flags are flown on a daily basis)

- City owned and operated buildings, and street light poles
- City owned parks and/or sports facilities

Process:

- Upon issuance of an Executive Order by the President of the United States or the Governor of the State of California, all flags located at City owned and operated facilities shall be lowered to half-staff.
- When the flag is hoisted in the morning, it should be raised to the peak (top of the pole) for a few moments then lowered to the mid-way point on the staff.
- When the flag is removed at the end of the day, do not lower it from the half-staff position. First the person(s) detailed to lower the flag should raise it to the peak of the staff, then slowly lower it from that point.
- On Memorial Day the flag should be flown at half-staff. The following business day the flag will be raised to their original height.
- The flag should fly at half-staff for 30 days at after the death of the president or a former president.
- It is to fly 10 days at half-staff after the death of the vice president, the chief justice or a retired chief justice of the United States Supreme Court, or the speaker of the House of Representatives.
- For an associate justice of the Supreme Court, a member of the Cabinet, a former vice president, the president pro tempore of the Senate, the majority leader of the Senate, the minority leader of the Senate, the majority leader of the House of Representatives, or the minority leader of the House of Representatives the flag is to be displayed at half-staff from the day of death until interment.
- Upon the death of the governor of a state, territory or possession, the flag should be flown at half-staff on all federal facilities in that governor's state, territory or possession from the day of death until interment.
- The State and City of Tracy flags will be flown a minimum of 6" lower than the American flag.
- Flags will remain in this location until such time as the Order expires or is lifted.
- In cases where an Order is issued to begin outside of normal City work hours, or on black Fridays, weekends and/or holidays, flags will be lowered to half-staff the morning of the next regular work day if the Order is still in effect.
- In cases where an Order is lifted or expires outside of normal City work hours, or on black Fridays, weekends and/or holidays, flags will be raised to full-staff the morning of the next regular work day.
- NOTE: This S.O.P. does not apply to Fire Department facilities.

RESOLUTION 2021-_____

AMENDING THE COUNCIL POLICY FOR THE DISPLAY OF FLAGS AT CITY FACILITIES TO INCLUDE PROTOCOLS FOR THE PASSING OF CURRENT OR FORMER CITY COUNCIL MEMBERS

WHEREAS, The City of Tracy displays and handles all flags in accordance with Federal and State Law, and

WHEREAS, On June 18, 2019, the City Council adopted a policy via Resolution No. 2019-138 on the display of flags at City facilities, including ceremonial or commemorative flags (Flag Policy), and

WHEREAS, The Flag Policy was amended via Resolution No. 2019-199 and No. 2020-132 to address implementation issues, and

WHEREAS, On January 19, 2021, the Council directed staff to amend the Flag Policy to include protocols for the passing of current or former City Council Members, and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Tracy hereby amends the Flag Policy as follows:

Section 2.2. is hereby replaced in its entirety by the following language:

"2.2 City Manager Authority. The City Manager is authorized to order the City flag be lowered to half-staff as listed below. The flag will be lowered as soon as practicable following notification of death and will remain lowered until interment or up to two weeks, whichever is shortest.

2.2.1 A City employee killed in the line of duty.

2.2.2 Death of a current or former City Council Member."

* * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by the Tracy City Council on the 4th day of May, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

RESOLUTION 2021-_____

AUTHORIZING THE DISPLAY OF A GOLD STAR FLAG THE LAST SUNDAY IN SEPTEMBER *(year-specific or annually)* AT CITY HALL TO COMMEMORATE GOLD STAR MOTHER'S AND FAMILY DAY

WHEREAS, The City Council of the City of Tracy wishes to recognize the last Sunday in September as Gold Star Mother's and Family Day, to honor mothers, fathers, and families of service members who were killed or died while serving in the Armed Forces, and

WHEREAS, The display of the Gold Star flag serves to express the City's official sentiment of gratitude and respect for Gold Star Mothers and Families and hopes to provide a level of comfort to the parents and families that are left behind, and

WHEREAS, The Gold Star Mothers and Families Day serves as a reminder of the losses suffered by military families, and

WHEREAS, The City Council has an approved Flag Policy that governs the display of flags at City facilities, and

WHEREAS, The City's flagpoles are not intended to be a forum for free expression by the public, and

WHEREAS, The Gold Star Flag will be flown the last Sunday in September *(year-specific or annually)* at City Hall in lieu of the City's flag.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Tracy hereby authorizes the display of the Gold Star Flag on the City flagpole located in front of City Hall *(year-specific or annually)* to honor the families who have received the Gold Star for a fallen service member.

* * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____ was adopted by the Tracy City Council on the 4th day of May, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

RESOLUTION 2021-_____

AUTHORIZING THE DISPLAY OF A JUNETEENTH FLAG ON JUNE 19TH *(Year-specific or annually)* AT CITY HALL TO COMMEMORATE THE END OF SLAVERY IN THE UNITED STATES

WHEREAS, The City Council of the City of Tracy wishes to recognize June 19th *(year-specific or annually)*, as Juneteenth, celebrating the end of slavery in the United States of America, and

WHEREAS, The display of the Juneteenth flag, serves to express the City's official commitment to celebrating diversity, and

WHEREAS, The City Council has an approved Flag Policy that governs the display of flags at City facilities, and

WHEREAS, The City's flagpoles are not intended to be a forum for free expression by the public, and

WHEREAS, The Juneteenth Flag will be flown June _____through_____ *(year-specific or annually)* at City Hall in lieu of the City's flag.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Tracy hereby authorizes the display of the Juneteenth Flag on the City flagpole located in front of City Hall from _____ to _____ *(year-specific or annually)* to commemorate the end of slavery in the United States.

* * * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____was adopted by the Tracy City Council on the 4th day of May, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK

RESOLUTION 2021-_____

AUTHORIZING THE DISPLAY OF THE LGBT PRIDE FLAG FOR THE MONTH OF JUNE *(Year-specific or annually)* AT CITY HALL TO RECOGNIZE LGBT PRIDE MONTH

WHEREAS, The City Council of the City of Tracy wishes to recognize the month of June *(year-specific or annually)* as Pride Month acknowledging the civil rights of those in the Lesbian, Gay, Bisexual, and Transgender (LGBT) community, and

WHEREAS, The display of the LGBT Pride Flag, as known as the Rainbow Flag, serves to express the City's official commitment to celebrating diversity, and

WHEREAS, The City Council has an approved Flag Policy that governs the display of flags at City facilities, and

WHEREAS, The City's flagpoles are not intended to be a forum for free expression by the public, and

WHEREAS, The LGBT Pride Flag will be flown for the month of June year-specific or annually at City Hall in lieu of the City's flag with the exception of the weekend that includes the flying of the U.S. Army flag in recognition of that institution's anniversary.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Tracy hereby authorizes the display of the Pride Flag on the City flagpole located in front of City Hall to commemorate LGBT Pride month for the month of June, *(year-specific or annually)* with the exception of the weekend that includes, the flying of the U.S. Army flag in recognition of that institution's anniversary or any other month of June flag display subsequently approved by City Council.

* * * * * * * * * * * * * * * * * *

The foregoing Resolution 2021-_____was adopted by the Tracy City Council on the 4th day of May, 2021, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
MAYOR

ATTEST:

_____
CITY CLERK