

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 18, 2020, 2:00 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 18, 2020 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 18, 2020.

Remote Public Comment:

All interested persons are invited to participate by calling the teleconference line at (209) 425-4338 Conference ID: 950 651 582# 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 2020.
 - B. GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2021.
6. ITEMS FROM THE AUDIENCE
7. ADJOURNMENT

Posting Date: November 13, 2020

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 5.A

REQUEST

GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2020

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 2020.

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 September 30th deadline to use a RGA to obtain a building permit was extended to November 13, 2020 due to COVID-19 by City Council Resolution No. 20-071.

The City sent a notice to representatives of all eligible projects on October 16, 2020 that reverted RGAs may be available for use after November 13, 2020, listing the application requirements and deadlines. The City received two applications.

2020 “Reverted” RGAs

The GMB allocated 750 RGAs to six projects in November 2019 for use in 2020. A total of 133 of those RGAs were not perfected (i.e. no building permit was issued for these RGAs by November 13, 2020) 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 126 reverted RGAs, and the application from Tracy Hills requested all available RGAs.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 44 RGAs to the Ellis project and 89 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, 2020.

Prepared by: Victoria Lombardo, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director

Agenda Item 5.A
November 18, 2020
Page 2

ATTACHMENTS

Attachment A – Reverted RGA Data
Attachment B – Resolution

2020 REVERTED RGA APPLICATIONS AND RECOMMENDATION

Application Number	Applicant	Project Name	Allocated RGAs	Permits Issued	Reverted RGAs	Reverted RGAs Requested
<u>Tracy Hills and Ellis Specific Plan Projects</u>						
RGA19-0001	Surland Tracy Phase 1, LLC	Ellis Tracy Hills	194	100	94	126
RGA19-0003			406	404+3 models*	2	All available
<u>Other Projects</u>						
RGA19-0005	Taylor Morrison	Sungold (Kagehiro Phase 2)	50	50	0	0
<u>Primary Growth Areas</u>						
RGA19-0002	Ponderosa Homes II, Inc.	Elissagaray Infill	23	23	0	0
RGA19-0004	Pond Creek, LLC	Southgate Lot A	40	40	0	0
RGA19-0007	Rashed Elham, Inc	Byron Apartments	37	0	37	0
TOTALS			750		133	

*3 of these were model homes that are exempt from RGAs until occupancy

RESOLUTION 2020-_____

RESOLUTION OF THE CITY OF TRACY GROWTH MANAGEMENT BOARD REGARDING THE ALLOCATION OF REVERTED RESIDENTIAL GROWTH ALLOTMENTS IN NOVEMBER 2020

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 18, 2020 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, 2020;

NOW, THEREFORE, BE IT RESOLVED, That the City of Tracy’s Growth Management Board hereby declares and determines that the 2020 reverted RGAs shall be allocated as follows:

Project	RGAs
Tracy Hills	89
Ellis	44

* * * * *

The foregoing Resolution 2020-_____ was adopted by the Tracy Growth Management Board on the 18th day of November, 2020 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 2021

DISCUSSION

This is a meeting of the Growth Management Board (GMB), and a public hearing to determine the recipients of the 76 remaining 2021 RGAs, for use in calendar year 2021.

The GMB is responsible for allocating RGAs in accordance with the Growth Management Ordinance (GMO) and GMO Guidelines. On September 29, 2020, the Board met and allocated 674 RGAs to four projects pursuant to GMO Guidelines section D.3.(c). Tracy Hills received 406, Ellis received 194, Larkspur received 14, and Byron Apartments received 60 RGAs. 76 RGAs went un-allocated.

At the September 29th GMB meeting, the board members determined that an additional GMB meeting would be convened to allocate the remaining 76 RGAs, as well as the reverted 2020 RGAs.

On October 16, 2020, notice was sent to all eligible applicants (anyone with an approved project pursuant to GMO Guidelines Section C.2) that 76 RGAs remained available to be allocated for use in 2021. This notification was sent to seven eligible applicants and contained information regarding the application process and set an application deadline of October 30, 2020. Two applications were received by the deadline, from the Valpico-Glenbriar Apartments and Tracy Hills projects, each requesting all 76 available RGAs.

RGA20-0006-Valpico Glenbriar Apartments

This project has 264 units and was approved in 2019 by City Council. The GMB allocated 146 RGAs in 2019, and building permits were issued for 168 units. Building permits for 22 units were issued pursuant to the RHNA exemption contained in the GMO Section 10.12.065 for deed-restricted moderate income units. This project is comprised of 11 buildings, each containing 24 units, therefore it would be logical to allocate RGAs to the project in increments of 24. This project is located within the Primary Growth Area (Priority area F.2 of the GMO Guidelines).

RGA20-0008-Tracy Hills

This project has been approved for several years and has been allocated 406 RGAs per year every year since 2017, including several years where they were awarded additional reverted RGAs. Not every RGA has been utilized each year to pull building permits. The annual RGA allocation and building permit activity is as follows:

Year	RGAs Allocated	Reverted RGAs Awarded	BPs Issued
2017	406	0	0
2018	406	35	401
2019	406	362	354
2020	406	TBD	404

Tracy Hills falls within the F.4 category in the GMO Guidelines for prioritization of RGA allocations.

It should be noted that the GMO Guidelines (Section F6) provide for a proportionate availability of RGAs when RGAs remain after the Board's initial allocation. Staff reached out the applicants who both agreed that staff's recommendation to allocate more RGAs to the Primary Area project was acceptable.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 48 RGAs to the Valpico-Glenbriar Apartments project, and 28 RGAs to the Tracy Hills project. These RGAs must be used for the issuance of building permits by September 30, 2021.

Prepared by: Victoria Lombardo, Senior Planner

Approved by: Bill Dean, Assistant Development Services Director

ATTACHMENTS

Attachment A – RGA recommendations for use in 2021

RGAs APPLICATIONS AND RECOMMENDATIONS FOR 2021

Application Number(s)	Applicant	Project Name	Relinquished RGAs Requested	RGA Recommendation
<u>RG20-0006</u>	Katerra	Valpico Glenbriar Apts	76	48
<u>RG20-0008</u>	Mike Souza	Tracy Hills	76	28
Remaining RGAs Allocated for use in 2021				76