

TRANSITIONAL HOUSING POLICY

City of Gilroy

August 2002

Section 1.00 Statement of Intent

It is the intent of this policy to set forth the specific criteria to exempt transitional housing developments from the City of Gilroy Residential Development competition and numeric limit [Ref: Zoning Ordinance Section 50.62 (b) (9)]. The goal of this exemption is to enhance public welfare by meeting the housing needs of homeless individuals and families. This exemption is intended to encourage homeless services providers to develop housing for households transitioning from homelessness to permanent housing. Transitional housing developments must comply with the provisions of this policy to receive an exemption from the Residential Development Ordinance.

Section 2.00 Definitions

Transitional Housing: Transitional housing is defined as housing that is operated and managed by a transitional housing shelter and used exclusively by households at immediate risk of becoming homeless, or transitioning from homelessness to permanent housing.

Households At Immediate Risk of Becoming Homeless: Households at immediate risk of becoming homeless are defined as households that have received an eviction notice to vacate their current residence and are working with a social service agency.

Section 3.00 Application Procedure

- (1) The applicant must apply for an RDO Transitional Housing Exemption and a Conditional Use Permit and must submit all required fees at the time of application.
- (2) At the time of application for the exemption, the applicant must specify the number of units to be constructed and the number of bedrooms in each unit.
- (3) Approval of the application will be based upon compliance with this policy and all other City

EXHIBIT A

requirements, as they may be updated from time to time. The applicant must receive approval of the RDO exemption prior to Tentative Map approval. In situations where a Tentative Map is not required, the applicant must receive approval of the RDO exemption prior to Planned Unit Development Architectural & Site Review approval.

- (4) After approval of this application, and prior to receiving Tentative Map approval (or Architectural & Site Review approval in situations where Tentative Maps are not required), the applicant must enter into a contract with the City (hereafter referred to as Agreement) agreeing to provide transitional housing as delineated in this policy, and as approved by the City Council. This Agreement will ensure that the units remain rented as transitional housing units. Failure to comply with the terms of the Agreement will void all approvals.
- (5) All Tentative Maps, Planned Unit Development Architectural & Site reviews, or other development permits approving residential development shall contain conditions sufficient to ensure compliance with the requirements set forth in this policy.
- (6) All dwelling units proposed under this program must be constructed with the same quality of design, construction and materials as required for market rate housing.

Section 4.00 Locational Considerations

Transitional housing developments may be constructed in residential zoning districts and must comply with the density restrictions of those zoning districts. Transitional housing developments may be constructed in non-residential zoning districts only when constructed in conjunction with an approved homeless shelter.

Section 5.00 Management of Transitional Housing Developments

Developers of transitional housing shall be required to submit a Management Plan, which will be reviewed through the Conditional Use Permit process. The Management Plan shall address, but not be limited to addressing, the following issues:

- a. Access to facility by non-residents
- b. Child care
- c. Life skill development
- d. Case management
- e. Required resident savings
- f. Employment and training
- g. Follow-up/aftercare services
- h. Alcohol and drug usage (The Plan shall discuss how the transitional housing shelter will implement the ban on alcohol and illegal drugs.)

Section 6.00 Length-of-Stay Restrictions

Tenants may stay in a transitional housing facility for a maximum two-year time period. Tenants may be allowed a one-time length-of-stay extension, not to exceed six months in length. The City shall be notified of any extensions that have been granted through an annual report to be submitted to Planning Division staff. Tenants may not re-enter a facility where they have previously been residents for a minimum period of six months after termination of their previous tenancy.

Section 7.00 Recreational Areas

Transitional housing developments shall provide recreational areas commensurate with the City's *Multi-family Residential Design Policy*.

Section 8.00 Alcohol and Drug Use

All transitional housing developments shall create a zero tolerance policy for alcohol and illegal drug use.

Section 9.00 Limitations on Renting Transitional Units

- (1) The City reserves the right to review documents and verify the eligibility of all prospective tenants.
- (2) One hundred percent (100%) of the housing units granted an exemption from the Residential Development Ordinance under this program must be rented to households transitioning from homelessness to permanent housing.
- (3) The developer shall specify, in the Agreement entered into with the City, the number of units that are to be constructed and the number of bedrooms in each unit.
- (4) Households renting housing through this program may not be required to pay more than thirty percent (30%) of their income toward rent and utilities. Tenants in this program may be required to pay a cleaning and/or security deposit of not more than the cost of the monthly rent.
- (5) A portion of the units constructed in any transitional housing project must be designated as non-smoking units.

Section 10.00 Resident Contract Required

All transitional housing residents shall be required to sign a contract that clearly delineates the rules of the transitional housing facility and the terms of their tenancy.

Section 11.00 Fire Suppression

An automatic fire alarm system (inclusive of system smoke detectors in the dwelling units) will be required. This requirement is in addition to the fire sprinkler system mandated by City of Gilroy ordinance.