

**CITY OF CALISTOGA
PLANNING COMMISSION
PC RESOLUTION 2015-XX**

RECOMMENDING THAT THE CITY COUNCIL AMEND THE CALISTOGA MUNICIPAL CODE TO IMPLEMENT THE 2014 HOUSING ELEMENT AND STATE LAW (ZOA 2015-1)

1 WHEREAS, the State recently amended its definitions for supportive and
2 transitional housing with language now more specific to housing element law, and the
3 Zoning Code's definitions to be updated accordingly; and

4 WHEREAS, there is also a need to add a definition for "target population," as
5 used by the State in connection with these types of housing; and

6 WHEREAS, the Zoning Code's definition of "family" needs to be updated to
7 reflect current case law; and

8 WHEREAS, state law requires the City to allow "supportive housing" and
9 "transitional housing" in all zoning districts that allow a single-family residence as a
10 permitted use, and the Rural Residential and Rural Residential-Hillside Zoning Districts
11 do not currently provide for these types of housing; and

12 WHEREAS, state law allows the City to require a use permit for residential
13 care for seven or more elderly, chronically ill or disabled persons, and

14 WHEREAS, the Planning Commission reviewed the proposed amendments at a
15 public hearing on February 11, 2015, and during its review, considered the public
16 record, including the staff report, findings, and any written materials and testimony
17 presented by the public during the hearing; and

18 WHEREAS, the Planning Commission has determined that the proposed
19 amendments are not subject to the California Environmental Quality Act (CEQA) under
20 Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that
21 there is no possibility that they may have a significant effect on the environment.

22 NOW, THEREFORE, BE IT RESOLVED by the City of Calistoga Planning
23 Commission that, based on the above findings, it is recommended that the City Council
24 amend the Calistoga Municipal Code to implement the 2014 Housing Element and state
25 law, as shown in Exhibit A hereto and incorporated herein.

26 APPROVED AND ADOPTED on February 11, 2015 by the following vote of the
27 Calistoga Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jeff Manfredi, Chair

ATTEST: _____
Lynn Goldberg, Secretary

Exhibit A

Calistoga Municipal Code Title 17, Zoning, is hereby amended as follows:

- 28 1. CMC Chapter 17.04, Definitions, is hereby amended as follows, where deleted
29 language is indicated by ~~strikeout~~ and added language is indicated by
30 underlining:

31 **17.04.230 Family.**

32 "~~Family~~" shall mean ~~one person living alone, or more persons related by blood,~~
33 ~~marriage, or legal adoption or a group not exceeding four persons living as a~~
34 ~~single housekeeping unit~~means 1) an individual, 2) two or more persons related
35 by blood, marriage or adoption and/or 3) unrelated persons living in a dwelling
36 unit. If the household is comprised entirely of unrelated persons, it must be a
37 single housekeeping unit characterized by the following:

38 A. Shared use of a single common kitchen;

39 B. Shared household expenses;

40 C. Use by all occupants of a shared common entry to the dwelling unit;

41 D. Shared use of all or virtually all areas of the dwelling unit at all times;

42 E. Occupation of the unit under a single lease if the unit is not occupied in part
43 by the owner.

44 **17.04.372 Housing, supportive.**

45 "Supportive housing" shall mean housing with no limit on length of stay, that is
46 occupied by a target population as defined in this Chapter, and that is linked to
47 on-site or off-site services that assist the supportive housing resident in retaining
48 the housing, improving his or her health status, and maximizing his or her ability
49 to live and, when possible, work in the community.

50 **17.04.373 Housing, transitional.**

51 "Transitional housing" and "transitional housing development" shall ~~mean~~ means
52 buildings configured as rental housing and operated under program requirements
53 that call for the termination of assistance and recirculation of the assisted unit to
54 another eligible program recipient at some predetermined future point in time,
55 which shall be no less than six months.

56 **17.04.635.5 Target population**

57 "Target population" means adults with low-income having one or more
58 disabilities, including mental illness, HIV or AIDS, substance abuse, or other
59 chronic health conditions, or individuals eligible for services provided under the
60 Lanterman Developmental Disabilities Services Act (Division 4.5 commencing
61 with Section 4500 of the Welfare and Institutions Code) and may, among other
62 populations, include families with children, elderly persons, young adults aging
63 out of the foster care system, individuals exiting from institutional settings,
64 veterans, or homeless people.

- 65 2. The following uses are hereby added to the following section of the RR Rural
66 Residential District:
67 CMC 17.14.020(A), Uses Allowed without a Use Permit
68 7. Supportive housing
69 8. Transitional housing
- 70 3. The following uses are hereby added to the following section of the RR-H Rural
71 Residential - Hillside District:
72 CMC 17.15.030(B), Uses Allowed by a Use Permit
73 9. Supportive housing
74 10. Transitional housing
- 75 4. The following use is hereby added to the following section of the R-3 Multifamily
76 Residential/Office District CMC 17.19.020(B), Uses Requiring a Use Permit:
77 11. Residential care for seven or more elderly, chronically ill or disabled
78 persons, operated in accordance with State law