

ORDINANCE NO. 01-2019

CAMBRIA COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS

DATED: March 21, 2019

AN ORDINANCE AMENDING SECTION 8.04.110 OF THE
CAMBRIA COMMUNITY SERVICES DISTRICT MUNICIPAL CODE
RELATING TO THE AFFORDABLE HOUSING PROGRAM

WHEREAS, Section 8.04.110 of the Cambria Community Services District (CCSD) Municipal Code sets forth the CCSD's Affordable Housing Program and concerns have been raised relating to definitions in the CCSD Municipal Code limiting such projects to those that are for lower income households; and

WHEREAS, San Luis Obispo County's affordable housing program contains affordability standards and eligible household definitions set forth in San Luis Obispo County Code Section 23.04.094 that include definitions for extremely low-income, very low-income, lower-income, moderate-income or workforce housing; and

WHEREAS, the Board of Directors desires to make changes to Subsection 8.04.110(A) "Eligibility" – to provide that an affordable housing project must meet the County's eligibility standards as set forth in San Luis Obispo County Code Section 23.04.094, which will include projects for extremely low-income, very low-income, lower-income, moderate-income or workforce housing; and

WHEREAS, the Board of Directors also desires to amend the CCSD Affordable Housing Program regarding eligibility for fee reduction incentives and the issuance of intent to serve letters for eligible projects.

The Board of Directors of the Cambria Community Services District Ordains as follows:

Section 1. The above recitals and findings are true and correct and are incorporated herein by this reference.

Section 2. Section 8.04.110 of the Cambria Community Services District Municipal Code is hereby amended to read as follows:

8.04.110 - Affordable housing program.

A. Eligibility. Projects or affordable housing units within a larger project, meeting each of the following requirements shall be eligible to participate in the affordable housing program:

1. The property identified for the project is within both the district boundary and the County urban services line.
2. The project must be certified by the San Luis Obispo County planning and building department as meeting the County's affordable housing eligibility standards as set forth in San Luis Obispo County Code Section 23.04.094.
3. The project owners agree to contract with a third-party housing corporation or housing authority within the County to determine eligibility for occupancy by extremely low-income, very low-income, lower-income, moderate-income or workforce housing; and
4. The property owners comply with the application and administrative procedures as established by the District for this program, including, but not limited to, payment of any required fees and demonstrating that they have executed covenants restricting the use and affordability of the property required by the County.

B. Allocation. Prior to the effective date of the most recent amendment to this section, the Board of Directors has previously allocated six (6) residential units per calendar year under the affordable housing program, and unused units were carried over to subsequent years. Accordingly, as of February 1, 2013, fifty-six (56) units have been carried over and are available for use for eligible affordable housing projects (the "affordable housing unit allocation"). The Board of Directors has determined that these fifty-six (56) units are an adequate number for the foreseeable future, and therefore no additional units shall be added to the affordable housing unit allocation unless otherwise determined by the Board. All affordable housing projects and units shall be subject to all other District regulations including the requirements of this water and sewer allocation chapter, except as specifically modified by this section.

Nothing in this section shall preclude the Board of Directors from modifying, or eliminating the allocation based on conditions imposed upon the District by a court or governmental agency of higher authority, or by a change in availability of resources, or by a change in ordinances, resolutions, rules or regulations adopted by the Board of Directors for the protection of the health, safety and welfare of the District.

The Board of Directors shall annually review the status of the affordable housing program and determine whether the affordable housing unit allocation contains a sufficient number of units to meet the needs of the community. All proposed affordable housing projects shall be reviewed for approval by the Board of Directors on a case-by-case basis for

allocations from the existing balance in the affordable housing unit allocation.

C. The Board may determine that intent to serve letters may be issued to allow a project for extremely low-income, very low-income, lower-income, moderate-income, or workforce housing to proceed and connect to the CCSD's water system, subject to the County's Growth Management Ordinance and any other required approvals by other governmental agencies.

D. Additional Provisions. In order to encourage the development of affordable housing units meeting the County's extremely low-income, very low-income or lower-income eligibility requirements only, the Board of Directors may provide the following incentive: the water and sewer connection fee may be reduced by up to fifty percent (50%) for each unit constructed. Such reduction shall be in the form of a refund once the housing units are completed.

E. Administrative Procedures. The general manager, or designated representative, is authorized to establish such procedures and forms as necessary to implement this affordable housing program and to process applications under this chapter. Eligibility shall be through a waiting list, established on a first come first served basis.

Section 3. A summary of this Ordinance shall be published in a newspaper published and circulated in the District at least five (5) days prior to the Board of Directors meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the District Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those Board members voting for and against the Ordinance shall be published again, and the District Clerk shall post a certified copy of the full text of such adopted Ordinance.

Section 4. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

Section 5. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declaration invalid or unconstitutional.

The foregoing Ordinance was adopted at a regular meeting of the Board of Directors of the Cambria Community Services District held on the 21st day of March, 2019.

AYES: Howell, Steidel, Rice, Farmer, Pierson
NAYS:
ABSENT:



David Pierson
President, Board of Directors



Haley Dodson
Deputy District Clerk

APPROVED AS TO FORM:



Timothy J. Carmel
District Counsel