

Wednesday, May 14, 2025, 7:00 P.M.

A quorum of Planning Commission will be in attendance at
Tracy City Hall Chambers, 333 Civic Center Plaza, Tracy
Web Site: www.cityoftracy.org

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

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

As always, the public may view the Planning Commission meetings live on the City of Tracy's website at CityofTracy.org or on Comcast Channel 26/AT&T U-verse Channel 99. To view from the City's website, open the "Government" menu at the top of the City's homepage and select "Planning Commission", then select "[Planning Commission Meeting Videos](#)" under the "Boards and Commissions" section.

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

Remote Public Comment:

During the upcoming Planning Commission 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:
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following
 - **Event Number: 2550 459 8466** and **Event Password:** Planning
 - **If you would like to participate in the public comment anonymously**, you may submit your comment in WebEx by typing "Anonymous" when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - Join by phone by dialing +1-408-418-9388, 2550 459 8466, #75266464# Press *3 to raise the hand icon to speak on an item.
 - Protocols for commenting via WebEx:
 - **If you wish to comment on the "New Business" or "Items from the Audience" portions of the agenda:**
 - Listen for the Chair to open that portion of the agenda for discussion, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.
 - If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.
 - **Comments for the "New Business" or "Items from the Audience" portions of the agenda will be accepted until the public comment for that item is closed.**

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

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 Planning Commission meetings. Persons requiring assistance or auxiliary aids should call City Hall (209/831-6105) 24 hours prior to the meeting.

Addressing the Planning Commission on Items on the Agenda – The Brown Act provides that every regular Planning Commission meeting shall provide an opportunity for the public to address the Planning Commission on any item within its jurisdiction before or during the Planning Commission'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 Planning Commission to conduct its business as efficiently as possible, members of the public wishing to address the Planning Commission 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 Planning Commission 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 Planning Commission. Each citizen will be allowed a maximum of five minutes for input or testimony. In the event there are 15 or more individuals wishing to speak regarding any agenda item including the "Items from the Audience/Public Comment" portion of the agenda and regular items, the maximum amount of time allowed per speaker will be three minutes. When speaking under a specific agenda item, each speaker should avoid repetition of the remarks of the prior speakers. To promote time efficiency and an orderly meeting, the Presiding Officer may request that a spokesperson be designated to represent similar views. A designated spokesperson shall have 10 minutes to speak. At the Presiding Officer's discretion, additional time may be granted. The City Clerk shall be the timekeeper.

Addressing the Planning Commission 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 Planning Commission 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, Planning Commissioners may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Planning Commission. When members of the public address the Planning Commission, 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 Planning Commission 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 Planning Commission prior to or at the public hearing.

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

MEETING AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ACTIONS, BY MOTION, OF PLANNING COMMISSION PURSUANT TO AB 2449, IF ANY

ROLL CALL

MINUTES – 04.23.25 Regular Meeting Minutes

DIRECTOR'S REPORT REGARDING THIS AGENDA

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

1. NEW BUSINESS

- 1.A STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, ADOPT A RESOLUTION (1) RECOMMENDING THAT THE CITY COUNCIL INTRODUCE AND ADOPT AN ORDINANCE APPROVING AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN, APPLICATION NUMBER SPA24-0002, TO AMEND THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL TO VILLAGE CENTER FOR THREE PARCELS TOTALING APPROXIMATELY 9.26 ACRES LOCATED NORTH OF VALPICO ROAD, EAST OF TRACY BOULEVARD, ASSESSOR'S PARCEL NUMBERS 246-130-15, 246-130-20, AND 246-130-25; AND (2) RECOMMENDING CITY COUNCIL DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (EIR) AND DOES NOT REQUIRE FURTHER ENVIRONMENTAL ASSESSMENT PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15183. THE APPLICANT AND THE PROPERTY OWNER IS RED MAPLE VILLAGE L.P.
- 1.B STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, ADOPT A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTIONS (1) INTRODUCE AND ADOPT AN ORDINANCE AMENDING TRACY MUNICIPAL CODE SECTION 10.08.4440 TO ADD A DEFINITION FOR FUEL PRICING SIGNS AND AMENDING SECTION 10.08.4500(G) TO EXEMPT FUEL PRICING SIGNS FROM THE STANDARD LIMITING THE NUMBER OF MONUMENT SIGNS TO TWO PER PARCEL; AND (2) DETERMINE THAT THIS AMENDMENT TO THE TRACY MUNICIPAL CODE DOES NOT HAVE THE POTENTIAL FOR CAUSING A

SIGNIFICANT EFFECT ON THE ENVIRONMENT AND THEREFORE PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(B)(3), NO ADDITIONAL ENVIRONMENTAL REVIEW IS NECESSARY.

- 1.C STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, ADOPT A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL TAKE THE FOLLOWING ACTION: INTRODUCE AND ADOPT AN ORDINANCE REPEALING AND REPLACING SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE, REGARDING MOBILE FOOD VENDORS.
2. ITEMS FROM THE AUDIENCE
3. DIRECTOR'S REPORT
4. ITEMS FROM THE COMMISSION
5. ADJOURNMENT

Posted: May 8, 2025

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

**MINUTES
TRACY CITY PLANNING COMMISSION
REGULAR MEETING
APRIL 23, 2025, 7:00 P.M.
CITY OF TRACY COUNCIL CHAMBERS
333 CIVIC CENTER PLAZA**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chair Orcutt led the pledge of allegiance.

ROLL CALL

Roll Call found Commissioner Atwal, Commissioner Boakye-Boateng, Commissioner English, Vice Chair Penning, and Chair Orcutt present. Also present Matthew Summers, Interim Assistant City Attorney; Scott Claar, Planning Manager; Christina Delgadillo, Assistant Planner; Al Gali, Associate Engineer; Miranda Aguilar, Planning Technician; and Jennifer Lucero, Administrative Assistant.

MINUTES

Chair Orcutt introduced the Regular Meeting Minutes from the April 9, 2025 Planning Commission Regular Meeting.

ACTION: It was moved by Chair Orcutt and seconded by Commissioner Atwal to approve the April 9, 2025 Planning Commission Regular Meeting Minutes. A voice vote found Commissioner Atwal, Commissioner Boakye-Boateng, Commissioner English, Vice Chair Penning, and Chair Orcutt in favor. Passed and so ordered; 5-0-0-0.

DIRECTOR'S REPORT REGARDING THIS AGENDA

None.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

- A. STAFF RECOMMENDS THAT THE PLANNING COMMISSION CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, ADOPT A RESOLUTION: (1) APPROVING A DEVELOPMENT REVIEW PERMIT, APPLICATION NUMBER D24-0027, FOR THE INSTALLATION OF A MODULAR BUILDING, COLD STORAGE UNIT, AND RELATED SITE IMPROVEMENTS, LOCATED AT 500 N CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 234-210-28; (2) GRANTING A CONDITIONAL USE PERMIT, APPLICATION NUMBER CUP24-0013, TO EXPAND THE SCHOOL USE TO INCLUDE A MODULAR CLASSROOM BUILDING AND COLD STORAGE UNIT, LOCATED AT 500 N CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 234-210-28; (3)**

DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15332, PERTAINING TO INFILL DEVELOPMENT. THE APPLICANT IS KK CONCRETE AND CONSTRUCTION, AND THE PROPERTY OWNER IS NEW CREATION BIBLE FELLOWSHIP

Christina Delgadillo, Assistant Planner, presented staff report and addressed questions from the Commission.

Chair Orcutt opened the Public Hearing at 7:07 p.m.

Pastor Kevin James, applicant, thanked the Commission and provided background information on the organization.

Seeing as no one else came forward, Chair Orcutt closed the Public Hearing at 7:10 p.m.

Commission discussion continued.

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

- (1) APPROVING A DEVELOPMENT REVIEW PERMIT (D24-0027) FOR THE INSTALLATION OF A MODULAR CLASSROOM, COLD STORAGE UNIT, AND OTHER SITE IMPROVEMENTS ON A 1.61-ACRE DEVELOPMENT SITE LOCATED AT 500 N CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 234-210-28;
- (2) GRANTING A CONDITIONAL USE PERMIT, APPLICATION NUMBER CUP24-0013, TO EXPAND THE SCHOOL USE TO INCLUDE A MODULAR CLASSROOM BUILDING AND COLD STORAGE UNIT LOCATED AT 500 N CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBER 234-210-28;
- (3) DETERMINING THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO CEQA GUIDELINES SECTION 15332, PERTAINING TO INFILL DEVELOPMENT

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

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

None

5. ADJOURNMENT

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

Time: 7:16 p.m.

CHAIR

STAFF LIAISON



PLANNING COMMISSION STAFF REPORT

Item No. 1.A

DATE	May 14, 2025
TITLE	Amendment to the Industrial Areas Specific Plan
LOCATION	APNs: 246-130-15, 246-130-20, and 246-130-25
APPLICATION TYPE	Specific Plan Amendment (SPA24-0002)
CEQA STATUS	Exempt, CEQA Guidelines Section 15183
PROJECT PLANNER	Christina Delgadillo (209) 831-6433 christina.delgadillo@cityoftracy.org

RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, and upon its conclusion, adopt a Resolution:

- (1) Recommending that the City Council introduce and adopt an ordinance approving an amendment to the Industrial Areas Specific Plan, Application Number SPA24-0002, to amend the land use designation from Limited Industrial to Village Center for three parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, Assessor's Parcel Numbers 246-130-15, 246-130-20, and 246-130-25; and
- (2) Recommending City Council determine that the project is consistent with the General Plan Environmental Impact Report (EIR) and does not require further environmental assessment pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183.

The applicant and the property owner is Red Maple Village L.P.

PROJECT DESCRIPTION

Background

The project site is located east of the existing Red Maple Village Shopping Center on the corner of S. Tracy Blvd and Valpico Road (Attachment A – Location Map). The entire site is approximately 9.26 acres and consists of three parcels. One of the three parcels is a vacant two-acre parcel previously owned by the City (Assessor's Parcel Number 246-130-15), which was considered as a potential fire station site. However, in 2011, the City determined the parcel was not needed for a fire station, deemed the parcel as surplus land, and sold the parcel to the applicant. The remainder of the site includes a 4.22-acre parcel containing an existing temporary retention basin (Assessor's Parcel Number 246-130-20) and a 3.04-acre parcel, partially developed with an existing parking lot (Assessor's Parcel Number 246-130-25).

The project site is designated Village Center in the General Plan and Limited Industrial in the Industrial Areas Specific Plan, which is not in conformance with the General Plan designation. To the east of the project site, the area is zoned as Light Industrial and designated as Residential High by the General Plan, which is also not in conformity and is being addressed by a separate application. To the north of the property, the area is zoned as Medium Density Residential and designated Residential Medium by the General Plan.

General Plan

In 2006, the City adopted the updated General Plan, which identified the northeast corner of Tracy Blvd and Valpico Road as a newly created land use designation of “Village Center.” The Village Center land use designation encompassed 19.53 acres, including the Red Maple Village Shopping Center and the adjacent project site. The Village Center designation permits a mix of uses, including retail, restaurants, consumer services, offices, and high-density residential.

Specific Plan Amendment Analysis

California Government Code § 65450-65457 creates the provisions for specific plans and requires any specific plan to be consistent with a city’s adopted General Plan. Currently, the specific plan land use designation for the property is inconsistent with the General Plan land use designation. Furthermore, Section 10.20.030(a) of the Tracy Municipal Code requires specific plans to be consistent with the City’s adopted General Plan as provided for in Government Code § 65454. The proposed amendment to the Industrial Areas Specific Plan land use designation from Limited Industrial to Village Center is consistent with the General Plan because the General Plan specifically identifies the site as “Village Center.”

Prior to the General Plan Update that added the Village Center land use designation, the 1988 Industrial Areas Specific Plan gave the properties a land use designation of Limited Industrial. In November of 2007, the City Council adopted Resolution 2007-266 for the Red Maple Village project, which amended the Specific Plan to add a “Village Center” land use category, consistent with the General Plan’s “Village Center” land use designation. That resolution also changed the Specific Plan land use category on the Red Maple Village Shopping Center property (approximately 10.27 acres) and the adjacent 3.04-acre parcel (collectively, 13.31 acres) from Light Industrial to Village Center (but incorrectly excluded adjacent 4.22-acre parcel within the Project Site which would have totaled 17.53 acres). However, the specific plan amendment document correctly refers to the 17.54-acre site as Village Center. All references excluded the 2.0-acre parcel previously owned by the City. Completing this proposed amendment would result in consistency of the General Plan and Specific Plan designations for the entire project site (Attachment B – Industrial Areas Specific Plan Land Use Designations Map, Existing and Proposed).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS

The proposed project is consistent with the General Plan Environmental Impact Report (EIR) certified by City Council on February 1, 2011 in accordance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Sections 15183, no further environmental

documentation is required, as the proposed General Plan land use designation change is consistent with the General Plan and there are no project-specific aspects that will result in significant environmental effects.

SUMMARY

The requested amendment to the Industrial Areas Specific Plan would create consistency with the City's adopted General Plan. The amendment of the specific plan land use designation from Limited Industrial to Village Center for the project site would be consistent with the General Plan's "Village Center" designation. Staff recommends the Planning Commission recommend the City Council approve the amendment to the Industrial Areas Specific Plan.

ATTACHMENTS

- A – Location Map
- B – Industrial Areas Specific Plan Land Use Designation Map (Existing and Proposed)
- C – Planning Commission Resolution

Exhibit 1 - City Council Ordinance

Attachment A



 Project site

ISP existing land use designations



ISP proposed land use designation



Village Center

Limited Industrial

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY PLANNING COMMISSION

RESOLUTION 2025-_____

- 1. RECOMMENDING CITY COUNCIL APPROVE AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN, TO AMEND THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL TO VILLAGE CENTER FOR THREE PARCELS TOTALING APPROXIMATELY 9.26 ACRES LOCATED NORTH OF VALPICO ROAD, EAST OF TRACY BOULEVARD, ASSESSOR'S PARCEL NUMBERS 246-130-15, 246-130-20, AND 246-130-25, APPLICATION NUMBER SPA24-0002,**
- 2. RECOMMENDING CITY COUNCIL DETERMINE THAT THIS PROJECT IS CONSISTENT WITH THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (EIR) AND NO FURTHER ENVIRONMENTAL ASSESSMENT IS REQUIRED, PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15183.**

WHEREAS, City staff received an application for an amendment to the Industrial Areas Specific Plan to change the land use designation from Limited Industrial to Village Center for three parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, adjacent to the Red Maple Village shopping center, Assessor's Parcel Numbers 246-130-25, 246-130-15, and 246-130-20, Application Number SPA24-0002; and

WHEREAS, the subject properties have a General Plan designation of Village Center; and

WHEREAS, the proposed amendment of the Industrial Areas Specific Plan land use designation to Village Center would bring the land use of the subject properties into conformance with the General Plan; and

WHEREAS, the project is consistent with the General Plan Environmental Impact Report (EIR) certified by City Council on February 1, 2011 in accordance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Sections 15183, no further environmental documentation is required, as the proposed General Plan land use designation change is consistent with the General Plan and

there are no project-specific aspects that will result in significant environmental effects; and

WHEREAS, the Planning Commission considered this matter at a duly noticed public hearing held on May 14, 2025, and recommended that the City Council introduce and adopt an ordinance to approve the Specific Plan Amendment; and

RESOLVED: That the Planning Commission hereby recommends that the City Council consider an amendment to the Industrial Areas Specific Plan to amend the land use designations for three parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, Assessor's Parcel Numbers 246-130-15, 246-130-20, and 246-130-25 from Limited Industrial to Village Center; and be it

FURTHER RESOLVED: That the Planning Commission hereby recommends that the City Council determine the project is consistent with the General Plan Environmental Impact Report (EIR) certified by City Council on February 1, 2011 in accordance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guideline Sections 15183, no further environmental documentation is required.

The foregoing Resolution 2025-_____ was adopted by the Planning Commission on May 14, 2025, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE INDUSTRIAL AREAS SPECIFIC PLAN TO CHANGE THE LAND USE DESIGNATION FROM LIMITED INDUSTRIAL TO VILLAGE CENTER FOR THREE PARCELS TOTALING APPROXIMATELY 9.26 ACRES LOCATED NORTH OF VALPICO ROAD, EAST OF TRACY BOULEVARD, ASSESSOR'S PARCEL NUMBERS 246-130-25, 246-130-15, AND 246-130-20, APPLICATION NUMBER SPA24-0002.

WHEREAS, City staff received an application for an amendment to the Industrial Areas Specific Plan to change the land use designation from Limited Industrial to Village Center for three parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, adjacent to the Red Maple Village shopping center, Assessor's Parcel Numbers 246-130-25, 246-130-15, and 246-130-20, Application Number SPA24-0002; and

WHEREAS, the subject properties have a General Plan designation of Village Center; and

WHEREAS, the proposed amendment of the Industrial Areas Specific Plan land use designation to Village Center would bring the land use of the subject properties into conformance with the General Plan; and

WHEREAS, the project is consistent with the General Plan Environmental Impact Report (EIR) certified by City Council on February 1, 2011 in accordance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Sections 15183, no further environmental documentation is required as the proposed General Plan land use designation change is consistent with the General Plan and there are no project-specific aspects that will result in significant environmental effects; and

WHEREAS, the Planning Commission considered this matter at a duly noticed public hearing held on May 14, 2025, and recommended that the City Council introduce and adopt an ordinance to approve the Specific Plan Amendment; and

WHEREAS, the City Council considered this matter at a duly noticed public hearing held on June 17, 2025;

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

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

SECTION 2: CEQA Review. The City Council finds that this change in land use designations is exempt from additional review under the California Environmental Quality Act under CEQA Guidelines section 15183 as it is consistent with the General Plan Environmental Impact Report certified by the City Council on February 1, 2011 and as there are no project-specific aspects that will result in significant environmental effects.

SECTION 3: Land Use Designation Amendment. The Industrial Areas Specific Plan land use designation for the three parcels totaling approximately 9.26 acres located north of Valpico Road, east of Tracy Boulevard, Assessor's Parcel Numbers 246-130-25, 246-130-15, and 246-130-20, is hereby amended from Limited Industrial to Village Center and the Industrial Areas Specific Plan land use designation map is hereby amended to show these properties designated as Village Center.

SECTION 4: Effective Date. This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 6: Certification. The City Clerk shall certify the adoption of this Ordinance. 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 _____ was introduced at a regular meeting of the Tracy City Council on the 17th day of June, 2025, and finally adopted on the _____ day of _____, 2025, by the following vote:

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

MAYOR

ATTEST:

CITY CLERK

397118.1



PLANNING COMMISSION STAFF REPORT

Item No. 1.B

DATE	May 14, 2025
TITLE	Sign Ordinance Amendment for Fuel Pricing Signs
LOCATION	Citywide
APPLICATION TYPE	Zoning Text Amendment ZA24-0003
CEQA STATUS	Exempt pursuant to CEQA Guidelines Sections 15061(b)(3), projects with no significant effect on the environment
PROJECT PLANNER	Genevieve Federighi (209) 831-6435 genevieve.federighi@cityoftracy.org

RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, and upon its conclusion, adopt a resolution recommending that the City Council take the following actions:

1. Introduce and adopt an ordinance amending Tracy Municipal Code Section 10.08.4440 to add a definition for fuel pricing signs and amending Section 10.08.4500(g) to exempt fuel pricing signs from the standard limiting the number of monument signs to two per parcel; and
2. Determine that this amendment to the Tracy Municipal Code does not have the potential for causing a significant effect on the environment and therefore pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), no additional environmental review is necessary.

PROJECT DESCRIPTION

This agenda item regards a proposed amendment to Sections 10.08.4440 and 10.08.4500(g) of the Tracy Municipal Code Section (Sign Ordinance) that would add a definition for "Fuel Pricing Sign" and would exempt these signs from the two-per-parcel maximum.

The proposed amendment would add the following definition to Section 10.08.4440:

"Fuel Pricing Sign" shall mean a monument sign at a fueling station depicting the price of fuel as required by Business and Professions Code Section 13531.

In addition, the proposal would amend Section 10.08.4500(g)(1)(vii) as follows:

vii: Maximum number of signs permitted: Two (2) per parcel. Fuel Pricing Signs shall not be counted towards this maximum but shall comply with all other standards.

The proposed amendment would apply Citywide and would impact existing and future fueling stations.

ANALYSIS

The purpose of this amendment is to address a conflict in the existing Sign Ordinance that results from the standard restricting each parcel to a maximum of two monument signs and, specifically, the conflict with fuel pricing signs.

Some shopping centers are comprised of multiple underlying parcels though they appear and operate as a single site. Other shopping centers are comprised of a single parcel. The former is allowed two signs per parcel while the latter would be allowed no more than two monument signs. This appears to be an unintentional oversight.

In addition, fueling stations (gas stations) are required by California Business and Professions Code Section 13531 to provide at least one fuel pricing sign facing each fronting street. A corner location would need one sign on each frontage.

The amendment was initiated by the owner of the commercial property at 4600 S. Corral Hollow Road based off their experience. The site currently contains a new fueling station that was built on the corner of the single-parcel shopping center. Due to the State requirement, the fueling station used both permitted monument signs for the entire site. As a result, no other monument signs are available for future interior tenants or for the overall shopping center.

To resolve this conflict, the proposed amendment would exclude Fuel Pricing Signs from the two-per-parcel monument sign standard. The Fuel Pricing Signs would still be bound by the height, area, location, and all other standards that apply to monument signs. They just would not contribute to the maximum monument sign count. In the example above, the shopping center would be allowed an additional two monument signs.

California Environmental Quality Act Determination

The proposed amendment to the Tracy Municipal Code does not have a potential for causing a significant effect on the environment and therefore no additional environmental review is necessary pursuant to CEQA Guidelines Section 15061(b)(3).

SUMMARY

The proposed amendments to Tracy Municipal Code 10.08.4440 and 10.08.4500(g)(1)(vii) would create a definition for “Fuel Pricing Sign” and would exempt these signs from the current standard limiting each parcel to two monument signs.

ATTACHMENTS

Attachment A – Planning Commission Resolution

Exhibit 1 to Attachment A – Proposed City Council Ordinance

Attachment B – Excerpts from Sign Ordinance with Proposed Changes

CITY ATTORNEY'S OFFICE

TRACY PLANNING COMMISSION

RESOLUTION NO. _____

RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF TRACY TAKE THE FOLLOWING ACTIONS:

1. INTRODUCE AND ADOPT AN ORDINANCE AMENDING TRACY MUNICIPAL CODE SECTION 10.08.4440, ADDING A DEFINITION FOR "FUEL PRICING SIGN" AND AMENDING SECTION 10.08.4500(g) TO EXEMPT FUEL PRICE SIGNS FROM THE STANDARD LIMITING THE NUMBER OF MONUMENT SIGNS TO TWO PER PARCEL; AND
2. DETERMINE THAT THE ZONING TEXT AMENDMENT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3), PROJECTS WITH NO POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

WHEREAS, Tracy Municipal Code Section 10.08.4400 does not currently differentiate between fuel pricing signs required by California Business and Professions Code Section 13531 and other monument signs; and

WHEREAS, Tracy Municipal Code Section 10.08.4500(g) currently restricts the number of monument signs to two per parcel; and

WHEREAS, the imposition of the restrictions contained in Section 10.08.4500(g) on a commercial shopping center site containing a fueling station subject to B&P Code Section 13531 inadvertently and unintentionally restricts the ordinary use of signs; and

WHEREAS, the proposed amendment to the Tracy Municipal Code does not have a potential for causing a significant effect on the environment and therefore no additional environmental review is necessary pursuant to CEQA Guidelines Section 15061(b)(3); and

WHEREAS, The Planning Commission conducted a public hearing to review and consider this matter on May 14, 2025; now, therefore, be it

RESOLVED: That the Planning Commission of the City of Tracy hereby determines, based on the evidence in the record and its own independent judgment, that the proposed amendment to the Tracy Municipal Code will not have the potential for causing a significant effect on the environment and therefore pursuant to CEQA Guidelines Section 15061(b)(3) no additional environmental review is required; and be it

FURTHER RESOLVED: That the Planning Commission recommends that the City Council introduce and adopt an ordinance amending Section 10.08.4440 of the Tracy Municipal

Code to add a definition of Fuel Pricing Sign and amending Section 10.08.4500(g) to exempt fuel pricing signs from the standard limiting the number of monument signs to two per parcel, as shown in attached Exhibit 1.

* * * * *

The foregoing Resolution 2025-_____ was adopted by the Planning Commission on May 14, 2025, by the following vote:

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

CHAIR

ATTEST:

STAFF LIAISON

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TRACY:

- 1. AMENDING TRACY MUNICIPAL CODE SECTION 10.08.4440, ADDING A DEFINITION FOR “FUEL PRICING SIGN” AND AMENDING SECTION 10.08.4500(g) TO EXCLUDE FUEL PRICING SIGNS FROM THE STANDARD LIMITING THE NUMBER OF MONUMENT SIGNS TO TWO PER PARCEL; AND**
- 2. DETERMINING THAT THE ZONING TEXT AMENDMENT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3), PROJECTS WITH NO POTENTIAL FOR CAUSING A SIGNIFICANT EFFECT ON THE ENVIRONMENT.**

WHEREAS, Tracy Municipal Code Section 10.08.4400 does not currently differentiate between fuel pricing signs required by California Business and Professions Code Section 13531 and other monument signs; and

WHEREAS, Tracy Municipal Code Section 10.08.4500(g) currently restricts the number of monument signs to two per parcel; and

WHEREAS, the imposition of the restrictions contained in Section 10.08.4500(g) on a commercial shopping center site containing a fueling station subject to B&P Code Section 13531 inadvertently and unintentionally restricts the ordinary use of signs; and

WHEREAS, the proposed amendment to the Tracy Municipal Code does not have a potential for causing a significant effect on the environment and therefore no additional environmental review is necessary pursuant to CEQA Guidelines Section 15061(b)(3); and

WHEREAS, The Planning Commission conducted a public hearing to review and consider this matter on May 14, 2025, and recommended approval of the amendment; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on XXX, 2025;

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

SECTION 1: Tracy Municipal Code Section 10.08.4440 is amended to include the following definition:

“Fuel Pricing Sign” shall mean a monument sign at a fueling station depicting the price of fuel as required by Business and Professions Code Section 13531.

SECTION 2: Tracy Municipal Code Section 10.08.4500(g)(1)(vii) is amended as follows:

(vii) Maximum number of signs permitted: Two (2) per parcel. Fuel Pricing Signs shall not be counted towards this maximum but shall comply with all other standards.

SECTION 3: The Council determines that the proposed amendment to the Tracy Municipal Code does not have a potential for causing a significant effect on the environment and therefore no additional environmental review is necessary pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 4: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 5: 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 _____ was introduced at a regular meeting of the Tracy City Council on the Xth day of XXX, 2025, and finally adopted on the _____ day of _____, 2025, by the following vote:

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

Dan Arriola
Mayor of the City of Tracy, California

ATTEST: _____

City Clerk and Clerk of the Council of the
City of Tracy

Date of Attestation: _____

**Title 10 - PLANNING AND
ZONING Chapter 10.08 - ZONING
REGULATIONS**

Article 35. Signs

Proposed Amendments – Shown in Red and Underlined

10.08.4440 Definitions

As used in this article:

"Billboard" shall mean a freestanding sign providing advertising in the manner provided by an off-site sign with a display with an easy change of copy but is not digital. A billboard is located along a freeway, highway, or major street and is of a large size typically ranging from ten (10') feet by twenty-five (25') feet to fourteen (14') feet by forty-eight (48') feet.

"Building face" shall mean the exterior surface of any building, regardless of frontage. "Building frontage" shall mean the building elevations facing a street, plaza, or mall. Where the building contains multiple uses, "building frontage" shall mean the linear frontage of that portion of the building between the occupancy separation walls.

"Business" shall mean any non-residential use.

"Change of copy" shall mean the changing of a message on a lawfully erected sign. A change of copy does not include the following (all of which acts shall be considered as the placing of a new sign): any alteration or reconfiguration of the outside dimensions of a sign, any structural modifications of a sign and/or relocation of all or any portion of a sign.

"Changeable copy sign" shall mean a sign on which message copy can be changed manually through use of attachable letters and numerals.

"City civic organization sign" shall mean a sign owned by the City that displays the name, logo, and meeting time and location of one or more civic or nonprofit organizations located in the city.

"Digital freeway sign" shall mean a sign visible from a freeway, with a static message formed by selective internal illumination, and with a display that can be changed electronically. These may contain text or images and may be programmable.

"Directional sign" shall mean a sign to facilitate or control pedestrian or vehicular traffic and is placed on the premises to which the public is directed.

"Director" shall have the same meaning as provided in section 10.08.257 of this Code.

"Directory sign" shall mean a sign to facilitate locating residential, business, or industrial uses within a building, subdivision, center, or complex.

"Electronic readerboard sign" shall mean a changeable, moving message sign consisting of a matrix of lamps, light emitting diodes (LEDs), or similar devices.

"Flag" shall mean a non-rigid piece of material, such as cloth, vinyl or nylon, varying in size, shape and color and design attached at one edge to a pole or staff.

"Flags for new residential developments" shall mean flags used as signs located on new residential subdivisions.

"Freeway sign" shall mean a freestanding sign designed to be viewed from vehicles traveling upon a freeway and located within three hundred fifty (350') feet of the freeway.

"Fuel Pricing Sign" shall mean a monument sign at a fueling station depicting the price of fuel as required by Business and Professions Code Section 13531.

"Height" shall mean the distance from the grade at the base of the sign to the top of its highest element, including any structural element.

"Illumination" shall mean a source of light is used in order to make the message readable. Signs that have illumination shall include internally and externally lighted signs and reflectorized, glowing, or radiating signs.

"Marquee sign" shall mean a sign attached to, and projecting from, the wall of a building. "Memorial sign or tablet" shall mean a sign or tablet when cut into masonry surfaces or constructed of bronze or other incombustible materials.

"Monument sign" or "Freestanding sign" shall mean any sign that is not attached to a building or fence, or a wall attached to a building, and supported by a solid base, one or more uprights, braces, columns, poles, or other similar structural components placed on or into the ground, and not attached to a building. Monument or Freestanding signs shall not have more than two (2) faces.

"Mural" means a hand-painted or hand-tiled or digitally printed work of visual art temporarily or permanently affixed to a building wall, freestanding wall, or fence, distinguished from signage in that it does not advertise a business, goods, products or services sold, manufactured, distributed or offered on or off the premises or facilities on which the visual art is located.

"Off-site" and "Off-site sign" shall mean a sign which advertises the business, goods, products or services which are not located, sold, manufactured or distributed on or from the premises or facilities or site on which the sign is located.

"Off-site directional subdivision signs" shall mean signs allowed on a temporary basis off of the property or site in which the new subdivision is located.

"On-site," and "On-site sign" shall mean a sign which advertises the business, goods, products or services which are located, sold, manufactured or distributed on or from the premises or facilities or site on which the sign is located.

"Pitch" (or peak) shall mean the highest point as in the highest point of a roof. "Portable sign" shall mean any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs designed to be transported by means of wheels; signs configured as A-frame or T-frame; and menu and sandwich board signs.

"Roof sign" shall mean a sign erected upon a roof, or parapet wall of a building, and which is wholly or partially supported by such building.

"Sign" shall mean any medium, including its structure and component parts, which is used, or intended to be used, to attract attention to the subject matter for advertising purposes, announcement, declaration, demonstration, display, projected image, illustration, insignia, surface, object, or space when erected, or background including painted in contrasting colors, or maintained in view of the general public for identification, advertisement, or the promotion of the interests of any person, entity, product, or service. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a sign under this article.

"Sign area" shall mean the entire surface area, excluding support structures, of a sign. "Sign structure" shall mean a structure which supports a sign.

"Temporary sign" shall mean a sign not permanently attached to the ground, a wall, fence, or a building, and not designed or intended for permanent display.

"Temporary signs on property with development project" shall mean signs allowed on a

temporary basis on property undergoing development.

"Under canopy sign" shall mean a sign attached to the underside of a canopy, protruding over public or private sidewalks or rights-of-way.

"Wall sign" shall mean a sign which is attached directly to, and parallel with, the building face or painted upon the wall of a building or structural part thereof.

"Window sign" shall mean a sign painted, printed, attached, glued, or otherwise affixed to the exterior side of a window.

10.08.4500 – Standards by sign type.

[no change to Section 10.08.4500(a)-(f)]

(g) Monument signs.

(1) Standard Monument Signs.

- (i) Maximum height: Six (6') feet in the MO, NS, CS, HS, and GHC Zones and in Use Group 30 in the RE, LDR, MDC, MDR, HDR, POM, M-1 and M-2 Zones and four (4') feet for all other land uses and use groups in the RE, LDR, MDR, HDR, and POM Zones, or as established in a PUD or Specific Plan zone.
- (ii) Maximum area: 24 square feet in the MO, NS, CS, HS, and GHC Zones and in Use Group 30 in the RE, LDR, MDC, MDR, HDR, and POM Zones; thirty-six (36) square feet in the M- 1 and M-2 zones, or as established in a PUD or Specific Plan zone.
- (iii) Calculation of permitted area: One-half square foot of sign area for each lineal foot of building frontage for which the sign pertains.
- (iv) Ground clearance: Monument signs will not have a ground clearance exceeding two (2') feet.
- (v) Permitted zones: All zones with the exception of agricultural.
- (vi) Sign permit needed: Yes.
- (vii) Maximum number of signs permitted: Two (2) per parcel. Fuel Pricing Signs shall not be counted towards this maximum but shall comply with all other standards.

[no change to Section 10.08.4500(g)(2)-(m)]



PLANNING COMMISSION STAFF REPORT

Item No. 1.C

DATE	May 14, 2025
TITLE	Mobile Food Vendor Ordinance
LOCATION	Citywide Ordinance
APPLICATION TYPE	City-Initiated Zoning Amendment
CEQA STATUS	Exempt on General Rule (CEQA 15061(b)(3))
PROJECT PLANNER	Forrest Ebbs (209) 831-6423 forrest.ebbs@cityoftracy.org

RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing, and upon its conclusion, adopt a resolution recommending that the City Council take the following action:

1. Introduce and adopt an ordinance repealing and replacing Section 10.08.3193 of the Tracy Municipal Code, regarding Mobile Food Vendors.

BACKGROUND

On November 7, 2017, the City Council approved the City of Tracy's current regulations regarding Mobile Food Vendors (MFV). These regulations are located in Tracy Municipal Code (TMC) Section 10.08.3193 and are as follows:

- MFVs may only operate in industrial zones.
- MFVs may only operate on occupied private property and may not operate on vacant parcels, in the public right-of-way, or on City-owned property.
- MFVs may operate up to three hours at a single location in a 24-hour period.
- MFVs may operate in any zone if part of a temporary use permits, special event permit, facility permit, or peddlers/vendors license.
- A permit is not required. However, the operator must have written authorization from the owner of the property where the MFV is operating.
- "Mobile Food Vendor" is defined as any vehicle, as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared, prepackaged, or unprepared food or foodstuffs of any kind that parks at one or more locations within the City. A Mobile Food Vendor also includes any trailer, wagon or cart equipped and used as described in this definition and pulled by a vehicle.

On July 6, 2021, the City Council amended the Cordes Ranch Specific Plan to regulate MFVs within the Plan area as follows:

- MFVs may operate anywhere within the Specific Plan area, including non-industrial zones.
- MFVs may operate up to twelve hours at a single location in a 24-hour period.

On October 18, 2022, Councilmember Davis requested a discussion item to address MFVs and ways to be more business friendly. The request was seconded by Councilmember Bedolla. Following this meeting, Planning staff researched MFV regulations in other cities, conducted a community survey, met with the business community, and ultimately prepared a draft ordinance for consideration by the Planning Commission.

The community survey found that most respondents were supportive or highly supportive of less regulation and more opportunity for MFVs in the City of Tracy. The results of the survey are provided in Attachment C.

On February 14, 2024, the Planning Commission considered a draft ordinance that would amend the City's regulations for MFVs. The draft ordinance included the following major provisions:

- MFVs could operate in industrial, commercial, and office zones, except for certain portions of the Central Business District Zone.
- MFVs could operate at the same location for up to 12 hours in a 24-hour period.
- There would be a limit of one MFV per parcel.
- A MFV Permit would be required for individual MFVs.
- Multiple MFVs could permanently or periodically locate on a single parcel ("food truck court") with approval of a Development Review Permit.

At this meeting, the Planning Commission considered the draft ordinance and public testimony and recommended that the City Council adopt the draft ordinance, albeit with significant amendments. Those recommendations are summarized as follows:

1. The Central Business District Zone (Downtown) should not be excluded.
2. The MFV Permit should not be site-specific and would instead allow permitted vendors to travel to multiple sites under a standard set of operational regulations.
3. Multiple MFVs should be able to occupy a single parcel.
4. Smaller food truck courts should be able to operate without a Development Review Permit.
5. There should be no citywide limit on MFV Permits.
6. Any future MFV Permit fee should be lower for Tracy residents.
7. The new ordinance should operate as a pilot program for up to two years before adoption of an ordinance.

The complete agenda and minutes for the February 14, 2024 Planning Commission meeting are available at: <https://www.cityoftracy.org/government/boards-and-commissions/planning-commission>

On September 17, 2024, staff held a public workshop at the Tracy Transit Station to present information and invite additional public comment. Approximately 15 people attended the meeting, representing the community and business interests.

On January 21, 2025, Council received a presentation and directed staff to return with an ordinance to expand the MFV program. The proposed ordinance is reflective of the direction provided by the City Council, which was informed by the recommendations of the Planning Commission.

The agenda and minutes for the January 21, 2025 City Council meeting are available at: <https://www.cityoftracy.org/government/city-council/council-meeting-agendas>

PROJECT DESCRIPTION

The proposed amendment would create a new regulatory program for the operation of Mobile Food Vendors, commonly known as food trucks, in the City of Tracy.

Citywide vs. Site Specific

The new regulations would enable a Mobile Food Vendor to operate throughout the commercial and industrial zones in the City of Tracy under a single license. The operator would not need to secure a site-specific land use permit but would be required to obey universal operational and site standards, which are discussed below. The operator would need the permission of the property owner to use the site but would not need a site-specific approval from the City of Tracy.

Contents of Ordinance

The proposed Mobile Food Vendor Ordinance consists of the following sections:

- Purpose
- Definitions
- License Requirement
- Operational Standards
- Site Standards
- Mobile Food Vendor Courts
- Short Term Mobile Food Vendor Courts

Purpose

The stated purpose of the ordinance is “to preserve the health and welfare of the City and its residents by establishing regulations pertaining to mobile food vendors”. This is primarily accomplished through application of the operational and site standards, which were drafted to ensure that mobile food vendors operate in a safe and considerate manner.

Definitions

The ordinance includes definitions for the following terms:

- Mobile Food Vendor
- Mobile Food Vendor Court
- Mobile Food Vendor License
- Mobile Food Vendor Site
- Mobile Food Vendor Vehicle, and
- Short Term Mobile Food Vendor Court

Clear definitions are critical for an efficient and equitable program. These definitions use plain language, avoid duplicity, and establish the terms that are used throughout the ordinance.

License Requirement

The proposed ordinance requires that all mobile food vendors apply for and be issued a Mobile Food Vendor License prior to operation in the City. This license is revocable and authorizes the operation of a Mobile Food Vendor throughout the City of Tracy. The ordinance includes application submittal requirements, enables a fee to be established, conditions all licenses on compliance with the operational and site standards, and establishes that licenses are not transferable and are valid for 365 days with annual renewal. The ordinance includes a provision enabling the City Council to impose, by resolution, a maximum number of licenses to be issued in total or annually. No such limit is proposed at this time, though the Planning Commission may offer such a recommendation to the City Council.

Operational Standards

The ordinance includes operational standards that regulate how a Mobile Food Vendor may operate throughout the City.

The operational standards are applicable to all Mobile Food Vendors. The operational standards address the following:

- The license and other official documents to be available at the vehicle for inspection by City staff.
- Only food, beverages, and/or promotional items (hats, stickers, etc.) can be sold by the Mobile Food Vendor.
- A Mobile Food Vendor may only occupy a site for a maximum of 18 continuous hours each calendar day.
- No more than two Mobile Food Vendors may occupy a single site concurrently.
- A Mobile Food Vendor may use one portable table with chairs and one portable sign.
- The Mobile Food Vendor must provide adequate receptacles for garbage, recycling, and organic waste, per State law.
- All food preparation must occur inside the vehicle. Outdoor BBQs, smokers, etc. are prohibited.
- Internal combustion generators may not be used within 50' of a residential land use.

Site Standards

In addition, the ordinance includes site standards that will determine which sites are appropriate for use by a Mobile Food Vendor. These site standards are as follows:

- Use of the site must guarantee safe access to customers.
- Up to 50% of a parking lot may be used but a minimum of two customer spaces must be reserved.
- The site must be in one of the City's listed commercial or industrial zones.
- The site may not be a City-owned property, public park, or the public right-of-way.
- The site must be paved.
- A vacant site may not be used; There must be a primary business operating on the site.

Mobile Food Vendor Courts

The simultaneous use of a single site by more than two Mobile Food Vendors constitutes a Mobile Food Vendor Court. In these cases, the land use is considered permanent and ordinary development standards are imposed, including the requirement of a development review permit. These courts would be expected to be developed to basic standards, which includes the following:

- Dedicated customer parking.
- Full access for those with disabilities (ADA compliance).
- Aesthetic site improvements such as landscaping and lighting.
- Site improvements such as drainage, right-of-way improvement, and permanent utilities, as appropriate.

In short, a Mobile Food Vendor Court must be developed as a permanent land use with ordinary site improvement obligations.

Short Term Mobile Food Vendor Courts

There are instances where a mobile food vendor court would operate on a short-term basis. Ordinarily, temporary uses are governed by the Temporary Use Permit, described in TMC 10.08.4240, which restricts the temporary use to thirty days. As an alternative, Short Term Mobile

Food Vendor Courts would be allowed to operate in the same location for up to 180 days. The improvement standards for permanent Mobile Food Vendor Courts would not be required but the operator would have to demonstrate compliance with all applicable health codes, State laws and federal regulations, including those addressing temporary utilities, access, air quality, water supply, and similar considerations. The Short Term Mobile Food Vendor Court would be subject only to the applicable codes for temporary uses.

ANALYSIS

The proposed ordinance will allow for the consistent regulation of Mobile Food Vendors throughout the City of Tracy, as requested by the Planning Commission and City Council. The proposed ordinance includes sufficient regulations to ensure that Mobile Food Vendors will operate in a safe and responsible way and will not have negative impacts on the adjacent community. Failure to abide by any of the provisions can result in the revocation of the Mobile Food Vendor License.

This program would be administered by the Planning Division of the Community and Economic Development Department. If the ordinance is approved, staff would develop handouts and an application form for the program, would maintain the files, and would propose an application and/or registration fee for City Council approval. The Code Enforcement unit of the Tracy Police Department would initiate an education campaign to inform current operators of the new regulations and offer time and assistance to make an application for a license.

As discussed, staff has not recommended an annual or total limit on the number of Mobile Food Vendor Licenses to be issued. The Planning Commission may offer a recommendation if it finds that a limit would be beneficial.

CEQA DETERMINATION

The proposed ordinance is not a project within the meaning of section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that the ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

SUMMARY

This agenda introduces a new ordinance repealing and replacing Tracy Municipal Code Section 10.08.3193 regarding mobile food vendors. The proposed ordinance introduces new definitions, license requirements, site and operational standards, and provisions for mobile food vendor courts.

ATTACHMENTS

Attachment A – Planning Commission Resolution

Exhibit 1 – Proposed City Council Ordinance

Attachment B – Tracy Municipal Code Section 10.08.3193 (existing)

APPROVED AS TO FORM

CITY ATTORNEY'S OFFICE

TRACY PLANNING COMMISSION

RESOLUTION 2025-_____

RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF TRACY CONDUCT A PUBLIC HEARING, AND UPON ITS CONCLUSION, TAKE THE FOLLOWING ACTIONS:

1. INTRODUCE AND ADOPT AN ORDINANCE THAT

- (A) REPEALS AND REPLACES SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE, REGARDING MOBILE FOOD VENDORS; AND**
- (B) DETERMINES THAT THE ORDINANCE IS NOT A PROJECT WITHIN THE MEANING OF SECTION 15378 OF THE CEQA GUIDELINES BECAUSE IT HAS NO POTENTIAL FOR RESULTING IN PHYSICAL CHANGE IN THE ENVIRONMENT, EITHER DIRECTLY OR ULTIMATELY. IN THE EVENT THAT THE ORDINANCE IS FOUND TO BE A PROJECT UNDER CEQA, IT IS SUBJECT TO THE CEQA EXEMPTION CONTAINED IN CEQA GUIDELINES SECTION 15061(B)(3) BECAUSE IT CAN BE SEEN WITH CERTAINTY TO HAVE NO POSSIBILITY OF A SIGNIFICANT EFFECT ON THE ENVIRONMENT; AND**

WHEREAS, on November 7, 2017, the City Council approved the City of Tracy's current regulations regarding mobile food vendors; and

WHEREAS, on July 6, 2021, the City Council amended the Cordes Ranch Specific Plan to regulate mobile food vendors within the Plan area; and

WHEREAS, on February 14, 2024, the Planning Commission considered a draft ordinance that would amend the City's regulations for mobile food vendors; and

WHEREAS, on January 21, 2025, the City Council received a presentation and directed staff to return with an ordinance to regulate the mobile food vendor program; and

WHEREAS, the ordinance is not a project within the meaning of Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that the ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines Section 15061(B)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment; and

WHEREAS, the Planning Commission considered this matter at a duly noticed public hearing held on May 14, 2025; now, therefore, be it

RESOLVED: That the Planning Commission of the City of Tracy hereby recommends that the City Council of the City of Tracy determine that the ordinance is not a project within the meaning of Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that the ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines Section 15061(B)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment; and be it

FURTHER RESOLVED: That the Planning Commission of the City of Tracy hereby recommends that the City Council of the City of Tracy introduce and adopt an ordinance to repeal and replace Tracy Municipal Code Section 10.08.3913, thereby creating a regulatory program for the operation of mobile food vendors.

The foregoing Resolution 2025-_____ was adopted by the Planning Commission of the City of Tracy on May 14, 2025, by the following vote:

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

CHAIR

ATTEST: _____
STAFF LIAISON

Date of Attestation: _____

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

ORDINANCE NO. _____

AN ORDINANCE 1) DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) AND 2) REPEALING AND REPLACING SECTION 10.08.3193 OF THE TRACY MUNICIPAL CODE, RELATING TO MOBILE FOOD VENDORS.

WHEREAS, on November 7, 2017, the City Council approved the City of Tracy's current regulations regarding mobile food vendors; and

WHEREAS, on July 6, 2021, the City Council amended the Cordes Ranch Specific Plan to regulate mobile food vendors within the Plan area; and

WHEREAS, on February 14, 2024, the Planning Commission considered a draft ordinance that would amend the City's regulations for mobile food vendors; and

WHEREAS, on January 21, 2025, the City Council received a presentation and directed staff to return with an ordinance to regulate the mobile food vendor program; and

WHEREAS, on May 14, 2025, the Planning Commission conducted a public hearing and recommended that the City Council adopt the ordinance; and

WHEREAS, the stated purpose of the City Council Strategic Priority for Economic Development is to enhance the competitiveness of the City while further developing a strong and diverse economic base. The proposed ordinance would increase business opportunities for mobile food vendors throughout the City of Tracy; and

WHEREAS, the ordinance is not a project within the meaning of Section 15378 of the CEQA Guidelines because it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that the ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines Section 15061(B)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment; and

WHEREAS, on _____, _____, the City Council conducted a public hearing regarding the proposed amendments to TMC 10.08.3913.

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

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

SECTION 2. Repeal and Replacement of Section 10.08.3193. The City Council hereby repeals Tracy Municipal Code Section 10.08.3193 and replaces it with the following:

10.08.3193 Mobile Food Vendors.

(a) Purpose. The purpose of this section is to preserve the health and welfare of the City and its residents by establishing regulations pertaining to mobile food vendors.

(b) Definition.

- (1) Mobile Food Vendor – An individual or business entity that is engaged in the retail sale of prepared food from a mobile food vendor vehicle. This definition excludes temporary food vending tables or stands operating outside of an approved mobile food vendor vehicle.
- (2) Mobile Food Vendor Court – A permanent land use involving the operation of three or more mobile food vendor vehicles on a single site.
- (3) Mobile Food Vendor License – A revokable license issued by the City of Tracy authorizing the operation of a mobile food vendor vehicle by a mobile food vendor.
- (4) Mobile Food Vendor Site – The location used by a mobile food vendor.
- (5) Mobile Food Vendor Vehicle – Any vehicle, as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared food. A mobile food vendor vehicle shall also include any trailer, wagon or cart equipped and used as described in this definition and pulled by a vehicle.
- (6) Short Term Mobile Food Vendor Courts - A mobile food vendor court operating at a single site for a temporary period of time.

(c) License Requirement: The operation of a Mobile Food Vendor requires the prior issuance of a Mobile Food Vendor License, subject to the following standards:

- (1) An applicant for a Mobile Food Vendor License shall submit an application and all required information.
- (2) At minimum, the following information shall be provided on the application form:
 - i. Type of Vehicle (coach, trailer, etc.)
 - ii. Vehicle Identification Number (VIN)
 - iii. License Plate Number
 - iv. Copy of Vehicle Registration
 - v. Proof of ownership or written authorization from the registered owner
 - vi. Evidence of Active Motor Vehicle Insurance
 - vii. San Joaquin County Health Permit for Mobile Food Facility
- (3) Fees may be adopted in the Master Fee Schedule for the application and for its renewal.

- (4) A Mobile Food Vendor License is required for each Mobile Food Vendor Vehicle.
- (5) A Mobile Food Vendor License is not transferable.
- (6) A Mobile Food Vendor License shall be valid for 365 days and is eligible for annual renewal. If the Mobile Food Vendor License is not renewed prior to expiration, it shall be deemed expired, and a new application shall be required.
- (7) Compliance with all Operational and Site Standards shall be a required condition of any Mobile Food Vendor License.
- (8) The City Council may adopt by resolution a maximum number of Mobile Food Vendor Licenses to be issued in total or annually.
- (9) Applications for a Mobile Food Vendor License shall be reviewed and issued by the Director of Community and Economic Development, or designee.
- (10) A Mobile Food Vendor License may be revoked by the approving authority.

(d) Operational Standards

- (1) The Mobile Food Vendor shall maintain the following documents, or copies thereof, in the Mobile Food Vendor Vehicle and present them to City staff upon request:
 - i. Mobile Food Vendor License
 - ii. San Joaquin County Health Permit for Mobile Food Facility
 - iii. City of Tracy Business License
 - iv. Evidence of Active Motor Vehicle Insurance
 - v. Written evidence of permission from the owner of the property where the Mobile Food Vendor is operating, including name and contact telephone number.
- (2) The Mobile Food Vendor may only sell food and/or beverages. Promotional items, such as stickers, t-shirts, etc. may also be sold.
- (3) At least one licensed driver capable of driving the vehicle shall be present at the Mobile Food Vendor Site at all times.
- (4) Mobile Food Vendors may operate continuously on any single site for a maximum of 18 hours each calendar day. At the end of each operational period, the Mobile Food Vendor Vehicle and any table, garbage can, or other possession shall be removed from the site. Any subsequent location during the remainder of the calendar day shall be at least 500 feet away.
- (5) No more than two (2) Mobile Food Vendors may concurrently operate or be located at a single site unless separated by 500 feet. The concurrent use of a site by three (3) or more Mobile Food Vendors within 500 feet of each other constitutes a Mobile Food Vendor Court and is subject to those specific regulations.
- (6) The Mobile Food Vendor may use a maximum of one portable table with chairs.
- (7) The Mobile Food Vendor may use a maximum of one portable sign with a maximum area of 12 square feet per side.
- (8) The portable sign must be located within twenty (20') feet of and on the same site as the Mobile Food Vendor Vehicle and shall not be in the public right-of-way.

- (9) Each Mobile Food Vendor Site shall maintain receptacles for the collection of garbage, recycling, and organic waste, as required by State law and local regulations.
- (10) All food preparation and cooking shall occur within the Mobile Food Vendor Vehicle. The outside use of portable grills, barbecues, or similar devices is prohibited.
- (11) Internal combustion generators may not be used within 50' of a residential land use.

(e) Site Standards

- (1) Mobile Food Vendor Sites shall contain adequate space and configuration to allow customers to safely access and park on the site.
 - i. A minimum of two customer parking spaces shall be provided at each site. These spaces may be shared but must be accessible to Mobile Food Vendor customers. Customer parking spaces are not required in the Central Business District (CBD) Zone.
 - ii. The Mobile Food Vendor Vehicle, including any exterior tables or accessories, shall not occupy more than 50% of the total parking of any parking lot.
- (2) The Mobile Food Vendor may operate only on private property in the following zoning districts:
 - i. Community Shopping Center Zone (CS)
 - ii. General Highway Commercial Zone (GHC)
 - iii. Community Recreation Support Services (CRS)
 - iv. Central Business District (CBD)
 - v. Neighborhood Shopping Zone (NS)
 - vi. Medical Office Zone (MO)
 - vii. Professional Office Medical Zone (POM)
 - viii. Light Industrial Zone (M-1)
 - ix. Heavy Industrial Zone (M-2)
 - x. Highway Service Zone (HS)
 - xi. Northeast Industrial Specific Plan Area
 - xii. Industrial Areas Specific Plan Area
 - xiii. I-205 Corridor Specific Plan Area [commercial and industrial zones]
 - xiv. Tracy Hills Specific Plan [commercial and industrial zones]
 - xv. Ellis Specific Plan [commercial and industrial zones]
 - xvi. Cordes Ranch Specific Plan
- (3) Mobile Food Vendors are prohibited from operating on City-owned property, including the public right-of-way and parks and recreation facilities, unless part of an authorized special event.
- (4) The operational area of the Mobile Food Vendor Site must be paved with asphalt, concrete, or similar impervious surface.

- (5) Mobile Food Vendors may only operate on a site with an existing primary commercial or industrial use. Vacant sites may not be used by Mobile Food Vendors.
- (6) The Mobile Food Vendor Vehicle may not impede any driveway, drive aisle, pedestrian way, fire lane, path of egress, or trash enclosure.
- (7) Lines and waiting areas shall be accommodated on the Mobile Food Vendor Site.

(f) Mobile Food Vendor Courts

- (1) Permit Requirement: The operation or development of a Mobile Food Vendor Court requires the prior approval of a Development Review Permit, pursuant to Title 10, Chapter 10.08. Article 30.
- (2) Mobile Food Vendor Courts are permitted in the Zoning Districts described in Section (e) with the issuance of a Development Review Permit.
- (3) The following standards shall apply to all Mobile Food Vendor Courts:
 - i. All Mobile Food Vendor Vehicles shall have direct individual access to permanent sanitary sewer, water and electric utilities. The use of portable grey or black water tanks is prohibited.
 - ii. The use of an internal combustion generator within a Mobile Food Vendor Court is prohibited.
 - iii. The site shall conform to all applicable City commercial design guidelines and standards, including those for exterior lighting, landscaping, storm drainage, right-of-way improvement, and similar standards.
 - iv. Common refuse, recycling and composting collection facilities shall be provided through a trash enclosure.
 - v. A minimum of one on-site customer parking space shall be provided for each Mobile Food Vendor Vehicle. No customer parking spaces are required in the Central Business District (CBD).

(g) Short Term Mobile Food Vendor Courts: A mobile food vendor court operating for a period of no more than 180 continuous days at a single site.

- (1) Short Term Mobile Food Vendor Courts may be established with a Temporary Use Permit, as governed by Tracy Municipal Code Section 10.08.4240, except as follows:
 - i. A Temporary Use Permit shall be valid for a maximum continuous period of 180 days in a single calendar year. The 180-day period may not be separated into smaller periods.
 - ii. Following the expiration of the Temporary Use Permit, the site shall not be occupied by another Short Term Mobile Food Vendor Court for a period of 180 days.
 - iii. The provisions of 10.08.3193(f)(3) shall not be required for Short Term Mobile Food Vendor Courts if the applicant demonstrates compliance with all local, State and federal regulations, including those addressing temporary utilities, access, air quality, water supply, and similar considerations.

SECTION 3. CEQA Determination. The City Council finds and determines this Ordinance is not a project within the meaning of section 15378 of the CEQA Guidelines because

it has no potential for resulting in physical change in the environment, either directly or ultimately. In the event that this Ordinance is found to be a project under CEQA, it is subject to the CEQA exemption contained in CEQA Guidelines section 15061(b)(3) because it can be seen with certainty to have no possibility of a significant effect on the environment.

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

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

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

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

The foregoing Ordinance _____ was introduced at a regular meeting of the Tracy City Council on the _____ day of _____ 2025, and finally adopted on the _____ day of _____, 2025, by the following vote:

AYES –
NOES –
ABSENT –
ABSTENTION –

DAN ARRIOLA
Mayor of the City of Tracy, California

ATTEST: _____
City Clerk and Clerk of the Council of the
City of Tracy, California

Date of Attestation: _____

NOTICE AND DIGEST

AN ORDINANCE 1) DETERMINING THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, PURSUANT TO CEQA GUIDELINES SECTION 15378 AND/OR 15061(B)(3), AND 2) AMENDING SECTIONS 10.08.3193 OF THE TRACY MUNICIPAL CODE, REGARDING MOBILE FOOD VENDORS.

The Ordinance amends Tracy Municipal Code Section 10.08.3193 to create a new regulatory program including, but not limited to, a licensing requirement and site and operational standards, for mobile food vendors in the City of Tracy.

10.08.3193 - Mobile Food Vendors.

(a) Purpose. The purpose of this section is to preserve the health and welfare of the City and its residents by establishing regulations pertaining to mobile food vendors while:

- (1) Providing flexibility for owners of property in industrial zones to allow alternative, nearby eating opportunities for employees; and
- (2) Avoiding unfair competition for permanent restaurants inside buildings which have significantly higher capital and operational costs than mobile food vendors.

(b) Definition. "Mobile Food Vendor" means any vehicle, as defined in Section 670 of the California Vehicle Code, which is equipped and used for retail sales of prepared, prepackaged, or unprepared food or foodstuffs of any kind that parks at one or more locations within the City. A mobile food vendor shall also include any trailer, wagon or cart equipped and used as described in this definition and pulled by a vehicle.

(c) Exemptions. The following are exempt from the requirements of this section, but must satisfy all other applicable permit requirements (for example, City business license, San Joaquin County Environmental Health Department permit, etc.): an event authorized by a City facility permit (TMC [Ch. 4.16](#)), special event permit (TMC [Ch. 4.40](#)), temporary use permit (TMC [Ch. 10.08](#)), or a peddler or vendor permit (TMC Sec [3.08.460](#)).

(d) Regulations for mobile food vendors. Unless otherwise exempt, the following regulations shall apply to all mobile food vendors:

- (1) All mobile food vendors shall obtain a valid business license from the City and applicable permit(s) from the San Joaquin County Environmental Health Department.
- (2) All mobile food vendors shall comply with the California Vehicle Code.
- (3) Mobile food vendors are allowed to operate only in industrial zones of the City (Light Industrial Zone, Heavy Industrial Zone, industrial Planned Unit Development zones, and industrial designations within City-approved specific plans).
- (4) Mobile food vendors shall only operate on private property (outside of the public right-of-way or any other City-owned property), as an accessory use on a site where at least one business within a building is in operation, and shall have written authorization from the property owner upon which the mobile food vendor is operating. A mobile food vendor shall demonstrate written property owner authorization, as required above, to a City officer upon request.
- (5) A mobile food vendor's operations and any related activity shall not occur within any required landscape area.
- (6) A mobile food vendor's operation (not including set up and take down) shall be limited to three (3) hours at a single location in a 24-hour period. For the purposes of this section, a "single location" shall mean a different location within a 500-foot radius of the original location.

Attachment B

- (7) No overnight parking or storage of vendor vehicles or apparatus shall be permitted.
- (8) A mobile food vendor shall have adequate lighting to ensure reasonable visibility either on the vehicle or at the location of the vehicle during business hours.
- (9) Mobile food vendors shall not operate in or impede any fire lane, no-parking zone, or accessible route as required by the California Building Code, including but not limited to impeding on- or off-site vehicle circulation or obstructing the view of pedestrians by motorists.
- (10) At the conclusion of each day's operation, the mobile food vendor site shall be restored to its condition prior to vendor's operation, free of litter and debris, canopies, or other furniture or improvements.
- (11) No amplified public address system, amplified music, or entertainment is allowed as part of a mobile food vendor operation.
- (12) No signs associated with a mobile food vendor are allowed in the public right-of-way.

(Ord. No. 1245, § 1, 11-7-2017)