

**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: 12/18/03
Department Name: Housing&Community
Development
Department No.: 055
Agenda Date: 1/6/04
Placement: Administrative
Estimate Time: n/a
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Housing and Community Development
Ed Moses, Director

STAFF Susan Everett, Affordable Housing Program Planner
CONTACT: 568-2014

SUBJECT: Agreement to Provide and Rental Restrictive Covenant for Parke Orcutt [01-DVP-053], Santa Maria area, Fourth Supervisorial District, Assessor Parcel Number APN 111-110-13, -14, -12, -15.

Recommendation(s):

That the Board of Supervisors:

A. Approve and execute the attached *Agreement to Provide and Rental Restrictive Covenant* (Attachment A) for Parke Orcutt Apartments and direct its recordation.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The Santa Barbara Planning Commission approved Parke Orcutt Apartments on August 14, 2002. The project consists of 117 units for rent. Twelve of the units 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). Of the twelve units, eight are one-bedroom, two are two bedroom and two are three bedroom apartments. Maximum allowable monthly rents for the one, two and three bedroom units will be \$800, \$950, and \$1130 respectively. Maximum allowable monthly rents rise by a small percentage in March when new an updated County median family income is established by the U.S. Department of Housing and Urban Development and recognized by Santa Barbara County.

The following table outlines household size and maximum household income required for the low-income category.

Maximum Number of People in Household	Maximum Household Income - Low
1	\$33,950
2	\$38,800
3	\$43,650
4	\$48,500
5-7	\$52,350

The attached *Agreement to Provide Affordable Housing and Rental Restrictive Covenant* (Attachment A) 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 [01-DP-053] for Parke Orcutt Apartments 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 twelve 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 apartments 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 and Rental Restrictive Covenant*
Exhibit A, Legal Description of Property
Exhibit B, Affordable Housing Conditions for Parke Orcutt Apartments
Exhibit C, Address List of Affordable Housing Units
Exhibit D, Marketing Plan
Exhibit E, Tenant Selection/Lottery Plan

ATTACHMENT A

AGREEMENT TO PROVIDE AND RENTAL RESTRICTIVE COVENANT