

CHAPTER 6: CONSTRAINTS TO THE DEVELOPMENT OF HOUSING

This section of the Housing Element evaluates potential constraints to new housing development in the City. Constraints that can pose a barrier to the construction of new housing can be grouped into two categories. Governmental constraints are barriers imposed through government policies and procedures, such as development standards, application processing times, and development fees. Non-governmental constraints are development barriers that are outside of the control of local jurisdictions, for example, construction costs, land costs, and financing costs. However, local governments can adopt policies and procedures to address these constraints and increase the ease of developing new housing.

Governmental Constraints

State law requires each Housing Element to include an analysis of potential and actual governmental constraints on the maintenance, improvement, and development of housing for all income levels and persons with disabilities.

Governmental regulations and exactions are designed to achieve desirable land use patterns, coordinate development with infrastructure expansion, finance capital improvements, equitably distribute the cost of public services, maintain the ambiance of existing neighborhoods, improve the urban environment, and preserve open space and unique ecosystems. However, they should be evaluated to determine whether they are excessive and represent an unnecessary constraint on the availability or affordability of housing being built or contribute to the loss of existing affordable housing.

In its efforts to remove governmental constraints, Calistoga must also be guided by Government Code Section 65580(e), which notes that the City also has “...the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan...”

The most direct government effect on housing production is the regulation of land use through the General Plan and Zoning Code. Every municipality in the Bay Area plans for the location of housing and the number of units that can be built on a property by designating and zoning land for different types of uses and by specifying the range of dwelling units allowed (the density) in each residential land use category. Development standards, such as minimum lot sizes and building setbacks also affect the type and cost of housing that may be developed.

Calistoga mitigates the effects of land use controls on housing production by:

- Providing a range of zoning categories and densities to allow for all types of housing.
- Permitting and encouraging mixed-use developments that combine housing with other uses.
- Providing incentives for affordable housing and accessory dwelling units, as well as single-family residences on existing residential lots of record.

Calistoga General Plan

Calistoga’s General Plan includes a wide range of residential land use designations, including:

- Rural Residential-Hillside (0.5 units/acre),
- Rural Residential (1 unit/acre),
- Low Density Residential (1 to 4 units/acre),

- Medium Density Residential (4 to 10 units/acre), and
- High Density Residential (10 to 20 units/acre).

The Downtown Commercial and Community Commercial land use designations allow for mixed-use development, including multi-family residential within a density range of 10 to 20 units per acre. Minimum densities are required for most of the designations in order to maximize residential development on a limited supply of land and achieve a balance and variety of housing types. Consistent with state law, density bonuses may be approved for projects that include dedicated affordable housing and senior housing to exceed the maximum density otherwise allowed.

The maximum densities allowed for the High Density Residential land use designation are not an impediment to the development of affordable multi-family projects. The Calistoga Senior Apartments project, which serves very low- and low-income seniors, was approved in 2016 with a 58 percent density bonus.

Zoning Code

Zoning Districts

The City regulates the type, location, and scale of development through its Zoning Code. The Code includes a wide range of residential zoning districts that allow a variety of housing types, including single-family, multi-family, second units, mobile homes, transitional and supportive housing, and residential care. Table 6-1 demonstrates the types of housing allowed by zoning district.

TABLE 6-1 HOUSING TYPES ALLOWED BY ZONING DISTRICT

Zoning District	Residential Uses Allowed By-Right	Residential Uses Allowed with a Use Permit
Rural Residential (RR)	One one-family dwelling per lot One accessory dwelling unit per lot One junior accessory dwelling unit per lot Supportive housing Transitional housing Residential care, limited	Residential care, general
Rural Residential – Hillside (RR-H)	One accessory dwelling unit per lot One junior accessory dwelling unit per lot	One one-family dwelling per lot Supportive housing Transitional housing
One-Family Residential (R-1 & R-1-10)	One one-family dwelling per lot One accessory dwelling unit per lot One junior accessory dwelling unit per lot Supportive housing Transitional housing Residential care, limited	Residential care, general
Two-Family Residential (R-2)	One one-family dwelling per lot One accessory dwelling unit on a lot with a one-family dwelling One junior accessory dwelling unit per lot	Residential care, general

	One duplex or two one-family dwellings on a lot of at least 9,000 square feet Supportive housing Transitional housing Residential care, limited	
Multifamily Residential/Office (R-3)	Multifamily dwellings One or more accessory dwelling units within the multifamily dwelling Maximum of two detached accessory dwelling units on a lot with a multifamily dwelling Supportive housing Transitional housing Residential care, limited	Convalescent and congregate care facilities Residential care, general
Mobile Home Park (MHP)		Residential mobile homes Mobile home parks Permanent apartment units, for managers of the park
Downtown Commercial (DC)	Supportive housing Transitional housing	Multifamily dwellings above the first floor Live-work units
Community Commercial (CC)	Emergency shelters Supportive housing Transitional housing	Multifamily dwellings above the first floor Live-work units Residential care facilities for the elderly Skilled nursing facilities

Each district ensures that the type of residential development is consistent with and implements the City’s General Plan land use designations. For example, the R-3 Zoning District implements the “High Density Residential” General Plan land use designation, which is intended for multi-family development, by allowing multi-family dwelling units as a permitted use (i.e., not subject to a use permit).

State law requires jurisdictions to analyze the zoning and availability of a variety of housing types, which are discussed below. Due to Calistoga’s small size, the City coordinates with non-profits and countywide efforts to provide housing supportive services to meet the citywide housing needs of the most vulnerable populations.

Multifamily Rental Housing

Multifamily rental housing refers to a building or portion of a building that is rented out and used as a residence for more than one household living independently of each other. Multifamily rental housing includes duplexes, triplexes, and apartments.

One duplex or two one-family dwellings are permitted by right on a lot of at least 9,000 square feet in the R-2 zoning district (Chapter 17.18). Multifamily rental housing is permitted by right in the R-3 zoning district and are permitted with a use permit in the Downtown Commercial and Community Commercial zoning districts (Chapter 17.19, and 17.21-17.22).

Housing for Agricultural Employees

Agricultural employees are people whose primary incomes are earned through agricultural labor. This population tends to have high rates of poverty, have unstable incomes, live in housing with high rates of overcrowding, and have low rates of homeownership.

Farmworker housing is not explicitly discussed in the City’s Zoning Code, but can be provided through different housing types, such as multi-family housing, manufactured housing, single-room occupancy units, co-operative housing, and accessory dwelling units. Many of these housing types are allowed by right in the residential zoning districts and discussed in further detail in their respective sections. Cooperative housing is a form of housing where residents have joint ownership over the property and share amenities. Additionally, Napa County Housing Authority manages three farmworker centers in the county, including one in Calistoga, that provide housing and social services. Farmworker housing is treated as a single-family structure and is subject to family dwelling fees and taxes, and Calistoga also otherwise complies with the Employee Housing Act (Health and Safety Code, § 17000 et seq.). To ensure compliance with the Employee Housing Act (Health and Safety Code, § 17000 et seq.), the City will review its zoning code and make amendments to specifically define and explicitly make this type of housing an allowable use (see action A6.1-6).

Emergency shelters are defined as “housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay” (Gov. Code, § 65582).

As per Section 17.04.227 of the zoning code, “Emergency Shelter” as defined by the City “shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. (Ord. 685 § 2, 2012).”

As per Chapter 17.22 of the Zoning Code, emergency shelters are permitted by right in the Community Commercial zoning district. A maximum of 20 beds are permitted in each emergency shelter and can provide temporary shelter to residents for no more than 180 days in any 12-month period. The shelter shall conform to all development standards of the zoning district.

This section also describes the client intake/waiting area, external lighting, security personnel, and on-site facility management. The client intake/waiting area shall be provided at minimum of 10 square feet per bed with a minimum of 100 square feet. The waiting area will not be adjacent in a right of way, but if the waiting area is to be outdoors, the intake/waiting area shall be screened with a six-foot-tall, landscaped screen or decorated wall with shade and rain provisions.

The site will also have adequate external lighting and security personnel during the hours the shelter is in operation.

For staffing, at least one facility member is on site at all hours the facility is open. Additional staff shall be provided as necessary to ensure that at least one staff member is provided in all segregated sleeping areas, as appropriate (17.22.020(A)(10)).

For minimum parking requirements, the housing element includes a program that requires emergency shelters to provide for a number of parking spots only sufficient to accommodate staff and not exceeding the standards for the other uses in the underlying CC zone. The City will amend emergency shelter parking requirements to comply with AB139/Government Code section 65583, subdivision (a)(4)(A), by October 2024 (see action A6.1-4).

Low Barrier Navigation Centers

Low Barrier Navigation Centers is a housing first solution to address homelessness. These temporary shelters provide services and are focused on transitioning individuals experiencing homelessness into permanent housing.

Currently, low barrier navigation centers are not identified as a permitted or conditionally permitted use in any zoning district. However, due to the similarities between this use and transitional housing, it could potentially be allowed in the RR, R-1, R-1-10, R-2, and R-3 zoning districts subject to a “similar use” determination by the Planning Commission (Chapter 17.14 and 17.16-17.19). Low barrier navigation centers could also be allowed with a use permit in the RR-H zoning district if determined to be a similar use by the Planning Commission (Chapter 17.15).

Action A4.1-8 further reduces barriers to the construction of navigation centers by directing the City to amend the Downtown Commercial Zoning District to permit low barrier navigation centers as a by-right use within one year of the Housing Element’s certification.

Transitional and Supportive Housing

Transitional housing refers to rental housing (residential) developments that are operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance. (Ord. 1004 § 7, 2014).

Supportive housing has no limit on length of stay and is occupied by the target population. This type of housing has onsite and offsite services that assists residents in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community (Ord. 1004 § 6, 2014).

Calistoga’s zoning code permits transitional housing in all residential zoning districts by right (Chapter 17.14 and 17.16-17.19). Transitional housing developments in the Rural Residential – Hillside district are allowed with a use permit (Chapter 17.15).

Calistoga’s Zoning Code permits supportive housing in all residential zoning districts by right (Chapter 17.14 and 17.16-17.19). Supportive housing developments in the Rural Residential – Hillside district are allowed with a use permit (Chapter 17.15).

Permanent supportive housing as a use that will be allowed by right in zones where multifamily and/or mixed-uses are permitted, including nonresidential zones permitting multifamily uses in compliance with Government Code section 65651 by October 2024 (see action A6.1-5).

Licensed Care Facilities

The California Welfare and Institutions Code declares that mentally- and physically disabled persons are entitled to live in normal residential surroundings, and that the use of property for the care of six or fewer disabled persons is a residential use for the purpose of zoning. A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer disabled persons or dependent and neglected children on a 24-hour-a-day basis is considered a residential use that is permitted in all residential zones. No jurisdiction may impose stricter zoning or building and safety standards on these homes than is otherwise required for homes in the same district.

In accordance with state law, the Zoning Code permits licensed residential or community care facilities with six or fewer beds by right in the R-1, R-2, and R-3 residential zoning districts, and allows facilities serving more than six persons in these districts with a use permit (Chapter 17.16-17.19).

Single-Room Occupancy (SRO) Units

Single-room occupancy residential units (SROs) are a form of affordable housing consisting of a single room typically between 200 to 350 square feet. They are located in multi-tenant buildings and typically include shared bathroom and kitchen facilities.

Currently, SRO housing is not identified as a permitted or conditionally permitted use in any zoning district. However, it could potentially be allowed in the R-3, Downtown Commercial, or Community Commercial zoning districts subject to a “similar use” determination by the Planning Commission (Chapter 17.19, 17.21-17.22). Applicable General Plan land use densities for the subject zoning districts would limit the number of SRO units in a given project to a maximum of 20 units per acre, although these densities could be higher if rooms do not include cooking facilities and are therefore not considered dwelling units in the traditional sense.

Action A1.2-4 directs the City to amend the Zoning Code to permit adaptive reuse of inns, motels, housing cooperatives and non-storefront commercial space for long-term housing.

Manufactured Homes

Manufactured homes are houses that are transportable, built on a permanent chassis, and designed for use with or without a permanent foundation when attached to the required utilities. Manufactured homes do not include recreational vehicles. Due to the much lower cost of construction and labor costs needed to build a manufactured home, this housing type provides an affordable housing solution. Manufactured homes on a permanent structure are subject to the same development standards and permitting requirements as a conventional single-family residential dwelling.

Mobile homes and accessory dwelling units can be manufactured homes. These two types of manufactured homes are discussed in the sections below.

Mobile Home Parks

Mobile home parks include any property that has a minimum of two mobile homes, manufactured homes, recreational vehicles, and/or lots that are held for rent or lease.

Mobile homes are permitted with a use permit in the Mobile Home Park zoning district (Chapter 17.20) and are subject to design review. The Mobile Home Park zoning district includes development standards for the design of the park site and individual mobile home sites. The zoning district is intended to protect existing mobile home sites from being converted to conventional housing or other uses.

Accessory Dwelling Units

Accessory dwelling units (ADUs) are attached or detached residential dwelling units that provides complete independent living facilities and is located on a lot with a proposed or existing primary residence. ADUs are a cost-effective housing type because they do not require new land or major infrastructure improvements. ADUs tend to be smaller and are thereby more affordable by design. However, because many ADUs are rented to family and friends of the homeowner, if homeowners are primarily White then the families and potential friends of the homeowners could be predominantly White. Relying too heavily on ADUs for affordable housing could inadvertently exacerbate patterns of segregation, but they can still be an effective strategy for increasing the supply of smaller rental housing units in single family home neighborhoods.

The Calistoga Zoning Code allows ADUs on all lots where a single family or multifamily dwelling is proposed or exists (Chapter 17.37). The City has reduced barriers to building ADUs through less restrictive development standards and expediting the application review and approval process. ADUs that comply with the development regulations in the City’s Zoning Code shall be approved without discretionary review within 60 days of receipt

of the completed development application. The City has also waived impact fees for ADUs smaller than 750 square feet and waived utility connection fees for all ADUs that are not constructed at the same time as the primary dwelling unit.

The City also partnered with the Napa Sonoma ADU, which is a non-profit that helps homeowners in Napa and Sonoma County to construct ADUs. Napa Sonoma ADU provides resources to guide homeowners through the process of planning, permitting, and constructing an ADU, including free feasibility consultations, example floor plans, and a list of design and construction vendors.

Development Standards

Provisions in the Zoning Code specify minimum lot areas, lot widths, lot depths and setbacks, and maximum lot coverage and building heights. Additional development regulations specify parking requirements. Development standards applicable to residential development are summarized in [Table 6-2](#) and [Table 6-3](#). These standards are typical of many California communities and contribute to the protection of the public health, safety and welfare, and the maintenance of the City's quality of life.

Building Height and Lot Coverage

The Zoning Code limits the height of residential buildings to a maximum height of 25 feet in residential zones and 30 feet in commercial zones. However, heights up to 35 feet are allowed where a finding can be made that the taller building height would be more compatible with surrounding buildings due to their special historical, architectural or aesthetic interest, and that the taller building height does not encroach on the light or views of adjacent properties.

This provides more than enough height to accommodate two-story construction but can make it difficult to construct a three-story building with sufficient height to accommodate a pitched roof on a parcel designated for high density and mixed-use development. Furthermore, the Zoning Code measures building height at the point that is half the distance between the ridge and eave on a gable roof, rather than to the highest point of the roof, thereby allowing additional height for sloped roofs.

Limits on lot coverage and building height have not been a constraint to the development of housing for any income groups, including affordable housing projects. All of the projects have been two-story, and the lot coverages for the Palisades Apartments and Calistoga Family Apartments were 26% and 15%, respectively.

Unit Sizes

The Zoning Code does not establish direct regulations regarding minimum and maximum unit sizes. Minimum unit sizes are based on standard requirements under the California Building Code. The City has adopted the California Building Code, with local amendments, as Title 15 of the Calistoga Municipal Code; the amendments do not result any substantial differences to unit size standards. Maximum unit sizes for single family and multifamily units are not specifically established in the Zoning Code. Unit size has not been an impediment to the development of housing, as minimum standards are consistent with broadly adopted code standards and there are no maximum size standards. Accessory dwelling unit (ADU) size limitation are comparable to State standards for ADUs. Studio and one-bedroom ADUs are limited to 850 square feet; two or more bedroom ADUs are limited to 1,000 square feet. ADUs created through addition to an existing primary dwelling may not exceed 50 percent of the primary dwelling living area.

Setbacks

Setback requirements in the Zoning Code reflect the importance of maintaining adequate buffering between adjoining properties to avoid potential use conflicts. These setbacks are typical of similar communities and have not appeared to be an impediment to the development of housing. The Downtown Commercial district does

not require any setbacks unless located adjacent to or across the street from a parcel located in a residential zoning district. The Community Commercial district requires front setbacks and side setbacks for corner parcels. Similar to the Downtown Commercial district, additional setbacks are required if the development is located adjacent or across the street from a residential zoning district.

Table 6-2 provides residential development standards, by square feet, for each zoning district.

TABLE 6-2 RESIDENTIAL DEVELOPMENT STANDARDS

Development Standard	Zoning Districts						
	RR-H	RR	R-1	R-1-10	R-2	R-3	MHP
Minimum Lot Area	Varies ¹	20,000 – 80,000 square feet ²	6,000 sq. ft. (interior) 7,000 sq. ft. (corner)	10,000 sq. ft. (interior) 12,000 sq. ft. (corner)	9,000 sq. ft. (interior) 10,000 sq. ft. (corner)	9,000 sq. ft. (interior) 10,000 sq. ft. (corner)	3,500 sq. ft.
Minimum Lot Width	Varies ¹	100 feet	70 feet (corner) 60 feet (interior)	120 feet (corner) 100 feet (interior)	100 feet (corner) 90 feet (interior)	10 feet (corner) 90 feet (interior)	50 feet
Minimum Lot Depth	Varies ¹	200 feet	100 feet	100 feet	100 feet	120 feet	70 feet
Minimum Front Setback	Varies ¹	20 feet	20 feet	20 feet	20 feet	15 feet	10 feet
Minimum Side Setback	Varies ¹	15 feet (corner) 10 feet (interior)	5 – 20 feet ³	5 – 20 feet ³	5 – 20 feet ³	5 – 15 feet ³	5 – 10 feet ⁵
Minimum Rear Setback	Varies ¹	20 feet	20 feet	20 feet	20 feet	10 feet (one story) 15 feet (two story)	5 feet
Maximum Height	Varies ¹	25 feet	25 feet	25 feet	25 feet	25 feet	n/a
Maximum Lot Coverage	40%	30%	50% (lots ≤7,200 sf) 40% (lots >7,200 sf) ⁴	50% (lots ≤7,200 sf) 40% (lots 7,200-10,000 sf) 35% (lots >10,000 sf) ⁴	40%	40%	50%
Off-Street Parking ⁶	2 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit	2 spaces per unit + 1 space per 5 units
Usable Open Space						300 sq. ft. per unit	500 sq. ft. per unit

¹ Determined on a case-by-case basis through a slope/density formula.

² Varies depending on access to City water and sewer.

³ Varies based on building height.

⁴ Additional lot coverage allowed for accessory dwelling units.

⁵ Varies depending on surrounding structures.

⁶ One additional parking space is required for each detached accessory dwelling unit and junior accessory dwelling unit built on a lot with a multifamily dwelling.

Table 6-3 provides residential development standards, in square feet, by commercial zoning district,

TABLE 6-3 RESIDENTIAL DEVELOPMENT STANDARDS – COMMERCIAL ZONING DISTRICTS

Development Standard	DC District	CC District
Minimum Lot Area	5,000 square feet	5,000 square feet
Minimum Lot Width	30 feet	50 feet
Minimum Lot Depth	None	None
Minimum Front Setback	0 feet / 20 feet ¹	10 feet / 20 feet ¹
Minimum Side Setback	0 feet / 5 feet ² (interior) 0 feet / 15 feet ² (street side)	0 feet / 5 feet ² (interior) 10 feet / 20 feet ² (street side)
Minimum Rear Setback	0 feet / 10 feet ³	0 feet / 10 feet ³
Maximum Height	30 feet / 25 feet ⁴	30 feet / 25 feet ⁴
Max. Lot Coverage	80 percent ⁵	60 percent ⁵
Max. Floor Area Ratio ⁶	2.0	0.8
Off-street Parking	2 spaces per unit	2 spaces per unit

¹ Front yard setback distance increases if site is located directly across the street from a residential zoning district

² Side yard setback distances increase if site is located directly across the street from a residential zoning district

³ Rear yard setback distance increases if site abuts or is adjacent to a residential zoning district

⁴ Maximum building height reduced when site abuts or adjoins a parcel in a residential zoning district

⁵ May be increased by use permit

⁶ The residential portion of mixed use development projects is excluded from floor area ratio calculation.

Parking

The Zoning Code prescribes minimum parking requirements for residential uses to minimize potential off-site impacts from overflow parking. One-family dwellings, multifamily dwellings and duplexes share the same parking requirement of two spaces per dwelling unit. These have not proved to be an impediment to housing development. Furthermore, parking is not required to be covered, which differs from the covered parking requirement of most jurisdictions. Additionally, the shared use of parking facilities is allowed for mixed use-type projects, which can reduce the number of overall required parking spaces.

The City code will be amended by October 2025 to address and remove potential constraints on project feasibility and any impediments to reaching maximum densities because of off-street parking and loading requirements, especially for smaller unit types such as studio and one-bedroom units (see action A6.1-8).

Development Standards and Conceptual Development

The Zoning Code standards provide the framework for development for potential projects based on the Zoning District and projects can be designed around the applicable standards to achieve maximum base densities established in the General Plan.

For a single-family development or single-family subdivision, a hypothetical project located in the R-1 or R-1-10 zoning districts would consist of one single-family residence per lot, consistent with the height limits, setbacks, and other applicable development standards. A single-family subdivision would include interior residential lots that are a minimum of 6,000 square feet in the R-1 district and have a density of 4 to 10 units per acre with the Medium Density Residential land use designation. The land use and zoning designation represent many single-family properties. A 43,560 square foot (one acre) site could be subdivided into seven approximately 6,200 square foot single family lots.

For a multifamily development example, a hypothetical project located on a 10,890 square foot (0.25 acre) site with a High Density Residential (10-20 units/acre) land use designation and R-3 zoning designation can be developed with 5 units. It would also be under a 25 foot height limit and 40% lot coverage, in addition to accommodating setback, open space, and parking standards. The land use and zoning designation intends for higher density residential and could be found in proximity to the downtown area. The lot size is slightly larger than the minimum lot size. For such a development, the framework could conceptually allow for a two-story apartment with five approximately 700-800 square foot units, given a 25 foot height limit and 4,356 square feet (40 percent of the 10,980 square foot site) occupied by the building.

Larger residential developments are subject to the City's affordable housing requirements under Chapter 17.08 of the Municipal Code, which would open up projects to eligibility for California Government Code 65915 (State Density Bonus law) density bonus units, waivers/exceptions, and incentives/concessions to facilitate development. Ownership projects with 20 or more dwelling units and rental projects of five or more units are required to provide inclusionary housing units: at least 20 percent of units would be affordable to moderate income households or at least 10 percent of units would be affordable to low income households. These percentages meet the minimum thresholds for use of State Density Bonus law provisions, which may allow for adding bonus units above the base density and reducing standards should they physically prevent the project from being built or create barriers to development.

Land Use Controls established in the General Plan and Zoning Code have allowed for predictability in determining housing type and density allowed. The cost of development is not affected by development standards beyond what applicants may reasonably expect for new development, including the expectation that the City would have some parameters for development such as height limits, setbacks, open space requirements, and parking requirements. Allowable housing type and amount of development can be determined by the land use designation and zoning designations. Housing affordability requirements are established clearly in the Affordable Housing requirements, Chapter 17.08 of the Zoning Code. New development is reviewed for compliance with development standards in the Zoning Code and consistency with General Plan policies. Design review applies to new developments and findings of approval need to be made. Although the review process may increase the time and cost of development, a discretionary review process for new residential development is not uncommon as part of the development review process that allows the approval body to evaluate projects and determine that projects meet applicable standards and guidelines. Nonetheless, with the inclusion of objective development standards that would be prepared (Action A1.2-7) and more streamlined approval processes (Policy P6.1-1), the City aims to provide a more predictable and faster approval process for applicable residential projects. Applicants have not indicated that land controls represented a significant unexpected cost prohibiting development and achieving maximum densities.

Accessory Dwelling Units

Accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) are an affordable and efficient means of increasing the housing stock. Between 2017 and 2020, 11 ADUs were permitted, compared to zero ADUs permitted between 2013 and 2016. The number of ADUs is expected to substantially increase in the future due to state laws that reduce barriers to development and expedite the permitting process.

The City has streamlined processing for accessory dwelling units by relaxing development standards and requiring all ADU applications to be ministerially reviewed per State Housing Laws. The City has eliminated parking requirements for ADUs and JADUs located on a lot with a single-family primary dwelling and reducing minimum rear and side setback requirements for newly constructed ADUs. Furthermore, the accessory dwelling is not counted towards the maximum density allowed by the General Plan land use designation that the unit is located on, and additional lot coverage allowances are allowed in certain zoning districts to accommodate second units.

There are a number of development standards included in Chapter 17.37 of the Zoning Code that could constrain their development. These requirements include, but are not limited to:

- Occupation by the property owner of either the primary dwelling or JADU
- Maximum ADU floor areas are restricted to 1,000 square feet

The Zoning Code allows the establishment of planned development districts in which the development standards may be specifically tailored to the project that is proposed, allowing design flexibility. Both the Palisades Apartments and La Pradera Apartments affordable housing projects have their own planned development districts.

Short-Term Rentals

The City prohibits the rental of homes for less than 30 days in all residential zones. This is intended to protect the City's housing stock and preserve the neighborhood character. Violators will be required to pay a penalty and cease operations.

Processing and Permit Procedures

The Zoning Code states the type of residential uses permitted within the City's residential and commercial zoning districts and specifies whether the use is permitted by right, requires administrative review, or approval of a use permit. Uses permitted by right are those that are allowed without discretionary review as long as the project complies with all development standards. Uses requiring administrative review are approved by the Planning and Building Director, which allows some flexibility on the part of the City to ensure basic health and safety, and general welfare concerns are met. Use permits are subject to approval by the Planning Commission. Many uses subject to a use permit also require design review, which is processed concurrently with the use permit application. Findings for use permit and design review approval include that the project is consistent with the General Plan, the use is compatible with surrounding uses, meets certain design objectives, and addresses basic public health, safety, and general welfare concerns.

The time required to process a project varies greatly from one project to another and is directly related to the size and complexity of the proposal and the number of actions or approvals needed to complete the process. Table 6-4 identifies general processing timeframes for various planning permits. It should be noted that projects do not necessarily have to complete each step in the process (i.e., small-scale projects consistent with the General Plan and Zoning Code would not require an environmental impact report, General Plan amendment, rezone or variance). It should also be understood that multiple applications for a project are usually processed concurrently.

The City has a consolidated and streamlined permitting process in order to expedite building and planning applications as much as possible. For example, most design review occurs at the administrative level and final maps are only considered at the City Council level. When a project requires rezoning or amendment of the General Plan, the City strongly encourages that those requests be processed concurrently.

TABLE 6-4 GENERAL TIMEFRAMES FOR PERMIT PROCEDURES

Type of Approval	Processing Time ¹	Review Body(ies)
Administrative Approval ²	3 weeks	Planning & Building Director
Use Permit	4-6 weeks	Planning Commission
Design Review	4-6 weeks	Planning Commission
Variance	2 months	Planning Commission
Parcel Map	3 months	Planning Commission
Subdivision Map	6 months	Planning Commission, City Council
Environmental Review ³		
(Mitigated) Negative Declaration	2 to 4 months	Planning Commission
Environmental Impact Report	6 to 12 months	Planning Commission

¹ Assumes project is exempt from the California Environmental Quality Act (CEQA).

² Includes administrative permits and administrative Design Review.

³ Estimate of additional processing time required to prepare review required by CEQA.

Calistoga also facilitates environmental review as required by the California Environmental Quality Act (CEQA). Many projects are categorically exempt from CEQA but some projects may require a Negative Declaration, Environmental Impact Report, or other form of CEQA documentation. Under PRC 21080.1 & 21080.2, a lead agency must determine if a housing development is exempt from CEQA within 30 days of receiving a complete application. If a project is deemed exempt, this triggers the 60-day approval requirement described in the previous paragraph. Action 6.1-11 introduces a new standard operating procedure – that will be in place by August 2025 – under which the Planning Director determines if a project is exempt from CEQA within 30 days after deeming a development application complete. In the event a project is found to be exempt from CEQA, then provisions of the Permit Streamlining Act shall apply and the application shall be processed within 60 days.

Design Review – Ministerial Review

Design review of proposed residential development is required in order to ensure conformance with the Calistoga General Plan, to promote high quality design and a harmonious relationship of buildings, to preserve the unique character and ambiance of Calistoga, to ensure compatibility of new development with existing development, and to promote the preservation of historic structures.

The Planning and Building Director is empowered to grant design review approval for one-family dwelling units and accessory structures in the RR, R-1/R-1-10, and R-2 Zoning Districts. Applications for permanent supportive housing in the RR, R-1/R-1-10, R-2, and R-3 Zoning Districts are also eligible for a streamlined ministerial review process. Following the amendment of the Zoning Code to permit navigation centers by-right in the DC Zoning District, navigation centers in this zoning district will also be subject to ministerial review. Design proposals that are ministerially reviewed are not reviewed by the Planning Commission and the design review approval process typically takes approximately 4 weeks. Calistoga is not currently subject to streamlined ministerial review under SB-35 for residential developments as the City has met its prorated very low-, low-, and above moderate- income RHNA in the last Annual Progress Report.

Under the ministerial review process, proposed designs are evaluated for consistency with the following:

- Is in accord with all applicable provisions of the Zoning Code.

- Is consistent with the City’s objective design standards.

Objective design standards are development standards that are clearly defined and involve no subjective judgement from public officials or City staff. They often include ratios, measurements, and other clear criteria.

Design Review – Planning Commission

The Planning Commission conducts design review for all other types of residential development applications. Potential applicants are encouraged to submit their preliminary plans for review by City department representatives at no cost to the applicant, and/or the Planning Commission, for a nominal fee. The applicants obtain feedback that can be readily incorporated into the final project design.

The design review process often results in an improved design that benefits both future project residents as well as neighbors. The Planning Commission includes an architect who can facilitate the non-design professional members’ understanding of project designs.

In approving a design review application, the Director or Commission must find that the proposed design:

- Is in accord with the General Plan and any applicable planned development.
- Is in accord with all applicable provisions of the Zoning Code.
- Is consistent with any adopted design review guidelines to the extent possible.
- Will not impair or interfere with the development, use or enjoyment of other property in the vicinity or the area.

The design review approval process is typically completed within four to six weeks. Even the Calistoga Family Apartments project that required preparation of a mitigated negative declaration was recently approved within three months of the application’s initial submittal.

The review of project site plans, elevation drawings and landscaping plans is guided by adopted Residential Design Guidelines, which help facilitate projects through the review process by eliminating ambiguity in design expectations. They also promote both variation in design and compatibility with the desirable qualities of existing development. Manufactured homes located outside of mobile home parks are subject to the same design standards as conventionally constructed housing.

The multi-family design guidelines are intended to encourage designs that maximize common space, blend with the surrounding community, limit views of parking facilities from public streets, provide architectural compatibility of accessory buildings, and direct on-site lighting on driveways and walkways and away from adjacent properties. All of these standards are compatible with the typical design of recently constructed affordable housing projects. The Zoning Code and General Plan also provide guidelines for residential development that occurs in commercial areas and on hillsides in order to promote compatible design.

Use Permit for Multifamily Residential Development

Multifamily residential zones in the Downtown Commercial (DC) and Community Commercial (CC) zones require approval of a use permit. The need for a use permit in these areas would add to permitting and fees on new development, although the City does maintain multifamily as a use permitted by right in other areas (e.g., the R-3 zone). An application requiring a use permit would be subject to application fees and potentially longer review due to the public hearing process, which could increase costs and time for development. Some of the time and costs can be streamlined through the concurrent review with the design review associated with the project, which also require the preparation of public hearing materials and a public hearing. The use permit requirement has not been a constraint for multifamily development as application fees were not significant

compared to the overall cost of a development and the use permit request is processed concurrently with design review for new construction with approval at the same public hearing. For example, the Silverado Terrace project over the previous Housing Element cycle was a 50-unit multifamily development with stacked flat and live-work units in the CC zone, which included entitlement requests for design review, use permits, and tentative map approval that were considered concurrently.

As many findings for use permit approval overlap with design review approval, the use permit findings would not present a significant additional barrier for approval beyond what is required for design review. The findings for approval of a use permit include 1) consistency with the General Plan, 2) consistency with the zoning code, 3) determination that the use would not impair or interfere with development, use or enjoyment of other properties in the vicinity, 4) consistency with and enhancing Calistoga's history of independently owned businesses, and 5) determining it is resident-serving in the case of formula businesses. The applicable findings for design review approval for new development share similar findings. They include: 1) consistency with the General Plan, 2) consistency with the zoning code, 3) determination that the use would not impair or interfere with development, use or enjoyment of other properties in the vicinity, and 4) consistency with design review guidelines.

Although the use permit requirement does not necessarily result in an additional major impediment for multifamily residential that otherwise also requires design review with comparable findings, the Housing Element includes actions that would improve predictability in project design and support findings of consistency with policies and regulations. Action A1.2-7 involves adopting objective design standards, and Action A5.3-1 requires consideration of objective design standards in proposed residential projects. Action A1.1-3 calls for evaluation General Plan objectives, policies, and actions for consistency with State law and amend as needed to ensure consistency with objective design standards and Housing Element objectives.

Building Permits

Upon submittal of a complete set of plans for a typical single-family residence, plan check is conducted, and a building permit is issued within approximately two to four weeks, and about four to six weeks for a typical multi-family plan check. The City sometimes contracts with a consultant for more complex plan checks in order to expedite their review; however, such plan checks are done on a time and materials basis to minimize the cost.

The permit process only increases in complexity and duration when the circumstances of individual projects warrant extra consideration on the part of staff and officials. This is especially true of the environmental review component of the process, yet the City of Calistoga has little flexibility to change this, since the California Environmental Quality Act specifies procedures that local jurisdictions must observe in reviewing the potential environmental impacts of development projects.

Growth Management and Senate Bill 330 (SB 330)

Growth has been a significant issue in Calistoga for nearly three decades. The City's Growth Management System was established as a regulatory mechanism for ensuring that population and employment growth is commensurate with the City's ability to provide essential public services and facilities. The System has been designed to facilitate and implement goals and policies contained in the Calistoga General Plan. Its primary objectives included:

- Prioritize projects with housing that is affordable to lower-income households.
- Promote infill development over new development at the edges of town.

- Reduce dependency on the automobile by providing a mix of housing types in areas located close to services, transit and City parks.
- Provide a balance of residential and non-residential growth to ensure the community's unique quality of life and economic well-being.

Consistent with the General Plan, the Growth Management System is based on an annual growth rate of 1.35 percent. Based on Calistoga's average household size, the 1.35 percent growth rate equates to approximately 28 new units annually. The City's Regional Fair Share Housing total allocation of 119 units for the 2023 - 2031 planning cycle.

Under SB 330, jurisdictions are prohibited from imposing a housing cap in order to reduce minimize barriers to new housing. This prohibition on housing caps is effective until January 1, 2030. Consequently, the Growth Management System is currently suspended and policies and programs implementing the Growth Management System have been removed from the Housing Element.

When SB 330 expires, the City will have the option to reinstate the Growth Management System, which would be implemented through an annual allocation process. Preference for residential allocations is generally given to projects that include one or more of the following:

- The majority of a project's deed restricted units count towards fulfillment of the City's remaining regional housing need in the very low-, low-, and moderate-income housing categories
- Housing for moderate-income households
- Housing proposed as part of a mixed-use development project
- Housing proposed on vacant, underdeveloped or redeveloped land with necessary public infrastructure in place
- Housing for special need housing groups or populations

Allocations are not required for the following types of development:

- Second dwelling units
- Dwellings that are replaced, including mobile homes or an approved mobile home site
- Select developments that the City has entered into a development agreement with
- The construction of a single-family residence on an existing lot of record
- Minor subdivisions that include a maximum of three lots in total where not more than two lots have been newly created
- Intensification of existing uses, a mixed use, a change of use, or additions to existing structures that result in an increase in floor area of no more than 10 percent

Fees and Other Exactions

Water and Sewer Upgrades

According to the City's Infrastructure Element (2020) of the General Plan, there are adequate water supplies to support future development. Future projects include continued maintenance of the aging water distribution infrastructure and pursuing opportunities to increase water supply sources, such as the expansion of the recycled water program, construction of wells with wellhead treatment outside of the City limits, expansion of the water treatment plant, improved peak delivery, banking water from the California State Water Project (SWP), and increased water use efficiency.

The City's wastewater collection faces challenges relating to the age of the infrastructure. The Infrastructure Element directs the City to prepare a wastewater master plan and identifies a range of improvements, including development-level installations and upgrades such as grease interceptors to reduce discharge into the treatment system.

The City has a strong stormwater pollution prevention program. The City is required by state law to trap particles that are five millimeters or larger in runoff water before they enter the stormwater system. Systems to capture particles are currently being installed through development projects. The City plans to prepare a master plan of the storm drainage system to identify improvements. Additional upgrades to the system include general maintenance and replacement of drainpipes and the installation of new drainpipes and inlets on Spring Street between Myrtle Street and the Napa River.

For a complete list of planned and completed water and wastewater capital improvement projects from 2021 to 2031, refer to Appendix D and E.

Development Impact Fees

The impact fees generate funding for capital facilities and equipment investments associated with the police, fire, cultural/recreation, City administration, and transportation functions. These one-time charges on new development are used to cover the cost of capital equipment and facilities that are required to serve new growth. The fees are typically collected upon issuance of a building permit, though in some cases on issuance of a certificate of occupancy or final inspection. While these fees may affect housing prices, the only alternatives would be their payment by existing Calistoga taxpayers or no further residential development, neither of which is feasible.

The City Council elected to adopt fees below the maximum supportable level, in part to avoid deterring development in the community. They are similar to those of similar communities in the vicinity. The fees are based on the estimated reasonable costs of providing the services and the construction, reconstruction and maintenance of the related facilities, which were derived from a detailed analysis and projections regarding the City's system costs, improvements and revenue needs. As of 2022, the City is working to update its development impact fees and the General Plan maintenance fee.

ADUs are exempt from utility connection fees unless the ADU is constructed with a new single-family dwelling. JADUs and ADUs less than 750 square feet are exempt from impact fees. ADUs that are 750 square feet or larger will be charged an impact fee proportional to the unit's size. Exempting JADUs and ADUs from utility connection fees has reduced barriers to building second units and has stimulated the growth of ADU development in the City.

Processing and Permit Fees

Generally, the fees associated with processing planning and building permit applications are consistent with other communities. All development impact and processing fees are publicly published on the City's website.

Table 6-5 summarizes development fees, including impact, processing, and permit fees. Table 6-6 identifies these fees as a percentage of development costs. For a typical 2,000-square foot detached home, development fees would be approximately 13.3 percent of total cost. For a 5-unit multi-family apartment building, development fees would be approximately 13.9 percent of the total per unit cost. For a 750-square foot accessory dwelling unit, the development fees consist of approximately 14.1 percent of the total estimated unit cost. The per unit fee portion as a percentage of total cost for new single-family and multi-family development is relatively low compared to other jurisdictions in the county.

The City Council has the authority to reduce development fees for affordable housing developments.

Refer to the City website for the City's current zoning map, development standards, and a complete list of fees associated with development.

TABLE 6-5 ESTIMATED RESIDENTIAL PROCESSING AND PERMIT FEES (2021)

Cost Category	Single-Family ²	Multi-Family ³	Accessory Dwelling Unit ⁴	Agency Fees Paid To	Notes
Planning Entitlements ¹	\$850	\$500	--	Planning & Building Department	
Development Impact Fees	\$79,062	\$66,879	\$16,928		
City Administrative	\$3,078	\$2,622	\$1,708		
Cultural/Recreational	\$7,105	\$6,053	\$3,943	Public Works	
Excise Tax	\$125	\$125	\$125		
Fire	\$2,593	\$2,209	\$1,439	Fire	
Police	\$689	\$586	\$382	Police	
Transportation	\$11,299	\$7,006	\$6,271	Public Works	
Wastewater	\$27,812	\$27,316	--	Public Works	
Water	\$18,201	\$15,862	--	Public Works	
School	\$8,160	\$5,100	\$3,060	Calistoga Joint Unified School District	\$4.08/ square foot for residential development
Building Permit / Plan Review	\$12,000	\$8,000	\$2,600	Planning & Building	
Total Cost per Unit	\$91,912	\$75,379	\$19,528		

¹ Includes cost of design review on a per unit basis

² Based on a 2,000 square foot home having a valuation of \$600,000

³ Based on a 3-bedroom apartment in a 5-unit complex

⁴ Based on a 750 square foot ADU. JADUs and ADUs less than 750 square feet shall not be charged any impact fees, and JADUs and ADUs less than 500 square feet are exempt from school impact fees. Utility connections fees shall not be charged for ADUs unless it is constructed at the same time as a new single-family dwelling. Utility connections are also not required for JADUs or ADUs created by converting existing space.

TABLE 6-6 DEVELOPMENT FEES AS PERCENTAGE OF DEVELOPMENT COSTS

	Single-Family ³	Multi-Family ⁴	Accessory Dwelling Unit ⁵
Total estimated cost per unit ¹	\$691,912	\$543,260	\$164,528
Fee portion of cost per unit ²	\$91,912	\$75,379	\$19,528
Percentage of total development cost	13.3%	13.9%	11.9%

¹ Includes land, design and construction, permits, fees and other costs

² From [Table 6-5](#)

³ Based on 2,000 square foot home having a valuation of \$600,000

⁴ Based on a 3-bedroom apartment in a 5-unit complex

⁵ Based on a newly constructed 750 square foot detached ADU that is built at a different time than the dwelling

Inclusionary Housing Program

The cost of land and its relatively limited availability within the City create market conditions that make it difficult for the for-profit private sector to produce housing that is affordable to moderate- and lower-income households. In the interest of facilitating development of housing that is affordable at these income levels, the City requires certain residential projects to contribute to the production of affordable housing within the City.

Under the inclusionary housing requirement, residential ownership projects consisting of five to 19 units shall pay an in-lieu fee to the Affordable Housing Fund, which is used for the construction and preservation of housing affordable to very low-, low-, and moderate-income households. Residential ownership projects that consist of 20 or more units and rental projects of five or more units must either deed restrict a minimum of 20 percent of the units in the project at a cost affordable to moderate-income households or provide a minimum of 10 percent of the project's units at a cost affordable to low-income households. Alternatives to the 20 percent on-site inclusionary requirement, such as payment of in-lieu fees, dedication of land, provision of off-site inclusionary units, or other equivalent action that would provide a comparable or superior benefit to the on-site requirement, may be considered by the City Council.

Developers must enter into an agreement with the City that sets forth the provisions of affordability for the project before the issuance of a building permit or the approval of a final map if the project involves a division of land. Inclusionary housing requirements for residential (or commercial) development projects for which a development agreement has been entered into with the City are negotiated as a term of the development agreement.

Through the inclusionary housing requirements, the City negotiated the dedication of land (now developed with the Palisades Apartments affordable housing project), construction of on-site housing units, and agreements that resulted in the payment of several million dollars of in-lieu housing fees. These fees are deposited into the City's Affordable Housing Fund and may be used to subsidize the development of affordable housing. In 2017, these fees were used to fund the Calistoga Senior Apartments, which provided 30 low-income units for seniors, including 23 very low-income units.

Action 2.1-7 requires the City Conduct an Inclusionary Housing Nexus Study and engage with the local development community and affordable housing advocates to evaluate the Inclusionary Housing Ordinance and in-lieu fee requirements for effectiveness in providing affordable housing under current market conditions.

Affordable Housing Incentives

In addition to the incentives provided under California State's density bonus (Government Code Section 65915), the City may grant an additional density bonus. City Council may also decide to grant additional financial incentives to make a qualifying project economically feasible, such as subsidies for infrastructure improvements or development fees, and/or City sponsorship of mortgage bond financing.

Codes and Enforcement

The City has adopted the California Building Standards Code and all of the appendices, including Appendix Q: Tiny Houses, in 2019. The City may adopt amendments to the State Code where local conditions warrant more-restrictive regulations. In the case of Calistoga, climatic, geographical, and topographical conditions justify a more restrictive Fire Code, such as the following requirements:

- Illuminated or reflective address numbers
- Automatic fire sprinkler systems for all one- and two-family dwellings regardless of square footage as well as for certain building additions, alterations, repairs, and changes in occupancy

While code requirements might increase the cost of providing housing, they also provide an important safeguard for the local population, particularly given more frequent wildfire events in the surrounding areas.

The City enforces its codes on a “complaint basis.” Code enforcement is the responsibility of the Planning Department and the Building Official. While the enforcement of building and housing codes could conceivably reduce the number of units and increase the cost of housing, code enforcement provides a public benefit in that it ensures that housing is safe and sanitary. This is especially important for low-income households who may not have the option of moving elsewhere if the housing they live in is not maintained.

On- and Off-Site Improvements

The Subdivision Ordinance requires a subdivider to provide the following infrastructure and improvements:

- paved streets
- concrete curbs and gutters
- street name and traffic control devices
- street trees
- sanitary sewage collection and pumping system
- water distribution and fire protection systems
- storm water drainage systems
- undergrounded utility lines
- fences and landscaping along the rear of lots backing onto streets or highways
- parkland

Developers may also be required to provide off-site improvements necessary for the general health, safety, and welfare. In some instances, off-site improvements may be reimbursed using connection fees that have been collected from other projects, or by establishing a reimbursement fund that subsequent developers in the area pay into.

The local street width standard is two travel lanes and two parking lanes. Sidewalks may be required along non-rural streets and highways. With sidewalks and easements, total right-of-way width is a minimum of 56 feet, although it is wider in some areas. This design is intended to adequately accommodate traffic, parking, pedestrians, and drainage. These standards may be modified if warranted by individual circumstances, and therefore are not a constraint on development.

The extent to which these improvements are required varies according to the size, type, and intensity of the proposed development and capacity and availability of offsite utilities. Moreover, these requirements are typical of those in similar communities, and necessary for the health and welfare of those living in the subdivision or to mitigate impacts on the surrounding community. Many of the requirements, such as those for street paving, street name signs, and traffic control signs, have little impact on housing construction since the street network is already completed in most areas of the City.

Submit a water and sewer allocation study comparing project with existing baseline. Purchase additional allocation(s) of water and/or wastewater as necessary.

Water and Sewer Improvements

Conditions of approval for water and sewer improvements are prepared on a case-by-case basis. The City requires projects to ensure water distribution and sewer collection systems can support new development. All developments are required to prepare a water/sewer demand study and purchase additional baselines as necessary. Projects are typically required to establish a water and wastewater baseline for the property with the City.

To establish sanitary sewer capacity, the applicant may be required to include the following interventions in the project prior to approval:

- Providing evidence that the sewer lateral is structurally-sound and correctly sloped by videoing the sewer lateral with a Public Works employee present and providing the City with a copy of the video.
- Providing oil/grease interceptors.
- Designing sewer grades such that ultimate finish floors are a minimum 12 inches above upstream manhole or clean out rim elevations. Inadequate elevation differentials or grade on private laterals, as determined by the City, must be mitigated by either raising finish floor elevations or installing privately-owned and operated sewer lift stations with grinder/ejector pumps on site.
- Connection to the City's sewer if the development is within 200 feet of public sewer main (CMC 13.08.140).
- All existing wells, septic tanks and associated pipelines shall be abandoned per abandonment permit from Napa County Environmental Health.
- All trench cuts within public paved roads shall be replaced per City of Santa Rosa Standard 215.
- Improving offsite sewer infrastructure to meet the new demand.

The City's typical conditions of approval regarding water requirements include the following:

- Water laterals meter and backflow device shall be per City of Santa Rosa Standard 874.
- If fire sprinklers are required, possible upsizing of the water lateral and meter may be required along with the fire sprinkler hydraulic analysis. The new combination water service connection shall follow City of Santa Rosa Standard 870 and include three-way valving at the existing main point of connection. The project must also request or pay for fire hydrant flow information to run the required analysis with.
- The applicant or owner is responsible for hiring and paying for their own fire consultant and paying for any lateral replacement that is required to meet fire pressure and flows required by the sprinkler system. The fire sprinkler consultant will need to compute all hydraulics throughout the on-site fire sprinkler system, including elevation losses in the lateral line from the main in the street through the lateral pipe, meter, and backflow devices. Also, most residential water laterals are not large enough to provide adequate flow/pressure for sprinklers and have to be enlarged to accommodate this. It is good practice for the fire consultant to run on-site flow/pressure tests to determine existing hydraulics on the property and investigate the lateral size by potholing and measuring to confirm existing conditions prior to running any calculations.
- The City owns the water laterals to the meter. Provide field measurements of the lateral and meter sizes, and an on-site flow test.
- All new water meters shall be radio-read Badger meter(s) and called out as such on plans.

- Developments shall connect to City water main if it is within 1,000 LF (CMC 13.04.170).
- All new water laterals shall be made of polyethylene SDR 9 (200psi minimum) materials; copper is not allowed. Existing laterals shall be replaced with polyethylene SDR 9 (200psi minimum) materials. Per Santa Rosa Standards, #12 wire tracer wire shall be installed along all polyethylene pipes.
- All trench cuts within public paved roads shall be replaced per Santa Rosa Standard 215.
- Improve offsite water infrastructure to meet the new demand.

Constraints to Housing for the Disabled

This section provides an analysis of governmental constraints on the development, maintenance, and improvement of housing for persons with disabilities. Calistoga's Zoning Code defines family as "one person living alone, or two or more persons occupying a dwelling unit and living together as a single housekeeping unit that is characterized by the following: (A) Shared use of a single common kitchen; (B) Shared household expenses; (C) Shared use of a common entry to the dwelling unit; (D) Shared use of all or virtually all areas of the dwelling unit at all times; and (E) Occupation of the unit under a single lease if the unit is not occupied in part by the owner." This definition is consistent with state law and does not distinguish between related and unrelated persons nor does it impose a numerical limitation on the number of people who constitute a family. Consequently, this definition does not have the effect of discriminating against the siting of group homes for people with disabilities.

The City code will be amended in order to ease constraints to housing for the disabled (see Action A6.1-10). These amendments will:

- Allow for residential care facilities of six or fewer people to be regulated in the same manner as a single-family dwelling unit in all zones, including Specific Plan areas, where single-family dwelling units are allowed.
- Revise the Zoning Code and permit procedures to allow group homes of seven or more persons in all residential zone districts with objective standards to promote approval certainty similar to other residential uses of the same form and consistent with State law and fair housing requirements.

Reasonable Accommodation

According to Section 17.60.070 of the Municipal Code, a written decision to grant or deny a request for reasonable accommodation must be consistent with fair housing laws and shall be based on the following findings: 1) The Housing which is the subject of the request, will be used by a disabled person under fair housing laws; 2) The request for reasonable accommodation is necessary to make specific housing available to a disabled person under fair housing laws; 3) The requested reasonable accommodation will not impose an undue financial or administrative burden to the City; 4) The requested reasonable accommodation will not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning, and; 5) The requested reasonable accommodation will not result in a direct threat to the public health or safety of other individuals or substantial physical damage to the property of others.

As described above, the City facilitates permit processing for all types of housing and retrofit efforts through its rapid processing times for most housing projects. In addition, most retrofit improvements for accessibility, such as installation of ramps, do not require design review, and are only subject to inspection for building permit approval in order to ensure safety compliance. To keep in conformance with State ADA requirements, the City adopts the California Building Standards Code every three years and amends local code provisions as

needed. In addition, the City has established a Building Standards Advisory and Appeals Board to hear and decide on disabled access issues as they relate to Building Code provisions specific to unreasonable hardships.

As further described above, no specific limitations or restrictions are contained in the Zoning Code concerning special needs housing, as they are allowed by right in all residential zones. Additionally, the Zoning Code provides for the approval of requests for reasonable accommodation by the Planning and Building Director. A request for reasonable accommodation may be made by any disabled person when the application of a zoning law or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a disabled person equal opportunity to housing of their choice. If an applicant needs assistance in making the request, the Planning and Building Department endeavors to provide the assistance necessary to ensure that the process is available and expedient for the applicant.

The submittal and review process for a reasonable accommodation request is a staff level review under the Planning and Building Division, unless the application is associated with another entitlement request requiring a higher level of review. As a staff level review, the application review would not be a significant hinderance in terms of processing. Moreover, the reasonable accommodation procedures in the Zoning Code specifically exclude any required noticing or public hearings, which expedites required processing time. An applicant may submit a request for reasonable accommodations as an application through the Planning Division. The application would include applicant and owner information, property address, use of the property, claim of disability under fair housing laws, accommodation from policy or regulation being sought, explanation of why the accommodation is necessary, and other information that may be necessary to facilitate proper consideration of the request. Application fees are the same as those for a minor conditional use permit (or an administrative review use permit); the base fee for an administrative review use permit was \$850 as of the latest fee schedule. Fees cover the costs needed for time spent processing and reviewing applications.

The approving authority will issue a written decision to grant or deny a request for reasonable accommodation consistent with fair housing laws and based on consideration of the following findings:

1. The housing, which is the subject of the request, will be used by a disabled person under fair housing laws;
2. The request for reasonable accommodation is necessary to make specific housing available to a disabled person under fair housing laws;
3. The requested reasonable accommodation will not impose an undue financial or administrative burden on the City;
4. The requested reasonable accommodation will not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning; and
5. The requested reasonable accommodation will not result in a direct threat to the public health or safety of other individuals or substantial physical damage to the property of others.

The findings (1 and 2) for approval allow for the granting of necessary requests to make housing available to persons covered under fair housing laws. The findings (3, 4, and 5) also provide for changes reasonable for personal accommodation, which should consist of minor exceptions to certain general development standards on a site. As such, a request should be minor in nature and reasonably be able to meet the findings that proposed modifications would not impose undue burden on the City, fundamentally change City programs or laws, or create a threat to public health and safety. The approving authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation will comply with the findings.

Reasonable accommodations follow the same appeals process as other Planning applications should the appeal of a determination be sought.

The City will review and reduce its fees for requesting reasonable accommodation by October 2025 to ensure the process does not act as a constraint on persons with disabilities (see action A6.1-9).

Non-Governmental Constraints

Non-governmental constraints are those that are not created by a local government but may be alleviated or reduced through government actions.

Construction Costs

Housing prices are influenced partly by the types of construction materials used. Homes in Calistoga are generally of wood frame construction and finished with stucco or wood siding. This type of construction is the least-expensive conventional method (brick, stone and concrete block are more costly). Composition shingle and built-up roofs, which are found on a large share of the community's homes, are also the least expensive, followed by wood shingle, wood shake, concrete tile, metal tile and clay tile.

The cost of lumber and wood products accounts for approximately one-third of the costs of materials used to build a home. The Covid-19 pandemic caused large fluctuations in the cost of lumber. Prior to the pandemic in 2020, lumber cost approximately \$350 per thousand board feet. At its peak, lumber cost \$1,514 per thousand board feet in May 2021, but has decreased to \$770 per thousand board feet in July 2021.¹ This high cost of lumber adds tens of thousands of dollars to the cost of constructing a new home. Although lumber prices demonstrate a downward trend of returning to pre-pandemic prices, current lumber costs are still approximately 80 percent more expensive than they were in early 2020.

Labor costs are the single biggest expense in a home's construction after land. Over the long term, direct construction costs (including materials and labor) have decreased as a proportion of total costs due to a dramatic drop in the number of person-hours required to construct a unit, and the use of less-skilled (and therefore, lower-paid) workers because of a greater use of prefabricated materials.

The City can minimize construction costs by not requiring more costly kinds of building materials on residences, such as clay tile roofs. However, there is little within the City's power to affect the cost of skilled labor and building materials.

In 2021, the construction cost of a 2,690 square foot single family home in Calistoga had a valuation of \$400,000 and an 11,500-square foot townhome development with six units had a valuation of \$1.34 million.

Land Costs

Approximately 25 percent of housing costs are attributable to land costs in most real estate markets. A major component of this cost is land speculation. Land costs are also affected by such factors as zoning density, the availability of infrastructure, the existence or absence of environmental constraints, and the relative amount of similar land available for development.

¹ Fastmarkets Random Lengths

Land costs in Calistoga vary depending on the size of the parcel and its location. A 20,958 square foot unimproved lot zoned as R-3 located near Downtown Calistoga was sold for \$915,000 in 2019. The property already had water and sewer services available. A 19,182 square foot vacant lot zoned as R-R was sold for \$599,000 in 2021.

Financing Costs

Financing costs can pose additional barriers to housing development. Securing loans for first-time homebuyers as well as loans to finance construction can limit the ability of prospective homeowners to purchase a home.

Home Financing

Mortgage credit is difficult to obtain for most first-time buyers and the recent tightening of underwriting standards also hinders the ability of households at the low and middle tiers to move up.

Mortgage rates are currently at historic lows. Besides lowering monthly interest payments for buyers, low interest rates allow existing homeowners to refinance their homes, thereby lowering monthly housing costs and perhaps preserving their ownership status.

In federally designated, high-cost counties, which includes Napa County, conventional and FHA loan limits have been increased to \$816,500 for one living-unit homes as of 2021 to assist homebuyers. In the past, mortgages for homes more expensive than what is covered by a conventional conforming loan, commonly known as “jumbo loans,” were more difficult to obtain, even for well-qualified buyers. However, jumbo loan rates are often competitive and can be lower than conforming loans. Lenders are currently offering rates that are on average half a percentage point lower than those on the conforming loans backed by Fannie Mae and Freddie Mac and are increasingly holding these jumbo loans on their books as a revenue enhancer. As the Federal Housing Finance Agency, which regulates Fannie and Freddie, seeks to boost the two agencies' reserves against losses from mortgage defaults, it has raised fees and other costs for borrowers. Since Fannie and Freddie don't back jumbo mortgages, those fees don't apply and therefore aren't passed on to borrowers.

The City of Calistoga assisted 27 low- and moderate-income first-time homebuyers in purchasing homes in the Palisades, Emerald Oaks, and Silverado Place Subdivisions by providing each buyer with a “silent second” mortgage to close the gap between the appraised value of the homes and the price affordable to the particular household. A deed restriction was recorded on each property that required the City be provided with an option to purchase the home in the event of re-sale in order to try to keep the homes in the community's affordable housing inventory.

Many major financial institutions and mortgage lenders that finance housing have offices in nearby cities. Homes sales are occurring in all parts of the community, and there is no evidence of mortgage-deficient areas in the community for new construction or rehabilitation loans.

The ability to accumulate a down payment is a formidable barrier to many potential homebuyers. Low-income households find it difficult to make the transition from rental to ownership units because they cannot accumulate a down payment while renting. Similarly, very low-income households may be unable to obtain rental housing because they cannot accrue the necessary security deposits and first and last months' rents.

Construction Financing

Overall, construction financing usually represents a small portion of total housing costs. Financing costs for construction are affected partly by how early in the development process loans must be taken out and how long the loans must be carried. Project delays can increase total interest payments, as well as create greater financial

risk for a project. Construction financing for higher-density in-fill projects is generally harder to obtain than for conventional single-family construction.

Approval Times

The length of time between a project's approval and building permit issuance in many cases is determined by the applicant. The range of time between entitlements and building permits typically ranges from 6 months to 18 months for projects developed in the City of Calistoga. The average time between entitlements and building permit approval typically ranges from 9 to 24 months.

Densities

In some cities, new development projects on vacant and underutilized land may be proposed at densities that are well below what is allowed by zoning. This may be a reflection of the real estate market, developer and builder preferences, environmental conditions, or regulatory constraints that make it difficult to build the allowable number of units. This has not been an issue in Calistoga.

The City has taken a number of steps to ensure that its land supply is used efficiently, including requiring that projects be developed within the density ranges set by the General Plan. Single family detached homes are not permitted in most of the higher density districts, including commercial zoning districts where housing is allowed.

The site inventory uses minimum density – 10 du/ac – to calculate realistic capacity assumptions. Recent development proposals – captured in Table 5-4 (Pipeline Projects) are much higher. Silverado Terrace has a projected density of 26 du/ac (130 percent of the maximum density allowed of 20 du/ac) and 1855 Lincoln Avenue has a projected density of 26 du/ac (135 percent of the maximum density allowed of 20 du/ac). There have been no other residential developments in areas that allow non-residential development in the past 10 years.

Community Acceptance of Residential Development

Public resistance to residential development proposals, especially affordable, multi-family and/or in-fill projects, can result in lengthy and expensive review processes as well as the loss of potential units. In general, Calistoga residents are accepting of development if such concerns as privacy impacts, additional traffic, and contributions to the City's small-town character are addressed. There were no requests from any developers to develop at densities below those identified in the City's 5th Cycle Housing Element.