

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: **Tuesday, November 5, 2019, 2:00 p.m.**
(or as soon thereafter as possible)

Location: **City Hall, Conference Room 120**
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.

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
6. Items From The Audience
7. Adjournment

Posting Date: October 31, 2019

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.

AGENDA ITEM NO. 5-A

REQUEST

GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2019

DISCUSSION

This is a meeting of the Growth Management Board (GMB), and a public hearing to determine if the applicants qualify for allocation of Reverted Residential Growth Allotments (RGAs) and possible allocation of RGAs.

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 5, 2019 and received five applications for Reverted RGAs.

2019 “Reverted” RGAs

The GMB allocated 750 RGAs to six projects in November 2018 for use in 2019. A total of 501 of those RGAs were not perfected (i.e. no building permit was issued for these RGAs) by various projects and reverted back to the City (Attachment A). Of those reverted RGAs, 470 fall within the F4 category of the GMO Guidelines, to which Tracy Hills and Ellis have the right of first refusal. All Primary Growth Area RGAs were used, and the remaining 31 RGAs were reverted from the “Other Projects” area. These 31 Reverted RGAs are to be allocated following a cascade of priority listed in GMO Guidelines Sections F1 through F5.

The City received five applications for reverted RGAs from, Tracy Hills, Ellis, Santosha, Southgate Lot A, and Valpico Glenbriar Apartments.

Section F(6) of the GMO Guidelines provides that RGAs shall be made available in accordance with the priorities set forth in subsections F(1) through (5) when there are remaining RGAs. Based on this guideline and the submitted applications, the reverted RGAs are recommended to be allocated as follows:

RGA19-0008 – Tracy Hills – 362 reverted RGAs recommended (F4)

Tracy Hills received 406 RGAs for use in 2019 and was issued 128 building permits. 278 RGAs reverted back to the City and in their application Tracy Hills has requested “all F4 RGAs available, less BPs issued as of 9/30/19”. Because both Tracy Hills and Ellis have the right of first refusal to their previously allocated

RGAs, and then to those other F4 RGAs (any un-used Ellis RGAs that Ellis does not request, 84 at this time) staff recommends that the Board allocate the Tracy Hills project 362 reverted RGAs.

RGA19-0011 – Ellis – 108 reverted RGAs recommended (F4)

The Ellis project received 194 RGAs for 2019 and was issued 2 building permits. Thus, 192 of those RGAs went unused and reverted to the City. They submitted an application for 108 RGAs and staff recommends those 108 reverted RGAs to be allocated to Ellis, pursuant to Guidelines Section F4.

RGA19-0010 – Santosha (Berg Road Properties) – 29 reverted RGAs recommended (F2)

In the first RGA cycle for 2019, this project applied for 71 RGAs, which would have completed their project. The project is located in the City's Primary Growth Area. They were allocated 42 RGAs, and were issued all 42 building permits, plus models. They have applied for 29 reverted RGAs to complete their project and have plans completed and permits ready to be issued as soon as they receive RGAs.

RGA19-0009 – Southgate Lot A – 2 reverted RGAs (F2)

This project is comprised of 42 units and received project approval in 2019. They were not eligible to apply for RGAs in fall of 2018 for 2019 RGAs because of the timing of their approval. They have applied for all 42 of the RGAs they would need to complete the project but after the recommended 29 going to Santosha, only 2 remain.

RGA19-0012 – Valpico Glenbriar Apartments – 0 reverted RGAs (F2)

This project was approved October 1, 2019 for the construction of 192 apartment units, and they have applied for 72 RGAs. After recommending the 31 reverted RGAs that were available be allocated to the Santosha and Southgate projects, none remain for allocation to this recently approved project.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 362 reverted RGAs to the Tracy Hills project, 108 reverted RGAs to the Ellis project, 29 reverted RGAs to the Santosha project, and 2 RGAs to the Southgate Lot A project in compliance with the 2012 GMO Guidelines.

Prepared by Victoria Lombardo, Senior Planner
Approved by Bill Dean, Assistant Development Services Director

Attachment A—Reverted RGA Data
Attachment B – Resolution

REVERTED RGA APPLICATIONS AND RECOMMENDATIONS FOR 2019

Application Number(s)	Applicant	Project Name	Allocated RGAs	Permits Issued	Reverted RGAs	Reverted RGAs Requested	Recommended RGA Allocation
<u>Tracy Hills and Ellis Specific Plan Projects</u>							
RGA18-0006 RGA19-0008 RGA18-0009 RGA19-0011	Tracy Phase 1, LLC	Tracy Hills	406	128	278	All F4 RGAs	362 (278+84 from Ellis per F4)
	Surland	Ellis	194	2	192	108	108 (per F4)
<u>Other Projects</u>							
RGA18-0002	Lennar	Primrose I and II	44	13	31	0	
<u>Primary Growth Areas</u>							
RGA18-0004 RGA18-0005 RGA19-0010	Ponderosa Homes III, Inc. Dooston Properties	Elissagaray Infill Berg Road Properties	24 42	24 42	0 0	0 29	29 (per F6)
RGA18-0008	James Tong, Inc.	321 E. Grant Line	40	40	0	0	
NEW RGA APPLICATIONS (not attached to projects that previously received RGAs for use in 2019)							
RGA19-0009 RGA19-0012	Bright Katerra	Southgate Lot A Valpico Glenbriar Apts				42 72	2 (per F6) 0
RGAs Allocated for use in 2019			750	249	501		501

*Per Ellis DA, RGAs are perfected when application for BP is submitted as opposed to issued

**RESOLUTION OF THE CITY OF TRACY GROWTH MANAGEMENT BOARD REGARDING
THE ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS IN
NOVEMBER 2019**

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 5, 2019 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, 2019, and

NOW, THEREFORE, BE IT RESOLVED, that the City of Tracy's Growth Management Board hereby declares and determines that the 2019 reverted RGAs shall be allocated as follows:

Project	RGAs
Tracy Hills	362
Ellis	108
Berg Road Properties	29
Southgate Lot A	2
Valpico-Glenbriar Apartments	0

* * * * *

The foregoing Resolution 2019-_____ was adopted by the Tracy Growth Management Board on the 5th day of November, 2019 by the following vote:

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

BOARD CHAIR

ATTEST:

BOARD SECRETARY