

**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:** 4/26/02  
**Department Name:** Planning and Development  
**Department No.:** 053  
**Agenda Date:** 05/14/02  
**Placement:** Administrative  
**Estimate Time:** n/a  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

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

**STAFF CONTACT:** Mike Sederholm, Planner (568-2014)  
Comprehensive Planning Division

**SUBJECT:** **Revised Supplement to Agreement to Provide Affordable Housing** for Quinta Isabella, including proforma **Rental Restrictive Covenant** and proforma **Resale Restrictive Covenant**, [TM 14,416, 96-DP-024, 99-RN-013, 96\_GP-023], Montecito area, First Supervisorial District, Assessor Parcel Number 009-060-049

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**Recommendation(s):**

That the Board of Supervisors approve and execute the attached revised Supplement to Agreement to Provide Affordable Housing in order to fulfill the remaining affordable housing requirements of the conditions of approval for the Quinta Isabella Housing Development 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 Board of Supervisors approved the Quinta Isabella Housing Project on April 4, 2000. The approved project allowed for construction of 15 new residential units and the use of the historic Juarez-Hosmer Adobe as a market rate unit (16 units total). This density is consistent with the Affordable Housing Overlay applicable to this site. For a 30 year period, eight of the 15 new units will be controlled and affordable to households in the low, lower-moderate and upper-moderate income categories. Initially, the affordable homes will be rented. However, during the 30 year affordability term, Quinta Isabella, LLC may choose to sell the affordable homes to buyers with incomes of low, lower-moderate or upper-moderate depending on which unit it is.

On December 5, 2000, your Board approved and executed the Quinta Isabella Agreement to Provide Affordable Housing (*Attachment B*). The Agreement to Provide Affordable Housing did not include a Rental Restrictive Covenant or Resale Restrictive Covenant because agreement between the County and the Applicant had not been reached concerning the exact language of the Covenants at that time.

On January 8, 2001, your Board approved a Supplement to Agreement to Provide including a legal description of the eight affordable residences and proforma versions of the Rental Restrictive Covenant and Resale Restrictive Covenant and Preemptive Right. However, in February of 2002, the California Department of Real Estate denied approval of the covenants, conditions and restrictions (CC&Rs) that the project developer had proposed for the project. In order to obtain the approval of the Department of Real Estate, the developer modified the project documents to create two homeowner associations for the project, one for the market rate units and one for the affordable units. Planning and Development and County Counsel staff worked with the developer to ensure that the revised CC&Rs and the revised Supplement to Agreement to Provide are consistent with project approvals and do not discriminate against or interfere with the operation or affordability of the affordable units. The three documents in Attachment A accomplish those objectives.

Staff is now requesting your Board's approval of the revised Supplement to Agreement to Provide (*Attachment A*). Except for revisions necessitated by the change from one homeowners association to two, these documents are the same as those previously approved by your Board on January 8, 2001.

**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. The AHO program allows increased density on select housing sites in return for providing a specific percentage of affordable homes for a 30 year period. The Final Development Plan [96-DP-024] was approved with a condition implementing this requirement. The acceptance, execution and recordation of this Supplement to Agreement to Provide Affordable Housing will satisfy the remaining requirement of the housing condition not addressed in the already recorded Agreement to Provide Affordable Housing.

**Fiscal and Facilities Impacts:**

None associated with the approval and execution of this Revised Supplement to Agreement to Provide Affordable Housing.

**Special Instructions:**

Clerk of the Board to transmit the executed Revised Supplement to Agreement to Provide Affordable Housing to the County Recorder's staff for recordation.

Clerk of the Board shall send copies of the Minute Order and executed document to Anne Almy and Mike Sederholm, Planning and Development.

**Concurrence:** County Counsel.

**Attachments:**

Attachment A – revised Supplement to Agreement to Provide Affordable Housing

Exhibit A – Legal description of property

Exhibit B – Rental Restrictive Covenant proforma

Exhibit C – Resale Restrictive Covenant and Preemptive Right proforma

Attachment B - Existing Agreement to Provide Affordable Housing