

ORDINANCE 1282

AN ORDINANCE OF THE CITY OF TRACY AMENDING ARTICLE 18, CENTRAL BUSINESS DISTRICT (CBD) ZONE, OF CHAPTER 10.08 OF THE TRACY MUNICIPAL CODE TO PERMIT HIGH DENSITY RESIDENTIAL USES, INCLUDING SINGLE-FAMILY DWELLINGS, TWO-FAMILY DWELLINGS, AND MULTI-FAMILY DWELLINGS, APPLICATION NUMBER ZA17-0003

WHEREAS, Article 18, Central Business District (CBD) Zone, of Chapter 10.08 of the Tracy Municipal Code establishes the permitted uses, conditionally permitted uses, and development standards of the CBD Zone, and

WHEREAS, Multi-family dwellings are conditionally permitted in the CBD Zone, and

WHEREAS, Single-family dwellings and two-family dwellings are not permitted in the CBD Zone, and

WHEREAS, The General Plan states that residential development is strongly encouraged in the Downtown and allowed at a density of 15 to 50 units per gross acre (Downtown, page 2-26 of the General Plan Land Use Element), and

WHEREAS, The City has received an application to amend the CBD Zone to permit high density residential uses, including single-family dwellings, two-family dwellings, and multi-family dwellings, and

WHEREAS, The proposed amendment to the CBD Zone is consistent with the General Plan, and

WHEREAS, The proposed amendment is not a project within the meaning of the California Environmental Quality Act because it does not have the potential for causing a significant effect on the environment (CEQA Guidelines, 14 California Code of Regulations, §15061(b).), and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on November 6, 2019, and recommended that the City Council introduce and adopt an ordinance amending Article 18, Central Business District (CBD) Zone, of Chapter 10.08 of the Tracy Municipal Code to permit high density residential uses, including single-family dwellings, two-family dwellings, and multi-family dwellings, and

WHEREAS, The City Council held a duly noticed public hearing to consider the ordinance on December 17, 2019;

The Tracy City Council does ordains as follows:

SECTION 1: Article 18, Central Business District (CBD) Zone, of Chapter 10.08 of the Tracy Municipal Code is hereby amended to permit high density residential uses, including single-family dwellings, two-family dwellings, and multi-family dwellings, as shown in Exhibit 1, attached.

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

SECTION 3: 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 1282 was introduced at a regular meeting of the Tracy City Council held on the 17th day of December, 2019, and finally adopted on the 21st day of January, 2020, by the following vote:

AYES:	COUNCIL MEMBERS: ARRIOLA, RANSOM, VARGAS, YOUNG, RICKMAN
NOES:	COUNCIL MEMBERS: NONE
ABSENT:	COUNCIL MEMBERS: NONE
ABSTAIN:	COUNCIL MEMBERS: NONE

Signed by: Robert Rickman, Mayor

Attest: Adrienne Richardson, City Clerk

Article 18. - Central Business District Zone (CBD)

10.08.2360 - Purpose (CBD).

The Central Business District (CBD) Zone is to provide areas in which the forces of cumulative attraction or the need for comparison shopping may take place.

(Prior code § 10-2.1800)

10.08.2370 - Descriptive regulations (CBD).

In the CBD Zone, the following specified regulations shall govern, unless otherwise provided in this chapter:

- (a) The CBD Zone is to provide an area in which pedestrian-oriented establishments may locate and the forces of cumulative attraction or the need for comparison shopping may take place.
- (b) The CBD Zone is to provide commercial business, service, and office facilities for the convenience of residents of the entire City.
- (c) The CBD Zone is to provide the retail core and cultural focus for the City.
- (d) The CBD Zone is to provide high density residential in close proximity to Downtown businesses and public gathering spaces.

(Prior code § 10-2.1801)

10.08.2380 - Permitted uses (CBD).

- (a) In the CBD Zone, only general business, commercial, wholesale, high density residential, and governmental activities, which are included in the following use groups, shall be permitted without conditional approval:

Group 1	Minor public service uses;
Group 4	Temporary buildings and uses;
Groups 21, 22, 23, 24	Single-family dwellings, two-family dwellings, and multi-family dwellings, except that there shall be no residential uses on the ground floor of buildings with elevations that face the following: <ul style="list-style-type: none"> (1) Central Avenue between 11th Street and 6th Street, (2) 10th Street between Central Avenue and A Street, or (3) Front Street Plaza at 6th Street, excluding the eastern 110 feet of the block which faces a parking island within the 6th Street public right-of-way;
Group 29	Accessory uses, including signs;
Group 40	Travelers' living accommodations, except for uses listed as (c-2), Eating and/or drinking establishment that serves alcohol and provides entertainment after 11:00 p.m.;

Group 41	Business offices and professional offices and laboratories;
Group 42	Retail trade establishments; except veterinary clinics;
Group 43	Consumer service and retail trade establishments, except for uses listed as (c-2), Eating and/or drinking establishment that serves alcohol and provides entertainment after 11:00 p.m.; and
Group 54	Small recycling collection facilities.

- (b) In the CBD Zone, general business, commercial, wholesale, and governmental activities which are included in the following use groups shall be permitted only with conditional approval:

Group 2	Local public service and utility installations;
Group 10	Crop and tree farming;
Group 29	Accessory uses;
Group 30	Places of public assembly such as educational, cultural, institutional, religious, and recreational uses serving local residential areas, excluding uses that are classified within Use Group No. 48;
Group 31	Educational, cultural, institutional, and recreational uses;
Group 32	Educational, cultural, institutional, and recreational uses with special site or locational requirements;
Group 40	Traveler's living accommodations, except trailer parks and uses listed as (c-2), Eating and/or drinking establishment that serves alcohol and provides entertainment after 11:00 p.m.;
Group 43	Consumer service and retail trade, subsection (c-2), Eating and/or drinking establishment that serves alcohol and provides entertainment after 11:00 p.m.;
Group 44	Consumer service and retail trade establishments; and
Group 45	General consumer and business services, miscellaneous repairs, and catering services only.

(Ord. 1050 § 6, 2003; Ord. 1004 § 3, 1999; prior code § 10-2.1802)

(Ord. No. 1177, § 10, 1-15-2013)

10.08.2390 - Building site area (CBD).

There shall be no building site area requirements in the CBD Zone.

(Prior code § 10-2.1803)

10.08.2400 - Lot area (CBD).

There shall be no lot requirements in the CBD Zone.

(Prior code § 10-2.1804)

10.08.2405 - Density (CBD).

There shall be at least 700 square feet of net lot area and no more than 2,500 square feet of net lot area for each dwelling unit in the CBD Zone.

10.08.2410 - Yard areas (CBD).

There shall be no yard area requirements in the CBD Zone, except adjacent to residential zones, in which case a fifteen-foot front yard shall be provided.

(Prior code § 10-2.1805) 10.08.2410

10.08.2420 - Height (CBD).

There shall be no height requirements in the CBD Zone.

(Prior code § 10-2.1806)

10.08.2430 - Permissible lot coverage (CBD).

There shall be no lot coverage requirements in the CBD Zone.

(Prior code § 10-2.1807)

10.08.2440 - Floor area (CBD).

There shall be no floor area requirements in the CBD Zone, except that the minimum floor area for a single-family dwelling shall be 500 square feet.

(Prior code § 10-2.1808)

10.08.2450 - Off-street parking (CBD).

See Article 26 of this chapter. A twenty (20%) percent reduction in the required parking area, as required by the provisions of Article 26 of this chapter, will be permitted if seventy (70%) percent of this area is used for pedestrian-oriented open space (mall). Developers interested in receiving such reduction shall submit plans for pedestrian-oriented open space to the Commission for approval prior to review by the Community Development Director. A five (5%) percent reduction in required parking area will be permitted if one or more property owners provide public rest areas and direct telephone communication for public transit riders.

(Prior code § 10-2.1809)

10.08.2460 - Usable open space (CBD).
(See Section 10.08.2450 of this article.)

(Prior code § 10-2.1810)

10.08.2470 - Loading and unloading space (CBD).

Loading and unloading areas in the CBD Zone shall be indicated and provided for at the rear of the buildings or upon adjoining alleys.

(Prior code § 10-2.1811)

10.08.2480 - Development review (CBD).

All uses requiring a building permit shall obtain development review compliance, except as provided for in Article 30 of this chapter and the CEQA Guidelines adopted by the City, prior to being established in the CBD Zone. Additionally, any new residential development in the CBD Zone shall be subject to development review, including any new single-family dwellings, two-family dwellings, or multi-family dwellings, regardless of the number of units.

(Prior code § 10-2.1812)

