

DEPARTMENT: Planning

BY: Tony Lashbrook

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: Adoption of a resolution directing the Chairman's signature on the attached agreement requiring property owner to rent housing units to low/moderate income families for a 30 year period and approval of a building permit fee refund of \$4,089.58.

*Agreement w/ Mariposa Enterprises.*

The granting of density bonuses or other incentives to promote the construction of low and moderate income housing projects is a requirement of State law and a policy within the Housing Element of the County's General Plan. The Housing Element also specifically provides for granting of building permit fee waivers or refunds as an appropriate incentive in support of the development of this type of housing. In accordance with State law, the County must insure that the housing for which an incentive has been granted remains available to the targeted residents for at least 30 years. The attached agreement is structured to provide the required assurances.

The refunds would be paid from the building permit fee account and would result in a reduction in net fee revenue.

BACKGROUND AND HISTORY OF BOARD ACTIONS: None on these requests, which are the first of this type received.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Deny fee refunds. This action would be contrary to the housing policies contained within our Housing Element.
2. Approve refunds without execution of the recommended agreement. This action would be contrary to State law (G.C. Section 65915).
3. Continue Matter to obtain additional information.

COSTS: ( ) Not Applicable

A. Budgeted current FY \$ -0-

B. Total anticipated costs \$ 4,089.58

C. Required add'l funding \$ \_\_\_\_\_

D. Source: Building Permits Fund

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required

A. Internal transfers \$ \_\_\_\_\_

B. Unanticipated revenues \$ \_\_\_\_\_

C. Reserve for Contingency \$ \_\_\_\_\_

D. Description: \_\_\_\_\_

Balance in Reserve for Contingency if approved: \$ \_\_\_\_\_

CLERK'S USE ONLY:

Res. No.: 90 - 404

Ord. No.: \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

*how* Approved ( ) Denied

( ) Minutes Order Attached

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

\_\_\_\_\_ Recommended

\_\_\_\_\_ Not Recommended

\_\_\_\_\_ For Policy Determination

X Submitted With Comment

\_\_\_\_\_ Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

Comment: Pay from Bldg & Permits  
Construction Fund

*[Signature]*

ATTEST: MARGIE WILLIAMS  
County of Mariposa, State of CA

By: \_\_\_\_\_  
Deputy

\_\_\_\_\_  
A.O. Initials: \_\_\_\_\_

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Action Form Revised 12/89