

COUNTY OF SANTA BARBARA LEGISLATIVE ANALYSIS FORM

BILL NUMBER: AB 1229	AUTHOR: Atkins
INTRO/AMEND DATE: 2/22/13 and none	AUTHOR'S POLITICAL PARTY: Dem
BILL STATUS: Active	

1) BILL SUBJECT:

The bill authorizes any legislative body to adopt ordinances to establish as a condition of development approval, inclusionary housing requirements as specified, for low income households.

2) FROM DEPARTMENT:

Planning and Development

3) IS THIS ITEM SPECIFICALLY REFERENCED IN THE LEGISLATIVE PLATFORM?

Yes

4) WHICH POLICY-RELATED MATTER IS OF CONCERN WITH THIS BILL?

Affordable Housing

5) HOW WOULD THIS BILL IMPACT THE COUNTY? (*Current practices, responsibility, authority, pros/cons, affected programs and/or services, etc.*)

The bill would provide legislative support for the County's recently updated Inclusionary Housing Ordinance and could disuade legal challenges concerning implementation of the ordinance during review of development projects.

- | | | | |
|-------------------------------------|---|--------------------------------|-------------------------------|
| 6) IMPACT ON COUNTY PROGRAM: | <input checked="" type="checkbox"/> Major | <input type="checkbox"/> Minor | <input type="checkbox"/> None |
| SANTA BARBARA COUNTY IMPACT: | <input checked="" type="checkbox"/> Major | <input type="checkbox"/> Minor | <input type="checkbox"/> None |
| STATEWIDE IMPACT: | <input checked="" type="checkbox"/> Major | <input type="checkbox"/> Minor | <input type="checkbox"/> None |

Explanation of Impacts:

There are been several recent legal challenges to different versions of inclusionary housing requirements throughout the State. This bill would provide legal support for those ordinances that are consistent with this legislation. As a result, affordable housing would more likely be provided in the County and throughout the State. Businesses and housing advocates have testified that the lack of affordable housing is having a negative impact on local families, the local economy and our community. However, the building industry has concerns that the bill could result in added costs to housing developments; and apartment associations have concerns that the bill could affect rental income.

7) WOULD THIS BILL IMPACT:

- | | | |
|---|---|--|
| a. Efficient service delivery and operations? | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| b. Fiscal stability? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| c. Inter-agency cooperation? | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| d. Local control? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
| e. Protection of safety net services? | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> NO |
| f. Community sustainability/economic stability? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |



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Additional Comments:

8) FISCAL IMPACT ON THE COUNTY:

- | | | |
|---|---|---|
| <input type="checkbox"/> Revenue Increase | <input type="checkbox"/> Revenue Decrease | <input type="checkbox"/> Unfunded Mandate |
| <input type="checkbox"/> Cost Increase | <input type="checkbox"/> Cost Decrease | <input type="checkbox"/> Undetermined |
| <input checked="" type="checkbox"/> None | | |

Additional Comments:

The bill could potentially save the County money by discouraging lawsuits against the recently updated Inclusionary Housing Ordinance.

9) OTHER AGENCIES THAT SHOULD REVIEW THIS BILL:

Please list other agencies below:

County CSD

10) CSAC POSITION ON BILL:

- | | | |
|--|---------------------------------|---|
| <input checked="" type="checkbox"/> Support | <input type="checkbox"/> Oppose | <input type="checkbox"/> Support if Amended |
| <input type="checkbox"/> Oppose unless Amended | <input type="checkbox"/> Watch | <input type="checkbox"/> No position taken |

11) OTHER LOCAL OR STATEWIDE ORGANIZATIONS THAT HAVE TAKEN A POSITION ON THIS BILL:

(Indicate support or opposition for each)

Generally, the bill is being supported by cities and counties and housing organizations; and is being opposed by the building industry, apartment and rental associations, realtors and developers.

12) PROPOSED AMENDMENTS: (Attach separate sheet)

13) RECOMMENDATION:

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Active Support* | <input type="checkbox"/> Passive Support | <input type="checkbox"/> Support if Amended* |
| <input type="checkbox"/> Active Opposition* | <input type="checkbox"/> Passive Opposition | <input type="checkbox"/> Oppose unless Amended* |
| <input type="checkbox"/> Watch | <input type="checkbox"/> Concerns (Why? Explain in #6) | <input type="checkbox"/> No Position (Why?) |
| <input type="checkbox"/> No Change since Last Position | | |

* Indicates that the department believes that the Board of Supervisors should take a formal position on this bill

Additional Comments:

The County should actively support this bill as written because it would help to provide a stronger legal basis for the County's recently updated Inclusionary Housing Ordinance. The State through the RHNA requires the County to provide housing that is affordable to low and moderate income households; see Gov't Code 65580-65589.8 and Health & Safety Code 50050-50106. Based on this, the



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bill should be amended to also include the provision of moderate income housing. However, the County should still actively support this bill regardless of the lack of any such amendment.

14) LEGISLATIVE ANALYSIS FORM PREPARED BY: Jeff Hunt, Deputy Director of Long Range Planning

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