

ORDINANCE 1238

AN ORDINANCE OF THE CITY OF TRACY ADDING A NEW SECTION 10.08.3225 AND AMENDING SECTION 10.08.3530 OF THE TRACY MUNICIPAL CODE RELATING TO RESTRICTIONS ON FRONT YARD PAVING AND PROHIBITING PARKING ON ANY UNPAVED SURFACE

WHEREAS, The City Council wishes to restrict front yard paving on residential property and prohibit parking on any unpaved surface, in order to address concerns of visual blight and deteriorated neighborhood aesthetics; and

WHEREAS, The proposed amendments to the Tracy Municipal Code are 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 June 28, 2017 and recommended that City Council introduce and adopt the ordinance; and

WHEREAS, The City Council held a duly noticed public hearing to consider the ordinance on July 18, 2017.

The Tracy City Council hereby ordains as follows:

SECTION 1. A new Section 10.08.3225, Front yard paving, is added to Title 10 (Planning and Zoning) of the Tracy Municipal Code to read as follows:

“10.08.3225 Front yard paving.

On residential property, no more than 50 percent of the front yard may be paved, unless such paving is pavers, bricks, or masonry and clearly designed as a landscape feature that precludes parking.

For the purposes of this section, the following definitions shall apply:

“Front yard” means the total area, extending across the full width of the lot, between the front façade of a dwelling and the front lot line, excluding the driveway.

“Driveway” means a paved area providing the shortest direct route, at the minimum width necessary, between a public right-of-way driveway approach and the vehicular entrance to a garage or carport.

“Paving” shall mean any permanent hard surface, such as asphalt, concrete, pavers, bricks, or other masonry.”

SECTION 2. Subsection (a) of Section 10.08.3530, Required improvements and maintenance of parking areas, of Title 10 (Planning and Zoning) of the Tracy Municipal Code is amended to read as follows:

“10.08.3530 Required improvements and maintenance of parking areas.

(a) It shall be unlawful to park on any unpaved surface. Every parking area used or intended to be used as a public or private parking area shall be paved with a surfacing material in compliance with City of Tracy Standards.”

SECTION 3. This Ordinance takes effect 30 days after its final passage and adoption.

SECTION 4. This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the Ordinance is adopted and within 15 days after adoption, with the names of the Council Members voting for and against the Ordinance. (Gov't. Code §36933.)

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The foregoing Ordinance 1238 was introduced at a regular meeting of the Tracy City Council on the 18th day of July, 2017, and finally adopted on the 15th day of August, 2017, by the following vote:

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

Signed: Robert Rickman, Mayor
Attest: Nora Pimentel, City Clerk