

RESOLUTION NO. 2017-052

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA SETTING AN AFFORDABLE HOUSING DEVELOPMENT IMPACT FEE FOR SMALL RESIDENTIAL OWNERSHIP PROJECTS

WHEREAS, Calistoga Municipal Code §17.08.020(C) allows the payment of a fee in-lieu of providing deed-restricted affordable units for residential subdivisions involving 5 to 19 units; and

WHEREAS, on May 19, 2015, the City Council adopted Resolution 2015-047, setting the amount of this in-lieu fee at \$12,000 per unit; and

WHEREAS, the adopted in-lieu affordable housing fee was based on the analysis and recommendations contained in the analysis prepared by Economic & Planning Systems, Inc., dated April 13, 2015 (“Affordable Housing In-Lieu Fee Analysis for Residential Development”), consistent with the most recent relevant case law and the principles of AB 1600 (the Mitigation Fee Act), codified at Government Code Section 66000 et seq; and

WHEREAS, the development of residential projects of one to four units results in the same increased demand for housing affordable to low- and moderate-income households as do larger residential projects; and

WHEREAS, at least fourteen (14) days prior to the date this resolution is being heard, notice was provided to any persons or organizations who had requested notice, in accordance with Government Code Section 66019; and

WHEREAS, notice of the hearing of the proposed fee was published twice in the manner set forth in Government Code Section 6062(a) as required by Government Code Section 66018; and

WHEREAS, a duly and properly-noticed public hearing was conducted by the City Council on June 6, 2017;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Calistoga as follows:

SECTION ONE

Findings.

- A. The above recitals are incorporated herein as if set forth herein in full and each is relied upon independently by the City Council for its adoption of this resolution.
- B. The Council finds and determines this fee is consistent with state law (California Government Code Section 66000 et seq.). Specifically, the EPS Analysis establishes that there is a reasonable relationship between the fee and the cost of offsetting a market-rate residential development project’s impact on the need for affordable housing.

SECTION TWO

Adjustments. The City Council may periodically update this Affordable Housing Fee to reflect changing housing conditions within the community, including the actual costs of providing affordable housing.

SECTION THREE

Fee Adoption. The City Council hereby adopts an Affordable Housing Fee of \$12,000 for market-rate residential ownership projects of one to four dwelling units on parcels that existed prior to the effective date of this resolution, or dwelling units within a subdivision of four or fewer parcels approved after the effective date of this resolution.

SECTION FOUR

Fee Exemption. Accessory dwelling units, and dwelling units whose living area (excluding any structured parking) is less than 1,300 square feet, are exempt from payment of this fee.

SECTION FIVE

Fee Payment. The Affordable Housing Fee shall be paid at the time that other development impact fees associated with the construction of a residence are collected.

PASSED AND ADOPTED by the City Council at a duly noticed regular meeting held the **6th day of June, 2017**, by the following vote:

AYES: Councilmembers Kraus, Barnes and Lopez-Ortega, Vice Mayor
Dunsford and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk