



Supplemental Materials

Item 3.B

Please contact the City Clerk's Office at (209) 831-6105 with any questions.

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

RESOLUTION NO. _____

DETERMINING THAT THE ORDINANCE APPROVING AN AMENDMENT TO ARTICLE 2, DEFINITIONS, AND ARTICLE 30, DEVELOPMENT REVIEW, OF CHAPTER 10.08, ZONING REGULATIONS, AND; AND ADDS A NEW CHAPTER, CHAPTER 10.10, HOUSING REGULATIONS, CONSISTING OF NEW ARTICLES, ARTICLE 1, QUALIFYING HOUSING STREAMLINED REVIEW, ARTICLE 2, MULTIPLE-UNIT AND MIXED-USE HOUSING OBJECTIVE DESIGN STANDARDS, ARTICLE 3, COMMUNITY CARE FACILITIES, ARTICLE 4, TRANSITIONAL AND SUPPORTIVE HOUSING, AND ARTICLE 5, EMERGENCY HOMELESS SHELTERS AND LOW BARRIER NAVIGATION CENTERS, AND REPEALS AND RELOCATES SECTION 10.08.3195, DAY CARE HOME, AND SECTION 10.08.3197, STANDARDS FOR EMERGENCY HOMELESS SHELTERS, TO CHAPTER 10.10 HOUSING REGULATIONS, OF TITLE 10, PLANNING AND ZONING, OF THE TRACY MUNICIPAL CODE 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.

WHEREAS, on September 29, 2017, the State Legislature adopted Senate Bill (SB) 35 (Government Code [GC] Sections 65582.1 and 65913.4) requiring a streamlined application review process for qualifying multiple-unit and mixed-use housing projects, with a provision that qualifying projects shall be subject to objective design standards; and

WHEREAS, on September 26, 2018, the State Legislature adopted Assembly Bill (AB) 2162 (Government Code [GC] Sections 65650 through 65656 and 65583) requiring ministerial approval of supportive housing meeting specific eligibility criteria in zones where multifamily and mixed-uses are permitted, with a provision that qualifying projects shall be subject to objective design standards; and

WHEREAS, on July 31, 2019, the State Legislature adopted Assembly Bill 101 (Government Code [GC] Sections 65660 through 65666) requiring ministerial approval of qualifying low barrier navigation centers in areas zoned for mixed use and nonresidential zones permitting multifamily uses, with a provision that qualifying projects shall be subject to objective design standards; and

WHEREAS, on September 26, 2019, the State Legislature adopted SB 744 (GC§ 65650 through 65656) to, among other updates, expand the exemption for the ministerial approval for qualifying supportive housing projects under CEQA; and

WHEREAS, on October 11, 2023, the State Legislature adopted SB 423 (GC §65913.4) to, among other updates, establish requirements for a public meeting in the review process for qualifying streamlined housing projects, and extend the provisions of SB 35 to expire on January 1, 2036 in place of the original expiration date of January 1, 2026; and

WHEREAS, on September 27, 2024, the State Legislature adopted AB 3122 (GC §65913.4) to, among other updates, establish new qualifications to process a subdivision map ministerially with an SB 35 application, further clarify modification processing, and establish timelines for a response to a resubmittal for qualifying housing projects subject to streamlined review; and

WHEREAS, California Health and Safety Code Section 1566.3 requires residential care facilities serving six or fewer persons to be considered as a residential use of property and that its residents be considered a family for zoning purposes, with the use being treated as a single-family dwelling; and

WHEREAS, on September 27, 2024, the State Legislature adopted AB 1801 (GC§ 65650 through 65656) to revise supportive housing floor area requirements for onsite supportive services and specify that supportive housing includes transitional housing for youth and young adults for purposes of the use by right provisions; and

WHEREAS, on September 19, 2024, the State Legislature adopted SB 1395 (GC§ 65660 through 65666), to, among other updates, permanently establish low barrier navigation centers as a use by right and expand CEQA exemptions for local agencies' actions related to low barrier navigation centers; and

WHEREAS, on July 1, 2025, Tracy City Council adopted the 2023-2031 Housing Element Update, requiring staff to implement the objectives, policies, and programs set forth in the Housing Plan to provide housing that fulfills the diverse needs of the community; and

WHEREAS, the ordinance brings the City of Tracy into compliance with the state laws mentioned above and implements Program 14, Zoning Ordinance, and Program 15, Objective Design/Development Standards, of the City of Tracy's 2023-2031 Housing Element Update; 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 City Council considered this matter at a duly noticed public hearing held on December 2, 2025; now, therefore, be it

RESOLVED: That the City Council of the City of Tracy 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.

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The foregoing Resolution 2025- _____ was adopted by the Tracy City Council on December 2, 2025, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTENTION: COUNCIL MEMBERS:

Dan Arriola
Mayor of the City of Tracy, California

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



Supplemental Materials

Item 3.C

Please contact the City Clerk's Office at (209) 831-6105 with any questions.

APPROVED AS TO FORM AND LEGALITY

CITY ATTORNEY'S OFFICE

TRACY CITY COUNCIL

RESOLUTION NO. _____

DETERMINING THAT THE ORDINANCE APPROVING AN AMENDMENT TO ARTICLE 8 – MEDIUM DENSITY CLUSTER ZONE, ARTICLE 9 – MEDIUM DENSITY RESIDENTIAL ZONE, ARTICLE 9.5 SMALL LOT RESIDENTIAL ZONE, ARTICLE 11 – HIGH DENSITY RESIDENTIAL ZONE, ARTICLE 19 – GENERAL HIGHWAY COMMERCIAL ZONE, AND ADDING A “DENSITY” DEFINITION TO ARTICLE 2 OF CHAPTER 10.08 OF TITLE 10, PLANNING AND ZONING, OF THE TRACY MUNICIPAL CODE 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.

WHEREAS, State law requires the City of Tracy to adopt a General Plan containing mandatory elements including housing, and that the Housing Element is required to be updated and is subject to statutory requirements and mandatory review by the California Department of Housing and Community Development (HCD); and

WHEREAS, the 2023 – 2031 Housing Element was prepared in coordination with the California Department of Housing and Community Development; and

WHEREAS, the update to the Housing Element has provided residents and other interested parties with opportunities to review draft documents and proposed policies, and to provide recommendations for consideration by decision-makers; and

WHEREAS, the 2023 – 2031 Housing Element public participation efforts included an online housing survey in both English and Spanish, stakeholder focus group interviews, dedicated webpage on City website, an email list, community workshops, joint Planning Commission and City Council study session and several Planning Commission and City Council

WHEREAS, on July 1, 2025, Tracy City Council adopted the 2023-2031 Housing Element Update, requiring staff to implement the objectives, policies, and programs set forth in the Housing Plan to provide housing that fulfills the diverse needs of the community; and

WHEREAS, the California Department of Housing and Community Development provided tentative certification on August 11, 2025, on the 2023 – 2031 Housing Element subject to various implementation programs and policies being updated and enacted; and

WHEREAS, the 2023 – 2031 Housing Element requires increasing the allowable density ranges in the Medium Density Residential, Medium Density Cluster, High Density Residential and General Highway Commercial zone districts; and

WHEREAS, the 2023 – 2031 Housing Element requires the creation of a “density” definition in the Article 2 definitions; and

WHEREAS, the Small Lot Residential zone density is to be amended to be consistent with the Housing Element and the Medium Density Residential, Medium Density Cluster, and High Density Residential zone districts; 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 City Council considered this matter at a duly noticed public hearing held on November 5, 2025; now, therefore, be it

RESOLVED, That the City Council of the City of Tracy hereby 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.

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The foregoing Resolution 2025- _____ was adopted by the Tracy City Council on December 2, 2025, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTENTION:	COUNCIL MEMBERS:

Dan Arriola
Mayor of the City of Tracy, California

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