AMENDED

NOTICE OF A REGULAR MEETING

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

Date/Time: Wednesday, February 14, 2018
7:00 P.M. (or as soon thereafter as possible)

Location: City of Tracy Council Chambers
333 Civic Center Plaza

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

REGULAR MEETING AGENDA

CALL TO ORDER

ELECTION OF CHAIRPERSON FOR THIS MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES – 12/06/17

DIRECTOR'S REPORT REGARDING THIS AGENDA

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

1. NEW BUSINESS

   A. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT, AN ELLIS SPECIFIC PLAN AMENDMENT, AND A ZONING ORDINANCE AMENDMENT FOR THE ELLIS PROJECT. THE APPLICANT IS THE SURLAND COMPANIES. APPLICATION NUMBERS GPA15-0003, SPA15-0003, AND ZA17-0012

   B. PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH SURLAND COMMUNITIES, LLC FOR THE ELLIS SPECIFIC PLAN PROPERTY. THE ELLIS SPECIFIC PLAN SITE IS APPROXIMATELY 321 ACRES LOCATED AT THE NORTHWEST CORNER OF CORRAL HOLLOW ROAD AND LINNE ROAD. APPLICATION DA16-0001 - APPLICANT IS SURLAND COMMUNITIES, LLC

2. ITEMS FROM THE AUDIENCE

3. DIRECTOR'S REPORT

4. ITEMS FROM THE COMMISSION

5. ADJOURNMENT

Posted: February 9, 2018

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

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

MINUTES
TRACY CITY PLANNING COMMISSION
DECEMBER 6, 2017, 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 Chair Orcutt, Vice Chair Sangha, and Commissioners Hudson, Krogh, and Tanner present. Also present were: Bill Dean, Assistant Development Services Director; Leticia Ramirez, Assistant City Attorney; Alan Bell, Senior Planner; Brian Millar, Consultant (Land Logistics); and Peggy Abundiz, Recording Secretary.

MINUTES

It was moved by Commissioner Hudson, and seconded by Commissioner Tanner, that the Planning Commission meeting minutes of November 1, 2017, be approved. Voice vote found all in favor, 5-0-0; passed and so ordered.

DIRECTOR'S REPORT REGARDING THIS AGENDA

Bill Dean advised the Commissioners that the agenda items will be taken at a slow pace tonight so that the status of each is clear, particularly with regard to Item 1-B.

ITEMS FROM THE AUDIENCE

None.

1. NEW BUSINESS

A. PUBLIC HEARING TO CONSIDER MODIFICATIONS TO SITE PLAN AND EXTERIOR ARCHITECTURE FOR THE FOUR-STORY HOME2 SUITES HOTEL AT THE NORTHWEST CORNER OF GRANT LINE ROAD AND CORRAL HOLLOW ROAD, ASSESSOR'S PARCEL NUMBERS 214-020-34 AND 214-020-35. THE APPLICANT IS CLOVER HOTEL PARTNERS, LP. PROJECT NUMBER D17-0030 (**This item has been cancelled because the Applicant has withdrawn the application.)**

Bill Dean confirmed that the Applicant withdrew the application.

B. PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT, AN ELLIS SPECIFIC PLAN AMENDMENT, A ZONING ORDINANCE AMENDMENT, AND A DEVELOPMENT AGREEMENT AMENDMENT FOR THE ELLIS PROJECT. THE APPLICANT IS THE SURLAND COMPANIES. APPLICATION NUMBERS GPA15-0003, SPA15-0003, ZA17-0012, AND DA16-0001

Bill Dean announced that there is a change to the staff report: the Developer would like to continue this item to December 20 (not December 12 as stated in the report). Mr. Dean recommended that the public hearing be opened, that it be announced that the item is being continued to December 20, and that the public hearing not be closed.

In response to questions from the Commission, Mr. Dean explained that this obviates the need to hold a special meeting on December 12, and that full materials will be delivered to the Commissioners prior to the December 20 meeting, as is the usual practice. Mr. Dean advised that the item has been noticed and, by opening the hearing and continuing it, the legal requirements for noticing will have been met.

Chair Orcutt, Vice Chair Sangha, and Commissioners Hudson and Tanner disclosed that they had met with the developer regarding this project.

Chair Orcutt opened the Public Hearing at 7:05 p.m.

Chair Orcutt announced that this item is being continued to the December 20 Planning Commission meeting, that the item is being left open, and that a continuance is so declared.

As no one came forward to speak, Chair Orcutt moved on to the next item on the Agenda.

C. PUBLIC HEARING TO CONSIDER THE PROPOSED ALVAREZ ANNEXATION, WHICH WOULD CONSIST OF THREE ACTIONS: (1) ANNEXATION OF THE 9.1-ACRE PROJECT SITE INTO THE TRACY CITY LIMITS, (2) PRE-ZONING THE SITE TO COMMUNITY RECREATION SUPPORT SERVICES, AND (3) AMENDING THE TRACY ZONING CODE TO INCLUDE THE COMMUNITY RECREATION SUPPORT SERVICES (CRS) ZONE. THE PROPOSED ANNEXATION AREA IS LOCATED ALONG THE SOUTH SIDE OF LARCH ROAD, WEST OF TRACY BOULEVARD, ASSESSOR'S PARCEL NUMBERS (APNS) 212-170-33 AND 212-170-34. A CEQA MITIGATED NEGATIVE DECLARATION IS PROPOSED TO BE ADOPTED FOR THE PROJECT. THE APPLICANT IS SCHACK & COMPANY, AND THE OWNER IS BYRON ALVAREZ. APPLICATION NUMBERS A/P 16-0002 AND ZA17-0013

Alan Bell introduced Brian Millar of Land Logistics, who presented the staff report.

Brian Millar, Alan Bell, and Bill Dean addressed questions from the Commission.

Chair Orcutt invited the Applicant to speak. Richard Paulson of Schack and Company spoke.

Byron Alvarez, proponent of the project, spoke.

Chair Orcutt invited public comments. As no one came forward, Chair Orcutt closed the public hearing at 8:01 p.m.

ACTION It was moved by Commissioner Krogh, and seconded by Commissioner Tanner, that the Planning Commission recommend City Council take the following actions:

1. Adopt the project Mitigated Negative Declaration.
2. Approve the annexation of the site into the Tracy City Limits.
3. Pre-zone the site to Community Recreation Support Services.
4. Approve amending of the Tracy Zoning Code to include the Community Recreation Support Services (CRS) Zone.
5. Prepare an application for approval of annexation request for San Joaquin Local Agency Formation Commission.

A roll call vote found all in favor, 5-0-0; passed and so ordered.

2. ITEMS FROM THE AUDIENCE

None.

3. DIRECTOR'S REPORT

None.

4. ITEMS FROM THE COMMISSION

Commissioner Tanner inquired regarding Accessory Dwelling Units. In response, Bill Dean stated that staff will be bringing forth an ordinance in this regard, hopefully in January; and, with the Commission's permission, he would like to postpone discussion on this item until that time.

5. ADJOURNMENT

It was moved by Chair Orcutt, and seconded by Vice Chair Sangha, to adjourn.

Time: 8:09 p.m.

_____
CHAIR

_____
STAFF LIAISON

PLANNING COMMISSION MEETING
02/14/18

STAFF REPORT AND ATTACHMENTS
AGENDA ITEM 1.A

PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT, AN ELLIS SPECIFIC PLAN AMENDMENT, AND A ZONING ORDINANCE AMENDMENT FOR THE ELLIS PROJECT

(Click on any item below to view)

Staff Report

Attachment A – Location Map

B – Draft General Plan Amendment

C – Existing and Proposed General Plan Land Use Designations Map

D – Draft Ellis Specific Plan Amendment

E – Existing and Proposed Ellis Specific Plan Zoning Areas

F – Draft Zoning Ordinance Amendment

G – Addendum to the EIR

H – Planning Commission Resolution

February 14, 2018

AGENDA ITEM 1.A

REQUEST

PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL REGARDING APPROVAL OF A GENERAL PLAN AMENDMENT, AN ELLIS SPECIFIC PLAN AMENDMENT, AND A ZONING ORDINANCE AMENDMENT FOR THE ELLIS PROJECT. THE APPLICANT IS THE SURLAND COMPANIES. APPLICATION NUMBERS GPA15-0003, SPA15-0003, AND ZA17-0012

DISCUSSION

This agenda item involves a Planning Commission public hearing to make a recommendation to City Council regarding the Ellis Project. Specifically, the Planning Commission will be asked to make a recommendation to the City Council on the following items:

- Approval of a General Plan Amendment (Application Number GPA15-0003)
- Approval of an Ellis Specific Plan Amendment (Application Number SPA15-0003)
- Approval of a Zoning Ordinance Amendment (Application Number ZA17-0012)

Brief Project History

On January 22, 2013, City Council certified the Final Revised Environmental Impact Report for the Ellis Project and approved a General Plan Amendment, Annexation, and the Ellis Specific Plan for the 321-acre site known as the Ellis Specific Plan area. A Development Agreement was approved by City Council on March 19, 2013. Annexation of the Ellis Specific Plan area to the City of Tracy was completed by LAFCo on April 16, 2013.

The Ellis Specific Plan area is generally located in the vicinity of Ellis Town Drive between Corral Hollow Road and Lammers Road (Attachment A: Location Map). The Ellis Specific Plan involves the development of a minimum of 1,000 to a maximum of 2,250 residential units; four acres of park land per 1,000 population; 180,000 square feet of retail, office, and other commercial uses; and opportunity for a swim center.

Planning Commission approved a Tentative Subdivision Map on July 23, 2014 for the first phase of the Ellis Project, consisting of 296 residential lots and six other parcels on approximately 150 acres, located west of Corral Hollow Road in the vicinity of Ellis Town Drive (Application Number TSM11-0002). An amendment to the conditions of approval for the Ellis Phase 1 Tentative Subdivision Map was approved by Planning Commission on August 12, 2015. Construction of the homes in Ellis Phase 1 began in April of 2016.

City Council approved an amendment to the Ellis Specific Plan on May 17, 2016 related to façade zone requirements, setbacks, encroachments into setbacks, Union Pacific Railroad edge, and garage requirements (Application Number SPA16-0004). On May 10, 2017, Planning Commission approved a Tentative Subdivision Map for Ellis Phase 2, consisting of 356 residential lots and nine other parcels on approximately 106 acres, located immediately west of Ellis Phase 1 (Application Number TSM16-0003).

The majority of the residential land in Ellis was mapped in Phase 1 and Phase 2. The remaining area for residential development is approximately 65 acres, located in Ellis Phase 3. If Ellis Phase 3 develops at a similar density to Phase 1 and Phase 2, Ellis Phase 3 will contain approximately 350 residential lots and the overall Ellis project will be roughly 1,000 residential units.

Overview of the General Plan Amendment

The proposed General Plan Amendment includes changes to the General Plan Land Use Designations map, Figure 2-2, for the Ellis site to be consistent with the proposed Ellis Specific Plan Amendment described below (Attachment B: Draft General Plan Amendment).

The proposed changes involve merging the area designated as Village Center with an adjacent area designated as Commercial and also expanding the Village Center area to the south. The area designated as Village Center would be increased from 5.7 acres to 14 acres and be offset by decreases to the Commercial designation and the Traditional Residential – Ellis (TR-Ellis) designation. Attachment C shows a comparison of the existing and proposed changes to the General Plan Land Use Designations Map. Additionally, minor revisions are proposed to the description of the General Plan land use designation of TR-Ellis, pages 2-20 through 2-23 of the Land Use Element, to be consistent with the changes to the Village Center.

The proposed changes also include adding approximately 17 acres of Residential Very Low designation which would be offset by a decrease to the TR-Ellis designation and a re-configuration of the Commercial designation. The area proposed as Residential Very Low is located within an area designated as Outer Approach/ Departure Zone by the San Joaquin County Airport Land Use Compatibility Plan (ALUCP). The Outer Approach / Departure Zone has limitations on development, as noted in the Ellis Specific Plan and further described in the ALUCP. The proposed General Plan Amendment and Ellis Specific Plan Amendment were routed to ALUC staff at San Joaquin Council of Governments (SJCOG) for their review. SJCOG raised no issues in their response letter (dated June 29, 2017) and provided a list of requirements of the ALUCP as a reference guide which has been shared with the applicant.

Overview of the Ellis Specific Plan Amendment

The proposed amendment to the Ellis Specific Plan includes a shifting of land uses in the vicinity of the Village Center, Aquatic Park, and Limited Use area (Attachment D: Draft Ellis Specific Amendment). More specifically, the proposed amendment would merge the 5.7 acres of Village Center (60,000 square feet of non-residential uses and up to 50 high density residential units) with the existing 4.4 acres of Commercial (40,000 square feet of non-residential uses) and add 4 additional acres of Village Center to create a total of approximately 14 acres of Village Center. The proposed Aquatic Park location would shift south for better site access on Summit Drive. A new designation of Residential Estate would be added to the Specific Plan and consist of 17 acres. The Residential Mixed designation would decrease from 284.7 acres to 260 acres. The Limited Use designation would increase from 26.2 acres to 30 acres. Attachment E shows a comparison of the existing and proposed changes to the Ellis Specific Plan

Zoning areas. The proposed land use changes to the Ellis Specific Plan conform with the proposed General Plan Amendment.

The proposal for the Residential Estate designation allows up to nine large lots, each ranging in size from one to two acres. A portion of the Residential Estate lots would have frontage along Ellis Town Drive. The Residential Estate lots would be located around the northern half perimeter of the Limited Use area, which the applicant indicates could be planned as a self-storage facility. The proposed Residential Estate designation is consistent with the development limitations of the Outer Approach / Departure Zone of the ALUCP.

In addition to the shifting of land uses, the proposed amendment to the Ellis Specific Plan includes a general update to the document, including: updates to the design of the street network and certain street sections to reflect approved Tentative Maps; a reorganization of the permitted land uses table (Table 3.3) for clarification purposes; an update to the conceptual plans for the Village Center and a self-storage facility; an update to proposed sign details (such as the water tower and other character elements); the addition of Appendix B: Sign Program, which consolidates the sign details into one location in the document; an update to the sign regulations to make them consistent with legal requirements which have restricted the ability of municipalities to regulate the content of a sign; and removal of the façade zone requirement because it was problematic in implementation and not beneficial to neighborhood design.

Neighborhood Parks

The proposed amendment also updates the plan for Neighborhood Parks. An approximately 2.42-acre Dog Park is proposed in the Residential Estate area, adjacent to Summit Drive and the area planned for the self-storage facility (opposite the planned area for the Aquatic Park). The proposed Dog Park is an allowable use within the Outer Approach / Departure Zone of the ALUCP. The Parks and Community Services Commission considered the design of the Dog Park on November 2, 2017 and recommended that City Council approve the design.

Neighborhood Parks planned for Ellis include the Village Green Park, the Western Park, the Dog Park, and The Orchard. The proposed amendment to the Ellis Specific Plan states that parks will be a minimum of one acre. This is less than the 4-acre minimum recommended by the City's Parks Master Plan, but the City is able to establish standards in Specific Plans that are different from City Master Plans and general City standards. The Village Green Park in Ellis Phase 1 was approved at 2.85 acres. The Western Park in Ellis Phase 2 was approved at 2.87 acres. The proposed Dog Park (mentioned above) is proposed at approximately 2.42 acres and would be located in Ellis Phase 1. The park planned for Ellis Phase 3 is The Orchard. The Orchard is planned as a linear shaped park in the vicinity of Ellis Town Drive and Lammers Road. The size of The Orchard will depend on the number of residential units proposed for Ellis Phase 3. If Phase 3 is developed at a density similar to Phases 1 and 2, the size of The Orchard may be approximately 1.5 acres.

The proposed amendment specifies that the location, size, design, and names of the parks in Ellis shall be as approved by City Council in the Ellis Specific Plan. The park designs and park names are not proposed to go back to the Parks and Community

Services Commission for any further review prior to park development. The proposed amendment states that future changes may be made with agreement between the Ellis Property Owners Association (EPOA) and the City.

Overview of the Zoning Ordinance Amendment

The purpose of the Zoning Ordinance Amendment is to add the Ellis Specific Plan Zone to the list of zone districts in the City (Attachment F: Draft Zoning Ordinance Amendment). All property in the Ellis Specific Plan Area would be zoned Ellis Specific Plan Zone and the City's Zoning Map would be amended to reflect this change. The zoning regulations for the Ellis Specific Plan Zone would be contained in the Ellis Specific Plan. This administrative step is similar to the approach used for the zoning of the Cordes Ranch Specific Plan Area, Northeast Industrial Specific Plan Area, and the Tracy Hills Specific Plan Area.

Environmental Document

On January 22, 2013, the City Council certified the Environmental Impact Report (EIR) for the Ellis Project (SCH#2012022023). In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the EIR was prepared for the proposed amendment to the Ellis Project which includes a General Plan Amendment, Ellis Specific Plan Amendment, and Zoning Ordinance Amendment (Attachment G: Addendum to the EIR). Pursuant to CEQA Guidelines Section 15162 and based on the analysis and evaluation provided in the Addendum, no new significant impacts would occur because of the proposed amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. Therefore, pursuant to CEQA Guidelines Section 15164, an Addendum to the EIR, as prepared in compliance with CEQA, is the appropriate CEQA document and is adequate to support the proposed amendment to the Ellis Project.

RECOMMENDATION

Staff recommends that the Planning Commission recommend that the City Council take the following actions, as stated in the Planning Commission Resolution dated February 14, 2018 (Attachment H: Planning Commission Resolution):

- Approve a General Plan Amendment (Application Number GPA15-0003)
- Approve an Ellis Specific Plan Amendment (Application Number SPA15-0003)
- Approve a Zoning Ordinance Amendment (Application Number ZA17-0012)

MOTION

Planning Commission recommends that the City Council take the following actions, as stated in the Planning Commission Resolution dated February 14, 2018:

- Approve a General Plan Amendment (Application Number GPA15-0003)
- Approve an Ellis Specific Plan Amendment (Application Number SPA15-0003)
- Approve a Zoning Ordinance Amendment (Application Number ZA17-0012)

Prepared by: Scott Claar, Senior Planner

Reviewed by: Bill Dean, Assistant Development Services Director
Robert Armijo, Assistant Development Services Director / City Engineer
Brian MacDonald, Parks & Recreation Director
Craig Bronzan, Management Partners, Special Advisor for Parks & Recreation

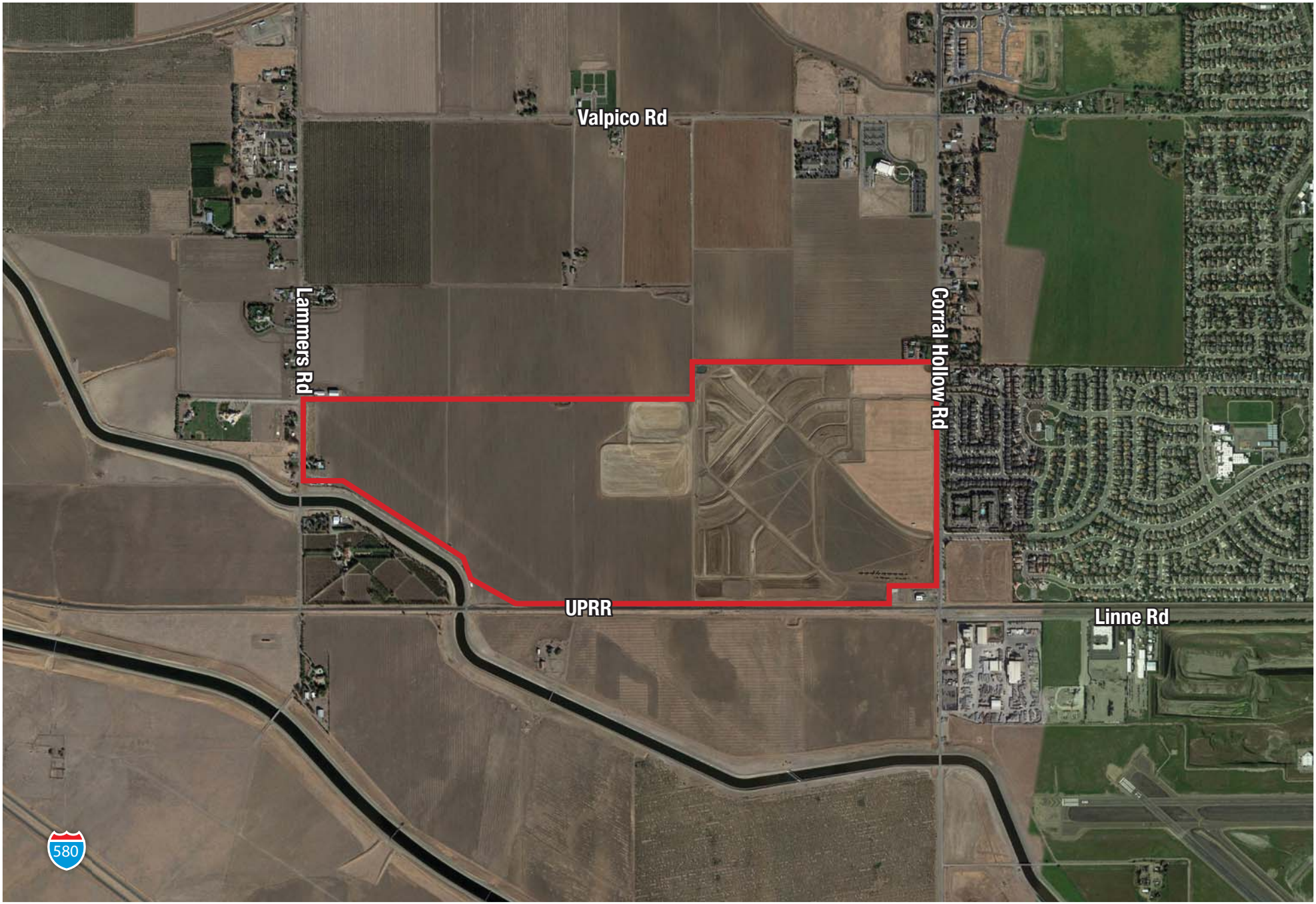
Approved by: Andrew Malik, Development Services Director

ATTACHMENTS

A: Location Map
B: Draft General Plan Amendment
C: Existing and Proposed General Plan Land Use Designations Map
D: Draft Ellis Specific Plan Amendment
E: Existing and Proposed Ellis Specific Plan Zoning Areas
F: Draft Zoning Ordinance Amendment
G: Addendum to the EIR
H: Planning Commission Resolution

ALL ATTACHMENTS ARE ALSO AVAILABLE ON THE CITY'S WEBSITE, ON THE PLANNING COMMISSION PAGE, UNDER "2018 PLANNING COMMISSION MEETING DOCUMENTS."

ADDITIONALLY, THEY ARE AVAILABLE IN HARD COPY FORM FOR REVIEW AT TRACY CITY HALL, DEVELOPMENT SERVICES DEPARTMENT, 333 CIVIC CENTER PLAZA, TRACY.



Source: Google Earth, 2017

Project Site

ATTACHMENT A : Location Map

Not to scale

Kimley»Horn

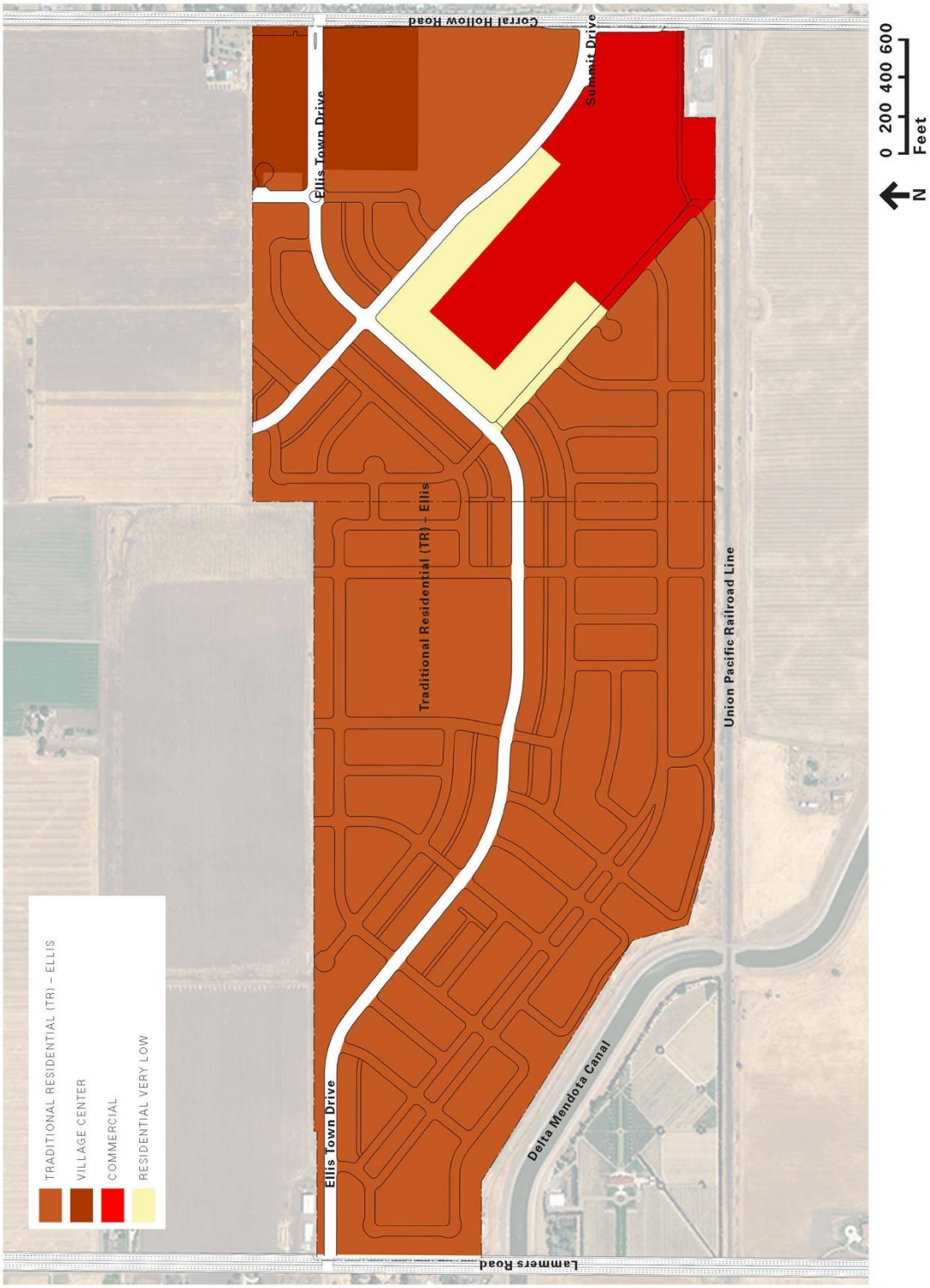
City of Tracy
General Plan Amendment
Ellis
Application Number GPA15-0003

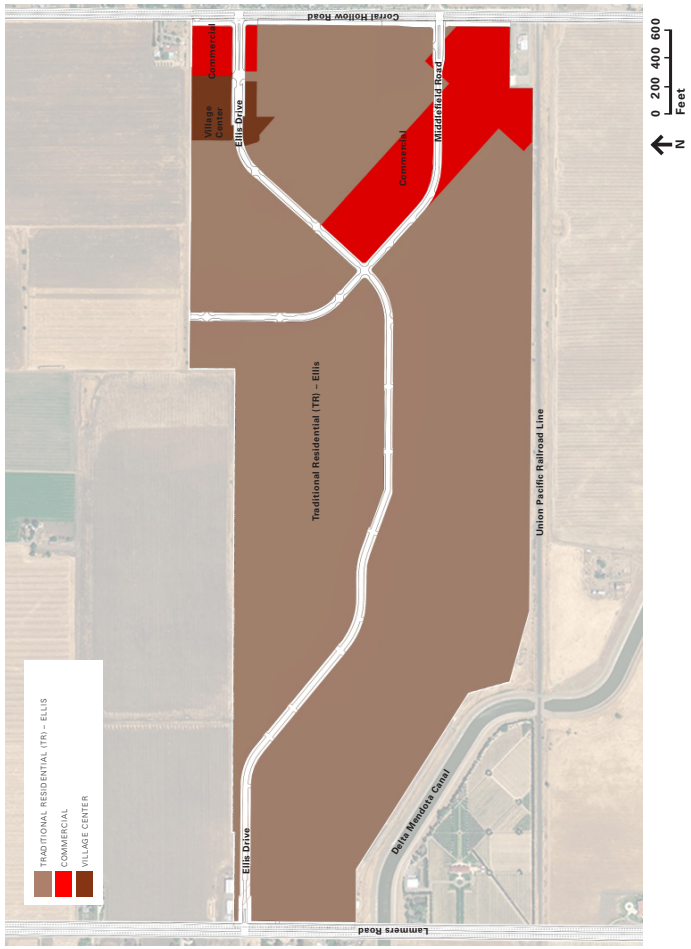
The City of Tracy General Plan is hereby amended as described below.

(1) The Land Use Element of the General Plan at pages 2-20 through 2-23 is hereby amended as follows regarding the General Plan land use designation of Traditional Residential - Ellis (TR-Ellis):

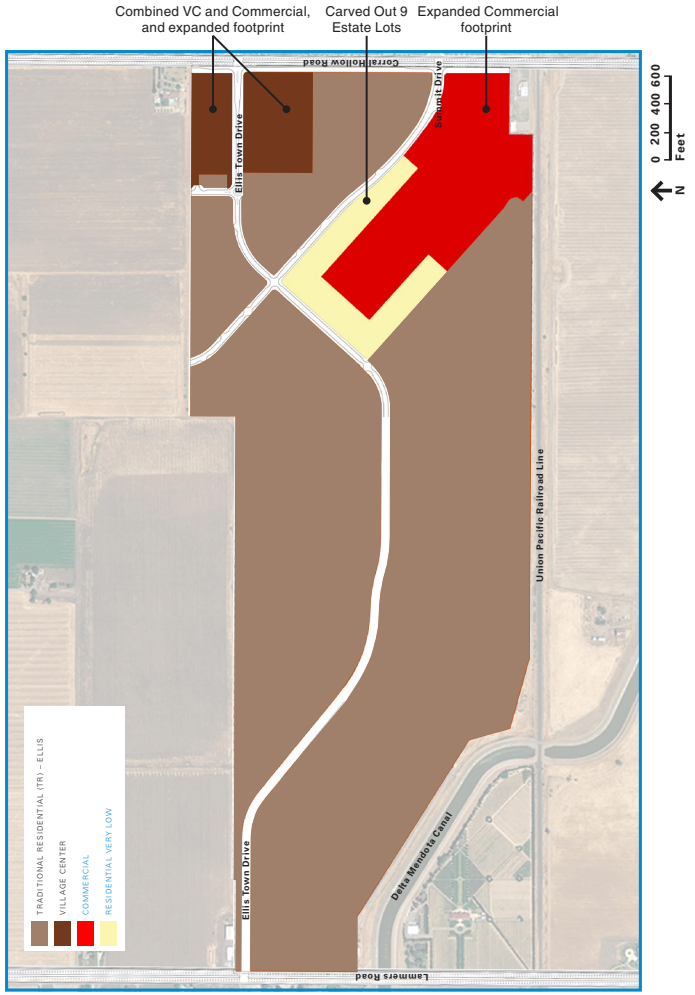
Traditional Residential – Ellis (TR-Ellis). The Traditional Residential – Ellis (TR-Ellis) designation applies to the Ellis Specific Plan. The TR-Ellis designation shall include between 1000 and 2250 total residential units, for an overall site density of between 4 and 7 units per gross acre. (The General Plan establishes an average of 3.21 persons per household, as set forth in the Land Use and Housing Elements.) The TR-Ellis designation includes one residential sub-designation (Zoning District): "Residential Mixed". Additionally, up to 50 of the 2250 residential units shall be allowed in the adjacent Village Center (4 to 16 units per gross acre for approximately 6 acres). Finally, the TR-Ellis area shall include a park dedication of 4 acres per 1,000 people. TR-Ellis will feature 3 park acres per 1,000 population generated for Neighborhood Parks and 1 park acre per 1,000 population generated for Community Parks (4 acres per 1,000 population generated total). Also, there is a possibility of an additional 16 acres (approximately) for a family-oriented swim Center ("Swim Center"), which would serve as a credit for Ellis' Community Park requirement. The "Ellis Pattern Book," which sets forth the architectural and site design guidelines for the TR-Ellis area has been adopted by the City Council in connection with the Council's adoption of the TR-Ellis designation. TR-Ellis shall consist of residential neighborhoods, each with its own distinct sense of place, reinforcing the traditional, hometown feel. Blocks shall be sized to support a mix of housing types all designed to accommodate a wide range of incomes and family needs. The TR-Ellis area will be constructed using traditional neighborhood design principles, creating a pedestrian-friendly network of streets and parks. In some cases, garages will be located off the street and will be accessed by way of rear alleys. Other land uses adjacent to, and compatible with, the TR-Ellis area, shall include, but not be limited to, an approximately ~~7~~14-acre Village Center (with up to 50 of the 2250 residential units and up to ~~60~~140,000 square feet of commercial uses~~), and up to 120,000 additional square feet of commercial uses (the General Plan establishes a maximum FAR for commercial uses of 1.0).~~. The Tracy Airport "outer approach zone" shall be limited in uses to those authorized in the San Joaquin County Airport Land Use Plan. The owner of the Ellis property is willing to provide the City a substantial financial contribution towards the design, construction, operation and maintenance of the Swim Center (that far exceeds the owner's fair share responsibility and therefore what the City could otherwise legally require the owner to contribute towards the Swim Center) in return for certain City commitments that the City is not otherwise legally required to provide. For example, the City's Growth Management Ordinance and Guidelines recognize that a process can be established through a freely-entered statutory development agreement whereby the City could provide commitments to the owner to potentially issue up to a set maximum amount of residential growth allocations (RGAs) to a project that absent that development agreement the City might not have to issue.

(2) The Land Use Element of the General Plan at page 2-15, Figure 2-2, General Plan Land Use Designations, is hereby amended as shown below for the Ellis Specific Plan Area:





EXISTING



PROPOSED

ATTACHMENT C : General Plan Land Use Designations

Not to scale

Kimley»Horn

ELLIS SPECIFIC PLAN

Tracy, California

Prepared for
The City of Tracy

Submitted by
The Surland Companies

~~DECEMBER 2008~~

~~Amended December 2012~~

Approved January 22, 2013
City Council Resolution 2013-012

ELLIS SPECIFIC PLAN

Tracy, California

Prepared for
The City of Tracy

Submitted by
The Surland Companies

~~DECEMBER 2008~~

~~Amended December 2012~~

Approved January 22, 2013
City Council Resolution 2013-012

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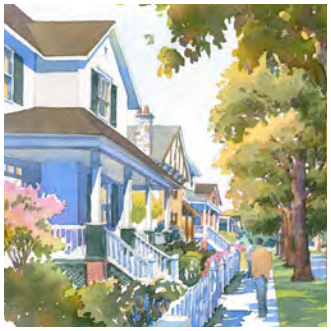
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GLOSSARY

APPENDIX

A Ellis Pattern Book: Urban Design Associates
B Ellis Additional Landscape Features/ Character Elements And Sign Program: Gates+Associates

Section 1
Introduction



Introduction

1.1 VISION

The vision for Ellis is to create a village with a broad mix of residential housing types and densities, neighborhood parks, and an opportunity to include a Family-Oriented ~~Swim Center~~ Aquatic Park (~~Family Swim Center~~ Aquatic Park) serving as a Community Park. Ellis will be a pedestrian-friendly, connected, planned development. A Village Center with commercial and office /professional uses will be located adjacent to the proposed ~~Family Swim Center~~ Aquatic Park and will serve as the focal point of community activities. These uses will all be within walking distance of each other. The plan is also designed to accommodate a multimodal transit hub (Transit Center), with ACE train and Tracer bus service and commercial space in the event such a use becomes desirable and feasible. Ancillary and low-intensity commercial uses are included as well.

The ~~Modified~~ Ellis Specific Plan (ESP) pertains to a 321-acre parcel primarily identified as Traditional Residential–Ellis (TR-Ellis) in the City of Tracy General Plan. The area is located between Lammers Road and Corral Hollow Road along the north side of the Union Pacific rail line.



Figure 1.1 The Vision for Ellis



Figure 1.2 View of the proposed ~~Family Swim Center~~ Aquatic Park

Drawing from the City's past and looking to the City's future, the Ellis project represents an opportunity for the City of Tracy to bring back a piece of its history and create an integrated addition to the community based on the *Community Character Element* of the City of Tracy General Plan.

In order to achieve this vision for Ellis, the ESP establishes a context for the orderly and efficient development of the project area. The purpose of the ESP is threefold:

- To fulfill the vision, implement the principles, and meet the intent of the statistical profile for land uses for TR-Ellis set forth in the General Plan;
- To set forth the community character and imagery envisioned for Ellis and to define the supporting development standards and design guidelines which will be necessary to achieve the Ellis vision; and
- To incorporate the goals and objectives of the *Community Character Element* of the General Plan.

1.2 ASSUMPTIONS, PRINCIPLES, AND OBJECTIVES

A set of assumptions and principles has been identified to establish a planning context for the ~~Modified Ellis Specific Plan~~ ESP. These assumptions and principles form the basis for developing project objectives, which in turn create the framework for the ~~Modified Ellis Specific Plan~~ ESP.

1.2.1 Assumptions

The ~~Modified Ellis Specific Plan~~ ESP has been developed based upon the following assumptions:

- The General Plan identifies the Ellis Specific Plan Area as primarily TR-Ellis, a portion of the previously approved South Schulte Specific Plan area.
- The ~~Modified Ellis Specific Plan~~ ESP will use a~~n~~ Revised Environmental Impact Report (Revised EIR) under CEQA as its environmental compliance.
- The development standards and design guidelines within the ~~Modified Ellis Specific Plan (~~ESP~~)~~ will be tailored to achieve the Ellis community vision.



Figure 1.3 Pedestrian-oriented spaces create a hometown feel.



Figure 1.4 View of the Ellis site

- The ESP will incorporate the goals and objectives of the *Community Character Element* of the City of Tracy General Plan which provides a vision for how development should look, feel, and function in an effort to maintain the City of Tracy's unique character and sense of place.

1.2.2 Guiding Principles

Principles that have guided the development of the ~~Modified Ellis Specific Plan~~ ESP include:

- Develop and implement the Master Plan in a way that allows Ellis to become a unique community with a distinct character and style.
- Create the Village Center area as an integrated, multi-use village center. The Village Center shall promote businesses that are small, local, and neighborhood-serving. The scale of the Village Center shall be complementary to the existing downtown of Tracy.
- Base development guidelines on the precedents found in traditional towns of northern California to ensure that Ellis becomes a place of memorable beauty and lasting urban quality.

1.2.3 Objectives

The following objectives have been identified for the project and have guided preparation of the ~~Modified Ellis Specific Plan~~ ESP and its implementation program:



Figure 1.6 View of the multi-use Village Center



Figure 1.5 Front porches create a sense of community.

- Provide a mix of housing options, including single-family and multi-family dwellings, to help assure the economic feasibility of the development, provide for a mix of housing options in terms of affordability, and provide a varied urban form.
- Create a range of job and economic development opportunities for local individuals and business enterprises, particularly for residents and businesses located in the City of Tracy.
- Provide a mix of commercial, office/professional, institutional, recreational, and residential uses in close proximity, and at the maximum density feasible within ranges established by the General Plan, in order to create an appealing walkable urban environment served by transit that addresses the concepts and practices of sustainability and smart growth, especially in the Village Center.
- Create new public recreational and public open spaces.
- Utilize a variety of architectural styles for all land uses.
- Create a series of neighborhoods with a unique identity that is compatible, but distinguishable, from other areas in the City of Tracy.
- Construct a project that will maintain the Surland Companies' strong reputation in the community for high quality development.



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

1.3 PROJECT DESCRIPTION

The Ellis project creates a residential village with a Village Center and proposed ~~Family Swim Center~~ Aquatic Park. The ESP includes a comprehensive land use plan for the development of approximately 321 acres. The ESP includes a mix of residential, commercial, office/professional, institutional, and recreational uses. The plan will accommodate a maximum of 2,250 residential units (minimum 1,000 units) not including secondary residential units; ~~60,000~~ 140,000 square feet of retail, civic, and office use in the Village Center~~;~~, ~~120,000 square feet of ancillary commercial uses;~~ 430,000 square feet of self-storage and storage of boats and recreational vehicles (passive uses); and 40,000 square feet of office uses in the limited use area; and, consistent with City requirements, approximately 4 acres per 1,000 people of parks. The plan consists of four basic design components: the Village Center, ~~Family Swim Center~~ Aquatic Park, Neighborhoods, and Neighborhood Parks.

Village Center

The Village Center is a focal point of community activity and is designed to accommodate a mix of retail, office, and residential uses. Retail services that are envisioned will be primarily neighborhood-serving.

Family-Oriented ~~Swim Center~~ Aquatic Park

The proposed ~~Family Swim Center~~ Aquatic Park is a family-friendly recreation destination for the City of Tracy serving as a Community Park. The facility may include a competition pool, recreation pool, sprayground, water slide, wet play structure, lazy river, and flow rider, along with support facilities such as showers, locker rooms, and a ticket area.

Neighborhoods

The plan contains a series of compact, well-organized, pedestrian-friendly neighborhoods, linked by a comprehensive system of local streets, and pedestrian and bicycle paths. Residential areas within neighborhoods include a diverse mix of housing types.

Neighborhood Parks

Public space is fundamental to the ESP. A variety of parks are designed to serve a mix of recreational needs essential to the daily life of residents. In addition, parks serve as important spaces that organize and unite each of the residential neighborhoods.

1.4 SPECIFIC PLAN AUTHORIZATION

1.4.1 State Authority

Specific Plans are authorized by Section 65450 et seq. of the California Government Code.

As set forth in the Government Code, Specific Plans must contain the information outlined below. The location of this information in the ESP is shown in bold following each item.

- The distribution, location, and extent of the uses of land within the area covered by the ESP. **(Section 3: Land Use and Development Standards and Section 4: Infrastructure)**
- The proposed distribution, location, and extent of major components of public and private transportation, wastewater conveyance, water drainage, solid waste disposal, energy, and other essential facilities needed to support the land uses proposed in the ESP. **(Section 4: Infrastructure)**
- Standards and Criteria by which development will proceed and standards of conservation, development, and utilization of natural resources. **(Section 3: Land Use and Development Standards and Appendix A: Ellis Pattern Book)**
- A program of implementation measures including development regulation, capital improvements, public works projects, and financing measures. **(Section 3: Land Use and Development Standards and Section 5: Infrastructure Funding and Phasing)**

The ~~Modified Ellis Specific Plan~~ ESP has ~~one appendix~~ two appendices:

- **Appendix A**
  Ellis Pattern Book: Urban Design Associates
- **Appendix B**
  Ellis Additional Landscape Features/Character Elements And Sign Program: Gates+Associates (Appendix B: Ellis Sign Program)

1.4.2 City of Tracy Authority

Under Section 10.20.010 Authority for Specific Plans of the Tracy Municipal Code under the California Planning and Zoning Law, the City Council is authorized to prepare, adopt and implement a Specific Plan for any area covered by the City of Tracy General Plan. (Gov't Code 65450 and following. This includes areas within the City boundaries, the City's sphere of influence, or the General Plan planning area. (Ord. No. 1126, § 1, 11-18-2008) …As set forth in the General Plan, the ~~Modified~~ Ellis Specific Plan's General Plan designation is TR-Ellis. "The Traditional Residential-Ellis (TR-Ellis) designation applies to the ~~Modified~~ Ellis Specific Plan, which is located at the northwest corner of Corral Hollow and Linne Road, and consists of Traditional Residential and Commercial land uses for up to 2,250 residential units, including parks and a potential family-oriented ~~swim center~~ Aquatic Park.

1.5 RELATIONSHIP TO OTHER PLANS

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

1.5.1 City of Tracy General Plan

The General Plan was adopted by the City Council in July 2006 and amended in February 2011. The Traditional Residential-Ellis (TR-Ellis) Designation covers approximately ~~287~~ 260 gross acres and shall include between 1,000 and 2,250 total residential units, for an overall site density of between 4 and 9 units per gross acre in accordance with the General Plan. In a departure from the previous General Plan adopted in 1993, the General Plan envisions that the City will preserve its 'hometown feel' by creating resi-

dential neighborhoods with a sense of place that are diverse, attractive, safe, walkable, and affordable. In pursuit of this vision, the updated General Plan contains an extensive *Community Character Element*. It is a primary objective of the ~~Modified Specific Plan~~ ESP not only to comply with the General Plan, but also to become a project for the implementation of the General Plan with its *Community Character Element*.

As noted in Section 1.1, one of the purposes of the ESP is to fulfill the vision, implement the principles, and comply with the criteria for land uses for TR-Ellis set forth in the General Plan.

The General Plan states that the TR-Ellis Designation is to provide guidance regarding the vision and mix of land uses while allowing flexibility in the location of land uses to provide for the mixing of housing.

The ESP residential land use designations are consistent with the General Plan land use designations. The Traditional Residential-Ellis (TR-Ellis) Designation covers approximately ~~287~~ 260 gross acres and includes between 1,000 and 2,250 total residential units, for an overall site density of between 4 and 9 units per gross acre in accordance with the General Plan. The ESP includes a Village Center as outlined in the General Plan and provides for the required park acreage.

1.5.2 City of Tracy Infrastructure Master Plans

The City is in the process of updating its master plans for water, wastewater, storm water, and roads to be consistent with, and to implement, the General Plan. The ~~Modified Specific Plan~~ ESP implementation includes a Finance and Implementation Plan (FIP) that establishes the project's fair share of development impact fees, and addresses the infrastructure needs of the Ellis community in such a manner as to correspond to the infrastructure master plans under development to the extent practicable. Because the ~~Modified Specific Plan~~ ESP was developed prior to the new infrastructure master plans, the proponents of this ~~Modified Specific Plan~~ ESP worked closely with the City to ensure that the ~~Modified Specific Plan's~~ ESP's implementation would be incorporated in the baseline assumptions of the infrastructure master plans under development.

1.5.3 County and City Airport Plans

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

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

1.5.4 Zoning

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

~~MODIFIED~~ ELLIS SPECIFIC PLAN ZONING SUMMARY

LAND USE DESIGNATION	GROSS ACRES	UNITS / GROSS ACRES***	RANGE OF UNITS ALLOWED / MAXIMUM NON-RESIDENTIAL SF
Residential Estate	17	*****	1 to 9.4*****
Residential Mixed*	~~284.7~~ 260	4 to 9	1,000 to 2,250
Village Center*	~~5.7~~ 14	0 to 9	0 to 50 units/ ~~60,000~~ 140,000 sf
~~Commercial*~~	~~4.4~~	~~NA~~	~~40,000 sf~~
Limited Use*	~~26.2~~ 30	NA	~~80,000~~ 430,000 sf of self-storage 40,000 sf of office****
Total	**321**		**ESP includes 1,000 and maximum of 2,250 residential units ** and 180,000 SF non-residential**

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

** Not including secondary residential units

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

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

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

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

Table 1.1 ESP Zoning Summary

1.6 PLAN ADOPTION

This ~~Modified Specific Plan~~ ESP is intended to be adopted by City Council as an ordinance of the City of Tracy establishing a Specific Plan Zone over the Ellis Specific Plan Area. Specific Plan zoning is authorized by California Government Code Sections 65450 et seq. and Section 10.20, Specific Plans, of the Tracy Municipal Code provides for Specific Plan zoning. Upon adoption of the ~~Modified Specific Plan~~ ESP, the Plan Area will be located within the sphere of influence of the City, but outside of the City boundaries. The Specific Plan zoning will therefore constitute 'pre-zoning' within the meaning of Section 10.20.040 of the Tracy Municipal Code and will automatically become the zoning of the property upon annexation of the Ellis Specific Plan Area to the City.

1.7 CEQA COMPLIANCE

Adoption or amendment of a specific plan constitutes a project under the California Environmental Quality Act (CEQA). An Revised Environmental Impact Report (Revised EIR) was prepared in accordance with CEQA to analyze the potential environmental impacts of the proposed Ellis development. The Revised EIR was prepared in conjunction with the development of the ~~Modified Specific Plan~~ ESP, and mitigation measures were incorporated into the Plan as potential impacts were identified. The Revised EIR addresses the environmental impacts associated with the ~~Modified Specific Plan~~ ESP, the development of specified off-site infrastructure facilities, the adoption of a General Plan amendment, annexation of the Ellis Specific Plan Area into the City, construction of the project, and the impacts of the built-out community. The project site, its background, and details of the project are described within the body of this ~~Modified~~ Specific Plan.

1.8 HOW TO USE THE ~~MODIFIED SPECIFIC PLAN~~ ESP AND PATTERN BOOK

Upon adoption, the ~~Modified Specific Plan~~ ESP will serve as a regulatory tool in the development of Ellis. It is a document to be used by designers, developers, builders, planners, and regulators. The ~~Modified Specific Plan~~ ESP incorporates a Pattern Book (Appendix A) that sets forth standards for the development of buildings on lots. Together, the ~~Modified Specific Plan~~ ESP with the Pattern Book comprise the administrative document governing the development of the Ellis community. The body of the ~~Modified Specific Plan~~ ESP generally governs horizontal development of lots with their land uses, parks, public landscaping, roads, and utilities; the Pattern Book generally governs the vertical development on established lots, including the placement of buildings on lots and the exterior architecture of buildings. Section 6: Plan Review describes the process of developing the Ellis community using the ~~Modified Specific Plan~~ ESP and the Pattern Book, from site design through building permit.



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

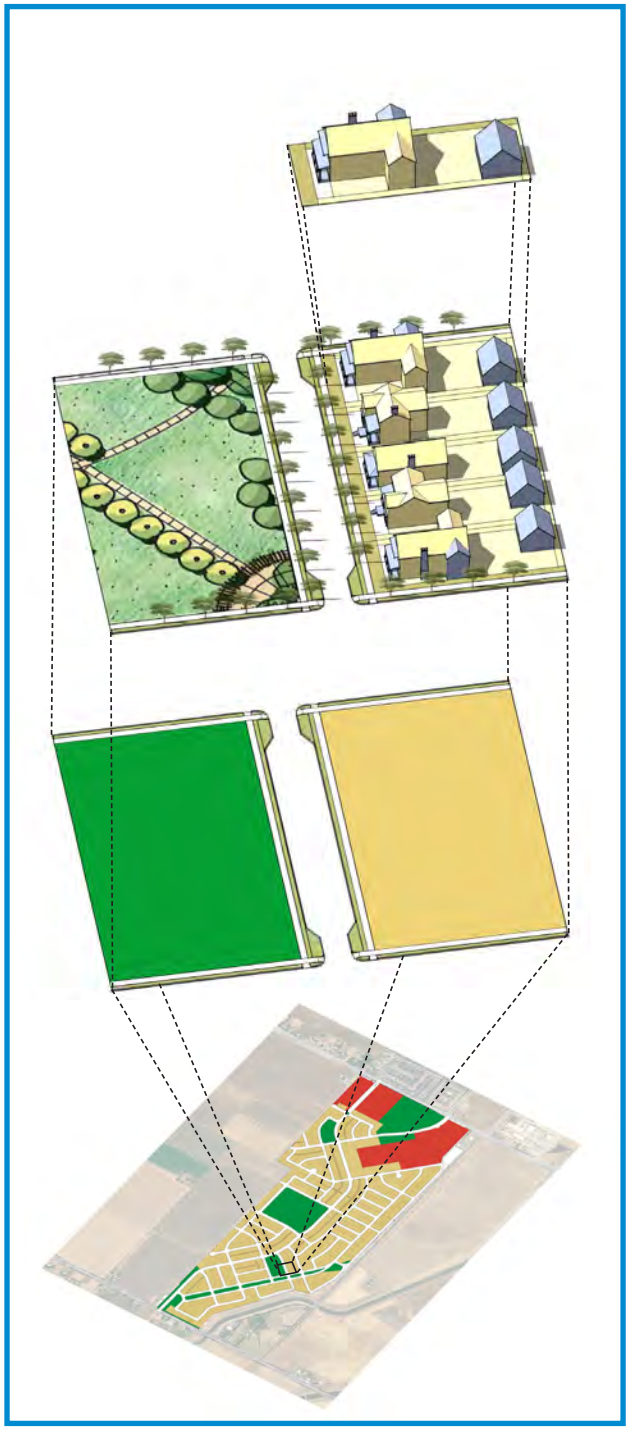


Figure 1.9 From House to Community

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Section 2
Site and Context



Photo: Images of America: Tracy

Site and Context

2.1 PROJECT LOCATION

In the general vicinity of a former railroad village, the ~~Modified Ellis Specific Plan (~~ESP~~)~~ consists of a 321-acre portion of the former South Schulte Specific Plan area. The Ellis Specific Plan Area is bounded by agricultural land on the north, the Union Pacific Railroad on the south, the Delta Mendota Canal to the southwest, Corral Hollow Road on the east, and Lammers Road on the west. The area was originally settled by railroad workers but has been uninhabited for approximately 130 years since the coaling station that gave rise to the village closed in 1878.

Ellis is situated 60 miles east of San Francisco in the heart of California's Northern San Joaquin Valley. Ellis is adjacent to and contiguous with the Edgewood development within the City of Tracy.

2.2 EXISTING LAND USE

The proposed Ellis Specific Plan Area, defined in the City of Tracy General Plan as TR-Ellis, is partly in agricultural use and largely underdeveloped. A residence and a small tree nursery are located within the site. The parcel is accessible from Lammers Road to the west, which currently dead-ends just north of the Delta Mendota Canal, and Corral Hollow Road to the east.



Figure 2.1 Location Map

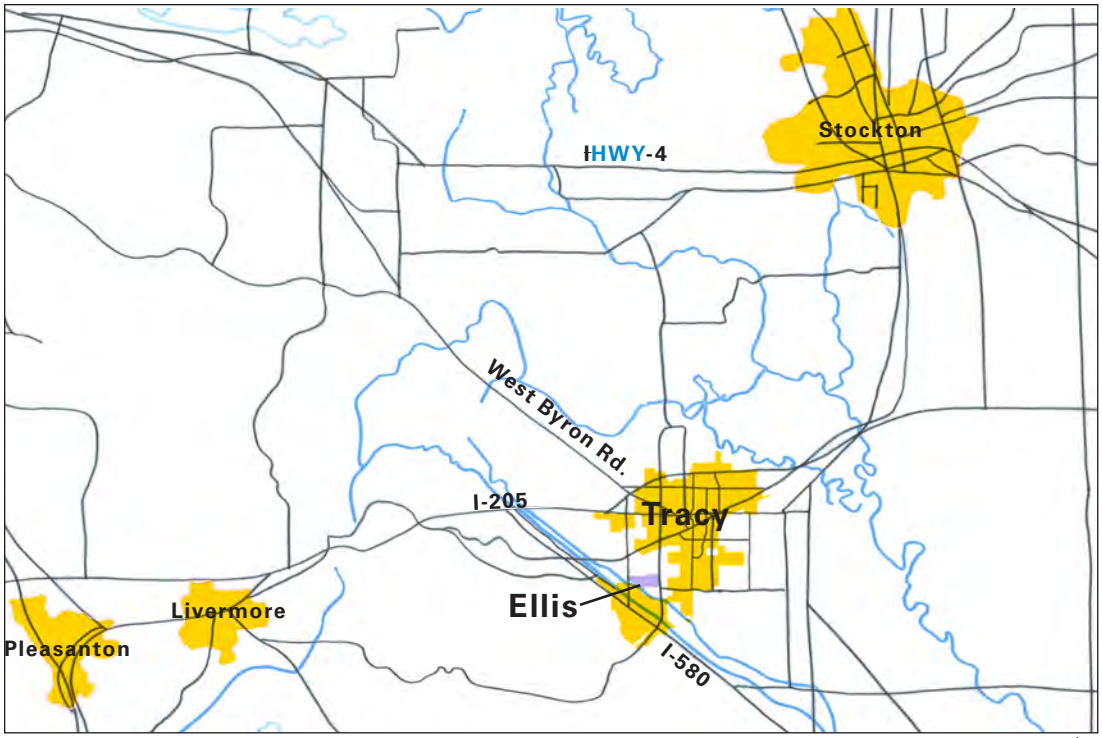


Figure 2.2 Regional Map

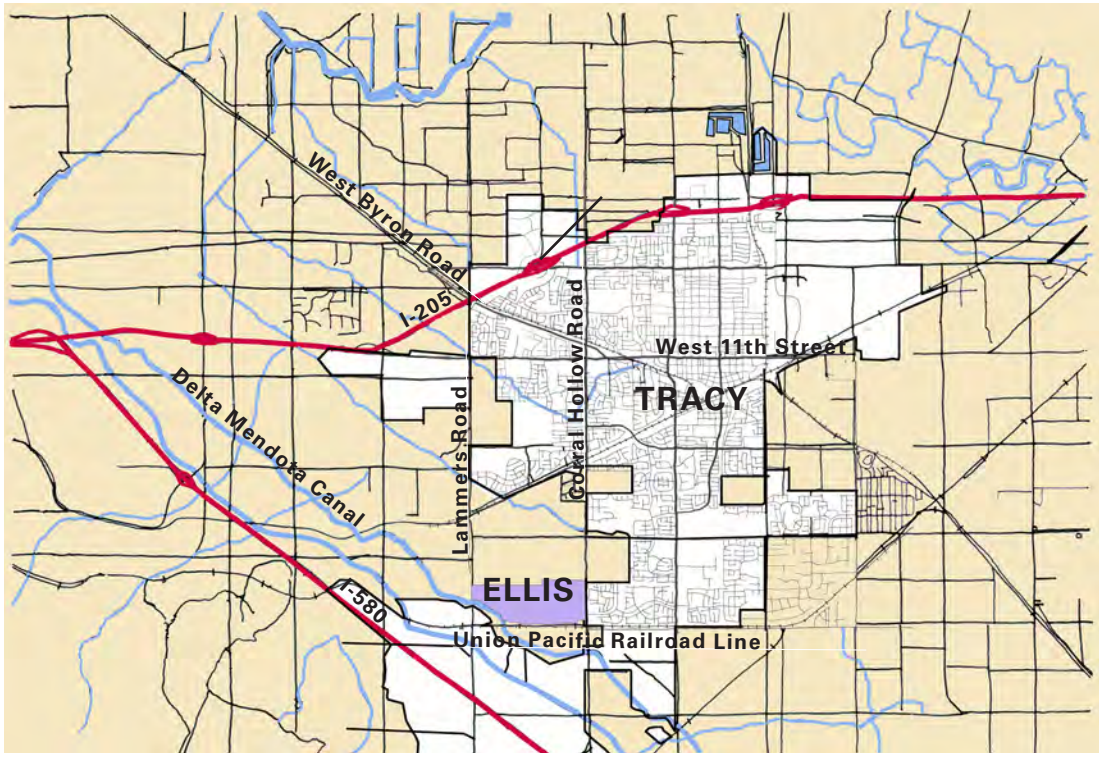


Figure 2.3 Vicinity Map



Figure 2.4 Ellis Specific Plan Area

Ellis is situated on relatively flat, underutilized lands just north of the Coastal Range, in the heart of the Northern San Joaquin Valley. The parcel is proximate to the interstate highway system, with direct access to San Jose, San Francisco, Stockton, and Los Angeles. An MCI Telecommunications facility (switching station) is located adjacent to the southeastern corner of the Plan Area. Edgewood, a residential development, is located east of (adjacent to) the ~~Ellis Specific Plan~~ ESP Area, across Corral Hollow Road. West of the Plan Area, across Lammers Road, the area is characterized by very low-density residential development. South of Linne Road and east of Corral Hollow Road, there are aggregate mining and concrete production operations. The Tracy Municipal Airport is located to the south~~west~~east.



Photo: Images of America: Tracy

Figure 2.5 Photo of the Independent Order of Odd Fellows, the first fraternal organization in the area, established in September 1870.

2.3 HISTORIC CONTEXT

Ellis was settled in approximately ~~1850~~ 1869 following the establishment of a rail line that ran from Sacramento, through the City of Stockton, the present City of Tracy, over the Altamont Pass, through the Niles Canyon, and then by ferry service to San Francisco.

Due to the volume of business being handled on the rail line, a coaling station was established at the foot of the grade rising to the Altamont Pass that passed through the Livermore Hills. The new station was called Ellis. Ellis became home to telegraph operators, railroad employees and their families, and consisted of about forty buildings by 1870. The new residents of Ellis quickly established several social organizations and religious congregations.



Photo: Images of America: Tracy

Figure 2.6 Willow Schoolhouse opened in the Ellis District in 1867.

The settlement of Ellis was brief, however. In 1878, construction began on a new rail line from Oakland, through Port Costa and Martinez, to connect with the Central Pacific Railroad east of the Livermore Hills. The connection between the two railroads was located at a point three miles east of Ellis, where the Tracy station began to develop. The railroad owners saw no need to keep open the coaling station in Ellis. Some of the families moved back to Lathrop while others moved toward the new station at Tracy, the new town. Along with the families, many of the buildings from Ellis were moved to Tracy. The schools, social organizations, and religious congregations that the residents of Ellis had established continued to exist and grow in Tracy as well. Upon the demise of Ellis, Tracy became the new center of Tulare Township.



Photo: Images of America: Tracy

Figure 2.7 The San Joaquin Hotel moved from site vicinity to Tracy.



Photo: Images of America: Tracy

Figure 2.8 Fabian and Co. was one of the first businesses near Ellis.

Unfortunately, a series of devastating fires destroyed most of the buildings moved from the original coaling station to the new town. Some historical photos exist of several of the original buildings moved from Ellis to their new site in Tracy. Among these were a schoolhouse, three hotels, and a few small businesses. Even though the original site of Ellis is barren now, its short-lived history was the beginning of a longer history for the City of Tracy.

2.4 DESCRIPTION OF SITE /SITE ANALYSIS

2.4.1 Biological Considerations

The Ellis Specific Plan Area falls within the purview of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) developed by the San Joaquin Council of Governments.

The developer will work with the City to implement the SJMSCP as it relates to the Ellis Specific Plan Area. There are no wetlands within the ESP boundary. A Phase I Assessment has been completed and no environmental contamination was found.

2.4.2 Cultural History

The first inhabitants of the San Joaquin Valley were Native Americans. Like other native Californians, the Yokuts were displaced by settlers that came with the development associated with railroad construction throughout California.

2.4.3 Land Form

The site is partially bounded to the south by the Delta Mendota Canal, which supplies water to the Central Valley. The site area is currently characterized by open fields on a relatively flat agricultural plain. The Union Pacific Railroad is elevated at the southwest corner of the site.

2.4.4 Geology

Ellis is located within the relatively monolithic Central Valley geologic region, which is dominated by Cenozoic nonmarine (continental) sedimentary rocks and alluvial deposits. The entire County of San Joaquin is excluded from the fault zones identified under the Alquist-Priolo Earthquake Fault Zone Act and the entire northern portion of the Central Valley is generally outside of any region of significant seismic activity.



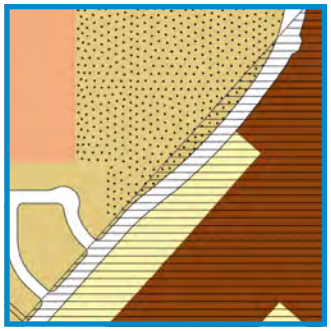
Photo: Images of America: Tracy

Figure 2.9 Castle Hotel moved from the Ellis vicinity to Tracy in 1878.

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Section 3

Land Use and Development Standards



Land Use and Development Standards



Figure 3.1 The Ellis Village Center

3.1 LAND USE CONCEPT

The proposed project is a comprehensive land use plan (Specific Plan per Government Code Section 65450 et seq.) for the development of approximately 321 acres primarily defined in the City of Tracy General Plan as TR-Ellis (Figure 3.2). The ESP includes a broad mix of residential housing types and densities, neighborhood parks, a Village Center, ancillary and low intensity commercial uses, and an opportunity to include a Family-Oriented ~~Swim Center~~ Aquatic Park (~~Family Swim Center~~ Aquatic Park) serving as a Community Park. A multimodal transit hub (Transit Center), with ACE train and Tracer bus service will be incorporated in the event such a use becomes desirable and feasible.

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

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

Three residential neighborhoods, the Village Neighborhood, Garden Neighborhood, and Town & Country Neighborhood, will comprise Ellis (Figure 3.3). Each neighborhood will have its own distinct sense of place, reinforcing the General Plan goal of creating a hometown feel. All neighborhoods will have a grid of pedestrian-scaled streets. A system of neighborhood parks will be integrated into the residential street grid.

Blocks are sized to support a mix of housing types all designed to meet a wide range of income and family needs. When completed, the three neighborhoods will include a spectrum of housing opportunities and neighborhood parks. ~~Each of the three residential neighborhoods will feature neighborhood-scale parks to serve as central greens.~~

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

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

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

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

Table 3.1 on page 6 of this section provides a summary of the proposed land use designations at Ellis.

3.2 LAND USE PLAN

3.2.1 General Description

The General Plan Land Use Designation for the residential uses in the ESP area is primarily Traditional Residential-Ellis (TR-Ellis), depicted in the General Plan Land Use Designations (Figure 3.4). The ESP Zoning Summary (Figure 3.6) illustrates the general location and relationship of all the primary land use areas. This Land Use Designations diagram will serve as the main reference and guideline for all future planning work and implementation activities in the Specific Plan Area.

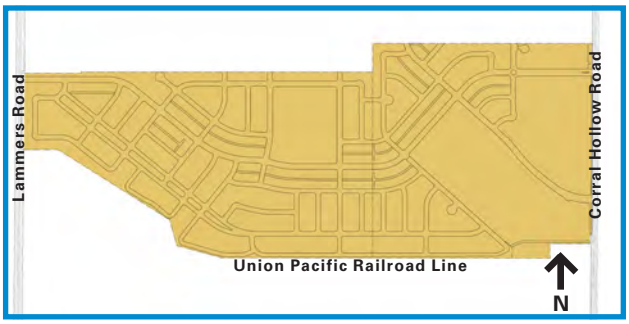


Figure 3.2 Ellis Property Boundary, 321 Acres

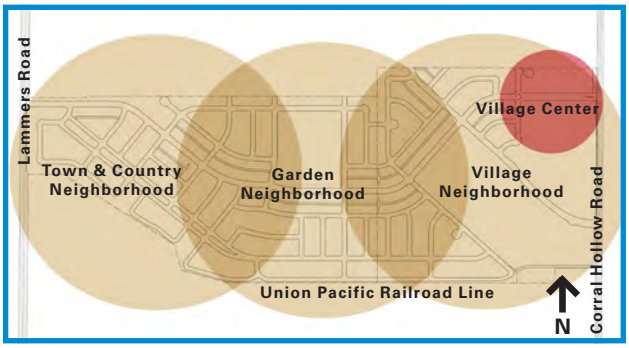


Figure 3.3 Ellis' three neighborhoods and Village Center

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

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

~~The highest density units will be located near the Village Center, neighborhood parks, and possibly to the east and south edges of the community. Low- and moderate-density units will be located throughout the neighborhoods.~~

The ~~Modified Specific Plan~~ ESP and the Pattern Book provide the development regulations for Ellis. Development topics not covered by the ~~Modified Specific Plan~~ ESP or the Pattern Book are regulated by Title 10 of the Tracy Municipal Code (TMC) or other City standards as applicable (See Section 6.7 of the ESP).

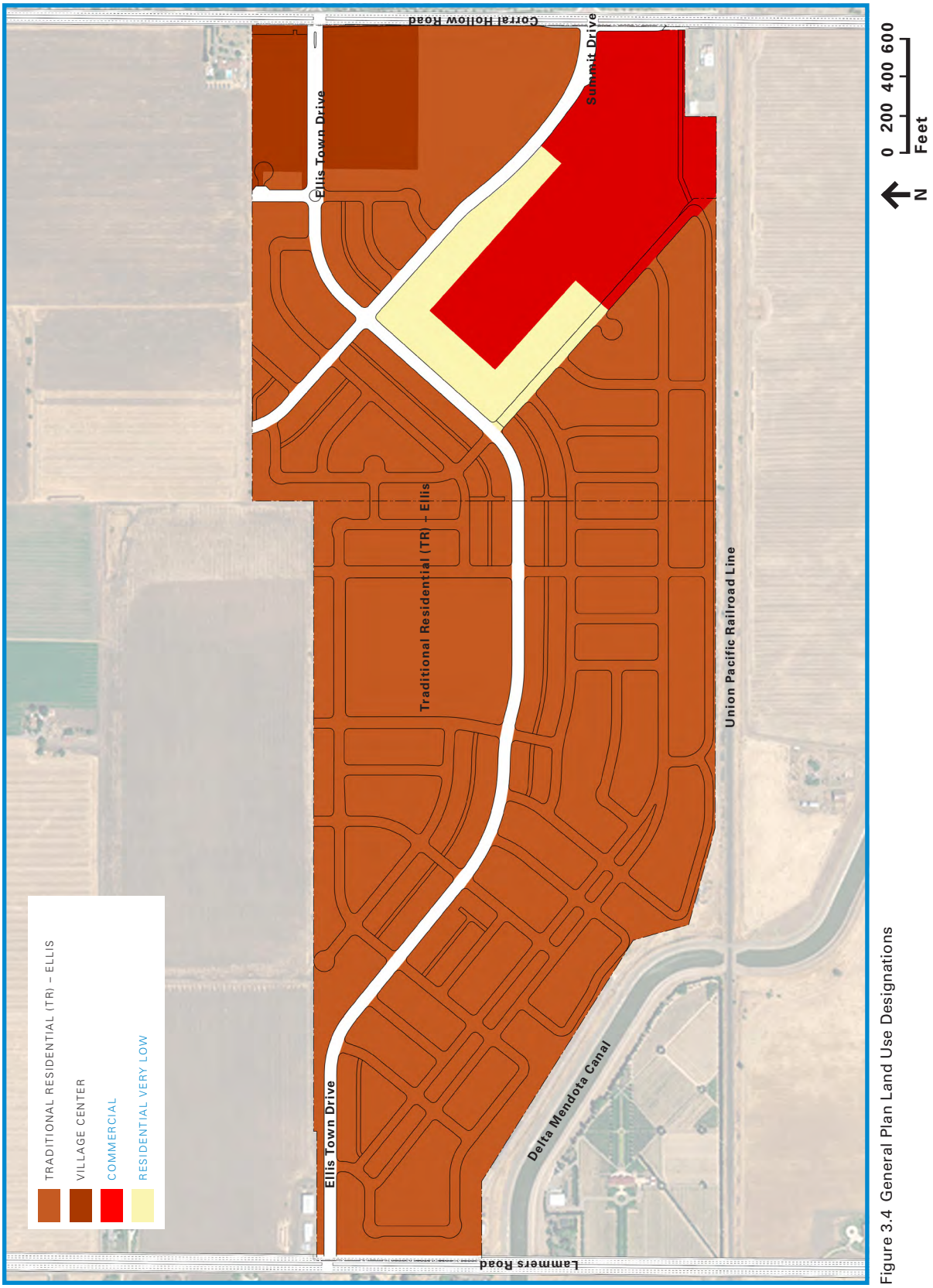


Figure 3.4 General Plan Land Use Designations



Figure 3.5 Illustration of Ellis neighborhood

3.2.2 Residential Land Use

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

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

Residential Mixed

The primary zoning for Ellis is Residential Mixed. Consistent with TR-Ellis, Residential Mixed requires lot types to be intermixed. The resulting community character will project a "hometown feel," including moderate building setbacks, variety in house size, sitting porches, and a mix of architectural styles. Lot types range from ~~higher density mansion apartments to lower density 100 foot wide detached single-family~~ narrow lots to wide lots. The exact location of each lot type shall be established at the time of Tentative Map approval, based on the mixing criteria in the ESP and Pattern Book. These mixing criteria are documented in Residential Lot Type Diversity (Section 3.5.16). Zoning standards are ~~associated with the lot types~~ documented in the Pattern Book. For development standards not addressed by the ESP for the area designated Residential Mixed, the requirements applicable to the Medium Density Cluster Zone (MDC) in the Tracy Municipal Code shall apply.

Residential Estate ~~Zone~~

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

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

Housing Diversity by Design

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

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

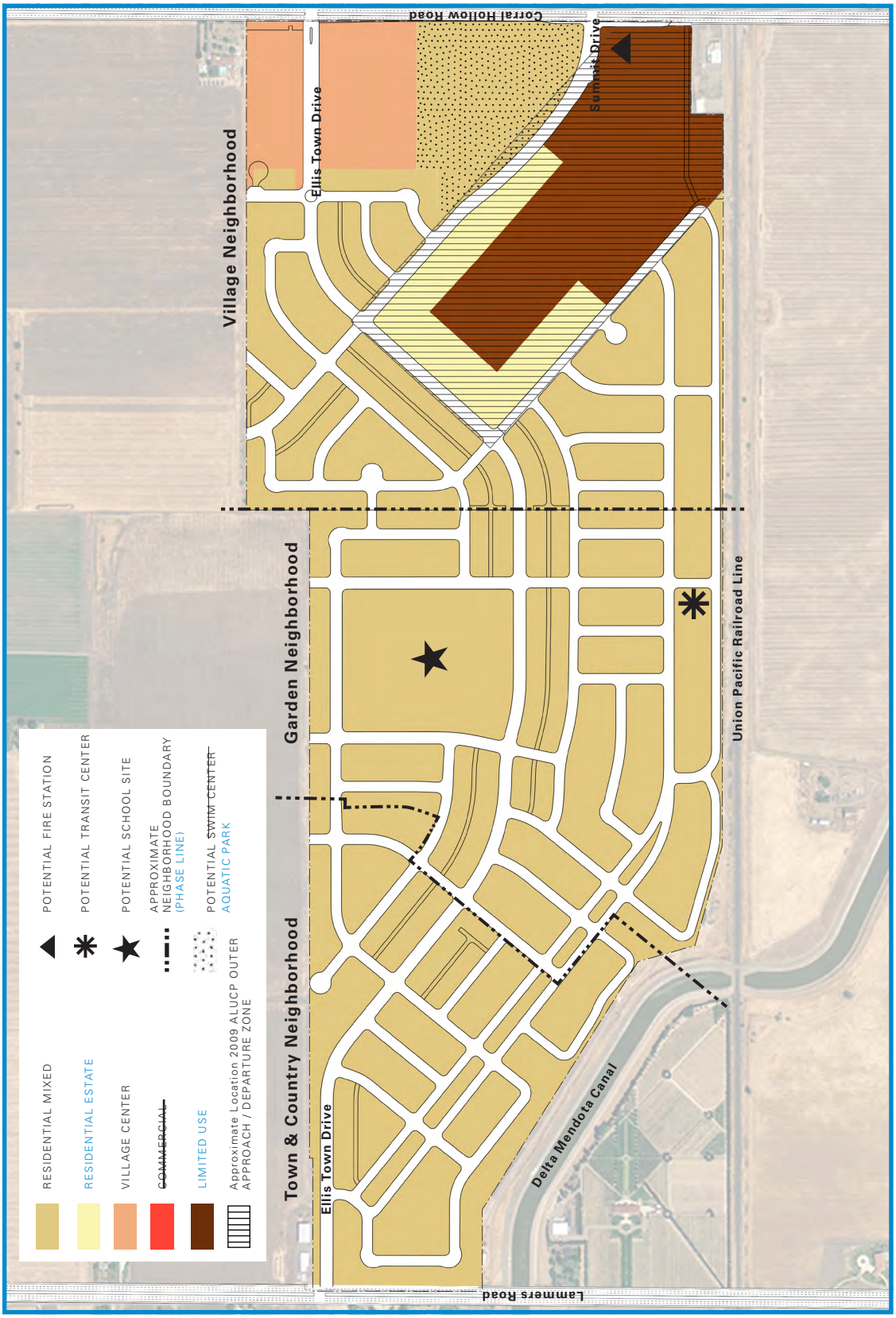


Figure 3.6 ESP Zoning ~~Summary~~

Note 1: Pursuant to the City of Tracy General Plan, parks and special landscape features are allowed within residential land use designations. ~~The precise location of such facilities will be determined upon approval of detailed plans.~~ For an illustration showing the ~~approximate~~ prescribed location of parks and special landscape features, see Section 4, Figure 4.4~~9~~55.

Note 2: Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

~~MODIFIED~~ ELLIS SPECIFIC PLAN ZONING SUMMARY

LAND USE DESIGNATION	GROSS ACRES	UNITS / GROSS ACRES***	RANGE OF UNITS ALLOWED / MAXIMUM NON-RESIDENTIAL SF
Residential Estate	17	*****	1 to 9.4*****
Residential Mixed*	~~284.7~~ 260	4 to 9	1,000 to 2,250
Village Center*	~~5.7~~ 14	0 to 9	0 to 50 units/ ~~60,000~~ 140,000 sf
~~Commercial*~~	~~4.4~~	~~NA~~	~~40,000 sf~~
Limited Use*	~~26.2~~ 30	NA	~~80,000~~ 430,000 sf of self-storage 40,000 sf of office****
Total	**321**		**ESP includes 1,000 and maximum of 2,250 residential units ** and 180,000 SF non-residential**

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

** Not including secondary residential units

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

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

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

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

Table 3.1 ESP Zoning Summary

3.2.3 ~~Mixed-Use Land Uses~~ Village Center

~~Village Center (VC)~~

Permitted uses for the Village Center are described in Section 3.5.2 and listed in Table 3.3. The plan will accommodate up to ~~60,000~~ 140,000 square feet of non-residential uses in the Village Center, as well as up to 50 high-density residential units, possibly in a mixed-use configuration with residential over commercial. Residential units in the Village Center may be apartments, townhouses, condominiums, and/or live/work units (see Section 3.5.2 Permitted Uses).

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

~~Live/work units may be located within the Village Center. The live/work building type is designed to accommodate residential space above ground floor, non-residential uses. Ground-floor live/work uses at Ellis may include artist studios, offices, and/or retail space (see Section 3.5.2 Permitted Uses).~~ Zoning standards for the Village Center shall be as documented in the Pattern Book. For any development standards not addressed by the ESP for the area designated Village Center, the requirements applicable to the Community Shopping Center Zone in the Tracy Municipal Code shall apply.



Figure 3.7 Illustration of the Village Center

3.2.4 ~~Commercial~~ Limited ~~Land~~ Uses

~~Commercial (C)~~

~~The northeast corner of the Plan Area is designated for up to 40,000 square feet of commercial uses. A full list of Permitted Uses for this land use may be found under General Land Use Regulations (Section 3.5).~~

~~Limited Use (LU)~~

The Limited Use designation is intended to allow for up to ~~80,000~~ 40,000 square feet of office uses and business services, and 430,000 square feet of self-storage and storage of boats and recreational vehicles (passive uses), including a unit for Ellis Storage Managers Living Quarters as a part of the Ellis Storage Office, subject to restrictions of the San Joaquin County Airport Land Use Compatibility Plan (ALUCP) ~~development within the Tracy Airport~~ Outer Approach/Departure Zone. ~~Uses are restricted to low-intensity active recreation (e.g., jogging trails), agricultural production and sales (with restrictions on gathering), and construction business, nurseries, recreational vehicle and boat storage, personal storage units, and art studios (with restrictions on gathering).~~ See Section 3.5.2 Permitted Uses.

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



Figure 3.8 Illustrative Plan of the Village Center

3.2.5 Public Facilities

A minimum of 4 acres per 1,000 people will be dedicated to public use as parks based on 3.21 residents per residential unit (see Table 3.1). A description of all of the public facilities, public uses, and associated land use designations for Ellis follows.

POLICE: The Tracy Police Department will serve Ellis.

FIRE: The South County Fire Authority will serve Ellis.

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

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

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

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

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

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

Neighborhood parks are also an allowable use in Residential Mixed and Residential Estate. Figure 4.55 shows an illustrative distribution of neighborhood parks including the prescribed location. The precise location of such facilities will be determined upon submittal of detailed plans.

For illustrative descriptions of the parks, see Section 4.6 Parks Network.

3.3 ~~DEVELOPMENT PROGRAM~~ INTENTIONALLY LEFT BLANK

~~As stated previously in this chapter, the development program consists of a mix of uses including commercial, residential, parks, and public uses. In addition to the land use allocations presented earlier, this subsection contains a detailed breakdown of the mix of housing densities proposed for Ellis. Ranges of densities are provided in each land use category in order to ensure flexibility in designing and subdividing individual neighborhoods. The minimum number of residential units in Ellis shall not be lower than 1,000 and shall not exceed 2,250 units. This maximum does not include secondary residential units.~~

~~Housing Program~~

~~Table 3.2 contains the proposed Approximate Housing Mix Program for Ellis. This mix is intended to appeal to a broad spectrum of current and prospective residents of the area, at various income levels.~~

~~Non-Residential Program~~

~~Table 3.2 also contains the Non-Residential Program. The planned mix includes a blend of neighborhood-oriented retail and commercial uses.~~

3.4 PHASING

3.4.1 Description of Phases (Neighborhoods)

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

~~APPROXIMATE HOUSING MIX PROGRAM~~

~~LAND USE DESIGNATION~~	~~NO. OF UNITS ALLOWED~~
~~Residential Mixed~~	~~1,000 to 2,250~~
~~Village Center~~	~~0 to 50~~
~~**Total**~~	~~**2,250 maximum**~~

~~NON-RESIDENTIAL SQUARE FOOTAGE~~

~~LAND USE DESIGNATION~~	~~MAXIMUM SQUARE FOOTAGE~~
~~Village Center~~	~~60,000~~ 140,000 sf
~~Commercial~~	~~40,000 sf~~
~~Limited Use~~	~~80,000~~ 40,000 sf
~~**Total**~~	~~**180,000 sf**~~

Table 3.2 ~~Housing Program/Non-Residential Square Footage~~ Intentionally left blank

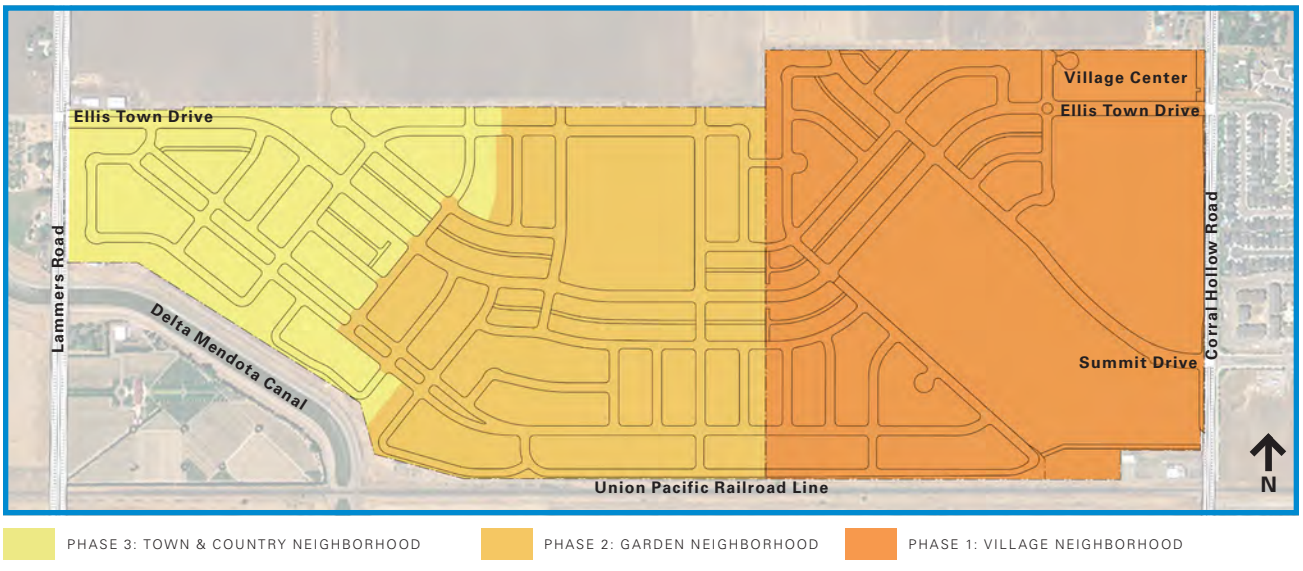


Figure 3.9 Illustrative Phasing Diagram



Figure 3.10 Illustrative View of Village Center



Figure 3.11 Illustrative View of the Village Neighborhood

3.4.2 Village Neighborhood (Phase 1)

General Description

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

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

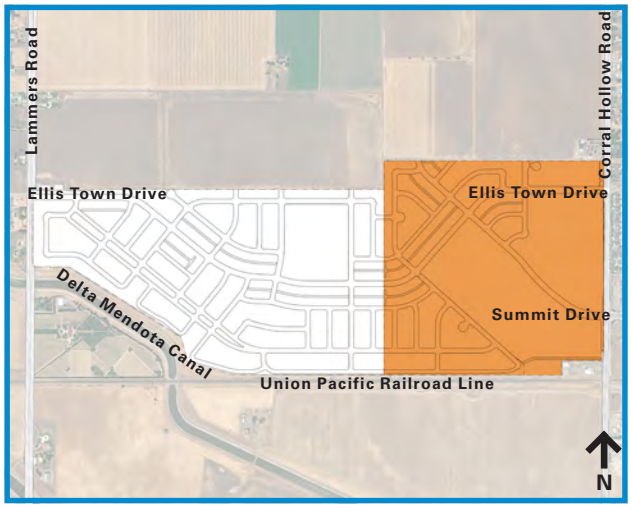


Figure 3.12 Village Neighborhood (Phase 1)

Land Use

This section of the community will contain a mix of uses. The ~~Modified Specific Plan~~ ESP will accommodate up to ~~60,000~~ 140,000 square feet of non-residential space in pedestrian-oriented ~~main street~~ buildings in the Village Center.

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

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

- ~~Family Swim Center~~ Aquatic Park
- Neighborhood retail
- A mix of residential uses
- Neighborhood parks
- ~~Minimal building setbacks~~



Figure 3.13 Illustrative View of the Garden Neighborhood

3.4.3 Garden Neighborhood (Phase 2)

General Description

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

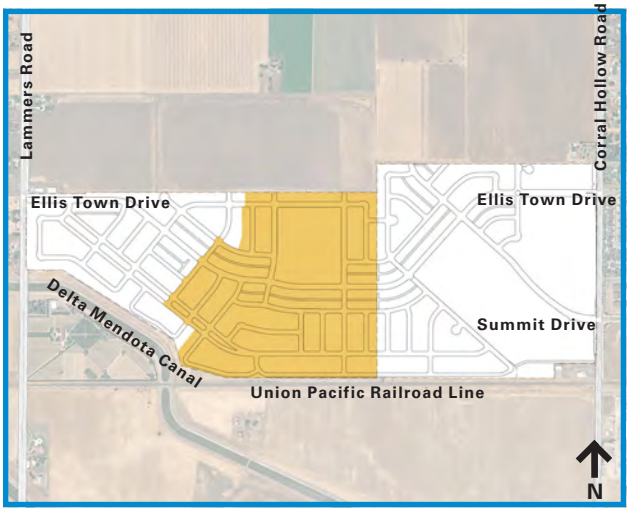


Figure 3.14 Town & Country Neighborhood (Phase 2)

Land Use

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

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

- Interconnected street network
- A mix of housing types and lot sizes
- ~~Moderate building setbacks~~
- ~~Themed neighborhood parks~~ School site
- Neighborhood park



Figure 3.15 Illustrative View of Town & Country Neighborhood

3.4.4 Town & Country Neighborhood (Phase 3)

General Description

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

Land Use

The Town & Country Neighborhood ~~is unique in the sense that it provides a transition of density from the Garden Neighborhood to off-site, low-density residential and agricultural uses. It~~ will include ~~detached unit types. Generally, this neighborhood will feature~~ lower-density residential uses ~~sited on, and~~ adjacent to~~, a series of~~ parks and open spaces.

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

- ~~High percentage of Residential Mixed Low land use~~ Low-density residential
- Quiet residential streets
- Rural landscape design
- Neighborhood park

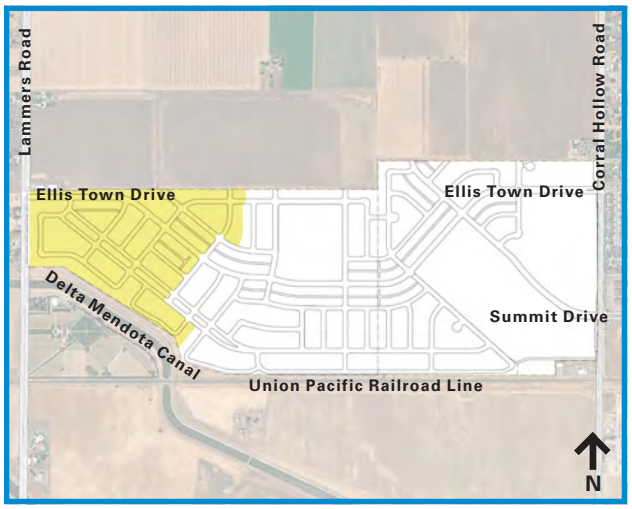


Figure 3.16 Garden Neighborhood (Phase 3)

3.5 GENERAL LAND USE REGULATIONS

3.5.1 Purpose and Applicability

The purpose of this section is to provide land use development standards that apply throughout the Ellis Specific Plan Area. The following sections describe property development standards including permitted uses, height limits, parking, underground utilities, resource conservation measures, sign regulations, fencing, and special landscape requirements. Design guidelines are included in the Ellis Pattern Book (Appendix A). All improvements shall follow the Tracy Municipal Code (TMC) unless specified herein. The permit review process however is described in ESP Section 6: Plan Review.

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

3.5.2 Permitted Uses

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

For the purposes of this ~~Modified Specific Plan~~ ESP, all permitted and conditionally permitted uses ~~have been classified into Use Categories. These categories~~ are described in Table 3.3. ~~They include permitted and conditional uses for each category, as well as other aspects of their development such as size.~~ All uses listed are permitted by right, except those uses specifically listed as *Conditional*. Conditional uses are defined as those which require special consideration of their impacts on the neighborhood and land uses in the vicinity and/or of their physical organization and design. A conditional use shall obtain Conditional Use Permit (CUP) approval in accordance with the TMC.

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

	Use Category	Village Center	Commercial	Limited Use	Residential Mixed	Parks	Residential Estates
1	Tracy Municipal Code, Article 5, Use Groups No. 1, 4, 29, and 54	permitted		–	–		–
~~1~~ 2	Retail	permitted		–	–		–
	a) Neighborhood Center Retail	permitted – G	–	–	–	–	–
	b) Commercial Corridor Retail		permitted	–	–	–	–
3	Park	permitted		permitted-L	permitted		permitted-L
~~2~~ 4	Civic, Quasi-Civic, and Cultural	permitted	–	–	permitted	permitted	permitted
~~3~~ 5	Office	permitted ~~– U~~	–	–	–	–	–
~~4~~ 6	Lodging	permitted	permitted	–	–	–	–
~~5~~ 7	Residential:						
	a) Live/Work	permitted *(Ground-floor Residential is Conditional)*	–	–	–	–	–
	b) Multi-Family Housing with Common Entry	permitted *(50 DUs maximum over the entire Village Center)*	–	–	permitted	–	–
	c) Attached Single-Family Housing with Individual Entry	permitted	–	–	permitted	–	–
	d) Detached Single-Family Housing	–	–	–	permitted	–	permitted-L
~~6~~ 8	Limited Use	–	–	permitted-L	–	–	–

Table 3.3 Permitted Uses

Legend		
– Not Permitted	G: Ground Floor Only	U: Upper Floors Only
L: permitted, subject to ALUCP restrictions		
Permitted: These elements are allowed, by right, unless otherwise specified.		
Conditional: Uses require CUP approval as specified in the TMC		

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

Table 3.3 Permitted and Conditionally Permitted Uses

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

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

Notes:

1. Outdoor merchandise sales and displays, or storage of merchandise, equipment, supplies (including automobiles, trailers, and other vehicles or containers), or other materials, are not permitted, unless approved by Ellis Pattern Book Certification/Development Review or Temporary Use Permit.
2. "Entertainment" means such uses as live music, disc jockeys, dancing, karaoke, comedy shows, modeling, or live performances.
3. Permitted, subject to restrictions of the San Joaquin County Aviation System Airport Land Use Compatibility Plan (ALUCP)
4. Storage or parking of semi-trucks and semi-trailers is not permitted. Manager living quarters is permitted as an accessory use. Washing, cleaning, and light maintenance/servicing of motor homes, travel trailers, boats, and rental moving vans is permitted for owners, customers, and clients of the Ellis storage facility.
5. Maximum of 50 total dwelling units in the Village Center
6. See Appendix A: Ellis Pattern Book, Section 3, Attached Residential
7. Residential living space that also includes an integrated work space principally used by one or more residents. Work activity shall be limited to office, the making of arts and crafts, including painting, graphic production, photography, print, ceramics, sculpture, needlework, tapestry making, pottery making, hand weaving, and other activities compatible with residential use. Primary access from the public sidewalk to residential living space shall be provided through the work space. Permitted work activities shall be classified as a business.
8. "Intentionally left blank."
9. Work activities that require hazardous assembly, including fabrication, manufacturing, and repair or processing operations, such as welding and woodworking, require approval of a conditional use permit.
10. Buildings used as a residence for multiple households where all dwelling units have a dedicated entrance accessed directly from the public sidewalk or publicly accessible open space.
11. Buildings used as a residence for multiple households where dwelling units are accessed from a common lobby or shared hallway.
12. See Appendix A: Ellis Pattern Book, Section 2, Detached Residential

3.5.3 ~~Neighborhood Center Retail~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Neighborhood-serving retail and services for which the nearby residential neighborhoods are intended to be the primary customers, featuring smaller scale uses up to 5,000 s.f. per use, including but not limited to grocery stores, clothing stores, pharmacies, banks and financial institutions (excluding check cashing stores), hair and nail salons, beauty or barber shops, shoe repair, cafes and food sales (e.g., delicatessens, bakeries, butchers, etc.), and residential convenience uses such as book stores, florists, dry cleaners, laundromats, or business convenience uses such as copy shops or office supply.~~

2 ~~Eating and drinking establishments, for which nearby residential neighborhoods are intended to be the primary customers, featuring small-scale uses up to 2,000 s.f. per use including the following uses:~~

   a) ~~Fast food restaurants without a drive-through~~

   b) ~~Restaurants~~

   c) ~~Beverage vendors serving coffee, smoothies, juices, and other non-alcoholic beverages~~

3 ~~Health and exercise clubs~~

4 ~~Business services — businesses that generate a significant amount of foot traffic, such as computer and office supply, photocopy shops, and print shops — excluding sales and storage of heavy equipment~~

5 ~~Personal services — especially those types of services that are particularly neighborhood-oriented — including the following and similar services: travel agencies, hair and nail salons, spas, beauty or barber shops, shoe repair~~

6 ~~Childcare facilities~~

~~Conditional Uses~~

1 ~~Retail and services exceeding 5,000 s.f. per use.~~

~~Special Conditions~~

1 ~~Drive-ups and drive-throughs are not permitted.~~

3.5.4 ~~Commercial Corridor Retail~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Everything in Neighborhood Center Retail, plus commercial sales and services up to 20,000 s.f., including the following:~~

   a) ~~Establishments selling or servicing goods such as groceries, party goods, art supplies, sporting goods, electronics or appliances, outdoor accessories, furniture, home furnishings, hardware, and home improvement stores~~

   b) ~~Commercial services such as miscellaneous repair service uses with no outdoor storage, including plumbing services, laundry services, cleaning and janitorial service and supplies, vacuum cleaning and sewing repair, repair and rental shops, etc. Industrial uses and services are not permitted.~~

   c) ~~Print and graphics supply and service, including typesetting, graphics and art services, etc.~~

   d) ~~Warehouse retail, restaurant supply retail, and warehouse-scale buying club retail~~

2 ~~Eating and drinking establishments, featuring medium-scale uses up to 6,500 s.f. per use including the following uses:~~

   a) ~~Drive-in/drive-through fast food restaurants~~

   b) ~~Dine-in/carry-out restaurants, including those serving alcoholic beverages~~

   c) ~~Drive-in/drive-up beverage vendors serving coffee, smoothies, juices, and other non-alcoholic beverages~~

   d) ~~Gas stations with convenience stores~~

3 ~~Decorative water tower~~

~~Conditional Uses (upon granting of a CUP)~~

1 ~~Uses featuring outdoor sales, outdoor/self storage~~
2 ~~Uses exceeding 20,000 square feet per use~~

~~Prohibited~~

1 ~~Permanent outdoor merchandise displays~~
2 ~~Car dealerships/sales~~
3 ~~Auto repair, including tires, batteries, and accessories~~

3.5.5 ~~Civic, Quasi-Civic, and Cultural~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Cultural and entertainment facilities including community theaters, performing arts centers, museums, and auditoriums~~
2 ~~Libraries~~
3 ~~Public recreation facilities, including parks and swim centers (as noted on Fig. 3.6)~~
4 ~~Community centers, senior centers, teen centers~~
5 ~~Childcare facilities~~
6 ~~Social service facilities~~
7 ~~Places of public assembly, including places of worship~~
8 ~~Fire and police stations~~
9 ~~Transit facilities, terminals, and stations~~
10 ~~Educational facilities~~
11 ~~Post office~~

3.5.6 ~~Office~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Business and professional offices~~
2 ~~Data/telecommunication offices~~
3 ~~Educational and instructional facilities~~
4 ~~Exhibition, convention or other commercial assembly facilities~~
5 ~~Medical and dental offices~~
6 ~~Real estate agencies and general finance offices~~
7 ~~Insurance agencies and title companies~~
8 ~~Research and development offices~~
9 ~~Indoor veterinary clinics~~

3.5.7 ~~Lodging~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Hostels, hotels, motels, and bed & breakfasts~~

3.5.8 ~~Residential – Live/Work~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Residential living space that also includes an integrated work space principally used by one or more residents: Work activity shall be limited to business (primarily office), the making of arts and crafts, including painting, graphic production, photography, print, ceramics, sculpture, needlework, tapestry making, pottery making, hand weaving and other activities compatible with residential use.~~
2 ~~Primary access from the public sidewalk to residential living space shall be provided through work space~~
3 ~~Permitted work activities shall be classified as a business and shall be provided through work space~~

~~Conditional Uses (upon granting of a CUP)~~

1 ~~Work activities that require hazardous assembly, including fabrication, manufacturing, and repair or processing operations such as welding and woodworking~~
2 ~~Ground-floor residential uses in the Village Center~~

~~Special Conditions~~

1 ~~The maximum number of employees onsite not including the owner/occupant is limited to two.~~

2 ~~Once established, Live/Work may not be converted to a solely commercial or business use. However, Live/Work units may revert to solely residential use, subject to the granting of a CUP.~~

3.5.9 ~~Residential – Multi-Family Housing (common entry)~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Buildings used as a residence for multiple households where dwelling units are accessed from a common lobby entry or shared hallway~~

2 ~~Senior residential facilities~~

3.5.10 ~~Residential – Attached Single-Family Housing (individual entry)~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~Buildings used as a residence for multiple households where all dwelling units have a dedicated entrance accessed directly from the public sidewalk or publicly accessible open space~~

3.5.11 ~~Residential — Detached Single-Family Housing~~ Intentionally Left Blank

~~Permitted Uses~~

1 ~~A detached building used as a residence for one household~~

2 ~~Secondary Residential Units. The lot upon which the unit is located shall have an area of at least 4,800 square feet.~~

3.5.12 ~~Limited Use~~ Intentionally Left Blank

~~Permitted Uses~~

~~All uses permitted in the Outer Approach/Departure Zone per the 1998 Tracy Municipal Airport Master Plan and the 2009 San Joaquin County Airport Land Use Compatibility Plan (ALUCP), including in-door and outdoor self storage (conditional approval not required).~~

~~ALUCP Outer Approach/ Departure Zone~~

~~Defined in Section 3.1.1. (d) of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan (ALUCP), as Zone 4, Outer/Approach Departure Zone situated along extended runway centerline beyond Zone 3. Approaching aircraft are usually at less than traffic pattern altitude in Zone 4. Prohibited Uses and other conditions within the Outer Approach/Departure Zone are limited to those identified in Table 3A of Section 3.1.1. — of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan.~~

3.5.13 Height Limits

This section sets forth the building height limit ~~and permitted number of stories~~ within each of the land use designations described in Section 3.2. Ellis building height regulations are documented in Table 3.4.

BUILDING HEIGHT LIMITS

LAND USE DESIGNATIONS	DESCRIPTION	~~LOT TYPE A~~	~~LOT TYPE B~~ MAXIMUM HEIGHT(1)
RE	Residential Estate		35 feet
RM	Residential Mixed		35 feet (2) (4)
	~~Low~~	~~2 1/2 stories~~	~~35 feet~~
	~~Medium~~	~~3 stories~~	~~40 feet~~
	~~High~~	~~3 stories~~	~~50 feet (1)~~
VC	Village Center		45 feet (4)(5)
~~**C**~~	~~Commercial~~	~~2 1/2 stories~~	~~35 feet (3)(4)~~
LU	Limited Use	~~2 stories~~	35 feet (5)
~~**P**~~	~~Parks~~	~~1 story~~	~~30 feet (2)(4)~~

TABLE CATEGORY KEY

~~**A** Permitted number of stories~~

~~**B** Building height limits as defined by the Tracy Municipal Code (TMC)~~

NOTES

~~Residential finished floors should be a minimum 18 inches above adjacent public sidewalks~~

(~~1~~5) Towers~~, parapet walls,~~ and other architectural or ornamental features may extend above the permitted building height by up to 10 feet. All roof-mounted mechanical equipment, including but not limited to: HVAC equipment, vents, skylights, fans, hoods, antennas, satellite dishes, and access hatches or ladders shall be at or below the height of the exterior parapet wall and not visible from any public right-of-way

(2) No maximum ~~number of stories or~~ height limit for the ~~Family Swim Center~~ Aquatic Park

(3) One freestanding water tower landmark may extend up to 40 feet high

(4) Flag poles and banner poles are permitted in Village Center, ~~Commercial, and Parks~~ Limited Use, and Aquatic Park at heights up to 50 feet

(1) Measurement of buildings heights shall be as defined by the Tracy Municipal Code (TMC)

Table 3.4 Height Limits

3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking

Off-Street Parking Requirements

Off-street parking shall be provided in the ESP in accordance with the City of Tracy off-street parking requirements (Tracy Municipal Code, Article 26) except as otherwise specified below. The standard parking requirements shall be modified per Table 3.5.

~~Ellis will provide the minimum amount of parking required. Off-street parking for land uses in the Village Center shall be shared use. Shared-use parking refers to spaces that are available to multiple functions in close proximity, which are unlikely to require the same spaces at the same time, such as Commercial and Village Center residential. Privately-owned parking areas shall not prohibit use by customers of other Ellis properties. The standard parking requirement is reduced by a factor according to the type of use and peak hours of demand, and is reflected in Table 3.5~~

~~Off-street Parking Requirements. Shared-use parking shall be constructed in the form of landscaped parking lots that are separated from public roads; however, the following standards may be used to meet the parking requirements:~~

1. ~~Shared-use parking standards will be used to meet the parking requirements of the mixed-use Village Center.~~
2. ~~Off-street parking is not required on the same parcel as the non-residential use.~~
3. ~~If the Transit Center is implemented, the parking requirement will be determined in conjunction with the relevant transportation authorities~~.

PARKING SPACES REQUIRED

USES	MINIMUM PARKING SPACES REQUIRED
Multi-family Residential in the Village Center	1.25 space per unit, including guest parking
Cafes, restaurants and other establishments for the sales and consumption of food and beverages in the Village Center	One space per 250 square feet of gross non-residential floor area. On-street parking spaces along Ellis Town Drive, that are within 300 feet of the Village Center, may be counted towards meeting the minimum number of parking spaces required. (for any non-residential uses in the Village Center)
Self Storage	One space for the manager and one space per 400 gross square feet of any office or retail components

Table 3.5 ~~Off-street Parking Requirements~~ Parking Spaces Required

Loading Space

Loading spaces shall be provided in the ESP in accordance with the City of Tracy loading space requirements (Tracy Municipal Code, Article 26) except as otherwise specified below.

Loading spaces for uses within the Village Center (VC), ~~Commercial (C),~~ and Limited Use (LU) land use areas will be provided for in accordance with the following allowances and requirements:

1 No off-street loading spaces for non-residential uses are required for occupancy of 8,000 square feet or less ~~square feet~~ of gross floor area.

~~2 Loading and unloading is permitted within the on-street parking lane of the public right-of-way during off-peak hours for occupancy of up to 8,000 square feet of gross floor area.~~

~~3~~ 2 Loading and unloading areas must be designated and posted.

Landscaping Requirements for Parking Areas

1 Landscaping in parking areas shall be provided in the ESP in accordance with the City of Tracy landscaping requirements (Tracy Municipal Code, Article 26) except as otherwise specified below.

2 The minimum width of any landscape area within a parking lot shall be ~~6~~5 feet.

3 In all landscape areas, low shrubs, ornamental grasses, perennials, annuals, and/or groundcover must be installed in addition to canopy trees. Turf is not permitted. All landscape areas within a parking lot must be irrigated.

~~4 Three-foot-high screening of parking lots is required from public rights-of-way.~~

~~5~~ 4 Landscaping shall consist of plant materials and special hardscape, and shall include a combination of trees, shrubs, ground cover, and may include enhanced paving on walking surfaces.

~~6~~ 5 Landscaping requirements for parking areas shall not apply to storage uses inside the security fence boundary.

Bicycle Parking Areas

Designated bicycle parking areas for Village Center (VC), ~~Commercial (C),~~ Limited Use (LU), and Multi-Family within Residential Mixed (RM) zoning, and for the ~~Family Swim Center~~ Aquatic Park, shall be provided in accordance with the following standards:

A Required number of slots:

- **MULTI-FAMILY** – 0.5 spaces per multiple-family unit
- **VILLAGE CENTER (VC)** – 1 space per 20 required parking spaces
- ~~Commercial (C/LU) – 1 space per 20 required parking spaces~~
- ~~**FAMILY SWIM CENTER**~~ **AQUATIC PARK (P)** – 1 space per 20 required parking spaces

B A sidewalk or hard surface is required to connect bike parking areas to bike lanes and /or bike trails.

C Equipment racks that allow the bike frame and at least one wheel to be locked to the rack are required.

D Bicycle parking areas ~~must~~ should be as well-lit as vehicle parking lots and should be located in areas visible from paved sidewalks and the intended destination.

E Bicycle parking shall be located on the site within two-hundred (200') feet of the public entrance to each building or use.

3.5.15 Underground Utilities

All utility distribution facilities (including but not limited to electric, gas, water, communication, and cable television lines), including utility service laterals and equipment, installed in and for the purpose of supplying service to any building or property shall be vaulted, except equipment appurtenant to underground facilities, such as risers from concealed ducts and poles supporting street lights.

3.5.16 Residential Lot Type Diversity

Residential diversity refers to the criteria that will be used to establish the location of various residential lot types to encourage an interesting and compatible neighborhood mix and to discourage the domination of a sub-area by only one or only a few lot types. The ESP residential mixing requirements are as follows:

Attached Types

1. No more than 200 apartment units or condominium units located together.
2. No more than 800 linear feet of one lot type along the same street face without a break. A break is defined as a physical interruption. Breaks must be a minimum of 200 linear feet and can be created by the use of a park or another lot type.

Detached Types

1. No more than 1,200 linear feet of one lot type along the same street face without a break. A break is defined as a physical interruption. Breaks must be a minimum of 200 linear feet and can be created by use of a park or another lot type. Street rights-of-way can also be part of a break.

Note:

1. Within each neighborhood (Village, Garden, and Town & Country) there shall be a minimum of four different lot types. A single lot type may represent up to 50% of the lot mix.
2. Approved lot types are documented in the Pattern Book. Front-loaded versus Rear-loaded lots constitutes two different lot types.
3. For housing diversity requirements please refer to Pattern Book.

TR-ELLIS – RESIDENTIAL MIXED			
LOT TYPE	RESIDENTIAL MIXED LOW	RESIDENTIAL MIXED MEDIUM	RESIDENTIAL MIXED HIGH
Townhouse			X
Live/Work			X
Mansion Apartments			X
Courtyard			X
Green Court			X
30 R			X
40 R		X	
45 R		X	
50 R		X	
50 F		X	
55 R		X	
55 F		X	
60 R		X	
60 F		X	
65 R	X		
65 F	X		
70 F	X		
80 F	X		
100 F	X		

GENERAL DIVERSITY REQUIREMENTS

Single-Family Lots
30 or fewer lots = 1 floor plan/2 elevations
31 to 50 lots = 2 floor plans/2 elevations
51 or more lots = 3 floor plans/3 elevations

Courtyard and Green Court Lots
52 or fewer lots = 2 floor plans/2 elevations
53 or more lots = 3 floor plans/3 elevations

Table 3.6 TR-Ellis – Residential Mixed

3.5.17 Resource Conservation Measures

Ellis has been designed and planned with environmental sustainability measures in mind. Such measures include compliance with new water efficiency standards for landscaping, walking paths, community connectivity, and Class 1 bike paths. Non-residential development will be consistent with the requirements for Neighborhood Electric Vehicles (NEV). Ellis is also located on a commuter rail line with a current transit stop less than two miles away.

Building plans shall show characteristics of each feature, material, component and manufactured devisces proposed to be installed to meet current building energy efficiency standards.

3.5.18 ~~Sign Regulations~~ Private Property Signs

~~All signs in the Village Center, Commercial, and Limited Use land uses will be regulated under Title 10, Article 35 of the Tracy Municipal Code except as otherwise specified in the following:~~

Signs in the Ellis Specific Plan Area on private property shall be regulated by Title 10, Article 35 of the Tracy Municipal Code, except as specified in Section 3.5.18 of the Ellis Specific Plan and Appendix B: Sign Program. The signs included in this Ellis Sign Program shall be permitted as shown. The approval process shall include only building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code.

In addition, the design of the landscape features/ character elements in Appendix B: Sign Program shall be permitted as shown.

Sign Area

The maximum allowed sign area shall be based on building frontage and calculated as described in Title 10, Article 35, of the Tracy Municipal Code. As it pertains to calculating sign area, "building frontage" shall mean the building elevations facing a street, plaza, mall, or parking area. Where the building contains multiple uses, "building frontage" shall mean the linear frontage of that portion of the building between the occupancy separation walls.

~~Monument Signs (in the Village Center)~~

~~Up to two monument signs are permitted on each corner parcel at the proposed intersection of Corral Hollow Road and Ellis Drive, per 10.08.4460 – Standards by Sign Type, subparagraph "c."~~

~~Furthermore, any business may construct and maintain one off-site monument sign if all provisions of subparagraph "g" are met with the exception of the recorded easement requirement. The maximum area of each sign is twenty-four (24) square feet.~~

Projecting Signs (along Corral Hollow Road)

One projecting sign is permitted on each character element (~~water tower and~~ silo and granary) ~~at the proposed intersections of~~ along Corral Hollow Road ~~and Ellis Drive/ Summit DriveEllis Drive (see Section 4.7 Special Landscape Features)~~. The maximum area of each face of each sign is ~~one-hundred twenty (120)~~ eighty (80) square feet. Signs may be internally or externally lit.

~~Sign Structures~~

~~Permanent sign structures to support temporary signs are permitted in Commercial and Village Center land use areas (see 4.8.2 Signage).~~

~~Murals~~

1. ~~Maximum height: None~~
2. ~~Maximum area: No maximum~~
3. ~~Permitted zones: All zones~~
4. ~~Restrictions: Limited to community name, logo, and date established. Village Center name, logo, and directional arrow are also permitted.~~
5. ~~Sign permit needed: No~~

~~Architectural Accents~~

~~An Architectural Accent is a permanent decorative panel attached to a building or structure.~~

1. ~~Maximum height: None~~
2. ~~Maximum area: Fifty (50) square feet~~
3. ~~Permitted zones: All zones~~
4. ~~Sign permit needed: No~~

~~Monument Signs~~

- ~~Maximum height in the LU Zone: Six (6) feet~~
- ~~Maximum height in the TR-Ellis Zone: Four (4) feet~~

~~Directional Signs~~
~~Maximum height: Twelve (12) feet~~

~~Residential Subdivision Signs~~
~~One temporary real estate sign .for Ellis is permitted at each entrance from an arterial or collector street. In addition, up to five additional temporary real estate signs are permitted anywhere within the ESP boundary.~~

3.5.19 Fencing

Fencing shall be provided in the ESP in accordance with the City of Tracy fencing requirements (Tracy Municipal Code, Article 24) except as otherwise specified below. The permitted maximum height within any required front yard shall be no greater than three feet measured vertically from the top of the fence to the grade of the sidewalk nearest the property line. Model home fencing may extend into the public right-of-way to include public sidewalks in fenced areas.

A screening fence or boundary wall six feet (6') to twelve feet (12') in height, measured from the finished grade of the commercial property line, separating the commercial zone property from adjoining ~~residential~~ zones, shall be permitted around both permanent and temporary outdoor/self storage uses.

3.5.20 Outdoor Merchandise Display or Storage

Permanent outdoor display or storage of merchandise, equipment, supplies (including automobiles, trailers, and other vehicles), or other material is prohibited unless explicitly approved by the City through Pattern Book Certification or approved through a Temporary Use Permit, regulated under the TMC. An exception is for Ellis Storage moving trucks, which may be parked at the Ellis storage site.

3.5.21 Special Requirements

Railroad

The minimum permitted setback to habitable space from the centerline of the Union Pacific Railroad track shall be 100 feet.

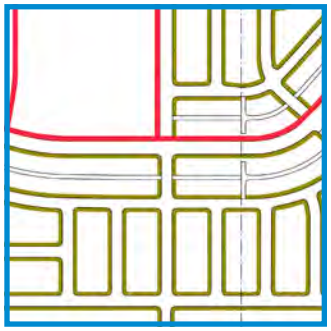
Pipelines

The minimum permitted setback to habitable space from the centerline of the combined existing Pacific Gas & Electric (PG&E) and Chevron easements shall be 100 feet.

3.5.22 Subdivision

All subdivisions shall be generally conforming to the layout on Figure 3.6 ESP Zoning Summary. Diagrams in the ESP are illustrative and not intended to represent the precise final layout. The exact location of blocks, streets, lanes, and public facilities will be determined upon the approval of detailed plans. In general, typical blocks will be approximately 200 feet wide by 500 feet long and streets/lanes are based on the types documented in Section 4.

Section 4
Infrastructure



Infrastructure

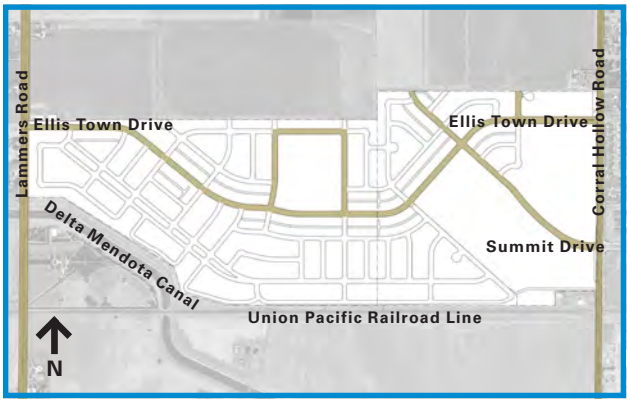


Figure 4.1 Primary Street Network

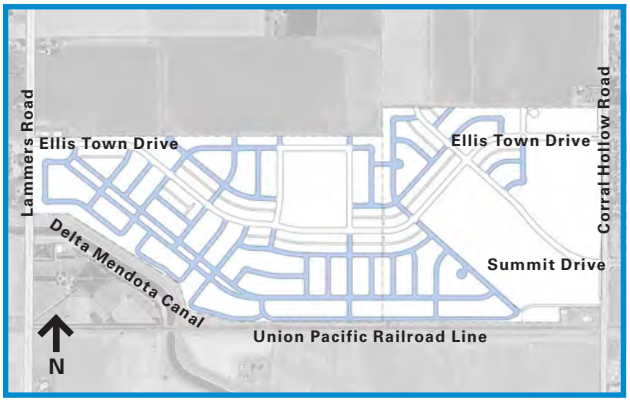


Figure 4.2 Internal Street Network

4.1 VEHICULAR ACCESS

Ellis is located adjacent to the current City limit of the City of Tracy and will be annexed into the City. Ellis has close proximity to Interstate 580, which connects the Central Valley with the East Bay and the Bay Area farther to the west. Ellis also has access to Interstate 205, running east/west, and has access to Interstate 5, running to Los Angeles and other points south. More immediate to the Ellis parcel, the area is connected to the City of Tracy by Lammers Road and Corral Hollow Road. Corral Hollow is a city arterial, however Lammers Road currently terminates at the southwestern edge of Ellis, near the Delta Mendota Canal. Lammers Road is planned to be improved to a six-lane expressway in the future. Urbanization of Ellis will require improvements to streets both within and beyond its boundary, particularly Lammers Road. East/west community streets will also provide main connections for the Ellis community to Corral Hollow and Lammers Roads, and therefore connectivity to the City of Tracy itself.

The land use concept for Ellis contains a framework for circulation consisting of both a Primary Street Network and an Internal Street Network (Figures 4.1 and 4.2). Proposed access to the community will be provided by new main entrances from Corral Hollow Road and Lammers Road, the main north / south arterials defining the edges of Ellis. A main community street, named Ellis Town Drive, will align with Peony Road, connecting the new community to the residential development to the east. Ellis Town Drive will lead from the Village Center and proposed ~~Family Swim Center~~ Aquatic Park to Lammers Road. Lammers Road will provide access to Ellis on the western edge of the community. A second main community street will align with the existing signaled intersection of Corral Hollow Road and Middlefield Road. ~~This~~ The new street will ~~also~~

be called ~~Middlefield Road~~ Summit Drive and will lead from Corral Hollow Road to the north, through the Village Neighborhood, and may eventually connect to future community streets to the north of the ESP area. Through the environmental review process, including the City's certification of the ESP Revised Environmental Impact Report (Revised EIR), mitigation measures will be adopted and incorporated into the project to ensure compliance with, and implementation of, the City's General Plan goals, objectives, and policies concerning traffic congestion and other circulation issues, in accordance with the Ellis Program's Finance and Implementation Plan.

4.1.1 Street Network and Hierarchy

A grid pattern of different street types (see Figure 4.7 Street Hierarchy), each with a different character and function, will serve the transportation needs of the community. With sidewalks on all streets, and bikeways on many, the streets will become the armature for the pedestrian and bicycle network as they connect the residential neighborhoods, and parks within and beyond Ellis.

All streets will accommodate movement of emergency vehicles (including Fire and Public Safety vehicles).

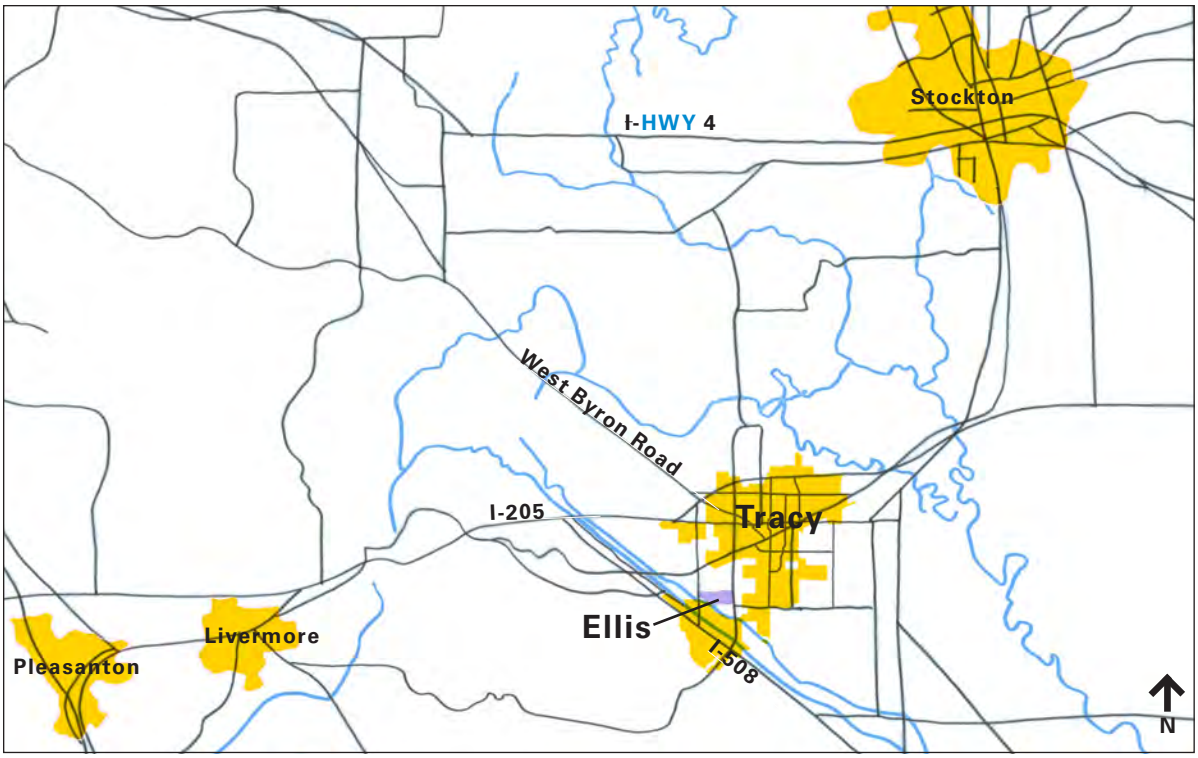


Figure 4.3 Regional Roads

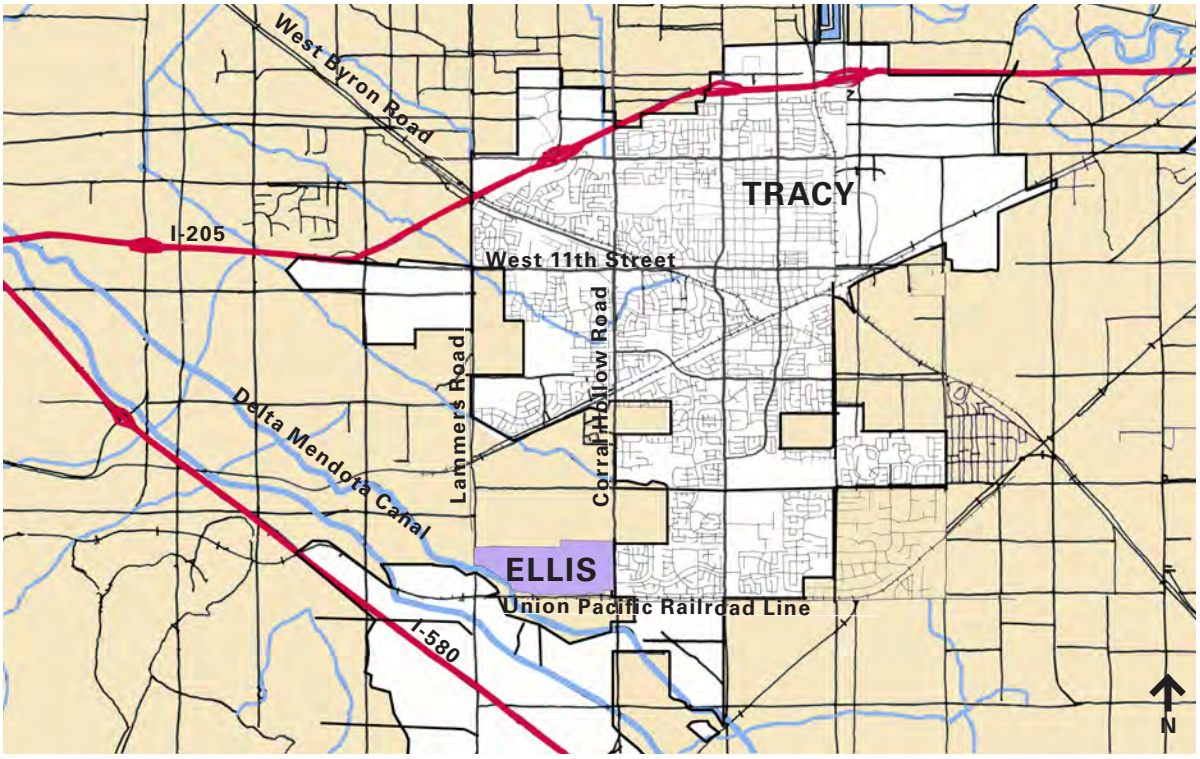


Figure 4.4 Vicinity Roads

In order to create pedestrian-friendly streets, the project design includes pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways are designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips by featuring traffic calming measures. The ESP traffic calming menu of measures includes: traffic signals, all-way stop signs, two-way stop signs, on-street parking, bulb-outs at intersections, speed tables, traffic circle with all-way stops, knockdowns, chicanes, medians, closures (cul-de-sacs), diverters, education, forced turn lanes, etc. Figure 4.5 illustrates some of these techniques. More detailed measures may be utilized in specific areas, such as specially lit crosswalks in the Village Center, to promote safety. 100% of streets and intersections will be considered for improvements. The final type and location of all traffic-calming elements will be determined at the time of Vesting and Tentative Map approval. All streets will be publicly owned and maintained ~~and will be built to the standards established by the ESP~~. Streets will be built to the standards established by applicable City Engineering Design and Construction Standards and Standard Plans, except as modified by the ESP.

Figure 4.8 through 4.13 identify streets by type: Regional Arterial, Entry, Community, Village Center, Neighborhood, and Lanes. The City is to accept dedicated streets and lanes, with the final location to be determined during Vesting and Tentative Map development.

Controlling Vehicle Movement



Traffic Signal



All-way Stop Sign



Two-way Stop Sign

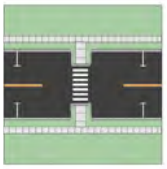
Narrowing the Street



On-street Parking



Bulb-out Intersection (intersection of a Community Street and a Neighborhood Street)



Speed Table

Deflecting the Vehicle Path



Traffic Circle with All-way Stop



Knockdown (intersection of two Community Streets)



Chicane/Deflection

Figure 4.5 Traffic-Calming Measures



Figure 4.6 Pedestrian-friendly Streets

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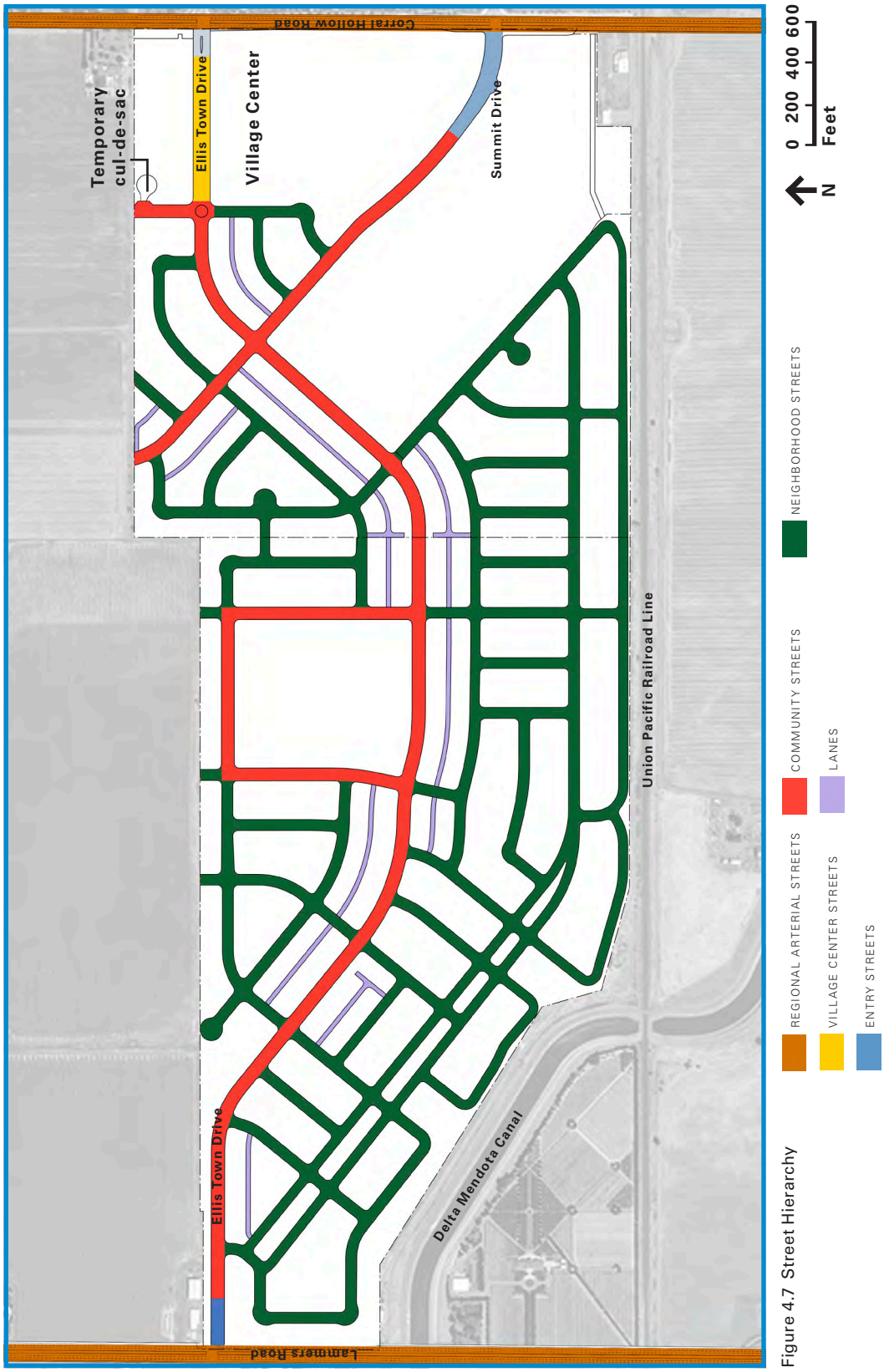


Figure 4.7 Street Hierarchy

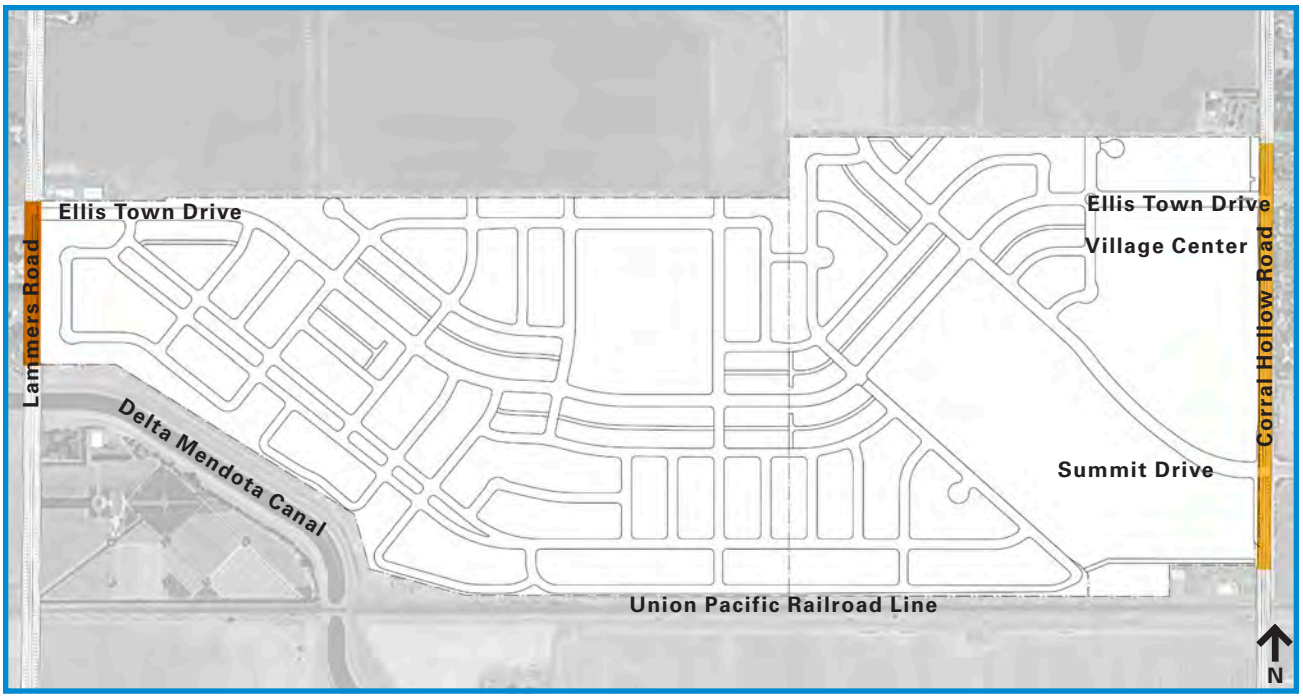


Figure 4.8 Regional Arterial Streets



Figure 4.9 Entry Streets

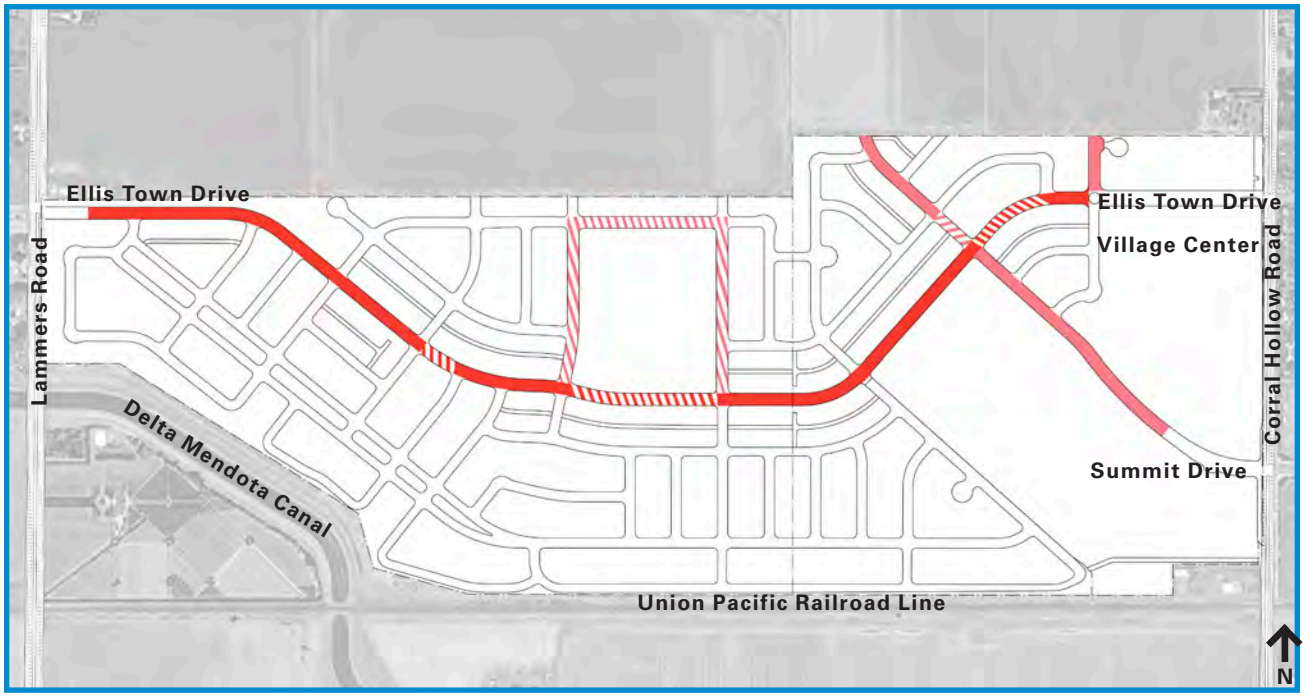


Figure 4.10 Community Streets

COMMUNITY STREET A
COMMUNITY STREET B
PARK ALTERNATIVE COMMUNITY STREET A
PARK ALTERNATIVE COMMUNITY STREET B

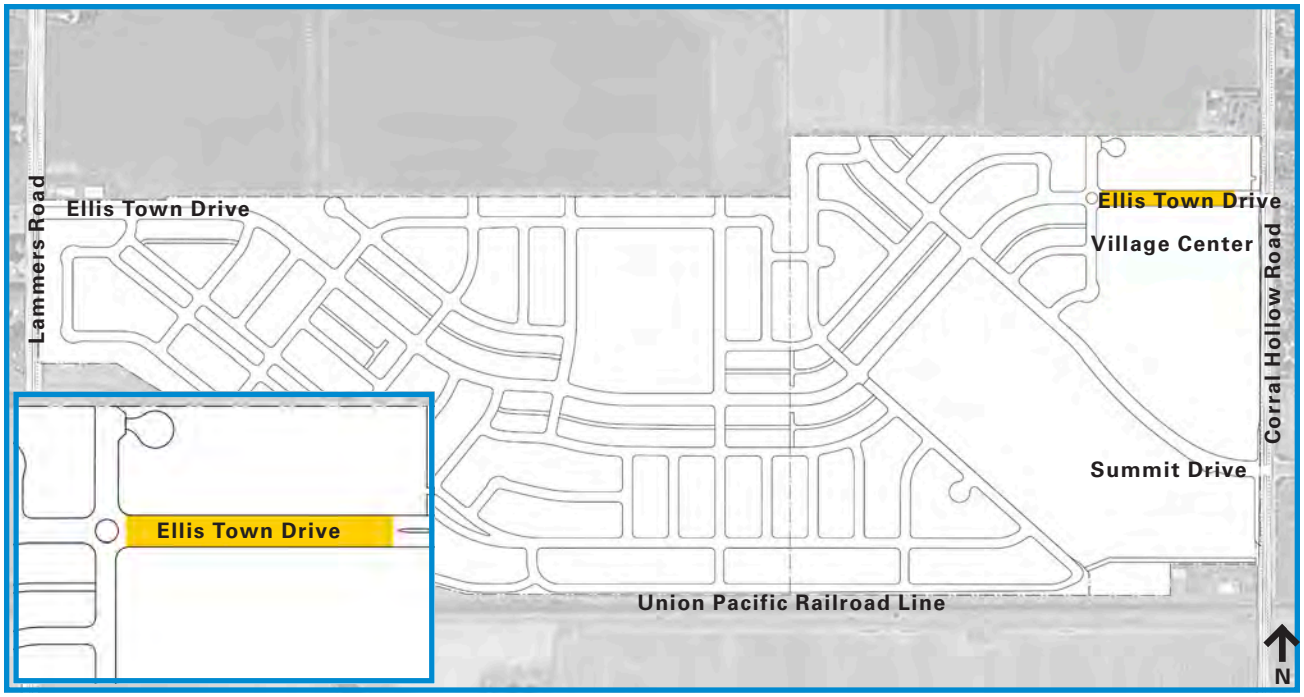


Figure 4.11 Village Center Street

VILLAGE CENTER STREET A

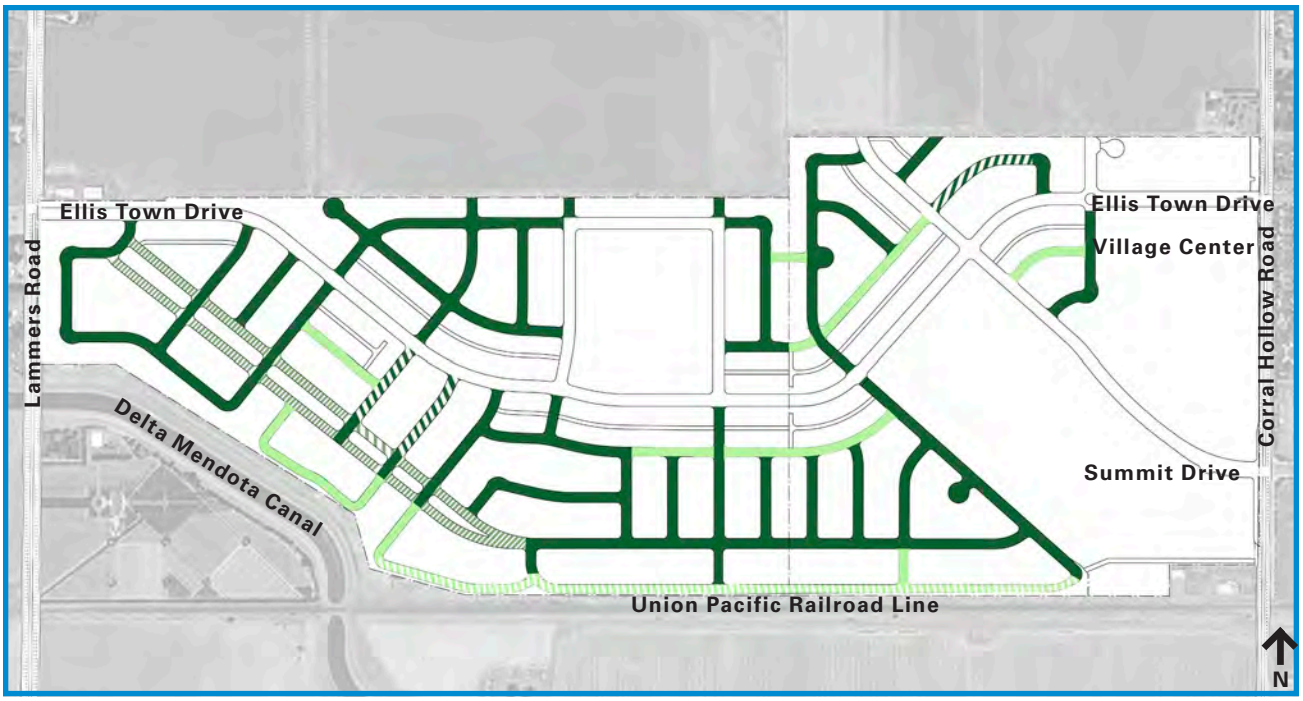


Figure 4.12 Neighborhood Streets

NEIGHBORHOOD STREET A
NEIGHBORHOOD STREET B
PARK ALTERNATIVE NEIGHBORHOOD STREET A
PARK ALTERNATIVE NEIGHBORHOOD STREET B
NEIGHBORHOOD STREET E
PARK ALTERNATIVE NEIGHBORHOOD STREET E

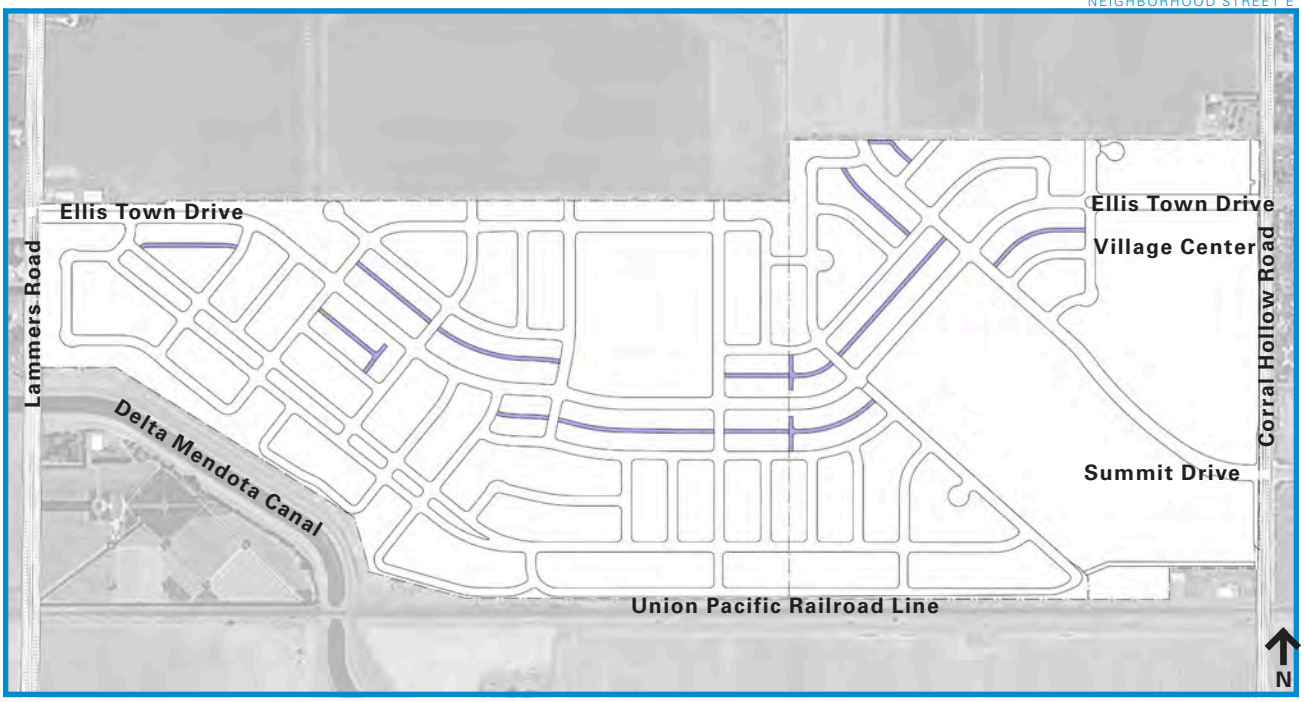


Figure 4.13 Lanes

LANE

Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

4.1.2 Regional Arterial: Lammers Road

Designation: A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road)

Definition

Lammers Road is an existing undivided two lane roadway that serves as a major north/south connection for the City of Tracy and is located on the western boundary of the City's existing developed area. The only on-street bicycle lanes within Lammers Road are located on the eastern side of the roadway in the segment north of Eleventh Street. The posted speed limit within the City is 45 miles per hour. Lammers Road is designated as a future expressway in the 1994 Roadway Master Plan. The Ellis project will be responsible for construction of the connection of Ellis Town Drive to Lammers Road per street section shown in Figure 4.15.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way, two lanes; dedicated turn lane at intersection

PARKING None

R.O.W. WIDTH 180 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE None

SIDEWALK WIDTH None

BICYCLE LANE None

PARK STRIP None

LANDSCAPE ~~Double~~ A row of street trees underplanted with low water use grasses with backdrop of columnar trees planted in a windrow; transitional area to be planted with low water use grasses and/or shrubs (irrigated); see Section 4.7.3, 4.7.6 and Tables 4.1, 4.2, and 4.3

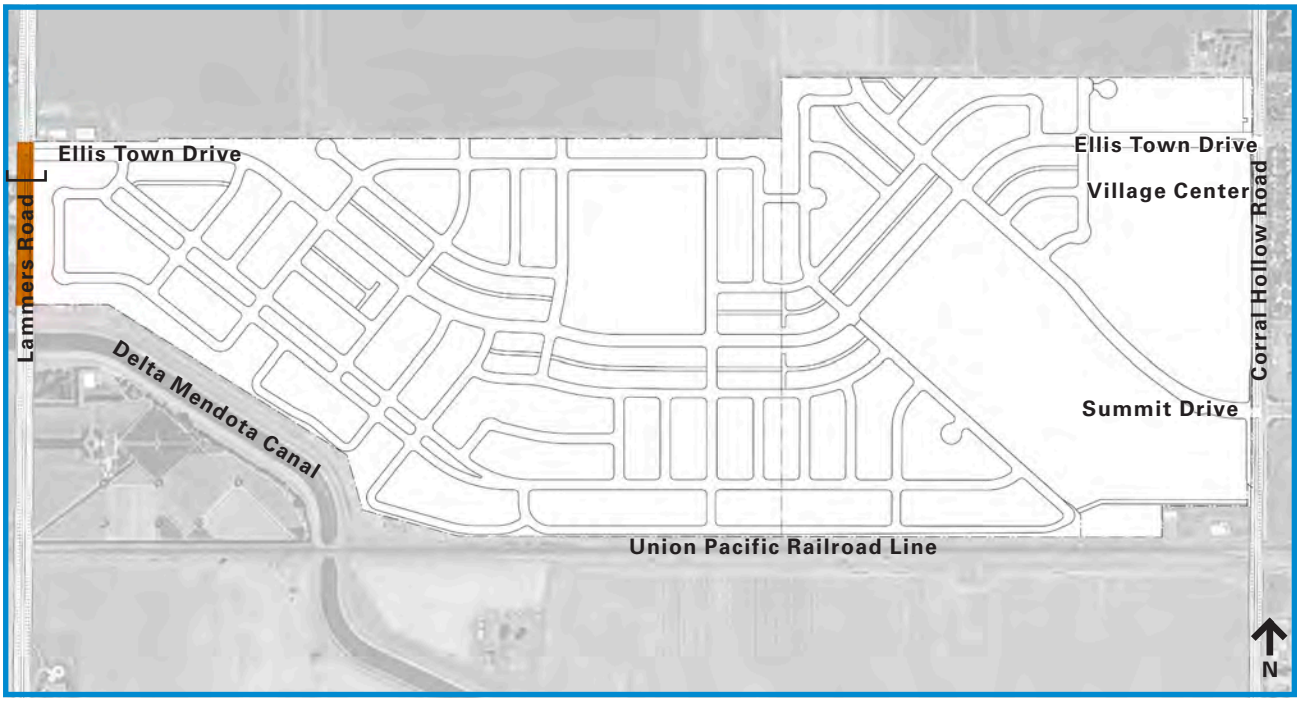


Figure 4.14 Key Plan: Regional Arterial – Lammers Road, Designation A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road)

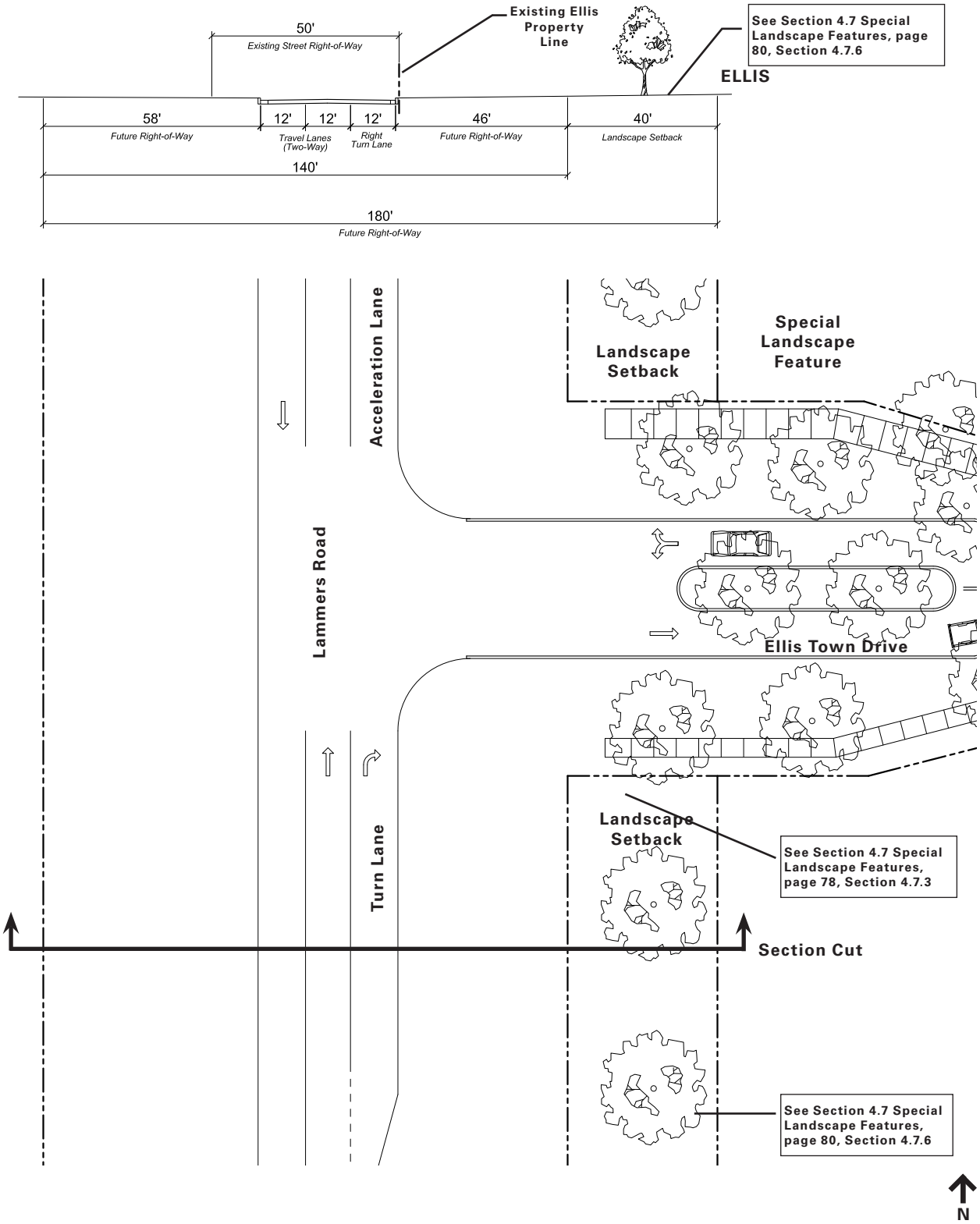


Figure 4.15 Existing Section and Plan: Regional Arterial – Lammers Road, Designation A (Cross-section at the time of connection of Ellis Town Drive to Lammers Road)

Designation: A (Final Build-out)

Definition

Lammers Road is designated as a future expressway and may be built to such standards in final build-out. According to the City of Tracy General Plan, expressways are designed to prioritize traffic movement with very limited access. This type of road has a 1/4 mile minimum spacing of access points and traffic control at major intersections provided by grade-separated facilities.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way divided roadway, six lanes with dedicated turn ~~lanes~~ lane at intersection

PARKING None

R.O.W. WIDTH 180 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path, one side

BICYCLE LANE Class 2, both sides

PARK STRIP 6 feet at curb and 30 foot dedicated landscape setback behind sidewalk on the east side only

LANDSCAPE ~~Double~~ A row of street trees under-planted with low water use grasses and/or shrubs, and backed by a windrow of columnar trees (irrigated); see Section 4.7.6 and Tables 4.1, 4.2, and 4.3

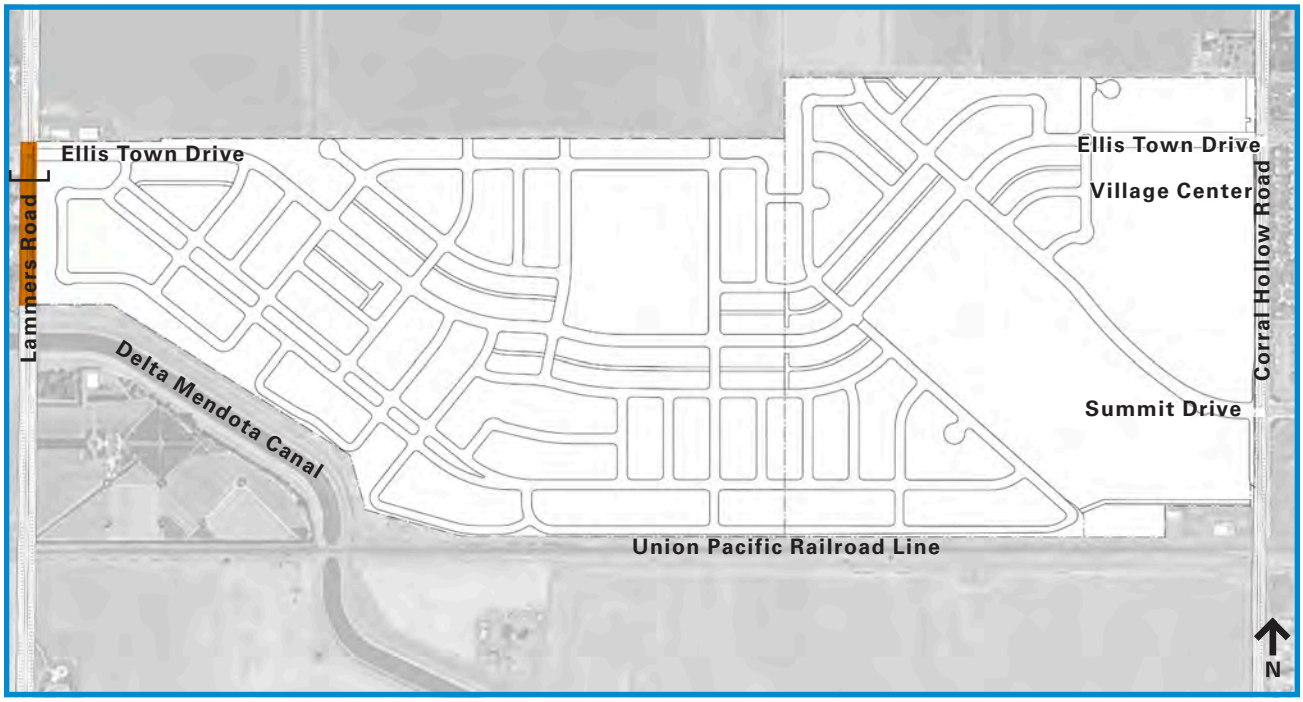


Figure 4.16 Key Plan: Regional Arterial – Lammers Road, Designation A (Final Build-out)

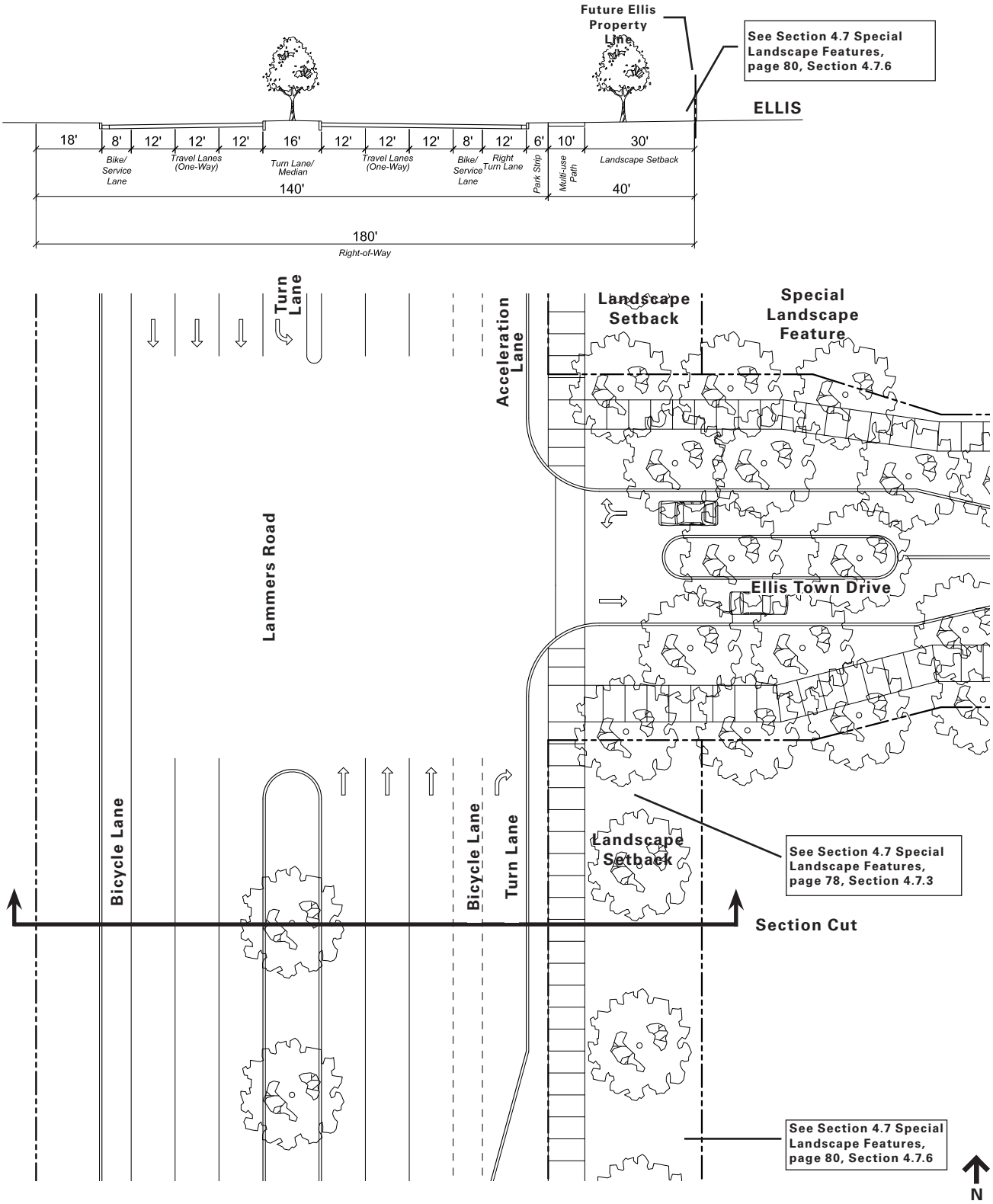


Figure 4.17 Build-out Section and Plan: Regional Arterial – Lammers Road, Designation A (Final Build-out)

4.1.3 Entry Street

Designation: A

Definition

Ellis Town Drive will be a primary entrance accommodating the largest traffic volumes entering and exiting the community from Lammers Road. Adjacent uses include special landscape features and residences. This street will have large trees in both the median and the park strip to celebrate the entrance. No on-street parking is allowed. A signal will be constructed by others at this new intersection prior to final build-out of Lammers Road.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes maximum

PARKING None

R.O.W. WIDTH 86 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 8 feet on one side; 10-foot multi-use path on the other side

BICYCLE LANE Class 1, one side

PARK STRIP 10 feet at curb on both sides

LANDSCAPE Double row of street trees underplanted with low water use grasses, shrubs, and/or groundcover (irrigated); planted median with trees (irrigated); see Section 4.7.3 and Tables 4.1, 4.2, and 4.3

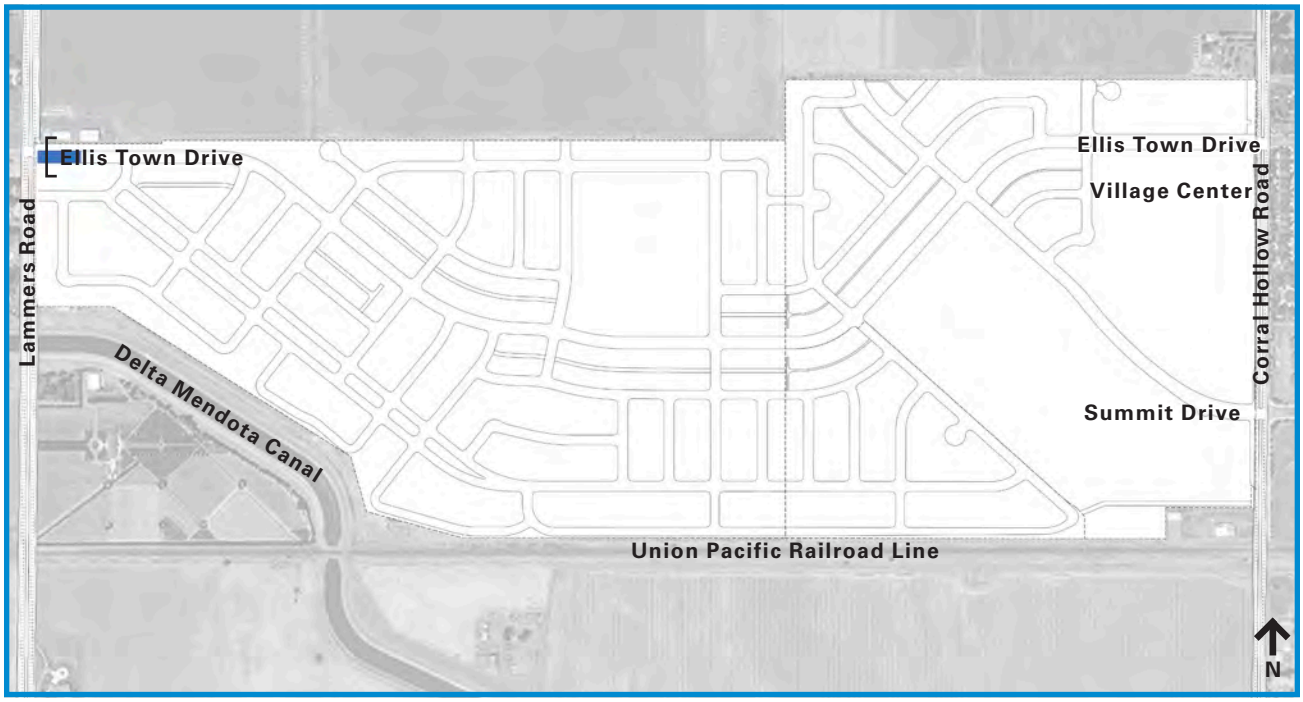


Figure 4.18 Key Plan: Entry Street A

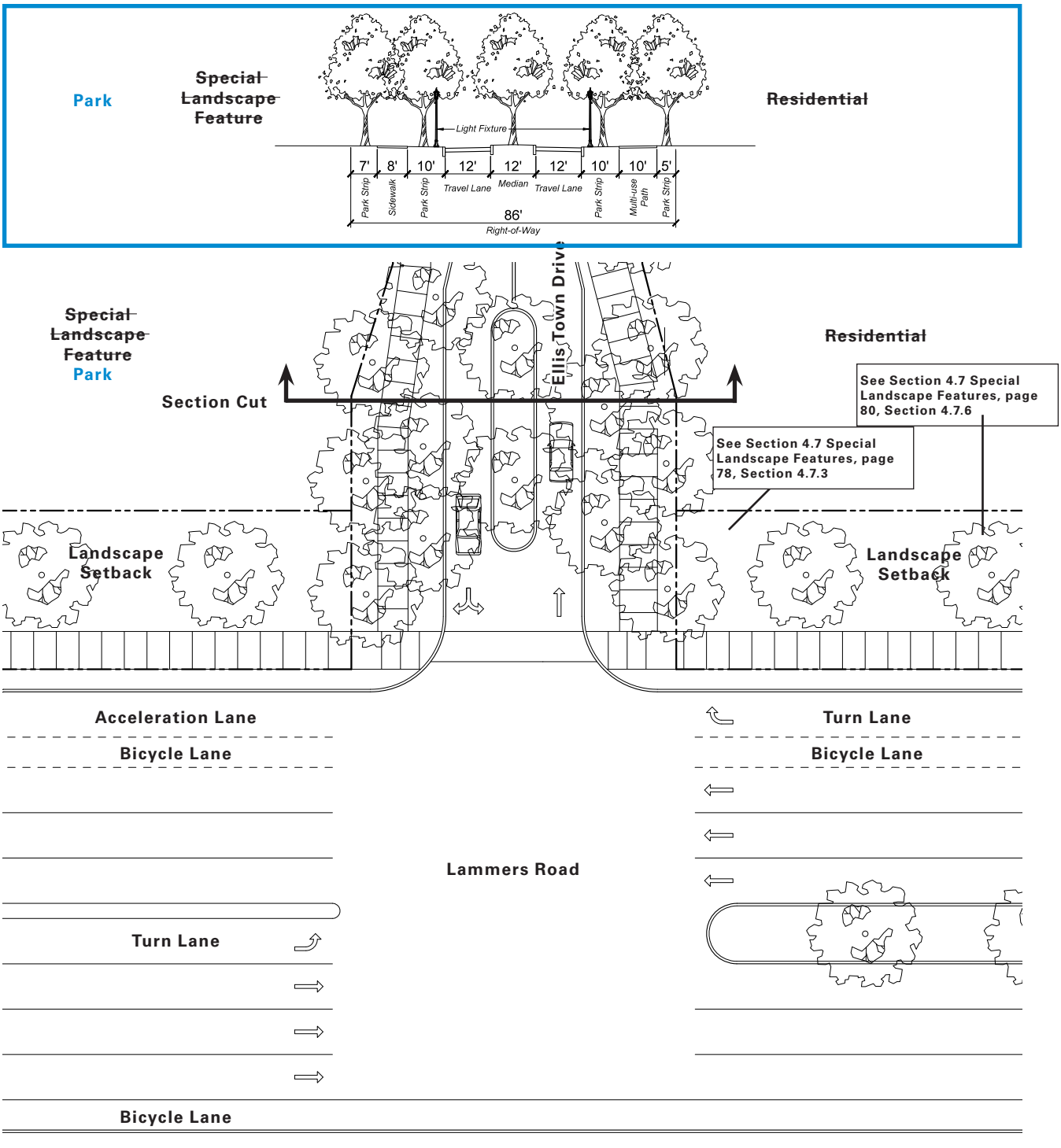


Figure 4.19 Proposed Section and Plan: Entry Street A

Potential for separate through, left, and right turn lanes for the westbound traffic at Lammers Road may be evaluated based on a City traffic analysis funded by the City Master Plans or other public source. City shall initiate such an analysis no later than within thirty (30) days of submittal of a tentative map, including this cross section, and shall complete the analysis within ninety (90) days from time of initiation. Any cost increases, aside from dedications of right-of-way, related to this cross section shall be reimbursable by the City Master Plans or other public source.

4.1.4 Regional Arterial: Corral Hollow Road

Designation: B (Interim Condition)

Definition

Corral Hollow Road is an existing roadway that serves as a major north/south connection for the City of Tracy. Along the eastern boundary of the ESP, Corral Hollow Road is an undivided two lane roadway with an on-street bike lane, curb, gutter and sidewalk along the western side of the roadway. The posted speed limit along the project frontage is 45 miles per hour. Corral Hollow Road is designated as a major arterial in the City of Tracy General Plan. Major arterials are intended to serve as the major routes of travel within the city. Arterials can provide some direct but limited access to adjacent parcels. These limitations can include restrictions on spacing and turn movements into and out of driveway locations. Major arterials can also serve as bicycle and pedestrian routes. In its final build-out, this road has dedicated left and right turn lanes in both the north and southbound directions.

MOVEMENT Free

DESIGN SPEED 45 MPH

TRAVEL LANES Two-way divided roadway, four lanes with dedicated turn lanes at intersection

PARKING None

R.O.W. WIDTH 130 to 150 feet

TRAVEL LANE WIDTH 11 to 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on the west side, 5-foot existing sidewalk on the east side

BICYCLE LANE Class 2, both sides

PARK STRIP ~~7~~ 8 feet at the curb and ~~18~~ 12-foot dedicated landscape zone behind sidewalk on the west side, existing park strips on the east side are of variable width

LANDSCAPE Double row of street trees with single row of evergreen background trees; underplanted with low water use grasses, shrubs, and/or groundcover (irrigated); tree pattern broken in areas to allow views into commercial sites; planted median with trees (irrigated); see Sections 4.7.4, 4.7.5 and Tables 4.1, 4.2, and 4.3

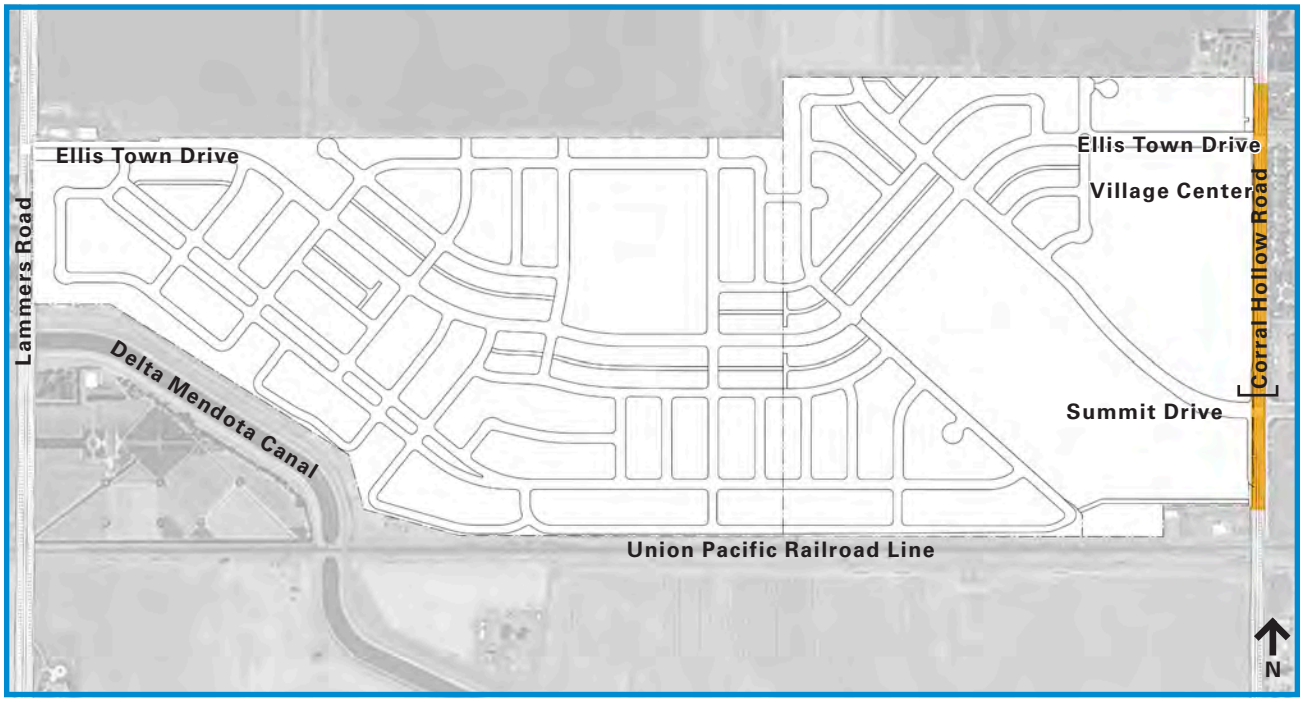


Figure 4.20 Key Plan: Regional Arterial B – Corral Hollow Road, Designation B (Interim Condition)

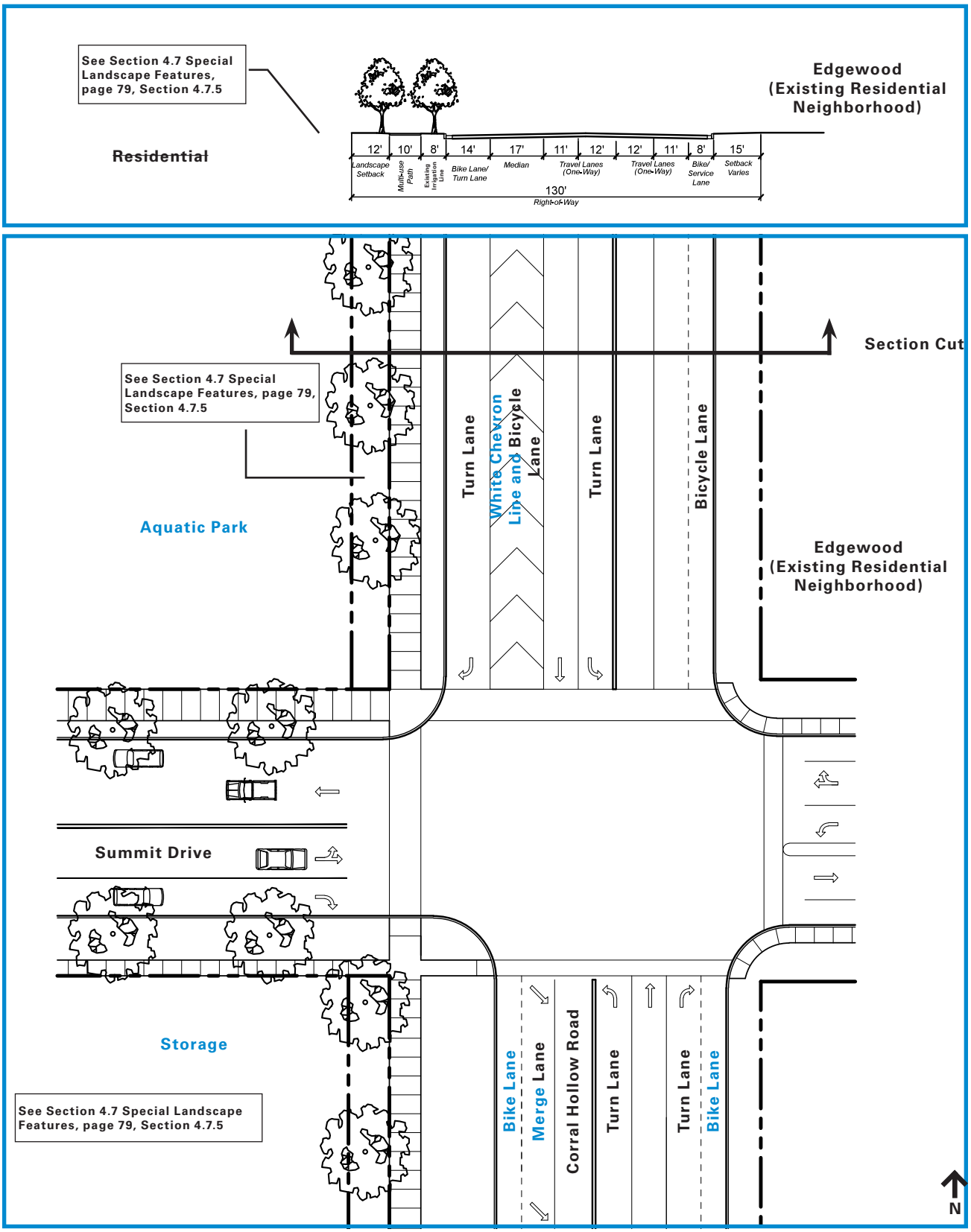


Figure 4.21 Interim Section and Plan: Regional Arterial – Corral Hollow Road, Designation B (Interim Condition)

4.1.5 Entry Street

Designation: B

Definition

~~Middlefiled Road~~ Summit Drive will be a primary entrance accommodating high traffic volumes entering and exiting the community from Corral Hollow Road. ~~Adjacent uses are residential.~~ This street will have large trees in ~~both the median and in~~ the park strips to celebrate the entrance. No on-street parking is provided. ~~Middlefiled Road~~ Summit Drive within the ESP will extend existing Middlefield Road from its current terminus at the existing signalized intersection with Corral Hollow Road to the west and north through the Village Neighborhood. ~~The existing signal will be Modified to accommodate the expanded intersection.~~

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way ~~divided roadway~~, three lanes

PARKING None

R.O.W. WIDTH 91 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on one side; 5-foot sidewalk on other side

BICYCLE LANE Class 1, one side

PARK STRIP ~~10 feet, both sides~~ 6-foot park strip on north side and width varies on south side

LANDSCAPE Special landscape treatment featuring palms, accent planting and iconic elements (irrigated); see Section 4.7.2 and Tables 4.1, 4.2, and 4.3

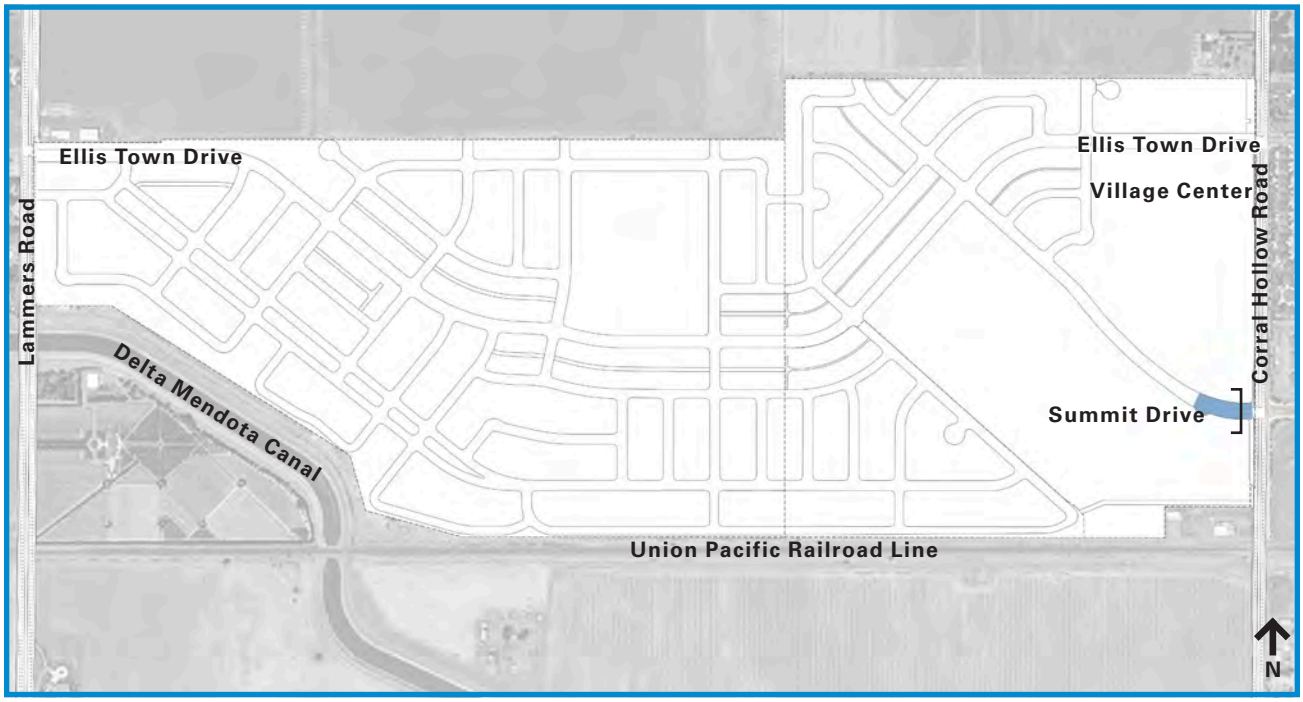


Figure 4.22 Key Plan: Entry Street B

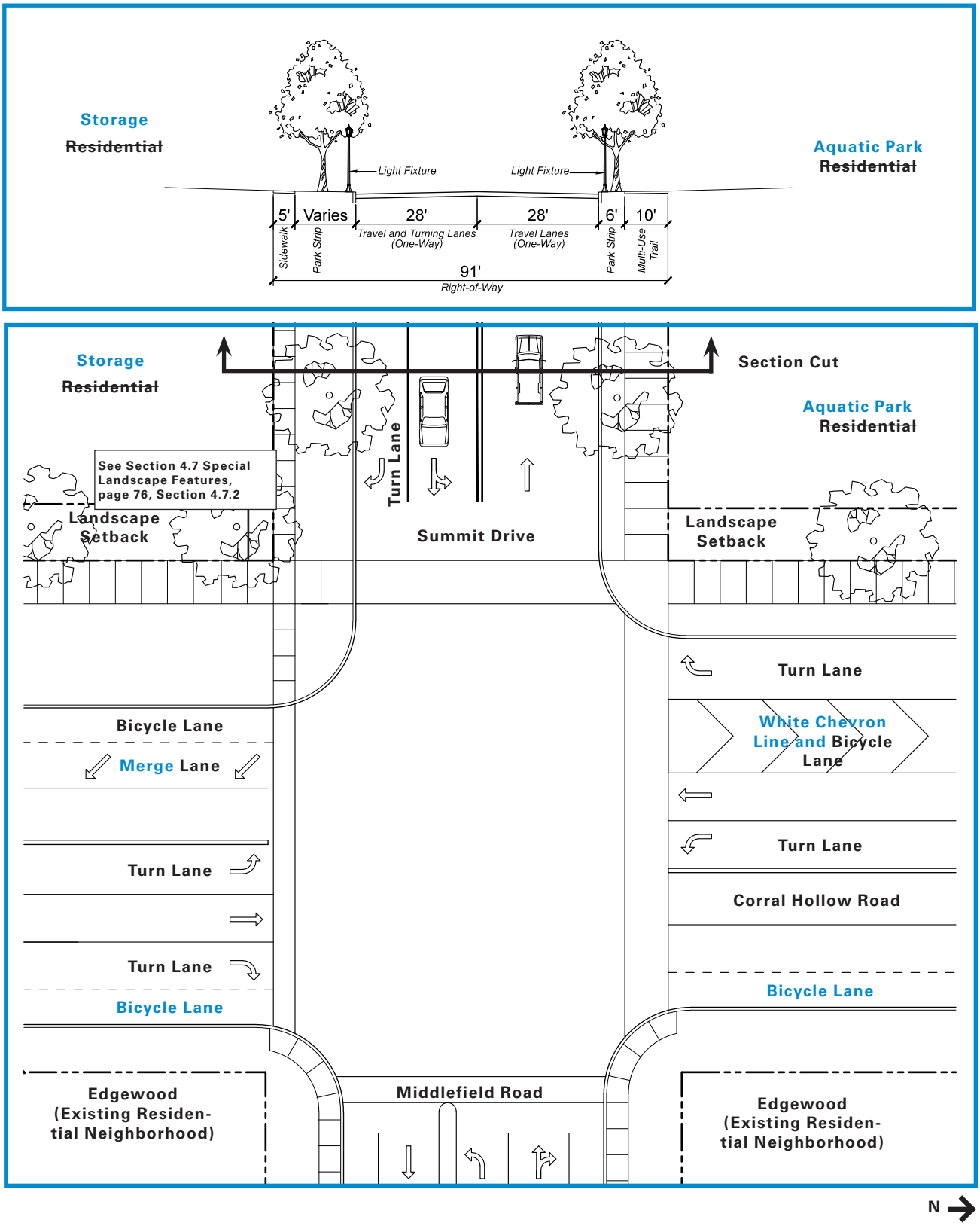


Figure 4.23 Proposed Section and Plan: Entry Street B

4.1.6 Entry Street

Designation: C (Ellis Town Drive)

Definition

Ellis Town Drive will be a primary entrance accommodating high traffic volumes entering and exiting the community from Corral Hollow Road. Adjacent uses include ~~commercial uses and~~ the Village Center. This street will have large trees in both the median and the park strip to celebrate the entrance and organize traffic entering the Village Center and ~~Family Swim Center. No on-street parking is permitted.~~ This street will align with the existing non-signalized intersection at Peony Drive. A signal will be constructed by the City at this expanded intersection prior to the final build out of Corral Hollow Road.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way divided, three lanes

PARKING None

R.O.W. WIDTH ~~96~~ 86 feet

TRAVEL LANE WIDTH 12 feet minimum

CURB TYPE Raised

SIDEWALK WIDTH 10-foot multi-use path on one side; 10-foot sidewalk on other side

BICYCLE LANE Class 1, one side

PARK STRIP ~~10 feet~~ varies, both sides

LANDSCAPE Special landscape treatment featuring palms, accent planting, and iconic elements (irrigated); see Section 4.7.1 and Tables 4.1, 4.2, and 4.3

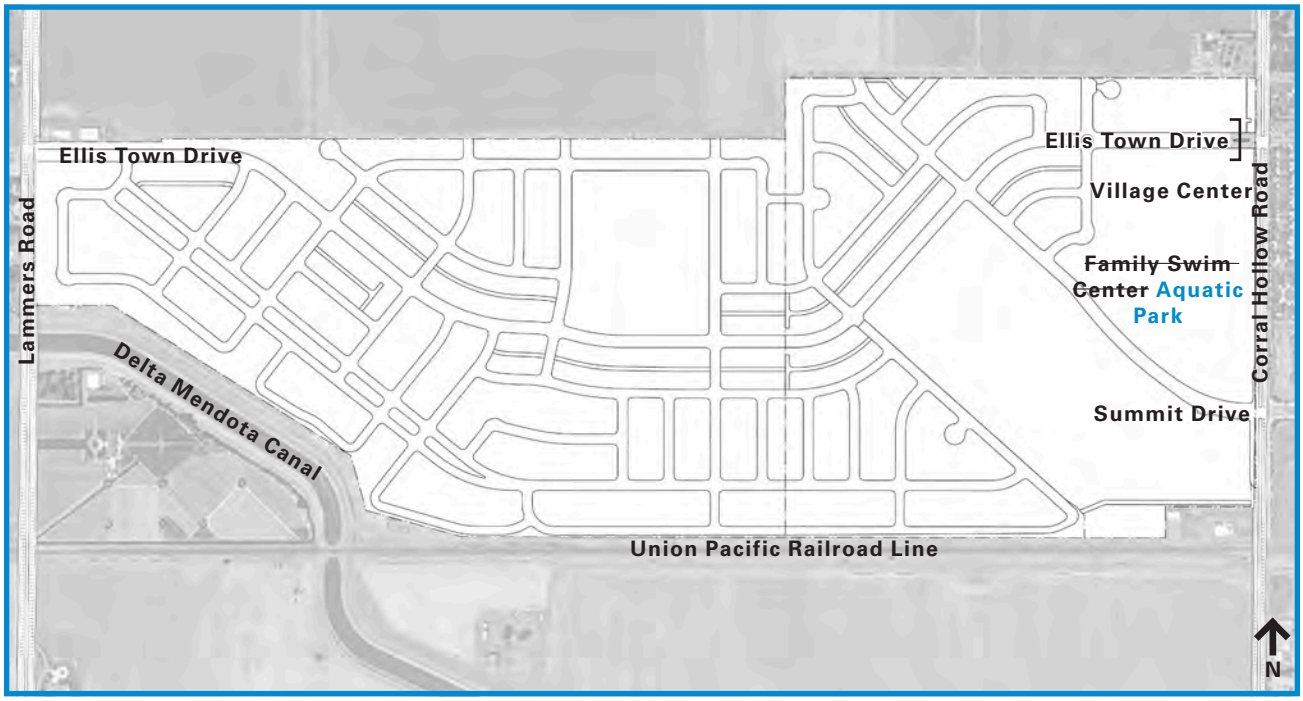


Figure 4.24 Key Plan: Entry Street C (Ellis Town Drive)

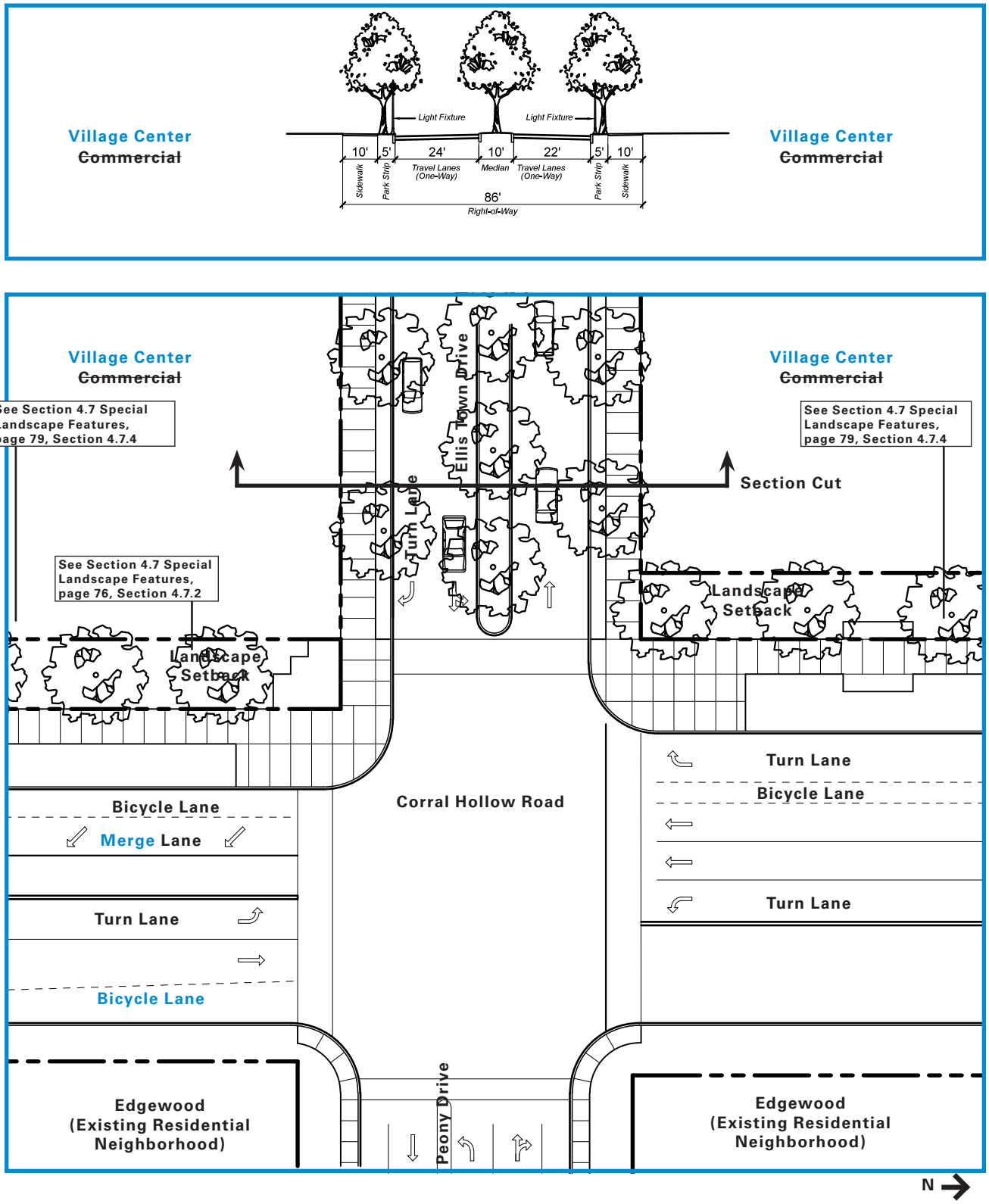


Figure 4.25 Proposed Section and Plan: Entry Street C (Ellis Town Drive)

4.1.7 Community Street

Designation: A

Definition

This street will be a link providing the main access for vehicles and bicycles across the community. Adjacent land uses will include residences~~,~~ and parks~~, commercial use, and the Village Center~~. On-street parking will be permitted on both sides of the street. A Class 1 bicycle lane on one side will be provided along the length of the street. This street shall employ several traffic control measures (as defined in Figure 4.5) in order to facilitate pedestrian connectivity as it creates the signature address of the community.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides~~; offset by park strip on opposite side~~

R.O.W. WIDTH 68 feet

TRAVEL LANE WIDTH 11 feet

CURB TYPE Raised

SIDEWALK WIDTH 8 feet on one side; 10-foot multi-use path on other side

BICYCLE LANE Class 1, one side

PARK STRIP ~~6–14~~ feet, both sides~~, or varies depending on the inclusion of parking~~; except park alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

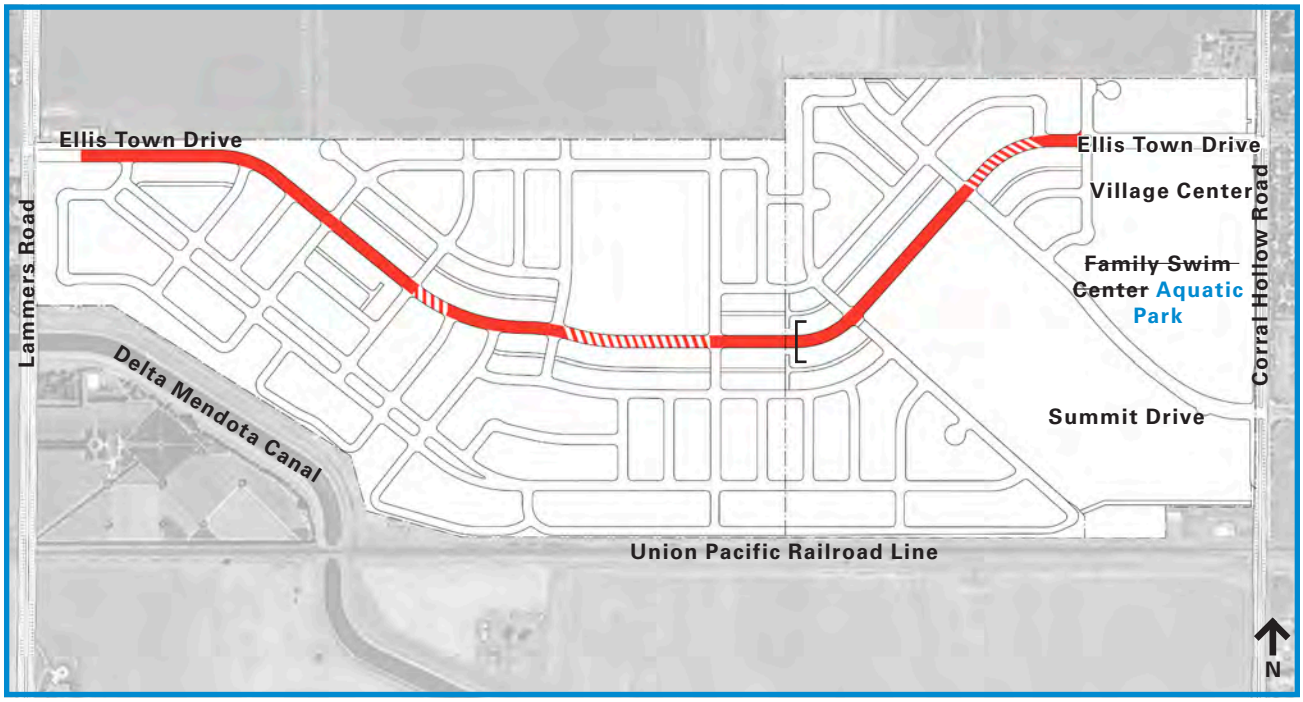


Figure 4.26 Key Plan: Community Street A

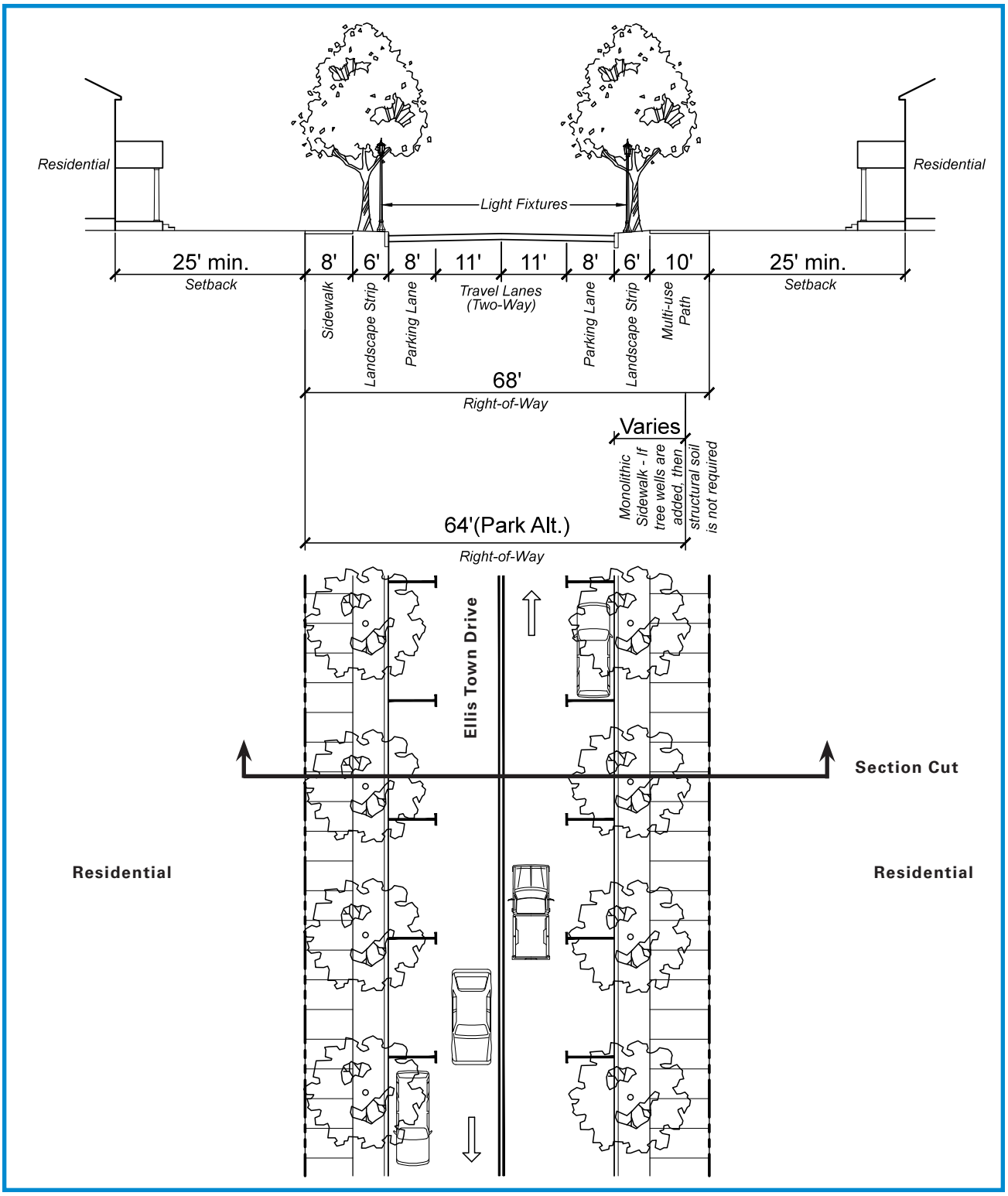


Figure 4.27 Proposed Section and Plan: Community Street A

4.1.8 Community Street

Designation: B

Definition

As a street running along the edges of neighborhoods and through the community, its adjacent land uses will include various types of residences, as well as parks and special landscape features. In addition to providing connectivity, the street is designed to connect to potential future development north of Ellis. On-street parking will be provided on both sides. A Class 1 bicycle lane on one side will be provided along the length of the street.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides; offset by park strip on opposite side

R.O.W. WIDTH 65 feet

TRAVEL LANE WIDTH 11 feet

CURB TYPE Raised

SIDEWALK WIDTH 5 feet on one side; 10-foot multi-use path on the other

BICYCLE LANE Class 1, one side

PARK STRIP ~~6–14~~ feet, both sides, ~~or varies depending on the inclusion of parking~~ except park alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

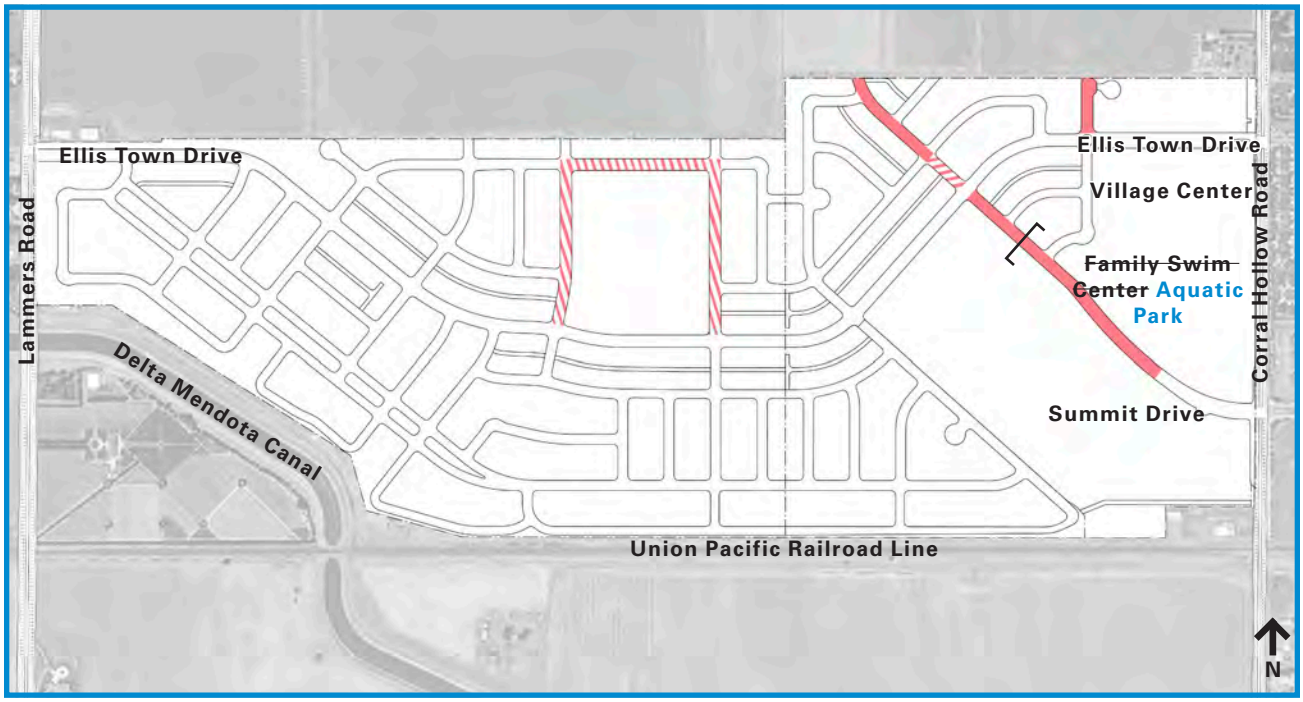


Figure 4.28 Key Plan: Community Street B

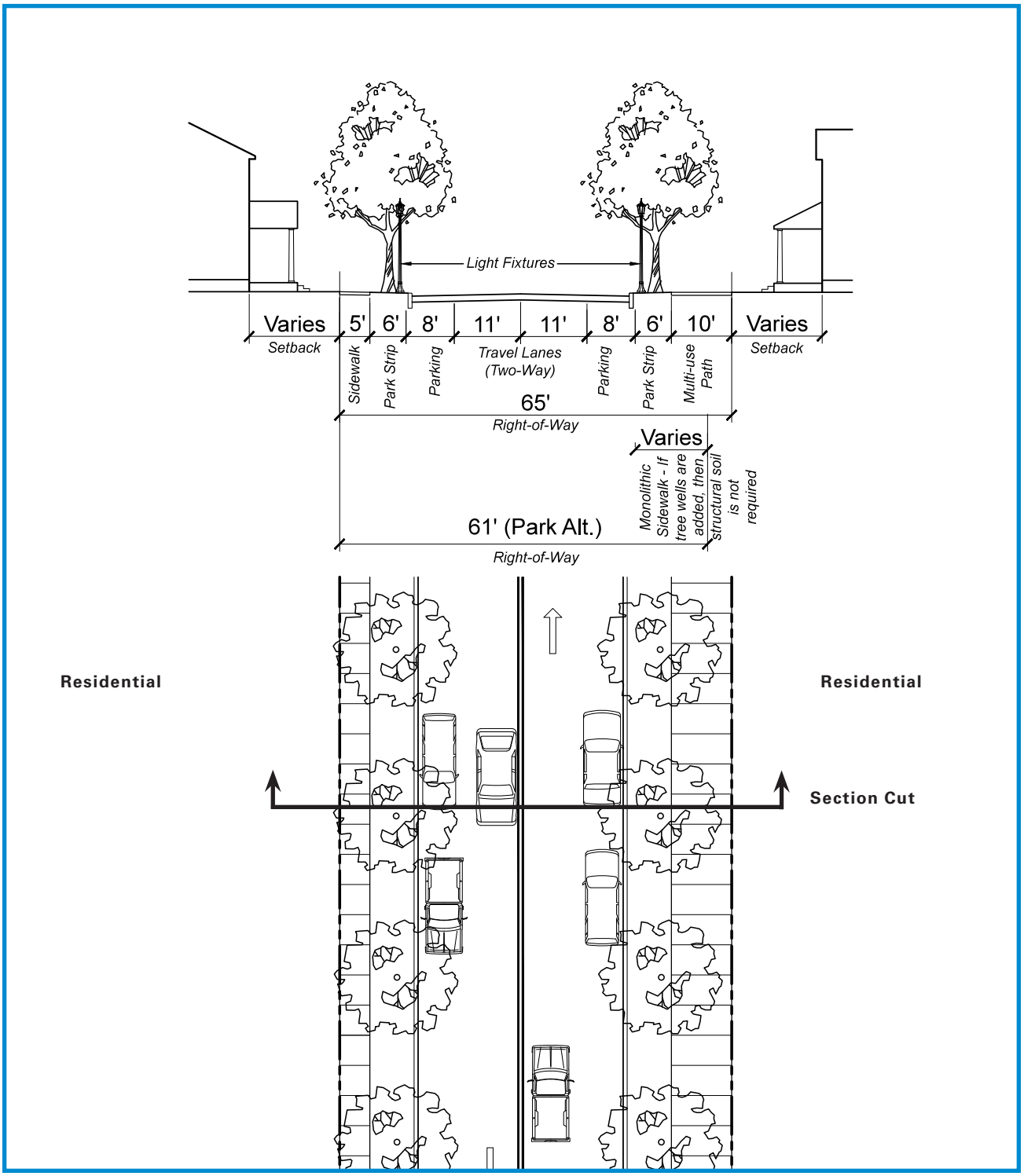


Figure 4.29 Proposed Section and Plan: Community Street B

4.1.9 Community Street

Designation: C

Definition

As a street running near the edges of the community, its adjacent land uses will include various types of residences, as well as parks and special landscape features. ~~In addition to providing main connections through the community,~~ The street is designed to provide ~~strong pedestrian connection between parks~~ main connections through the community. On-street parking will be provided on both sides. A Class 1 bicycle lane on one side will be provided along the length of the street.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides

R.O.W. WIDTH 63 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 5 feet on one side; 10-foot multi-use path on the other

BICYCLE LANE Class 1, one side

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

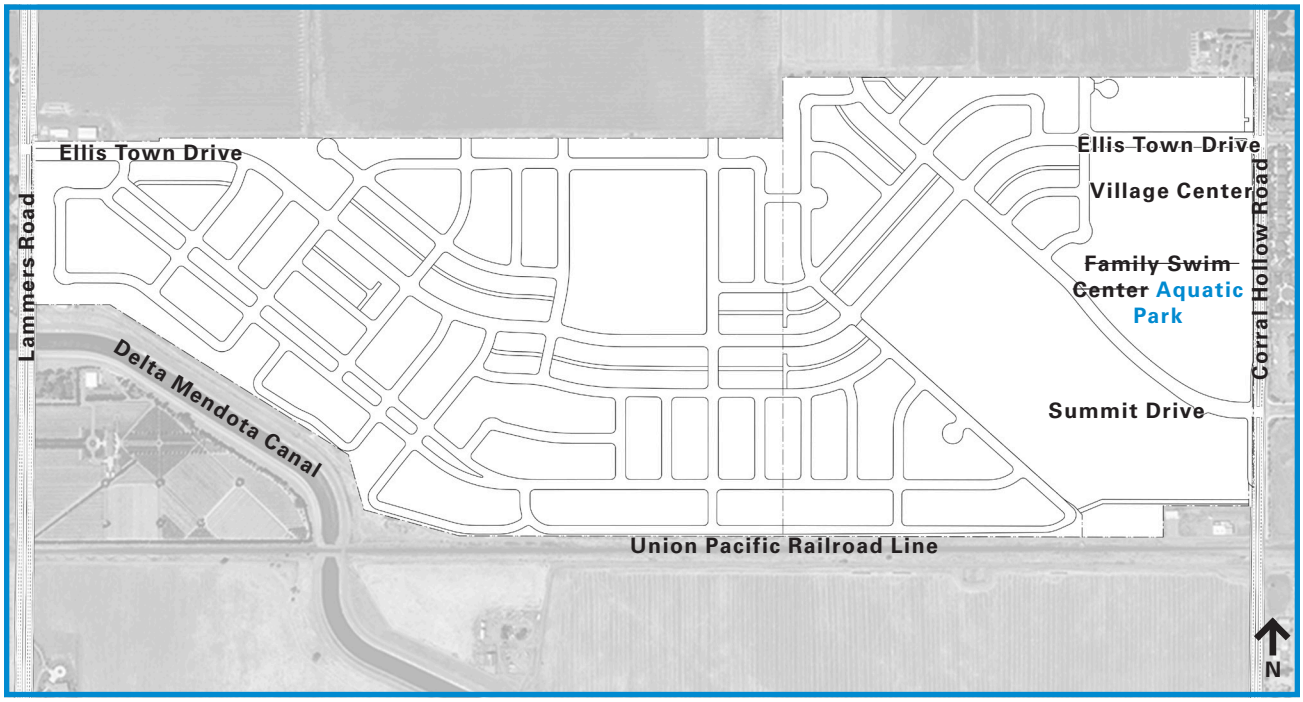


Figure 4.30 Key Plan: Community Street C

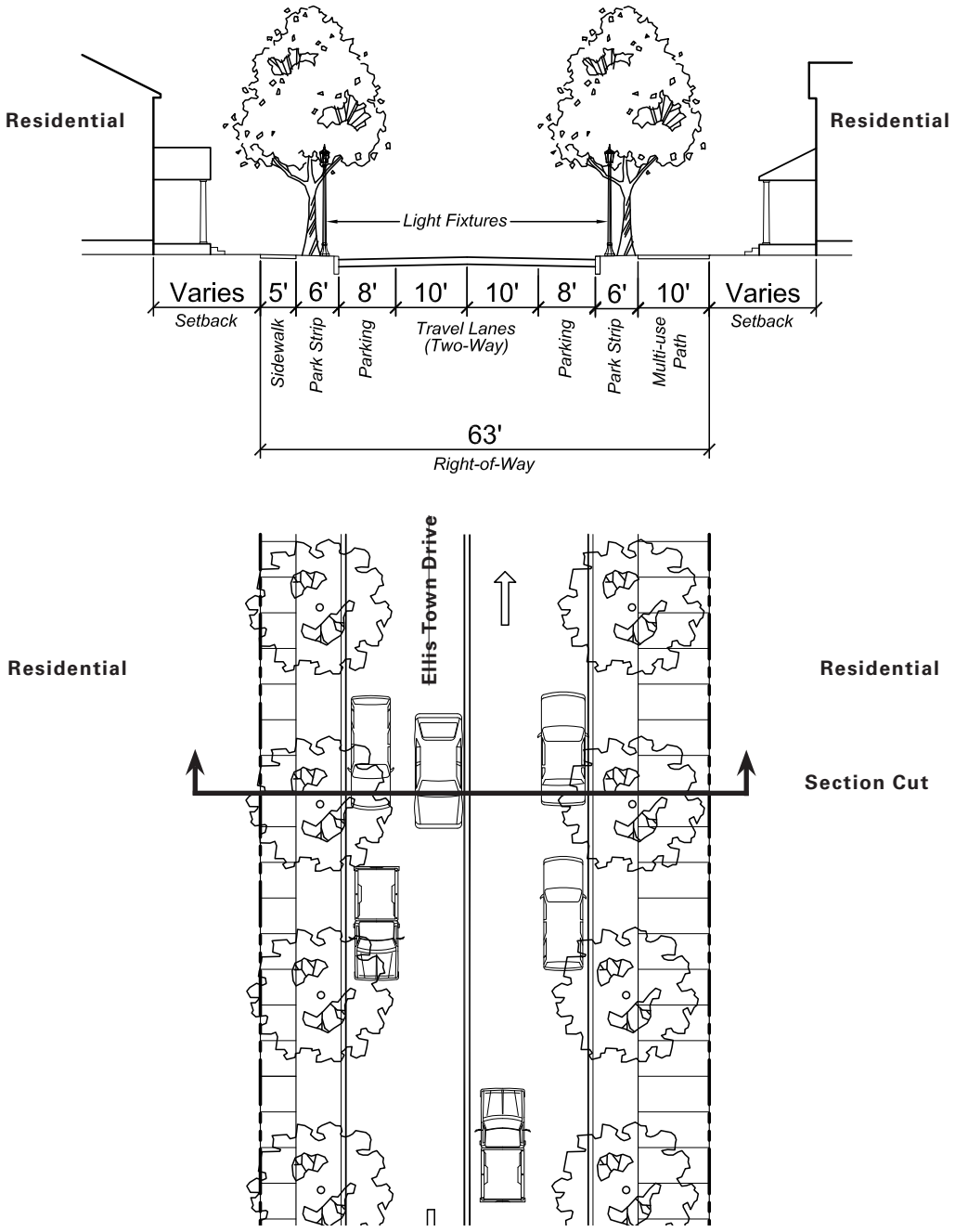


Figure 4.31 Proposed Section and Plan: Community Street C

4.1.10 Village Center Street

Designation: A ~~(Alternate)~~

Definition

This street is designed to encourage pedestrian and commercial activity in the heart of the Village Center. Adjacent land uses will include retail, civic, office, and residential uses. Diagonal on-street parking is provided to support active uses and create a main street environment. Wide sidewalks will be located in front of Village Center buildings to accommodate outdoor dining and other such uses. Trees near curbs will provide shade without reducing the usable width for pedestrians. Bulbouts and associated crosswalks, located at corners and mid-block, will facilitate pedestrian street crossings and will help calm traffic.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes maximum

PARKING Diagonal, both sides

R.O.W. WIDTH ~~100~~ 86 feet

TRAVEL LANE WIDTH 12 feet

CURB TYPE Raised

SIDEWALK WIDTH ~~20~~ 13 feet on both sides

BICYCLE LANE Class ~~3~~ 1, one side ~~in street~~

PARK STRIP None

LANDSCAPE ~~Single~~ Double row of street trees (irrigated) in grates and islands; see Tables 4.1, 4.2, and 4.3

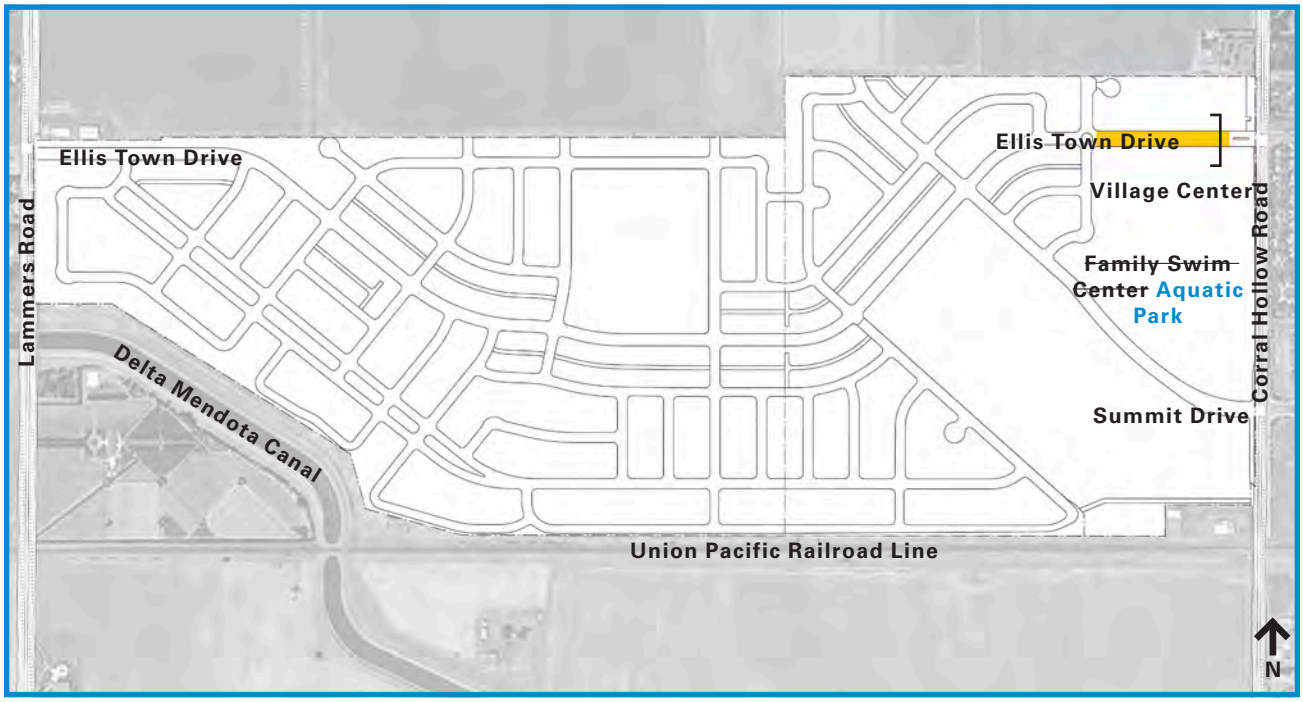


Figure 4.32 Key Plan: Village Center Street A ~~(Alternate)~~

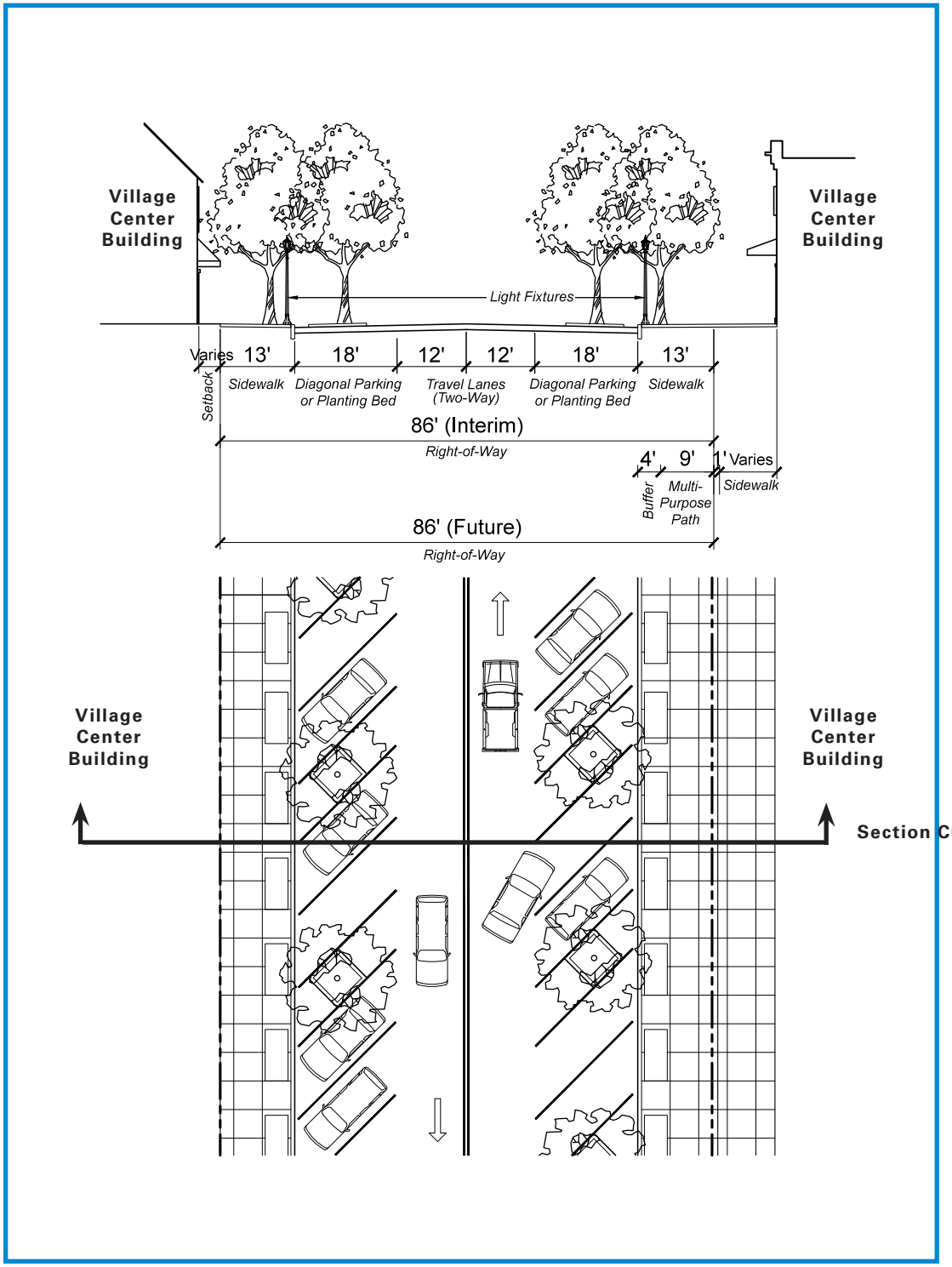


Figure 4.33 Proposed Section and Plan: Village Center Street A ~~(Alternate)~~

4.1.11 Neighborhood Street

Designation: A

Definition

This will be a moderate-scale street providing local access throughout the community. It accommodates on-street parking on both sides.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, both sides

R.O.W. WIDTH 56 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides; except park alternatives

BICYCLE LANE None

PARK STRIP 6 feet, both sides; except park alternatives

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

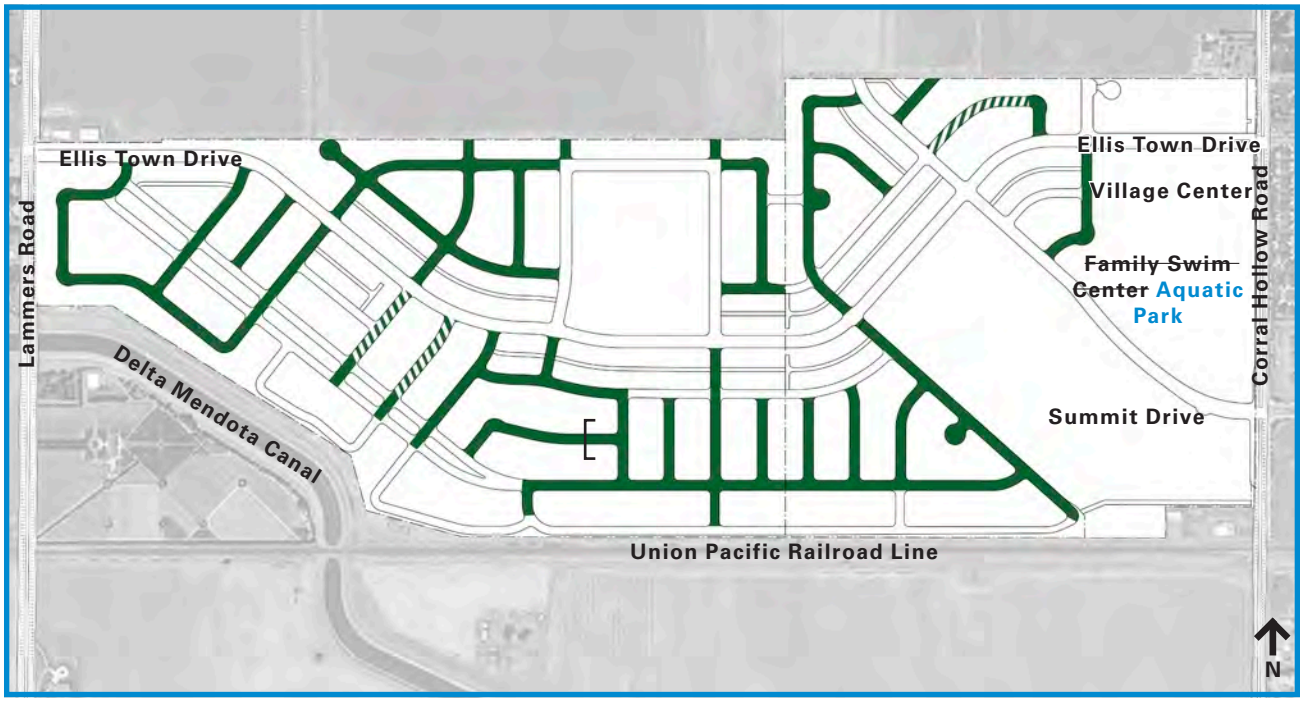


Figure 4.34 Key Plan: Neighborhood Street A

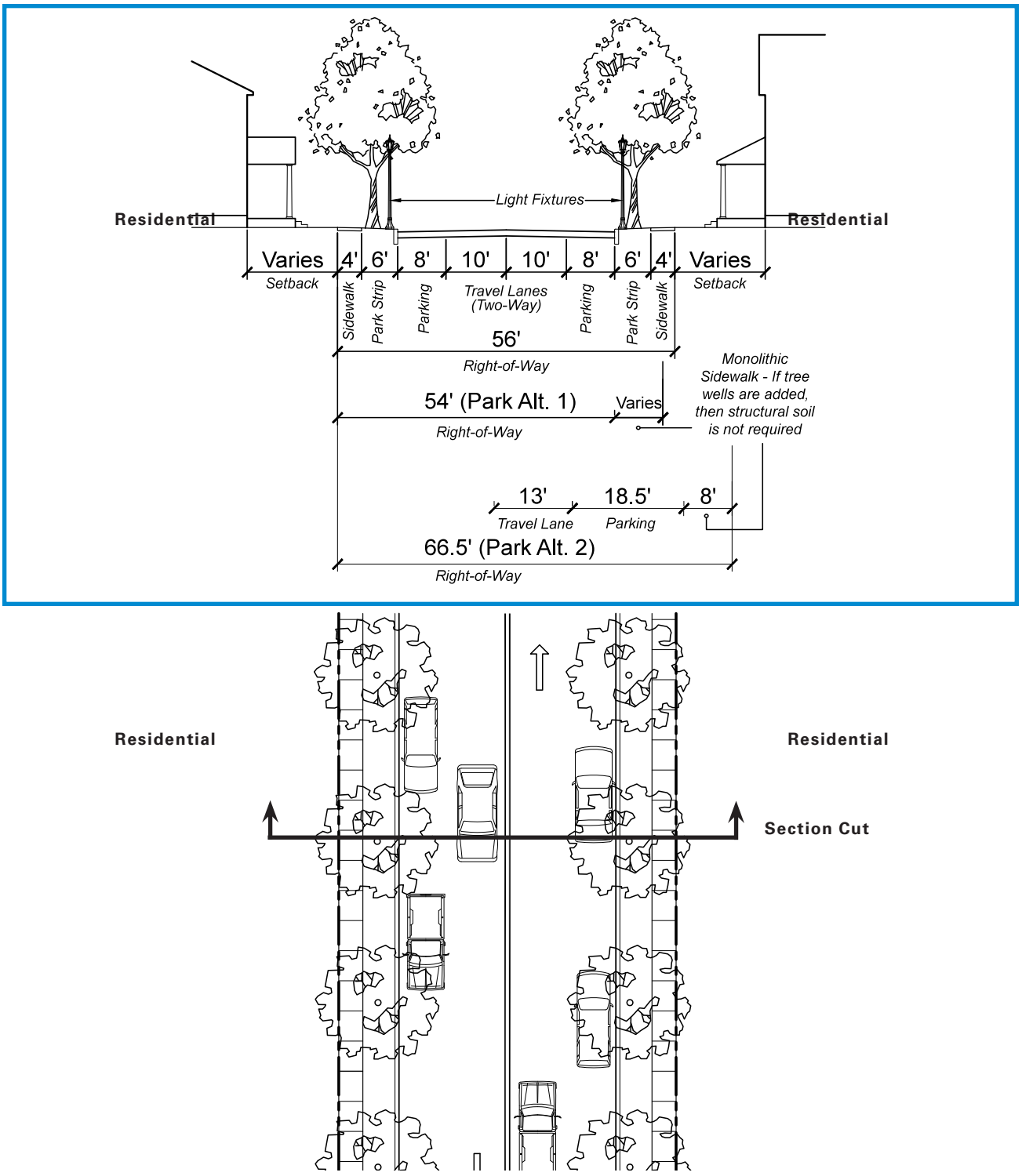


Figure 4.35 Proposed Section and Plan: Neighborhood Street A

4.1.12 Neighborhood Street

Designation: B

Definition

This local street will be a small-scale street providing access throughout the community. The street accommodates on-street parking on one side. Street cross-section B may replace street cross-section A when traffic volumes permit.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING Parallel, one side

R.O.W. WIDTH 48 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides; except railroad alternative

BICYCLE LANE None

PARK STRIP 6 feet, both sides; except railroad alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

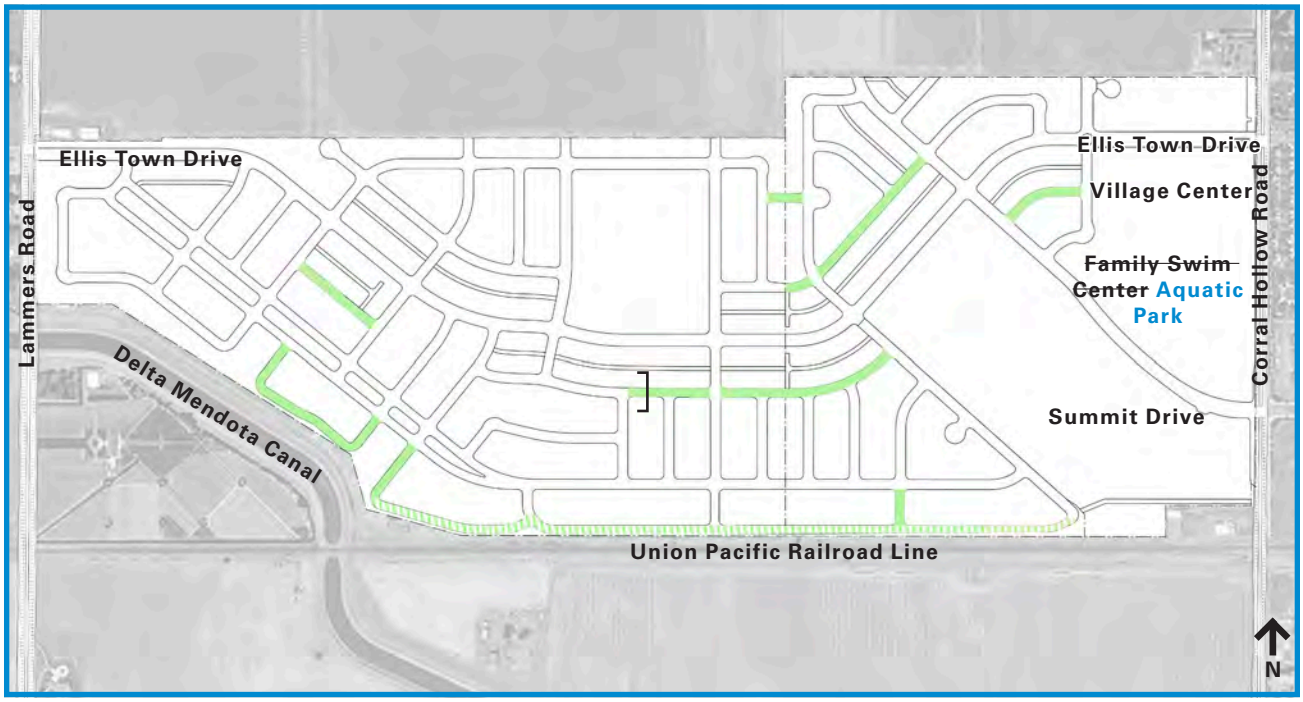
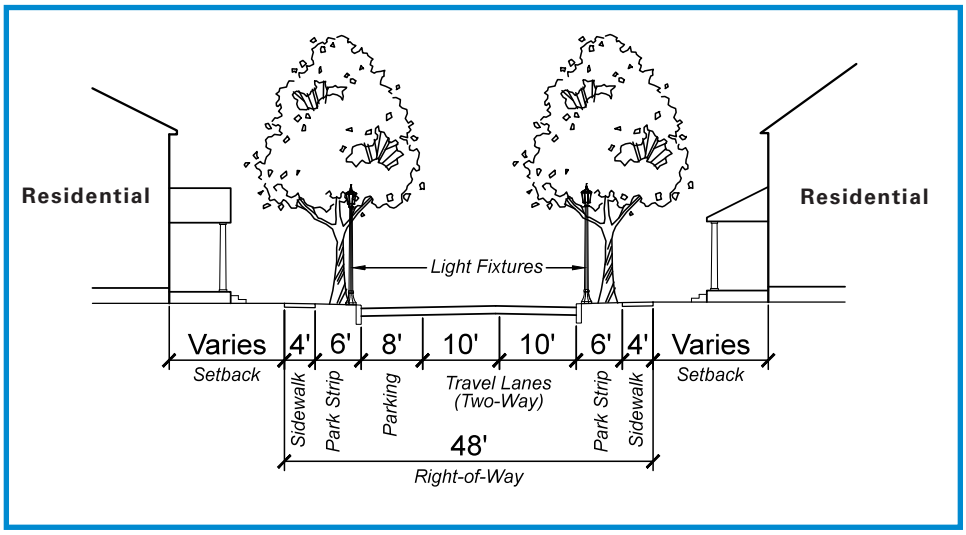
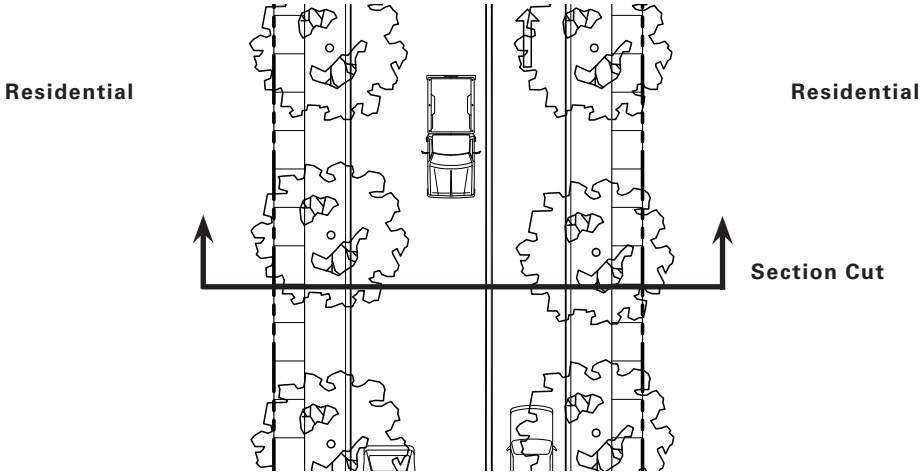


Figure 4.36 Key Plan: Neighborhood Street B





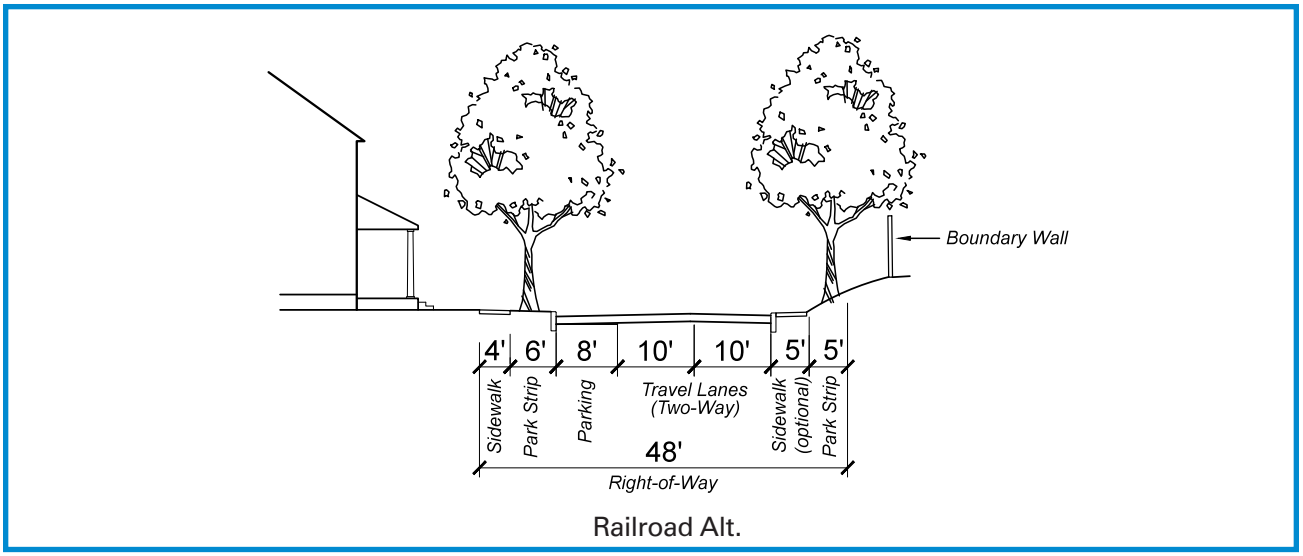


Figure 4.37 Proposed Section and Plan: Neighborhood Street B

4.1.13 Neighborhood Street

Designation: E

Definition

This residential boulevard has one lane of one-way traffic on either side of ~~a median~~ an area classified as open space and named the "Native Preserve," as well as parallel parking along its length. The ~~median, or~~ Native Preserve, is located within the public right-of-way, with no sidewalks on its edges.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way, one lane on either side of ~~median~~ the Native Preserve

PARKING Parallel, one side each direction

R.O.W. WIDTH Varies (due to ~~median~~ width of Native Preserve)

TRAVEL LANE WIDTH 12 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, one side each direction; except park alternative

BICYCLE LANE None

PARK STRIP 7 feet, both sides in both directions; except park alternative

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Section 4.6.9 and Tables 4.1, 4.2, and 4.3

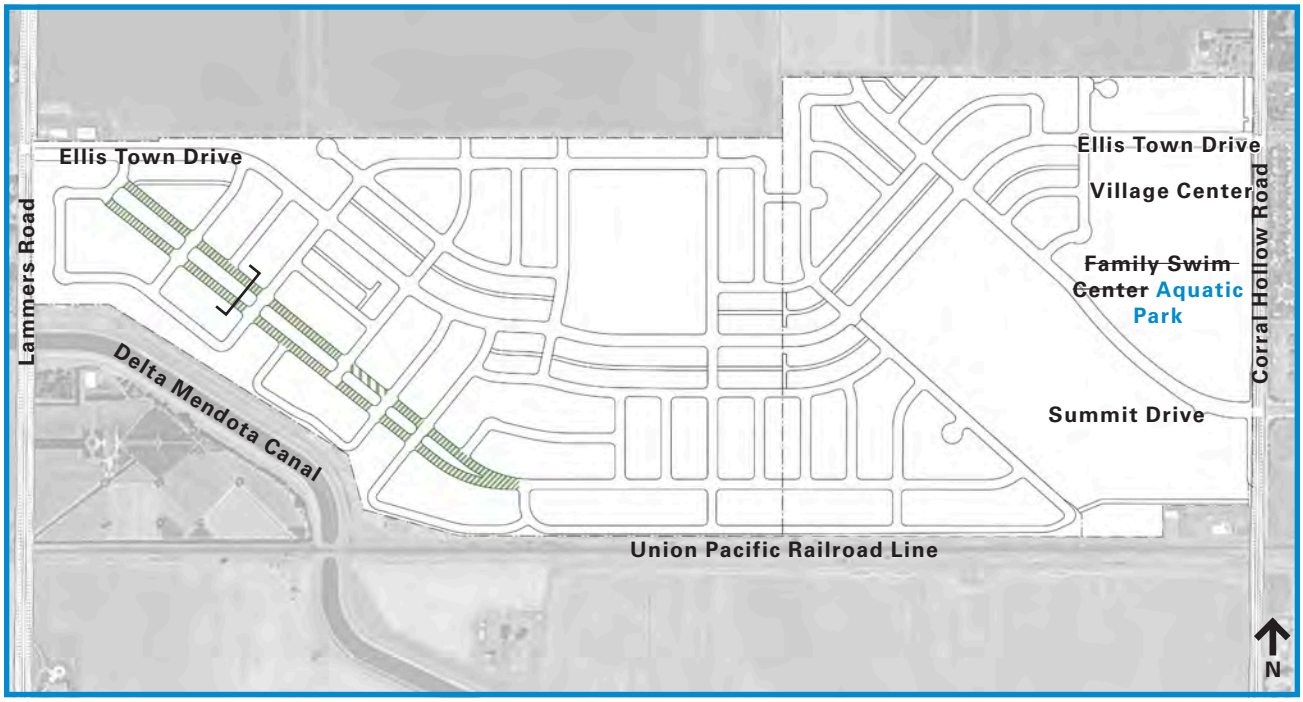


Figure 4.38 Key Plan: Neighborhood Street E

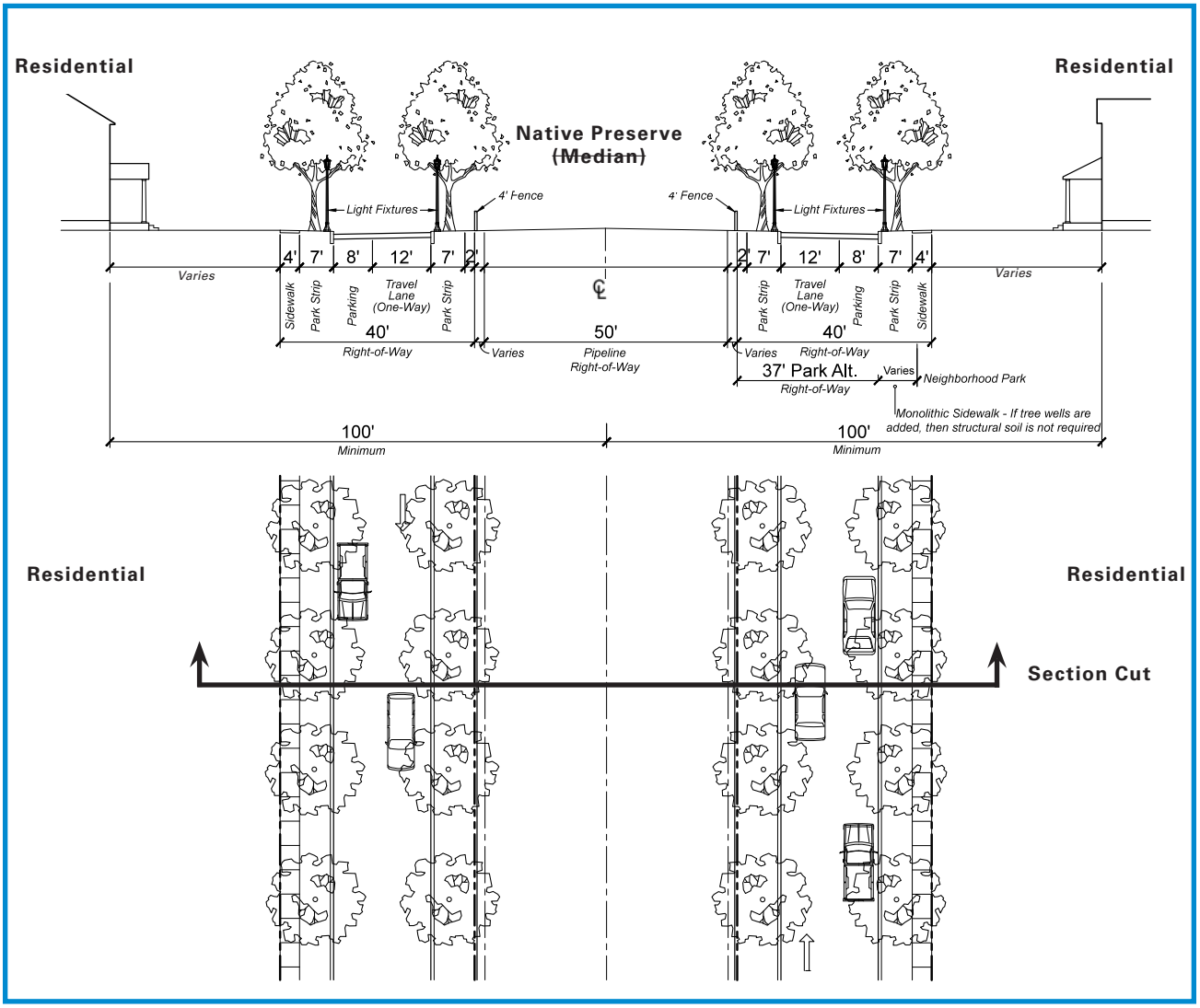


Figure 4.39 Proposed Section and Plan: Neighborhood Street E

4.1.14 Neighborhood Street

Designation: H

Definition

This local street will be a small-scale, one-way street providing access throughout the community. The street accommodates on-street parking on both sides.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way

PARKING Parallel, both sides

R.O.W. WIDTH 46 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

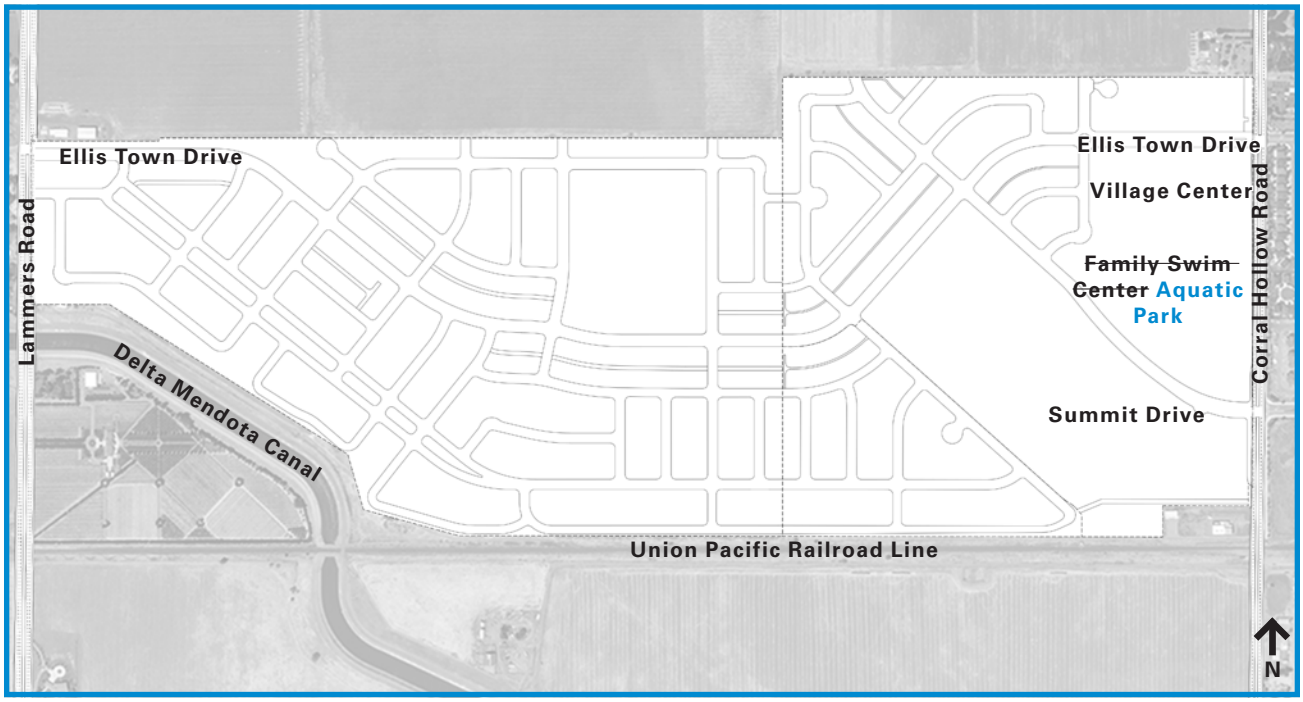


Figure 4.40 Key Plan: Neighborhood Street H

Location of street sections will require review and approval by the City in applicable tentative map(s).

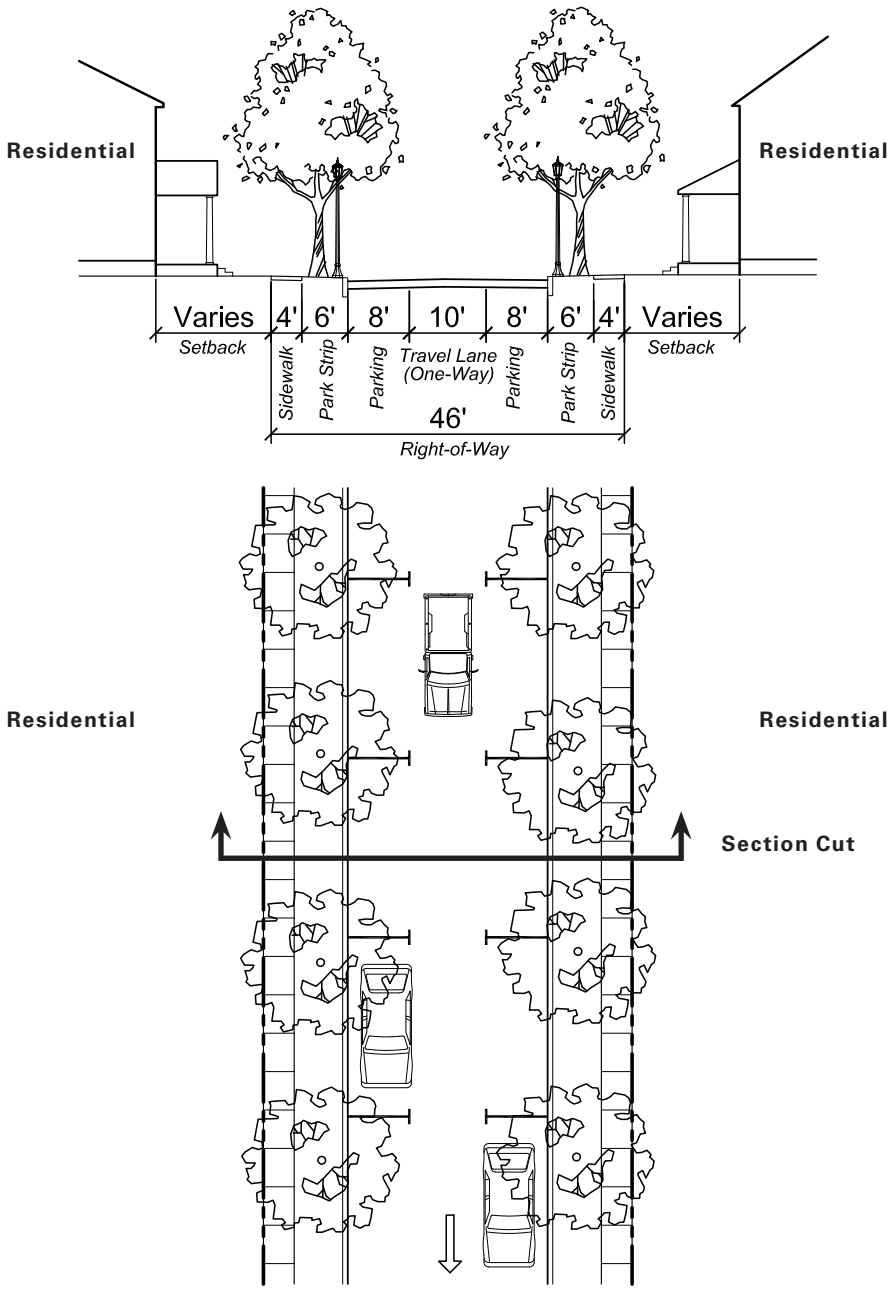


Figure 4.41 Proposed Section and Plan: One-Way Street Parking Both Sides

4.1.15 Neighborhood Street

Designation: I

Definition

This local street will be a small-scale, one-way street providing access throughout the community. The street accommodates on-street parking on one side.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES One-way

PARKING Parallel, one side

R.O.W. WIDTH 38 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); pedestrian access through landscape strip to be provided as necessitated by parking; see Tables 4.1, 4.2, and 4.3

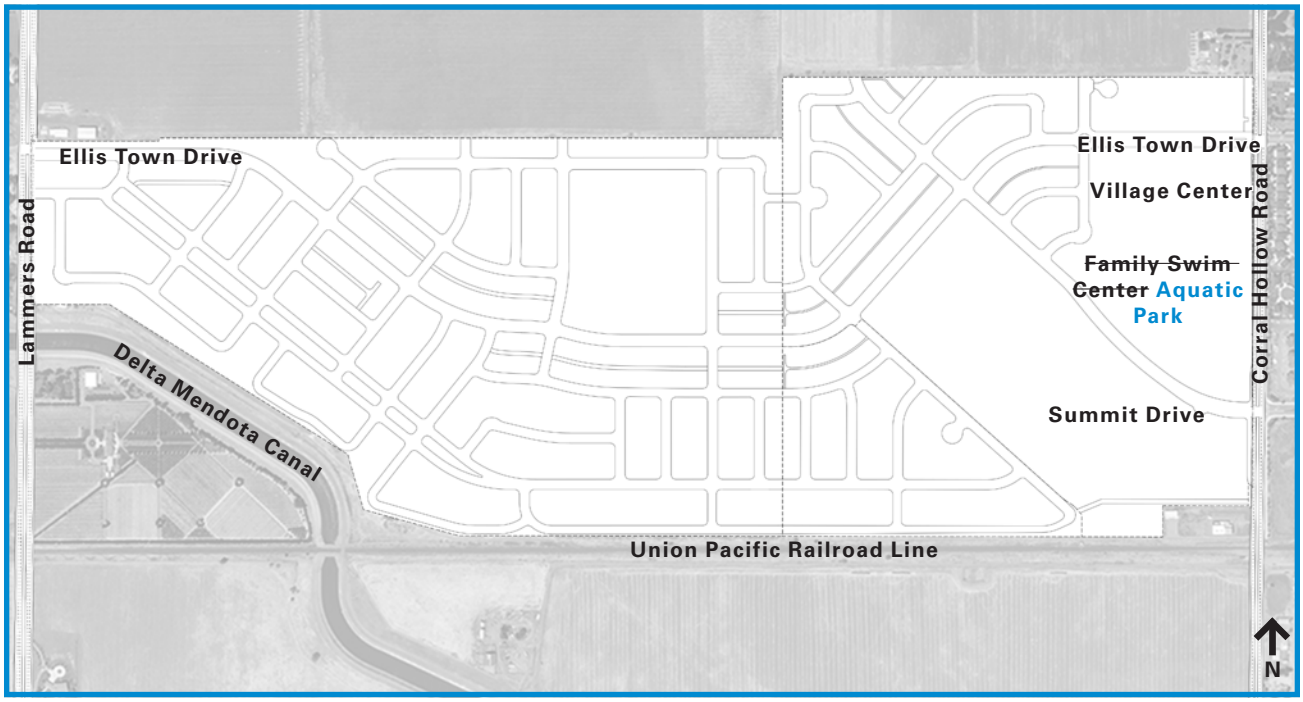


Figure 4.42 Key Plan: Neighborhood Street I

Location of street sections will require review and approval by the City in applicable tentative map(s).

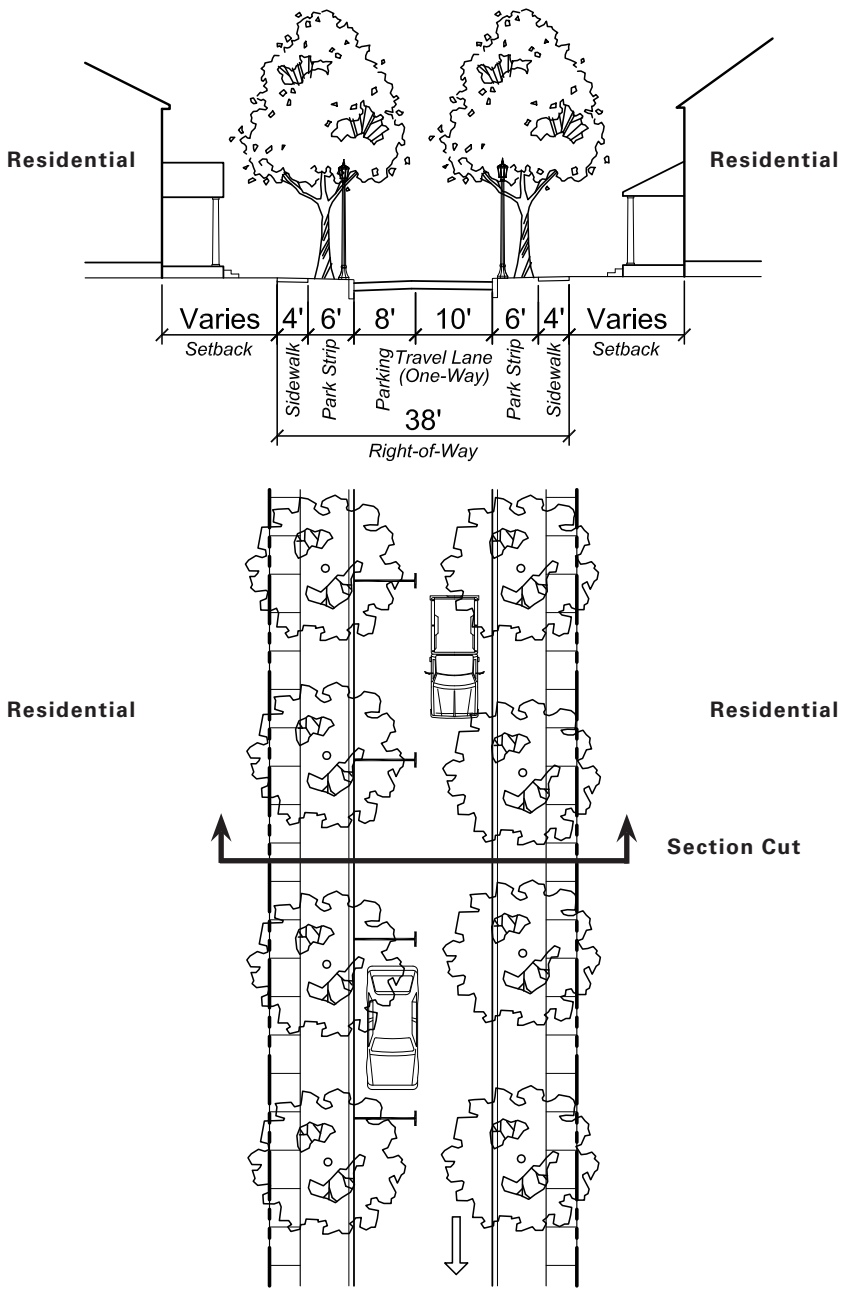


Figure 4.43 Proposed Section and Plan: One-Way Street Parking One Side

4.1.16 Neighborhood Street

Designation: J

Definition

This local street will be a small-scale street providing access throughout the community. The street does not accommodate on-street parking.

MOVEMENT Free

DESIGN SPEED 25 MPH

TRAVEL LANES Two-way, two lanes

PARKING None

R.O.W. WIDTH 40 feet

TRAVEL LANE WIDTH 10 feet

CURB TYPE Raised

SIDEWALK WIDTH 4 feet, both sides

BICYCLE LANE None

PARK STRIP 6 feet, both sides

LANDSCAPE Single row of street trees with low water use grasses, shrubs, and groundcover (irrigated); see Tables 4.1, 4.2, and 4.3

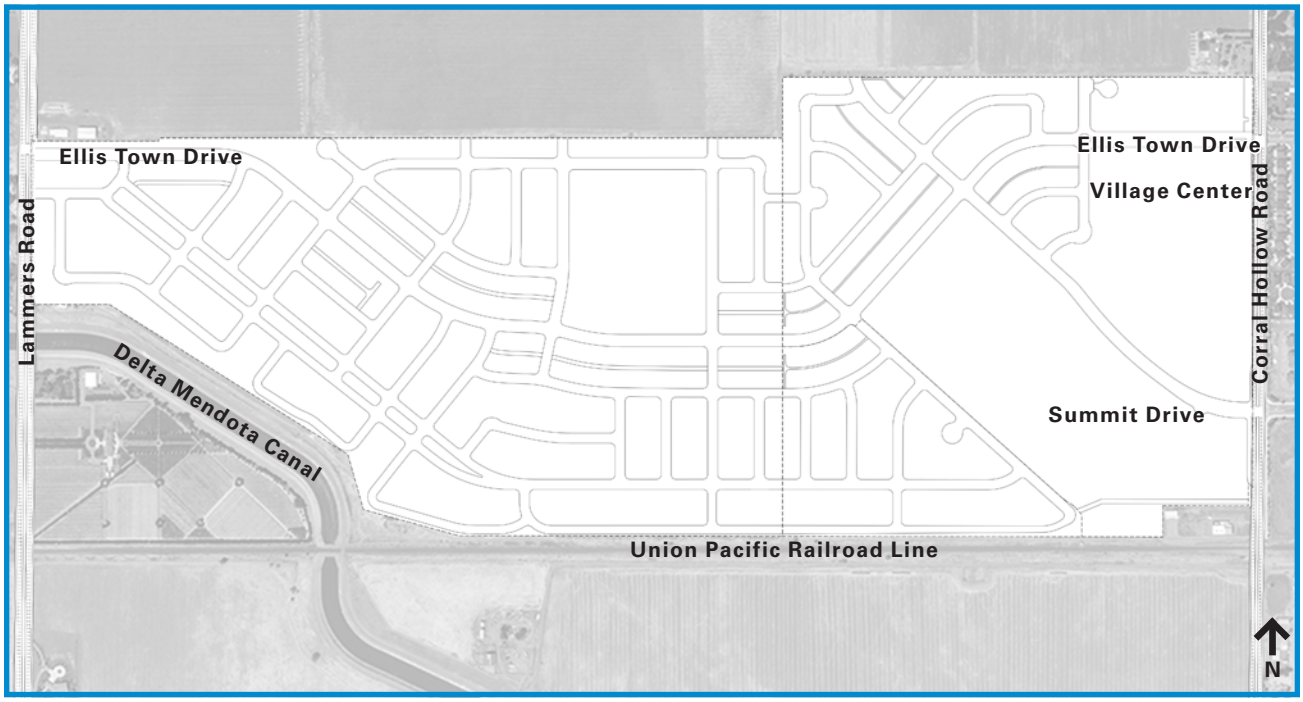


Figure 4.44 Key Plan: Neighborhood Street J

Location of street sections will require review and approval by the City in applicable tentative map(s).

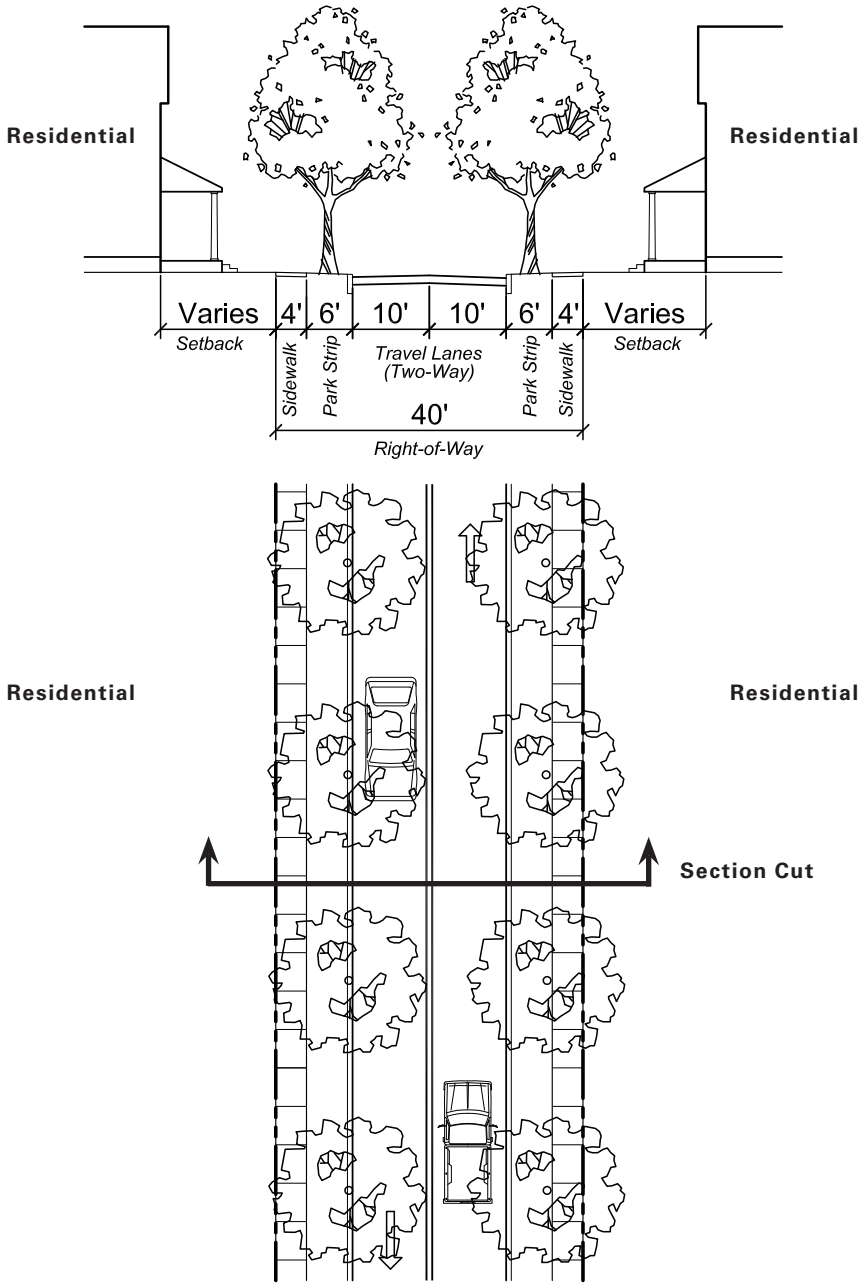


Figure 4.45 Proposed Section and Plan: No Parking C

4.1.17 Lane

Designation: A

Definition

The lane will provide primary access to off-street residential parking. Lanes are designed to accommodate trash collection and dry utilities. Dead-end lanes may not extend farther than 150 feet from a public street.

MOVEMENT Yield

DESIGN SPEED 10 MPH

TRAVEL LANES One-way

PARKING None

R.O.W. WIDTH 22 feet

TRAVEL LANE WIDTH 14 feet

CURB TYPE ~~Rolled~~ Spill

SIDEWALK WIDTH None

BICYCLE LANE None

PARK STRIP ~~4~~ 3.5 feet, both sides

LANDSCAPE Low water use grasses, shrubs, and groundcover in park strip (irrigated)

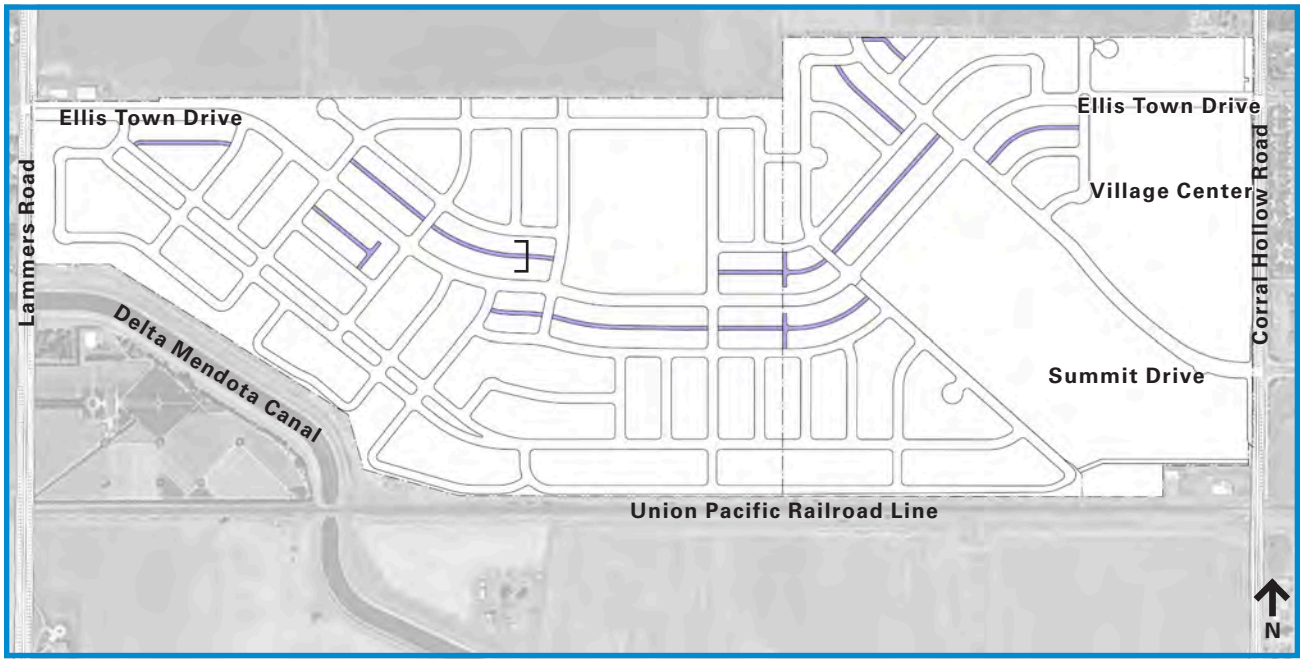


Figure 4.46 Key Plan: Lane A

Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots.

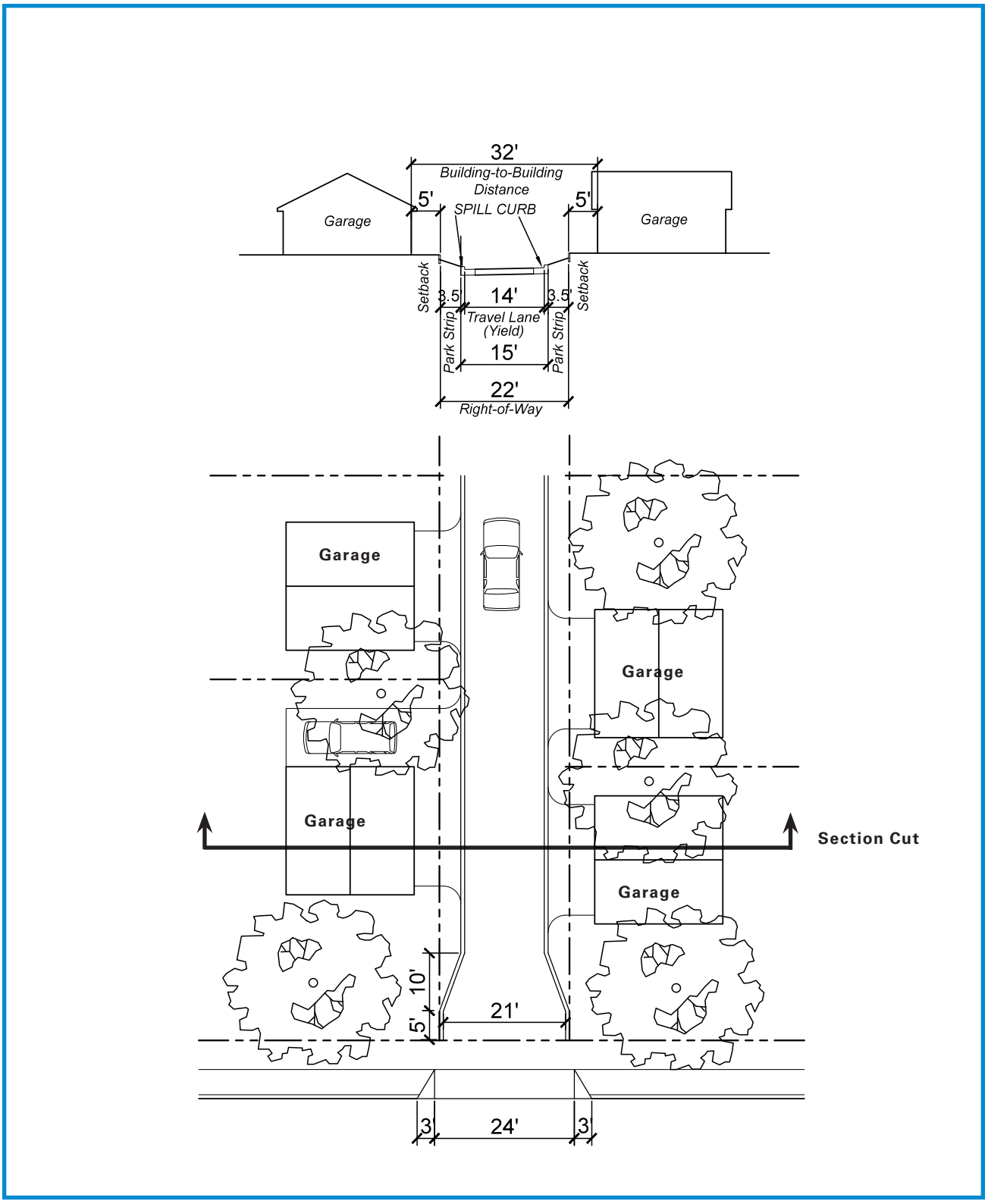


Figure 4.47 Proposed Section and Plan: Lane A

4.2 PEDESTRIAN SYSTEM PLAN

The streets, blocks, and parks of Ellis will be designed to accommodate the needs of pedestrians and cyclists (Figure 4.48 Area Wide Pedestrian Plan and 4.49 Pedestrian and Trail Systems Plan).

Ellis will have a diverse and well-developed pedestrian circulation network. All streets in the community will have sidewalks on at least one side; many will have sidewalks on both sides. The network of sidewalks and paths will connect the Village Center with the residential neighborhoods. Paths and trails will extend the pedestrian system through the natural areas and parks.

The pedestrian network will be enhanced by traffic-calming strategies at critical locations. The traffic calming will occur where pedestrians might conflict with automobiles. Landscape strips between back of curb and multipurpose path and/or sidewalk shall have designated pedestrian crossings retained on either side with steel headers.

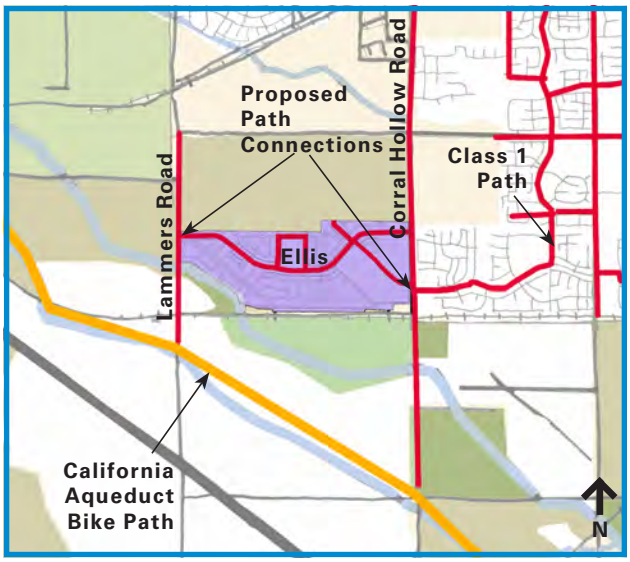


Figure 4.48 Area Wide Pedestrian Plan

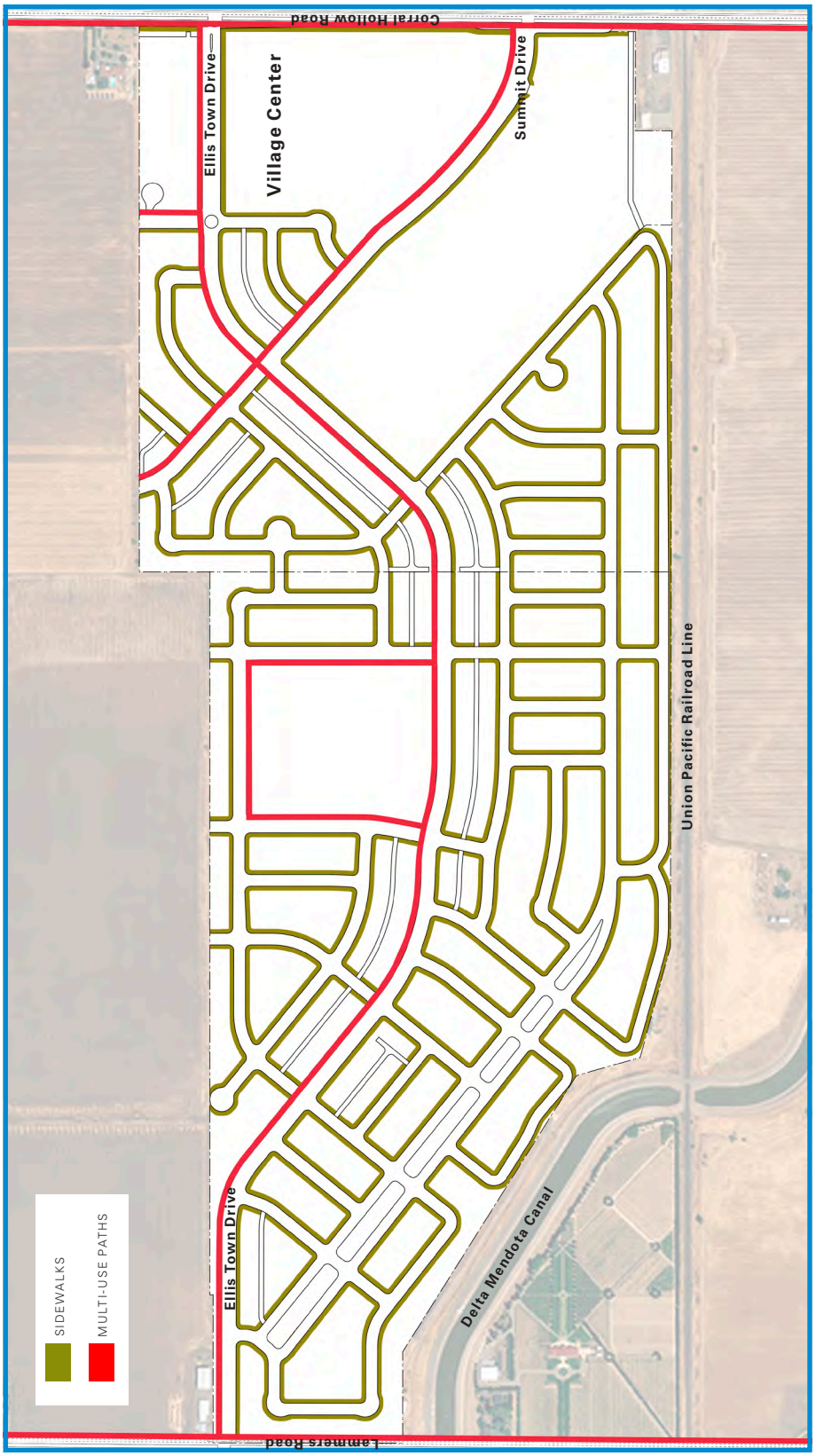


Figure 4.49 Pedestrian and Trail Systems Plan

4.3 BICYCLE SYSTEM PLAN

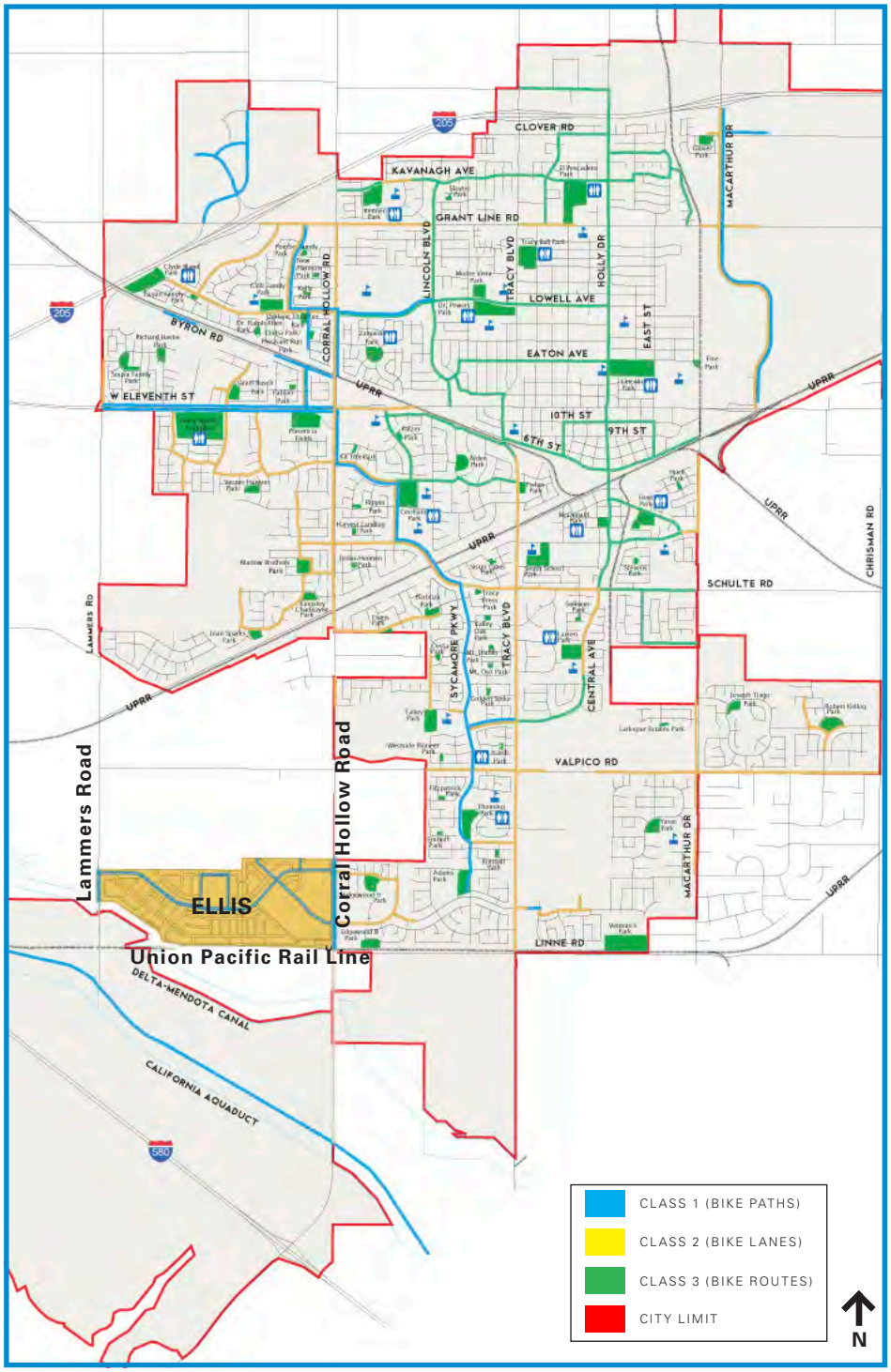
A comprehensive bicycle circulation network plays an integral role in making Ellis an exceptionally livable community.

A 10-foot, multi-use bike/pedestrian path runs through portions of the community to facilitate and encourage non-vehicular travel among neighborhoods and parks. Many parks will have bike racks.

Canopy trees will be planted the length of paths for shade.

The trail system necessitates multiple street crossings. In some cases, crossings may occur mid-block. To ensure safe crossings, special planting to maximize visibility, bollards, traffic-calming devices, and signage may be used to slow both vehicular traffic on streets and pedestrian/bike traffic on paths. Signage may indicate that cyclists have the right-of-way.

The bicycle network will link to the broader City of Tracy and San Joaquin County Bikeway Systems. Bike rack parking for cyclists will be provided as part of the joint use Village Center parking reservoir.



SOURCE: City of Tracy

Figure 4.50 Ellis as it relates to existing bikeways in the City of Tracy

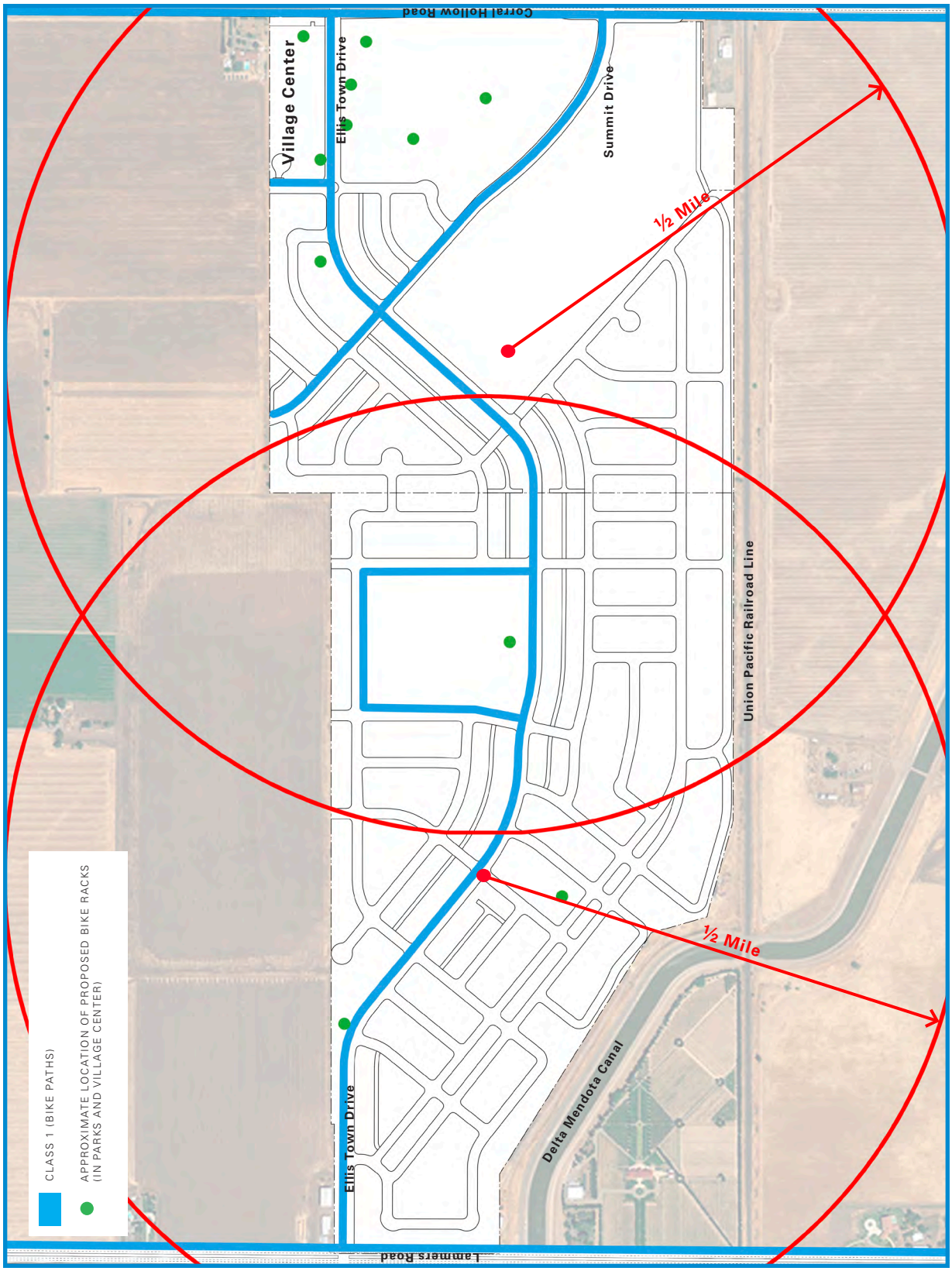


Figure 4.51 Bicycle Systems Plan

4.4 PUBLIC TRANSPORTATION

Ellis will be a walkable, human-scaled, community characterized by a hometown feel that makes it memorable. Ellis will be served by a variety of public transportation options, accommodating the needs of a wide variety of users.

At a regional scale, the community will be served by the Altamont Commuter Express (ACE) which is a passenger rail line running between Stockton and San Jose, with a BART connection to the Bay area from Pleasanton. The ACE transportation system was jointly created by many transit organizations in 1997 to best serve the communities along its rail. One can connect to ACE service through the SMART/ACE General Public Dial-A-Ride, an on-call service that picks up commuters at individual addresses and transports them to the ACE station. Regional bus service is also available within San Joaquin County, through the San Joaquin Regional Transit District, County Area Transit, the San Joaquin Commuter bus, Greyhound, and Amtrak California.

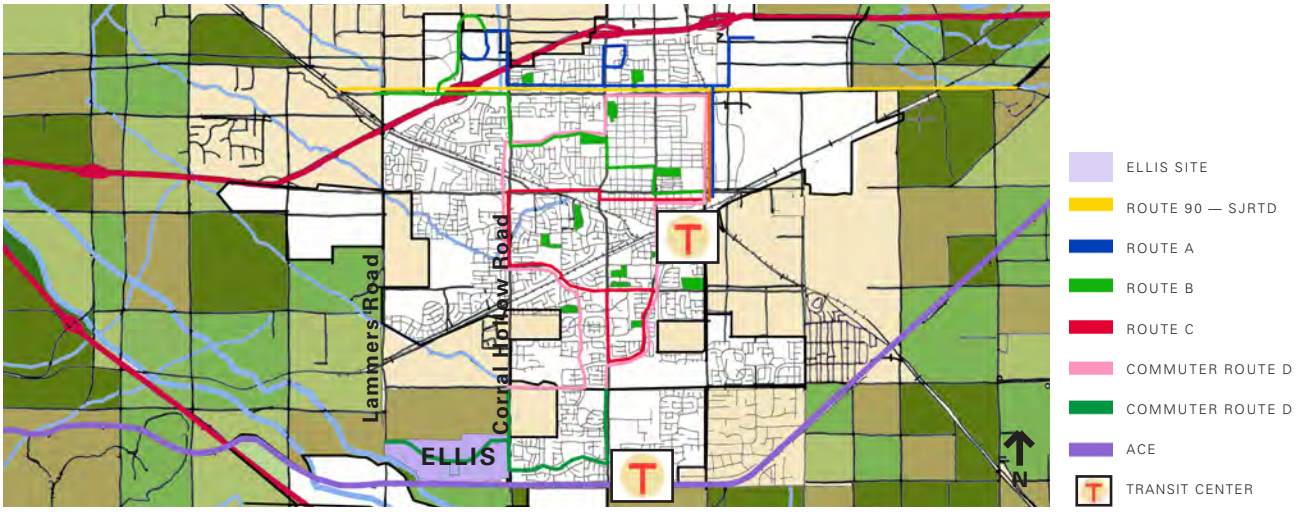


Figure 4.53 Regional Transit Map

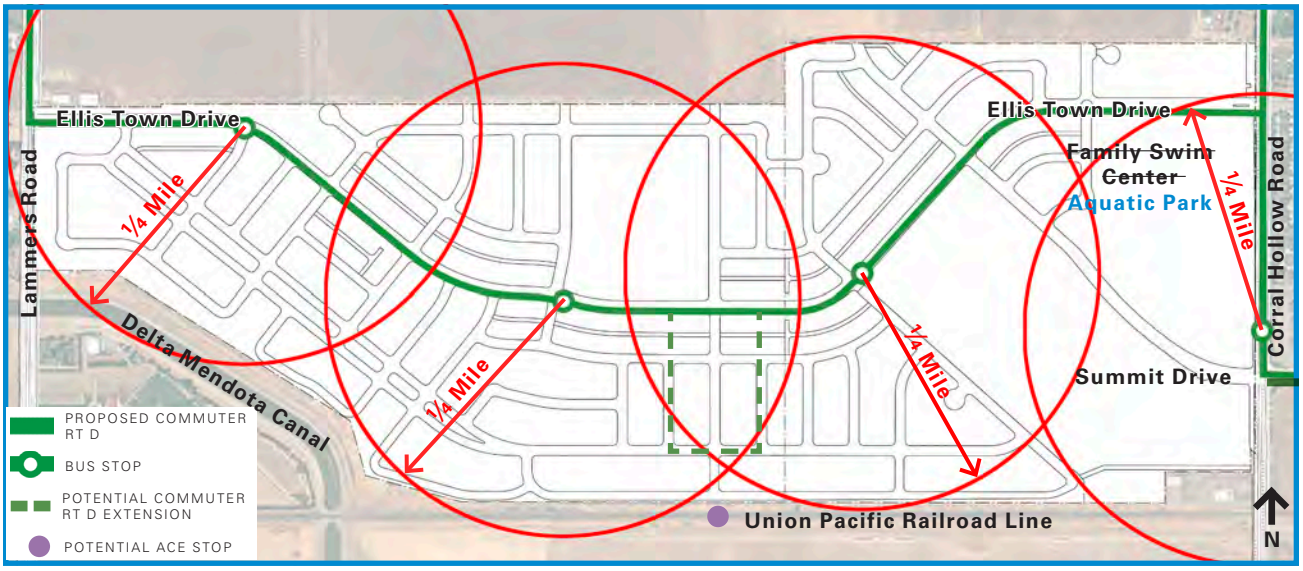


Figure 4.52 Public Transportation Plan

Transit access to the Ellis site will be provided by the City's TRACER bus system. TRACER will provide a proposed commuter route along Ellis Town Drive through the ~~Modified~~ ESP area with four major stops. A potential commuter route connection to provide access to a potential Altamont Commuter Express (ACE) stop will be provided just south of the Ellis property boundary. The TRACER service will provide service to the City of Tracy Multimodal Transit Center with connecting service to the Altamont Commuter Express (ACE) rail, San Joacquin County Regional Transit (SJRTD) regional bus service, Greyhound, and the proposed future high speed rail service and BART connections to the Bay Area and beyond. As the City further develops to the south and the west, the bus service will be extended along Ellis Town Drive to Lammers Road and bus stops/pull outs will be located at intersections and provide for a 1/4 mile to 1/2 mile walking distance from origins and destinations within the ESP to the bus stops to promote transit travel.

4.5 PARKING NETWORK

Residential parking will be on and off-street, some parking may be accessed by way of residential driveways and the proposed rear lane network. Most street types include on-street visitor parking as well. Neighborhood parks are typically served by on-street parking.

Both the Village Center and proposed ~~Family Swim Center~~ Aquatic Park will be served by a series of designated lots and on-street convenience parking. Together these elements create a parking reservoir that is designed to efficiently accommodate long-, medium-, and short-term needs, as well as multi-use parking. Village Center off-street parking will be shared use. Shared-use parking refers to spaces that are available to multiple functions. Employees will park in designated areas behind mixed-use buildings. Shoppers and visitors will park in short-term spaces directly behind the stores and in on-street spaces marked for rapid turnover (see Figure 4.54 Illustrative Village Center Plan).



Figure 4.54 Illustrative Village Center Plan

4.6 PARKS NETWORK

The Ellis parks network is designed to provide a wide array of active and passive recreation opportunities to meet the range of needs within the community. Consistent with City requirements, the ESP includes a park dedication of 4 acres per 1,000 people. Ellis will feature 3 park acres per 1,000 population generated of Neighborhood Parks and 1 park acre per 1,000 population generated of Community Parks (4 park acres per 1,000 population generated total). The proposed ~~Family Swim Center~~ Aquatic Park will be used as credit for the Community Park requirement if built at Ellis.

The intention in the design of parks is to create public spaces that offer:

1. A variety of active and passive recreational opportunities for all age groups;
2. Recreational amenities within walking distance of residents' homes;
3. Integration with the local and regional trail and bike path system; and
4. Access to at least one public street.

A pro rata share of parks will be built as needed to serve the eventual number of units developed. Parks will be a minimum of one acre.

~~Intimate neighborhood parks are interspersed throughout the community ensuring access to a park within a quarter mile of all residences. This enhances walkability and allows the parks to become unique identity landmarks for neighborhoods within the project.~~

Each neighborhood park provides a selection of amenities. ~~All~~ Together, they offer a range of active and passive recreation opportunities traditionally found in larger parks. These amenities may include walking paths, sports fields, play areas, court games, and community gathering spaces. ~~A Landscape Maintenance District (LMD) or~~ The Ellis Community Facilities District (ECFD) ~~will be~~ has been formed specific to Ellis and will collect assessment fees sufficient to ensure a high standard of maintenance for this innovative approach to park design and integration (see Section 5.5). All parks and open space dedicated to the City will be accepted by the City ~~and maintained~~ with maintenance funding provided through ~~Ellis LMD or~~ ECFD and maintained as prescribed in the Ellis Maintenance Agreement (EMA) between ~~by~~ the City and the EPOA with the exception of the ~~Family Swim Center~~ Aquatic Park. ESP parks shall be developed in conformance with the ~~Modified Specific Plan~~ ESP and City construction standards.

The anticipated surrounding density of use has been considered in the programming of each park. Over time, amenities offered in a park may be adjusted to reflect changing recreation trends and demographics with agreement between the EPOA and City.

In some cases, homes front on the parks creating a unique and desirable residential design. These parks feature more passive and social uses, such as open greens and bocce. Landscape buffers, including low walls, fences, and planting separate public from private spaces. Sports and other more active park uses are located in parks separated from residences by streets.

Each park has an individual character and distinct features designed to create a strong sense of place. ~~At the same time,~~ T~~t~~he extensive multi-use path system encourages residents to walk or bicycle between parks and neighborhoods. A unifying visual theme throughout Ellis ensures that residents feel at home in all of the parks in the community. On-street parking is ~~provided~~ available as part of the neighborhood residential parking for those who choose to drive. The regular street tree pattern may be interrupted at parks to announce them as special features along the street, creating visual interest and variety. Where residential neighborhood parking is provided located along park frontage, landscape strips are removed to facilitate access. All park names shall be as approved by City Council as part of the ESP, the park names in the ESP to be used at the parks may be changed by mutual agreement of the City and EPOA.

Group mailboxes may be located adjacent to parks but will not be counted as recreation amenities or count toward park acre requirements.

All Ellis neighborhood parks shall be built by the Ellis project. Ellis parks as a part of this Specific Plan which include neighborhood park concept plans (park components, elements, size, name, theme) for neighborhood parks, shall be built by the project, according to the specific plan concept plan as approved by City Council, with no other modifications, if the project proponent proposes a modification, any additional cost caused by such modification shall be the responsibility of the project, and funded by the project. To encourage walking and biking to parks no additional parking shall be provided in excess of typical neighborhood street parking within the residential neighborhood. Neighborhood parks total park acreage requirement shall be based on three acres per 1,000 residents established by the overall specific plan total residents (total residents shall be 3.21 per single family detached unit, 2.0 for attached residential units of 6 units or less, and 1.6 for attached residential units of 100 or more), final total acreage of parks must equal three acres per thousand for the number of final residential units at build out of the ESP, if there is a shortfall of acreage the project shall pay the neighborhood park fee established in the specific plan or finance plan per unit for additional units. Parks may be one to three acres in size, and shall be included in the ECFD for maintenance and repair funding. Both linear and special use parks as defined in the Specific Plan are eligible in the ESP as neighborhood parks. The project shall provide a bond to the City in the amount of $500,000 for each park acre appearing on an approved final map for residential units, and/or improvement plans. The project shall start construction of the first neighborhood park by the 400th building permit, and shall start construction of an additional neighborhood park by each 400th building permit thereafter. All parks shall be maintained in accordance with the Ellis maintenance manual. The maintenance manual will be updated by developer periodically to include improvements which have been installed in public parks, landscape areas, and other public improvements within the ECFD boundaries, and updated versions shall be provided to the City and EPOA. The City and EPOA may amend and make changes to existing improvements standards or guidelines which are part of the manual upon mutual agreement.

The Illustrative Parks, Preserve, and Special Landscape Feature Plan (Figure 4.55) illustrates the neighborhood park concept system. Individual elements of this system are listed below. Parks listed but not shown in Figure 4.55 may be located and used at a later date anywhere within the Ellis Specific Plan Area, as approved by the City through a Tentative Map process.

A The proposed ~~Family Swim Center~~ Aquatic Park is a regional aquatic facility, which may include a ~~competition pool, recreation pool, sprayground, lazy river, outdoor gathering space, and volleyball complex.~~ 25-yard indoor pool, 25- to 50-meter outdoor pool, children's pool and spray pad, lazy river, slides, cabanas, fitness center, locker rooms and restrooms. It is designed to minimize hardscape, maximize green space, and help buffer winds. The range of activities makes it a family recreation destination.

B The Village Green anchors the Village Center and acts as a portal to the residential neighborhoods. Located ~~at the edge~~ just west of the Village Center on "Ellis Town Drive," the Village Green ~~may feature an interactive fountain, gazebo, gathering area, open lawn, seating, and shade trees, and serves as the ceremonial center of Ellis.~~ has a strong visual presence when entering the community from Corral Hollow. The park serves as the ceremonial center of Ellis and may feature an multi-purpose lawn, play area, bocce courts, and picnic areas.

C ~~Cottage Park features a tot lot and open lawn suitable for informal games. A bocce ball court encourages socializing with neighbors.~~ Not Used

D ~~Homestead Park~~ The Dog Park includes areas for shaded seating and public art as well separated small and large dog areas. A landscape strip buffers and screens adjacent residences. The perimeter of the park is fenced for safety. ~~celebrates the history of Ellis with themed play areas and site furnishings, as well as a tennis court, and multi-purpose turf suitable for youth soccer.~~

E ~~Central Park~~ Homestead Park provides a recreation hub for multiple generations. Features a train themed play area, picnic area with shade structure and open green for informal games and relaxation. The park also promotes neighborhood gathering with a focal element expressing the railway theme.

F Western Park includes play areas, a multi-purpose field suitable for youth soccer or baseball and a group picnic area with shade structure.

G ~~Carol's Rose Garden offers a small gathering space with sculpture or garden ornamentation, and a rose garden.~~ Not Used

H The Orchard evokes the agrarian character of the community with a windrow of columnar trees, and orchard grid planting interspersed with open lawn. An ~~dog park~~ ornamental garden area is located at the eastern end of the park.

I Native Preserve is a ~~long~~ linear Special Landscape Feature that runs the length of the Pacific Gas and Electric (PG&E) and Chevron easements. This area will be fenced off and planted with drought tolerant ~~native~~ grasses or other compatible ~~plants~~ plantings. Alternatively, this area may be leased to an entity and put to compatible uses such a vineyard.

J Boulder Park provides a rock-themed play element, small picnic area and an open green suitable for games such as volleyball or badminton. A focal element and ornamental garden reinforce the theme.

K Sports Park includes a basketball court, multi-use sports field, play area and picnic area with shade structure.

L Railroad Park features a train themed play area, picnic area with shade structure and open green for informal games and relaxation. The park also promotes neighborhood gathering with a focal element expressing the railway theme.

M Nature Park is designed to serve multiple generations with a themed play area, picnic area with shade structure, tennis court, multi-use sports field, and skate feature. ~~The park also offers a dog park.~~ A focal element reinforces the nature theme.

N Butterfly Park offers a tranquil neighborhood setting with an ornamental garden, fountain or gazebo, bocce court and information kiosk. A water play element is also provided. Park elements reinforce the butterfly theme.

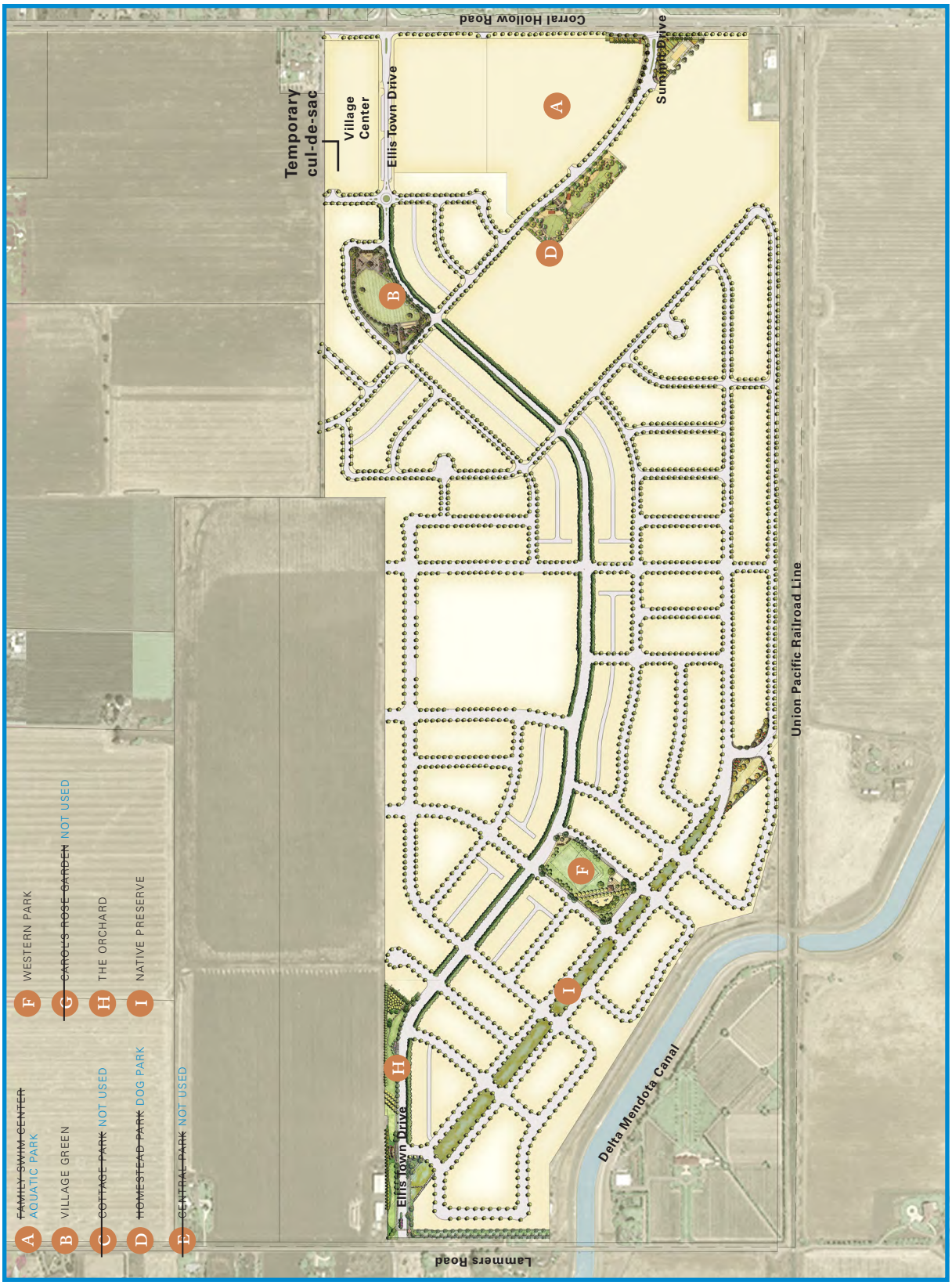


Figure 4.55 Illustrative Parks, Preserve, and Special Landscape Features Plan

4.6.1 ~~Family Swim Center~~ Aquatic Park (Figure 4.55, A)

The ~~Family Swim Center~~ Aquatic Park is a family-friendly recreation destination. The facility may include ~~a competition swimming pool, recreation pool, sprayground, water slide, wet play structure, lazy river, and flow rider, along with support facilities such as showers, locker rooms, ticket area, and concessions.~~ indoor and outdoor pools, a fitness center, children's pool, sprayground, lazy river and slides, as well as support facilities including cabanas, and restrooms/locker rooms with showers.

It will have controlled access and may be rented for events, serving as a revenue-generating amenity. Cross-fencing is used to control access to portions of the ~~Family Swim Center~~ Aquatic Park as seasons or events require.

The architecture is traditional, elegant, and reminiscent of a coastal Victorian-style resort.

A gateway element on Corral Hollow Road creates awareness of the ~~Family Swim Center~~ Aquatic Park for vehicles approaching the entry. ~~Sidewalks link the Family Swim Center and the Village Center.~~

CONCEPTUAL PROGRAM

TYPE Park

USES/FEATURES

A ~~Pedestrian Connection to Ellis Drive~~
25 yard indoor pool

B ~~Family Swim Center Entry Building~~
Fitness center/courts/exercise rooms

C ~~Planted Berm along Corral Hollow Road~~
Event/party/meeting rooms

D ~~Lazy River~~
Restrooms/locker rooms

E ~~Water Slide~~
Staff areas

F ~~Sprayground~~
25-50 meter outdoor pool with inflatable adventure course

G ~~Volleyball Pavilion~~
Toddler pool

H ~~Recreation Pool~~
Children's pool and spray pad

I ~~Family Swim Center Signage~~
Lazy River

J ~~Competition Pool with Berm Seating~~
Speed and tube slides

K ~~Parking~~
Family raft ride

L Cabanas

M Aquatic Park Signage

N Parking

O Maintenance facilities

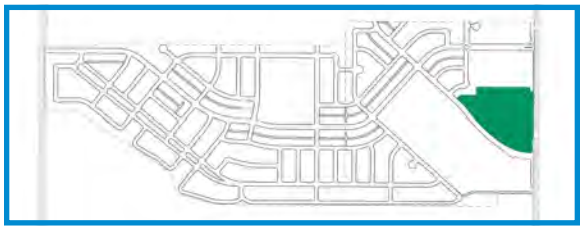


Figure 4.56 Key Plan

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Figure 4.58 ~~Family Swim Center gateway element on Corral Hollow Road~~
Conceptual Aquatic Park Sign (See Ellis Sign Program for details)



Figure 4.60 View of concept for the Main Showers and Lockers Building



Figure 4.59 Traditional architecture example



Figure 4.61 Pool set within green landscaping example

Photo: Gates & Associates

~~The Family Swim Center will be maintained by the City of Tracy, and is not part of the Landscape Maintenance District (LMD) or Community Facilities District (CFD).~~

Vehicles enter the ~~Family Swim Center~~ Aquatic Park from ~~Ellis Town Drive~~ Summit Drive. Parking is located along the ~~eastern and southern~~ western length of the facility.

~~A tree-lined street creates a dramatic entry to the Family Swim Center from the corner of Ellis Town Drive, Summit Drive, and Corral Hollow Road. This tree-lined street transitions into a short promenade and arrival plaza at the first intersection. A distinctive gateway marks the facilities main entrance.~~

The ~~recreation pool, competition pool, and seasonal water play areas~~ aquatic facilities are separated by landscape buffers to ensure a visually pleasant environment throughout the facility, and within each activity area. ~~The competition pool is wind protected by a berm, which also acts as seating for spectators. The sprayground and lazy river are visually separated from other Family Swim Center elements with landscaping so that views are blocked during winter months when they are not in use.~~ Lush landscaping cools the area by minimizing hardscape and providing ample shade. A planted berm screens views of the parking area from ~~Corral Hollow~~ Summit Drive.



Figure 4.62 ~~View of the~~ Conceptual proposed ~~Family Swim Center~~ Aquatic Park



Photo: Gates & Associates

Figure 4.63 ~~Competition pool~~ Outdoor pool example

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Figure 4.64 Intentionally left blank

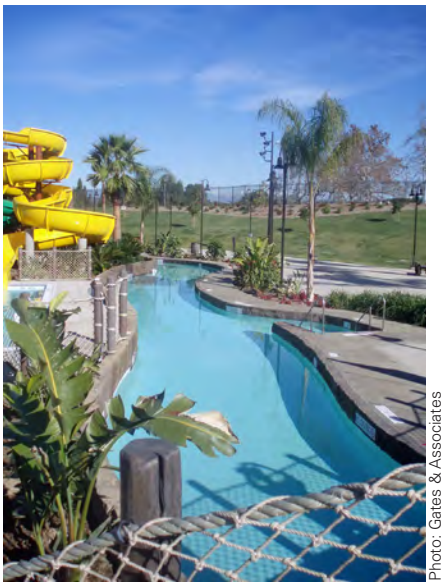


Photo: Gates & Associates

Figure 4.65 Lazy river and slide example



Figure 4.66 ~~View of the~~ Conceptual lazy river and slides
Note: Configuration and amenities to be based on final design

4.6.2 Village Green
(Figure 4.55, B)

This park is located at the western edge of the Village Center. It creates a transitional gateway between the Village Center and the residential neighborhoods of Ellis.

An entry portal and clock tower create a strong focal point visible when entering the community along Ellis Town Drive. A plaza and promenade area with benches and shade trees provides a space for organized events, such as farmers market, art fairs, flea markets, and other community functions and celebrations. An open multi-purpose lawn provides flexible space for sports, games, parties, and gatherings, with a portal at one end that doubles as a screen for movies in the park. Terraced steps provide informal seating at the edge of the lawn. The park offers play areas for both 2 to 5 and 5 to 12 year-olds, bocce courts, and ornamental planting areas. Picnic tables, shade structures, and a range of seating options are provided throughout the park. Railway-themed elements add character throughout the park.

The neighborhood's mailboxes are located under an iconic shade structure at the western edge of the park.

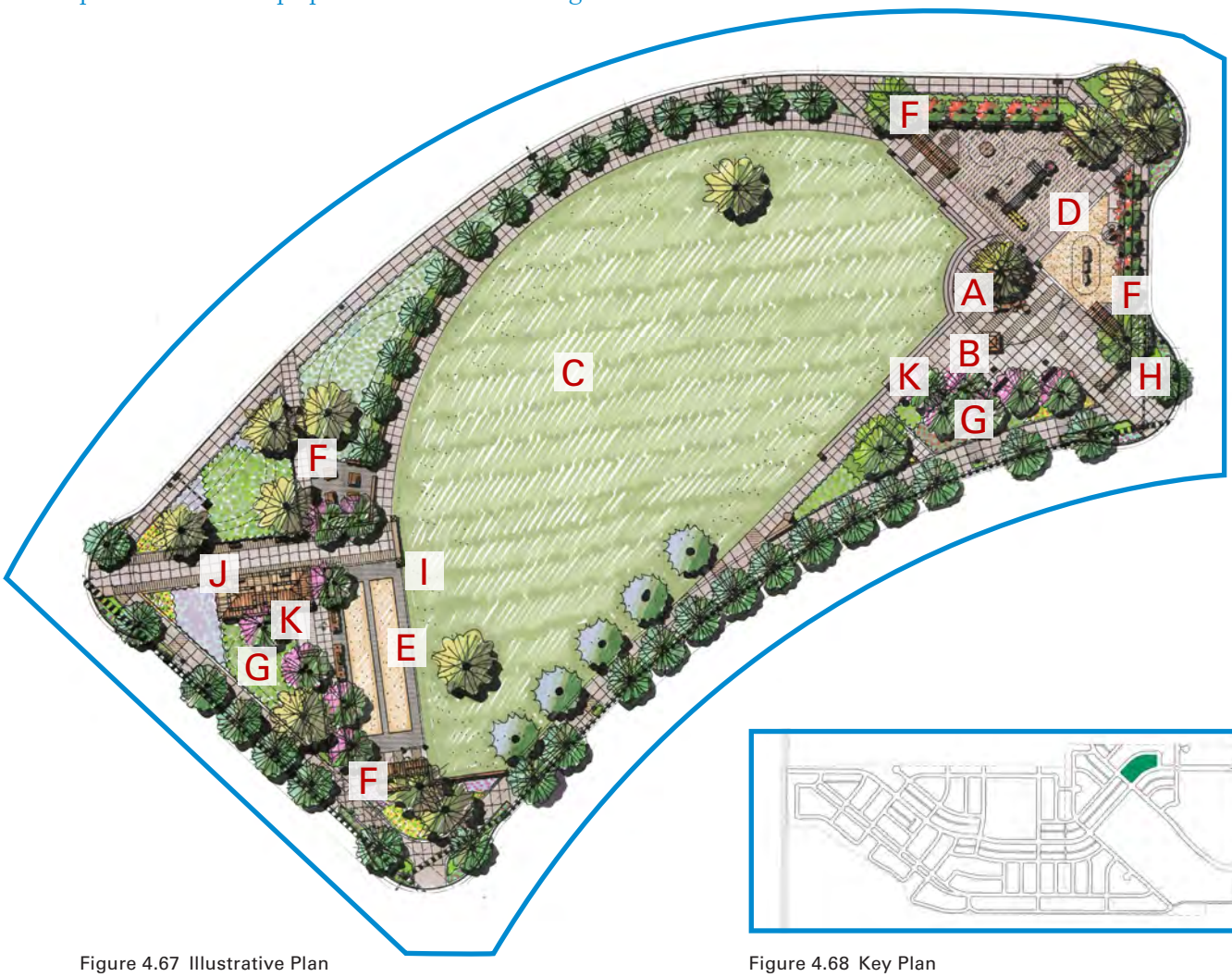


Figure 4.67 Illustrative Plan

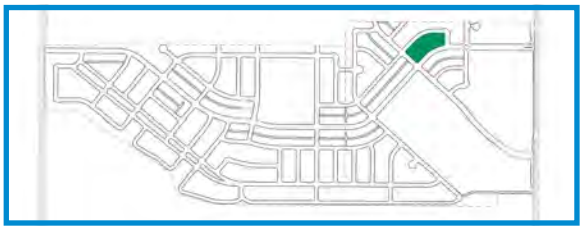


Figure 4.68 Key Plan

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CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A ~~Fountain/Gazebo~~
Specimen Tree

B Clock Tower/Information Kiosk

C ~~Ornamental Garden~~
Multi-purpose Lawn

D ~~Park Sign (Small)~~
Play Areas (2–5 and 5–12)

E Bocce Courts

F Picnic with Shade

G Ornamental Planting

H Portal and Park Sign (Large)

I Portal (Removable Movie Screen)

J Mailboxes/Iconic Shade Structure

K Bike Racks

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Figure 4.71 Intentionally left blank



Photo: Gates & Associates

Figure 4.72 ~~Rose garden~~ Ornamental planting



Photo: Gates & Associates

Figure 4.69 Railway themed play example



Photo: Gates & Associates

Figure 4.73 Bocce courts example

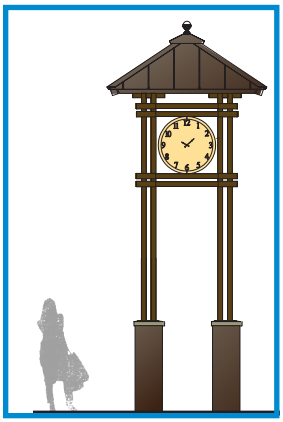


Figure 4.70 Clock tower

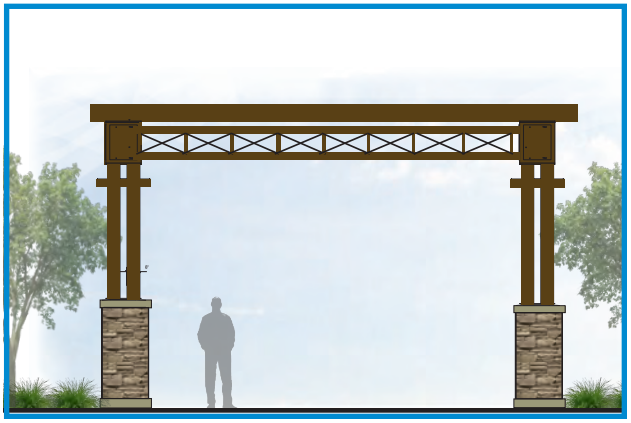


Figure 4.74 Portal/movie screen

4.6.4 ~~Homestead Park~~ Dog Park

(Figure 4.55, D)

The Dog Park provides separate areas, each with double gated entries, for small and large dogs. Each area includes a drinking fountain with dog bowl, dog waste stations, and may offer dog agility features and water mist elements. A plaza between the two areas provides seating and an community information board. Shaded seating and tables are located throughout the park. Pathways and seating areas may be paved with concrete or decomposed granite. Furnishings and elements may include metal, wood, concrete or GFRC (glass fiber reinforced concrete). Shade trees are dotted throughout the park, creating an attractive edge and cool areas for the dogs. A 30-foot landscaped buffer screens adjacent residences. A 10-foot buffer is provided along the south edge of the park. The park is fenced for safety. Public art and boulders may also be included as part of the park.

CONCEPTUAL PROGRAM

TYPE Park

USES /FEATURES

- A Small Dog Area
- B Large Dog Area
- C 5-Foot Perimeter Fence
- D Seating Area
- E Boulders
- F Water Play Feature
- G Lounge Chair
- H 30-Foot Landscape Buffer
- I 10-Foot Landscape Buffer
- J Shade Structure with Seating
- K Sign Type G
- L Trash And Recycling Receptacle
- M Leash Holder
- N Message Center
- O Bike Rack
- P Double Entry Gate With Regulatory Signage
- Q Public Art
- R Drinking Fountain With Dog Bowl
- S Maintenance Access Gate Through Dividing Fence
- T Decomposed Granite Paving
- U Natural Turf
- V Connection to Storage Site
- W Trees over mulch
- X ADA Parking Stalls
- Y Agility Area
- Z Seat Wall

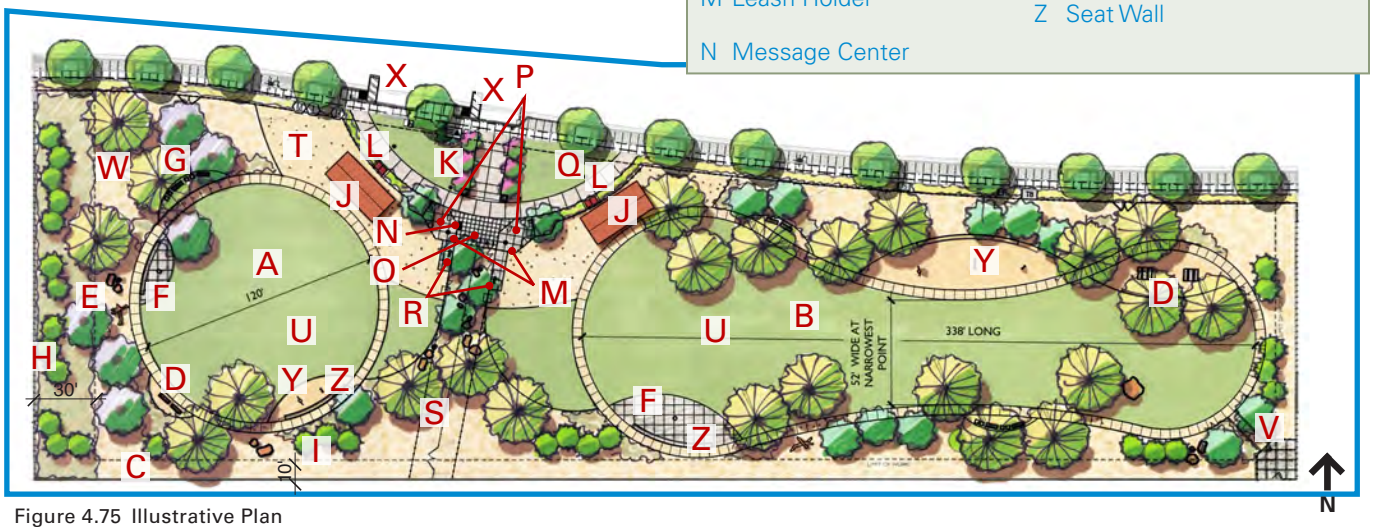


Figure 4.75 Illustrative Plan

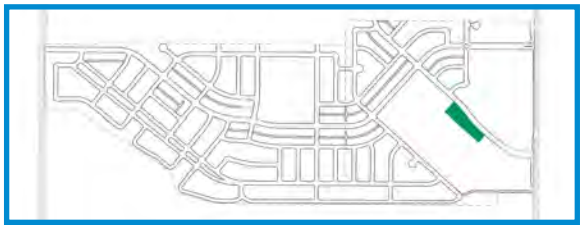


Figure 4.76 Key Plan

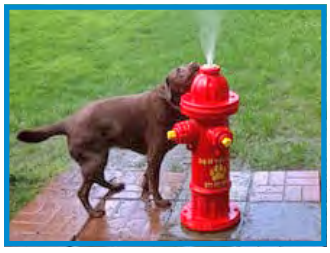


Photo: Gates & Associates

Figure 4.77 Mister example



Photo: Gates & Associates

Figure 4.78 Naturalistic agility structures

4.6.5 ~~Central Park~~ Homestead Park ~~(Figure 4.55, E)~~

~~Central Park~~ Homestead Park provides a recreation hub for multiple generations. The park offers a small play element and water play feature, a basketball court, a small skate feature and an open green for volleyball, badminton or other informal activities.

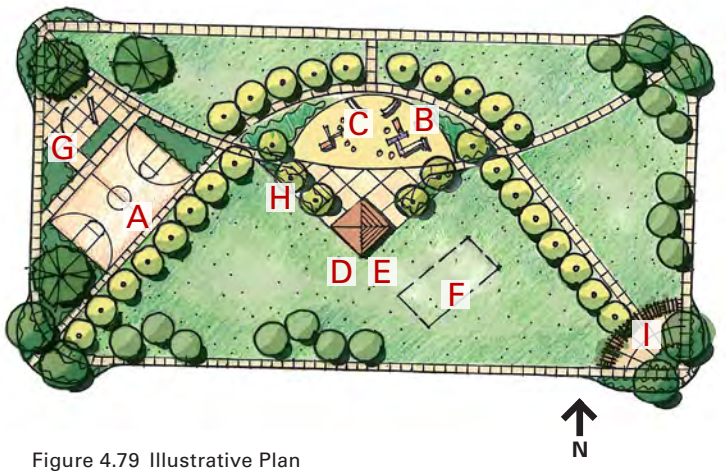


Figure 4.79 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Full Basketball Court

B Play Element

C Water Play Element

D Picnic (Large)

E Shade Structure

F Open Green/Volleyball/Badminton

G Skate ~~Feature~~ Spot

H Drinking Fountain

I Park Sign (Large)



Figure 4.80 Water play feature example



Photo: Gates & Associates

Figure 4.81 Basketball example

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Figure 4.82 Intentionally left blank

4.6.6 Western Park
(Figure 4.55, F)

Western Park offers active recreation including a multi-use soccer/youth ballfield and a large play area. The park also features a shaded picnic area and plaza with focal element for neighborhood gathering.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (Full)

B Picnic (Large)

C Shade Structure

D Soccer/T-ball Multi-Use Field

E Drinking Fountain

F Focal Element (Allowance)

G Park Sign (Large)

H Bike Racks

I Special Landscape Feature (see Section 4.7.9)



Figure 4.83 Illustrative Plan



Figure 4.84 Key Plan



Photo: Gates & Associates

Figure 4.85 Multi-use field example

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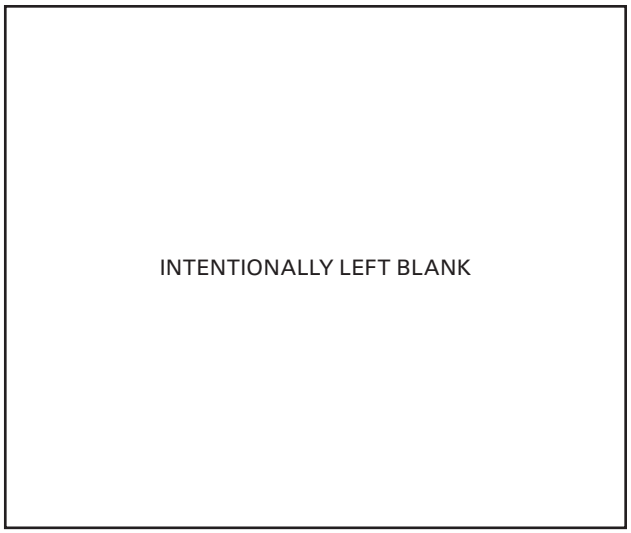


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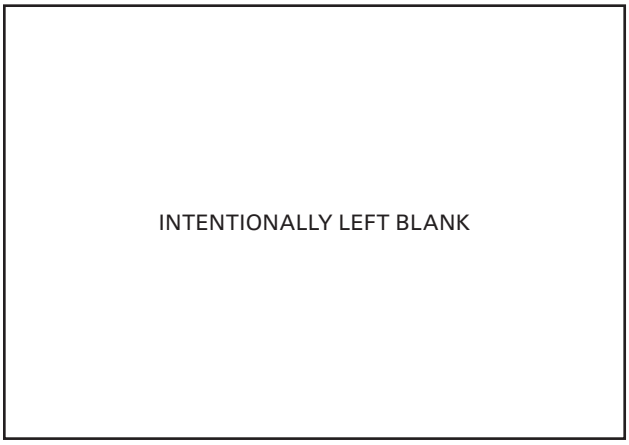


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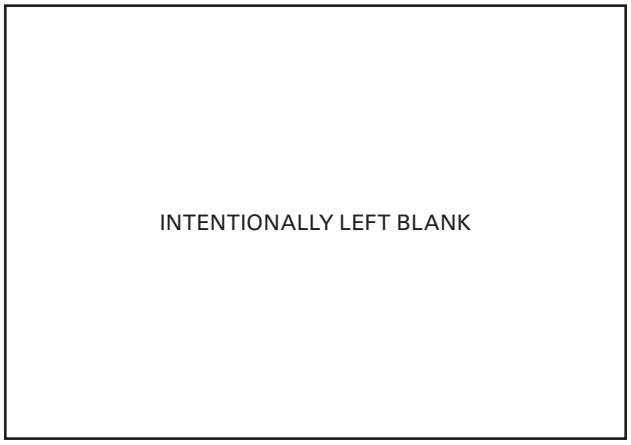


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4.6.8 The Orchard
(Figure 4.55, H)

The Orchard runs along the north side of Ellis Town Drive east of Lammers Road. The Orchard acts as a gateway for visitors, and provides a serene homecoming for busy residents at day's end. A windrow of columnar trees creates a backdrop for open lawn. ~~A dog park is tucked into The Orchard at the eastern edge of the park.~~

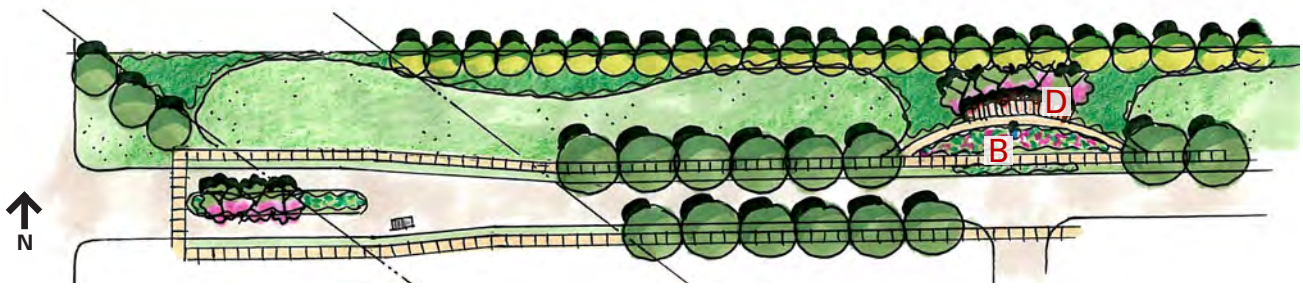


Figure 4.90 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES /FEATURES

~~A Dog Park~~

~~B~~A Park Sign (Small)

B Ornamental orchard/demonstration garden

C Fitness stations

D Seating with arbor

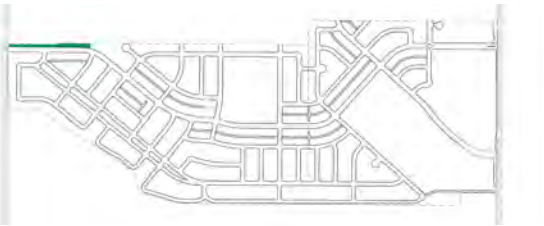


Figure 4.91 Key Plan



Photo: Gates & Associates

Figure 4.92 Arbor example



Photo: Gates & Associates

Figure 4.93 Orchard example

The Orchard (continued)

The linear nature of the park makes it ideal for walking. A multi-use path runs the entire length of the park.

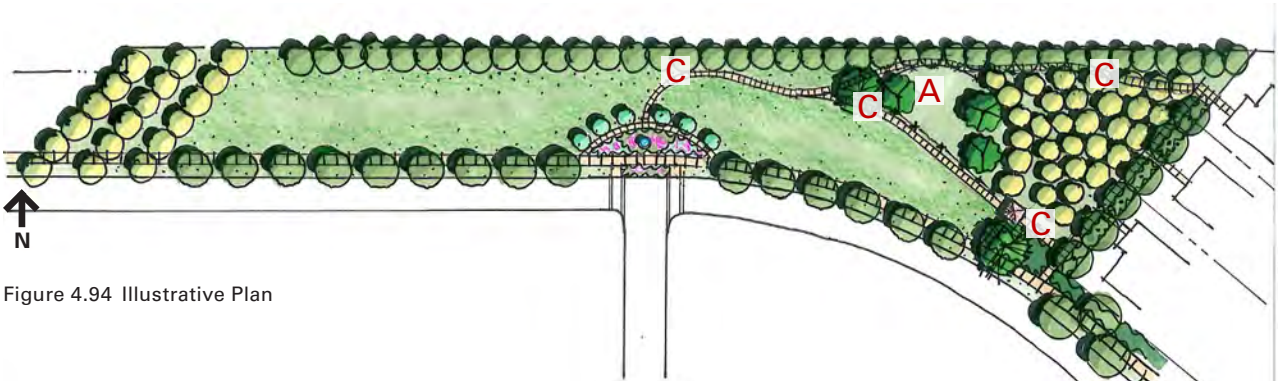


Figure 4.94 Illustrative Plan



Photo: Gates & Associates

Figure 4.95 Demonstration garden example



Photo: Gates & Associates

Figure 4.96 Fitness Stations example

4.6.9 Native Preserve
(Figure 4.55, I)

The Native Preserve runs the length of the Pacific Gas and Electric (PG&E) and Chevron pipeline easements. The Native Preserve will be a significant visual amenity. It ~~may~~ will be enclosed with a split rail fence and planted with ~~non-irrigated~~ low, drought tolerant ornamental grasses and perennials. The split rail fence may be concrete or vinyl. Barrier plants, such as, but not limited to Carpet Rose and Berberis ~~and Pyracantha~~ may be planted along the edge to discourage access and use. Alternatively, the area of the Native Preserve may be leased to an entity and put to compatible uses such as a vineyard. In this case all plantings and structures will reflect easement restrictions. Management and maintenance agreements would ensure appropriate caretaking of the property. No trees are planted within the easement, however street trees are located in the adjacent park strip. A maintenance access gate is provided at each median segment.



Figure 4.98 ~~View of the~~ Native Preserve concept



Figure 4.99 Key Plan

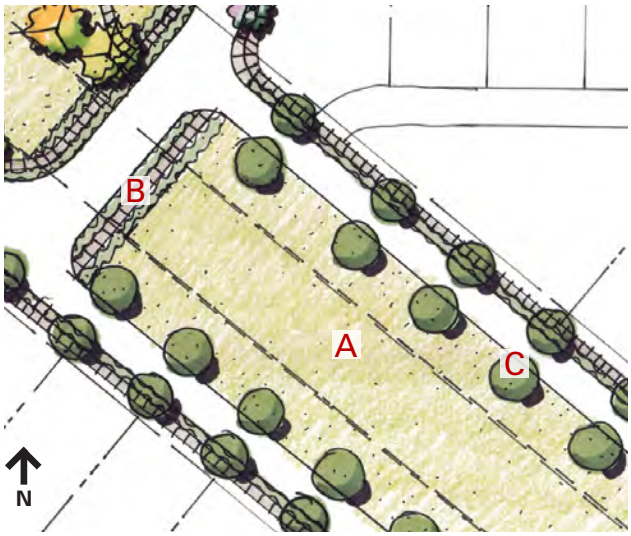


Figure 4.97 Illustrative Plan, typical



Photo: Gates & Associates

Figure 4.100 Split rail fence example



Photo: Gates & Associates

Figure 4.101 Split rail fence example

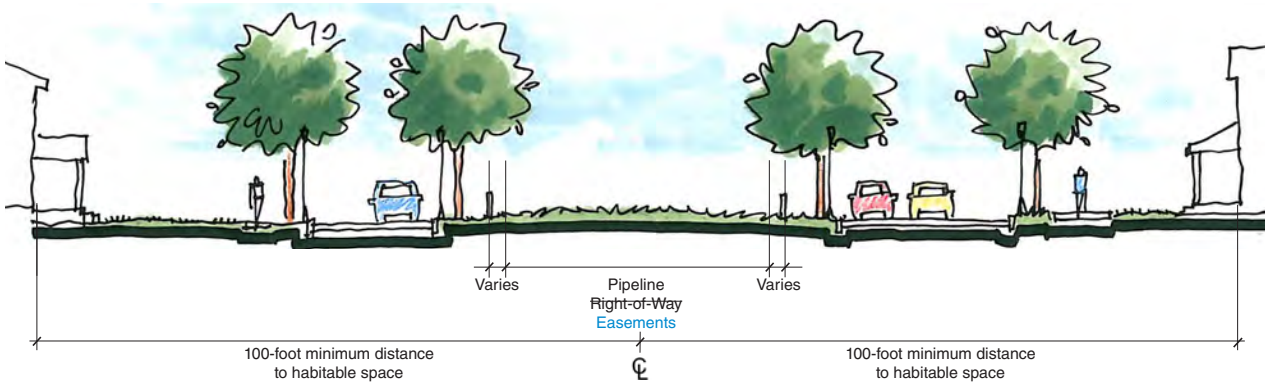


Figure 4.102 Illustrative section of the Native Preserve

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Figure 4.103 Intentionally left blank

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Figure 4.104 Intentionally left blank

Figure 4.105 Key Plan



CONCEPTUAL PROGRAM

A ~~Non-irrigated grasses~~ Low, drought tolerant planting

B Split rail fence and barrier plantings along edges

C Street trees

D Paths and seating areas (outside easement)

Figure 4.106 Illustrative Plan of the southern edge

4.6.10 Boulder Park

Boulder Park features a rock themed play element, a picnic area and an open green suitable for volleyball, badminton, informal play or relaxation. An ornamental rock garden reinforces the park theme.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES /FEATURES

A Play Element

B Picnic Small

C Open Green/Volleyball/ Badminton

D Focal Element (Allowance)

D Ornamental Garden

E Park Sign (Small)

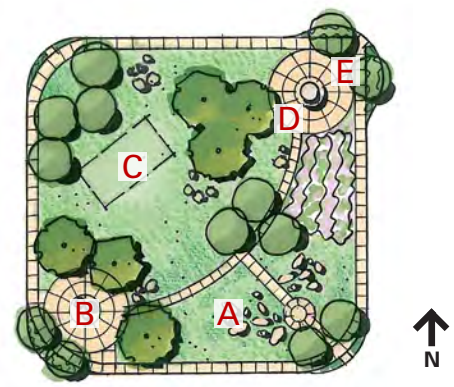


Figure 4.107 Illustrative Plan



Photo: Gates & Associates

Figure 4.108 Open green, volleyball, and badminton example

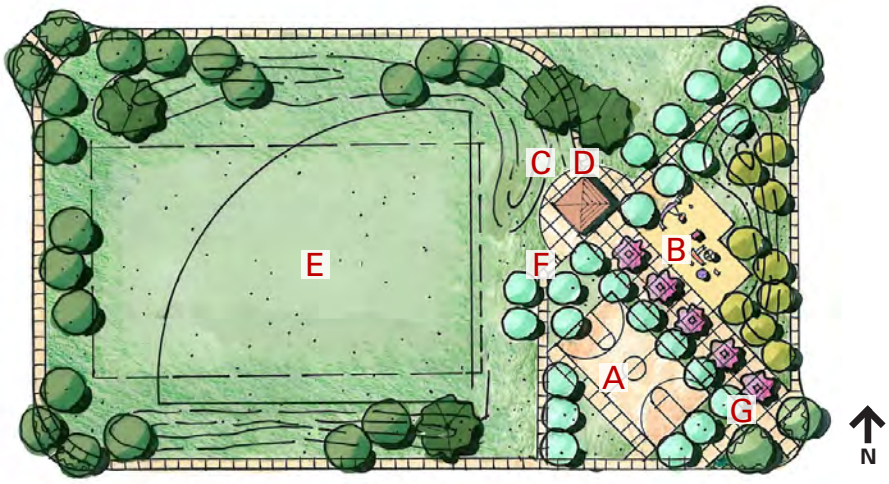


Photo: Gates & Associates

Figure 4.109 Play element example

4.6.11 Sports Park

Sports Park provides active recreation opportunities including basketball and a multi-use soccer/youth ballfield. A full play area and picnic area with shade structure are also included.



CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Full Basketball Court

B Play Area (Full)

C Picnic Large

D Shade Structure

E Soccer/T-ball Multi-Use Field

F Drinking Fountain

G Park Sign (Large)

Figure 4.110 Illustrative Plan



Photo: Gates & Associates

Figure 4.111 ~~Open lawn~~ Multi-use field example

4.6.12 Railroad Park

This park celebrates local railroad history with a train themed play area, picnic area with shade structure and open green for informal play. A plaza with a focal element makes this park ideal for neighborhood gatherings.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES /FEATURES

A Play Area (Small)

B Picnic Large

C Shade Structure

D Open Green/Volleyball/ Badminton

E Drinking Fountain

F Focal Element (Allowance)

G Park Sign (Large)

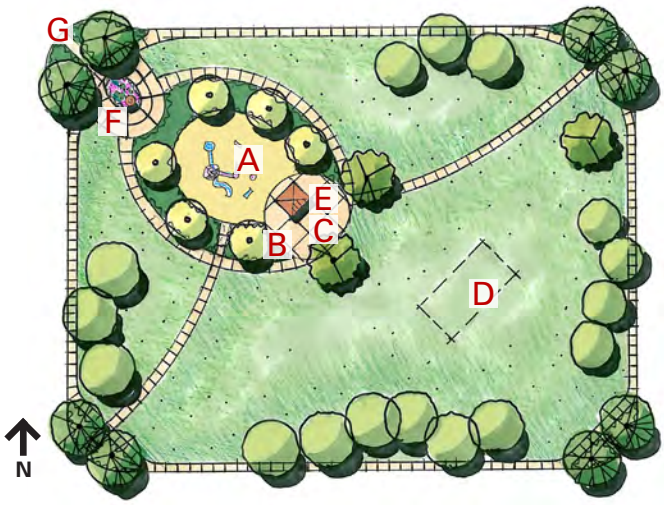


Figure 4.112 Illustrative Plan

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Figure 4.113 Intentionally left blank



Photo: Gates & Associates

Figure 4.114 Themed play structure example

4.6.13 Nature Park

Nature Park celebrates natural systems while providing a wide range of recreational uses. The park includes a themed play area, picnic area with shade structure, tennis court and multi-use sports field. A small skate feature and a dog park are also provided. A focal element, such as an interactive sundial, animal footprints or faux fossils, reinforces the theme.

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Play Area (Full)

B Picnic Large

C Shade Structure

D Tennis

E Soccer/T-ball Multi-Use Field

F Skate Spot

~~G Dog Park~~

~~H~~G Drinking Fountain

~~I~~H Focal Element (Allowance)

~~J~~I Park Sign (Large)

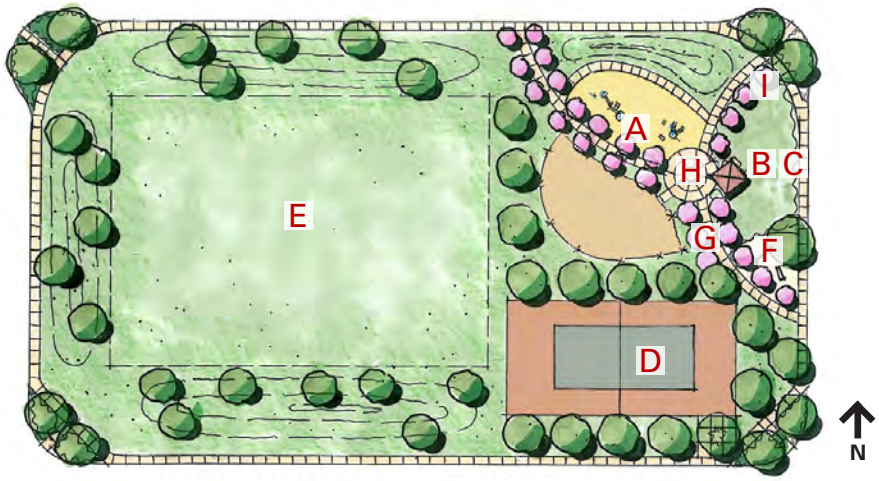


Figure 4.115 Illustrative Plan



Photo: Gates & Associates

Figure 4.116 Play area example

4.6.14 Butterfly Park

This tranquil park features an ornamental garden to attract butterflies. A bocce court, water play element, information kiosk and a focal element, such as a fountain or gazebo all promote neighborhood gathering. A small picnic area and open green are also included.

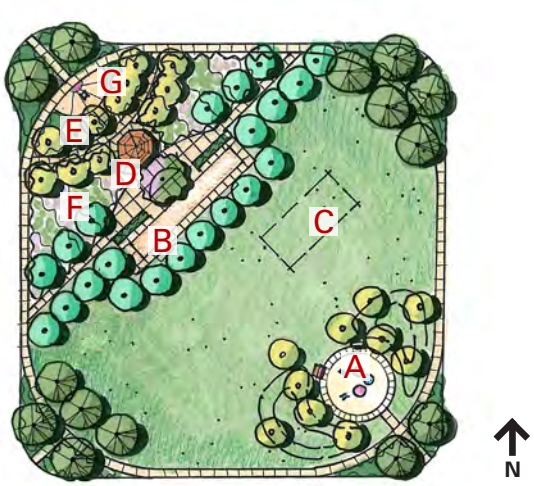


Figure 4.117 Illustrative Plan

CONCEPTUAL PROGRAM

TYPE Neighborhood Park

USES/FEATURES

A Water Play Element

B Bocce

C Open Green/Volleyball/Badminton

D Fountain/Gazebo

E Informational Kiosk

F Ornamental Garden

G Park Sign (Small)



Photo: Gates & Associates

Figure 4.118 Butterfly-friendly landscaping example



Photo: Gates & Associates

Figure 4.119 Water play element example



Photo: Gates & Associates

Figure 4.120 Butterfly landscape art example

4.7 SPECIAL LANDSCAPE FEATURES

The ESP includes numerous special landscape features that will contribute to both the desirability and livability of the new community. These special landscape features include distinct community entries, generously landscaped street frontage and intersection nodes, landscape buffers and edges, pedestrian links, and common areas.

The character of these special-use areas reflects the agrarian heritage of the site as well as the historic elements of the original settlement at Ellis, established in ~~1850~~ 1869.

4.7.1 Ellis Town Drive Entry at Corral Hollow Road

This is the primary entry for the Ellis community ~~as development begins. It~~ and is also the entry to the Village Center ~~and the proposed Family Swim Center~~. As such, it plays a key role in establishing the character for the community. The northwest corner of the intersection may feature a landmark ~~w~~Water ~~t~~Tower bearing the Ellis logo to announce the community. A sign ~~may be attached to~~ projecting from the tower ~~that identifies merchants within the Village Center~~ is described in Appendix B: Sign Program. A subordinate Silo element with a similar projecting sign will be located at the secondary Village Center entrance (see Fig. 4.127). The ~~w~~Water ~~t~~Tower, Silo, and low stone walls appear as remnants of a historic California settlement as a reference to Ellis' agrarian history.

The ~~w~~Water ~~t~~Tower ~~character may be natural, stained or colored painted wood in appearance or~~ includes painted and galvanized metal. The Water Tower spans the sidewalk. The ~~w~~Water ~~t~~Tower will be externally lit to illuminate the Ellis name and logo. The ~~tenant~~ signage on both may be internally or externally lit. Sign structures (poles) with banners ~~may~~ line Corral Hollow Road north and south of the Water Tower. ~~These may be used initially for temporary homes sales banners and transition to seasonal or permanent community banners.~~

~~The southwest corner of the intersection may include a plaza with monument sign for the Family Swim Center consistent with the architectural character of the building. The sign will be externally lit. Decorative paving, a low curved wall and accent planting frame the sign and highlight the corner.~~

The southwest corner of the intersection includes an iconic Pump House feature. Like the Water Tower, the Pump House is a reference to the area's agrarian history. The Pump House is shown in Figure 4.122. The Pump House will be externally lit. The Pump House will be located on private property.

~~Fan~~ Date palms planted in ~~an agrarian pattern~~ a row create a distinctive backdrop for the Water Tower ~~and Swim Center Signage~~ and Pump House and continue along Ellis Town Drive into the Village Center. A low stone wall (which may be partially removed based on Village Center building locations) and planted median further highlight the entry.

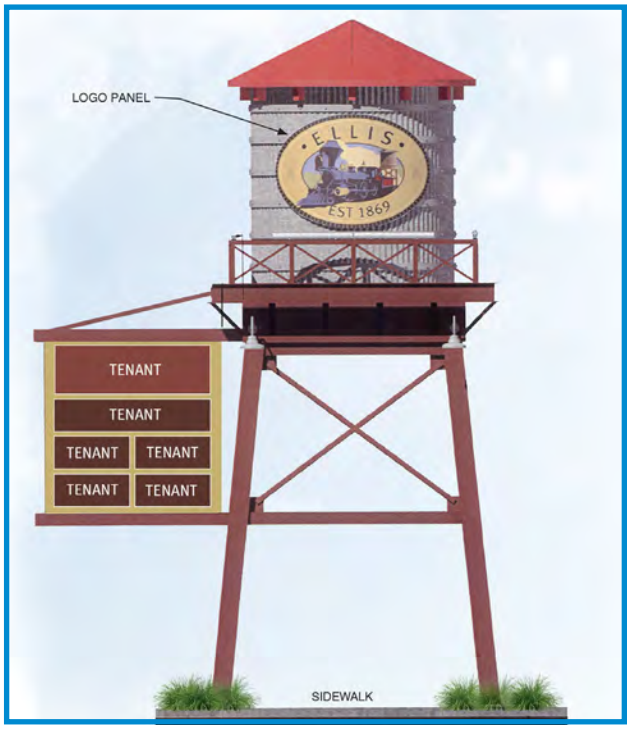
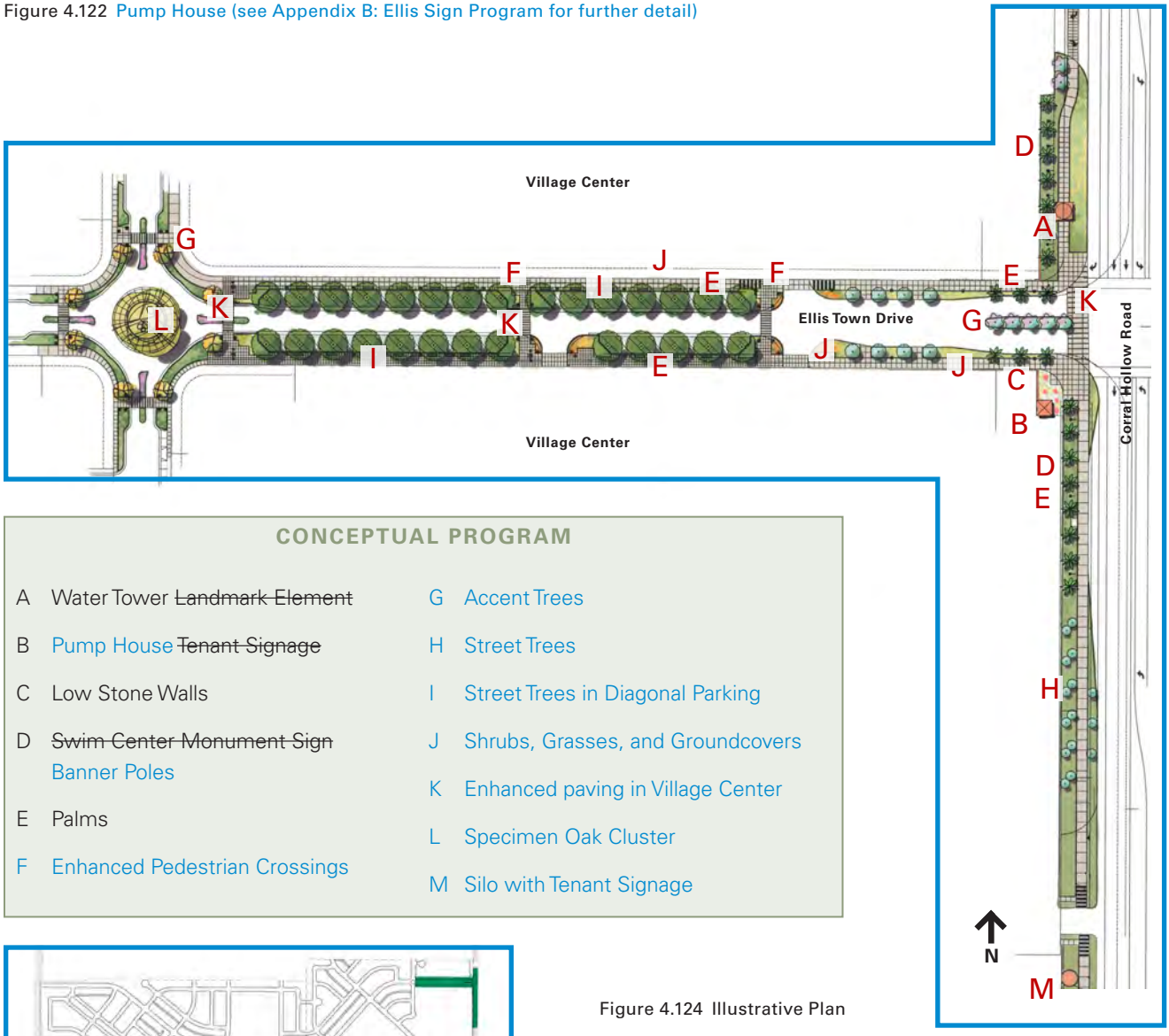


Figure 4.121 Water Tower landmark element (See Appendix B: Ellis Sign Program for further detail)



Figure 4.122 Pump House (see Appendix B: Ellis Sign Program for further detail)



CONCEPTUAL PROGRAM

A Water Tower ~~Landmark Element~~

B Pump House ~~Tenant Signage~~

C Low Stone Walls

D ~~Swim Center Monument Sign~~
Banner Poles

E Palms

F Enhanced Pedestrian Crossings

G Accent Trees

H Street Trees

I Street Trees in Diagonal Parking

J Shrubs, Grasses, and Groundcovers

K Enhanced paving in Village Center

L Specimen Oak Cluster

M Silo with Tenant Signage

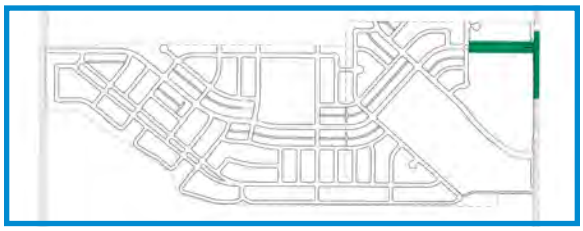


Figure 4.123 Key Plan

Figure 4.124 Illustrative Plan

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Figure 4.125 Intentionally left blank



Photo: Gates & Associates

Figure 4.126 Low stone wall example



Figure 4.127 Silo (see Appendix B: Ellis Sign Program for further detail)

4.7.2 ~~Middlefield Road~~ Summit Drive Entry at Corral Hollow Road

~~At Middlefield Road, the berm along Corral Hollow Road will transition into a stone wall that defines both corners of the entry. The entry is asymmetrically designed with a low wall and planting. Community identification signage may be included on the wall. The north side features columns and a gate entry reminiscent of an old ranch. The gate entry leads along Middlefield to orchard-like streetscape planting with a meandering path and intermittent low walls. The south side of Middlefield in this area is planted with columnar trees in a windrow.~~

The Summit Drive entry will express the character of the community with rural agrarian style plantings and monumentation. A row of palms line Corrall Hollow Road near Summit Drive echoing the entry at Ellis Town Drive to the north. Entry monument signage at the Aquatic Park is located on Corral Hollow Road north of Summit Drive.

~~A barn with the Ellis community logo~~ The storage office with historical theme and a granary element ~~also~~ bearing the Ellis logo ~~may be~~ are located on the south side of ~~Middlefield Road~~ Summit Drive. ~~The barn is a key iconic element for Ellis, and would communicate the historic, rural character of the community.~~ The ~~barn~~ storage office and granary design character may be natural, stained or colored painted wood look or galvanized metal. ~~It may also be used for commercial storage and~~ The storage office may include ~~storage identification~~ signage. See Appendix B: Ellis Sign Program for further details.

The Ellis logo or lettering on the ~~barn~~ storage office and storage identification signage may be externally lit. The granary features a projecting sign that may be either externally or internally lit. ~~Street tree rows will be broken to allow for views of the barn from Corral Hollow Road.~~ Tree planting will be carefully located to preserve sight lines to signage.

CONCEPTUAL PROGRAM

A ~~Iconic Barn Feature~~
Aquatic Park Entry Monument (Sign)

B ~~Low Stone Wall~~
Feather Palms

C ~~Silo/Tenant Signage~~
Accent Planting

D ~~Trees in Orchard Grid~~
Low Stone Wall

E ~~Meandering Path~~
Iconic Granary Element with Logo

F ~~Low Walls~~
Barn/Self Storage Office, Signage

G Trees in Orchard Grid

H Signs for Self Storage

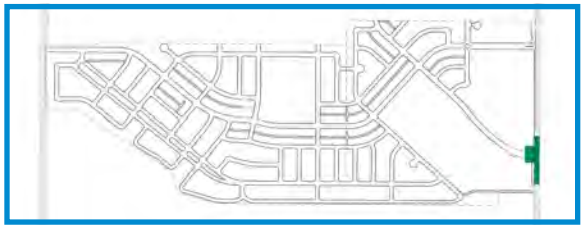


Figure 4.128 Illustrative Plan

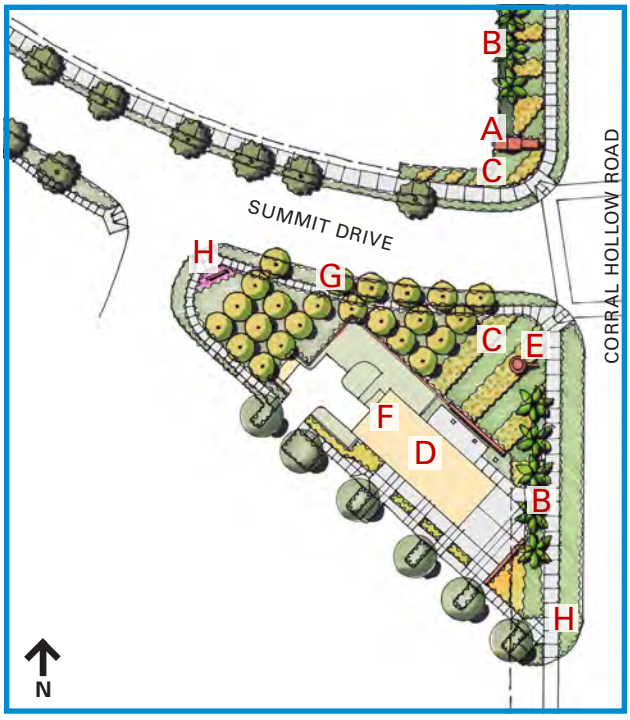


Figure 4.129 Key Plan



Figure 4.130 Iconic Barn Feature — North Elevation

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Figure 4.131 Intentionally left blank

INTENTIONALLY LEFT BLANK

Figure 4.132 Intentionally left blank



Figure 4.134 Granary with signage (See Appendix B: Ellis Sign Program for further detail)

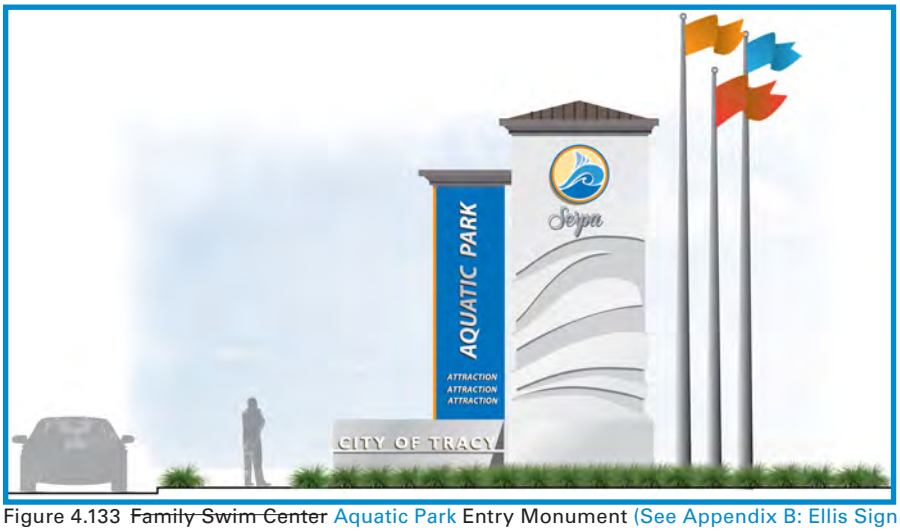


Figure 4.133 ~~Family Swim Center~~ Aquatic Park Entry Monument (See Appendix B: Ellis Sign Program for further details)

4.7.3 Lammers Road Entry at Ellis Town Drive

The Lammers Road Entry supports the rural theme of Ellis with a barn-like entry structure (Block and Tackle Building), accent planting and large shade trees. The Ellis community logo will be placed on the side elevations. The structure's design character may include a natural, stained or colored painted wood look or galvanized metal. See Appendix B: Ellis Sign Program for further details. The Lammers Streetscape includes a double row of trees underplanted ~~with turf or mowed fescue~~ drought tolerant groundcovers and/or grasses and backed by a windrow of columnar trees, such as Carpinus. Planting at the corners is located to protect sight lines and allow views into Orchard Park from the south and the entry structure from the north.



Figure 4.135 ~~Entry~~ Block and Tackle Building, Lammers Road elevation



Figure 4.136 Entry Building, Ellis Town Drive elevation

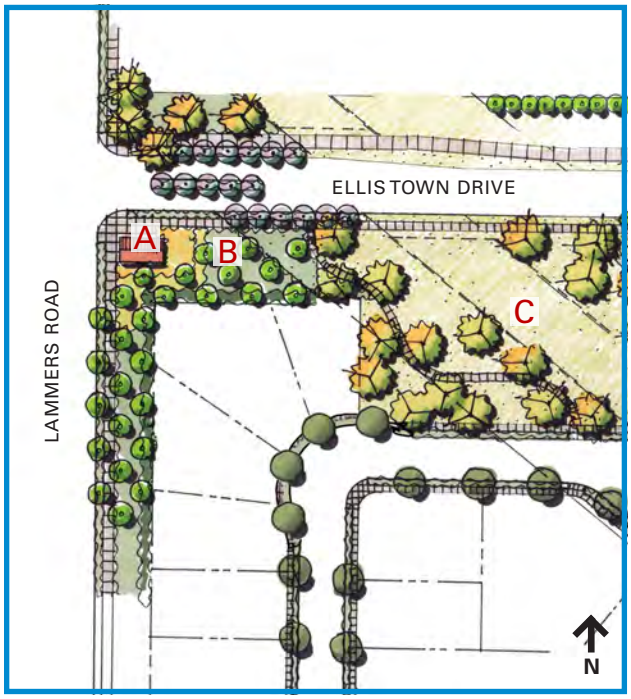


Figure 4.137 Illustrative Plan

CONCEPTUAL PROGRAM

A ~~Entry~~ Block and Tackle Building

B Orchard-like Planting

C Native Preserve

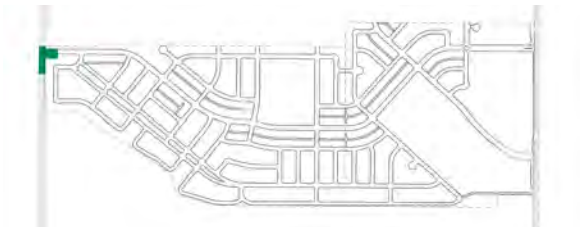


Figure 4.138 Key Plan

4.7.4 Corral Hollow Road Streetscape at Commercial Edge

The typical street tree pattern will be broken along Corral Hollow Road at the Village Center to announce the commercial area and allow views toward the commercial uses.

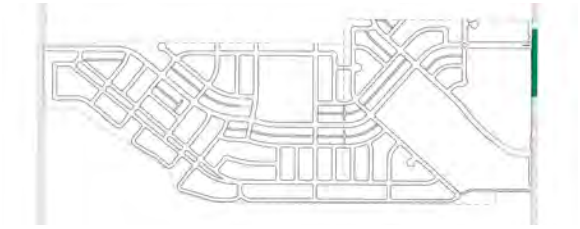


Figure 4.139 Key Plan

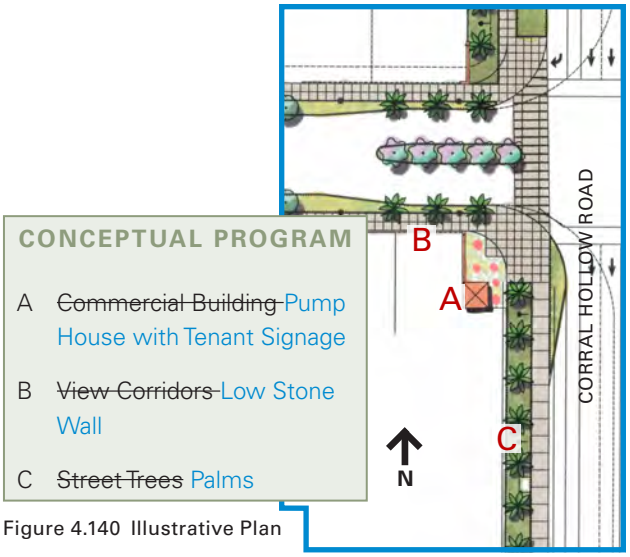


Figure 4.140 Illustrative Plan

4.7.5 Corral Hollow Road Streetscape at ~~Family Swim Center~~ Aquatic Park

Corral Hollow Road is informally planted with a single row of evergreen trees as a backdrop and ~~two rows of~~ deciduous street trees for seasonal interest. At the Aquatic Park ~~Family Swim Center, a berm with generous planting along the western edge of Corral Hollow Road screens the Family Swim Center parking.~~ an 8- to 10-foot fence or theme wall screened with vines or shrubs provides privacy and softens noise from the street. A bus turnout and transit shelter are located along the Aquatic Park Frontage. The model of the shelter is per City of Tracy Standards. Color may vary to be consistent with Ellis character, advertising panel(s) within the shelter shall be used for Aquatic Park.

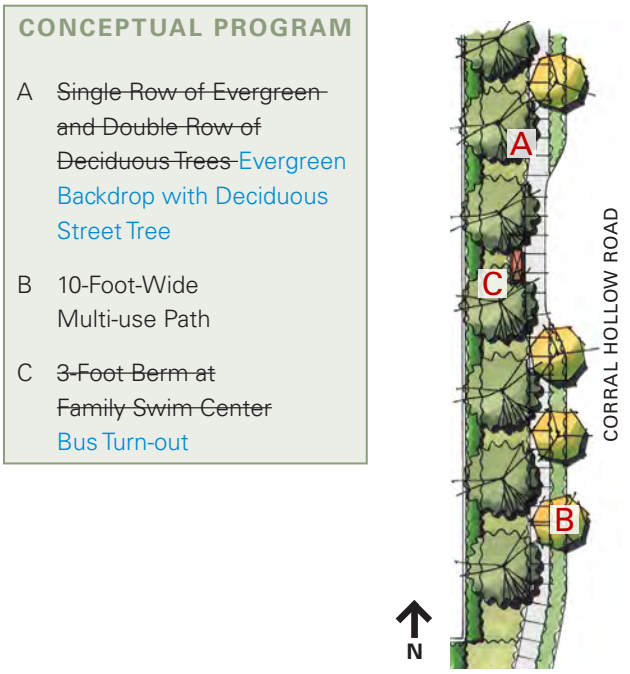


Figure 4.143 Illustrative Plan

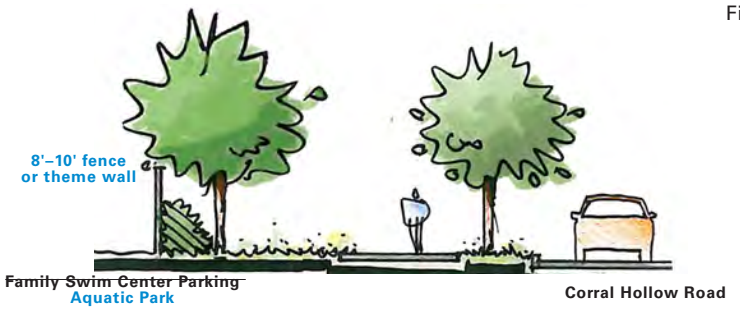


Figure 4.142 Corral Hollow Drive at ~~Family Swim Center~~ Aquatic Park

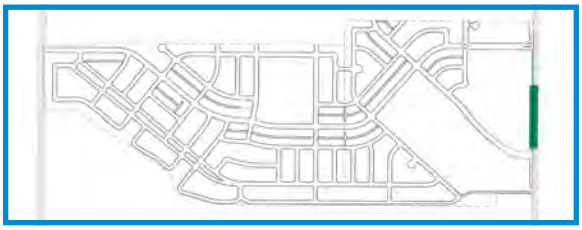


Figure 4.141 Key Plan

4.7.6 Lammers Road Streetscape

The Ellis community is anticipated to develop from east to west, thus it will be several years before the Ellis Town Drive entrance from Lammers Road will be constructed. When the initial connection of Ellis Town Drive is made at Lammers Road, an orchard-like grid of trees against a backdrop of columnar trees, such as Carpinus, will be planted in front of a 6-8-foot-tall community Theme Wall. A transition zone will be planted with fescue that can be partially mowed in curved patterns to create interest. As Lammers Road is constructed to its ultimate width, this no-mow fescue transition zone will be removed.

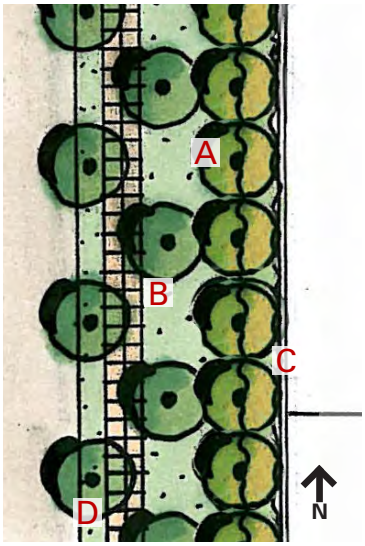


Figure 4.144 Illustrative Plan

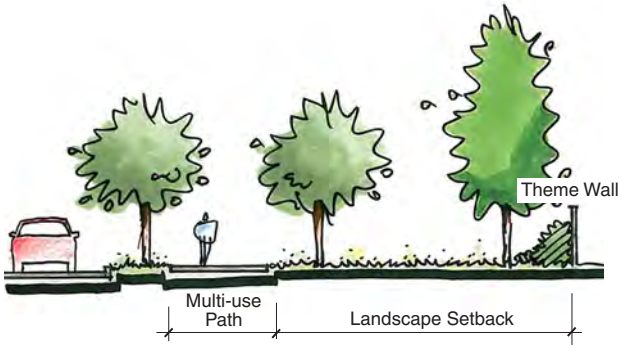


Figure 4.145 Lammers Road streetscape

CONCEPTUAL PROGRAM

A Orchard-like Planting

B Mowed and/or Unmowed Fescue

C Theme Wall

D. Multi-use Path

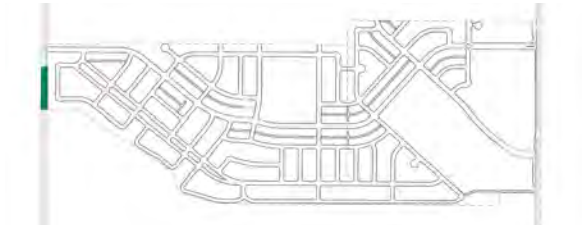


Figure 4.146 Key Plan



Photo: Gates & Associates

Figure 4.147 Orchard-like planting and theme wall

4.7.7 Northern Edge ~~at Commercial and Village Center~~

The northern edge of the site at the Village Center and along Ellis Town Drive at the entry from Lammers Road may include a 4- to 6-foot view fence and may include a windrow of trees. This creates a green edge as vehicles approach the site from the north. Where the northern edge is at rear yards of homes there will be 6- to 8-foot wood fence or masonry wall.

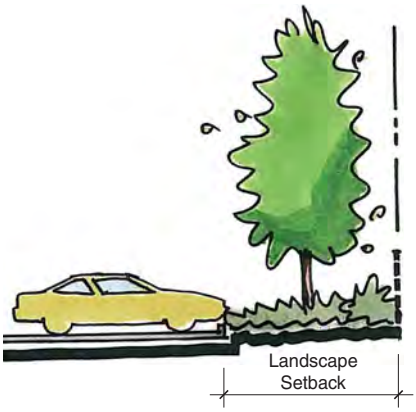


Figure 4.148 Landscape edge at Village Center

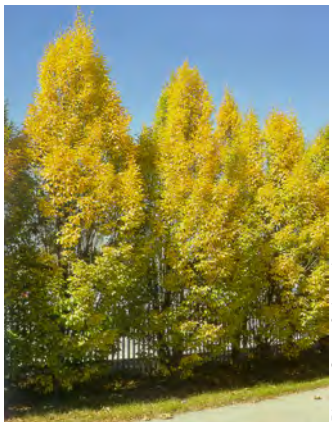


Photo: Gates & Associates

Figure 4.149 Landscape buffer

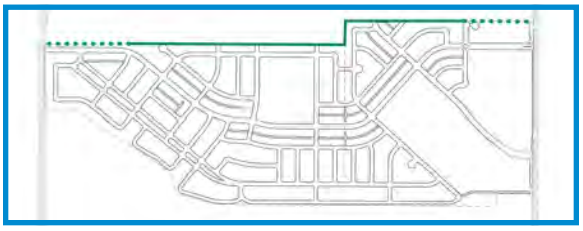


Figure 4.150 Key Plan

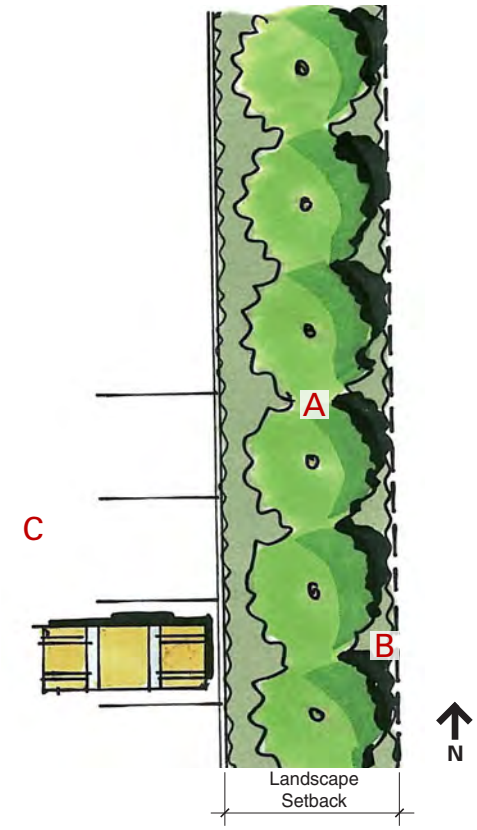


Figure 4.151 Illustrative Plan

CONCEPTUAL PROGRAM

A Fence

B Windrow of Trees

C Village Center and Commercial Parking



Photo: Gates & Associates

Figure 4.152 View fence

4.7.8 Union Pacific Railroad Edge

~~A boundary wall borders the site along the Union Pacific Railroad right-of-way where required. Vines will be planted to cover the railway side of the wall. A three-foot maintenance setback is also provided on the railroad side of the wall. Access doors are located in intervals along the wall. Columnar street trees and large shrubs will screen the wall on the community side. The boundary wall will be constructed on the Ellis property line.~~ A 10-foot wall will run along the southern property edge from Lammers Road to the western edge of the storage building. A segment of the storage site will also have the 10- to 12-foot wall. A fifty-foot minimum setback is required from the Ellis property line to any habitable structure.

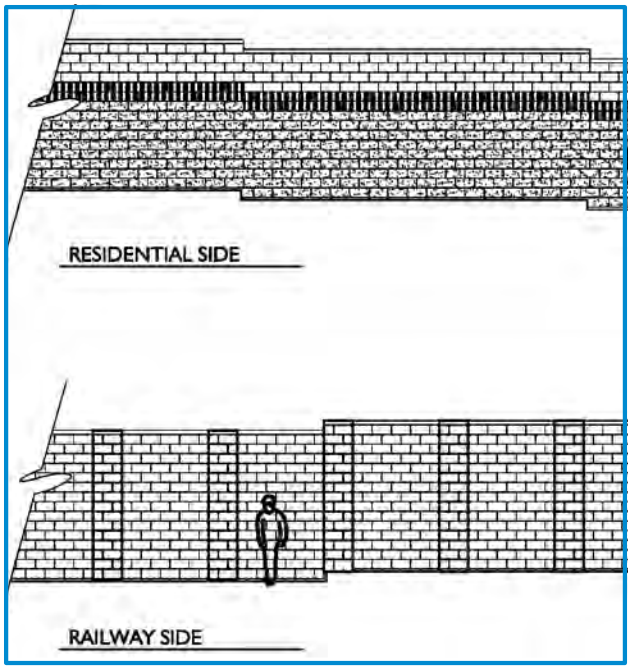


Figure 4.153 Boundary wall design

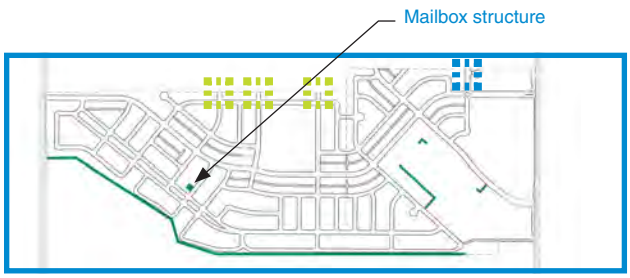


Figure 4.155A Key Plan

GATE LOCATIONS

VIEW FENCE

4.7.9 Mailbox Structure

A mailbox structure with community mailboxes will be located adjacent to Western Park. See also Appendix B: Ellis Sign Program for pavilion and sign design.

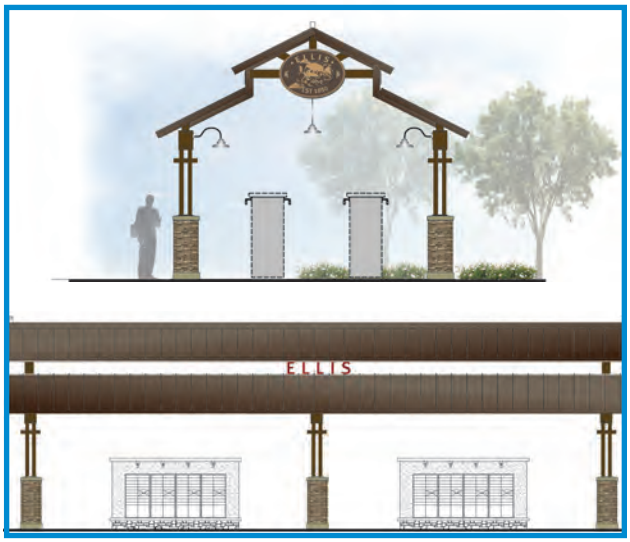


Figure 4.154 Mailbox structure

4.7.10 Agricultural Edge

The edges of the community adjacent to existing agricultural uses will be defined with 8-foot privacy fences, or a view fence (where access is not available for vehicles). Where streets terminate at site boundaries, operational gates will be used in lieu of guardrails to provide for emergency vehicle access if needed.

These fences shall be removed at the time development occurs adjacent to the Specific Plan area when roadways are connected to these streets.

Conceptual Program

1 8-foot privacy fence

2 8-foot rolling gate



Figure 4.155 Eight-foot privacy fence and eight-foot rolling gate

4.8 LIGHTING, SIGNAGE AND FURNISHINGS

The streetscapes, parks, and public open spaces of Ellis will have a rich array of signs, furnishings, and landscape elements that will provide a unified community feel. Emphasis is on a palette of materials that reflect Ellis' heritage as a small town agrarian community. The detailing and textural character should reinforce the pedestrian-friendly orientation of the Ellis community.

4.8.1 Lighting

Ornamental street lights will be traditional in character and at a pedestrian-scale. They will be used for all streets, parks, public open spaces, trails, bike paths, and walkways. Parking lot lighting will also be ornamental but taller. The style of street lights shall be similar to street lights found in Downtown Tracy. All streets and parks shall be lit to provide safe evening passage. While parks are not lit for evening use, where houses front onto the parks, the pedestrian access to residences shall be lit.

In the Village Center, light standards may be double-headed. Light standards shall be located with sufficient clearance provided to ensure that light accessories do not project into parking. Provision may also be made in the Village Center for 'twinkle' lighting of street trees and holiday lighting of trees in the Village Green. Bollard lighting in the same style as street lighting may be used. Sternberg banner arms should be used where banners are to be located.

Lighting on the paseos or connections between Ellis Town Drive and the rear parking areas of the Village Center may include decorative ornamental lights mounted on buildings or overhead arbors. Special ornamental lighting may also be incorporated into thematic monuments at park entries.

All fixtures will be cut-off luminaires to control light and glare. The lighting specified, although traditional in appearance, will have state-of-the-art luminaires for lighting efficiency and glare reduction.

Light fixtures will direct lighting patterns downward in either a symmetrical or asymmetrical lighting pattern on the ground with very little glare. The post lights, specified to be mounted at a height of 14 feet, are scaled to pedestrians. This is an optimal height which balances lighting efficiency and performance, while providing direct illumination of pedestrian areas for facial illumination, thereby providing a safe nighttime environment.

The lighting will be evenly spaced along the street and between the street trees. Closer spacing will be required in the Village Center and similar areas requiring more illumination. Street trees are specified to have a 7- to 8-foot clearance to street lights in order to provide adequate room for the proper lighting performance.



Figure 4.156 Ornamental pedestrian street lighting



Figure 4.157 Typical street lamp example

4.8.2 ~~Signage~~ Public Property Signs

Signs in the Ellis Specific Plan Area in the public right-of-way, the public parks, or on public property, shall be regulated by Title 10, Article 35 of the Tracy Municipal Code and CalTrans regulations, except as specified in Section 4.8.2 of the Ellis Specific Plan and Appendix B: Sign Program. The signs included in this Ellis Sign Program shall be permitted as shown. The approval process shall include only building permit, and a sign permit processed in accordance with Title 10, Article 35 of the Tracy Municipal Code. For purposes of indemnifying the City, all temporary signage to be located within street right-of-ways, as approved in the ESP, will require one all-inclusive encroachment permit.

In addition, the design of the landscape features/ character elements in Appendix B: Sign Program shall be permitted as shown.

Signage within all common areas of Ellis, such as the streetscape, parks, and special landscape features, should be minimized to that which is essential for safety, orientation, and identification. Signage should be integrated into the overall design of the park or streetscape. Where appropriate, street lights may incorporate street signage to minimize visual clutter. Park entries will incorporate identity signage. Park signage may also be incorporated into thematic elements within the park, such as low walls or thematic monuments.

~~Murals that are in keeping with the character of Ellis are proposed on the sides or roofs of some of the iconic structures and buildings.~~

~~Temporary directional signage for home sales may be placed in various locations in the public right-of-way, parks, private property or other areas for the duration of new home sales.~~



Figure 4.158 Examples of signs in the public right-of-way

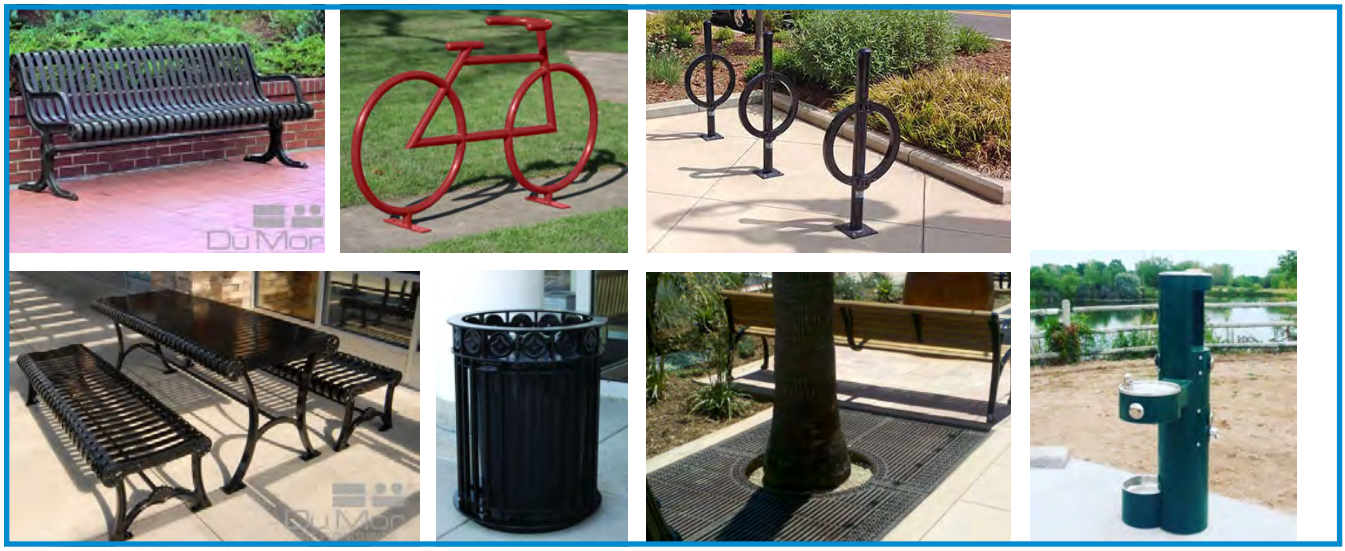


Figure 4.159 Site furnishings

Elements	Description	Manufacturer,Model, Finish, Color
Street Lighting	Ornamental Traditional Acorn	Sternberg Birmingham series, Dark Bronze Textured, LED, or equal
Street/Wayfinding Poles	Ornamental Traditional	Sternberg Richmond and/or Lexington series, Dark Bronze Textured, LED, or equal
Street/Wayfinding Signs	Decorative metal panel	Custom color, font and design to complement Ellis logo
Banner Poles	Ornamental Traditional	Sternberg Birmingham series with Sternberg Banner Arms, Dark Bronze Textured, or equal
Pet Station/Other Community Signs	Decorative metal panel	Custom color, font and design to complement Ellis logo
Benches	Ornamental Traditional	Dumor 140 series, black powdercoat with custom lettering, or equal
Trash/Recycling	Ornamental Traditional	Dumor 148 series or equal
Bike Rack	Traditional	Maglin MBR200 series with custom lettering, black powdercoat, or equal
	Custom, Decorative	Decorative bike rack with custom coloring to match Ellis logo, Huntco Bicycle-B Rack, or approved equal
Tree Grate	Ornamental Iron	Iron Age Designs Interlaken, natural finish, or equal
Tree Guard	Ornamental	Iron Age Designs Basic, Powdercoat, Special Rust #47, or equal
Drinking Fountain	Ornamental Traditional	MDF Most Dependable Fountains, 2008SM, black, or equal
Picnic Tables	Ornamental	Dumor, 448 and 443 series, black, or equal
Shade Structure	Decorative	May be prefabricated or custom; materials may include wood, metal, stone, stone veneers, may include Ellis logo or lettering, may be solid, perforated or slatted
Play Equipment/ Elements	Thematic,Educational, Innovative Play Elements	Play equipment and elements may be themed, custom or prefabricated; materials may include metal, wood, GFRC or other materials, sand and water may be used judiciously for play value.
Spray Fire Hydrant	Dog Play Amenity	Dog-On-It Item #7270
Drinking Fountain w/ bottle filler & bucket filler	Pedestal Bottle Filler	MDF: 10155 SM with optional jug filler in black
Seatwall	Custom cast-in-place concrete seatwalls	Custom cast-in-place concrete seatwalls
Adirondack Chairs	Adirondack chairs	Loll Designs: Tall Adirondack chair, white
Picnic Table	3 or 4 seat tables	Wabash Valley: PODP51, Portage Collection 46" square table with 4 seats, inground mount, round perforation, in silver. For accessible table, order PODP61, Portage Collection 46" Accessible Square Table with 3 seats, inground mount , in silver (table top, leg, and seats)
Light colored bench	Steel mesh bench	Wabash Valley: C01111C, Covington Collection Bench with back, 6' long, surface mount, round perforation, in silver (bench and leg)
Shade structure	Shade structure	May be prefabricated or custom; materials may include wood, metal, stone veneer, with solid roof for maximum sun protection, approximately 16' x 34'
Leash holder	Dog Leash Holder	BYO Recreation: Dog Leash Holder, Model: 2619-UP, green
5' tall Omega Fence	5' tall mesh fence system	Omega Architectural Fence system: square cap, 3x3 post, 5' tall, black powder coat
Message Kiosk	Message Kiosk	OCC Outdoors: Kiosk-2633, 2 sided, 42" wide x 78.5" tall x 3" thick

Figure 4.161 Ellis specifications (or equal as approved by the developer)



Figure 4.160 Shade structures



Figure 4.162 Play equipment and elements

4.8.3 Furnishings

Site furnishings will include a simple palette of durable traditional street and park furnishings, including bike racks, trash receptacles, and benches. The selection of site furniture will incorporate elements found throughout Tracy, to provide a visual connection between Ellis and the Tracy community.

While there is a consistent vocabulary of street furniture and lighting proposed for Ellis, it is also a key concept that each park will have its own identity within the park system. To this end, unique play equipment, shade structures, and other park furnishings may be specified to enhance a particular park theme. Park furnishings and equipment should be thoroughly evaluated for durability, ADA compliance, and consistency with visual character.

4.8.4 Streetscape Types

The streetscapes of Ellis will vary. Primary streets will have landscaped park strips between the sidewalk and curb. These park strips will be planted with ornamental, drought-tolerant landscape materials, the park strips or landscape strips will be planted with trees which shall be counted as a City tree for each lot/residence, no residential front yard City trees shall be required. Where parking is provided on streets with alley-loaded homes, pedestrian access through the park strips must be provided at a minimum of every 40 feet. Where parking is provided along park frontage, park strips may be eliminated to facilitate access.

Sustainable Landscape Design

Some streets will include more intimate, narrow rights-of-way with travel lanes having sidewalks at curb edges. On these streets, landscaped front yards with regularly-spaced shade and ornamental trees will provide scale and beauty.

The landscape system will be designed to reflect current best practices in landscape sustainability, including some or all of the following:

- Emphasize drought tolerant native or climate adapted plants
- Use California native plants where possible
- Minimize the use of lawn, except for recreational purposes
- Group plants by water use, i.e. hydrozones.
- Design high efficiency, weather-based irrigation systems
- Space plants to avoid the need for shearing
- Choose diverse plant palettes
- Incorporate on-site landscape stormwater management wherever feasible, including vegetated bioswales, rain gardens, infiltration planters, pervious paving, etc.
- Use recycled content landscape materials and furnishings
- Design high efficiency landscape lighting systems
- Minimize light pollution and trespass

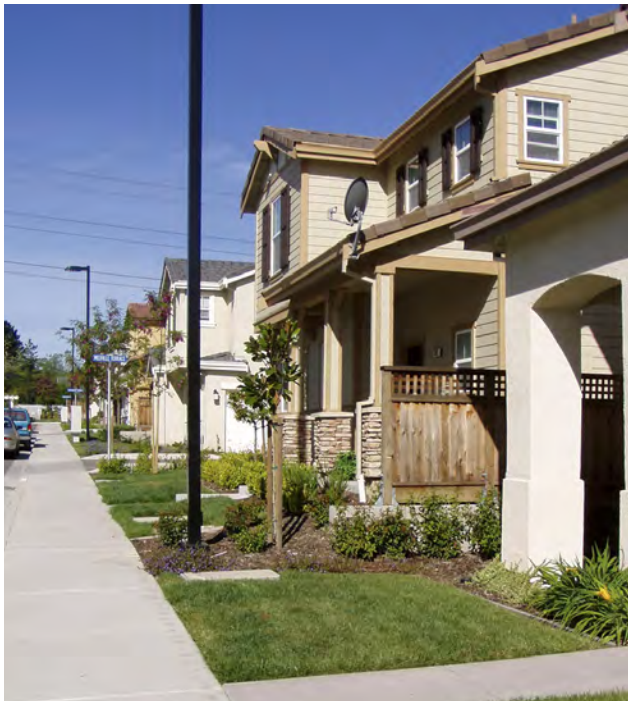


Photo: Gates & Associates

Figure 4.163 Neighborhood street without a landscaped park strip

4.8.5 Street Trees

The landscape system will reflect the Ellis community vision of shady, pedestrian-friendly streets, remnants of agrarian planting palettes consistent with the heritage of the site, and a diverse plant palette which complements the architectural character of the houses. It is expected that recycled water will be available for irrigation of public streets, including Ellis Town Drive, Summit Drive, and common areas in the future. Street trees have been carefully selected for recycled water tolerance.

- Large canopy trees will line the community streets. Medium-sized canopy trees will enclose the neighborhood streets.
- Accent trees will be used to define the community, neighborhood intersections, and pedestrian street crossings, as well as identify entries to parks.
- Orchard-like grid tree planting may be used in the entry areas to reinforce the agrarian theme. Trees in the orchard may be flowering, non-fruit-producing trees.
- The parks will be planted with a diversity of trees to provide shade and seasonal interest, as well as to define outdoor rooms within the parks.

STREET	USE	BOTANICAL NAME	COMMON NAME
CORRAL HOLLOW ROAD			
	Street Tree	Fraxinus pennsylvanica	Green Ash
	Background Trees	~~Quercus ilex~~	~~Holly Oak~~
		Elaeocarpus decipiens	Japanese Blueberry Tree
		Phoenix dactylifera 'Medjool'	Medjool Date Palm
	~~Accent Tree~~	~~Lagerstroemia indica~~	~~Crape Myrtle~~
LAMMERS ROAD			
	Street Tree	Pistacia chinensis 'Keith Davey'	Chinese Pistache
		~~Prunus x yedoensis 'Akebono'~~	~~Akebono Yoshino Cherry~~
	Accent Tree	~~Shinus molle~~ Quercus wislizenii	~~California Pepper~~ Interior Live Oak
		Chionanthus retusus	Chinese Fringe Tree
		Quercus virginiana	Southern Live Oak
	Columnar Tree	Carpinus betulus 'Fastgiata'	Hornbeam
ELLIS TOWN DRIVE			
	Street Tree	Ulmus parvifolia	Chinese Evergreen Elm
	Accent Trees	~~Crataegus species~~ Pistacia chinensis 'Keith Davey'	~~Hawthorn~~ Chinese Pistache
		Lagerstroemia indica	Crape Myrtle
		~~Robinia ambigua 'Idahoensis'~~ Cercis canadensis	~~Idaho Locust~~ Eastern Redbud
ELLIS TOWN DRIVE ENTRY		~~Washingtonia robusta~~ Phoenix dactylifera 'Medjool'	~~Mexican Fan Palm~~ Medjool Date Palm
	Median	~~Acer rubrum 'Bowhall'~~	~~Bowhall Red Maple~~
		Zelkova serrata 'Musashino'	Sawleaf Zelkova
	Accent	~~Malus floribunda~~ Pistacia chinesis 'Keith Davey'	~~Fruitless Crabapple~~ Chinese Pistache
		~~Michelia doltsopa~~ Quercus wislizenii	~~Michaelia~~ Interior Live Oak
SUMMIT DRIVE			
	Street Trees	~~Pyrus calleryana~~ Quercus palustris	~~Ornamental Pear~~ Pin Oak
	Accent Trees	Arbutus 'Marina'	Arbutus Marina
		~~Malus species~~	~~Flowering Crabapple~~
		Chionanthus retusus	Chinese Fringe Tree
		Laurus nobilis 'Saratoga'	Saratoga Laurel

Table 4.1 Tree List (to be adapted to respond to the specifics of each individual site and use)

STREET	USE	BOTANICAL NAME	COMMON NAME
~~LOWER ROAD~~	~~Street Tree~~	~~Quercus suber~~	~~Cork Oak~~
	~~Accent Trees~~	~~Chitalpa tashkentensis~~	~~Chitalpa~~
		~~Sapium sebiferum~~	~~Chinese Tallow Tree~~
		~~Koelreuteria panniculata~~	~~Goldenrain Tree~~
~~PARKSIDE ROAD~~	~~Street Tree~~	~~Quercus shumardii~~	~~Sumard Red Oak~~
	~~Accent Trees~~	~~Olea europaea~~	~~Olive~~
		~~Melaleuca quinquenervia~~	~~Cajeput Tree~~
~~UPPER ROAD~~			
	~~Street Tree~~	~~Tilia cordata~~	~~Little Leaf Linden~~
	~~Accent Trees~~	~~Pyrus kawakamii~~	~~Evergreen Pear~~
		~~Acer buergeranum~~	~~Trident Maple~~
PARK AND SPECIAL LANDSCAPE FEATURE TREES		Acer sp.	Maple
		Arbutus Marina	Arbutus
		Carpinus betulus 'Frans Fontaine'	European Hornbeam
		Cedrus deodara	Deodar Cedar
		Cercis occidentalis	Western Redbud
		Ceonothus 'Standard'	California Lilac
		Chionanthus retusus	Chinese Fringe Tree
		Chitalpa x. tshkentensis	(no common name)
		Cinnamomum camphora	Camphor Tree
		Citrus	
		Cupressocyparis leylandii	Leyland Cypress
		Cupressus sempervirens	Italian Cypress
		Dodonea viscosa 'Standard'	Hopseed Bush
		~~Fraxinus sp.~~	~~Ash~~
		Geijera parviflora	Australian Willow
		Koelreuteria paniculata	Chinese Flame Tree
		Laurus saratoga	Saratoga Bay Laurel
		Lophotstemon confertus	Brisbance Box
		Magnolia grandiflora	Southern Magnolia
		~~Malus sp.~~	~~Flowering Crabapple~~
		Melaleuca quinquenervia	Cajeput Tree
		Nyssa sylvatica	Sour Gum
		Olea europaea (fruitless varieties)	Olive
		Phoenix ~~canariensis~~ dactylifera 'Medjool'	~~Canary Island~~ Medjool Date Palm
		Pistacia chinensis	Chinese Pistache
		Podocarpus species	Fern Pine
		~~Prunus 'Amanogawa'~~	~~Flag Pole Cherry~~
		~~Pyrus sp.~~	~~Pear~~
		Quercus sp.	Oak
		~~Robinia sp.~~	~~Locust~~
		Sapium sebiferum	Chinese Tallow Tree
		Sophora japonica	Japanese Pagoda Tree
		Tilia cordata	Little Leaf Linden
		Ulmus parvifolia	Chinese Evergreen Elm
		Ulmus sp. ~~'Liberty', 'Frontier', 'Homespread', or 'Prospector'~~	Elm
		Vitex agnus-castus	Chaste Tree
		Zelkova serrata	Sawleaf Zelkova

Table 4.1 Tree List continued

BOTANICAL NAME	COMMON NAME
Abelia sp.	Abelia
Acacia species	Acacia
Acanthus mollis	Bear's Breech
Adenanthos	(no common name)
Agapanthus species	Lily-of-the-Nile
Agave attenuata	Fox Tail Agave
Alyogyne huegelii	Blue Hibiscus
Anigozanthos	Kangaroo Paw
Arbutus unedo 'Compacta'	Dwarf Strawberry Tree
Arctostaphylos species	Manzanita
Baccharis pilularis	Dwarf Coyote Brush
Berberis	Barberry
Buddleja davidii	Butterfly Bush
Buxus species	Boxwood
~~Calamagrostis foliosus~~ Calamagrostis 'Karl Foerster'	Reed Grass
Callistemon 'Little John'	Weeping Bottlebrush
Camellia species	Camellia
Carex	Berkeley Sedge
Carpenteria californica	Bush Anemone
Ceanothus species	Wild Lilac
Chaenomeles	Flowering Quince
Cistus species	Rockrose
Coleonema species	Breath of Heaven
Coreopsis	(no common name)
Correa pulchella	(no common name)
Dietes sp.	Iris
Erigeron karvinskianus	Fleabane
Escallonia sp.	Escallonia
Euonymus sp.	Euonymus
Euryops pectinatus	Golden Bush Daisy
Festuca californica '~~Elijah Blue~~'	California Fescue
Galvezia speciosa	Island Bush Snapdragon
Geranium sp.	Cranesbill
Grevillea	(no common name)
Hebe species	Hebe
Helictorichon sempervirens	~~(no common name)~~ Blue Oat Grass
Hemerocallis sp.	Day Lily
Hesperaloe parviflora	Red Yucca
Heteromeles arbutifolia	Toyon
Heuchera sanguinea	Coral Bells
Hydrangea sp.	Hydrangea
Ilex aquifolium	Holly
Iris douglasiana	Douglas Iris
Juncus patens 'Elk Blue'	California Gray Rush

BOTANICAL NAME	COMMON NAME
Kniphofia	Red Hot Poker Plant
Lantana species	Lantana
Lavandula sp.	Lavender
Ligustrum sp.	Privet
Leymus 'Canyon Prince'	~~(no common name)~~ Canyon Prince Wild Rye
Lomandra longifolia	(no common name)
Loropetalum chinense	Red Fringe Flower
Liriope muscari	Big Blue Lily Turf
Mahonia repens	(no common name)
Mimulus sp.	Monkey Flower
Miscanthus sinensis 'Adagio'	(no common name)
Muhlenbergia rigens	Deer Grass
Myrica californica	Pacific Wax Myrtle
Myrtus communis ~~compacta~~	~~Dwarf~~ Myrtle
Nandina ~~domestica~~ sp.	Heavenly Bamboo
Nepeta faassenii	Catmint
Nerium oleander	Oleander
Olea 'Little Ollie'	Olive
Osteopermum sp.	African Daisy
Penstemon sp.	Beardtongue
Pennisetum sp.	Fountain Grass
Phormium tenax	New Zealand Flax
Pittosporum crassifolium	(no common name)
Pittosporum tenuifolium	(no common name)
Polystichum muniturm	Western Sword Fern
Rhamnus 'Eve Case'	Coffeeberry
Rhaphiolepis sp	Indian Hawthorn
Rhododendron	Rhododendron
Rosa sp.	Rose
Rosmarinus sp.	Rosemary
Salvia sp.	Sage
Santolina sp.	Lavender Cotton
Scaevola sp.	(no common name)
Senicio cineraria	Dusty Miller
Sollya heterophylla	Australian ~~Bluebell~~ Creeper
Spirea sp.	Spirea
Syringa vulgaris	Lilac
Teucrium sp.	Germander
Trachelospermum jasminoides	Star Jasmine
Tulbaghia violacea	Society Garlic
Viburnum sp.	Viburnum
Westringia fruticosa	Coast Rosemary
Xylosma congestum	Shiny Xylosma
Zauschneria californica	California Fuchsia

Table 4.2 Recommended Shrubs /Perennials

BOTANICAL NAME	COMMON NAME
Arctotheca calendula	Cape Weed
Bergenia crassifolia	Winter-Blooming Bergenia
Ceanothus species	Wild Lilac
Convolvulus mauritanicus	Ground Morning Glory
Coprosma 'Verde Vista'	(no common name)
Dymondia margaretae	(no common name)
Festuca sp.	Fescue
Fragaria chiloensis	Wild Strawberry
Gazania sp.	(no common name)
Helictotrichon sempervirens	Blue Oat Grass
Hemerocallis sp.	Day Lily
Iris douglasiana	Douglas Iris
Lantana sp.	Lantana
Liriope muscari	Lily Turf
Myoporum parvifolium	(no common name)
Osteospermum fruticosum	Trailing African Daisy
Rosmarinus officinalis 'Prostratus'	Prostrate Rosemary
Scaevola 'Mauve Clusters'	(no common name)
Stipa pulchra	Purple Needlegrass
Trachelospermum asiaticum	(no common name)
Vinca minor	Dwarf Periwinkle

Table 4.3 Recommended Groundcovers

BOTANICAL NAME	COMMON NAME
Campsis radicans	(no common name)
Clematis armandii	Evergreen Clematis
Clytostoma callistegioides	Lavender Trumpet Vine
Distictis sp.	Trumpet Vine
Hardenbergia violacea	Happy Wanderer
Jasminum polyanthum	Jasmine
Parthenocissus tricuspidata	Boston Ivy
Solanum jasminoides	Potato Vine
Wisteria sinensis	Chinese Wisteria

Table 4.4 Recommended Vines

4.9 UTILITIES

To the extent available, existing systems that are of adequate capacity will be utilized to serve the Ellis project. In the event that the existing infrastructure does not have sufficient capacity to serve the project, additional improvements will be constructed to supplement or provide additional capacity.

Ellis ~~would~~ will be served from the City's existing water supply sources as indicated in the *Water Supply Assessment* (WSA) by West Yost Associates.

The City's existing water supplies are sufficient to meet the City's water needs.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the ESP maximum buildout.

4.9.1 Domestic Water Distribution

The City of Tracy has established three pressure zones for its treated water distribution system; Zones 1, 2, and 3. Two additional zones (Zones 4 and 5) have been proposed for future use to support proposed development in the foothills. The project is located in both the Zone 2 and 3 pressure zones. Although the City of Tracy intends to service all of Ellis with Zone 3 improvements.

Zone 2 has a service elevation range of 75–150 ft and a static pressure range of 40–85 psi. The existing 20-inch water main within Corral Hollow Road is a Zone 2 facility. This 20-inch main will serve as the distribution pipe for the ESP.

Zone 3 serves above elevation 150, however it is currently an isolated system serving only the Patterson Pass Business Park through the Patterson Pass booster pump station several miles west of the project site. A new Zone 3 booster pump station will be constructed at the City's water treatment plant ~~in the vicinity of both the ESP and the existing 20-inch main in Corral Hollow Road~~. A pressure reducing station~~(s)~~ ~~may~~ will be located ~~if necessary to transition between Zones within the ESP~~ near Summit Drive at the northern ESP boundary.

Initial Project Phases

Each phase of development with the ESP will need to complete a water line loop within the development area. Proposed water mains within ~~the Zone 2 service elevation~~ a portion of Phase 1 of the ESP ~~may~~ will connect directly to the existing 20-inch main in Corral Hollow Road on an interim basis until the Zone 3 booster station is operational.

Ultimate Project Build-out

The ESP's water distribution network will eventually become part of the Westside Planning Area Pressure Zone~~s 2 and~~ 3. At project build-out, multiple redundant loops will be provided between Corral Hollow Road and a future water transmission main will be constructed south of ESP from Linne Road to serve ESP and other properties developing in Zone 3 by sharing pro rata costs.

4.9.2 Wastewater Generation

Average Dry Weather Flow (ADWF): The ADWF is the average daily wastewater flow generated by the project. Residential lot types are divided into three categories: residential mixed low, residential mixed medium, and residential mixed high. ~~Wastewater generation rates are per the City of Tracy Design Standards.~~

Peak Wet Weather Flow (PWWF): The Peak Wet Weather Flow is the peak flow that will occur on a typical day based on normal variation in wastewater flow generation. A peaking factor of 2.5 is used to convert the ADWF to a peak flow per the City of Tracy Design Standards.

Initial Project Phases

The average daily project wastewater generated for subsequent phases of development will depend on the phasing limits and the amount of residential units proposed to be built.

Ultimate Project Build-out

The estimated average daily project wastewater generation is shown on Table 4.5. The estimated projected PWWF is shown on Table 4.6.

4.9.3 Wastewater Treatment

The City of Tracy provides wastewater collection, conveyance, treatment, and disposal for areas within the City Limits. The existing Wastewater Treatment Plant's current capacity is 10.8 Mgd with an expected expansion that will increase capacity to 12.0 Mgd, and eventually to 16.0 Mgd. The existing outfall pipe, constructed in the 1970's, from the Wastewater Treatment Plant to the Old River will also be replaced during the Plant expansion to make use of the existing full wastewater treatment capacity and the future expansion.

Initial Project Phases (Including Proposed ~~Family Swim Center~~ Aquatic Park)

The Wastewater Treatment Plant currently has capacity, and will initially serve the proposed ~~Family Swim Center~~ Aquatic Park, storage development, and eight hundred residential units of the initial buildout. At such time as the Plant reaches full capacity, modifications to the plant will need to be completed to increase its treatment capability.

Ultimate Project Build-out

For the ultimate build-out of the project, the existing treatment plant will need to be modified to increase its current capacity.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the ESP maximum buildout.

4.9.4 Wastewater Conveyance

The proposed site wastewater system to serve the Ellis Specific Plan Area will be constructed to follow the existing ground slope of the site. Based on existing topographic information, the terrain slopes from the southwest corner of the site to the northeast corner of the site. The approximate slope of the existing terrain in this general direction is less than 1%. In addition, the approximate slope in the west-east direction is less than 0.5%, which means that the existing site is moderately flat. The project's wastewater line will convey flow toward Corral Hollow Road. The on-site collection system could range from 8- to 15-inch diameter wastewater line, with much of the 15-inch diameter line on the eastern side of the site near the discharge to Corral Hollow Road. The slope of the proposed pipe will depend upon site layout, site conditions and pipe layout. The slope selected will provide a minimum self-cleaning velocity of 2.0 feet per second, which is the City of Tracy standard. A proposed wastewater trunk main will be installed by the City in phases within Corral Hollow Road and will connect to the existing 21-inch diameter wastewater trunk line on Corral Hollow Road that dead ends at the intersection of Parkside Drive. A temporary line may be installed.

Phase 1 (Including Proposed ~~Family Swim Center~~ Aquatic Park)

The proposed ~~Family Swim Center~~ Aquatic Park, ~~two~~ five hundred fifty residential units, the commercial (storage) and Village Center ~~the storage uses~~, are permitted to connect to the east side transmission system through a tie-in constructed into the wastewater main at Peony Drive.

Phase 1

Should access to the line not be required by the proposed ~~Swim Center~~ Aquatic Park, then an additional 250 residential units may discharge to this line. All residential units, commercial and Village Center shall be shifted to the Corral Hollow Sewer Conveyance System upon completion of the Corral Hollow Sewer Conveyance System ~~Phase 1~~ upgrade, and installation of the Corral Hollow Sewer main to Ellis Town Drive.

Average Dry Weather Flow (ADWF)
Wastewater System Demand and Capacity Requirements Ultimate Site

Zoning	Lot Type	Number of DU/AC	gpd per DU/AC	Residential gpd
Residential Mixed	Mixed Low	505	264	133,320
Residential Mixed	Mixed Medium	1705	216	368,280
Residential Mixed	Mixed High	40	176	7,040
1Acre Estate Lots	Very Low Density	9	264	2,376
Village Center (AC)		~~5.7~~ 15	~~1375~~ 1140	~~7,838~~ 17,100
~~Commercial (AC)~~		~~4.4~~	~~1375~~	~~6,050~~
Limited Use Zone (AC) Public Storage & Dog Park		~~26.2~~ 33	100	~~2,620~~ 3,300
~~Swim Center~~ Aquatic Park (AC)		16	~~1375~~ 1140	~~22,000~~ 18,240
			Total ADWF (gpd)	**~~547,148~~ 549,656**
			Total ADWF (Mgd)	**0.55**

Notes:
1. *Wastewater generation rates and the peaking factor of 2.5 are per the City of Tracy Design Standards.*
2. *Design of sewer lines shall be based on City design standards and calculations for fee credits and reimbursements shall be based on wastewater generation rates in the approved applicable fee program for the project.*

Table 4.5 Wastewater System Demand and Capacity Requirements — Average Dry Weather Flow (ADWF)

Peak Wet Weather Flow (PWWF)
Wastewater System Demand and Capacity Requirements

ADWF	0.55 Mgd
Peaking Factor (PF)	2.50
PWWF	**1.37 Mgd**

Notes:
1. *Wastewater generation rates and the peaking factor of 2.5 are per the City of Tracy Design Standards.*
2. *Design of sewer lines shall be based on City design standards and calculations for fee credits and reimbursements shall be based on wastewater generation rates in the approved applicable fee program for the project.*

Table 4.6 Wastewater System Demand and Capacity Requirements — Peak Wet Weather Flow (PWWF)

Initial Project Phases

A new wastewater trunkline main, which would support full buildout, would extend north from Ellis Town Drive along Corral Hollow Road. Ellis will be served by a combination of the City's existing wastewater infrastructure~~, as outlined above~~ and the new trunk line. The initial project phases ~~shall~~ may use existing capacity in the Corral Hollow Sewer Conveyance System (CHSCS) for ~~five hundred fifty~~ three hundred thirty residential units.

Ultimate Project Build-out

Ellis will be served by the City's existing wastewater infrastructure and existing Wastewater Treatment Plant Capacity. The ultimate Ellis Program ~~shall~~ may use the existing Corral Hollow Sewer Conveyance Capacity for three hundred thirty units, Village Center, and the storage uses and the additional conveyance capacity created in the phase one upgrade of the ~~Corral Hollow Sewer Conveyance Capacity~~ CHSCS, which shall serve an additional one thousand seven hundred fifty residential units ~~beyond initial capacity of 550 units in initial project phases, and the commercial units~~. The final project phases shall use existing capacity or participate in a subsequent phase of expansion of the CHSCS. The existing Treatment Plant Capacity shall serve eight hundred residential units, the ~~Swim Center~~ Aquatic Park, Village Center, and the storage uses. Modifications or expansions to the Treatment plant may be required for an additional one thousand four hundred fifty residential units, ~~and the commercial units~~ if so, these units will participate in the next expansion or Phase 1 expansion.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the ESP maximum buildout.

4.9.5 Storm Drain Peak Flow

The Rational Method is used for calculating the peak flow rate. The Runoff Coefficients used in the Rational Method calculations are per the City of Tracy Design Standards and are shown on the accompanying tables.

The proposed site storm drainage system will be constructed to follow the existing ground slope of the site. Based on existing topographic information, the terrain slopes from the southwest corner of the site to the northeast corner of the site. The approximate slope of the existing terrain in this general direction is less than 1%. In addition, the approximate slope in the west-east direction is less than 0.5%, which means that the existing site is moderately flat.

Table 4.7 shows results of analyses for a 10-year storm event with a time of concentration of 114 minutes. The peak flow rate from the existing site is 26 cubic feet per second (cfs). ~~Revising~~ Decreasing the time of concentration to 65 minutes, the peak flow for the proposed site, at full build-out, is 63 cfs. ~~Using a time of concentration of 31 minutes~~, ~~t~~The peak flow for Phase 1 (including the ~~Family Swim Center~~ Aquatic Park) is 44 cfs with a time of concentration of 31 minutes. This analysis is preliminary and subject to refinement during engineering design. The proposed storm drain collection system will include a network of gravity lines and inlet structures. Pipe sizes may range from 12- to 42-inch diameter.

4.9.6 Storm Drainage Conveyance

Ellis is located entirely within the City's Westside Channel Watershed as defined in the Citywide Storm Drainage Master Plan, Final Report Dated December 2010. It occupies the southernmost, upstream portion of the Westside Channel Watershed. Provision has been made in existing downstream storm drainage facilities to accept attenuated (metered) storm runoff from the project site. Applicable downstream storm drainage infrastructure that will collect and convey future storm runoff from Ellis includes trunk line storm drains and open channels serving residential subdivisions to the north to DET 5 (Plasencia Field) and facilities downstream of DET 5 associated with the City's Westside Channel Outfall System.

A new regional Detention Basin #3A is planned to be constructed on the north side of Valpico Road. This Detention Basin will store, treat for water quality, and attenuate runoff from the collective existing and future development within a portion of the Westside Channel Watershed including Ellis.

10 Year Event — Existing Site
Using Rational Method (Q=CIA)
Time of Concentration (t_C) = 114 min
Intensity (I) = 0.32 in/hr

Description	C Value	I in/hr	Area ac	Volume cfs
Existing Site	0.25	0.32	320.00	25.60
			Q_E (Peak Flow)	**26**

10 Year Event — Proposed Site
Using Rational Method (Q=CIA)
10 Year Event, tc = 65 min
Intensity (I) = 0.42 in/hr

Description	C Value	Total Rainfall feet	Area ac	Volume cfs
Total Area			**320.0**	
Residential Lots	0.35	0.42	179.7	26.4
Parks	0.20	0.42	21.7	1.8
Roads	0.95	0.42	68.6	27.4
Limited Use Zone	0.25	0.42	26.2	2.8
Village Center/Commercial	0.65	0.42	7.8	2.1
~~Family Swim Center~~ Aquatic Park	0.44	0.42	16.0	3.0
			Q_P (Peak Flow)	63.4
			Q_P (Peak Flow)	**63**

Retention Basin Sizing
t_C = 48 hr
Total Rainfall = 3.12 inches (0.26 ft)

Description	C Value	Total Rainfall feet	Area ac	Volume acre-ft
Total Area			**320.0**	
Residential Lots	0.35	0.42	179.7	16.4
Parks	0.20	0.42	21.7	1.1
Roads	0.95	0.42	68.6	16.9
Limited Use Zone	0.25	0.42	26.2	1.7
Village Center/Commercial	0.65	0.42	7.8	1.3
~~Family Swim Center~~ Aquatic Park	0.44	0.42	16.0	1.8
			Basic Retention Volume	39.3
		Total Retention Basin Volume = Basic Volume x 2		**78.60**

Notes:
1. *C Values are per the City of Tracy Design Standards, December 2008*
   Residential Lots = Low Density (Single Family) C=0.35
   Parks = Lawn or Landscaping C= 0.20
   Roads = Paving C = 0.95
   Limited Use Zone = Rural Residential (1–5 Acres) C= 0.25
   Village Center/Commercial = High Density C=0.65
   ~~Family Swim Center~~ Aquatic Park — See Below

   ~~Family Swim Center~~ Aquatic Park C Value Calculation

	Acres	C Value	AxC
Parking Lot	3.48	0.95	3.30
Lazy River/Building/Decking, etc.	3.18	0.60	1.91
Remainder — Natural	9.35	0.20	1.87
		Composite C Value	0.44

2. *Retention Basin sizing is per the City of Tracy Design Standards, December 2008*
3. *"I" Values were generated using the City of Tracy Design Standards Table 5-1 "Rainfall Intensity Curve"*

Table 4.7 Storm Sewer System Demand and Capacity Requirements – Build-out (BKF Engineers)

Phase 1 (Including Proposed ~~Family Swim Center~~ Aquatic Park)

In the event that the proposed regional Detention Basin #3A is not constructed prior to development of Phase 1 of the Ellis Project, stormwater runoff from Phase 1 will be retained on-site or at a nearby location. Based on the City of Tracy Design Standards the Basic Retention Volume (BRV) is 18.1 acre-feet or as approved by the City Engineer.

Initial Project Phases

Retention basin(s) constructed with Phase 1 could be expanded, relocated, and/or duplicated prior to the next phase of Ellis.

Alternatively, all or a portion of the regional Westside Channel Stormwater Detention Basin #3A could be constructed to serve the Ellis project. A stormwater conveyance system could be constructed to serve the Ellis project or upsized to serve the regional stormwatershed.

Ultimate Project Build-out

Ultimately, the regional Westside Channel stormwater Detention Basin #3A will serve the Ellis project. When constructed, any interim retention basins would be filled and may be developed. A stormwater conveyance system to the Westside Channel Detention Basin will serve the regional stormwatershed including the Ellis property.

4.9.7 Stormwater Quality /Best Management Practices

~~The City Council adopted a Manual of Stormwater Quality Control Standards for New Development and Redevelopment (SWQC Manual) in August 2008. The SWQC Manual has the following goals:~~

- ~~Assist new development in reducing urban runoff pollution to prevent or minimize water quality impacts.~~
- ~~Provide standards for developers, design engineers, agency engineers, and planners to use in the selection, design, and implementation of General Site Design Control Measures for Low Impact Design (LID) and appropriate site-specific source and treatment control measures.~~
- ~~Provide maintenance procedures to ensure that the selected control measures will be maintained to provide effective, long-term pollution control.~~

Ellis shall comply with the Applicable Law for Stormwater Quality.

The Ellis project implements stormwater management techniques or Best Management Practices (BMPs) to comply with the SWQC Manual. All Ellis project stormwater treatment will occur at Detention Basin #3A.

The Ellis Program Finance & Implementation Plan identifies the improvements required for the ESP maximum buildout.

The primary treatment control measure for the Ellis Program will be to incorporate infiltration into Detention Basin 3A, capable of treating the required stormwater runoff volume from the entire subbasin.

4.9.8 Solid Waste Disposal

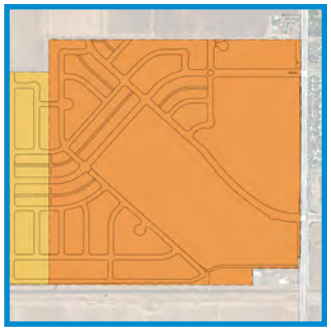
Ellis' mixed uses including recreation, housing, office, and commercial development will generate solid waste. However, based on the City of Tracy General Plan Revised EIR, capacity at the Foothill Sanitary Landfill that serves the City is currently available and is anticipated to accommodate Ellis through the life of the General Plan. Tracy Delta Solid Waste Management, Inc. is currently City's service provider for the collection, transportation, and disposal of refuse and garbage, including the collection of recyclable material. Ellis would be served by the City's service provider at that time.

4.9.9 Energy

Pacific Gas and Electric provides electricity and natural gas to the residents and businesses within both the City and County. Ellis would utilize energy-saving technologies through implementing sustainable building practices including materials and mechanical systems that reduce energy consumption. Additionally, based on the General Plan's Circulation Element policies to promote the use of alternative transportation including walking, biking and transit use in order to reduce driving and thus energy use, Ellis contains a network of walking and biking facilities both within and adjacent to the project that would link to other City networks.

Section 5

Infrastructure Funding and Phasing



Infrastructure Funding and Phasing

5.1 INTRODUCTION

A number of public and capital facilities are required to support the development of Ellis. Various items of off-site public utility infrastructure may need to be expanded, upgraded, or developed. All utilities need an extension of conveyance facilities to the Ellis site. Development also necessitates a complete road network within Ellis to allow access to all parts of Ellis, as well as sidewalks, bike paths, and street features to ensure that the community retains a pedestrian-friendly quality. Beyond these basic needs, the project will also place demands on other public facilities. Ellis will include internal public facilities that will make the community distinctive and will ensure a balanced mix of housing, neighborhood retail and services, and a high quality of community life as Ellis develops. This section describes the funding and phasing alternatives for these facilities.

5.2 PUBLIC FACILITIES FUNDING SOURCES

All public infrastructure necessary for development of Ellis will be constructed through a combination of funding sources including, but not limited to, the following:

- Private capital from developer in the form of development impact fees and in-kind facilities development
- Bond proceeds
- Utility connection charges, and rates charged to end-users
- Assessments on Ellis real property (including Community Facilities Districts)
- Credits and reimbursements related to oversizing, etc.
- State and/or federal funding for affordable housing, transit-oriented facilities, and other special facilities
- ~~Landscape Maintenance District~~
- Other partnerships with public and private entities

In the absence of other sources, private capital from the developer will cover all infrastructure funding requirements except for the ~~Family Swim Center~~ Aquatic Park. The ~~development~~ funding of the ~~Center~~ Park will be the responsibility of the City. Funding for all or a portion of the ~~Family Swim Center~~ Aquatic Park may be provided in accordance with a Development Agreement.

~~The park~~ Ellis parks and landscape systems will be incrementally implemented over time to match the needs of the growing Ellis community. Parks ~~may~~ will be constructed ~~in two ways~~ by the Ellis project:

~~Option A: The builder constructs the parks. In lieu of paying fees, the parks will be bonded. Construction of the parks will start at the 400th building permit. Every 200 building permits thereafter, a pro rata share of parks will start construction.~~ The bonding of parks may occur as a part of any final map or as a part of park improvement plans.

~~Option B: The City builds the parks. The developer pays a fee per building permit to the City to aid in the construction of the parks.~~

The ESP provides regulations on the character and amenities proposed for each park. As the park system is implemented, detailed designs will be developed for the construction of each park. Modifications and refinements of individual park designs, including park location, will be considered a minor variation and will follow the Minor Variation process outlined in Section 6.5 of this ESP.

5.3 USES OF PUBLIC FACILITIES FUNDS

The public and capital facilities that may be required and may be financed to support the development of Ellis include:

- Water supply from the City for the project
- Project's share of the City's domestic John Jones Water Treatment Facility
- Domestic water conveyance
- Project's share of the City's existing Wastewater Treatment Facility and its expansion to 16 MGD
- Wastewater conveyance
- Recycled water conveyance within the Ellis project
- Off-site stormwater detention facility
- Stormwater conveyance
- Dry utilities extension to the project
- Off-site road improvements
- On-site water, wastewater conveyance, recycled water, stormwater, and dry utility conveyance
- On-site roads, sidewalks, and trails
- Village Center, parks, and open space
- Monuments and parks
- Public area landscape and lighting
- Parks and signage
- Project's share of regional transportation facilities
- Project's share of school facilities
- Project's share of public safety facilities
- Project's share of library facilities

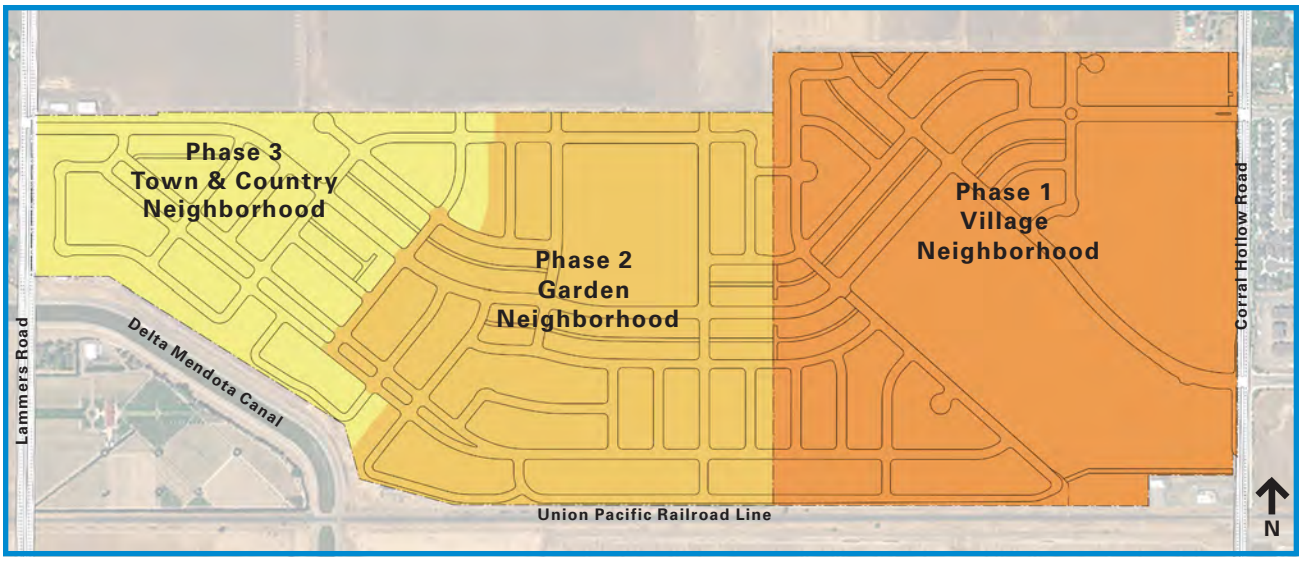


Figure 5.1 Illustrative Phasing Diagram

5.4 PHASING

Figure 5.1 shows the projected general order of development of the Ellis project.

Infrastructure planning is a particular challenge in light of the City Growth Management Ordinance (GMO). If infrastructure facilities are developed too far in advance of their need, the project could become financially infeasible. On the other hand, it is impractical to plan, design, and construct infrastructure in very small increments. The ESP therefore attempts to build in flexibility for the financing and development of infrastructure so that feasible options may be selected as the pace of development becomes more apparent.

5.5 MAINTENANCE AND OPERATIONS

The operations and maintenance of the ~~Family Swim Center~~ Aquatic Park detailed in the ESP will be the responsibility of the City.

The maintenance of the roads, parks, and other public amenities, detailed in the ESP will be funded through a combination of any and all of the following:

- Standard City maintenance responsibility
- ~~Landscape Maintenance District~~
- Community Facilities District
- Payment by residents of Ellis for City water and wastewater conveyance user fees
- Other utilities (such as electricity, natural gas, and telephone) and services (such as solid waste collection) will be maintained through fees and charges of the appropriate service providers.

Some City maintenance and operations functions will be performed by City staff or through City contracts and reimbursed from these special assessments and/or fees. Utilities will be maintained by the appropriate service providers.

The generous, tree-lined streetscape system, extensive park system, and visual icons are integral

components of the Ellis community character. To ensure the desired quality of the maintenance and management of the landscape and park system, an ~~Landscape Maintenance District (LMD) or Community Facilities District (CFD)~~ Ellis Property Owners Association (EPOA) will be utilized. The ~~LMD or CFD~~ EPOA will ~~include~~ implement the maintenance of:

- Frontage along Corral Hollow Road
- Frontage along Lammers Road
- Interior streetscape system within the public right-of-way
- ~~Neighborhood parks and~~ Native Preserve
- Special landscape feature areas
- ~~Trail system~~
- Public art
- Signage elements in the public right-of-way which are non-regulatory

~~The Family Swim Center is not within a Landscape Maintenance District and will be maintained by the City.~~

The ~~LMD or~~ CFD will include a comprehensive identification of long-term replacement costs, escalation factors, and ultimate build-out of the total landscape system in determining the assessment fee. This anticipatory approach will ensure that appropriate maintenance levels are preserved.

The City and EPOA have or shall enter into a maintenance agreement to set forth and facilitate among other things the required maintenance obligations, standards for maintenance, and other associated obligations(s) as well as compliance with the Ellis operations and maintenance manual, to ensure the long-term maintenance of all public park and landscape areas, and other public improvements within the ECFD boundaries. The City shall maintain all parks, the EPOA shall maintain all other public landscaping. The City and Owner or EPOA may amend and make changes agreed upon to the maintenance agreement, maintenance responsibility, and the Ellis operations and maintenances manual upon mutual consent.

5.6 IMPLEMENTATION

Implementation of the Financing Plan may require the execution of several elements including, but not limited to, the following:

- A Development Agreement (DA) or Development Agreements
- Reimbursement and credit agreements
- Covenants, conditions and restrictions
- Applications and grants for State and Federal funding
- Bond financing
- ~~A Landscape Maintenance District (LMD) or~~ Community Facilities District (CFD)
- Property Owners Association (POA)

Section 6

Plan Review



Plan Review

6.1 ENTITLEMENT PROCESS

This ~~Modified Specific Plan~~ ESP and accompanying approvals, including certification of the Revised Environmental Impact Report, provide the basic authority of the development of a minimum of 1,000 units and a maximum of 2,250 residential units (not including secondary residential units); up to 180,000 square feet of retail, civic, office, and other commercial uses; neighborhood parks; and a proposed ~~Family Swim Center~~ Aquatic Park serving as a Community Park.

6.2 SUBDIVISIONS

All subdivision maps ~~processed within the Ellis Specific Plan Area~~ shall be processed in accordance with State law, the Tracy Municipal Code, applicable City standards, the Subdivision Map Act, and Applicable Law. ~~follow the process set forth in the Tracy Municipal Code.~~

All streets, sidewalks, landscaping, and other public property improvements shall be consistent with regulations and guidelines of the ESP ~~and Pattern Book~~. Each tentative map application shall demonstrate compliance with the street sections, lot sizes, and other standards of the ESP, to the extent applicable on the tentative map. The submittal requirement of conceptual architectural elevations for vesting tentative maps has been satisfied by the ESP, Appendix A: Ellis Pattern Book. Review of the architectural elevations for specific development proposals will be addressed through the Pattern Book Certification process. The form and content of the Final Map shall conform to the requirements of the Tracy Municipal Code, State law, and Applicable Law. ~~Prior to approval of each final map, the final map and associated improvement plans shall demonstrate compliance with the street sections, lot sizes, and all other applicable standards of the ESP.~~

6.3 ELLIS PATTERN BOOK CERTIFICATION

The Ellis Pattern Book guides the development of ~~structures on individual parcels~~ new single-family or two-family dwellings plus commercial buildings within the Ellis community and works in conjunction with the ESP to create and implement the vision for Ellis. The Ellis Pattern Book is Appendix A of the ESP, ~~and will be adopted by Resolution of the City Council~~ and both the ESP and Pattern Book will be adopted by City Council.

Before a building permit may be obtained ~~for any structure within Ellis~~, the applicant must first obtain a Pattern Book Certification (PBC) by the City to demonstrate that the proposal is in compliance with the site development and architectural patterns set forth in ~~the Pattern Book~~ Appendix A. Compliance with the ESP and Pattern Book is required for all improvements except as provided below. Pattern Book Certification is not required for (1) residential swimming pools, patio covers, shade structures, or similar residential accessory structures; (2) interior improvements such as plumbing, electrical or partition wall modifications where no modifications or improvements are made to or affect the appearance from the exterior of the structure; or (3) modifications to existing structures that have already received PBC and are in substantial compliance with the architecture, site plan, and other elements of the certified plans and the Pattern Book.

Pattern Book Certification

In order to obtain PBC, the applicant shall submit the following to the Development and Engineering Services (DES) Department:

1. Completed City of Tracy Development Application Form;
2. Application processing fee as established by Resolution of the City Council;
3. Five copies (15 for non-residential projects) of a detailed site plan showing all existing and proposed improvements on the site;
4. Five copies (15 for non-residential) ~~(plus one color copy)~~ of architectural elevations for all sides of proposed structures; including one color rendering of each street facing elevation;
5. A check list ~~(see pages 5–6 of this section)~~ showing how the proposed site plan and architecture comply with the Pattern Book;
6. Five copies of a preliminary landscape plan for non-residential projects; and
7. For non-residential projects, all sewer, water, storm drainage and other utility plans and information as required by the City Engineer.

Upon receipt of a PBC application and checklist, the Department shall determine whether the application is complete for processing within 30 days. If the application is incomplete, the Department shall notify the applicant, in writing, of all specific items to complete the application. After receipt of a complete application, the DES Director shall approve, conditionally approve, or deny the application. The DES Director determination for residential projects shall be made within 10 days from receipt of a complete application and within 30 days for a mixed-use or non-residential project. The submittal shall be in compliance with the EPB Checklist. If the DES Director determines that the submittal is not in compliance with the EPB Checklist he/she shall have the option to refer the application to the Planning Commission for review of conformance with the Checklist.

The DES Director's, or Planning Commission's, determination for approval regarding PBC shall be based on the finding that the project application is consistent with the ESP and Pattern Book site design, architecture, and all other standards and guidelines as determined by conformance to EPB checklist.

6.4 INTERPRETATION OF THE ~~MODIFIED~~ ELLIS SPECIFIC PLAN

Every effort has been made with the ~~Modified Ellis Specific Plan~~ ESP to provide policies and regulations that are clear; however, interpretations will be necessary when issues that were not anticipated arise. The DES Director is responsible for interpretation of the ESP.

If any situation arises in the implementation of

the ESP that is not addressed by specific development regulations or if an issue, condition, or situation arises that is not clearly addressed in the ESP, the DES Director shall provide an interpretation based on such City codes, goals, policies, plans, and requirements as are most closely related to the subject matter of the issue or situation to be interpreted.

In all matters, if there is a conflict between the provisions of the ESP and the provisions of the Tracy Municipal Code, the ESP shall prevail. As to matters not categorically superseded and not otherwise specifically addressed by the ESP, the Tracy Municipal Code shall apply and shall be interpreted in a manner that is consistent with the goals and objectives of the ESP.

Administrative interpretations of the DES Director may be appealed pursuant to the appeal procedures and timelines set forth in the Tracy Municipal Code regarding appeals of administrative interpretations.

6.5 MINOR VARIATIONS TO THE ~~MODIFIED~~ ELLIS SPECIFIC PLAN OR PATTERN BOOK

Proposed variations to the ESP or the Pattern Book that substantially conform to the standards, regulations, and guidelines of the ESP, and are not in conflict with any provisions of the Tracy Municipal Code that may apply to Ellis, may be permitted as "Minor Variations." Minor Variations may include, but are not limited to:

1. Allowance of a use not listed in the Permitted and Conditionally Permitted Uses matrix (Table 3.3), if the use is consistent with or similar to the ~~Modified Specific Plan~~ ESP designation for the area in which the use is requested.
2. Changes to numbers or letters establishing or referencing text sections or figures, including references to Tracy Municipal Code sections.
3. Modifications to park and public space designs described in Sections 4.6, 4.7, and 4.8 of the ESP.
4. Modifications to informational material contained in the ESP or the Pattern Book, that does not have regulatory effect.
5. Any other modifications determined by the DES Director to be in accordance with the required findings for a Minor Variation.
6. ~~Addition of new lot types and~~ Modifications to approved architectural styles
7. Approval of and changes to the Ellis Color ~~Pallet~~ Palette
8. Changes to ~~setbacks and~~ garage types
9. Refinements to building massing and composition

A request for a Minor Variation shall be submitted in writing to the DES Department and shall include an application processing fee equal to the Development Review Class B fee, and shall include the specific text, exhibits, or other changes proposed for the Minor Variation and other applicable material, if any, to the DES Department in order to review the proposal and document all of the findings identified above.

All approved Minor Variations shall be documented in writing and maintained by the City with the ESP. A Minor Variation is not intended to replace the Variance process or approve Variances described in the Tracy Municipal Code.

The DES Director, acting upon any application for a Minor Variation that is determined to be complete, shall take the following steps: (1) approve the request, (2) approve the request with conditions or modifications, and/or (3) deny the request, or (4) refer the request to the Planning Commission for consideration, if after meeting with the applicant no resolution is possible. In order to approve a Minor Variation, the DES Director must make all of the following findings for the Minor Variation:

1. The Minor Variation substantially conforms to the standards, regulations, and guidelines of the ESP.
2. The Minor Variation is not in conflict with any provisions of the Tracy Municipal Code that apply to the ~~Modified Ellis Specific Plan~~ ESP.
3. The Minor Variation will not adversely affect public health, safety, or welfare.
4. The Minor Variation will not adversely affect adjacent property.
5. The Minor Variation will not have adverse environmental effects that have not been previously analyzed.

6.6 AMENDMENTS TO THE ESP~~, OR~~ PATTERN BOOK, AND/OR SIGN PROGRAM

~~Any proposed~~ Amendment to the ESP, ~~or amendment to the~~ Pattern Book, and/or Sign Program that ~~is~~ are not a Minor Variation shall be processed in accordance with the applicable State Government Code sections, ~~and~~ applicable Tracy Municipal Code sections for Specific Plan Amendments, and Applicable Law.

It is the intent of the ESP that the Ellis Revised Environmental Impact Report may serve, without further environmental studies, as the environmental documentation for the ~~Modified Specific Plan~~ ESP amendments, other than major amendments, as appropriate under the California Environmental Quality Act. Applications for ~~Modified Specific Plan~~ ESP amendments shall be made to the City in writing in a form prescribed by the City.

6.7 ~~MODIFIED~~ SPECIFIC PLAN COMPLIANCE AND ENFORCEMENT

The DES Director is responsible for enforcing the provisions of the Tracy Municipal Code Title 10, ~~and~~ the ESP, and Applicable Law. The regulatory elements of the ESP are enforceable pursuant to the enforcement requirements of the Tracy Municipal Code and Applicable Law.

6.8 CONDITIONAL USE PERMITS

Conditionally permitted uses are identified in Table 3.3 Permitted and Conditionally Permitted Uses. Conditional Use Permits shall be processed in accordance with Tracy Municipal Code, Chapter 10.08, Article 34.

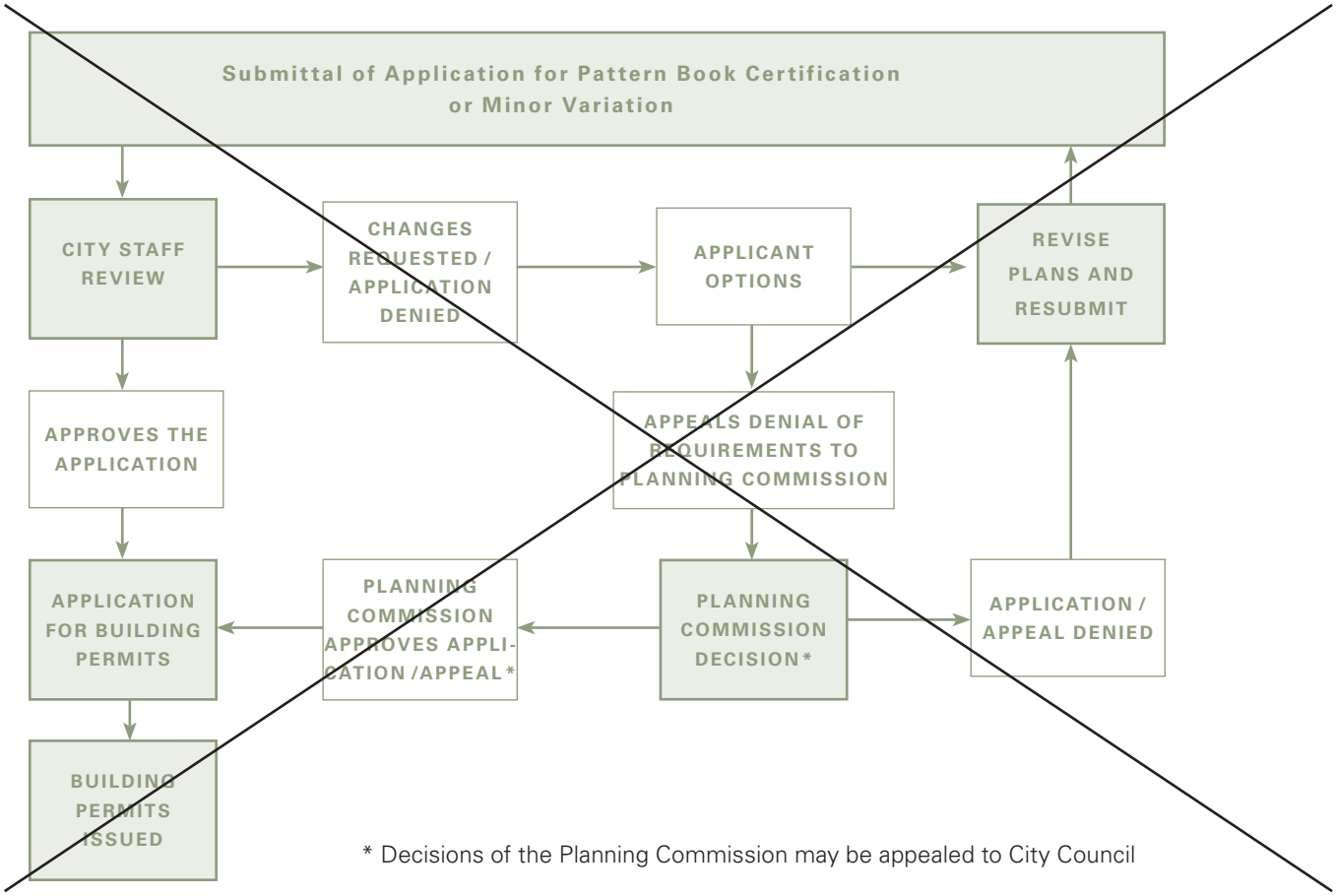


Figure 6.1 ~~Ellis Review Process for Pattern Book Certification and Minor Variations~~ Permit Process

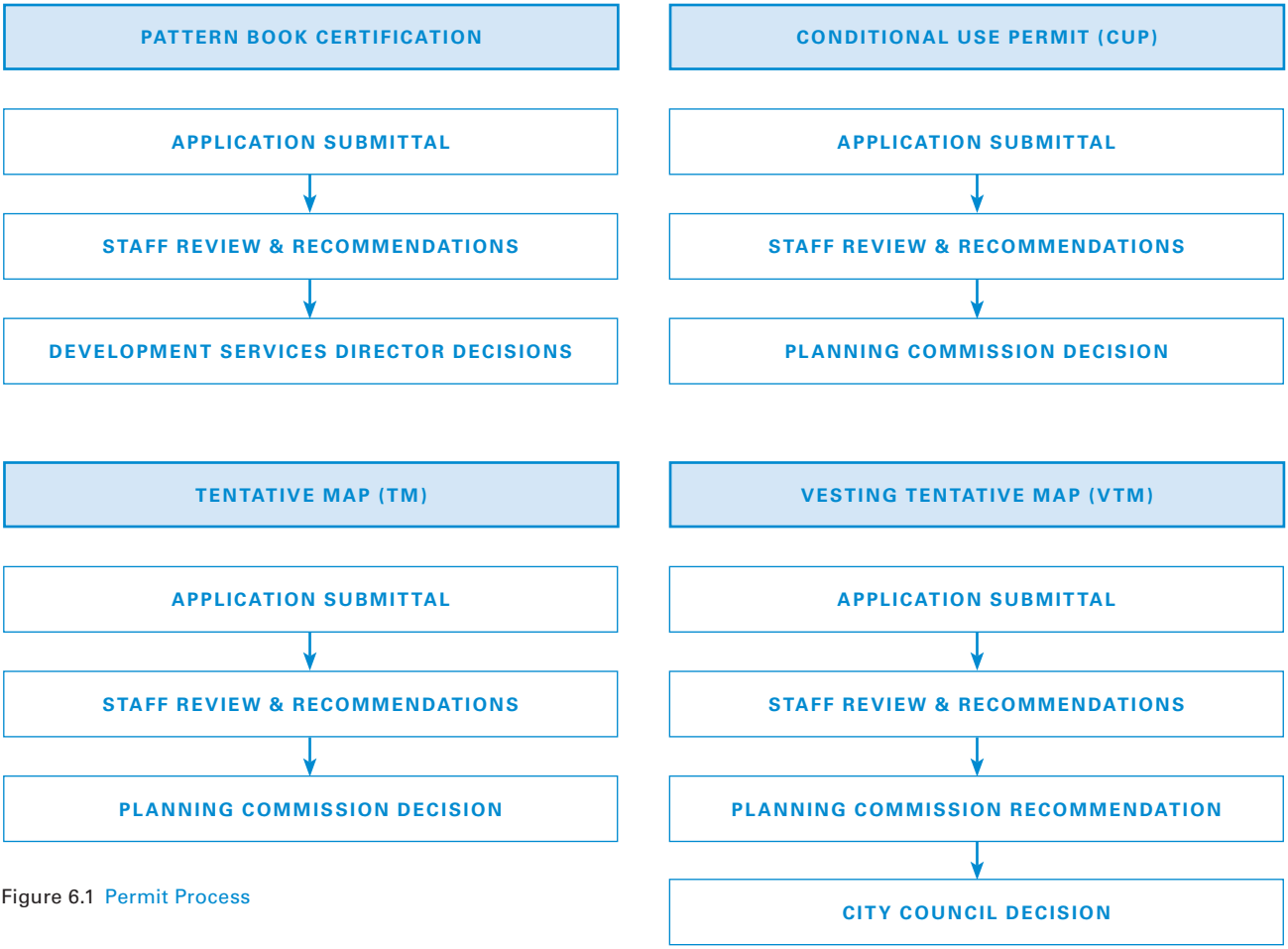


Figure 6.1 Permit Process

Sample Design Review Checklist

COMMUNITY PATTERNS

Item	Consistent Yes	No	NA	Notes
Lot Type				
Setbacks				
Front	○	○	○	
Street Side	○	○	○	
Side Yard	○	○	○	
Rear Yard	○	○	○	
Garage Requirements	○	○	○	
Encroachments	○	○	○	
Fence				
Requirements	○	○	○	
Setbacks	○	○	○	
Second Residential Units				
Permitted/Included	○	○	○	
Parking Requirement	○	○	○	
Refuse Storage (multi-family)	○	○	○	

ARCHITECTURAL PATTERNS

Item	Compliance Yes	No	NA	Notes
Style				
Massing and Composition				
Massing and Composition	❍	❍	❍	
Materials				
From Approved List	❍	❍	❍	

DESIGN REVIEW COMPLETED BY:

Name _____

Date _____

Glossary

Glossary

ACRES, GROSS: The entire acreage of a site, including all easements and rights-of-way; or the entire acreage of the site as shown on a recorded map. Calculated to the centerline of proposed bounding streets and to the nearest edge of the right-of-way of existing or dedicated streets.

ACRES, NET: The portion of a site that can actually be built upon. The following are not included in the net acreage of a site: public or private road rights-of-way and public open space.

ACRES, UNITS PER GROSS: Units divided by gross acres. Units per gross acre is to be calculated less ~~Swim Center~~ Aquatic Park, School Site, Outer Approach/Departure Zone, and pipeline encumbered acres.

ALUCP OUTER APPROACH/DEPARTURE ZONE: The Outer Approach/Departure Zone is defined in Section 3.1.1. (d) of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan (ALUCP), as Zone 4, Outer/Approach Departure Zone situated along extended runway centerline beyond Zone 3. Approaching aircraft are usually at less than traffic pattern altitude in Zone 4. Prohibited Uses and other conditions within the Outer Approach/Departure Zone are limited to those identified in Table 3A of Section 3.1.1. – of the 2009 San Joaquin County Aviation System Airport Land Use Compatibility Plan.

AMENITY OR AMENITIES: A feature that increases attractiveness or value, especially of a piece of property; something that increases physical or material comfort; social courtesies; civilities.

ARCHITECTURAL ACCENT: A permanent decorative panel.

ARTERIAL ROADS: A major four-lane road serving local and longer distance travel. Arterial roads enable through traffic between collector roads and express-

ways, highways, and freeways. Arterial roads provide some limited access to adjoining properties.

BBID: Byron-Bethany Irrigation District.

BULBOUTS: A curb extension at an intersection used to shorten the pedestrian crossing distance; may also be used to shield on-street parking and create planter areas.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): The State statutes and guidelines enacted by the California legislature in 1970 and as subsequently amended (Public Resources Code, Section 21000 et. Seq.) that contains a process for conducting environmental review for projects.

CALTRANS: California Department of Transportation.

CAPITAL IMPROVEMENT PROGRAM (CIP): A program established by a city or county government and reviewed by its planning commission, which schedules permanent improvements, usually for a minimum of five years in the future, to fit the projected fiscal capability of the local jurisdiction. The program generally is reviewed annually, for conformance to and consistency with the General Plan.

CIRCULATION: Free movement or passage; in this document, refers to vehicular and pedestrian movement within the neighborhood and between the neighborhood and its environs.

CITY: The City of Tracy, California.

CITY-BBID CONTRACT: A contract under negotiation between the City and BBID that would cause water allocations to individual projects to be transferred to the City for incorporation into the City's water supply system.

CLASS 1 BIKEWAY (BIKE PATH): Provides a completely separated right-of-way for the exclusive use of bicyclists and pedestrians.

CLASS 2 BIKEWAY (BIKE LANE): Provides a striped lane for one-way bike travel on a street or a highway.

CLASS 3 BIKEWAY (BICYCLE ROUTE): Provides connections to either Class 1 or Class 2 facilities. Class 3 facilities have no special lane markings, bicycle traffic shares the roadway with motor vehicles.

COLLECTOR STREETS: An intermediate-sized street generally smaller than arterial roads and larger than a neighborhood street.

COLONIAL REVIVAL: The reuse of Georgian and colonial design in the U.S. in the late nineteenth and early twentieth centuries.

COMMUNITY SERVICES: Utilities (such as water, gas, electricity, and sewer) and public services (such as police, fire, schools, parks, and recreation) provided to an urbanized or urbanizing area.

COMMUNITY SERVICES DISTRICT: A type of multi-function Special District (a separate local government that delivers public services to a particular area) providing one or more Community Services.

CPUC: California Public Utility Commission.

CRAFTSMAN STYLE: Originating in the late nineteenth century, this architectural style in the U.S. was influenced by the Arts & Crafts movement in England which emphasized the use of hand-crafted elements and natural materials instead of mass-produced components that were part of the industrialization and standardization of building components. Two California architects, Harry and Charles Greene, were among the first to design extensively in this style, producing designs for small, affordable, and very popular houses they called "bungalows." Typical style characteristics include relatively shallow pitch roofs with broad overhangs; open soffits with exposed rafters, brackets and braces of heavy timber; asymmetrical massing and window and door arrangements; inlet porches with tapered wood columns or piers with columns above; use of several materials on the exterior (e.g., a mix of stone, wood, shingle, and brick).

CUP: A Conditional Use Permit issued in accordance with the process set forth in the Tracy Municipal Code.

CURB CUTS: Interruptions in a concrete border or row of joined stones forming part of a gutter along the edge of a street, frequently to accommodate a driveway.

DENSITY: The measure of the ratio of population to the area of land occupied by that population, which may be expressed as dwelling units per acre, families per acre, persons per acre, or conversely, as acres per dwelling unit or square feet per dwelling unit.

DENSITY, GROSS: The ratio of dwelling units within the distinct boundaries of any property including the area to the center of an abutting street or access.

DENSITY, RESIDENTIAL: The number of permanent residential dwelling units per acre of land.

DEVELOPMENT: Any activity which occurs on land or water that involves the placement of any structure, the discharge or disposal of any waste material, grading, dredging or mineral extraction. This definition includes any change in use, density, and/or intensity including the subdivision of land, construction of any structure, and the removal or harvesting of major vegetation including land clearing other than for agricultural purposes.

DEVELOPMENT AGREEMENT: A legislatively approved contract between a jurisdiction and a person having legal or equitable interest in real property within the jurisdiction (California Government Code §65865 et. seq.) that "freezes" certain rules, regulations, and policies applicable to development of a property for a specified period of time, usually in exchange for certain concessions by the owner.

DIVERSITY BY DESIGN: Housing choices in urban areas that are attractive, accessible to parks, transit, work, shopping, and other amenities, and appealing to a broad spectrum of the population.

DWELLING UNIT: A room or group of rooms (including only one kitchen) that constitute an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

EASEMENT: A right, as a right-of-way, afforded a person to make limited use of another's real property.

ELEVATION: Referring to the front, side, or rear of a structure taken as a complete composition with all of its building elements.

EMPLOYMENT CENTER: Geographic area exemplified by a high concentration of employment opportunities.

ELLIS PLAN AREA: The area covered by the ESP.

ENCROACHMENT: A gradual intrusion on the rights or possessions of another (e.g., a road which encroaches on a city park).

ENVIRONMENT: The physical conditions that exist within the area that will be affected by a proposed project including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

ESP: See ~~Modified~~ Ellis Specific Plan.

FACADE: The face of a building.

FEASIBLE: Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technical factors.

FULL SPECTRUM OF HOUSING: Housing availability within a community that presents desirable housing opportunities for individuals and families across the full range of income levels.

GENERAL PLAN (GP): The City of Tracy General Plan as adopted in July 2006, and amended from time to time.

HARDSCAPE: Impervious and permeable paving materials.

HIGHWAY: Major road developed and maintained by the State of California. Highways enable through-traffic throughout the state and provide linkages to the overall highway system of the state. Highways typically provide only limited direct access from adjoining properties.

HOUSEHOLD: All those persons — related or unrelated — who occupy a single dwelling unit.

IMPACT FEE: A fee, also called a development fee, levied on the developer of a project by a city, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce. Government Code Section 66000, et seq., specifies that development fees shall not exceed the estimated reasonable cost of providing the service for which the fee is charged. To lawfully impose a development fee, the public agency must verify its method of calculation and document proper restrictions on use of the funds.

IMPERVIOUS SURFACE: Surface through which water cannot penetrate, such as roof, road, sidewalk, and paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

IMPROVEMENT: Such street work and utilities to be installed, or agreed to be installed (for which a security instrument is first accepted), by the subdivider on the subdivision or land adjacent thereto to be used for public or private streets, highways, ways, and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the parcel or final map thereof. Improvement also refers to such other specific improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof.

INDIGENOUS: Living or occurring naturally in a specific area or environment; native; intrinsic to a place.

INFRASTRUCTURE: The various systems and facilities needed to support the operation of a community (e.g., sewer and water systems, electric systems, communication lines, roads).

KNOCK DOWN: Designed to be assembled and disassembled easily and quickly; a device or mechanism designed to be assembled and disassembled quickly and easily.

LANE: A paved right-of-way between or behind buildings.

LIVE /WORK: A predominantly residential mixed-use building type that accommodates commercial activity as a secondary use.

LOT: A unit of land which has been created under the provisions of the Subdivision Map Act or any prior law regulating the division of land or a local ordinance enacted pursuant thereto or was created prior to the time any local or state law regulated divisions of land or which were not subject to any local or state regulation at the time of its creation. Lots crossed by public road or highway rights-of-way will not be considered to have been 'subdivided' by such a road or highway. Except where a legal determination by the County concludes otherwise for a particular ownership, contiguous lots conveyed by U.S. patent or aggregated under a single ownership will be considered as a single lot.

MARKET-RATE: An unregulated price driven by free market demand.

MASSING: The shape of the volume of the building.

MITIGATION: Measures taken which make something less severe or intense.

~~MODIFIED~~ ELLIS SPECIFIC PLAN: This specific plan.

MURAL: A painting executed directly on a wall or on a permanently-affixed wall panel.

NOISE: Any sound that is undesirable because it interferes with speech and hearing, or is intense enough to damage hearing, or is otherwise annoying. Noise, simply, is unwanted sound.

OPEN SPACE: Any open land that is predominantly lacking in structural development. Open space includes natural areas, wetlands and open water, wildlife habitats, areas of managed production of resources such as farmlands and grazing areas, open areas requiring special management or regulation to protect public health and safety, and outdoor recreational areas. The term 'open space' does not imply public access or ownership.

PARCEL: For a definition of parcel, see lot.

PARK STRIP: See verge.

PARKING AREA OR LOT: An open portion of land with an impervious surface designed and used for parking of vehicles, includes parking spaces, aisles, and maneuvering areas.

PEDESTRIAN-SCALE: In scale with a person walking.

PLANNING MANAGER: The Planning Manager for the City of Tracy or a person in a position that is similar in nature, job description, and authority but having a different job title (Examples: Director of Planning; Director of Planning, Building and Zoning; Chief of Planning) who is the head of the Planning Department or Division or equivalent City organizational unit having the same general responsibilities.

POLICY: A specific statement guiding action and implying a clear commitment.

PRESERVATION: Use of long-term or permanent safeguards to guarantee the viability of natural or man-made resources.

PUBLIC UTILITY: A company regulated by the California Public Utilities Commission or other regulatory body including the City of Tracy.

RECREATIONAL VEHICLE: Single-axle or multiple-axle non-self-propelled structure mounted on wheels or otherwise capable of being made mobile, and other types of vehicles including, but not limited to, travel trailers, self-propelled motor homes, or campers used for any purpose (for example, residential, recreational), but not a municipal or governmental purpose.

REVISED ENVIRONMENTAL IMPACT REPORT (REVISED EIR): A report statement setting forth the environmental effects and considerations pertaining to a project as specified in CEQA. An EIR document is prepared to inform the public and decision makers about the potential environmental impacts caused by implementation of a project.

ROAD, PUBLIC: See Street, Public.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by certain transportation and public use facilities, such as public and private roads, railroads, and utility lines.

SECONDARY ~~RESIDENTIAL~~ UNIT: A separate residential unit created on a lot which already contains one legally created residential unit.

SETBACK: A defined recession from a given property line or zone within a property that establishes the allowable placement of a structure, except fences ~~6 feet in height or less,~~ on a specific piece of property.

SIGN STRUCTURE: A structure which supports a sign.

SPECIFIC PLAN: In California, a tool authorized by Government Code §65450 et seq. for the systematic implementation of the General Plan for a defined portion of a community's planning area. A Specific Plan must specify in detail the land uses, public and private facilities needed to support the land uses, phasing of development, standards for the conservation, development, and use of natural resources, and a program of implementation measures, including financing measures.

STREET, PUBLIC: An avenue, place, way, drive, lane, boulevard, highway or road, but not an alley, owned by or maintained by a state, county, or incorporated city, or other public agency.

STREETSCAPE: The appearance or view of a street; an environment of streets.

STRUCTURE: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner whether constructed on- or off-site.

SUBDIVIDER: A person, firm, corporation, partnership, or association who owns the property or represents the owner and who proposes to divide, divides, or causes to be divided real property into a subdivision for oneself or for others. Employees and consultants of such person or entities, acting in such capacity, are not subdividers.

SUBDIVISION: The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County Assessment Roll as a unit or as contiguous units, for the purpose of sales, lease, or financing whether immediate or future. Property is considered as contiguous units, even if it is separated by roads, streets, utility easements or railroad rights-of-way. This definition includes a condominium, community apartment project, stock cooperative, and a conversion.

~~**PROJECTING SIGN**: A sign attached to, and projecting from, the face of, or above, or upon the roof of a building, structure, canopy, or marquee and shall include a roof sign.~~

~~**TEMPORARY SIGN**: A sign constructed of expendable material, such as paper, plastic, cloth, or wood, intended to be displayed for a short period of time (up to a year). Pennants, banners, balloons, and similar devices shall also be included in this category.~~

TRANSIT CENTER: Location or place designed for the interface of different modes of transportation.

USE EASEMENT: See Easement.

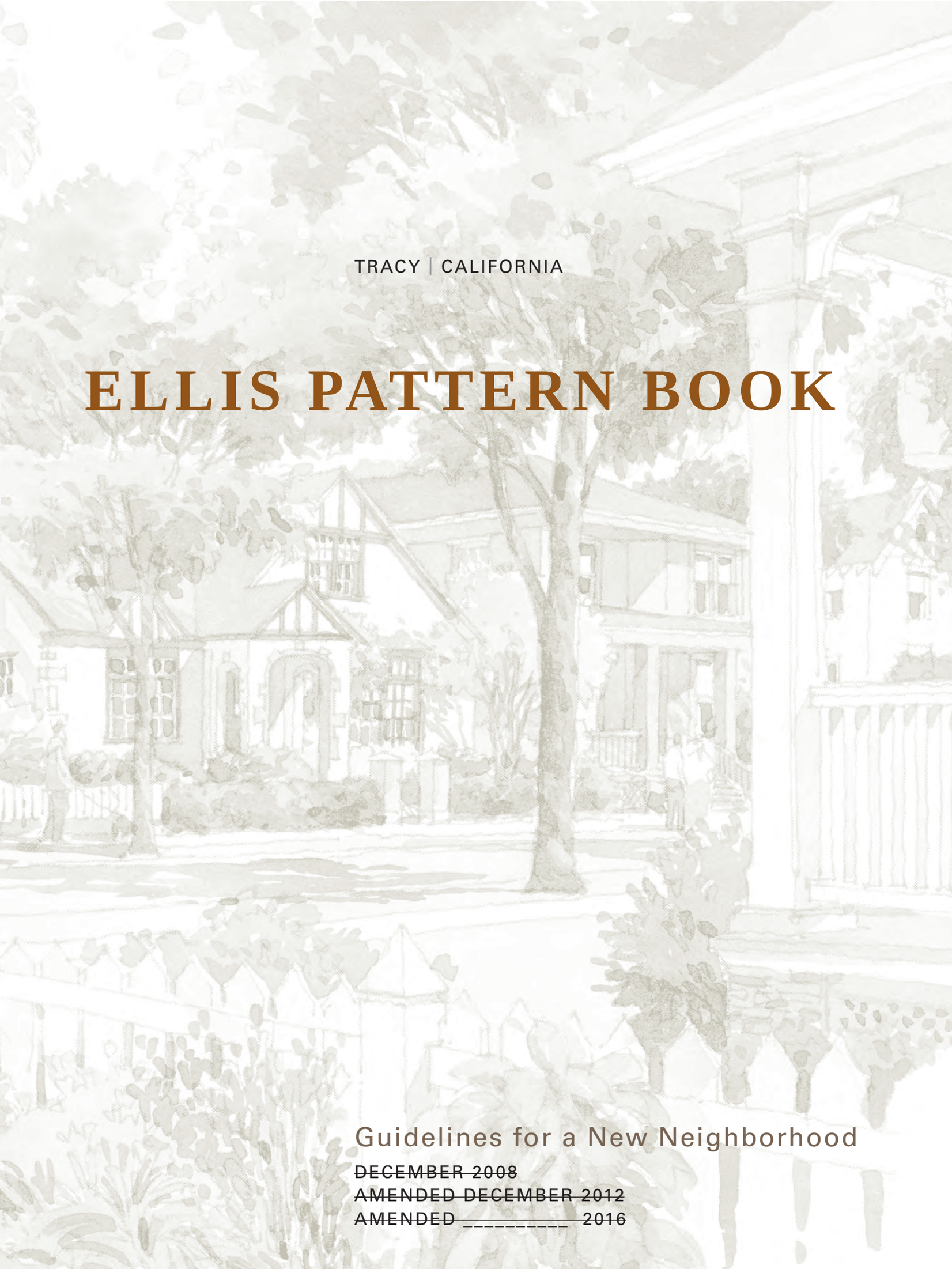
VERGE: The edge projecting over the gable of a roof. Also, the area of planting, lawn, or pavement between the sidewalk and the curb on a street.

ZONING: The division of a city or county by legislative regulations into areas, or zones, that specify allowable uses for real property and size restrictions for buildings within these areas; a program that implements policies of the General Plan and any General Plan Updates.

APPENDIX A

ELLIS PATTERN BOOK

Guidelines for a New Neighborhood



TRACY | CALIFORNIA

ELLIS PATTERN BOOK

Guidelines for a New Neighborhood

~~DECEMBER 2008~~
~~AMENDED DECEMBER 2012~~
~~AMENDED _____ 2016~~

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SECTION 4 COMMERCIAL/PUBLIC FACILITIES

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4|24 Building Placement and Setbacks

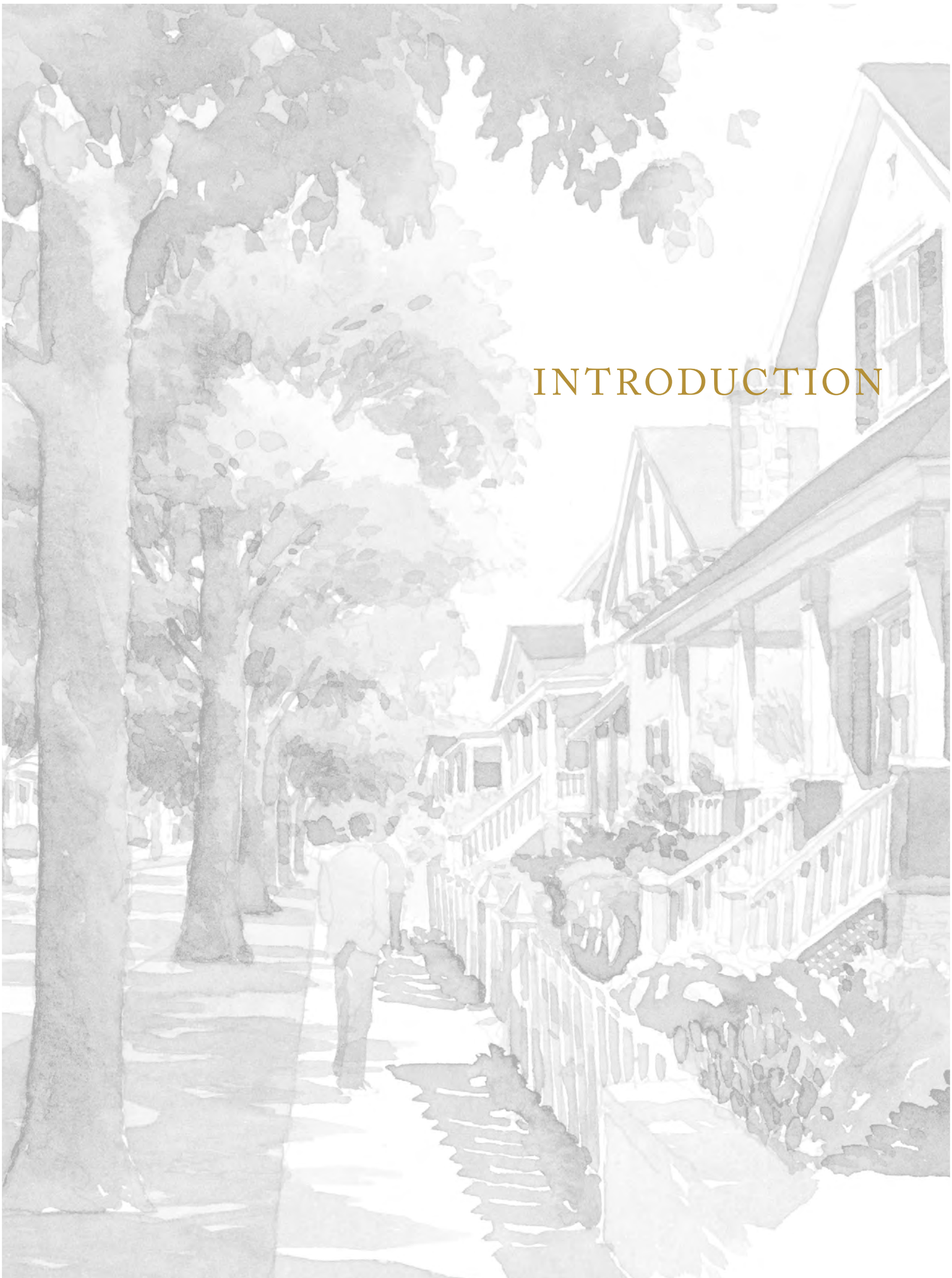
4|26 Access and Circulation

4|28 Precedents

4|32 PUBLIC FACILITIES

The Ellis Pattern Book (EPB) illustrates and defines the basic parameters of all private development in Ellis — from the scale of the commercial uses to the scale of the community. The EPB defines appropriate architectural styles as well as traditional zoning criteria for height, setbacks, and parking.





INTRODUCTION

OVERVIEW

For almost 200 years, pattern books have been used throughout the United States as a reference for builders and homeowners in building houses, churches, civic buildings, and garden structures — often in remote locations without the aid of an architect. The Ellis Pattern Book (EPB) has drawn on this technique to create a design palette and guidelines for the new community.

This Pattern Book presents a vision for Ellis and serves as a general guide to the development of the community, establishing guidelines that address the intended neighborhood character, building design, and landscape elements. The design guidelines contained in the Ellis Pattern Book are based on extensive research and documentation by the development team of precedents in the city of Tracy, San Joaquin County, and the Central Valley of California. Drawing on these precedents, the design principles for Ellis are aimed at creating a full spectrum of attractive building opportunities in a manner that respects the qualities of the local landscape.



Ellis Craftsman



Ellis Farmhouse Victorian



Ellis landscape



A village center in the region

The Ellis Pattern Book (EPB) contains four main sections with related subchapters: this Introduction; the Detached Residential Guidelines, including Community and Architectural Patterns; the Attached Residential Guidelines, including Community and Architectural Patterns; and Nonresidential Guidelines for Mixed-Use, including the Ellis Village Center and ~~Family Swim Center~~ Aquatic Park, as well as Commercial Sites and Public Facilities.

Within the Detached and Attached Residential Guidelines, the Community Patterns serve to promote that neighborhoods contain a range of building sizes. Sidewalks and bike paths throughout the development create a community that is pedestrian and bicycle-friendly. Parks provide neighborhood-based active and passive recreational amenities within walking distance for residents.



A mixed-use street in the region



Ellis European Country



Ellis Spanish Colonial



Ellis Mediterranean Revival

OVERVIEW, CONTINUED

Six architectural styles have been selected for Ellis residential development: Ellis Craftsman, Ellis Farmhouse Victorian, Ellis Revival, Ellis European Country, Ellis Mediterranean Revival, and Ellis Spanish Colonial (Additional architectural styles may be added to the Pattern Book per ESP Section 6.5 Minor Variations to the Modified Ellis Specific Plan or Pattern Book.) The Architectural Patterns sections provide information regarding each of these styles, including a description of the history and character of the particular style, a gallery of built examples, the style's basic massing and composition, as well as possibilities for designs using a standard palette of materials. This kit-of-parts approach provides architects, builders, and homebuyers with examples for designing and personalizing a new home in Ellis.



Photo: Images of America: Tracy

An example of the historic architecture in the vicinity of Ellis

Ellis includes a vibrant, mixed-use Village Center. This Village Center will draw on the character and quality of regional precedents and will accommodate a mix of uses including housing and commercial ventures; it will also act as a front door to the ~~Family Swim Center~~ Aquatic Park. Buildings with active uses, such as ground-floor shops and/or offices will line Ellis Drive, while residential and/or offices located on upper floors will create a mixed-use environment reminiscent of the charming and beloved main streets of traditional towns throughout the region.

The Ellis community will be an extension of the urban fabric of the City of Tracy. The community has been designed in a compact form to maintain this distinct natural edge and connectivity.

This Pattern Book serves as the basis for design review and implementation.

THE ARCHITECTURAL STYLES OF ELLIS



Ellis Craftsman



Ellis Farmhouse Victorian



Ellis European Country



Ellis Revival



Ellis Mediterranean Revival



Ellis Spanish Colonial

THE TOWNSCAPE OF ELLIS





ELLIS TOMORROW

Ellis is designed in the tradition of historic American settlements and the traditional towns of northern California. As depicted in the illustrations on these pages, the community will have a mix of different uses and a fine-grained network of streets, blocks, and parks.

Ellis will become an extension of the City of Tracy at its southwestern edge. Access to jobs and regional institutions will be a major component of Ellis. A ~~Family Swim Center~~ Aquatic Park, serving the City of Tracy and the region, may be located along Corral Hollow Road on Ellis' eastern edge, adjacent to the Village Center. This facility is a new amenity and attraction for residents and visitors alike.

The new community will provide a mix of housing opportunities for the residents.





The neighborhoods of Ellis will each have a distinct character related to their locations. Parks, including native plants and landscape elements, will add to this character, as will the design of the houses and buildings. The essential qualities of these neighborhoods will reflect the vernacular architecture of established communities in the region, such as Pleasanton, Livermore, Stockton, and, of course, Tracy. These communities have a variety of different house types and styles, pedestrian-friendly streets, and unique park spaces and trails — the foundational elements of true places.

HOW TO USE THIS PATTERN BOOK

ORGANIZATION OF INFORMATION

The Ellis Pattern Book (EPB) will guide the development of the community and works in conjunction with the ~~Modified~~ Ellis Specific Plan (ESP) to create the vision for Ellis. The document is organized into four main sections.

INTRODUCTION

The introduction provides the reader with an overview of community character.

DETACHED RESIDENTIAL GUIDELINES

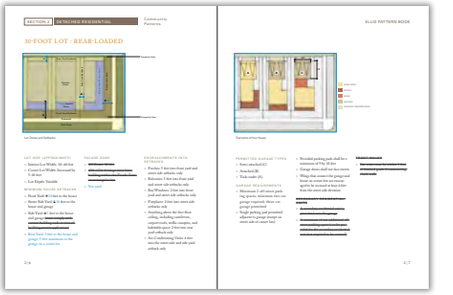
These guidelines outline the permitted residential types and the guidelines for placing detached residential units on lots. Six regional architectural vocabularies have been identified for single-family detached house types.

ATTACHED RESIDENTIAL GUIDELINES

Attached residences are permitted in designated areas throughout Ellis. The way these buildings should be situated on sites and lots, as well as five appropriate architectural styles, are described and illustrated.

MIXED-USE, COMMERCIAL, AND PUBLIC FACILITIES GUIDELINES

As a fully-integrated community, guidelines are provided for nonresidential uses, such as the mixed-use Village Center, ~~Family Swim Center~~ Aquatic Park, commercial outparcels and permitted public buildings. Urban design principles, as well as the intended architectural character of these special places and amenities, are presented.



Introduction



Detached Residential Guidelines



Attached Residential Guidelines



Mixed-Use, Commercial, and Public Facilities Guidelines

PROCESS FOR USING THE PATTERN BOOK

This Pattern Book is designed to be used in the following four-step process.

STEP 1
FIND YOUR BUILDING TYPE

Match the intended building type to the guidelines appropriate for its scale, whether a detached residence, an attached residence, a mixed-use, commercial building, or public building.

STEP 2
SELECT THE LOT TYPE

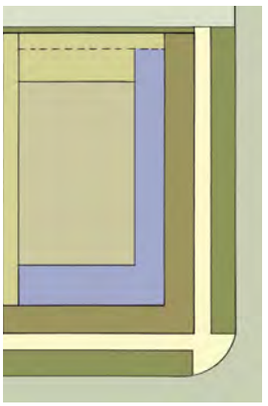
Match lot dimensions to the siting or lot type descriptions found in the Community Patterns section. The lot descriptions include the required minimum setbacks for the front, side, and rear yards for each lot type, resulting in the buildable area. Siting guidelines are provided for the non-residential areas of Ellis.

STEP 3
IDENTIFY THE SHAPE AND SIZE OF THE STRUCTURE

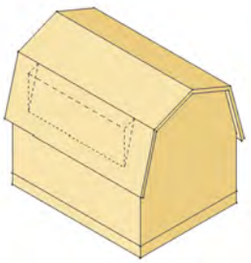
The example diagrams depict the typical massing of buildings in Ellis, including the main body, porch, and side and/or rear wings. The basic mass of a house will determine the general location of its programmatic elements. Each architectural style has its own page that describes the basic massing types for that style based upon regional precedents. Roof types are part of this overall massing decision. (Refer to the Detached and Attached Residential Guidelines for details regarding each of the individual styles.)

STEP 4
CONSIDER THE DESIGN POSSIBILITIES AND CHOOSE APPROPRIATE MATERIALS

Elevation drawings for attached and detached houses composed using elements described in the Pattern Book can be found on the last pages for each style type in the Architectural Patterns section. The elevations presented illustrate a sampling of the myriad design possibilities that can be achieved using the Pattern Book. These pages also provide a list of some common materials from which to build.



A typical detached residential lot diagram



A massing diagram



A window and door composition diagram



Illustrative elevation possibility

ELLIS BUILDINGS AND HOUSES

Ellis houses and residential buildings will comprise the backdrop of each neighborhood. The residences will define the character of the public spaces and reflect the preferences of the individuals behind the porch or front door.

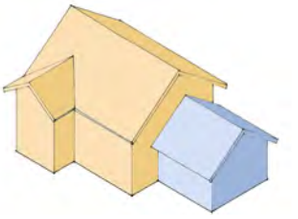
In traditional neighborhoods, such as those at Ellis, the front portion of the house is the most public and must be responsive to adjacent houses and the overall character of the neighborhood. The landscaping of the front yard, setbacks from the street, size and placement of the house on the lot, and the front porch are all shared elements that form a harmonious public realm.

The detached and attached residential types at Ellis are based on the vernacular architecture of the towns of San Joaquin County, particularly Tracy, using regional house types with appropriate style elements. The house types are defined by the character and shape of the main body, wings, and other elements that are added to increase living space.

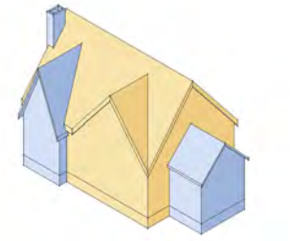
The patterns described in this book apply primarily to facades facing streets (see the Key Facades illustration on page 1-11). All material transition points should be a minimum of two feet back from the public corners of the house.



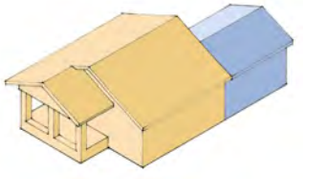
Illustrative view of an Ellis residential street



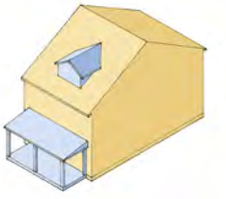
Gable-L house



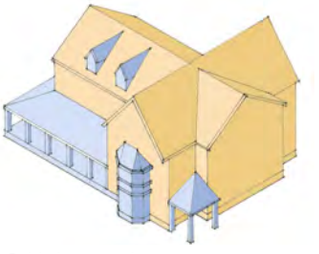
Side gable house with dominant cross gable



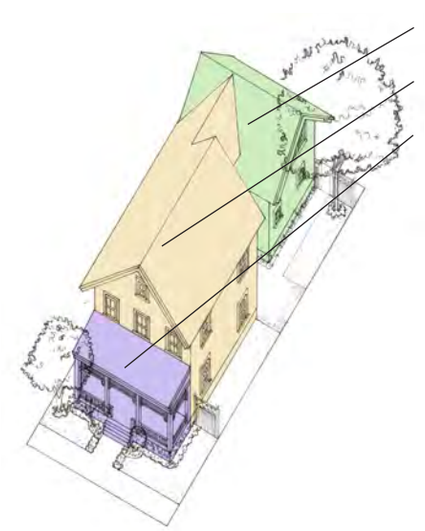
Front gable house



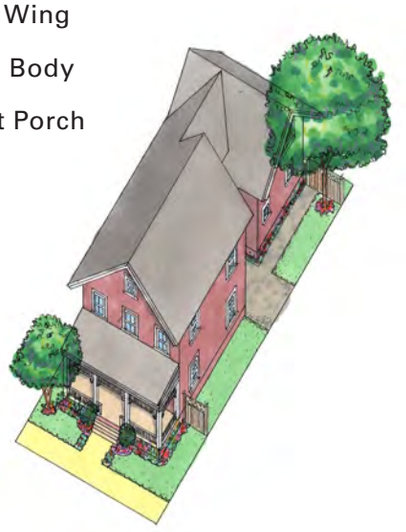
Side gable townhouse



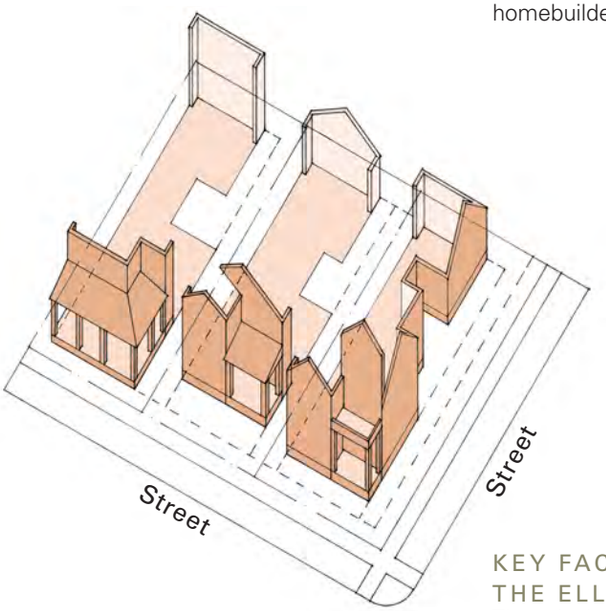
6-Unit mansion apartment



THE ELLIS HOUSE
Simple, dignified massing with porch and rear wing added



ELEMENTS OF THE ELLIS HOUSE
The Main Body is the largest and most visible element with the most specific design requirements. Side or rear wings, porches, and architectural elements~~, and outbuildings~~ provide a menu of additional massing options for the homebuilder.



KEY FACADES OF THE ELLIS HOUSE
The principal elevations of the Ellis house are facades facing streets plus a 2-foot wrap.

PRINCIPAL ELEMENTS

Ellis houses include the following principal elements:

The **Main Body** of the house, which is the principal mass and includes the front door.

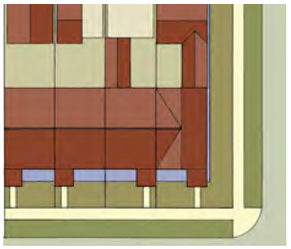
Side and Rear Wings, which are one or two stories high and connected to the Main Body. These optional additions are smaller than the Main Body and are set back from the front facade.

Front and Side Porches create exterior amenity space. Possibilities include full-facade front porches, wraparound porches, porticos, and side porches. Some architectural styles also have inset porches.

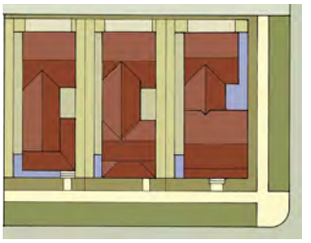
~~Outbuildings are optional structures that include carports, detached garages, storage buildings, and secondary residential units.~~

Note: Side Wings, Rear Wings, and Porches are part of a menu of options. These element as illustrated in the Pattern Book are suggestions, not required as shown.

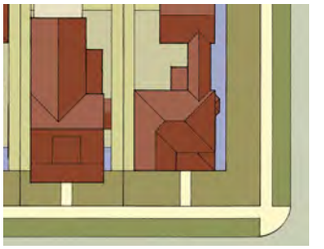
INVENTORY OF LOT TYPES



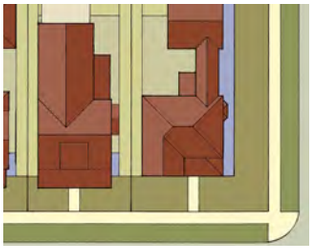
TOWNHOUSES



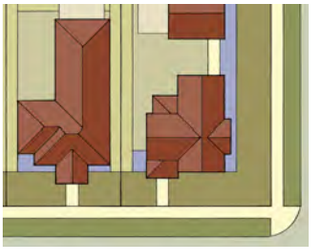
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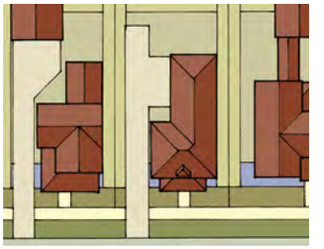
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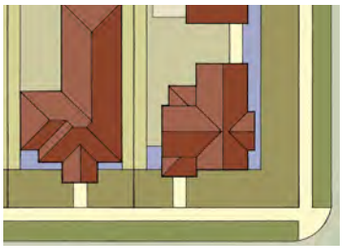
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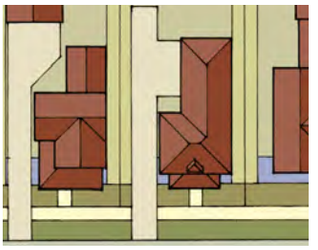
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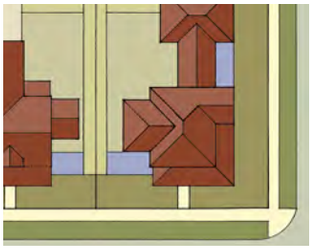
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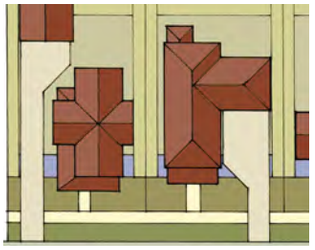
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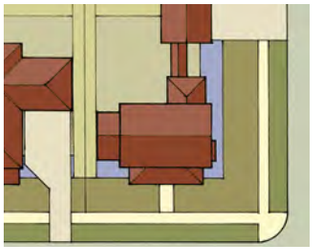
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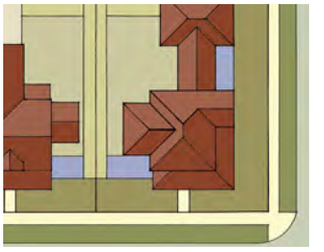
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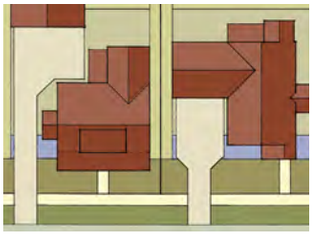
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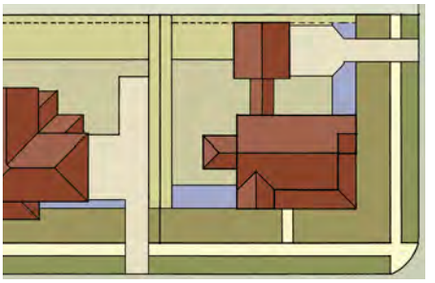
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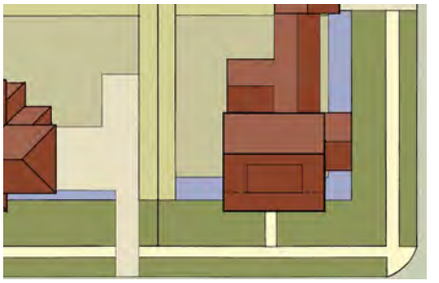
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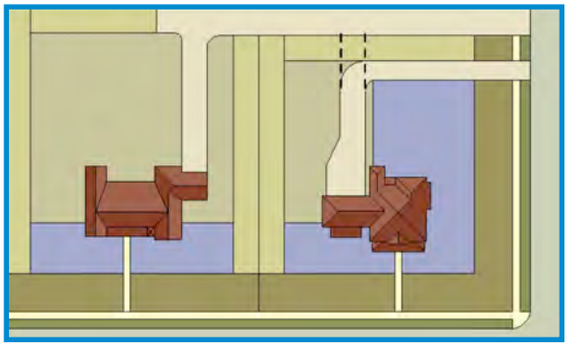
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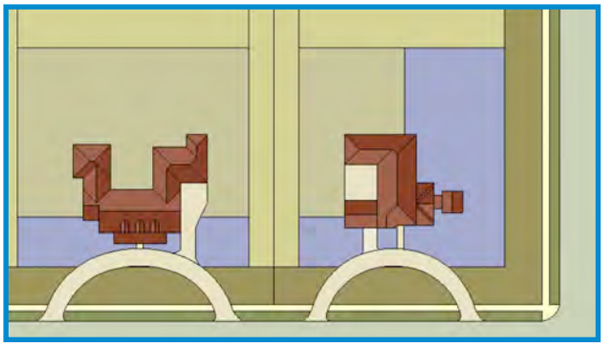
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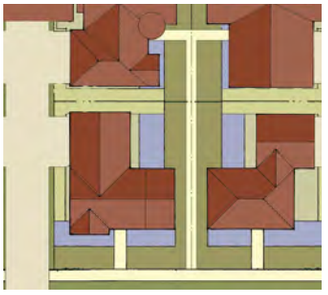
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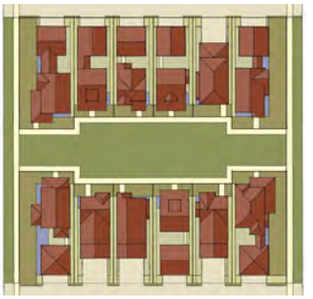
ESTATE LOTS:
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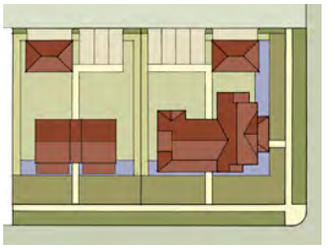
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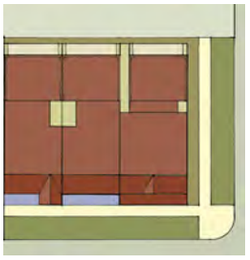
COURTYARD UNITS



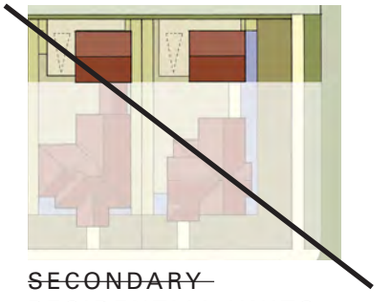
GREEN COURT



MANSION APARTMENTS



LIVE/WORK UNITS



~~SECONDARY RESIDENTIAL UNITS~~

SETBACK REQUIREMENTS

Each lot has a series of setback lines that define the buildable area between houses, streets, and rear lanes. There are also zones within which the house shall be placed. These are defined as follows:

SETBACKS

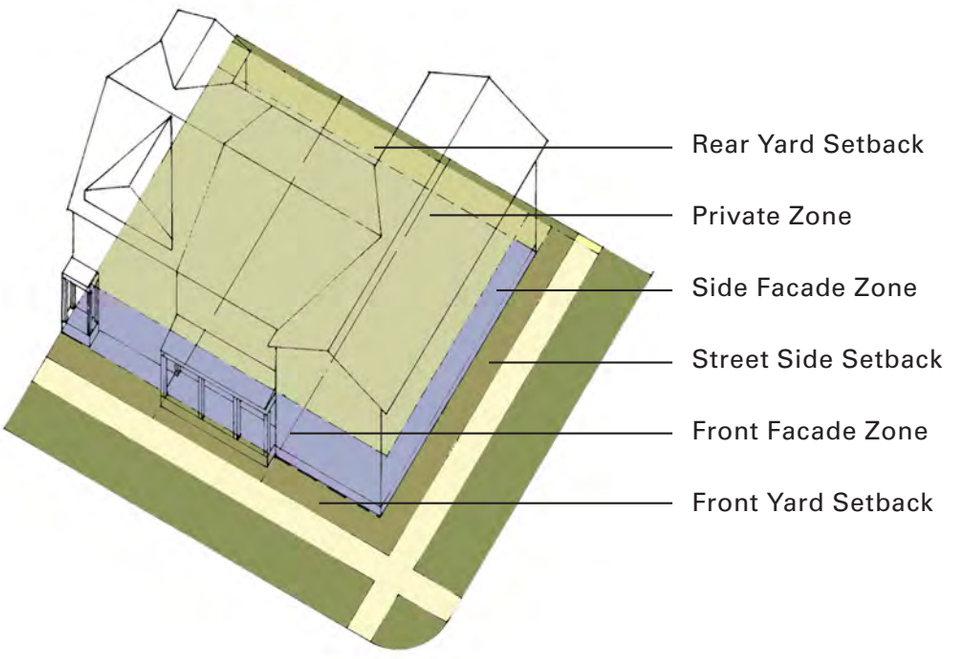
- Front Yard Setback: minimum distance between the front property line and the house
- Side Yard Setback: minimum distance between the side yard property line and the house and garage
- Rear Yard Setback: minimum distance between the ~~lane right-of-way~~ property line and the house and garage
- Street Side Setback: minimum distance between the street side property line and the house and garage

FACADE ZONES

- Not used

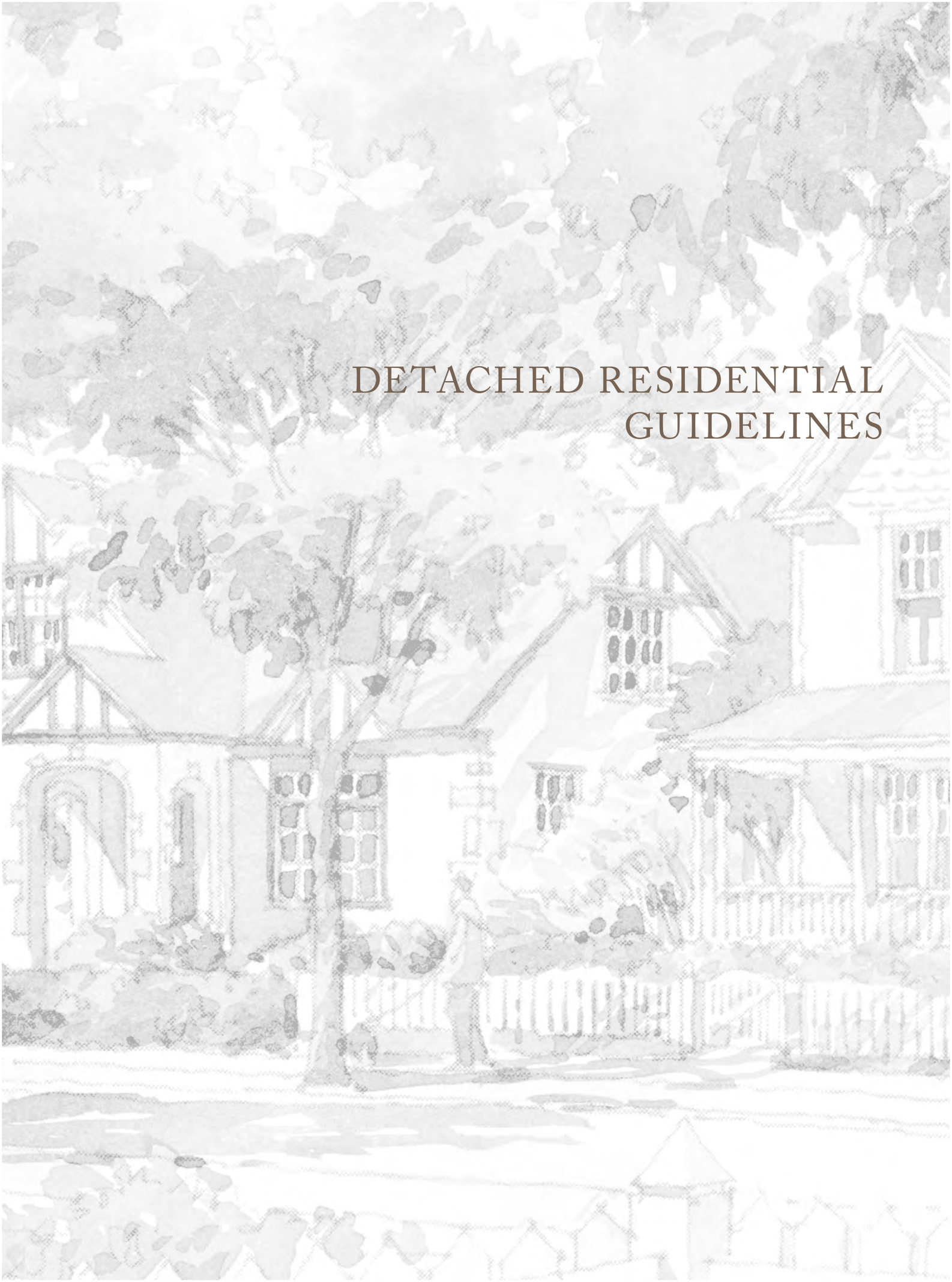
PRIVATE ZONE

- Private area of the lot



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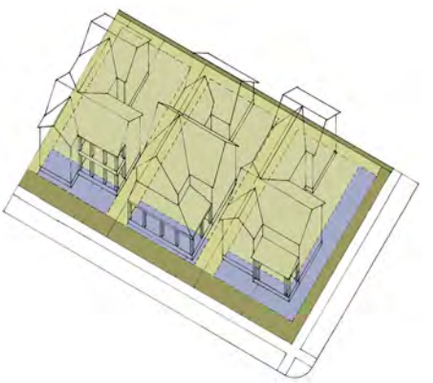




DETACHED RESIDENTIAL GUIDELINES

COMMUNITY PATTERNS

The Detached Residential Community Patterns section contains guidelines for placing houses on lot types within the plan. These ~~guidelines~~ development standards were developed as part of the master planning process, and are meant to promote the diversity and character of Ellis called for in the ~~Modified~~ Ellis Specific Plan ~~is implemented and maintained~~.

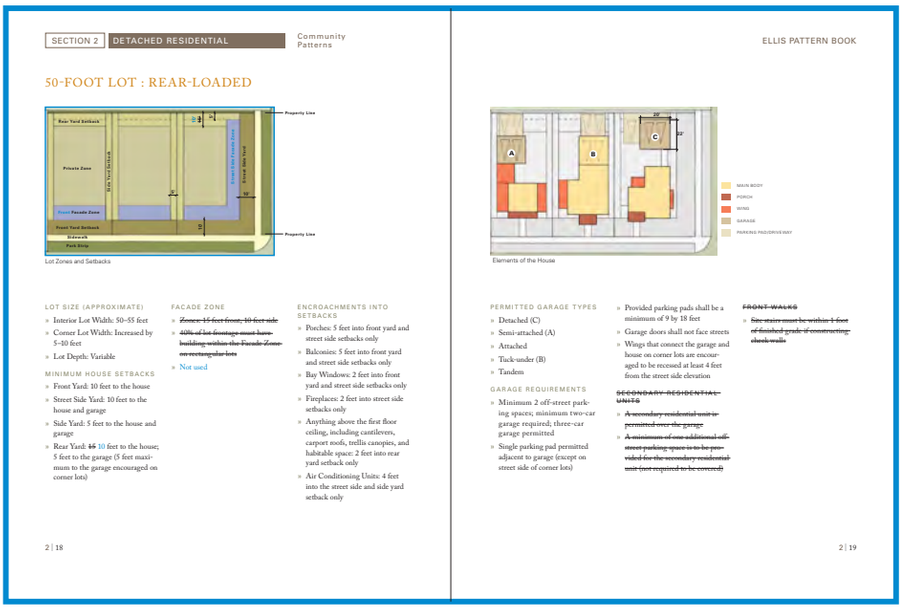


All housing designs and site plans must be reviewed and approved via the Ellis Design Review process set forth in the ~~Modified~~ Ellis Specific Plan, Section 6: Plan Review.

Additional lot types may be added to the Pattern Book per Modified Ellis Specific Plan, Section 6.5 Minor Variations to the Modified Ellis Specific Plan or Pattern Book.



Illustrative view of a residential address at Ellis



SECTION 2 DETACHED RESIDENTIAL Community Patterns

50-FOOT LOT : REAR-LOADED

Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)
- Interior Lot Width: 50–55 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: ~~15~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE
- ~~Zones: 15 feet front; 10 feet side~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS
- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only

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ELLIS PATTERN BOOK

Elements of the House

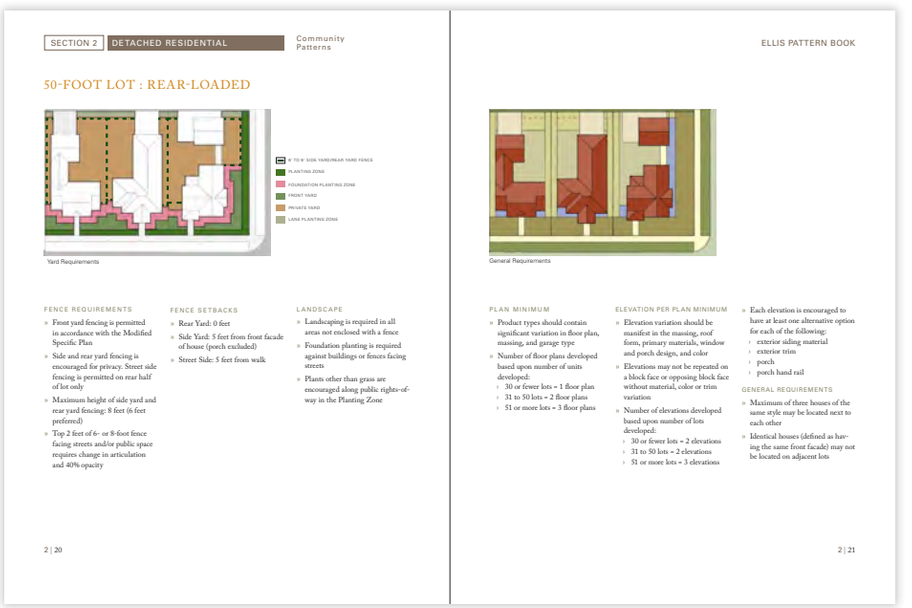
PERMITTED GARAGE TYPES
- Detached (C)
- Semi-attached (A)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS
- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

~~SECONDARY RESIDENTIAL UNITS~~
- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~
- ~~Size: stairs must be within 1 foot of finished grade if constructing check walls~~

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SECTION 2 DETACHED RESIDENTIAL Community Patterns

50-FOOT LOT : REAR-LOADED

Yard Requirements

FENCE REQUIREMENTS
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Top 2 feet of 6- or 8-foot fence facing streets and/or public space requires change in articulation and 40% opacity

FENCE SETBACKS
- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE
- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone

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ELLIS PATTERN BOOK

General Requirements

PLAN MINIMUM
- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM
- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS
- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

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General Conditions pages for lots

Each lot type found in the Community Patterns Sections is described in four specific diagrams:

LOT ZONES AND SETBACKS

Lot size, minimum setbacks and allowable encroachments into those setbacks. These zones aid in properly situating the house with respect to its neighbors to create a harmonious streetscape.

ELEMENTS OF THE HOUSE

The main body, wings, bays, as well as the requirements for garages ~~and potential secondary residential units~~, are described in this diagram.

YARD REQUIREMENTS

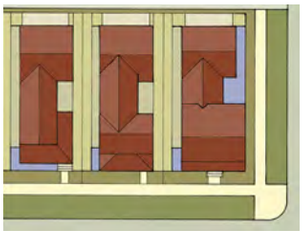
Fencing and landscape requirements are set forth in this diagram.

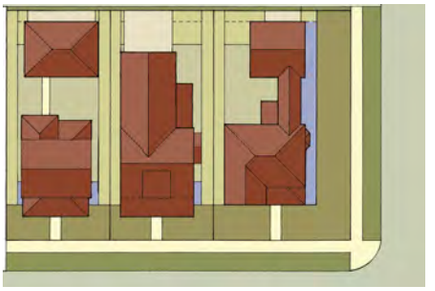
GENERAL REQUIREMENTS

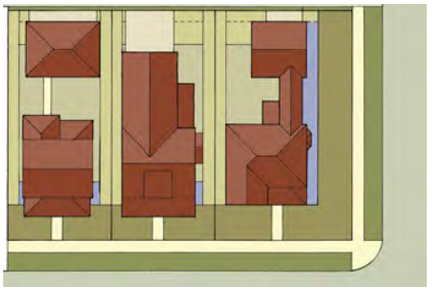
The issues of required plan types and elevations are discussed to establish a refined house.

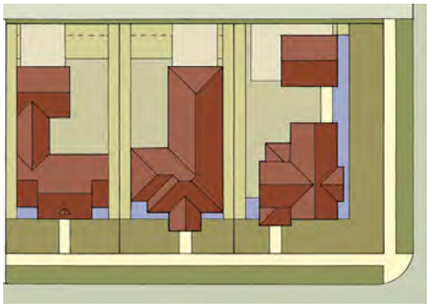
LOT TYPES

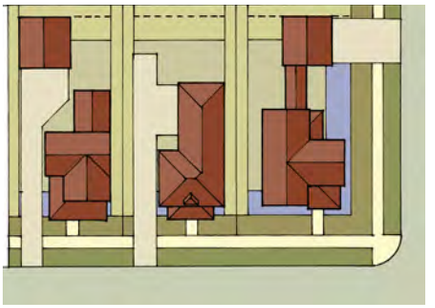
Ellis offers a variety of potential lot types ranging from 30 feet to approximately 100 feet wide. These lot types include: 30- to 65-foot-wide lots accessed from lanes, 50- to 100-foot-wide front-loaded lots, Courtyard Lots, and Green Courts accessed from lanes~~, and secondary residential units~~. Many of these residential lots have parking accessed by a rear lane utilizing either a garage, carport, or paved parking pad. This enables continuous front yard landscaping uninterrupted by parked cars and driveways. Lot types are mixed throughout the community. Following the individual lot type diagrams presented on the next few pages, conditions for each of the individual lot types are described and illustrated.

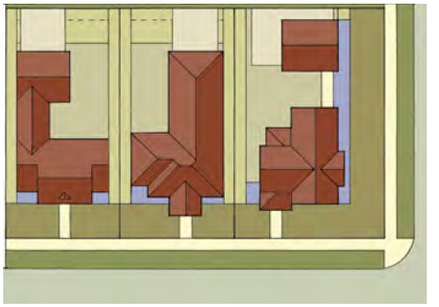

30-Foot Lots (rear-loaded)

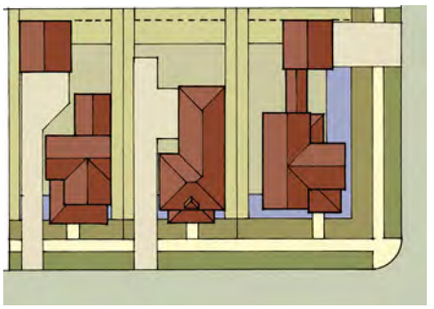

40-Foot Lots (rear-loaded)

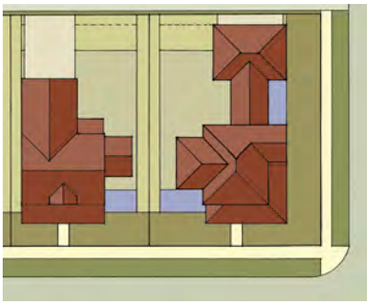

45-Foot Lots (rear-loaded)

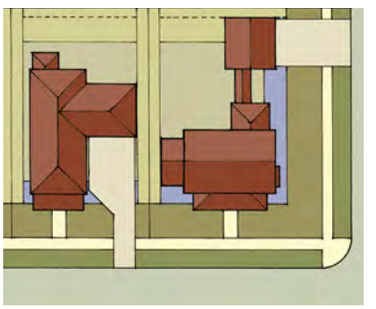

50-Foot Lots (rear-loaded)

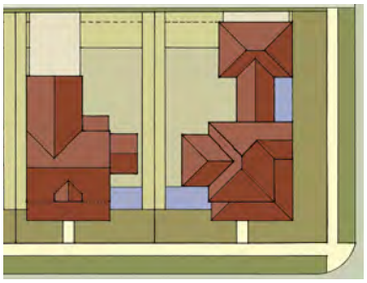

50-Foot Lots (front-loaded)


55-Foot Lots (rear-loaded)

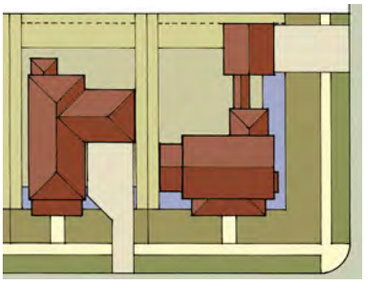

55-Foot Lots (front-loaded)


60-Foot Lots (rear-loaded)

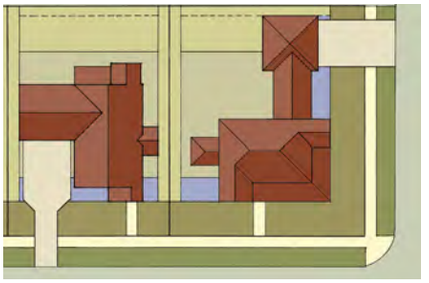

60-Foot Lots (front-loaded)



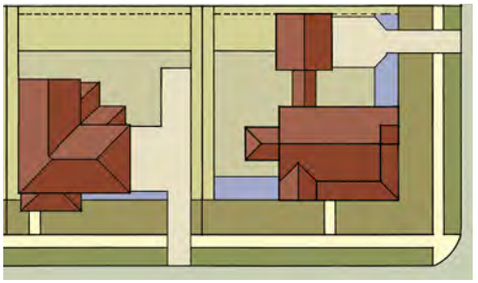
65-Foot Lots (rear-loaded)



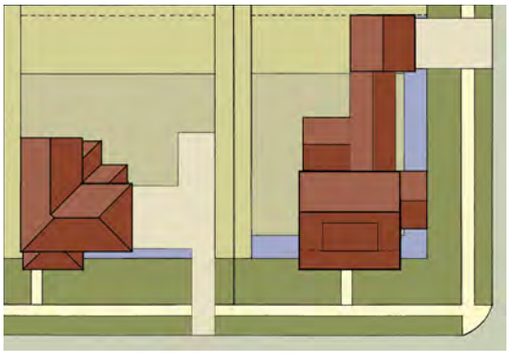
65-Foot Lots (front-loaded)



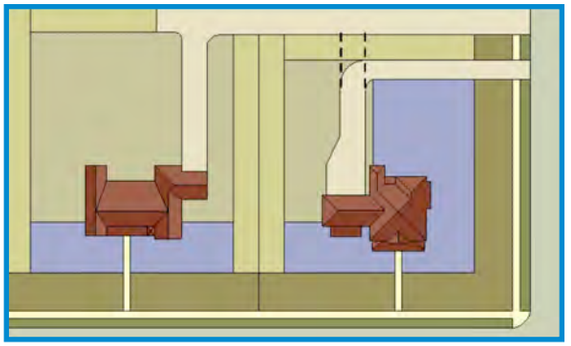
70-Foot Lots (front-loaded)



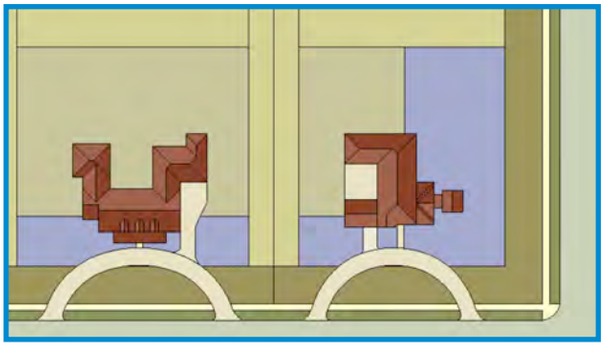
80-Foot Lots (front-loaded)



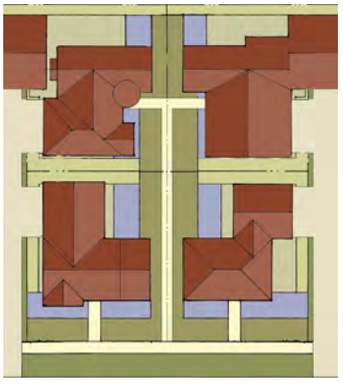
100-Foot Lots (front-loaded)



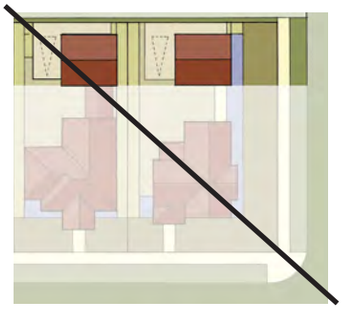
Estate Lots (rear-loaded)



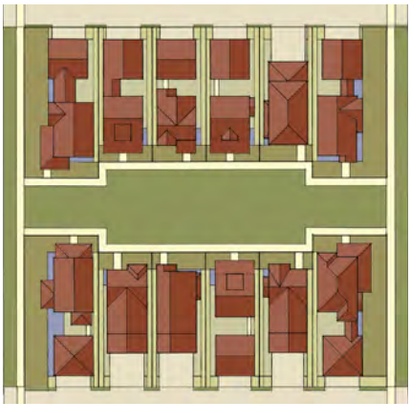
Estate Lots (front-loaded)



Courtyard Units

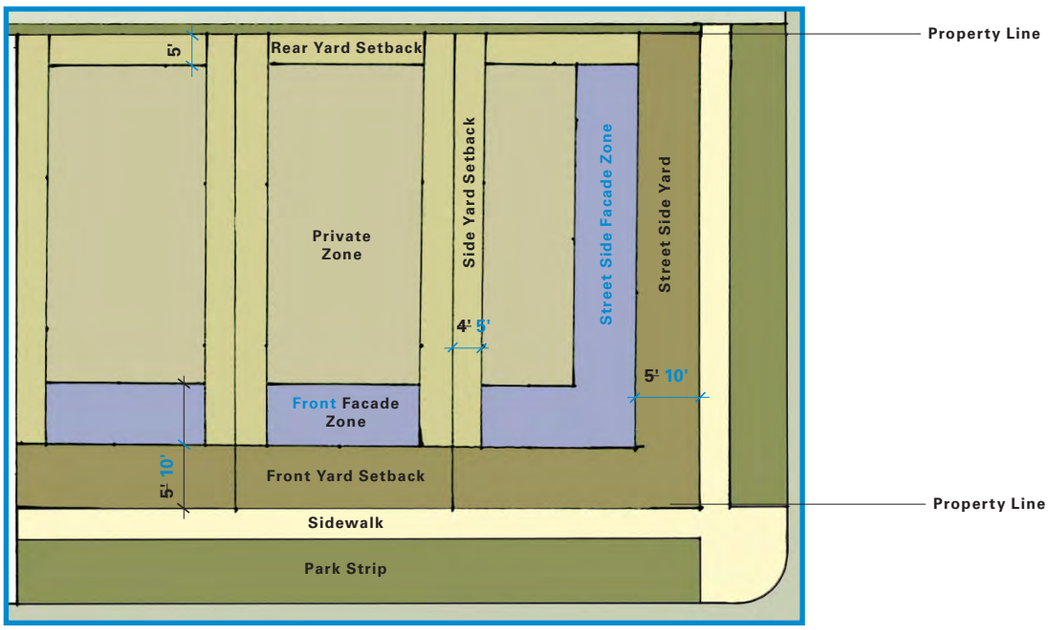


~~Secondary Residential Units~~



A Green Court (rear-loaded)

30-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 30–40 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

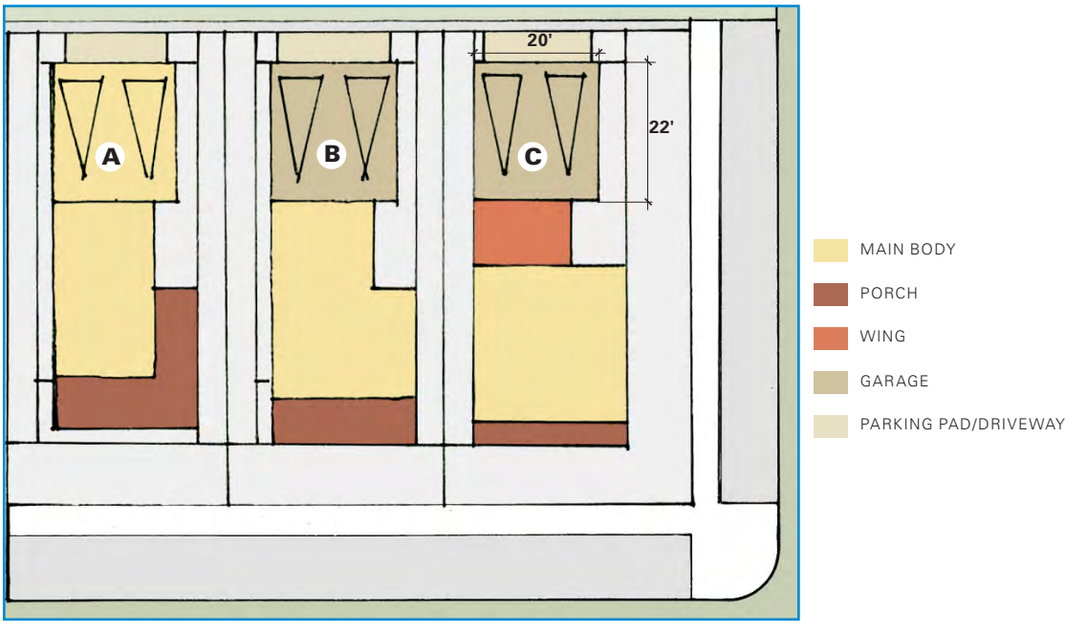
- Front Yard: ~~5~~ 10 feet to the house
- Street Side Yard: ~~5~~ 10 feet to the house and garage
- Side Yard: ~~4~~ 5 feet to the house and garage ~~(must comply with current building code at time of building permit application)~~
- Rear Yard: 5 feet to the house and garage; 5 feet maximum to the garage on a corner lot.

FACADE ZONE

- ~~All Zones: 10 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Semi-attached (C)
- Attached (B)
- Tuck-under (A)

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

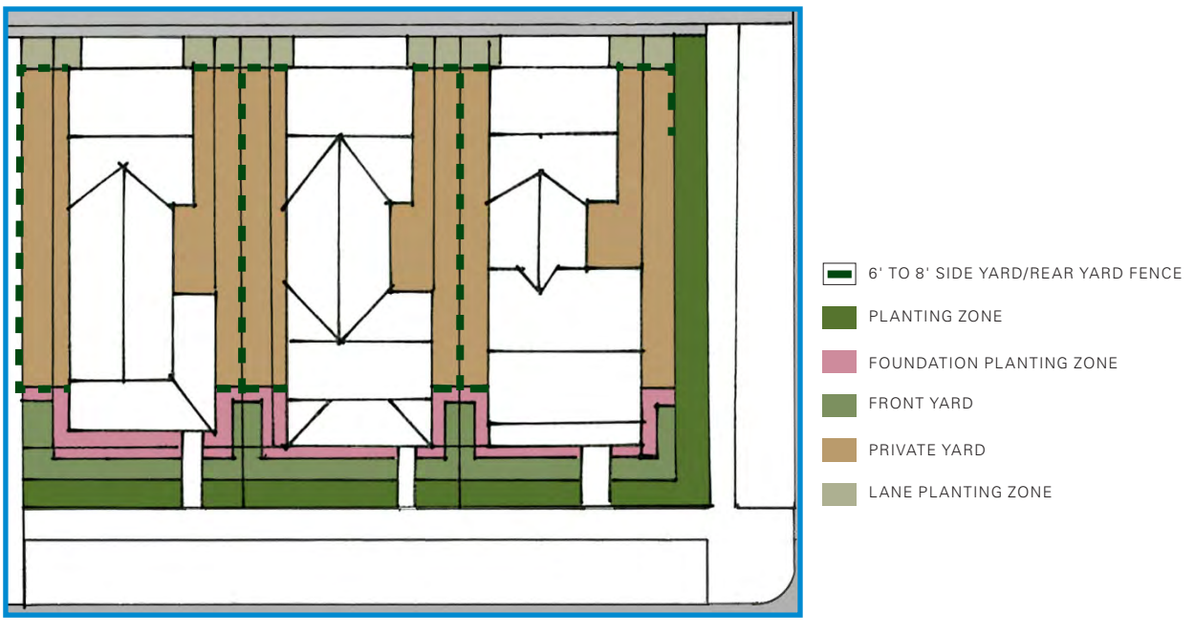
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

30-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

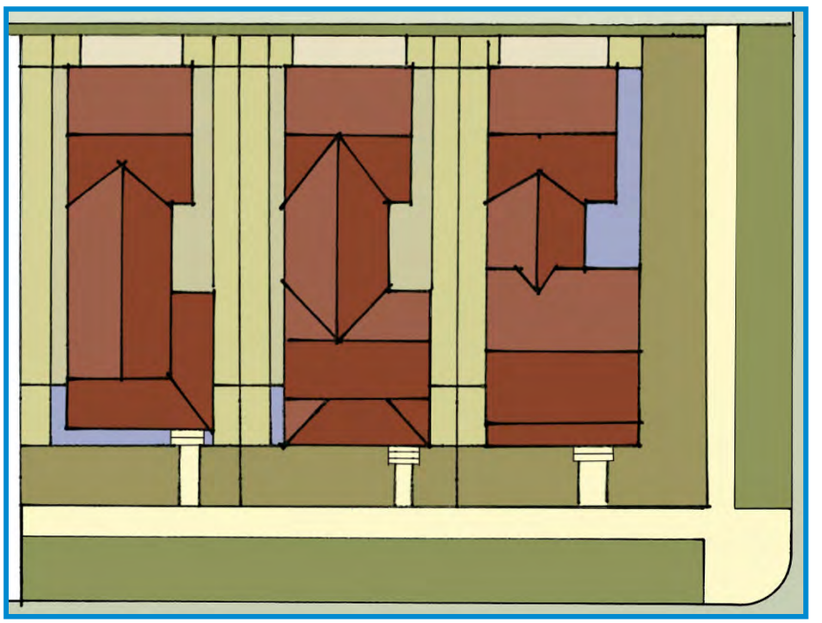
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of lots developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

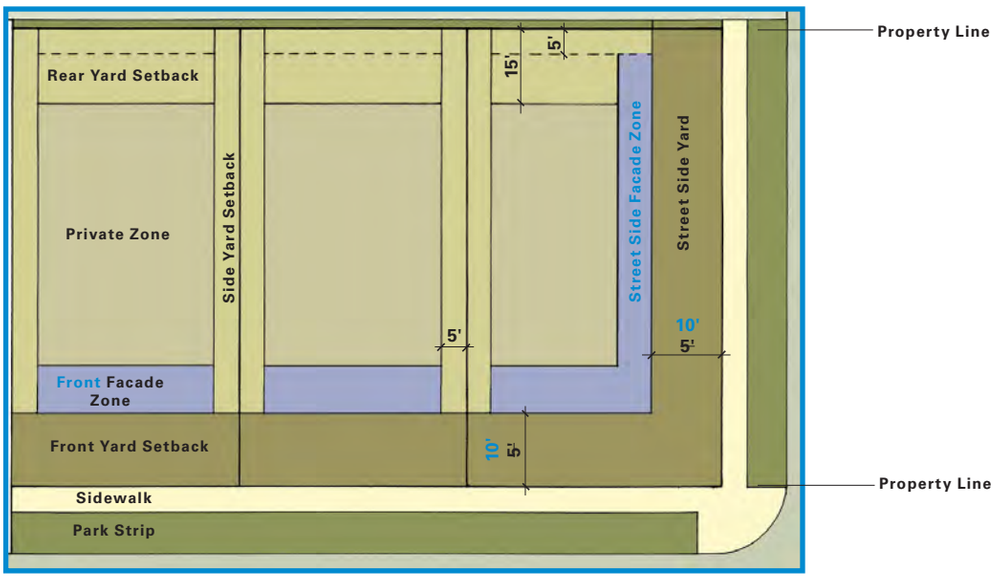
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

40-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 40–45 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

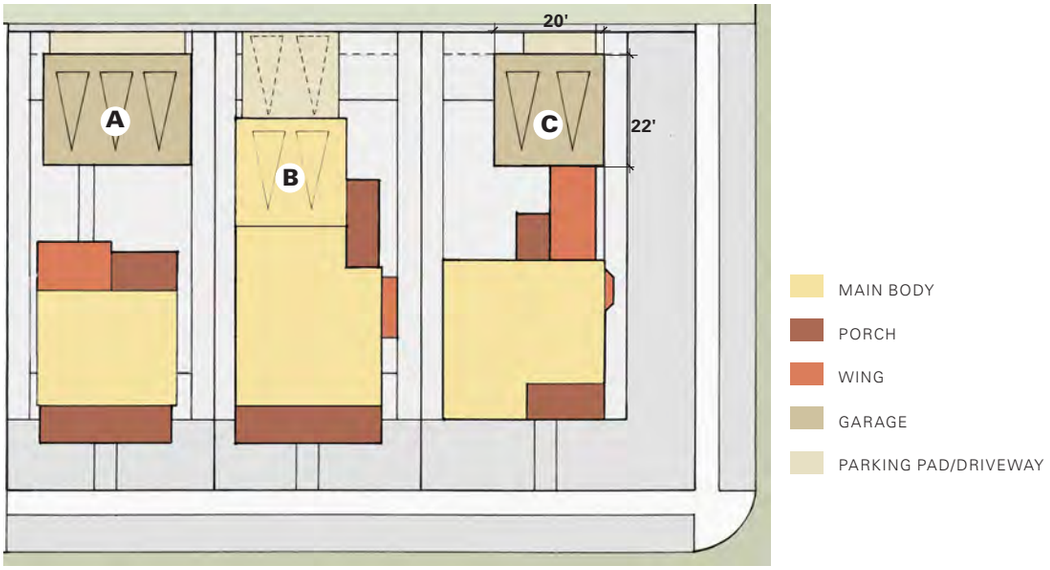
- Front Yard: ~~5~~ 10 feet to the house
- Street Side Yard: ~~5~~ 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: ~~15~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~All Zones: 10 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Tuck-under (B)
- Semi-attached (C)
- Attached
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

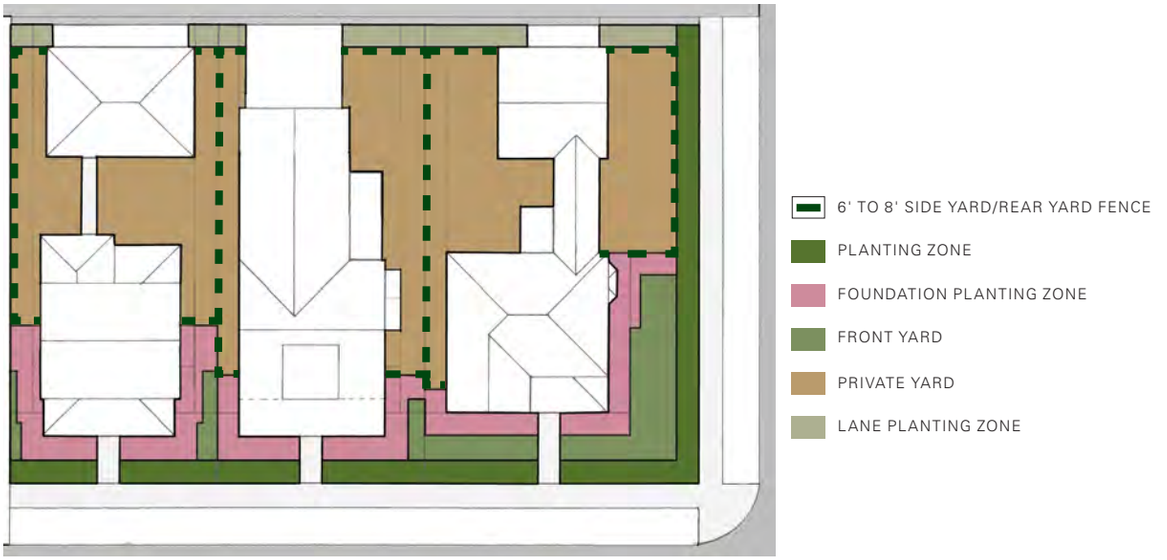
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

40-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

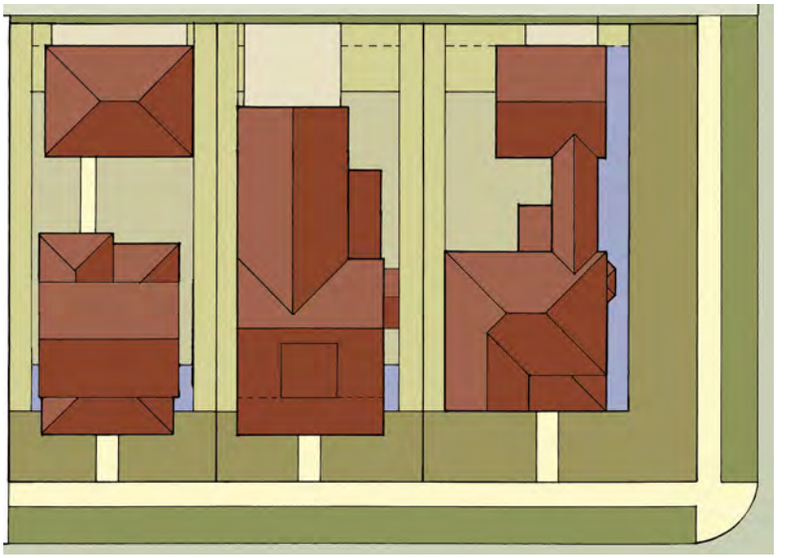
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FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
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LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
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General Requirements

PLAN MINIMUM

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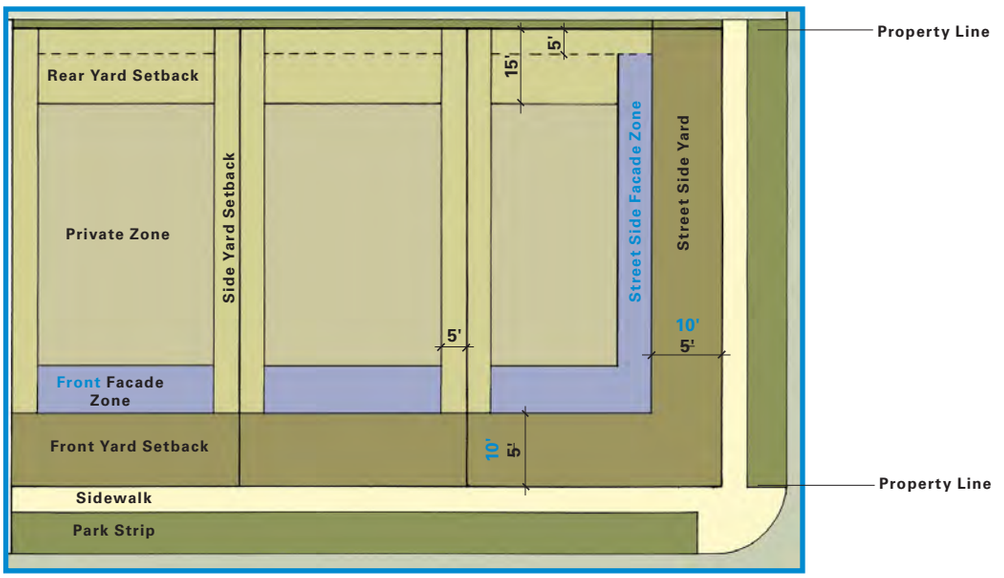
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- Maximum of three houses of the same style may be located next to each other
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45-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 45–50 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

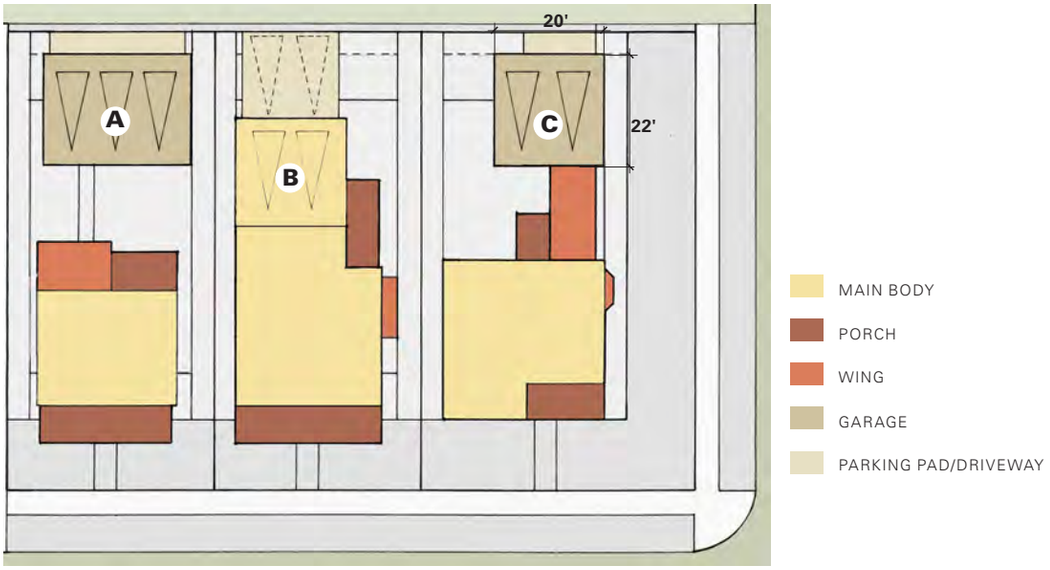
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FACADE ZONE

- ~~All Zones: 10 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
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- Fireplaces: 2 feet into street side setbacks only
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Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
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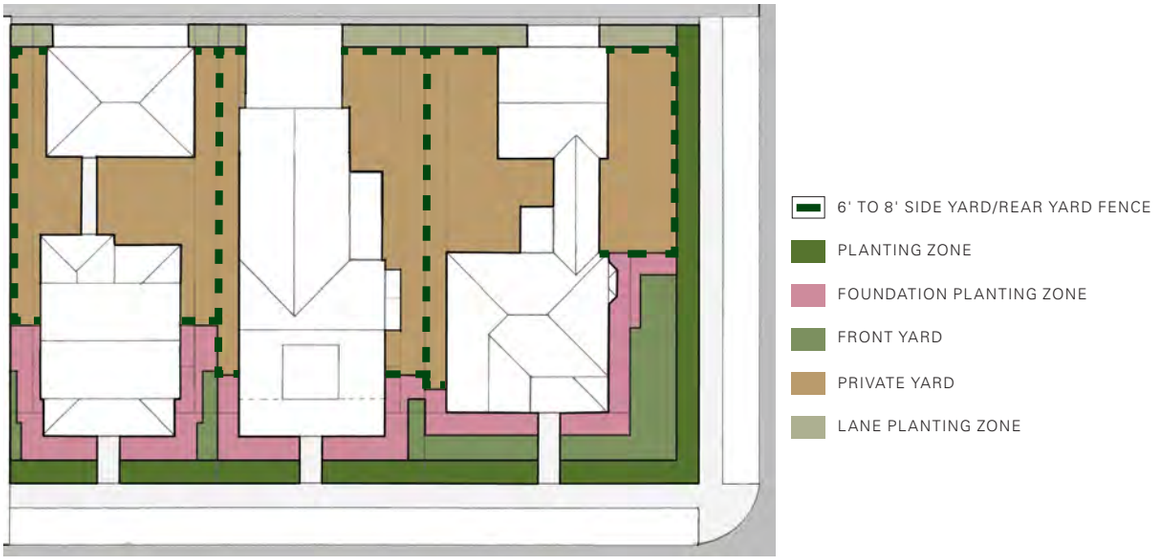
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45-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

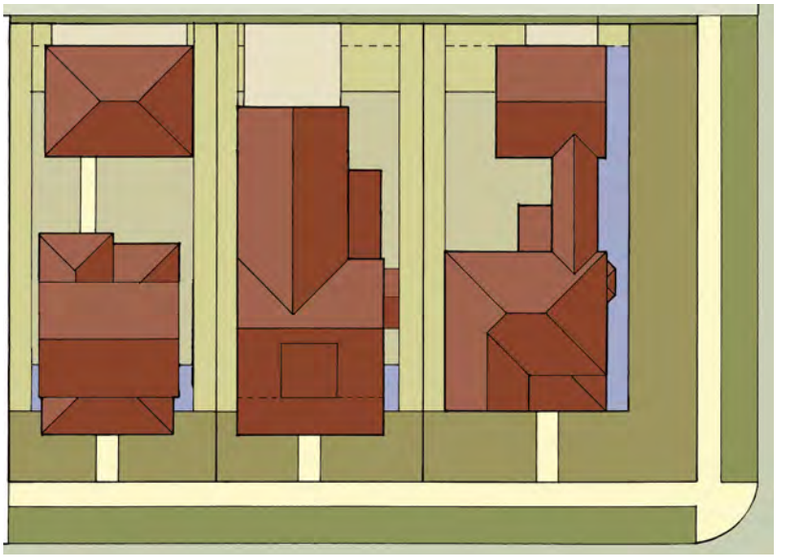
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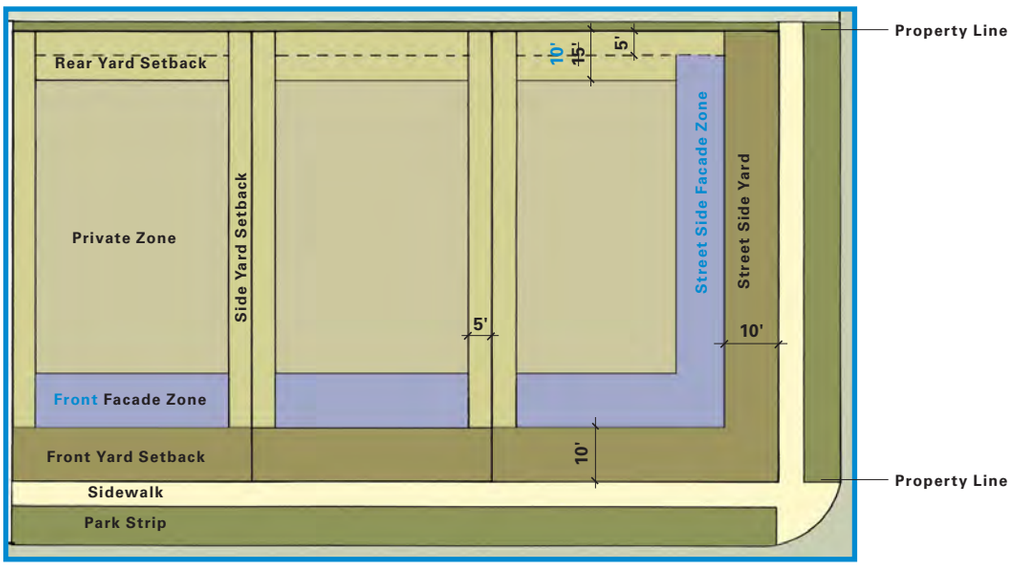
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50-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 50–55 feet
- Corner Lot Width: Increased by 5–10 feet
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MINIMUM HOUSE SETBACKS

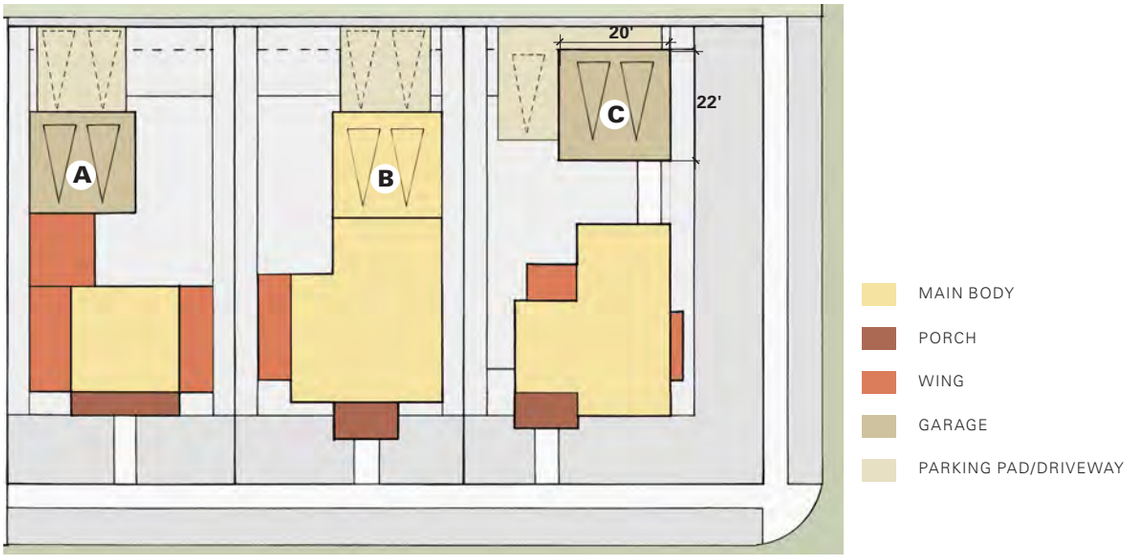
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- ~~Zones: 15 feet front, 10 feet side~~
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- Not used

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- Porches: 5 feet into front yard and street side setbacks only
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Elements of the House

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GARAGE REQUIREMENTS

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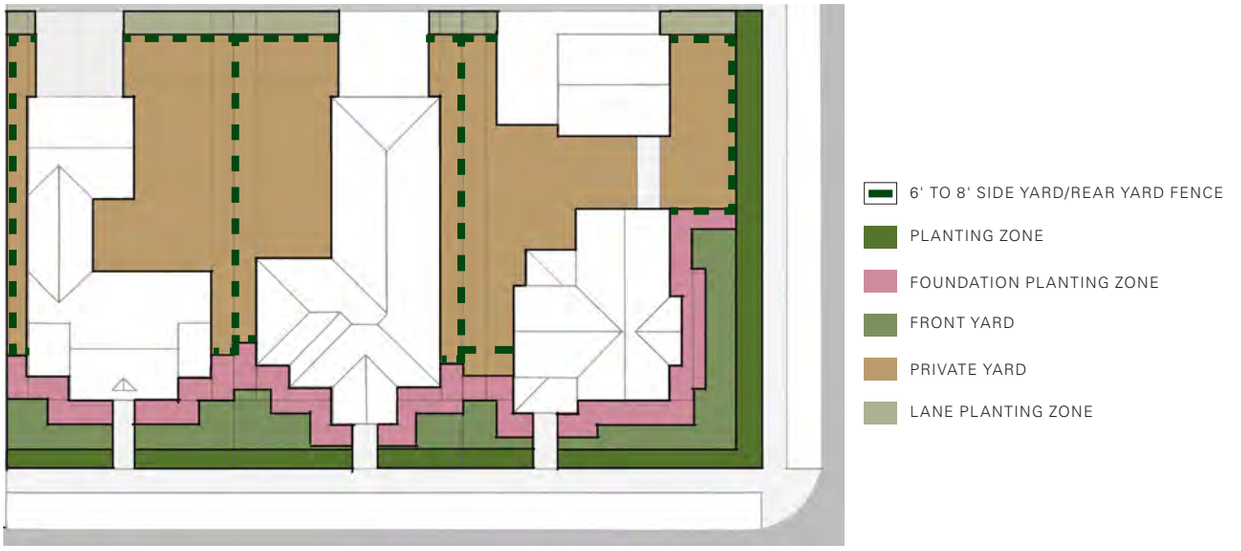
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50-FOOT LOT : REAR-LOADED



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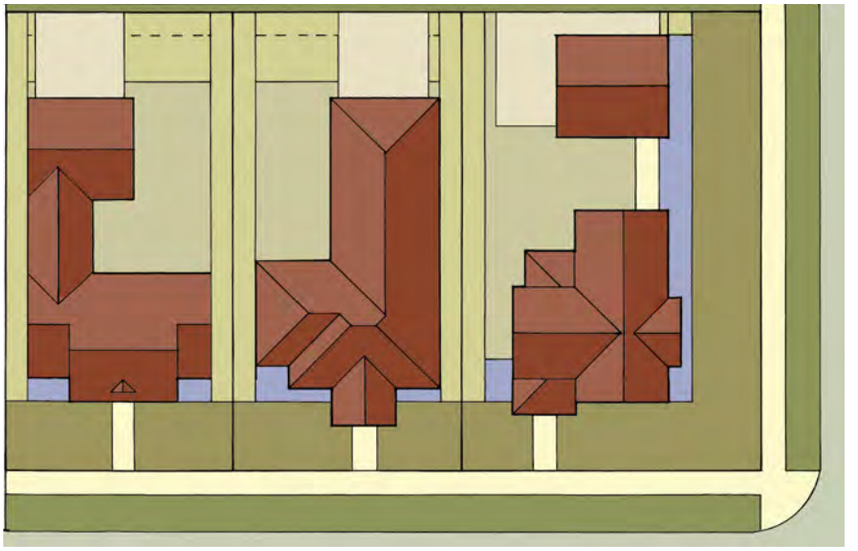
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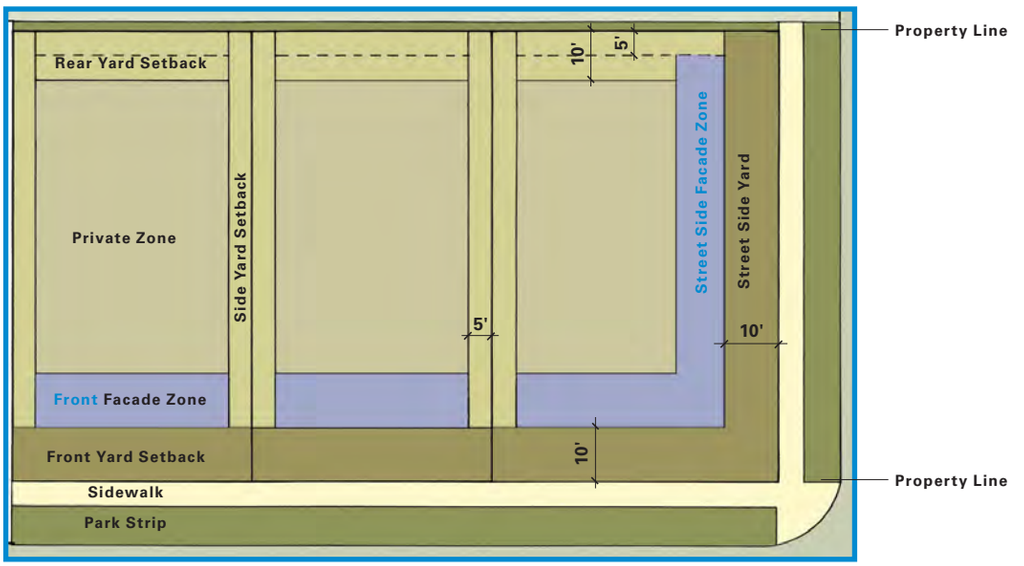
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50-FOOT LOT : FRONT-LOADED



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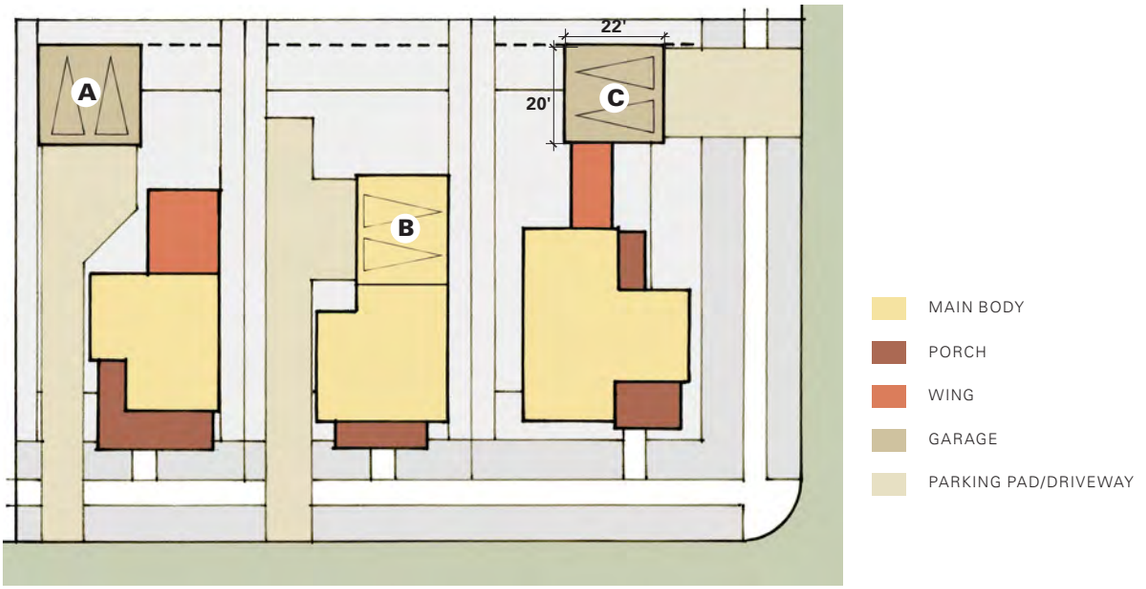
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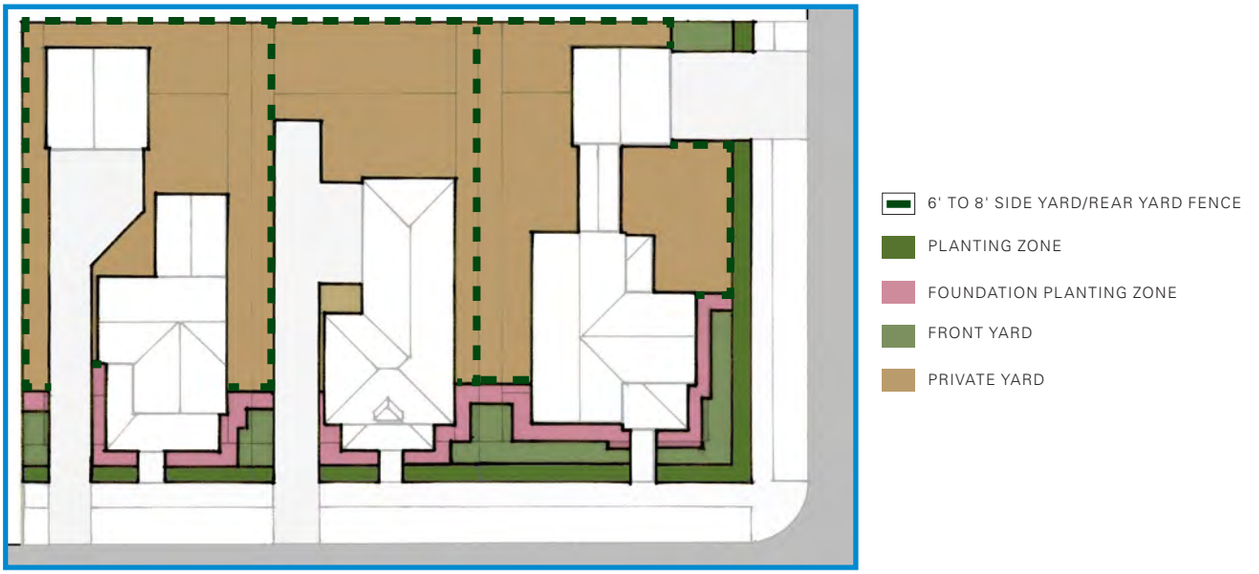
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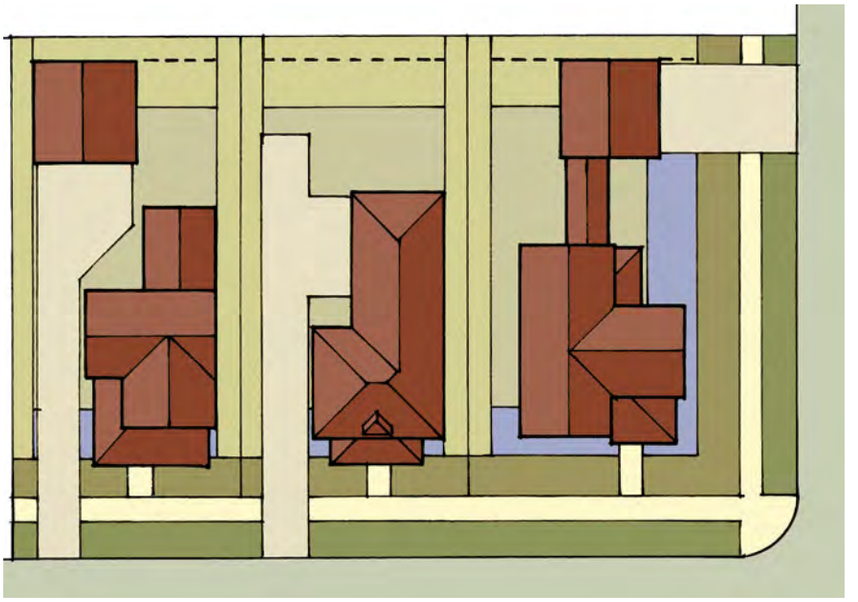
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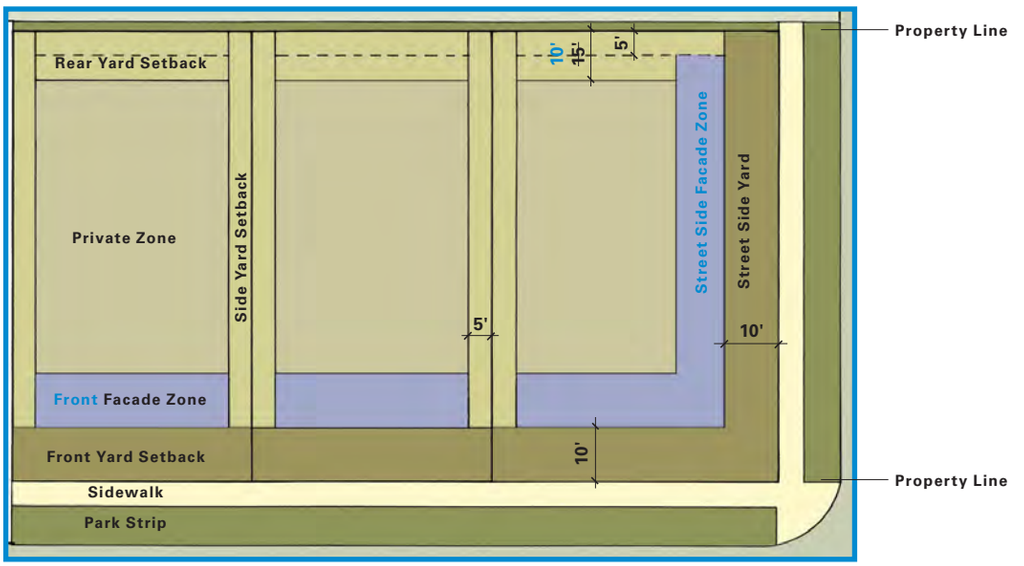
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55-FOOT LOT : REAR-LOADED



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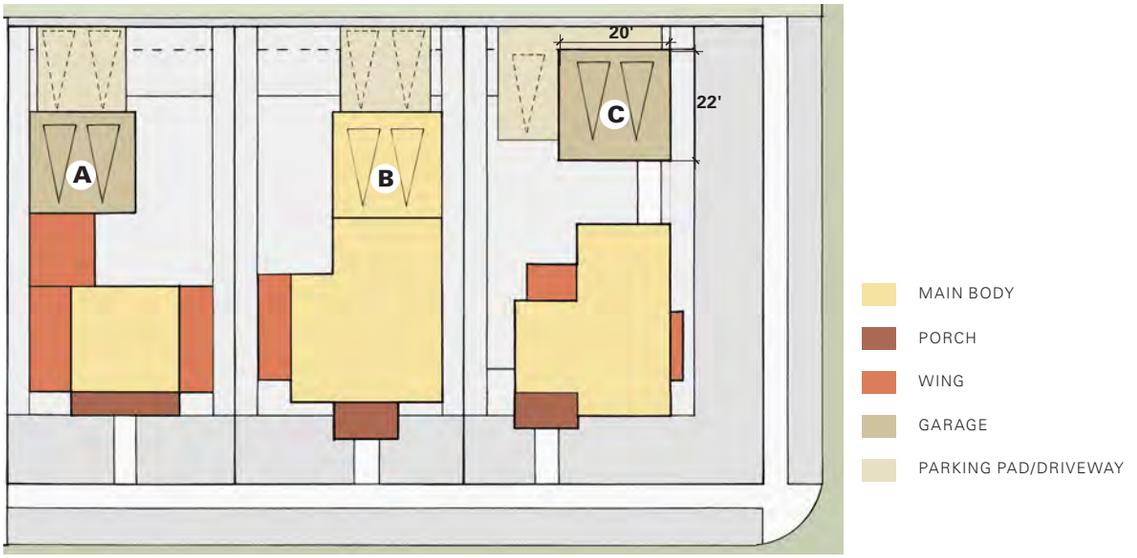
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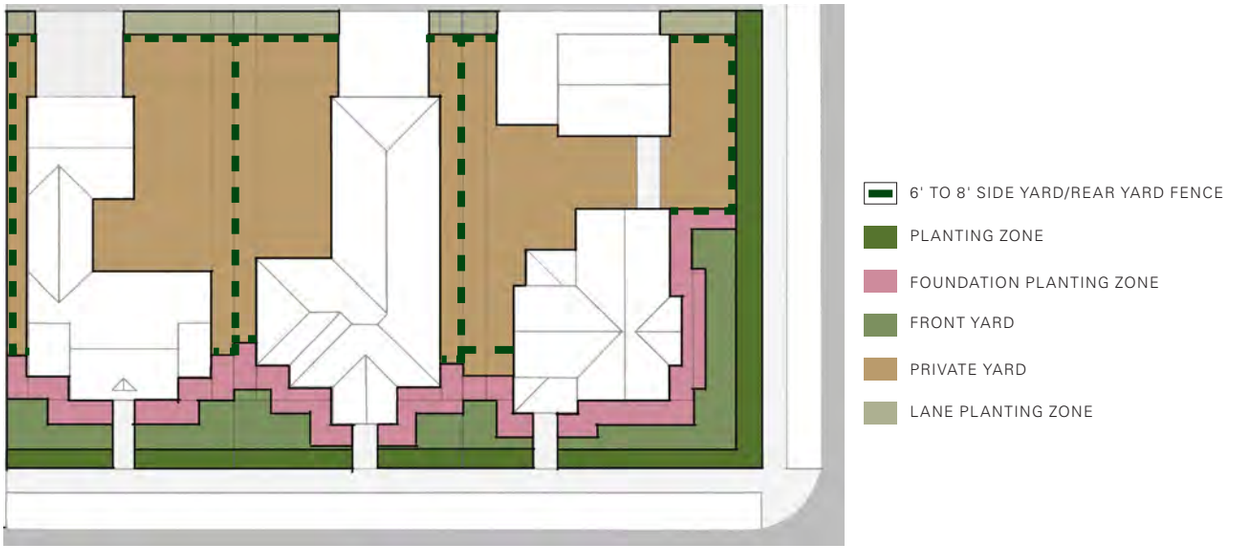
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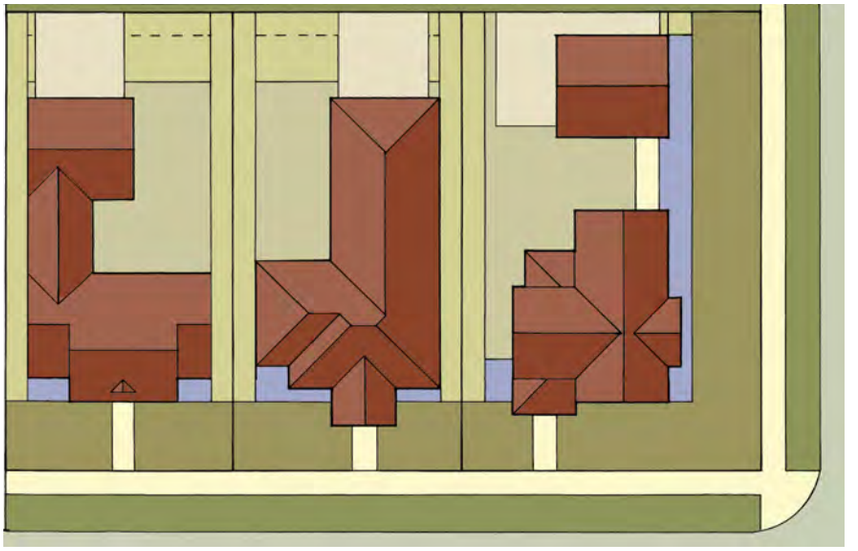
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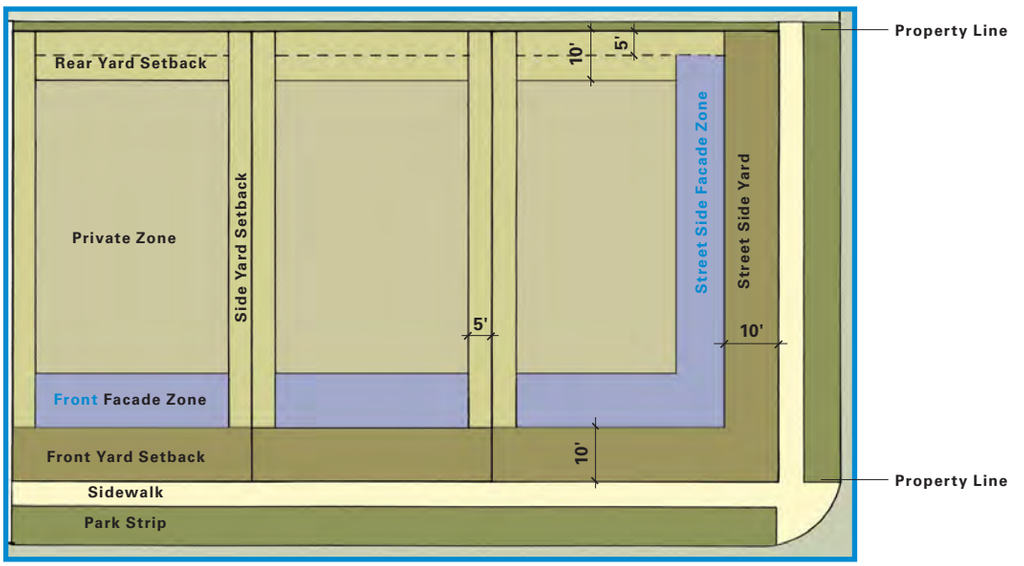
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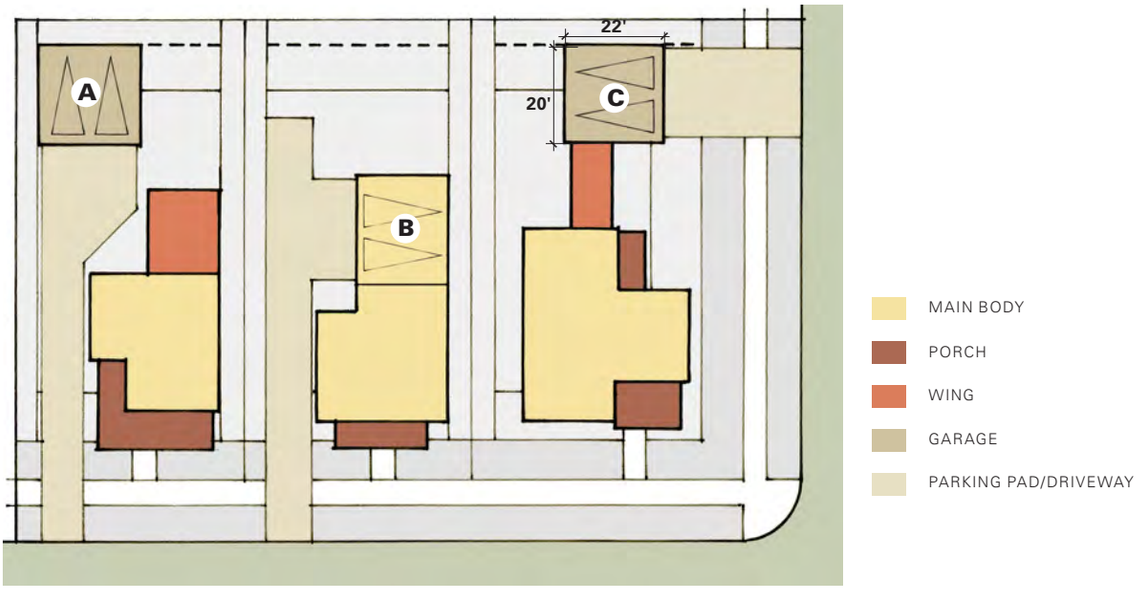
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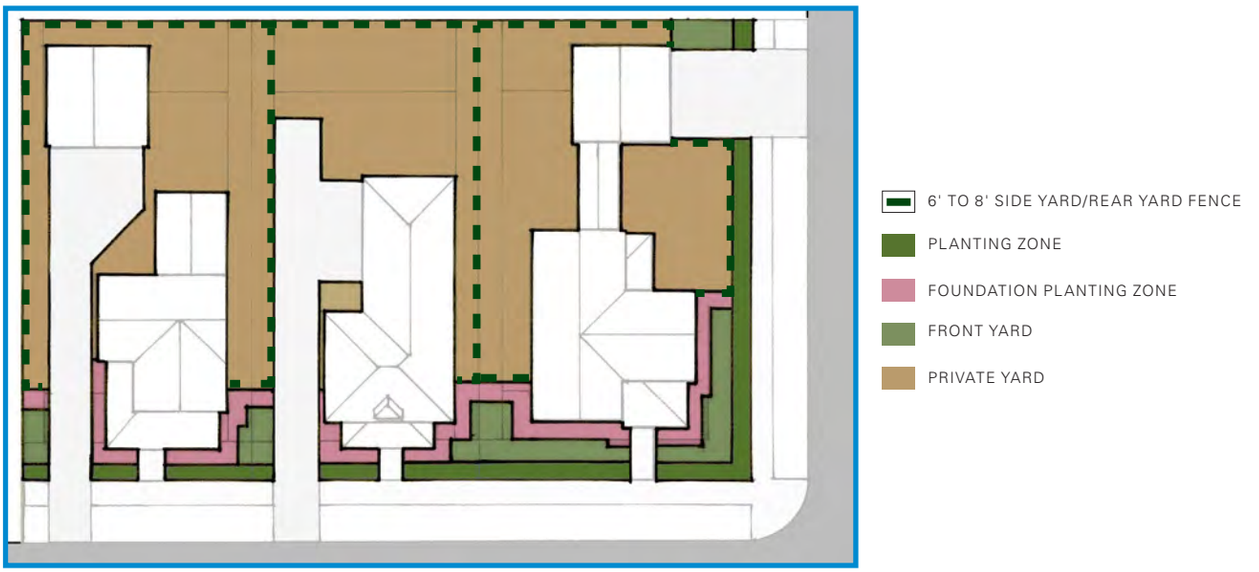
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

55-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

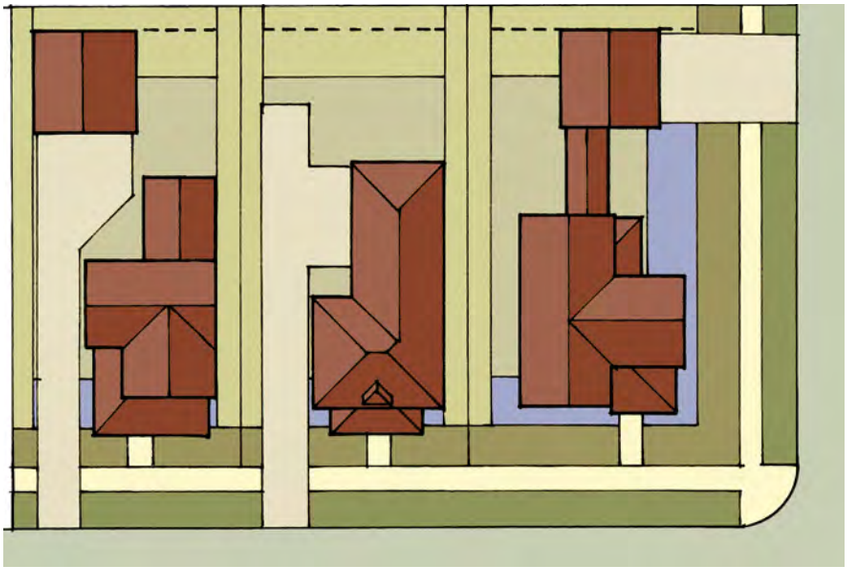
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

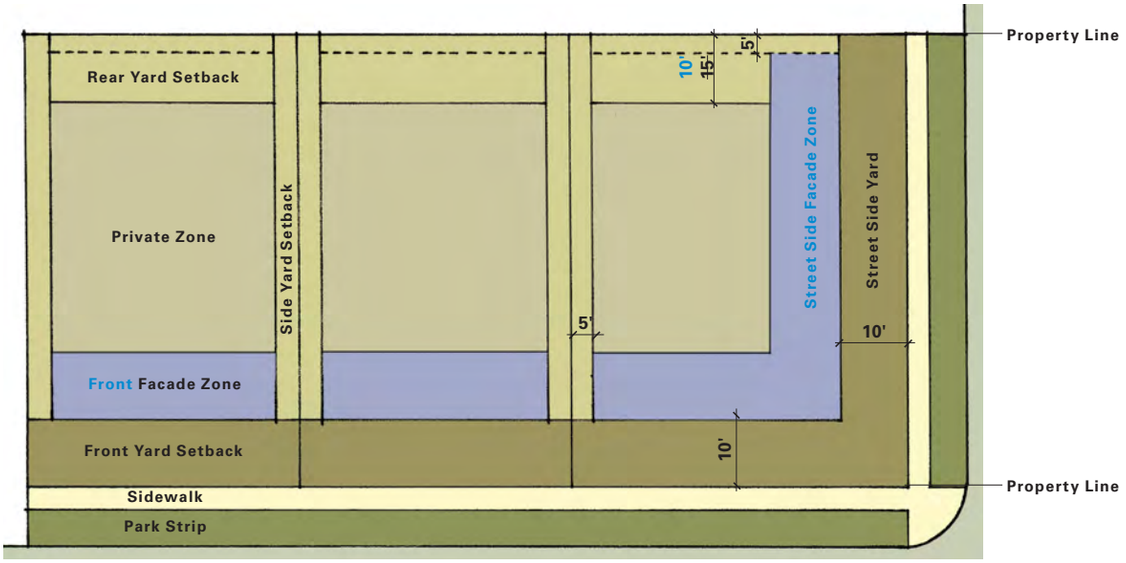
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

60-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 60–65 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

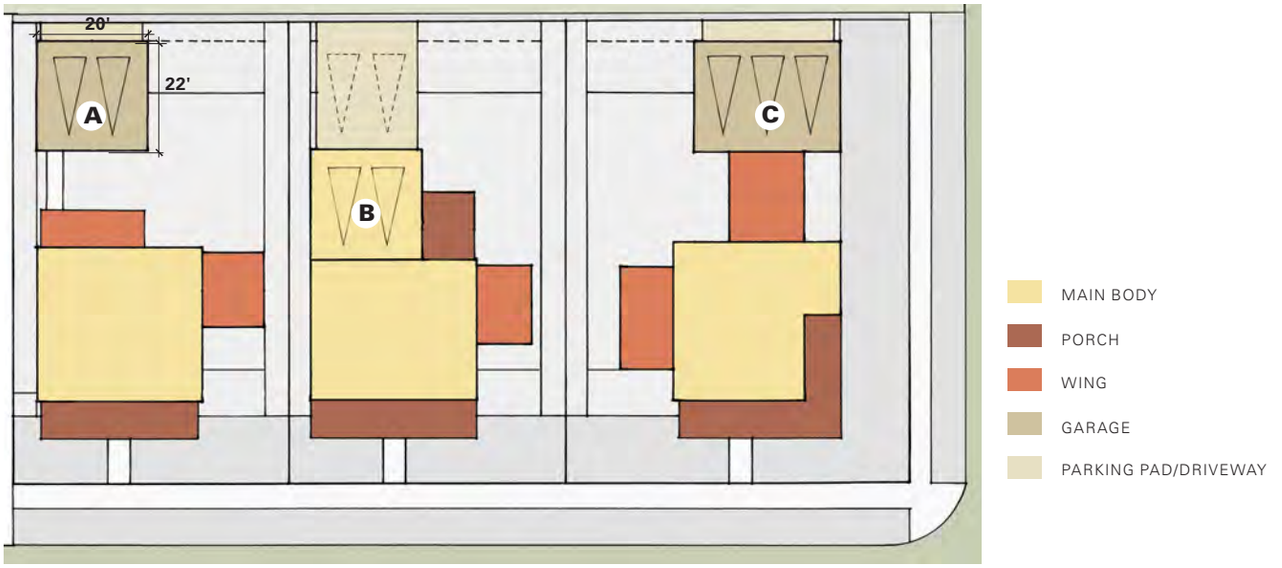
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: ~~15~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~All Zones: 15 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

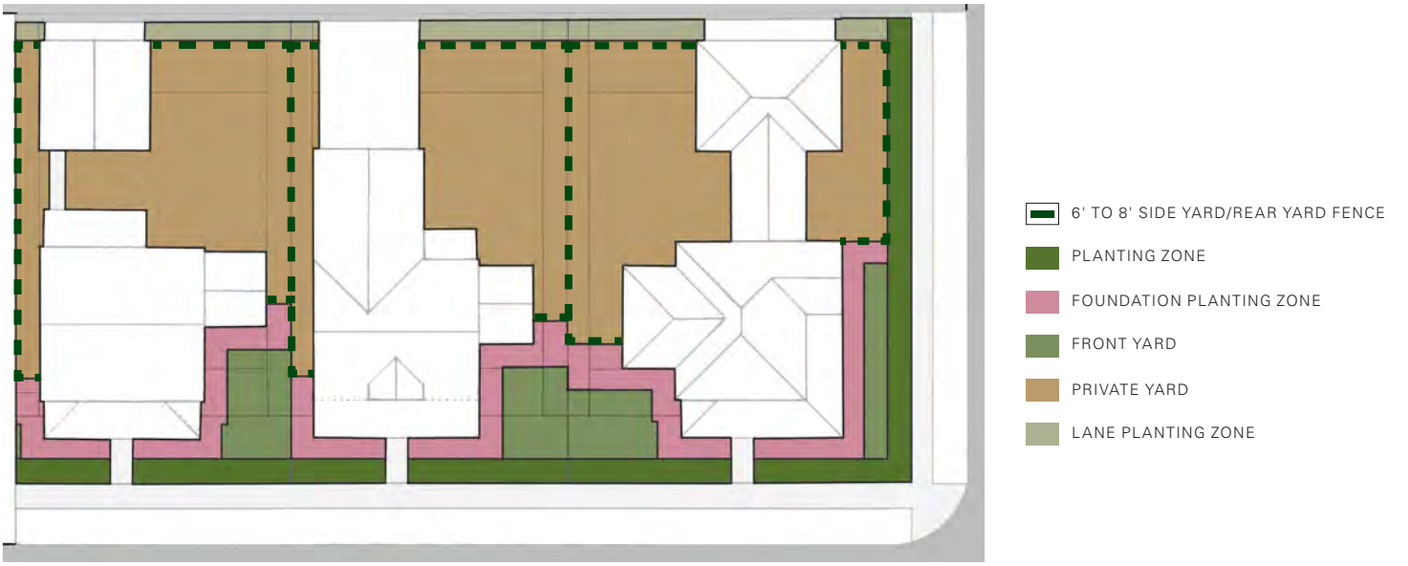
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

60-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

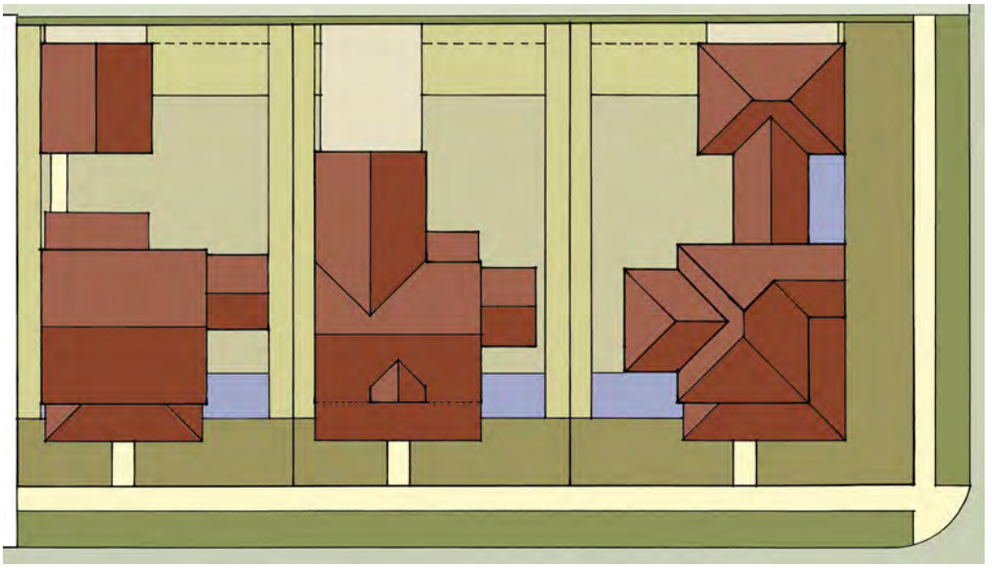
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

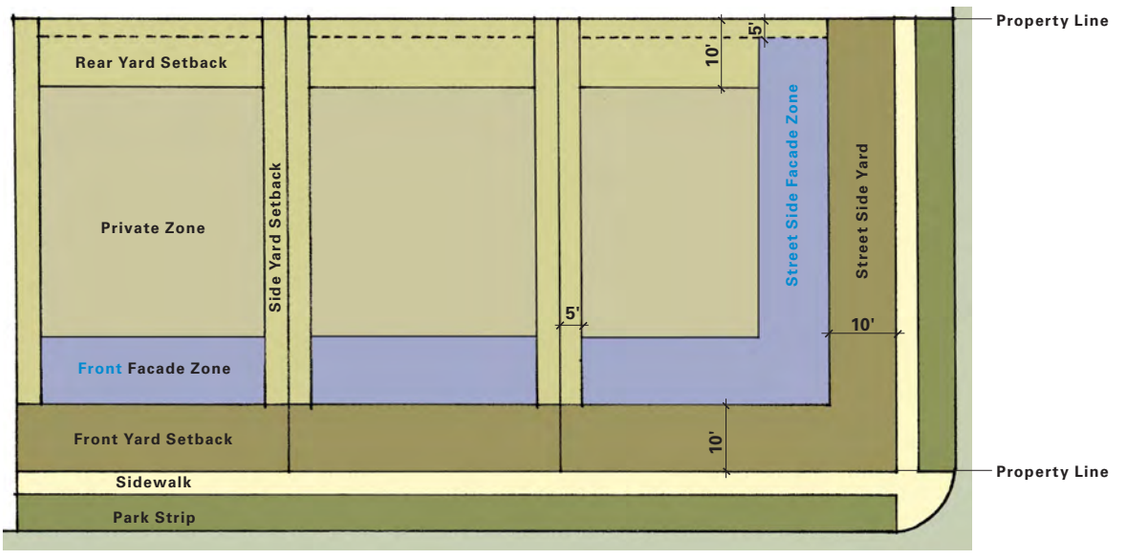
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

60-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 60–65 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

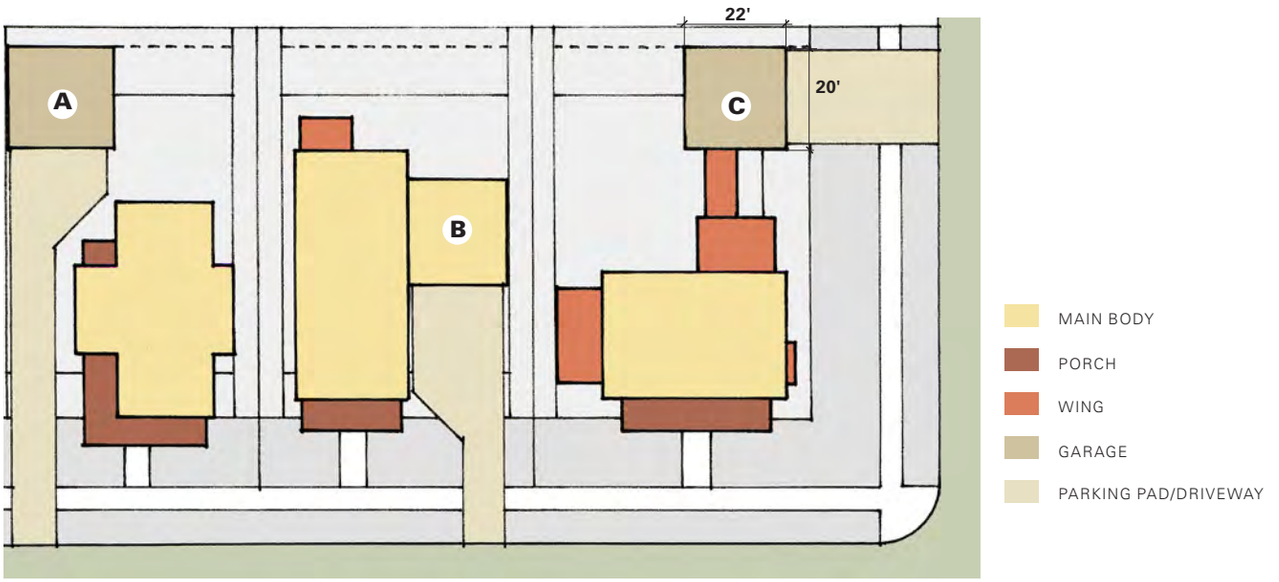
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~All Zones: 15 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

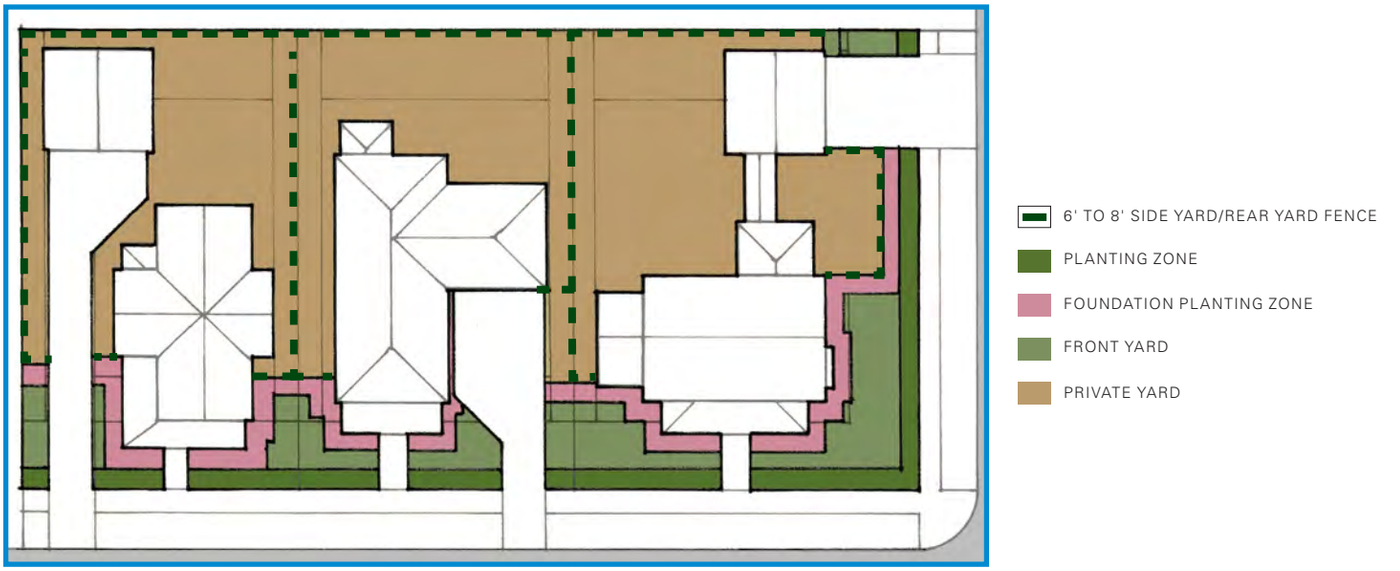
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

60-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

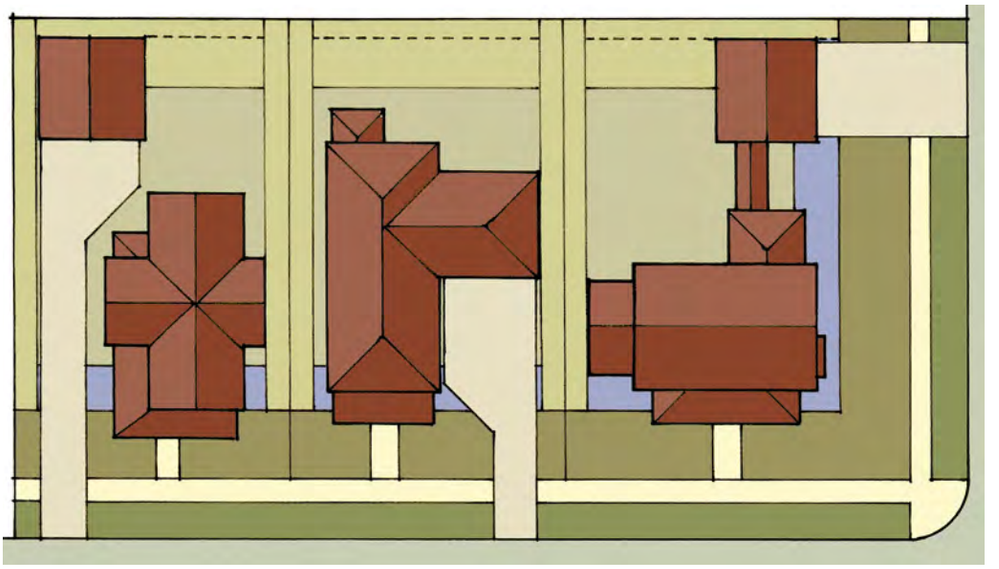
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types should contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of units developed:
  › 30 or fewer lots = 1 floor plan
  › 31 to 50 lots = 2 floor plans
  › 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
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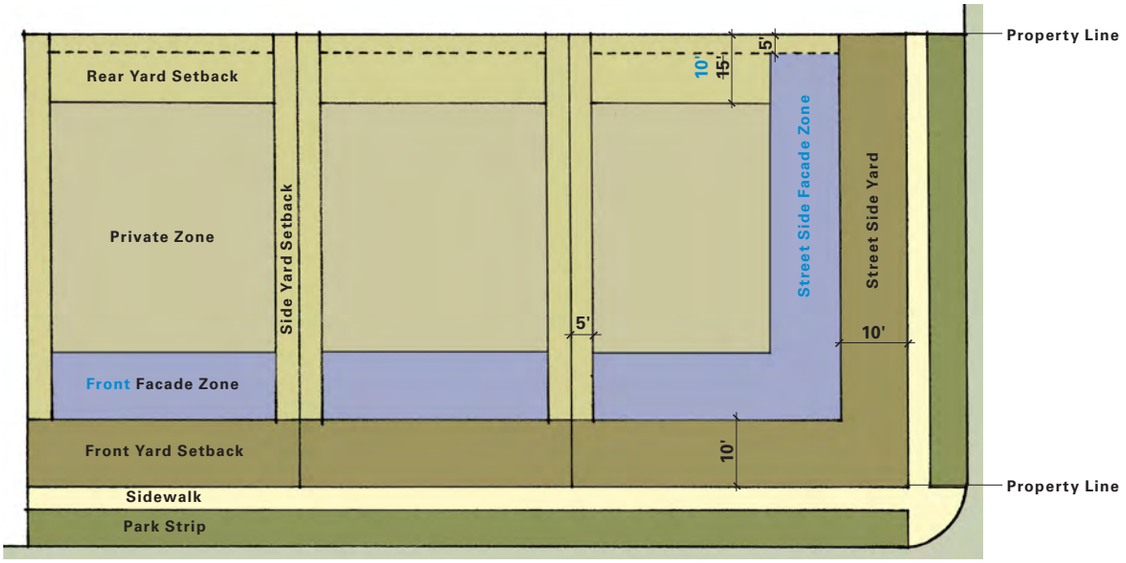
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

65-FOOT LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65–70 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

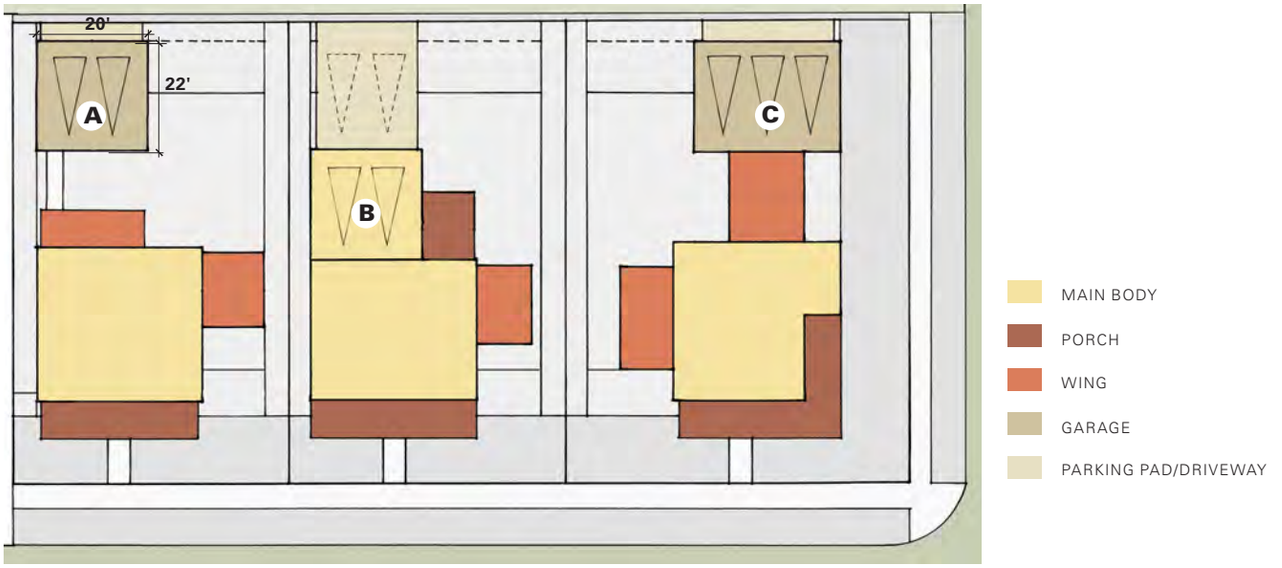
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: ~~15~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~All Zones: 15 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

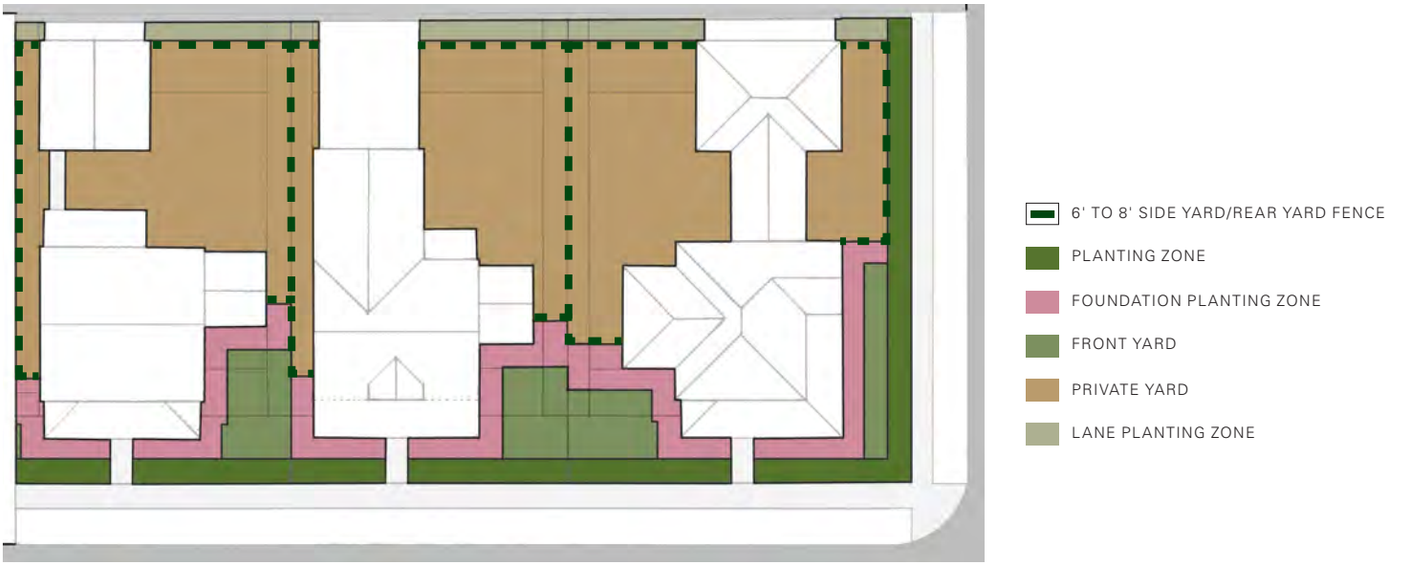
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

65-FOOT LOT : REAR-LOADED



Yard Requirements

FENCE REQUIREMENTS

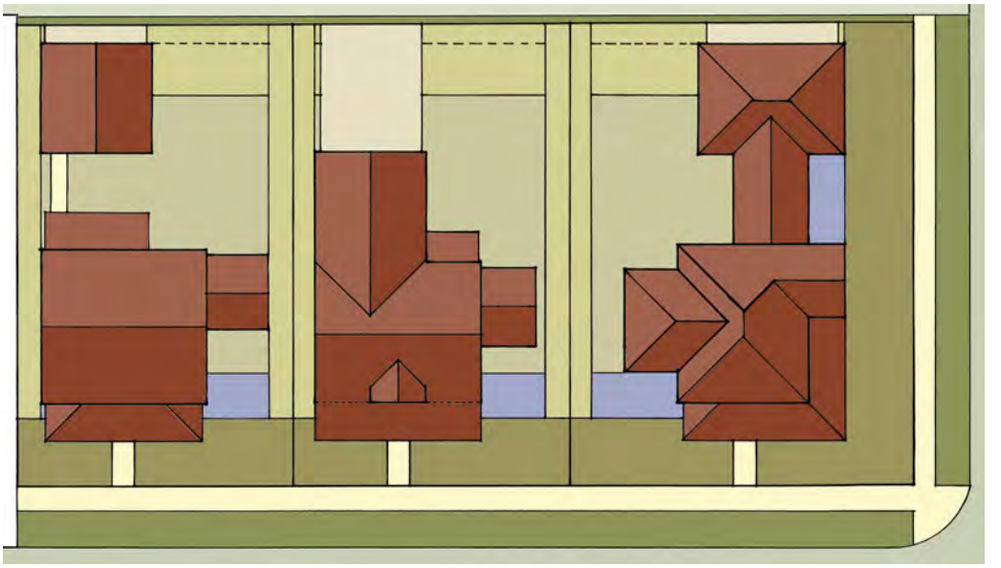
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

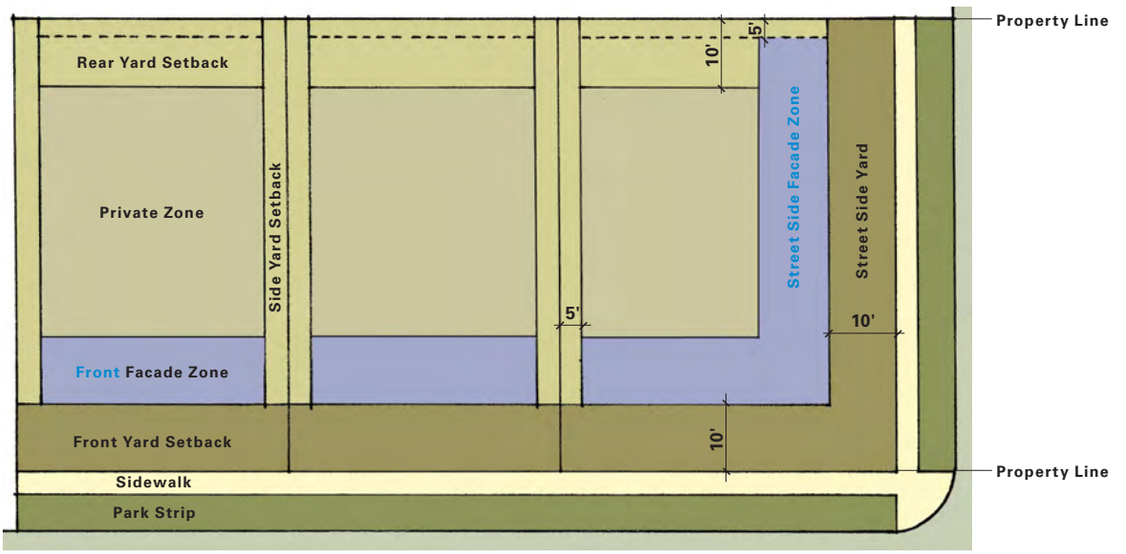
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

65-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65–70 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

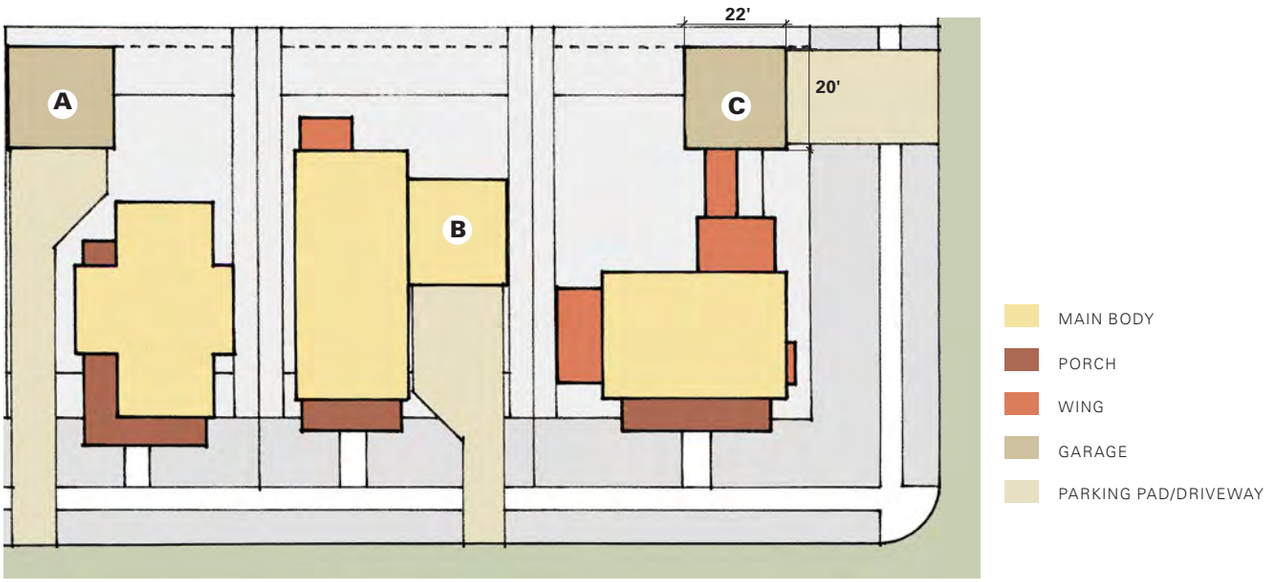
- Front Yard: 10 feet to the house
- Street Side Yard: 10 feet to the house and garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~All Zones: 15 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached
- Tuck-under (B)
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

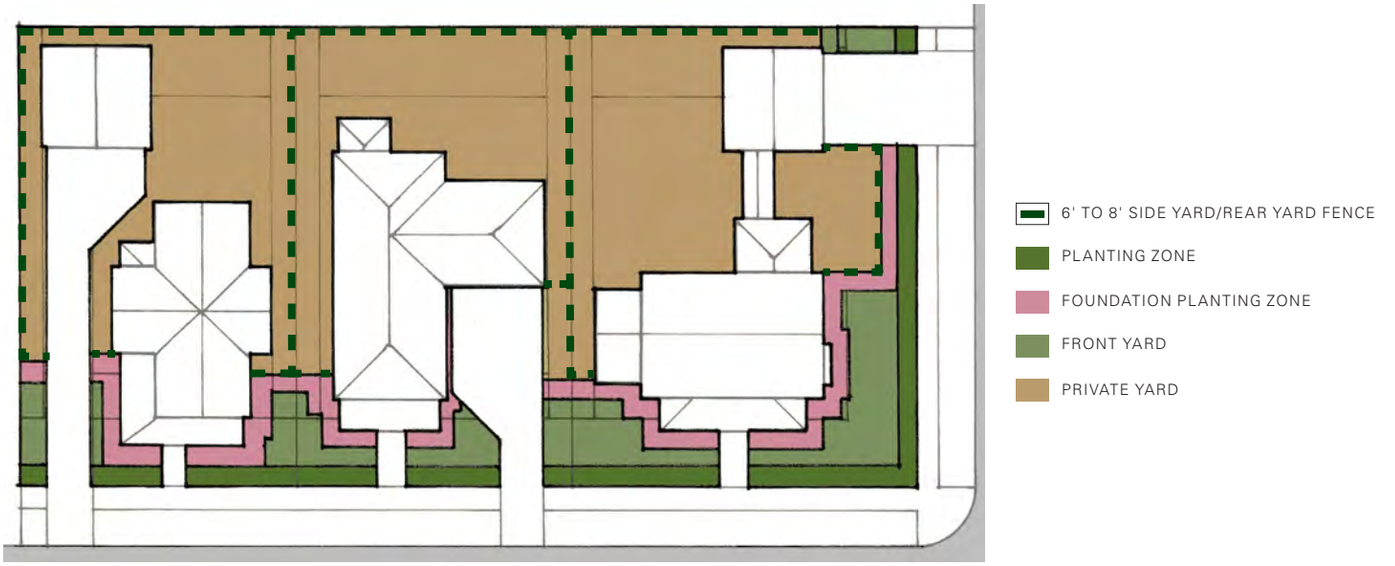
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

65-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

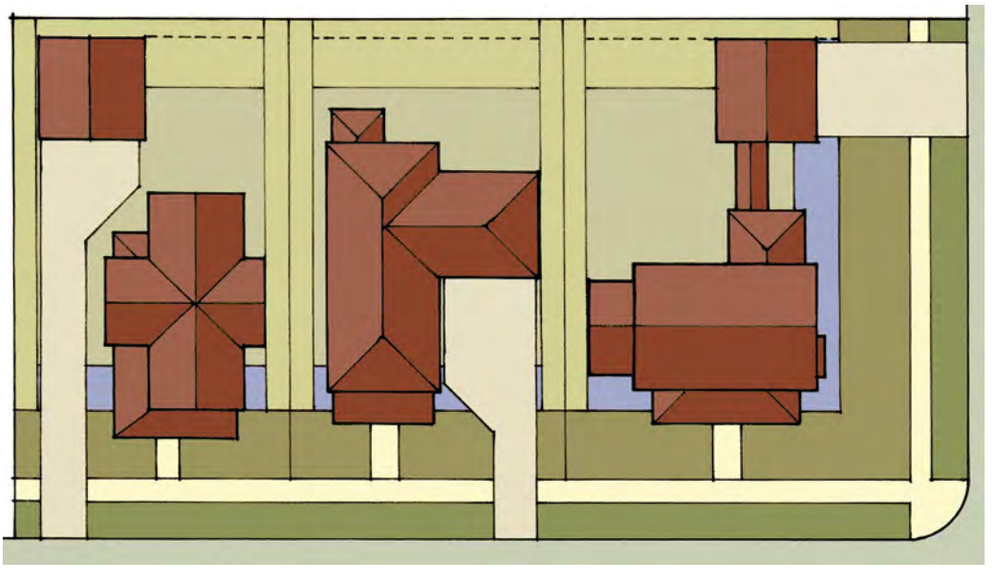
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types should contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of units developed:
  › 30 or fewer lots = 1 floor plan
  › 31 to 50 lots = 2 floor plans
  › 51 or more lots = 3 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
  › 31 to 50 lots = 2 elevations
  › 51 or more lots = 3 elevations

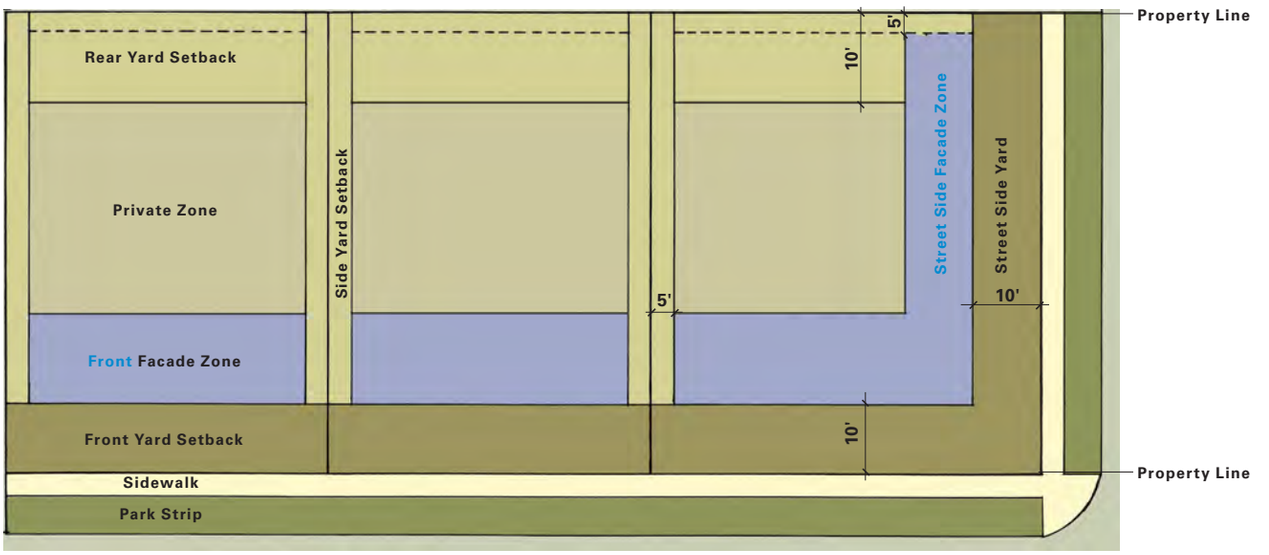
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

70-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 70–80 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

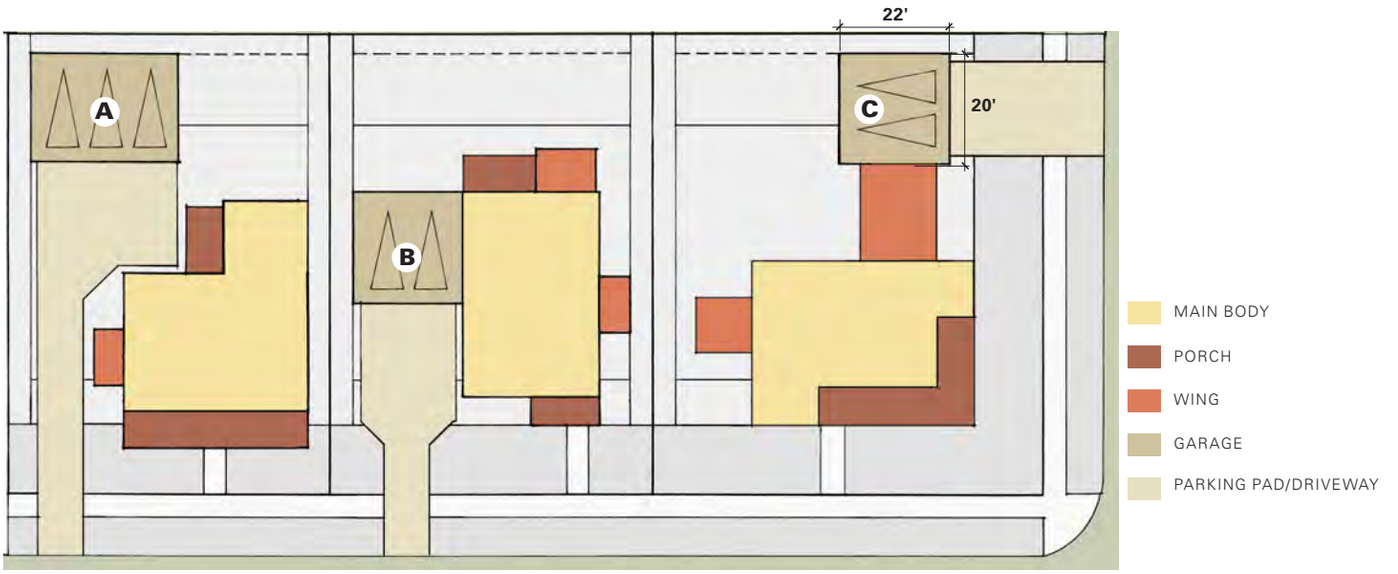
- Front Yard: 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: 10 feet to the house; 20 feet to the garage
- Side Yard: 5 feet to the house and garage
- Rear Yard: a minimum of 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~Zones: 20 feet front, 15 feet side~~
- ~~30% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached (B)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

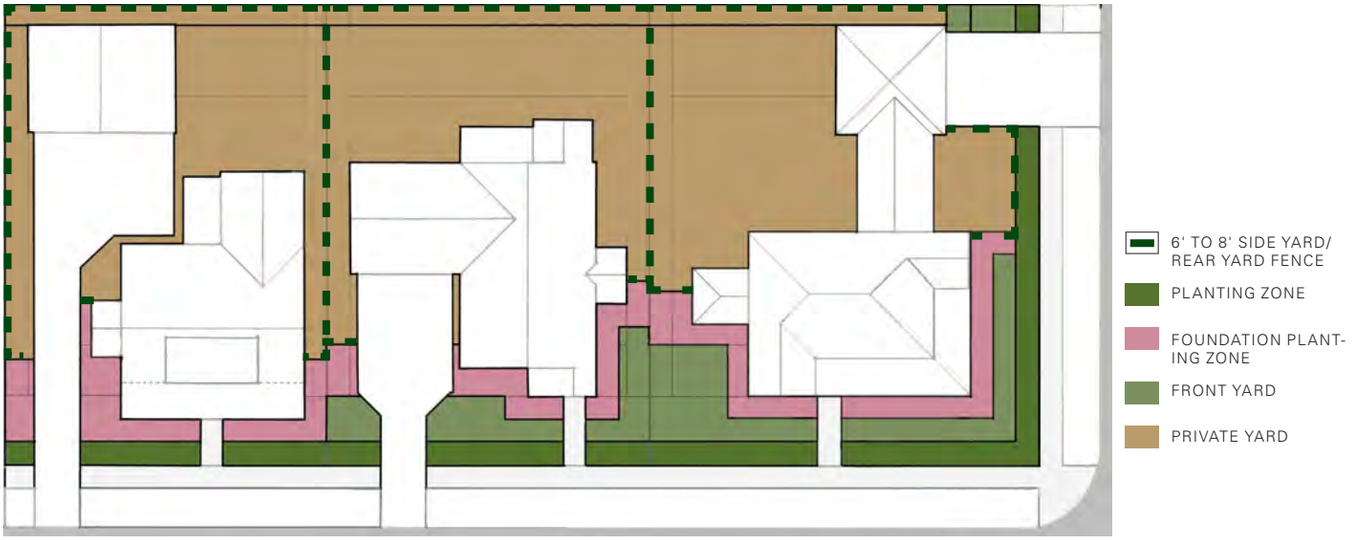
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

70-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

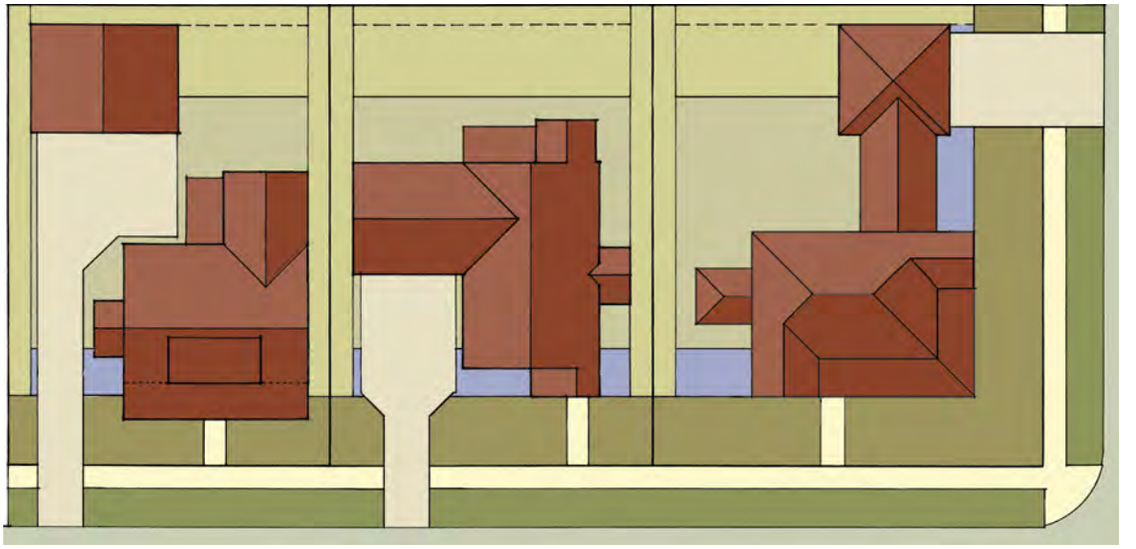
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy. Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

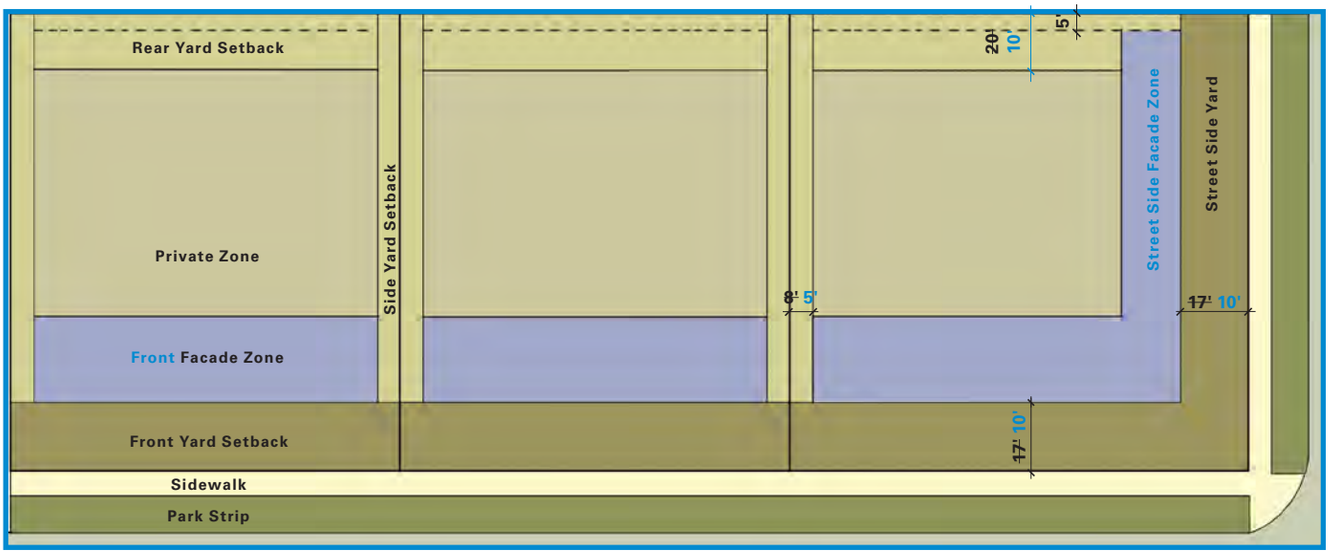
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

80-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 80–100 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

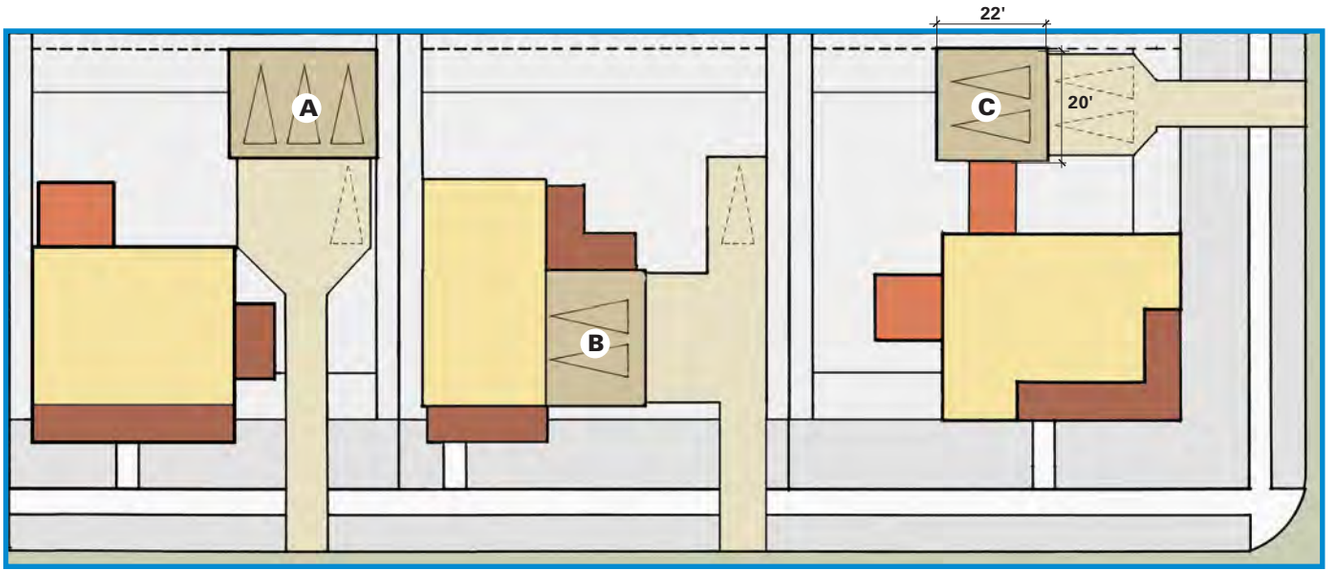
- Front Yard: ~~17~~ 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: ~~17~~ 10 feet to the house; 20 feet to the garage
- Side Yard: ~~8~~ 5 feet to the house and garage
- Rear Yard: ~~20~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~Zones: 20 feet front, 15 feet side~~
- ~~30% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-attached (C)
- Attached (B)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

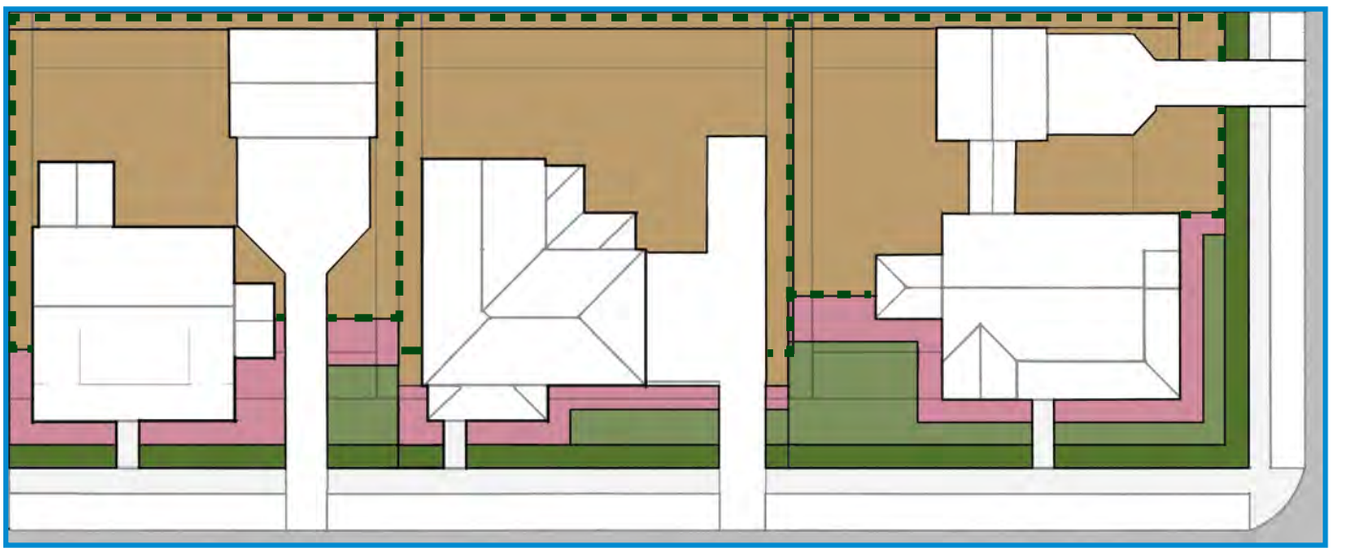
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

80-FOOT LOT : FRONT-LOADED



FENCE REQUIREMENTS

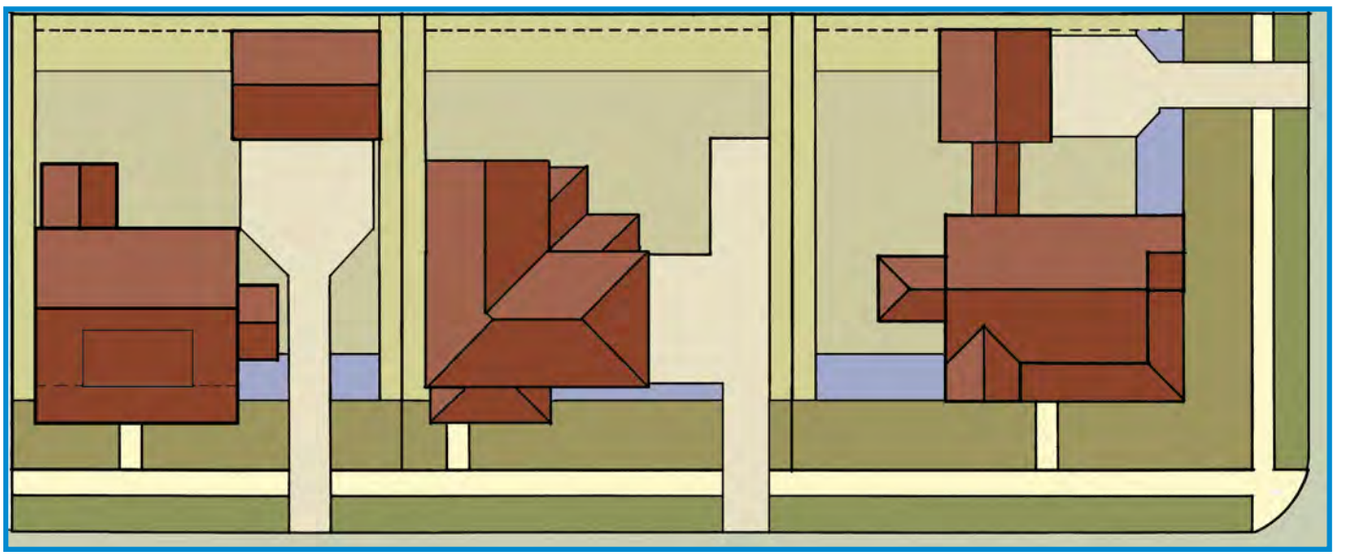
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 30 or fewer lots = 1 floor plan
  - 31 to 50 lots = 2 floor plans
  - 51 or more lots = 3 floor plans

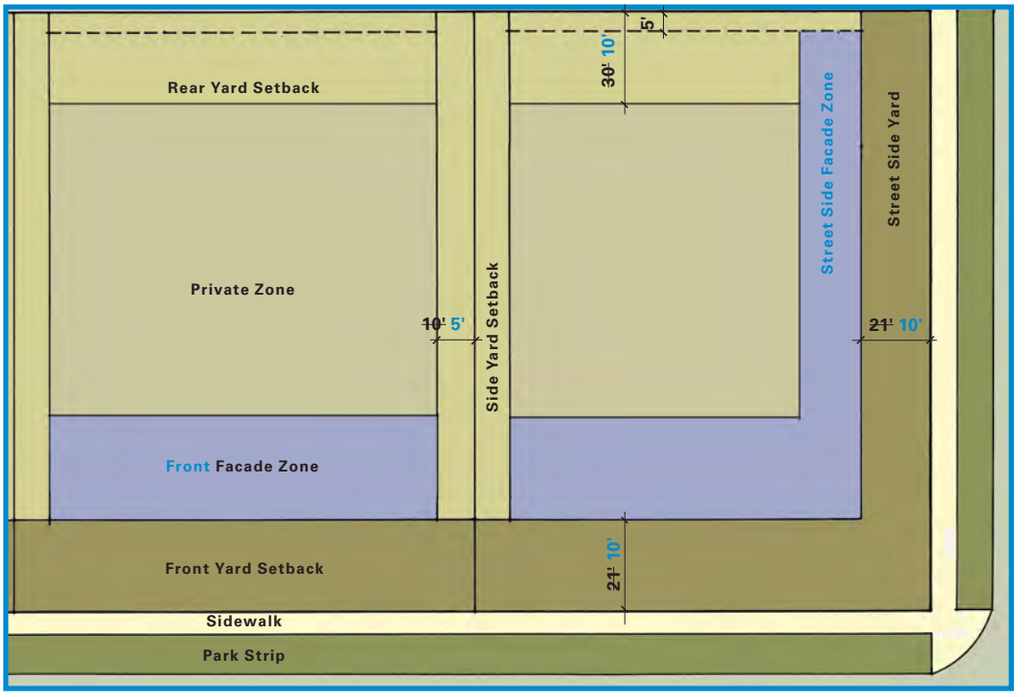
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 30 or fewer lots = 2 elevations
  - 31 to 50 lots = 2 elevations
  - 51 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

100-FOOT LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Lot Width: 100–110 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

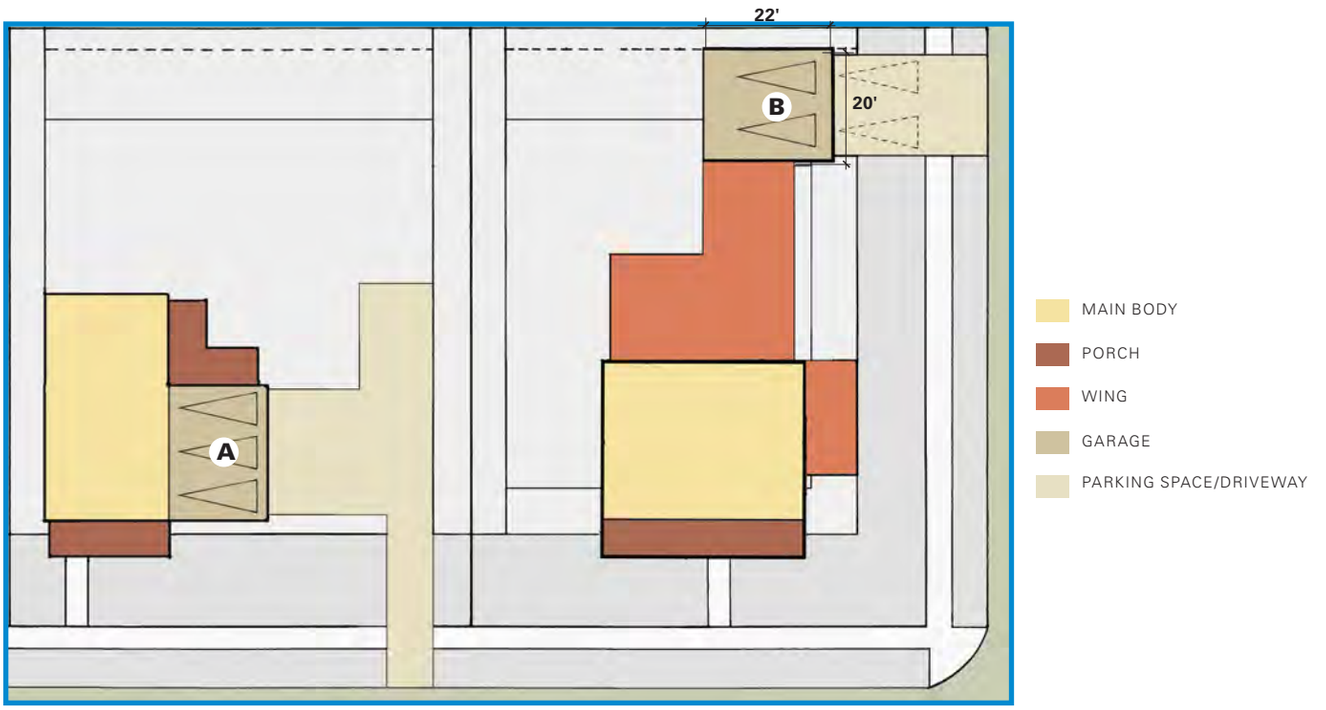
- Front Yard: ~~21~~ 10 feet to the house; 5 feet behind front facade to street-facing attached garage; no required setback if garage doors face side yard
- Street Side Yard: ~~21~~ 10 feet to the house; 20 feet to the garage
- Side Yard: ~~10~~ 5 feet to the house and garage
- Rear Yard: ~~30~~ 10 feet to the house; 5 feet to the garage (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~Zones: 25 feet front, 20 feet side~~
- ~~30% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached
- Semi-attached (B)
- Attached (A)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum two-car garage required; three-car garage permitted
- Maximum two-car garage may face street side
- Street-loaded garages may be a maximum of 45% of the street facing facade
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

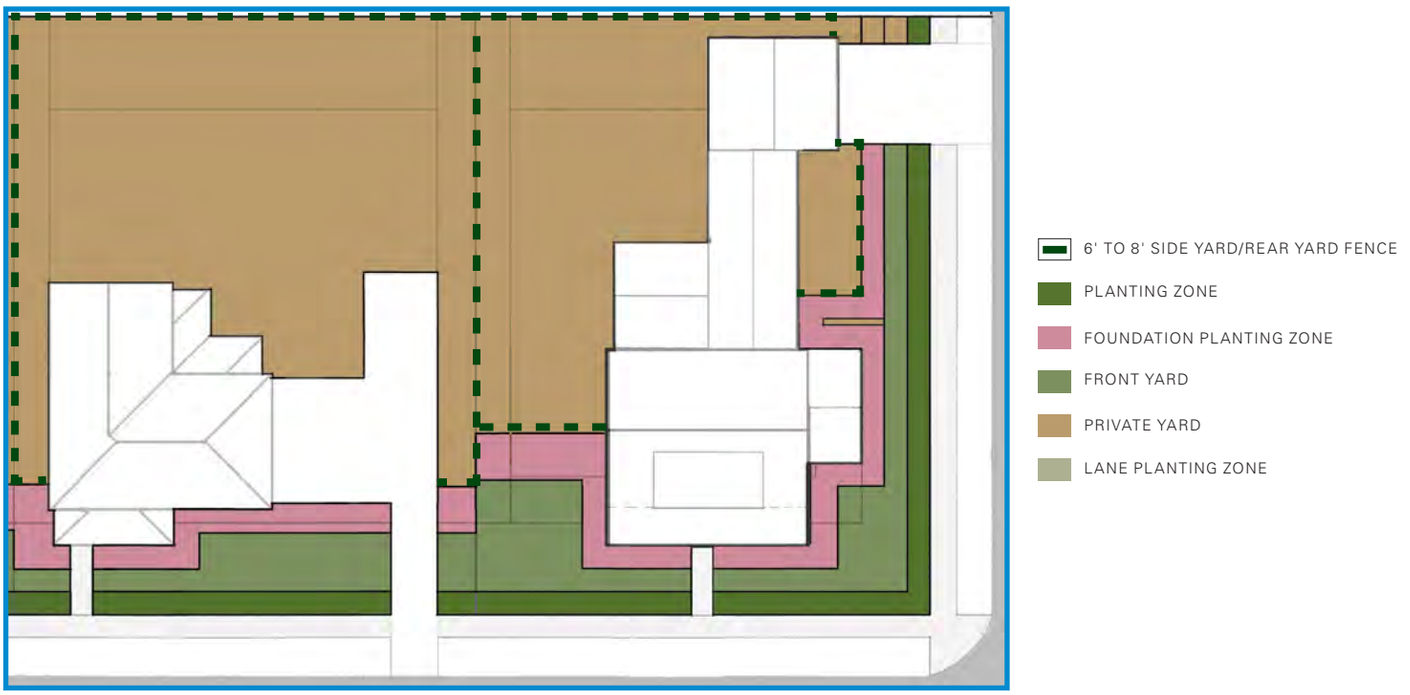
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

100-FOOT LOT : FRONT-LOADED



Yard Requirements

FENCE REQUIREMENTS

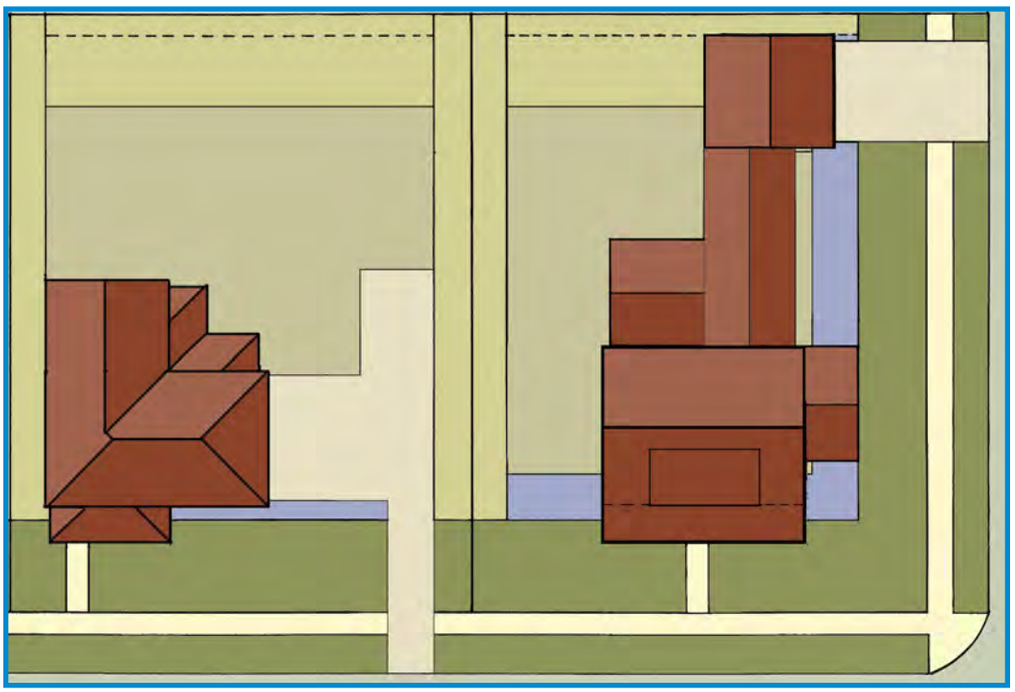
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

» Product types must contain significant variation in floor plan, massing, and garage type

» Number of floor plans developed based upon number of lots developed:
  › 30 or fewer lots = 1 floor plan
  › 31 or more lots = 2 floor plans

ELEVATION PER PLAN MINIMUM

» Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color

» Elevations may not be repeated on a block face or opposing block face without material, color or trim variation

» Number of elevations developed based upon number of lots developed:
  › 30 or fewer lots = 2 elevations
  › 31 or more lots = 2 elevations

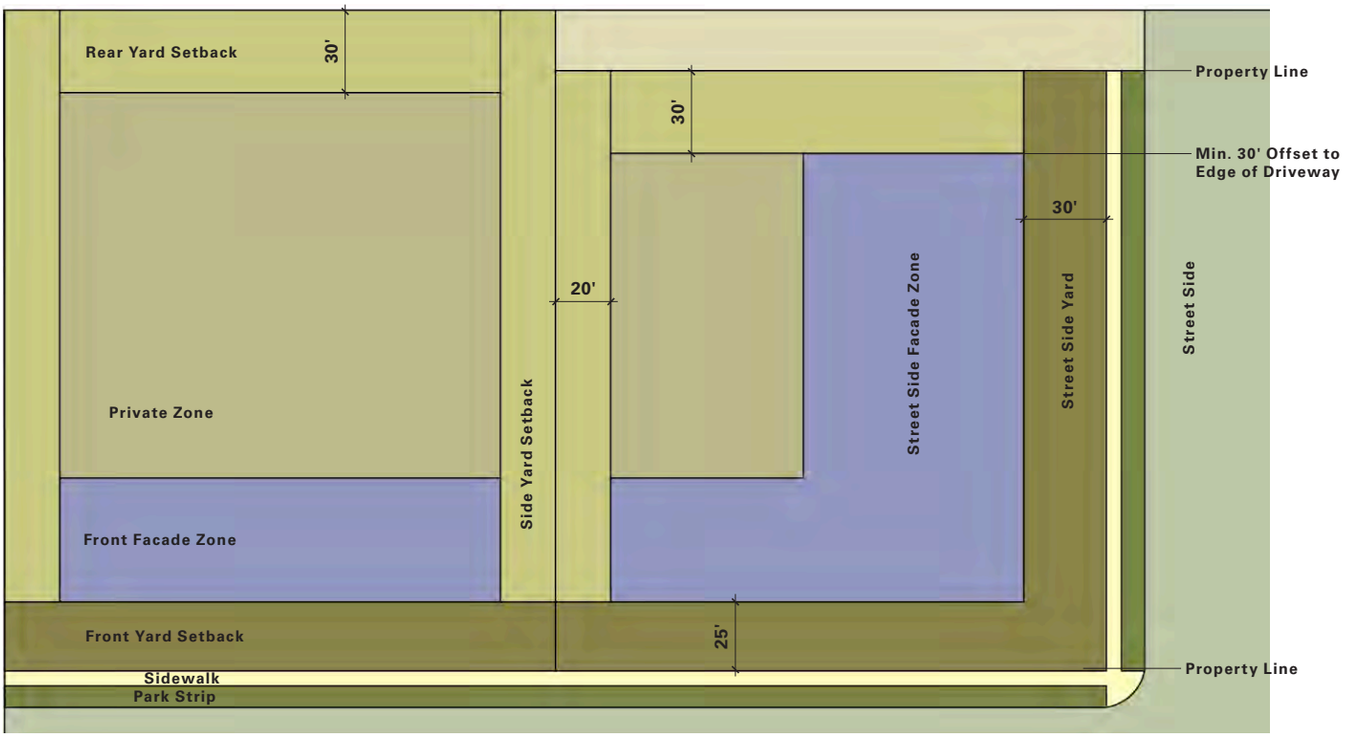
» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three houses of the same style may be located next to each other

» Identical houses (defined as having the same front facade) may not be located on adjacent lots

ESTATE LOT : REAR-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

» Interior Lot Width: between 75 to 250 feet

» Lot Depth: 90 feet minimum

MINIMUM HOUSE SETBACKS

» Front Yard: 25 feet to the house

» Street Side Yard: 30 feet to the house and garage

» Side Yard: 20 feet to the house and garage

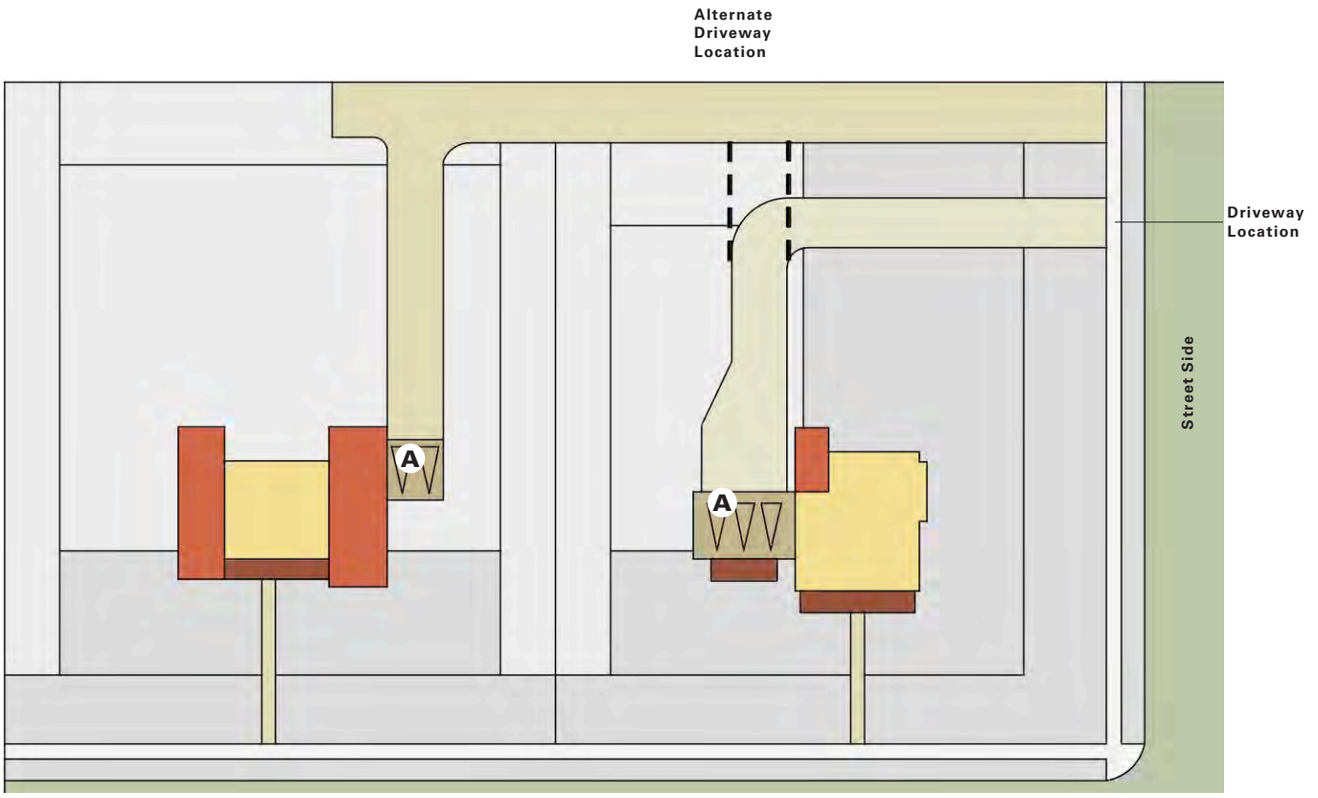
» Rear Yard: 30 feet to the house and garage

FACADE ZONE

» Not used

ENCROACHMENTS INTO SETBACKS

» Not Permitted



Elements of the House

MAIN BODY
PORCH
WING
GARAGE
PARKING PAD/DRIVEWAY

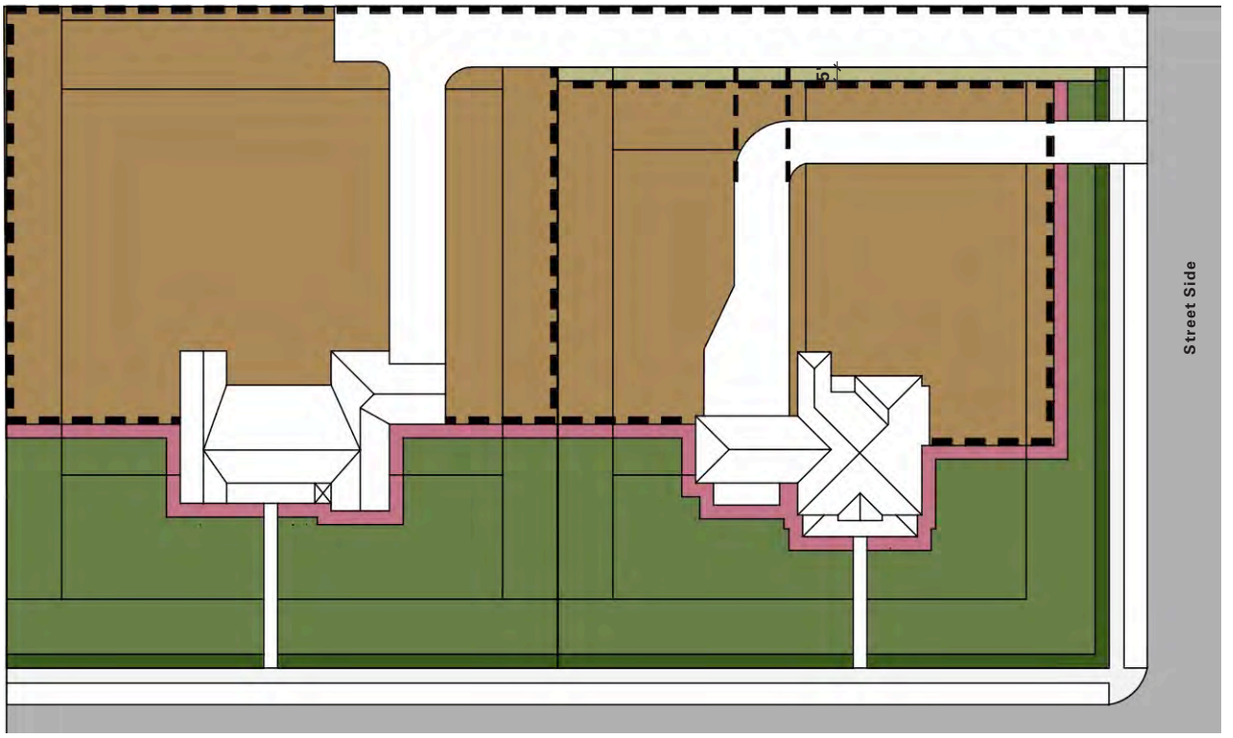
PERMITTED GARAGE TYPES

- Detached
- Semi-attached
- Attached (A)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 3 off-street parking spaces; minimum two-car garage required; four-car garage permitted
- Single or double parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 20 feet per car
- Garage doors shall not face streets
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side elevation

ESTATE LOT : REAR-LOADED



Yard Requirements

6' TO 8' SIDE YARD/REAR YARD FENCE
PLANTING ZONE
FOUNDATION PLANTING ZONE
FRONT YARD
PRIVATE YARD

FENCE REQUIREMENTS

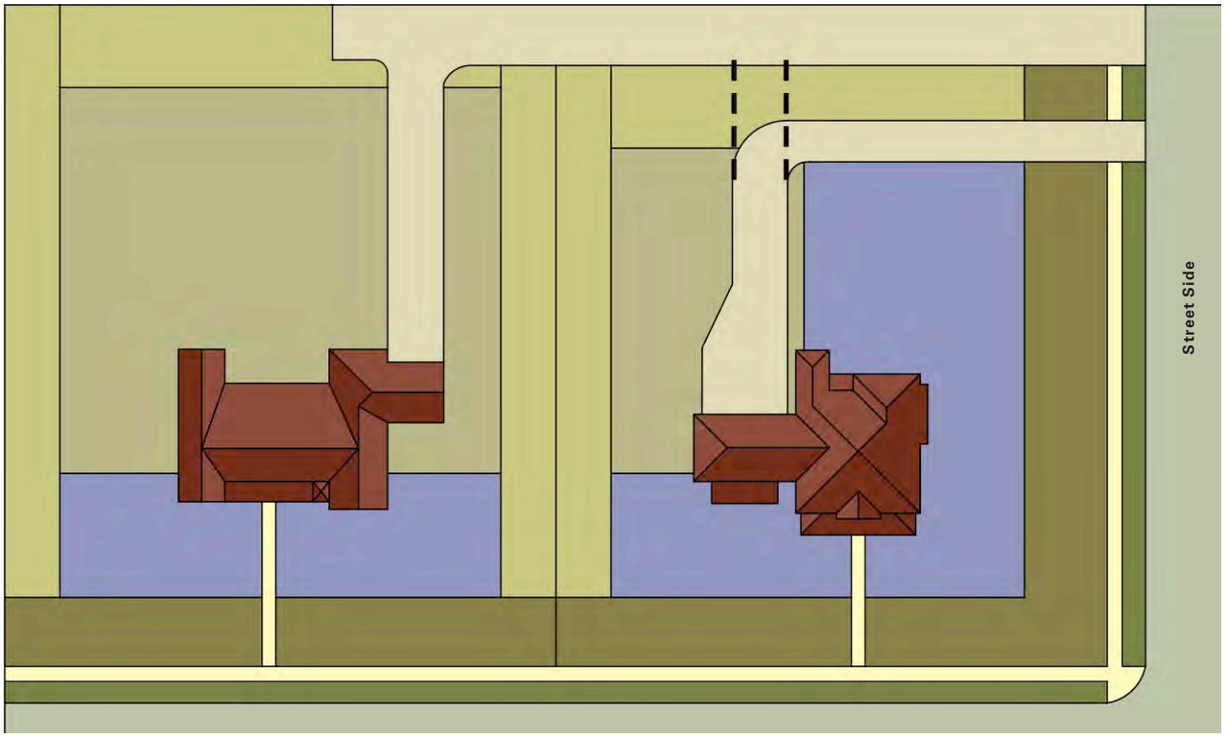
- Front yard fencing is permitted in accordance with the Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted behind center of house only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 5 feet at lanes; 0 feet where no lane
- Side Yard: 15 feet from front facade of house minimum (porch excluded)
- Street Side: 15 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 15 or fewer lots = 1 floor plan
  - 16 or more lots = 2 floor plans

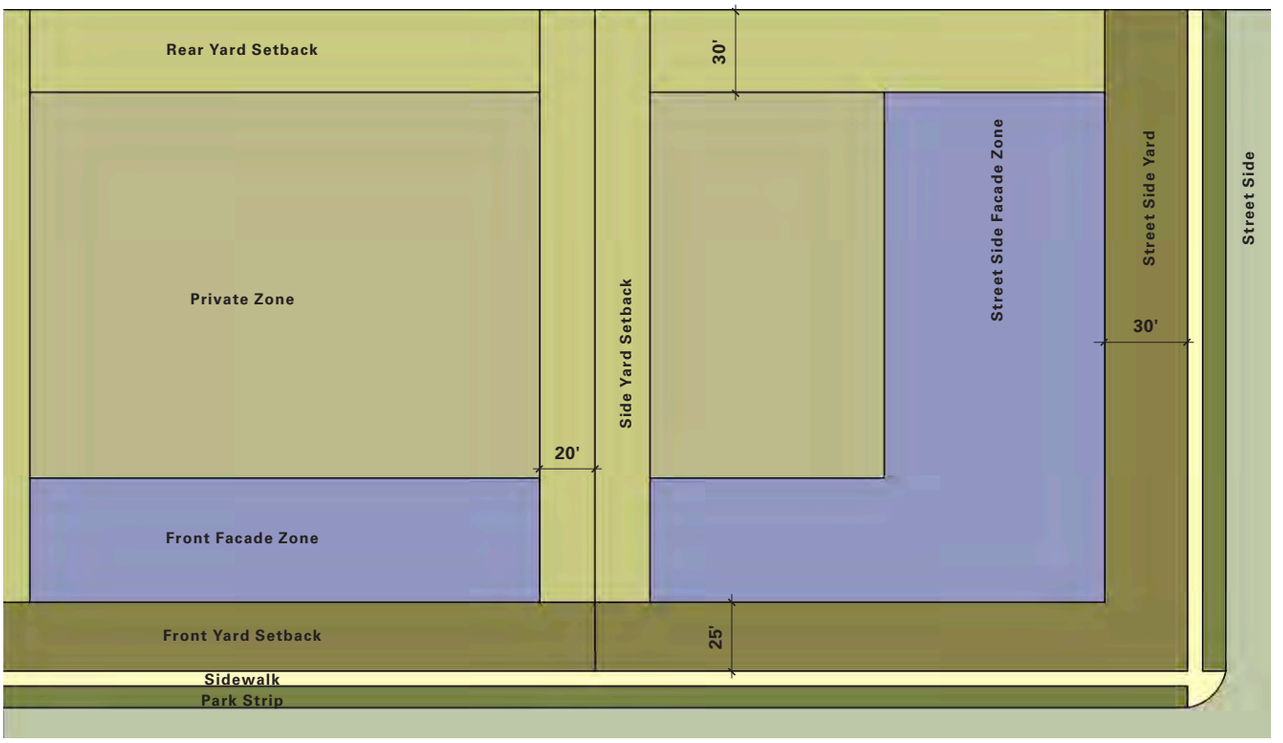
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 10 or fewer lots = 2 elevations
  - 11 or more lots = 2 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

ESTATE LOT : FRONT-LOADED



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Lot Width: 75 to 250 feet
- Lot Depth: 90 feet minimum

MINIMUM HOUSE SETBACKS

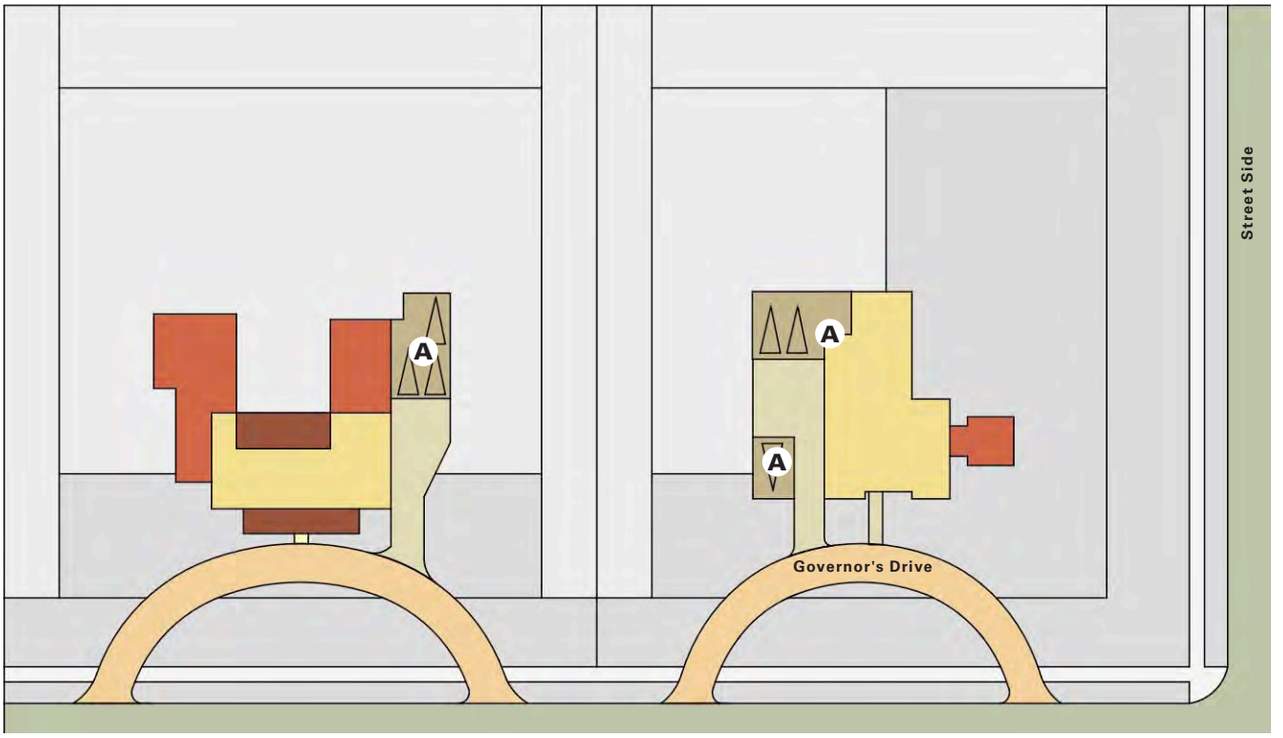
- Front Yard: 25 feet to the house; 5 feet behind front facade to street-facing attached garage
- Street Side Yard: 30 feet to the house and garage
- Side Yard: 20 feet to the house and garage
- Rear Yard: 30 feet to the house and garage

FACADE ZONE

- Not used

ENCROACHMENTS INTO SETBACKS

- Not permitted



Elements of the House

MAIN BODY
PORCH
WING
GARAGE
PARKING PAD/DRIVEWAY
GOVERNOR'S DRIVE

PERMITTED GARAGE TYPES

» Detached
» Semi-attached
» Attached (A)
» Tuck-under
» Tandem

GARAGE REQUIREMENTS

» Minimum 3 off-street parking spaces; minimum two-car garage required; four-car garage permitted
» Maximum two garage doors may face the street
» Street-loaded garages may be a maximum of 40% of the street facing facade
» Wings that connect the garage and house on corner lots are encouraged to be recessed at least 4 feet from the street side house elevation

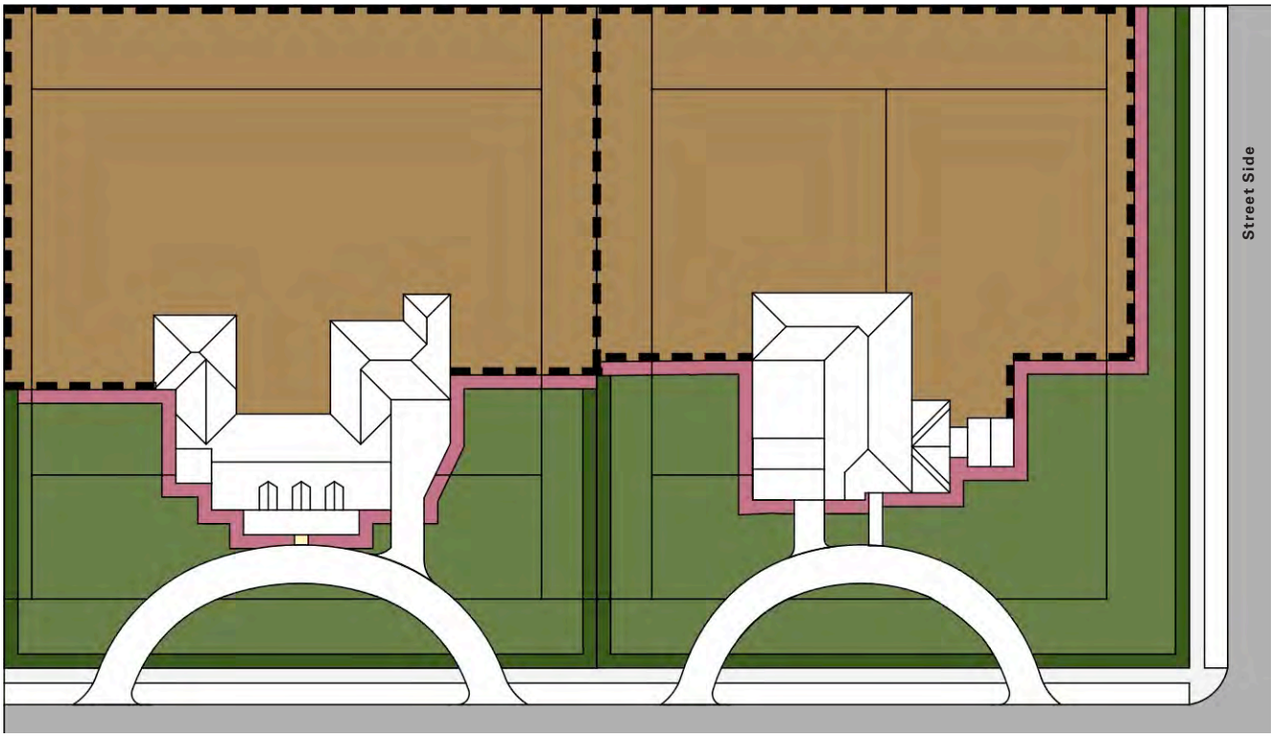
GOVERNOR'S DRIVE

» Two curb cuts permitted

STRAIGHT DRIVE

» Permitted

ESTATE LOT : FRONT-LOADED



Yard Requirements

6' TO 8' SIDE YARD/REAR YARD FENCE
PLANTING ZONE
FOUNDATION PLANTING ZONE
FRONT YARD
PRIVATE YARD

FENCE REQUIREMENTS

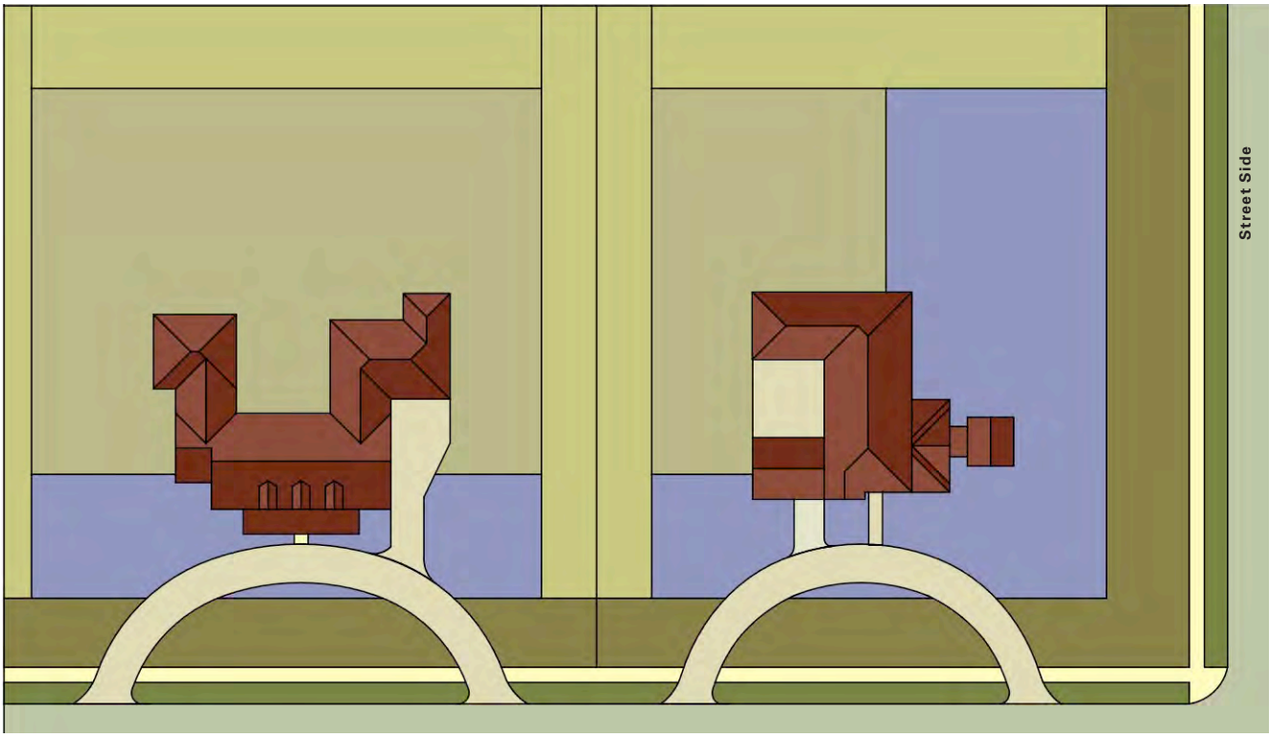
- Front yard fencing is permitted in accordance with the Specific Plan
- Side and rear yard fencing is encouraged for privacy
- Street side fencing is permitted behind center of house only
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires lattice

FENCE SETBACKS

- Rear Yard: 0 feet
- Side Yard: 15 feet from front facade of house (porch excluded)
- Street Side: 15 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walk-ways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types must contain variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of lots developed:
  - 15 or fewer lots = 1 floor plan
  - 16 or more lots = 2 floor plans

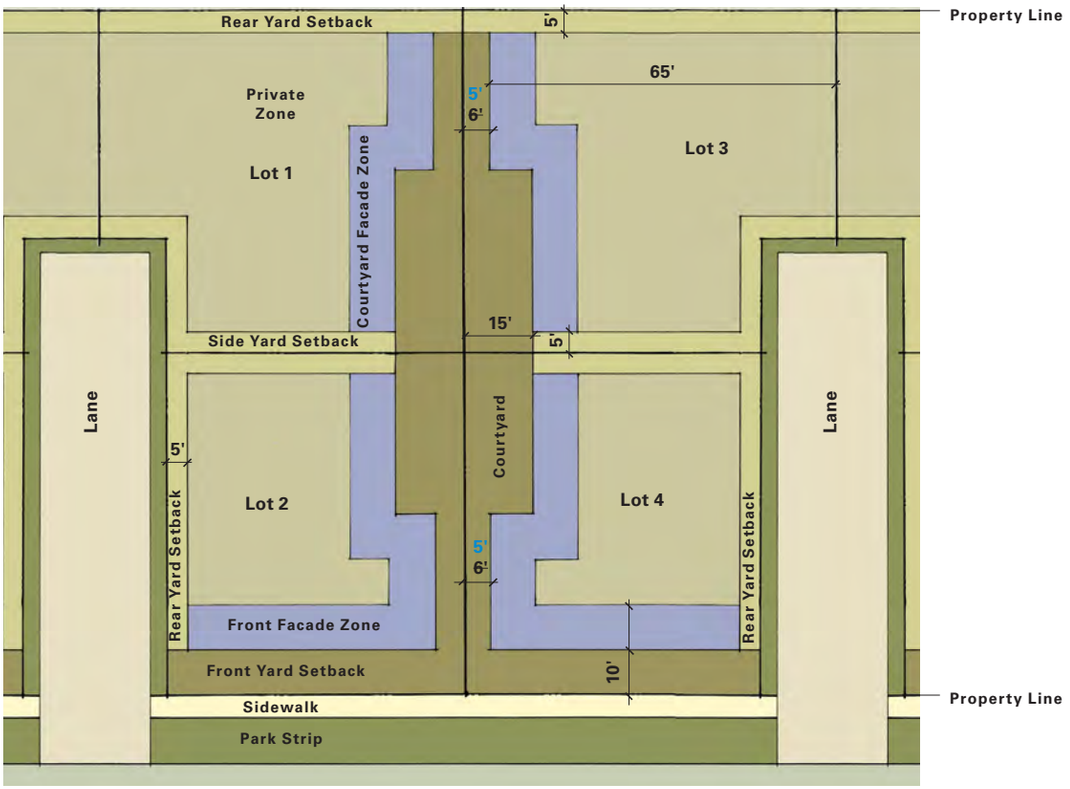
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 10 or fewer lots = 2 elevations
  - 11 or more lots = 2 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

COURTYARD LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 65 feet
- Not to be used on corner lots
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

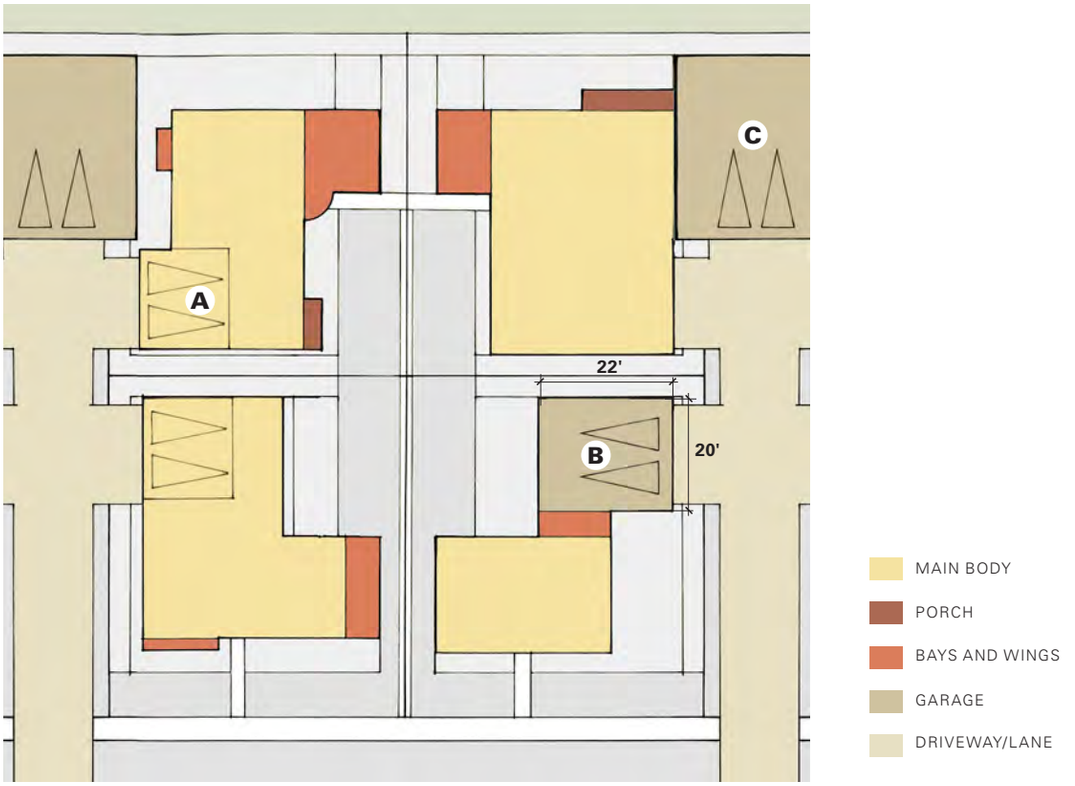
- Front Yard: 10 feet to the house
- Side Yard: ~~6~~ 5 feet to the house on courtyard side; otherwise 5 feet
- Courtyard: 15 feet to the center-line of the shared courtyard; 6 feet at Front Facade Zone and in areas where Courtyard Facade Zone meets Rear Yard Setback.
- Rear Yard: 5 feet to the house and garage

FACADE ZONE

- ~~All Zones: 10 feet~~
- ~~35% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Semi-attached (B)
- Attached (C)
- Tuck-under (A)

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces per unit (does not have to be in a garage)
- Garage doors must face lane

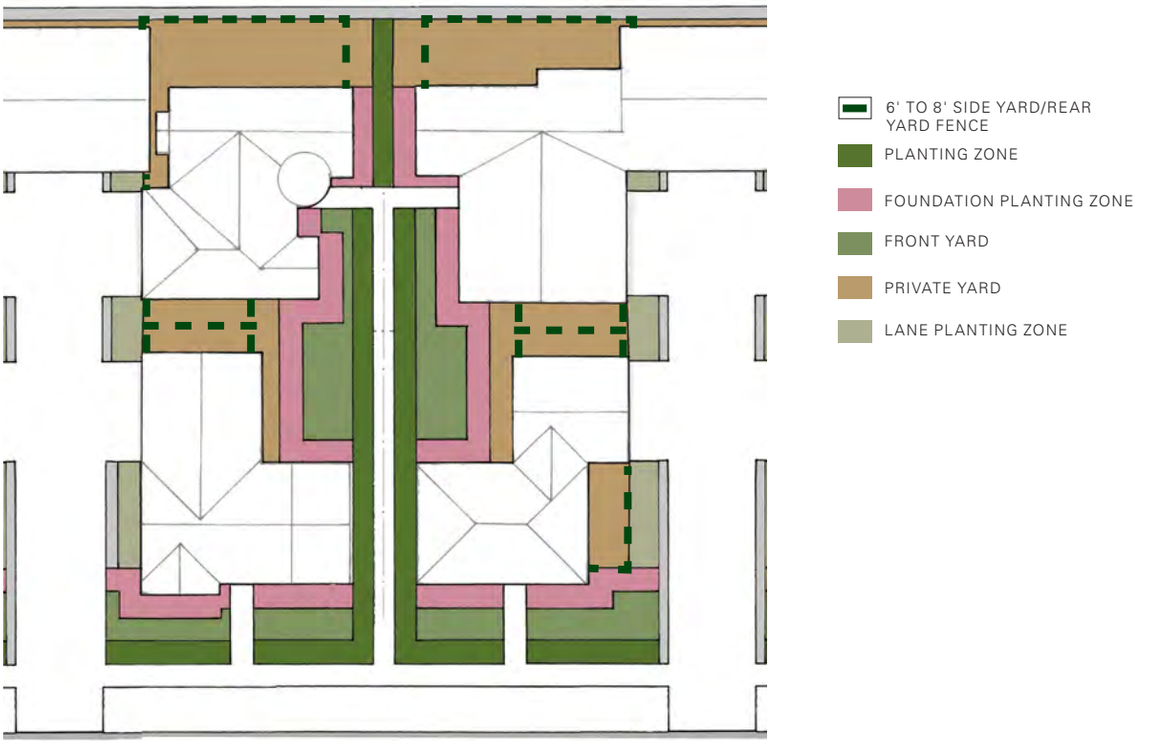
~~SECONDARY RESIDENTIAL UNITS~~

- ~~A secondary residential unit is permitted and encouraged at the head of the lane over the garage~~
- ~~A minimum of one additional off-street parking space is to be provided for the secondary residential unit~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

COURTYARD LOTS



Yard Requirements

FENCE REQUIREMENTS

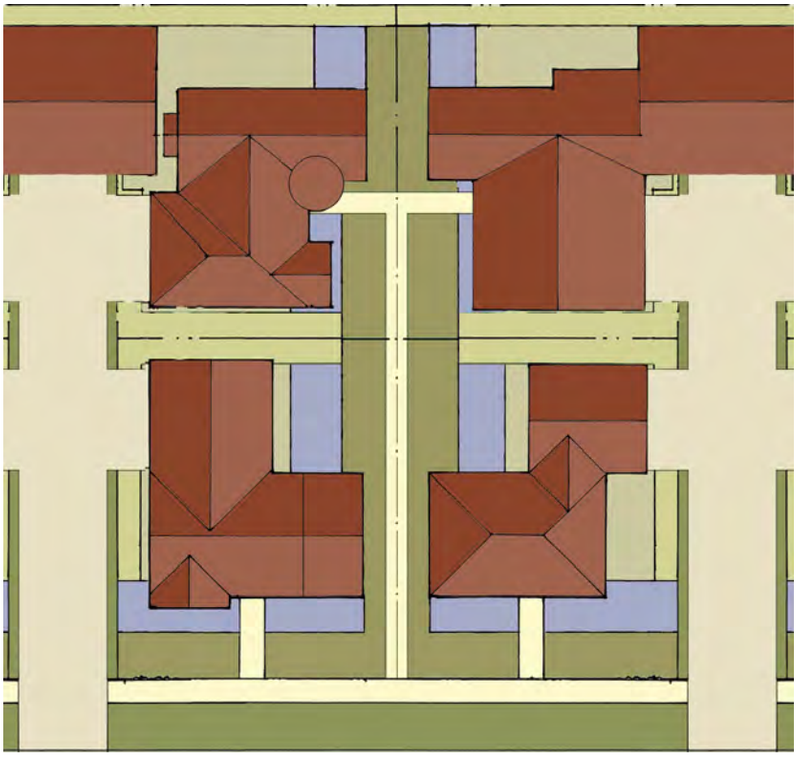
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets and courtyards
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types should contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 52 or fewer lots = 2 floor plans
  - 53 or more lots = 3 floor plans

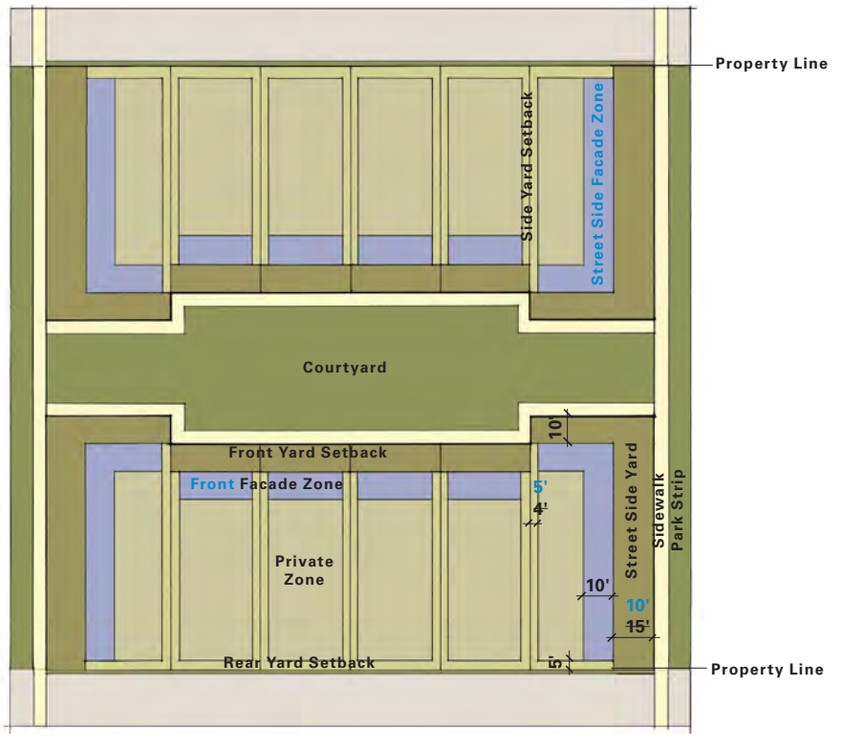
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated in a courtyard or along a block face
- Number of elevations developed based upon number of units developed:
  - 52 or fewer lots = 2 elevations
  - 53 or more lots = 3 elevations
- A minimum of two architectural styles must be represented
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

GREEN COURT



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 32–38 feet
- Corner Lot Width: Increased by 5–15 feet
- Lot Depth: Variable

MINIMUM HOUSE SETBACKS

- Front Yard: 10 feet to the house
- Street Side: ~~15~~ 10 feet to the house and garage
- Side Yard: 4 5 feet to the house and garage
- Rear Yard: 5 feet to the house and garage; 5 feet maximum to the garage on a corner lot

FACADE ZONE

- ~~All Zones: 10 feet~~
- ~~40% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not used

» ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setbacks only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only
- Air Conditioning Units: 4 feet into the street side and side yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (B)
- Semi-attached (A)
- Attached (C)
- Tuck-under
- Tandem

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces
- Minimum two-car garage required
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face street
- Wings that connect the garage and house on corner lots are encouraged to be recessed at least 2 feet from the street side elevation

~~SECONDARY RESIDENTIAL UNITS~~

- ~~Not permitted (due to off-street parking requirements)~~

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

GREEN COURT



Yard Requirements

FENCE REQUIREMENTS

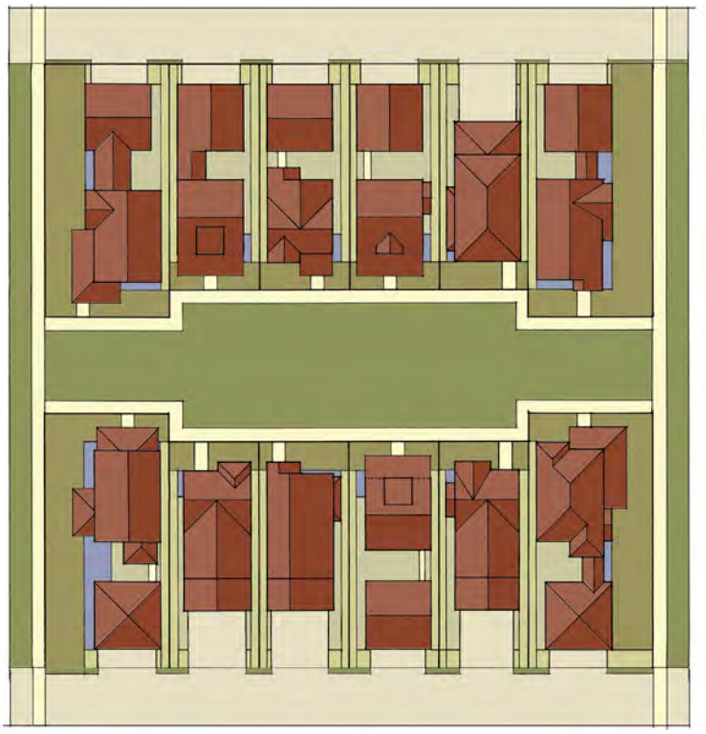
- Front yard fencing is permitted in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- When side yard fencing is not used, a side yard easement may be introduced to create functional outdoor space. The easement shall begin at the rear of the front facade zone
- Maximum height of side yard and rear yard fencing: 8 feet (6 feet preferred)
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot fences or top 1 foot 4 inches of 8-foot fences facing streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Side Yard: 5 feet from front facade of house (porch excluded)
- Street Side: 5 feet from walk

LANDSCAPE

- Landscaping is required in all areas, except driveways and walkways, not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Product types must contain significant variation in floor plan, massing, and garage type
- Number of floor plans developed based upon number of units developed:
  - 52 or fewer lots = 2 floor plans
  - 53 or more lots = 3 floor plans

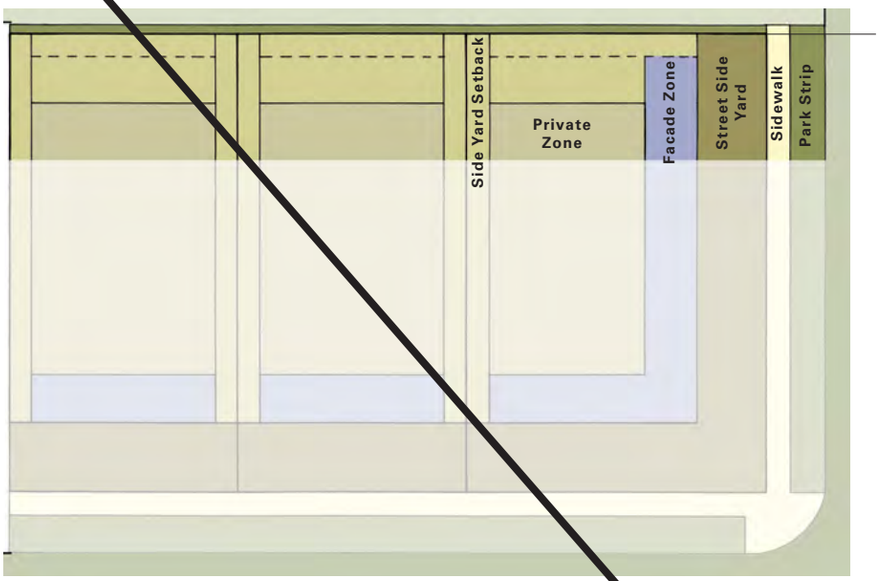
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated along a block face or opposing green court
- Number of elevations developed based upon number of units developed:
  - 52 or fewer lots = 2 elevations
  - 53 or more lots = 3 elevations
- A minimum of two architectural styles must be represented
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three houses of the same style may be located next to each other
- Identical houses (defined as having the same front facade) may not be located on adjacent lots

SECONDARY RESIDENTIAL UNITS



Lot Zones and Setbacks



Yard Requirements

- PLANTING ZONE
- FOUNDATION PLANTING ZONE
- FRONT YARD
- PRIVATE YARD
- LANE PLANTING ZONE

SETBACKS

» Must meet the requirements of the primary lot type

ENCROACHMENTS INTO SETBACKS

» Balconies: 5 feet into street side setback only

» Bay Windows (upper floors): 2 feet into street side setback only

» Fireplaces: 2 feet into street side setback only

LANDSCAPE

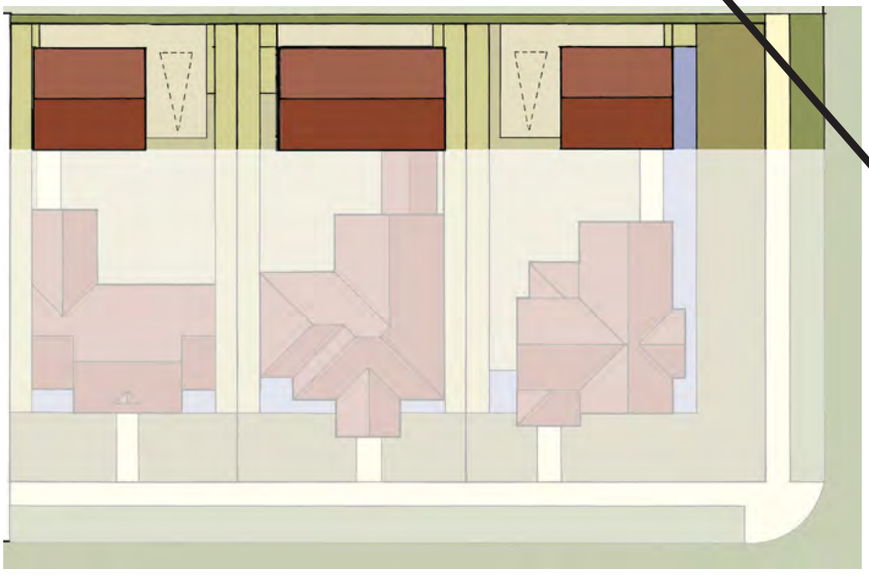
» Landscaping is required in all areas not enclosed with a fence

» Foundation planting is required against buildings or fences facing streets

» Plants other than grass are encouraged along public rights-of-way in the Planting Zone



Elements of the House



General Requirements

PARKING REQUIREMENTS

- Minimum 1 off-street parking space
- Units must be a minimum of 22 feet deep
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads must be a minimum of 9 by 18 feet
- Tandem parking for secondary residential unit permitted

PLAN MINIMUM

- Product types must meet spatial requirements of first-floor garage

ELEVATION PER PLAN MINIMUM

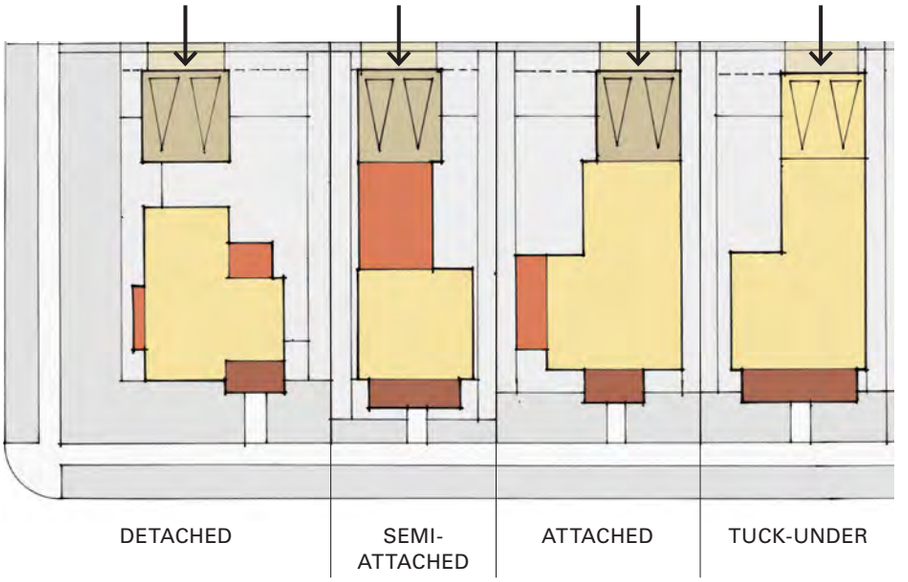
- Elevation variation should be manifest in the massing, roof form, primary materials, window, and color
- Elevations must match the character, style, and materials of the primary house
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim

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GARAGE TYPES

REAR LOADED LOTS

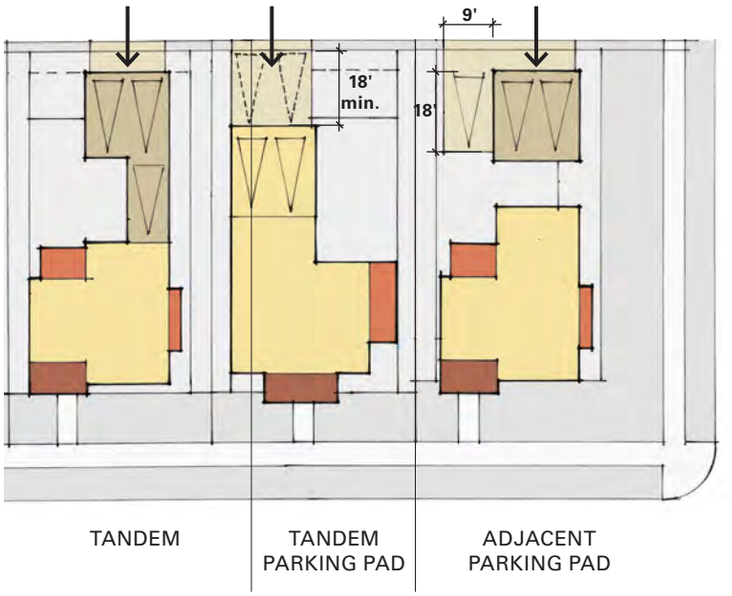


DETACHED
» Completely detached from the Main Body of the house

SEMI-ATTACHED
» Connected to the Main Body of the house by a wing or loggia

ATTACHED
» Attached directly to the Main Body of the house
» No habitable space above

TUCK-UNDER
» Part of the Main Body of the house
» Habitable space above

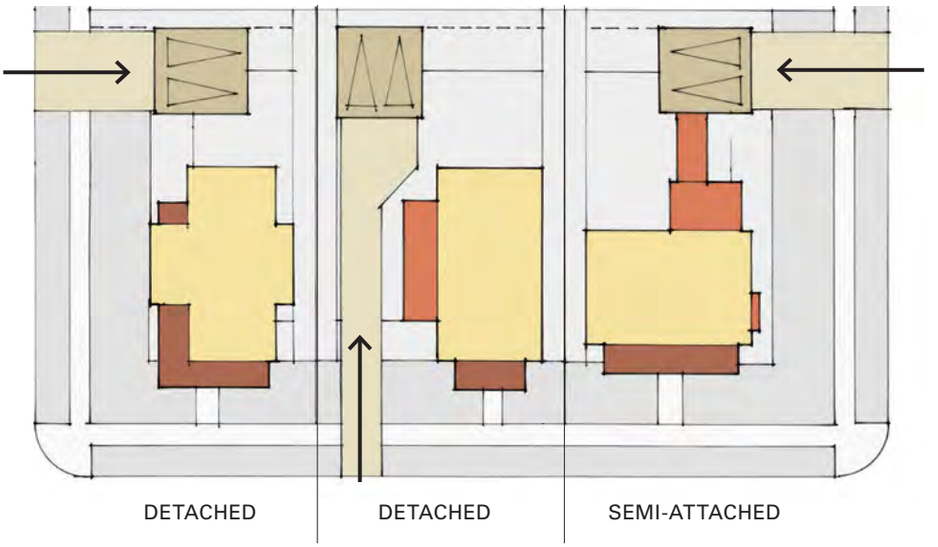


TANDEM
» One car in front of the other

TANDEM PARKING PAD
» Pad is located behind the garage
» Setback from rear property line to garage must be 18-foot minimum

ADJACENT PARKING PAD
» Pad is located adjacent to the garage
» Pad Dimension: 9-foot minimum by 18-foot minimum

FRONT LOADED LOTS



DETACHED

» Completely detached from the Main Body of the house

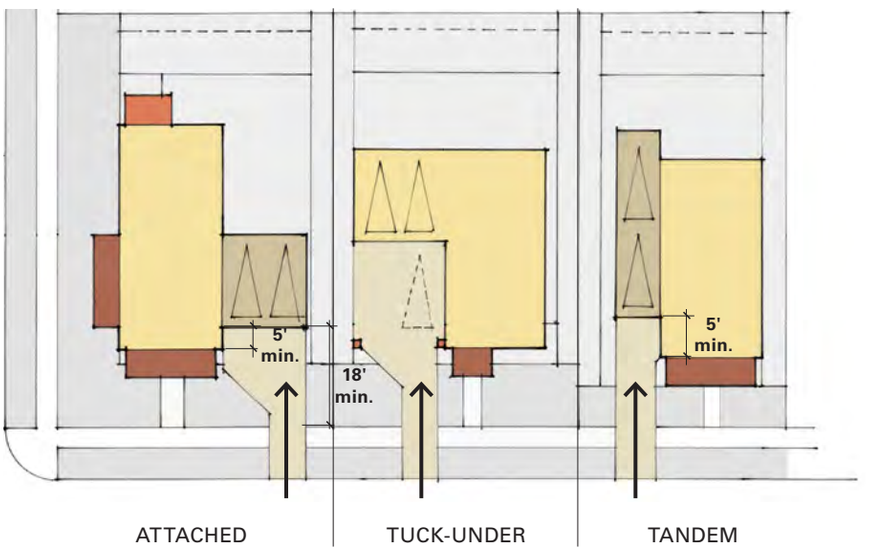
» Setback from front property line: 18-foot minimum

SEMI-ATTACHED

» Connected to the Main Body of the house by a wing or loggia

» No habitable space above

» Setback from front property line: 18-foot minimum



ATTACHED

» Attached directly to the Main Body of the house

» No habitable space above

» Setback from front property line: 18-foot minimum

» Setback from front facade: 5-foot minimum

TUCK-UNDER

» Part of the Main Body of the house

» Habitable space above

» Setback from front property line: 18-foot minimum

» Setback from front facade: 5-foot minimum

TANDEM

» One car in front of the other

» Setback from front facade: 5-foot minimum

» Setback from front property line: 18-foot minimum

SUMMARY OF LOT SPECIFICATIONS

Lot Type	Uses	Lot Width	Minimum Setbacks to Habitable Space	
			Front	Street Side
30' Lot: rear-loaded	Single-Family Residential Detached	30' to 40'	~~5'~~ 10'	~~5'~~ 10'
40' Lot: rear-loaded	Single-Family Residential Detached	40' to 45'	~~5'~~ 10'	~~5'~~ 10'
45' Lot: rear-loaded	Single-Family Residential Detached	45' to 50'	~~5'~~ 10'	~~5'~~ 10'
50' Lot: rear-loaded	Single-Family Residential Detached	50' to 55'	10'	10'
50' Lot: front-loaded	Single-Family Residential Detached	50' to 55'	10'	10'
55' Lot: rear-loaded	Single-Family Residential Detached	55' to 60'	10'	10'
55' Lot: front-loaded	Single-Family Residential Detached	55' to 60'	10'	10'
60' Lot: rear-loaded	Single-Family Residential Detached	60' to 65'	10'	10'
60' Lot: front-loaded	Single-Family Residential Detached	60' to 65'	10'	10'
65' Lot: rear-loaded	Single-Family Residential Detached	65' to 70'	10'	10'
65' Lot: front-loaded	Single-Family Residential Detached	65' to 70'	10'	10'
70' Lot: front-loaded	Single-Family Residential Detached	70' to 80'	10'	10'

		Encroachments
Side Yd.	**Rear Yd.**	
~~4'~~ 5'	5'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
5'	5' to ~~15'~~ 10'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
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Lot Type	Uses	Lot Width	Minimum Setbacks to Habitable Space	
			Front	Street Side
80' Lot: front-loaded	Single-Family Residential Detached	80' to 100'	~~17'~~ 10'	~~17'~~ 10'
100' Lot: front-loaded	Single-Family Residential Detached	100' to 110'	~~21'~~ 10'	~~21'~~ 10'
Estate Lot: rear-loaded	Single-Family Residential Detached	111' to 250'	25'	30'
Estate Lot: front-loaded	Single-Family Residential Detached	111' to 250'	25'	30'
Courtyard Lots	Single-Family Residential Detached	65'	10'	~~6'–15'~~ 5' (to court centerline)
Green Court	Single-Family Residential Detached	32' to 38'	10'	~~15'~~ 10'
Secondary Residential Units	Single-Family Residential Detached	Varies	Varies	Varies

		Encroachments
Side Yd.	**Rear Yd.**	
~~8'~~ 5'	~~5'~~ to ~~20'~~ 10'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace and/or Media Nook:** 2' into the Street Side and Side Yard Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
~~10'~~ 5'	5' to ~~30'~~ 10'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace and/or Media Nook:** 2' into the Street Side and Side Yard Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
20'	30'	**Porches:** 5 feet into front yard and Street Side Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
20'	30'	**Porches:** 5 feet into front yard and Street Side Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
5' ~~to 6'~~	5'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace:** 2' into the Street Side Setback Zone only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
~~4'~~ 5'	5'	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace and/or Media Nook:** 2' into the Street Side and Side Yard Setback Zone only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only
Varies	Varies	**Balconies:** 5' into the Street Side Setback only **Bay Windows:** 2' into the Street Side Setback only **Fireplaces:** 2' into the Street Side Setback only **Air Conditioning Units:** 4' into Street Side and Side Yard Setback only

RESIDENTIAL DEVELOPMENT STANDARDS

Development Standards	Residential Mixed (Front-Loaded Lots, Detached)
Lot Size	4,500 sq ft min
Lot Width	50 ft min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35' at the front property line
Lot Depth	80 ft min.
Front Yard Setback	10 ft. min. Face of garage: 18 ft min.
Interior Side Yard Setback	5 ft min.
Street Side Yard Setback	10 ft min.
Rear Yard Setback	House: 10 ft min. Garage: 5 ft min.
Height	35 ft max.
Lot Coverage	55% max.
Open Space in Rear of front-loaded lots and Interior Yard of rear-loaded lots	No requirement
Distance Between Accessory Buildings	No requirement
Distance Between Main Building and Accessory Building	No requirement
Shade Structures and Detached Accessory Buildings	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]
Encroachment [1]	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.

[1] Only permitted if not encroaching into a public utility easement.
[2] This exception to minimum setbacks does not apply to garages.

Residential Mixed (Rear-Loaded Lots, Detached)	Residential Estate
2,400 sq ft min.	1 acre min.
30 ft min.	180 ft. min.
80 ft min.	180 ft min.
10 ft min. Garages shall be within rear 1/3 of the lot accessed from alley	25 ft min.
5 ft min.	20 ft min.
10 ft min.	30 ft min.
House: 10 ft min. Garage: 5 ft min.	30 ft min.
35 ft max.	35 ft max.
55% max.	30% max
No requirement	No requirement
No requirement	No requirement
No requirement	10 ft min.
Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum rear setback and interior side yard setback is 0 ft. [2]
Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yards.	Not Permitted

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ARCHITECTURAL PATTERNS

The Architectural Patterns Section for Detached Residential units illustrates key elements and design strategies for the six permitted traditional styles for Ellis Residential architecture. This section provides detailed guidelines for designing within the prescribed styles while creating well-defined variations among houses and buildings. The approach used is not intended to be a comprehensive catalog of all possibilities, but rather to serve as a guide to the key components within a particular style.

Each style section begins with an overview and general description of the style followed by several pages that document key massing types, standard door and window compositions, and materials and possibilities for facade design based upon Ellis Pattern Book components. Variations or other alternative combinations of components are permitted so long as they generally conform to the particular style. The goal is to design within specific families of styles that are appropriate to the Ellis context, not to design historic reproductions. The style pages and the illustrated details are meant to be a menu of options for designing houses in response to market demands and cost constraints while providing a consistent quality of character and detail.

ELLIS CRAFTSMAN

Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in robust color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For houses in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

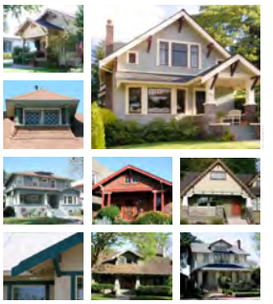
Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are lay cladding elements. This style also may include separated metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door composition.



GALLERY OF EXAMPLES



ELLIS REVIVAL

The Ellis Revival style is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The houses are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



GALLERY OF EXAMPLES



ELLIS FARMHOUSE VICTORIAN

The Ellis Farmhouse Victorian style builds on the early Carpenter Gothic cottages built in the western region of the United States from early pattern books. While the Victorian style became fashionable in the 1860s in the Bay Area, its popularity grew and spread eastward from San Francisco. Style books published by Andrew Jackson Downing were the source of many early examples. Publications such as *The Horticulturist* influenced the preferences of the public and provided an especially dramatic contrast to the inherited Spanish and adobe building types prevalent at the time. Many early religious camp settlements adopted the style with more and more exotic variations that included Eastlake, Queen Anne, and Italianate detailing.

The Farmhouse Victorian style is centered on simple, elegant forms to create more informal houses on small lots.

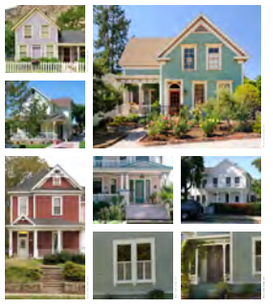
This style has expressive porch elements, decorative trim elements, and vertical windows and doors.

COMMON ELEMENTS OF ELLIS FARMHOUSE VICTORIAN

- Moderate to steeply pitched, front-facing gable roofs.
- Cut wood ornament, often with natural forms such as leaves and vines.
- Clapboard or cut shingle siding.
- Vertical proportions for windows and doors.
- Bay and cutaway bay windows.



GALLERY OF EXAMPLES



ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables. Dormers — gable, hip, and shed — are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

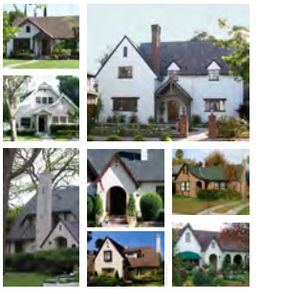
Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and elaborate pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES



ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double-hung Colonial windows and doors.
- Multi-pane window appearance, wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing, projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES



ELLIS SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long sprawling masses of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character), covered patios, loggias, or cloisters, and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handtrowled/ finished appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES



ELLIS CRAFTSMAN

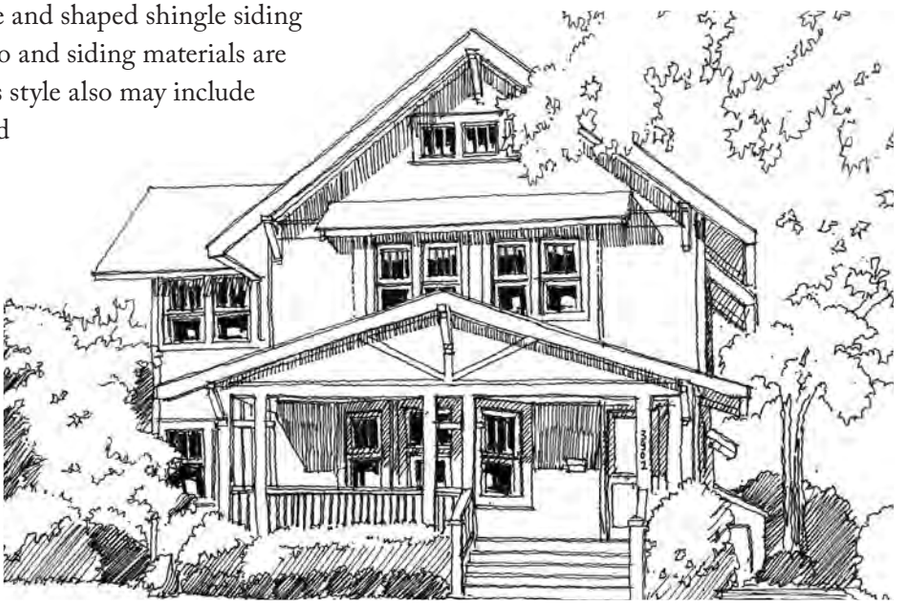
Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in robust color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For houses in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.



GALLERY OF EXAMPLES







Photo Credit: Design Lens













MASSING AND COMPOSITION

A TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 4 to 7 in 12. Hipped front porches are common and have a shallower roof pitch. Porches may be either additive or a single integral bay.

B ONE-AND-ONE-HALF-STORY SIDE GABLE

Square volume with a 4 to 5 in 12 side gabled roof. Integral front porch that ranges from half to the full length of the front facade. Symmetrically placed gabled or shed dormers with 4 in 12 roof pitch.

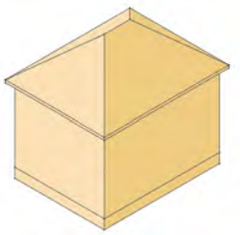
C TWO-STORY GABLE L

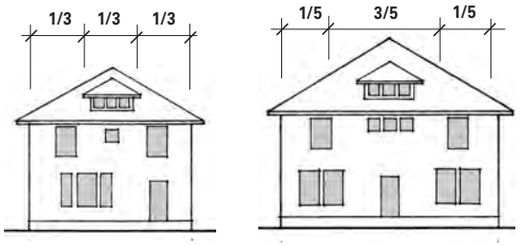
Cross-gabled volume with a 4 in 12 gable facing the street. Often an in-line gabled porch or wing is added to the front left of the L. Porches may also be located between the legs of the L.

D ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON

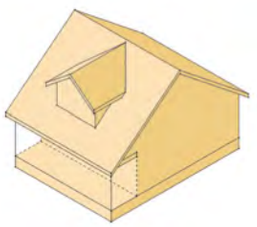
Rectangular volume with a 4 to 5 in 12 roof pitch and gable facing the street. Asymmetrically placed gable and front porch is common.

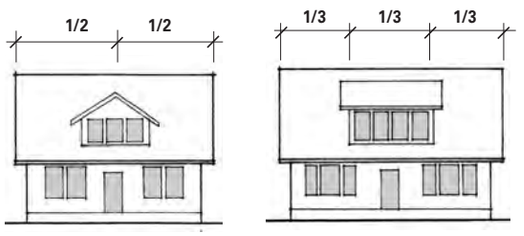
A TWO-STORY HIP



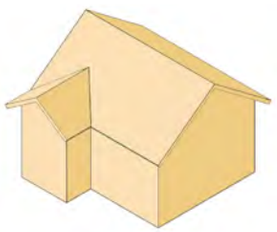


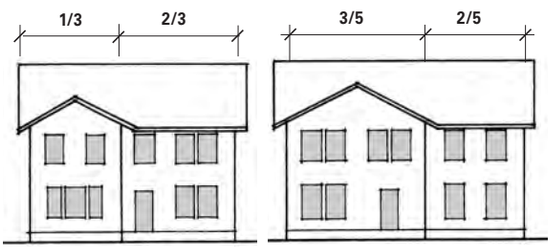
B ONE-AND-ONE-HALF-STORY SIDE GABLE



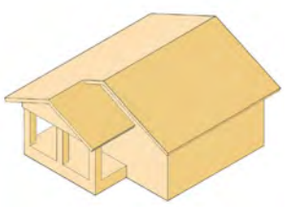


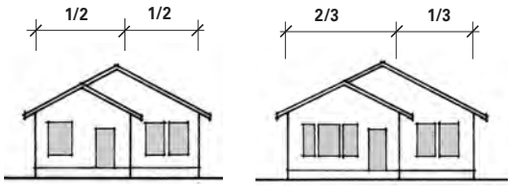
C TWO-STORY GABLE L

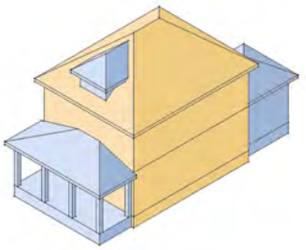




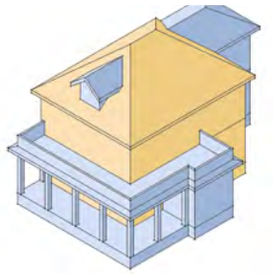
D ONE- AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON





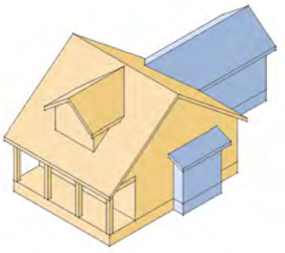


A1 Hipped roof with add-on porch, a rear wing and a street-facing dormer

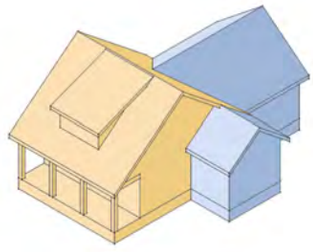


A2 Hipped roof with wraparound porch, a rear wing and a street-facing dormer



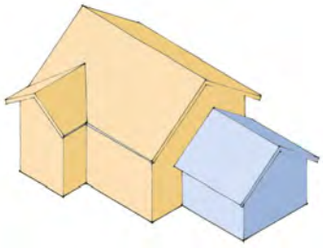


B1 Side gable with an integral porch, a rear wing and side bay window

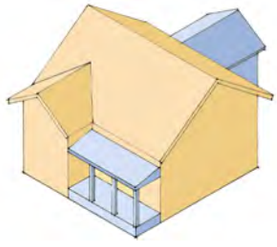


B2 Side gable with an integral porch, a rear wing and a side wing



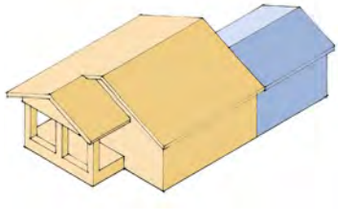


C1 Side gable L with side wing

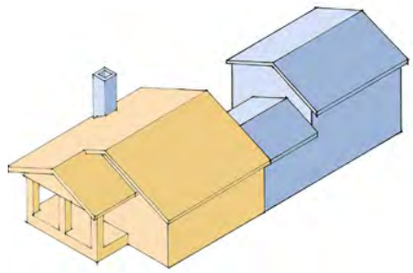


C2 Side gable with add-on porch and rear wing





D1 Front gable and add-on massing with rear wing



D2 Front gable and add-on massing with one-story connection to two-story carriage unit



POSSIBILITIES

PRECEDENTS

TWO-STORY HIP







ONE-AND-ONE-HALF-STORY SIDE GABLE







TWO-STORY GABLE L







ONE-AND-ONE-HALF-STORY FRONT GABLE WITH ADD-ON







MATERIALS

SIDING/CLADDING

» Wood shingle; fiber-cement clapboard, composite and/or stucco

» Lace finish not permitted

ROOFING

» Composition shingles, flat concrete tile, standing seam, or 5v crimp metal

WINDOWS

» Single- or double-hung

» Fixed accent windows (limited)

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum, or vinyl

» Traditional-looking profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS/BRACKETS

» Wood or composite

RAILINGS

» Wood or composite top and bottom rails with square balusters

» Solid railings of wood, fiber cement, cut shingle siding or manufactured stone veneer

SOFFITS AND PORCH CEILING

» Exposed rafters at soffits with starter board or v-groove sheathing

» T&G wood, beaded plywood, exterior-grade plywood, or stucco porch ceiling

GUTTERS

» Ogee or half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim or the stucco cladding

SHUTTERS

Not applicable

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match structure

FRONT YARD FENCES

» Wood, stone, or masonry with stucco finish

» Vinyl picket permitted

» Wrought iron or equivalent

REAR YARD FENCES

» Cedar, redwood, or masonry with stucco finish (if applicable)

» Vinyl and pressure treated wood are permitted

COLORS

SIDING AND TRIM

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

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COMMON ELEMENTS OF ELLIS FARMHOUSE VICTORIAN

- Moderate to steeply pitched, front-facing gable roofs.
- Cut wood ornament, often with natural forms such as leaves and vines.
- Clapboard or cut shingle siding.
- Vertical proportions for windows and doors.
- Box bay and cutaway bay windows.



GALLERY OF EXAMPLES



Photo Credit: Design Lens





Photo Credit: Design Lens



Photo Credit: Design Lens







Photo Credit: Design Lens



Photo Credit: Design Lens

MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume, often with a steeply-pitched, gabled dormer flush to the front facade. Front gable roof pitch is typically 4 to 12 in 12, and the side gable is less steeply pitched, typically 4 to 10 in 12. One- or two-story front porches often extend across the full front of the house.

B ONE-AND-ONE-HALF-STORY HIP L

One-and-one-half-story hipped volume with a one-story front or hipped gable extending beyond the main body. Roof pitches are typically 4 to 12 in 12. One-story integral or shed porches are most common.

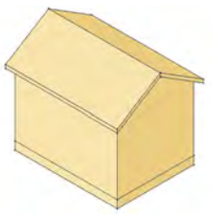
C TWO-STORY HIP L

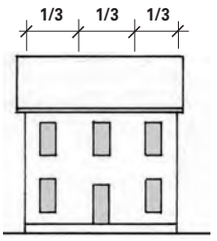
Two-story rectangular volume with hipped roof and a front gable which can extend beyond the front facade of the main body a maximum of 3 feet. Roof pitch is typically 4 to 12 in 12. A one- or two-story front wraparound porch with shed roof is common.

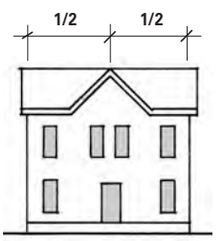
D GABLE L

Cross-gabled volume with a 4 to 12 in 12 gable facing the street. Cross-gable is typically equal or steeper than the roof of the primary mass and no wider than half that of the main body. This massing often has a gable porch emphasizing the entrance.

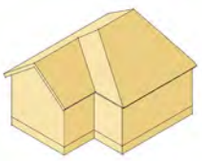
A TWO-STORY SIDE GABLE



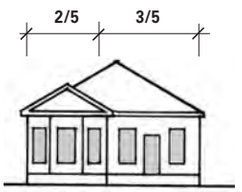




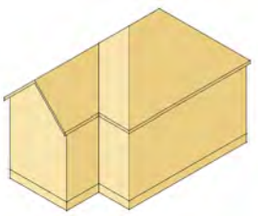
B ONE-AND-ONE-HALF-STORY HIP L

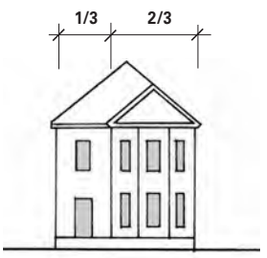


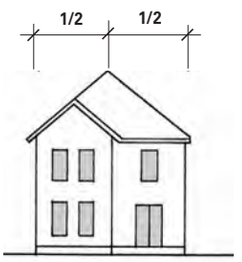




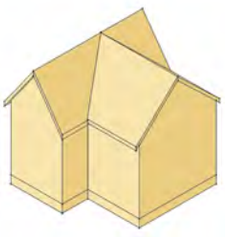
C TWO-STORY HIP L

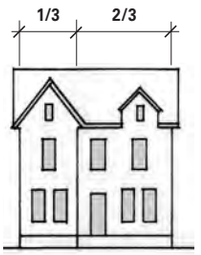


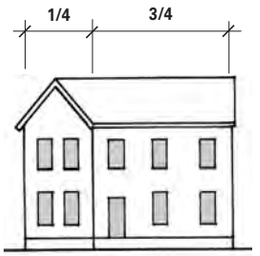


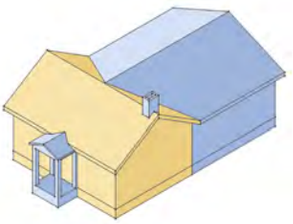


D GABLE L

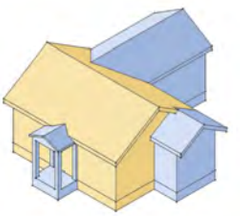








A1 Broad front with large rear wing, a chimney centered on gable ridge and a centered entry porch

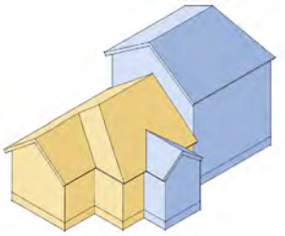


A2 Broad front with rear wing, a side wing and a centered entry porch



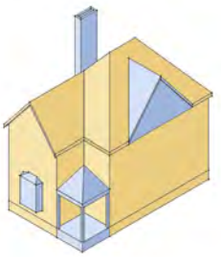


B1 One-story hip L with street-facing bay window and hipped-roof entry porch

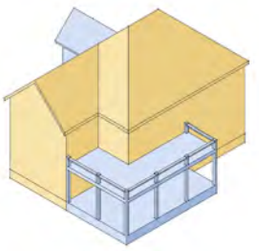


B2 One-story hip L with a side wing and two-story rear wing



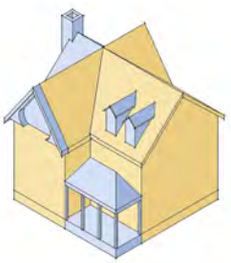


C1 Two-story hip L with side-facing gable dormer, a street-facing bay window, a chimney, and a hipped-roof entry porch

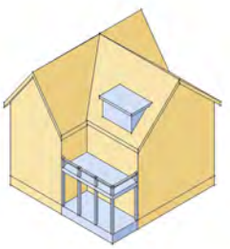


C2 Two-story hip L with a two-story wraparound porch, and a side wing





D1 Gable L with continuous cross gable and chimney, double street-facing dormers, hipped-roof entry porch, and glazing with street-facing projecting gable



D2 Gable L with continuous shed dormer and flat-roof entry porch



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







ONE-AND-ONE-HALF-STORY HIP L







TWO-STORY HIP L





Photo Credit: Design Lens



GABLE L







MATERIALS

SIDING/CLADDING

» Board and batten, wood, or fiber-cement clapboard

ROOFING

» Composite shingles

» Flat concrete tile

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Wood, composition board, cellular PVC, or polyurethane

COLUMNS

» Turned or built-up wood, or composite

RAILINGS

» Wood or composite top and bottom rails with straight, turned, or scroll cut balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, or exterior-grade plywood

GUTTERS

» Half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite material, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Manufactured stone or brick veneer or siding to match house

FRONT YARD FENCES

» Wood picket, prefinished metal, or stone

» Vinyl picket permitted

REAR YARD FENCES

» Cedar or redwood

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

ELLIS REVIVAL

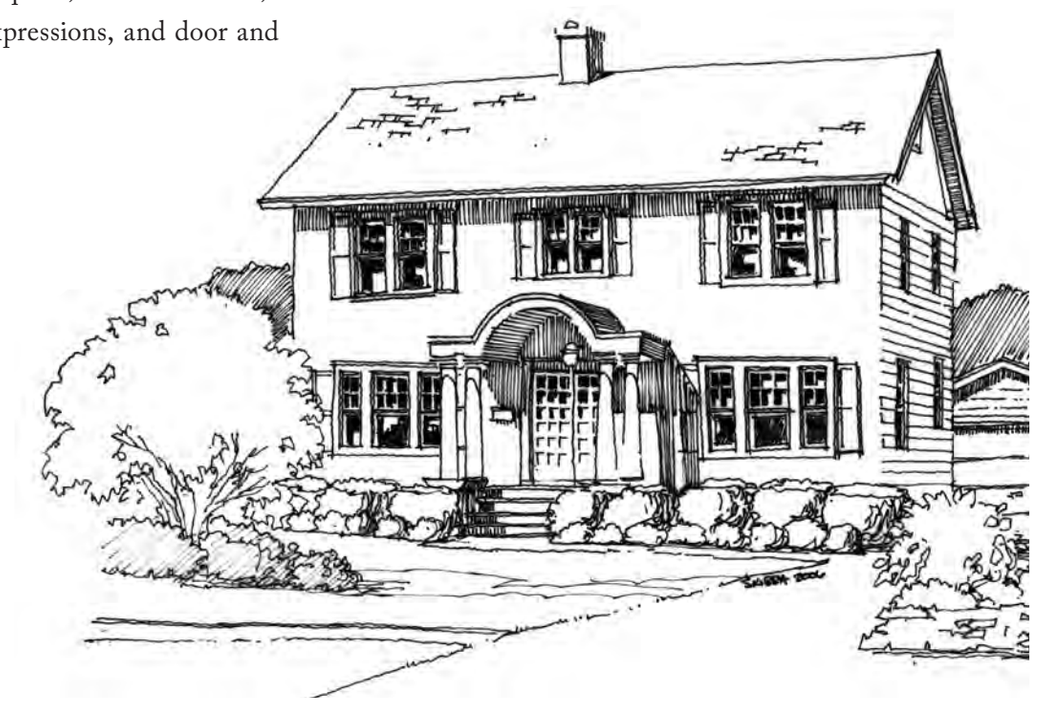
The Ellis Revival style is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The houses are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



GALLERY OF EXAMPLES













MASSING AND COMPOSITION

A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

Side-gabled or hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. Dormer windows and shed roofs are often present in the roof form. Porches are additive structures that may cover all or part of the front facade.

B TWO-STORY HIP

Hipped rectangular volume. Hip roof pitch is typically 4 to 10 in 12. One-story hipped front porches are common and have a shallower roof pitch. Porches vary between covering the full facade and defining the central portico.

C TWO-STORY FRONT GABLE

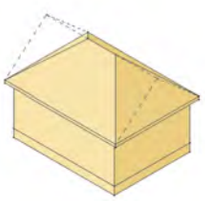
Front-gabled rectangular volume. Gable roof pitches range from 4 to 10 in 12. As with other massing, stoops and hipped front porches are common. Porches are most often one-story. Integral two-story porches are reserved for front-gabled houses no greater than 30 feet wide.

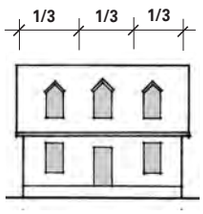
D ONE-AND-ONE-HALF-STORY GAMBREL

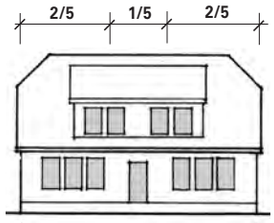
(Not required, but possible accent articulation)

Rectangular volume with a gambrel roof parallel to the street. Roof pitch is nearly vertical on the lower slope and 4 to 6 in 12 at the top. One-story temple front porches centered on the facade extending one-third to one-fourth of the front are typical. Shed roofs are present in the bottom portion of the gambrel roof and dormer windows are also common.

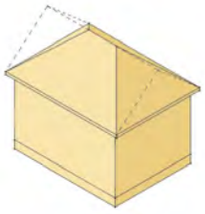
A ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP

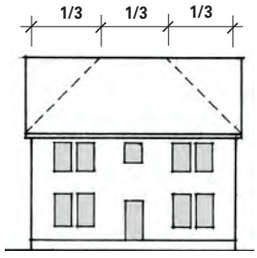


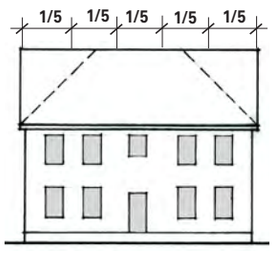




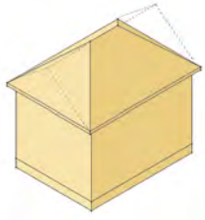
B TWO-STORY HIP

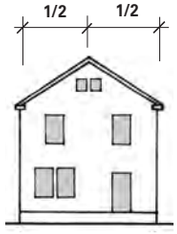


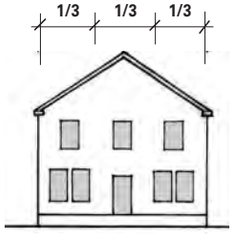




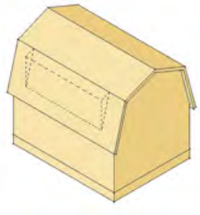
C TWO-STORY FRONT GABLE

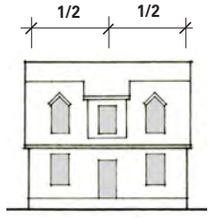


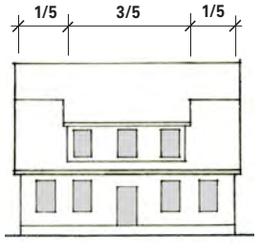


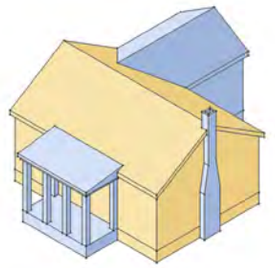


D ONE-AND-ONE-HALF-STORY GAMBREL

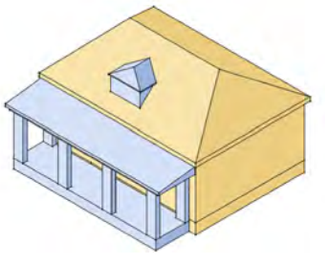






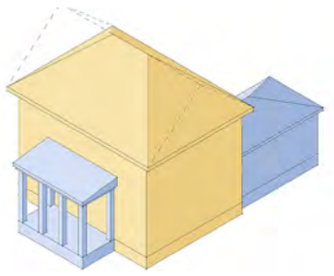


A1 Broad front with add-on porch, a rear wing, and a fireplace

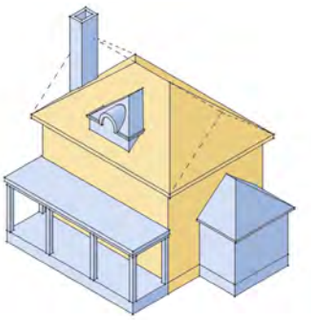


A2 Broad front hipped roof with add-on full front porch and dormer window



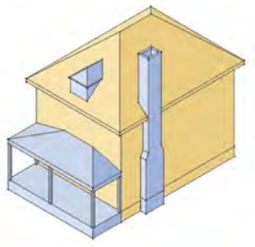


B1 Broad front hipped roof with add-on central porch and hipped rear wing

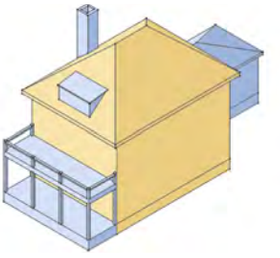


B2 Broad front hipped roof with add-on full front porch, a side wing, a central hipped dormer, and a fireplace



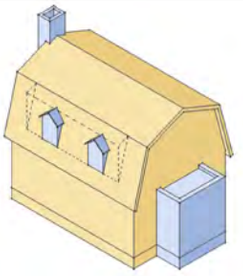


C1 Narrow front hipped roof with add-on full front porch, a central dormer, and a fireplace

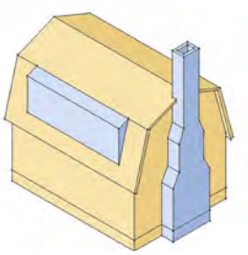


C2 Narrow front hipped roof with add-on full front porch, a central shed dormer, a rear wing, and a fireplace





D1 Broad front gambrel with dormers, a roofed side wing, and a fireplace



D2 Broad front gambrel with a broad shed dormer and a prominent fireplace



POSSIBILITIES

PRECEDENTS

ONE-AND-ONE-HALF-STORY SIDE GABLE AND HIP







TWO-STORY HIP







TWO-STORY FRONT GABLE







ONE-AND-ONE-HALF-STORY GAMBREL







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Lace finish not permitted

ROOFING

» Composition shingles or concrete tile with flat profile

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS

» Wood, or composite with Classical entasis and proportions
» Use Tuscan, Doric, or Ionic orders

RAILINGS

» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish (if applicable)
» Vinyl picket also permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables. Dormers — gable, hip, and shed — are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES

















Photo Credit: Design Lens

MASSING AND COMPOSITION

A TWO-STORY BASIC

Rectangular two-story volume with an 4 to 10 in 12 roof pitch. Cross gable entry piece in 4 to 16 in 12. Only one cross gable permitted, often expressed in plan.

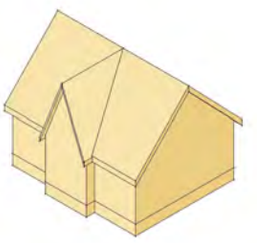
B TWO-STORY ASYMMETRICAL GABLE-FRONT L

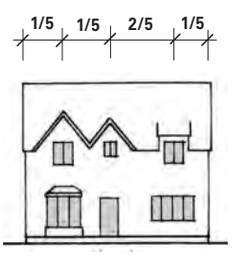
Rectangular two-story volume with a main body roof of 4 to 12 in 12 with either a gable or a hipped roof. Cross-gable volume with a 4 to 16 in 12 roof. Cross gable is asymmetrical and contains an inset entry porch. At times, the roof may transition to a shallower pitch over the entry porch.

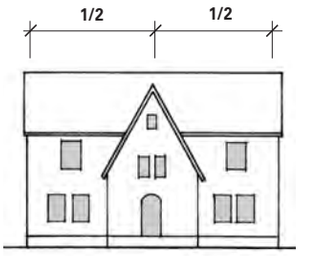
C SIDE GABLE WITH DOMINANT CROSS-GABLE

Rectangular two-story volume with an 4 to 10 in 12 roof pitch. One dominant cross gable organizes composition with a 4 to 16 in 12 pitch. Secondary and tertiary gables in the primary roof mass, or as dormers, are common. Element roof may be gable, hip, or partial hip. Front entry is often inset into building mass.

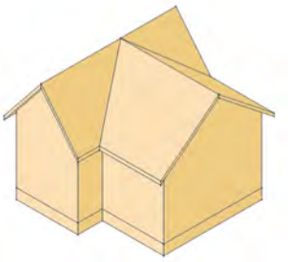
A TWO-STORY BASIC

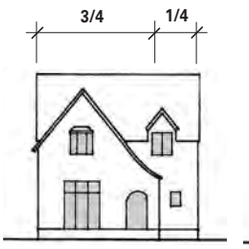


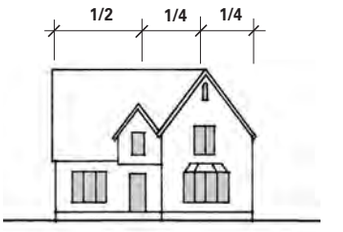




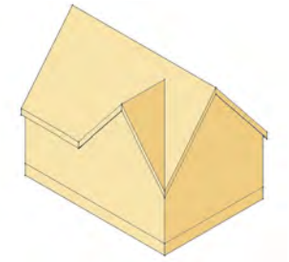
B TWO-STORY ASYMMETRICAL GABLE-FRONT L

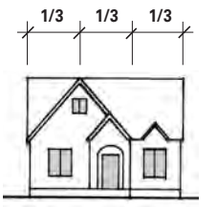


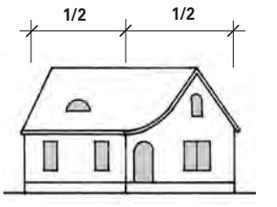


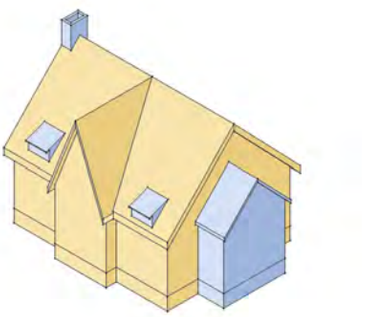


C SIDE GABLE WITH DOMINANT CROSS-GABLE

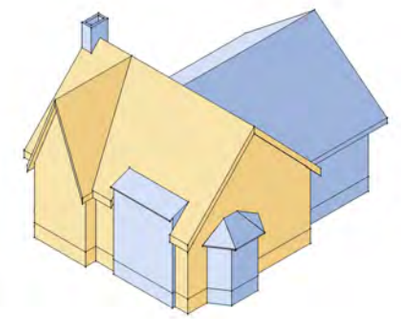






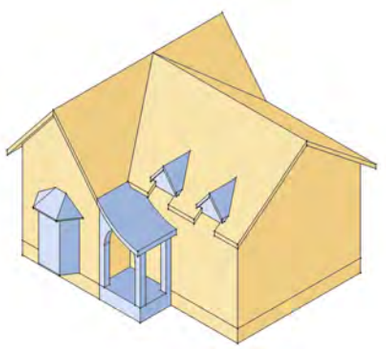


A1 Side gable with symmetrically placed dormers, a chimney centered on the gable ridge and a side wing

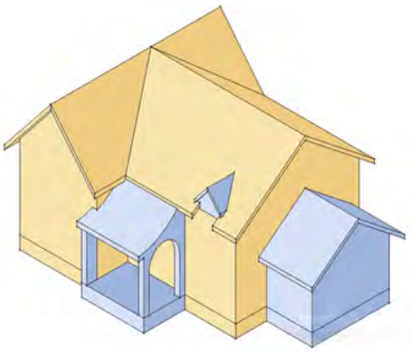


A2 Side gable with off-center cross gable, street-facing dormer, a chimney centered on the gable ridge, a side bay window, and rear wing



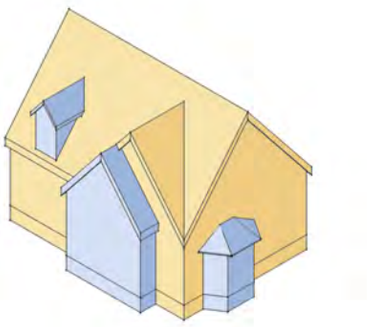


B1 Side gable L with street-facing bay window, street-facing dormers and inset entry porch

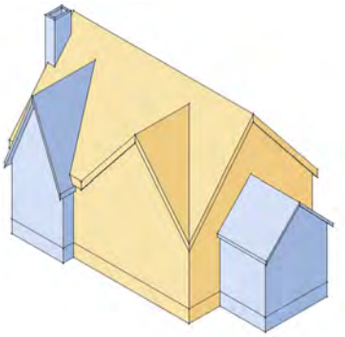


B2 Side gable L with street-facing dormer, a side wing and entry porch





C1 Side gable with nested street-facing gable, a street-facing dormer and side bay window



C2 Side gable with multiple street-facing gables, a chimney placed off-center of gable and a side wing



POSSIBILITIES

PRECEDENTS

TWO-STORY BASIC







TWO-STORY ASYMMETRICAL GABLE-FRONT L







SIDE GABLE WITH DOMINANT CROSS-GABLE







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco

» Half-timbering for second-story accents

ROOFING

» Composition shingles, concrete tile with flat profile, or manufactured slate

WINDOWS

» Single- or double-hung and casement

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, cast stone, polyurethane, or fiber cement

COLUMNS

» Wood or composite

RAILINGS

» Ornamental metal preferred

» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round

» Primed or prefinished metal

» PVC is acceptable in a color that matches trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite materials, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

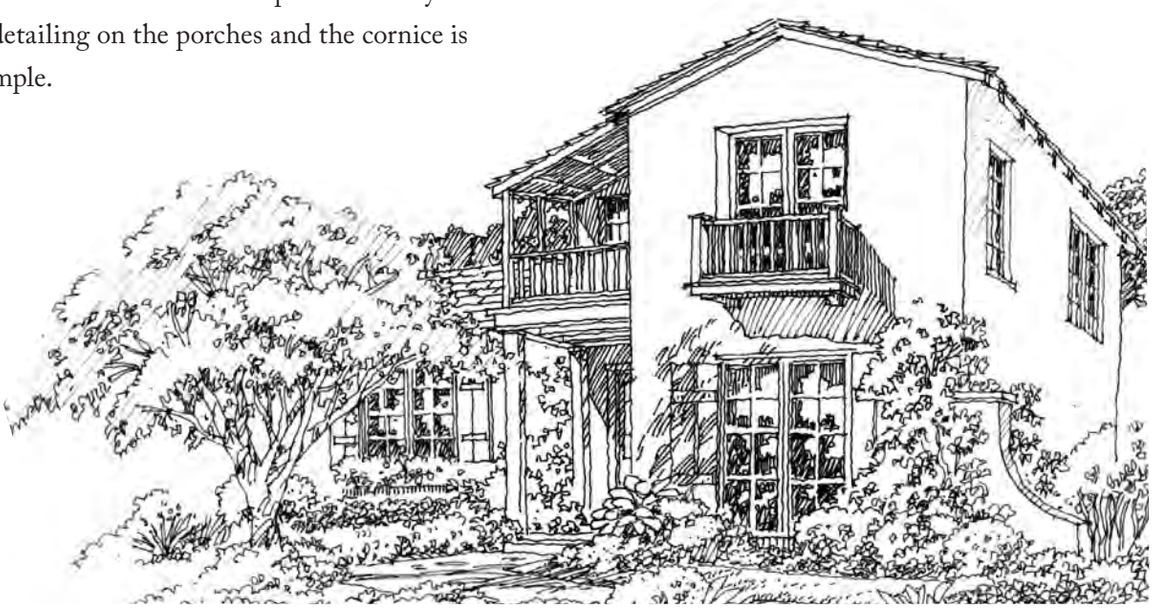
ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double-hung Colonial windows and doors.
- Multi-pane window appearance, wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing, projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES













MASSING AND COMPOSITION

A TWO-STORY SIDE GABLE

Rectangular volume with a 4 to 6 in 12 roof pitch and gable or hip parallel to the street. Second floor, full-front projecting balconies or two-story full-front porches are encouraged with this massing.

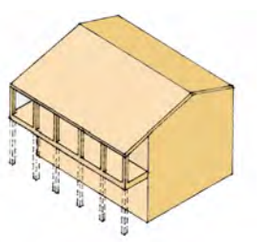
B TWO-STORY CROSS-GABLE

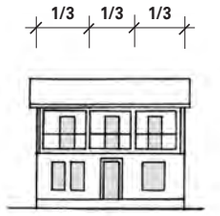
Cross-gabled volume with a 4 in 12 gable or hip facing the street. The width of the bay facing the street is typically two-fifths that of the main body. Often an in-line gabled or hipped wing added to the front leg of the L. Cantilevered balconies are encouraged.

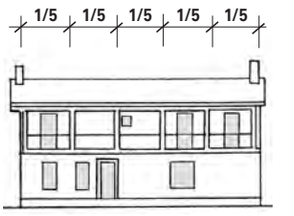
C TWO-STORY FRONT GABLE L

L-shaped volume perpendicular to the street with second-story cantilevered side porch. Hipped and gabled roofs with a 4 in 12 pitch are both permitted.

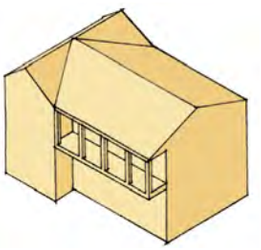
A TWO-STORY SIDE GABLE



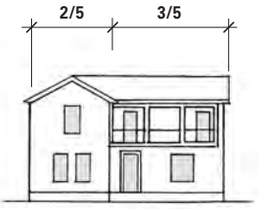




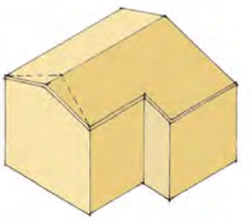
B TWO-STORY CROSS-GABLE

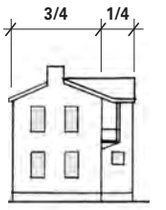


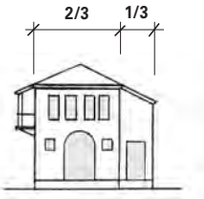


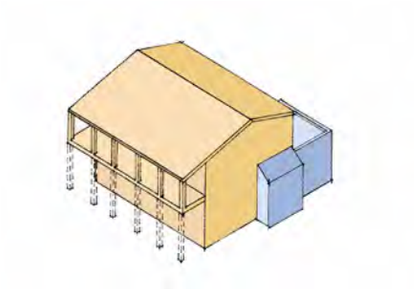


C TWO-STORY FRONT GABLE L

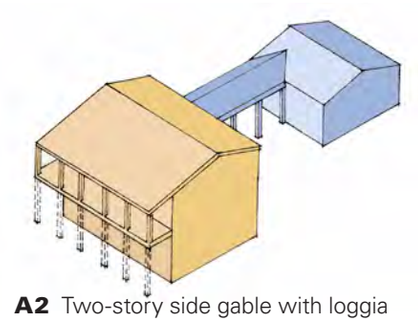






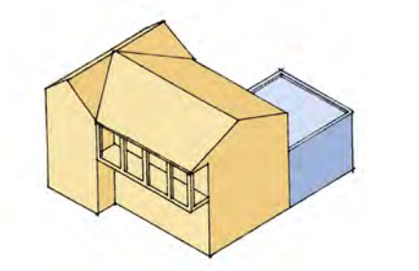


A1 Two-story side gable with a rear wing and a fireplace

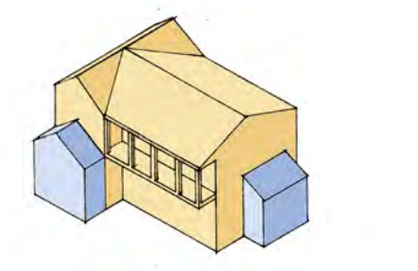


A2 Two-story side gable with loggia connecting to garage



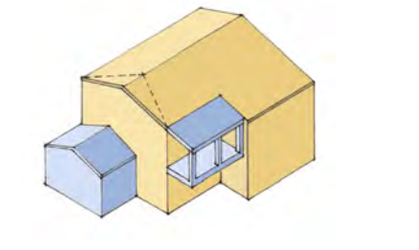


B1 Two-story cross-gable with rear wing added

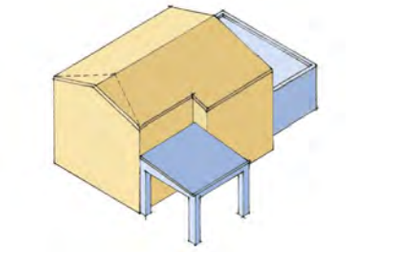


B2 Two-story cross-gable with a front projecting bay and a bay window





C1 Two-story front gable L with add-on entry bay and a cantilevered side porch



C2 Two-story front gable L with a rear wing and a port cochère



POSSIBILITIES

PRECEDENTS

TWO-STORY SIDE GABLE







TWO-STORY CROSS-GABLE

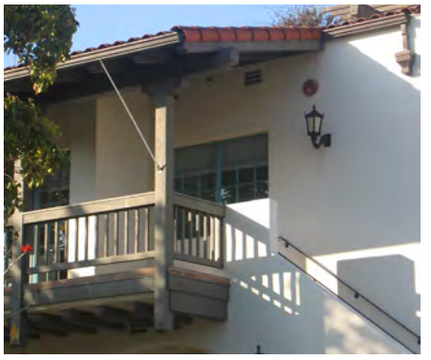






TWO-STORY GABLE FRONT L







MATERIALS

SIDING/CLADDING

» Stucco and optional second floor wood or fiber-cement clapboard

» Lace finish not permitted

ROOFING

» Concrete tile in flat or barrel profile, multiple stacked tile at eaves.

» Architectural asphalt shingles also permitted

WINDOWS

» Single or double-hung, casement, and picture units, energy-efficient wood, PVC clad, aluminum-clad, cellular PVC, aluminum or vinyl with traditional wood profiles

COLUMNS

» Stucco or composite

BALCONIES

» Wood, corbelled stucco with metal railings, or fiber cement

RAILINGS

» Wood or fiber cement top and bottom rails with square or turned balusters

EAVES

» Starter board or v-groove sheathing

EXTERIOR CEILINGS

» Plank and beam, or stucco

GUTTERS

» Half-round metal or PVC

» Fascia gutter also permitted

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat panel, louvered, or plank, in wood or composite material or a colored vinyl

CHIMNEYS

» Stucco

FRONT YARD FENCES

» Masonry with stucco finish, wrought iron accents permitted

» Wrought iron or aluminum permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WALLS/FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS SPANISH COLONIAL

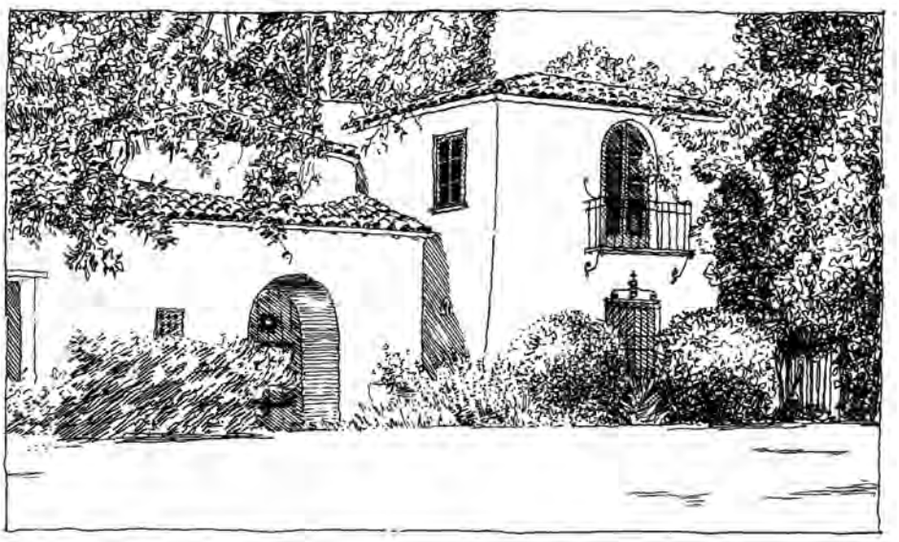
California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long spreading sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character); covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handmade/formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES









Photo Credit: Design Lens



Photo Credit: Design Lens



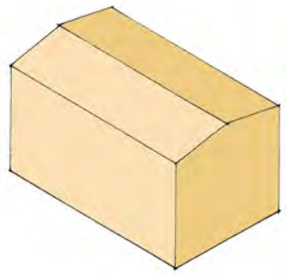
MASSING AND COMPOSITION

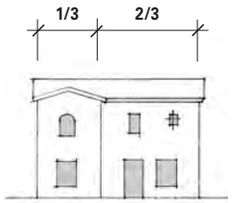
A TWO-STORY SIDE GABLE
Rectangular volume with a 3.5 in 12 roof pitch and gable or hip parallel to the street. Inset patios on first floor are common.

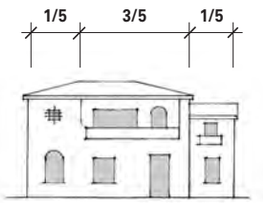
B ONE-STORY FRONT GABLE L
One- or two-story main body with a 3.5 in 12 roof pitch, and a one-story projecting wing with a gable which faces the street. Inset loggias are encouraged.

C TWO-STORY FRONT GABLE L
One- or two-story main body with a 3.5 in 12 roof pitch, and a two-story projecting wing with a gable which faces the street. The width of the street-facing bay is typically two-fifths that of the main body. Inset patios or loggias are encouraged.

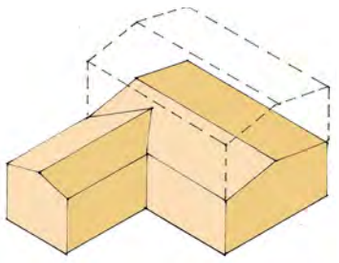
A TWO-STORY SIDE GABLE

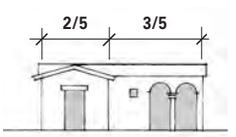


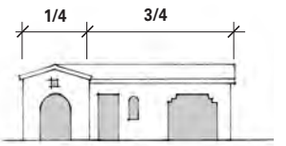




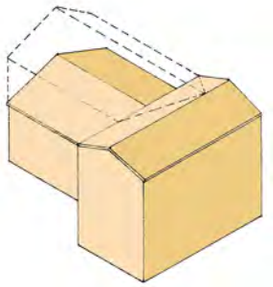
B ONE-STORY FRONT GABLE L



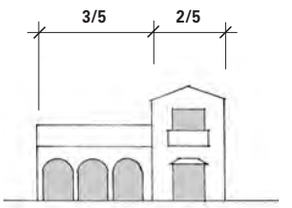


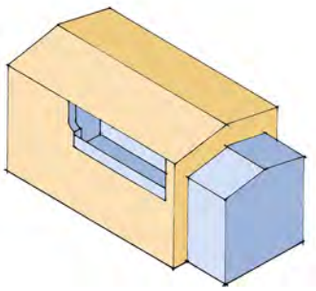


C TWO-STORY FRONT GABLE L

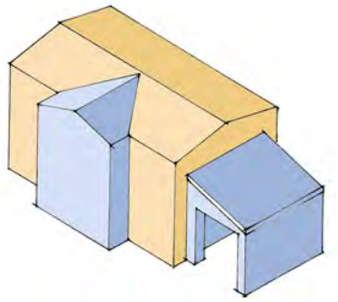






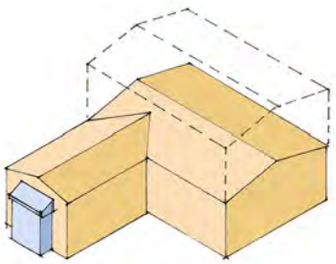


A1 Two-story side gable with inset porch and attached side wing

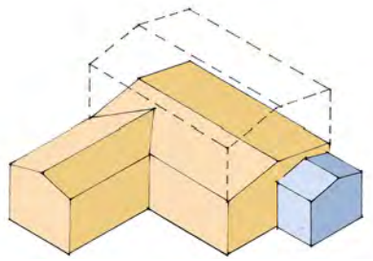


A2 Two-story side gable with attached side garage and two-story central bay



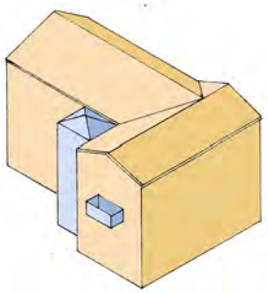


B1 One-story front gable L with side wing attached off-center

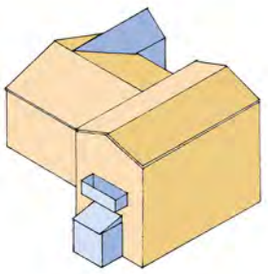


B2 One-story front gable L with protruding entry piece





C1 Two-story front gable L with street-facing balcony and a tower at the intersection of the L



C2 Two-story front gable L with street-facing window and balcony, and additional rear wing



POSSIBILITIES

PRECEDENTS

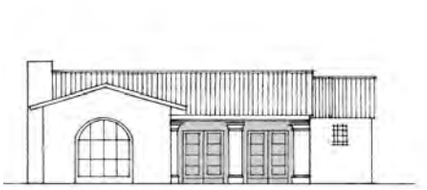
TWO-STORY SIDE GABLE







ONE-STORY FRONT GABLE L







TWO-STORY FRONT GABLE L







MATERIALS

SIDING/CLADDING

» Stucco with handmade/formed appearance; skip-trowel not allowed

ROOFING

» Terra cotta barrel tile

» Multiple stacked tile at eaves

WINDOWS

» Energy-efficient wood, PVC clad, aluminum-clad, or aluminum

» True divided light appearance (¾-inch horizontal exterior muntins)

» Grilles shall be solid stock or wrought iron

COLUMNS AND ARCHES

» Stucco (square, rectangular, or round), or round cast stone/concrete

EXTERIOR STAIRS

» Terra cotta pavers for treads with stucco or decorative tile

» Risers, sloped or stepped stucco walls as guard-railing. Solid-stock metal rails with a wrought iron appearance are also permitted.

BALCONIES

» Metal with a wrought iron appearance or stucco with metal railings

EAVES

» V-groove sheathing with wood appearance

» Open eaves with wood appearance for rafter tails and soffit

» Stucco molded eaves are permitted.

EXTERIOR CEILINGS

» Plank and beam

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Flat paneled

» Plank

» Wrought iron hinges, shutter dogs encouraged

CHIMNEYS

» Stucco with handmade/formed appearance

FRONT YARD FENCES

» Prefinished metal, or masonry

REAR YARD FENCES

» Painted wood, prefinished metal, or masonry

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

PHOTOVOLTAIC PANEL GUIDELINES

Photovoltaics may be used in the community. Multiple application techniques are possible:

A ROOF MOUNT

Photovoltaics are mounted a few inches above the roof structure, during the initial installation of the roof. Choices about where to site panels are based on building orientation~~,~~ and surface pitch~~, and public view~~.

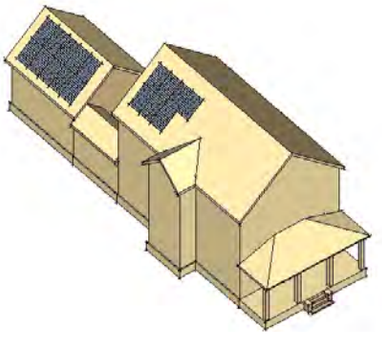
B BUILDING INTEGRATED PV ARRAY (BIPV)

Applications of photovoltaic panels may be integral to the building system. Roof materials with PV cells can replace traditional roofing materials, as long as they are stylistically appropriate. ~~BIPV's should be placed on garage and private-facing surfaces.~~

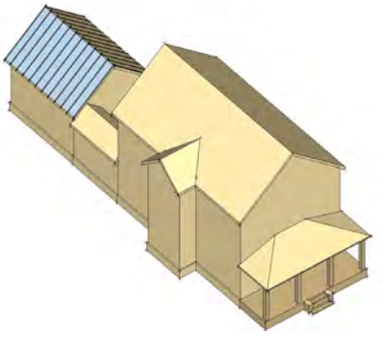
C SHADE STRUCTURE

Photovoltaic panels may be applied to roof shade structures on private lots or in public parks and spaces. The application may be either mounted or integral~~, however, special attention must be paid to the handling of wires and ensuring that the panels are not visible from public view~~.

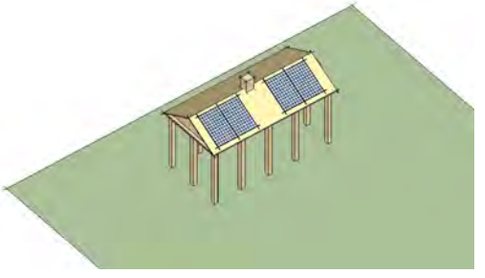
A ROOF MOUNT



B BUILDING INTEGRATED PV ARRAY (BIPV)



C SHADE STRUCTURE



	Flat	4:12	7:12	12:12	21:12	Vertical
South						
SSE, SSW						
SE, SW						
ESE, WSW						
East/West						

The graph to the right shows the optimal building orientation and photovoltaic panel pitch to maximize electrical energy generation





DESIGN CONSIDERATIONS

» Place panels on southern-most facing roof surfaces whenever possible for optimal efficiency. Pitch of roof determines optimal solar capture (see chart on page 2|116).

» ~~Photovoltaic panels may not be used on front or street facing elevations~~

» ~~Prioritize garages and roofs facing private yards~~





DESIGN CONSIDERATIONS

» Material replacement can include standing seam metal, masonry tiles, and shingles

» Color and material should be follow guidelines for each style

» ~~Photovoltaic panel systems may not be used on front or street facing elevations~~





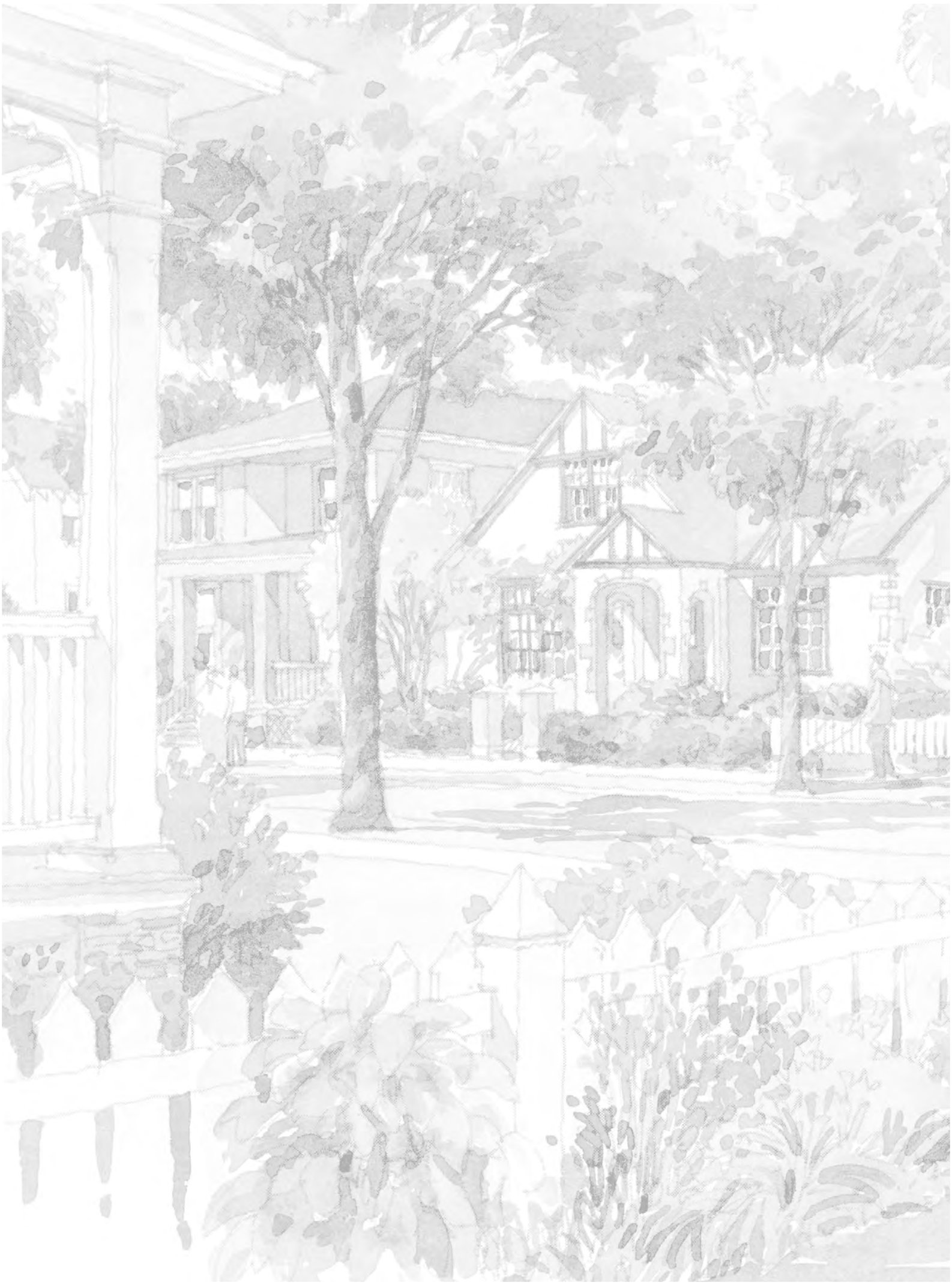
DESIGN CONSIDERATIONS

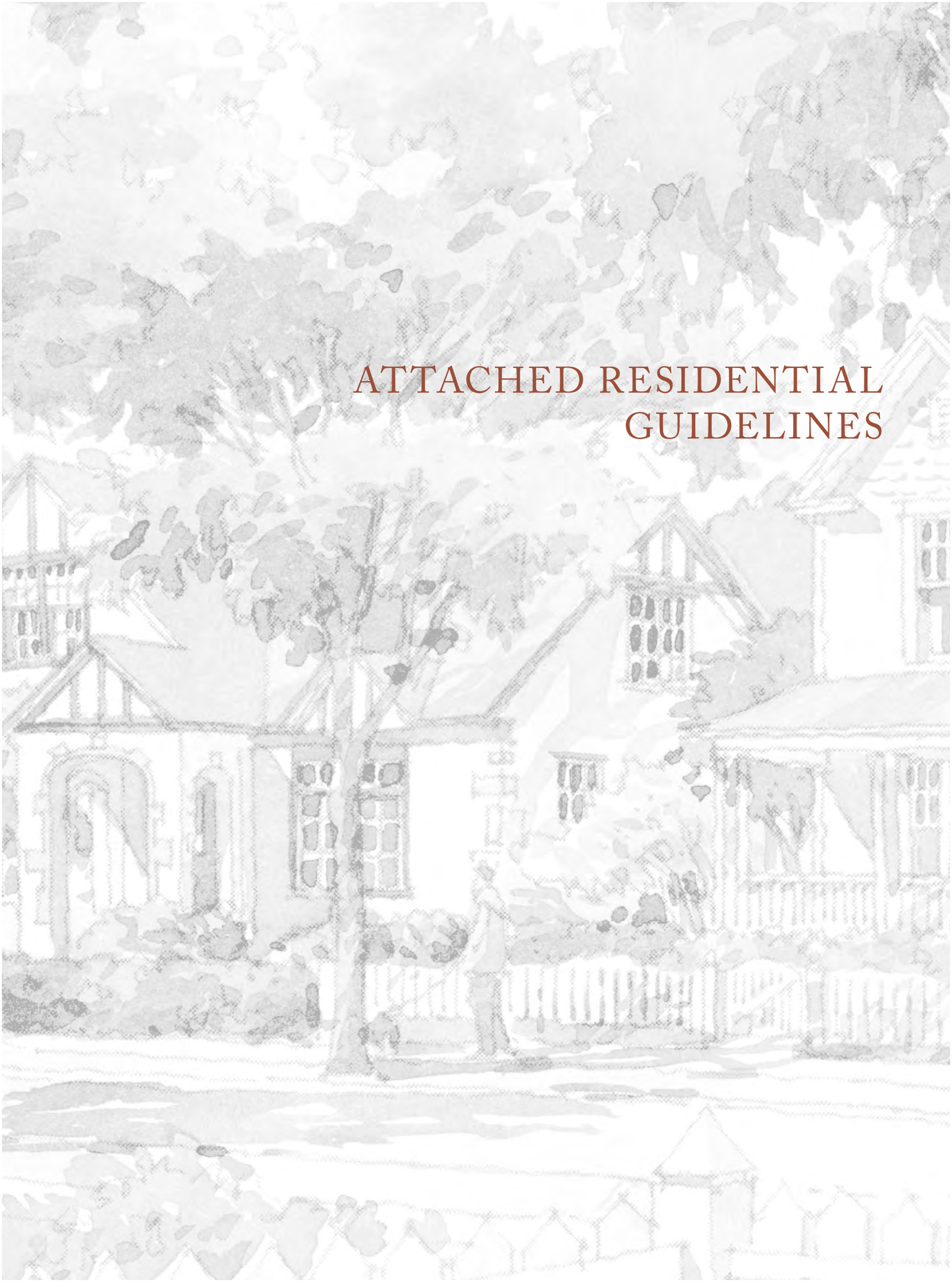
» ~~Photovoltaic panel systems may not be used on front or street facing elevations~~

» Wiring underneath panels must be carefully concealed

» Vines and plantings must be trimmed and kept separate from wiring

» May include shading devices over rear or side porches



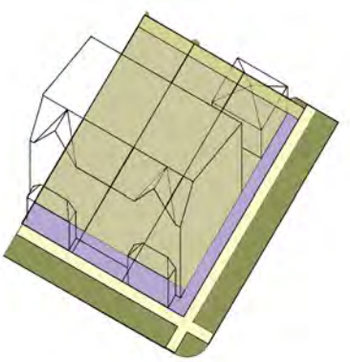


ATTACHED RESIDENTIAL GUIDELINES

COMMUNITY PATTERNS

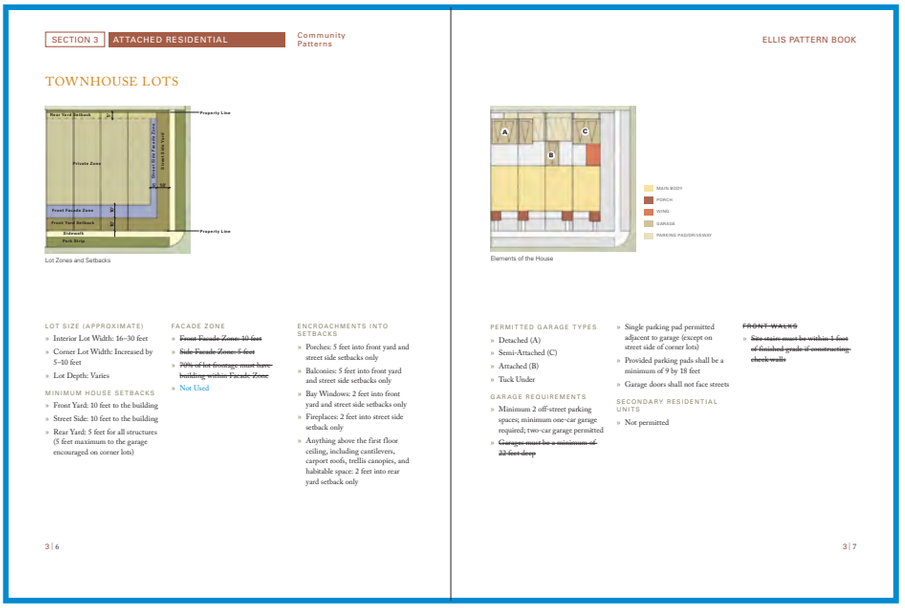
This Community Patterns section contains specific requirements for placing Attached Residential buildings on lot types within the plan. These guidelines were developed as part of the master planning process and are meant to ensure that the diversity and character of Ellis called for in the Modified Ellis Specific Plan is implemented and maintained.

All housing designs and site plans must be reviewed and approved via the Ellis Design Review process set forth in the Modified Ellis Specific Plan, Section 6: Plan Review.





View of a residential address at Ellis



SECTION 3 ATTACHED RESIDENTIAL Community Patterns

TOWNHOUSE LOTS

Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)
- Interior Lot Width: 16–30 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Varies

MINIMUM HOUSE SETBACKS
- Front Yard: 10 feet to the building
- Street Side: 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE
- ~~Front Facade Zone: 10 feet~~
- ~~Side Facade Zone: 5 feet~~
- ~~70% of lot frontage must have building within Facade Zone~~
- Not Used

ENCROACHMENTS INTO SETBACKS
- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only

3 | 6

ELLIS PATTERN BOOK

Elements of the House

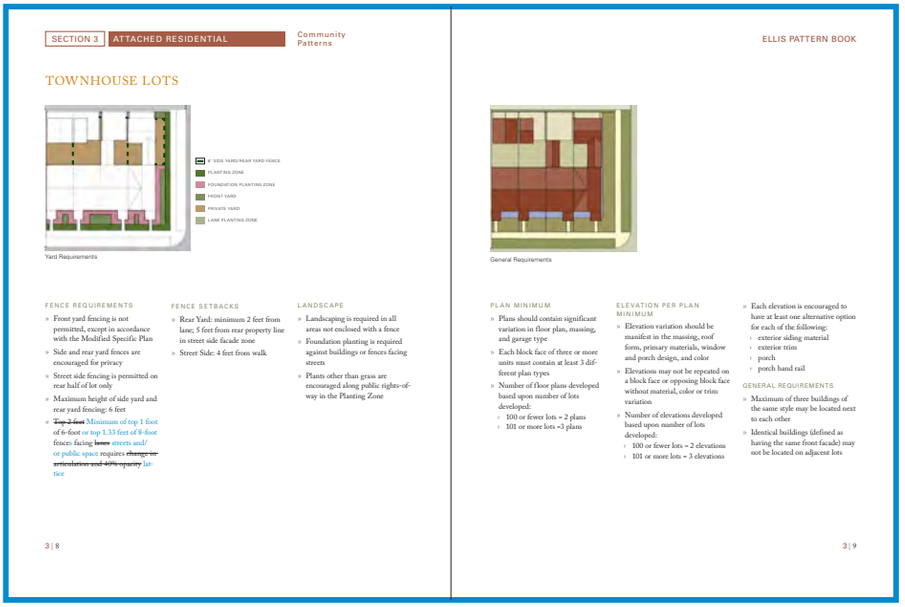
PERMITTED GARAGE TYPES
- Detached (A)
- Semi-Attached (C)
- Attached (B)
- Tuck Under

GARAGE REQUIREMENTS
- Minimum 2 off-street parking spaces; minimum one-car garage required; two-car garage permitted
- ~~Garages must be a minimum of 22 feet deep~~
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets

SECONDARY RESIDENTIAL UNITS
- Not permitted

~~FRONT WALKS~~
- ~~Site stairs must be within 3 feet of finished grade if constructing; check walls~~

3 | 7



SECTION 3 ATTACHED RESIDENTIAL Community Patterns

TOWNHOUSE LOTS

Yard Requirements

FENCE REQUIREMENTS
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 6 feet
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing ~~knee~~ streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS
- Rear Yard: minimum 2 feet from lane; 5 feet from rear property line in street side facade zone
- Street Side: 4 feet from walk

LANDSCAPE
- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone

3 | 8

ELLIS PATTERN BOOK

General Requirements

PLAN MINIMUM
- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
  - 100 or fewer lots = 2 plans
  - 101 or more lots =3 plans

ELEVATION PER PLAN MINIMUM
- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 100 or fewer lots = 2 elevations
  - 101 or more lots = 3 elevations

- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS
- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

3 | 9

General Conditions pages for lots

Each lot type found in the Attached Residential Community Patterns Section is described by four specific diagrams:

LOT ZONES AND SETBACKS

Lot size, minimum setbacks and allowable encroachments into those setbacks, as well as the facade zones are described. These zones aid in properly situating the building with respect to its neighbors to create a harmonious streetscape.

ELEMENTS OF THE HOUSE

The main body, wings, bays, as well as the requirements for garages are described in this diagram.

YARD REQUIREMENTS

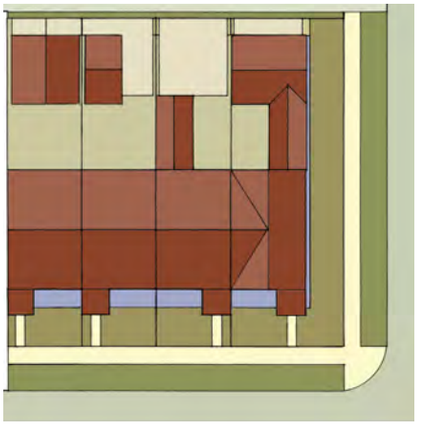
Fencing and landscape requirements are set forth in this diagram.

GENERAL REQUIREMENTS

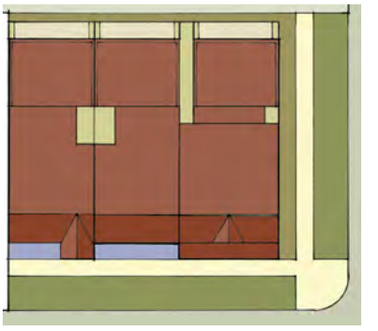
The issues of required plan types, elevations, and materials are discussed to establish a refined residential building.

LOT TYPES

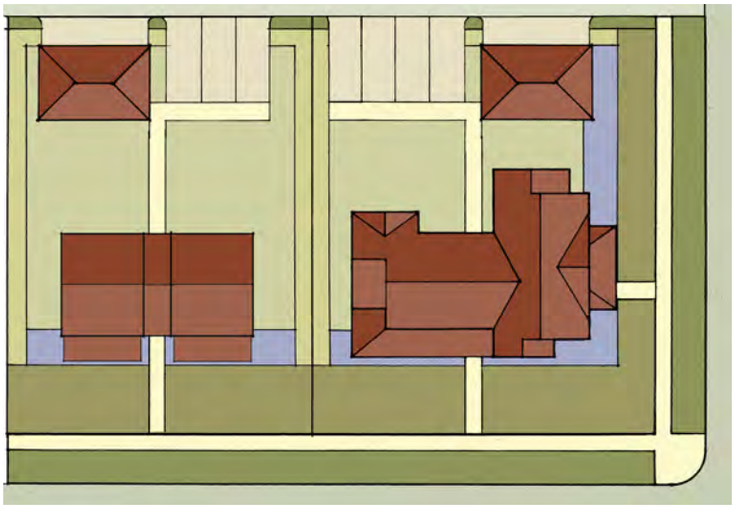
Ellis offers a variety of attached lot types, ~~20~~ 16 feet or 30 feet wide and up. These lot types include: Townhouses, Live/Work units, and Mansion Apartments. Many of these residential types have parking accessed by a rear lane utilizing either a garage, carport, or paved parking pad, providing for continuous front yard landscaping uninterrupted by parked cars and driveways. Attached lot types are mixed throughout the community. The description of lot types on the next page are followed by a description of the conditions for each of the Attached Residential lot types beginning on page 6 of this Section.



Townhouse Lots



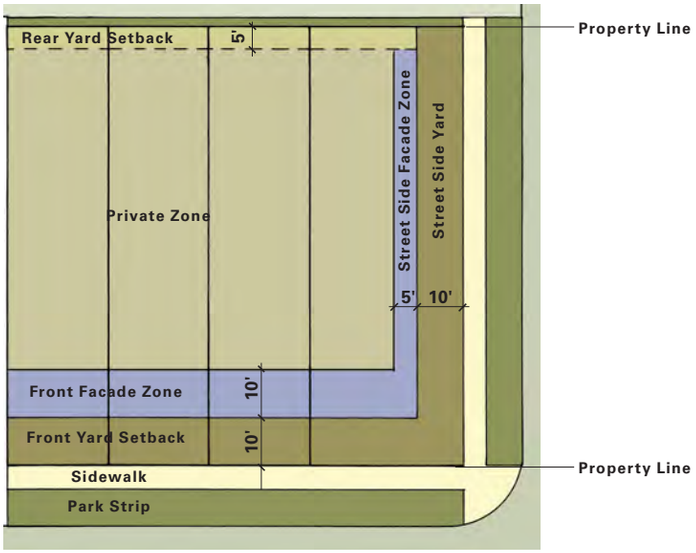
Live/Work Units



Mansion Apartments

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TOWNHOUSE LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 16–30 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Varies

MINIMUM HOUSE SETBACKS

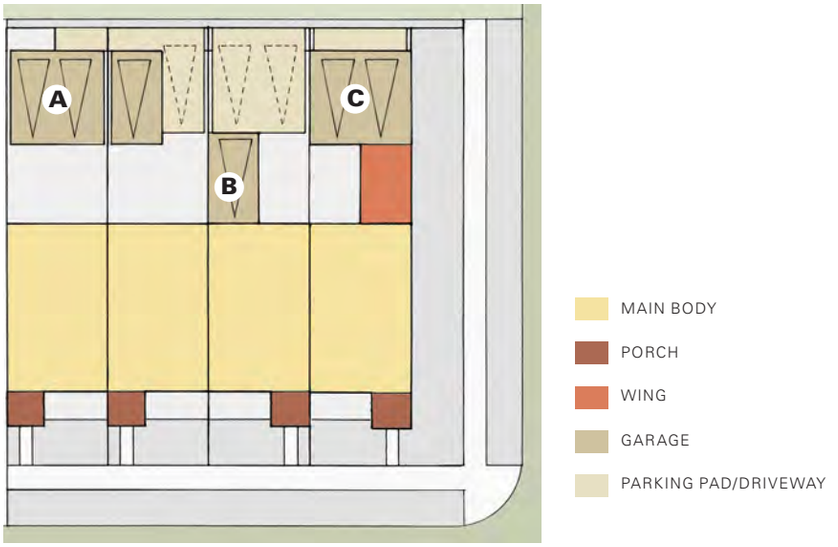
- Front Yard: 10 feet to the building
- Street Side: 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~Front Facade Zone: 10 feet~~
- ~~Side Facade Zone: 5 feet~~
- ~~70% of lot frontage must have building within Facade Zone~~
- Not Used

ENCROACHMENTS INTO SETBACKS

- Porches: 5 feet into front yard and street side setbacks only
- Balconies: 5 feet into front yard and street side setbacks only
- Bay Windows: 2 feet into front yard and street side setbacks only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Detached (A)
- Semi-Attached (C)
- Attached (B)
- Tuck Under

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum one-car garage required; two-car garage permitted
- ~~Garages must be a minimum of 22 feet deep~~
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets

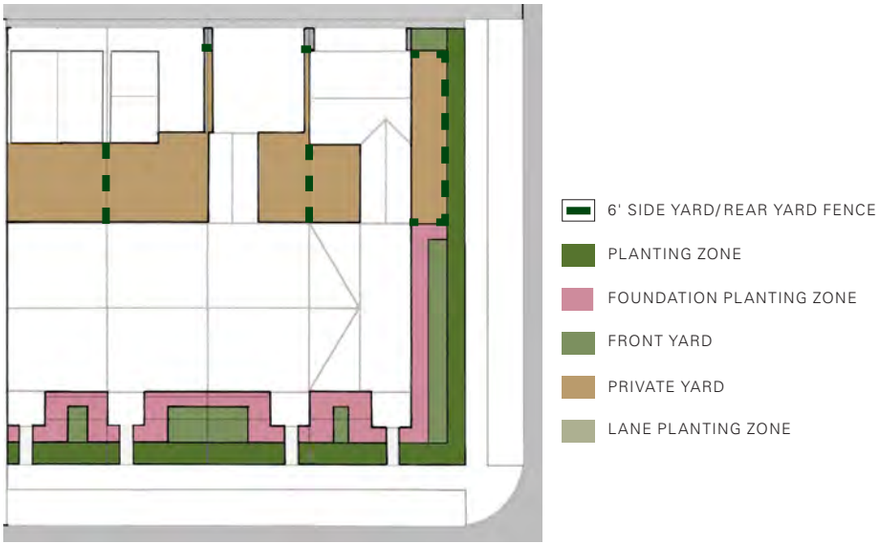
SECONDARY RESIDENTIAL UNITS

- Not permitted

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

TOWNHOUSE LOTS



Yard Requirements

FENCE REQUIREMENTS

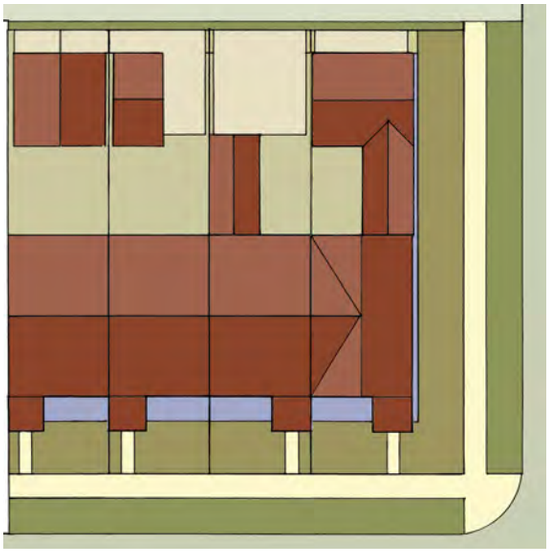
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Street side fencing is permitted on rear half of lot only
- Maximum height of side yard and rear yard fencing: 6 feet
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing ~~lanes~~ streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear Yard: minimum 2 feet from lane; 5 feet from rear property line in street side facade zone
- Street Side: 4 feet from walk

LANDSCAPE

- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
  - 100 or fewer lots = 2 plans
  - 101 or more lots =3 plans

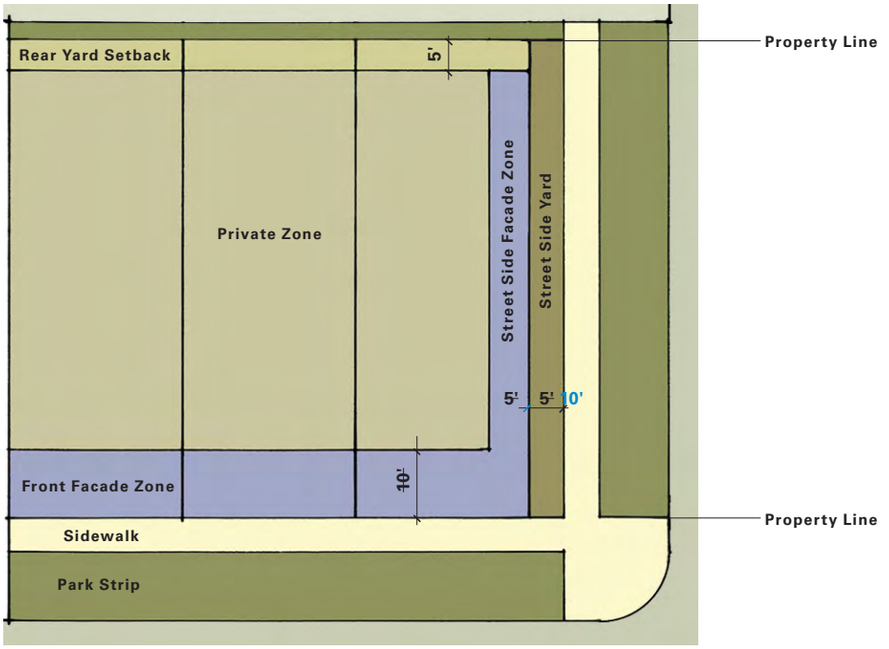
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
- Elevations may not be repeated on a block face or opposing block face without material, color or trim variation
- Number of elevations developed based upon number of lots developed:
  - 100 or fewer lots = 2 elevations
  - 101 or more lots = 3 elevations
- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

LIVE/WORK LOTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

- Interior Lot Width: 16–30 feet
- Corner Lot Width: Increased by 5–10 feet
- Lot Depth: Varies

MINIMUM SETBACKS

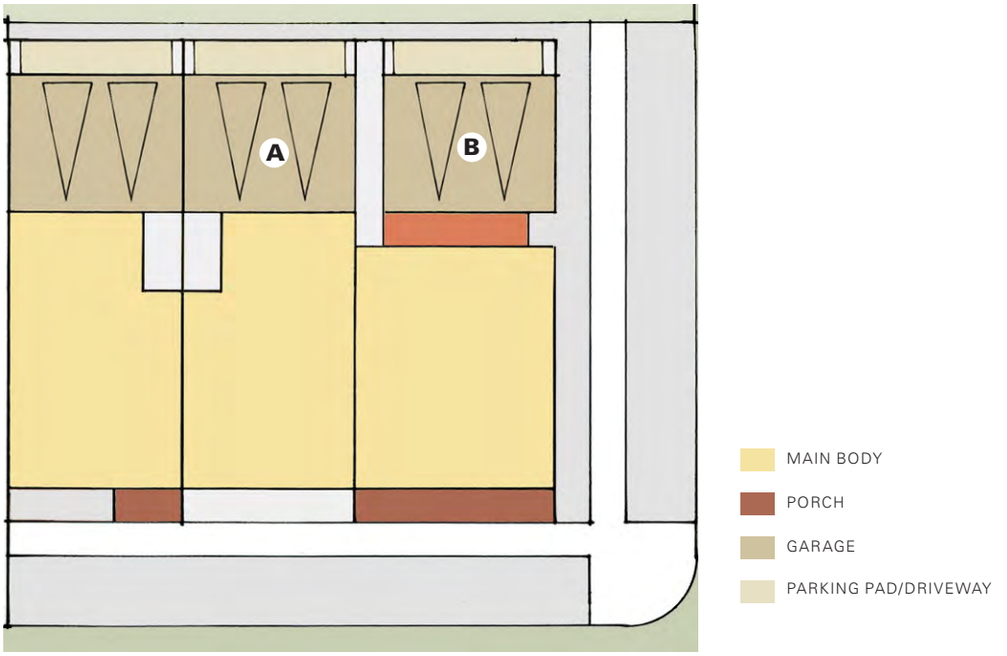
- Front Yard: 0 feet to the building
- Street Side Yard: ~~5~~ 10 feet to the building
- Rear Yard: 5 feet for all structures (5 feet maximum to the garage encouraged on corner lots)

FACADE ZONE

- ~~Front Zone: 10 feet~~
- ~~Street Side Zone: 5 feet~~
- ~~70% of lot frontage must have building within the Facade Zone on rectangular lots~~
- Not Used

ENCROACHMENTS INTO SETBACKS

- Balconies: 5 feet into street side setback only
- Bay Windows: 2 feet into street side setback only
- Fireplaces: 2 feet into street side setback only
- Anything above the first floor ceiling, including cantilevers, carport roofs, trellis canopies, and habitable space: 2 feet into rear yard setback only



Elements of the House

PERMITTED GARAGE TYPES

- Semi-Attached (B)
- Attached (A)
- Tuck Under

GARAGE REQUIREMENTS

- Minimum 2 off-street parking spaces; minimum one-car garage required; two-car garage permitted
- ~~Garages must be a minimum of 22 feet deep~~
- Single parking pad permitted adjacent to garage (except on street side of corner lots)
- Provided parking pads shall be a minimum of 9 by 18 feet
- Garage doors shall not face streets

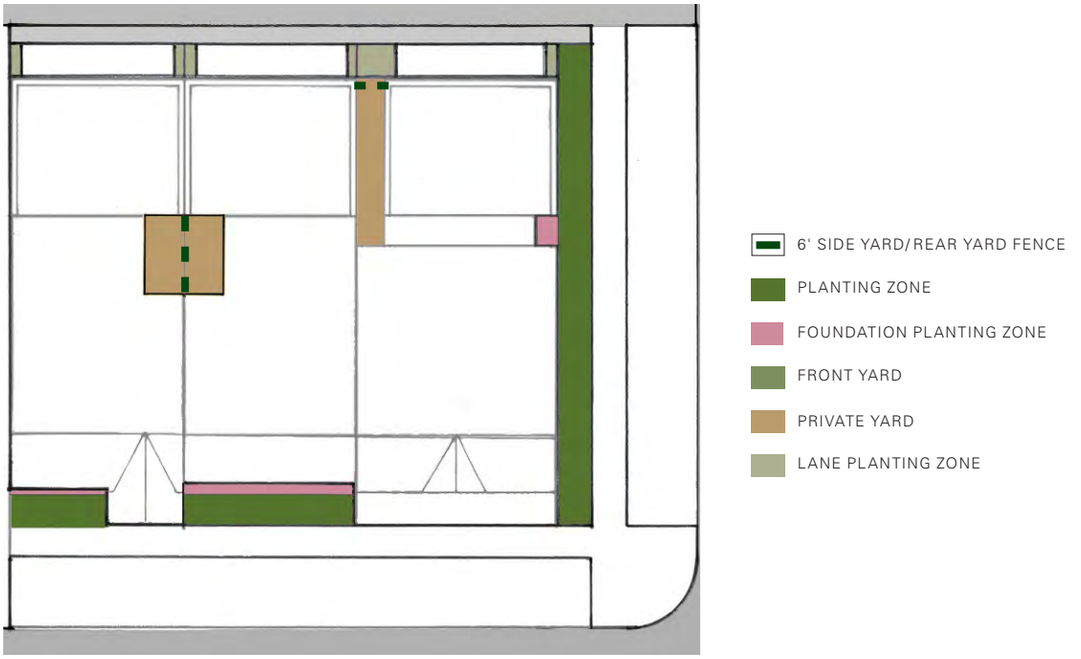
SECONDARY RESIDENTIAL UNITS

- Not permitted

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

LIVE/WORK LOTS



Yard Requirements

FENCE REQUIREMENTS

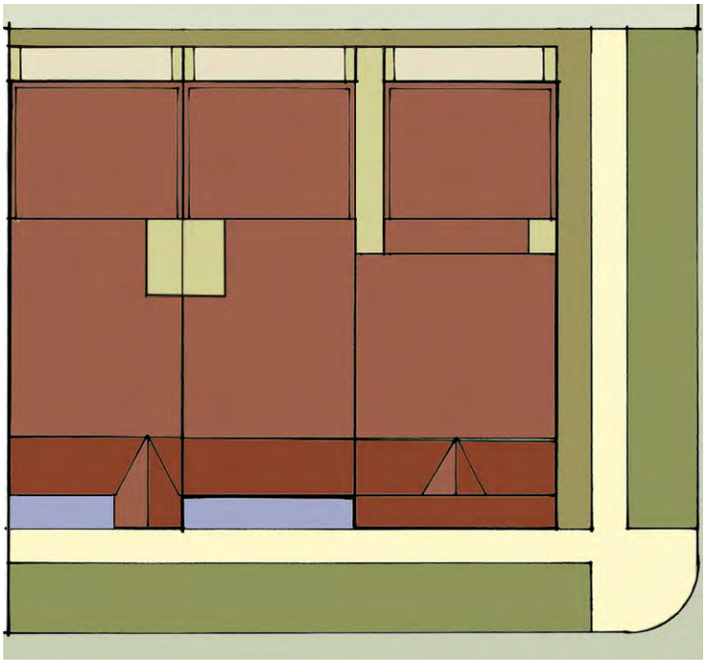
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Maximum height of side yard and rear yard fencing: 6 feet
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing ~~lanes~~ streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Rear: 1 inch from property line unless built by builder
- Street Side: 4 feet from walk

LANDSCAPE

- Landscaping is required in all areas not enclosed with a fence
- Foundation planting is required against buildings or fences facing streets
- Plants other than grass are encouraged along public rights-of-way in the Planting Zone



General Requirements

PLAN MINIMUM

- Plans should contain significant variation in floor plan, massing, and garage type
- Each block face of three or more units must contain at least 3 different plan types
- Number of floor plans developed based upon number of lots developed:
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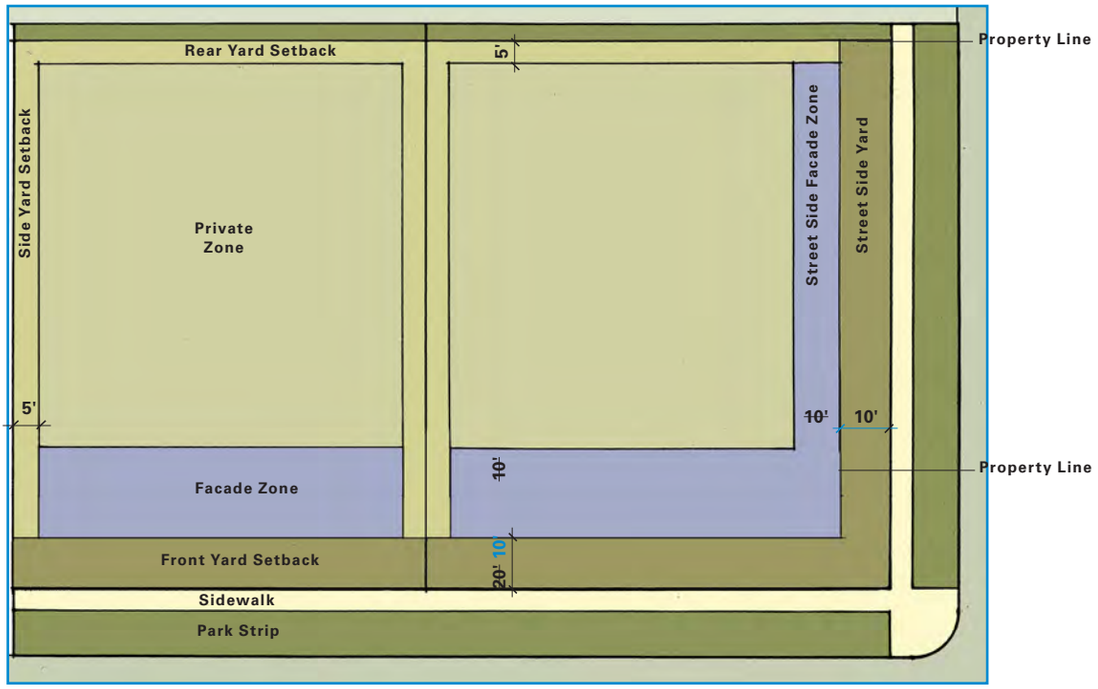
ELEVATION PER PLAN MINIMUM

- Elevation variation should be manifest in the massing, roof form, primary materials, window and porch design, and color
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- Each elevation is encouraged to have at least one alternative option for each of the following:
  - exterior siding material
  - exterior trim
  - porch
  - porch hand rail

GENERAL REQUIREMENTS

- Maximum of three buildings of the same style may be located next to each other
- Identical buildings (defined as having the same front facade) may not be located on adjacent lots

MANSION APARTMENTS



Lot Zones and Setbacks

LOT SIZE (APPROXIMATE)

» Mansion Apartment lots will vary by pad site size

MINIMUM HOUSE SETBACKS

» Front Yard: ~~20~~ 10 feet to building

» Street Side: 10 feet to the building and any garages/carports

» Side Yard: 5 feet

» Rear Yard: 5 feet to the building and garage/carport; (10 feet maximum to the garage/carport encouraged on a corner lot)

FACADE ZONE

» ~~All Zones: 10 feet~~

» ~~70% of lot frontage must have building within the Facade Zone on rectangular lots~~

» Not Used

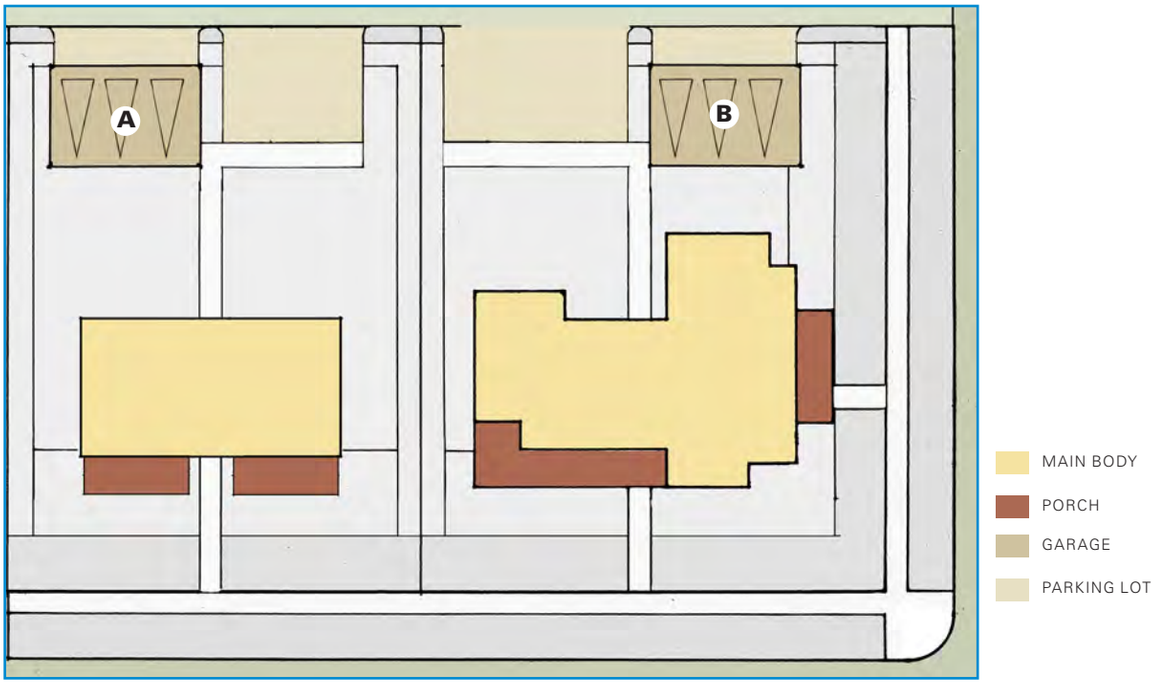
ENCROACHMENTS INTO SETBACKS

» Porches: 5 feet into front yard and street side setbacks only

» Balconies: 5 feet into front yard and street side setbacks only

» Bay Windows: 2 feet into front yard and street side setbacks only

» Fireplaces: 2 feet into street side setback only



Elements of the Building

PERMITTED GARAGE TYPES

- Tuck Under
- Attached
- Semi-Attached
- Detached (A) (lane must be on street side on corner lots (B))

GARAGE REQUIREMENTS

- Minimum 1 off-street parking space per unit (does not have to be in a garage)
- ~~Garages and carports must be a minimum of 22 feet wide or deep~~
- Garage doors may not face adjacent streets

SECONDARY RESIDENTIAL UNITS

- A secondary residential unit is not permitted over the garage
- A minimum of one additional off-street parking space is to be provided for the secondary residential unit (not required to be covered)

~~FRONT WALKS~~

- ~~Site stairs must be within 1 foot of finished grade if constructing cheek walls~~

MANSION APARTMENTS



Yard Requirements

FENCE REQUIREMENTS

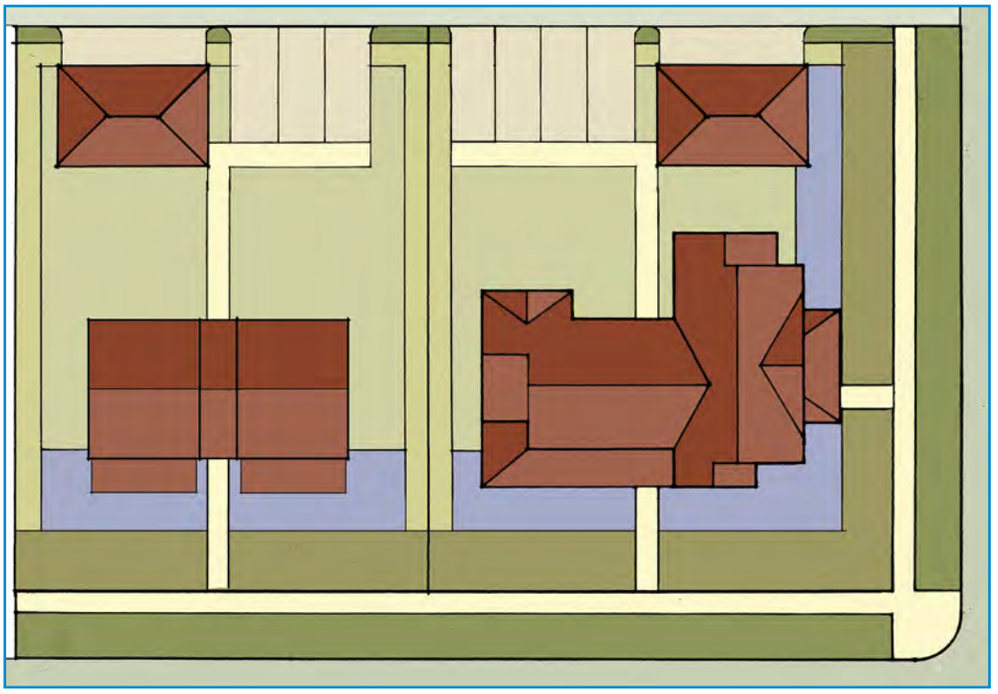
- Front yard fencing is not permitted, except in accordance with the Modified Specific Plan
- Side and rear yard fences are encouraged for privacy
- Maximum height of rear yard fences: 6 feet
- ~~Top 2 feet~~ Minimum of top 1 foot of 6-foot or top 1.33 feet of 8-foot fences facing ~~lanes~~ streets and/or public space requires ~~change in articulation and 40% opacity~~ lattice

FENCE SETBACKS

- Side Yard: 5 feet back from front facade of house; 1 inch from property line unless built by builder
- Street Side: 5 feet, permitted on rear half of lot only

LANDSCAPE

- Landscaping is required in all areas that are not enclosed with a fence
- Foundation planting is required facing streets
- Landscaping is required at the base of fencing facing streets and/or lanes and parking lots
- Plants other than grass are encouraged in the Planting Zone



General Requirements

PLAN MINIMUM

» Three unit plans minimum (with significant variation in floor plan and massing

» Each building must contain a mix of plans

ELEVATION PER PLAN MINIMUM

» Minimum of three elevation types per unit plan (manifest in the massing, roof form, primary materials, window and porch design and color)

» Elevations may not be repeated on a block face or opposing block face

» A minimum of two architectural styles must be represented

» Each elevation is encouraged to have at least one alternative option for each of the following:
  › exterior siding material
  › exterior trim
  › porch
  › porch hand rail

GENERAL REQUIREMENTS

» Maximum of three buildings of the same style may be located next to each other

» Identical buildings (defined as having the same front facade) may not be located on adjacent lots

SUMMARY OF LOT SPECIFICATIONS

Lot Type	Uses	Lot Width		Minimum Setbacks to Habitable Space	
		Width	Min. Depth	Front	Street Side
Townhouse Lots	Single-Family Residential Attached	16' to 30'	Varies	10'	10'
Live/Work Lots	Attached Single-Family Residential w/Ground Floor, Non-Residential Uses	16' to 30'	Varies	0'	~~5'~~ 10'
Mansion Apartments	Multi-Family Residential	Pad Site	Varies	~~20'~~ 10'	10'

		Off-Street Parking	Encroachments
Side Yd.	**Rear Yd.**		
~~n/a~~ 5'	5'	2 spaces	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace and/or Media Nook:** 2' into the Street Side and Side Yard Setback Zone only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only
~~n/a~~ 5'	5'	2 spaces	**Porches and/or Balconies:** 5' into the Front Yard and Street Side Setback Zones only **Bay Windows:** 2' into the Front Yard and Street Side Setback Zones only **Fireplace and/or Media Nook:** 2' into the Street Side and Side Yard Setback Zone only **Second Floor Habitable Space: Cantilevers, Carport Roofs, and Trellis Canopies:** 2' into Rear Setback Zone only
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RESIDENTIAL DEVELOPMENT STANDARDS

Development Standards	Residential Mixed/Village Center (Rear-Loaded Lots, Attached)
Lot Size	1,400 sq ft min.
Lot Width	16 ft
Lot Depth	75 ft min.
Front Yard Setback	10 ft min. [1]
Interior Side Yard Setback	0 ft min. [2]
Street Side Yard Setback	10 ft min.
Rear Yard Setback	5 ft min.
Height	35 ft max. in Residential Mixed 45 ft max. (3 stories max.) in Village Center
Lot Coverage	90% max.
Open Space	100 sq ft minimum usable open space for each of the first ten (10) dwelling units, fifty (50) square feet for each of the second ten (10) units, and twenty-five (25) square feet for each unit in excess of twenty (20). "Usable open space" shall mean an on-site ground level area, not less than twenty (20) feet in width, of lawn, pool, or garden courts accessible to all dwelling units via a walk, path, or stairway used and intended to be used by pedestrians. The space shall not include the required front yard or street side yard, off-street parking, driveways, or service areas.
Distance Between Accessory Buildings	No requirement
Distance Between Main Building and Accessory Building	No requirement
Shade Structures and Detached Accessory Buildings	Shade structures and detached accessory buildings shall meet the front, side, and rear yard setbacks unless located on the rear 1/3 of lot or 70 ft back from front property line, in which case minimum setback is 0 ft.[3]
Encroachment [4]	Porches and/or balconies: 5' into Front Yard and Street Side Setback Bay Windows: 2' into Front Yard and Street Side Setback Fireplace and/or media nook: 2' into Side Yard and Street Side Setback Air Conditioning (A/C) units: 4' into the Side Yard Setback provided that at least one side of the lot maintains the minimum setback for access to the front and rear yard.

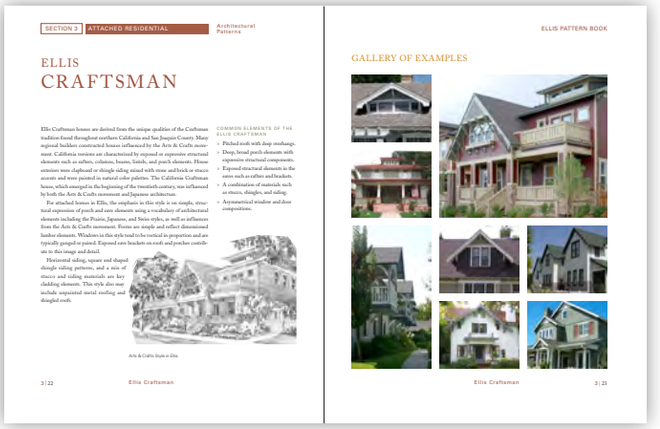
[1] 0 ft for Live/Work Lofts
[2] 5 ft min. for Mansion Apartments
[3] This exception to minium setbacks does not apply to garages.
[4] Only permitted if not encroaching into a public utility easements.

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ARCHITECTURAL PATTERNS

The Architectural Patterns Section for Attached Residential units illustrates key elements and design strategies for the five permitted traditional architectural styles for attached residential units. This section provides detailed guidelines for designing within the prescribed styles while creating well-defined variations among houses and buildings. The approach used is not intended to be a comprehensive catalog of all possibilities, but rather to serve as a guide to the key components within a particular style.

Each style section begins with an overview and general description of the style followed by several pages that document key massing types, standard door and window compositions, and materials and facade possibilities based upon Ellis Pattern Book components. Variations or other alternative combinations of components are permitted so long as they generally conform to the particular style. The goal is to design within specific families of styles that are appropriate to the Ellis context, not to design historic reproductions. The style pages and the illustrated details are meant to be a menu of options for designing houses in response to market demands and cost constraints while providing a consistent quality of character and detail.



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS CRAFTSMAN

Ellis Craftsman houses are derived from the unique qualities of the Craftsman tradition found throughout northern California and San Joaquin County. Many regional builders constructed houses influenced by the Arts & Crafts movement. California versions are characterized by exposed or expressive structural elements such as rafters, columns, beams, lintels, and porch elements. House exteriors were clapboard or shingle siding mixed with stone and brick or stucco accents and were painted in natural color palettes. The California Craftsman house, which emerged in the beginning of the twentieth century, was influenced by both the Arts & Crafts movement and Japanese architecture.

For attached homes in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensional lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed rafter brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.

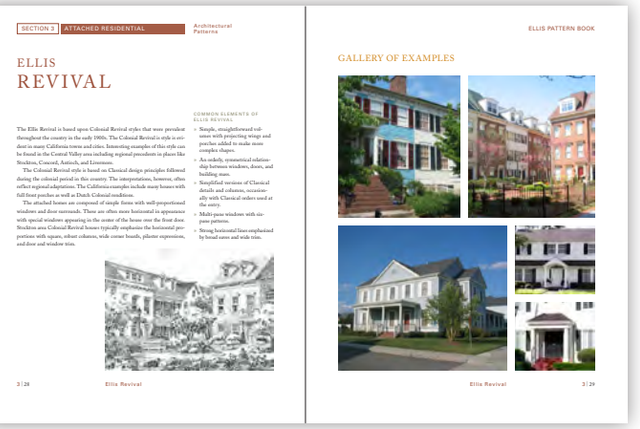
Arts & Crafts Style in Ellis

3 | 22 Ellis Craftsman

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Craftsman 3 | 23



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival in style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many homes with full front porches as well as Dutch Colonial renditions.

The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

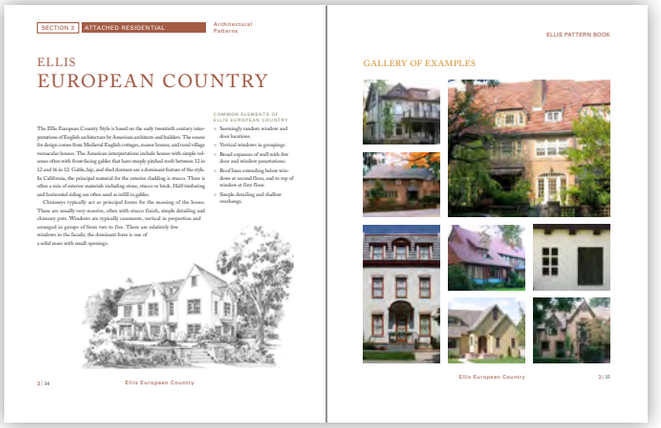
- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane windows with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.

3 | 28 Ellis Revival

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Revival 3 | 29



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables that have steeply pitched roofs between 12 in 12 and 16 in 12. Gable, hip, and shed dormers are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of three two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below window at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.

3 | 34 Ellis European Country

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis European Country 3 | 35



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1840. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

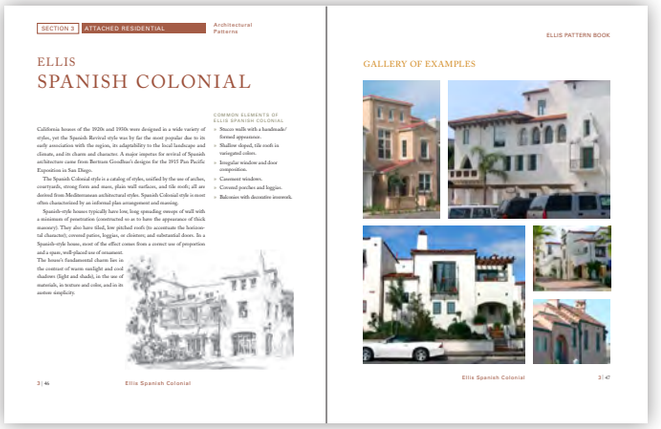
- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double hung Colonial windows and doors.
- Multi-pane window appearance that are wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing projecting timber balconies or steel porches with exposed rafters.

3 | 40 Ellis Mediterranean Revival

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Mediterranean Revival 3 | 41



SECTION 3 ATTACHED RESIDENTIAL Architectural Patterns

ELLIS SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan-Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long sprawling sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character), covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament.

The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handtrowled/ formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Casement windows.
- Covered porches and loggias.
- Balconies with decorative ironwork.

3 | 46 Ellis Spanish Colonial

ELLIS PATTERN BOOK

GALLERY OF EXAMPLES

Ellis Spanish Colonial 3 | 47

ELLIS CRAFTSMAN

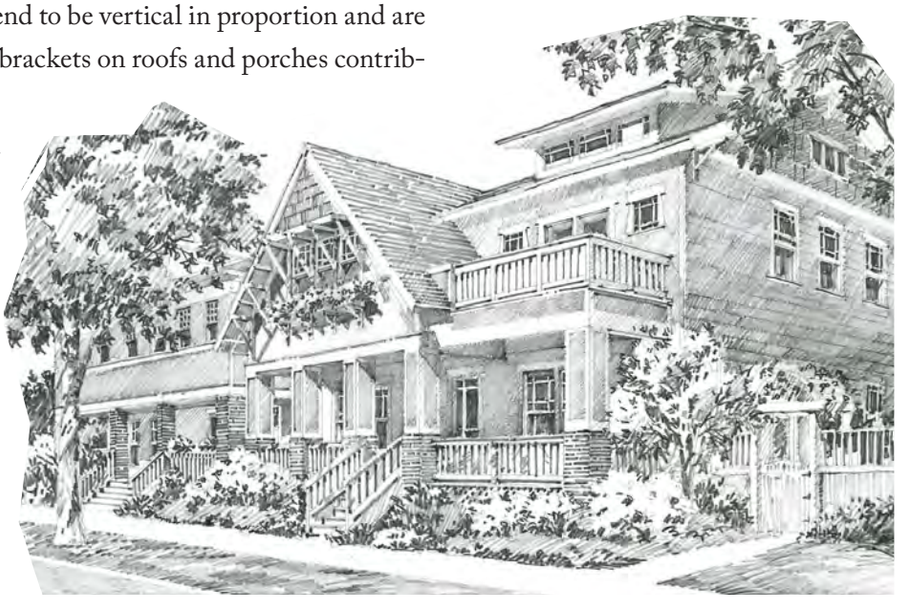
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For attached homes in Ellis, the emphasis in this style is on simple, structural expression of porch and eave elements using a vocabulary of architectural elements including the Prairie, Japanese, and Swiss styles, as well as influences from the Arts & Crafts movement. Forms are simple and reflect dimensioned lumber elements. Windows in this style tend to be vertical in proportion and are typically ganged or paired. Exposed eave brackets on roofs and porches contribute to this image and detail.

Horizontal siding, square and shaped shingle siding patterns, and a mix of stucco and siding materials are key cladding elements. This style also may include unpainted metal roofing and shingled roofs.

COMMON ELEMENTS OF THE ELLIS CRAFTSMAN

- Pitched roofs with deep overhangs.
- Deep, broad porch elements with expressive structural components.
- Exposed structural elements in the eaves such as rafters and brackets.
- A combination of materials such as stucco, shingles, and siding.
- Asymmetrical window and door compositions.



Arts & Crafts Style in Ellis

GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Rectangular two-story volumes, with a 4 to 7 in 12 roof pitch. Shed front porches are common and have a shallower roof pitch. Porches may be either additive or a single integral bay.

B TWO-AND-ONE-HALF-STORY SIDE GABLE

Rectangular two- to two-and-one-half-story volume with a 4 to 7 in 12 side gabled roof. Integral front porch that ranges from half to the full length of the front facade. Symmetrically placed gabled or shed dormers with 3 to 5 in 12 roof pitch.

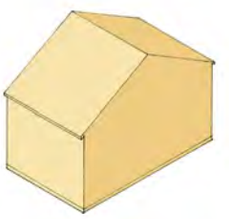
C TWO-STORY GABLE L

Cross-gabled volume with a 4 in 12 gable facing the street. Often an in-line gabled porch or wing is added to the front left of the L. Porches may also be located between the legs of the L.

D MANSION APARTMENTS

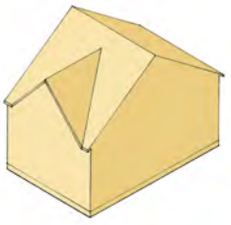
Rectangular volume with a 4 to 12 in 12 roof pitch and gable/gables facing the street. Front porches are common.

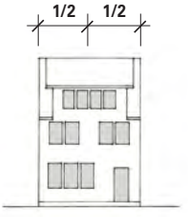
A TWO-STORY SIDE GABLE



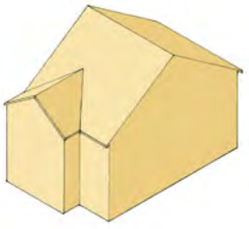


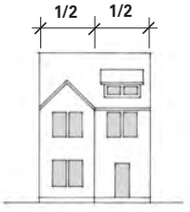
B TWO-AND-ONE-HALF-STORY SIDE GABLE



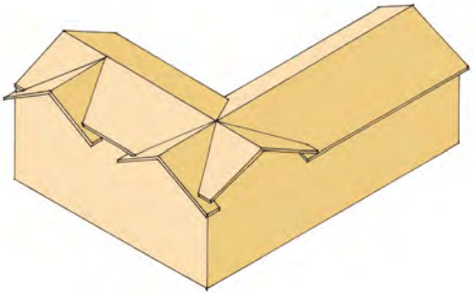


C TWO-STORY GABLE L



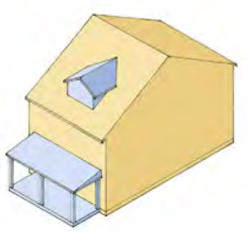


D MANSION APARTMENTS



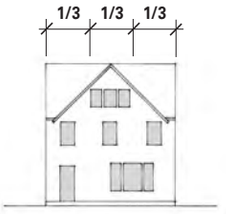


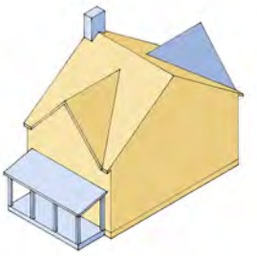




A Side gable with a front porch and street-facing dormer

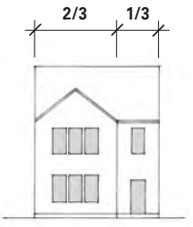


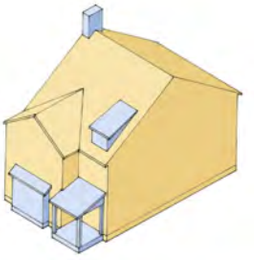




B Side gable with a front porch, a chimney and a large, rear-facing dormer



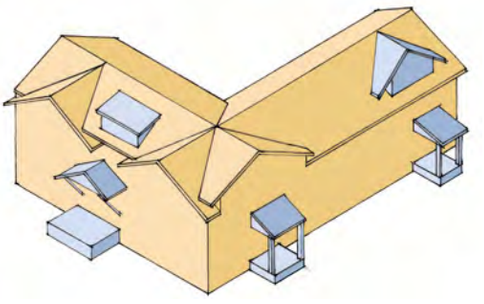




C Gable L with front entry porch, boxbay window, chimney and shed-roofed dormer







D Large side-gable building massing, with street-facing gables



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard and/or stucco

» Lace finish not permitted

ROOFING

» Composition shingles, flat concrete tile, standing seam, or 5v crimp metal

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum, or vinyl

» Traditional-looking profiles

TRIM

» Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS/BRACKETS

» Wood or composite

RAILINGS

» Wood or composite top and bottom rails with square balusters

» Solid railings of wood, fiber cement, cut shingle siding or manufactured stone veneer

SOFFITS AND PORCH CEILING

» Exposed rafters at soffits with starter board or v-groove sheathing

» T&G wood, beaded plywood, exterior-grade plywood, or stucco porch ceiling

GUTTERS

» Ogee or half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim or the stucco cladding

SHUTTERS

» Not applicable

CHIMNEYS

» Stucco, brick, or manufactured stone veneer

» Siding to match structure

FRONT YARD FENCES

» Wood, stone, or masonry with stucco finish

» Vinyl picket permitted

» Wrought iron or equivalent

REAR YARD FENCES

» Cedar, redwood, or masonry with stucco finish (if applicable)

» Vinyl and pressure treated wood are permitted

COLORS

SIDING AND TRIM

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

ROOF SHINGLES

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FRONT YARD FENCES

» Colors to be selected from the Ellis Color Palette

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival is style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

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The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane windows with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.

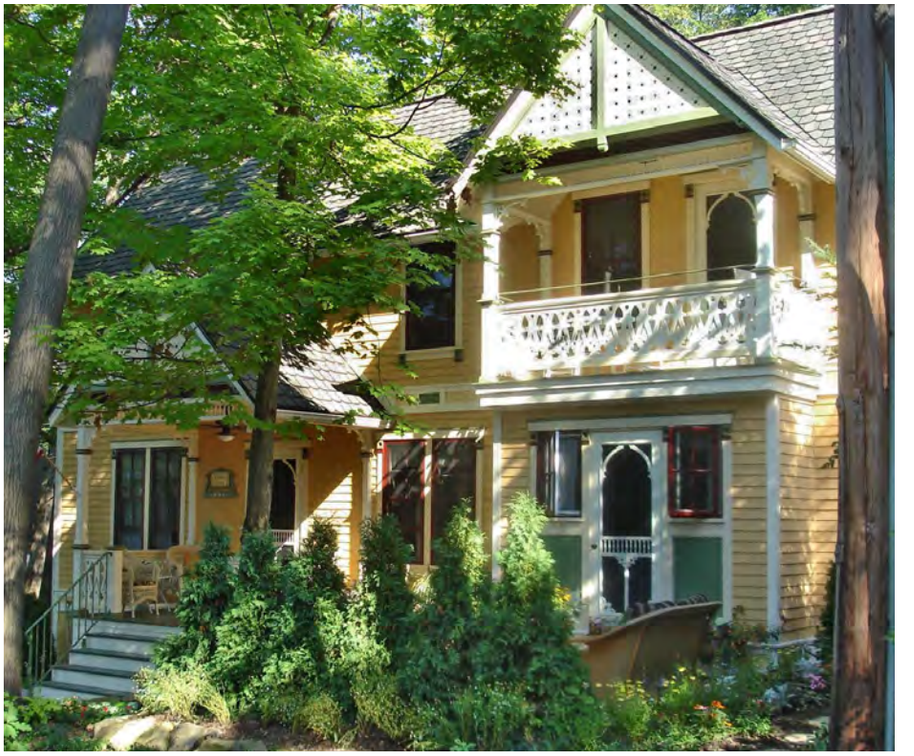


Ellis Revival

GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume with a roof pitch that is typically 6 to 10 in 12. Front porches often extend across the full front of the house.

B TWO-STORY GABLE L

Side-gabled rectangular volume, with a steeply-pitched, gabled wing attached to the front. The front gable roof is typically pitched at 8 to 12 in 12, and the side gable is less steeply pitched, typically 6 to 10 in 12. One- or two-story front porches often extend across the recessed portion of the house or the full front facade.

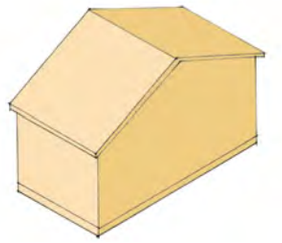
C TWO-STORY FLAT ROOF

Two-story rectangular volume with a flat roof condition. Large cornices and parapet walls are often used at the roof line. One or more bays are often extruded from the facade to create interesting volumes.

D LARGE BUILDING

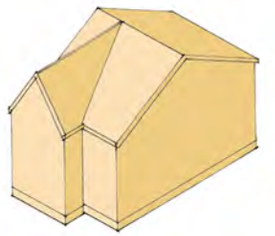
Cross-gabled volume with a 6 to 10 in 12 gable facing each street. Cross-gable is typically no wider than half that of the main body. This massing often has a gable porch emphasizing the main entrance, although when used on a corner lot, both entrances should be considered important.

A TWO-STORY SIDE GABLE



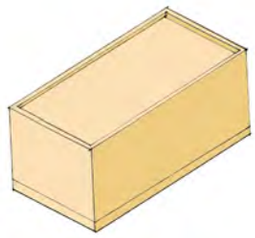


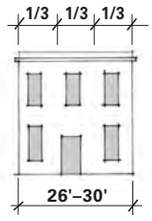
B TWO-STORY GABLE L



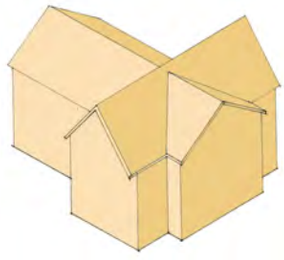


C TWO-STORY FLAT ROOF



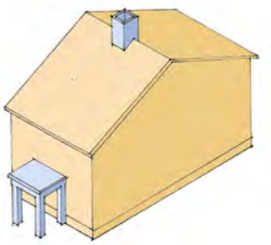


E MANSION APARTMENTS





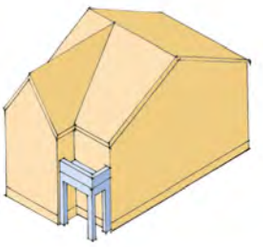




A Side gable with a chimney and a centered front entry porch

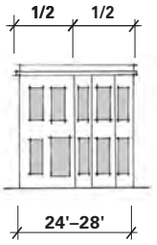


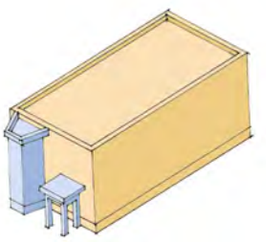




B Gable L with a two-story entry porch

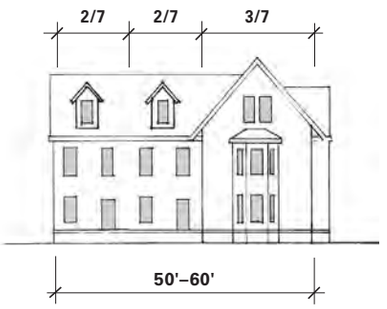


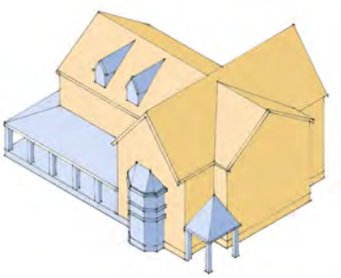




C Flat roof with a two-story bay window and a flat-roofed entry porch







D Large cross gable with two-story bay window, dormers, and a wraparound porch



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Board and batten, wood, or fiber-cement clapboard

ROOFING

» Composite shingles

» Flat concrete tile

WINDOWS

» Single- or double-hung

» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl

» Traditional wood profiles

TRIM

» Wood, composition board, cellular PVC, or polyurethane

COLUMNS

» Turned or built-up wood, or composite

RAILINGS

» Wood top and bottom rails with straight, turned, or scroll cut balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, or exterior-grade plywood

GUTTERS

» Half-round primed or prefinished metal

» PVC is acceptable in a color that matches the trim

» Fascia gutter permitted

DOWNSPOUTS

» Round

» Primed or prefinished metal

» PVC is permitted in a color that matches the trim

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wood or composite material, or colored vinyl

» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Manufactured stone or brick veneer or siding to match house

FRONT YARD FENCES

» Wood picket, prefinished metal, or stone

» Vinyl picket permitted

REAR YARD FENCES

» Cedar or redwood

» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Black, dark gray, or brown

GUTTERS AND DOWNSPOUTS

» Match trim color

SHUTTERS

» Black or a color selected from the Ellis Color Palette

FRONT YARD FENCES

» Wood to be white or match trim color

ELLIS REVIVAL

The Ellis Revival is based upon Colonial Revival styles that were prevalent throughout the country in the early 1900s. The Colonial Revival is style is evident in many California towns and cities. Interesting examples of this style can be found in the Central Valley area including regional precedents in places like Stockton, Concord, Antioch, and Livermore.

The Colonial Revival style is based on Classical design principles followed during the colonial period in this country. The interpretations, however, often reflect regional adaptations. The California examples include many houses with full front porches as well as Dutch Colonial renditions.

The attached homes are composed of simple forms with well-proportioned windows and door surrounds. These are often more horizontal in appearance with special windows appearing in the center of the house over the front door. Stockton area Colonial Revival houses typically emphasize the horizontal proportions with square, robust columns, wide corner boards, pilaster expressions, and door and window trim.

COMMON ELEMENTS OF ELLIS REVIVAL

- Simple, straightforward volumes with projecting wings and porches added to make more complex shapes.
- An orderly, symmetrical relationship between windows, doors, and building mass.
- Simplified versions of Classical details and columns, occasionally with Classical orders used at the entry.
- Multi-pane window appearance with six-pane patterns.
- Strong horizontal lines emphasized by broad eaves and wide trim.



Ellis Revival

GALLERY OF EXAMPLES











MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Side-gabled rectangular volume with a roof pitch that is typically 4 to 10 in 12. Dormer windows are often present in the roof form. Porches are additive structures that may cover all or part of the front facade.

B TWO-AND-A-HALF-STORY MANSARD

Rectangular volume, composed of a flat roof with a mansard pitch condition on the front facade. Often accompanied by a shed-roof dormer within the mansard roof condition. Porches may cover all or part of the front facade.

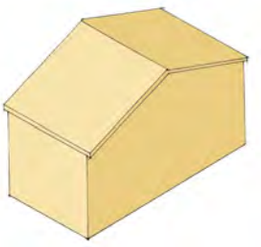
C TWO-STORY FRONT GABLE

Front-gabled rectangular volume. Gable roof pitches range from 4 to 10 in 12. As with other massing, stoops and hipped front porches are common. Porches are most often one-story, but can be two-story on townhouse units.

D MANSION APARTMENT

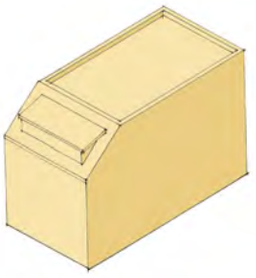
Cross-gabled volume with roof pitches ranging from 4 to 10 in 12 for front-facing gables, and a less steep pitch for side gables. One-story temple front porches are common, along with dormer windows.

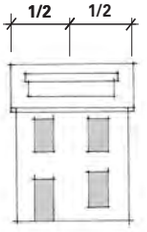
A TWO-STORY SIDE GABLE





B TWO-AND-A-HALF-STORY MANSARD



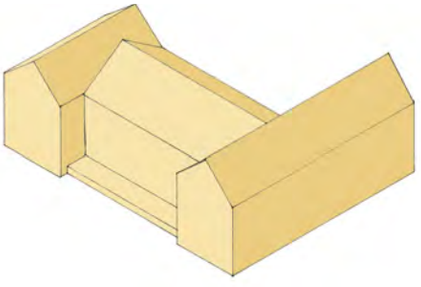


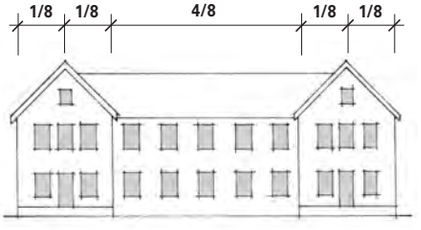
C TWO-STORY FRONT GABLE

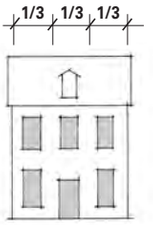


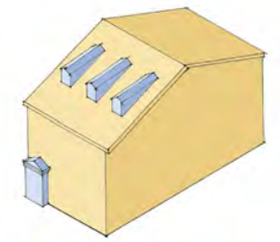


D MANSION APARTMENTS



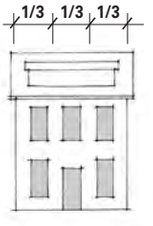


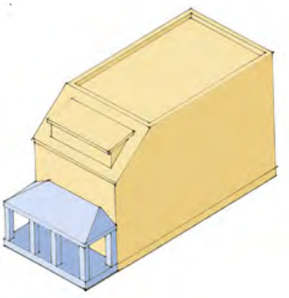




A Side gable with dormers and built-out entry bay



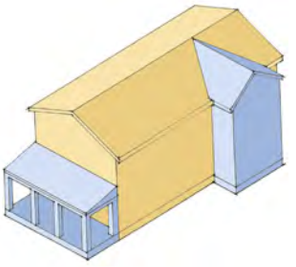




B Side gable with hipped full front porch

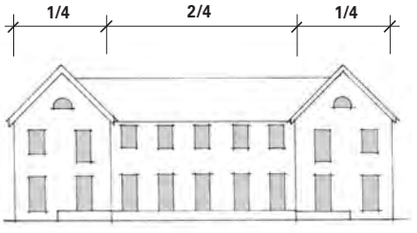


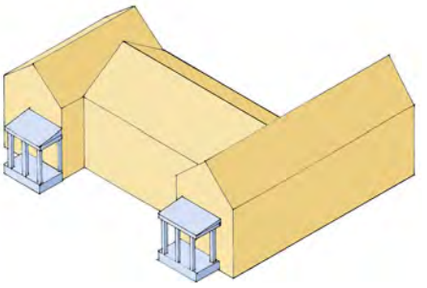




C Front gable with full front porch and side wing







D Large cross gables with symmetrical porch entry bays



POSSIBILITIES

PRECEDENTS

TOWNHOUSES



Elevation possibility



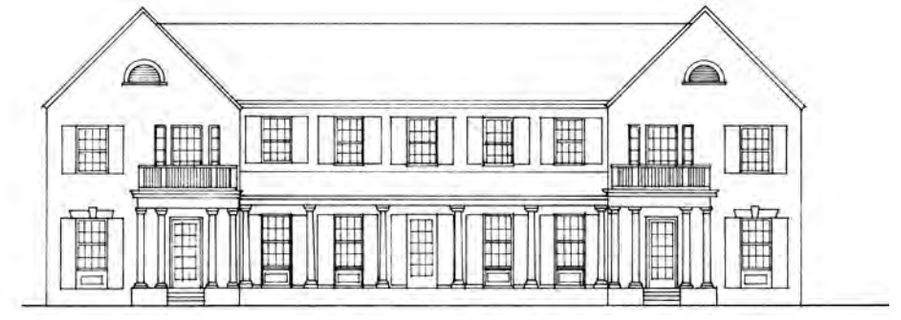
TOWNHOUSES



Elevation possibility



MANSION APARTMENTS



Elevation possibility



MATERIALS

SIDING/CLADDING

- Fiber-cement clapboard or stucco
- Lace finish not permitted

ROOFING

- Composition shingles or concrete tile with flat profile

WINDOWS

- Single- or double-hung and casement
- Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
- Traditional wood profiles

TRIM

- Stucco, wood, composition board, cellular PVC, polyurethane, or fiber cement

COLUMNS

- Wood, or composite with Classical entasis and proportions
- Use Tuscan, Doric, or Ionic orders

RAILINGS

- Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

- Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

- Ogee or half-round
- Primed or prefinished metal
- PVC is acceptable in a color that matches trim
- Fascia gutter permitted

DOWNSPOUTS

- Rectangular or round
- Primed or prefinished metal
- PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

- Raised or flat paneled
- Louvered or plank
- Wood or composite materials, or colored vinyl
- Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

- Stucco, brick, or manufactured stone veneer
- Siding to match house

FRONT YARD FENCES

- Painted wood, prefinished metal, stone, masonry, or stucco finish (if applicable)
- Vinyl picket also permitted

REAR YARD FENCES

- Cedar or redwood, or masonry with stucco finish
- Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

- Colors to be selected from the Ellis Color Palette

ROOF

- Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

- Colors to be selected from the Ellis Color Palette

WINDOWS

- Colors to be selected from the Ellis Color Palette

SHUTTERS

- Colors to be selected from the Ellis Color Palette

FENCING

- Colors to be selected from the Ellis Color Palette

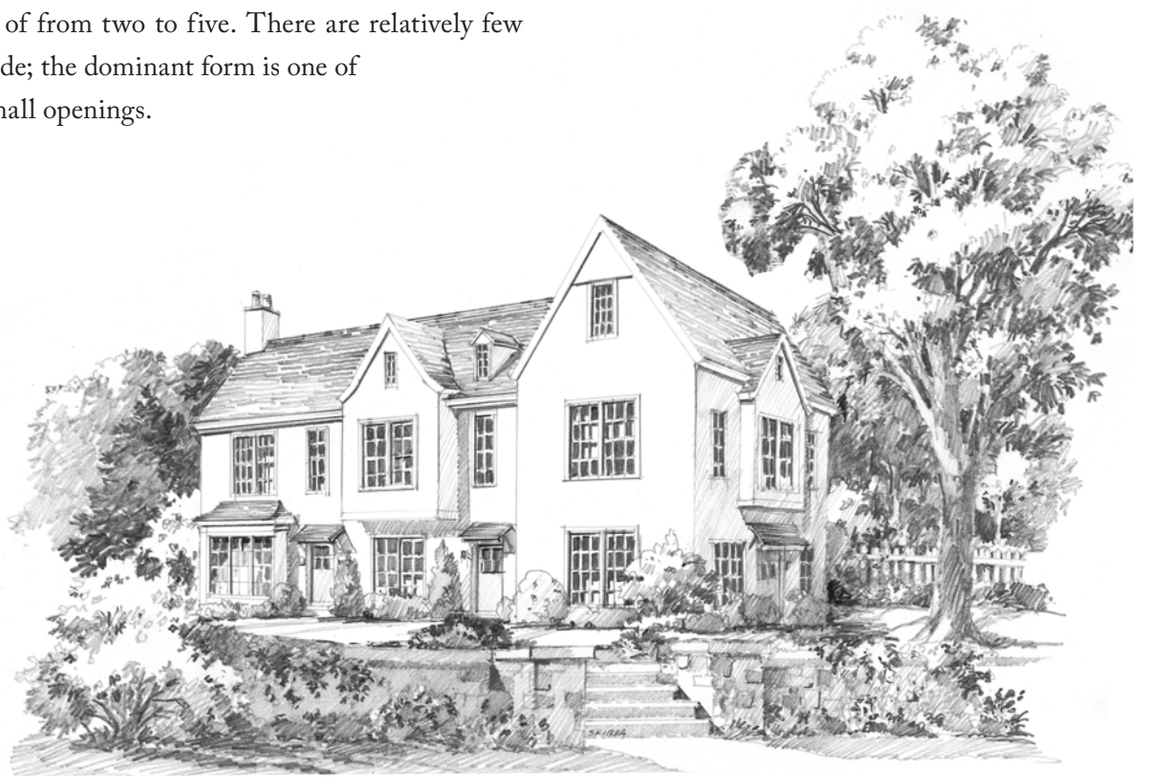
ELLIS
EUROPEAN COUNTRY

The Ellis European Country Style is based on the early twentieth century interpretations of English architecture by American architects and builders. The source for design comes from Medieval English cottages, manor houses, and rural village vernacular houses. The American interpretations include houses with simple volumes often with front-facing gables that have steeply pitched roofs between 12 in 12 and 16 in 12. Gable, hip, and shed dormers are a dominant feature of the style. In California, the principal material for the exterior cladding is stucco. There is often a mix of exterior materials including stone, stucco or brick. Half-timbering and horizontal siding are often used as infill in gables.

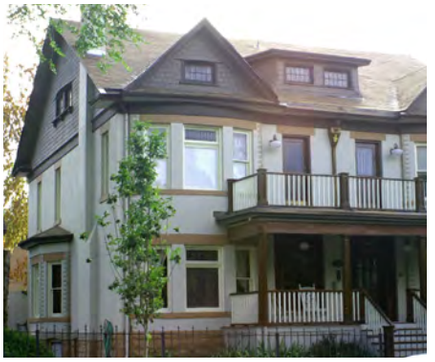
Chimneys typically act as principal forms for the massing of the house. These are usually very massive, often with stucco finish, simple detailing and chimney pots. Windows are typically casements, vertical in proportion and arranged in groups of from two to five. There are relatively few windows in the facade; the dominant form is one of a solid mass with small openings.

COMMON ELEMENTS OF ELLIS EUROPEAN COUNTRY

- Seemingly random window and door locations.
- Vertical windows in groupings.
- Broad expanses of wall with few door and window penetrations.
- Roof lines extending below windows at second floor, and to top of window at first floor.
- Simple detailing and shallow overhangs.



GALLERY OF EXAMPLES

















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY BASIC SIDE GABLE

Rectangular two- to two-and-one-half-story volume with an 4 to 10 in 12 roof pitch. Cross-gabled entry piece in 12 to 16 in 12. Only one cross gable permitted, often expressed in plan.

B TWO-STORY ASYMMETRICAL GABLE-FRONT L

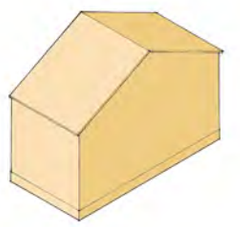
Rectangular two- to two-and-one-half-story volume with a main body roof of 6 to 16 in 12. Cross-gabled volume with an 8 to 12 in 12 roof. Cross gable is asymmetrical and may contain an inset entry porch. At times, the roof may transition to a shallower pitch over the entry porch.

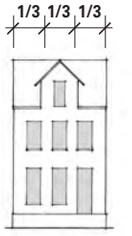
C SIDE GABLE WITH DOMINANT CROSS-GABLE

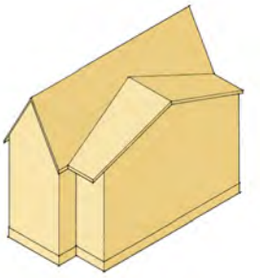
Rectangular two-story volume with an 4 to 10 in 12 roof pitch. One dominant cross gable organizes composition with a 6 to 16 in 12 pitch. Secondary and tertiary gables in the primary roof mass or as dormers are common. Element roof may be gable or side gable. Front entry is often inset into building mass.

D MANSION APARTMENTS

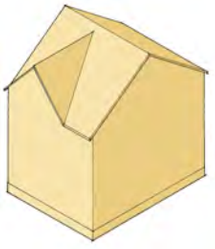
Long rectangular two- to three-story volume with 4 to 12 in 12 roof pitch.



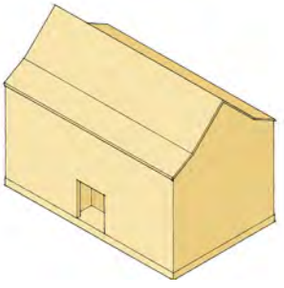






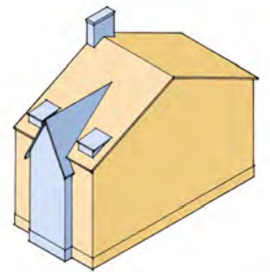








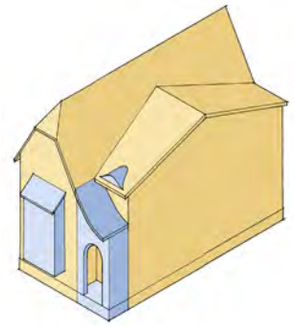




A Basic side gable with a front gable, shed-roofed dormers and a chimney



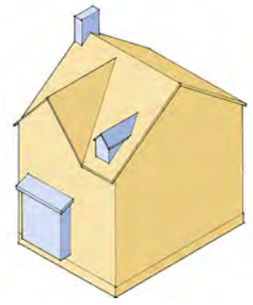




B Gable-front L with a front entry porch, an eyebrow dormer and a bay window



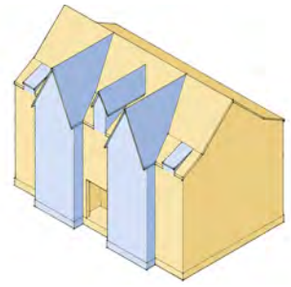




C Side gable with a bay window, a gable dormer, and a chimney







D Large side gable with front gables, shed dormers, and a gable dormer



POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



MATERIALS

SIDING/CLADDING

» Fiber-cement clapboard or stucco
» Lace finish not permitted
» Half-timbering for second-story accents

ROOFING

» Composition shingles, concrete tile with flat profile, or manufactured slate

WINDOWS

» Single- or double-hung and casement
» Energy-efficient wood, PVC-clad, cellular PVC, aluminum-clad, aluminum or vinyl
» Traditional wood profiles

TRIM

» Stucco, wood, composition board, cellular PVC, cast stone, polyurethane, or fiber cement

COLUMNS

» Wood, or composite

RAILINGS

» Ornamental metal preferred
» Wood or composite top and bottom rails with square balusters

SOFFITS AND PORCH CEILING

» Fiber-cement board, stucco, T&G wood, beaded plywood, exterior-grade plywood, or stucco

GUTTERS

» Ogee or half-round
» Primed or prefinished metal
» PVC is acceptable in a color that matches trim
» Fascia gutter permitted

DOWNSPOUTS

» Rectangular or round
» Primed or prefinished metal
» PVC is permitted in a color that matches trim or stucco cladding

SHUTTERS

» Raised or flat paneled
» Louvered or plank
» Wood or composite materials, or colored vinyl
» Hinges, shutter dogs, and latches are encouraged

CHIMNEYS

» Stucco, brick, or manufactured stone veneer
» Siding to match house

FRONT YARD FENCES

» Painted wood, prefinished metal, stone, masonry, or stucco finish

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish
» Vinyl and pressure-treated wood are permitted

COLORS

SIDING, WINDOWS, AND TRIM

» Colors to be selected from the Ellis Color Palette

ROOF

» Colors to be selected from the Ellis Color Palette

GUTTERS AND DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

SHUTTERS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS MEDITERRANEAN REVIVAL

The Mediterranean Revival style draws on the distinctive architectural character of the Monterey Peninsula as influenced by the popular California Spanish Colonial style. The style dates back to the early nineteenth century. The first revival started around 1925 amidst a very popular renaissance of Spanish architectural forms throughout the region. The Mediterranean style emerged from Spanish adobe precedents that date between 1815 and 1860. This style combines traditional adobe construction, local to this region, with Spanish Colonial influences. The result is a distinctive architectural vocabulary, characterized by simple forms with wooden decorative details. These houses used Colonial window and door detailing borrowed from New England carpentry techniques and added a rustic timber porch with exposed rafters and joists. The roofs had a very shallow pitch, either gabled or hipped, and were covered with clay tiles or cut wooden shingles.

The signature balcony on the front of the house was a prelude to the porch that often surrounded or defined a private courtyard in the back of the house. The detailing on the porches and the cornice is extremely simple.

COMMON ELEMENTS OF ELLIS MEDITERRANEAN REVIVAL

- Simple, straightforward volumes, sometimes with a gable wing facing the street.
- Shallow sloped roofs, either hip or gable, with shingles and tile.
- Typically two-story.
- Simplified versions of double hung Colonial windows and doors.
- Multi-pane window appearance that are wide in proportion, usually with 4 over 4 or 6 over 6 pane patterns.
- Street facing projecting timber balconies or inset porches with exposed rafters.



GALLERY OF EXAMPLES















MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Two-story rectangular form with a 3 to 4 in 12 gabled roof pitch, and side gable facing the street. A variety of porch and balcony options exist for this massing type.

B TWO-STORY GABLE L

Two-story main body, side gable facing the street with a 3 to 4 in 12 roof pitch. A two-story wing projects forward from the main body toward the street.

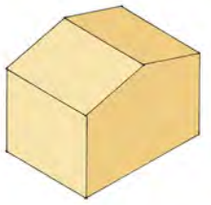
C TWO-STORY FRONT GABLE

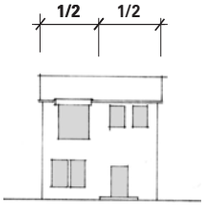
Cross-gabled volume with a 3 to 4 in 12 gable facing the street. Cantilevered balconies and one-story front additions are encouraged.

D MANSION APARTMENTS

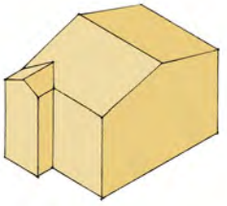
Long rectangular two- to three-story volume with 3 to 4 in 12 roof pitch. Typically two front gables project toward the street to form a courtyard for apartments. Balconies, porches, and one- or two-story additions are encouraged for architectural variety.

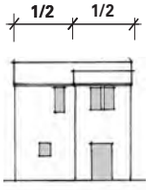
TWO-STORY SIDE GABLE



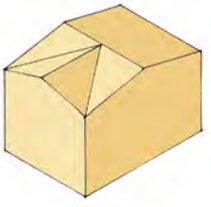


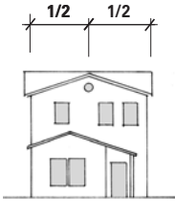
TWO-STORY GABLE L



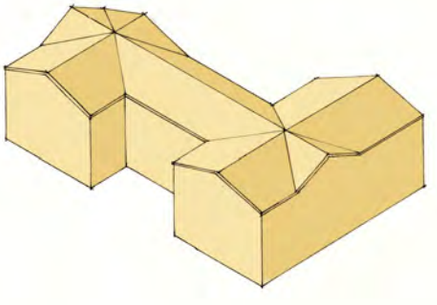


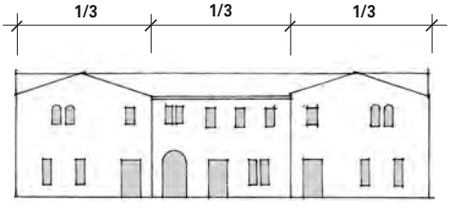
TWO-STORY FRONT GABLE

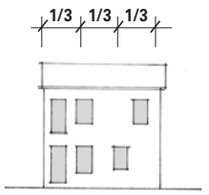


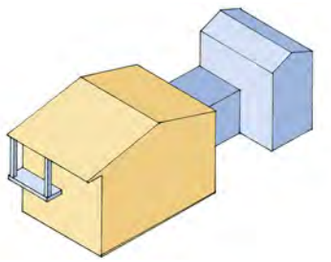


MANSION APARTMENTS



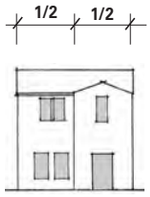


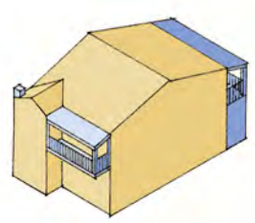




A Two-story side gable with balcony and rear wing

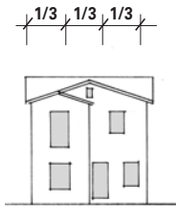


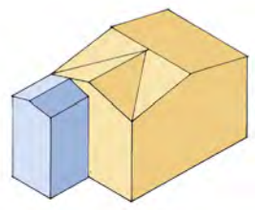




B Two-story gable L with front and rear balconies and chimney

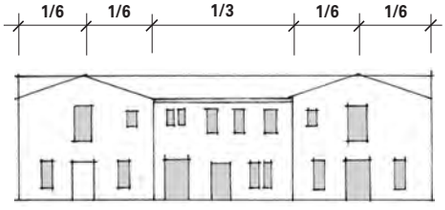


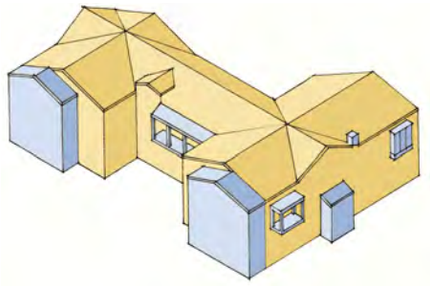




C Two-story front gable with added front gable wing







D 6-unit Mansion Apartment with front wings, balconies, chimney, and entry addition

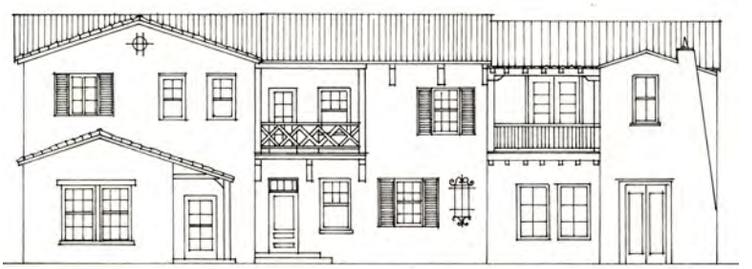


POSSIBILITIES

TOWNHOUSES



TOWNHOUSES



MANSION APARTMENTS



PRECEDENTS







MATERIALS

SIDING/CLADDING

» Stucco and optional second floor wood or fiber-cement clapboard

» Lace finish not permitted

ROOFING

» Concrete tile in flat or barrel profile, multiple stacked tile at eaves

» Architectural asphalt shingle also permitted

WINDOWS

» Single or double-hung, casement, and picture units, energy-efficient wood, PVC clad, aluminum-clad, cellular PVC, aluminum or vinyl with traditional wood profiles

COLUMNS

» Stucco or composite

BALCONIES

» Wood, corbelled stucco with metal railings, or fiber cement

RAILINGS

» Wood or fiber cement top and bottom rails with square or turned balusters

EAVES

» Starter board or v-groove sheathing

EXTERIOR CEILINGS

» Plank and beam, or stucco

GUTTERS

» Half-round metal or PVC

» Fascia gutter also permitted

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat panel, louvered, or plank, in wood or composite material or a colored vinyl

CHIMNEYS

» Stucco

FRONT YARD FENCES

» Masonry with stucco finish; wrought iron accents permitted

» Wrought iron or aluminum permitted

REAR YARD FENCES

» Cedar or redwood, or masonry with stucco finish

» Vinyl and pressure-treated wood are permitted

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

WALLS/FENCING

» Colors to be selected from the Ellis Color Palette

ELLIS
SPANISH COLONIAL

California houses of the 1920s and 1930s were designed in a wide variety of styles, yet the Spanish Revival style was by far the most popular due to its early association with the region, its adaptability to the local landscape and climate, and its charm and character. A major impetus for revival of Spanish architecture came from Bertram Goodhue's designs for the 1915 Pan Pacific Exposition in San Diego.

The Spanish Colonial style is a catalog of styles, unified by the use of arches, courtyards, strong form and mass, plain wall surfaces, and tile roofs; all are derived from Mediterranean architectural styles. Spanish Colonial style is most often characterized by an informal plan arrangement and massing.

Spanish-style houses typically have low, long spreading sweeps of wall with a minimum of penetration (constructed so as to have the appearance of thick masonry). They also have tiled, low pitched roofs (to accentuate the horizontal character); covered patios, loggias, or cloisters; and substantial doors. In a Spanish-style house, most of the effect comes from a correct use of proportion and a spare, well-placed use of ornament. The house's fundamental charm lies in the contrast of warm sunlight and cool shadows (light and shade), in the use of materials, in texture and color, and in its austere simplicity.

COMMON ELEMENTS OF ELLIS SPANISH COLONIAL

- Stucco walls with a handmade/formed appearance.
- Shallow sloped, tile roofs in variegated colors.
- Irregular window and door composition.
- Casement windows.
- Covered porches and loggias.
- Balconies with decorative ironwork.



GALLERY OF EXAMPLES











MASSING AND COMPOSITION

Attached units will occur in two forms: townhouses and Mansion Apartment buildings. Massing options A, B, and C may apply to townhouse rows and may be combined along a block face. Massing type D is applied to apartment buildings.

A TWO-STORY SIDE GABLE

Rectangular two-story volume with a 3 to 4 in 12 roof pitch and gable parallel to the street. Flat-roofed elements such as porches or galleries may be added to the front of the building.

B TWO-STORY BASIC DOUBLE SIDE GABLE

Two-story main body with a 3 to 4 in 12 roof pitch composed of two attached gable forms parallel to the street. Porches and entry features are common inside the L shape formed by the two gable forms.

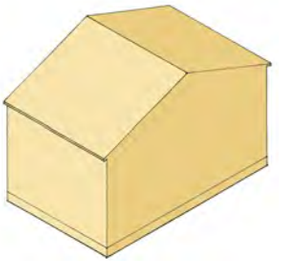
C TWO-STORY GABLE L

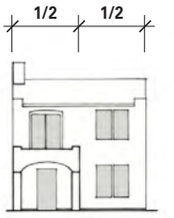
Similar to the two-story side gable but with a front-facing gable attached forming an L shape. Attached wing is usually no more than half the width of the front facade.

D MANSION APARTMENTS

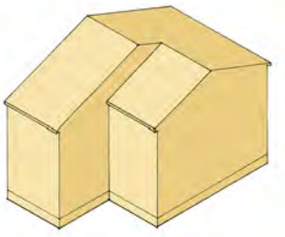
Two-story main body, gable or hip roof running parallel to the street. Typically there are projecting bays, some of which function as entries.

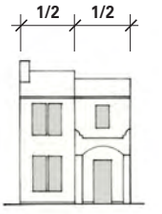
A TWO-STORY SIDE GABLE



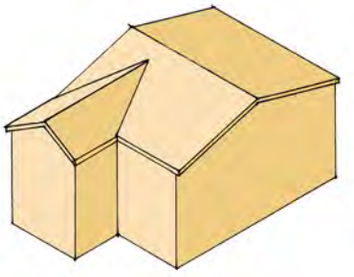


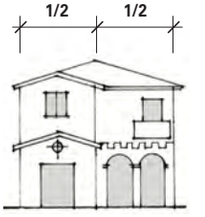
B TWO-STORY DOUBLE SIDE GABLE



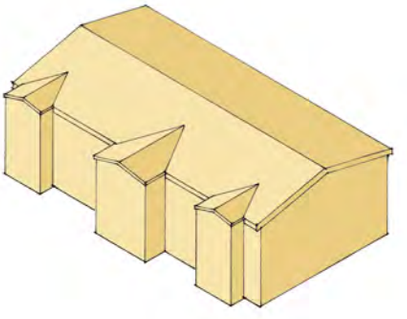


C TWO-STORY GABLE L

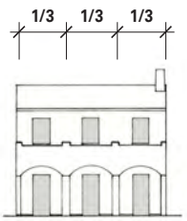


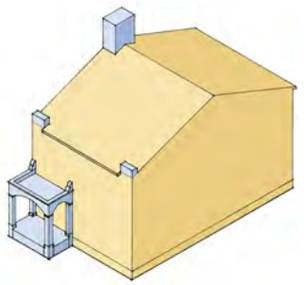


D MANSION APARTMENTS



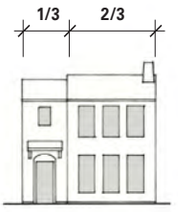


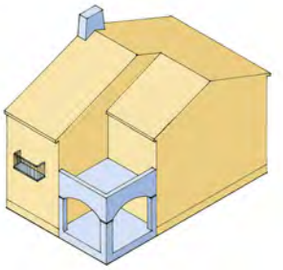




A Two-story side gable with front porch, parapet element, and chimney

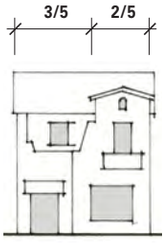


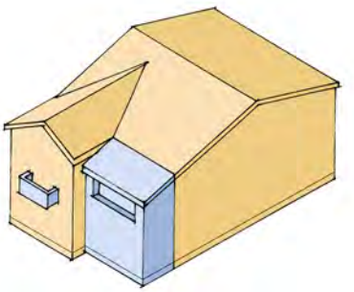




B Two-story double side gable with two story front porch, balcony, and chimney



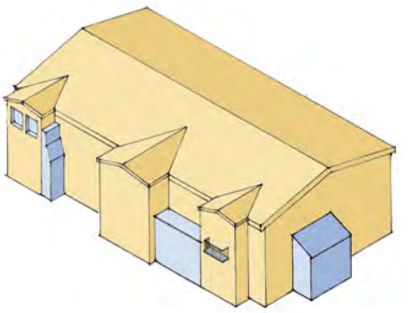




C Two-story gable L with attached front wing with inset porch, and balcony







D Two-story Mansion Apartment with side wing entry, attached one-story bay, balcony, chimney, and second-floor loggia.



POSSIBILITIES

TOWNHOUSES







PRECEDENTS







MATERIALS

SIDING/CLADDING

» Stucco with handmade/formed appearance, skip-trowel not allowed

ROOFING

» Terra cotta barrel tile

» Multiple stacked tile at eaves

WINDOWS

» Energy-efficient wood, PVC clad, aluminum-clad, or aluminum

» True divided light appearance

» Grilles shall be solid stock or wrought iron

COLUMNS AND ARCHES

» Stucco or stucco (square, rectangular, or round), or round cast stone/concrete

EXTERIOR STAIRS

» Terra cotta pavers for treads with stucco or decorative tile

» Risers, sloped or stepped stucco walls as guard-railing. Solid-stock metal rails with a wrought iron appearance are also permitted.

BALCONIES

» Solid-stock metal with a wrought iron appearance, wood, or cover or corbelled stucco with metal railings

EAVES

» Wood s4s or v-groove sheathing, often of random width

» Stucco molded eaves are permitted.

EXTERIOR CEILINGS

» Plank and beam

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Raised or flat paneled

» Louvered or plank

» Wrought iron hinges, shutter dogs encouraged

CHIMNEYS

» Stucco with handmade/formed appearance

FRONT YARD FENCES

» Prefinished metal, or masonry

REAR YARD FENCES

» Painted wood, prefinished metal, or masonry

COLORS

STUCCO

» Colors to be selected from the Ellis Color Palette

ROOF TILES

» Colors to be selected from the Ellis Color Palette

WINDOWS

» Colors to be selected from the Ellis Color Palette

TRIM/SHUTTERS

» Colors to be selected from the Ellis Color Palette

GUTTERS

» Colors to be selected from the Ellis Color Palette

DOWNSPOUTS

» Colors to be selected from the Ellis Color Palette

FENCING

» Colors to be selected from the Ellis Color Palette

PHOTOVOLTAIC PANEL GUIDELINES

Photovoltaic panels may be used in the community. Multiple application techniques are possible:

A ROOF MOUNT

Photovoltaics are mounted a few inches above the roof structure, during the initial installation of the roof. Choices about where to site panels are based on building orientation and surface pitch.

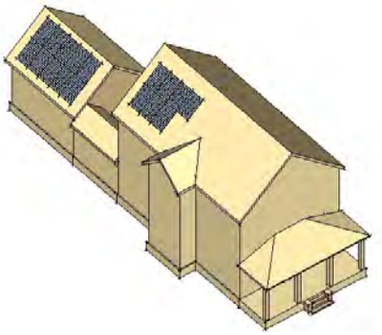
B BUILDING INTEGRATED PV ARRAY (BIPV)

Applications of photovoltaic panels may be integral to the building system. Roof materials with PV cells can replace traditional roofing materials, as long as they are stylistically appropriate.

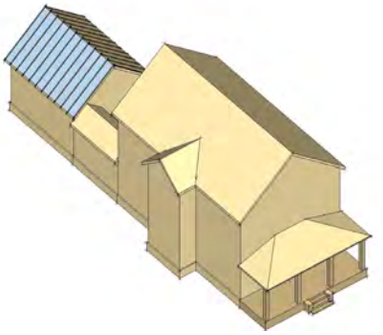
C SHADE STRUCTURE

Photovoltaic panels may be applied to roof shade structures on private lots or in public parks and spaces. The application may be either mounted or integral.

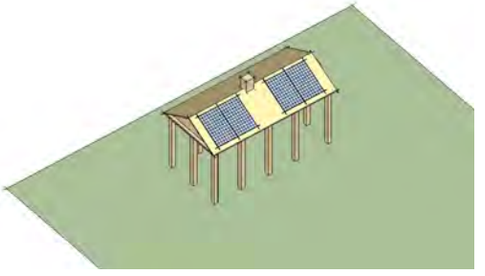
A ROOF MOUNT



B BUILDING INTEGRATED PV ARRAY (BIPV)



C SHADE STRUCTURE



	Flat	4:12	7:12	12:12	21:12	Vertical
South						
SSE, SSW						
SE, SW						
ESE, WSW						
East/West						

The graph to the right shows the optimal building orientation and photovoltaic panel pitch to maximize electrical energy generation





DESIGN CONSIDERATIONS

» Place panels on southern-most facing roof surfaces whenever possible for optimal efficiency. Pitch of roof determines optimal solar capture (see chart on page 3|58).





DESIGN CONSIDERATIONS

» Material replacement can include standing seam metal, masonry tiles, and shingles

» Color and material should be follow guidelines for each style



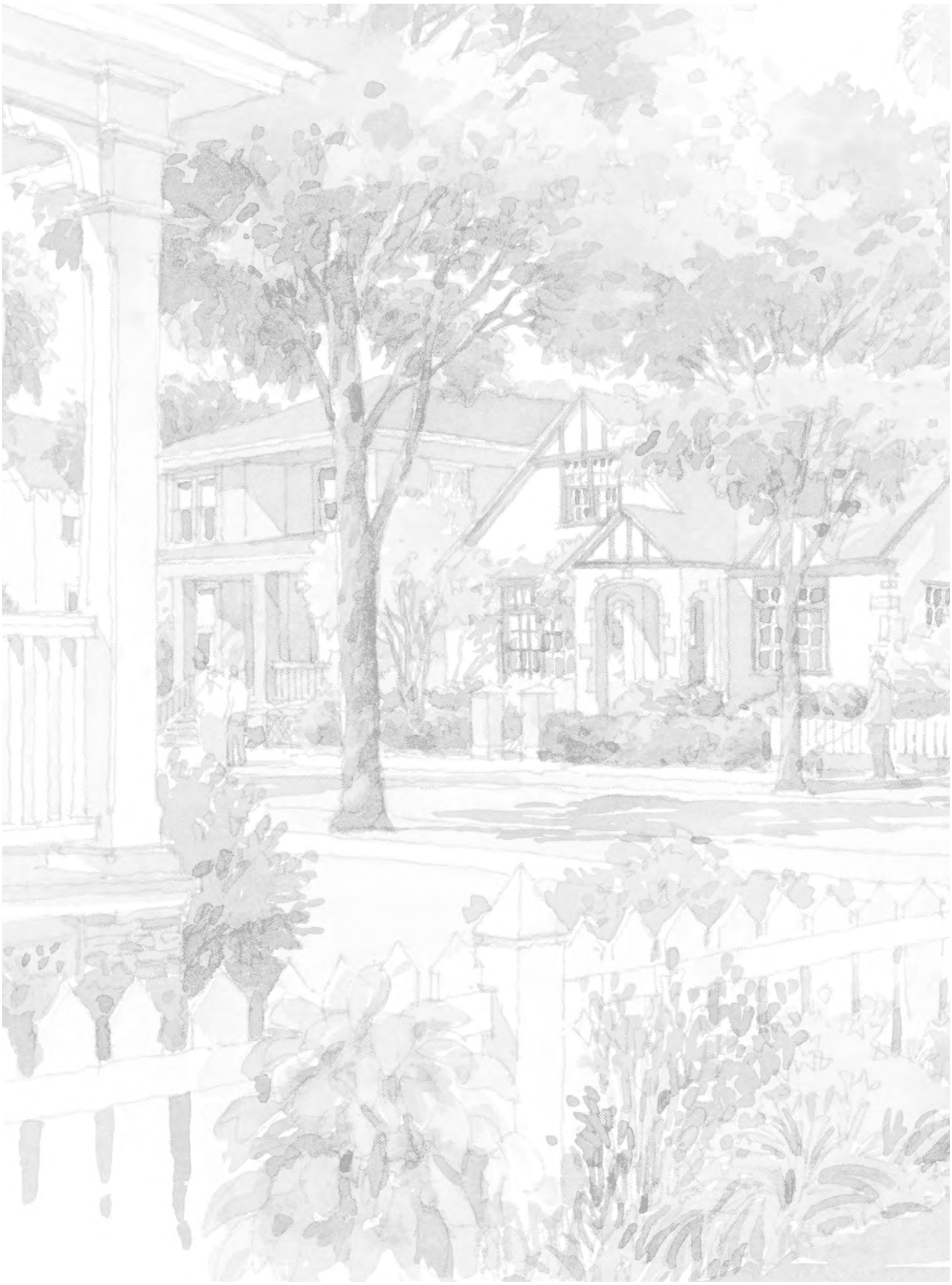


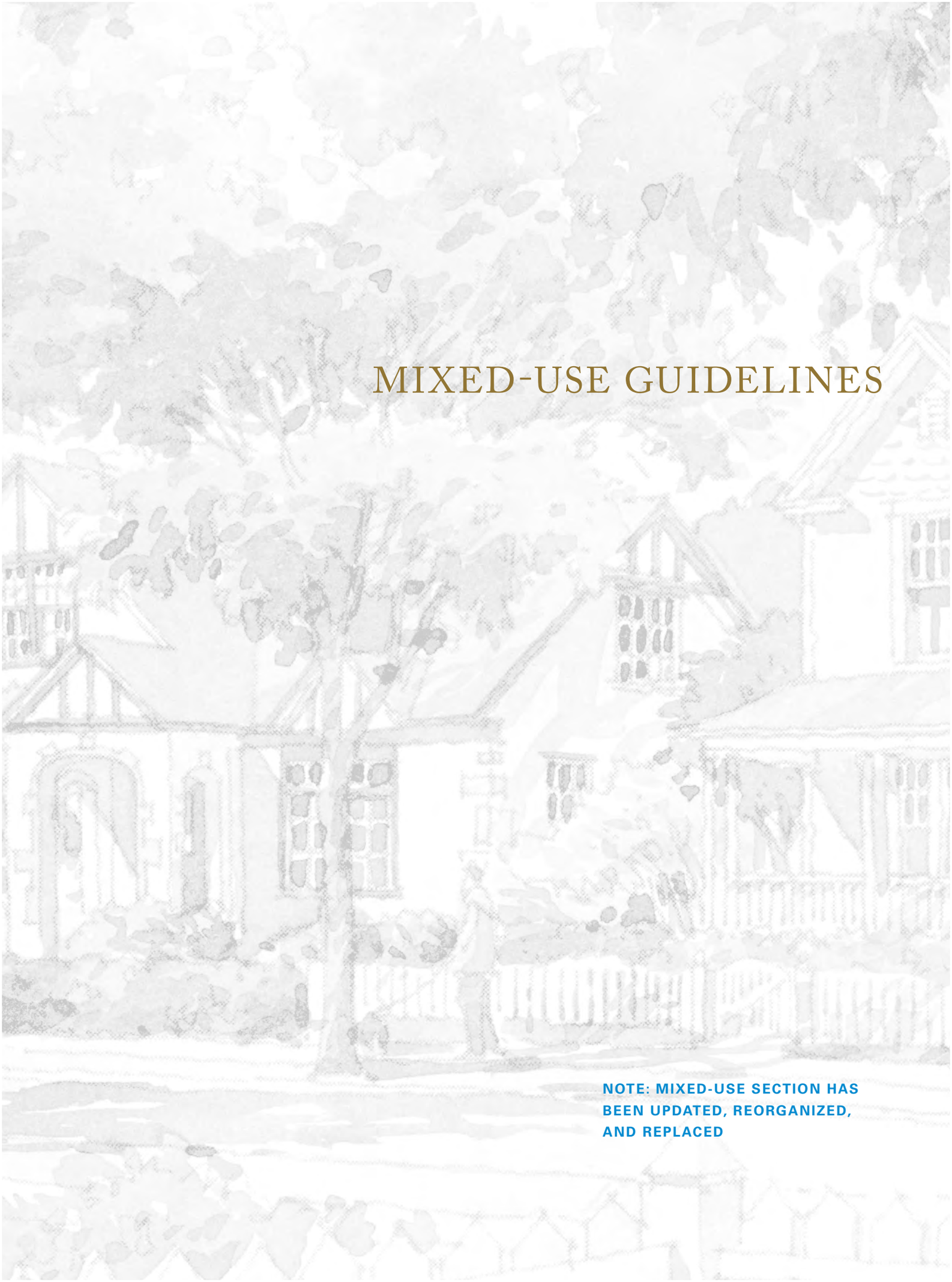
DESIGN CONSIDERATIONS

» Wiring underneath panels must be carefully concealed

» Vines and plantings must be trimmed and kept separate from wiring

» May include shading devices over rear or side porches





MIXED-USE GUIDELINES

NOTE: MIXED-USE SECTION HAS BEEN UPDATED, REORGANIZED, AND REPLACED

VILLAGE CENTER

Throughout the San Joaquin Valley, a number of traditional towns and villages have a memorable main street at their core. It is the center of civic life and public use for these communities, located within relatively close proximity to the surrounding residential neighborhoods. Ellis Town Drive will serve as the spine of the mixed-use core. Buildings will be organized, sited, and arranged relatively close to the street. The Village Center is designed to and proposes to accommodate a mix of uses ranging from retail, service, and office spaces to possible private residences above the public uses at street level. As such, the Village Center will fit within the regional traditions, utilizing building types appropriate for Ellis.



View of the Village Center along Ellis Town Drive



Illustrative plan of the Ellis Village Center

RETAIL, OFFICE AND OTHER PERMITTED USES

CIVIC

PARKING

BUILDING PLACEMENT AND REQUIRED SETBACKS

The buildings in the Ellis Village Center will be sited and designed according to specific requirements for placement on blocks Ellis Town Drive. This main street defines the core of the community. The guidelines which follow, developed as part of the master planning process, are meant to ensure that the diversity and character of Ellis called for in the Ellis Specific Plan are implemented and maintained.

MINIMUM BUILDING SETBACKS

- Ellis Town Drive: 0 feet
- Corral Hollow Road: 15 feet
- North Ellis Property Line: 15 feet
- Aquatic Park: 15 feet
- Residential Properties: 15 feet

FRONT FACADE ZONE

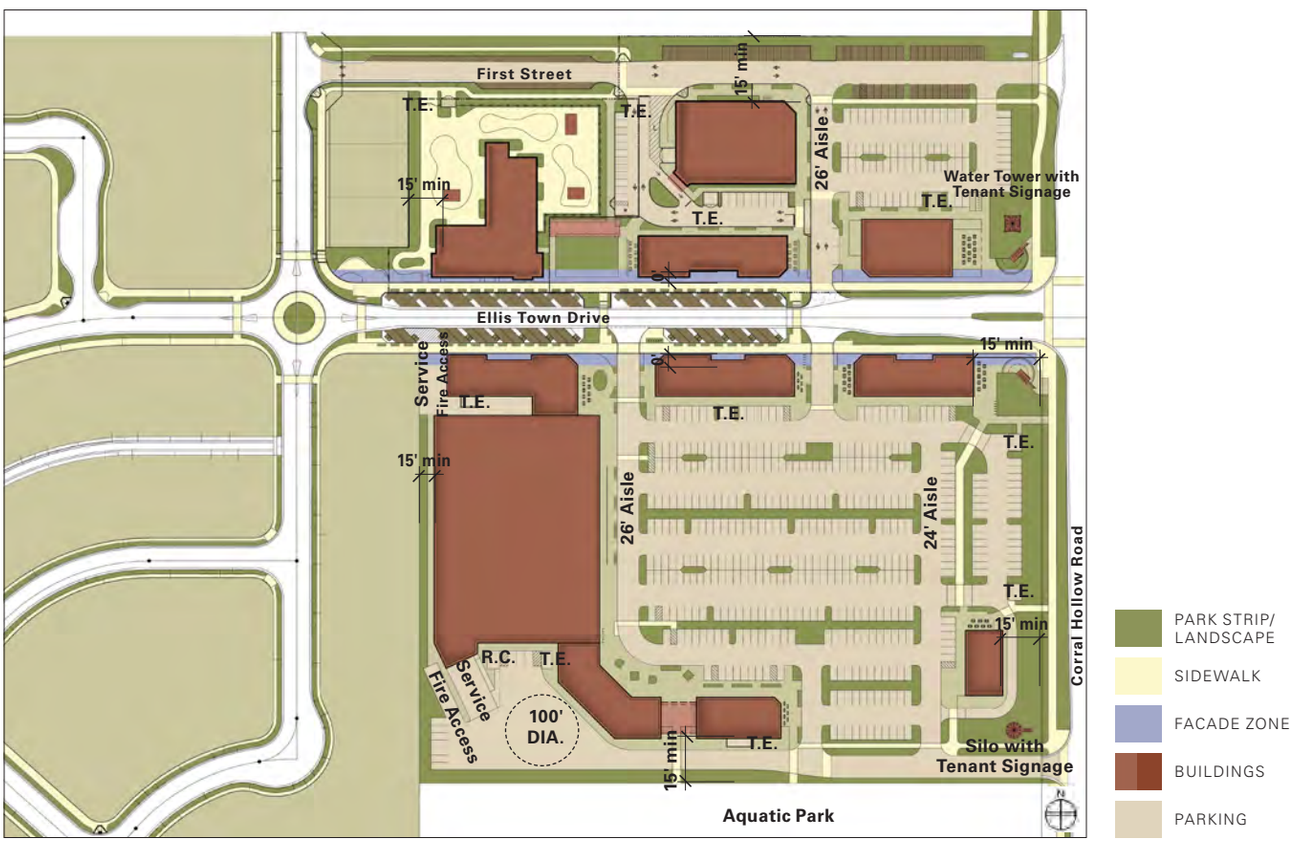
- Front Facade Zone guidelines apply only to Ellis Town Drive
- Zone: 20 feet deep
- More than 50% of the front building elevation (facing Ellis Town Drive) should be located in the Front Facade Zone

ENCROACHMENTS

- Awnings and Canopies: up to 6 feet into the public right-of-way
- Dining Patios, Bay Windows (no foundation), and Balconies: up to 2 feet into the public right-of-way

PARKING REQUIREMENTS

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking/Pedestrian Access in the ESP.



Building Placement Diagram

FENCING RECOMMENDATIONS

See Section 3.5.19 Fencing in the ESP.

OPEN SPACE REQUIREMENT

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.

REFUSE STORAGE

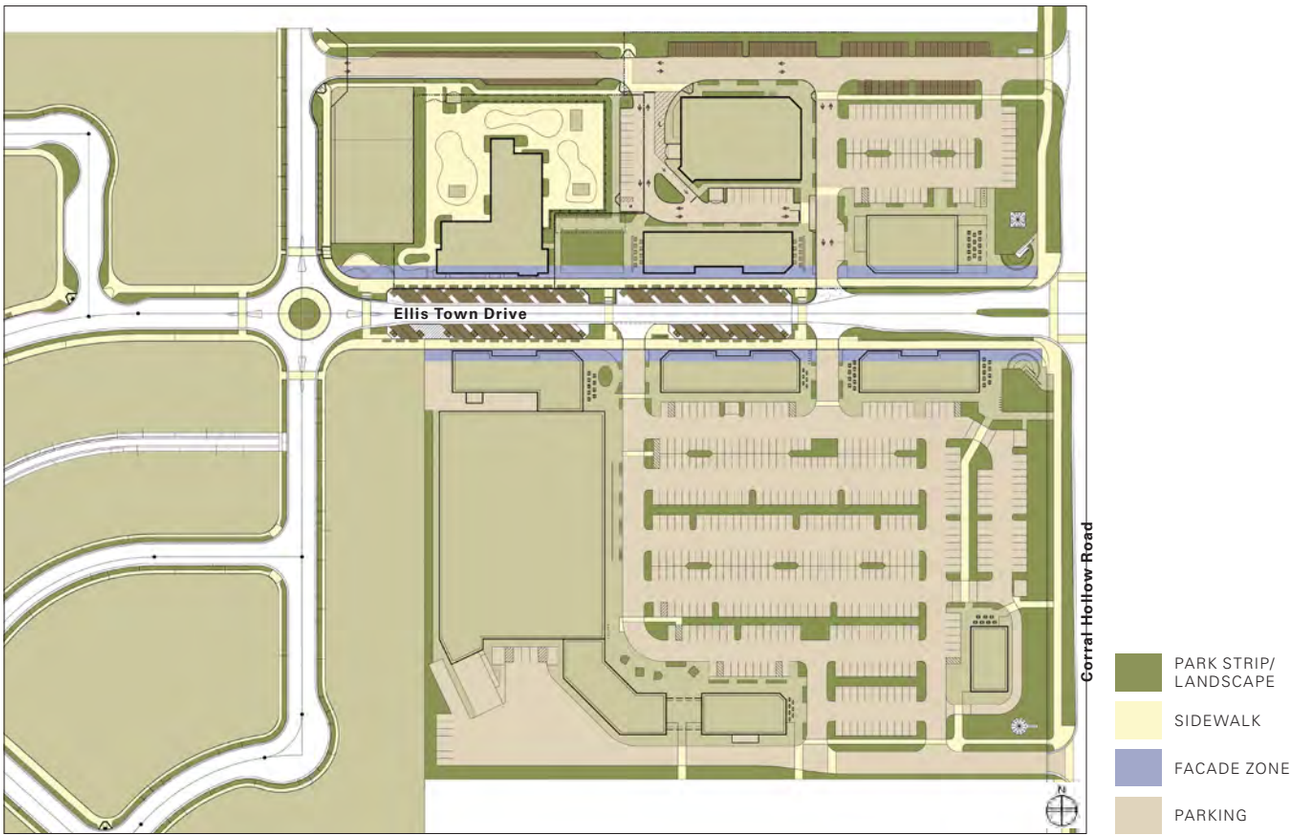
Commercial units shall maintain separate refuse and recycling storage containers from those used by residents. These containers will be integrated into off-street parking areas behind buildings. They must be of sufficient size to meet required trash and recycling needs. Refuse storage areas shall be clearly designated.

NON-RESIDENTIAL USES

The plan will accommodate up to 140,000 square feet of commercial uses in the Village Center. See Section 3.5.2 Permitted Uses in the ESP.

RESIDENTIAL USES

Up to 50 high-density residential units may be located within the Village Center. Residential units are not permitted on the ground floor of mixed-use buildings.



Setbacks Diagram

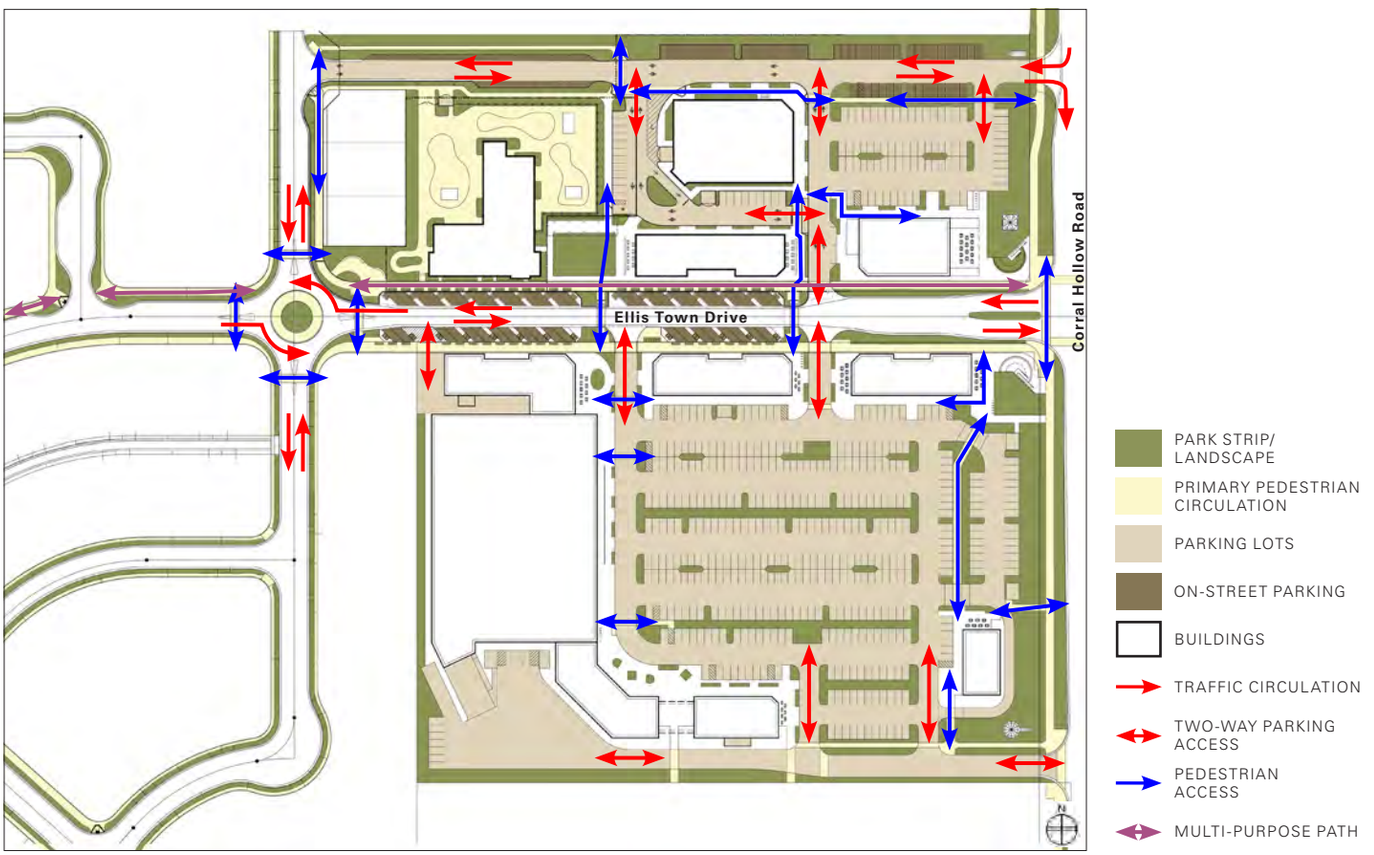
ACCESS AND CIRCULATION

The Ellis Village Center balances the pedestrian and vehicular circulation needs of the community. Streets and blocks are organized to support clear and safe access to the Village Center for residents and visitors alike.

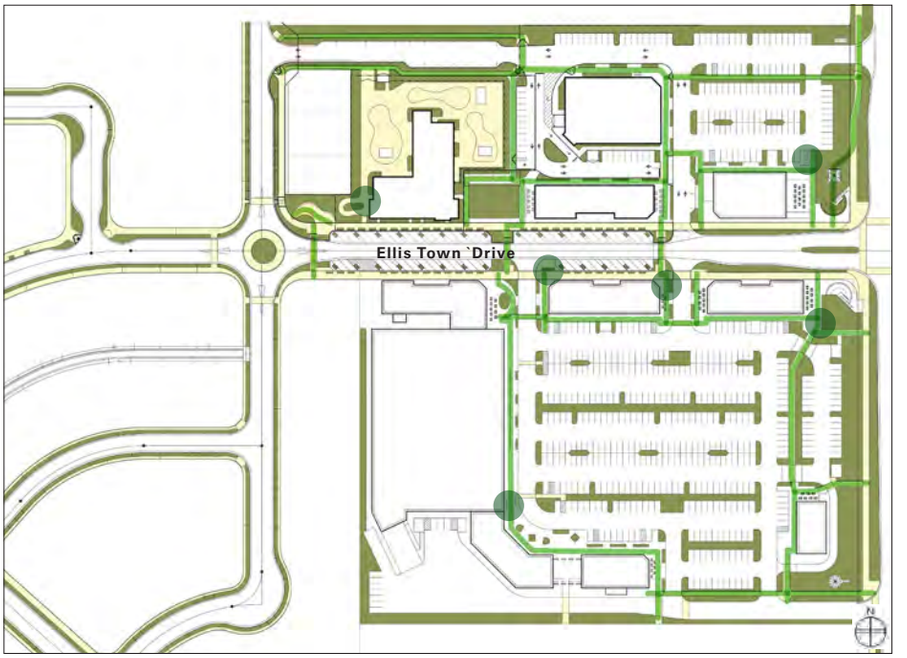
Primary access to the Village Center is along Ellis Town Drive, Ellis's traditional main street. From greater Tracy, the Ellis Village Center is accessed from Corral Hollow Road, one of the main north/south arterials in the City.

The street network of the Village Center is designed to organize and calm traffic as it enters the community from Corral Hollow Road. Ellis Drive accommodates two-way traffic throughout the Village Center. Cross driveways provide access to off-street parking lots located behind buildings. Parking lots provide two-way movement to allow for an optimum number of access points and circulation options for drivers and servicing.

Parking in the Village Center is accommodated both on-street and in off-street. On-street spaces provide convenient access to shops and offices for short-term visits and errands. Off-street parking is conveniently situated behind the buildings of Ellis Town Drive. See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.



Access and Circulation Diagram



LANDSCAPING

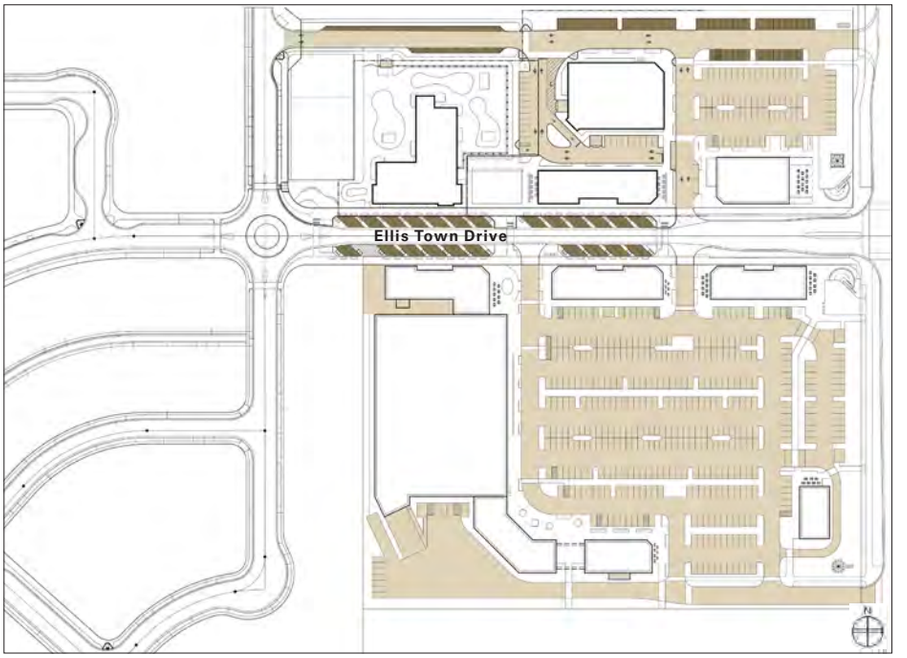
PRIMARY PEDESTRIAN CIRCULATION

SECONDARY PEDESTRIAN CIRCULATION

BIKE RACK LOCATION

PEDESTRIAN CIRCULATION

Sidewalks and park strips flank most public streets to support pedestrian circulation and safety. Sidewalks are also located in and around the parking lots to create safe access routes between vehicles and uses located on Ellis Town Drive.



OFF-STREET PARKING

ON-STREET PARKING

PARKING DIAGRAM

The majority of the Village Center parking is located behind buildings to create a pedestrian environment on Ellis Town Drive. Convenient on-street parking is also located along Ellis Town Drive.

VILLAGE CENTER BUILDINGS

In towns throughout the Central Valley, the downtown main street is typically lined with one- to two-story buildings that incorporate a wide range of uses. Shops and offices often occupy the ground floor, while residences or offices occupy the space above. Historic building types tend to have large glass storefront openings on the ground floor and a regular pattern of windows on the upper floors. Due to the Central Valley climate, large awnings or deep galleries are encouraged. As is common throughout the region, a mix of architectural styles, ranging from Craftsman to Colonial Revival creates a very interesting environment for all who use it. This also helps to create an image of a main street where individual buildings have been added over time.

COMMON ELEMENTS OF VILLAGE CENTER BUILDINGS

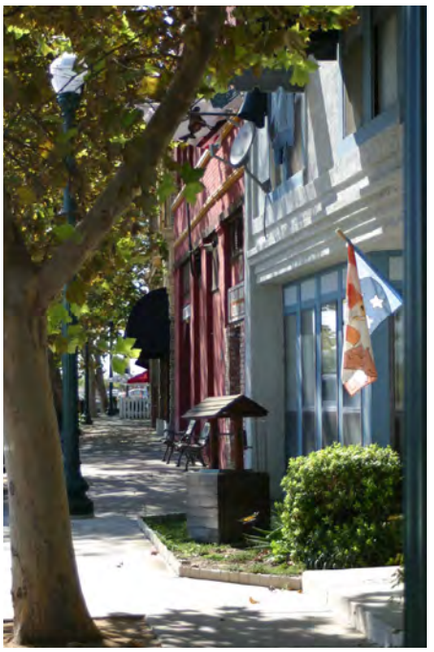
- Flat or shallow-pitched roofs
- Large, glass storefront openings
- Deep awnings or galleries to provide shade
- Large upper-floor windows (on two-story buildings)
- Well-detailed eave or cornice treatments



GALLERY OF EXAMPLES












STARBUCKS COFFEE
DRIVE THRU
Welcome
Baxter Village


Ukrop's Pharmacy
PLANT SALE


SELF


HAROLD'S
624
TAKE AN EXTRA 25% OFF

PRECEDENTS


Ellis Day Care


ghana indian
CARTOGRAPH
GARDEN FRESH


1869
ELLIS
Arabian Tea
Organica Co.
Moderna Eats


COCINA
KITCHEN SOUP
Moderna Eats


RASTA PASTA
RASTA PASTA
Shoe Boutique
DONA HABANA
True Goods


zumiez
True Goods
Ramen Isshin


ZAPATOS


Ellis Day Care
ZAPATOS


Moderna Eats
Organica Co.

PRECEDENTS, CONTINUED








GARDEN FRESH


Perspective
ARDEN FRESH


Perspective

MATERIALS

SIDING/CLADDING

» Stucco
» Brick
» Wood or fiber-cement siding
» Real or simulated stone

ROOFING

» Flat clay tile, standing seam metal, composition shingles, slate (including manufactured slate products)
» Membrane (flat roofs only)

WINDOWS

» Energy-efficient wood, PVC, aluminum-clad, or aluminum
» True divided light or storefront appearance
» Roll-up garage doors

COLUMNS

» Wood, composite posts, stucco, cast stone, real or simulated stone, metal

TRIM

» Ornamental cast stone, wood, or stucco

EAVES

» Wood sheathing with 2x, 3x, or 4x rafter tails
» Stucco molded eaves are permitted
» Break metal

EXTERIOR CEILINGS

» Plank and beam
» Stucco

GUTTERS

» Half-round metal or PVC

DOWNSPOUTS

» Round metal or PVC

SHUTTERS

» Plank/board or panel type
» Wrought iron hinges, shutter dogs, and latches are encouraged

REAR YARD FENCES AND ENCLOSURES

» Painted wood, prefinished metal, or masonry/stucco, real or simulated stone

COLORS

STUCCO

» Selected from Ellis Color Palette

HALF-TIMBERING

» Dark stain, pure color, or selected from the Ellis Color Palette

ROOF MATERIALS

» Clay tile in red or red/brown range
» Cedar shakes natural, no finish
» Slate in green/gray or green/brown ranges
» Other — selected from Ellis Color Palette

WINDOWS

» Dark stain, pure color, or selected from the Ellis Color Palette

TRIM/SHUTTERS

» Dark stain, pure color, or selected from the Ellis Color Palette

GUTTERS

» Match color of eaves

DOWNSPOUTS

» Match color of stucco substrate or trim color

FENCING

» Metals in matte brown/black, rust-red, or antiqued black
» Wood in black, black-green, brown, or green
» Or, selected from Ellis Color Palette

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AQUATIC PARK BUILDINGS

The Aquatic Park at Ellis is a regional destination and great recreational amenity for the residents of Tracy. Since the Aquatic Park is a facility that is civic in nature, close attention should be paid to its architecture and its relationship to the neighborhoods, the Village Center at Ellis, and the City of Tracy.

In order to celebrate the facility's public nature, an architectural vocabulary has been developed that builds upon the traditions of the region with the idea of the Aquatic Park as a resort for the residents of Tracy. As such, the imagery suggested here follows the tradition of great beach resorts found throughout California, with a focus on elements appropriate to the climate of Tracy.

Buildings will provide shade, and will be painted in white or light colors to reduce heat gain. Pergolas, fabric, and other shade structures will provide protection from the elements and will define landscaped areas as 'outdoor rooms.' Cabanas and other pavilions will be sited at the juncture of plazas and paths to connect the varying Aquatic Park experiences together, and to provide a clear system of pedestrian and user circulation.



COMMON ELEMENTS OF AQUATIC PARK BUILDINGS

- Shade structures integral to the architectural forms
- Simple, traditional architectural detailing
- Pergolas, pavilions, and cabanas that relate to the overall architectural form
- Simple roof forms with deep overhangs
- Materials that are simple and elegant, such as siding and standing seam roofs
- Seamless transition between indoor and outdoor materials and environments

GALLERY OF EXAMPLES













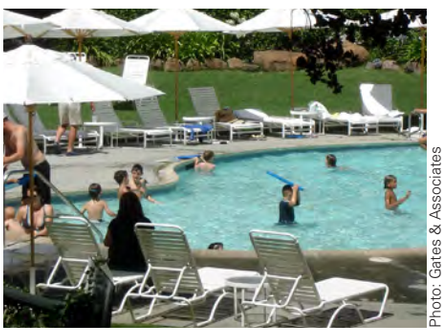


Photo: Gates & Associates

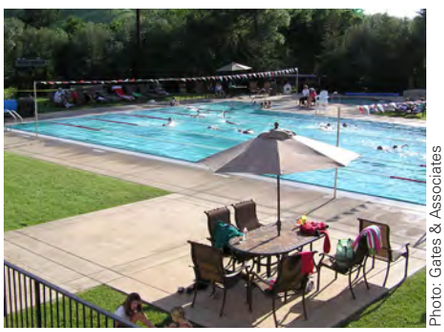


Photo: Gates & Associates



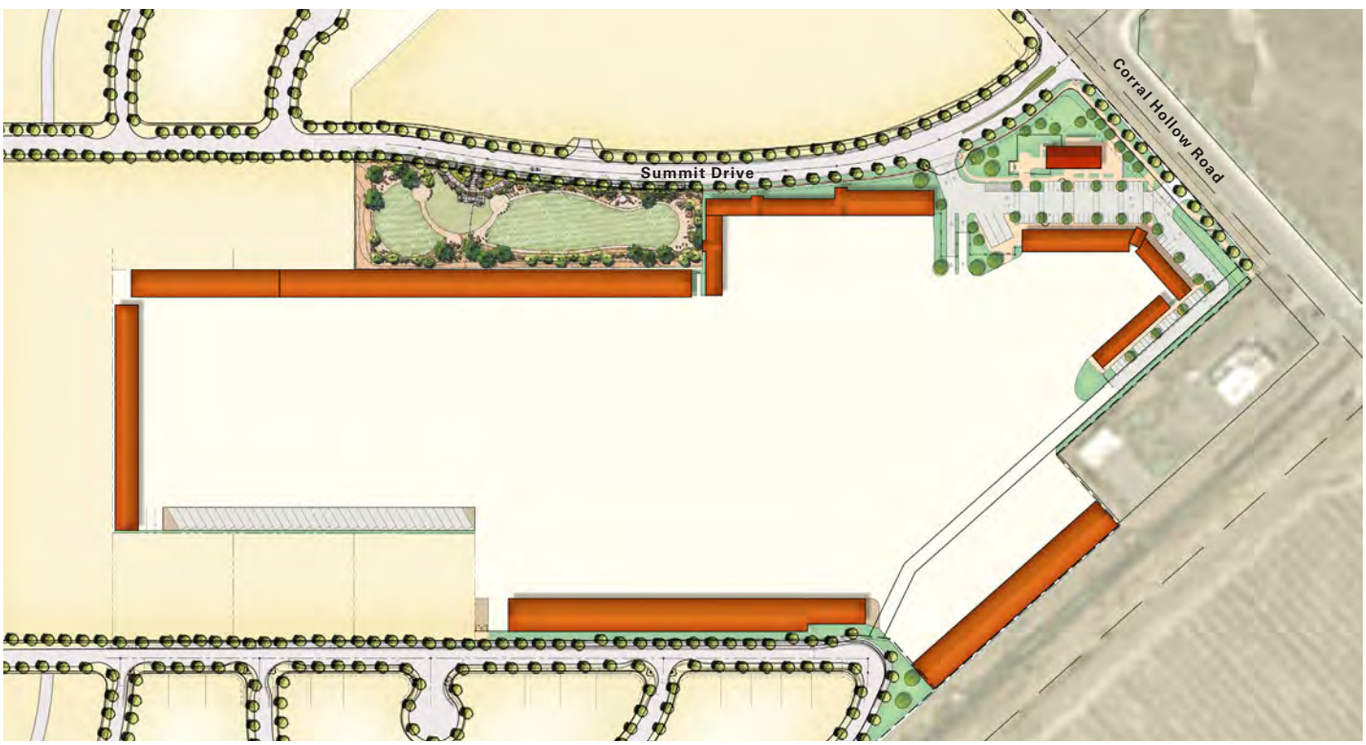
Aquatic Park Image and Character

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STORAGE CENTER

The Storage Center has been identified for auto-oriented uses along and just inboard of Corral Hollow Road. The development of thoughtful and integrated site plans and buildings on these sites will be critical for the image of Ellis, the urban extension of the City of Tracy. Because these parcels are a gateway to Ellis, their quality and character need to be in alignment with the traditional character of the Ellis community.

Commercial buildings on outparcels should be sited to minimize the presence of parking and associated service areas. Large and small buildings should also reduce the visual impact of both drive-throughs and parking areas through landscaping. Like all other buildings in the adjacent Ellis Village Center, these commercial buildings should address the street with attractively designed public facades.



Illustrative Plan of the Ellis Storage Center

GALLERY OF EXAMPLES















BUILDING PLACEMENT AND SETBACKS

The buildings located at the perimeter of the Storage Center will follow a pattern similar to placement on sites within the Village Center. This arrangement will create a reference to the main street character of the Village Center towards Corral Hollow Road and also serve as a secondary entrance to Ellis from the east.

MINIMUM BUILDING SETBACKS

- Ellis Public Streets, including Summit Drive: 15 feet
- Corral Hollow Road: 30 feet
- South Ellis Property Line: 0 feet
- Park Uses: 0 feet
- Residential Uses: 0 feet

FRONT FACADE ZONE

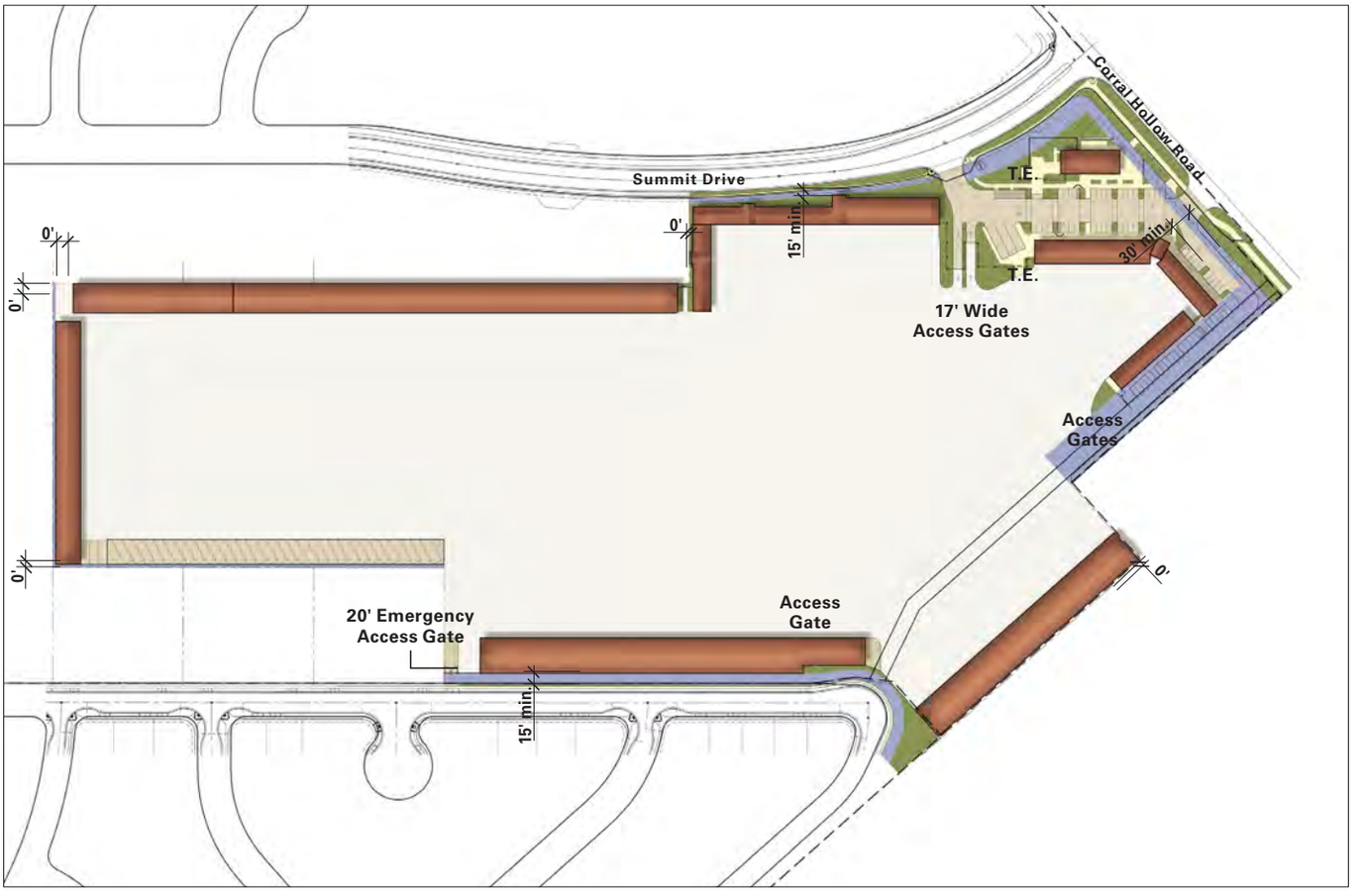
Front Facade Zone guidelines are not applicable to the Ellis Storage Center

ENCROACHMENTS

No encroachment into setbacks is permitted

PARKING REQUIREMENTS

See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP.



Building Placement Diagram

FENCING

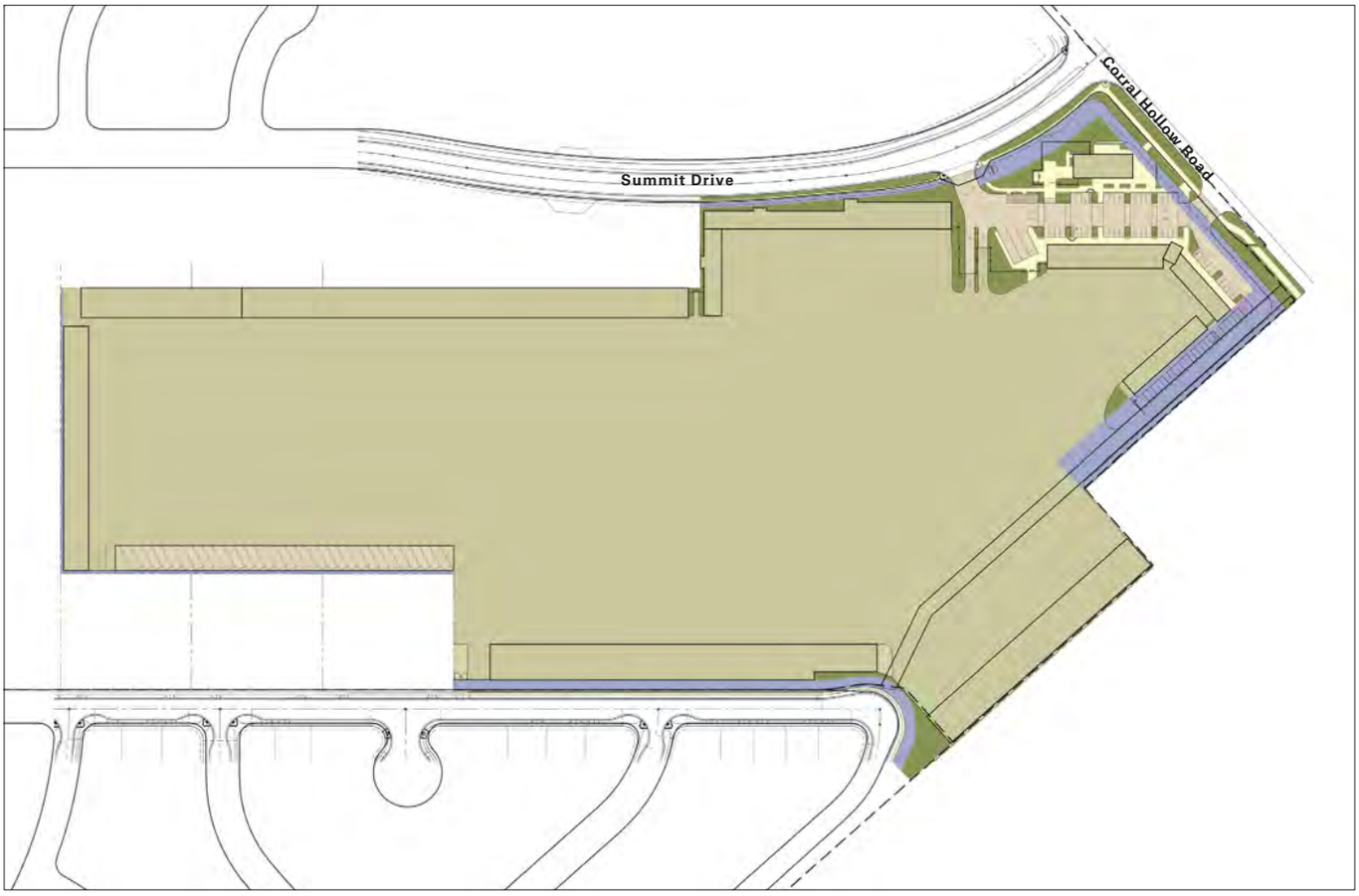
See Section 3.5.19 Fencing in the ESP.

LANDSCAPING

See Section 3.5.14 Parking/Loading/ Landscaping/Pedestrian Access/Bike Parking in the ESP.

REFUSE STORAGE

Containers will be integrated into off-street parking areas behind buildings. They must be of sufficient size to meet required trash and recycling needs. Refuse storage areas shall be clearly designated.



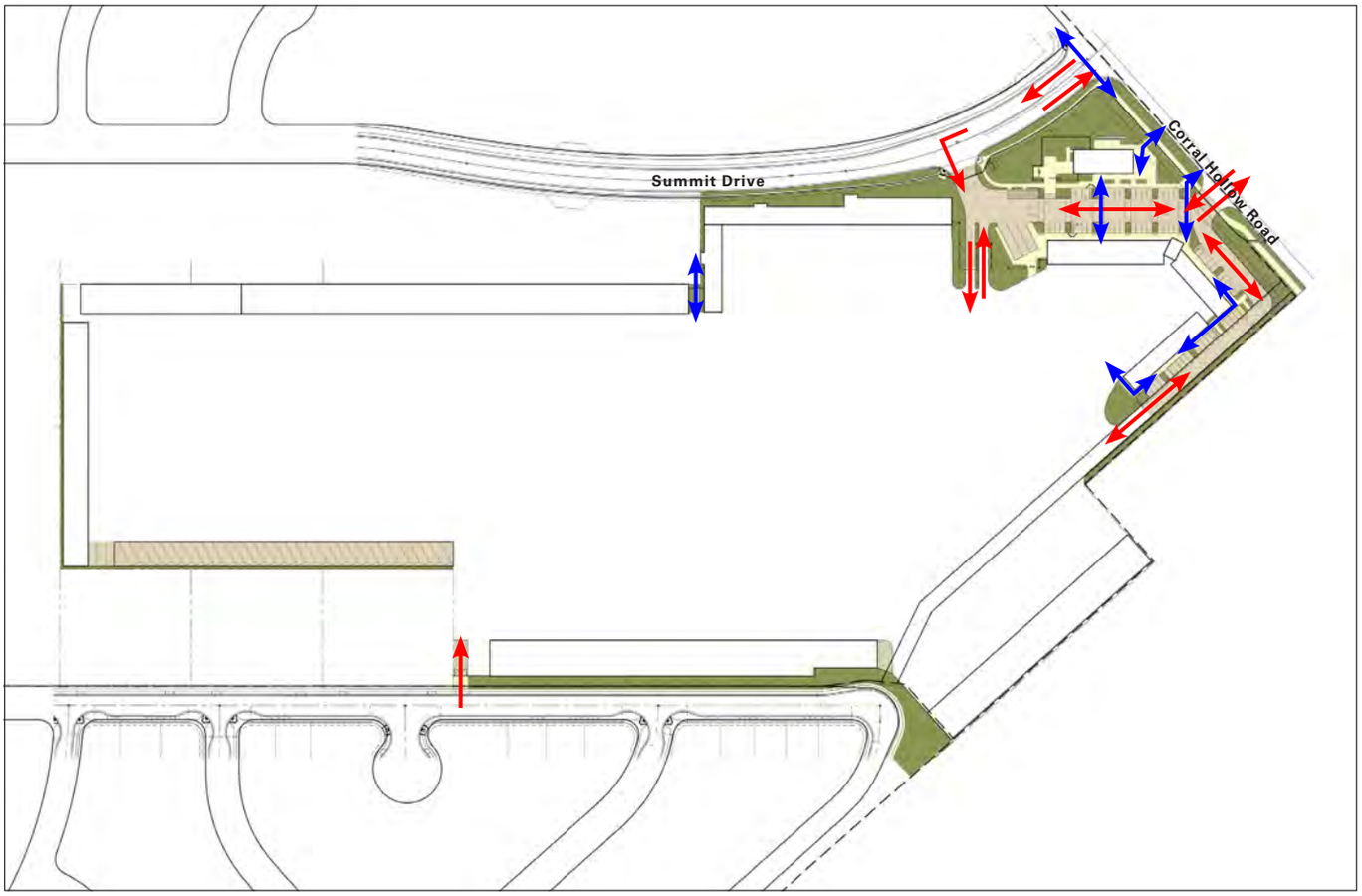
Setbacks Diagram

ACCESS AND CIRCULATION

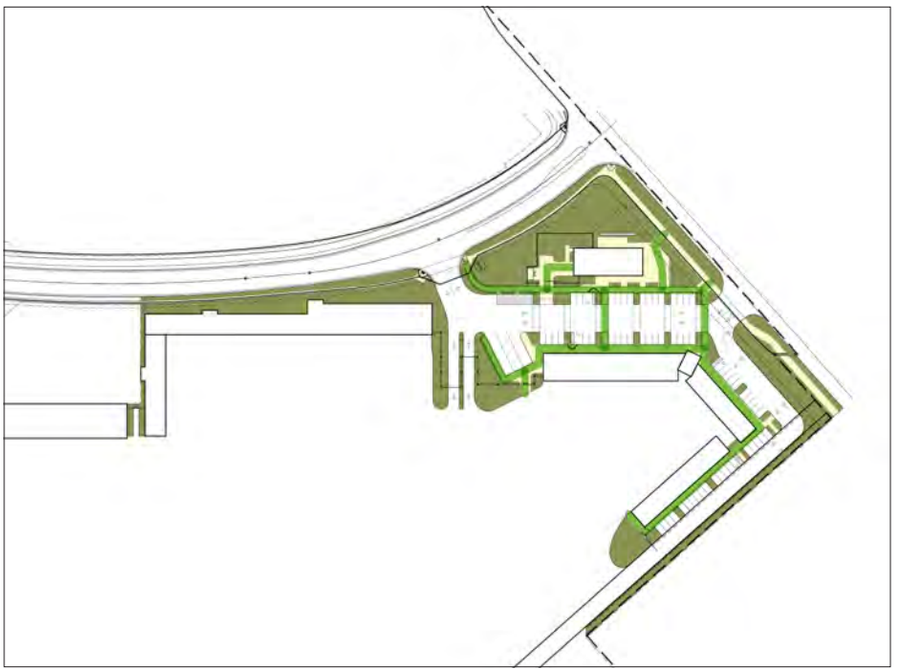
The Storage Center strikes a balanced between pedestrian and vehicular circulation needs. Drive aisles are organized to provide clear and safe access to the storefronts outside the security fence.

Primary access will be from Summit Drive and Corral Hollow Road.

Additional access for emergency vehicles will be from the southwest. See Section 3.5.14 Parking/Loading/Landscaping/Pedestrian Access/Bike Parking in the ESP for parking requirements.



Ellis Commercial Site Access, Circulation, and Parking Diagram



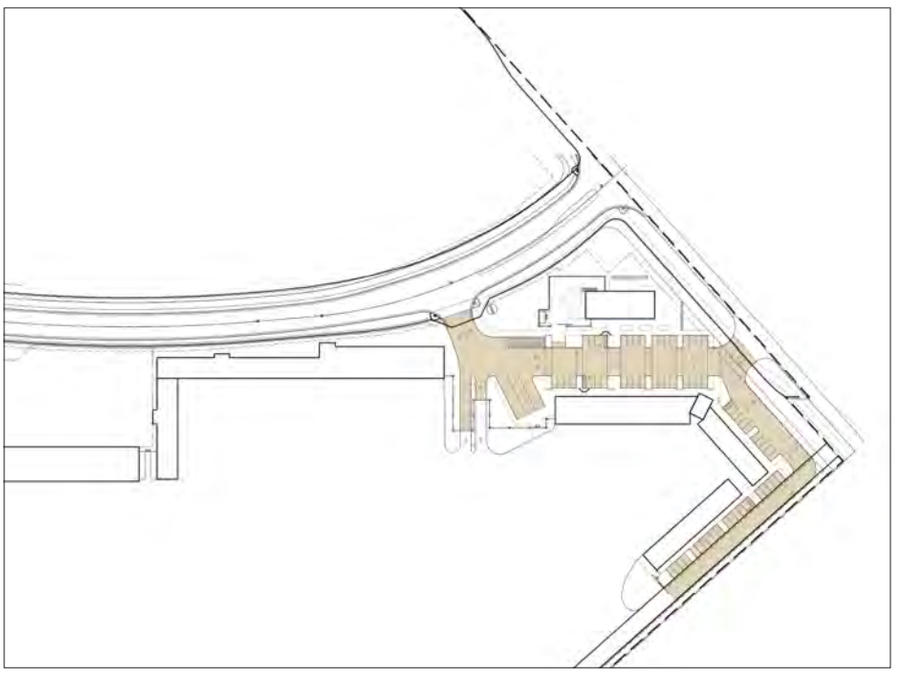
LANDSCAPING

PRIMARY PEDESTRIAN CIRCULATION

SECONDARY PEDESTRIAN CIRCULATION

PEDESTRIAN CIRCULATION

Public streets have sidewalks (yellow) and park strips (green) to create a safer pedestrian environment. Sidewalks are also located in and around the parking lots to create safe access routes between vehicles and buildings.



OFF-STREET PARKING

PARKING DIAGRAM

Parking for the Storage Center is arranged in a 'C' shape outside the security fence, adjacent to building storefronts.

PRECEDENTS








Ellis
Self Storage

PRECEDENTS, CONTINUED












Carpet Mills
Tile & Co.
Artisan Carpets
Carpenter One
Tile 4 All


Manufacture Inc.
Kitchen Design
True Goods
MASON CRAFT
Magic Cabinets




Tile 4 All
ATHLETICA
True Goods
KITCHEN SOUP
zumiez
CARTOGRAPH

PUBLIC FACILITIES

Public buildings will serve a key role in the image of Ellis and will be landmark structures around which other development is designed. Public buildings should provide public faces to all adjacent streets or park frontages. Access to the primary entrance should be clear; adequate consideration should also be given to lighting, as well as walkways and signage that are sympathetic to the surrounding uses. Many facilities create opportunities to terminate a visual axis by providing centers for the various neighborhoods and districts. Composed elevations and building massing should reflect these important locations.

All parking and service areas should be secondary to building locations and screened from public view. Civic sites should avoid fronting streets or parks with parking and service areas. Driveways and service entrances should be sited to minimize congestion and respect orientation and entrances for surrounding uses. Service areas and mechanical equipment should be screened from public view along all streets and public parks.

COMMON ELEMENTS OF PUBLIC BUILDINGS

- Should be located in prominent locations that receive large amounts of pedestrian and vehicular traffic
- Use traditional architectural styles to convey an idea of well-established community resources and institutions
- Tall floor-to-floor heights to create a significant presence on the street



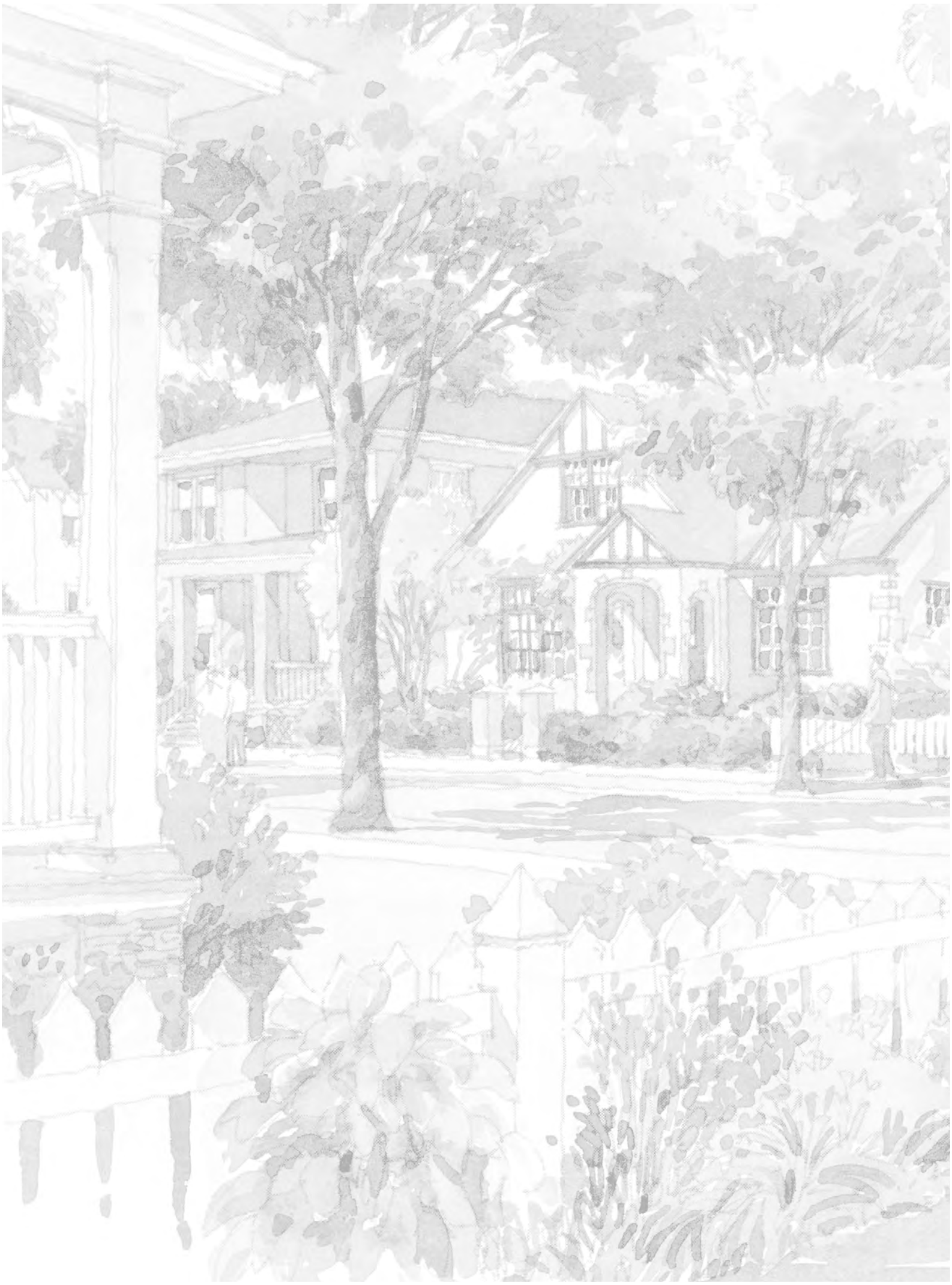
GALLERY OF EXAMPLES













ELLIS

TRACY, CALIFORNIA

ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS
AND SIGN PROGRAM

APPENDIX B

CONTENTS

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY VII

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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

ELLIS SIGN PROGRAM IS A DESIGN GUIDELINE FOR ELLIS.

PUBLIC PROPERTY SIGNS INCLUDE SIGNS IN THE PUBLIC RIGHT-OF-WAY, IN PUBLIC PARKS, AND ON PUBLIC PROPERTY, SUCH AS SPECIAL LANDSCAPE FEATURES.

PRIVATE PROPERTY SIGNS INCLUDE SIGNS ON PRIVATE PROPERTY.

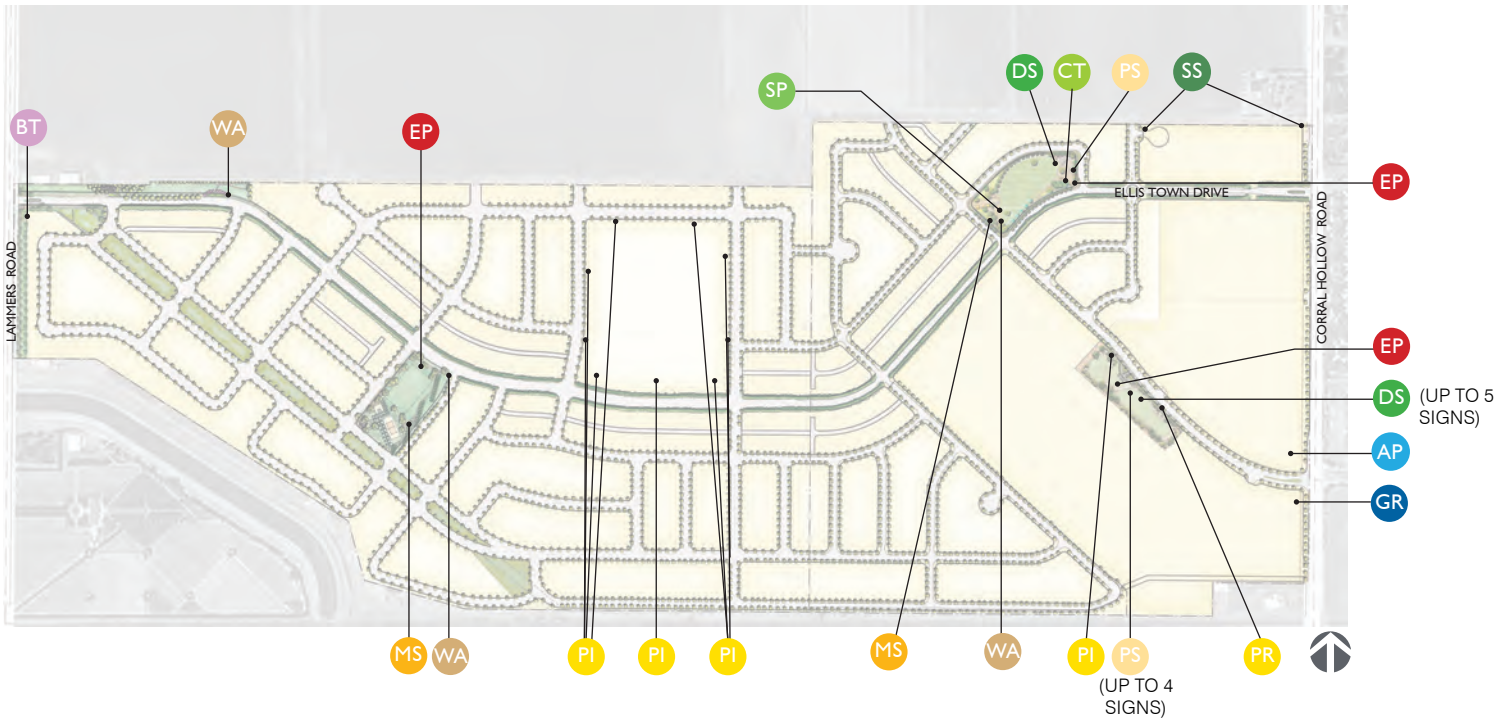
ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS IN THE ELLIS SPECIFIC PLAN AREA SHALL BE REGULATED BY TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE, EXCEPT AS SPECIFIED IN SECTIONS 3.5.18 AND 4.8.2 OF THE ELLIS SPECIFIC PLAN AND THIS APPENDIX B: ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGN PROGRAM. THE DESIGN OF ADDITIONAL LANDSCAPE FEATURES/CHARACTER ELEMENTS AND SIGNS SHALL BE PERMITTED AS SHOWN IN THE ELLIS SPECIFIC PLAN AND THIS APPENDIX B. THE APPROVAL PROCESS SHALL INCLUDE ONLY A BUILDING PERMIT, AND A SIGN PERMIT PROCESSED IN ACCORDANCE WITH TITLE 10, ARTICLE 35 OF THE TRACY MUNICIPAL CODE. FOR PURPOSES OF INDEMNIFYING THE CITY, ALL TEMPORARY SIGNAGE AND BANNERS TO BE LOCATE WITHIN STREET RIGHT-OF-WAYS, AS APPROVED IN THE ESP, WILL REQUIRE ONE ALL-INCLUSIVE ENCROACHMENT PERMIT.

ALL SIGN MATERIALS AND COLORS TO BE SELECTED BY THE DEVELOPER. ELLIS COMMERCIAL PROPERTY ASSOCIATION TO SELECT MATERIALS AS COMMERCIAL SIGNS ARE REPLACED AND EPOA TO SELECT MATERIAL AND COLORS AS BALANCE OF SIGNS ARE REPLACED.

SECTION 1: PUBLIC PROPERTY SIGNS

SIGN LOCATION PLAN

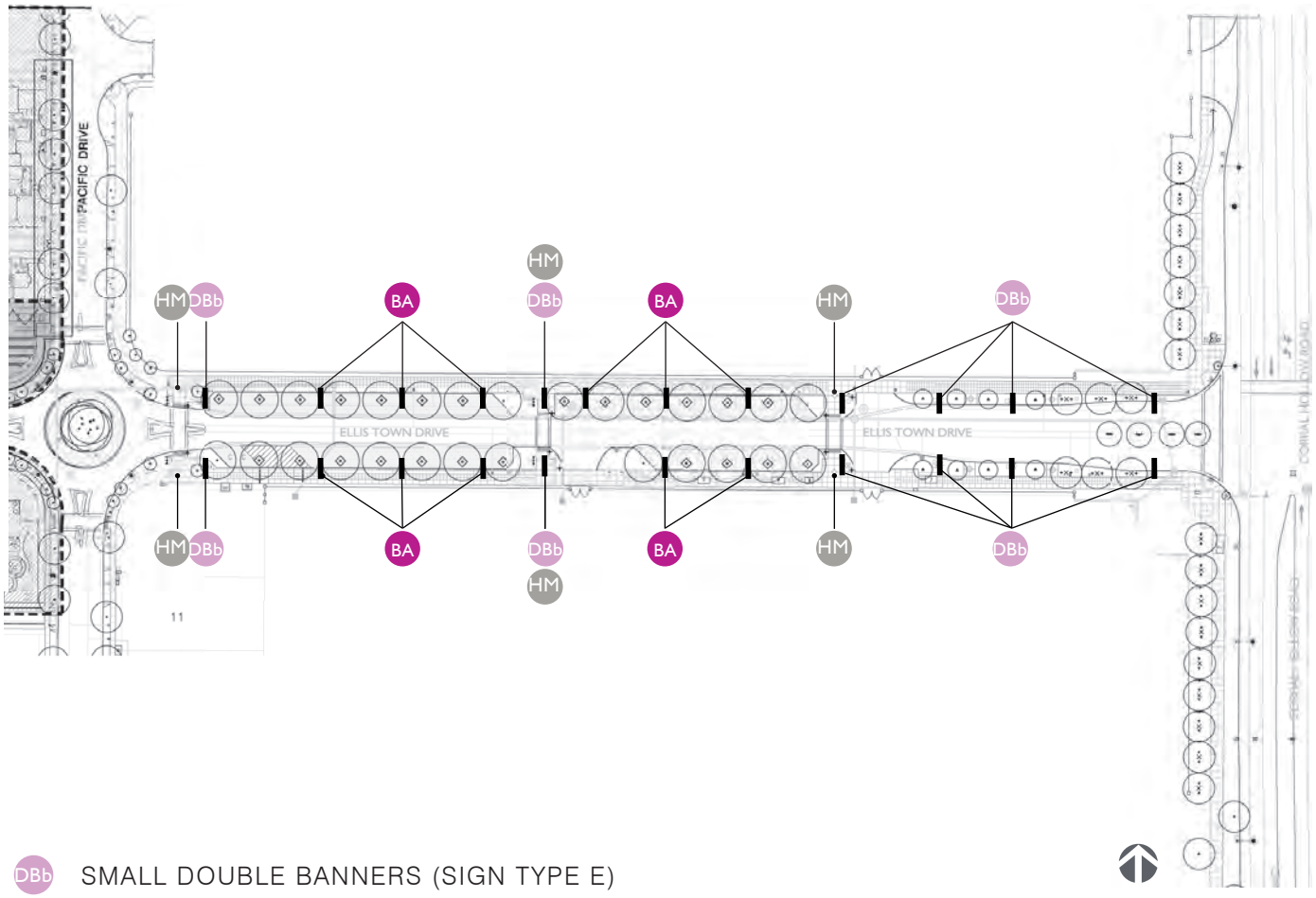
OVERALL



- AP — AQUATIC PARK
- EP — ENTRY PORTAL (SIGN TYPE G)
- WA — SIGN WALL (SIGN TYPE H)
- MS — MAILBOX SHADE STRUCTURE
- SP — SECONDARY ENTRY PORTAL
- CT — CLOCK TOWER
- SS — PRIVATE STREET SIGN
- DS — DOG STATION (SIGN TYPE I)
- PI — PARKING INFORMATIONAL
- PS — PARK SIGN

SIGN LOCATION PLAN

ELLIS TOWN DRIVE



DBb SMALL DOUBLE BANNERS (SIGN TYPE E)

BA SINGLE BANNERS (SIGN TYPE E)

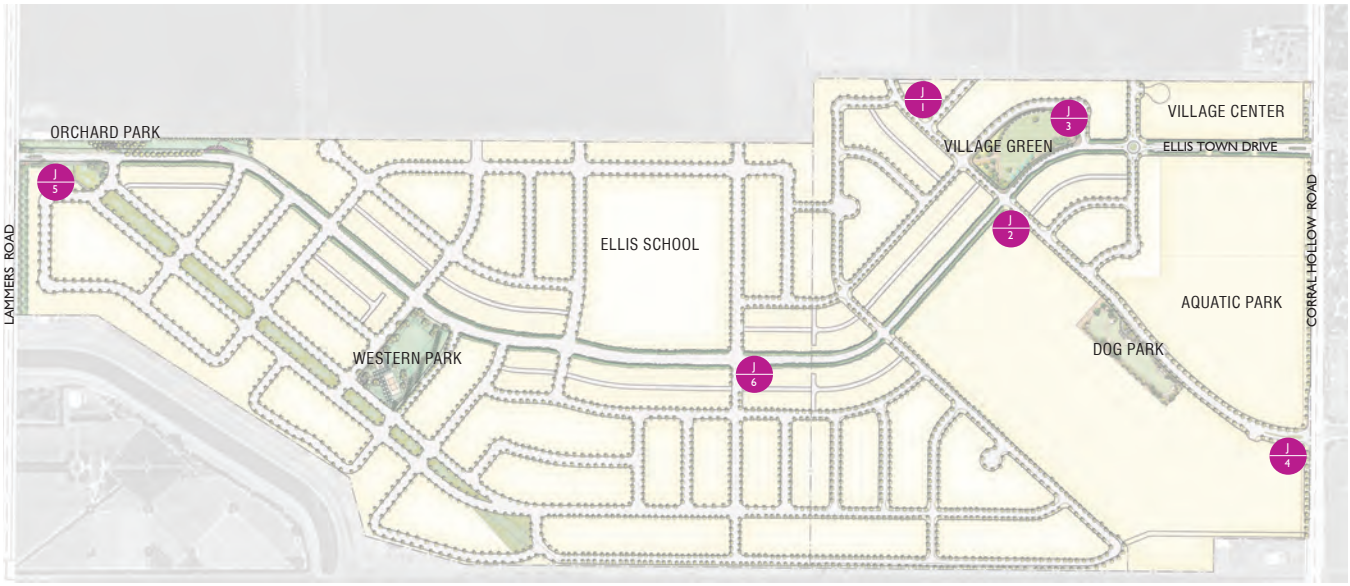
HM HISTORIC MARKERS (SIGN TYPE L)

KEY



SIGN LOCATION PLAN

SIGN TYPE J J



J SIGN TYPE J MESSAGE SCHEDULE

J 1

SIDE A

^ VILLAGE CENTER	^ VILLAGE GREEN
^ AQUATIC PARK	^ DOG PARK
^ WESTERN PARK	

J 2

SIDE A

< VILLAGE CENTER	^ AQUATIC PARK
> WESTERN PARK	^ DOG PARK

SIDE B

< AQUATIC PARK	> VALPICO ROAD
< DOG PARK	> CENTRAL PARK

SIDE C

< VALPICO ROAD	> AQUATIC PARK
< CENTRAL PARK	> DOG PARK

SIDE D

< WESTERN PARK	> VILLAGE CENTER
^ VALPICO ROAD	^ CENTRAL PARK

J 3

SIDE A

^ AQUATIC PARK	^ WESTERN PARK
^ DOG PARK	

J 4

SIDE A

^ AQUATIC PARK	^ VILLAGE CENTER
^ DOG PARK	^ WESTERN PARK
^ VILLAGE GREEN	

J 5

SIDE A

^ VILLAGE CENTER	^ AQUATIC PARK
^ VILLAGE GREEN	^ DOG PARK
^ WESTERN PARK	

J 6

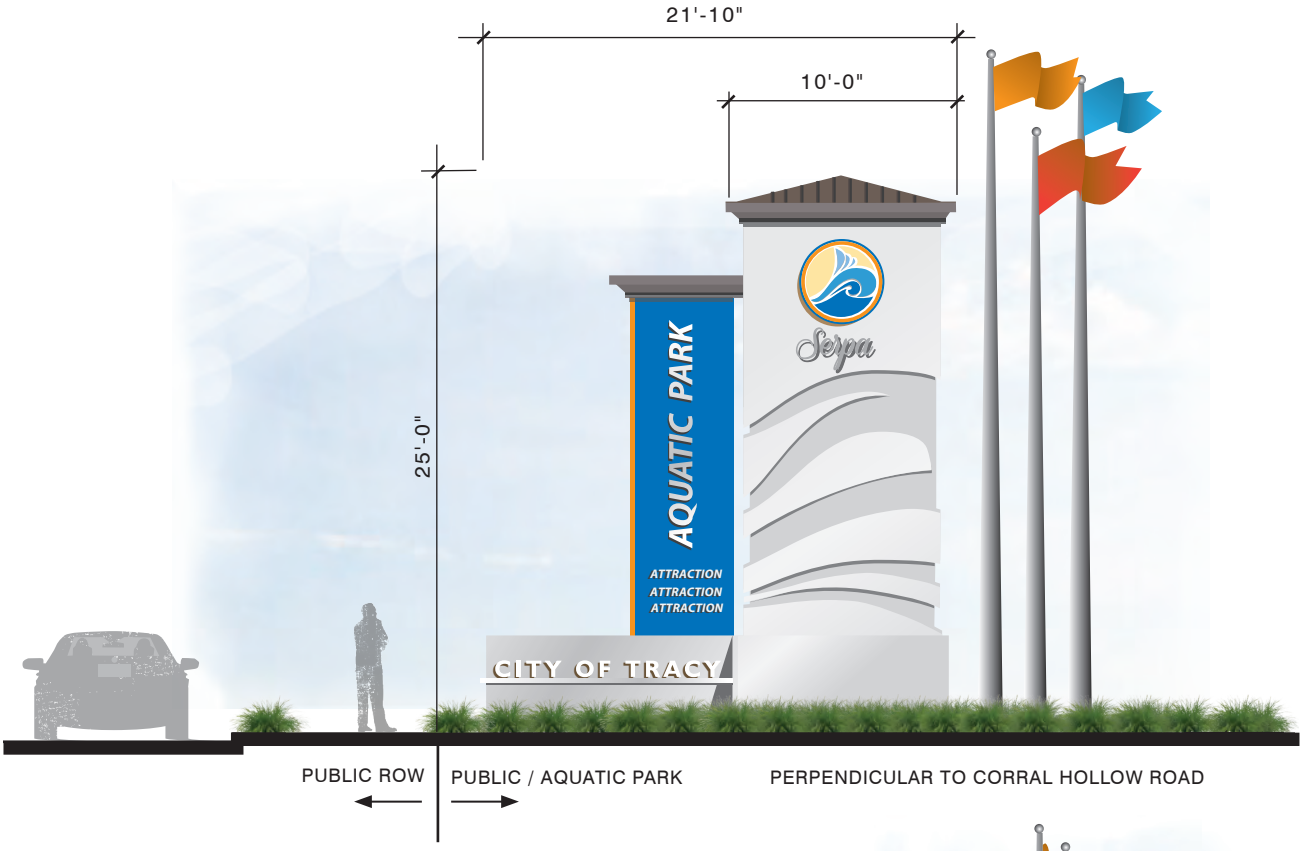
SIDE A

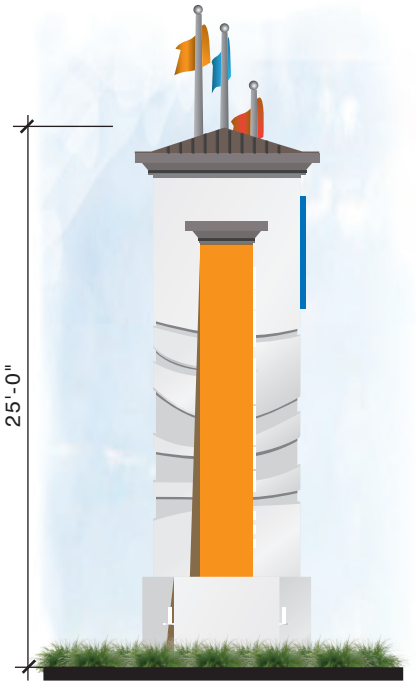
^ VILLAGE CENTER	^ AQUATIC PARK
^ VILLAGE GREEN	^ DOG PARK
^ WESTERN PARK	

CHARACTER ELEMENT/SIGNS

AP AQUATIC PARK

Note: All dimensions are approximate





Note: Design for the Aquatic Park sign is conceptual. City Council shall approve final design of the character element/sign, including maximum height and sign area, as part of either Improvement Plans or Construction Documents for the Aquatic Park.

SIGN STANDARDS

Maximum height: See note above
Maximum area: See note above
Lighting: Internally and/or externally illuminated
Location: Aquatic Park site (see Sign Location Plan: Overall)

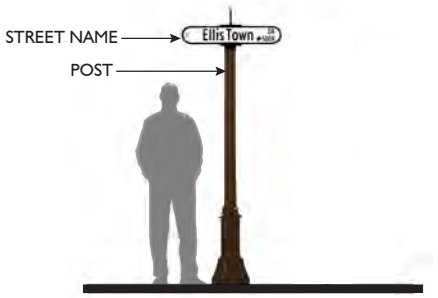
SIGN TYPE L

HISTORIC MARKERS HM



Location: Embedded in sidewalk on Ellis Town Drive (see Sign Location Plan: Ellis Town Drive)
Material: Concrete

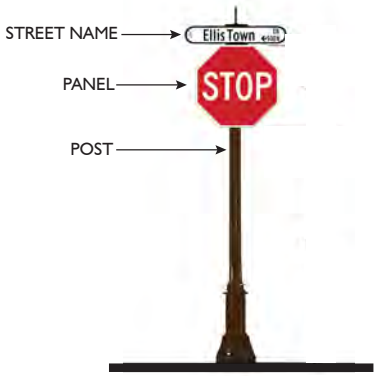
STREET NAME SIGNS & TRAFFIC CONTROL DEVICES



1. Post is 3900 RICHMOND, 4" OD shaft, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05)

3. Street Name Panel is .125 aluminum.
Vendor: Sherine Industries.
Background shall be reflective.
Custom artwork.
Color: White
Font: Gill Sans MT Condensed.
Letters: Black.



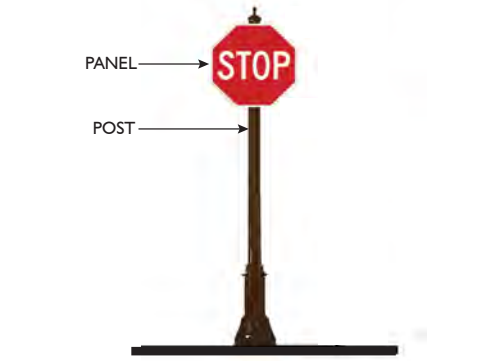
1. Post: 3900 RICHMOND, 4" OD Shaf, fluted, dark bronze

2. Panel Support: Classic Cross (CC07) with Classic 2-Way (2W06, #2 Post Stacker (PS05).
All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Street Name Panel: .125 aluminum.
Vendor: Sherine Industries.
Background panel shall be reflective.
Custom artwork.
Color: White
Letters: Black.

4. Panel: 30" min. stop sign by Hawkins Traffic. Panels to be consistent with MUTCD codes.

5. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic.

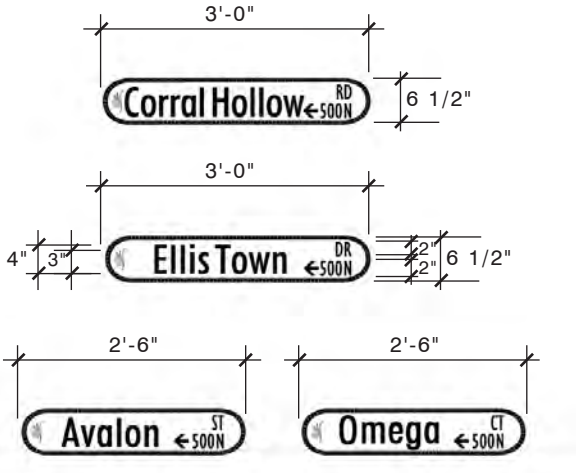


1. Post: 3900 RICHMOND, 4" OD Shaft, fluted, with BCC Ball Center Cap, dark bronze

2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

3. Panel: 30" min. stop sign by Hawkins Traffic Panels to be consistent with MUTCD codes

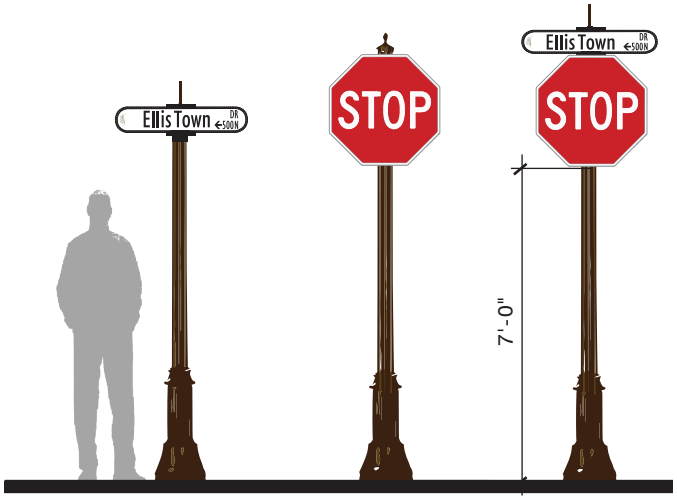
4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

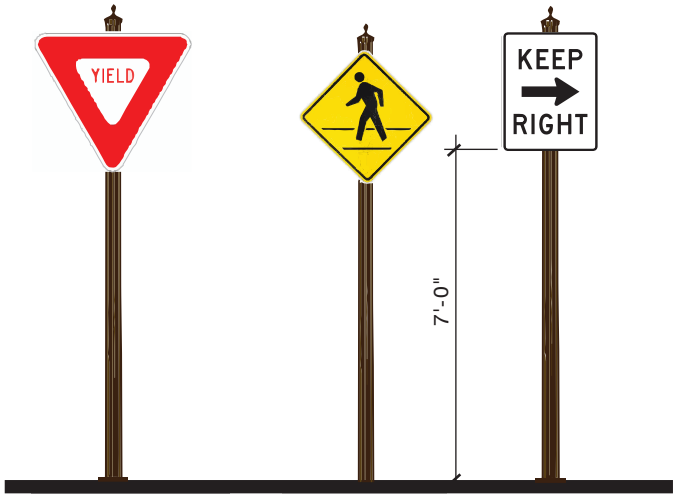


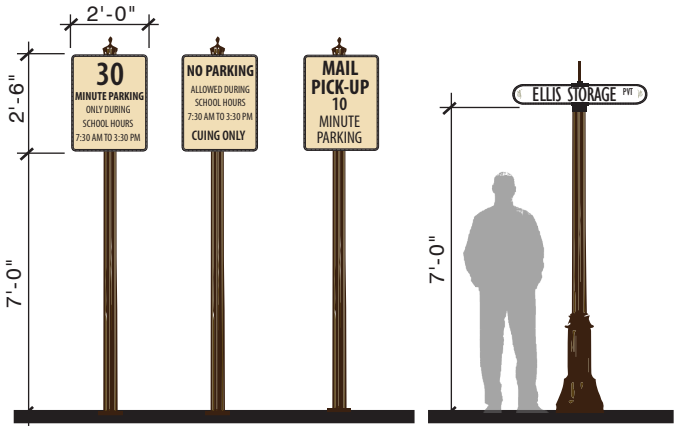
SIGN PANEL SPECIFICATIONS

STREET NAME SIGNS & TRAFFIC CONTROL DEVICES

Note: 1. All dimensions are approximate

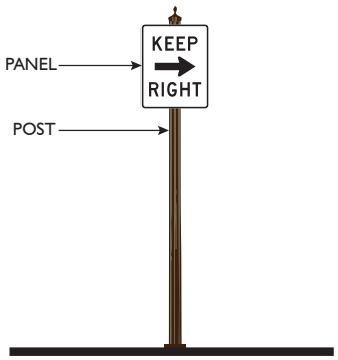






PI PARKING INFORMATIONAL

SS PRIVATE STREET SIGN



REGULATORY SIGNAGE MAY INCLUDE:

- YIELD
- SPEED LIMIT
- KEEP RIGHT
- DO NOT ENTER
- ONE WAY SIGN
- ROUNDABOUT DIRECTIONAL, 2 CHEVRONS
- NO PARKING ANYTIME
- TURN
- YIELD AHEAD
- MERGE & LANE TRANSITION
- LANE ENDS
- THRU TRAFFIC MERGE LEFT
- PEDESTRIAN CROSSING
- CROSSWALK RIGHT/LEFT ARROW

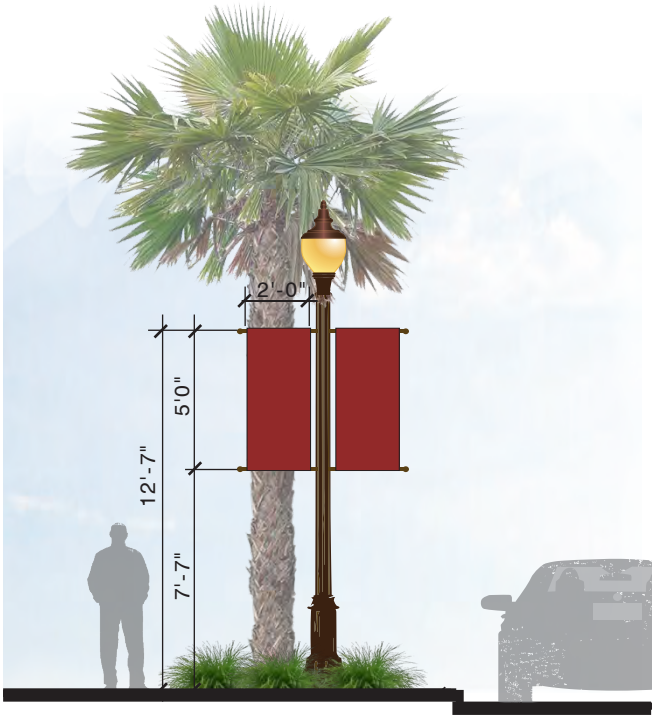
1. Post: 450 LEXINGTON 4" OD shaft, fluted, with BCC Ball Center Cap, dark bronze

2. Panel Support: All regulatory signs shall be attached to post with part SB, Sternberg, sign bracket

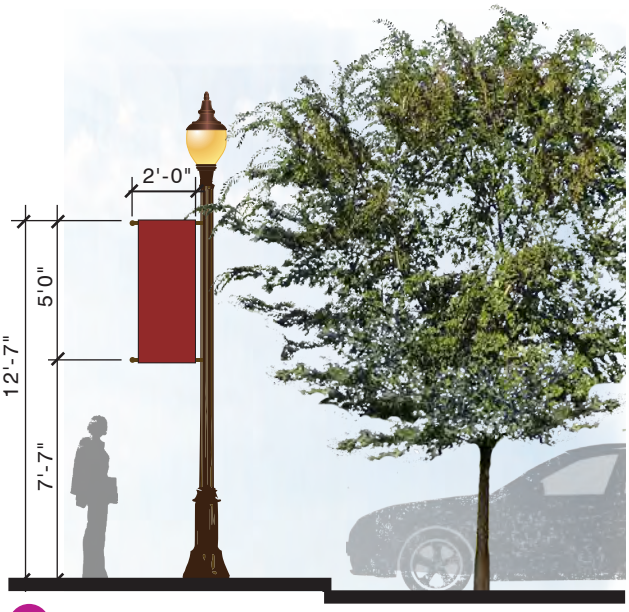
3. Panel: by Hawkins Traffic **or equivalent**
Panels to be consistent with MUTCD codes

4. Back panel color: Matthew's Paint MPC MP20308 Ancient Bronze Metallic

SIGN TYPE E AND F



DBb **SMALL DOUBLE BANNERS**



BA **SINGLE BANNERS**

SIGN TYPE E

Sign Type E (Banners) are in public right-of-way. Banners are single or paired.

SIGN STANDARDS

Maximum sign area: Single banners: 10 square feet (each side), small double banners: 20 square feet (each side)
Location: Public right-of-way (see Sign Location Plan: Ellis Town Drive)

Note: Tracy Municipal Code Section 10.08.4465, Banner Signs on Public Property, shall not apply to the Ellis banner program. The Specific Plan establishes that the Ellis POA has the right to implement the Ellis banner program, subject to City approval of a maintenance agreement.

SIGN TYPE E AND F
EXAMPLES

Note: See Location Plan: Ellis Town Drive

















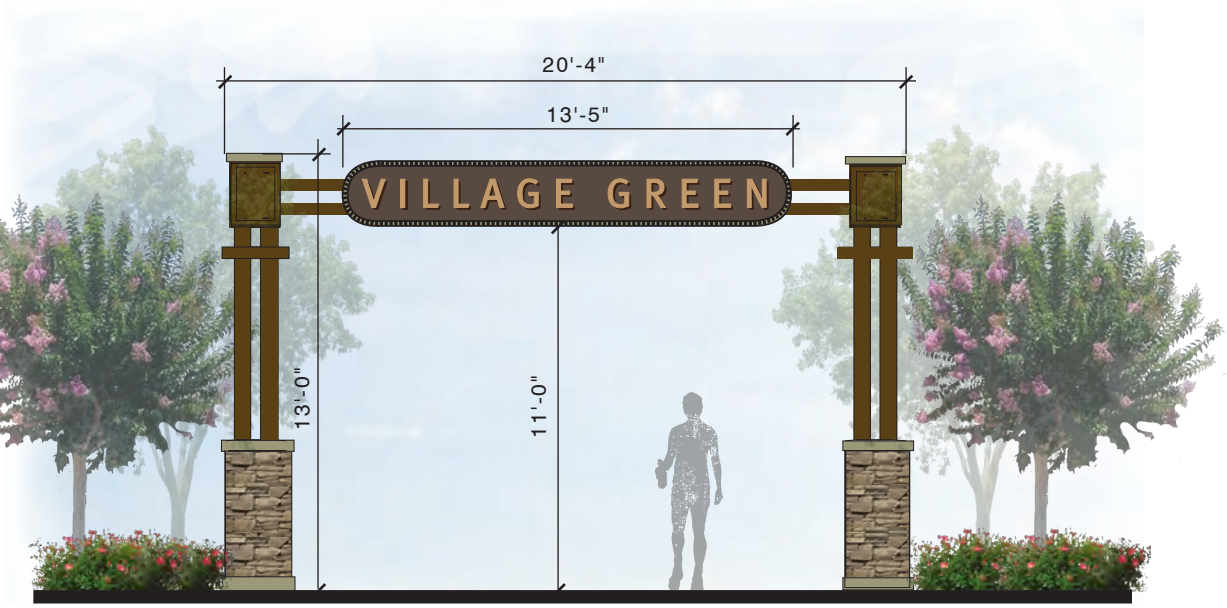




SIGN TYPES G AND H

Notes: 1. All dimensions are approximate

2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



EP ENTRY PORTAL – SIGN TYPE G

SIGN STANDARDS
Maximum structure height: 14 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)



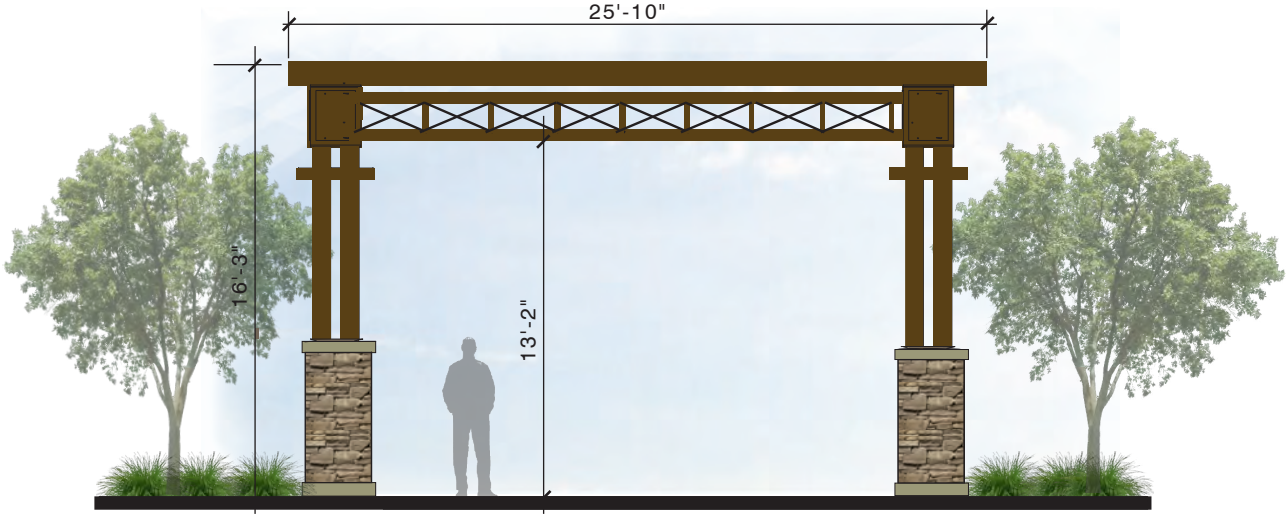
WA WALL SIGN – SIGN TYPE H

SIGN STANDARDS
Maximum structure height: 5 feet
Maximum sign area: 30 square feet
Lighting : Externally illuminated
Location: Parks (see Sign Location Plan: Overall)

PARK CHARACTER ELEMENTS AND SIGNS

Notes: 1. All dimensions are approximate

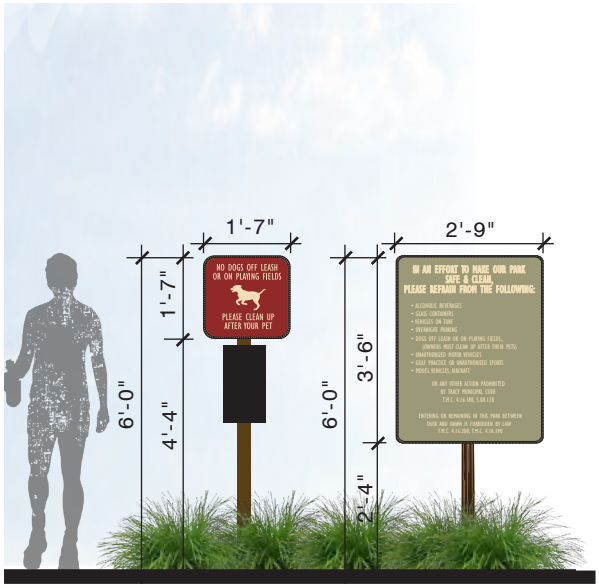
2. These sign types will be located in parks, per the Sign Location Plan, for the purpose of identifying the park.



SP

SECONDARY ENTRY PORTAL

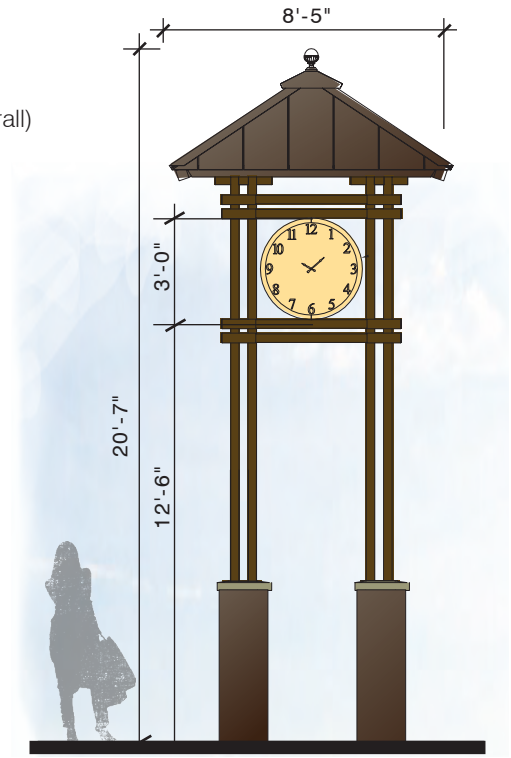
SIGN STANDARDS
Maximum structure height: 20 feet
Lighting : Non-illuminated
Location: Village Green (see Sign Location Plan: Overall)



DS PS

DOG STATION – SIGN TYPE I & PARK SIGN

SIGN STANDARDS
Maximum height: 6 feet
Maximum sign area: 10 square feet
Lighting : Non-illuminated
Location: Parks (see Sign Location Plan: Overall)



CT

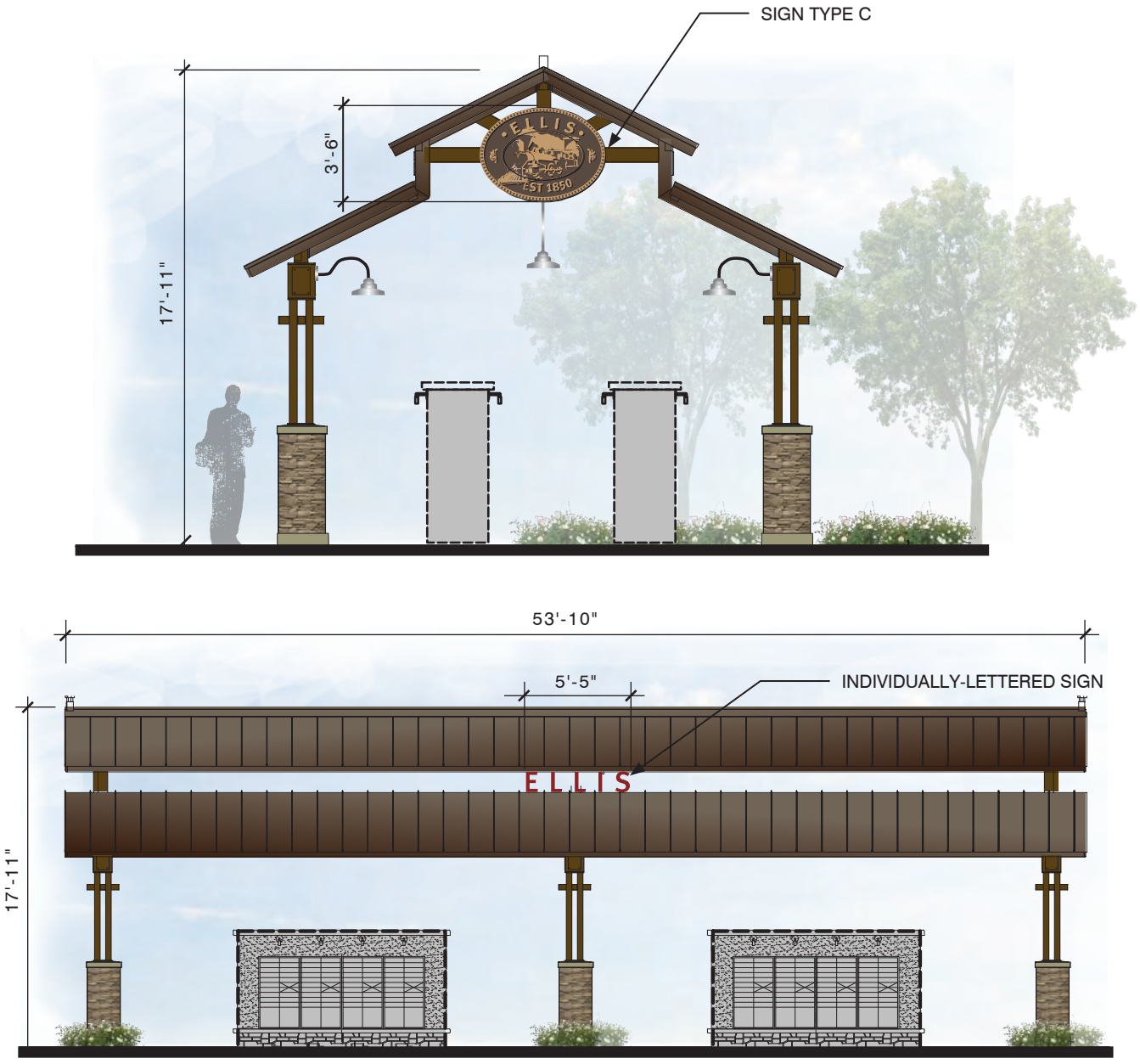
CLOCK TOWER

SIGN STANDARDS
Maximum structure height: 25 feet
Lighting: Internally illuminated
Location: Village Green (see Sign Location Plan)

PARK CHARACTER ELEMENTS AND SIGNS

MS MAILBOX STRUCTURE

Note: All dimensions are approximate

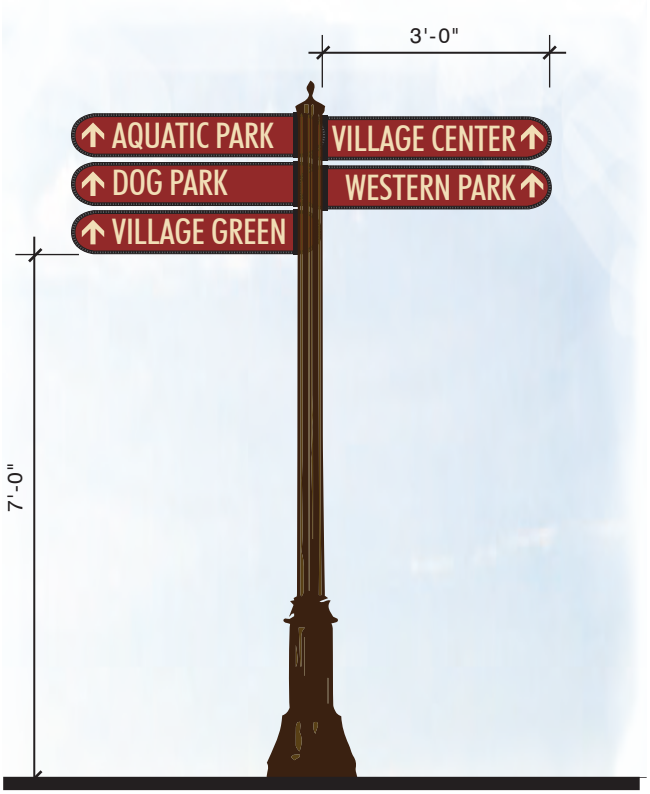


Note: Mailbox structures are typically located in special landscape features, not parks.

SIGN STANDARDS
Maximum mailbox structure height: 20 feet
Maximum Sign Type C area: 20 square feet (each end of structure) for the Mailbox Structure
Maximum individually-lettered sign area: 10 square feet (both sides)
Lighting: Externally illuminated
Location: Proximate to parks (see Sign Location Plan: Overall)

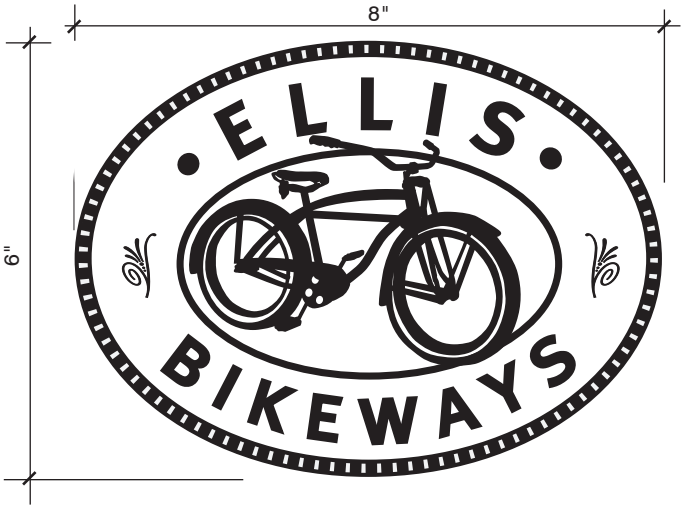
SIGN TYPES J AND K

Note: All dimensions are approximate



J SIGN TYPE J

SIGN STANDARDS
Height: 9-10 feet
Individual blade area: 2 square feet, up to 3 per side
Lighting: Non-Illuminated
Location: Public right of way (See Location Plan: Sign Type J)



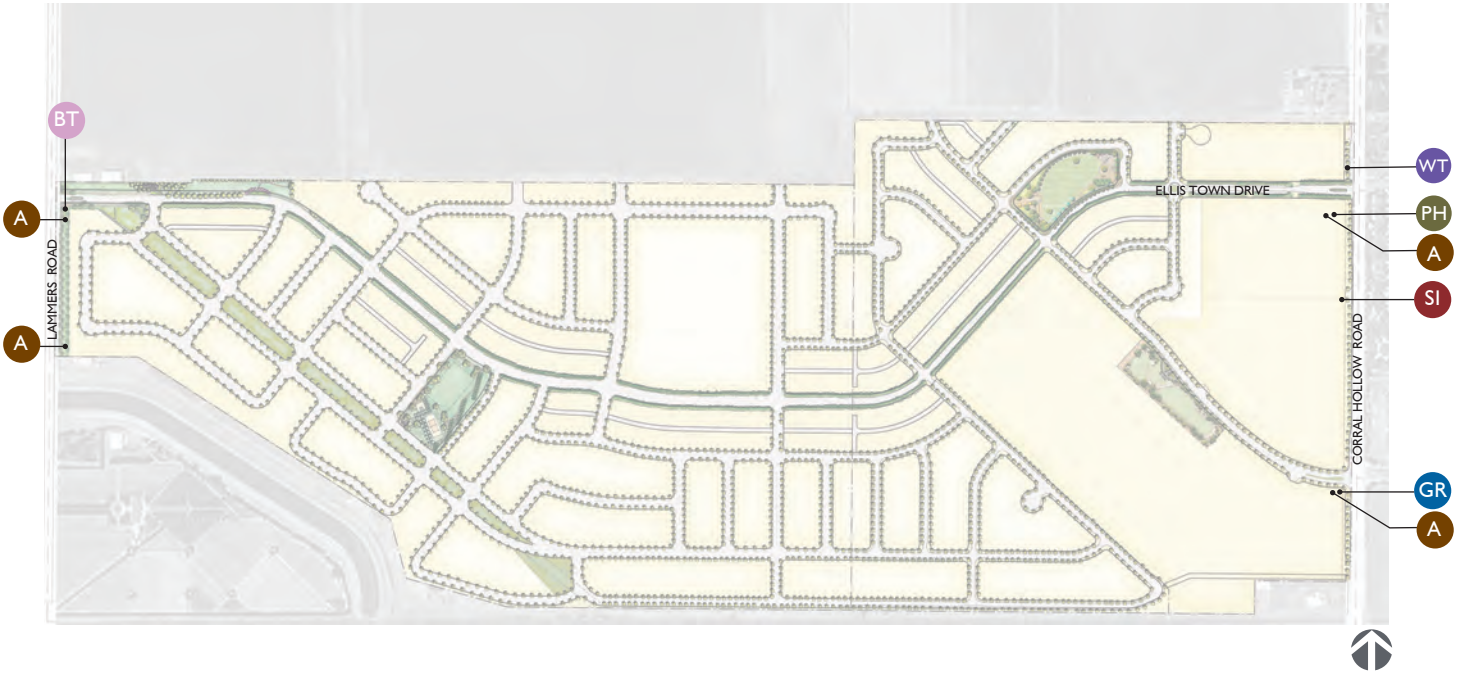
SIGN TYPE K

Location: Embedded in concrete of multi-use path, near crossings
Material: Metal

SECTION 2: PRIVATE PROPERTY SIGNS

SIGN LOCATION PLAN

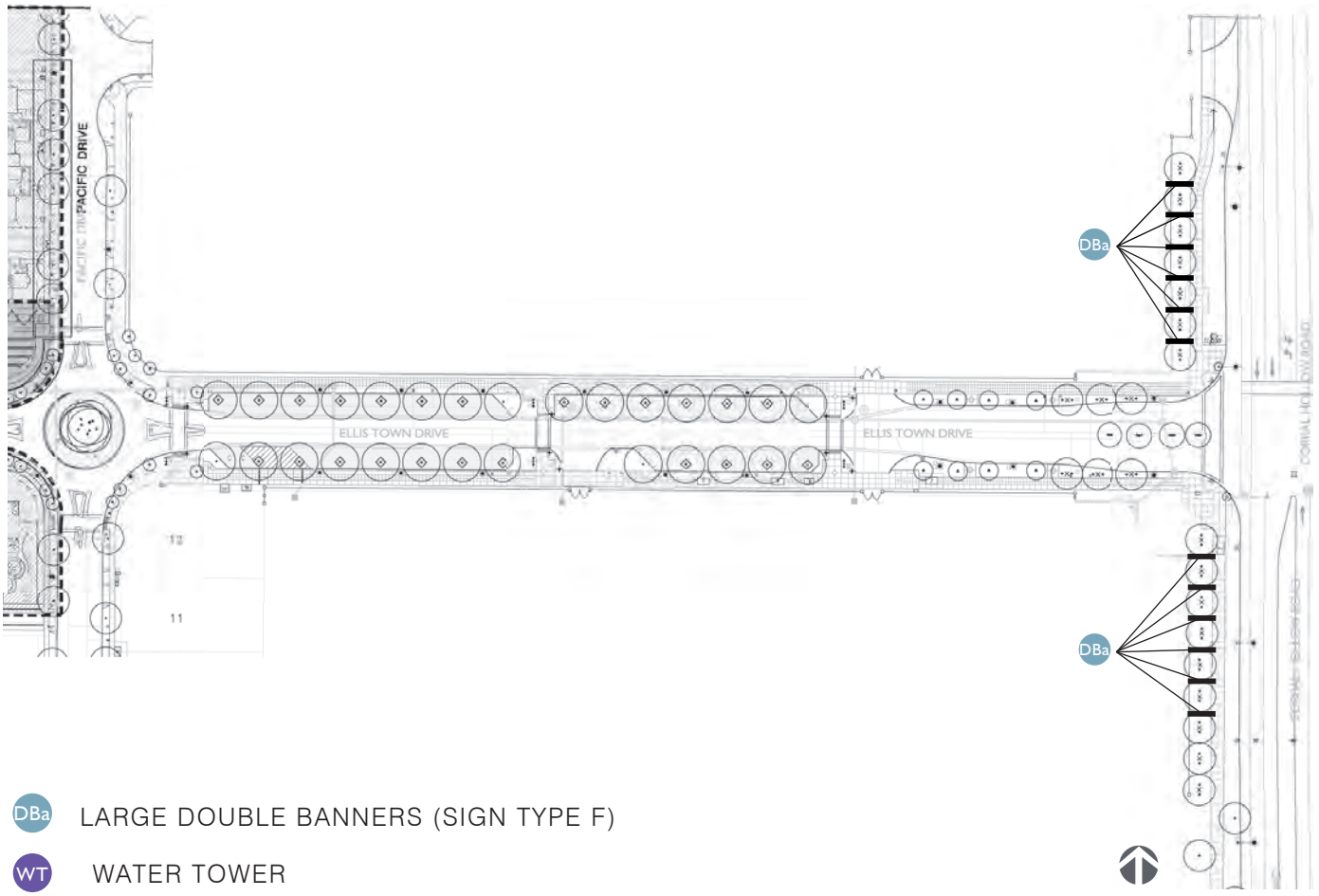
OVERALL



- WT — WATER TOWER
- PH — PUMP HOUSE
- SI — SILO
- GR — GRANARY
- BT — BLOCK AND TACKLE BUILDING
- A — SIGN TYPE A

SIGN LOCATION PLAN

ELLIS TOWN DRIVE



DBa LARGE DOUBLE BANNERS (SIGN TYPE F)

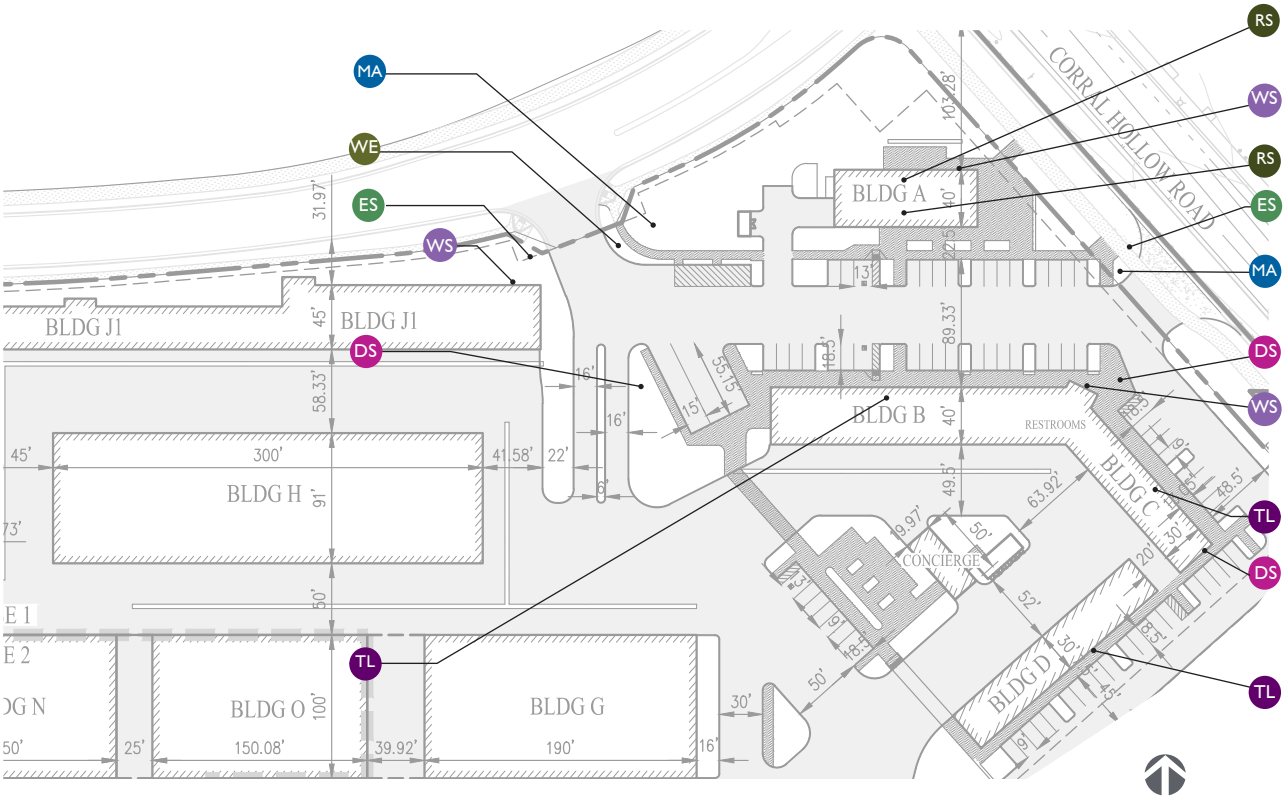
WT WATER TOWER

KEY



SIGN LOCATION PLAN

ELLIS STORAGE



- MA — MONUMENT SIGN
- DS — DIRECTIONAL SIGNS (SIGN TYPE N)
- TL — TENANT LETTERS (QUANTITY TBD)
- ES — ELLIS STORAGE STREET SIGN
- RS — ROOF SIGN
- WS — WALL SIGN
- WE — WELCOME SIGN (SIGN TYPE M)

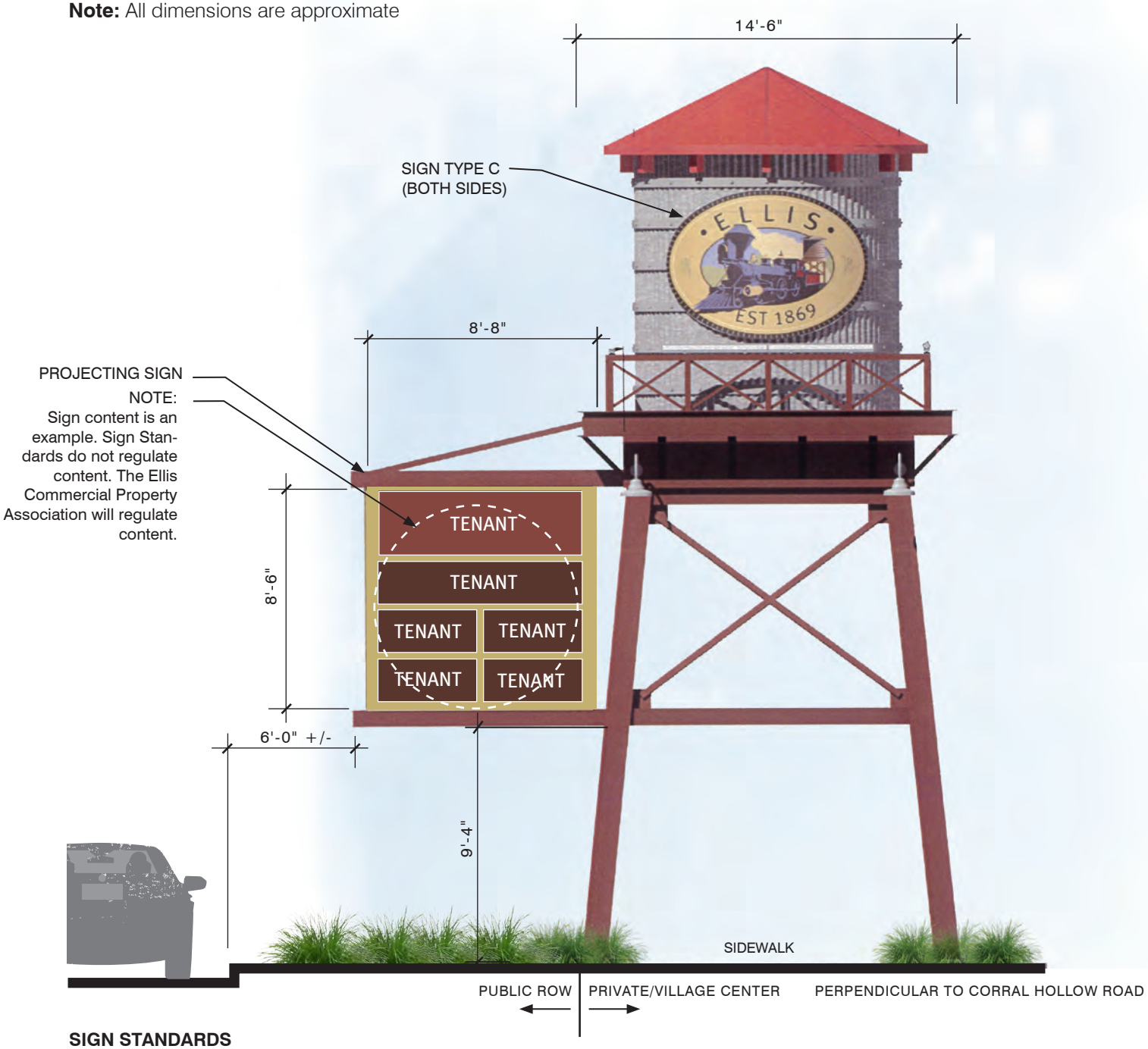
KEY



CHARACTER ELEMENT WITH PROJECTING SIGN

WT WATER TOWER

Note: All dimensions are approximate



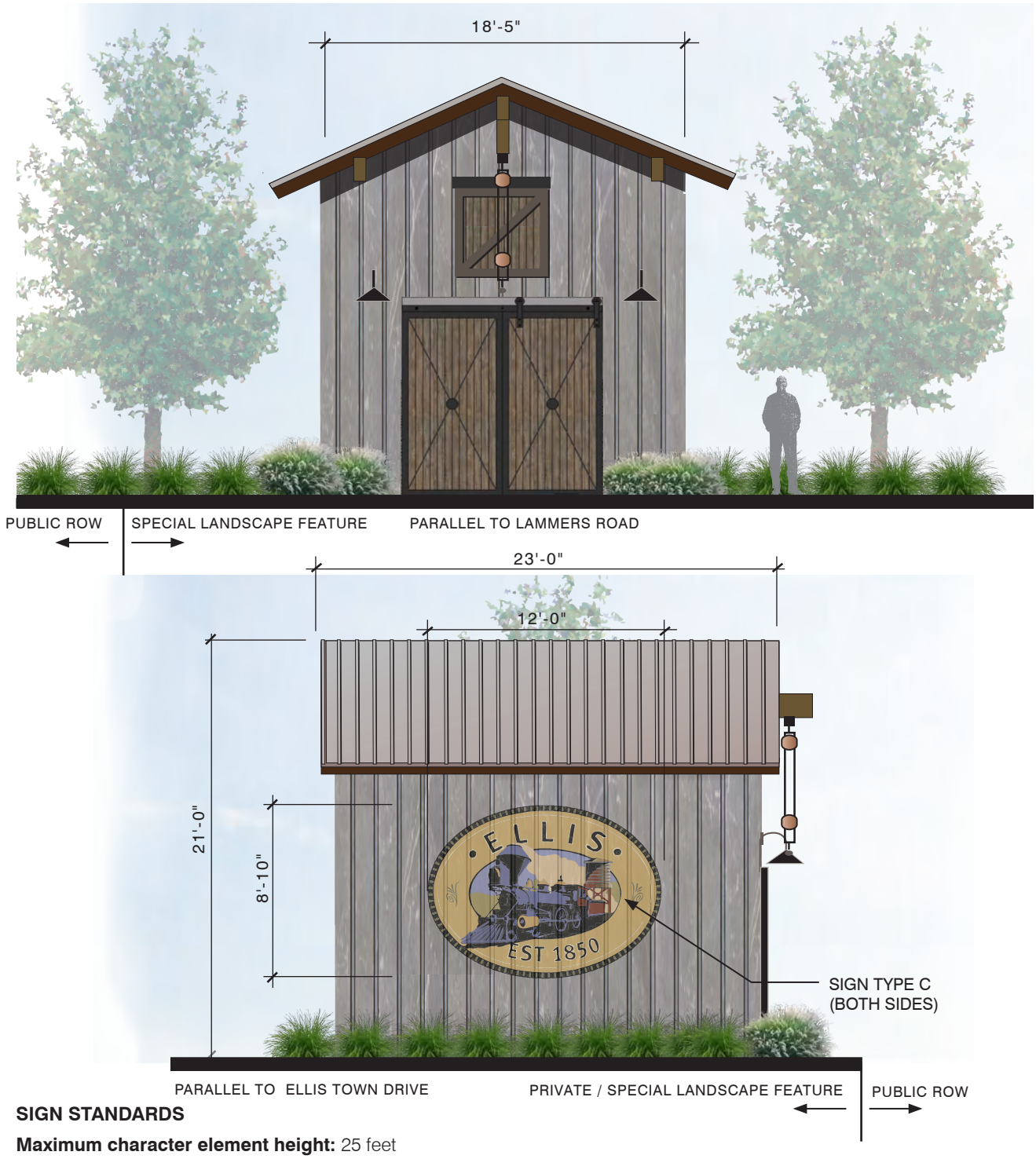
SIGN STANDARDS

Maximum character element height: 35 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 50 square feet (each side) for Water Tower
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Public right-of-way (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH LOGO

BLOCK AND TACKLE BUILDING BT

Note: All dimensions are approximate



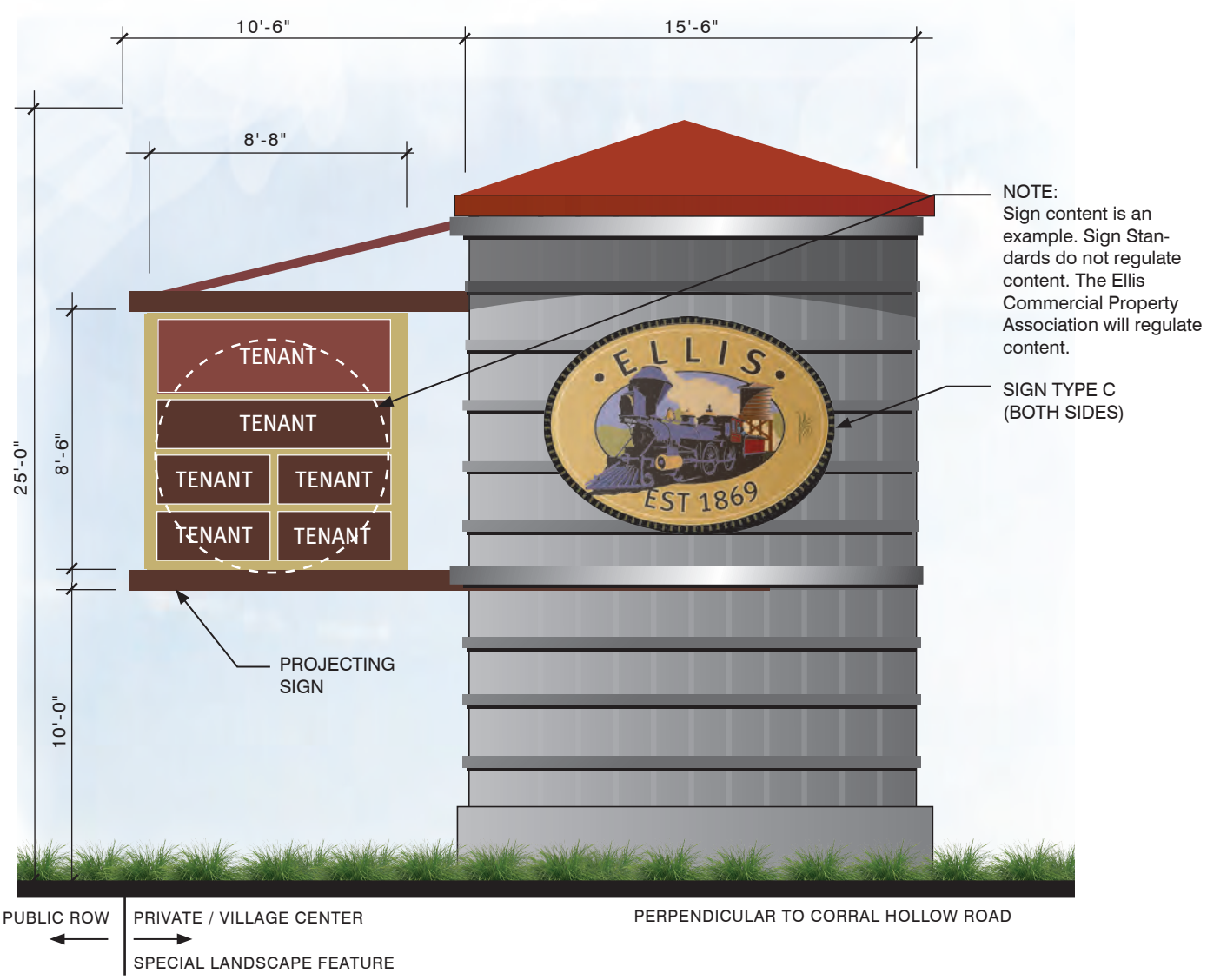
SIGN STANDARDS

Maximum character element height: 25 feet
Maximum Sign Type C area: 105 square feet (each side) for the Block and Tackle Building
Lighting: Externally illuminated
Location: Private property - special landscape feature (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH PROJECTING SIGN

SI SILO

Note: All dimensions are approximate



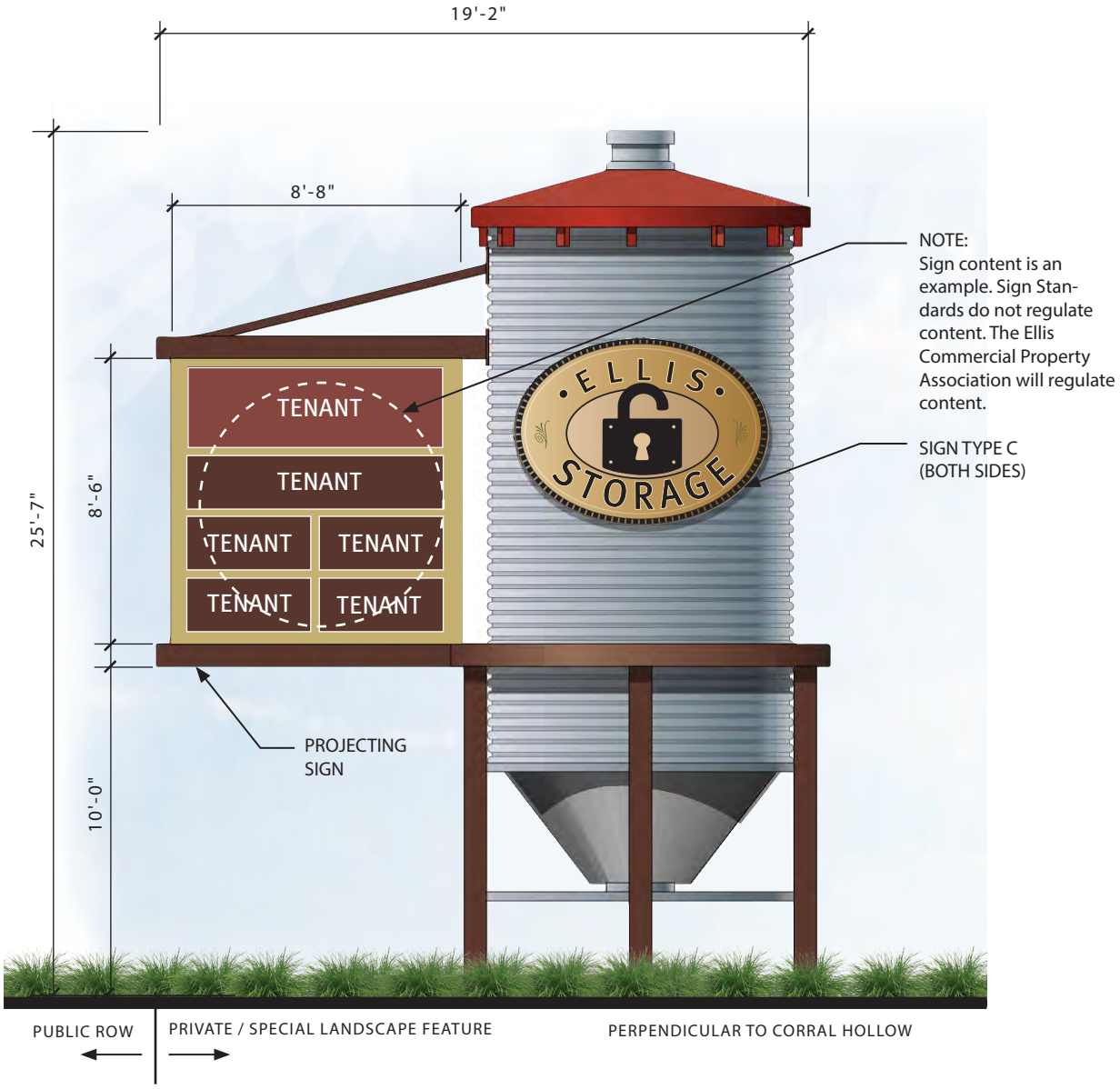
SIGN STANDARDS

Maximum character element height: 25 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 70 square feet (each side) for the Silo
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Private property – Village Center (see Sign Location Plan: Overall)

CHARACTER ELEMENT WITH PROJECTING SIGN

GRANARY GR

Note: All dimensions are approximate



SIGN STANDARDS

Maximum character element height: 30 feet
Maximum double-sided projecting sign height: 20 feet
Maximum Sign Type C area: 50 square feet (each side) for the Granary
Maximum double-sided projecting sign area: 80 square feet (each side)
Lighting of logo panel: Externally illuminated
Lighting of double-sided projecting sign: Internally or externally illuminated
Location: Private property - special landscape feature (see Sign Location Plan: Overall)

SIGN TYPE A

A TEMPORARY DEVELOPER SIGN

Note: 1. All dimensions are approximate

2. Sign Type A is a temporary sign.



SIGN TYPE A EXAMPLE

SIGN STANDARDS

Maximum height: 15 feet
Maximum sign area: 100 square feet (each side)
Maximum number of signs permitted: 2 on each arterial or collector
Lighting: Non-illuminated or externally illuminated
Locations: Special landscape features and private property (see Sign Location Plan: Overall)

Note: Signs shall be removed after completion of sales

SIGN TYPES B AND D

Note: 1. All dimensions are approximate

2. Sign Types B and D are temporary signs



SIGN TYPE D EXAMPLE



SIGN TYPE B EXAMPLE

SIGN STANDARDS

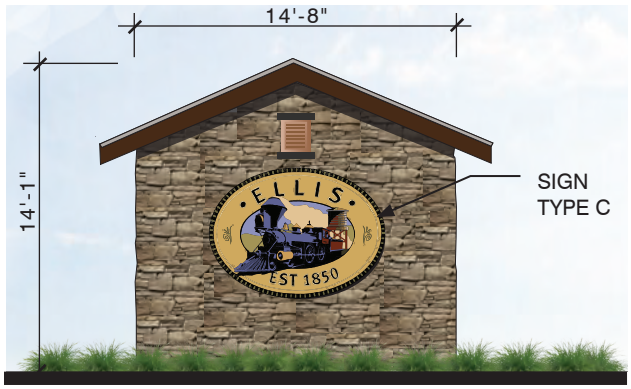
Maximum height: 10 feet
Maximum sign area: 50 square feet (each side)
Maximum number of signs permitted: 12
Lighting: Non-illuminated or externally illuminated
Locations: Pulic right-of-way, special landscape features and private property TBD

Note: Signs shall be removed after completion of sales

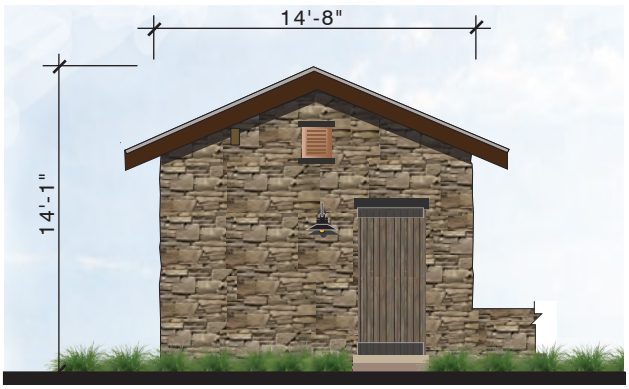
CHARACTER ELEMENT WITH SIGN TYPE C AND WALL SIGN

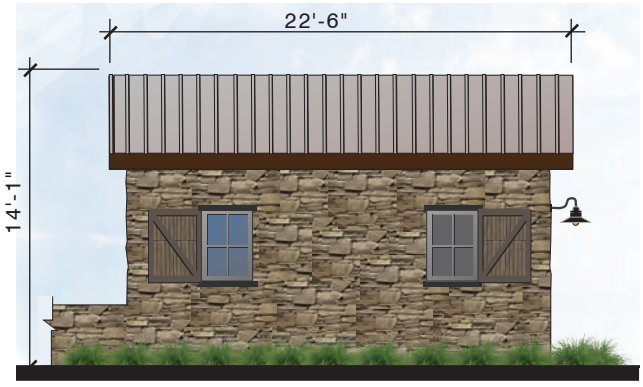
PH PUMP HOUSE

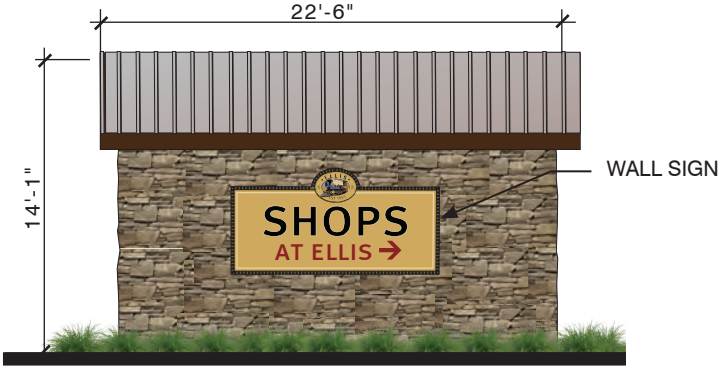
Note: All dimensions are approximate



PARALLEL TO ELLIS TOWN DRIVE







PARALLEL TO CORRAL HOLLOW ROAD

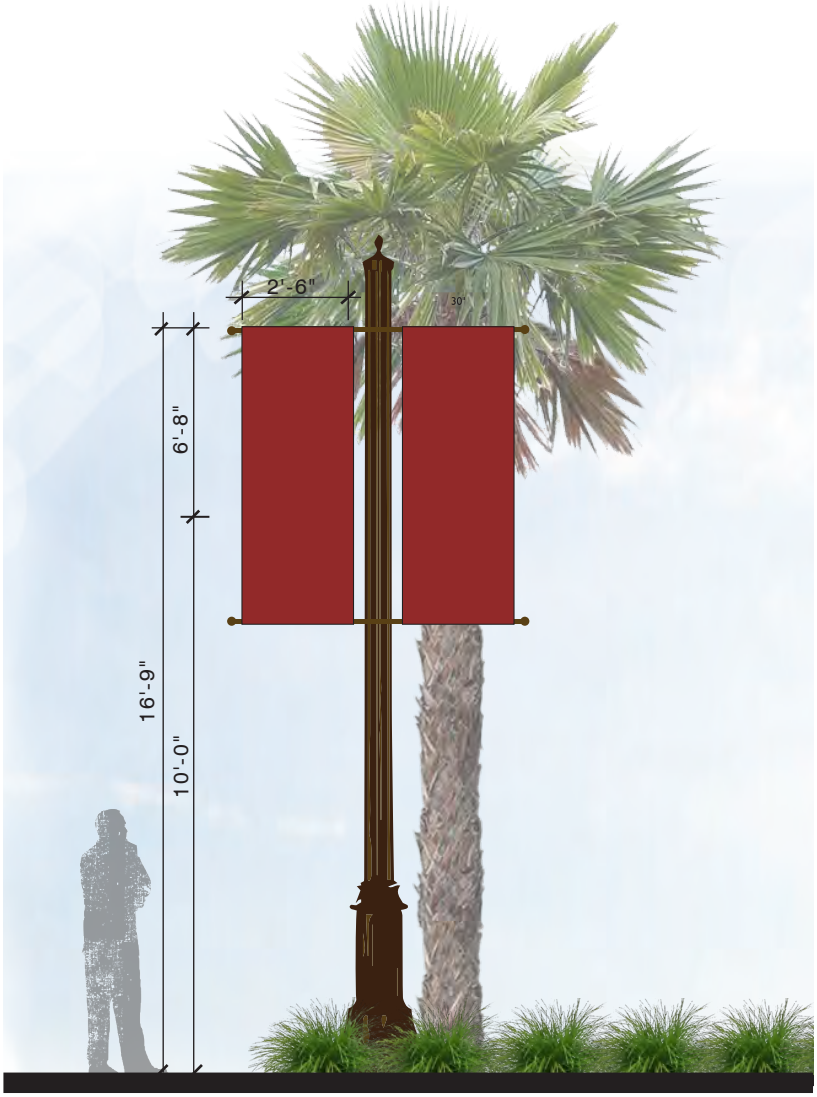
SIGN STANDARDS

Maximum character element height: 15 feet
Maximum wall sign height: Not to exceed the peak of the roof
Maximum Sign Type C area: 50 square feet for the Pump House
Maximum wall sign area: 50 square feet for the Pump House
Lighting of logo panel: Externally illuminated
Lighting of wall sign: Externally illuminated
Location: Private property – Village Center (see Sign Location Plan: Overall)

SIGN TYPE F

LARGE DOUBLE BANNERS DBa

Note: All dimensions are approximate



BANNER AREA

Sign Type F (Banners) are located on private property. Banners are paired.

SIGN STANDARDS

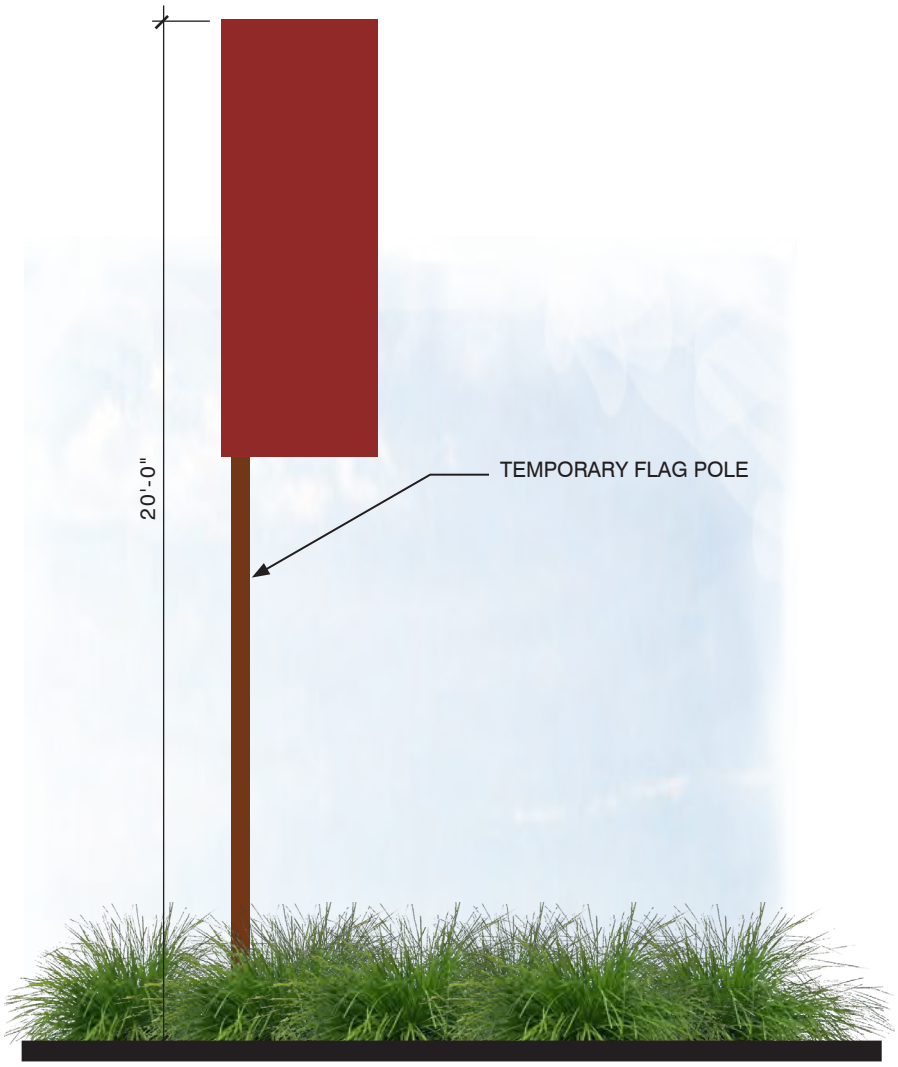
Maximum sign area: 40 square feet, double banners (each side)
Location: See Sign Location Plan: Ellis Town Drive

SIGN TYPE O

FLAG SIGN

Note: 1. All dimensions are approximate

2. Sign Type O is a temporary sign.



BANNER AREA

Sign Type O (Flag Sign) is located on private property.

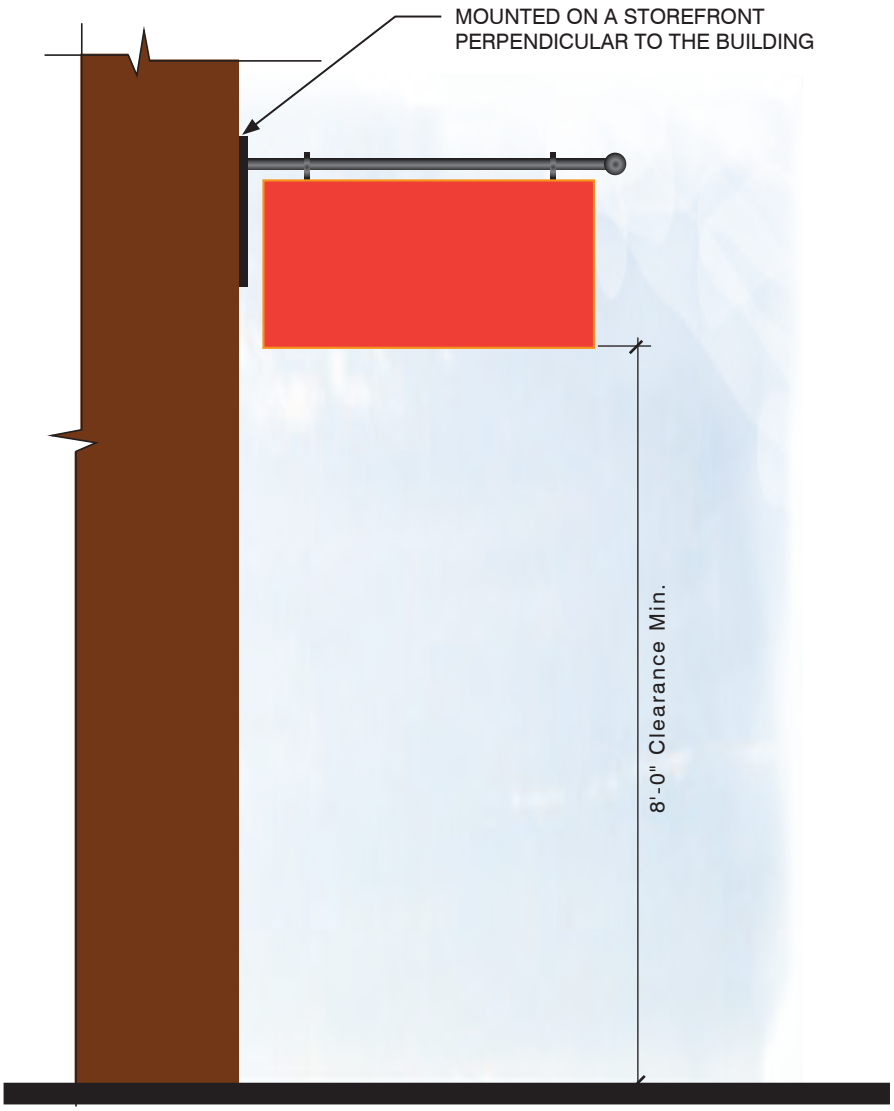
SIGN STANDARDS

Maximum area: 25 square feet (each side)
Location: Up to 10 Sign Type O signs on temporary poles are permitted at each arterial or collector entrance and each model home complex

Note: Signs shall be removed after completion of sales

SIGN TYPE P

BLADE SIGN



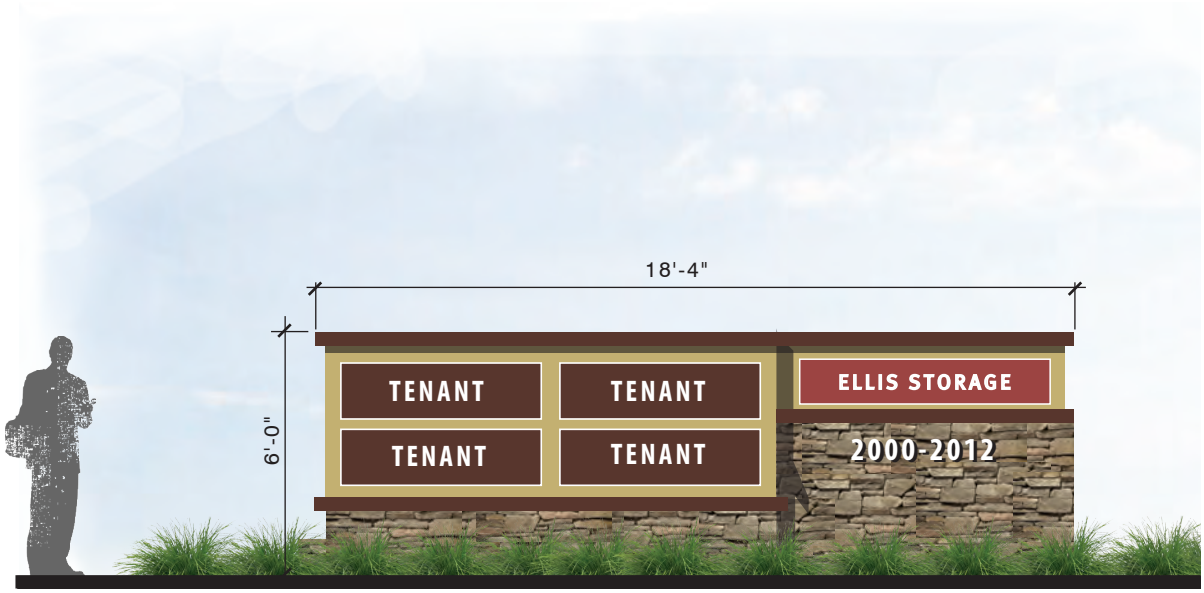
SIGN STANDARDS

Maximum Sign Type P area: 5 square feet (each side)
Lighting: Externally illuminated
Location: Commercial store fronts - maximum one per business

MONUMENT SIGN AND SIGN TYPE M

MA WE MONUMENT SIGN AND SIGN TYPE M

Note: All dimensions are approximate



MA SIGN STANDARDS

Maximum height: 6 feet
Maximum sign area: 60 square feet (each side)
Lighting: Internally or externally illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

Note:
Monument Signs - Up to two monument signs are permitted in the Village Center on each corner parcel at the proposed intersection of Corral Hollow Road and Ellis Town Drive, per Tracy Municipal Code Section 10.08.4460 - Standards by Sign Type, subparagraph "c." Furthermore, any business in the Village Center may construct and maintain one off-site monument sign in the Village Center if all provisions of subparagraph "q" are met with the exception of the recorded easement requirement. The maximum area of each sign is twenty-four (24) square feet.



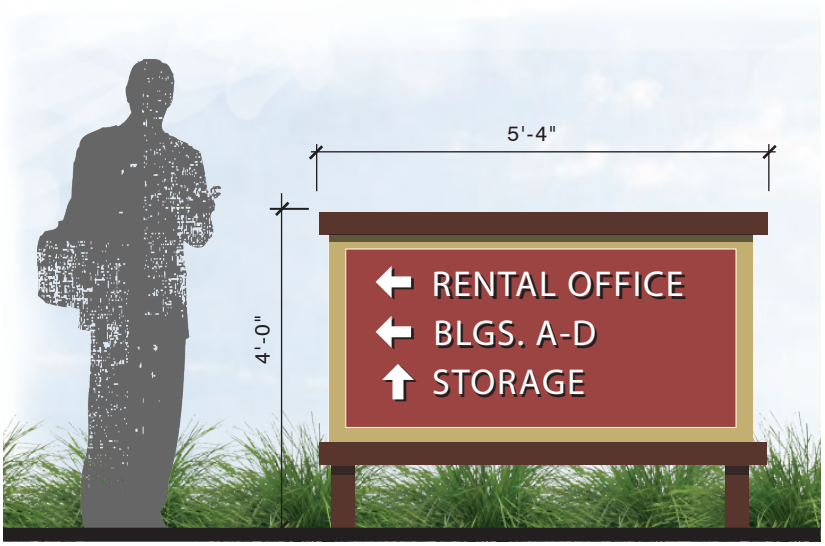
WE SIGN TYPE M SIGN STANDARDS

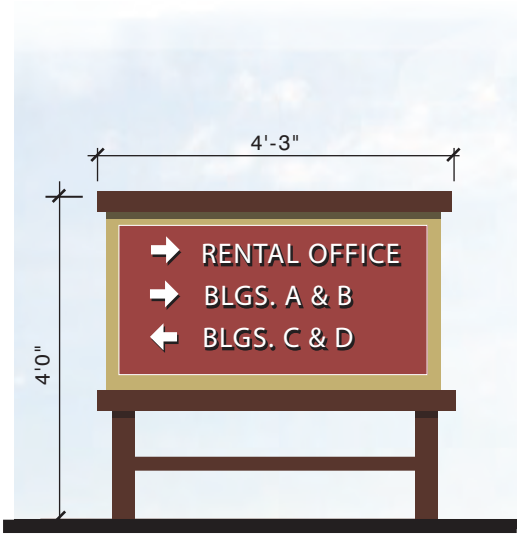
Maximum height: 4 feet
Maximum sign area: 5 square feet
Lighting: Non-illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

SIGN TYPE N

DIRECTIONAL SIGNS DS

Note: All dimensions are approximate





SIGN STANDARDS

Maximum height: 4 feet
Maximum sign area: 20 square feet (each side)
Lighting: Internally or externally illuminated
Location: Ellis Storage (see Sign Location Plan: Ellis Storage)

WALL SIGNS

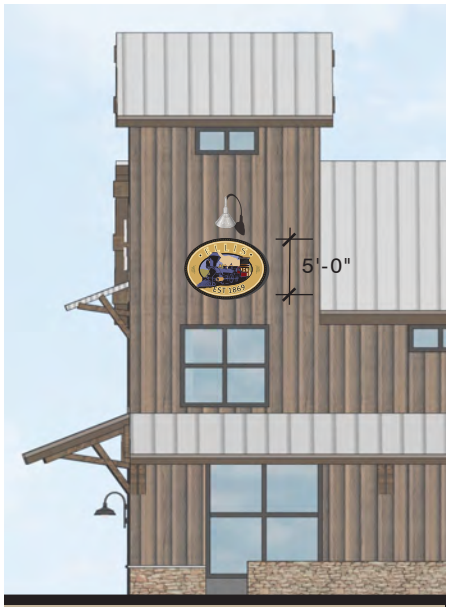
WS INDIVIDUALLY-LETTERED SIGN

Note: All dimensions are approximate



SIGN STANDARDS

Maximum wall sign height: Not to exceed the peak of the roof
Maximum area: 20 square feet
Lighting: Externally illuminated
Location: As shown (see also Appendix A: Pattern Book)



SIGN STANDARDS

Maximum Sign Type C height: Not to exceed the peak of the roof
Maximum area: 35 square feet
Lighting: Externally illuminated
Location: As shown (see also Appendix A: Pattern Book)

ROOF SIGNS

ROOF SIGN RS

Note: All dimensions are approximate



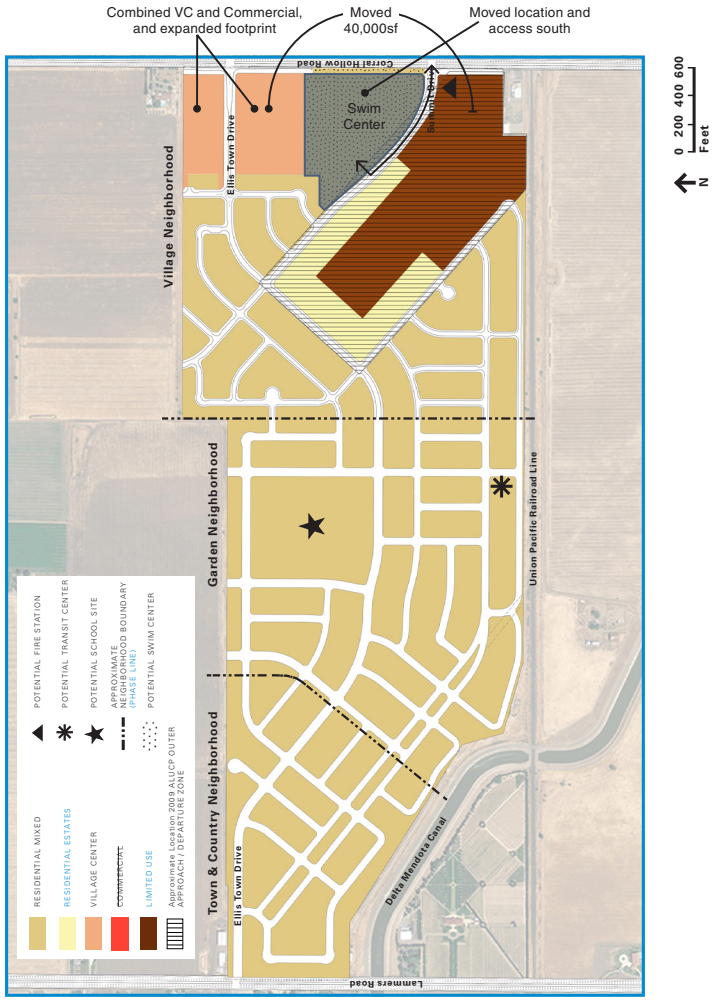


SIGN STANDARDS

Maximum height: Not to exceed peak of roof
Maximum sign area: 100 square feet
Lighting: Internally or externally illuminated
Location: As shown above



EXISTING



PROPOSED

ATTACHMENT E : Ellis Specific Plan Zoning

Not to scale

Kimley»Horn

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY AMENDING SECTION 10.08.980, NAMES OF ZONES, AND ADDING A NEW ARTICLE 22.7, ELLIS SPECIFIC PLAN ZONE (ESP), AND A NEW SECTION 10.08.3025, ELLIS SPECIFIC PLAN ZONE (ESP), TO TITLE 10 OF THE TRACY MUNICIPAL CODE AND ZONING ALL PROPERTY IN THE ELLIS SPECIFIC PLAN AREA AS ELLIS SPECIFIC PLAN ZONE (ESP)
APPLICATION NUMBER ZA17-0012

WHEREAS, On January 22, 2013, the City Council certified the Final Revised Environmental Impact Report for the Ellis project (Resolution No. 2013-011) and approved a General Plan Amendment, Annexation, and the Ellis Specific Plan for the 321-acre site known as the Ellis Specific Plan area (Resolution No. 2013-012); and

WHEREAS, A Development Agreement was approved by City Council on March 19, 2013 and annexation of the Ellis Specific Plan area to the City of Tracy was completed by LAFCo on April 16, 2013; and

WHEREAS, The Ellis Specific Plan serves as the zoning for all property within the Ellis Specific Plan Area and therefore it is necessary to establish an Ellis Specific Plan Zone that is governed by the Ellis Specific Plan; and

WHEREAS, In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the EIR was prepared for a proposed amendment to the Ellis Project which includes the proposed Zoning Ordinance Amendment. The Addendum to the EIR is attached to the March _____, 2018 City Council Staff Report as Attachment "G", and incorporated herein by reference. Pursuant to CEQA Guidelines Section 15162 and based on the analysis and evaluation provided in the Addendum, no new significant impacts would occur because of the proposed amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. Therefore, pursuant to CEQA Guidelines Section 15164, an Addendum to EIR, as prepared in compliance with CEQA, is the appropriate CEQA document and is adequate to support the proposed Zoning Ordinance Amendment; and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on February 14, 2018 and recommended that the City Council amend Section 10.08.980 of the Tracy Municipal Code, add a new Article 22.7, and add a new Section 10.08.3025 to Title 10 of the Tracy Municipal Code; and

WHEREAS, The Planning Commission considered the above amendments to the City of Tracy Municipal Code in a report complying with the provisions of Article 29 of Chapter 10.08 of the Tracy Municipal Code; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on March _____, 2018;

The City Council of the City of Tracy does ordain as follows:

SECTION 1. The foregoing recitals are true and correct and are incorporated herein as findings.

SECTION 2: Section 10.08.980, Names of zones, of the Tracy Municipal Code, is amended to read as follows:

"**10.08.980 - Names of zones.**
In order to classify, regulate, restrict, and segregate the uses of land and buildings, to regulate and restrict the height and bulk of buildings, to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, the following zones are hereby established:

(a) Residential Estate Zone: RE;
(b) Low Density Residential Zone: LDR;
(c) Medium Density Cluster Zone: MDC;
(d) Medium Density Residential Zone: MDR;
(e) High Density Residential Zone: HDR;
(f) Medical Office Zone: MO;
(g) Professional Office and Medical Zone: POM;
(h) Planned Unit Development Zone: PUD;
(i) Residential Mobile Home Zone: RMH;
(j) Community Shopping Center Zone: CS;
(k) Neighborhood Shopping Zone: NS;
(l) Central Business District Zone: CBD;
(m) General Highway Commercial Zone: GHC;
(n) Light Industrial Zone: M-1;
(o) Heavy Industrial Zone: M-2;
(p) Highway Service Zone: HS;
(q) Agricultural Zone: A;
(r) Airport Overlay Zone: AO;
(s) Northeast Industrial Specific Plan Zone: NEI;
(t) Cordes Ranch Specific Plan Zone: CRSP;
(u) Tracy Hills Specific Plan Zone: THSP; and
(v) Ellis Specific Plan Zone: ESP."

SECTION 3: A new Article 22.7, Ellis Specific Plan Zone (ESP), and a new Section 10.08.3025, Ellis Specific Plan Zone (ESP), are added to the Tracy Municipal Code to read as follows:

"**Article 22.7 Ellis Specific Plan Zone (ESP)**

10.08.3025 Ellis Specific Plan Zone (ESP).
The zoning within the Ellis Specific Plan Zone is governed by the Ellis Specific Plan."

SECTION 4: All property in the Ellis Specific Plan Area is hereby zoned Ellis Specific Plan Zone (ESP). The City's Zoning Map is hereby amended to show all property in the Ellis Specific Plan Area zoned as ESP.

SECTION 5: This Ordinance shall take effect 30 days after its final passage and adoption.

SECTION 6: 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 ___ day of March, 2018, and finally adopted on the ____ day of _____, 2018, by the following vote:

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

_____
MAYOR

ATTEST:

_____
CITY CLERK

ADDENDUM TO THE ELLIS MODIFIED PROJECT ENVIRONMENTAL IMPACT REPORT SCH NO. 2012022023

February 2018

Proposed Amendment to the Ellis Specific Plan

Prepared For:

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

Prepared By:

Kimley-Horn and Associates, Inc.
100 West San Fernando Street, Suite 250
San Jose, CA 95113

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INTRODUCTION

The following document provides an analysis of the proposed Amendment to the Ellis Specific Plan and General Plan Amendment ("proposed Project") with respect to consistency with the previously approved Ellis Specific Plan, the analysis contained in the certified Modified Ellis Project EIR ("EIR" or "Ellis Project"), and any site specific environmental impacts or cumulative impacts that may result from the proposed Amendment to the Specific Plan as described herein.

California Environmental Quality Act

This Addendum has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] §§ 21000 et seq.); the State CEQA Guidelines (Title 14, California Code of Regulations [CCR] §§ 15000 et seq.); and the rules, regulations, and procedures for implementing CEQA as set forth by the City of Tracy (City).

Section 15164(a) of the State CEQA Guidelines states that "the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15162(a) of the State CEQA Guidelines, a subsequent EIR or Negative Declaration is only required when:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

    (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

    (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

    (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The following describes the requirements of an addendum, as defined by CEQA Guidelines Section 15164:

(a) The lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

(b) An Addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An Addendum need not be circulated for public review but can be included in or attached to the Final EIR.

(d) The decision-making body shall consider the Addendum with the Final EIR prior to making a decision on the project.

(e) A brief explanation of the decision not to prepare a Subsequent EIR pursuant to Section 15162 should be included in an Addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

If none of these circumstances are present, and only minor technical changes or additions are necessary to update the previously certified EIR, an addendum may be prepared, consistent with CEQA Guidelines Section 15164.

Based on the analysis and evaluation provided in this Addendum, no new significant impacts would occur because of the proposed Amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the Modified Ellis Project Environmental Impact Report would substantially reduce one or more significant effects on the environment. Therefore, no conditions described in Section 15162 of the CEQA Guidelines has occurred. For this reason, an Addendum is the appropriate document that will comply with CEQA requirements for the proposed Amendment.

PREVIOUS ENVIRONMENTAL ANALYSIS OF THE PROJECT

The Tracy City Council approved the Ellis Specific Plan and certified the corresponding EIR (Modified Ellis Project EIR (SCH# 2012022023)) on January 22, 2013. This EIR incorporates by reference, where relevant and appropriate, discussion and analysis contained in the previously prepared Ellis Specific Plan EIR. The Modified Ellis Project EIR evaluates the potential environmental impacts resulting from the approval and implementation of the Ellis Specific Plan Project. The Ellis Specific Plan Project involves the development of a minimum of 1,000 to a maximum of 2,250 residential units, as well as a Village Center, open space, 180,000 square feet of retail, office, and other commercial uses, and, consistent with the City's

requirements, approximately four acres per 1,000 people of parks with an opportunity to include a Swim Center on approximately 321 acres. As noted above, the Specific Plan also included a zoning action, and therefore constitutes the zoning for the Ellis Specific Plan Area, which includes the proposed Project site.

PURPOSE OF ADDENDUM

The purpose of this Addendum is to analyze any potential differences between the impacts identified in the previously certified Modified Ellis Project EIR and those that would be associated with the proposed modifications to the Ellis Specific Plan Project.

Pursuant to provisions of CEQA and the State CEQA Guidelines, the City of Tracy is the Lead Agency charged with the responsibility of deciding whether to approve the proposed Amendment. As part of its decision-making process, the City is required to review and consider whether the proposed Amendment would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the previously certified EIR. The decision-making body must consider the whole of the data presented in the Modified Ellis Project EIR, and as augmented by this Addendum and the previously adopted Mitigation Monitoring and Reporting Program. Additional CEQA review beyond this Addendum would only be triggered if the proposed Amendment created new significant environmental effects or a substantial increase in the severity of previously identified significant effects disclosed in the Modified Ellis Project EIR used to approve the Ellis Specific Plan.

PROPOSED REVISIONS TO THE APPROVED PROJECT

An Amendment to the previously approved Ellis Specific Plan and General Plan Amendment (proposed Project) has been submitted to the City of Tracy for consideration. The purpose/intent of the Amendment is for modification to the proposed swim center location within the Ellis Specific Plan and other proposed refinements to the Village Center and Limited Use acreages. There are also other proposed changes to the Specific Plan, such as the addition of the Residential Estate designation. The overall existing footprint of the Ellis Specific Plan has not changed, nor the overall number of proposed dwelling units or commercial square footage. Rather, the Project proposes to shift land uses slightly for better use of the Ellis Specific Plan site.

Project Location

The City of Tracy is located in San Joaquin County, which is within the Central Valley region of California. The City is approximately 60 miles east of San Francisco, which is separated from the Central Valley by the Coastal Range. The southwestern portion of San Joaquin County is located within the Diablo Range, and generally consists of rolling hills cut by drainage channels; refer to Figure 1, *Regional Vicinity Map.*

The Ellis Specific Plan area is physically separated from surrounding areas by the Union Pacific Railroad on the south, the Delta Mendota Canal to the southwest, Corral Hollow Road on the east, and Lammers Road on the west; refer to Figure 2, *Project Vicinity Map.*

Change in Site Condition

A portion of Phase I of the Ellis Specific Plan area has already been developed with approximately 40 single-family residential units under the existing Project approvals. Another 62 single-family residential units are currently under construction.

Proposed Modifications to the Ellis Specific Plan Amendment (Proposed Modifications)

As set forth in the City's General Plan, the General Plan designations for the Ellis Specific Plan area includes Traditional Residential-Ellis (TR-Ellis), Commercial, and Village Center. The proposed Amendment (modifications) to the Ellis Specific Plan would decrease the Residential Mixed designation from 284.7 acres to 260 acres, increase the Village Center designation from 5.7 to 14 acres, eliminate the Commercial designation, increase the Limited Use designation from 26.2 acres to 30 acres, and add 17 acres in a new designation known as "Residential Estates." The proposed Amendment would merge the 5.7 acres of Village Center (60,000 square feet of non-residential uses and up to 50 high density residential units) with the existing 4.4 acres of Commercial use (40,000 square feet of non-residential uses) and add 4 acres to create a total of approximately 14 acres of Village Center. The proposed Swim Center location would also shift south of its existing proposed location for better site access; refer to Figure 3, *Revised General Plan Land Use Designations,* and Figure 4, *Revised Ellis Specific Plan Zoning Summary.*

Table 1, *Existing vs Proposed Ellis Specific Plan Land Use Summary*, identifies the proposed land use changes.

Table 1: Existing vs Proposed Ellis Specific Plan Land Use Summary

Land Use Designation	2012 Ellis Specific Plan	2017 Ellis Specific Plan Amendment	Change
Residential Mixed	1,000 to 2,250 Units	1,000 to 2,250 units	No Change
Residential Estates	N/A	0 to 9 units	+9 units
Village Center	0 to 50 units	0 to 50 units	No Change
Total Residential Units Allowed	***2,250 maximum***	***2,250 maximum***	***No Change***
Village Center	60,000 sf	140,000 sf	+80,000 sf
Commercial	40,000 sf	0 sf	-40,000 sf
Limited Use (subset of Commercial Uses	80,000 sf	40,000 sf	-40,000 sf
Total Non-Residential Square Feet Allowed	***180,000 sf***	***180,000 sf***	***No Change***

Source: Ellis Specific Plan Amendment, March 2017

As identified in Table 1, no changes would occur to the overall allowable residential units or overall square footage previously approved as part of the Ellis Specific Plan.

The Specific Plan Amendment would also require a General Plan Amendment to provide consistency between the General Plan Land Use Designations Map with the changes proposed in the Specific Plan Amendment.

All future development within the Ellis Specific Plan footprint (including in newly designated areas as identified in the Specific Plan Amendment) would be required to go through City processes and approvals prior to construction, as specified in the Ellis Specific Plan.

Development Agreement Amendment

The proposed Project also includes a second amendment to the existing Amended and Restated Development Agreement (DA) for the Ellis Specific Plan. The key changes to the existing Development Agreement are as follows:

- City and Owner (identified in the DA as Surland Communities, LLC) to execute an agreement to provide for, among other things, the design, funding and construction of the Swim Center and certain associated infrastructure improvements;
- States that Owner may in the future apply to the City for subsequent DA Amendments to bring additional property outside of the existing Ellis Specific Plan area within the coverage, terms and conditions of the Development Agreement. This additional property is defined in the proposed DA Amendment as "DA Property" (in contrast with the property within the existing Ellis Specific Plan Area, which is defined in the DA as "Property"). Before this additional property (the "DA Property") can become subject to the coverage of the DA, it must be annexed to the City through normal annexation and planning procedures, which include all necessary San Joaquin County Local Agency Formation Commission approvals, all necessary City Council approvals, and compliance with all applicable California Environmental Quality Act requirements. The City Council will retain its full discretion to approve, conditionally approve, or deny any application by Owner to bring such additional DA Property within the coverage of the DA;
- Modifies the City's Growth Management Ordinance Guidelines to expand the scope of Owner's eligibility for Residential Growth Allotments (RGAs) and to allow Owner to transfer RGAs issued to Owner under the DA to additional properties which, in the future, come within the coverage of the DA through future DA Amendments;
- Owner to be granted a right-of-first-refusal for Residential Growth Allotments (RGAs) not accepted by other property owners, up to the City's entire maximum RGA allocation for that year;
- The effective term of Building Permits issued to the Project Applicant shall be extended to 24 months;
- Owner may execute an agreement with the City to provide for payment of development impact fees at close of escrow for each residential unit, rather than at issuance of building permit or certificate of occupancy;
- Modifications to park approval process for parks within the Project site;
- City and Owner to execute a Park & Landscape Maintenance Agreement;
- City and Owner to cooperate to annex all property covered by the Development Agreement (as it now exists or may exist in the future) to the Ellis Community Facilities District;
- City and Owner to execute a Public Infrastructure Credit & Reimbursement Agreement.

Development Agreement Properties or additional property ("DA Property") not currently within the boundaries of the Ellis Specific Plan are not evaluated in this Addendum, as they are unknown at this time, and any analysis related to their respective impacts would be too speculative for evaluation. Further, as summarized in bullet point #2 above, the DA is intended to preclude the extension of any rights to additional property, specifically, any lands outside of the boundaries of the Ellis Specific Plan until such

time as the owner processes any other DA Property through all of the City's conventional planning processes, including securing applicable general plan amendments/zone changes, annexation, sphere of influence boundary modifications and complies with all requirements under CEQA for discretionary actions related to the inclusion of DA Properties within the boundaries of Ellis.

Among other factors, additional CEQA review beyond this Addendum would be triggered if the proposed second amendment to the DA created new significant environmental effects (not previously analyzed in the certified EIR) or would result in a substantial increase in the severity of previously identified significant effects disclosed in the EIR used to approve the Ellis Specific Plan. The key changes identified above are intended to further govern the implementation of the above project and do not constitute substantial changes to the project or project circumstances that would require major revisions to the certified EIR. The key changes identified above are minor technical changes that neither result in new environmental impacts, nor increase the severity of the environmental impacts previously analyzed.

Zoning Ordinance Amendment

The proposed Project also includes an amendment to the Zoning Ordinance. The purpose of the Zoning Ordinance Amendment is to add the Ellis Specific Plan Zone to the list of zone districts in the City. Upon implementation of the Zoning Ordinance Amendment, all property within the Ellis Specific Plan Area will be zoned Ellis Specific Plan Zone and the City's Zoning Map would be amended to reflect this change. The zoning regulations for the Ellis Specific Plan Zone are contained in the existing Ellis Specific Plan.

Based on the analysis and evaluation provided in this Addendum, no new significant impacts would occur because of the proposed Zoning Ordinance Amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact.

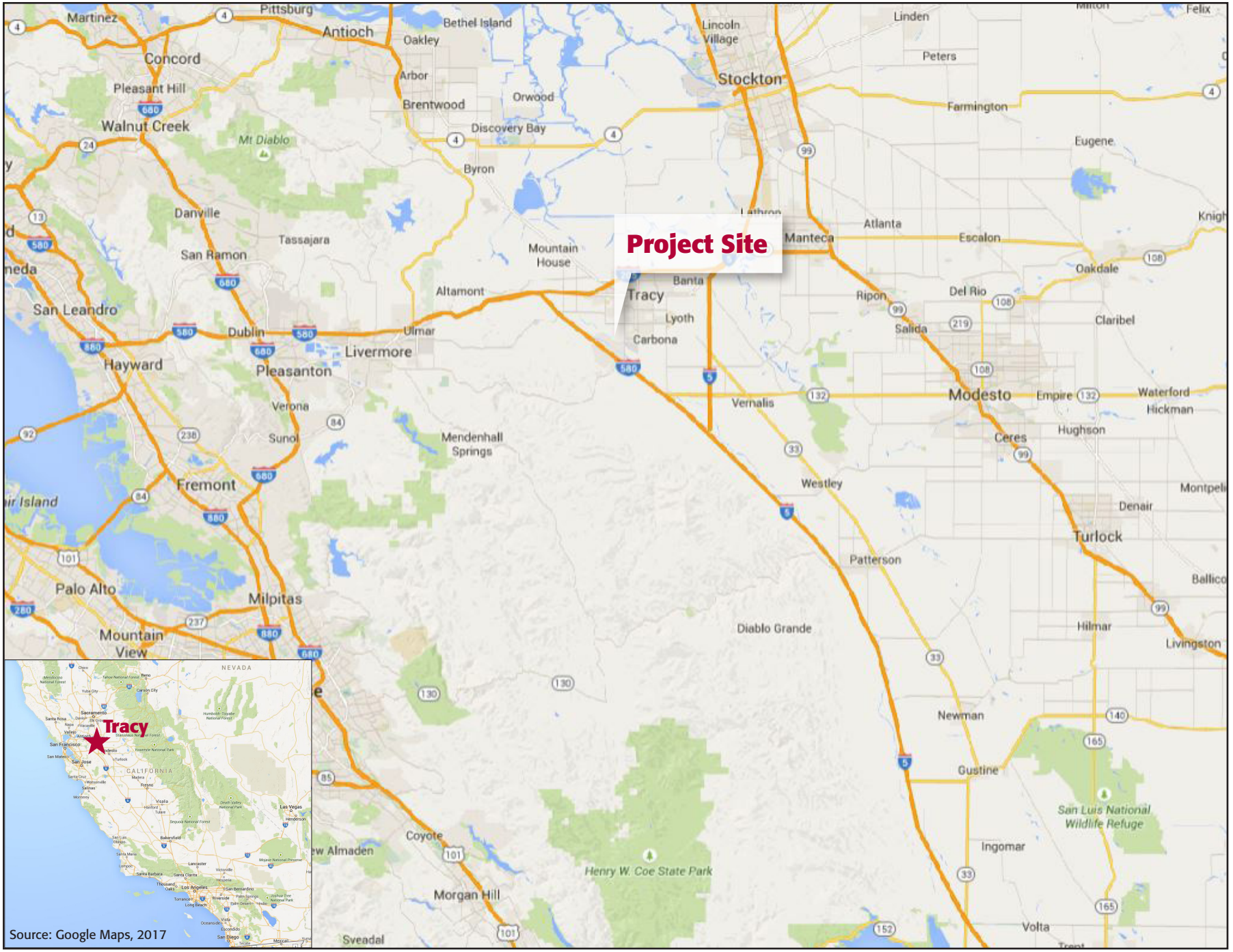
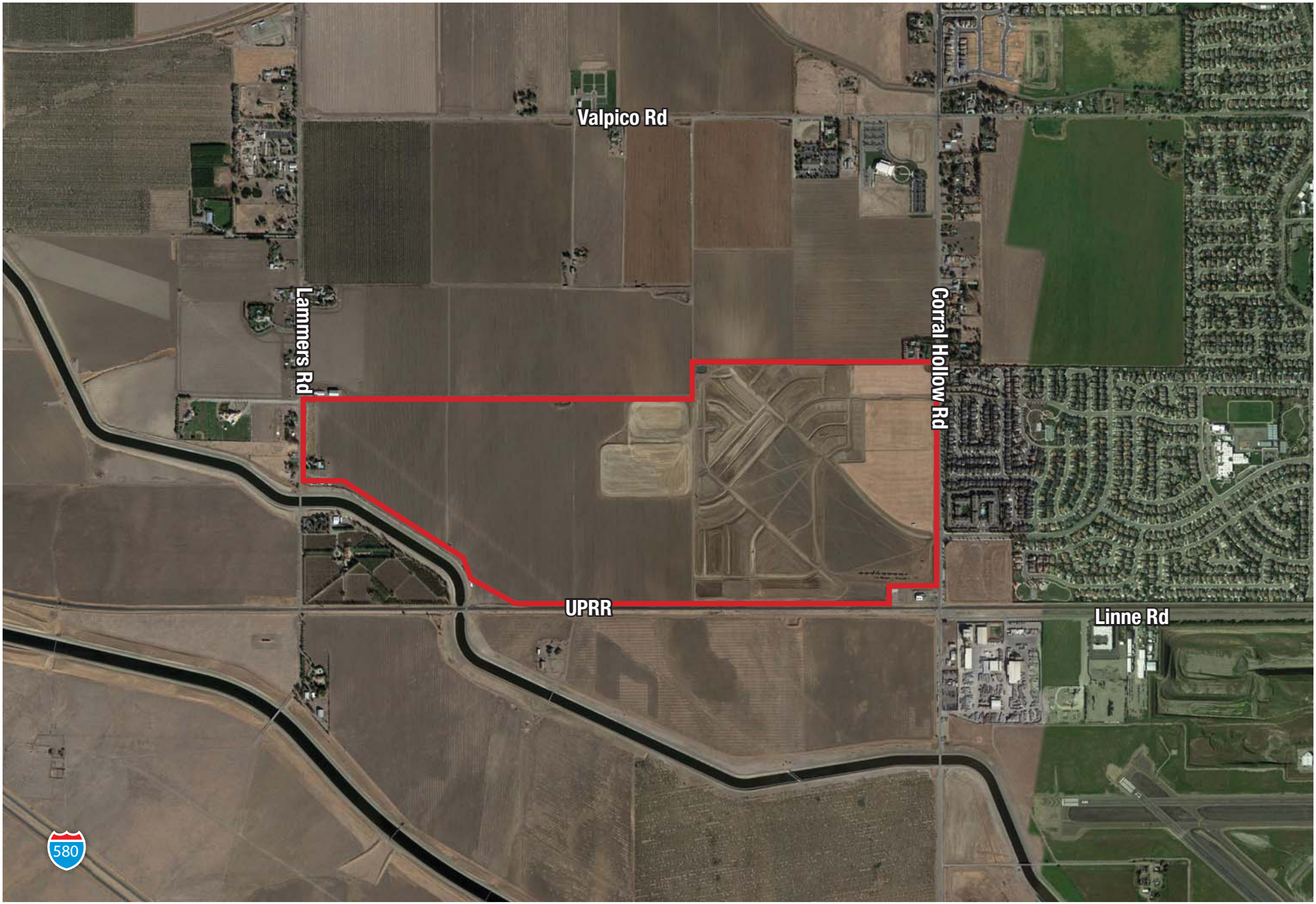


FIGURE 1: Regional Vicinity Map
Addendum to the Ellis Modified Project EIR
City of Tracy

Not to scale

Kimley»Horn



Source: Google Earth, 2017

Project Site

FIGURE 2: Project Vicinity Map
Addendum to the Ellis Modified Project EIR
City of Tracy

Not to scale

Kimley»Horn

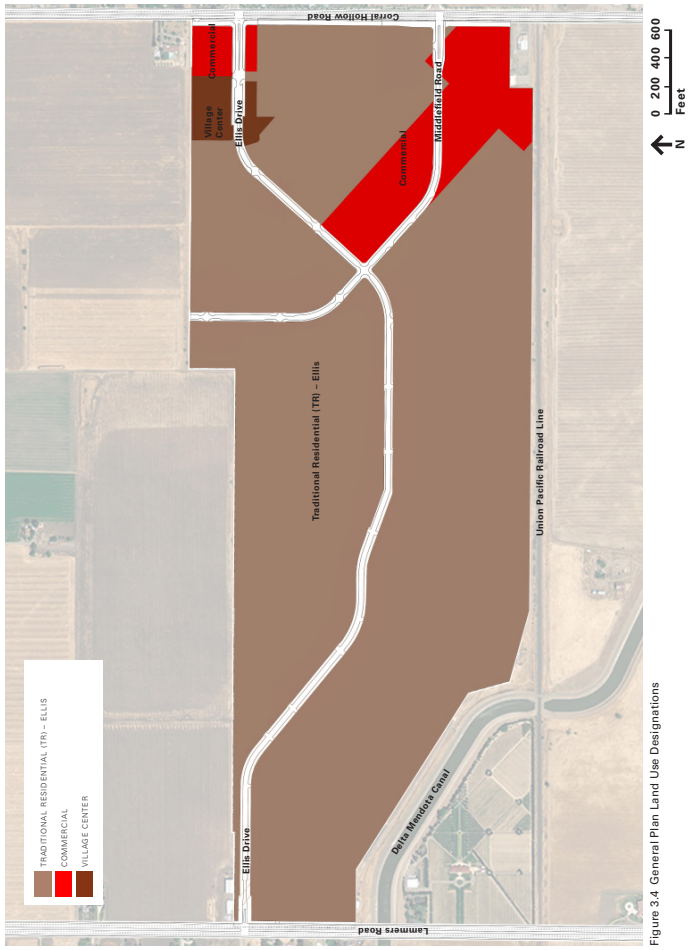


Figure 3.4 General Plan Land Use Designations

APPROVED

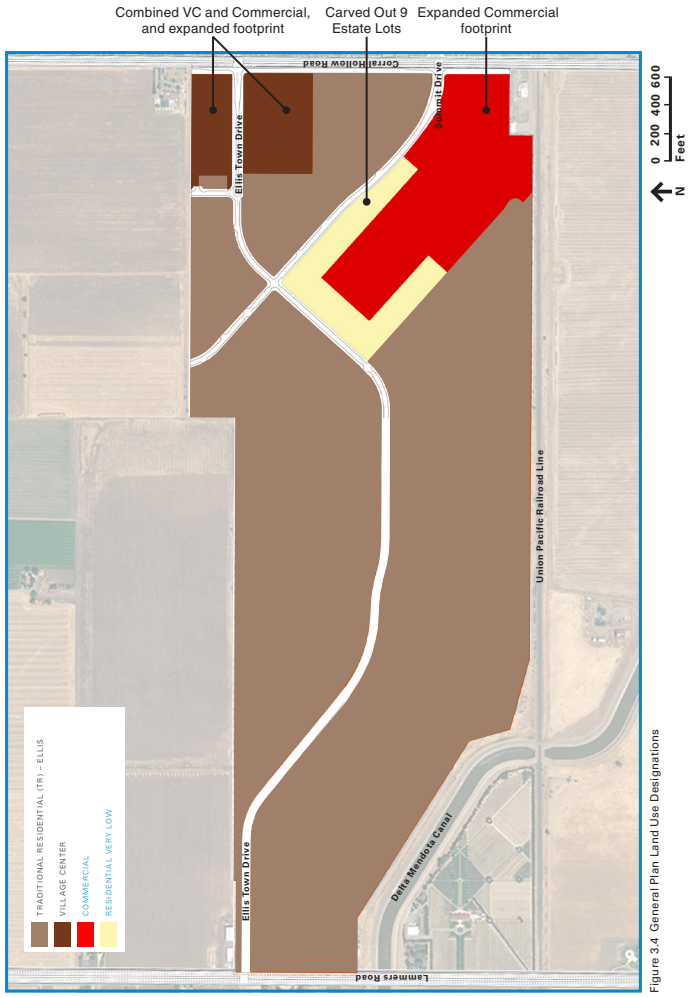


Figure 3.4 General Plan Land Use Designations

PROPOSED

FIGURE 3: Revised General Plan Land Use Designations
Addendum to the Ellis Modified Project EIR
City of Tracy

Not to scale

Kimley»Horn

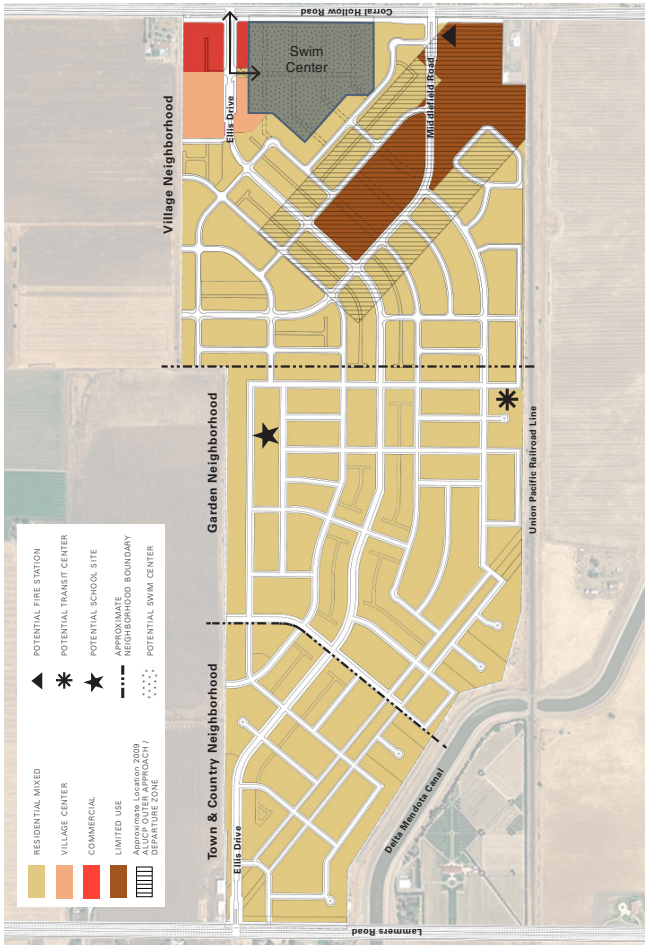


Figure 3.6 ESP Zoning Summary
Note 1: Pursuant to the City of Tracy General Plan, parks and special landscape features are allowed within residential land use designations. The precise location of such facilities will be determined upon approval of detailed plans. For an illustration showing the approximate location of parks and special landscape features, see Section 4, Figure 4.49.
Note 2: Pursuant to the City of Tracy General Plan, lanes are allowed within residential land use designations. The precise location of such facilities will be determined upon the approval of detailed plans. Diagrams in the ESP are illustrative and not intended to indicate the percent or location of lane loaded lots. In general, lanes are encouraged parallel to higher traffic interior streets and along view corridors.

APPROVED

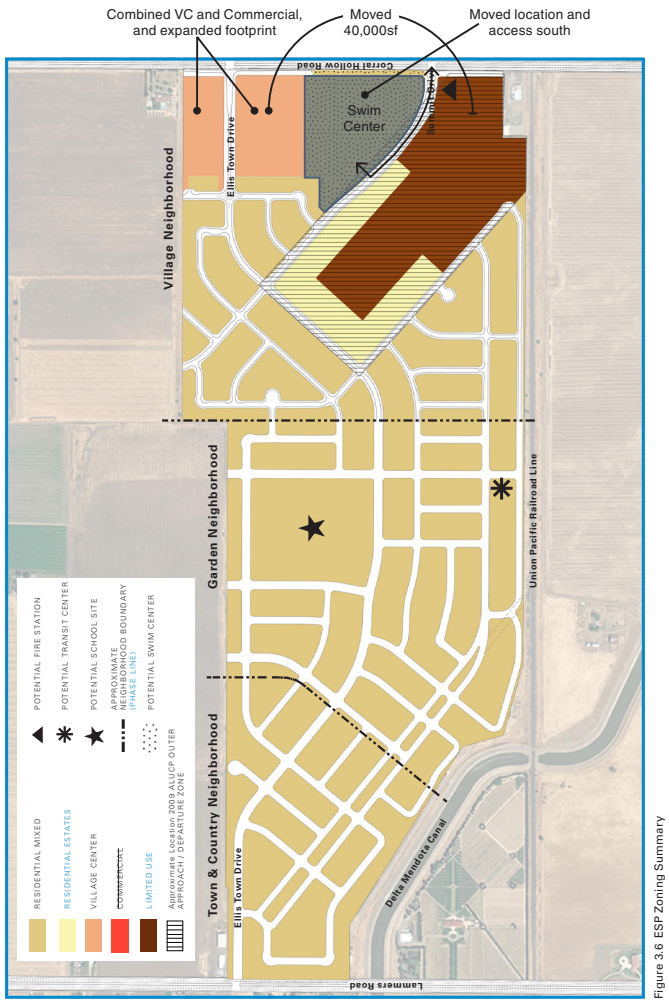


Figure 3.6 ESP Zoning Summary
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PROPOSED

FIGURE 4: Revised Ellis Specific Plan Zoning Summary
Addendum to the Ellis Modified Project EIR
City of Tracy

Not to scale

Kimley»Horn

Ellis Specific Plan Environmental Impact Analysis Summary

The Modified Ellis Project EIR, certified on January 22, 2013, found the following effects to be significant and unavoidable impacts:

Aesthetics, Light, and Glare:

- The Ellis Specific Plan would create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.
- Implementation of the Ellis Specific Plan could substantially degrade the existing visual character or quality of the site and its surroundings.
- The Ellis Specific Plan could cause a substantial adverse effect on a scenic vista.
- The Ellis Specific Plan could substantially damage scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings within a state scenic highway.

Air Quality:

- The Ellis Specific Plan would result in an overall increase in the local and regional pollutant load due to direct impacts from vehicle emissions and indirect impacts from area sources and electricity consumption.
- Due to the Ellis Specific Plan site's exceedances of SJVAPCD's air quality standards, future development within the ESP site would not be consistent with the most recent Air Quality Management Plan.
- Implementation of the Ellis Specific Plan could impact regional air quality levels on a cumulatively considerable basis.

Agricultural Resources:

- The proposed Ellis Specific Plan would convert Prime Farmland to non-agricultural uses.

Greenhouse Gas Emissions:

- Significant generation of greenhouse gas emissions.
- Future development facilitated by the Ellis Specific Plan and other related cumulative projects could have a cumulatively considerable contribution to greenhouse gas emissions.

Land Use:

- Agricultural land conversion.

Noise:

- Substantial noise levels for future residential uses along the Union Pacific Railroad.
- Temporary increases in noise and/or vibration from grading and construction.
- Substantial increases in traffic noise.
- Cumulatively considerable contribution to traffic noise.

Traffic:

- The addition of traffic to the regional transportation system from the Ellis Specific Plan would degrade LOS on I-580 west of I-205 to unacceptable traffic conditions during the AM and PM peak hours.
- The addition of traffic from the Ellis Specific Plan would further degrade an existing unacceptable traffic condition on Tesla Road and Patterson Pass Road individually and cumulatively.
- Cumulative contribution of traffic to segments of I-580.

The 2013 Modified Ellis Specific Plan Final EIR found the following effects to be less than significant with mitigation incorporated:

Air Quality:

- Construction related dust and vehicle emissions;

Agriculture:

- Impacts to Important Farmland;

Biological Resources:

- Impacts to candidate, sensitive, or special status species or sensitive natural community identified in local or regional plans, policies, or regulations;
- Impacts to riparian habitat or other sensitive natural communities;
- Cumulatively considerable contribution to the loss of vegetation and wildlife resources;

Geology and Soils Hazards:

- Located on expansive soils;

Greenhouse Gas Emissions:

- Conflict with an applicable greenhouse gas reduction plan, policy, or regulation;

Hazards and Hazardous Materials:

- Accidental release of hazardous materials;

Hazards associated with natural gas and oil pipelines;

- Cumulatively considerable contribution to hazardous impacts;

Hydrology, Drainage, and Water Quality:

- Violate water quality standards;
- Alter drainage patterns;
- Degrade water quality;

Public Utilities:

- Increase demand necessitating the expansion of utility services;
- Substantial adverse impacts associated with provisions of new or physically altered government facilities, or the need for new facilities.

Traffic:

- Generation of unacceptable levels of service;

Water Supply and other Public Utilities:

- Expansion of City's existing wastewater treatment system;
- Cumulative demand for water, wastewater, and storm drainage facilities;

Implementation of mitigation measures identified in the Modified Ellis Project EIR would reduce the severity of potentially significant and unavoidable impacts as well as mitigate aforementioned impacts to a level of less than significant. Where applicable, mitigation measures stemming from the previously certified Specific Plan EIR and adopted as conditions of Specific Plan approval would be incorporated into the proposed Project.

The Ellis Specific Plan Final EIR found that build-out of the Ellis Specific Plan would have a less than significant impact or no impact to remaining topical areas not identified above pursuant to the *CEQA Guidelines*.

Conclusion

The proposed Amendment would not result in any new significant impacts that have not already been analyzed in the Modified Ellis Project EIR. The implementation of the Amendment would also not result an increase in the severity of any previously identified environmental impacts. The potential impacts associated with this Amendment would either be of the same significance or less than those described in the Modified Ellis Project EIR. There are no substantial changes to the conditions under which the proposed Amendment would be undertaken that would result in any new or more severe environmental impacts than those already addressed in the certified Modified Ellis Project EIR. No new information regarding the potential for new or more severe significant environmental impacts been identified. Therefore, in accordance with the State CEQA Guidelines, this Addendum to the previously certified Modified Ellis Project EIR is the appropriate environmental documentation for the Ellis Specific Plan Amendment. No further environmental review associated with the proposed Amendment is thereby required.

On January 22, 2013, the Tracy City Council adopted a Statement of Overriding Considerations for all significant impacts associated with build-out of the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact not contemplated in the previously certified Modified Ellis Project EIR.

I. AESTHETICS

Threshold (a) Would the Project have a substantial adverse effect on the scenic vista?

Previous Significance Determination: Impacts related to scenic vistas were considered significant and unavoidable in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Implementation of the proposed Amendment would not impact the scenic vista, as the changes are limited to a shift in land use designations and acreages. A portion of the Ellis Specific Plan Area has already been developed with residential uses. Implementation of the proposed Amendment would lead to future development of the site consistent with the Specific Plan Amendment. As such, the scenic vista would not be altered any further than what was previously analyzed. No greater impacts and no change to the disposition of impacts on the build-out of the Ellis Specific Plan would occur as a result of the proposed Amendment. Additional environmental review is not required since this impact was addressed and is consistent with the development density analyzed in the Modified Ellis Project EIR.

Threshold (b) Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

Previous Significance Determination: The Ellis Specific Plan would result in the construction of buildings and other urban features within the range of the I-580, which is a designated scenic corridor. Thus, a significant and unavoidable impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Implementation of the proposed Amendment would not damage scenic resources, as the modifications to the Specific Plan are limited to a shift in land use designations and acreages. Implementation of the proposed Amendment would lead to future development of the site consistent with the Specific Plan Amendment. As such, impacts to scenic resources would not be altered any further than what was previously analyzed. Additional environmental review is not required since this impact was addressed and is consistent with the development density analyzed in the Modified Ellis Project EIR.

Threshold (c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Previous Significance Determination: Impacts related to the visual character of the Ellis Specific Plan site were considered significant and unavoidable in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Implementation of the proposed Amendment would likely lead to future development of the site consistent with the Specific Plan and as modified by the proposed Amendment. No greater impacts and

no change to the disposition of impacts on the build-out of the Ellis Specific Plan would occur as a result of the proposed Amendment. Additional environmental review is not required since this impact was addressed and is consistent with the development density analyzed in the Modified Ellis Project EIR.

Threshold (d) Would the project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Previous Significance Determination: Light and glare generated by the Ellis Specific Plan were considered significant and unavoidable in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed modifications to the Specific Plan would have no material effect on the previously analyzed light and glare impacts, as the modifications to the Specific Plan are limited to a shift in land use designations and acreages. The proposed modifications to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

The potential aesthetic impacts related to views, aesthetics, and light and glare are site specific. While impacts are minimized with implementation of mitigation measures, impacts related to aesthetics across the Specific Plan Area were considered cumulatively significant and unavoidable in the previously certified Modified Ellis Project EIR. As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative aesthetic impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional mitigation measures are required.

II. AGRICULTURAL AND FORESTRY RESOURCES

Threshold (a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Threshold (b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Previous Significance Determination: Impacts related to the conversion of prime farmland were considered significant and unavoidable in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The California Department of Conservation Farmland Mapping and Monitoring Program has designated the site "Farmland of Local Importance". No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is currently mapped in the Ellis Specific Plan vicinity. It should be noted however, that at the time of the preparation of the Modified Ellis Project EIR, a portion of the site was mapped as Prime Farmland. The proposed Ellis Specific Plan site is not the subject of a Williamson Act contract. The site is currently zoned Ellis Specific Plan.

The proposed Amendment is consistent with the City's overall planning vision, which assumes residential and commercial uses would be developed with urban uses. The proposed Amendment does not contribute to this impact since the proposed Amendment area does not currently contain prime farmland, unique farmland, or farmland of statewide importance.

Thus, the proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Threshold (d) Result in the loss of forest land or conversion of forest land to non-forest use?

Threshold (e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to Previous

Previous Significance Determination: No impacts related to the conversion of forest land were in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No forest land occurs within or adjacent to the Ellis Specific Plan area. The Ellis Specific Plan, the 2011 City of Tracy General Plan and the 2013 Tracy Zoning Ordinance do not provide for any forest land preservation within the site. No change to the disposition of impacts associated with the build-out of the Ellis Specific Plan would result from the proposed Amendment. Impacts were considered less than significant for build-out of the Ellis Specific Plan, therefore impacts would remain less than significant. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified in the certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative agricultural and forestry related impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional mitigation measures are required.

III. AIR QUALITY

Threshold (a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Previous Significance Determination: The Modified Ellis Project EIR found that build-out of the Specific Plan would generate a substantial increase in (both construction and operational-related) criteria air pollutants that would exceed the SJVACPD's significance thresholds. Therefore, build out of the Specific Plan Area would be inconsistent with the SJVAPCD's air quality plans and impacts were considered significant and unavoidable within the previously certified EIR prepared for the Ellis Specific Plan.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to conflicts with applicable air quality plans would be similar to the building density, intensity, and land use designations identified in the Modified Ellis Project EIR and no new impact or increase in the severity of a previously identified impact would occur.

Threshold (b) Would the project violate an air quality standard or contribute to an existing or projected air quality violation?

Threshold (c) Would the project result in cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?

Threshold (d) Would the project expose sensitive receptors to substantial pollutant concentrations?

Previous Significance Determination: The region of the proposed Amendment area is classified as nonattainment for ozone, PM_{10}, and particulate matter with a diameter smaller than 2.5 microns ($PM_{2.5}$). Buildout of the Specific Plan Area would generate emissions of ROG, PM_{10}, and NO_x during operation that would be above the SJVACPD's regional thresholds of significance. Therefore, impacts were determined to be significant and unavoidable within the previously certified EIR prepared for the Ellis Specific Plan.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, the impact relative to air quality violations would be similar to the building density, intensity, and land use designations identified in the Modified Ellis Project EIR and no new impact or increase in the severity of a previously identified impact would occur.

Threshold (e) Would the project create objectionable odors affecting a substantial number of people?

Previous Significance Determination: The Ellis Specific Plan does not propose to include any odor inducing uses on the site. Therefore, impacts were determined to be less than significant within the previously certified EIR prepared for the Ellis Specific Plan.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

SJVAPCD has identified a list of common types of facilities that have been known to produce odors in the SJVAB along with a reasonable distance from the source within which, the degree of odors could be significant. These land uses include the following: wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refinery, asphalt batch plant, chemical manufacturing, fiberglass manufacturing, painting/coating operations, food processing facilities, feed lot/dairies and rendering plants. The proposed Amendment does not propose to include any odor inducing uses on the site. Therefore, the Amendment would not allow for development of uses that would be a source of objectionable odors, therefore no impact would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

Impacts related to air quality associated with the development of the Ellis Specific Plan were considered cumulatively significant and unavoidable in the previously certified Modified Ellis Project EIR. As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative air quality related impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

IV. BIOLOGICAL RESOURCES

Threshold (a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Previous Significance Determination: The Modified Ellis Project EIR concluded that, with mitigation, implementation of the Specific Plan would not impact candidate, sensitive, or special status species.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Future development that may occur under the proposed Amendment would be located within the same footprint of the Ellis Specific Plan. Thus, impacts associated with sensitive, candidate, or special status species were previously analyzed in the Modified Ellis Project EIR. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Threshold (c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the site does not contain riparian habitat, and no impacts would occur. The Modified Ellis Project EIR concluded that no impacts would occur with respect to either riparian habitat or wetlands.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

As previously discussed, the Ellis Specific Plan area does not contain riparian habitat or wetlands. Implementation of the proposed Amendment would not impact riparian habitat or resources. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Previous Significance Determination: The Modified Ellis Project EIR concluded that, with mitigation, implementation of the Specific Plan would not impact movement of fish or wildlife species.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

> *Future development that may occur under the proposed Amendment would be located within the same footprint of the Ellis Specific Plan. Impacts associated with interference of fish or wildlife movement were previously analyzed in the Modified Ellis Project EIR. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.*

Threshold (e) Would the project conflict with any local policies or ordinances related to protecting biological resources, such as a tree preservation policy or ordinance?

Previous Significance Determination: The Modified Ellis Project EIR concluded that, with mitigation, implementation of the Specific Plan would not conflict with local policies or ordinances protecting biological resources.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is being prepared to update the Ellis Specific Plan, which was adopted in 2013 and is in compliance with the City of Tracy General Plan. All impacts regarding conflicts with relevant plans and ordinances were considered at the time the previously certified Modified Ellis Project EIR was adopted. Consistent with the conclusion identified in the previously certified EIR, the proposed Amendment's impacts in this regard would be less than significant.

Threshold (f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not conflict with an adopted habitat conservation plan.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

As with implementation of the adopted Specific Plan, future development that may occur under the proposed Amendment would be subject to the regulations and provisions of the San Joaquin Multi Species Conservation Plan (SJMSCP). As a result, no impacts relative to conservation plans would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified in the certified Modified Ellis Project EIR.

The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Additionally, future development that may occur under the proposed Amendment would be located within the same footprint previously analyzed in the Modified Ellis Project EIR. Therefore, no additional adverse cumulative biological resources impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

V. CULTURAL RESOURCES

Threshold (a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not impact historic resources.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan area does not contain any sites that are listed on National Register or California Register, are State Landmarks, or are California Points of Interest. Since there are no known historical resources within the Specific Plan Area, the proposed Amendment would not have an impact in this regard. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

Threshold (c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not impact archaeological or paleontological resources.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The City of Tracy likely contains undiscovered archaeological and paleontological resources, especially in undeveloped areas. Future development that may occur under the proposed Amendment would be developed on vacant land, all of which was analyzed in the previously certified EIR. Thus, although there is the potential to disturb previously undiscovered archaeological and paleontological resources, this potential was previously disclosed and mitigated for in the previously certified EIR. As such, construction within land use designations identified by proposed Amendment would be required to comply with federal and state regulations and the existing Tracy General Plan policies, which would reduce any potential impacts to archaeological resources, if any archaeological resources were discovered during the implementation. Specifically, Tracy General Plan Goal CC-3, Objective CC-3.1, Policies P4 and P5 on pages 3-19 and 3-20 require immediate cessation of construction activity upon discovery of archaeological resources and the protection of cultural resources. Therefore, less than significant impacts would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not impact human remains.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

There are no known human remains buried within the Ellis Specific Plan site. However, buried remains could be present and unearthed as a result of excavation and grading associated with future development facilitated by the proposed Amendment. State law and the Tracy General Plan provide guidance should human remains be discovered during construction. The California Health and Safety Code and Tracy General Plan Goal CC-3, Objective CC-3.1, Policy P4, P5, and P6 on pages 3-19 and 3-20 require that if human remains are inadvertently discovered during excavation or construction activities, all construction affecting the discovery site must halt, the contractor must contact the appropriate professionals, and the county coroner must examine the remains within 48 hours of discovery. Additionally, if the remains are determined to be Native American, the City would work with local Native American representatives to ensure that the remains and any associated artifacts are treated in a respectful and dignified manner. Despite the applicable regulatory framework and the relatively low likelihood of discovery, it remains possible that future development could discover human remains during subsurface activities, which could then result in the remains being inadvertently damaged. Therefore, less than significant impacts would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified in the certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Additionally, future development that may occur under the proposed Amendment would be located within the same footprint previously analyzed in the Modified Ellis Project EIR. Therefore, no additional adverse cumulative cultural resources impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

VI. GEOLOGY AND SOILS

Thresholds (a.i – a.iv) Would the project expose persons or structures to seismic hazards?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not expose persons or structures to seismic hazards.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan area is not considered susceptible to the risk of loss, injury, or death due to fault rupture and the associated impacts would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan.

The Seismic Hazards Zonation Program of the California Geological Survey (CGS) has not identified any seismically-induced liquefaction zones in the City of Tracy or in the Ellis Specific Plan Area and impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan.

The risk of loss, injury, or death due to landslides is considered very low on the Ellis Specific Plan site and the impacts would be considered less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project result in substantial erosion or loss of topsoil?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not result in erosion or loss of topsoil.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No land uses or densities are proposed as part of the Amendment that have the potential to increase the severity or likelihood of erosion, and thus impacts are less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Previous Significance Determination: The Modified Ellis Project EIR concluded that implementation of the Specific Plan would not result in landslide, lateral spreading, subsidence, liquefaction and/or collapse.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Typically, subsidence occurs in areas underlain by soils that are highly compressible, such as soft clays or silts and unconsolidated sand or fill material. Thus, implementation of the proposed Amendment would have a less than significant impact relative to geologically unstable soils. Landslide and liquefaction potential for the Ellis Specific Plan site is considered low, and thus, implementation of future development under the proposed Amendment would also be low, as the land area covered by the proposed Amendment is within the same development footprint covered by the adopted Specific Plan. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Previous Significance Determination: The Modified Ellis Project EIR concluded that, with mitigation, implementation of the Specific Plan would not be subject to expansive soil.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Because the Ellis Specific Plan site contains clay-type soils, on-site soils are potentially expansive. No land uses or densities are proposed as part of the Amendment that have the potential to increase the severity or likelihood of expansive soils, and thus impacts are less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewer is not available for the disposal of waste water?

Previous Significance Determination: The Modified Ellis Project EIR concluded that no impacts would occur with regard to use of septic tanks.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No septic tanks would be used in any land uses developed under the Specific Plan or the proposed Amendment. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed Amendment's implementation.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are

consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the overall land use and development regulations contained in the Ellis Specific Plan. Additionally, future development that may occur under the proposed Amendment would be located within the same footprint previously analyzed in the Modified Ellis Project EIR. Therefore, no additional adverse cumulative geological impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

VII. GREENHOUSE GAS EMISSIONS

Threshold (a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Previous Significance Determination: The previously certified EIR prepared for the Ellis Specific Plan found that GHG emissions generated by the proposed Specific Plan (both construction and operational-related) would exceed the applicable threshold set forth in SJVAPCD's guidance because the proposed Project's GHG emissions cannot feasibly be reduced to 29 percent below business as usual (BAU) despite the incorporation of numerous sustainability measures. The impact is significant and unavoidable

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No changes would occur to the overall allowable number of residential units or overall square footage previously approved as part of the Ellis Specific Plan.

The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, Specific Plan implementation would not conflict with or otherwise interfere with achievement of CARB's Scoping Plan, the City's Sustainability Action Plan, the California Attorney General's Office, and the California Air Pollution Control Officer's Association (CAPCOA) applicable measures.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No changes would occur to the overall allowable number of residential units or overall square footage previously approved as part of the Ellis Specific Plan.

As such, the Amendment would be consistent with local and regional plans designed to reduce GHG emissions. No conflict or interference with achievement of an applicable GHG emissions reduction plan would occur.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified EIR.

No changes would occur to the overall allowable number of residential units or overall square footage previously approved as part of the Ellis Specific Plan. Therefore, no additional adverse cumulative greenhouse gas impacts would occur. This finding is supported by the previously certified EIR prepared

for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Threshold (a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, Specific Plan implementation would not create a significant hazard to the public with respect to hazardous materials.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No changes would occur to the overall allowable number of residential units or overall square footage previously approved as part of the Ellis Specific Plan.

Therefore, the proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, Specific Plan implementation would not release hazardous materials into the environment.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Amendment proposes overall land uses and densities that were previously analyzed and located within the same footprint as in the Modified Ellis Project EIR. Therefore, as it relates to the creation of hazards or routine transport and disposal of hazards, the proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, Specific Plan implementation would not emit hazardous materials within one quarter mile of a school.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No changes would occur to the overall allowable number of residential units or overall square footage previously approved as part of the Ellis Specific Plan.

Additionally, changes proposed as part of the Amendment would be located within the same footprint as what was previously analyzed in the Modified Ellis Project EIR. Therefore, the proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and as a result, would create a significant hazard to the public or the environment?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan Area is not listed on any hazardous materials site lists.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan Area is not listed on any hazardous materials site lists, and thus, future development that may occur under the proposed Amendment would not be located on hazardous site lists. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan would not cause a safety hazard associated with being located within an airport land use plan.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment does not include development of uses that are restricted in the 2009 Airport Land Use Compatibility Plan Outer Approach/Departure Zone 4 Safety Zone. The Specific Plan includes a land use (Limited Use) that covers the airport safety zone, and includes development standards and restrictions on land uses within that area to guide development. The proposed Amendment would increase the acreage of the Limited Use Zone by approximately 4 acres. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan site is not located within 2 miles of a private airstrip.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan site is not located within 2 miles of a private airstrip and no impact would occur. This determination is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Previous Significance Determination: The City's General Plan Safety Element includes policies that require the City to maintain emergency access routes that are free of traffic impediments (Objective SA-6.1, P1 and A2). The Ellis Specific Plan does not include any actions that would interfere with emergency response and evacuation plan policies. Primary access to all major roads would be maintained during construction of the proposed Project and the Specific Plan provides for streets consisting of two lanes with shoulders on each side to provide for emergency vehicle parking and access. Thus, since the building footprint is no different under the proposed Amendment, no associated impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

No component of the proposed Amendment would create future development that would impair or physically interfere with an adopted emergency response or evacuation plan. This determination is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (h) Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas?

Previous Significance Determination: The Ellis Specific Plan site is not located within a High or Moderate fire hazard area, per the California Department of Forestry. No impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan site is not located within a High or Moderate fire hazard area, per the California Department of Forestry. Thus, because the building footprint is coterminous with the previously adopted Ellis Specific Plan, no impacts would occur. This determination of no impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the overall land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative hazards impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

VII. HYDROLOGY AND WATER QUALITY

Threshold (a) Would the project violate any water quality standards or waste discharge requirements?

Threshold (f) Would the project otherwise substantially degrade water quality?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, the Ellis Specific Plan would not violate or substantially degrade water quality.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Implementation of the proposed Amendment would not impact water quality, as the changes are limited to a shift in land use designations and acreages. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (b) Would the project substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan would not substantially deplete groundwater supply.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Changes proposed as part of the proposed Amendment are limited to a shift in land use acreages. The overall density and intensity of land uses would not increase, and thus, would not increase the demand for groundwater. The results of the previously certified EIR prepared for the Ellis Specific Plan support this finding. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Threshold (d) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, implementation of the Ellis Specific Plan would not substantially alter the existing drainage pattern of the site.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Changes proposed as part of the proposed Amendment are limited to a shift in land use designations and acreages within the same footprint previously analyzed in the Modified Ellis Project EIR. Thus, no increased or substantially different impacts associated with onsite drainage would occur. The results of the previously certified EIR prepared for the Ellis Specific Plan support this finding. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, implementation of the Ellis Specific Plan would not create or contribute runoff water that exceeds the capacity of existing or planned storm water drainage systems.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Changes proposed as part of the proposed Amendment are limited to a shift in land use designations and acreages within the same footprint previously analyzed in the Modified Ellis Project EIR. Thus, no increased or substantially different impacts associated with onsite drainage would occur. The results of the previously certified EIR prepared for the Ellis Specific Plan support this finding. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (g) Would the project place housing/structures within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Threshold (h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan area is not located within a 100-year flood hazard area. As a result, no impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan is not located within a 100-year flood hazard area. As a result, no impact would occur given that the proposed Amendments are within the Specific Plan development footprint previously analyzed. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Threshold (j) Would the project result in inundation by seiche, tsunami or mudflow?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan area is not located in close proximity to an area subject to flooding due to tsunamis or seiches resulting in levee failure, and would not be subject to mudflows as a result of a seiche. As a result, less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan area is not located in close proximity to an area subject to flooding due to tsunamis or seiches resulting in levee failure, and would not be subject to mudflows as a result of a seiche. As a result, implementation of the proposed Amendment would result in less than significant impacts given that the Amendment area is within the Specific Plan development footprint previously analyzed. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the overall land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative hydrology impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

IX. LAND USE AND PLANNING

Threshold (a) Would the project physically divide an established community?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan area would not divide an established community. As a result, no impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment would make minor modifications to the land use designations, acreages, and square footage previously identified within the existing Ellis Specific Plan. However, the proposed land use designations and intensity of uses is consistent with the adopted Ellis Specific Plan. The proposed Amendment is consistent with the City's overall planning vision, and would not divide an established community. The finding of no impact is supported by the previously certified EIR prepared for the Ellis Specific Plan which found that no potentially significant impacts to physical division of a community would occur. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan area would not conflict with land use plans, policies, or regulations. As a result, no impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

It is not anticipated that the proposed Amendment would conflict with applicable land use plans, policies, or regulations, including the Ellis Specific Plan, the City's current General Plan, applicable citywide infrastructure master plans, and regional plans. The purpose of the proposed Amendment is to update certain land use designations within the existing Ellis Specific Plan. The overall existing footprint of the Ellis Specific Plan has not changed since the analysis in the Modified Ellis Project EIR, nor has the overall number of dwelling units proposed. Rather, the Specific Plan Amendment proposes to "shift" land uses, acreages, and square footage slightly.

The proposed Project also includes a second amendment to the existing Amended and Restated Development Agreement (DA) for the Ellis Specific Plan. As noted under "Proposed Revisions to the Approved Project" on Page 5 of this Addendum, the key changes to the existing Development Agreement are as follows:

- City and Owner (identified in the DA as Surland Communities, LLC) to execute an agreement to provide for, among other things, the design, funding and construction of the Swim Center and certain associated infrastructure improvements;
- States that Owner may in the future apply to the City for subsequent DA Amendments to bring additional property outside of the existing Ellis Specific Plan area within the coverage, terms and conditions of the Development Agreement. This additional property is defined in the proposed DA Amendment as "DA Property" (in contrast with the property within the existing Ellis Specific Plan Area, which is defined in the DA as "Property"). Before this additional property (the "DA Property") can become subject to the coverage of the DA, it must be annexed to the City through normal annexation and planning procedures, which include all necessary San Joaquin County Local Agency Formation Commission approvals, all necessary City Council approvals, and compliance with all applicable California Environmental Quality Act requirements. The City Council will retain its full discretion to approve, conditionally approve, or deny any application by Owner to bring such additional DA Property within the coverage of the DA;
- Modifies the City's Growth Management Ordinance Guidelines to expand the scope of Owner's eligibility for Residential Growth Allotments (RGAs) and to allow Owner to transfer RGAs issued to Owner under the DA to additional properties which, in the future, come within the coverage of the DA through future DA Amendments;
- Owner to be granted a right-of-first-refusal for Residential Growth Allotments (RGAs) not accepted by other property owners, up to the City's entire maximum RGA allocation for that year;
- The effective term of Building Permits issued to the Project Applicant shall be extended to 24 months;
- Owner may execute an agreement with the City to provide for payment of development impact fees at close of escrow for each residential unit, rather than at issuance of building permit or certificate of occupancy;
- Modifications to park approval process for parks within the Project site;
- City and Owner to execute a Park & Landscape Maintenance Agreement;
- City and Owner to cooperate to annex all property covered by the Development Agreement (as it now exists or may exist in the future) to the Ellis Community Facilities District;
- City and Owner to execute a Public Infrastructure Credit & Reimbursement Agreement.

As noted on page 5 of this Addendum, Development Agreement Properties or additional property ("DA Property") not currently within the boundaries of the Ellis Specific Plan are not evaluated in this Addendum, as they are unknown at this time, and any analysis related to their respective impacts would be too speculative for evaluation. While the DA provides the opportunity for the owner to bring additional properties outside of the existing Ellis Specific Plan area into the coverage of the DA, doing so requires the additional properties to be annexed to the City through normal annexation and planning procedures, which include all necessary San Joaquin County Local Agency Formation Commission approvals, all necessary City Council approvals, and compliance with all applicable California Environmental Quality Act requirements. As noted above, the DA is intended to preclude the extension of any rights to additional property, until such time as the DA Property is processed through all of the City's conventional planning

processes, including securing applicable general plan amendments/zone changes, annexation, sphere of influence boundary modifications and complies with all requirements under CEQA for discretionary actions related to the inclusion of DA Properties within the boundaries of Ellis.

Based on the analysis and evaluation provided in this Addendum, no new significant impacts would occur because of the proposed second amendment to the DA, nor would there be any substantial increase in the severity of any previously-identified significant environmental impacts.

As set forth in the City's General Plan, the General Plan designations for the Ellis Specific Plan area includes Traditional Residential-Ellis (TR-Ellis), Commercial, and Village Center. The currently proposed Amendment to the Ellis Specific Plan would decrease the Residential Mixed designation from 284.7 acres to 260 acres, increase the Village Center designation from 5.7 to 14 acres, eliminate the Commercial designation, increase the Limited Use designation from 26.2 acres to 30 acres, and add 17 acres in a new designation known as "Residential Estates."

The Project would also require a General Plan Amendment to provide consistency between the General Plan Land Use Designations Map and the changes proposed in the Specific Plan Amendment. Additionally, the Project would also include a Zoning Ordinance Amendment. The purpose of the Zoning Ordinance Amendment is to add the Ellis Specific Plan Zone to the list of zoning districts in the City. All property within the Ellis Specific Plan Area would be zoned Ellis Specific Plan Zone and the City's Zoning Map would be amended to reflect this change. The modifications would result in no direct or indirect change to the existing physical environment. Overall, the proposed Amendments are consistent with the underlying land use and zoning designations that have been included in local and regional planning efforts. No impact would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan area would not conflict with any habitat conservation plans or natural community plans. As a result, no impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Future development that may occur under the proposed Amendment would be subject to the regulations and provisions of the San Joaquin Multi Species Conservation Plan (SJMSCP). As a result, no impacts relative to conservation plans would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative land use impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

None identified.

X. MINERAL RESOURCES

Threshold (a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

Threshold (b) Would the project result in the loss of availability of a locally important mineral resources recovery site delineated on a local general plan, specific plan, or other land use plan?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan site is not located in an area designated for Aggregate use in the 2011 General Plan, and impacts related to the loss of availability of known mineral resources are considered less than significant. As a result, no impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative mineral resources impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

None identified.

XI. NOISE

Threshold (a) Would the project result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would result in excess noise. A significant and unavoidable impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to excessive noise would be similar to what was identified in the Modified Ellis Project EIR and no new impact or increase in the severity of a previously identified impact would occur.

Threshold (b) Would the project result in the exposure of persons to or generation of, excessive groundborne vibration or groundborne noise levels?

Previous Significance Determination: The Modified Ellis Project EIR determined that vibration impacts would be generated by the Project temporarily during construction; however, impacts would be less than significant

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The overall density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to vibration would be similar to what was identified in the Modified Ellis Project EIR and no new impact or increase in the severity of a previously identified impact would occur.

Threshold (c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would result in a substantial permanent increase in ambient noise levels. A significant and unavoidable impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The overall density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to a permanent increase in noise would be similar to what was identified in the Modified Ellis Project EIR and no new impact or increase in the severity of a previously identified impact would occur. This determination is consistent with the previously certified EIR prepared

for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would result in a substantial periodic increase in ambient noise levels. A significant and unavoidable impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The overall density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to a periodic increase in noise would be similar to what was identified in the Modified Ellis Project EIR. and no new impact or increase in the severity of a previously identified impact would occur. This determination is consistent with the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, implementation of the Ellis Specific Plan would not substantially expose people to excessive airport noise levels with mitigation incorporated.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The overall density and intensity of land uses proposed under the Amendment are consistent with the Ellis Specific Plan; thus, impacts relative to airport noise would be similar to what was identified in the Modified Ellis Project EIR, and no new impact or increase in the severity of a previously identified impact would occur. This determination is consistent with the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Specific Plan area is not located within two miles of a private airstrip. No impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Specific Plan area is not located within two miles of a private airstrip. No impacts would occur.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative noise impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

XII. POPULATION AND HOUSING

Threshold (a) Would the project induce substantial population growth in an area, either directly or indirectly?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would not induce substantial population growth, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the City's overall planning vision, which assumes residential and commercial uses would be developed within the Specific Plan area. The amount of new residential growth facilitated by the Ellis Specific Plan (between 1,000 and 2,250 housing units) would be within the range of housing development planned for in the City of Tracy General Plan and thus would result in less than significant impacts on housing growth. The proposed Amendment would not induce substantial population growth beyond that already projected to occur. Because the population growth associated with the Ellis Specific Plan is within the estimates projected by San Joaquin Council of Governments (SJCOG), and was also considered in the General Plan, the Ellis Specific Plan would not exceed the amount of growth projected for the City for the year 2025, and thus would result in less than significant impacts on population growth. Jobs generated by the Ellis Specific Plan would result in less than significant indirect increases in population growth.

No potentially significant impacts to population and housing have been identified. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Threshold (b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Threshold (c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would not displace substantial numbers of people or housing, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

As previously discussed, the proposed Amendment would make minor modifications to the Ellis Specific Plan, and would not involve the displacement of people or housing. As a result, there are no impacts from displacing people or housing. This determination is consistent with the previously identified determination of less than significant impact which is supported by the previously certified EIR prepared

for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative land use impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

None identified.

XIII. PUBLIC SERVICES

Threshold (a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for: fire protection, police protection, schools, parks, and other public facilities?

i. Fire Protection

ii. Police Protection

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, the Ellis Specific Plan would not result in a substantial adverse impact associated with the need for new police or fire facilities, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the overall density and intensity of development analyzed in the Ellis Specific Plan EIR, and as such, would not create a significant or more substantial impact relative to police and/or fire services. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

iii. Schools

iv. Parks

v. Other Public Facilities

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would not result substantial adverse impact associated with the need for new school, park, or other facilities, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Any future population increases associated with development under the proposed Addendum have already been accounted for and analyzed in the previous Modified Ellis Project EIR. The Amendment is consistent with the overall density and intensity of land uses previously identified in the Ellis Specific Plan, and as such, does not impact schools, parks, or other public facilities in any greater way than what was previously analyzed. Less than significant impacts would occur. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative public service impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

XIV. RECREATION

Threshold (a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold (b) Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would not increase the use of existing parks or increase the need for parks, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment would not generate population growth beyond what has been anticipated in the City's General Plan for the Specific Plan area; therefore, it would not create an increased demand for recreational facilities. Therefore, impacts would remain less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative recreation impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

None identified.

XIV. TRANSPORTATION/TRAFFIC

A Traffic Memorandum was prepared by Kimley-Horn in April 2017 to identify whether the changes proposed as part of the Amendment would result in greater or more significant traffic impacts when compared to the existing traffic analysis contained in the Modified Ellis Project EIR. The Traffic Memorandum is located as Appendix A of this Addendum EIR.

Threshold (a) Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Previous Significance Determination: Impacts of the Ellis Specific Plan to the effectiveness of the circulation system were considered significant and unavoidable in the previously certified EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

As previously discussed, a Traffic Memorandum was prepared for the Amendment. The Traffic Memorandum evaluates the proposed Amendment to the Specific Plan by developing trip generation estimates for the revised land use mix/shift, estimating the trip distribution for the revised land use mix/shift, and analyzing AM and PM peak hour LOS for the following future intersections:

1. Driveway #1 / Corral Hollow Road
2. Driveway #2 / Corral Hollow Road
3. Driveway #3 / Lammers Road

The Ellis Specific Plan site, study intersections, and existing roadway network are shown in Figure 5, *Existing Roadway Network*.

Trip generation was prepared using City of Tracy average rates for the Project. Table 2, *Trip Generation,* shows the estimated trip generation for the approved Ellis Specific Plan and the proposed Ellis Specific Plan.

The estimated net trip generation for the project is 1400 (309 IN / 1091 OUT) in the AM peak and 2780 (1661 IN / 1119 OUT) in the PM peak. The net estimates presented includes the assumed calibration factors and internal reduction. Land use assumptions included up to 2250 mixed residential units, 140 retail jobs, 90 service (office) jobs, 80 warehousing jobs, an aquatic center (three pools), and 19 acres of parks. The parks were assumed to only generate internal trips, primarily comprised of walk and bike trips.

Revised trip generation estimates are shown in Table 2, *Trip Generation,* based on a revised land use plan (proposed Amendment). The estimated net trip generation for the proposed Amendment is 1521 (384 IN / 1137 OUT) in the AM peak and 3155 (1833 IN / 1322 OUT) in the PM peak. The net estimates presented includes the same calibration factors and internal reductions assumed in the 2007 Ellis Specific

Plan Transportation Impact Analysis. Land use assumptions included up to 2259 mixed residential units, 220 retail jobs, 210 service (office) jobs, 430,000 square feet of self-storage space, an aquatic center (three pools), and 19 acres of parks. The parks were again assumed to only generate internal trips, primarily comprised of walk and bike trips.

The proposed Amendment land use changes to the Ellis Specific Plan include:

1. Residential – propose to add 9 residential estate units
2. Retail – propose to add 70 jobs
3. Service (Office) – propose to add 120 jobs
4. Other – propose to remove warehousing and add 430 KSF of self-storage
5. Aquatic Center & Parks – no change

Table 2: Trip Generation

Land Uses	Project Size		AM PEAK HOUR				PM PEAK HOUR			
			Total Peak Hour	IN	/	OUT	Total Peak Hour	IN	/	OUT
Approved Project Uses and Trip Generation (from Ellis										
Residential Low Density	789	DU	513	77	/	436	1002	641	/	361
Residential Medium Density	1211	DU	787	118	/	669	1538	984	/	554
Residential High Density	250	DU	93	13	/	80	180	115	/	65
Retail	140	Jobs	98	69	/	29	550	248	/	302
Service (Office)	90	Jobs	31	27	/	4	43	12	/	31
Other (Warehousing)	80	Jobs	25	23	/	2	27	6	/	21
Aquatic Center	3	Pools	30	21	/	9	136	71	/	65
Parks	19	Acres	-	-	/	-	-	-	/	-
Gross Total Residential			***1393***	***208***	***/***	***1185***	***2720***	***1740***	***/***	***980***
Gross Total Commercial			***154***	***119***	***/***	***35***	***620***	***266***	***/***	***354***
Gross Total			***1577***	***348***	***/***	***1229***	***3476***	***2077***	***/***	***1399***
Calibrated Total			1535	339	/	1196	3393	2027	/	1366
Internal Reduction (8.8% AM, 18.1% PM)			-135	-30	/	-105	-613	-366	/	-247
Net Total			***1400***	***309***	***/***	***1091***	***2780***	***1661***	***/***	***1119***
Proposed Project Uses and Trip Generation										
Residential Low Density	789	DU	513	77	/	436	1002	641	/	361
Residential Medium Density	1211	DU	787	118	/	669	1538	984	/	554
Residential High Density	250	DU	93	13	/	80	180	115	/	65
Residential Estates (Single Family)	9	DU	6	1	/	5	11	7	/	4
Retail (Village Center) - 110 KSF	220	Jobs	154	108	/	46	865	389	/	476
Service (Office) - 70 KSF (40 in Village and 30 in Limited Use)	210	Jobs	71	62	/	9	101	29	/	72
Other (Self Storage) - 430 KSF	430	KSF	60	33	/	27	112	56	/	56
Aquatic Center	3	Pools	30	21	/	9	136	71	/	65
Parks	19	Acres	-	-	/	-	-	-	/	-
Gross Total Residential			***1399***	***209***	***/***	***1190***	***2731***	***1747***	***/***	***984***
Gross Total Commercial			***285***	***203***	***/***	***82***	***1078***	***474***	***/***	***604***
Gross Total			***1714***	***433***	***/***	***1281***	***3945***	***2292***	***/***	***1653***
Calibrated Total (per previous TIA)			1668	421	/	1247	3851	2237	/	1614
Internal Reduction (8.8% AM, 18.1% PM, per previous TIA)			-147	-37	/	-110	-696	-404	/	-292
Net Total			***1521***	***384***	***/***	***1137***	***3155***	***1833***	***/***	***1322***
Trip Generation Summary										
Approved Net Total			***1400***	***309***	***/***	***1091***	***2780***	***1661***	***/***	***1119***
Proposed Net Total			***1521***	***384***	***/***	***1137***	***3155***	***1833***	***/***	***1322***
Difference (Proposed - Approved)			***121***	***75***	***/***	***46***	***375***	***172***	***/***	***203***

Notes:

du = dwelling unit

1. Trip generation based on the model-derived rates for Single Family Residential, Multi-Family Residential, Retail jobs and Service jobs, as follows:
   Single Family AM Rate: T = 0.65 (X) (15% in, 85% out); PM Rate: T = 1.27 (X) (64% in, 36% out); T = Trip ends; X = Dwelling Units
   Multi-Family AM Rate: T = 0.37 (X) (14% in, 86% out); PM Rate: T = 0.72 (X) (64% in, 36% out); T = Trip ends; X = Dwelling Units
   Retail AM Rate: T = 0.7 (X) (70% in, 30% out); PM Rate: T = 3.93 (X) (45% in, 55% out); T = Trip ends; X = Jobs
   Service AM Rate: T = 0.34 (X) (88% in, 12% out); PM Rate: T = 0.48 (X) (29% in, 71% out); T = Trip ends; X = Jobs
   Other (Warehousing) AM Rate: T = 0.31 (X) (91% in, 9% out); PM Rate: T = 0.34 (X) (24% in, 76% out); T = Trip ends; X = Jobs
   Other (Self Storage) AM Rate: T = 0.14 (X) (55% in, 45% out); PM Rate: T = 0.26 (X) (50% in, 50% out); T = Trip ends; X = KSF
2. Based on the project description, we assumed a 70%/30% retail/service split of the unrestricted commercial square footage: 60,000 sq. ft. in Village Center plus 40,000 sq. ft. in SE corner of site. Restricted commercial square footage in the Approach Zone was assumed to be warehousing. Jobs for each were based on model factors developed for Tracy: 2 employees per 1000 sq ft of retail space; 3 employees per 1000 sq ft of office space, and 1 employee per 1000 sq ft of other space.
3. PM peak hour trip rate and in/out split is based on vehicle counts conducted at the Roseville Aquatic Center in October, 2000. AM peak hour trips are based on communication with staff of the Roseville Aquatic Center in August, 2006. In/out split is based on vehicle counts conducted at the Morgan Hill Aquatic Center in August, 2006.
4. Neighborhood Park trips are assumed to occur primarily outside of peak hours and to be mainly internal and largely walk and bike trips

Trip Distribution and Assignment

Internal trip distribution and distribution at the two Project driveways on Corral Hollow Road would change slightly due to the changes in land use locations along the east side of the Specific Plan (i.e. more retail and office uses would be located along Ellis Drive and less intense land uses off Summit Drive), compared to the approved Specific Plan. The driveway off Lammers road would also experience a very small change in traffic volumes.

Level of Service

A Level of Service (LOS) analysis was completed due to the change in land use designations and their locations along the east side of the Specific Plan. area, and subsequently a small change would occur in project trip generation and assignments.

The following study intersections would potentially be impacted.

1. Ellis Drive / Corral Hollow Road
2. Summit Drive / Corral Hollow Road
3. Ellis Drive / Lammers Road

Table 3, *Existing Plus Project Level of Service Results* shows LOS results for Existing Plus Approved Project and Existing Plus Proposed Project.

Table 3: Existing Plus Project Level of Service Results

#	Intersection	Control Type	Existing Plus Approved Project Conditions						Existing Plus Proposed Amendment Conditions					
			AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
			Movement	Delay	LOS	Movement	Delay	LOS	Movement	Delay	LOS	Movement	Delay	LOS
1	Corral Hollow Rd / Driveway 1	Signal	Overall	31.1	C	Overall	17.1	B	Overall	32.1	C	Overall	18.6	B
2	Corral Hollow Rd / Driveway 2	Signal	Overall	18.3	B	Overall	16.0	B	Overall	20.3	C	Overall	21.5	C
3	Lammers Rd / Driveway 3	Signal	Overall	5.5	A	Overall	5.6	A	Overall	5.6	A	Overall	6.4	A

Notes:

1. Analysis performed using HCM 2010 methodologies.

2. Delay indicated in seconds/vehicle.

3. Overall level of service (LOS) standard is D.

4. Intersections that fall below City standard are highlighted and shown in ***bold.***

Source: Kimley Horn and Associates, 2017.

The analysis indicates that the change in LOS does not substantially change the operating conditions at the intersections for existing plus project conditions, as the City's LOS threshold is D, and thus the chance in LOS is still acceptable by City standards. Since the change in cumulative conditions would be smaller than the change in existing conditions, the cumulative conditions would also operate acceptably. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

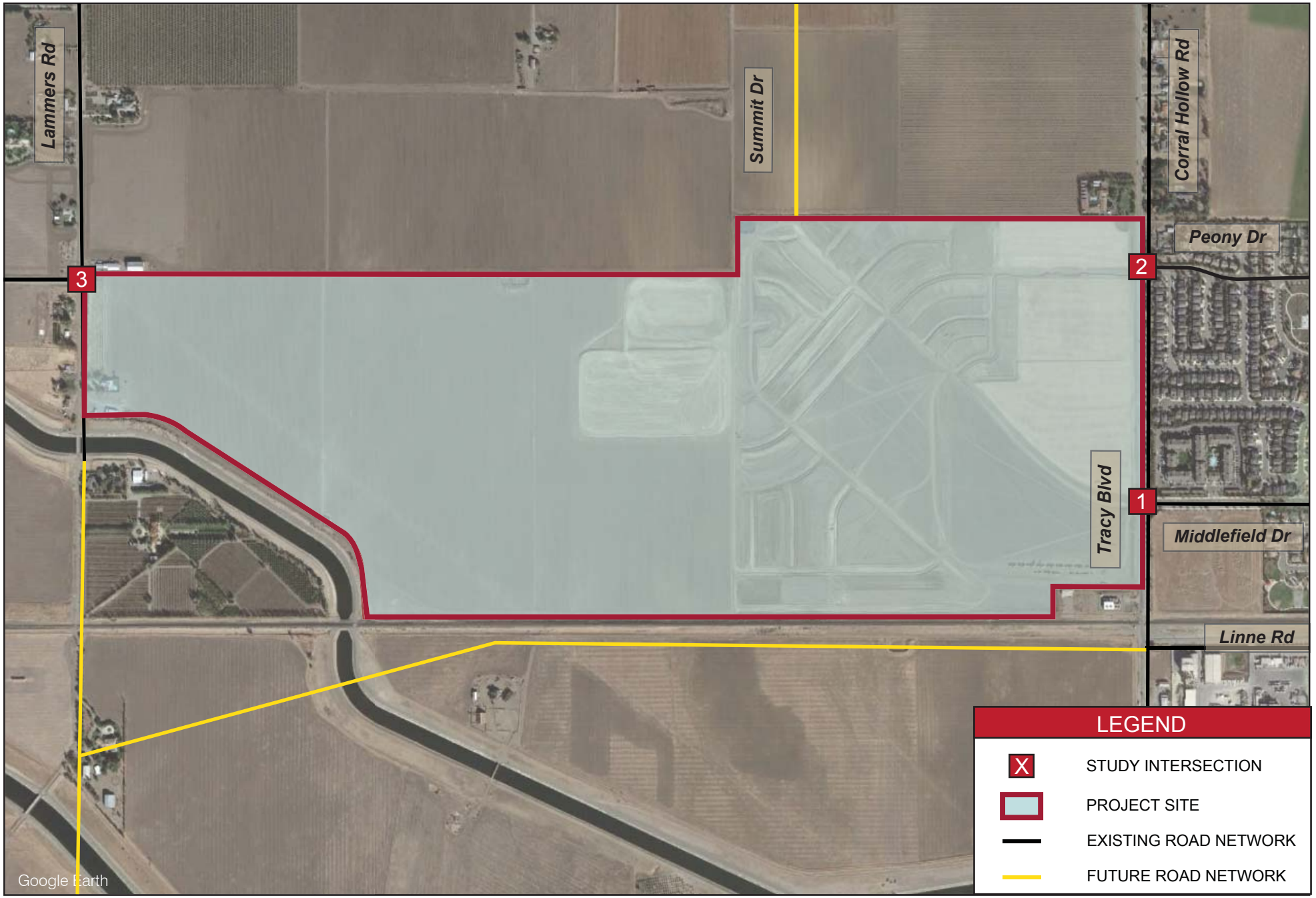


FIGURE 5: Existing Roadway Network
Addendum to the Ellis Modified Project EIR
City of Tracy

Not to scale

Kimley»Horn

Threshold (b) Would the project conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Previous Significance Determination: Impacts related to conflicts with level of service standards were considered significant and unavoidable in the previously certified Modified Ellis Project EIR.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Refer to the discussion in a), above. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Previous Significance Determination: As identified in the previously certified EIR, the Ellis Specific Plan would not result in a change in air traffic patterns, and thus no impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the overall density and intensity of development analyzed in the Ellis Specific Plan EIR, and as such, would not create a significant or more substantial impact relative to a change in air traffic patterns. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Previous Significance Determination: As identified in the previously certified EIR, the Ellis Specific Plan would not result in a substantial increase in design feature hazards, and thus no impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the overall density and intensity of development analyzed in the Ellis Specific Plan EIR, and as such, would not create a significant or more substantial impact relative to an increase in hazards due to design features. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (e) Would the project result in inadequate emergency access?

Previous Significance Determination: As identified in the previously certified EIR, with mitigation, the Ellis Specific Plan would not result in inadequate emergency access, and thus less than significant impacts would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the overall density and intensity of development analyzed in the Ellis Specific Plan EIR, and as such, would not create a significant or more substantial impact relative to inadequate emergency access. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Threshold (f) Would the project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Previous Significance Determination: As identified in the previously certified EIR, the Ellis Specific Plan would not result in a conflict with public transit policies, and thus less than significant impact would occur.

Amendment-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The proposed Amendment is consistent with the overall density and intensity of development analyzed in the Ellis Specific Plan EIR, and as such, would not create a significant or more substantial impact relative to conflicts with public transit policies. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Amendment-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the overall density and intensity of land development contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative traffic related impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

XV. UTILITIES AND SERVICE SYSTEMS

Threshold (a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Threshold (e) Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, the Ellis Specific Plan would not exceed wastewater treatment requirements or capacities, and thus less than significant impacts would occur.

Project-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Any development that would occur under the proposed Amendment would be utilizing the City's wastewater treatment facilities. Anticipated wastewater generated by the Ellis Specific Plan would not be expected to result in an exceedance of any wastewater treatment requirements of the applicable RWQCB. Given that the proposed Amendment does not increase the overall density or intensity of land uses, less than significant impacts would occur. Consistent with the determination in the Modified Ellis Project EIR, impacts would be considered less than significant. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (b) Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, the Ellis Specific Plan would not require new water or wastewater facilities, the construction of which would cause significant effects. As such, given that the development footprint under the proposed Amendment is within the previously adopted Ellis Specific Plan, less than significant impacts would occur.

Project-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Anticipated water and wastewater generated by the Ellis Specific Plan would not be expected to result in an exceedance of any water or wastewater facilities. Given that the proposed Amendment does not increase the density or intensity of land uses, less than significant impacts would occur. Consistent with the determination in the Modified Ellis Project EIR, impacts would be considered less than significant. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (c) Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, with mitigation, the Ellis Specific Plan would not require new storm drainage facilities, the construction of which would cause significant effects. As such, less than significant impacts would occur.

Project-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Anticipated storm drainage needs associated with the Ellis Specific Plan were not be expected to result in an exceedance of existing facilities. Given that the proposed Amendment does not increase the overall density or intensity of land uses, less than significant impacts would occur. Consistent with the determination in the Modified Ellis Project EIR, impacts would be considered less than significant. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, there are sufficient water supplies to service the Ellis Specific Plan. As such, less than significant impacts would occur.

Project-Specific Analysis and Significance Determination: No substantial change from previous analysis.

Given that the proposed Amendment does not increase the overall density or intensity of land uses, no population increases would occur. Thus, water supply needed for development under the proposed Amendment was already previously contemplated in the Modified Ellis EIR. Consistent with the determination in the Modified Ellis Project EIR, impacts would be considered less than significant. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed in the certified Modified Ellis Project EIR.

Threshold (f) Would the project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?

Threshold (g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?

Previous Significance Determination: As identified in the previously certified EIR prepared for the Ellis Specific Plan, there is sufficient landfill capacity to service the Ellis Specific Plan. As such, less than significant impacts would occur.

Project-Specific Analysis and Significance Determination: No substantial change from previous analysis.

The Ellis Specific Plan site would be served by the Foothill Sanitary Landfill, which has sufficient capacity to serve the City of Tracy through the year 2082. The build-out of the Ellis Specific Plan is considered a small addition to the overall tons per day Tracy currently generates. For these reasons, solid waste needs of development that would occur under the proposed Amendments can be met and existing landfill and associated impacts are less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause

neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

The City of Tracy has implemented 43 waste diversion programs and is currently exceeding its State residential disposal rate target by over 50 percent. The waste diversion programs, together with adherence to the CALGreen Code, are sufficient to ensure that implementation of the proposed Amendment would not compromise the ability to meet or perform better than the State-mandated target. Therefore, the proposed Amendment would comply with applicable statutes and regulations and the impact would be less than significant. This determination of less than significant impact is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. As such, no further analysis is required.

Cumulative Impacts

As discussed above, the proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Project-related impacts are consistent with the environmental effects previously identified certified Modified Ellis Project EIR. The proposed Amendment would be consistent with the land use and development regulations contained in the Ellis Specific Plan. Therefore, no additional adverse cumulative utilities and service systems impacts would occur. This finding is supported by the previously certified EIR prepared for the Ellis Specific Plan. The proposed Amendment would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. Less than significant impacts would occur.

Mitigation Program

The proposed Amendment to the Specific Plan would cause neither a new impact to occur, nor an increase in the severity of an impact previously disclosed. The mitigation measures provided in the Modified Ellis Project EIR continue to be applicable and no additional measures are required.

DETERMINATION OF APPROPRIATE CEQA DOCUMENTATION

Section 15162 – Subsequent EIRs and Negative Declarations

(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one of more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The City of Tracy proposes to implement the Amendment within the context of the Ellis Specific Plan, as described in this Addendum. As discussed in the Environmental Impact Analysis section of this Addendum, no new or substantially more severe significant environmental effects beyond what was evaluated in the Modified Ellis Project EIR would occur.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

As documented herein, no circumstances associated with the location, type, setting, or operations of the proposed Amendment have substantively changed beyond what was evaluated in the Modified Ellis Project EIR; and none of the proposed Amendment elements would result in new or substantially more severe significant environmental effects than previously identified. No major revisions to the Modified Ellis Project EIR are required.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant environmental effects not discussed in the previous EIR or negative declaration;

No new significant environmental effects beyond those addressed in the Modified Ellis Project EIR were identified.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No mitigation measures or alternatives were found infeasible in the certified Modified Ellis Project EIR.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No other mitigation measures or feasible alternatives have been identified that would substantially reduce significant impacts.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise, the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

(c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation, no other Responsible Agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

None of the conditions listed in subsection (a) would occur as a result of the proposed Amendment. No subsequent EIR is required.

Section 15164 – Addendum to an EIR or Negative Declaration

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

As described above, none of the conditions described in the State CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

None of the conditions described in Section 15162 calling for preparation of a subsequent EIR would occur as a result of the proposed Amendment. Therefore, an addendum to the certified Final EIR is the appropriate CEQA document for the proposed Amendment.

(c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.

This Addendum will be attached to the Final EIR and maintained in the administrative record files at the City of Tracy.

(d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.

The City of Tracy will consider this Addendum with the Final EIR prior to making a decision on the proposed Amendment.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This document provides substantial evidence for City of Tracy records to support the preparation of this Addendum for the proposed Amendment.

CONCLUSION

This Addendum has been prepared in accordance with the provisions of the State CEQA Guidelines to document the finding that none of the conditions or circumstances that would require preparation of a subsequent EIR, pursuant to Sections 15162 and 15164 of the State CEQA Guidelines, exist in connection with the proposed Amendment. No major revisions would be required to the Modified Ellis Project EIR prepared for the City of Tracy as a result of the proposed General Plan Amendment and Ellis Specific Plan Amendment. No new significant environmental impacts have been identified. Since the certification of the Final EIR, there has been no new information showing that mitigation measures or alternatives once considered infeasible are now feasible, or showing that there are feasible new mitigation measures or alternatives substantially different from those analyzed in the EIR that the City declined to adopt. Therefore, preparation of a subsequent EIR is not required and the appropriate CEQA document for the proposed Amendment is this Addendum to the City of Tracy Ellis Specific Plan EIR. No additional environmental analysis or review is required for the proposed General Plan Amendment and Ellis Specific Plan Amendment. This document will be maintained in the administrative record files at City of Tracy City Hall.

APPENDIX A

TRAFFIC MEMORANDUM

Kimley»Horn

MEMORANDUM

From: Frederik Venter, P.E., Kimley-Horn and Associates

To: Scott Claar, City of Tracy Planning Division

Date: May 1, 2017

Re: **Ellis Specific Plan Amendment – Consistency Analysis**

The purpose of this memorandum is to indicate the consistency of the proposed Ellis Project with the traffic assumptions and supporting analysis in the previously certified Ellis Specific Plan EIR.

1. Background

The Ellis Specific Plan ("Project") is proposed to be developed as a multiuse community. The Project site is bounded by Lammers Road in the west, Corral Hollow Road in the east, future Linne Road in the south, and crop land/future development areas in the north. Primary access to the site will be via two driveways located on Corral Hollow Road and one driveway located on Lammers Road. A secondary access point will be located on Valpico Road north of the site (through the planned Avenues residential development).

Per the City of Tracy Transportation Master Plan, Ellis is located within Tracy Future Planning Area 3 (Ellis) for which the previous Ellis Specific Plan Environmental Impact Report (EIR) was prepared and subsequently certified in January 2013.

The purpose of this analysis is to evaluate the conformance of the traffic impacts associated with the proposed Amendments to the Ellis Specific Plan Project's with those described in the transportation/traffic section of the Modified Ellis Project EIR ("EIR"). As discussed in the EIR, the Ellis planning area includes the extent anticipated to be developed up to 2035. Specifically, this analysis seeks to determine whether the driveway level of services' (LOS) estimated for the project are acceptable compared to what was assumed for the same site in the Ellis Specific Plan EIR. Given the assumption that the LOS remains acceptable, the CEQA mitigations measures identified within the Ellis Specific Plan EIR would be assumed to adequately address the proposed Project's traffic impacts. If this assumption proves accurate, the proposed Project's mitigation obligations would be limited to payment of Traffic Impact Fees to offset its potential Cumulative impacts on the City road network.

2. Introduction

This study evaluates the proposed Amendment to the Specific Plan by developing trip generation estimates for the revised land use mix/shift, estimating the trip distribution for the revised land use mix/shift, and analyzing AM and PM peak hour LOS for the following future intersections:

1. Driveway #1 / Corral Hollow Road

2. Driveway #2 / Corral Hollow Road
3. Driveway #3 / Lammers Road

The Project site and study intersections, as well as existing and cumulative roadway network are shown in **Figure 1**.

3. Trip Generation

Trip generation was prepared using City of Tracy average rates for the Project. **Table 1** shows the estimated trip generation for the approved Ellis Specific Plan and the proposed Ellis Specific Plan.

As shown in the Ellis Specific Plan Transportation Impact Analysis (2007), completed by Fehr & Peers, and **Table 1** above, the estimated net trip generation for the project is 1400 (309 IN / 1091 OUT) in the AM peak and 2780 (1661 IN / 1119 OUT) in the PM peak. The net estimates presented includes the assumed calibration factors and internal reduction. Land use assumptions included up to 2250 mixed residential units, 140 retail jobs, 90 service (office) jobs, 80 warehousing jobs, an aquatic center (three pools), and 19 acres of parks. The parks were assumed to only generate internal trips, primarily comprised of walk and bike trips.

Revised trip generation estimates are shown **Table 1** based on a revised land use plan (proposed Project). The estimated net trip generation for the proposed Project is 1521 (384 IN / 1137 OUT) in the AM peak and 3155 (1833 IN / 1322 OUT) in the PM peak. The net estimates presented includes the same calibration factors and internal reductions assumed in the 2007 study. Land use assumptions included up to 2259 mixed residential units, 220 retail jobs, 210 service (office) jobs, 430,000 square feet of self-storage space, an aquatic center (three pools), and 19 acres of parks. The parks were again assumed to only generate internal trips, primarily comprised of walk and bike trips.

The proposed Amendment land use changes to the Approved Project include:

1. Residential – propose to add 9 residential estate units
2. Retail – propose to add 70 jobs
3. Service (Office) – propose to add 120 jobs
4. Other – propose to remove warehousing and add 430 KSF of self-storage
5. Aquatic Center & Parks – no change

Kimley»Horn

Table 1: Trip Generation

Land Uses	Project Size		AM PEAK HOUR				PM PEAK HOUR			
			Total Peak Hour	IN	/	OUT	Total Peak Hour	IN	/	OUT
Approved Project Uses and Trip Generation (from Ellis										
Residential Low Density	789	DU	513	77	/	436	1002	641	/	361
Residential Medium Density	1211	DU	787	118	/	669	1538	984	/	554
Residential High Density	250	DU	93	13	/	80	180	115	/	65
Retail	140	Jobs	98	69	/	29	550	248	/	302
Service (Office)	90	Jobs	31	27	/	4	43	12	/	31
Other (Warehousing)	80	Jobs	25	23	/	2	27	6	/	21
Aquatic Center	3	Pools	30	21	/	9	136	71	/	65
Parks	19	Acres	-	-	/	-	-	-	/	-
Gross Total Residential			***1393***	***208***	***/***	***1185***	***2720***	***1740***	***/***	***980***
Gross Total Commercial			***154***	***119***	***/***	***35***	***620***	***266***	***/***	***354***
Gross Total			***1577***	***348***	***/***	***1229***	***3476***	***2077***	***/***	***1399***
Calibrated Total			1535	339	/	1196	3393	2027	/	1366
Internal Reduction (8.8% AM, 18.1% PM)			-135	-30	/	-105	-613	-366	/	-247
Net Total			***1400***	***309***	***/***	***1091***	***2780***	***1661***	***/***	***1119***
Proposed Project Uses and Trip Generation										
Residential Low Density	789	DU	513	77	/	436	1002	641	/	361
Residential Medium Density	1211	DU	787	118	/	669	1538	984	/	554
Residential High Density	250	DU	93	13	/	80	180	115	/	65
Residential Estates (Single Family)	9	DU	6	1	/	5	11	7	/	4
Retail (Village Center) - 110 KSF	220	Jobs	154	108	/	46	865	389	/	476
Service (Office) - 70 KSF (40 in Village and 30 in Limited Use)	210	Jobs	71	62	/	9	101	29	/	72
Other (Self Storage) - 430 KSF	430	KSF	60	33	/	27	112	56	/	56
Aquatic Center	3	Pools	30	21	/	9	136	71	/	65
Parks	19	Acres	-	-	/	-	-	-	/	-
Gross Total Residential			***1399***	***209***	***/***	***1190***	***2731***	***1747***	***/***	***984***
Gross Total Commercial			***285***	***203***	***/***	***82***	***1078***	***474***	***/***	***604***
Gross Total			***1714***	***433***	***/***	***1281***	***3945***	***2292***	***/***	***1653***
Calibrated Total (per previous TIA)			1668	421	/	1247	3851	2237	/	1614
Internal Reduction (8.8% AM, 18.1% PM, per previous TIA)			-147	-37	/	-110	-696	-404	/	-292
Net Total			***1521***	***384***	***/***	***1137***	***3155***	***1833***	***/***	***1322***
Trip Generation Summary										
Approved Net Total			***1400***	***309***	***/***	***1091***	***2780***	***1661***	***/***	***1119***
Proposed Net Total			***1521***	***384***	***/***	***1137***	***3155***	***1833***	***/***	***1322***
Difference (Proposed - Approved)			***121***	***75***	***/***	***46***	***375***	***172***	***/***	***203***

Notes:

du = dwelling unit

1. Trip generation based on the model-derived rates for Single Family Residential, Multi-Family Residential, Retail jobs and Service jobs, as follows:
   Single Family AM Rate: T = 0.65 (X) (15% in, 85% out); PM Rate: T = 1.27 (X) (64% in, 36% out); T = Trip ends; X = Dwelling Units
   Multi-Family AM Rate: T = 0.37 (X) (14% in, 86% out); PM Rate: T = 0.72 (X) (64% in, 36% out); T = Trip ends; X = Dwelling Units
   Retail AM Rate: T = 0.7 (X) (70% in, 30% out); PM Rate: T = 3.93 (X) (45% in, 55% out); T = Trip ends; X = Jobs
   Service AM Rate: T = 0.34 (X) (88% in, 12% out); PM Rate: T = 0.48 (X) (29% in, 71% out); T = Trip ends; X = Jobs
   Other (Warehousing) AM Rate: T = 0.31 (X) (91% in, 9% out); PM Rate: T = 0.34 (X) (24% in, 76% out); T = Trip ends; X = Jobs
   Other (Self Storage) AM Rate: T = 0.14 (X) (55% in, 45% out); PM Rate: T = 0.26 (X) (50% in, 50% out); T = Trip ends; X = KSF
2. Based on the project description, we assumed a 70%/30% retail/service split of the unrestricted commercial square footage: 60,000 sq. ft. in Village Center plus 40,000 sq. ft. in SE corner of site. Restricted commercial square footage in the Approach Zone was assumed to be warehousing. Jobs for each were based on model factors developed for Tracy: 2 employees per 1000 sq ft of retail space; 3 employees per 1000 sq ft of office space, and 1 employee per 1000 sq ft of other space.
3. PM peak hour trip rate and in/out split is based on vehicle counts conducted at the Roseville Aquatic Center in October, 2000. AM peak hour trips are based on communication with staff of the Roseville Aquatic Center in August, 2006. In/out split is based on vehicle counts conducted at the Morgan Hill Aquatic Center in August, 2006.
4. Neighborhood Park trips are assumed to occur primarily outside of peak hours and to be mainly internal and largely walk and bike trips

4. Trip Distribution and Assignment

Internal trip distribution and distribution at the two Project driveways on Corral Hollow Road would change slightly due to the changes in land use locations along the east side of the Specific Plan (i.e. more retail and office uses would be located along Ellis Drive and less intense land uses off Summit Drive), compared to the approved Specific Plan. The driveway off Lammers road would also experience a very small change in traffic volumes.

5. Level of Service

A Level of Service (LOS) analysis was completed due to the change in land use designations and their locations along the east side of the Specific Plan. area, and subsequently a small change would occur in project trip generation and assignments.

The following study intersections would potentially be impacted.

1. Ellis Drive / Corral Hollow Road
2. Summit Drive / Corral Hollow Road
3. Ellis Drive / Lammers Road

Table 2 shows LOS results for Existing Plus Approved Project and Existing Plus Proposed Project.

Table 2: Existing Plus Project Level of Service Results

#	Intersection	Control Type	Existing Plus Approved Project Conditions						Existing Plus Proposed Amendment Conditions					
			AM Peak Hour			PM Peak Hour			AM Peak Hour			PM Peak Hour		
			Movement	Delay	LOS	Movement	Delay	LOS	Movement	Delay	LOS	Movement	Delay	LOS
1	Corral Hollow Rd / Driveway 1	Signal	Overall	31.1	C	Overall	17.1	B	Overall	32.1	C	Overall	18.6	B
2	Corral Hollow Rd / Driveway 2	Signal	Overall	18.3	B	Overall	16.0	B	Overall	20.3	C	Overall	21.5	C
3	Lammers Rd / Driveway 3	Signal	Overall	5.5	A	Overall	5.6	A	Overall	5.6	A	Overall	6.4	A

Notes:

1. Analysis performed using HCM 2010 methodologies.

2. Delay indicated in seconds/vehicle.

3. Overall level of service (LOS) standard is D.

*4. Intersections that fall below City standard are highlighted and shown in **bold**.*

Source: Kimley Horn and Associates, 2017.

The analysis indicates that the change in LOS does not substantially change the operating conditions at the intersections for existing plus project conditions. The City of Tracy's LOS standard is LOS D and all study intersections/driveways will operate at LOS C or better. Therefore, the Proposed Amendment will not trigger a significant impact. Since the change in cumulative conditions would be smaller than the change in existing conditions, the cumulative conditions would also operate acceptably, with no significant impacts.

RESOLUTION 2018-_____

RECOMMENDING THAT THE CITY COUNCIL APPROVE A GENERAL PLAN AMENDMENT, AN ELLIS SPECIFIC PLAN AMENDMENT, AND A ZONING ORDINANCE AMENDMENT FOR THE ELLIS PROJECT, APPLICATION NUMBERS GPA15-0003, SPA15-0003, AND ZA17-0012

WHEREAS, On January 22, 2013, the City Council certified the Final Revised Environmental Impact Report (EIR) for the Ellis project (Resolution No. 2013-011) and approved a General Plan Amendment, Annexation, and the Ellis Specific Plan for the 321-acre site known as the Ellis Specific Plan area (Resolution No. 2013-012); and

WHEREAS, A Development Agreement was approved by City Council on March 19, 2013 and annexation of the Ellis Specific Plan area to the City of Tracy was completed by LAFCo on April 16, 2013; and

WHEREAS, Applications were submitted to the City for a General Plan Amendment, an Ellis Specific Plan Amendment, and a Zoning Ordinance Amendment for the Ellis Project, Application Numbers GPA15-0003, SPA15-0003, and ZA17-0012; and

WHEREAS, In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the EIR was prepared for the proposed amendment to the Ellis Project which includes a General Plan Amendment, Ellis Specific Plan Amendment, and Zoning Ordinance Amendment. The Addendum to the EIR is attached to the February 14, 2018 Planning Commission Staff Report as Attachment "G". Pursuant to CEQA Guidelines Section 15162 and based on the analysis and evaluation provided in the Addendum, no new significant impacts would occur because of the proposed amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. Therefore, pursuant to CEQA Guidelines Section 15164, an Addendum to the EIR, as prepared in compliance with CEQA, is the appropriate CEQA document and is adequate to support the proposed amendment to the Ellis Project; and

WHEREAS, On February 14, 2018, the Planning Commission conducted a duly noticed public hearing during which it considered the proposed General Plan Amendment, Ellis Specific Plan Amendment, and Zoning Ordinance Amendment for the Ellis Project;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein as findings.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council take the following actions:

1. General Plan Amendment. Approve the General Plan Amendment (Application Number GPA15-0003), as attached to the February 14, 2018 Planning

Commission Staff Report as Attachment “B”.

2. Ellis Specific Plan Amendment. Approve the Ellis Specific Plan Amendment (Application Number SPA15-0003), as attached to the February 14, 2018 Planning Commission Staff Report as Attachment “D”.

3. Zoning Ordinance Amendment. Approve the Zoning Ordinance Amendment (Application Number ZA17-0012), as attached to the February 14, 2018 Planning Commission Staff Report as Attachment “F”.

* *

The foregoing Resolution 2018-_____ was adopted by the Planning Commission on the 14th Day of February, 2018, by the following vote:

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

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

PLANNING COMMISSION MEETING
02/14/18

STAFF REPORT AND ATTACHMENTS
AGENDA ITEM 1.B

PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH SURLAND COMMUNITIES, LLC FOR THE ELLIS SPECIFIC PLAN PROPERTY. THE ELLIS SPECIFIC PLAN SITE IS APPROXIMATELY 321 ACRES LOCATED AT THE NORTHWEST CORNER OF CORRAL HOLLOW ROAD AND LINNE ROAD. APPLICATION DA16-0001 - APPLICANT IS SURLAND COMMUNITIES, LLC

(Click on any item below to view)

Staff Report

Attachment A – Planning Commission Resolutions (followed by Ordinance and Proposed DA Amendment)

B – Comment Letters (4):

Letter 1

Letter 2

Letter 3

Letter 4

February 14, 2018

AGENDA ITEM 1.B

REQUEST

PUBLIC HEARING TO CONSIDER INTRODUCING AN ORDINANCE APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH SURLAND COMMUNITIES, LLC FOR THE ELLIS SPECIFIC PLAN PROPERTY. THE ELLIS SPECIFIC PLAN SITE IS APPROXIMATELY 321 ACRES LOCATED AT THE NORTHWEST CORNER OF CORRAL HOLLOW ROAD AND LINNE ROAD. APPLICATION DA16-0001 - APPLICANT IS SURLAND COMMUNITIES, LLC

DISCUSSION

This agenda item involves a public hearing to consider Surland Communities, LLC's (Project Applicant, or Surland), application for an amendment to the development agreement between the City and Surland. The development agreement is titled: Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC (Original DA or DA). The DA relates to the development of the Ellis project, which proposes a mix of residential, commercial, office/professional, institutional, and recreational uses, parklands, and a Swim Center (collectively, the Project or Ellis Project) at the 321-acre project site. The proposed amendment to the DA would make several changes to how Residential Growth Allotments (RGAs) are contemplated and how the Swim Center would be constructed.

Currently, the DA gives Surland the rights to develop Ellis, and makes Surland eligible for up to 2,250 RGAs to be used to develop the Ellis property, based on its existing zoning range of between 1,000 and 2,250 residential units. The amendment to the development agreement contemplates the developer using Residential Growth Allotments (RGAs) that the developer does not use to develop Ellis (2,250 less the number chosen to develop Ellis) on potential future development areas. Such rights to these RGAs could only be exercised if future development areas chosen by Surland are approved by the City Council through typical application processing requirements at the discretion of the City Council. The DA Amendment would also provide for Surland to make the $8 million payment currently required of Surland under the DA for Swim Center construction and establish provisions for Surland to design and build the Swim Center.

History of DA and Summary of Key Terms in the proposed DA Amendment:

On March 5, 2013, the City adopted an Ordinance approving the DA, which provided for Surland to dedicate 16 acres of real property in Ellis to be used as a Swim Center, and to pay $10 million to the City to help fund the design and construction of the Swim Center.

The DA was amended on May 20, 2014 via Ordinance 1194, which provided that the Swim Center funding be installed in two payments. On September 15, 2014, Surland made the first installment payment of $2 million dollars. Pursuant to the amended DA, the second payment of $8 million was due on September 15, 2015.

Since September 2015, several tolling agreements have been executed between Surland and the City in an effort to respond to a concept of a public private partnership with Wild Rivers Waterpark, which ultimately was not pursued but required a Specific Plan Amendment to shift the Swim Center site as requested by the City, and to subsequently allow time to update the Ellis Specific Plan and negotiate additional DA terms as requested by Surland and approved by Council.

Exhibit 1 to the proposed ordinance is the draft Second Amendment to the Amended and Restated Development Agreement By and Between the City of Tracy and Surland Communities, LLC (Proposed DA Amendment). In order to assist the Planning Commission and the public in reviewing the Proposed DA Amendment, a summary is provided below. The Proposed DA Amendment primarily relates to the Article 1 of the existing DA. The Recitals of the Proposed DA Amendment set out the factual background of the DA and provide the foundation on which the DA is based. Article 1 spells out the proposed terms of what benefits each party anticipates receiving from the agreement and what is to be done by each party.

Key terms in Article 1 of the Amended DA are outlined below, beginning with the public benefit that the City would receive via the Original DA and this Amended DA.

Public Benefits:

Existing

- $10 million for a Swim Center (payable to City, after LAFCo annexation and completion of any litigation in favor of applicant, in two payments). First payment of $2 million was received, second payment tolled to April 4, 2018.
- 16 acres of land for a Swim Center at the Ellis site, if selected by City Council.
- Design assistance for the construction of a Swim Center.

Proposed DA Amendment

- To design and construct an entrance sign for the Swim Center at the corner of Summit Drive and Corral Hollow Road at the Developer's sole expense in an amount not to exceed $150,000.
- To design and plan, and allocate up to $100,000 in costs for Swim Center consultants to work towards a design for the Swim Center.
- Surland and City to coordinate efforts for the design and construction of Storm Basin 3A, which will accommodate the Swim Center site.
- To construct the frontage improvements for the Swim Center on Summit Drive.
- To construct utility infrastructure stubbed to the Swim Center site from Summit Drive.

- Surland to design and construct the Swim Center, the costs of which would either be reimbursed or counted as credits toward the $10 million Swim Center obligation. (The Design, Funding, and Construction Agreement provides greater detail and is attached as Exhibit D to Exhibit A to the Proposed DA Amendment.)

Developer Benefits:

Existing

- Vesting project approvals for the Ellis Specific Plan.
- 2,250 RGAs for use at Ellis Specific Plan at a maximum rate of 225 per year.
- Water supply for 2,250 residential units.
- DA term of 25 years.
- Naming rights to the Swim Center.
- No wastewater treatment cost for first 800 residential units of capacity.
- Wastewater conveyance in Corral Hollow line for 330 residential units, with potential to secure an additional 220 residential units worth of capacity.
- No cost for 550 units of Corral Hollow wastewater conveyance.

Proposed DA Amendment

- Developer will have rights to secure RGAs through the Development Agreement as well as through other vested rights pursuant to the Growth Management Guidelines Subsections F3 and F4.
- Developer will have the right to apply for 2,250 total RGAs and will be able to use those RGAs at Ellis or other properties as defined in the DA and as subsequently approved by the City. (Total number of RGAs is not defined at this time.)
- Developer requests several exemptions from normal requirements of the current GMO and Guidelines: separate application forms, revised timing to secure unused Tracy Hills RGAs, the ability to allocate RGAs to their future projects, and the ability to exceed 225 DA RGAs annually if RGAs are available.
- Validity of Building Permits issued to Owner shall be extended to 24 months.
- Owner shall have the right to execute an agreement with the City to provide for payment of certain development impact fees at close of escrow for each residential unit and at final inspection for commercial projects, rather than at issuance of building permit.

- Modifications to park approval process to approve all parks as part of the Specific Plan Approval, where only major modifications would come back to the Parks Commission for approval.

- Affirmation of the intent to expand the coverage of the existing DA in the future to other properties for the benefit of using RGAs and potential nexus infrastructure if future applications are approved by Council, in Council's discretion, consistent with Section 1.02 of the DA.

- City and Owner to execute an Infrastructure Reimbursement Agreement to outline processes for potential future reimbursements.

- Expansion of existing naming rights for the Swim Center to include additional naming options for Surland, placement of signs and advertising, and other marketing related restrictions on the City's use of the name.

- Developer requests that the City shall grant RGAs in the future to any other project in a manner consistent with the GMO and GMO Guidelines so long as a future City decision does not impair owner's right and ability to obtain RGAs as provided by this Agreement.

Other proposed terms:

- As provided in the Ellis Community Facilities District (CFD), all residential and commercial uses shall pay an annual fee of $110 per lot/parcel for Swim Center maintenance, which shall be adjusted annually by CFD formula.

- In exchange for annual maintenance fee, each residential dwelling and commercial lot within the Ellis Property Owners Association shall receive an annual all-access family pass for the Swim Center.

- Surland shall have priority access to purchase, from the City or event promoter at the standard ticket price, tickets to all such events held at the Swim Center.

- Surland shall include a location for a cabana during the design process as selected by Surland, and shall fund the costs of the cabana structure for that location, which shall be reserved for Surland's use.

Program details are provided in the Aquatics Park Terms Agreement, attached as Exhibit A to the Proposed DA Amendment.

The City has received four comment letters in regards to the proposed DA Amendment (Attachment B).

Environmental Document

On January 22, 2013, the City Council certified the Environmental Impact Report (EIR) for the Ellis Project (SCH#2012022023), which also reviewed and supported the City's

approval of the Original DA. In accordance with California Environmental Quality Act (CEQA) Guidelines Section 15164, an Addendum to the EIR was prepared for the Proposed DA Amendment, as well as for the proposed Ellis Specific Plan Amendment and the associated General Plan Amendment and Zoning Ordinance Amendment being reviewed by the Commission this evening. That Addendum was provided to the Commissioners as Attachment G to the staff report for the Ellis Specific Plan Amendment and associated approvals.

Pursuant to CEQA Guidelines Section 15162 and based on the analysis and evaluation provided in the Addendum, and because any new development outside the existing Ellis Specific Plan Area would be subject to the Council's discretionary approval and full CEQA review, consistent with existing Section 1.02 of the DA, no new significant impacts would occur from approval of the Proposed DA Amendment, nor would there be any substantial increase in the severity of any previously-identified significant environmental impact. In addition, no new information of substantial importance shows that mitigation measures or alternatives that were previously found not to be feasible or that are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment. Therefore, pursuant to CEQA Guidelines Section 15164, an Addendum to the EIR, as prepared in compliance with CEQA, is the appropriate CEQA document and is adequate to support the proposed DA amendment.

RECOMMENDATION

Staff recommends that Planning Commission discuss the Proposed DA Amendment and make its recommendations to City Council.

Prepared by: Andrew Malik, Development Services Director

Approved by: Randall Bradley, Interim City Manager

ATTACHMENTS

A: Planning Commission Resolutions (Including Exhibit 1, the Ordinance. The Ordinance includes Exhibit 1, the Proposed DA Amendment.)
B: Comment Letters

RESOLUTION 2018-_____

RECOMMENDING THAT THE CITY COUNCIL APPROVE A SECOND AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC

WHEREAS, On March 5, 2013, the City Council approved that certain Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, executed by the City of Tracy (the "City") and Surland Communities, LLC ("Surland"), recorded in the official records of San Joaquin County as Document Number 2013-119548 (the "DA"); and

WHEREAS, On June 5, 2014, the City and Surland executed that certain First Amendment to the Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, recorded in the official records of San Joaquin County as Document Number 2014-064062; and

WHEREAS, On July 12, 2016, Surland submitted a request to the City asking the City Council to authorize staff to negotiate a second amendment to the DA (the "Second Amendment") to extend the time periods in the DA for (a) the City to accept Surland's land dedication offer, and (b) Surland to make its second Swim Center payment of eight million dollars ($8,000,000). In exchange for the City's agreement to extend these time periods, Surland offered to design and construct certain infrastructure improvements relating to the proposed public Swim Center described in the DA, at Surland's sole cost; and

WHEREAS, On August 16, 2016, the City Council approved Surland's request and directed staff to prepare the proposed Second Amendment to extend the above-described time periods and provide for Surland's design and construction of the above-described infrastructure improvements; and

WHEREAS, On May 25, 2017, Surland submitted a request to the City asking the City Council to authorize staff to expand the scope of the negotiations for the Second Amendment to, among other things, also address the concepts of (a) having Surland construct the proposed public Swim Center and fund the first $8 million of construction costs in lieu of making its second Swim Center payment, and (b) potentially expanding the property subject to the DA to lands outside of the current Ellis Specific Plan area, subject to future discretionary approvals; and

WHEREAS, On July 5, 2017, the City Council approved Surland's request and authorized staff to expand the scope of negotiations for the Second Amendment; and

WHEREAS, The City and Surland have completed their negotiations for the Second Amendment; and

WHEREAS, On February 14, 2018, the City's Planning Commission held a duly noticed public hearing on Surland's application for the Second Amendment, during which the Planning Commission determined that, pursuant to the applicable requirements of the California Environmental Quality Act (Public Resources Code § 21000 *et seq*.) ("CEQA") and its implementing regulations (California Code of Regulations § 15000 *et seq*.), the proposed Second Amendment would not result in any new significant environmental effects that were not identified and adequately addressed in the Final Environmental Impact Report for the Surland

Communities Amended and Restated Development Agreement and Ellis Specific Plan Applications (SCH # 2012022023) (the "EIR") certified by the City Council on January 22, 2013, by Resolution Number 2013-011, and therefore the City's approval of the Second Amendment is adequately supported by an addendum to the EIR pursuant to CEQA Guidelines Sections 15162 and 15164;

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission hereby recommends that the City Council adopt an Ordinance (in substantially the form of the draft ordinance attached hereto as Exhibit 1), approving the Second Amendment to the Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC.

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

The foregoing Resolution 2018-_____ was adopted by the Planning Commission on the 14th day of February, 2018, by the following vote:

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

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

RESOLUTION 2018-_____

RECOMMENDING THAT THE CITY COUNCIL
DENY APPLICATION NUMBER DA16-0001 FOR AN AMENDMENT TO
THAT CERTAIN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC

WHEREAS, On March 5, 2013, the City Council approved that certain Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC (the "DA"); and

WHEREAS, On June 5, 2014, the City and Surland executed that certain First Amendment to the Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, recorded in the official records of San Joaquin County as Document Number 2014-064062; and

WHEREAS, On July 12, 2016, Surland submitted a request to the City asking the City Council to authorize staff to negotiate a second amendment to the DA (the "Second Amendment") to extend the time periods in the DA for (a) the City to accept Surland's land dedication offer, and (b) Surland to make its second Swim Center payment of eight million dollars ($8,000,000). In exchange for the City's agreement to extend these time periods, Surland offered to design and construct certain infrastructure improvements relating to the proposed public Swim Center described in the DA, at Surland's sole cost; and

WHEREAS, On August 16, 2016, the City Council approved Surland's request and directed staff to prepare the proposed Second Amendment to extend the above-described time periods and provide for Surland's design and construction of the above-described infrastructure improvements; and

WHEREAS, On May 25, 2017, Surland submitted a request to the City asking the City Council to authorize staff to expand the scope of the negotiations for the Second Amendment to, among other things, also address the concepts of (a) having Surland construct the proposed public Swim Center and fund the first $8 million of construction costs in lieu of making its second Swim Center payment, and (b) potentially expanding the property subject to the DA to lands outside of the current Ellis Specific Plan area, subject to future discretionary approvals; and

WHEREAS, On July 5, 2017, the City Council approved Surland's request and authorized staff to expand the scope of negotiations for the Second Amendment; and

WHEREAS, The City and Surland have completed their negotiations for the Second Amendment; and

WHEREAS, On February 14, 2018, the Planning Commission conducted a duly noticed public hearing during which it considered the proposed Second Amendment to the DA, the staff report accompanying the proposed Second Amendment, and all public comment and testimony, and determined that it would recommend that the City Council deny the application for the proposed Second Amendment to the DA; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein as

findings.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission recommends that the City Council DENY the application to amend the Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC (Application Number D16-0001), as attached to this Resolution in substantially the form of the draft ordinance attached hereto as Exhibit 1.

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

The foregoing Resolution 2018-_____ was adopted by the Planning Commission on the 14th day of February, 2018, by the following vote:

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

_____
CHAIR

ATTEST:

_____
STAFF LIAISON

ORDINANCE _____

AN ORDINANCE OF THE CITY OF TRACY APPROVING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC (APPLICATION DA16-0001)

WHEREAS, On March 5, 2013, the City Council approved that certain Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, executed by the City of Tracy (the "City") and Surland Communities, LLC ("Surland"), recorded in the official records of San Joaquin County as Document Number 2013-119548 (the "DA"); and

WHEREAS, On June 5, 2014, the City and Surland executed that certain First Amendment to Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, recorded in the official records of San Joaquin County as Document Number 2014-064062; and

WHEREAS, On July 12, 2016, Surland submitted a request to the City asking the City Council to authorize staff to negotiate a second amendment to the DA (the "Second Amendment") to extend the time periods in the DA for (a) the City to accept Surland's land dedication offer, and (b) Surland to make its second swim center payment of eight million dollars ($8,000,000). In exchange for the City's agreement to extend these time periods, Surland offered to design and construct certain infrastructure improvements relating to the proposed public swim center described in the DA, at Surland's sole cost; and

WHEREAS, On August 16, 2016, the City Council approved Surland's request and directed staff to prepare the proposed Second Amendment to extend the above-described time periods and provide for Surland's design and construction of the above-described infrastructure improvements; and

WHEREAS, On May 25, 2017, Surland submitted a request to the City asking the City Council to authorize staff to expand the scope of the negotiations for the Second Amendment to, among other things, also address the concepts of (a) having Surland construct the proposed public swim center and fund the first $8 million of construction costs in lieu of making its second swim center payment, and (b) potentially expanding the property subject to the DA to lands outside of the current Ellis Specific Plan area, subject to future discretionary approvals; and

WHEREAS, On July 5, 2017, the City Council approved Surland's request and authorized staff to expand the scope of the negotiations for the Second Amendment; and

WHEREAS, The City and Surland have completed their negotiations for the Second Amendment; and

WHEREAS, On February 14, 2018, the City's Planning Commission held a duly noticed public hearing on Surland's application for the Second Amendment, during which the Planning Commission took appropriate action under the California Environmental Quality Act (Public Resources Code § 21000 et seq.) ("CEQA") and its implementing regulations (California Code of Regulations § 15000 et seq.), the Planning and Zoning Law, the Tracy Municipal Code, and

City of Tracy City Council Resolution Number 2016-115, and made recommendations to the City Council regarding the proposed Second Amendment; and

WHEREAS, on _____ _____, 2018, the City Council of the City of Tracy held a duly noticed public hearing on Surland's application for the Second Amendment, during which the City Council heard public comments and testimony on the proposed Second Amendment.

THE CITY COUNCIL OF THE CITY OF TRACY HEREBY ORDAINS AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and are incorporated herein as findings.

2. Compliance with CEQA. The City Council hereby finds the following:

   a. Pursuant to Section 15168 of the CEQA Guidelines, the proposed Second Amendment is within the scope of the project evaluated in that certain Final Environmental Impact Report for the Surland Communities Amended and Restated Development Agreement and Ellis Specific Plan Applications (State Clearinghouse # 2012022023) certified by the City Council on January 22, 2013, by Resolution Number 2013-011 (the "FEIR"), and will not result in any new significant environmental effects that were not identified and adequately addressed in the FEIR; and

   b. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred or will occur due to the adoption and implementation of the proposed Second Amendment, and an addendum to the FEIR is the appropriate form of compliance with CEQA and the CEQA Guidelines for the City's action on the proposed Second Amendment.

3. Findings regarding Second Amendment to the Development Agreement. The City Council hereby finds that the proposed Second Amendment to the Amended and Restated Development Agreement by and between the City of Tracy and Surland Communities, LLC, for those reasons more specifically set forth in the Recitals of the proposed Development Agreement,

   a. is consistent with and intended to be implemented in accordance with the objectives, policies, general land uses and programs specified in the City General Plan and any applicable community and specific plan in effect on the date of its approval, and will comply with the provisions of Government Code Section 66473.7;

   b. is in conformity with public convenience, general welfare, and good land use practices;

   c. will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area, nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole;

d. will not adversely affect the orderly development of property or the preservation of property values; and

e. is consistent with the provisions of Government Code Sections 65864 *et seq*.

4. Second Amendment to Development Agreement Approval. The City Council approves the Second Amendment to the Amended and Restated Development Agreement with Surland Communities, LLC, attached hereto as Exhibit "1".

5. Effective Date. This Ordinance takes effect 30 days after its final passage and adoption.

6. Publication. 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 _____ day of _____, 2018, and finally adopted on the _____ day of _____, 2018, by the following vote:

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

_____
Mayor

ATTEST:

_____
City Clerk

SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY AND SURLAND COMMUNITIES, LLC

This SECOND AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TRACY and SURLAND COMMUNITIES, LLC (the "Second Amendment") is made and entered into as of this ____ day of _____, 2018 (the "Effective Date") by and between the CITY OF TRACY, a municipal corporation ("City"), and SURLAND COMMUNITIES, LLC, a California limited liability company ("Owner"), pursuant to Government Code sections 65864 et seq. and City Resolution No. 2004-368 which establishes the rules, regulations and procedures for the approval, operation and modification of development agreements and the provisions of that certain Amended and Restated Development Agreements By and Between The City of Tracy and Surland Communities, LLC dated April 18, 2013 and recorded on September 17, 2013 under Recorder's Serial No. 2013-119548, Official Records of San Joaquin County, California (the "Development Agreement).

RECITALS

A. The City and Owner entered into the Development Agreement in order to strengthen the public planning process and encourage private participation and the funding of community benefits and amenities that could not otherwise be required under controlling law. Among other things, the Development Agreement provides for Owner to (i) provide $10,000,000 (the "Owner Swim Center Contribution") to be used to design and fund the construction of a public swim center (the "Swim Center"), and (ii) offer to dedicate approximately 16 acres of land to the City, which will be used for the proposed Swim Center (the "Land Dedication Offer"). The Development

Agreement also provides that, in exchange for the Owner Swim Center Contribution and Land Dedication Offer, the City shall reserve and Owner shall be eligible for the allocation of up to 2,250 Residential Grown Allocations ("Subsection F.3. RGAs") to be used exclusively on the Property.

B. On October 14, 2014 (Recorders Serial # 2014-097799), Owner timely made Owner's Land Dedication Offer. Under the Agreement to Extend (Recorder's Serial # 2015-073934), the City had until September 15, 2016, to accept the Land Dedication Offer or the City would be deemed to have rejected the Land Dedication Offer and the land would be available for development by Owner consistent with the Ellis Specific Plan. Following Owner's submittal of the Land Dedication Offer, the City and Owner agreed that there is an alternate location in the Ellis Specific Plan area that may be preferable as the location for the proposed Swim Center, and Owner agreed to prepare and submit to the City a revised land dedication offer (the "Revised Land Dedication Offer") to replace the original Land Dedication Offer.

C. Under the Development Agreement, the Owner Swim Center Contribution was due in two (2) installment payments. Owner timely made Owner's First Swim Center Payment on September 5, 2014. Owner's second installment payment of $8,000,000 ("Owner's Second Swim Center Payment") is a subject of this amendment.

D. On August 16, 2016, the City Council approved Owner's request to negotiate a second amendment to the Development Agreement to extend the deadline for Owner's Second Swim Center Payment and the deadline for the City's acceptance of the Land Dedication Offer, in exchange for Owner's providing to the City certain infrastructure improvements relating to the proposed Swim Center.

E. To give the Parties time to prepare and process Owner's requested Development Agreement amendment, the City and Owner executed that certain Agreement To Toll And Extend The Dedication Acceptance Period And The 60-Day Cure Period Respecting The Second Swim Center Payment Under Amended And Restated Development Agreement By And Between The City Of Tracy And Surland Communities, LLC (the "First Tolling Agreement"), by which the City and Owner agreed to: (i) extend the sixty-day cure period for Owner's Second Swim Center Payment to September 5, 2017; (ii) extend the time period for the City's acceptance of the Land Dedication Offer to November 24, 2017; and (iii) require Owner to deliver the Revised Land Dedication Offer not later than September 15, 2017.

F. In December of 2016, the City and Owner began discussions to expand the scope of the proposed Development Agreement amendment to provide for Owner to assume the obligation to design and construct the proposed Swim Center, and to describe a process by which other real property could become subject to the Development Agreement, subject to future Owner applications and future City approvals. The City and Owner agreed that such expanded negotiations would require additional time to prepare and process the expanded second amendment to the Development Agreement, and on August 15, 2017, the City Council approved that certain Second Agreement To Toll And Extend The Dedication Acceptance Period And The 60-Day Cure Period For The Second Swim Center Payment Under The Amended And Restated Development Agreement By And Between The City Of Tracy And Surland Communities, LLC (the "Second Tolling Agreement"), by which the City and Owner agreed to: (i) extend the sixty-day cure period for Owner's Second Swim Center Payment to December 5, 2017; (ii) extend the time period for the City's acceptance of the Land Dedication Offer to December 5, 2017, provided that the City shall not accept the Land Dedication Offer before November 15, 2017; and (iii) require Owner to

deliver the Revised Land Dedication Offer not later than December 5, 2017. Subsequently in November 2017 the parties entered into a third tolling agreement that extends the time for the parties to perform their obligations until April 4, 2018.

G. On **[date]**, the City Planning Commission, following a duly noticed public hearing, recommended approval of this Second Amendment. On **[date]**, 2017, the City Council following a duly noticed public hearing, adopted Ordinance No. ____ approving this Second Amendment and authorizing its execution. That Ordinance took effect on **[date]**, the Effective Date of the Second Amendment.

H. Pursuant to the provisions of the Development Agreement Enabling Resolution, Government Code section 65868 and Section 1.09 of the Development Agreement, Owner has filed with the City an application for an amendment to the Development Agreement. The City found that the Owner was not in default under the Development Agreement, has considered the application and reviewed the substance of the proposed changes, modifications, and amendments contained in this Second Amendment. By entering into and executing this Second Amendment, the parties hereto agree that the Development Agreement shall hence forward be modified and amended as contained herein.

I. This Agreement is consistent with the General Plan and the 2013 Ellis Specific Plan as further amended in 2014. Owner has filed further amendments to the Ellis Specific Plan which are scheduled to be considered by the City Council in December 2017. As required by the General Plan, this Agreement envisions proper environmental analysis and a proper planning process in compliance with controlling law before any approval allowing development can take place.

J. The parties understand and agree that:

(i) In order to achieve area wide consistency in planning and design achieve General Plan goals, policies objectives to efficiently use land and public infrastructure, and for community consistency Owner intends to annex to the Ellis Property Owners Association all real property which is subsequently subject to the Development Agreement; and, (ii) such other real property may adopt the Ellis Specific Plan design and planning standards for all infrastructure and site improvements.

K. This Development Agreement for all purposes in naming and otherwise shall be referred to as the "Surland Development Agreement".

NOW, THEREFORE, the parties hereto agree as follows:

1. Incorporation of Recitals: The recitals set forth above are incorporated into this Second Amendment as though set forth in full herein.

2. Section 1.01(j). The Swim Center Obligations, is added as follows. Section 1.01 **The Swim Center Obligations**.

(j) (i) Owner agrees to retain and compensate consultants to design the Swim Center with input from the community and City staff and with direction from the City Council. All true and correct expenses paid by Owner concerning the design and construction of the Swim Center shall be a credit against the Owner's contribution identified in Recital A. In anticipation of this Development Agreement amendment and at the request of City, Owner retained consultants prior to the approval and execution of this Development Agreement amendment, and funds expended by Owner during the period before the Second Amendment is executed shall be eligible for credits. The parties acknowledge that the studies, reports and designs prepared by

Owner's consultants shall be the property of Owner and shall not without prior written consent of Owner be used by City in any manner. The studies, reports and designs shall be jointly owned by Owner and City after Owner is fully reimbursed for Owner's costs of obtaining the studies, reports and designs through reimbursements and/or credits unless City is subsequently in default under this Agreement in which case City shall not longer be treated as a co-owner. All studies, reports and designs shall be assigned to City upon Owner's transfer of ownership of the Swim Center to City.

(ii) Before Owner prepares construction improvement plans the City Council shall approve a final conceptual plan. City and Owner shall agree upon a list of design, construction and/or improvements that Owner shall design and/or construct. If, after the City Council approves a final conceptual plan, it decides to modify the plan or add additional features or amenities then the cost of changing the conceptual plan or any design or construction plans relying on the original conceptual plan shall be additive funding provided by the City above the initial Swim Center funding.

(iii) Previously Owner has provided Two Million Dollars of a Ten Million Dollar contribution to the City for the Swim Center. City, in a manner consistent with the performance, funding and construction agreement mentioned subsequently, shall cause the Two Million Dollars initial contribution to be applied to the Swim Center's design and construction activities. If the Swim Center is relocated to a location other than a location within the Ellis Specific Plan area then Owner shall pay the remaining Eight Million Dollar future contribution to the City. However, if the Swim Center continues to be sited within the Ellis Specific Plan area then, since the Two Million Dollar initial contribution has previously been paid by Owner to City, the remaining Eight Million future contribution shall be satisfied in full by Owner providing Swim

Center design and construction of improvements equal to Eight Million Dollars in costs incurred by Owner. The initial contribution of Two Million Dollars shall be used to pay for Swim Center design and construction. The parties shall enter into a design, funding and construction agreement contemporaneously with the approval of this Second Amendment. The City Council has requested Owner facilitate additional design, construction, operations, and improvements beyond the Owner contribution. Owner has agreed and shall facilitate completion of additional design improvements and construction of approved plans beyond Eight Million Dollars with funding provided by City in an amount equal to Thirty Five Million Dollars with a supplementary contingency amount of twenty percent of the total estimated costs of Forty Five Million Dollars (Swim Center Funding). The City shall have the right to review and approve the design and improvement plans and City shall not unreasonably withhold approval. This additional construction of approved plans shall represent Owner's entire obligation to facilitate design and construction improvements for the Swim Center improvements and once the additional agreed upon improvements are constructed Owner's obligation to facilitate design and construction improvements for the Swim Center under this Agreement shall terminate. If the parties agree that Owner shall construct Swim Center improvements in addition to the final conceptual plan approved by City Council and the list of design, construction and/or improvements then the parties shall meet in good faith to negotiate and execute agreements concerning the method of City paying for additional constructed improvements. All subsequent costs shall be paid by the City and not the Owner, and Owner shall have no further financial obligation toward the design, construction, development, operation or maintenance of the Swim Center.

(iv) As required by and according to the manner established by the CFD, each residential lot and Commercial parcel (as defined in subsection v) within the Ellis Property Owners

Association (which is defined to mean for purposes of this Agreement a property owners association established by Owner) shall pay an annual fee of $110 per lot/parcel toward Swim Center maintenance, which fee shall be adjusted annually according to the applicable community facility district formula.

(v) The residents of each residential dwelling shall receive from the City an annual all access family pass administered by the EPOA, and the Ellis Commercial Association shall receive one all access family pass for each legally created lot designated village center or commercial (Commercial) located within the Ellis Property Owners Association boundary to the Swim Center at no additional cost.

(vi) Owner has made an irrevocable offer to dedicate approximately sixteen acres for a swim center and subsequently the City Council has determined that the Swim Center shall be located at the property offered for dedication, therefore, Owner's contribution of land for the Swim Center shall be equal to and be treated as the dedication of sixteen (16) acres of community park land under the City's parkland dedication ordinance and this credit of sixteen (16) acres of park land and shall be available by Owner and shall be applied at the option of Owner to the Property and/or to such other real property which is subsequently subject to the Development Agreement (DA Property). (The criteria for Owner applying this Agreement to DA Property is explained in subsection 1.07(h) of this Agreement.) After Owner's irrevocable offer of dedication and the City's determination that this land shall be used for the swim center then there shall be no more dedications and/or community park fees collected or paid by any residential or commercial real property within the Property, and any land offered for dedication or community park fees previously collected shall be reimbursed to Owner within thirty (30) days of approval of this agreement which is date of the decision to locate the Swim Center at Ellis. However, the decision

of when to accept the dedication of land may be made at any time until the City accepts the Swim Center improvements constructed by Owner.

(vii) If the City elects to construct or authorize Owner to construct the Swim Center using the Owner Swim Center Contribution then the Swim Center shall be named the "Serpa Aquatic Park" for all naming and identification purposes, as further described in Exhibit A, including but not limited to digital, print and signage, the designation of "Les and Carol Serpa Aquatic Park" may also be used. If the City elects to construct or authorize the Owner to construct the Swim Center at the Ellis Swim Center Site, the site shall only be used for a public swim center with only those uses as formally agreed upon by the City and Owner or Owner's designee. In making the dedication of the real property for the Swim Center it was the intent of the parties that the real property shall only be used for an aquatic park and no other use and the City shall not sell the real property. This term shall survive the term of this Development Agreement.

(viii) City shall promptly and immediately take reasonable actions necessary to expeditiously process all required plans, City Council approval of improvement plans, acquire all land necessary, (including by not limited to easements, real property, entitlements, project approval(s), San Joaquin County approval (s), railroad easements, any other agency approvals), and completion of all actions necessary shall be perfected without unreasonable delay whatsoever, for the approval and start of construction of Storm Basin 3A by Owner or Owner's designee as soon as practical. Owner or Owner's designee shall promptly and immediately take reasonable actions necessary to finalize an off-site improvement agreement with City Council approval, and following those actions expeditiously to prepare all required plans, process improvement plans for City Council approval, and commence construction once all permits, easements and other approvals have been provided by the City. The parties agree that in performing this obligation time

is of the essence. Unless expressly prohibited by law or expressly required by a condition of a grant, City shall not charge any development, planning or construction fees or charge (including overhead, plan checking, building permit, project management, or any other fee) for the Swim Center. Any and all regulatory agency fees, or actual special outside plan review costs, including but not limited to the SJCOG conservations easement costs, shall be paid by the City. If improvements are funded by a CFD and funds are available to the City of Tracy from the CFD, no bonding shall be required as part of an improvement agreement or any public improvements.

3. Section 1.07, Residential Growth Allotments, shall be deleted from the Development Agreement and the following inserted in its place:

1.07 **Residential Growth Allotments; Building Permits**.

(a) Treatment of Development Agreement Residential Growth Allocations.

(i) Through this Development Agreement City shall reserve and vest in favor of Owner, and Owner shall be eligible for, the allocation of 2,250 Development Agreement Residential Growth Allotments and building permits (Subsection F.3 RGAs) for residential development on the Property as may be revised from time to time, minus any Subsection F.3 RGAs already issued by City to Owner. As explained subsequently Owner is eligible to receive Subsection F.4 RGAs (Subsection F.4. RGAs or RGAs) and building permits from any available source of allocating RGAs or building permits other than through this Development Agreement. This amendment to the Development Agreement does not exempt building permits from being subject to plan check, building code requirements, and other permit related requirements in effect as of the Effective Date of the amendment to the Development Agreement.

(ii) At Owner's option, Subsection F.3 RGAs may be applied to a project as defined in the GMO on the Development Agreement Effective Date (Project) within the Property's boundary and all Subsection F.3 RGAs perfected (a RGA is perfected when a residential building permit is issued according to the allocated RGA)for which a building permit is issued shall be deducted from the 2,250 DA RGAs allocated by this Agreement and to DA Property which become part of the Property in accordance with section 1.07(f)(i) through and including (iv), below. For a calendar year where Owner applies Subsection F.3 RGAs to a Project, or more than one Project in that calendar year the Project(s) may not receive more than 225 Subsection F.3 RGAs and building permits. At the end of the calendar year this limitation of receiving no more than 225 Subsection F.3 RGAs and being unable to receive RGAs from other sources for those Projects shall automatically lapse. The Subsection F.3 RGAs applied to the Project(s) and for which building permits are issued shall be deducted from the 2,250 Subsection F.3 RGA allocation derived from and vested by this Development Agreement.

(iii) Except as otherwise provided herein, in no event shall Owner be allocated more than 2,250 Subsection F.3 RGAs from this Development Agreement over the Term of this Agreement ("Overall RGA Maximum") (the 2,250 Subsection F.3 RGAs includes any Subsection F.3 RGAs allocated by the City to Owner and perfected prior to the Effective Date of this Amendment) which may be applied to the Property.

(b) Treatment of RHNA or unused RGAs that may become available for re-issuance from subsequent rounds of RGA allocations under the GMO or other sources other than this Development Agreement.

(i) This Development Agreement vests Owner with the absolute right to obtain Subsection F.4 RGAs and building permits from any and all other sources. Thus each year Owner shall be eligible for Subsection F.4 RGAs as provided in the GMO and the GMO Guidelines in effect on the Effective Date ("Annual RGA Eligibility").

(ii) This amendment is designed to permit additional property to be added to and incorporated in to the Development Agreement and therefore become Property of the Development Agreement, and Owner may apply for RGAs for Projects and home builders within the Property (whether or not annexed to the ESP) area. Owner shall not apply RGAs subject to this Agreement to other real property unless this property has been added to the Development Agreement as Property pursuant to subsection 1.07(h). Owner may allocate RGAs, building permit or both, derived from any source, including the Growth Management ordinance, this Development Agreement, the RHNA or any other sources not specifically identified herein to Projects or homebuilders within the property subject to this Agreement and building permits in certain circumstances may be acquired without an RGA such as through RHNA, and as subsequently provided by this section.

(iii) RGAs secured by Owner by means of any provision of the GMO Guidelines other than subsection F.3, RHNA, subsequent rounds of the allocation of RGAs under the GMO or from any other source other than from Section F.3 RGAs through this Development Agreement shall not be deducted from the Overall RGA Maximum and shall not be subject to a limitation of 225 subsection F.3 RGAs in a single calendar year. The parties acknowledge and agree that Owner has a vested right to receive no more than 2,250 RGAs and building permits through this Development Agreement; however, this limitation of receiving 2,250 RGAs and building permits at a rate of no more than 225 Subsection F.3 RGAs and building permits during

a calendar year does not operate in any manner to prevent or frustrate Owner's efforts to obtain RGAs and building permits from all other sources and applying those RGAs and building permits to Projects within the Property that do not receive Section F.3 RGAs and building permits during the applicable calendar year.

(c) Owner shall apply to City for Subsection F.3.RGAs and/or Subsection F.4 RGAs ("RGA Application(s)") according to the Development Agreement and the requisite applicable requirements of the GMO Guidelines in effect on the Development Agreement Effective Date using the Application form attached hereto as Exhibit B or the form then stipulated in the GMO Guidelines then in effect, at the option of the Owner. The form shall designate the Project receiving the Subsection F.3 RGAs/Subsection F.4 RGAs and shall identify whether the application is for Subsection F.3 RGAs or Subsection F.4 RGAs.

(d) Owner shall provide a separate Application for each calendar year in which Owner seeks Subsection F.3 RGAs/Subsection F.4 RGAs. There shall be a separate application for each type of RGA applied for. Pursuant to Section F.4(c) of the GMO Guidelines, Owner shall have the first right and shall be entitled to apply for at any time during the year and obtain for the Property any RGAs not applied for, applied for but not granted, unclaimed, or unassigned to the Tracy Hills project, or granted RGAs which have been rescinded from the Tracy Hills project, according to the maximum amount of RGAs available or prioritized for Tracy Hills through the GMO in any calendar year, during any calendar year during the term of this Agreement and all RGAs obtained through this process and applied to the Project shall not be deducted from the annual Overall RGA Maximum. Owner shall have the right to apply RGAs obtained under this subsection (d) to any DA Properties and these RGAs shall not be subject to the total or annual limitation of Subsection F.3 RGA allocations or be a deduction against the Overall Subsection F.3 RGA Total.

Only Owner may apply for Subsection F.3 RGAs/Subsection F.4 RGAs for property subject to this Agreement, unless Owner notifies City in writing of an exception and designates another entity to apply for RGAs. Pursuant to Section F.4(c) of the GMO Guidelines, City shall notify Owner within ten (10) days of any RGAs not applied for, applied for but not granted, unclaimed, or unassigned to the Tracy Hills project, or granted RGAs which have been rescinded from the Tracy Hills project according to the maximum amount of RGAs available or prioritized for Tracy Hills through the GMO in any calendar year. City agrees to make RGAs available to Owner pursuant to Section F.4(c) of the GMO Guidelines at the earliest possible date such RGAs become available after the time for Tracy Hills to request a RGA has passed or at the earliest possible time to acquire an allocated RGA after the time for Tracy Hills to perfect the allocated RGA has lapsed without Tracy Hills perfecting the allocated RGA pursuant to GMO rules. If RGAs are available Owner shall have the right to apply for Tracy Hills RGAs and the Growth Management Board shall allocate Tracy Hills RGAs to the Project(s) identified by Owner within fifteen (15) days of the date the Growth Management Board received the Owner's application(s).

(e) With the expressed exception of subsection F.1 "Vested Projects", in instances where all RGAs are not claimed or claimed but are not perfected (collectively unclaimed RGAs) such unclaimed RGAs shall be allocated using the following procedure, priority and percentages. RGAs shall be allocated according to each category's percentage of the total number of eligible RGAs until all RGAs are claimed or the City conducts an entire round of RGA allocations and no RGAs are claimed by any category. The priority of categories shall follow the order the subcategories are listed in subsection F of the GMO Guidelines. Hence the priority shall be Primary Growth Areas, Development Agreements, Tracy Hills and Ellis Specific Plan Projects, and then Other Projects. Since subsection F.1, Vested Projects, is not assigned a total number of RGAs by

the GMO Guidelines it does not participate in subsequent rounds of RGA allocations. Vested Project as defined in Subsection F.1 of the GMO at the time of this amendment approval shall retain all rights as provided by the GMO immediately prior to this amendment being effective. For purposes of clarification, Owner's right to seek RGAs allocated by the GMO Guidelines to subsections F.2, F.3, and F.5 does not extend to instances where eligible property owners within the designated subsection claim the GMO Guideline allocated RGAs. Rather Owner's right to seek RGAs allocated by the GMO Guidelines to subsections F.2, F.3, and F.5 only extends to instances where these eligible property owners within the designated subsection do not claim the GMO Guideline allocated RGAs. In addition. the parties do not intend this Amendment to the Development Agreement to change the current City practice of issuing RHNA permits on a "first come/first serve" basis nor do the parties intend for this Agreement to grant to Owner a priority to receive RHNA permits over any other applicant for RHNA permits.

(f)(1) However, after first excluding RHNA or other similar sources of building permits, Owner agrees it will not apply for Tracy Hills RGAs or other Available RGAs in a manner that is responsible for the City allocating more than the maximum possible RGAs in a given calendar year.

(f)(2) This Agreement does not intend to prohibit or prevent the City from granting RGAs in the future to any other person or entity in a manner consistent with the GMO and GMO Guidelines, so long as a future city decision does not impair Owner's right and ability to obtain RGAs as provided by this Agreement.

(g) Owner shall be eligible for building permits according this Development Agreement and to the applicable requirements of the GMO and the GMO Guidelines in effect on

the Development Agreement Effective Date and the building permits issued hereunder shall be in accordance with the following:

(i) Building permits issued hereunder shall be deemed to have been secured by Owner upon the meeting of applicable plan check review requirements to issue a building permit and payment to the City of the building permit plan check inspection fee, due under the Municipal Code;

(ii) Despite any provision of the Municipal Code to the contrary, building permits issued hereunder shall continue in existence for a period of not less than twenty-four (24) months or until a certificate of occupancy for the structure is issued, whichever first occurs, and plot plans approved at the time of building permits may be adjusted or resubmitted during this period without further fees for minor modifications

(iii) If noticed by Owner to City for a Project, all development impact fees and other fees and contributions identified in the EFIP, or agreed upon by the City and Owner in other finance plans such as the City Master Plans, or any other Fee Programs, or other impact fee, agreed to by the City and Owner and attributable to a structure shall be due and payable through close of escrow for a home builder to a home buyer for a residential structure, and upon a final inspection approval for a commercial structure for the noticed Project. The process for such payment is attached hereto and incorporated herein by this reference as Exhibit C. However, if a type of fee to be collected is immediately necessary to fund infrastructure construction that is directly needed by the building being constructed by the building permit for a commercial building then a fee for that relevant category shall be collected at the time the building permit is issued by the City, if prior to issuing the building permit City sends Owner a written justification for accelerating

collection of the fee based upon the reason stated in this sentence and second meets and confers with Owner in good faith at the earliest possible time before accelerating collection of the specific category of fee for the specific building permit. However, if a type of fee to be collected is immediately necessary to fund infrastructure construction that is directly needed by the building being constructed for a residential building then the fee for that related category shall be collected at the time the building permit is issued by the City, if the determination for the need to accelerate payment is made prior to approving the final map that including the relevant building lot(s). City shall send Owner a written detailed and comprehensive justification for accelerating collection of the fee based upon the reason stated in this sentence and shall meet and confer with Owner in good faith at the earliest possible time before accelerating collection of the specific category of fee for the specific final map buildings. In no event shall the time to pay the applicable fees exceed twenty four (24) months from approval of the final inspection for a residential lot.

However, if during the twenty-four months City determines that some or all of the deferred fees are immediately needed to fund infrastructure construction that is directly needed for the future occupants of the residential unit then the City has the right to deliver written notice to the real property owner demanding payment of the applicable fee and the real property owner shall pay the demand within thirty (30) days of receipt of City's written notice.

(iv) The Ellis Specific Plan Finance and Implementation Plan ("EFIP") shall be the finance plan for ESP Property, and the amount of fees as documented is a vested element, and no other fees shall be charged without the mutually written consent of the parties. Owner may request that the ESP or a portion of the ESP join another finance district and upon approval by Owner and City the ESP or a portion of the ESP may be included in a different finance district, including updating the EFIP as needed.

(v) For any finance district, district fee, or community facility districts to be effective Owner's prior written consent, which may be withheld for any reason, is required for any property subject to this development agreement and, the Ellis Community Facilities District (ECFD) has been approved by Owner and is in effect. The obligation to make ECFD payments to City for maintaining the Swim Center shall be considered a community wide benefit and shall take the place of, be the equivalent of participating in and shall constitute full satisfaction for any future community wide facilities district or fees, including any facility district or other funding mechanism to fund public services, public landscape, park maintenance, basin maintenance, project-specific maintenance, police, fire and/or public works. Owner agrees to include Property into the ECFD and therefore, City shall not delay, deny, or condition any application filed, or processing for any Property because any or all of the Property is not joined into a CFD, Mello Roos District, or other Financing District.

(h) Subject to Section 1.02, Owner shall have the right but not the obligation to file a request with the City to approve and if approved thereafter have recorded this development agreement against DA Property subject to the following conditions being satisfied:

(i) The DA Property has been annexed to the City of Tracy;

(ii) The Owner owns or has an enforceable right, within the meaning of "legal and equitable interest in real property" as used in current Government Code Section 65865(a) and (b), to purchase DA Property;

(iii) The Owner agrees to annex the DA Property into the Ellis Property Owners Association, the ECFD or equivalent community finance district, the Ellis Finance Plan, or other requisite finance districts; and,

(iv) The development agreement, either in the form of this Development Agreement or as may be modified by the parties, proposed for DA Property contains an amended property description that includes a property description of the DA Property.

(v) The City Council adopts a finding that amending the property description into this Development Agreement is not inconsistent with the GMO in its form as of the Effective Date of this Agreement.

For purposes of this subsection 1.07(h) the parties acknowledge and agree the term "annexed to the City of Tracy" as used in subsection 1.07(h)(i) means the City of Tracy has complied with the California Environmental Quality Act for purposes of adopting a general plan designation, a zoning or pre-zoning classification, an application to the San Joaquin Local Agency Formation Commission (LAFCo) and, at Owner's option, a specific plan and one or more tentative parcel or subdivision maps, and LAFCo has approved the City's annexation request and, if required a sphere of influence amendment for real property not currently subject to the Development Agreement

(i) Notwithstanding any other provision of this Agreement or any other City ordinance, rule, regulation or custom: (1) except for a tentative map receiving DA RGAs in a calendar year, the Property shall not be subject to any limitation or condition concerning the total number of RGAs or building permits from all potential sources in any year or during any RGA and/or building permit cycle; and, (2) approved plot plans and building permits shall have a term of at least two (2) years and shall be eligible for extensions as provided by the City ordinance, rules and regulations or other applicable laws.

5. Section 1.15(c) is added as follows.

(c) The concept plan for neighborhood parks shall be first presented to the City Parks Commission, the concept plan shall then be updated in coordination with City staff, and if City Council approves the neighborhood parks as part of the Specific Plan or relevant planning and approval documents (Project Plan) then the neighborhood park concept and design shall be in accordance with the then existing Project Plan and may including approximate size, name, location site plans, structures, equipment, uses, plants, trees, signage, color palette and features. Neighborhood parks may be one acre or more, and parks of two acres or more are allowed to have adjacent mail boxes with a roof structure, lighting and other features for mail service to the neighborhood residents, adjacent mail boxes with a roof structure shall not be a credit towards neighborhood park acreage, and maintenance for such neighborhood parks shall be funded by the Ellis community facility district or similar district. The neighborhood parks shall be bonded through a park improvement agreement or other acceptable agreement, at a bonding amount determined by the applicable finance plan or Project Plan, the developer shall be responsible for building the parks and there shall be no impact fee or other fees collected for neighborhood parks. The Project Plan shall provide developed neighborhood park land of three (3) acres per thousand residents. The Project Plan shall provide regulations on the character and amenities for each park. As the park system is implemented detailed designs will be developed for the construction of each park and the final location of parks shall be identified by Owner on tentative maps(s). Modifications and refinements of individual park designs including park location will be considered a minor variation as per the approved Project Plans. The elimination of a major amenity, or comprehensive change of a major amenity to another use shall be considered a major variation and require review by the City parks commission.

6. Section 1.15 Ellis Specific Plan Parks (b) is deleted and replaced with the following:

(b) The timing of constructing Property neighborhood park improvements shall be according to the applicable Project Plan.

7. Section 1.15(d) is added as follows.

(d) Except for neighborhood park land which shall be maintained by City with funding from the ECFD, all landscape improvements shall be maintained by the Ellis Property Owners Association (EPOA), with funding from the ECFD. The City and EPOA have or shall enter into a maintenance agreement to set forth and facilitate among other things the required maintenance obligations, standards for maintenance, and other associated obligations(s) as well as compliance with the Ellis operations and maintenance manual, to ensure the long-term maintenance of all public park and landscape areas, and other public improvements within the ECFD boundaries. The City and EPOA may amend and make changes agreed upon to the maintenance agreement and Ellis operations and maintenances manual upon mutual consent. The maintenance manual will be updated by Owner periodically to include improvements which have been installed in public parks, landscape areas, and other public improvements within the ECFD boundaries, and updated versions shall be provided to the City and EPOA. The City and EPOA may then amend and make changes to existing improvement standards or guidelines which are part of the manual upon mutual agreement.

8. A new section 1.16(e) is added as follows:

e. On August 16, 2016 the parties agreed to defer the performance of certain acts. As consideration for this deference Owner agreed to:

(i) design and construct the Swim Center monument sign at the corner of Summit Drive and Corral Hollow Road at Owner's sole expense in an amount not to exceed One Hundred and Fifty Thousand Dollars ($150,000); and,

(ii) expand and improve the Summit Drive paved travel section to the northeast along the frontage of the Swim Center to a five-foot wider section to accommodate potential future Swim Center turn lanes; and,

(iii) construct the frontage improvements for the Swim Center on Summit Drive; and,

(iv) construct the stubbed utilities to the Swim Center site from Summit Drive; and,

(v) fund up to One Hundred Thousand Dollars ($100,000) for the resources of Surland planners and architects to work with the City to complete a design for the Swim Center.

9. A new section 1.17 is added as follows:

Section 1.17 **Community Facilities District**.

The City and Owner shall cooperate to annex property into the ECFD and the ECFD shall authorize bond indebtedness, and authorize the special taxes, and bond proceeds from the ECFD. Property identified as a Future Annexation Area may annex into a then existing improvement area, or a new improvement area using the unanimous approval process.

Any fees paid from Property or Owner which are determined to be subject to reimbursement with ECFD proceeds or other proceeds shall be deemed "deposits" which may be

returned to Owner upon payment of an equivalent amount to the City from ECFD proceeds. City and Owner shall agree on all Property which shall be subject to any other community facility district.

10. A new section 1.18 is added as follows:

Section 1.18 **Program/Public Improvements/Infrastructure**

A. Except for the process to fund, design, and/or construct the Aquatic Center which is described at section 1.01(j) of this Second Amendment, Owner or Owner's designee may fund, design, and/or construct any program/public infrastructure upon the execution of the requisite improvement agreement, as approved by the City which approval shall not be unreasonably withheld. Owner shall notify the City in writing of the intent to design and/or construct improvements, and at the time of such notice there shall not be a construction or improvement contract in effect that provides for the construction of the specific improvement. Owner shall insure that improvement agreements have been executed and security is posted for the work of the improvement. Owner shall be eligible for credits and/or reimbursements for the work in amounts equal to the full amount of the capital improvement program plan identified in the applicable fee program, or other public improvements, in such instances City shall not charge cost recovery for the related component of the plans and improvements, plans check fees shall be fully reimbursable. For site improvements which Owner or Owner's designee will fund, design, and/or construct public infrastructure, and a plan check fee is collected by City, Owner shall be eligible to receive reimbursements of plan check fees paid, after acceptance of the improvement by the City, the City shall then reconcile actual costs against the plan check fee paid and shall only charge based on the actual costs, for any project work over five million dollars which is allowed by City code. City

shall keep all EFIP funds in discrete accounts, including program management, and provide Owner with an annual accounting of all accounts.

B. After the parties execute a written agreement to fund, design, and/or construct program infrastructure improvements all credits and reimbursements available to Owner, including without limitation credits and reimbursements available as a result of Owner's election,, shall apply to any program expenditure. Owner shall be eligible for both a credit against fees paid, and/or against future fees to be paid, and reimbursement. Owner and City shall enter into a master reimbursement agreement to identify credits and reimbursements, which shall become part of the reimbursement agreement prior to, concurrent with, or subsequent to the improvement(s).

C. Reimbursement Agreement credits and reimbursements, approved by the City through a Reimbursement Agreement shall be allocated in such a manner determined, and in the sole discretion of Owner as Owner deems appropriate, with credits being allocated to "like-kind" fees, like-kind fees shall be fees which are in the same fund type of infrastructure, such as water, wastewater, storm, transportation/roads, public facilities, parks, etc. Owner may have balances of credits before impact fee payments are due, in such event Owner may allocate such credits to specific lots by written direction to the City indicating available credits being applied to specific lots.

D. All program infrastructure/public improvement capacity funded or constructed by Owner shall be available to accommodate the fair share capacity for Owner's Property as approved by City in the relevant agreement (for purposes of this subsection D and section 1.18. F) The City has discretion on the use of the capacity prior to when Owner needs occur, so long as the capacity is available without delay or restriction to Owner or any partial use of this capacity is required or needed. Owner may construct on-site and off-site infrastructure necessary to provide recycled

water service. Recycled Water Fees will be paid in an amount equal to the requisite finance plan, and in accordance Project Plans but no other current or future fee. All recycled water infrastructure improvements within entry, collector and community streets, and other public streets as approved by the City, and as defined by the requisite Project Plan will be recommended by staff to be program costs as part of the water master plan update. Once adopted these costs will be subject to credit and reimbursement according to the reimbursement agreement designee. Concurrent with approval of a final map for any part of Property subject to the Agreement City shall review, and if capacity not currently being used exists, shall reserve wastewater services capacity for treatment and conveyance for residential and commercial wastewater uses included in the approved final map. Through this Agreement City shall allocate and vest in favor of Owner and City shall supply Owner water supply for 2,250 residential units, including all commercial areas and uses (Including Ellis Village Center and Limited Use Area) in the Ellis Specific Plan, including the Swim Center in accordance with the Ellis FIP. Owner shall have the right to use all fair share infrastructure capacity described in the Ellis FIP, including but not limited to storm, water, wastewater, transportation (traffic), community park and public buildings. The applicable Project Plan shall identify the financial plan(s) such as the Ellis FIP, the City Master Plans, or any other Fee Programs, or other impact fee, development impact fees and other fees and contributions identified and agreed upon by the City and Owner and attributable to a structure.

E. The Reimbursement Agreement shall be approved prior to the City Council second reading of with this Agreement, and within thirty (30) days after approval of the Reimbursement Agreement for the funding and/or constructing infrastructure, the City shall immediately establish separate Reimbursement accounts for the work identified in the Reimbursement Agreement, and the work identified in future additional work to the Reimbursement Agreement for depositing

reimbursements funds due per the Reimbursement Agreement. City shall provide Owner with a written accounting of funds available for reimbursement to the party identified in the Reimbursement Agreement for the Work within sixty (60) days after executing the Reimbursement Agreement or additional work to the Reimbursement Agreement, City shall transfer to the appropriate reimbursement account all available funding necessary to reimburse Developer for any of the Work Components identified in the Reimbursement Agreement which are subject to an executed Improvement Agreement, Off-Site Improvement Agreement, or other agreement to construct the Work Components. In accordance with the Reimbursement Agreement Fee Credits, as this term is defined in the Reimbursement Agreement, credits may be applied toward impact fees due or paid, on any property with like kind infrastructure fees, by notice to the City from Reimbursement Agreement identified party, after the City Council accepts the Work component identified in the Reimbursement Agreement. The City and Owner shall cooperate to amend the Reimbursement Agreement to add additional Work components as necessary. Reimbursements and credits will be based on infrastructure category funds such as water, wastewater, roadways, parks, and storm, etc.

Sources for the Reimbursements may include monies from the South ISP, Plan C, RSP, Infill, I-205, Ellis FIP, Master Plans, benefitting properties, and/or other City Impact Fee Funds, Finance Plans, or other funding sources, as identified by the City. Credits shall apply against Impact Fees, which otherwise would be payable by properties to City, and applied as directed in writing to the City by the party identified in the Reimbursement Agreement. Payment of reimbursements by City shall be by check or by wire and payable as per the Reimbursement Agreement. City shall provide Owner a quarterly report indicating the balance of said reimbursement accounts. Administrative costs may apply for enhanced reporting and accounting.

All reimbursements shall be made in full in accordance with the Reimbursement Agreement from funds available at least as often as each City fiscal quarter the City shall release and immediately disburse all funds in any accounts in accordance with the Reimbursement Agreement. The reimbursement agreement will not substantially impair existing reimbursement agreements, or written commitments in effect, as of the date of this amendment. The City represents, warrants and covenants that the funds deposited in infrastructure fund account(s) available for reimbursement shall not be used for any intra-fund transfer without the prior written consent in accordance with the Reimbursement Agreement. Funds in the account shall be deposited in an interest-bearing account and all interest shall be paid in accordance with the Reimbursement Agreement as additional consideration for entering into this Agreement. City shall make all reasonable efforts to provide the "Total Credit and Reimbursement" as of approval of an agreement for the improvement(s) or work, or as soon thereafter as possible. The right to Reimbursement for the improvement(s) or work shall have priority over other improvement projects, or reimbursements. The reimbursement agreement will not substantially impair existing reimbursement agreements, or written commitments in effect as of the date of this amendment.

F. Wastewater treatment capacity needed by Owner which have not yet been provided shall be made available from existing available capacity of the Tracy Waste Water Treatment Plant by determining the capacity requirements of a final map for use of available capacity during the processing of the final map. Owner may participate in additional expansions above for Owner needs by request to the City. The Ellis Initial Capacity shall be applied to the Property according to written directions from Owner to City. In addition to the Ellis Initial Capacity, all property depicted on final maps which are approved by the City shall be served by the existing wastewater treatment capacity. The Ellis Initial Capacity credits shall be applied to the Property according to

written directions from Owner to City. Owner wastewater conveyance needs which have not been met shall be included in the Corral Hollow Conveyance Expansion, or other requisite conveyance system(s) as approved by City, which approval shall not be unreasonably withheld. City shall make available a minimum capacity from the Corral Hollow Conveyance Capacity Phase 1 Expansion (referred to as a choke point at times) for five hundred and fifty (550) residential units whenever needed by Owner for project improvements and/or development until the ultimate Corral Hollow Conveyance Expansion is complete. Owner may use the Eastside sewer conveyance system via a connection through Peony on an interim basis for the first 550 residential units until the ultimate Corral Hollow Conveyance Expansion upgrades are constructed and operational, including the Corral Hollow conveyance system connection to Ellis Town Drive to serve conveyance required by Owner in the Corral Hollow Conveyance System for property subject to this Agreement.

11. Section 3.01(b).4 is deleted.

12. Section 3.01(b).9 shall be deleted from the Development Agreement and the following inserted in its place.

(9) "**Certificate of Occupancy**" shall mean a certificate issued by the City authorizing occupancy of a residential unit.

IN WITNESS WHEREOF, the Parties do hereby agree to the full performance of the terms set forth herein.

"City" **CITY OF TRACY**, a municipal corporation	**"Owner"** **SURLAND COMMUNITIES, LLC**, a California limited liability company
_____	_____
By:	By:

Title: Mayor
Date: _____

By: _____
Les Serpa
Title: _____
Date: _____

Attest:

_____
By:
Title: CITY CLERK
Date: _____

EXHIBIT A

When Recorded return to:

For Recorder's Use Only

AQUATIC PARK TERMS

1.1. Aquatic Park Annual Pass. Members of the EPOA, as property owners within the boundaries of the ECFD, shall receive a pass (pass for annual all access and use at no charge for utilization of all facilities and amenities located within the Aquatic Park 16-acre site for residents of a household at any time (the "Aquatic Center Pass")) for each member's household to the Aquatic Park at Ellis which is within the boundaries of the ECFD. The Commercial Property Owners Association ("CPOA") shall receive a number of Aquatic Center Passes equal to the number of commercial lots, parcels, and condominium units, within the Ellis Storage/Limited Use and Ellis Village Center area which are within the boundaries of the ECFD. The EPOA and CPOA shall, for the benefit of the City, administer the process of annually providing the Aquatic Center Pass and shall keep accurate records of property ownership, lots/parcels/units, and determine eligibility.

1.2. Naming Rights. Serpa Aquatic Park shall be the official and the sole and exclusive name for aquatic park at Ellis. The exclusive imaging elements and permanent signage connected to the aquatic park shall come from the design of the aquatic park which shall have the locations and dimensions generally set forth in the Surland aquatic park design which shall then become Exhibit "A" to this Document shall not change without written agreement of Rights Holder. Permanent signage is defined as any fixed signage that is present for all events, including any digital signage. The cost of the design, installation, implementation and maintenance of such signage shall be paid as a cost of the aquatic park project. Serpa Aquatic Park shall be the exclusive Aquatic Park name for the park, and shall be included in all signage, digital signage, marketing, promotion, websites, apparel, and printed material, and shall have prominence and dominance over any naming or sponsors having a presence inside or outside of the Aquatic Park. Prominence must be present in the embodiment of the park structures and each and every event at the facility. No other signage, or naming shall be placed on any structures, buildings, offsite or onsite signage, or used in digital, or fixed signage without written consent of Rights Holder. The style manual which includes approved artwork for park logos and stylized form of the park name shall be used for all signage, websites, advertising, paper products, tickets, passes, apparel, marketing, print, merchandise inventory, and other items. The Les and Carol Serpa Aquatic Park may also be prominently used throughout the Aquatic Park as generally set forth in Exhibit "A" to this Document and shall not change without written consent of Rights Holder. The Aquatic Park signage locations, size, and style as depicted in Exhibit "A" to this Document shall not change without the consent of Rights Holder. Any signs prepared for gyms, party rooms, event areas, archways and entry gates, or any other signs for the Aquatic Park shall include the official name or logo either in or adjacent to the name of the respective arch or entry. Any apparel, wrist bands, tickets, or other items prepared, given away, used, or sold for the gym, party rooms, events, passes, or any other productions for the Aquatic Park shall include the official name or logo prominently. Aquatic Park official name or logo shall be prominently displayed in and on all design materials, images, illustrations, renderings, site plans, blueprints, animation, video or other depictions that are developed for the Aquatic Park.

1.3. Exclusivity. Other than using the official name, unless approved in writing by Rights Holder, the City will not permit any exterior signage, advertising, or promotion on the aquatic park or, on the grounds surrounding the aquatic park (including the entry, gym, parking lots, driveways and roads approaching and surrounding the aquatic park), either temporary or permanent. The City agrees to provide that any party entering into an agreement with the City to use the aquatic park for any event cannot remove, cover or otherwise obscure the view of any signage, or naming without the written consent of Rights Holder.

1.4. Advertising, Marketing, Events. All advertising, marketing, website, and any other locational information, including event advertising, and promotion by any party shall use the following for identification and naming purposes of the event "Serpa Aquatic Park at Ellis". The name shall be of the same font size as the largest font size in the print, and shall be a minimum of 10% of the total area, or 10% of the total time as applicable.

1.5. Indemnification Against Claims by Third Parties. The City shall defend, indemnify and hold harmless, to the extent permitted by law, Rights Holder from and against any and all claims, damages, causes of action, judgments, liens, losses and costs and liabilities including, without limitation, attorneys, fees and other

litigation expenses arising from the City's acts, omissions or breach of this Document and/or from any litigation, arbitration, hearing, investigation or other proceeding commenced by any third party alleging or arising from claims of wrongful conduct or omission by the City, including, but not limited to, negligence, breach of warranty, and unsafe, hazardous, or defective product or service, except to the extent that such damages, claims, losses and judgments and costs incident thereto are caused by the negligence or intentional misconduct of any party seeking indemnification hereunder. The City shall at all times be insured with liability insurance and such insurance as will provide against claims which may arise from the City's operations of the aquatic park and under this Document.

1.6. Copyrights. Trademarks. Service Marks. Logos and Similar Rights of Serpa Aquatic Park. Serpa Aquatic Park Marks. The parties acknowledge that Rights Holder shall own, and have the responsibility to protect, in the United States, and elsewhere in its sole discretion, the trade name "Serpa Aquatic Park"," Serpa Aquatic Park at Ellis", and all associated trademarks, logos, designs, and service marks (the "Aquatic Park Marks"). Rights Holder hereby grants the City a non-exclusive royalty-free, worldwide license to use the Aquatic Park Marks, subject to the terms provided below, for the purpose of promoting the Aquatic Park. Rights Holder further grants the City the right to sublicense the Aquatic Park Marks as approved from time to time by Rights Holder. Further, all such uses of the Aquatic Park Marks shall be subject to the prior written consent of Rights Holder as to form, copy and content. The City agrees that it will include the name of "Serpa Aquatic Park" and any related logo or trademark for all of the following related to the Aquatic Park, on all of its letterhead, envelopes, invoices, brochures, business cards and shall include the name of the Aquatic Park in its address. The City shall use "Serpa Aquatic Park" when making reference to the aquatic park and no other name shall be used without the written consent of Rights Holder. The City in any and all contracts, agreements, arrangements, writings and communications, entered into or amended after the date of this Document, pertaining in any manner to the Aquatic Park (such as contracts with tenants, lessors, operators, and users, suppliers, clubs, media, advertisers and others) shall refer to, and as a term of such contracts, agreements and/or arrangements shall require all other parties to such contracts, agreements and/or arrangements to refer to the Aquatic Park as, and only as, "Serpa Aquatic Park." All printed materials promulgated by the City which would normally refer to the address or site of the Aquatic Park shall refer to the Aquatic Park as " Serpa Aquatic Park at Ellis." The City agrees to use reasonable efforts to ensure that the name "Serpa Aquatic Park" is (i) used in all communications and media concerning the Aquatic Park; and (ii) used by all media and news organizations. With respect to all events that are specifically created for the Aquatic Park by the City or scheduled or hosted in the Aquatic Park by the City or its affiliates, or lessors during the Term, the City agrees that for all such events the City shall use its best efforts to require that (i) all communications and media concerning the Aquatic Park; (ii) all local media and news organizations; and (iii) all tickets issued by users of the Aquatic Park will refer to the Aquatic Park as "Serpa Aquatic Park at Ellis." In addition, the City shall use its reasonable efforts to require that all advertising by users of the Aquatic Park, including teams, leagues, business, or associations refers to the Aquatic Park as ""Serpa Aquatic Park at Ellis".

1.7. Entire Document; Amendment; Assignment. This Document constitutes the entire agreement and understanding between Rights Holder and the City and supersedes all prior agreements, understandings and representations relating to the subject matter. This Document may only be amended, modified or supplemented by a written agreement between Rights Holder and the City. This Document may not be assigned by either party except with the prior written consent of the other party; provided, however, that

Rights Holder may assign this Document as part of any planning undertaken by Rights Holder for future authorizations related to this Document.

1.8. Right of Use. With respect to all events that are specifically created for the aquatic park by the City or its affiliates, scheduled or hosted by the City or its affiliates, the City agrees that to the extent determined or controlled by the City, Rights Holder, shall have the priority access to purchase, from the City or event promoter at the standard ticket price, tickets to all such events. The location of such tickets shall be on a best available basis. Owner or it's assigns (Rights Holders) shall include a location for a cabana during the design process as selected by Rights Holders, and shall fund costs of the cabana structure for that location, which shall be at all times be reserved for Rights Holders use. Cabana may have food and beverage service for users and guests, arranged through and provided by the Aquatic Park food and beverage purveyor's if arranged for by the cabana without any consequence from City.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective permitted successors and assigns.

EXHIBIT B

APPLICATION FOR RESIDENTIAL GROWTH ALLOTMENTS – GMO
Subsection F.3

Application

Applicant Information

Name: _____Telephone No.: _____

Company: _____

Mailing Address: _____

City/State/Zip Code: _____

Owner Information

Name: _____Telephone No.: _____

Company: _____

Mailing Address: _____

City/State/Zip Code: _____

Tentative Map / Map / RGA Information

Tentative Map or other Map: _____

# of RGA's requested: _____

Applicant's Signature

I, the undersigned, have complied with the requirements of the Development Agreement relevant to this application:

_____ _____
Applicant's Signature Date

APPLICATION FOR RESIDENTIAL GROWTH ALLOTMENTS – GMO
Subsection F.4

Application

Applicant Information

Name: _____Telephone No.: _____

Company: _____

Mailing Address: _____

City/State/Zip Code: _____

Owner Information

Name: _____Telephone No.: _____

Company: _____

Mailing Address: _____

City/State/Zip Code: _____

Tentative Map / Map / RGA Information

Tentative Map or other Map: _____

# of RGA's requested: _____

Applicant's Signature

I, the undersigned, have complied with the requirements of the Development Agreement relevant to this application:

_____ _____
Applicant's Signature Date

When Recorded return to:

EXHIBIT C

For Recorder's Use Only

AGREEMENT FOR DEFFERRAL OF
CERTAIN IMPACT FEES

THIS AGREEMENT is entered into by and between the City of Tracy ("City"), and _____, ("Applicant") on _____ to secure the payment of certain impact fees, which the City has agreed may be deferred until sometime after the filing of the Final Map for this Project and the issuance of building permits.

Recitals

A. Applicant owns the land included on the final map entitled "_____" ("Final Map"), which is to record concurrently with this Agreement for Deferral of Certain Impact Fees ("Agreement") for the project known as _____, ("Project"). New homes will be constructed on the lots created by the Final Map.

B. Applicant has requested a deferral of certain impact fees, which are imposed under Tracy ordinances and resolutions for said Project.

C. City has agreed to defer the payment of such impact fees ("Deferred Impact Fee") until each new home that is constructed on a lot depicted on the Final Map is sold and conveyed to the original homebuyer as evidenced by a completed close of escrow transaction. The impact fees that shall be paid to the City are itemized on a per lot basis on the Deferred Impact Fee Schedule by Lot No. attached as Exhibit "B" ("Deferred Impact Fee"). The Deferred Impact Fee Schedule may be adjusted by mutual consent of the City and Applicant at any time prior to payment in order to account for fee credits or fee adjustments.

D. Applicant shall cause an escrow to be opened with an escrow holder ("Escrow Holder") who is processing the escrow closings for the sale of the new homes in the Project. The Deferred Impact Fee shall be paid to City by the Escrow Holder through the escrow upon the close of escrow of each new home sale in the Project to the original homebuyer.

E. Upon request from Applicant, City shall provide Escrow Holder with a Demand Letter that provides the Deferred Impact Fee for particular lot in the form attached as Exhibit "C" in connection with the sale of a new home to a homebuyer.

F. Upon receipt of Deferred Impact Fee from Escrow Holder, City shall provide Escrow Holder with a Confirmation and Instruction Letter that confirms the Deferred Impact Fee for a particular lot has been received by City and paid in full, in the form attached as Exhibit "A".

NOW, THEREFORE, the parties hereto agree to the following:

1. This Agreement shall be recorded immediately after the recordation of the Final Map

2. Upon completion of the new home on any lot as shown on the Final Map in the Project, the City shall allow Applicant to obtain utility services, including water, sewer, gas and electricity, to the house; but, shall not allow occupancy until the Escrow has closed and the City has received the Deferred Impact Fee, as set forth below.

3. The Applicant shall instruct the Escrow Holder to deduct sufficient funds to pay the Deferred Impact Fee from the sale escrow of a new home to the original buyer and such Deferred Impact Fee shall be wired by the Escrow Holder to the City as a condition of the closing of such escrow and the conveyance of a lot in the Project to the original homebuyer.

4. Upon receipt of said Deferred Impact Fee by the City from the sale of a new home located on a lot shown on the Final Map that is conveyed to the original homebuyer, this Agreement shall be deemed irrevocably released on said lot in the Project without the necessity of a recorded release signed by the City, and Escrow Holder shall remove any and all exceptions or notices on the title or record related to Deferred Impact Fee for said lot. City agrees to promptly execute and record a release of the Agreement, upon request, if necessary to remove the Agreement from the title to a lot.

5. General Provisions.

    5.1 Notices. Notices to the parties shall be in writing and delivered in person, or sent by certified mail, postage prepaid, return receipt requested, to the principal offices of the City and Applicant. Notice shall be effective on the date delivered in person or the date when the postal authorities indicate the mailing was delivered to the address of the receiving party indicated below.

    To Applicant: To City:

    5.2 California Law. This Agreement shall be governed by, and interpreted in accordance with, the laws of the State of California.

5.3 Severability. If any one or more of the provisions of this Agreement is held by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of this Agreement shall not be affected or be impaired in any way.

5.4 Attorneys' Fees. If any party files an action or brings any proceeding against the other party arising out of this Agreement or for the declaration of any rights under this Agreement, the prevailing party shall be entitled to recover from the other parties all costs and expenses, including reasonable attorneys' fees, incurred by the prevailing party as determined by the court.

5.5 Modification. This Agreement cannot be modified in any respect except by a writing signed and entered into by the Applicant and the City.

5.6 Captions. The captions of the paragraphs of this Agreement are inserted for convenience of reference only and do not define, describe or limit the scope of the intent of the Agreement.

IN WITNESS WHEREOF, this Agreement is executed by THE CITY OF TRACY and by APPLICANT.

CITY OF TRACY

By: _____

Its: _____

APPLICANT

By: _____

Its: _____

Approved as to form and legality this
_____ day of _____, 20___ .

City Attorney

_____

Exhibit "A"

Confirmation and Instruction Letter

To: _____ (Escrow Holder)
From: The City of Tracy
Re: Payment of Deferred Fee
Final Map_____, Lot # _____
Address of Property: _____
Your Escrow Number if applicable: _____
Date: _____

Regarding the above referenced escrow, Escrow Holder is directed, pursuant to the provisions of the Agreement of Deferral of Certain Impact Fees, recorded on _____, as Document Number _____ in Official Records of the San Joaquin County Recorder's Office, that the following amount has been collected from the above referenced Lot either directly by the City or from Escrow the sum of $_____, representing the amount of the Deferred Impact Fee ascribable to the above referenced Lot. Such Deferred Fee has been collected and received by the City of Tracy.

Upon the Escrow Holder receipt of this Confirmation and Instruction Letter, the Agreement of Deferral of Certain Impact Fees shall be deemed irrevocably released on said lot in the Project with this letter considered a release signed and authorized by the City, which may be recorded.

City of Tracy

By: _____

Its: _____

Exhibit “B”

Deferred Fee Schedule

By Lot No.

Exhibit "C"

Demand Letter

To: _____ (Escrow Holder)

From: The City of Tracy

Re: Payment of Deferred Fee

Final Map _____ Lot # _____
Address of Property: _____
Your Escrow Number: _____

Date: _____

Regarding the above referenced escrow, you are directed, pursuant to the provisions of the Agreement of Deferral of Certain Impact Fees, recorded on _____, as Document Number _____ in Official Records of the San Joaquin County Recorder's Office, to collect from the above referenced Escrow the sum of $_____, representing the amount of the Deferred Impact Fee allocated to the above referenced Lot. Such Deferred Fee shall be collected at the closing the escrow and wired to the City of Tracy as follows:

Wiring Instructions.

Upon the City of Tracy's receipt of such Deferred Impact Fee, the Agreement of Deferral of Certain Impact Fees shall be deemed irrevocably released on said lot in the Project without the necessity of a recorded release signed by the City.

City of Tracy

By: _____

Its: _____

EXHIBIT D

SWIM CENTER

DESIGN, FUNDING, AND CONSTRUCTION AGREEMENT

By and Between the

CITY OF TRACY,

a municipal corporation and

SURLAND COMMUNITIES, LLC

Effective Date: _____, 20__

SWIM CENTER

AGREEMENT

This Swim Center Acquisition Agreement ("Agreement") is made by and between the CITY OF TRACY, a municipal corporation ("City"), and SURLAND COMMUNITIES, LLC ("Owner") (City and Owner are collectively referred to as "Parties") and is effective as of _____, 20___.

RECITALS

A. The Ellis Specific Plan identifies an approximately 1 6 acre (the "Property") within the plan for an Swim Center.

B. On December _____, 20____, the City Council approved and adopted a development agreement amendment which includes the Property (the "DA").

C. The DA obligates Owner to retain and compensate consultants, and contractors for the design and construction of a Swim Center ("Swim Center") on the Property, and requires Owner and the City to execute this Agreement to provide for and memorialize the Parties' obligations with regard to site acquisition, design, and construction of the Swim Center. This Agreement intends to provide the method by which Owner will perform this obligation but does not intend to expand or change the Owner obligation as presented in the amendment to the Development Agreement. The City acknowledges that Owner is not a licensed contractor and therefore in performing the obligations of this Agreement Owner shall retain the services of license contractor as required by law.

AGREEMENT

Based upon the foregoing Recitals, which are incorporated herein as provisions of this Agreement by this reference, and in consideration of the covenants and promises of the City and Owner contained in this Agreement, the Parties agree to perform each of their respective obligations in a timely manner.

SECTION 1 -Definitions

"Affiliate" means (i) an entity that, directly or indirectly, controls, is controlled by, or is under common control with, Owner; or (ii) an entity in which Owner directly or indirectly owns at least a twenty-five percent (25%) interest.

"City" means the City of Tracy, acting through its City Council, officers, employees, and authorized representatives.

"City Engineer" means the City Engineer for the City of Tracy or authorized delegee.

"Construction Contract" means the contract between Owner and Owner's contractor(s) for all of the Work (as defined below) required to construct the Swim Center as designed, including all

services required to be provided by or customarily provided by or under the direction of a licensed general contractor.

"Construction Contract Price" means the total amount of contractors Construction Contract(s).

"Construction Documents" means the design and construction documents, including the Construction Contract and all drawings, specifications, and schematic plans prepared pursuant to the RFP (as defined below), if Owner elects to follow the RFP process, and consistent with all applicable local, state, and federal laws, ordinances, policies, and regulations.

"Development Agreement" or "DA" is defined in Recital B.

"Final Acceptance" means that, following Final Completion, the City has received Owner's irrevocable offer of dedication for the Swim Center Site and all improvements thereon, and the City Council has formally accepted the Work by resolution.

"Final Completion" means that the City Engineer and City Building Official have determined that the Work has been fully completed in accordance with the Construction Documents and this Agreement, including all Punch List items, and title to the Swim Center Site is free and clear of all construction liens and encumbrances, unless otherwise assumed by City.

"Site" is defined as the real property selected by the City Council for this project.

"Swim Center" is defined in Recital C and in the Ellis Specific Plan.

"Swim Center Site" means the Site for the Swim Center that is owned by or under contract to purchase by Owner or Owner's affiliate until City's acquisition at Final Acceptance, and is further described in Section 3.

"Request for Proposal" or "RFP" means Owner's optional "Request for Proposals for Consultant Services" related to design, architectural, and other consultant services, including construction of the Swim Center.

"Total Cost" means all costs, including, but not limited to, costs of design, architectural, consultants, engineering, plan checking, land preparation, utilities installation, project management and overhead, applicable governmental fees, materials, labor, and construction. The Total Cost includes the cost of the land, whether currently owned by Owner or acquired from a third party, at a cost of $210,000 per acre.

"Work" means all of the design and construction services necessary or incidental to completing the Swim Center in conformance with the requirements of the DA, this Agreement, and the Construction Documents.

SECTION 2 – City Site Selection

Pursuant to the DA and Section 2 of this Agreement, the City has selected the Site for the Swim Center. The Site shall be in the location, and as described in the offer

of dedication. Owner shall own or acquire the Site selected by the City, and the City shall not own the Swim Center Site until Final Acceptance.

SECTION 3 – City Approval of Plans and Construction Documents

Within sixty (60) days after the Development Agreement Amendment is Effective, the Specific Plan is approved and the Owner-Tracy Swim Center construction agreement is executed, then Owner and City representatives shall meet to establish joint timelines and milestones for event 3) and event 4): 1) Owner presenting a final conceptual plan for the Swim Center to the City for City review and approval on or before April 30, 2018; 2) a community groundbreaking ceremony on or before September 30, 2018; 3) After the City has approved all necessary design, plans and construction documents, Owner bid out and enter into a construction contract; and, 4) Owner completing the construction according to the construction documents and this document.

Before Owner starts preparing construction improvement plans the City Council shall approve a final conceptual plan, and a list of design, construction and/or improvements that Owner shall cause to be designed and/or constructed. If, after the City Council approves a final conceptual plan, it decides to modify the plan or add additional features or amenities then all direct and indirect costs of changing the conceptual plan or any design or construction plans relying on the original conceptual plan shall be additive funding provided by the City above the initial Swim Center funding and within the time periods specified herein. To insure the Swim Center is completed with available funds the project may be bid with a base bid, and with bid alternatives, depending on available funds bid alternates may or may not be awarded. City shall promptly approve the Construction Documents, including all design plans, drawings, and specifications. The Construction Documents must include an estimated Construction Contract Price, and must comply with the following:

1. California Building Code; and
2. Applicable Law

SECTION 4 – Schedule

A. General Surety Requirements

Each bond must be issued by a surety admitted in California. If an issuing surety cancels the bond or becomes insolvent, within seven days following written notice from City, Owner must substitute a surety reasonably acceptable to City.

B. Required Bonds

1. Faithful Performance Bond

To secure faithful performance of this Agreement each contractor not covered by a bond for the project shall provide a faithful performance bond in the amount of the work provided, a performance bond shall be provided to the City in the amount of the

Construction Contract Price prior to commencement of construction. The bond must be in the form required by Government Code sections 66499 through 66499.10.

2. Warranty Bond

As a condition precedent to City's Final Acceptance of the Swim Center, a warranty bond must be provided in the amount of 10% of the final Construction Contract Price of the Swim Center, as a full guarantee for one year of Work following Final Acceptance.

Bonds and insurance shall be purchased from the Owner's Contribution funds, funds contributed by the City for the project, or paid for by the contractor.

SECTION 5 – Construction

A. Owner's Obligation to Cause to Construct

Owner shall cause to be constructed the Swim Center in conformance with the Construction Documents to Final Completion.

B. Owner's Swim Center Contribution

Owner's maximum financial obligation regarding the Swim Center is Ten Million Dollars ($10,000,000.00) ("Owner's Contribution") for the Total Cost. Previously Owner has provided Two Million Dollars of a Ten Million Dollar contribution to the City for the Swim Center. City shall cause the Two Million Dollars initial contribution to be applied to the Owner's design and construction activities in accordance with Exhibit "A", including but not limited to reimbursing Owner for all of Owner's design activity expenses undertaken prior to executing this Agreement, subject to Owner providing City true and correct copies of invoices for the work performed or, at the discretion of Owner, the City shall treat the expense of all of Owner's design activities as credits against development fees. After the Two Million Dollar initial contribution is applied to the Eight Million future contribution then the remaining obligation shall be satisfied in full by Owner facilitating Swim Center design and construction of improvements equal to Ten Million Dollars in costs incurred by Owner. In anticipation of this agreement and at the City's request, the Owner retained consultants prior to approving and executing this agreement or the amendment to the Development Agreement, and funds expended by the Owner prior to this agreement or the amendment to the Development Agreement being executed shall be eligible for reimbursement or credits.

C. City's Obligation for Costs over Owner's Contribution

The City shall provide funding for the Swim Center in an amount equal to Thirty-Five Million Dollars with a supplementary contingency amount of twenty percent of the total estimated costs of Forty-Five Million Dollars (Swim Center Funding). This additional construction of approved plans, which shall take into account the total Swim Center Funding, shall represent Owner's entire obligation to facilitate design and construction improvements for the Swim Center improvements and once the additional agreed upon improvements are constructed the Owner's obligation to facilitate design and construction improvements for the Swim Center under this agreement automatically terminates. Owner shall have no obligation to advance funds above the Owner's Contribution to continue or complete the Swim Center and upon reaching the amount of Owner's Contribution if City fails to fund its share, Owner shall be conclusively deemed to have satisfied its obligation under this agreement and the Development Agreement. City shall pay in full all requested invoiced payments to Owner or Contractor within thirty (30) days of the portion of the Work completion from city Swim Center funding.

D. Change Orders

Change orders which include costs of more than 10% of the construction contingency shall require the City Manager's or his/her designee's approval, which shall not be unreasonably withheld or delayed. Change orders which include costs 10% or less of the construction contingency shall require the Assistant City Manager's or his/her designee's approval, which shall not be unreasonably withheld or delayed.

E. Prevailing Wages

Each worker performing Work under this Agreement that is covered under Labor Code section 1720 or 1720.9, including cleanup of the construction site, must be paid at a rate not less than the prevailing wage as defined in sections 1771 and 1774 of the Labor Code.

F. Payroll Records

At all times during performance of this Agreement, Owner's contractor must comply with the provisions of Labor Code section 1776 and 1812 and all implementing regulations, which are fully incorporated by this reference, including requirements for electronic submission of payroll records.

G. Insurance

Prior to the commencement of construction, the Owner shall furnish or cause to be furnished evidence to the City that all of the following insurance requirements have been satisfied:

1. General Requirements

The Owner shall or shall cause its agents or contractors to maintain insurance to cover Owner, its agents, representatives, contractors, subcontractors, and employees in connection with the performance of services under this Agreement at the minimum levels set forth herein.

2. Policies and Limits

(a) Commercial General Liability Insurance ("CGL"): A CGL policy (with coverage at least as broad as ISO form CG 00 01 01 96) in an amount not less than $3,000,000 general aggregate and $1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

(b) Automobile Liability Insurance: An automobile policy (with coverage at least as broad as ISO form CA 00 01 07 97, for "any auto") in an amount not less than $1,000,000 per accident for bodily injury and property damage.

(c) Workers' Compensation Insurance and Employer's Liability: As required by the State of California.

3. Required Endorsements

The automobile and commercial general liability policies shall contain endorsements with the following provisions:

(a) The City (including its elected and appointed officials, officers, employees, agents, and volunteers) shall be named as an additional "insured."

(b) For any claims related to this Agreement, the required coverage shall be primary insurance with respect to the City. Any insurance maintained by the City shall be excess of the Owner's (or contractor or agent, if provided by them) insurance and shall not contribute with it.

4. Notice of Cancellation

All insurance policies required hereby shall contain endorsements by which each insurer is required to provide thirty (30) days prior written notice to the City should the policy be canceled before the expiration date. For the purpose of this notice requirement, any material change in the policy prior to the expiration shall be considered a cancellation.

5. Authorized Insurers

All insurance companies providing coverage required by this Agreement shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

6. Insurance Certificate

Owner (or its agent or contractor) shall provide evidence of compliance with the insurance requirements listed above by providing a certificate of insurance, in a form satisfactory to the City Attorney.

7. Substitution of Certificates

No later than thirty (30) days prior to the policy expiration date of any insurance policy required by this Agreement, Owner (or agent contractor) shall provide a substitute certificate of insurance.

8. Owner's Obligation

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

SECTION 6: Inspection and Final Completion

A. Inspection and Oversight

The City may perform daily field inspections of the construction in progress, during regular business hours, as required to assure that the construction is in accordance with the requirements of this Agreement. All inspections shall be coordinated with Owner's designee with at least 24 hours advance written notice and the City inspection team shall be accompanied by Owner's designee at all times when on Site. In order to permit the City to inspect the Work, the Owner shall, at all times, provide to the City proper and safe access to the site, and all portions of the Work, and to all shops wherein portions of the Work are in preparation. The City shall receive copies of materials quality tests required to assure that the quality meets the construction plans requirements, and may require inspection or any re-testing which may be necessary. The City will perform a final inspection of the Work and prepare an inspection report, setting forth any deficiencies from the Construction Documents that may exist (the "Punch List"). Prior to determining that Owner has achieved Final Completion, as described below, the City may re-inspect any corrective work performed by Owner and the as-built construction plans and records to insure the Punch List has been completed.

B. Final Completion

The City shall certify that Owner has achieved Final Completion when both the City Engineer and City Building Official have determined that the Work is fully completed in accordance with the Construction Documents and this Agreement. Final Completion cannot be achieved until Owner has completed all Punch List items and provided all required submittals, including any contractor warranty, and as-built drawings, to City's satisfaction. After Final Completion has occurred, the City Engineer will recommend Final Acceptance to the City Council. Upon request by Owner City shall provide a Punch List within fifteen days, and once the work from the Punch List provided is complete City shall certify that Owner has achieved Final Completion.

SECTION 7: Dedication and Acceptance

Final Acceptance by the City Council will not be made unless and until a final inspection and determination of Final Completion has been made by the City Engineer and City Building Official in accordance with Section 5.B above, and Owner has submitted to the City an irrevocable offer of dedication for the Swim Center Site with improvements from Owner and evidence that the title to the Swim Center Site is free of all construction liens and encumbrances. Upon recommendation of the City Engineer, the City Council shall formally accept the Work by resolution.

SECTION 8: Warranties and Fee Credits

A. Correction of Defective Work During the Warranty Period

The Contractor(s) shall warrant the quality of the Work, in accordance with the terms of the plans and Construction Documents, for a period of one year after Final Acceptance of the Work by the City Council. In the event that (during the one-year warranty period) any portion of the Work is determined by the City Engineer, or if requested validated by a 3rd party agreed upon by Contractor and City to be defective, the City shall notify Owner of the defect and the Owner shall begin facilitation of the correction of the defect within ten (10) days of receiving notice of the defect from the City. If the defect cannot be corrected within 30 days, Owner shall have such time as is necessary to correct the defect, provided that Owner has timely caused the correction to begin and the contractor is diligently continuing the work necessary to correct the defect. If Owner fails to have the contractor begin the work to correct the defect within 60 days of receiving such notice, or fails to diligently have the contractor continue such work, as reasonably determined by the City, City may take actions as necessary to complete the Work using the Warranty Bond. Pursuant to Section 4.B.3 of this Agreement, Contractor's must provide City with a warranty bond as a condition precedent to Final Acceptance.

SECTION 9: Indemnity

To the fullest extent permitted by law, Owner must indemnify, defend, and hold harmless the City, its agents and consultants (individually, an "Indemnitee," and collectively the "Indemnitees") from and against any and all liability, loss, damage, claims, expenses (including, without limitation, attorney fees, expert witness fees, paralegal fees, and fees and costs of litigation or arbitration) (collectively, "Liability") of every nature arising out of or in connection with acts or omissions of Owner, its employees, subcontractors, representatives, or agents, in bidding or performing the Work or its failure to comply with any of its obligations under the Agreement, except such Liability caused by the active and sole negligence, or willful misconduct, of an Indemnitee. Owner's failure or refusal to timely accept a tender of defense pursuant to this provision will be deemed a material breach of this Agreement. Upon Final Acceptance to the fullest extent permitted by law, City must indemnify, defend, and hold harmless the Owner, its agents and consultants (individually, an "Indemnitee," and collectively the "Indemnitees") from and against any and all liability, loss, damage, claims, expenses (including, without limitation, attorney fees, expert witness fees, paralegal fees, and fees and costs of litigation or arbitration) (collectively, "Liability") of every nature arising out of or in connection with acts or omissions of City, its employees, subcontractors, representatives, or agents, in bidding or performing the Work or its failure to comply with any of its obligations under the Agreement, except such Liability caused by the active and sole negligence, or willful misconduct, of an Indemnitee. Cities failure or refusal to timely accept a tender of defense pursuant to this provision will be deemed a material breach of this Agreement.

SECTION 10: Miscellaneous Provisions

A. Integration; Severability

This Agreement, the DA, and the Construction Documents incorporated herein, including authorized amendments or change orders thereto, constitute the final, complete, and exclusive terms of the agreement between City and Owner. If any provision of this Agreement, or portion of a provision, is determined to be illegal, invalid, or unenforceable, the remaining provisions will remain in full force and effect.

B. Amendment

No amendment or modification of this Agreement will be binding unless it is in a writing duly authorized and signed by the parties to this Agreement, and unless any such amendment conforms to the requirements of the DA, as that document may be amended.

C. Governing Law and Venue

This Agreement will be governed by California law and venue will be in the Superior Court of San Joaquin County, and no other place.

D. Assignment and Successors

Owner may not assign its rights or obligations under this Agreement, in part or in whole, without City's written consent and without simultaneous assignment of its rights and obligations under the DA. Notwithstanding the foregoing, Owner may assign its obligations hereunder to an Affiliate, provided that any such assignment shall not release Owner from responsibility for ensuring that the assigned obligations are satisfied, and Owner shall remain liable to the City for any and all failures by any assignee to fully perform all obligations under this Agreement, such that a failure by an assignee to fully perform an obligation under this Agreement shall constitute a default by Owner.

E. Notice

Any notice given pursuant to this Agreement must be made in writing, and sent to the other party by personal delivery, U.S. Mail, a reliable overnight delivery service, facsimile, or by email. Notice shall be deemed to have been given and received on the first to occur of: (i) actual receipt at the address designated above, or (ii) two working days following the deposit in the United States Mail of registered or certified mail, sent to the address designated below. Notice for each party must be given as follows:

City:

City Manager
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
Telephone No.: (209) 831-6400

Facsimile
No.: (209)
831-6439

With copy to:

City Attorney
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
Telephone No.: (209) 831-6130
Facsimile No.: (209) 831-6137

Owner:

Surland Communities
1024 Central Avenue
Tracy, CA 95376
Attention Les Serpa
Telephone No.: (209) 832-7000
Facsimile No.: (209) 833-9700

With copy to:

Herum Crabtree
5757 Pacific Avenue, Suite 222
Stockton, California 95207
Attention: Steve Herum
Telephone: (209) 472-7700
Facsimile: (209) 472-7986

F. Default

1. General

In the event that the Owner is in a material default of this Agreement, as defined in this section, the City Engineer shall provide written notice to the Owner in which the default is described.

2. Default Defined

The Owner shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:

(a) The Owner is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

(b) The Owner abandons the Work for a continuous period of thirty (30) days that is not due to weather conditions, labor disputes, acts of God, lack of city funding, or other circumstances beyond the control of Owner,

(c) The Owner fails to perform one or more requirements of this Agreement.

(d) The Owner fails to remedy any loss or damage incurred by the City caused by Owner or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work in instance where Owner does not dispute that it is responsible for the loss or damage.

(e) The Owner violates any legal requirement related to the Work.

3. Cure

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

(a) Cure the default.

(b) Demand the Owner to complete performance of the Work.

G. Independent Contractor Status

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

H. Attorneys' Fees

In the event any legal action is commenced to enforce this Agreement, the prevailing Party is entitled to reasonable attorney's fees, costs, and expenses incurred.

I. Waiver

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

J. Signatures

The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Owner and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

[SIGNATURE PAGE FOLLOWS]

"City"
CITY OF TRACY, a municipal corporation

_____
By:
Title: _____
Date: _____

Attest:

_____
By:
Title: CITY CLERK
Date: _____

"Owner"
SURLAND COMMUNITIES, LLC, a California limited liability company

_____
By:

By: _____
Les Serpa
Title: _____
Date: _____

Attachment B

Robert Mehlhaff

Law Offices Of
ROBERT MEHLHAFF
4600 S. Tracy Blvd., Ste. 114
PO Box 1129
Tracy, CA 95378-1129

Telephone: (209) 835-3232
Facsimile: (209) 835-7251

December 18, 2017

RECEIVED
DEC 18 2017
CITY OF TRACY
DEVELOPMENT SERVICES

Mayor Robert Rickman
Mayor Pro Tem Veronica Vargas
Council Members Nancy Young,
Rhodesia Ransom, Juana L. Dement

and

Planning Commissioners Robert Tanner, Jacy Krogh,
Jass Sangha, Albert Hudson and Joseph Orcutt

and

City Manager and
City Attorney

333 Civic Center Plaza
Tracy, CA 95376

re: Proposed Second Amendment to Amended and Restated Development Agreement
By and Between the City of Tracy and Surland Communities, LLC

Planning Commission Agenda Item IA-2,
December 20, 2017 Planning Commission Meeting

Ladies and Gentlemen,

I represent Maninder Sandhu, and related partnerships and corporate entities which own lands within the City of Tracy, within its approved specific plans and within its sphere of influence.

I am writing to urge that the Planning Commission and, if necessary, the City Council DENY the proposed second amendment to the Development Agreement referenced above.

The proposed amendment violates both the "first come first served" principles and the "proportional" allocation of unused RGAs as contained in paragraphs F.1 through F.8 of the Growth Management Guidelines

It "vests" and allocates RGAs that exceed the RGAs to which the Ellis Project is entitled to other projects that Surland Communities, LLC may add to the development agreement, contrary to the provisions of the Growth Management Ordinance and the Growth Management Guidelines, and does so before any EIR is done or considered on such additional project. It therefore arbitrarily

and capriciously discriminates in favor of this particular developer and against other developers in violation of the latters' rights, and deprives the latter developers of equal protection of the law.

By assuring this developer such "excess" RGAs, to which the Ellis Project is not entitled because the number of proposed residences within that project does not come close to the 2,250 allocations, it effectively grants to Surland Communities and to Tracy Hills, under paragraph F.4 of the Growth Management Guidelines, a monopoly. No "Other Development" will effectively be eligible for RGAs for their projects.

Please be advised that if the proposed amendment is adopted by the City of Tracy, litigation will ensue to invalidate your actions, and my clients will seek redress of their rights and damages for the decrease in the value of their property by inverse condemnation.

Sincerely yours,

Robert Mehlhaff

COX CASTLE NICHOLSON

Cox, Castle & Nicholson LLP
50 California Street, Suite 3200
San Francisco, California 94111
P: 415.262.5100 F: 415.262.5199
Christian H. Cebrian
415.262.5123
ccebrian@coxcastle.com

File No. 099999

December 19, 2017

VIA E-MAIL

Members of the Planning Commission
City of Tracy
333 Civic Center Plaza
Tracy, CA 95376
cityclerk@cityoftracy.org
des@cityoftracy.org

Re: Agenda Item 1.A.2 (Amendment to Surland Communities Development Agreement)

Dear Members of the Planning Commission:

My firm represents Tom Grewal, an area landowner. In a separate letter, Mr. Mehlhaff, on behalf of Mr. Sandhu, has identified several infirmities in the proposed amendment to the development agreement between the City of Tracy and Surland Communities, LLC. Mr. Grewal shares Mr. Sandhu's concerns regarding the development agreement amendment allowing Residential Growth Allocations to be transferred outside of the Ellis Specific Plan area to the detriment of other Tracy landowners. Mr. Grewal also objects to the amendment for the reasons stated more fully below.

Section 1.07(f) states in part:

> " . . . the City represents and warrants that during the duration of this Development Agreement . . . it shall not grant RGAs [Residential Growth Allotments] to another person or entity through a development agreement and shall not expand the currant boundaries of the Primary Area and Other Projects Area, if Owner's right to obtain RGAs under this Agreement may be directly or indirectly prohibited, restricted or impaired."

Section 1.07 would appear to prohibit the City from amending its growth policies in the future as they may apply to third-parties. It would also appear to require the City to deny third-parties' applications for RGAs under certain circumstances.

There are procedural due process issues raised when the fate an application by a third-party is decided by a contract that it is not a party to. In any event, "[i]t is settled that a government entity may not contract away its right to exercise the police power in the future . . .

[and a] contract that purports to do so is invalid as against public policy." *Cotta v. City and County of San Francisco* (2007) 157 Cal.App.4th 1550, 1557-1558. For example, in *County Mobilehome Positive Action Com., Inc. v. County of San Diego* (1998) 62 Cal.App.4th 727, 736–739, an ordinance and agreement with certain mobilehome park owners constituted a contractual agreement by the county to not enact rent control legislation for 15 years against the properties owned by the parties to the agreement. The court held that the ordinance was facially unconstitutional and the accord was invalid because, together, they represented an express attempt by the county to surrender or bargain away its control of police power. *Id.* at p. 741.

Though a development agreement may lawfully vest a project in development rights by freezing the land use regulations applicable to that project (*see e.g., Santa Margarita Area Residents Together v. San Luis Obispo County* (2000) 84 Cal.App.4th 221), to our knowledge, no case has held that a development agreement may be used to disapprove third-party applications or to prohibit a City amending its own code or guidelines as they may apply to third-party properties. Such a use of a development agreement would not be a legitimate exercise of governmental police power in the public interest, but would instead be a surrender of the police power to a special interest – Surland Communities, LLC. Although Surland Communities may obtain certainty in its own development rights through a development agreement, it may not do so by predetermining the rights of third-parties or by restricting the City from amending its own policies or ordinances applicable to other properties.

The staff report states that the City would rely on an addendum to the Ellis Project Environmental Impact Report. However, that addendum does not address the potential indirect impacts of the development agreement amendment providing entitlements for property to be acquired by Surland Communities. For example, Mr. Mehlhaff noted that the amendment would result in the inability of properties within the Other Projects Area from obtaining RJAs. As recognized by the California Supreme Court, such displaced development is a potential environmental impact and must be studied under CEQA. *See Muzzy Ranch Co. v. Solano County Airport Land Use Commission* (2007) 41 Cal.4th 372, 383. The addendum's failure to address this potential impact renders the amendment's CEQA review inadequate.

The amendment in its current form is unacceptable. By permitting Surland Communities to transfer its RGAs under the existing development agreement to later acquired properties, the development potential of our client's properties will be severely impacted. The amendment accomplishes this monopolization of development rights through an unlawful

surrender of the police power and by infringing on the due process rights of other landowners. Simply put, if the City continues to process the amendment, it will be exposing itself to unnecessary litigation risk. Mr. Grewal requests that the Planning Commission recommend that the City Council deny Application DA 16-0001.

Sincerely,

Christian H. Cebrian

Cc: Mayor and Members of the City Council, council@cityoftracy.org
City Manager, cm@cityoftracy.org
City Attorney, attorney@cityoftracy.org

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December 28, 2017



Honorable Mayor, Members of the City Council
& Planning Commission
City of Tracy
City Hall
333 Civic Center Plaza
Tracy, CA 95376

Re: My Client: Michael Sandhu
Amendment of Development Agreement with Surland Communities, LLC.

Honorable Mayor, Members of the City Council, and Members of the Planning Commission:

I have been retained by Michael Sandhu concerning Surland Communities, LLC ("Surland") and the Ellis project and Development Agreements.

The purpose of this letter is to communicate to the City, Council and Planning Commission that the proposed Amendment to the Development Agreement with Surland ("2017 DA") is a violation of the Statement of Decision and Judgment both entered in San Joaquin County Superior Court, Case No. 39-2009-00211854-CU-WM-STK in 2011. Surland is inviting the City to amend the Development Agreement back into the Development Agreement ("2008 DA") invalidated by San Joaquin County Superior Court Judge Holland in 2011.

Surland consented to the consideration of an amendment to the most recent in a long history of approved, invalided, amended, restated and tolled Development Agreements being dropped from Planning Commission consideration on December 20, 2017. The Council and Commission need to be aware that they were being asked to enter into an Amended Development Agreement, the terms of which have already been determined to be a violation of California law. The Council and Commission may in the future be again requested to violate the Government Code on behalf of this project.

A copy of the Statement of Decision by Judge Holland filed on October 31, 2011, is attached as Exhibit A to this letter. The section dealing with the 2008 Surland

Development Agreement is on pages 5 and 6, and pages 8 to 15. The City was ordered to "Vacate and Set Aside the Development Agreement". (Statement of Decision, pg. 40).

A copy of the "Judgment Granting Preemptory Writ of Mandate" ("Judgment") filed on October 31, 2011, is attached as Exhibit B. In that Judgment "The court finds the Development Agreement ("DA") does not comply with Government Code Sections 65865(b) and 65865.2 and is therefore void." (Judgment at 2:27-28).

The history of the Development Agreements in this case is contained in Judge Holland's Statement of Decision. The original proposed 2008 DA allocated to Surland 3,850 RGAs. Surland was to pay $20 million and dedicate 21 acres to the City. (Statement of Decision at 7:22-28).

As a result of Planning Commission concerns, the 2008 DA was changed and obligated Surland to pay $10 million toward future development of a swim center, offer to dedicate 16 acres for a swim center and the term was shortened from 30 to 25 years. (Statement of Decision at 7:22-28, 5:11-16). The 2008 DA provided Surland with the right to develop consistent with the laws in effect in **2008**. (Statement of Decision at 5:17-21). The 2,250 RGAs represented the maximum number of units that could be built at Ellis thereby providing the certainty of surplus RGAs.

On December 16, 2008, the City Council approved the 2008 DA. (Statement of Decision at 8:1-6).

TRAQC challenged the 2008 DA contending "...The approved Development Agreement violates Government Code Section 65865(a) because Surland does not have legal or equitable title in the real property to be developed, and because **the Development Agreement is not associated with any project, parcel or real property.**" (Statement of Decision at 8:15-18).

On October 31, 2011, the court determined "...**the DA in this case is not tethered to any specifically identified property or project**." (Statement of Decision at 12:9-12). The court ordered the City to vacate and set aside the 2008 DA.

In December 2011, Surland filed applications for an amendment and restatement of the invalided 2008 DA.

On September 17, 2013, the City recorded the "Amended and Restated Development Agreement by and Between the City of Tracy and Surland Communities LLC." ("2011 DA"). The 2011 DA provided for Surland to pay $2 million within 60 days of annexation and no later than 3 years later an additional $8 million dollars. Most importantly, it provided that "City and Owner agree that the RGAs allocated under this Agreement **apply only to the Property and may not be applied or transferred to any other property.**" (Amended and Restated DA at 16). This limitation of use of the RGAs to the Ellis Specific Plan ("ESP") was intended by the City to prevent RGAs and vested rights (Super RGAs) being allocated to other properties and comply with the Statement of Decision and Judgment.

This is where City Staff in its most recent starts its history. As the December 20, 2017 Planning Commission Staff Report states that in May 2014 the DA was amended to provide funding in two payments. ("2014 DA").

On September 15, 2014, Surland made the first payment of $2 million dollars. The second payment was due on September 15, 2015.

The City and Surland entered into several tolling agreements tolled the payment. Surland has never made the $8 million payment originally promised in 2008 as part of the $10 million even though Surland is building houses in Ellis today. No swim center has been constructed. The 16 acres has not been dedicated to the City. Surland has been able to obtain approvals and commence building by paying only $2 million dollars, not building a swim center and not dedicating the 16 acres, nothing when it originally offered $20 million and 21 acres. This reflects an amazing accomplishment by the developer and an equally amazing failure by the City. The parents who stood before the Planning Commission and City Council in 2008 viewing watercolor renditions of a swim center with their young children and who were promised it would be built immediately have seen those children grow up and graduate from high school.

On August 16, 2016, the City Council apparently approved Surland's request to negotiate an amendment to the DA and extended the deadline for the $8 million payment.

On August 15, 2017, the City Council approved the Second Tolling Agreement extending the due date for the payment of the $8 million dollars to December 5, 2017.

According to City staff a third tolling agreement in November 2017 extended the deadline for payment of the $8 million to April 4, 2018.

The Amendment to the Development Agreement ("2017 DA") proposed to be presented to the Planning Commission has circled back to incorporate the invalided provisions of the 2008 DA. (See Section 1.07, pgs. 10-19). It adds back the language that made the 2008 DA invalid:

> "This amendment is designed **to permit additional property to be added to and incorporated in to the Development Agreement** and therefore become Property of the Development Agreement, and Owner may apply for RGAs for Projects and home builders within the Property (whether or not annexed to the ESP) area." (2016 DA pg. 12).

Surland and City Staff apparently believe that if they just let 6 years pass from Judge Holland's Statement of Decision and Judgment they can quietly return and approval a 2017 DA containing provisions already determined to be invalid in the 2008 DA.

If the City adopts any DA, such as the one proposed on December 20, 2017, Mr. Sandhu will challenge that DA and it will be set aside. He will certainly be awarded his

costs and fees in light of the City's clear attempt to adopt a DA already determined to be void and invalid. Adopting the 2017 DA may also be a contempt of court since it is a violation of a court order.

The City has already deferred the $8 million, which should have been paid in 2009 had a valid DA been adopted in 2008. This delay to April 2018 is a delay of approximately 10 years. It will be paid at the earliest after homes have been constructed on Ellis and the children who stood before the Council in 2008 demanding a pool immediately are gone.

Setting aside the fact that the 2017 DA violates Judge Holland's Judgment and Order, as to the substance of the 2017 DA, it provides no benefit to the City and is nothing more than a series of concessions and gifts to Surland. There is no evidence to support the finding of any benefit to the City. Some of the major concessions to Surland are:

(1) The 2017 DA language appears to allow Surland to avoid paying the balance of the $10 million dollars at all in exchange for services some of which are reimbursed. The language is confusing and ambiguous:

"Previously Owner has provided "Two Million Dollars of a Ten Million Dollar Contribution to the City for the Swim Center. City, in a manner consistent with the performance, funding and construction agreement mentioned subsequently, shall cause the Two Million Dollars initial contribution to be applied to the Owner's design and construction activities. After the Two million dollar **contribution is applied to the Eight Million future contribution** the remaining obligation shall be satisfied in full by Owner providing Swim Center Design and construction improvements equal to Ten Million Dollars in costs incurred by Owner." (2017 DA pg. 6).

This language is confusing in that the $2 million would not be applied to the $8 million leaving a balance of $6 million dollars. It is unknown what this means as it is inconsistent with other provisions of the 2017 DA.

If this and the other provisions are intended to mean that Surland could provide services in lieu of any part of the remaining $8 million due on April 4, 2018, Surland will have gone from an offer of $20 million and 21 acres to build a swim center, to only $2 million, services for which it will be in part reimbursed and possibly dedicating 16 acres. For example, Surland receives credits against the $8 million for consultants to design the swim center. (2017 DA, pg. 5-6). This is an amazing series of concessions to Surland which will have bought vested rights to 2,250 RGAs and commenced construction for a mere $2 million having delivered NO swim center.

(2) The City allows the already too low dedication of parkland to be further increased by allowing Surland credit against its park land dedication requirements in other unidentified properties to be added to the DA. This means that further developments who have no right to use the swim center at no cost annually will not get parks and adequate open space in their communities because a pay-to-play swim center

was built in another part of Tracy. It is also a repeat of the same violation that invalidated the DA in the first place: applying benefits of this DA, in this case park credits, to unidentified property. (2017 DA pg. 8).

(3) The 2017 DA does not allow the City to build the swim center at another location, which the council discussed, or sell the real property. The 2017 DA places the City in the position of having to build a swim center at Ellis by expending $35,000,000 or give the property back to Surland for development. (2017 DA pg. 9). The City may have placed itself in a position where it cannot build the swim center or accept the dedication of the 16 acres, and the proposed 2017 DA makes this situation worse.

(4) Surland is allowed to prevent the City from expanding the current boundaries of the Primary Areas and Other Projects Areas if Surland's right to obtain RGAS may be directly or indirectly prohibited, restricted or impaired. (2017 DA pg. 15). This gives Surland control over City growth planning restricting the City's ability to provide affordable housing and satisfy other community needs. It is an improper delegation of the City's authority to direct growth and a misuse for the Development Agreement process. This is beyond the powers a City may transfer to a developer in a development agreement.

(5) Unlike any other development, impact fees are not due until the close of escrow when the home is sold. (2017 DA 16). A complex system is set up putting the burden on the City to justify an earlier collection of fees. Requiring payment of impact fees at the permit stage is too late to insure infrastructure is completed in a timely manner, but delaying collection until the house is about to be occupied is gross negligence on the part of the City and a gift to the developers that has not been made even for affordable housing.

(6) Surland's obligation to erect a Swim Center monument sign is limited to $150,000.00. (2017 DA pg. 21).

(7) A new "Section 1.18 Program/Public Improvements/Infrastructure" is another financial concession to Surland. Credits and reimbursements from a variety for monies for infrastructure a provided. (2017 DA pg. 26). At a minimum, Surland changes an obligation to pay $10 million into becoming a General Contractor for the City.

In summary, the 2017 Development Agreement is a violation of the Government Code because it allows its vested rights from 2008 to be transferred to property other than that in the ESP. It is an improper delegation of City authority to a developer allowing the developer to control City growth. The City will be selling its authority to govern to Surland. The 2017 DA will be challenged if approved.

The 2017 DA provides no new benefits to the City but many concessions to Surland. The 2017 DA recites the same benefits cited in prior DAs, not new benefits.

The 2017 DA should not be approved. Surland should be required to comply with its obligations under the current DA fully with no further tolling of its obligations. It is

time for Surland to live up to the promises it made 9 years ago. It is time for the City to make Surland live up to those promises made in many public hearings even earlier than 2008.

Very truly yours,

MARK V. CONNOLLY

EXHIBIT A

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Attorney for TRAQC

Filed OCT 31 2011
ROSA JUNQUEIRO, CLERK
By [illegible] DEPUTY

Superior Court of California, County of San Joaquin

Unlimited Jurisdiction

TRACY REGION ALLIANCE FOR A QUALITY COMMUNITY (TRAQC)

Petitioner,

vs.

CITY OF TRACY, BY AND THROUGH THE CITY COUNCIL; and DOES 1-20 inclusive,

Respondents.

SURLAND COMMUNITIES, a California Limited Liability Company; THE SURLAND COMPANIES LLC, a California Limited Liability Company; SURLAND DEVELOPMENT COMPANY; and DOES 21-40 inclusive,

Real Parties in Interest.

Case No. 39-2009-00201854-CU-WM-STK

~~[PROPOSED]~~ STATEMENT OF DECISION

HEARING:
Dates: October 15 & November 19, 2010
Dept: 13
Time: 10:00 a.m.
Judge: Honorable ~~Leslie~~ Holland

LESLEY HOLLAND

MAR 14 2011

The above-referenced petition came on regularly for hearing on October 15, 2010, and November 19, 2011, before the Honorable Lesley D. Holland, Judge of the Superior Court. Petitioner Tracy Region Alliance for a Quality Community ("TRAQC") was represented by its attorney of record, Mark V. Connolly of the Law Offices of Mark V. Connolly; Respondent City

of Tracy ("City") was represented by City Attorney Debra E. Corbett, and by Rick W. Jarvis of Jarvis, Fay, Doporto & Gibson, LLP; Real Parties in Interest Surland Communities, Surland Development Company, and The Surland Companies (collectively "Surland") were represented by their attorneys of record, George Speir and Arthur Coon of Miller Starr Regalia.

Briefly, TRAQC seeks issuance of a writ of mandate to enjoin by Respondent City of Tracy ("City") from proceeding under a Development Agreement, and from proceeding with a project known as the Ellis Specific Plan ("ESP", "Plan", or "Ellis Plan").

The matter was argued by counsel and stood submitted as of November 19, 2010. The court has read and considered the written briefs submitted in support and opposition to the Petition and has heard and considered the arguments of counsel.

Issues Raised by the Petition

First, Petitioner contends that a Development Agreement made by City and Surland violates Government Code sections 65865(a) and 65865.2 and is, therefore, invalid.

Second, Petitioner contends is that the subject Project violates CEQA on the following grounds:

1. The Project's description is inaccurate, inconsistent and unstable;
2. On-site Project alternatives were not properly considered;
3. Off-site Project alternatives were not considered at all;
4. The change in the Project as re-negotiated required a new analysis and re-circulation of an appropriate EIR; and
5. The analysis and responses provided to the EIR comments were inadequate.

Overview

A. The Project

Briefly, the project involved in this litigation "consists of two distinct components: (1) development of Ellis Specific Plan area; and (2) a Development Agreement between the City and Surland in which, *inter alia*, the City agree[d] to allocate to Surland up to 2,250 Residential Growth Allotments ("RGAs") at a rate of no more than 225 RGAs per year." City's Opposition, page 4:19-22.

To obtain approval of residential construction in Tracy, a developer must meet certain requirements, make certain applications, and obtain certain approvals or permits, as follows:

1. Developer is required to obtain City water treatment and wastewater conveyance and treatment capacities. One ECU (equivalent consumer unit) is required for a single-family residence. This is done by application to the Capacity Allocation Review Board (CARB). CARB will only award ECUs when the necessary supplies/capacities are available.
2. Next, the developer submits an application for a Residential Growth Allotment (RGA). The City's Growth Management Review Board considers the application and awards the allotments after specific findings are made that needed public facilities and services, including water and wastewater supplies/capacities, are available for the new housing.
3. Lastly, a building permit is required before construction may begin. The City does not issue a residential building permit unless the necessary ECUs and RGAs are in place. In past litigation between TRAQC and City, the parties have agreed that the issuance of a permit is merely a ministerial act.

Thus, approval of a developer's application for Residential Growth Allotments (RGAs) is a crucial required step under Tracy's Growth Management Ordinance. Without an allotment of RGAs, a developer cannot obtain necessary building permits. Tracy's Growth Management Ordinance caps annual RGAs at 750, with a maximum annual average of 600, subject to certain exceptions. The Growth Management Ordinance also limits the number of RGAs that Tracy may allocate annually by development agreements to not more than 225.

B. The Ellis Specific Plan

The Ellis Specific Plan is a "specific plan" within the meaning of Government Code section 65450, et seq[1]. This Plan provides for the development of a residential village on approximately 321 acres to be annexed the City of Tracy. The Plan includes a maximum of 2,250 residences (with a minimum of 1,200), plus 180,000 square feet of retail, office, and other commercial space, and approximately 40 acres of neighborhood and community parks. The Plan is to be developed in three phases over more than 10 years. The Ellis Plan is intended to serve as "a comprehensive planning document that establishes the vision, goals, and objectives to serve as a blueprint to the future growth and development within the project site." See AR 7:1640-1642.

The City's prior General Plan had designated the ESP area for development since 1993. AR 7:1637. The current General Plan (2006) also identifies the ESP area, and likewise designates it for development over a 20 year horizon. AR 4:882; 7:1637-1638; 17:4367, 4387-4388; 39:10390, 10393.

Surland has been working with the City on development plans for the ESP area since 2003. AR37:10022-10030.

Meanwhile, City has been planning for the development of a community/city swim center for nearly a decade. AR 1:176.

In October and November of 2005, Surland approached City with proposal to develop such a swim center as part of the Ellis Plan. AR 1:176; 36:9690-9691. By April 2006, Surland submitted an application for approval of the development of the Ellis Plan which included Surland's offer to dedicate 20 acres in the ESP area plus payment of $20 million toward the design and development

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[1] Govt. Code§65450 reads: "After the legislative body has adopted a general plan, the planning agency may , or if so directed by the legislative body, shall, prepare specific plans for the systematic implementation of the general plan for all or part of the area covered by the general plan.

of the swim center, in return for an allocation of RGA's. AR 30:8084-8088. In response, the City Council directed staff to negotiate a development agreement with Surland for the potential development of the swim center. AR 30:8065-8067,8094,8121.

C. The Development Agreement

The Development Agreement ("DA") at issue in this litigation came into existence as part of the development of the ESP. Importantly, however, the specific DA in this case addresses and directly impacts development both within, and outside, the boundaries of the ESP area. Some of the major components of this DA include:

Swim Center – the DA obligates Surland to pay $10 million toward future development of a swim center and to make an offer of dedication to Tracy of 16 acres within the ESP area as a site for the swim center. The City would then have 2 years from the date the ESP area was annexed to decide whether to accept the offer of dedication. If not accepted, Surland would retain the a 16 acre parcel and could develop it for other uses consistent with the ESP. AR 1:177.

Vested Development Rights – the DA gives Surland a vested right to develop the ESP area consistent with the ESP, the City's General Plan, and all other zoning laws which are in effect on December 1, 2008, without being subject to any newly adopted local laws unless later agreed to by all parties. AR 1:180-184.

Allocation of Residential Growth Allotments – The DA provides that the City shall allocate to Surland up to 2,250 RGA's over a period of more than 11 years, with annual limits ranging from 125 to 225 RGA's per year. AR 1:186-189. The DA mandates that the first 500 RGAs must be used in the ESP area. AR 1:189. All remaining RGAs may be used in the ESP area, assuming it builds out to the maximum permitted density of 2,250 homes. Alternately, the DA allows Surland to apply for RGAs to be used on other property owned by Surland if, and only if, Surland hereafter first

meets numerous preconditions, including obtaining from of the City a specific plan or similar legislative approval for development of such property. AR 1:186. In this regard, the DA reads, in pertinent part:

> "Again, if and only if certain specified prerequisites set forth in this Agreement are first satisfied, then may Owner record this Agreement against properties and become 'eligible' to apply for the RGAs provided for in this Agreement. As to all property, as detailed in this Agreement, Owner must have a legal or equitable interest in such property before this Agreement can be recorded against such property. Further, under this Agreement, only after an application for development of such property by Owner is first properly and publicly processed and reviewed in compliance with all controlling planning and environmental (CEQA) laws, the CEQA compliance work is certified and adopted by City, and then the development proposal and its needed permits and entitlements are adopted and approved by City (which City adoption and approval shall remain within the full and exclusive discretion of City and which adoption and approval is not mandated by the Agreement), will Owner be eligible to make application for RGAs under this Agreement." AR 1:174-175.

The DA does expressly recognize that Surland might ultimately not be able to obtain the maximum 2,250 RGAs potentially allocated if it does not obtain the required approvals. AR 1:187.

CEQA Review by the City of Tracy

The City prepared the Initial Study for the ESP in August 2006. In April 2008, the City published the Draft Environmental Impact Report (DEIR). The "Project" identified in the DEIR consisted of: (1) a "Development Agreement Program (DAP)"[2] allocating up to 3,850 RGAs to Surland, including "up to 2,250" units proposed by the ESP, and (2) development of the ESP itself. See AR 1:187.

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[2] Under Guideline, section 15168, program EIRs are used for a series of related actions that can be characterized as one large project. See *Friends of Mammoth v. Town of Mammoth Lakes Redevelopment Agency* (2000) 82 C.A. 4th 511, 531.

Under the proposed DAP, Surland would have been entitled to allocations of up to 3,850 RGAs in the future for use both within the ESP area (up to the 2,250 maximum units), as well as in other future projects developed by Surland if (and only if) the City later approved such projects. The DEIR analyzed the environmental impacts of the DAP at a program level and also at a more extensive and detailed project specific level. The City circulated the DEIR for public review in April and May 2008. The Planning Commission held three public hearings to receive comments. The Final EIR was published in December 2008.

The Final EIR reproduced and responded to the nineteen comment letters received during the comment period, as well as the oral comments made at the hearings.

Prior to the City's final public hearings on the Project, City Staff and Surland negotiated certain changes to the proposed Development Agreement, apparently to give the City more flexibility in deciding whether to locate the swim center within the ESP area or elsewhere.

On December 3, 2008, the Planning Commission voted to recommend that the City Council certify the EIR and approve the Ellis Plan, but voted to recommend against approval of the Development Agreement. The Planning Commission expressed concerns about the City making a commitment to provide RGAs to Surland in excess of what could be used within the ESP area, as well as about the length of the proposed 30 – year term of the DA. AR 19:4941.

In response to the Planning Commission's concerns, City negotiated with Surland a reduction in the number of RGAs (from 3,850 to 2,250); the new limit of 2,250 matched the number of RGAs that would be needed for maximum development of the ESP area. In return, Surland's commitment of money and acreage toward the swim center was reduced (from $20 million/21 acres, to $10 million/16 acres). Finally, the term of the Development Agreement was shortened from 30 years to 25 years. AR 20:4935-4939.

On December 16, 2008, the City Council considered the Project, including the DA as re-negotiated. The City Council voted to approve the Project and also took the following actions:

1. Certified the Final EIR and adopted the CEQA findings (including a statement of overriding considerations and a mitigation monitoring program);
2. Approved a General Plan amendment;
3. Approved a petition to annex the ESP area;
4. Approved the ESP and related pre-zoning; and
5. Approved the DA.

Standard of Review

The pertinent standard of review is whether there was a prejudicial abuse of discretion by City in approving the Development Agreement and/or certifying the EIR, and in issuing the related approvals to proceed with the Project. "Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence." See *National Parks & Conservation Assn. v. County of Riverside* (1996) 42 Cal.App.4th 1505, 1514.

TRAQC'S First Challenge - Validity of the Development Agreement

TRAQC contends that the approved Development Agreement violates Government Code § 65865 (a) cause Surland does not have legal or equitable title in the real property to be developed, and because the Development Agreement is not associated with any project, parcel, or real property.

TRAQC further argues at the Development Agreement violates Government Code § 65865.2 because it does not provide adequate detail concerning the project.

A. Discussion —Development Agreements Generally

The decision in *Santa Margarita Area Residents Together (SMART) v. San Luis Obispo County Board Supervisors* (2000) 84 Cal.App.4th 221 includes a good overview and discussion of development agreements generally, and of the relevant Government Code provisions at issue in this writ proceeding. The *SMART* court explained:

> "The development agreement statute permits a city or county to 'enter into a development agreement' with any property owner 'for the development of the property.' Section 658659(a). In essence, the statute allows a city or county to freeze zoning and other land use regulation applicable to specified property to guarantee that a developer will not be affected by changes in the standards for government

approval during the period of development. [Citations omitted.] In the words of the statute, '[u]nless otherwise provided by the development agreement, rules, regulations, and official policies governing permitted uses of the land, governing density, and governing design, improvement, and construction standards and specifications, applicable to development of the property subject to a development agreement, shall be those rules, regulations, and official policies in force at the time of execution of the agreement.'

...A development agreement is a legistaltive act (section 65867.5). ... ***A reviewing court will not set aside a legislative act unless it is arbitrary, capricious, or unlawful. On the other hand, courts, independently decide purely legal issues such a statutory interpretation....***

...[D]evelopment agreements are permitted before the issuance of building permits, just not too much before....

... ***The statute is limited to actual projects***, but does not require deferral of development agreements until construction is ready to begin or require any particular stage of project approval as a prerequisite. In fact, by permitting conditional development agreements property is subject to future annexation, section 65865, subdivision (b) expressly permits local government to freeze zoning and other land use regulation before a project is finalized.

This specific provision supports the general conclusion that the development agreement statute permits local government to make commitments to developers at the time the developer makes a substantial investment in a project."

--*Ibid.*, at 226-230 (emphasis added).

B. Adequacy of Surland's Interest in Subject Real Property

Government Code section 65865(a) reads: "(a) [a]ny city, county, or city and county, may enter into a development agreement with any person having *a legal or equitable interest in real property for the development of the property* as provided in this article". (Emphasis added).

TRAQC maintains that this statutory language requires that the person with whom the city enters into such an agreement have a legal or equitable interest in the real property *to be developed.* According to TRAQC, the Development Agreement at issue here has no conditions precedent to its effectiveness and, in particular, argues that the promises/obligations set forth in the Development Agreement will be against Surland's *future* not-yet-identified development projects. Opening Brief,

page 3:1-13. It is lawful and appropriate that Surland be able to record the DA in connection with the 23 acres within the Ellis Plan area which it presently owns. However, the DA by its terms is not limited to these 23 acres. Rather, this Development Agreement could also be recorded against any of 28,260 acres within the City's Sphere of Influence, or against any of the 298 acres within the ESP, *in which Surland has no interest whatsoever.*

TRAQC cites to *National Parks and Conservation Assn. v. County of Riverside et* (1996) 42 CA.4th 1505 in support of its argument. In *National Parks*, the appellate court upheld the development agreement even though the developer did not own all of the property necessary for the project because: (1) the DA was written so that it was not effective until the developer acquired an interest in specifically identified adjacent property that would be used for the project, and (2) the developer already had a significant legal interest in the bulk of the adjacent property which would be developed.

In opposition, Surland and City point out that Surland owns 23 acres within the ESP area[3]. Surland and City then argue that Government Code § 65865 can be read to mean that "less than full ownership of the property can be sufficient to support a development agreement." Surland Opposition, page 21:18-22. Surland and City maintain that under the *National Parks* case, Surland has a substantial interest in the real property which composes the ESP. Further, Surland and City quote the language of the DA — "as to all property ... Owner must have a legal or equitable interest in such property before this Agreement can be recorded against the property." According to Surland and City, this is a condition precedent to the effectiveness of the DA and, so, following this reasoning, the statutory requirements are satisfied.

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[3] The Ellis Specific Plan involves a total of 321 acres, of which Surland presently owns 23 acres.

Surland's and City's argument is not persuasive. First, Surland and City ignore the phrase "for the development of the property" included in Section 65865(a). The phrase cannot be disregarded. Cities may make development agreements, but only with "person[s] having a legal or equitable interest in real *property for the development of the property*". Government Code § 65865(a). Second, *National Parks, supra*, supports TRAQC's contention. In *National Parks*, a conservation group challenged a development agreement entered to by County and developer because the developer had an insufficient legal or equitable interest in the real property where the landfill project was to be sited. Developer did not own all of the land needed for the project. Some of the land needed for the project was federally owned and managed by the US Bureau of Land Management (BLM). At the time of the challenge, however, there was a pending land exchange between the developer and BLM. To account for that pending exchange and in order to meet the statutory requirements of the development agreement statute, the DA provided that the agreement would not be effective until the developer acquired the fee interest in the real property currently owned by the federal government.

In interpreting the development agreement In *National Parks* and deciding whether or not it satisfied requirements of Government Code § 65865(a), the trial court made findings that the developer already had significant legal interest in the bulk of the adjacent land to be developed and it was reasonably foreseeable the developer would also acquire an interest in the BLM land. The court thus ruled, "In order to effect the legislative intent, the court concludes under the particular circumstances of this case, the law should be liberally construed to allow this agreement to stand. To hold otherwise would unduly restrict public agencies from working with private entities to develop housing and other facilities needed to support growing populations." *Ibid* @ 1521.

In affirming the trial court, the appellate court explained:

> "In general, substantial compliance is the governing test for determining whether statutory requirements have been met. Strict compliance is required only when the intent of the statute can only be served by such a test. Substantial compliance ... means actual compliance in respect to the substance essential to every reasonable objective of the statute. The reasonable objectives of the development agreement article are to promote an orderly planning process and encourage private participation in such planning, particularly for large projects subject to many types of regulation.
>
> [Developer] has a sufficiently defined and adequate interest in the property to permit it to enter into the development agreement with the County upon the specified terms." Ibid @ 1522.

In contrast, the DA in this case is not tethered to any specifically identified property or project. Instead, as TRAQC says, the DA "allows the developer to apply the DA anywhere within the Sphere of Influence with no possibility that [Surland] would acquire an interest in all of it." Further, Surland's interest in the ESP property is arguably not sufficiently significant or substantial; it is just 23 of 321 acres (about 7%). Most significantly, to the extent of development outside of the ESP area and within Tracy's Sphere of Influence, Surland has not shown that it has any interest — legal or equitable—to support the DA. See also, *SMART, supra*, where the court wrote "the statute [Govt. Code § 65865(a)] is limited to actual projects." *Ibid* @230.

Also notable is the language of the DA itself. In pertinent part, it reads: "Again, if, and only if, certain specified prerequisites set forth in this Agreement are first satisfied, then may Owner record this Agreement against properties and become 'eligible' to apply for the RGAs provided for in this Agreement. As to all property, as detailed in this Agreement, Owner[4] must have a legal or equitable interest in such property before this Agreement can be recorded against such property." See AR 1:174, para. H of Development Agreement." Elsewhere, the DA specifies that its "effective" date is "thirty (30) days after the adoption of the Approving Ordinance ("Agreement

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[4] The court notes that the DA describes Surland as "Owner" suggesting again that the parties to a development agreement must own the real property which is to be developed thereunder.

Effective Date"), and shall continue twenty-five (25) years plus one day Term") ...." See AR 1. 184, para. 1.06(a). Thus, the Agreement is *effective*. Plainly, the DA contemplates allocation of RGAs for future, not-yet-identified, residential developments. In so doing, the DA runs afoul of the Government Code.

This case is quite different from *National Parks, supra*. Whereas *National Parks* concerned an identified parcel and a developer's substantial investment in an identified project, the DA in this case is not similarly tied or tethered to particular projects or parcel(s). Tracy's sphere of influence is some 28,230 acres. Aside from 23 acres within the Ellis Plan area, Surland does not identify a project or parcel and, hence, cannot show substantial investment. Without the context of an actual project, "actual compliance in respect to the substance essential to every reasonable objective of the statute" cannot be determined. Similarly, whether the DA in this case "promote[s] an orderly planning process and encourage[s] private participation in such planning" is not knowable without some tie or tether to an actual project.

This Court cannot find substantial compliance with Government Code § 65865(a) - as the court did in *National Parks* - under the circumstances presented here. Rather, the Court finds that the Development Agreement in this case is a reservation of future development rights for Surland within Tracy's Sphere of Influence, contrary to the plain language and objectives of the Section 65865(a).

C. Adequacy of Project Detail Provided in the Development Agreement

Government Code § 65865.2 specifies: "A development agreement shall specify the duration of the agreement, the permitted uses of the property, the density or intensity of use, the maximum height and size of the proposed buildings, and provisions for reservation or dedication of land for public purposes."

TRAQC argues that given the broad nature of the Development Agreement, the required information is not provided in the DA and cannot be provided by reference to other plans, ordinances, or regulations. For example, reference to the General Plan is insufficient because there are too many variables, too many unknowns given the range of real property that could potentially be subject to the Development Agreement. Simply put, there is not enough specificity to satisfy the statute.

TRAQC relies upon the *SMART* case, cited above, in support of its argument by comparison. In *SMART* there was a definite project, a definite commitment by the developer regarding specified property. In that context, the *SMART* court - like the *National Parks* court- invoked the liberal construction of the development agreement statute and found compliance with Section 65865.2 because the specifics for the maximum height and size of proposed buildings within the project were limited by San Luis Obispo County Land Use Ordinances and the Salinas River Area Plan. *Ibid* @ 231. TRAQC urges that this case is nothing like the *SMART* case.

In opposition, the City and Surland try to argue that TRAQC has made a concession that the DA complies with section 65865.2 as to the ESP property. See Opposition, page 25:16-17. TRAQC, in fact, wrote "If this DA applied ONLY to the ESP then the density of housing, permitted uses, intensity of use, maximum height and size of buildings would be known as they are specified in the ESP." Opening Brief, page 5: 5-7. From there, City and Surland urge that the DA does not become invalid because of its references to property outside the ESP because the DA cannot be recorded against and/or bind such property until Surland acquires it. According to the Opposition, "the DA by its own terms is currently inoperative as to and does not apply to such 'other property." Surland Opposition, page 25:19-20.

City and Surland cite to *SMART* in support and further contend: "[T]his Court should likewise defer to the City's sound judgment that the modest and heavily-conditioned *priority status*[5] conferred on Surland merely to be eligible for a limited number of RGAs pursuant to the DA's terms was a required and appropriate incentive for the substantial benefits City was to receive in return. These benefits included Surland's engaging and funding the comprehensive planning and environmental review for the 321-acre Ellis Specific Plan property, as well as the agreement to dedicate 16 acres of land and $10 million for the City to construct a much-needed and long-awaited first-class swim center for its citizens and youth, should the City choose to do so." Surland Opposition, page 27:15-22.

SMART is distinguishable from this case. It is the potential applicability of the DA to 28,260 acres within the Tracy's sphere of influence, for which there is no specified project, which makes it distinguishable. Under such broad terms, there can be no reference to existing regulations or zoning ordinances which can satisfy the requirements of Government Code § 65865.2.

Defenses and Objections Raised by City and Surland

City and Surland raised certain procedural challenges to TRAQC's petition. Specifically, City and Surland contend that Petitioner (1) failed to exhaust its administrative remedies, (2) failed to join necessary and indispensable parties, and (3) failed to present an actual controversy ripe for adjudication.

A. Exhaustion of Administrative Remedies

Government Code § 65009(b) reads:

> "(b)(1) In an action or proceeding to attack, review, set aside, void, or annul a finding, determination, or decision of a public agency made pursuant to this title at a properly noticed public hearing, the issues raised shall be limited to those raised in

[5] The use of the phrase "priority status" confirms the court's impression that the DA is a reservation of future development rights for Surland in exchange for what is really a promise to build/contribute toward a swim center somewhere in City.

the public hearing or in written correspondence delivered to the public agency prior to, or at, the public hearing, except where the court finds either of the following:

(A) The issue could not have been raised at the public hearing by persons exercising reasonable diligence.

(B) The body conducting the public hearing prevented the issue from being raised at the public hearing.

(2) If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: "If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing."

City and Surland contend that TRAQC failed to raise the issue —that the DA lacked adequate specificity — in hearings before the City Council. City and Surland point out that "(t)he purpose of the rule of exhaustion of administrative remedies is to provide an administrative agency with the opportunity to decide matters in its area of expertise prior to judicial review.' Exhaustion of administrative remedies is said to be a jurisdictional prerequisite to judicial action challenging a planning decision." Surland Opposition, page 8:18- a, quoting *Friends of Lagoon Valley v. City of Vacaville* (2007) 154 Cal.App.4th 807, 831-832. City and Surland argue that TRAQC did not raise the issue of the DA's alleged failure to comply with Government Code § 65865.2 specifically or even generally object to the DA's lack of specificity, either in writing or at any noticed hearing.

TRAQC relies to excerpts in the Administrative Record — most notably AR 35:9465 and AR 30:8126 in support of its contention that TRAQC representatives and other speakers raised the issue, and dismisses the notion that it needed to re-raise the issue after the DA was modified and key terms changed.

The Administrative Record confirms that on April 17, 2006, Keenan Land Company raised the issue of uncertainties in the DA and, more specifically, it cited to Government Code § 65865.2.

See, AR 30:8126. Further, on July 28, 2008, TRAQC submitted a letter in which the perceived deficiencies of the DA were used including its lack of specificity as a statutory requirement. See, AR 35:9465.

Accordingly, the Court finds that the issue of lack of specificity was adequately raised both by TRAQC and other interested parties in proceedings prior to this petition. The Court further finds that changes in the terms of the DA were of no moment; the DA was insufficiently specific before the modification the changes did not appreciably worsen the problem, and therefore TRAQC's original concerns were sufficient to reserve the issue.

B. Joinder of Necessary or Indispensable Parties

As noted above, Surland owns just 23 acres within the Ellis Plan area. The remaining 298 acres are owned by other persons who were not named as parties-defendants in the petition. City and Surland argue that these not-named owners are "recipients of the project approvals because such entitlements run with land." Surland Opposition 16:5-7. *Citing County of Imperial v. Superior Court* (2007) 152 Cal.Appg 13, 31, Surland submits that "Unnamed recipients of approvals automatically satisfy the "necessary" party test of Code of Civil Procedure §389(a)" and must be joined in this lawsuit. Surland Opposition 15:26-27.

TRAQC maintains that the only parties to the Development Agreement are City and Surland. The unnamed owners of the other 298 acres within the ESP are not parties to the Development Agreement. TRAQC further contends that Surland's reliance on *County of Imperial v. Superior Court, supra* is misplaced because unlike the situation in *County of Imperial* where two water districts which were named as recipients of water were not named, "[e]very party entitled to receive any benefit from DA is named... The DA is not a land use applied tied to any particular parcel... [;] by its very language [it] is personal to [Surland]." Reply, page 11:6-10, 22-23.

TRAQC is correct. The issue presented here is validity of the Development Agreement. It is undisputed that the only parties to the Development Agreement are City and Surland. AR 1:170-211. True, the approvals conferred pursuant to the Development Agreement run with the land; however, they run with the owned *by Surland*, and do not run with other property. AR 1:180, 198. The other non-Surland owners of real property within the boundaries of the ESP are not indispensible. See, Code of Civil Procedure §389.

C. Actual Controversy/ Ripeness for Adjudication

"The principle that courts will not entertain an action which is not founded on an actually controversy is tenet of common law jurisprudence, the precise content of which is difficult to define and hard to apply... A controversy is 'ripe' when it has reached, but has not passed, the point that the facts have sufficiently congealed to permit an intelligent and useful decision to be made." *(California Water & Telephone Co. v County of Los Angeles* (1967) 253 Cal.App.2d 16, 22.) ... [I]ts basic rationale is to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties." *Pacific Legal Foundation v. California Coastal Com.* (1982) 33 Cal.3d 158, 170.

City and Surland argue that because the Development Agreement allows Surland to be eligible for up 2,250 RGAs — that is, the maximum capacity of the ESP site — and because TRAQC concedes that there is sufficient project detail in the Development Agreement as it relates to the ESP property, that a possibility exists that the controversy at issue may never arise. Stated differently, since it is mathematically possible that all RGAs afforded by the DA could be used within the ESP area alone, thereby leaving no RGAs for other, not-yet-named or identified developments, it is likewise possible that the problem identified by TRAQC — failure to tether the DA to specific real estate in which Surland has a ownership or equitable interest as require

Government Code § 65865.2— might never arise. City and Surland argue that it is "sheer guesswork" as to whether any of the contingencies will occur in the future and, therefore, TRAQC's challenge is not ripe for adjudication.

TRAQC submits that Surland and City misconstrue its challenge; the challenge is not to the future recording of RGAs under the Development Agreement. The challenge is to the Development Agreement as it exists today. The challenge is that the Development Agreement - in its present form - fails to satisfy statutory requirements. Moreover, TRAQC argues that any challenge to a local decision to adopt or amend a development agreement must be made within 90-days from the date the decision is made. Government Code §65009(c). Thus, the challenge had to be filed now.

The court agrees with TRAQC. The controversy is ripe. The DA plainly contemplates use of RGAs in development projects that are not now known. Hence, the DA as it exists today violates the requirements of the Government Code.

TRAQC'S Second Challenge - Compliance with CEQA

As noted above, TRAQC contends that the Project violates CEQA (California Environmental Quality Act) in the following ways:

1. The Project's description is inaccurate, inconsistent and unstable;
2. On-site Project alternatives were not properly considered;
3. Off-site Project alternatives were not considered at all;
4. The change in the Project as re-negotiated required a new analysis and re-circulation of an appropriate EIR; and
5. The analysis and responses provided to the EIR comments were inadequate.

A. Adequacy of Project Description

The EIR must describe the project being reviewed. Guideline, section 15124. "An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185.

TRAQC maintains that before, during and after the Draft EIR process, City represented that 2,250 RGAs would go to ESP. In January 2006, Surland proposed to donate 10 acres and $10 million for an aquatics enter. AR 31:8150, 8156. Surland asked for RGAs to be used at the ESP area only. There was no mention of extra non-ESP RGAs. AR 31:8157. By April 2006, Surland proposed to design and construct an aquatic park and community park on 20 acres and Surland agreed to contribute up to $20 million. AR 29:7589. On May 15, 2007, the proposal was described as $20 million and 20 acres for 2,250 RGAs for Ellis and 2,450 RGAs for undefined, future projects. AR 29:7673, 7678. It was contemplated that the extra RGAs would only be issued after the 2,250 Ellis RGAs were used on Ellis and Ellis was built-out. AR 29:7651.

On July 24, 2008, after the comment period on the DEIR had closed, the draft DA was released and with the exception of the first 500 RGAs, the 2,250 RGAs could be used anywhere. AR 24:6076. In other words "the proposal changed from a request for 2,250 RGAs for only the ESP to 1,750 RGAs to be used anywhere on 28,260 acres." Opening Brief, page 8:25-27.

TRAQC also complains that the project description significantly changed when the Development Agreement originally called for the aquatics center to be built in the ESP but later, in its revisions, allowed the aquatics center to be built anywhere and further included different conditions as to money paid, dedication and reversion rights. TRAQC submits that the Project description has not been accurate, consistent, stable or finite; instead, it changed over time. Opening Brief, page 8:3-4.

City and Surland argue that "there is no requirement that a project description remain exactly the same throughout the CEQA process. Citing *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, City and Surland urge that "the CEQA reporting process is not designed to freeze the ultimate proposal in the precise mold of the initial project; indeed, new and unforeseen insights may emerge during investigation, evoking revision of the original proposal." *Ibid* @ 200.

City and Surland concede, as they must, that changes were made to the Development Agreement, but they claim TRAQC misrepresents what the Draft EIR advised the public. The Opposition stresses that the Draft EIR stated: "The Development Agreement Program (DAP) would provide eligibility for the Project applicant to obtain up to 3,850 RGAs at some time in the future, which would include **up to 2,250** units proposed by the ESP." AR 7:1605 (emphasis added.)

City and Surland also point to AR 7:1705: "Phase I of this program would be the development of **up to 2,250** residential units within the Ellis Specific Plan The remaining RGAs would be developed within the City's Planning Area, Sphere of Influence, or City Limits in the future." (Emphasis added)

Citing to these excerpts of the Draft EIR, City and Surland maintain that the Draft EIR clearly put the public on notice of the possibility that less than 2, 250 RGAs would be used within the ESP area (and thus more could be used elsewhere). City's Opposition, page 15:6-12.

In an attempt to explain TRAQC's citations, City and Surland state that TRAQC is quoting portions of the record from 2006 and 2007, before the Draft EIR was published. To that, the Respondents claim that "the only legal question" ... is whether the Draft EIR published in 2008 adequately and consistently described the project." City's Opposition, page 15:15-18.

Finally, Respondents add that while changes were made regarding the RGAs, the changes *reduced* the number of RGAs available to Surland and so, the description is adequate.

In reply, TRAQC first argues that the Opposition mentions only the number of RGAs and re-iterates that there were other changes to the Project (via the Development Agreement); for example, where the swim center would be located. Moreover, TRAQC adds that the Opposition specifically acknowledged that there were "significant changes to the project" from April 2008 to its approval in December 2008. See Surland opposition, page 11:9-11 ["The language of the DA and

development approvals under consideration had changed considerably in the several months before the hearing due to ongoing negotiations and revisions."]

With attention to Respondents' emphasis on the words "**up to**" when referring to the number of RGAs, TRAQC states that the argument proves why the description is misleading. "Nothing in the phrase 'up to 2,250 tells the reader that it was planned that the entire 3, 850 RGAs could be used anywhere in the 28,260 acre sphere of influence. The General Plan showed a minimum density of 1,200 RGAs for the ESP. The description certainly implies that SOME of the 3,850 RGAs would be used in the ESP....". Reply Brief, page 21:15-18.

According to TRAQC, the history of the Project is relevant. The Project in 2006 provided that the RGAs were to be used at the ESP only. But, in December 2008, when the Project was approved, "the last links between the DA RGAs and the ESP were broken. The DA was amended so the swim center could be located anywhere and a new property description for only 23 acres was substituted for the ESP property description as a new Exhibit A. The ESP was a slight of hand used to give the illusion that RGAs were being issued to be used in the ESP." Reply Brief, page 21:18-24.

TRAQC submits that in November 2007, the clear representation was made that 2,250 RGAs would be applied to the ESP. In support of the argument, TRAQC notes that RGAs beyond the 2,250 were categorized as "Post-Ellis" or "Non-Ellis" RGAs. According to TRAQC, those sorts of representations/categorizations continued to be made in 2008. Citing to the Administrative Record, TRAQC points to representations made by Surland that perpetuated the impression that *some* of the RGAs would be used in the ESP. See AR 24:6129. Also, when the final number of RGAs was reduced, the Planning Commission and staff again spoke in terms of "Post-Ellis" or "Non-Ellis" RGAs. Moreover, the Planning Commission recommended rejection of the 1,600 Non-Ellis RGAs because "it is currently unknown where an additional 1,600 RGAs could be located."

AR 21:5393. That statement by the Planning Commission makes no sense if the Planning Commission always understood that the 2,250 RGAs could likewise be placed elsewhere.

TRAQC maintains that the term "up to 2,250" meant a cap for the Ellis project. The phrase does not tell the reader that none of the RGAs need to be used at ESP and could be used anywhere, as the Opposition now urges.

Looking at the administrative record as a whole, the court concludes that the Project description is not clear; the description either changed or morphed, or it is not an accurate description. In any event, at a minimum, the description has created confusion about the Project and about the Development Agreement's provision of RGAs and how many are available and where. A legally sufficient EIR requires an accurate and stable project description. *County of Inyo v. City of Los Angeles*, (1977) 71 Cal.App.3d 185.

B. Project Changes Required Re-Circulation of EIR

In 1993, the California Supreme Court interpreted and clarified the grounds for re-circulation of an EIR. See *Laurel Heights Improvement Assn. v. Regents* (Laurel Heights II) (1993) 6 Cal.4th 1112. The Court interpreted Public Resources Code, section 21092.1, to require re-circulation of an EIR in four different circumstances:

1. When new information discloses a new, substantial environmental impact of a project.
2. When new information shows a substantial increase in the severity of an environmental impact (unless mitigation measures reduce that impact to insignificant).
3. When new information discloses a feasible alternative or mitigation measure that has not been adopted and that clearly would lessen environmental impacts.
4. When the draft EIR was so fundamentally flawed that public comment on the draft was effectively meaningless.

This standard was adopted and is now set forth as Guidelines, section 15088.4. Review of an agency's decision relating to re-circulation is subject to the substantial evidence standard of review.

TRAQC argues that substantial changes were made to the Project and such changes "require major revisions of the environmental impact report or new information ... which was not known and could not have not known at the time the environmental impact report was certified as complete." Opening Brief, page 30:10-14. Specifically, TRAQC points to these changes in the Development Agreement:

1. Reduction of parkland and money for the Project: The Development Agreement provided for 40 acres of parkland with a 20 acre aquatic park. AR 30:7846-7847; AR 19:4778. The Project further contemplated Surland spend $20 million toward the swim center. AR 30:8112-8130; 8117-8118. The amendments reflect that only 20 acres of parkland would be dedicated. AR 19:4778. The amendments further reflect that $10 million would be used toward the swim center. AR 20:4937.

The Development Agreement originally provided that Surland would provide design assistance for the swim center. AR 22:5663. The amendments, however, require that Surland be reimbursed 100% for its design assistance. TRAQC calculates that cost to be $324,000.00. AR 1:218-219.

The amendments created an reversionary interest in Surland of the swim center site and further allowed Surland to build the swim center somewhere other than within the ESP. AR 20:5108; AR 22:5625, 5665.

The Development Agreement originally had a park built next to the aquatic center, but with the amendments to the DA, the park would not be constructed until Surland received funds from other projects. AR 20:4940.

2. Possible conversion of the 16-acre swim center to residential development. AR 20:4937:

The General Plan Amendment (required for the Project) allows a residential development ***or*** a swim center at the site originally designated to be the swim center site. Thus, it differs from the original plan which was to only allow swim center at the site. AR 19:4775; 20:5108. The revision

apparently is meant to address the possibility of reversion of the swim center property to Surland and/or the development of the swim center outside of the ESP and at another site.

3. 1,750 RGAs to be held for Surland can be used outside of the Ellis Specific Plan area: The 2,250 RGAs represented to be available to Surland for development of Ellis (AR 29:7673, 7678; AR 9:2155) was reduced to 500 and as a result, the balance of 1,600 RGAs represented to be available for outside development were increased to 1,750, even though the overall total number of RGAs allocated to Surland was reduced from 3,850 to 2,250. AR 19:4792; AR 1:189; AR 24:6076.

4. The ESP, DAP and the aquatics center are effectively split: Simply, by reason of the immediately proceeding changes – enumerated 1-3 – the DAP and swim center have been effectively severed from development of the Ellis Plan area. The Project has morphed into three unrelated projects.

Respondents argue that the above changes do not fall within the four categories outlined in Guidelines, section 15088.5, and no obligation arose to re-circulate. Respondents add that the most significant change was the reduction of RGAs to be available to Surland and such a reduction "will only reduce the potential impacts that were analyzed in the EIR."

Notwithstanding the reduction in RGAs, the point is that the project did morph over time in a substantial way, with confusion as a consequence. Does the Project described in the EIR provide that up to 2, 250 RGAs are to be used in Ellis Plan area, with 1,600 other RGAs available for outside development — as TRAQC urges? Or, as Respondents contend, has the Project always provided that up to 2,250 RGAs could be used in the Ellis area but, if not used there, could be used outside the Ellis area? At a minimum, there is confusion about the Project, especially about the

Development Agreement's provision of RGAs. Such confusion undermines the EIR and the public comments thereto.

For the reasons stated, re-circulation of the ER was required[6].

C. **TRAQC's challenges to the City's approvals of the Ellis Specific Plan ("ESP"), pre-zoning, general plan amendment and annexation petition are not barred because Surland's being named as Real Parties in Interest was sufficient.**

Surland raised the issue of indispensible parties as to the Second Cause of Action relating to the DA only. See Real Parties Opposition page 14:19-20. The City's Opposition Brief did not argue the issue. At oral argument on October 15, 2010 the City and Surland stated they were making this argument as to the CEQA issues as well. The indispensible party issue as to the CEQA challenges had been previously raised by demurrer which demurrer was overruled.

The administrative record as a whole demonstrates Surland represented itself as representative of the property owners and the developer of the project including the ESP throughout the application, hearing and approval process. The City and Surland both strongly defended the ESP and other approvals in this legal challenge. The court finds the owners of property in the ESP were not necessary parties because as a practical matter their interests were represented by the developer Surland. (*Citizens Association for Sensible Development of Bishop Areas v. County of Inyo* (1985) 172 Cal.App.3d 151, 161-162, citing *Hollister Co. v. Cal-L Exploration Corp.* (1972) 26 Ca.App.3d 713 and *Hebbard v. Colgrove* (1972) 28 Cal.App.3d 1017) Any non-joined interested parties interests were adequately protected by the named parties to the action. (*Deltakeeper vs. Oakdale Irrigation District* (2001) 94 Cal.App.4th 1092, 1107)

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[6] Parenthetically, re-circulation will also be required in light of the Court's decision, above, regarding the Development Agreement's lack of compliance with Government Code §65865(b) and 65865.2. The Court's decision effectively eliminated one of the two components of the Project. Such a change in Project compels re-circulation.

In consideration of the policy and purpose of CEQA and the harsh result a dismissal would cause, the court finds that the non-joined parties were not indispensable. (*Deltakeeper* id at 1109)

D. TRAQC fairly summarized the relevant information.

The court finds that Petitioner's 40 page Opening Brief, 48 page Reply Brief, written Summary of Citations submitted at trial and oral presentation at trial set forth fully the facts relating to Respondent's decisions on the project and fairly summarized the relevant information in the FEIR.

E. The FEIR's analysis of alternatives was legally inadequate.

TRAQC contends that off-site alternative locations should have been considered.

The purpose of alternatives analysis "...is to allow a decision maker to determine whether there is an environmentally superior alternative that will meet **most** of the project's objectives, the key to the selection of the range of alternatives is to identify alternatives that meet most of the project's objectives but have a reduced level of environmental impacts." (*Watsonville Pilots Association v. City of Watsonville* (March 15, 2010) 031510 CAAPP6, H033097) The lead agency **must** consider such alternatives "even if [they] would impede to some degree the attainment of the project objectives, or would be more costly." (Regs § 15126.6(b))

The EIR's analysis of alternatives was legally inadequate due to the failure to consider off-site alternatives. An alternative location should be considered if it **could substantially reduce significant environmental impacts, attain most of the basic project objectives, is potentially feasible, reasonable and realistic.** (Regs §15126.6(c)) Potentially feasible alternative locations including the Keenan Saddlebrook Development/UR 17, Moitoso/Plan B and the Alvarez/UR1 proposal were presented but were never considered as alternatives.

Saddlebrook was represented as an alternative as early as 2006, included an aquatic center and was not in the airport flight path. AR 30:8125-8130; 30:7978

Plan B included an aquatic center and was not in the airport flight path. AR 28:7409; 28:7411-7412.

Alvarez was 300 acres offering 50 acres for recreational facilities and was not in the airport flight path. AR 27:7057-7068 (Note the letter is in the record from last page to first), 2:498-502;

City and Surland argue that some alternatives were smaller parcels and would not accommodate all the RGAs of Ellis. However by final approval the swim center could be located off the ESP, the $10 million could be used other than at the ESP, and most of the RGAs could be used at other than at the ESP which meant the reasons for not considering these other proposals – that they were not the entire project- had disappeared.

It was undisputed that airport noise was a significant unavoidable impact as the ESP within the 60 CNEL Airport noise contour. (AR 2:484; 7:1845) TRAQC argued because the airport related noise impact could be avoided or substantially lessened by an alternative location, those locations needed to be considered. AR 22:5785 The FEIR was legally inadequate due to the failure to consider alternative locations which could have avoided airport noise impacts. TRAQC is correct that the FEIR was inadequate due to the failure to consider alternative locations that were presented that potentially could have avoided airport noise impacts. 14 Cal Code Regs Section 15126.6(f)(2)(A)

F. <u>Rejection of the reduced density alternative (Alternative #6) was not supported by substantial evidence.</u>

TRAQC argues the City improperly rejected the environmentally superior alternative without substantial evidence demonstrating infeasibility. An EIR must identify the environmentally superior alternative which in this case was Alternative 6. Regs §15126.6(e)(2); AR 8:2037 Alternative 6 was a reduced density version of the ESP. AR 19:4823-4824. The FEIR determined Alternative 6 would meet all of the ESP's basic objectives including the building of a swim center

and community park. It reduced all impacts, and it was identified as the environmentally superior alternative. AR 8:2021-2027, 2037

The City gave two reasons for rejecting Alternative 6: that the lower density would result in the overflow of the units to other areas resulting in adverse impacts and an insufficient amount of housing for UR10 (the ESP). These findings are not supported by substantial evidence and are inconsistent with other findings. The City rejected Alternative 6 finding that 1,026 non-Ellis RGAs would "convert undeveloped land to urban uses or create the potential for growth inducement" in either infill areas or the SOI. AR 1:55 This finding conflicted with the City's position that the 1,750 non-Ellis RGAs of the DAP would not result in significant land use and planning impacts. AR 1:25

The City's reasons for rejecting Alternative 6 also conflicted with the City's response to comments that 1,600 RGAs used outside the ESP but within the SOI would create land use, farmland conversion, and other impacts that should be analyzed. AR 2:55

The City's finding that reducing the RGAs from 2,250 to 1,224 would result in insufficient number of units being built in UR 10 (ESP) is also not supported by substantial evidence. The allowed density range for the ESP is "1,200 to 2,250" RGAs. AR 1:172, 174; 27:7018; AR 21:5413 The density of Alternative 6 was within the planned range for the ESP.

The City could reject mitigation measures or project alternatives if it found them to be "infeasible." Public Resources Code §21081(a)(3); Regs §15091(c)(3) "Feasible" is defined as capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors. Public Resources Code §21061.1; Regs §15364) To be rejected Alternative 6 would have to be determined to be "truly infeasible." See *City of Marina v. Board of Trustees of California State University* (2006) 39

Cal.4th 341, 369 The finding of infeasibility must be supported by substantial evidence in the record. (Public Resources Code §21081.5; Regs §15091(b)) The City's findings rejecting the environmentally superior alternative did not rise to the level of determining infeasibility and were not supported by substantial evidence.

G. The FEIR did not adequately respond to public comments regarding alternatives.

A FEIR must include written responses to comments on the DEIR raising significant environmental issues. (Regs §15088) A specific detailed response is required when a comment raises a specific question about a significant environmental issue. Regs §§15088(b),15204(a); See *Cleary v. County of Stanislaus* (1981) 118 Cal.App.3d 348. A reasoned analysis of the issue and references to supporting evidence may be required. *California Oak Foundation vs. City of Santa Clarita* (2005) 133 Cal.App.4th 1219; *Santa Clarita Organization for Planning the Environment vs. County of Los Angeles* (2003) 106 Cal.App.4th 715; *Vineyard Areas Citizens for Responsible Growth, Inc. vs. City of Rancho Cordova* (2007) 40 Cal.4th 412, 449

Specific detailed responses supported by a reasoned analysis are particularly important when the EIR's impact analysis is criticized by experts or other agencies with expertise in the area such as the many comments about airport impacts. A FEIR must at least acknowledge the conflicting opinions and explain why suggestions made in the comments have been rejected, supporting its statements with relevant data. See *Berkeley Keep Jets Over the Bay Comm. Vs. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1367, 1371

In comments TRAQC suggested specific alternative locations. AR 2:0490-0491 The City's Response was conclusory and not responsive stating in part that the City was not required to analyze potential alternative sites "...when alternative sites would not definitely alleviate potential unavoidable significant impacts of the proposed Project or meet the basic principals of the proposed

Project." AR 2:513 The response was not a reasoned analysis of the issue and provided no references to supporting evidence. The response ignored that specific suggested alternative locations outside airport noise contours could reduce the significant noise impact related to the airport identified in the DEIR.

At subsequent hearings TRAQC again asked that alternative locations not in the airport flight path be considered as airport noise was identified as a significant unavoidable impact. AR 22:5622 TRAQC argued and now contends that the City's reasons for not considering alternative locations to avoid airport noise impacts was non-responsive and ignored alternative locations outside those same noise contours. (AR 22:5785) The response was conclusory and did not address whether any significant effects, such as airport related noise impacts, could be avoided or substantially lessened by an alternative location. Regs § 15126.6(f)(2)(A) The City should have either explained why further consideration of the alternative was rejected or provided an evaluation of the alternative. See *Marin Municipal Water District vs. KG Land Cal. Corp.* (1991) 235 Cal. App.3d 1652, 1666. The City's reasons for excluding potential alternatives from the EIR on the grounds that they are infeasible or incapable of fulfilling project objectives should have included in responses to comments contained in the FEIR. See *City of Long Beach v Los Angeles Unified Sch. Dist.* (2009) 176 CA4th 889, 922

TRAQC also commented that the DEIR alternatives were just parts of the same project. AR 2:490-491 Again the City's response was conclusory and non-responsive saying just that 'each of the alternatives was carefully selected to be compliant and consistent with the requirements..." of the Guidelines. AR 2:513 This Response is devoid of any analysis, explanation or supporting evidence and is also legally inadequate.

H. The FEIR did not adequately analyze or respond to comments regarding growth management, land use, and loss of farmland.

1. The FEIR did not adequately analyze or respond to comments regarding growth management: The City received comments that providing a single developer with RGAs, permits, water and sewage and allowing that developer chose any property on which to apply the RGAs would mean more contiguous developments or developments on non-agricultural land would have to stand down. AR 2:468-469, 2:471-472, 2:491-492. The City's esponses were non-responsive and never addressed the effect of allowing a developer to deprive other locations of RGAs. AR 2: 473-474, 475-476

The responses were also inconsistent with the City's position and findings in rejecting 1,600 non-Ellis RGAs in the original proposed DAP, rejecting Alternative 2 with 1,600 non-Ellis RGAs, and rejecting the environmentally superior Alternative 6 with its 1,026 non-Ellis RGAs. (AR 1:25, 1:53, 1:55)

For these reasons the FEIR did not adequately analyze or respond to comments regarding growth management.

2. The FEIR did not adequately analyze or respond to comments regarding land use: The concerns expressed in comments to the DEIR concerning land use had been made before the DEIR was circulated. The August 2006 Draft Initial Study identified as a potentially significant impact conflicts with land use plans. AR 30:7872 City Staff expressed concern that project approval might mean property ownership might require amendment of City policies. AR 29:7651

TRAQC and others commented that allocation of RGAs to Surland would create a priority system due to identified shortages of RGAs and that RGAs allocated to Surland could be used in the SOI on agriculturally designated property. (AR 24:6268-6269; 2:468-469) The shortage of RGAs

was quantified. AR 27:6999-7006, 27:7018 Commentators stated that the RGA need was up to 10,500. RGAs available over the 10 years to 2017 were only 3,542 and available over 20 years to 2027 were only 9,542. AR 2:468-469 Commentator's argued that higher priority projects, some infill and many more contiguous than the Ellis project would be displaced. The City acknowledged the project would require rewriting the GMO and other projects to "stand down" and be deprived of RGAs. AR 21:5392 TRAQC and others commented that this commitment of RGAs was a prioritization as other projects with a higher priority in the GMO were deprived of RGAs. (AR 22:5622; 21:5310-5311; 21:5294) The City acknowledged approval would mean the GMO would have to be written to accommodate Surland and that other projects would have to "stand down". Surland would never have to "stand down" even if it used RGAs at locations outside priority areas like the downtown, infill or concentric growth projects. AR 20:4939

In written comments on this issue TRAQC made the above arguments. AR 2:0493-0494) The City response did not address the issue raised by TRAQC. The response indicated that since the RGAs allocated to Surland were within the total number planned there would be no impacts. The City went on to summarily respond, without analysis, that there would be no impact. AR 2:513. This response was deficient in failing to address the issue raised which was the prioritization of growth which would occur as a result of the approval of the project. It was conclusory, provided no reasoning or analytical support, and was not supported by substantial evidence in the record.

The finding that "no significant impacts relative to land use would occur with implementation of the amended Development Program" is not supported by substantial evidence. AR 19:4794 As described above there was evidence that a prioritization of growth would occur as a result of project approval affecting land use growth patterns. The City's finding rejecting environmentally superior Alternative 6, that 1,026 RGAs if used in the SOI would have significant

impacts, conflicts with this finding. See AR 1:55 The EIR failed to analyze the impact of this de facto reprioritization and allocation of development depriving other projects of RGAs, building permits, water and sewer capacity which could affect the pattern of growth. It is an abuse of discretion to make contradictory findings not supported by substantial evidence.

The responses to comments and analysis in the FEIR on land use were deficient.

3. The FEIR did not adequately analyze or respond to comments regarding conversion of farmland: Supported by statistical analysis Attorney Nicolaou commented that "annexation of the Ellis Specific Plan area will result in the premature conversion of open space and agriculture land to developed uses when adequate land already exists within City limits." He quantified an inventory of land already able to accommodate 10,050 units. (AR 2:468-469) Nicoleau's comment potentially understated the impact because the DA actually created 1,750 RGAs non-Ellis.

The response did not address the issue instead arguing that this was a policy issue not an environmental issue and the policy "will" be considered by Council decision makers. AR 2:475 This response is not adequate. The response identifies no specific General Plan policy in support of its conclusion and no such policy of the General Plan was identified. The record does not contain any reference to a policy indicating the ESP should develop before other areas in the secondary growth areas and no such policy was identified by Surland or the City. The City cannot refuse to analyze and respond to comments concerning a potentially significant environmental impact based on an unidentified policy.

The City takes conflicting positions in the FEIR on this issue. The City takes the position that so long as the 1,750 RGAs are used in the SOI there is no additional impact on agricultural land, but then in rejects DAP Alternative 2 and the environmentally superior Alternative 6 because

"non-Ellis" RGAs because these alternatives would have similar impacts. The FEIR did not adequately analyze or respond to comments regarding conversion of farmland.

I. The FEIR did not adequately analyze or respond to comments regarding airport-related impacts.

The 2007 Initial Study identified the location of the Airport relative to the ESP as a potentially significant hazard impact because the main runway approach and departure flight path was directly over the eastern portion of the ESP. AR 9:2180 The FEIR concluded these hazards were a less than significant impact and required no mitigation. AR 7:1629

TRAQC contends the City relied on the outdated 1993 Airport Land Use Plan (ALUP) and 1998 Airport Master Plan update which contracted the hazard zones. TRAQC contends the City should have considered and the FEIR should have used the more recent May 2008 studies which significantly expanded all airport impact zones, in particular the Inner and Outer Approach/Departure Zones that overlap the ESP. AR 22:5723-5724

There was documentary and testimony evidence of the safety risks of locating the ESP, including the aquatics center, in the direct flight path of the Airport. AR 20:5111, 5190-5235, 5297-5302, 5312-5346; 22:5617-5618, 5719-5722 TRAQC argued to the City that the "...EIR relies on outdated data even though more current data is available..." (AR20:5190) Exhibits including CTM1- Compatibility Factors and CTM-2 Compatibility Zones from the May 2008 which testimony indicated "will result in airport protection zones that are significantly larger than the outdated model" were submitted. (AR 20:5190-5200)

The City's contention was that the FEIR was prepared using the latest **approved** Airport Land Use Plan ("ALUP"). (AR19:4780) That response was non-responsive to the issue of failure to use currently available data. As in *Berkeley Keep Jets Over the Bay* (2001) 91 Cal.App 4th 1347

more current data, information and studies cannot be ignored. *Ibid at 1367.* The more current information and studies should have been considered.

The City deferred studies and mitigation to the future and disregarded requests for the noise studies to be completed with appropriate mitigation today. *Endangered Habitats League v. County of Orange (2005) 131 Cal. App.4th 777, 794* rejected a mitigation measure requiring submission of acoustical analysis and approval of mitigation measures recommended by analysis because no mitigation criteria or potential mitigation measures were identified. The same failure occurred in this case. The proposed mitigation measure, to conduct noise studies in the future and implement unspecified mitigation measures which might or might not mitigate the impact, was not adequate.

J. The FEIR did not adequately analyze or respond to comments regarding traffic.

Adverse traffic impacts were significant and unavoidable. AR 7:1758-1762 Mitigation was payment of project's proportionate fair share of roadway improvements. When this mitigation would occur for intersections with unacceptable levels of service was unknown. AR 7:1761-1762 The record is devoid of any evidence that a program for collection of fees and development in the area of the ESP will ever allow this mitigation to occur and no commitment or time frame to make these roadway improvements is in place. *Gray vs. County of Madera* (2008) 167 Cal.App.4th 1099, 1122, *Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, 1187) *San Franciscans for Reasonable Growth v. City & County of San Francisco* (1984) 151 Cal.App.61, 79) As with airport noise impacts and mitigation measures, these traffic mitigation measures were inadequate.

K. The EIR did not adequately analyze or respond to comments regarding air quality.

The FEIR confirmed adverse ongoing cumulative air quality impacts primarily relating to increased direct traffic and indirect electricity loads, identifying the impacts as significant and

unavoidable. Commentators noted that alternative locations more contiguous to the city core including for the aquatics facility that would have reduced vehicle miles driven were not evaluated. AR 2:559-560 The City's response did not address the alternative location issue relative to vehicle omissions and was therefore non-responsive and inadequate. AR 3:616-617

L. The EIR did not adequately analyze or respond to comments relating to gas and oil pipelines.

Written comments were made during the comment period concerning the danger of large PG&E gas transmission pipelines and the need for a greater setback. (AR 526-619) Specific and detailed comments arguing a 100 foot setback was insufficient and the impact zone for a 36 inch pipeline was 660 feet to 1,000 feet. AR 2:565 This comment specifically referencing the 660 foot setback was contained in a three page comment on the PG&E pipelines. (2:564-566)

The FEIR response was "Operation of the pipelines by PG&E and construction activities by Project contractors would be in accordance with State and Federal regulations regarding pipeline operations." AR 3:618 The response is conclusionary, contains no analysis, was non-responsive to the setback issue and did not address the setback issue or other issues raised in the comment.

The City argues comments made at later hearings on this same issue are not relevant. The record shows commentators continued to urge the City to increase the setback and provided additional information at later hearings supporting the earlier comments. On December 16, 2011 commentators again argued a 660 foot setback from gas lines was required. (AR 32:8644: 3-13) These efforts even at the final approval hearing were attempts to have the City provide a meaningful response and analysis to the issue of a 100 foot vs. a 660 foot setback and to provide the requested setback. Other Responses did not address the 660 foot setback but only acknowledged a 100 foot setback. (AR 2:410) The analysis and responses concerning the requested minimum 660 footset back were inadequate.

The City argues that incidents discussed in the comments were at locations distant from the ESP, that the risks had been analyzed, that the pipelines had been inspected and that some project design modifications had been undertaken. (City Opposition 32:28-33:8) However none of these responses or analysis discussed why a 100 foot setback was sufficient and a 660 setback was unnecessary. The City cites to no part of the record where there is any response concerning comment that a 660 to 1,000 foot setback was needed for a 36 inch gas pipeline. There was no analytical response by the City or analysis contained in the FEIR as to why a 100 foot rather than a 600 foot setback was sufficient. The EIR therefore did not adequately analyze or respond to comments relating to gas pipelines.

J. The FEIR did not adequately analyze or respond to comments regarding water supply impacts.

TRAQC challenged the sufficiency of the Water Supply Assessment (WSA) which was relied upon by the City to determine, based on the entire record, whether water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses. (Water Code Section 10911(c)) The City could still approve a project with supplies are not sufficient, but would be required to make additional findings. (Water Code Section 10911) The City determined that the water supply was sufficient. This finding is not supported by substantial evidence for two reasons.

Table 21 of the WSA indicates that in an extreme drought year demand is 24,989 acre feet per year with a supply of 24,308 acre feet per year for a shortage of 681 acre feet per year. The City reduces this demand by unspecified "mandatory conservation measures". (AR 24:6348, footnote (a)) TRAQC argues that this is not an adequate supply, but an unsupported assertion that demand will be less by simply providing less water and rationing. The City cannot avoid making a finding that the Water Supply would not be sufficient in an extreme drought year by referring to some

unspecified reduction in demand due to unspecified conservation measures. The finding that water supply is adequate is not supported by substantial evidence.

The record also indicates that not all projects were included in the WSA. A discussion between a council member and staff indicated that 206 RGAs were projected for the downtown and these were not included. AR 35:9399-9400 Neither the City or Surland responded to this issue in briefing or at trial.

The Respondent did not properly analyze water impacts by using a reduction of demand not supported by substantial evidence and because the study did not apparently include all the projects.

K. The administrative record relative to Notice to OPR and State Clearinghouse.

The administrative record shows that in April 2008, the City sent a copy of the Draft EIR and a Notice of Completion to the Office of Planning and Research ("OPR") and State Clearinghouse, and OPR thereafter returned a stamped copy of the Notice of Completion to the City indicating it had received the Draft EIR and provided a copy to the San Joaquin Valley Air Pollution Control District ("SJ VAPCD").

California Rule of Court requires a party requesting a request for a Statement of Decision must specify the principal controverted issues in the request. CRC 3.1590(d) The request that the court address "Any other issue of fact or law subsidiary to the above or otherwise necessary to the resolution of the proceeding (Request 4:1-2) does not comply with CRC 3.1590(d).

Petitioner is the prevailing party.

Conclusion

The Court finds the subject Development Agreement does not comply with Government Code §65865(b) and 65865.2 and is therefore invalid.

The Court also finds that the Project description was neither accurate nor stable, that the EIR was inadequate as a consequence, and/or that the Project changed significantly such that re-circulation of the EIR as required.

The Court also finds that the FEIR's analysis of alternatives was legally inadequate, the rejection of the Environmentally Superior Reduced Density Alternative #6 was not supported by substantial evidence, that the FEIR did not respond adequately to public comments regarding alternatives, and that the FEIR did not adequately analyze or respond to comments regarding growth management, land use and loss of farmland, airport-related impacts, traffic, air, gas and oil pipelines and water supply impacts.

IT IS HEREBY ORDERED: The Petition is granted. A peremptory writ of mandate shall issue by which Respondent shall be ordered and directed to:

1. Vacate and set aside the Development Agreement;
2. Vacate and set aside approvals of the Project including, but not limited:
   a. Certification of the Final Environmental Impact Report ("FEIR") Adopting Findings of Fact, A Statement of Overriding Considerations and a Mitigation Monitoring Program for the Surland Companies Applications No. 1-04-GPA, 1-04-A/P; 2-04-SPA;
   b. Adoption of an Ordinance of the City of Tracy Approving a Development Agreement ("DA") with the Surland Companies, Application 2-06-DA;
   c. Approval of a Petition for Annexation, Application No. 1-04-GPA,
   d. Approval of a General Plan Amendment, Application No. 1-04-GPA; and
   e. Approval of the Ellis Specific Plan and Pre-Zoning, Application 2-04-SPA

Dated: ~~March~~ October 31, 2011

LDH

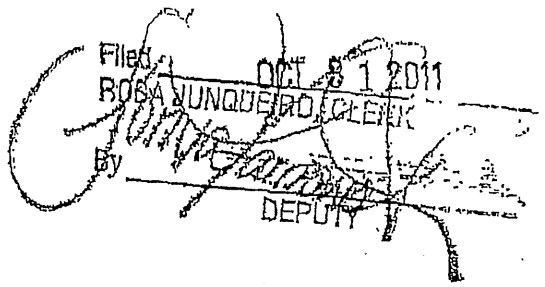
Hon. ~~Leslie~~ Holland
Judge of the Superior Court

LESLEY HOLLAND

EXHIBIT B

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Attorney for TRAQC



Superior Court of California, County of San Joaquin

Unlimited Jurisdiction

TRACY REGION ALLIANCE FOR A QUALITY COMMUNITY (TRAQC)

Petitioner,

vs.

CITY OF TRACY, BY AND THROUGH THE CITY COUNCIL; and DOES 1-20 inclusive,

Respondents.

SURLAND COMMUNITIES, a California Limited Liability Company; THE SURLAND COMPANIES LLC, a California Limited Liability Company; SURLAND DEVELOPMENT COMPANY; and DOES 21-40 inclusive,

Real Parties in Interest.

Case No. 39-2009-00201854-CU-WM-STK

~~[PROPOSED]~~ JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE

HEARING:
Dates: October 15 & November 19, 2010
Dept: 13
Time: 10:00 a.m.
Judge: Honorable ~~Leslie~~ Holland

LESLEY HOLLAND

MAR 14 2011

This matter came regularly for hearing on October 15, 2010 and November 19, 2010 in Department 13 of this Court, located at 222 E. Weber Avenue, Stockton, CA. Mark V. Connolly, Esq. appeared on behalf of Petitioner TRAQC. Arthur F. Coon, Miller Starr & Regalia appeared on behalf of Real Parties in Interest. Rick W. Jarvis, Esq. Jarvis, Fay, Doporto & Gibson appeared on behalf of Respondents.

The Court having reviewed the record of Respondent's proceedings in this matter, the briefs submitted by counsel, and the arguments of counsel; the matter having been submitted for decision, and the court having issued its Tentative Decision of February 16, 2011 and its Statement of Decision granting the Application for Writ of Mandate filed by Tracy Region Alliance for a Quality Community ("Petitioner" or "TRAQC"), and good cause appearing therefore,

IT IS ORDERED, DECREED AND ADJUDGED that:

1. Judgment granting a Peremptory Writ of Mandate is entered in favor of Petitioner in this proceeding. Judgment is so entered because the Court finds that Respondents committed a prejudicial abuse of discretion under the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* in taking the following actions, hereinafter referred to as the "Project":

   a. Certifying the Final Environmental Impact Report ("FEIR") Adopting Findings of Fact, A Statement of Overriding Considerations and a Mitigation Monitoring Program for the Surland Companies Applications No. 1-04-GPA, 1-04-A/P; 2-04-SPA;

   b. Adopting an Ordinance of the City of Tracy Approving a Development Agreement ("DA") with the Surland Companies, Application 2-06-DA;

   c. Approving a Petition for Annexation, Application No. 1-04-GPA;

   d. Approving a General Plan Amendment, Application No. 1-04-GPA; and

   e. Approving of the Ellis Specific Plan and Pre-Zoning, Application 2-04-SPA.

2. The court finds the Development Agreement ("DA") does not comply with Government Code Sections 65865 (b) and 65865.2 and is therefore void.

3. A Peremptory Writ of Mandate directed to Respondents shall issue under seal of this Court, ordering Respondents to vacate and set aside, within thirty (30) days from service of the Writ of Mandate, all approvals of the Project, as described in paragraphs 1 and 2 above in their entirety and all other actions taken by Respondents to approve or implement the Project approvals described above including approval of the Development Agreement.

4. Respondents shall file a return to the Peremptory Writ of Mandate within 10 days of completion of the actions mandated by this judgment. This Court shall retain jurisdiction over Respondents' proceedings by way of the return to the Peremptory Writ of Mandate until the Court has determined that Respondents have complied with the directives of this Court.

5. Petitioner shall be awarded its costs of suit. The Court reserves jurisdiction to determine entitlement to attorneys' fees and litigation expenses, pursuant to any properly and timely filed motion which Petitioner may make.

6. Injunctive relief is granted consistent with this ruling. Respondents, Real Parties in Interest, and their respective agents, employees, and persons acting in concert with them are enjoined from any and all actions to further implement the Project as described in paragraph 1 and the Development Agreement as described in paragraph 2 above.

Dated: ~~March~~ October 31, 2011

Hon. ~~Leslie~~ Holland
Judge of the Superior Court

LESLEY HOLLAND

HERUM \ CRABTREE \ SUNTAG
ATTORNEYS

Steven A. Herum
sherum@herumcrabtree.com

January 4, 2018

VIA ELECTRONIC MAIL

Honorable Members of the Tracy City Council and Tracy Planning Commission
City of Tracy
Tracy City Hall
333 Civic Center Plaza
Tracy, California 95376

Re: Ellis Specific Plan Amendment/Ellis Development Agreement Amendment
Response to December 28, 2017 Michael Sandhu/Mark Connolly letter

Dear Honorable Members of the Tracy City Council and Tracy Planning Commission:

Surland asked me to briefly respond to Mr. Sandhu's December 28, 2017 letter written by Mr. Mark Connolly (Letter).

The Letter's argument depends upon an overarching yet false assumption: that the proposed amendment to the 2012 Development Agreement somehow implicates a court ruling about the 2008 Development Agreement. The explanation for this faulty analysis is discussed in more detail in my letter to Mr. Thomas Watson, but in short after the adverse 2009 trial court ruling about the 2008 EIR and 2008 DA the City approved a new EIR and new Development Agreement in 2012. (The 2012 DA was amended in 2014.)

Then, following customary court procedure, the City then asked the trial court to dissolve the Writ because it had complied with it by nullifying the 2008 EIR and DA. In 2013 the Court ruled in favor of the City and against Mr. Connolly, concluding that the City had satisfied the Writ and therefore dissolved the Writ against the City. Thus the documents cited by Mr. Connolly were dissolved or repealed by the trial court in 2013 and are of no importance today.

Indeed the Trial Court judge also made clear that the 2009 court actions were no longer relevant. He wrote that Mr. Connolly's earlier lawsuit that "targeted the old EIR and the old EIR...is moot." He also found that the 2008 DA has "been superseded by the Amended and Restated Development Agreement". The 2008 DA and the 2009 court ruling are no longer relevant to our discussion.

Thus the Letter's heavy reliance on the 2009 court ruling about the old 2008 DA is sadly misplaced and irrelevant to this 2018 DA amendment. The Letter distorts the truth by abruptly and wrongly ending the litigation's history in 2011; however, by studying the

litigation's entire history until its 2013 conclusion we reach the logical conclusion that the first three pages of the Letter are irrelevant and moot.

Starting at page 4 the Letter outlines seven additional objections to the DA amendment. None of these points are accurate or relevant.

First, the Letter fundamentally misunderstands or deliberately misstates the treatment of Surland's Aquatic Center contribution. The amendment provides for Surland to contribute Ten Million Dollars to design, plan and construct the Aquatic Center. Contrary to the Letter's assertion this section does not involve reimbursing Surland for the Aquatic Center contribution; rather it provides for an accurate accounting of Surland funds expended to design and build the Aquatic Center. The Letter is just wrong.

Second, the parkland dedication provisions are consistent with City policies. Apparently Mr. Sandhu and Mr. Connolly seemingly disagree with building an Aquatic Center and use of objection will obstruct the Aquatic Center. The treatment of parkland dedications reasonably accommodates the need for parkland and the community's desire for an Aquatic Center. Contrary to the implication presented in the Letter, all members of Tracy will be able to use the Aquatic Center. The Letter is just wrong.

Third, the Letter deliberately misstates the true facts and history of the situation. The City Council at a noticed public hearing made a public decision about the location of the Aquatic Center. The City staff recommended locating the Aquatic Center at Ellis. *No one, including Mr. Sandhu or Mr. Connolly appeared at this noticed public hearing and opposed locating the Aquatic Center at Ellis.* If the City moves the Aquatic Center at this time, as the Letter intimates, the opening of the Aquatic Center will be delayed by five to seven years,

Fourth, the Letter is simply wrong in asserting the amendment does not permit the boundaries of the Primary or Other Project Areas to change. The amendment language cited by the Letter merely acknowledges Surland's vested and contractual rights. Other than acknowledging a standard contractual concept the amendment does not impede the City's discretion to adjust Primary or Other Project Areas. The Letter is just wrong.

Fifth, with respect to the timing of development fees, the City and Surland worked closely and studiously on this provision and adopted a system successfully implemented in other communities. Also, the Letter fails to remind the reader that if development fees, in the opinion of the City, are immediately needed for public infrastructure, then these fees can be immediately collected. The City is fully protected under this provision. The Letter is just wrong.

Sixth, Surland and the City believe an attractive monument sign can be constructed and erected for $150,000. The Letter offers no evidence to the contrary.

Seventh, the amendment does not involve a financial concession as the Letter suggests. Indeed, contrary to the Letter's assertion the amendment makes absolutely clear that Surland will not be the General Contractor for the Aquatic Center. The Letter is just wrong.

Surland's expanded involvement—designing, planning and supervising the construction of the Aquatic Center—provides a major and measurable public benefit. The long awaited Aquatic Center will be constructed sooner and with less expense of City staff time and taxpayer money. The public wants the Aquatic Center built; Mr. Sandhu and Mr. Connolly by their actions are obstructing it. It is clear the citizens of Tracy overwhelmingly want the Aquatic Center. The question is answered by whether this amendment to the Ellis Development Agreement is approved.

Very truly yours,

Steven A. Herum

STEVEN A. HERUM
Attorney-at-Law

SAH:lac

cc: Randall Bradley
Client