

NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special meeting of the **Tracy Growth Management Board (GMB)** is hereby called for:

Date/Time: **Wednesday, November 3, 2021, 12:00 p.m.**
(or as soon thereafter as possible)

Location: City Hall
333 Civic Center Plaza, Tracy, CA

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

**THIS SPECIAL MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF
THE GOVERNOR'S EXECUTIVE ORDER N-29-20 WHICH SUSPENDS CERTAIN
REQUIREMENTS OF THE RALPH M. BROWN ACT**

**RESIDENTS ARE STRONGLY ENCOURAGED TO PARTICIPATE REMOTELY AT THE
NOVEMBER 3, 2021 GMB MEETING**

Remote Access to City of Tracy Growth Management Board Meeting:

In accordance with the guidelines provided in Executive Order N-29-20 on social distancing measures, the City of Tracy will allow for remote participation at the upcoming Growth Management Board meeting on Wednesday, November 3, 2021.

Remote Public Comment:

*All interested persons are invited to participate by calling the teleconference line at **(209) 425-4338** Conference ID: **414347967#** to submit statements orally during the meeting; or in writing before the meeting by sending written statements to Victoria.Lombardo@cityoftracy.org.*

1. CALL TO ORDER
2. ROLL CALL
3. ITEMS FROM THE AUDIENCE - *In accordance with Procedures for Preparation, Posting and Distribution of Agendas and the Conduct of Public Meetings, adopted by Resolution 2008-140 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 Board Member to sponsor the item for discussion at a future meeting.*
4. OLD BUSINESS – None.
5. NEW BUSINESS
 - A. GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN THE REMAINDER OF 2021.
 - B. GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2022.
6. ITEMS FROM THE AUDIENCE

7. ADJOURNMENT

Posting Date: October 21, 2021

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 Tracy Growth Management Board regarding any item on this agenda will be made available for public inspection in the Development Services Department located at 333 Civic Center Drive, Tracy, during normal business hours.

November 3, 2021

AGENDA ITEM NO. 5-A

REQUEST

GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2021

DISCUSSION

This is a meeting of the Growth Management Board (GMB), and a public hearing to determine the allocation of Reverted Residential Growth Allotments (RGAs) for use in the remainder of 2021.

GMO Guidelines section D.3.(c) states that “RGAs must be used to obtain a building permit no later than September 30th of the year following the allocation in accordance with GMB action....In the event an RGA has not been used to obtain a building permit by September 30th, then such RGAs automatically revert back to the City and shall be available for the GMB to allocate to projects with complete applications in accordance with the criteria set forth in Section F. The GMB shall meet as needed to address such RGA allocations.”

The City sent a notice to representatives of all eligible projects on September 30, 2021 that reverted RGAs may be available for use after that day, listing the application requirements and deadlines. The City received two applications.

2021 “Reverted” RGAs

The GMB allocated 750 RGAs to five projects for use in 2020. A total of 490 of those RGAs were not perfected (i.e. no building permit was issued for these RGAs by September 30, 2021) by various projects and reverted back to the City (Attachment A).

The City received two applications for reverted RGAs from Ellis and Tracy Hills. The application from the Ellis project requested 83 reverted RGAs, and the application from Tracy Hills requested 406 plus any other available RGAs. After considering awarding each project’s respective reverted RGAs be re-allocated back to their projects (70 for Ellis and 406 for Tracy Hills), 14 reverted RGAs remain, to be split pursuant to section F4 of the GMO Guidelines, 1/3 to Ellis and 2/3 to Tracy Hills, resulting in 75 RGAs to Ellis and 415 to Tracy Hills.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 75 RGAs to the Ellis project and 415 RGAs to the Tracy Hills project. This division is consistent with section F4 of the GMO Guidelines, which divides all available RGAs to these

two projects into 1/3 to Ellis and 2/3 to Tracy Hills. These RGAs would need to be utilized for the issuance of building permits by December 31, 2021.

ATTACHMENTS

- A—Reverted RGA Data
- B—Resolution

Prepared by Victoria Lombardo, Senior Planner

2021 REVERTED RGA APPLICATIONS AND RECOMMENDATION

Application Number	Applicant	Project Name	Allocated RGAs	Permits Issued	Reverted RGAs	Reverted RGAs Requested	Recommended RGA Allocation
<u>Tracy Hills and Ellis Specific Plan Projects</u>							
RGA20-0001	Surland	Ellis	194	124	70	126	75
RGA20-0004, RGA20-0007 and RGA20-0008	Tracy Phase 1, LLC	Tracy Hills	494	88	406	406 + any available	415
<u>Primary Growth Areas</u>							
RGA20-0006	Kattera	Valpico Glenbriar Apartments	48	48	0	0	
RGA20-0002	Bright Homes	Larkspur	14	0	14	0	
RGA20-0003	Rashed Elham, Inc	Byron Apartments	60*	0	60*	0	
TOTALS			750		490		490

*These 60 RGAs reverted in March 2021 and we're already re-allocated to the Tracy Hills project on 4/22/21.

**RESOLUTION OF THE CITY OF TRACY GROWTH MANAGEMENT BOARD REGARDING
THE ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS IN NOVEMBER
2021**

WHEREAS, The City of Tracy’s (“City”) Growth Management Board (“Board”) was established to manage and enforce the requirements of Chapter 10.12 of the Tracy Municipal Code which is known as the Growth Management Ordinance (“GMO”) and the GMO Guidelines, last revised via Resolution No. 2014-214, and

WHEREAS, On November 1, 2018, the Board adopted a resolution outlining the process for allocating unused or unperfected Residential Growth Allotments (“RGAs”) (i.e. no building permit was issued for these RGAs by September 30th) that reverted to the City in accordance with subsection (c) of Section D. 3 of the GMO Guidelines, and

WHEREAS, The Board held a public hearing on November 3, 2021 to consider allocating reverted RGAs in accordance with that process, and

WHEREAS, These reverted RGAs must be used to obtain a building permit from the City by December 31, 2021, and

NOW, THEREFORE, BE IT RESOLVED, that the City of Tracy’s Growth Management Board hereby declares and determines that the 2021 reverted RGAs shall be allocated as follows:

Project	RGAs
Tracy Hills	415
Ellis	75

* * * * *

The foregoing Resolution 2021-____ was adopted by the Tracy Growth Management Board on the 3rd day of November, 2021 by the following vote:

- AYES: BOARD MEMBERS:
- NOES: BOARD MEMBERS:
- ABSENT: BOARD MEMBERS:
- ABSTAIN: BOARD MEMBERS:

BOARD CHAIR

ATTEST:

BOARD SECRETARY

AGENDA ITEM NO. 5-B

REQUEST

GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2022

DISCUSSION

This is a meeting of the Growth Management Board (GMB), and a public hearing to determine the 2022 allocations of Residential Growth Allotments (RGAs) for new residential development in Tracy.

The GMB is responsible for allocating RGAs in accordance with the Growth Management Ordinance (GMO) and GMO Guidelines. All four of the applications submitted in this allocation cycle fall under the current version of the GMO Guidelines, meaning, none of the projects seeking RGAs are governed by previous versions of the GMO or GMO Guidelines, such as pre-Measure A timeframes. The projects meet the eligibility requirements set forth in the GMO Guidelines and are therefore qualified to receive allocations of RGAs to be used in 2022, as summarized below.

In accordance with Section 10.12.100 of the GMO, the GMB shall allocate a maximum of 750 RGAs during this allocation cycle.

Priority Area Projects

RGA21-0005 – Bright Homes – Larkspur Unit 4 – 14 RGA requested and 14 RGAs recommended

This project is the final phase of Larkspur, originally mapped in the 1990's but these lots were encumbered with a storm drain basin and emergency access point, both of which will no longer be necessary, so the 14 houses may be constructed. The project was approved in 2020 and the construction drawings are ready for permits to be issued, pending final map approval. The project is located on DeBord Drive and Cairo Court, with one lot on Bentley Lane. These 14 RGAs would be used to complete the Larkspur project in 2022.

RGA21-0003 – Lee Jagoe Architecture – Collin Avenue Apartments, 178 Collin Ave. – 10 RGAs requested and 10 RGAs recommended

This 10-unit apartment project was approved on May 12, 2020. Construction drawings are in review for building permits. Staff is recommending that the Board allocate 10 RGAs to begin this project, for issuance of building permits in 2022 in accordance with the GMO Guidelines.

Tracy Hills and Ellis Specific Plan Projects

RGA21-0004 – Mike Souza for Tracy Phase IB-1, LLC and Tracy Phase II, LLC – '406 minimum' RGAs requested and 490 RGAs recommended

Tracy Hills Phase 1B-1 has 432 lots, and Tracy Hills Phase 2 have 1465 lots. The project is located generally at Corral Hollow Road and I-580. Based on the 2012 GMO Guidelines, the project is entitled to receive 406 RGAs for use in 2022. Should they be available, additional RGAs can be allocated to the Tracy Hills project, as long as the annual maximum and average number of RGAs allocated to all of the projects does not exceed those allowable per the GMO.

Of the 150 RGAs annually available to infill and “other” projects (collectively), only two applications were received requesting a total of 24 RGAs (see above). This allows for an additional 126 RGAs to be distributed to the Tracy Hills and Ellis projects, as both projects have requested more RGAs than they are entitled to receive pursuant to the GMO Guidelines. Using the proportionate split between the two projects of 2/3 to Tracy Hills and 1/3 to Ellis, this would amount to 84 additional RGAs to Tracy Hills (for a total of 490) and 42 additional RGAs to Ellis.

Staff is recommending that the project receive 490 RGAs as established in the GMO Guidelines. These 490 RGAs would be used for the issuance of building permits in 2022 in accordance with the GMO Guidelines.

RGA21-0002 – Surland Communities, LLC – Ellis – 298 RGAs requested and 236 RGAs recommended

Two Ellis Tentative Subdivision Maps are approved and have a total of 664 lots. The project is located at the northwest corner of Corral Hollow and Linne Roads. Based on the 2012 GMO Guidelines, the project is eligible to receive 194 RGAs for use in 2022, and they have applied for 298. Should they be available, additional RGAs can be allocated to the Ellis project, as long as the annual maximum and average number of RGAs allocated to all of the projects does not exceed those allowable per the GMO.

Of the 150 RGAs annually available to infill and “other” projects (collectively), only two applications were received requesting a total of 24 RGAs (see above). This allows for an additional 126 RGAs to be distributed to the Tracy Hills and Ellis projects, as both projects have requested more RGAs than they are entitled to receive pursuant to the GMO Guidelines. Using the proportionate split between the two projects of 2/3 to Tracy Hills and 1/3 to Ellis, this would amount to 84 additional RGAs to Tracy Hills and 42 additional RGAs to Ellis (for a total of 236).

Staff is recommending that the project receive 236 RGAs as established in the GMO Guidelines. The recommended 236 RGAs would be used for the issuance of building permits in 2022 in accordance with the GMO Guidelines.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 14 RGAs to the Larkspur project, 10 RGAs to the Collin Avenue Apartment project, 490 RGAs to the Tracy Hills project, and 236 RGAs to the Ellis project, in accordance with the 2012 GMO Guidelines.

ATTACHMENT

- RGA Recommendations for Fall 2021

Prepared by Victoria Lombardo, Senior Planner

RGA APPLICATIONS AND RECOMMENDATIONS FOR 2022

Application Number(s)	Applicant	Project Name	RGAs Requested	RGA Recommendation
<u>RGA21-0005</u>	Bright Homes	Larkspur	14	14
<u>RGA21-0003</u>	Lee Jagoe Architecture	Collin Avenue Apartments	10	10
<u>RGA21-0004</u>	Mike Souza	Tracy Hills	406 minimum	490
<u>RGA21-0002</u>	Surland	Ellis	298	236
RGAs Allocated for use in 2022				750