

February 15, 2023
CHANGES/MODIFICATIONS TO
PLANNING COMMISSION AGENDA

Agenda Item No. 2

2. MSTR22-00218, Folsom Ranch Apartments Conditional Use Permit, Planned Development Permit, Development Agreement Amendment, Minor Administrative Modification and Determination that the Project is Exempt from CEQA

Modification to Condition of Approval No. 7

The owner/applicant acknowledges that the State adopted amendments to Section 65850 of the California Government Code (specifically Section 65850(g)), effective January 1, 2018, to allow for the implementation of inclusionary housing requirements in residential rental units, upon adoption of an ordinance by the City. In the event that the City amends its Inclusionary Housing Ordinance (IHO) with respect to inclusionary requirements for rental housing units prior to owner/applicant's submittal of a complete application for a building permit for the Folsom Ranch Apartments Project, the owner/applicant (or successor in interest) agrees that the project shall be subject to said rental unit inclusionary requirements, as amended.

Landowner further agrees to **create and** record a deed restriction against a **certain** portion of Parcel 61 in the Folsom Plan Area, **shown and designated as the Remainder on Parcel Map PN-21-043 filed for record on October 21, 2021 in Book 245 of Parcel Maps at Page 2 in the official records of Sacramento County,** to restrict use of such property to affordable housing purposes only ("Affordable Housing Parcel"). Said deed restriction shall be in a form reasonably approved by the City and shall be recorded against the Affordable Housing Parcel **upon creation of the same and** prior to issuance of a building permit for any portion of the Folsom Ranch Apartments Project. Said deed restriction shall require the Affordable Housing Parcel to include 64 deed restricted multi-family housing units available for low-, very-low, and/or extremely-low income households (as those terms are defined in Sections 50079.5, 50093, 50150, and 50106 of the Health and Safety Code), which shall remain in place for at least 55 years from the date of recording.

The 64 units are anticipated to be located on a site of approximately 2.5 but no more than 3 acres with MHD zoning that is expected to accommodate 25 to 35 units per acre. A large lot parcel map will be processed through the City to create the ultimate deed restricted Affordable Housing Parcel. A site plan will be submitted with the large lot parcel map to verify that the deed restricted Affordable Housing Parcel is sized to accommodate the 64 affordable units. Unless City amends its Inclusionary Housing Ordinance as described in Section 1.7 of Amendment No. 2 to the First Amended and Restated Development Agreement prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61, Landowner's compliance with this Condition of Approval shall fully satisfy Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements for any

residential rental project on Parcel 61. In the event (i) City amends its Inclusionary Housing Ordinance as described in Section 1.7 of Amendment No. 2 to the First Amended and Restated Development Agreement prior to Landowner (or a successor in interest) submitting a complete application for its first building permit for a residential rental project on Parcel 61 or (ii) Landowner (or a successor in interest) proposes a for-sale residential project on Parcel 61, then Landowner's compliance with this Condition of Approval shall instead offset Landowner's obligations with respect to inclusionary and/or affordable housing under the General Plan Housing Element, Specific Plan, Folsom Municipal Code, and Entitlements on Parcel 61 and Landowner shall receive credits for a total of 64 deed-restricted multi-family housing units ("Affordable Housing Credits"). City agrees that any such Affordable Housing Credits may be transferred to and used to satisfy and/or offset the inclusionary and/or affordable housing obligation for any residential project on Parcel 61, 77, 85A-3 or 85A-4. Owner/applicant understands and agrees that this deed restriction shall have no effect on owner/applicant's (or a successor in interest's) obligations with respect to inclusionary and/or affordable housing on Parcel 85A-3 (APN 072-4110-002) or Parcel 85A-4 (APN 072-4110-001).

Modification to Condition of Approval No. 17

The improvement plans for the required public and private improvements necessary to serve the project shall be reviewed and approved by the Community Development Department prior to approval of a building permit for the project. **In addition, the required public and private improvements including landscape and irrigation improvements for the project shall be completed and accepted by the Community development Department prior to issuance of a Certificate of Occupancy for the project.**

Modification to Condition of Approval No. 19

The on-site water and sewer systems shall be privately owned and maintained. The fire system shall be constructed to meet the ~~National Fire Protection Association Standard 24~~ **California Fire Code and State Building Codes**. The domestic water and irrigation system shall be metered per City of Folsom *Standard Construction Specifications*.

Modification to Condition of Approval No. 30

1. This project shall require two points of **metered** connections to the City's Potable Water Distribution Main for each parcel. **The water system shall be constructed in accordance with City of Folsom water standards.**
 - a. ~~Connection shall be constructed in accordance with City of Folsom water standards~~
 - b. ~~From masonry wall to back of curb will be used with non-potable water~~
 - e. ~~Irrigation interior to the project shall be served by the domestic water~~
 - d. ~~Connection 1 for first parcel (Parcel 85A-3) shall include:~~
 - i. ~~A water service manifold per WR-23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
 - ii. ~~A separate irrigation service with meter coming from the non-potable water line.~~

- ~~e. Connection 2 for first parcel (Parcel 85A-3) shall include:
 - ~~i. A water service manifold per WR 23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
 - ~~ii. A separate irrigation service with meter coming from the non-potable water line.~~~~
 - ~~f. Connection 1 for second parcel (Parcel 85A-4) shall include:
 - ~~i. A water service manifold per WR 23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
 - ~~ii. A separate irrigation service with meter coming from the non-potable water line.~~~~
 - ~~g. Connection 2 for second parcel (Parcel 85A-4) shall include:
 - ~~i. A water service manifold per WR 23 to serve domestic (metered and approved RPPA) and fire flow (with approved RPDA).~~
 - ~~ii. A separate irrigation service with meter coming from the non-potable water line.~~~~
2. The applicant shall perform a hydraulic analysis/study to confirm the 2-story duplexes are capable of meeting domestic water demands and fire flow sprinkler demands since this location is at the top of Pressure Zone 3.
 3. Hot-Taps to the existing potable distribution system and non-potable distribution system are not allowed. Cut-in Tees only.
 4. There shall be a Sanitary Sewer Manhole Placed at the Property line boundary that differentiates private vs public sewer system for each Parcel (Two Parcels in total).
 5. All on-site water shall be privately owned, operated, and maintained.
 6. All on-site sewer shall be privately owned, operated, and maintained.
 7. If there is going to be a clubhouse with a kitchen, it will require the applicant to install an 8.5"x11" placard affixed to the wall in the Clubhouse Kitchen that informs users about the Do's and Don'ts of FOG.
 8. All backflow devices shall be RPPA (Domestic) or RPDA (Fire).
 9. All meters shall include a meter bypass per the City's Water Construction Standards.