

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: **Thursday, December 19, 2024, 4:00 p.m.**
(or as soon thereafter as possible)

Location: **333 Civic Center Plaza, Development Services Department,
Conference Room 203**
Teleconference line (209) 425-4338, Conference ID: 254 484 352 916#

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**

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 Thursday, December 19, 2024.

Remote Public Comment:

All interested persons are invited to participate by calling the teleconference line at (209) 425-4338 Conference ID: 254 484 352 916# 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 2024.
 - B. GROWTH MANAGEMENT BOARD DETERMINATION OF ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2025.
 - C. PRESENTATION OF 2024 ANNUAL REPORT

6. ITEMS FROM THE AUDIENCE

7. ADJOURNMENT

Posting Date: December 9, 2024

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 THE REMAINDER OF 2024

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 2024.

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 eligible projects on October 29, 2024 that reverted RGAs were available for use after September 30th, listing the application requirements and deadlines. The City received one application.

2024 “Reverted” RGAs

The GMB allocated 750 RGAs to five projects for use in 2024. A total of 562 of those RGAs were not perfected (i.e. no building permit was issued for these RGAs by September 30, 2024) by various projects and reverted back to the City (Attachment A).

The City received one application for reverted RGAs from the Tracy Hills project. The application from Tracy Hills Phase 2A requested 80 reverted RGAs. Tracy Hills has also been diligently working toward building permits and should be able to perfect these RGAs this year. The total requests for reverted RGAs is 80, which is fewer than the total 562 available.

Environmental Analysis

The allocation of RGAs is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Guidelines Section 15061(b)(3) which pertains to the “common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment”. The act of allocating the RGAs does not have the possibility of causing any environmental impacts. Each individual development project, prior to its approval was analyzed for CEQA compliance based on the potential impacts of the future construction of each project, and a determination made by the approving body of each of those respective development applications.

RECOMMENDATION

Staff recommends that the Growth Management Board determine the allocation of reverted RGAs is not a project under CEQA General Rule 15061(b)(3), and allocate 80 RGAs to the Tracy Hills Phase 2A project. These RGAs would need to be utilized for the issuance of building permits by December 31, 2024.

ATTACHMENTS

A - Reverted RGA Data

B - Determination

Prepared by Victoria Lombardo, Senior Planner
Approved by Scott Claar, Planning Manager

2024 REVERTED RGA APPLICATIONS AND RECOMMENDATION

Attachment A

Application Number	Applicant	Project Name	Allocated RGAs	Permits Issued	Reverted RGAs	Reverted RGAs Requested
<u>Tracy Hills and Ellis</u>						
RGA23-0001	Surland	Ellis/Avenues	224	0	224	N/A
RGA23-0002	Mike Souza	Tracy Hills	467	188	279	80
<u>Primary Growth Areas</u>						
RGA23-0004	Mike Serpa	Rocking Horse	50	0	50	N/A
RGA22-0004	Lee Jagoe Architecture	Sansub Apartments	9	0	9	N/A
TOTALS			750		562	80

**DETERMINATION OF THE CITY OF TRACY GROWTH MANAGEMENT BOARD
REGARDING CEQA COMPLIANCE AND ALLOCATING REVERTED RESIDENTIAL
GROWTH ALLOTMENTS IN DECEMBER 2024 FOR USE IN THE REMAINDER OF 2024**

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, One qualifying applications for reverted RGAs was filed by the deadline of November 5, 2024, and

WHEREAS, The allocation of RGAs is exempt from CEQA pursuant to Guidelines Section 15061(b)(3) which pertains to the "common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment", because the allocation of RGAs does not have the potential to cause any effect on the environment, and

WHEREAS, The Board held a public hearing on December 19, 2024 to consider allocating reverted RGAs in accordance with the 2018 Board procedures, and

WHEREAS, These reverted RGAs must be used to obtain a building permit from the City by December 31, 2024, and

NOW, THEREFORE, BE IT RESOLVED, that the City of Tracy's Growth Management Board hereby declares that the allocation of reverted RGAs is not a project under CEQA General Rule 15061(b)(3), and determines that the 2024 reverted RGAs shall be allocated for use in the remainder of 2024 as follows:

Project	RGAs
Tracy Hills	80

The foregoing determination was adopted by the Tracy Growth Management Board on the 19th day of December, 2024 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 THAT THE ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS IS NOT A PROJECT UNDER CEQA GENERAL RULE 15061(B)(3) AND DETERMINATION OF ALLOCATION OF RESIDENTIAL GROWTH ALLOTMENTS FOR USE IN 2025

DISCUSSION

This is a meeting of the Growth Management Board (GMB), and a public hearing to determine the 2025 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 2025, 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.

Secondary Residential Growth Area Projects

RGA24-0003—David Best –Rocking Horse – East side of Lammers Road, north of Redbridge Road – 100 RGAs requested and 100 RGAs recommended

This 226-lot Vesting Tentative Subdivision Map was approved on April 5, 2016, and have been extended several times, and has a current extension application pending, ultimately to October 5, 2025, if approved. The developer has not yet filed any final maps or improvement plans, and would have to do so by March 31, pursuant to GMO Guidelines Section D.3(b) in order to retain any RGAs allocated for the issuance of building permits in 2025. Although it does create a tight schedule, it is possible that the project could move forward and meet these deadlines should a developer and builder work diligently toward construction of the project.

Staff is recommending that the Board allocate 100 RGAs to begin this project, for issuance of building permits in 2025 in accordance with the GMO Guidelines.

Tracy Hills and Ellis Specific Plan Projects

RGA24-0002 – Mike Souza for Tracy Hills Phase 1C and 2 – ‘406 minimum’ RGAs requested and 439 RGAs recommended

Tracy Hills Phases 1C and 2 have a combined 2,581 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 2025. 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.

RGA24-0001 – Ellis Phase 4, Avenues -- 225 RGAs requested and 211 RGAs recommended

The Ellis project absorbed the Avenues Project (Avenues was added to the Ellis Specific Plan in 2021), which allowed for the 480-lot Avenues map to be eligible for the 194 F4 RGAs in the GMO Guidelines for the Ellis project. An application was received for 225 RGAs for Avenues. While the Avenues map is part of the Ellis Specific Plan, it is not part of the Ellis Development Agreement, and therefore not eligible to receive 225 RGAs pursuant to GMO Guidelines Section F3. They are however eligible to receive 194 RGAs pursuant to GMO Guideline Section F4.

Of the 150 RGAs annually available to infill and “other” projects (collectively), only one application was received requesting 100 RGAs (see above). This allows for an additional 50 RGAs to be distributed to the Tracy Hills and Ellis projects; both projects have requested to acquire additional RGAs, should there be RGAs available based on the total applicant pool 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 33 additional RGAs to Tracy Hills (for a total of 439) and 17 additional RGAs to Ellis (for a total of 211).

Environmental Analysis

The allocation of RGAs is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Guidelines Section 15061(b)(3) which pertains to the “common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment”. The act of allocating the RGAs does not have the possibility of causing any environmental impacts. Each individual development project, prior to its approval was analyzed for CEQA compliance based on the potential impacts of the future construction of each project, and a determination made by the approving body of each of those respective development applications.

RECOMMENDATION

Staff recommends that the Growth Management Board allocate 100 RGAs to the Rocking Horse project, 439 RGAs to the Tracy Hills project, and 211 RGAs to the Ellis/Avenues project, in accordance with the 2012 GMO Guidelines.

ATTACHMENTS

Attachment A - RGA Recommendations for Fall 2024
Attachment B - Determination

Prepared by Victoria Lombardo, Senior Planner
Approved by Scott Claar, Planning Manager

RGA APPLICATIONS AND RECOMMENDATIONS FOR 2024

Attachment A

<u>Application Number(s)</u>	<u>Applicant</u>	<u>Project Name</u>	<u>RGAs Requested</u>	<u>RGAs Recommendation</u>
<u>RGA24-0001</u>	Surland	Ellis (Phase 4-Avenues)	225	211
<u>RGA24-0002</u>	Mike Souza	Tracy Hills	406 minimum	439
<u>RGA24-0003</u>	David Best	Rocking Horse	100	100
RGAs Recommended for use in 2024			750	750

**DETERMINATION OF THE CITY OF TRACY GROWTH MANAGEMENT BOARD
REGARDING CEQA COMPLIANCE AND ALLOCATING RESIDENTIAL GROWTH
ALLOTMENTS IN DECEMBER 2024 FOR USE IN 2025**

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, Three qualifying applications for RGAs were filed by the deadline of September 5, 2024, and

WHEREAS, The allocation of RGAs is exempt from CEQA pursuant to Guidelines Section 15061(b)(3) which pertains to the "common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment", because the allocation of RGAs does not have the potential to cause any effect on the environment, and

WHEREAS, The Board held a public hearing on December 19, 2024 to consider allocating RGAs in accordance with the GMO and GMO Guidelines, and

WHEREAS, These RGAs must be used to obtain a building permit from the City between January 1 and September 30, 2025, and

NOW, THEREFORE, BE IT RESOLVED, that the City of Tracy's Growth Management Board hereby declares that the allocation of RGAs is not a project under CEQA General Rule 15061(b)(3), and determines that RGAs shall be allocated for use in 2025 as follows:

Project	RGAs
Rocking Horse	100
Tracy Hills	439
Ellis	211

The foregoing determination was adopted by the Tracy Growth Management Board on the 19th day of December, 2024 by the following vote:

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

BOARD CHAIR

ATTEST:

BOARD SECRETARY