

# 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:** December 11, 2001

**Department:** Planning & Development

**Department No.:** 053

**Agenda Date:** January 8, 2001

**Placement:** Administrative

**Estimate Time:** N/A

**Continued Item:** NO

**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** John Patton, Director  
Planning & Development

**STAFF**

**CONTACT:** Steve Goggia, Planner III (ext. 2067)

**SUBJECT:** AGREEMENT TO PROVIDE AND RENTAL RESTRICTIVE COVENANT for the El Encanto Apartment project (99-GP-08, 99-RZ-10, 99-DP-045, 00-CP-107 and 01-GC-01), located on the north side of Calle Real, west of Glen Annie, approximately 150 feet east of Ellwood Station Road, addressed as 7388 Calle Real, Goleta area, Third District. Assessor Parcel Number 077-490-039.

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**Recommendations:**

That the Board of Supervisors approve and execute the attached Agreement to Provide and Rental Restrictive Covenant for the El Encanto Apartment project.

**Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with actions required by law or by routine business necessity.

**Executive Summary and Discussion:**

On August 13, 2001, your Board approve the El Encanto project Development Plan (99-DP-045), and the Minor Conditional Use Permit (00-CP-107), for the 16-unit 100 percent affordable apartment project.

A condition of project approval requires four dwelling units to be provided at rental prices affordable to very low income households and twelve units to be provided at rental prices affordable to low income households as defined by the County's Housing Element and the Housing Element Implementation Guidelines. The condition also requires that prior to land use

clearance, the applicant shall enter into and record an Agreement to Provide Affordable Housing and a Rental Restrictive Covenant, based upon the County's model agreement and restrictive covenant. The attached document which has been approved by the Affordable Housing Division of the Treasurer-Tax Collector's office, County Counsel, and Planning and Development implement the condition.

**Mandates and Service Levels:**

The Final Development Plan (99-DP-045) was approved with the condition requiring that the applicant enter and record the Agreement to Provide and Rental Restrictive Covenant. The acceptance and recordation of this document will satisfy the requirements of the condition. The acceptance of the document will not have an effect on County levels of service.

**Fiscal and Facilities Impacts:**

Permit processing fees will be paid by the applicant at the time of building permit issuance. If the project does not move forward to the building permit phase, these fees will be paid out of the General Fund Affordable Housing Fee Deferral Program funds approved by your Board on March 27, 2001.

The County of Santa Barbara is not obligated to maintain, improve, or otherwise expend any funds in connection with the affordable housing units. All costs and expense for constructing, marketing and maintaining the housing units will be paid by the developer. Incidental costs of monitoring and administration of the affordable housing program are borne by the County.

**Special Instructions:**

- Clerk of the Board to forward the executed Agreement to Provide and Rental Restrictive Covenant to the County Clerk Recorder.
- Clerk of the Board shall send a copy of the Minute Order and the recorded documents to Steve Goggia, Planning and Development.

**Concurrence:** Affordable Housing Division of the Treasurer-Tax Collector's office and County Counsel.

ATTACHMENT:

Agreement to Provide and Rental Restrictive Covenant