



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: HCD
Department No.: 055
For Agenda Of: September 11, 2007
Placement: Administrative
Estimated Tme: n/a
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department John Torell, Director Housing & Community Development Dept.,
Director(s) 568-3510
Contact Info: Susan Everett, 568-2014

SUBJECT: Agreement to Provide Affordable Workforce Housing and Agreement to Provide Affordable Low Income Housing for Rice Ranch, 03RZN-00000-00003, 97-SP-001, TM 14,430, TM 14,636, 03ORD-00000-00008, 03DVP-00000-00009, -00010, -00011, -00012, -00013, -00014, Orcutt Community, Fourth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: Select_Concurrence

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- A. Approve and execute the attached *Agreement to Provide Affordable Workforce Housing* (Attachment A) for Rice Ranch Housing Development and direct its recordation.
- B. Approve and execute the attached *Agreement to Provide Affordable Low Income Housing* (Attachment B) for Rice Ranch Housing Development and direct its recordation.

Summary Text:

The Board of Supervisors approved the Rice Ranch Project on December 9, 2003. The approved project allows for construction of seven hundred and twenty five (725) residential units, seventy three (73) of which are designated workforce affordable units available to families earning less than 150% of median area income and seventy three (73) are designated low income units for families earning less than 80% of median income.

Two Agreements to Provide are attached. The Agreement to Provide Affordable Workforce Housing (Attachment A) satisfies the requirement for the applicant to produce 73 workforce units. These Workforce units would be available only to first time homebuyers whose earnings place them above

qualification for moderate income units as defined in the County's existing Affordable Housing Program, but who earn less than 150% of median area income. Of these 73 workforce units, 50 would be priced to be affordable to individuals and families that earn up to 120% of median area income; 23 units would be price restricted to be affordable to individuals and families that earn up to 150% of median area. The units will be distributed in two neighborhoods, the Pine Creek neighborhood and the Meadows neighborhood. The Pine Creek neighborhood would include 44 units which would be affordable to families earning up to 120 % of median income and 11 units which would be affordable to families earning up to 150 % of median income. The Meadows would include 6 units which would be affordable to families earning up to 120 % of median income and 12 units which would be affordable to families earning up to 150 % of median income.

A second Agreement to Provide Low Income Housing (Attachment B) satisfies the applicant's requirement to produce 73 low income units. These low income units are designated for families earning less than 80% of median income. The units will be distributed in two neighborhoods. Sixty three units will be in the Pine Creek neighborhood and 10 units will be developed in the Meadows neighborhood.

To comply with the projects conditions, the *Agreement to Provide Affordable Workforce Housing and Housing* and the *Agreement to Provide Affordable Low Income Housing and Housing* will be executed and recorded prior to final map recordation.

Background:

State Planning Law mandates that local jurisdictions prepare Housing Elements containing policies and programs to ensure local provision of affordable housing. One of these programs is Santa Barbara County's Inclusionary Program, which applies to all housing developments with five or more units. This program requires that a percentage of units within a project have affordability restrictions placed upon them. The Final Development Plan Rice Ranch was approved with a condition implementing the policies of the Inclusionary Program. These Agreements together with the exhibits to it implements this December, 2003 condition of approval.

The execution and recordation of this Agreement to Provide Affordable Workforce Housing and Agreement to Provide Affordable Low Income Housing will satisfy the basic requirements of the housing condition which states, "Prior to Final Tract recordation, the applicant or project developer shall enter into and record an Agreement to Provide Affordable Housing with the County of Santa Barbara, agreeing to provide 73 affordable units at sale prices affordable to individuals and families that earn up to 120% of median area income as provided by the Housing Element and Housing Element Implementation Guidelines for the Santa Maria Housing Market Area, and 23 units at sale prices affordable to 150% of median area income. The Agreement to Provide shall require that purchasers of the affordable units execute a Restrictive Covenant and Pre-emptive Right which shall be recorded against the units at the time of purchase. These units would be dispersed throughout the Meadow and Pine Creek condominium areas. The Agreement and Covenant shall specify that the affordable units remain affordable for a period of 30 years unless preempted by state or federal programs and shall be sold to qualified households at prices as established by the Board of Supervisors."

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

N/A

Staffing Impacts: N/A

Legal Positions:

FTEs:

Special Instructions:

- Clerk of the Board to forward the executed *Agreement to Provide Affordable Workforce Housing* to the Housing and Community Development Department to forward to the County Clerk Recorder for recordation.
- Clerk of the Board to forward the executed *Agreement to Provide Affordable Low Income Housing* to the Housing and Community Development Department to forward to the County Clerk Recorder for recordation.
- Clerk of the Board shall send copy of the Minute Order and the original, executed *Agreement to Provide Workforce Housing and original, executed Agreement to Provide Low Income Housing* to Housing and Community Development.

Attachments:

*Attachment A: Agreement to Provide Affordable Workforce Housing including:
Exhibit A, Legal Description of Property
Exhibit B, Affordable Housing Conditions for Rice Ranch
Exhibit C, Address List of Affordable Workforce Housing Units
Exhibit D, Resale Restrictive Covenant and Preemptive Right
Exhibit E, Marketing Plan for Rice Ranch
Exhibit F, Lottery Plan Rice Ranch*

*Attachment B: Agreement to Provide Affordable Low Income Housing including:
Exhibit A, Legal Description of Property
Exhibit B, Affordable Housing Conditions for Rice Ranch
Exhibit C, Address List of Affordable Low Income Housing Units
Exhibit D, Resale Restrictive Covenant and Preemptive Right
Exhibit E, Marketing Plan for Rice Ranch
Exhibit F, Lottery Plan Rice Ranch*

Authored by: Susan Everett, Senior Planner, Housing and Community Development

cc: Mary McMaster, County Counsel of Santa Barbara
David Matson, Deputy Director Planning & Development