



Legislation Details (With Text)

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Title: Planning and Building Department recommending the Board, in accordance with Board of Supervisors Policy B-14:
 1) Find that the Courtside Manor Phase 3 project provides significant community benefit by providing housing that is affordable to low-income households; and
 2) Grant an additional 30 day extension to the Traffic Impact Mitigation Fee Offset Award for the Courtside Manor Phase 3 project approved on October 7, 2017, and extended through October 7, 2019, totaling \$279,600.

FUNDING: Traffic Impact Mitigation Fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Courtside Award Ltr, 2. B - Courtside Extension 1, 3. C - Courtside Extension 2, 4. D - Courtside Extension 3, 5. E - B14 - TIM Fee Offset Policy, 6. F - Courtside Extension Request

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of Supervisors	Approved	Pass

Planning and Building Department recommending the Board, in accordance with Board of Supervisors Policy B-14:
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DISCUSSION / BACKGROUND

On December 11, 2007, the Board adopted Policy B-14, Traffic Impact Mitigation (TIM) Fee Offset Program for Developments with Affordable Housing Units. The TIM Fee Offset Review Committee considers requests from developers twice each year from January 1 through 15 and July 1 through 15. The Housing, Community and Economic Development (HCED) Program, under the Long Range Planning Unit of the Planning and Building Department, administers the program on behalf of the County.

During the application period for Round 14 that ended July 15, 2014, one application was submitted for a 12-unit multifamily workforce housing rental project in Diamond Springs (Zone 3, Supervisorial District 3).

The TIM Fee Offset request submitted is for up to \$279,600. The Committee reviewed and rated the application based upon criteria established by Board Policy B-14.

The project, Courtside Manor Phase 3, is located at 680 Black Rice Lane in Diamond Springs on the south side of Black Rice Lane between Racquet Way and Happy Lane and consists of 5.21 acres. The property is appropriately zoned R2 (2004 Land Use Designation MFR.) The project consists of three four-plex apartment buildings. The units are 807 sq. ft. two bedroom, two bathroom.

Under Board Policy B-14, the Courtside Manor Phase 3 project exceeds the criteria for five or more units where at least 20 percent of the units will be affordable to very low-, low-, or moderate-income households for a minimum of 20 years. Projects that meet the criteria may receive a 75 percent offset of TIM fees per affordable unit. This project proposes 100 percent of the 12 units be deed-restricted to provide affordable housing to low income households for a period of not less than 20 years.

On October 7, 2017, the Board approved the recommendation of the Review Committee for a 100 percent offset in the amount of \$279,600, considering that the project assists the County in meeting several additional goals and objectives of the General Plan, including those found in the Land Use Element, Public Services and Utilities Element, and the Housing Element. These goals support development in Community Regions, infill development and increasing the supply of housing affordable to lower income households.

According to Board Policy B-14 TIM Fee Offset Program for Developments with Affordable Housing Units (Procedure 5), "Failure to obtain a building permit or other similar permit within two (2) years of approval will void the TIM fee offset allocation unless an application for an extension is submitted in writing and is granted by the CAO. Extensions may be granted in one (1) year increments but shall not exceed more than three (3) extensions". The applicant requested and received extensions to the offset in 2016, 2017, and 2018. As staff does not have authority to approve any further extensions, this fourth request is before the Board for consideration.

A grading permit (#261858) was issued for the project in 2018 and work is in progress and nearing completion, according to the applicant. The last extension approved by the CAO expired October 7, 2019. The applicant has requested an additional limited extension through November 7, 2019, to meet project conditions of approval that require the issuance of building permits on or before November 6, 2019. If permits are not issued by November 6, 2019, the applicant must resubmit the project under a new supplication for design review and plan checks. The applicant would then need to submit a new application to the TIM Fee Offset Program for Board consideration. The next open application period is January 2020.

ALTERNATIVES

The Board could choose to not approve the extension. If the additional extension of the TIM Fee Offset awarded to the Courtside Manor Phase 3 project is not approved, the applicant will be unable to secure additional funding for the TIM Fees which are due at time of permit issuance. TIM Fees paid at time of permit issuance cannot be refunded.

PRIOR BOARD ACTION

On October 7, 2017, the Board approved a TIM Fee Offset in the amount of up to \$279,600 which represents 100% of the TIM Fee amount for your zone effective April 13, 2012, contingent upon deed restrictions for a total of 12 units, executing a TIM Fee Offset Agreement, including Recapture Agreement, Rent Limitation Agreement and a Residential Anti-Displacement Agreement, to restrict 12 rental units for twenty (20) years for low-income tenants (earning less than 80% of Median Family Income). These documents must be executed and recorded prior to receiving a "final" building permit.

(Legistar item 12-1163, Agenda item 4).

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Department of Transportation

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The TIM fee Program sets aside \$1 million each year from federal and state transportation grant funding under Policy B-14 to provide the affordable housing offsets. Approval of this item would relieve the applicant of paying \$279,600 estimated for traffic impact mitigation fees, which would otherwise be collected to fund TIM Fee Transportation projects.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Economic Development/Housing

CONTACT

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