



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

Department Name: Community Services  
Department No.: 057  
For Agenda Of: August 26, 2014  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

---

**TO:** Board of Supervisors  
**FROM:** Department Renée E. Bahl, Interim Community Services Director (805) 568-2467  
Director(s)  
Contact Info: Margo Wagner, Senior Housing Program Specialist (805) 568-3529  
**SUBJECT:** County Inclusionary Housing Ordinance – Annual Updates to Affordable Housing  
Inclusionary Housing Requirements and In-Lieu Inclusionary Housing Fees

---

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Planning and Development:**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- A. Receive and file a 2014 Update and Annual Adjustment of Affordable Housing In-Lieu Fees and Inclusionary Housing Requirements, which provides the Board with (1) an annual update and adjustments to the County's in-lieu inclusionary housing fees, and (2) an update and adjustments of the County's inclusionary housing requirements; and
- B. Determine that the receipt and filing of annual updates and adjustments to Inclusionary Housing Requirements and In-Lieu Inclusionary Housing Fees are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15061(b)(3), finding that the activities are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment, the activities are not subject to CEQA, and direct staff to file a Notice of Exemption (Attachment A).

**Summary Text:**

The County's Inclusionary Housing Ordinance, Ordinance No. 4855 (IHO) directs that a report on the County's inclusionary housing requirements with any necessary revisions and the annual in-lieu inclusionary housing fees with any needed adjustments be received and filed by the Board no later than

August 31st of each fiscal year. (The IHO does not require the Board to approve the adjustments to the 2014 inclusionary housing requirements or the 2014 in-lieu fees.) The IHO was codified under County Code Chapter 46A. The IHO allows developers to satisfy the County's inclusionary housing requirements by paying in-lieu fees instead of providing affordable housing units on-site. Projects located within the Cuyama Housing Market Area are exempt from inclusionary housing requirements as provided in Section 46A-3 of the Inclusionary Housing Ordinance.

**Background:**

The IHO affords developers the option of satisfying the inclusionary housing requirements by paying fees in lieu of providing affordable units on-site. In-lieu fees are deposited in the County's Housing Trust Fund and used to fund the development or rehabilitation of very low- and low-income housing, special needs housing, senior housing, and to assist non-profit organizations and other governmental agencies to provide or preserve affordable housing in the County. The adjustments to the 2014 in-lieu fees are based on data from the most recent condominium sales activity in 2013, which the Community Services Department (CSD) obtained from the County Assessor's Office. In-lieu fees shall be reviewed and updated periodically by the County's Housing and Community Development Division (HCD) as necessary.

Section 46A-6(a) of the IHO provides for CSD to annually review inclusionary housing requirements (Attachment B). For any given year, inclusionary housing requirements for moderate and/or workforce household income categories may be waived entirely by the County when the median sales price of all housing units in each non-exempt Housing Market Area (HMA) over a twelve-month period is affordable to either moderate and/or workforce income categories.

The following factors must be incorporated into any such determination of residential market affordability into the Monthly Mortgage Payment for Purchase Median Home Sales Price calculation:

1. Loan term, at thirty-year fixed rate with five percent down payment;
2. Average annual percentage rate (APR), as reported by the Federal Home Loan Mortgage Corporation (Freddie Mac) over twenty-four weeks of Weekly Primary Mortgage Market Survey® (PMMS®) results for a thirty-year fixed rate mortgage term in the western region of the United States;
3. Average points and/or fees, as reported by the Federal Home Loan Mortgage Corporation (Freddie Mac) over twenty-four weeks of Weekly Primary Mortgage Market Survey® (PMMS®) results for a thirty-year fixed rate mortgage term in the western region of the United States;
4. Annual property tax, at one and two-tenths percent of median home sales price; and
5. Insurance, at seven-tenths percent of median home sales price.

In summary, the following adjustments were made by CSD after an annual review of inclusionary housing requirements, which was completed in the third quarter of 2014:

- Inclusionary housing requirements (including for developments of five to nineteen lots/units) for the moderate and workforce income household categories are waived for FY 2014 for the Santa Maria and Lompoc HMAs; and
- Inclusionary housing requirements for the workforce income household category are waived for FY 2014 for the Santa Ynez HMA.

The adjustments to the Inclusionary Housing Requirements were based on home sales price records for each HMA over a twelve-month period as recorded by the County Assessor. The results of the 2014 Annual Adjustment of the Inclusionary Housing Requirements are shown in the following table:

<b>Housing Market Area (HMA)</b>	<b>Very Low</b>	<b>Low</b>	<b>Moderate</b>	<b>Workforce</b>	<b>Total Inclusionary Housing %</b>
South Coast	2.5%	2.5%	5%	5%	15%
Santa Ynez	2.5%	2.5%	5%	0%	10%
Santa Maria	2.5%	2.5%	0%	0%	5%
Lompoc	2.5%	2.5%	0%	0%	5%

The grey-highlighted portions of this table reflect the adjustments to the County's Inclusionary Housing Requirements. The percentages represent the percent of housing units that will be price-restricted to the applicable affordable level.

Section 46A-6(b) of the IHO provides for CSD to annually report to the Board on the status of in-lieu inclusionary housing fees paid pursuant to section 46A-4(b) and affordable housing and special needs housing activities undertaken with the In-Lieu Inclusionary Housing Fees. That report will be provided to the Board at a future meeting.

Section 46A-6(b) of the IHO specifies that the in-lieu fees for the very low and low income categories be updated based on the percent change in the median sales price of condominiums in each HMA over a 12 month period. In addition, Section 46A-6(b) specifies the in-lieu fee for the moderate and workforce income categories are updated based on the estimated cost to build a housing unit, calculated as the median sale price of condominiums in an HMA over a 12 month period less 15%, which represents developer profit. HCD continues to work closely with the County Planning and Development Department to evaluate the effectiveness of the IHO policies and the Inclusionary Housing Ordinance, adopted in 2013.

The following table shows the updated in-lieu fees:

#### **In-Lieu Fees for the Inclusionary Housing Ordinance**

<b>Housing Market Area (HMA)</b>	<b>Very Low and Low</b>	<b>Moderate and Workforce</b>
South Coast	\$111,600	\$414,500
Santa Maria	\$78,000	\$159,400
Santa Ynez	\$81,500	\$263,500
Lompoc	\$45,100	\$102,500

**In-Lieu Fee Update for Very Low and Low Units based on % change in median sales price of condominiums**

HMA	2012 Median Condominium Sales Price	2013 Median Condominium Sales Price	% Change	2013 In-Lieu Fee	plus % change	2014 In-Lieu Fee
South Coast	\$415,000	\$487,704	17.52%	95,000	16,643.08	\$ 111,600
Santa Maria	\$139,740	\$187,500	34.18%	58,100	19,857.28	\$ 78,000
Santa Ynez	\$241,867	\$310,000	28.17%	63,600	17,915.87	\$ 81,500
Lompoc	\$123,050	\$120,544	-2.04%	46,000	-936.82	\$ 45,100

**In-Lieu Fee Update for Moderate and Workforce Units**

HMA	2013 Median Condominium Sales Price	15% of Median Sales Price	2014 In-Lieu Fee
South Coast	\$487,704	73,155.60	\$ 414,500
Santa Maria	\$187,500	28,125.00	\$ 159,400
Santa Ynez	\$310,000	46,500.00	\$ 263,500
Lompoc	\$120,544	18,082.00	\$ 102,500

**Median Condominium Sales Price by HMA, 2007-2013**

Year	HMA			
	South Coast	Santa Maria	Santa Ynez	Lompoc
2007 (released July '08)	\$790,000	\$240,000	\$512,250	\$239,700
2008 (released July '09)	\$530,500	\$177,000	\$279,990	\$91,800
2009 (released July '01)	\$487,500	\$165,107	\$311,141	\$174,798
2010 (released July '11)	\$477,292	\$168,257	\$232,884	\$181,355
2011 (released July '12)	\$474,351	\$134,000	\$255,000	\$180,000
2012 (released July '13)	\$415,000	\$139,740	\$241,867	\$123,050
2013 (released July '14)	\$487,704	\$187,500	\$310,000	\$120,544

**Fiscal and Facilities Impacts:**

Budgeted: Yes

The in- lieu fee fund is discussed in the County's budget document, on page D-238.

Any change of the in-lieu fees or the annual adjustment of the inclusionary housing requirements will impact the amount which will be collected by the County and allocated to future affordable housing projects.

**Special Instructions:**

Return a copy of the Minute Order to Margo Wagner, HCD, Property Management Program.

**Attachments:**

Attachment A – CEQA Notice of Exemption

Attachment B – Inclusionary Housing Ordinance No. 4855

**Authored By:** Margo Wagner, Senior Housing Program Specialist

**cc:** Glenn S. Russell, PhD, Director, Planning and Development