



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 15, 2016

TO: Mayor and Councilmembers

FROM: Administration, Housing and Human Services Division, Community Development

SUBJECT: Termination Of Seventeen La Colina Village Resale Restrictions

RECOMMENDATION:

That Council authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements as necessary to terminate seventeen (17) Resale Restrictions on units owned by seventeen original owners in La Colina Village.

DISCUSSION:

Background

La Colina Village ("Project") is a 50-unit condominium complex affordable to moderate income households built in 1985. The Planning Commission approved the Project and the "Agreement Relating to Conditions Imposed on a Subdivision Map" restricted the units to moderate-income households for an average period of at least thirty (30) years. This resale restriction was consistent with City of Santa Barbara policy to ensure long-term affordability on owner-occupied projects developed during this time-period. The Project developer, Community Housing Corporation (CHC), however, executed the resale restrictions on the Project's units with a term of thirty-five (35) years.

After the initial sale of the units, the thirty-five year resale restrictions and other CHC documents were assigned to the City. Over time, thirty-one (31) of the fifty original owners sold their units to new, qualified buyers and those units are not a part of this request.

Nineteen (19) of the fifty units are still owned by the original purchasers. Due to refinancing or other causes, the processing of the resale restrictions on these nineteen units was inconsistently handled. As shown on the Attachment, and described in more detail below, this has resulted in inequities among the nineteen original owners concerning the term of their resale restriction.

Two of the originally owned units had resale restrictions that were changed to thirty years. The resale restrictions for these two units have expired and were terminated on October 30, 2015 and January 14, 2016. These two units are also not a part of this request.

This request pertains to the remaining seventeen (17) original owners that still have a resale restriction in place. Housing staff has confirmed that each of these seventeen original owners has met the original Planning Commission requirements and the "Agreement Relating to Conditions Imposed on a Subdivision Map" by fulfilling an affordable term of thirty years.

Conclusion

In order to be consistent with the Planning Commission requirements, the Subdivision Map Agreement, City policy at the time, and to achieve equity between the remaining original owners, it is recommended that the resale restriction be terminated for the remaining seventeen original owners.

ATTACHMENT: La Colina Village Summary of Term of Resale Restrictions

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Supervisor/MMB/SLG

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

LA COLINA VILLAGE

Summary of Term of Resale Restrictions

Property Address	Purchase Date	Term of Resale Restriction	Term per PC Resolution & City Policy (at that time)	Term Fulfilled as of 3/15/2016
(2) Original Owners with Terminated Resale Restrictions (not a part of this request)				
3906 Via Diego, Unit A	10/30/1985	30 yrs.	30 yrs.	30 yrs.
402 Via Rosa, Unit B	1/14/1986	30 yrs.	30 yrs.	30 yrs.
(17) Original Owners with a Request to Terminate their Resale Restriction				
3902 Via Diego, Unit B	10/21/1985	35 yrs.	30 yrs.	30 yrs. 4 mos.
3922 Via Diego, Unit C	11/05/1985	35 yrs.	30 yrs.	30 yrs. 4 mos.
3906 Via Diego, Unit B	11/21/1985	35 yrs.	30 yrs.	30 yrs. 3 mos.
3930 Via Diego, Unit C	11/21/1985	35 yrs.	30 yrs.	30 yrs. 3 mos.
3918 Via Diego, Unit B	12/11/1985	35 yrs.	30 yrs.	30 yrs. 3 mos.
404 Via Rosa, Unit A	12/17/1985	35 yrs.	30 yrs.	30 yrs. 2 mos.
3922 Via Diego, Unit B	01/15/1986	35 yrs.	30 yrs.	30 yrs. 2 mos.
424 Via Rosa, Unit A	02/20/1986	35 yrs. 8 mos.	30 yrs.	30 yrs.
406 Via Rosa, Unit B	12/20/1985	35 yrs. 11 mos.	30 yrs.	30 yrs. 2 mos.
3922 Via Diego, Unit A	01/15/1986	36 yrs.	30 yrs.	30 yrs. 2 mos.
432 Via Rosa, Unit A	03/07/1986	36 yrs.	30 yrs.	30 yrs.
3926 Via Diego, Unit A	11/21/1985	36 yrs. 1 mos.	30 yrs.	30 yrs. 3 mos.
3908 Via Diego, Unit B	12/03/1985	36 yrs. 1 mos.	30 yrs.	30 yrs. 3 mos.
432 Via Rosa, Unit C	12/12/1985	36 yrs. 2 mos.	30 yrs.	30 yrs. 3 mos.
428 Via Rosa, Unit A	11/15/1985	36 yrs. 4 mos.	30 yrs.	30 yrs. 4 mos.
426 Via Rosa, Unit B	01/09/1986	36 yrs. 5 mos.	30 yrs.	30 yrs. 2 mos.
3926 Via Diego, Unit B	11/27/1985	40 yrs. 11 mos.	30 yrs.	30 yrs. 3 mos.