

CITY OF CALISTOGA**STAFF REPORT**

**TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION**

FROM: KEN MACNAB, SENIOR PLANNER

MEETING DATE: JULY 14, 2010

SUBJECT: HOUSING ELEMENT UPDATE (GPA 2009-01)

1 **REQUEST:**

2
3 **GPA 2009-01:** Presentation of the preliminary draft update to the Housing
4 Element for review and comment.

5
6 **BACKGROUND:**

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8 The Housing Element is one of seven mandated elements of the General Plan -
9 the State-mandated comprehensive, long-term plan that guides the physical
10 growth and development of the City. Housing Element law requires cities and
11 counties to adequately plan to meet their existing and projected housing needs,
12 including their share of the regional housing need. The law recognizes that the
13 most critical decisions regarding housing development occur at the local level
14 within the context of the General Plan. In order for the private sector to
15 adequately address housing needs and demand, the City must adopt land use
16 plans and regulatory schemes that provide opportunities for, and do not unduly
17 constrain, housing development for all income groups.

18
19 Unlike the other mandatory elements of the General Plan, the Housing Element
20 is subject to detailed statutory requirements regarding its contents and must be
21 updated every five years. The Housing Element is also subject to mandatory
22 review by the State Department of Housing and Community Development (HCD).
23 This reflects the statutory recognition that the availability of housing is a matter of
24 statewide importance and that cooperation between the government and private
25 sector is critical to attainment of the State's housing goal of "decent housing and
26 a suitable living environment for every California family."

27
28 The City's current Housing Element was adopted on October 21, 2003, and
29 found to be in full legal compliance by the State Department of Housing and
30 Community Development (HCD) on March 9, 2005.

31

- 76 Key findings in the preliminary draft update of the Housing Element include:
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- 78 1. Calistoga will need to provide additional residential development to house
79 its fair share of Napa County's growing population.
80
 - 81 2. Calistoga has an ample supply of appropriately designated land with
82 public services available to meet its fair share of the regional housing
83 need.
84
 - 85 3. Although housing prices in Calistoga have declined in recent years, they
86 are expensive when compared to income levels of local residents.
87 Approximately one-third of households devote more than 30 percent of
88 their income for shelter. This affects very-low, low- and moderate-income
89 households, which include service workers in the restaurant and visitor
90 accommodation industry, entry-level teachers, firefighters and police
91 officers. Approximately 30 percent of renters are living in overcrowded
92 conditions. Overcrowding can result in health and safety risks, accelerate
93 deterioration of the City's rental housing stock and create negative
94 community perceptions about lower income housing.
95
 - 96 4. Calistoga supports fair access to housing for all persons and has
97 relationships with or access to local and State organizations that address
98 particular housing needs.
99
 - 100 5. Housing can be wasteful of natural resources if it is poorly designed,
101 constructed or maintained. City programs should encourage
102 implementation of measures for reducing energy demand through
103 efficiency and conservation.
104
 - 105 6. Seniors and the disabled, who comprise large proportions of Calistoga's
106 population, have particular housing needs and also tend to have low
107 incomes. The housing problems for people with disabilities are not just
108 related to costs but also to accessibility.
109
 - 110 7. Farmworkers appear to suffer from a particular shortage of housing in the
111 Calistoga Planning Area. Although a portion of this housing demand is
112 generated by land in the unincorporated County, some of it comes from
113 individuals working in Calistoga.
114
 - 115 8. A review of the City's development and design standards for higher
116 density and/or mixed use development is needed to ensure that
117 development at the higher end of permitted density ranges is achievable.
118

163 *receive a building permit within the required time limit can present a*
164 *significant constraint.*

165
166 2. Allow for roll-over of un-used Growth Management Allocations between
167 five-year housing cycles (Action A5, Objective H-6.1).

168
169 *Larger development projects coming forward towards the end of a five-*
170 *year housing cycle in the Growth Management System may be*
171 *constrained by the provision that disallows rollover of unused/available*
172 *allocations between five year cycles. Allowing roll-over of unused*
173 *allocations between five-year cycles would eliminate potential project*
174 *delays.*

175
176 3. Review and update standards of the R-3 Zoning District to ensure
177 development at the maximum permitted density is achievable (Action A3,
178 Objective H-1.2)

179
180 *Current development standards for the R-3 Zoning District (e.g., lot*
181 *coverage, setbacks, height, etc.) may preclude development at the*
182 *maximum permitted density allowed by the zone or by the General Plan.*
183 *A review of the current standards to assess whether they constrain*
184 *development at the higher end of the permitted density range is*
185 *warranted.*

186
187 Encourage the Production of Affordable Housing

188
189 4. Consider amending the R-2 Zoning District to make it a zoning district
190 primarily intended for the development of “for sale” single-family attached
191 homes (Action A4, Objective H-2.1).

192
193 *Attached “for sale” housing is a form of housing that is often more*
194 *affordable than a traditional single-family detached home for households*
195 *with moderate incomes. None of the City’s current zoning districts have*
196 *standards that would readily accommodate development of single-family*
197 *attached homes. Modification of the R-2 Zoning District would*
198 *accommodate this form of development primarily in areas designated as*
199 *Medium Density Residential (4 to 10 units per acre).*

200
201 5. Consider including incentives in the City’s Inclusionary Housing Program
202 that will stimulate production of housing in the more difficult to achieve
203 income levels (Action A3, Objective 3.1).

204
205 *The Housing Element Update Advisory Committee supports the idea of*
206 *revising the City’s Inclusionary Housing Ordinance to add incentives that*

250 *Approximately 20% of the City's population is over 65 years in age.*
251 *Allowing residential care / assisted living facilities by right in the City's*
252 *higher density zoning districts will accommodate future development of*
253 *these facilities.*

254

255 Accommodate Housing for the Disabled

256

257 10. Amend the municipal code to create a procedure wherein persons with
258 disabilities may request reasonable accommodation in the application of
259 zoning standards.

260

261 *The intent of establishing a procedure for reasonable accommodation is to*
262 *eliminate the need for a person with a disability to request a variance from*
263 *development standards to install improvements (e.g., access ramp)*
264 *needed to make a home accessible.*

265

266 Accommodate Development of Shelters

267

268 11. Amend the Zoning Ordinance to allow emergency and transitional shelters
269 by right in the R-2 and R-3 zoning districts, and in all other zoning districts
270 with an administrative use permit (Action A5, Objective H-3.2).

271

272 *Families and persons in need of emergency shelter include those who are*
273 *without homes as well as those who are temporarily displaced from their*
274 *homes due to abuse, evictions, or natural disasters. It is difficult to*
275 *measure the numbers of people in these categories since the situation is*
276 *often temporary, and those without homes relocate frequently in search of*
277 *jobs or housing. Government Code Section 65583(a)(4) requires that*
278 *Calistoga accommodate the development of at least one emergency*
279 *shelter within the City. Actions called for in this element to address this*
280 *requirement include amendment of the Zoning Ordinance to allow*
281 *emergency shelters by right in the in the R-2 and R-3 zoning districts*

282

283 Address Climate Change and Energy Use

284

285 12. Reduce greenhouse gas production and energy use in new residential and
286 mixed use development (Goal H-8).

287

288 *This is a new goal being added to the Housing Element. Implementing*
289 *policies and actions reflect housing-related directives contained in the*
290 *draft Calistoga Climate Action Plan.*

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339 Draft minutes from the June 22, 2010, Housing Element Update Advisory
340 Committee meeting will be forwarded to the Planning Commission for review
341 prior to the July 14th meeting.

342

343 **ISSUES:**

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345 **“By-Right” Multi-Family Development**

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347 Action A1 under Objective H-1.2 in the 2003 Housing Element calls for
348 amendment of the Zoning Ordinance to permit multi-family housing as a matter of
349 right in areas zoned R-3, Community Commercial and Downtown Commercial,
350 and in the R-2 district where appropriate (currently multi-family housing projects
351 greater than four units require conditional use permit review). The action was
352 adopted as part of the 2003 General Plan Update in effort to streamline review
353 procedures for multi-family development projects. The term “by-right” means the
354 use is allowed without conditional use permit review or other discretionary review
355 in designated zoning districts. It DOES NOT mean that multi-family projects
356 could be constructed outside of zones in which they are permitted, nor does it
357 mean that multi-family projects would be exempted from other code requirements
358 (State or local), including environmental review. An example of a use currently
359 allowed “by-right” would be a new single-family residence in the R-1 zoning
360 district.

361

362 The Advisory Committee had concerns that allowing multi-family projects by-right
363 (without conditional use permit review) would lead to development that is
364 inconsistent with or negatively impacts Calistoga’s small-town rural character.
365 Complicating the issue is a State law that was passed after adoption of the 2003
366 Housing Element requiring jurisdictions to have the same “by-right” provision for
367 multi-family development if the jurisdiction fails to identify that it has adequate
368 housing sites to accommodate its regional housing need. While staff is confident
369 that the City has more than enough land to accommodate its regional housing
370 need, it is aware that HCD has great interest in this particular provision as it
371 provides a greater degree of certainty for developers of multi-family projects.

372

373 Staff recommended to the Committee that prior to eliminating the requirement for
374 conditional use permit review of new multi-family housing, the City develop
375 design guidelines for multi-family housing projects and then replace the
376 requirement for conditional use permit review with a requirement for non-
377 discretionary design review. After much discussion the Committee ultimately
378 supported this recommendation (see Action A1, Objective H-1.2 in preliminary
379 draft Housing Element, p. 116).

380

381

426 It should be noted that environmental review will be required prior to adoption of
427 the *final* draft of the updated Housing Element (anticipated later this fall). The
428 appropriate environmental documents will be prepared in accordance with the
429 requirements of CEQA and presented for public review and consideration at the
430 time of adoption proceedings.

431

432 **RECOMMENDATION:**

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434 Staff recommends that the Planning Commission pass a Motion recommending
435 to the City Council that the preliminary draft of the updated Housing Element be
436 forwarded to the State Department of Housing and Community Development for
437 review, and forwarding any comments or suggested revisions for the Council's
438 consideration.

439

440 **ATTACHMENT:**

441

442 1. Preliminary Draft of Updated Housing Element.