

ORDINANCE 1266

AN ORDINANCE OF THE CITY OF TRACY APPROVING AN AMENDMENT TO THE ELLIS SPECIFIC PLAN FENCE REGULATIONS AND MINIMUM LOT WIDTH REQUIREMENTS, APPLICATION NUMBER SPA19-0001

WHEREAS, The Ellis Specific Plan was approved by the City Council on January 22, 2013 and amended by the City Council on May 17, 2016 and March 13, 2018; and

WHEREAS, The Ellis Specific Plan serves as the zoning regulations for the approximately 321-acre site known as Ellis, which is located in the vicinity of Ellis Town Drive between Corral Hollow Road and Lammers Road; and

WHEREAS, On January 11, 2019, The Surland Companies submitted an application for an amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements (Application Number SPA19-0001); and

WHEREAS, The current Ellis Specific Plan fence regulations state that a street side yard fence is permitted only in the rear half of a lot; and

WHEREAS, The proposed amendment would remove the limitation of a street side yard fence being permitted only in the rear half of a lot; and

WHEREAS, The proposed amendment would also establish that fences must be setback two feet minimum from the front property line; and

WHEREAS, The proposed amendment would modify the minimum lot width for the Residential Mixed Zone (for front loaded lots, detached) from 50 feet to 45 feet; and

WHEREAS, The proposed amendment is consistent with the City's General Plan; and

WHEREAS, The proposed amendment to the Ellis Specific Plan 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)). Therefore, no further environmental assessment is required; and

WHEREAS, The Planning Commission considered this matter at a duly noticed public hearing held on January 23, 2019 and recommended that the City Council approve the amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements; and

WHEREAS, The City Council considered this matter at a duly noticed public hearing held on February 5, 2019 and continued the public hearing to February 19, 2019;

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. The City Council hereby approves the amendment to the Ellis Specific Plan fence regulations and minimum lot width requirements, Application Number SPA19-0001, as shown in Exhibit "1" attached.

SECTION 3. This Ordinance shall take 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 1266 was introduced at a regular meeting of the Tracy City Council on the 19th day of February 2019, and finally adopted on the 5th day of March, 2019, by the following vote:

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

Signed: Robert Rickman, Mayor
Attest: Adrienne Richardson, City Clerk

(A copy of Exhibit A is available in the City Clerk's office, 333 Civic Center Plaza, Tracy, and on the City of Tracy website: www.cityoftracy.org)

ELLIS SPECIFIC PLAN / PATTERN BOOK AMENDMENT

Ellis Specific Plan Amendment

Amend the first sentence of Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan to read as follows:

“Fences shall meet all requirements of the Tracy Municipal Code, except as otherwise specified in this section or Appendix A: Ellis Pattern Book.”

Delete the following statement from Section 3.5.19 on page 21 of Section 3 of the Ellis Specific Plan:

“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.”

Ellis Pattern Book Amendment

All fence requirements and fence setbacks shown on Pages 2/8, 2/12, 2/16, 2/20, 2/24, 2/28, 2/32, 2/36, 2/40, 2/44, 2/48, 2/52, 2/56, 2/60, 2/61c, and 2/61g of the Ellis Pattern Book shall be amended to read as follows:

“FENCE REQUIREMENTS

>> Maximum height of a fence in the front yard: 3 feet

Note: For the purposes of this section, “front yard” means the area extending across the full width of a lot between the front façade of a house and the front lot line.

>> Maximum height of a fence in a side yard, street side yard, or rear yard: 8 feet (6 feet if located in a public utility easement)

>> Any fence of 6 feet in height or greater that is facing a public street or public space shall be constructed with a lattice design for a minimum of the top 1 foot of the fence height.

FENCE SETBACKS

>> 2 feet minimum from the front lot line

>> 5 feet minimum from a street side lot line

>> Where any fence abuts a house, the fence must be setback a minimum distance of 5 feet from the front façade of the house (porch excluded)”

Residential Development Standards, Lot Width for Residential Mixed (Front Loaded Lots, Detached), shown on Page 2/74 of the Ellis Pattern Book shall be amended to read as follows:

“45 ft. min.; provided, however, lots on cul-de-sacs or knuckles shall have a minimum width of 35 feet at the front property line.”