

# 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:** September 25, 2003  
**Department Name:** Housing and Community  
Development  
**Department No.:** 055  
**Agenda Date:** October 7, 2003  
**Placement:** Administrative  
**Estimate Time:** n/a  
**Continued Item:** NO  
**If Yes, date from:**  
**Document File Name:** G:\HCD\Housing  
Implementation\HsgComDevDept\P  
ROJECTS\Terra Cotta II

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**TO:** Board of Supervisors

**FROM:** Housing and Community Development  
Ed Moses, Director

**STAFF CONTACT:** Susan Everett, Planner  
568-2014

**SUBJECT:** *Agreement to Provide and Rental Restrictive Covenant* for Terra Cotta Place II [00-DP-029], Santa Maria area, Fifth Supervisorial District, Assessor Parcel Number 111-110-018, -019.

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## Recommendations:

That the Board of Supervisors:

- A. Approve and execute the attached *Agreement to Provide and Rental Restrictive Covenant* (Attachment A) for Terra Cotta Place II and direct its recordation.

## Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

## Executive Summary and Discussion:

The Santa Barbara County Planning Commission approved Terra Cotta Place II on August 8, 2001. The project consists of 16 two and three bedroom townhomes for rent. Four of the 16 townhomes are designated as affordable units, (see Exhibit C, Address List of Affordable Housing Units), and are to be restricted for 30 years to tenants within the "Low" income category (80% of the County Median Income.) The attached *Agreement to Provide Affordable Housing* (Exhibit D), assures the provision of the required affordable units.

**Mandates and Service Levels:**

State Law mandates that local jurisdictions prepare a Housing Element containing policies and programs that ensure the provision of affordable housing. One program within Santa Barbara County's Housing Element is the 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 [00-DP-029] for Terra Cotta Place II was approved with a condition implementing the County's Inclusionary Program. The Agreement to Provide and Rental Restrictive Covenant reflects and implements this August 2001 condition, which states, "Prior to land use clearance, the applicant shall enter into and record an Agreement to Provide Affordable Housing and a Rental Restrictive Covenant and Preemptive Right with the County of Santa Barbara, agreeing to provide four (4) affordable units at rental prices affordable to low income households, as required by the Housing Element and Housing Element Implementation Guidelines for the Santa Maria Housing Market Area."

**Fiscal and Facilities Impacts:**

Housing and Community Development will expend funds to monitor the affordable homes in this project and to enforce the Rental Restrictive Covenant for 30 years. Funds will also be expended by Housing and Community Development to notify potential applicants of the project's availability by mailing postcards to the County's affordable housing interest list. Housing and Community Development will also provide technical assistance to the Developer throughout the planning and implementation phases of the marketing period (see Exhibit D, Marketing Plan and Exhibit E, Lottery Plan.) Application screening and Income Certification fees offset a portion of these expenses, the remainder is paid out from the General Fund. These costs and revenue are included in the approved 2003-2004 Housing and Community Development budget.

**Special Instructions:**

- Clerk of the Board to forward the executed *Agreement to Provide and Rental Restrictive Covenant* to the County Clerk Recorder 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*
- B. *Exhibit A, Legal Description of Property*
- C. *Exhibit B, Affordable Housing Conditions for Terra Cotta Place II*
- D. *Exhibit C, Address List of Affordable Housing Units*
- E. *Exhibit D, Marketing Plan*
- F. *Exhibit E, Tenant Selection/Lottery Plan*

## ATTACHMENT A

### AGREEMENT TO PROVIDE AND RENTAL RESTRICTIVE COVENANT