

Existing Chapter 17.08
AFFORDABLE HOUSING

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17.08.010 Purpose.

The City recognizes the importance of maintaining a balance in all residential areas of the community and the special needs of low-moderate income households. Because of the rising costs of land, the limited availability of land and resources such as sewer and water service, the private market has not been able to achieve this balance. Therefore, the City establishes the Calistoga Housing Trust Fund and the following regulations regarding the development of affordable housing in Calistoga.

17.08.020 Applicable projects.

- A. Residential Projects. All projects consisting of five or more residential units shall set aside and make available a minimum of 20 percent of the units within the project to households of low or moderate income. Provided, as part of a development agreement approved under the provisions of Chapter 17.39 CMC or any other circumstances deemed appropriate by the City Council, the City may accept land, the payment of money into the Calistoga affordable housing trust fund or other appropriate solutions which are found to adequately address the project's obligation upon a finding, by the City Council, that (1) the alternative provides a comparable or superior benefit to the City's affordable housing supply, and (2) the alternative is consistent with the City's Housing Element.

17.08.025 Nonresidential projects.

- A. Housing linkage fee. All new construction or additions to gross floor area greater than 10 percent shall contribute a housing linkage fee to help address the "affordability gap" between the cost of housing and what many workers employed by new nonresidential development are able to pay.
- B. Calculation and payment of linkage fees. Linkage fees shall be calculated and paid in the same manner as provided in CMC Section 3.28.050. Linkage fees shall be assessed in the amount established by resolution of the City Council.
- C. Exemptions, credits and adjustments. Exemptions, credits and adjustments may be made to linkage fees shall be in the same manner as provided in CMC Section 3.28.060.
- D. Refund of development impact fees. Linkage fees may be refunded in the same manner as provided in CMC Section 3.28.070.

- E. Annual findings and reporting. The City Council shall make the annual findings and the City's Administrative Services Department shall annually report on the linkage fees in the same manner as provided in CMC Section 3.28.080.
- F. Fee monitoring and update. The City shall annually monitor the linkage fee and conduct a comprehensive review in the same manner as provided in CMC Section 3.28.090.
- G. Use of linkage fee revenue. Linkage fee revenue shall be deposited in the Calistoga Housing Trust Fund.

17.08.030 Agreement required.

- A. For residential projects, prior to the issuance of a building permit or final map approval, whichever is applicable, the developer shall enter into an agreement with the City to set forth the provisions of affordability, regulate the sales and/or rental schedules, qualification of buyers, and/or tenants, etc.
- B. For commercial or industrial projects, the fees established by Council resolution shall be paid in conjunction with the issuance of any building permits.

17.08.040 Calistoga Housing Trust Fund.

- A. There is hereby established the City of Calistoga Housing Trust Fund ("Housing Fund"). Separate accounts within the fund may be created from time to time as deemed appropriate to further the purposes of the Housing Fund.
- B. The Housing Fund shall be administered by the Napa Valley Housing Authority or other agent as designated by the Council.
- C. Monies deposited into the Housing Fund shall be used to increase and improve the supply of housing affordable to households of moderate and low income.
- D. The programs and distribution of monies within the Housing Fund shall be reviewed annually by the Council.

17.08.050 Forms, filing and processing fees.

- A. All applications for affordable housing agreements shall be filed on forms provided by the planning department staff and accompanied by a filing fee as established by resolution of the Council. Processing fees, as established by said resolution, or by the Napa Valley Housing Authority for administration of the agreement will be charged to applicant as such are incurred. Applications shall not be considered complete until all fees, maps and other documents required at the time of filing of such application have been submitted.
- B. Failure to complete payment of any fees or charges under this section will be considered sufficient grounds to discontinue the processing of the application.