

SANTA BARBARA COUNTY BOARD AGENDA LETTER



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

Agenda Number:
Prepared on: January 31, 2006
Department Name: Housing and Community
Development Dept.
Department No.: 055
Agenda Date: February 14, 2006
Placement: Administrative
Estimate Time: n/a
Continued Item: NO
If Yes, date from:
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TO: Board of Supervisors

FROM: Housing and Community Development
Ed Moses, Director

STAFF CONTACT: Susan Everett, Affordable Housing Program Planner (568-2014)
Housing and Community Development

SUBJECT: *Agreement to Provide Affordable Housing for Harp Springs [TM 14,478, 98-DP-019], Orcutt area, Fifth Supervisorial District, Assessor Parcel Number(s) 103-200-026.*

Recommendations:

That the Board of Supervisors:

- A. Approve and direct the chair to execute the attached *Agreement to Provide Affordable Housing* (Attachment A) between the County of Santa Barbara and MLB HS 44, LLC (Developer) for Harp Springs, and direct its recordation. The agreement provides for the deposit of funds totaling \$282,078.66 to be deposited into the Affordable Housing Trust Fund.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity. The recommendation is primarily aligned with Goal No. 4. A Community that is Economically Vital and Sustainable.

Executive Summary and Discussion:

The Planning Commission approved Harp Springs (TM 14,478) on May 8, 2002. The conditions of approval required the development of five residential units were to be provided on Key Site 17, as part of the Stonegate project, (APN 105-330-004, Case no.'s TM 14,481 and 98-DP-019). The five residential units were to be sold at sales prices affordable to low income households, with an affordability target of 80% of median income which is consistent with the Housing Element and the Housing Element Implementation Guidelines for the Santa Maria Housing Market Area.

As conditioned by the approval of Harp Springs, the applicant was to have deposited funds to the county, in an interest bearing account, in an amount equal to \$265,750.00 or \$53,150.00 per affordable unit plus interest. The funds would be held for a period of up to three years. If the Stonegate project was unable to build the affordable units within three years of approval of Harp Springs, the funds were to be released to the County's Affordable Housing Program.

The Harp Springs project was recently obtained by a new developer, Capitol Pacific Homes division MLB HS 44, LLC. This developer purchased the project after the approval of Harp Springs. The Developer does not own or have any control over the Stonegate project where the affordable homes for the Harp Springs Project were to have been built. As a result, the developer is choosing to satisfy their affordable housing requirement through the payment of a fee as is allowed in the condition of approval. The developer has produced checks totaling \$282,078.66. The funds will be deposited into the affordable housing trust fund (0065) to be used to leverage other affordable housing funding resources.

Mandates and Service Levels:

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 Housing Program. The Agreement to Provide Affordable Housing implements this May 2002 condition. The execution and recordation of this Agreement will satisfy the basic requirement of the housing condition which states, *prior to final map recordation and land use clearance, the applicant shall enter into and record an Agreement to Provide Affordable Housing and payment of fee in lieu of providing the units will satisfy the requirement of Condition of Approval of Harp Springs.*

Fiscal and Facilities Impacts:

The Housing and Community Development Department will deposit the funds into the affordable housing trust fund (0065). These costs and revenues will be added to the 2005-2006 Housing and Community Development budget.

Special Instructions:

- Clerk of the Board to forward the executed *Agreement to Provide Affordable Housing* to the Affordable Housing Program Planner in Housing and Community Development at 105 E. Anapamu St, Suite 5 for recordation.
- Clerk of the Board shall send copies of the Minute Order and executed document to Susan Everett, Housing and Community Development.

Concurrence: County Counsel.

ATTACHMENTS:

- A. *Attachment A, Agreement to Provide Affordable Housing Harp Springs*

ATTACHMENT A

AGREEMENT TO PROVIDE AFFORDABLE HOUSING

HARP SPRINGS